

2017var004 – 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 – Private Wells other than the operator – 2,640 feet.

2017var004: Killeskillen LLC by Michael Crinion has applied for a variance to be 1,000 feet from a windmill tower/well located in the NW1/4 of Section 33, T109N, R48W, a variance of 1,640 feet. The windmill tower/well is located across the road from a proposed dairy, which he has applied for conditional use permit 2017cu004.

The windmill tower/well is located on a building site that appears to be not occupied. The tower is located approximately 112 feet to the south of an old barn and 248 feet from 480th Ave. There is no evidence around the tower that the well is being used and trees have grown up around the tower. The well is not on the South Dakota Department of Environment and Natural Resources Well Completion Report. The Engineer's Report, Appendix V shows well data from a U.S Geological Survey Report. Beacon maps dated 4-15-2010, 5-10-2013 and 5-5-2016 showing the windmill tower/well location are attached.

When I visited the site, no snow had been moved in the yard, around the house, driveway or windmill.

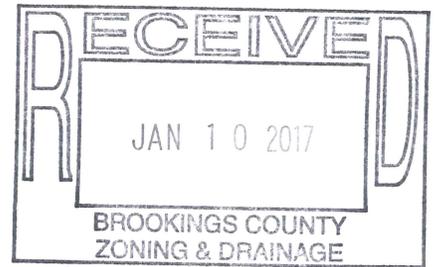
Letters were sent to the adjoining landowners, Parnell Township Chairman and Clerk, Brookings County Highway Department, Brookings-Deuel Rural Water and the current landowner.

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: 2017VAR 004

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 Requirement: #6) Required setbacks and seperation 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 A WINDMILL/WELL TOWER LOCATED APPROXIMATELY 1000 FEET FROM OUR PROPOSED DAIRY. THERE IS NO WELL ON RECORD ON THE STATE/DENR/WATER RIGHTS MAP SO WE DONT KNOW IF THERE IS A WELL THERE.

D.) Legal Description of Property:

W 1/2 of the SW 1/4 of SECTION 28, 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 BY
MICHAEL CRAINION
Person filing petition – print

