

## BROOKINGS COUNTY PLANNING & ZONING COMMISSION

BROOKINGS CITY & COUNTY GOVERNMENT CENTER  
520 3rd St, 310 Chambers, Brookings, SD 57006

### AGENDA

1. **Call to Order at 8:00 PM on June 7th, 2016**
2. **Approval of Minutes from May 3rd, 2016 meeting.**
3. **Items to be Added to Agenda by Commission Members or Staff**
4. **Invitation for Citizens to Schedule Time on the Commission Agenda for an Item Not Listed**  
*(Time limited to 5-minutes per person to address the commission.)*
5. **Approval of Agenda**
6. **Convene as Brookings County Board of Adjustment**  
*(The Board of Adjustment needs 2/3 approval of the full board to approve any agenda item.)*
7. **2016VAR010**  
Myron Pomrenke has made an application, 2016var010, to the Brookings County Board of Adjustment for a variance. Article 11.00: Section 11.01 "A" Agricultural District: Area Regulation # 2: Front Yard: The minimum depth of the front yard shall be one hundred (100) feet. A corner lot will have two front yards. The property is described as: "Tract about 1.35 acres in SE1/4 SE1/4 Section 4, T111N, R48W (Sherman Township)" ~~ located at 20297 481<sup>st</sup> Ave., White, SD 57276.  
  
Documents: [2016var010 Staff Report.pdf](#)
8. **Convene as Brookings County Planning and Zoning Commission**
9. **2016CU010**  
Duane Harms has made an application, 2016cu010, to the Brookings County Planning and Zoning Commission for a conditional use; Article 13.00: "LP" Lake Park District: Section 13.01: Conditional Use Permit # 1: Twin Homes. The property is described as: "Lot 4 & 5A of Block 1 in Lake Park Second Addition in the E1/2 NE1/4 & Govt. Lot 7 All in Section 28, T109N, R50W (Medary Township)".  
  
Documents: [2016cu010 Staff Report.pdf](#)
10. **2016CU011**  
Red Willow Hutterian Brethren Inc by Jerry Waldner has made an application, 2016cu011, to the Brookings County Planning and Zoning Commission for a conditional use. Article 11: Section 11.01: "A" Agricultural District, Conditional Use # 2: Cemetery. The property is described as: "N1/2 Section 29, T112N, R49W (Argo Township)" ~~ located at 20019 474<sup>th</sup> Ave, Brookings, SD 57006.  
  
Documents: [2016cu011 Staff Report.pdf](#)

11. **2016CU012**

Richard Ahlstrom has made an application, 2016cu012, to the Brookings County Planning and Zoning Commission for a conditional use; Article 13.00: "LP" Lake Park District: Section 13.01: Conditional Use Permit # 6: Accessory building with a side-wall greater than ten (10) feet or more than 1,000 square feet. The property is described as: "E 260' of W1503' of Govt Lot 3 Exc S 75' in NW1/4 Section 28, T109N, R50W (Medary Township)" -- located at 2500 Lake Shore Dr, Volga, SD 57071.

Documents: [2016cu012 Staff Report.pdf](#)

12. **Consideration of Plats**

A. **2016plat004**

"Plat of Lots 1 and 2 of Kodiak Addition in the SE1/4 Section 3, T109N, R48W of the 5<sup>th</sup> P.M., Brookings County, South Dakota."

Documents: [2016plat004 Staff Report.pdf](#)

13. **Department Reports**

A. **Subcommittee Reports.**

14. **Adjourn**

15. **Public Notices**

**Brookings County Zoning Office \* Brookings City & County Government Center \* 520 3rd Street, Suite 200 \* (605) 696-8350 \* [www.brookingscountysd.gov](http://www.brookingscountysd.gov)**

# 2016var010 – June 7<sup>th</sup>, 2016

Prepared by Richard Haugen

Applicant/Owner: Myron Pomrenke, 20297 481<sup>st</sup> Ave, White, SD 57276

Legal Description: "Tract about 1.35 acres in SE1/4 SE1/4 Section 4, T111N, R48W (Sherman Township)"

2016var010: Myron Pomrenke has applied for a front yard variance to build a 28' wide x 40' feet long detached garage 56 feet from the center of 481<sup>st</sup> Ave (Sherman Township road). A variance of 77 feet. The required setback distance is 133 feet from the center of the road.

Brookings County Zoning Ordinance, Article 11:00 "A" Agricultural District – Area Regulations - # 2; Front Yard – The minimum depth of the front yard shall be one hundred (100) feet. A corner lot will have two front yards.

