

2017var003 – February 7th, 2017

Prepared by Richard Haugen

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

Land Owner: Verle G. Thompson, 1202 Copper Mountain Rd, Brookings, SD 57006

Legal Description: W1/2 SW1/4 of Section 28, T109N, R48W (Parnell Township).

Brookings County Zoning Ordinance: Article 22: Section 22.01: Concentrated Animal Feeding Operation Regulations: Concentrated Animal Feeding Operation Control Requirements: # 6) Required Setback and Separation Distance – Established Residences – 2,640 feet.

2017var003: Killeskillen LLC by Michael Crinion has applied for a variance to be 600 feet from a residence located in the NW1/4 of Section 33, T109N, R48W, a variance of 2,040 feet. The residence is across the road from a proposed dairy, which he has applied for conditional use permit (2017cu004).

The Brookings County Equalization Office records indicate during a rural review in 2010, the owner was contacted at the residence and answered questions they had. The house has electricity, but no running water or plumbing. Certificate of Owner Occupied-Dwelling was removed on 1-20-2015 and noted "Owner has moved into an assisted living facility." Electrical service is provided by Sioux Valley Energy and was disconnected in 2012.

Definition of an "Established Residence" per Brookings County Zoning Ordinance: Article 2.00: Section 2.32. Established Residence is any residence established by a personal presence, in a fixed and permanent dwelling and an intention to remain there.

Beacon maps dated 4-15-2010, 5-10-2013 and 5-5-2016 showing the residence are attached.

When I visited the site, no snow had been moved in the yard, around the house or driveway and the site appeared to be not occupied.

Letters were sent to the adjoining landowners, Parnell 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 January 24th and 31st, 2017, Elkton Record on January 26th and February 2nd, 2017.

Granting the variance would be an additional agricultural livestock use in rural Brookings County.

Denying the variance request allows the current permitted use to continue.

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS



Date of Application: 1/10/17

Variance Number: 2017VAN003

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:

A CLASS A DAIRY PERMIT 5,500 ANIMAL UNIT

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

Article 22.00: Section 22.01 "Concentrated Animal Feeding Operation," Regulations: Concentrated Animal Feeding Operation Control Requirements: # (c) 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.

THERE IS WHAT LOOKS LIKE A DERELICT HOUSE LOCATED APPROXIMATELY 600' FROM OUR PROPOSED DAIRY. MY UNDERSTANDING IS THAT NOBODY HAS LIVED IN THE HOUSE FOR MORE THAN 5 YEARS

D.) Legal Description of Property:

W 1/2 of the SW 1/4 of Section 24, T109N, R48W
(Parnell Twp)