[Signature]
Person filing petition – sign

126 PINE RIDGE RD
Address

BROOKINGS
City

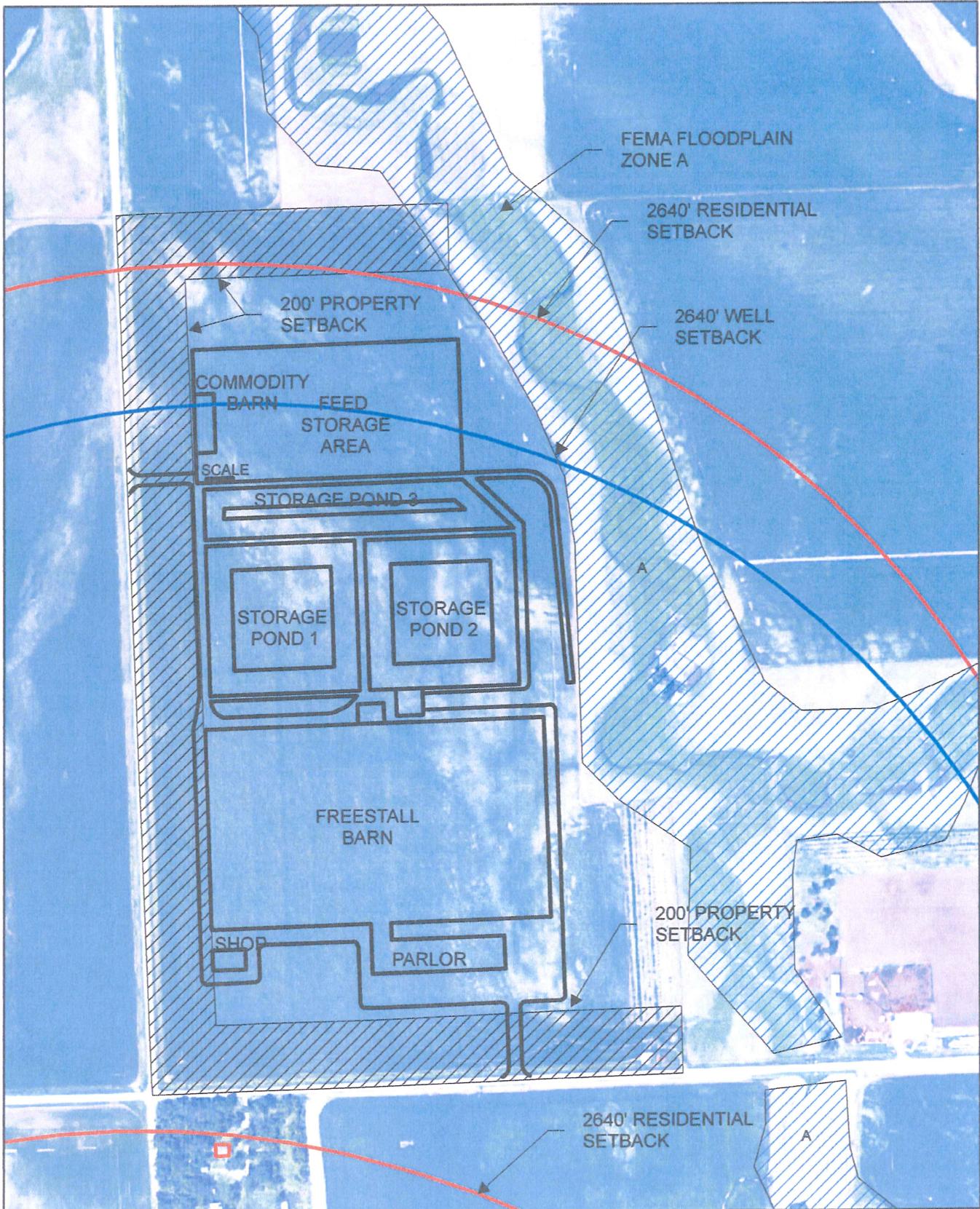
SD
State

57006
Zip Code

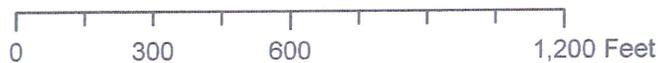
605-691-1045
Telephone

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

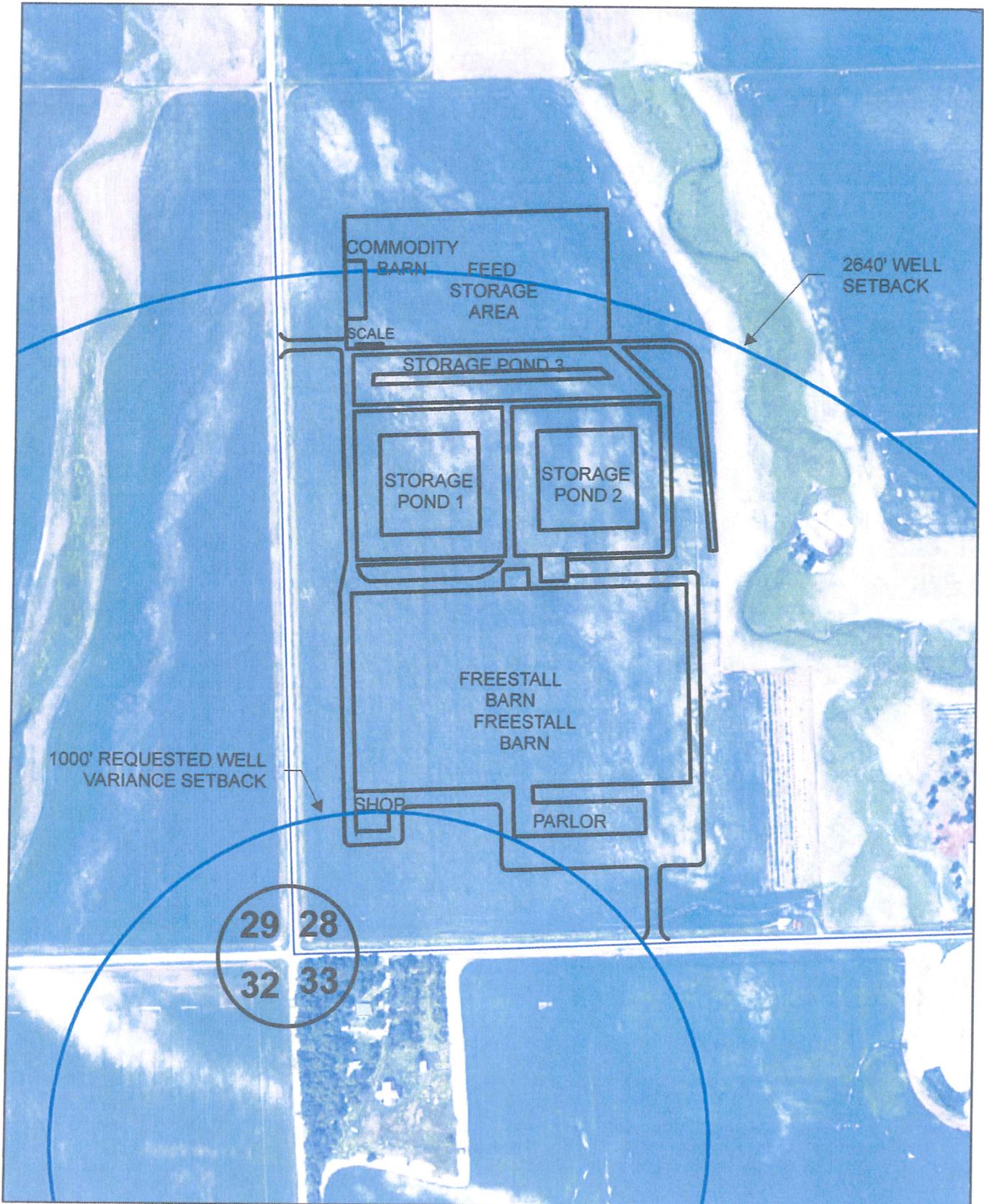
PARNELL DAIRY AWMS SETBACK MAP



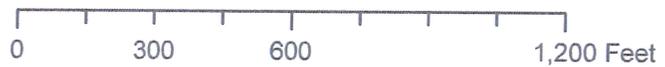
1 inch = 400 feet