Mr. Pomerke's residence is located on an old school lot, which is an allowed use in the 2016 Brookings County Comprehensive Plan, page 45, "Exception to large lot residential development"; Brookings County Zoning Ordinance, Article 4.00 Nonconforming uses or Lots of record, Section 4.08, page 4.00-2 and South Dakota Codified Law 11-2-26: "Continuance of nonconforming uses permitted--Discontinuance. Any lawful use, lot, or occupancy of land or premises existing at the time of the adoption of the zoning ordinance may be continued, even though the use, lot, or occupation does not conform to the provisions of the ordinance. However, if the nonconforming use, lot, or occupancy is discontinued for a period of more than one year, any subsequent use, lot, or occupancy of the land or premises shall conform with the zoning ordinance", allows for this use.

The land was deeded to Sherman Township, School District 103 on January 4<sup>th</sup>, 1933. Mr. Pomrenke was granted a variance for his existing house and garage on by the Brookings County Planning and Zoning Commission October 4<sup>th</sup>, 1994. His attached garage is 75 feet from the center of 481<sup>st</sup> Ave. The size of his lot is 170 feet east & west and 305 feet north and south. The old school is buried in the northwest portion of his lot with some of the existing foundation exposed yet, also there is an old well located there also. If he were to build the proposed garage at the setback distance of 133 feet from the center of 481<sup>st</sup> Ave, he would not meet the rear setback of 50 feet and would not be able to access his existing other outbuildings.

Hardship: The hardships to consider: 1) shape and size of lot, 2) location of old well; 3) location of buried school and exposed foundation.

The Board of Adjustment has granted similar variances in the past:

April 5<sup>th</sup>, 2016: 2016var003: hoop barn 88 feet from the center of a township road.

June 24<sup>th</sup>, 2013: 2013var013: shed 110 feet from the center of a township road.

November 5<sup>th</sup>, 2013: 2013var020: shed 80 feet from the center of a township road.

June 2<sup>nd</sup>, 2009: 2009var010 – shed 116 feet from center of a county road & 112 feet from center of a township road.

Public notices were published in the Brooking Register on May 24<sup>th</sup> and 31<sup>st</sup>, 2016 and White Tri-City Star on May 26<sup>th</sup> and June 2<sup>nd</sup>, 2016.

Letters were sent to the adjoining landowner's, Sherman Township Chairman and Clerk.

Granting the variance request would allow the applicant have the same benefit as others in the area with similar hardships.

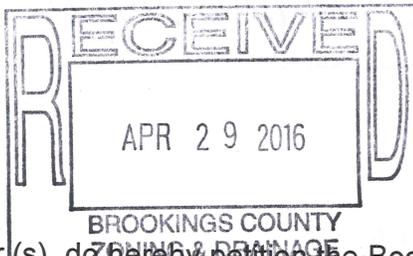
Denying the variance request would be maintaining the Agricultural Zoning Ordinance Setback requirements.

APPLICATION FOR VARIANCE  
TO  
ZONING REGULATIONS

Date of Application: 4-24-16

Variance Number: 2016 Var 010

To: Brookings County Board of Adjustment  
520 3<sup>rd</sup> 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:

TO BUILD A SHED

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

Article 11.00: Section 11.01 "A" Agricultural District:  
Area Regulation # 2 Front Yard. The minimum depth  
of front yard shall be one hundred (100') feet.  
A corner lot will have two front yards.