Parcel # 160001094828300

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

Feb 7, 2017
Date

7:00pm
Time

Approved

Rejected

Date

Chairman of Brookings County Board
of Adjustment

KILLESKILLEN LLC

By MICHAEL CRINION
Person filing petition – print

[Signature]
Person filing petition – sign

126 PINE ROSE RD
Address

BROOKINGS
City

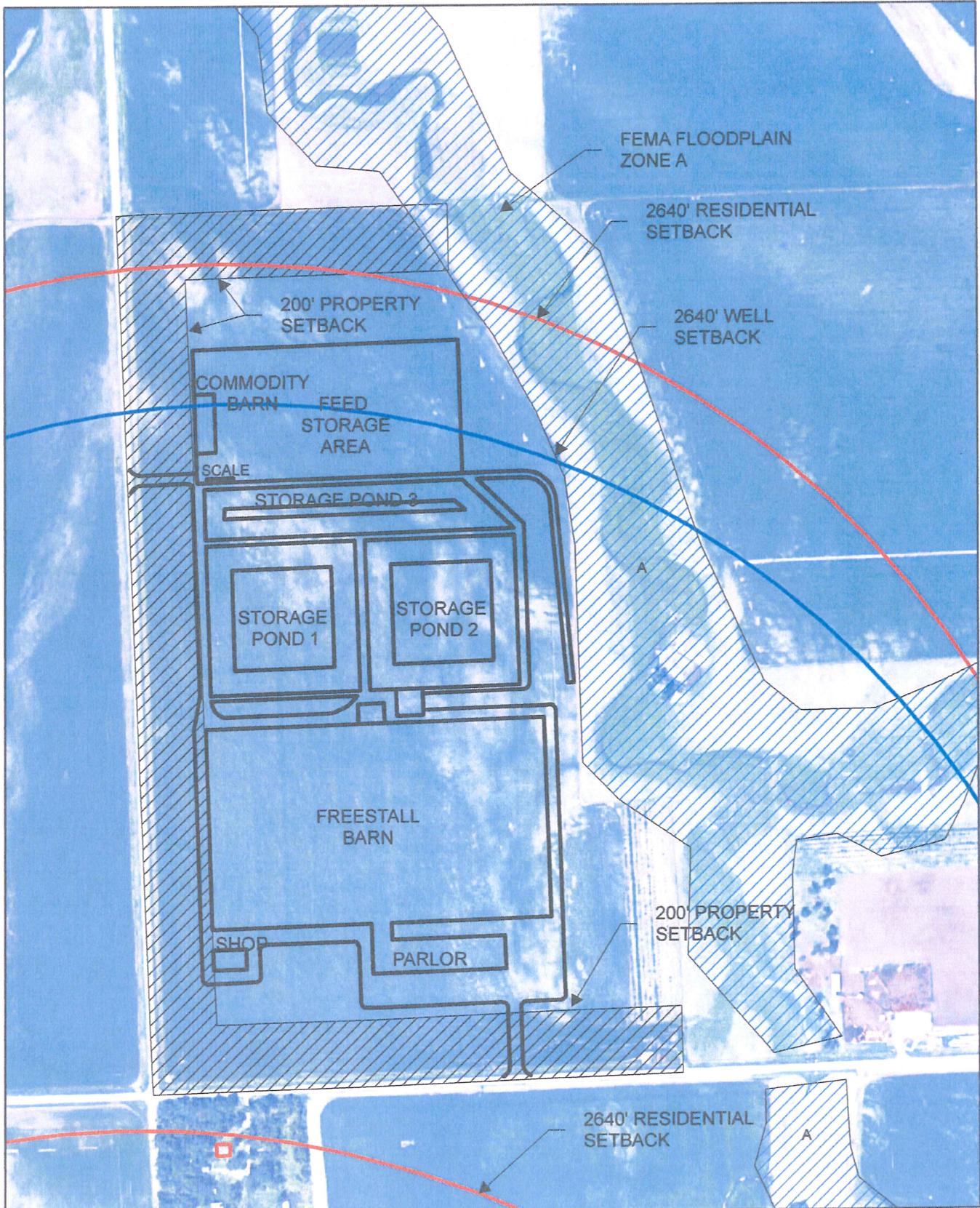
SD
State

57006
Zip Code

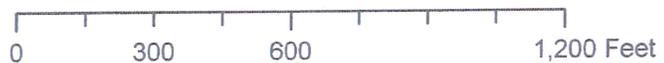
605-691-1045
Telephone

