

2016var021 – December 5th, 2016

Prepared by Richard Haugen

Applicant: Killeskillen LLC by Michael Crinion, 126 Pine Ridge Rd, Brookings, SD 57006

Land Owners: LC Olson LLP, 2315 E St George Dr, Sioux Falls, SD 57103

Legal Description: NE1/4 of Section 10, T112N, R48W

2016var021: Killeskillen LLC by Michael Crinion has applied for a variance to build a Class "A" Concentrated Animal Feeding Operation (CAFO), 1,400 feet from a private well. A variance of 1,240 feet. Brookings County Zoning Ordinance Article 22: Concentrated Animal Feeding Operation: Section 22.01: Concentrated Animal Feeding Operation Regulations: Concentrated Animal Feeding Operation and Control Requirements: # 6 Required Setback and Separation Distance: Private Wells other than the operator is 2,640 feet. (Brookings County Zoning Ordinance page 22-14)

The well is not on record with the South Dakota Department of Environment and Natural Resources – Water Well Completion Reports, meaning the well was dug before well completion records were required.(page-4) The well is located below an old windmill tower that does not have the windmill wheel or windmill head on top of the tower to enable it to pump water.(page-8)Beacon maps dated April 15, 2010, May 3, 2013 and May 6, 2016 all show the windmill tower and the land immediately around the tower as being farmed for crop production.(pages 5-7) Photos of the well show the: pump head, well casing, a partially rusted out well casing cover and vegetation growing in the area under the tower and tilled farm land on all sides of the tower.(page-8) Jay Gilbertson with East Dakota Water Development District reviewed the above materials and viewed this as an abandoned well and should be properly sealed.

Letters were sent to the adjoining landowners, Oak Lake Township Chairman and clerk, Brookings County Highway Department, Brookings-Deuel Rural Water and the current landowner.

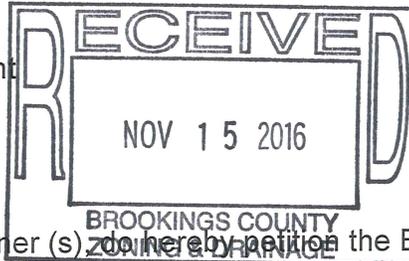
The public notices were published in the Brookings Register on November 22nd and 29th, 2016, White Tri-City Star on November 24th and December 1st, 2016 and Hendricks Pioneer on November 23rd and 30th, 2016.

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

Date of Application: 11/15/16

Variance Number: 20160AR 021

To: Brookings County Board of Adjustment
520 3rd St, Suite 200
Brookings, South Dakota 57006



A.) I/We, the undersigned property owner (s) do hereby petition the Board of Adjustment of Brookings County, South Dakota, to grant a Variance to the Brookings County Zoning Regulations for the purpose of:

BUILDING A CLASS A DAIRY CAFO FOR 5,500 ANIMAL UNITS.

B.) Section(s) of Zoning Regulations to be exempted:

Article 22.00 Concentrated Animal Feeding Operation, Section 22.01:
Concentrated Animal Feeding Operation Control Requirements:
#6: Required Setbacks and Separation Distance.

C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this regulation: that the special conditions and circumstances do not result from the actions of the applicant, and that granting the variance requested will not confer on the applicant, and privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

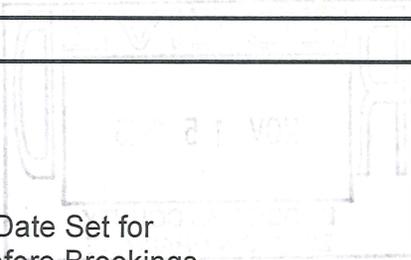
1400 FEET TO THE NE OF THE NE CORNER OF
OUR PROPOSED BUILDING IS AN OLD WINDMILL WHICH IS
PROBABLY OVER A WELL. IF THERE IS A WELL IT IS NOT RECORDED
ON ANY STATE RECORDS. IT IS MY UNDERSTANDING THAT IT
HASN'T BEEN USED FOR MULTIPLE YEARS AND ONE CAN THAT IT
HAS BEEN FARMED ALL AROUND THE STRUCTURE FOR A NUMBER OF YEARS.

D.) Legal Description of Property:

NE 1/4 Section 10, T112N, R48W

Parcel # 130001124810100 (Oaklake Twp)

site addr - 48187 197th St, Astoria, SD 57213



E.) Time and Date Set for Hearing before Brookings County Board of Adjustment.

December 5th, 2016 (Monday)