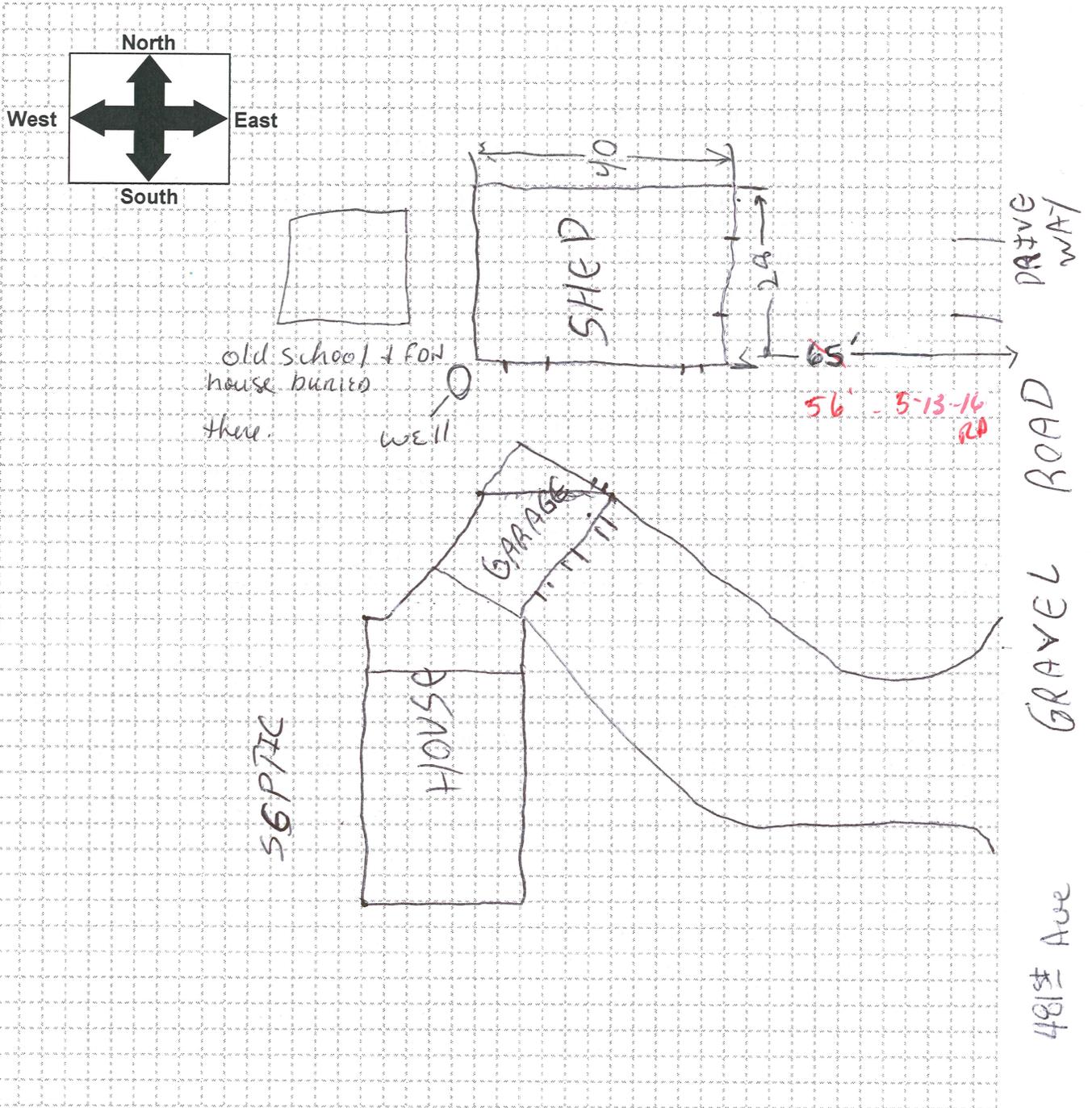
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms 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.

TO SMALL OF A LOT, NOT A LOT OF ROOM  
well located north of garage. Old school foundation  
buried north of house.

# SKETCH

Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.

2016 var 010



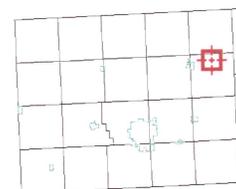
SD Hwy 30

HIGHWAY

2016 Var 010



Overview



Legend

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

Parcel ID	199801114804400	Alternate ID	n/a	Owner Address	POMRENKE, MYRON ET UX
Sec/Twp/Rng	4-111-48	Class	NACS		20297 481ST AVE
Property Address	20297 481ST AVE	Acreage	n/a		WHITE SD 57276
	WHITE				
District	1910				
Brief Tax Description	TRACT ABOUT 1.35 AC SE 1/4 SE 1/4 SEC 4-111-48 1.35 AC				
	(Note: Not to be used on legal documents)				

Date created: 4/4/2016



Front of garage-56' from Center of the 481st Ave



133' setback is at the orange wheel



Old school foundation

133' setback

# 2016cu010 – June 7<sup>th</sup>, 2016

Prepared by Richard Haugen,

Applicant/Owner: Duane Harms, (D&B Properties), 7310 Valley View Rd, Brookings, SD 57006

Legal Description: “Lot 4 & 5A of Block 1 in Lake Park Second Addition in the E1/2 NE1/4 & Govt. Lot 7 All in Section 28, T109N, R50W (Medary Township)”.

The Lake Park District Conditional Use that applies is # 1: “Twin Homes”.

2016cu010: Duane Harms has applied for conditional use to build a twins homes on two separate lots in Lake Park Second Addition. The setbacks for non-lake front property are: 50 feet from the road, 8 feet side setback and 50 feet from the rear. The lots will meet the setback requirements. The development is located north of the Brookings Country Club and on the east side of Lake Campbell. The Brookings County Planning and Zoning Commission on August 22, 2013 granted conditional use 2013cu009 to build twins homes on Lots 4, 5 and 6. He has built one twin home on Lot 6, since that time. Conditional use 2013cu009 will expire on August 22, 2016. He would like to continue his building of twin homes on Lots 4 and 5A. Lot 5A was re-platted for a property line adjustment, with the sale of the twin home constructed on Lot 6. Lot 4 contains 59,693 square feet and Lot 5A contains 44,055 square feet. The minimum square foot requirement by South Dakota Department of Environment and Natural Resources for an on-site septic system is 20,000 square feet, with rural water, they meet that requirement.