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

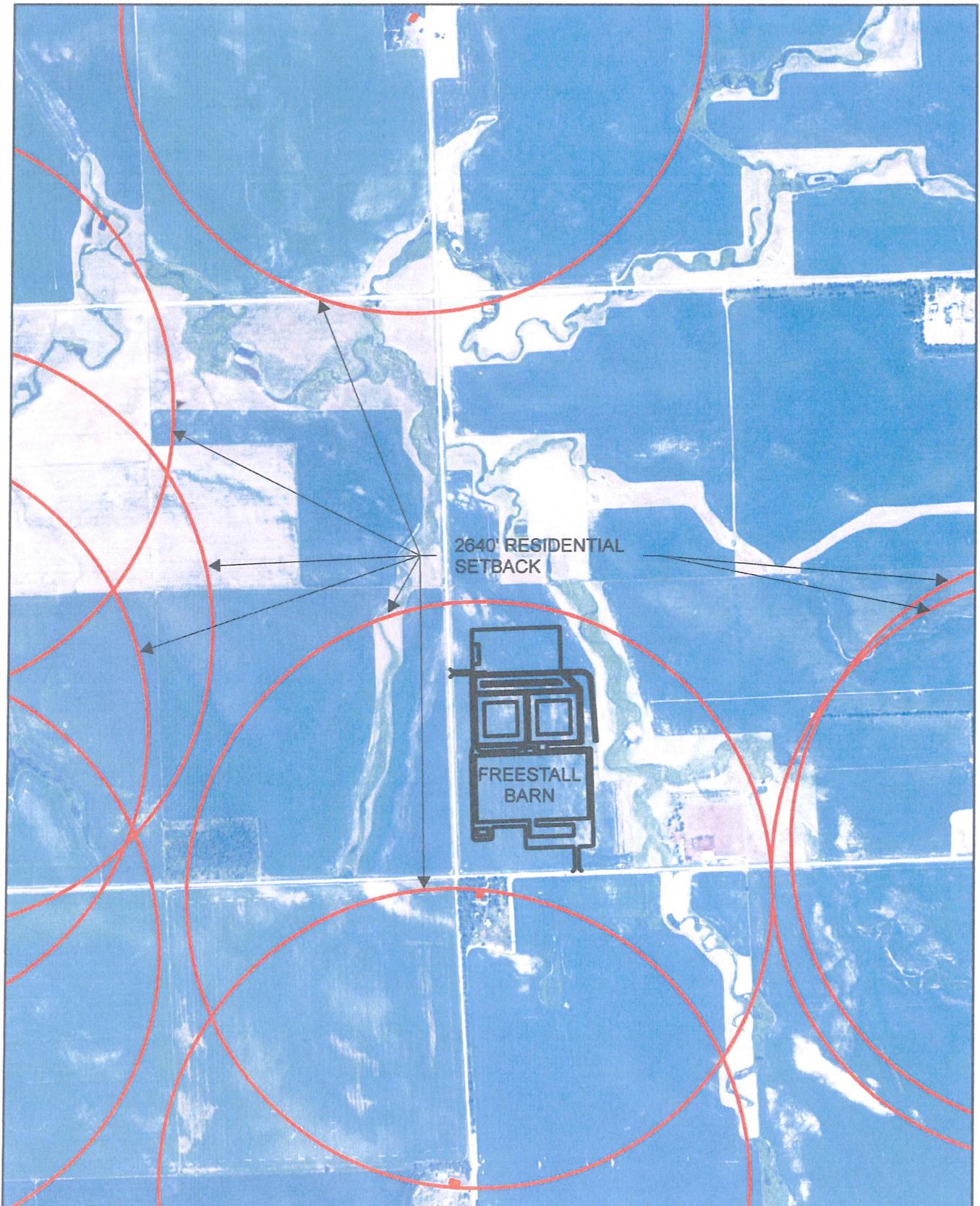
PARNELL DAIRY AWMS SETBACK MAP



1 inch = 400 feet



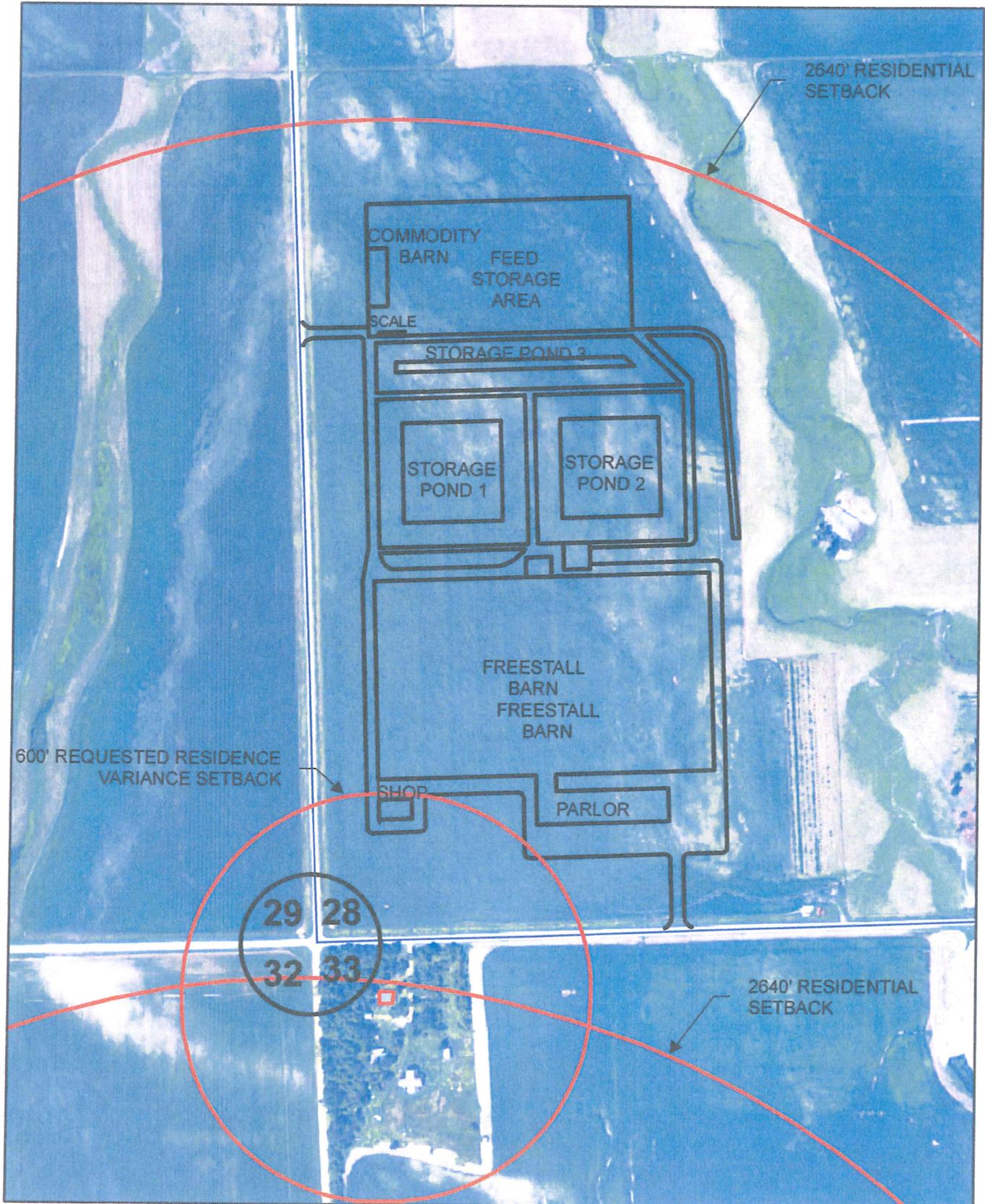
PARNELL DAIRY AWMS RESIDENTIAL SETBACK MAP