Date

7:00 pm

Time

Approved

Rejected

Date

Chairman of Brookings County Board of Adjustment

KILLESKILLEN LLC

MICHAEL CRINION

Person filing petition - print

Person filing petition - sign

126 PINE RIDGE RD

Address

BROOKINGS

City

SD

State

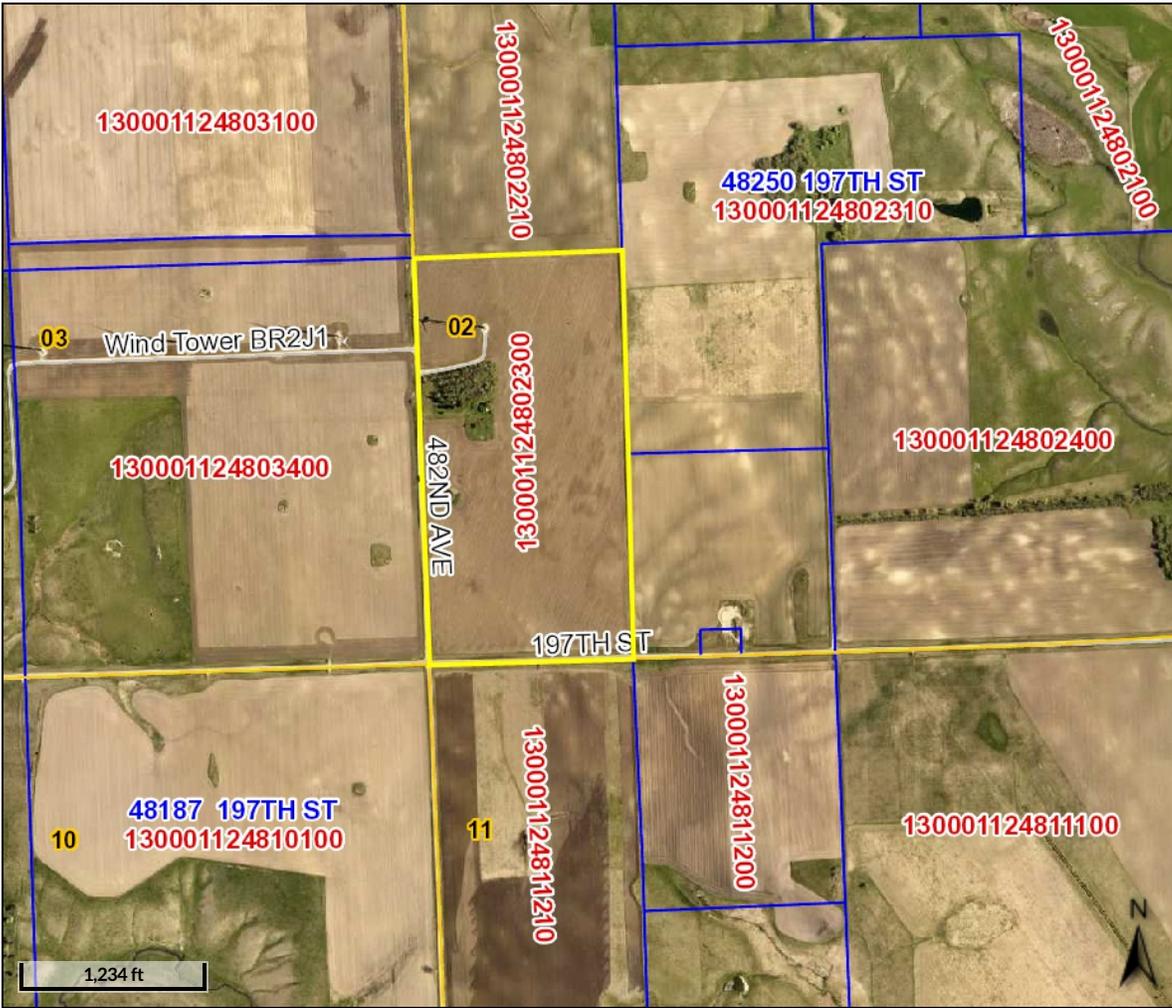
57006

Zip Code

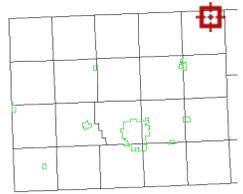
605-691-1045

Telephone

A variance that is granted and not used within three (3) years will be considered invalid.



Overview



Legend

-  Brookings City Limits
-  City Limits
-  Township Boundar
-  Sections
-  Parcels
-  Roads

Parcel ID	130001124802300	Alternate ID	n/a	Owner Address	SNODGRESS, DARRELL D ET UX
Sec/Twp/Rng	2-112-48	Class	AGA		PO BOX 656
Property Address		Acreage	80		SOLDOTNA AK 99669
District	1310 - OAKLAKE TWP/DEUBROOK SCH				
Brief Tax Description	W 1/2 SW 1/4 SEC 2-112-48 80.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 11/16/2016
 Last Data Uploaded: 2/18/2014 4:02:57 AM

 Developed by
 The Schneider Corporation

Water Well Completion Reports

SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES

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[Zoom To](#)

LOCATION

Twn-Rng-Sec:

County:

OWNERSHIP

Last Name:

Business:

WELL INFO

Depth: between = < >

Date Completed: between = < >

Well Type:

Driller:

BUFFER SEARCH

Radius in miles

Lower Left- XMin: -106.48 YMin: 40.94 Upper Right-: XMax: -91.34 YMax: 47.01

Email To:

No well logs were found that match your search parameters. Please adjust your search and try again.

**4-15-2010 Pictometry Photo - W1/2 SW1/4-Sec. 2, T112N,
R48W - south photo**



04/15/2010

5-3-2013 Pictometry Photo - W1/2 SW1/4-Sec.2, T112N, R48W - east view



05/03/2013

5-6-2016 Pictometry Photo - W1/2 SW1/4, Sec 2, T112N, R48W - East View



05/06/2016

Looking east.



2016var022: Killeskillen LLC