The Planning and Zoning Commission has granted conditional uses in the past:

2013cu009: 8-22-2013 – Twin homes. (non-Lake Front) – Lake Campbell.

Public notices were published in the Brooking Register on May 24<sup>th</sup> and 31<sup>st</sup>, 2016.

Letters were sent to the adjoining landowner’s, Medary Township Chairman and Clerk.

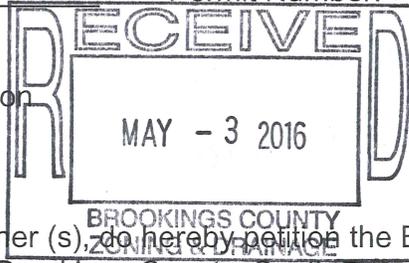
Granting the conditional use request will allow the applicant the same use for Lost 4 and 5A, as was granted for Lot 6.

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 5/3/16

Permit Number: 2016<sup>CU</sup> 010

To: Brookings County Planning Commission  
520 3<sup>rd</sup> St, Suite 200  
Brookings, South Dakota 57006



A.) I/We, the undersigned property owner (s), do hereby petition the Brookings County Planning & Zoning Commission of Brookings County, South Dakota, to grant a Conditional Use to the Brookings County Zoning Regulations for the purpose of:

Developing and building (we or a contractor) a twin home

B.) Section(s) of Zoning Regulations authorizing Conditional Use:

LAKE Park

Article 13.00 Section 13.01 LP Lake Park District  
Conditional Use #1 Twin Home.

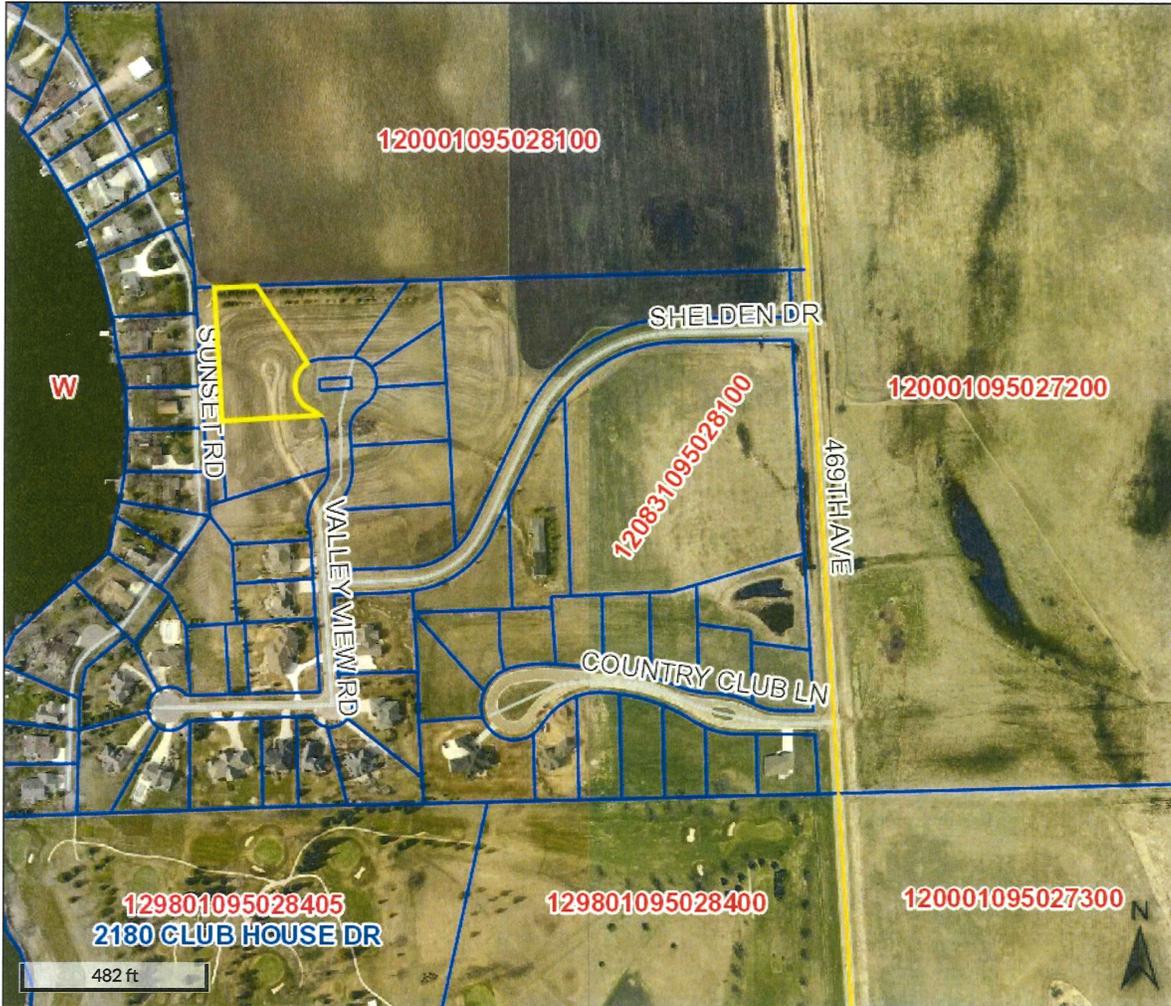
C.) Legal Description of Property:

lot 4 and 5A of block 1 of Lake  
Park: 2<sup>nd</sup> addn in the E 1/2 NE 1/4 and  
cont lot 1 all in Sect. 28, T109N - 50W  
Brookings County, S.D (Medary Twp)