1 inch = 1,200 feet



PARNELL DAIRY AWMS REQUESTED RESIDENCE VARIANCE MAP

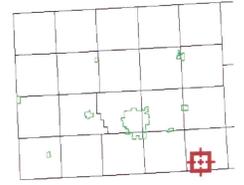


1 inch = 400 feet

0 300 600 1,200 Feet



Overview



Legend

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

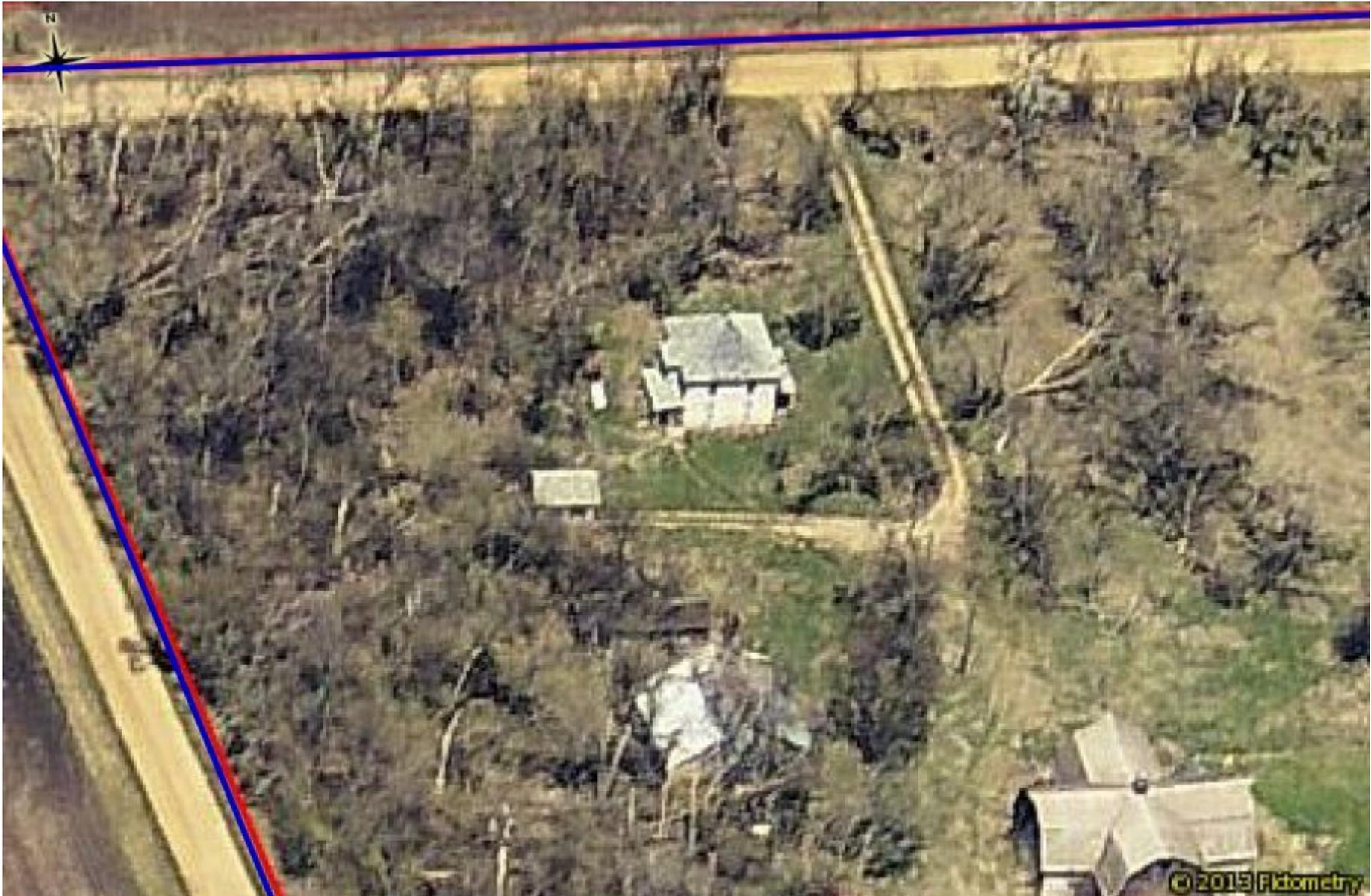
Parcel ID	160001094828300	Alternate ID	n/a	Owner Address	THOMPSON, VERLE G ET UX
Sec/Twp/Rng	28-109-48	Class	AGA		1202 COPPER MOUNTAIN RD
Property Address		Acreage	80		BROOKINGS SD 57006
District	1603 - PARNELL TWP/ELKTON SCH				
Brief Tax Description	W 1/2 SW 1/4 SEC 28-109-48 80.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 1/10/2017
 Last Data Uploaded: 2/18/2014 4:02:57 AM