PARNELL DAIRY AWMS REQUESTED WELL VARIANCE MAP

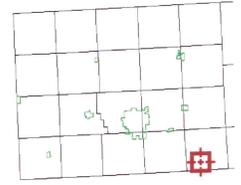


1 inch = 400 feet





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

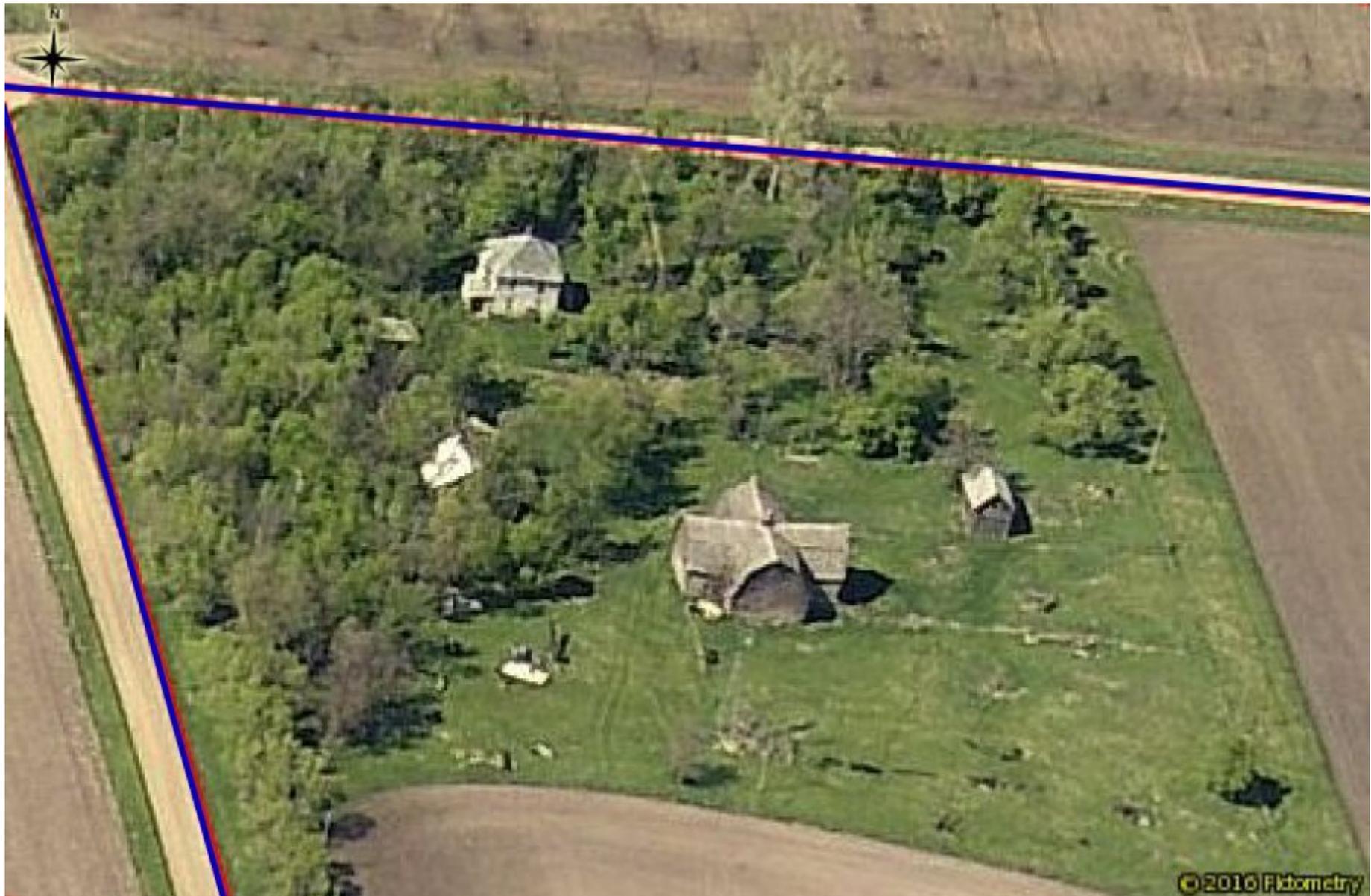
Well - 4-15-2010



Well 5-10-2013



Well 5-5-2016



Looking east from 480th Ave.



Looking east from 480th Ave.



2017var004: Killeskillen LLC by Michael Crinion.

Looking southwest from 219th St



Looking southwest from 219th St.