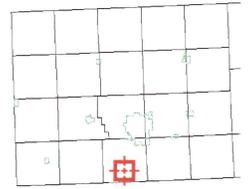
(Parcel # 120831095028104 + 120831095028105)

Form continued on page 2

2016cu010 - Lot 4



Overview



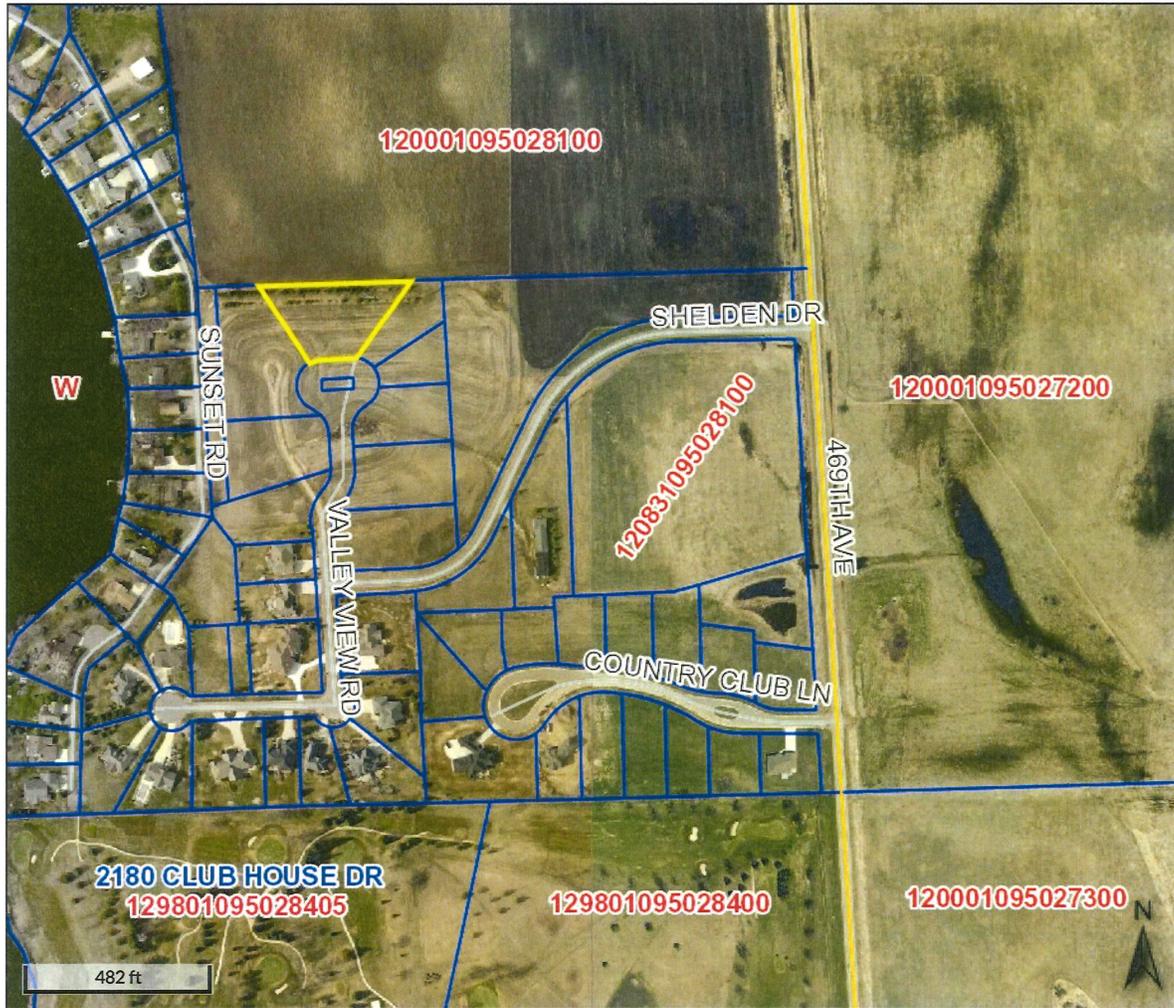
Legend

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

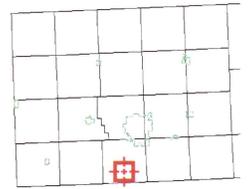
Parcel ID	120831095028104	Alternate ID	n/a	Owner Address	D & B PROPERTIES III LLC
Sec/Twp/Rng	28-109-50	Class	NAC		PO BOX 940
Property Address		Acreeage	n/a		BROOKINGS SD 57006
District	12014				
Brief Tax Description	LAKE PARK SECOND ADDN LOT 4 IN NE1/4 SEC 28-109-50 59,693 SF				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 5/23/2016