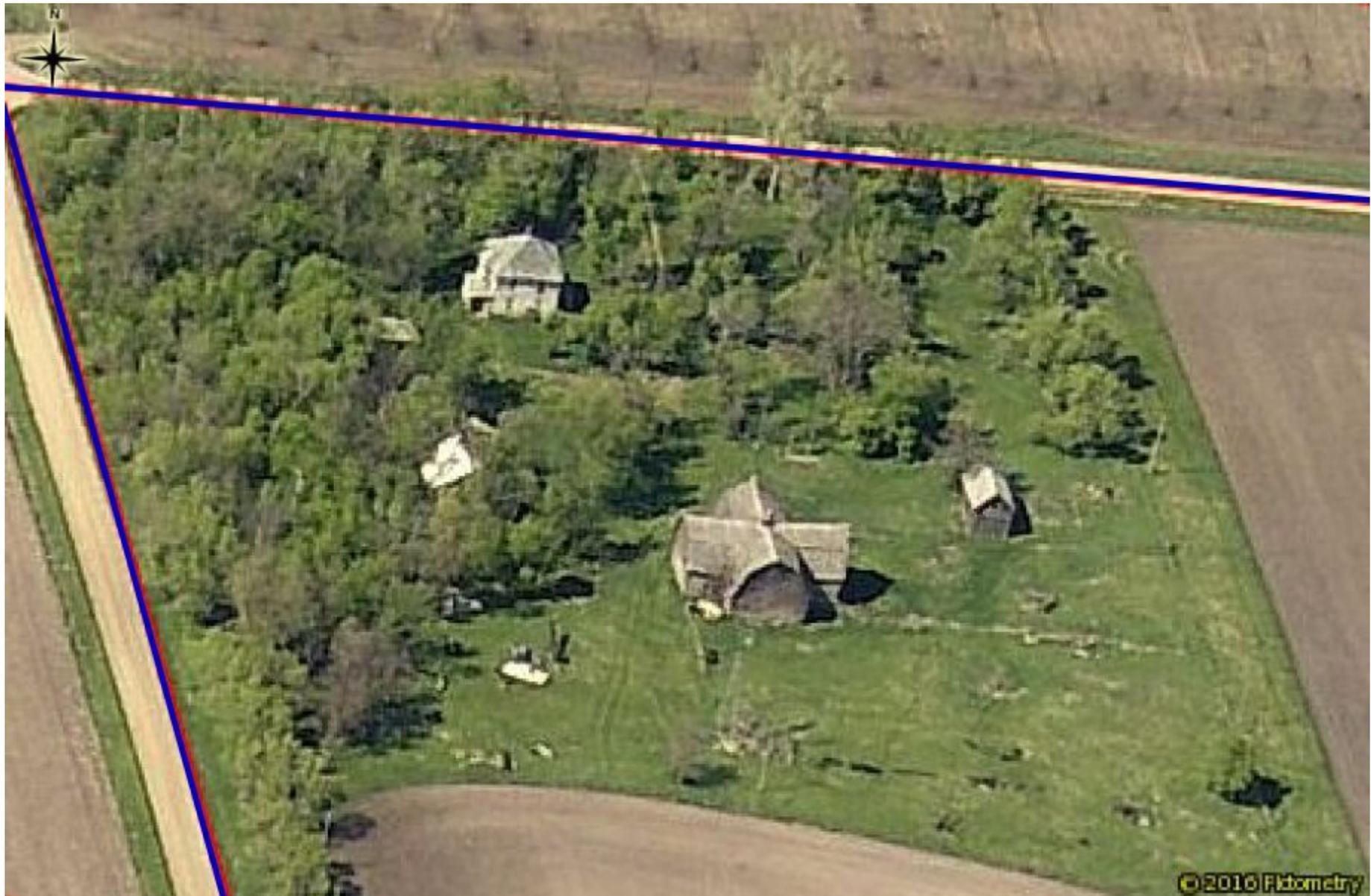
Residence 4-15-2010



Residence 5-10-2013



Residence - 5-5-2016



Equalization Photo 6-29-2010



2017var003: Killeskillen LLC by Michael Crinion



Looking south from 219th St



Looking east from 480th Ave