2016cu010 - Lot 5A



Overview



Legend

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

Parcel ID	120831095028105	Alternate ID	n/a	Owner Address	D & B PROPERTIES III LLC
Sec/Twp/Rng	28-109-50	Class	NAC		PO BOX 940
Property Address		Acreage	n/a		BROOKINGS SD 57006
District	12014				
Brief Tax Description	LAKE PARK SECOND ADDN LOT 5 IN NE1/4 SEC 28-109-50 45,851 SF				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 5/23/2016

Lot 4 & 5A-Looking Northwest



Lot 5A-Looking North



2016cu010: Duane Harms

Lot 4-Looking West



Lot 6A & 6B-Existing twin home



# 2016cu011 – June 7<sup>th</sup>, 2016

Prepared by Richard Haugen,

Applicant/Owner: Red Willow Hutteian Bretheran Inc, by Jerry Waldner

Legal Description: "N1/2 of Section 29, T112N, R49W (Argo Township)".

2016cu011: Red Willow Colony has applied for Article 11, Section 11.01 "A" Agricultural District Conditional Use # 2: Church or Cemetery.

Red Willow Colony was approved for conditional use # 8: Institution farms, including religious communities by the Brookings County Planning and Zoning Commission on July 5<sup>th</sup>, 2011. They are developing their homestead with construction of residences, church, school and shop. They are xx families living there. The cemetery will be used for members of the colony and will be located north of the building site. At the time of this report the applicant has not received a map of the cemetery from their surveyor. The cemetery size and layout will be similar to the cemetery located at Norfeld Colony, I have included that map as a reference only. When the applicant has their map of the cemetery lots from their surveyor, it will have to be filed with the Brookings County Register of Deeds per SD Codified Law 34-27-7: Purpose of requirements as to cemetery plats. It is the intent and purpose of §§ 34-27-8 and 34-27-9 to require every cemetery or place of burial to be platted or mapped into subdivisions, indicating individual grave spaces, thereby providing when such plat or map is placed on file in the registrar's office, a numerical or tract index of all burials recorded and for no other purpose.

The Planning and Zoning Commission has granted conditional uses in the past:

2014cu001 - January 7<sup>th</sup>, 2014: Cemetery: Norfeld Colony.

Public notices were published in the Brooking Register on May 24<sup>th</sup> and 31<sup>st</sup>, 2016 and White Tri-City Star on May 26<sup>th</sup> and June 2<sup>nd</sup>, 2016.

Letters were sent to the adjoining landowner's, Argo Township Chairman and Clerk.

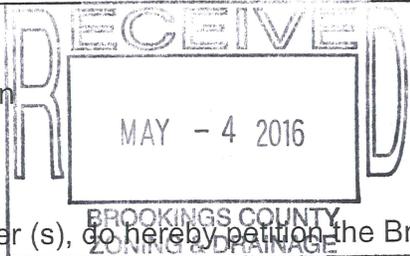
Granting the conditional use request will allow the applicant the same use that other applicants have been granted.

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 5-4-2016

Permit Number: 2016cu011

To: Brookings County Planning Commission  
520 3<sup>rd</sup> St, Suite 200  
Brookings, South Dakota 57006



A.) I/We, the undersigned property owner (s), do hereby petition the Brookings County Planning & Zoning Commission of Brookings County, South Dakota, to grant a Conditional Use to the Brookings County Zoning Regulations for the purpose of:

Cemetery established on land belonging  
to Red Willow Hutterian Brethren Inc.

B.) Section(s) of Zoning Regulations authorizing Conditional Use:

Article 11.00: Section 11.01: "A" Agricultural District,  
Conditional Use # 2: Cemetery.

C.) Legal Description of Property:

N 1/2 Sec 29, T112N, R 49W (Argo Twp)  
Parcel # 030001124929100

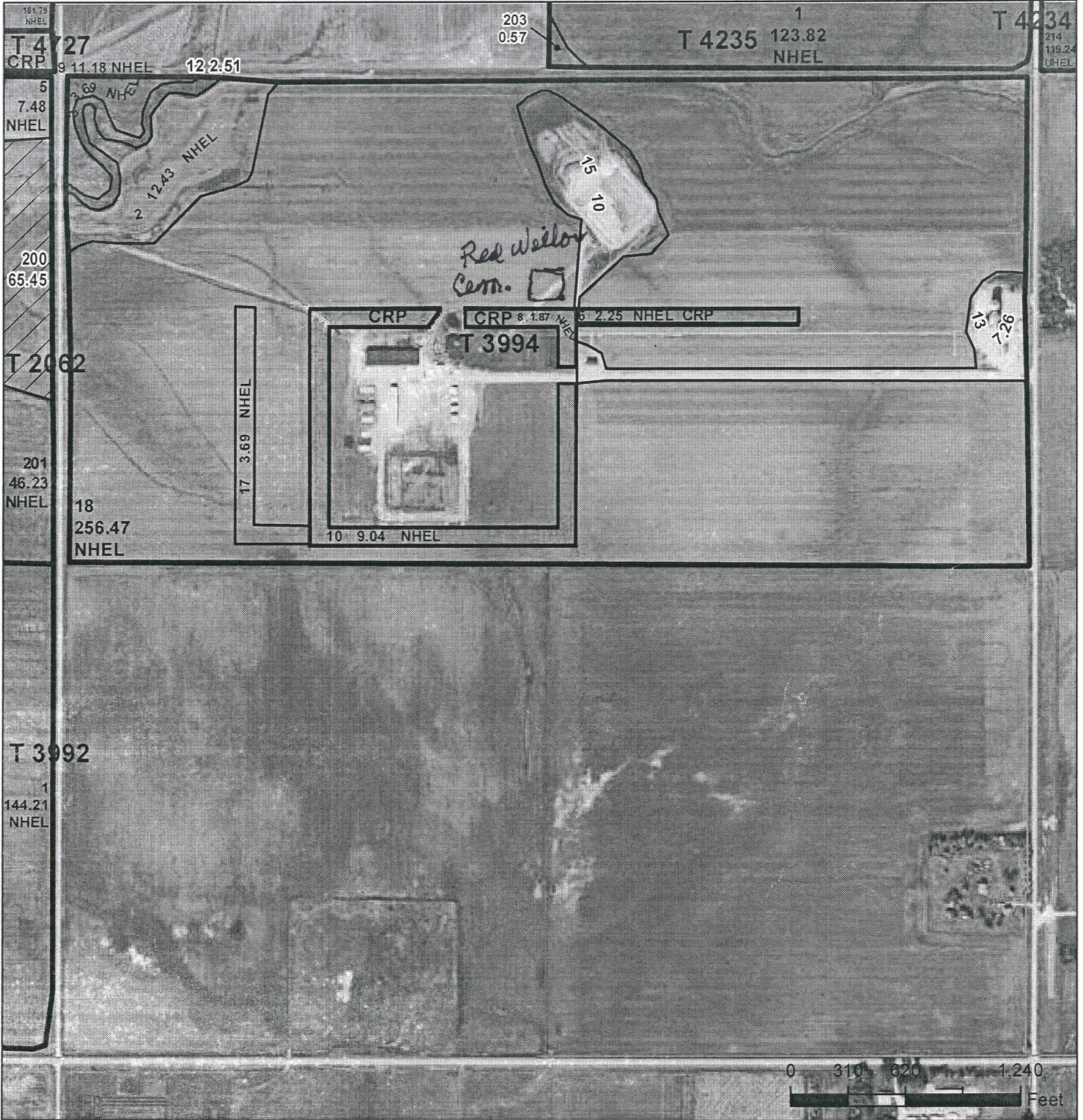
Form continued on page 2



United States  
Department of  
Agriculture

Brookings County, South Dakota

*Red Willow*



- Common Land Unit**
- Rangeland
  - CRP
  - PLSS
  - Other Ag
  - Tract Boundary
  - Cropland

- Wetland Determination Identifiers**
- Restricted Use
  - Limited Restrictions
  - Exempt from Conservation
  - Compliance Provisions



2016 Program Year

Map Created March 24, 2016

Farm 8867

29 -112N -49W

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

Reference Only

NORFELD HUTTERIAN CEMETERY

STATE OF SOUTH DAKOTA COUNTY OF BROOKINGS



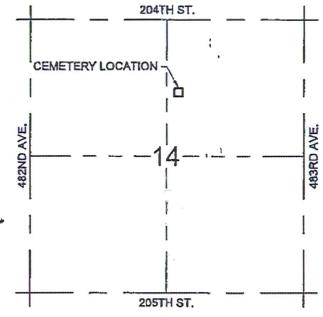
FILED THIS JUN 02 2014 Survey  
 AT 2:46 O'CLOCK P.M. BOOK 2 PAGES 75-76  
 Beverly Chapman  
 REGISTER OF DEEDS



GRID BEARING  
 SCALE: 1" = 500'

LEGEND

- MONUMENT FOUND
- MONUMENT SET THIS SURVEY (5/8" REBAR WITH STAMPED PLASTIC CAP)
- - - - - PROPERTY LINE



VICINITY MAP  
 SECTION 14-111-48  
 SCALE: NONE

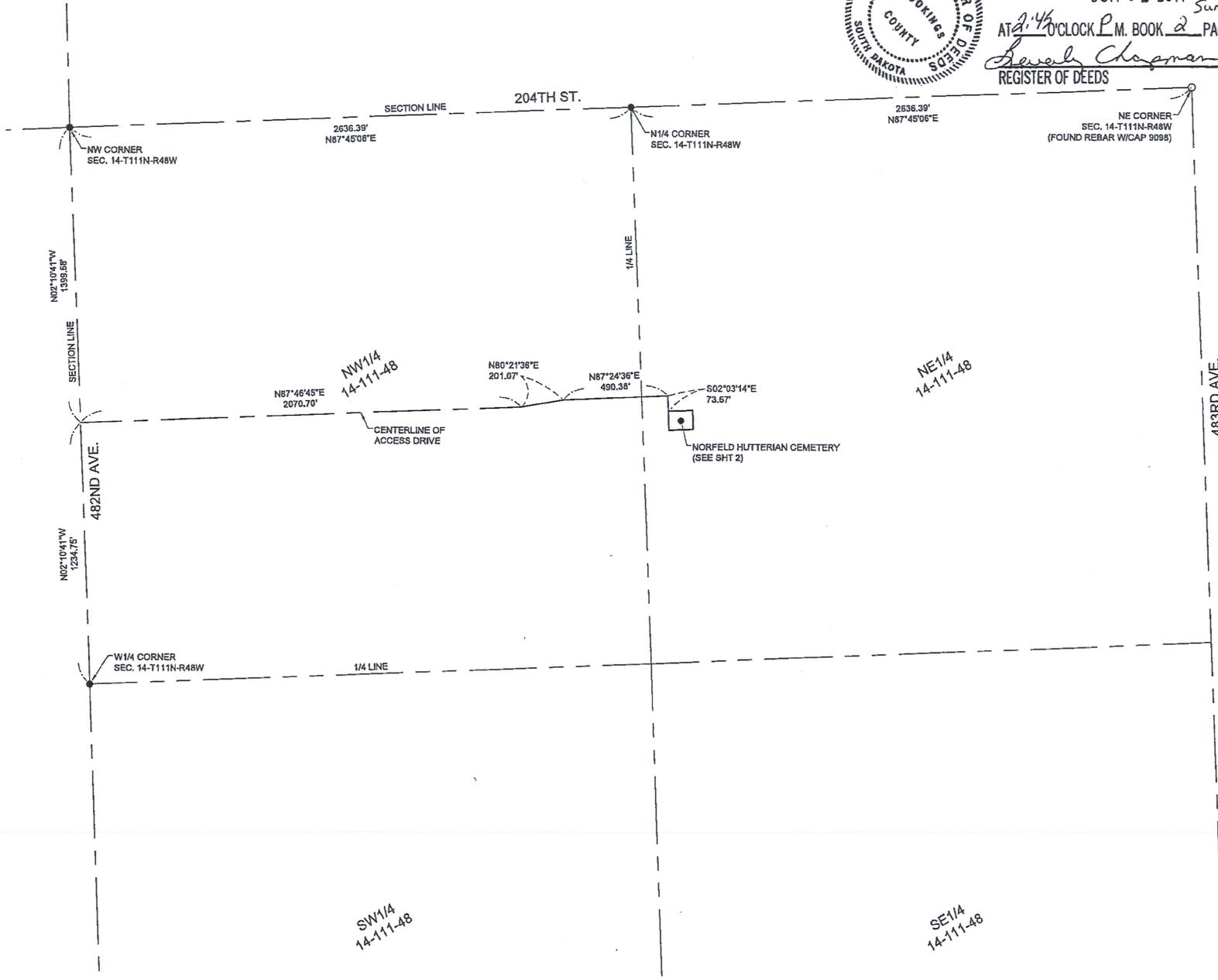
SURVEYOR'S CERTIFICATE

I, Jonathan J. Bunkowske, a Professional Land Surveyor in the State of South Dakota, hereby certify that on April 8, 2014, this survey was prepared by me or under my direct supervision. The survey of Norfeld Hutterian Cemetery in the Northeast 1/4 of Section 14, Township 111 North, Range 48 West of the 6th P.M., Brookings County, South Dakota, and the drawing shown hereon is a true and correct representation of the survey and the monuments set.

Witnessed by my hand and seal this 28<sup>th</sup> day of April, 2014.



Jonathan J. Bunkowske, S.D. Reg. No. 11307



BANNER

Engineering | Architecture | Surveying  
 409 22nd Ave. S. P.O. Box 288  
 Brookings, South Dakota 57006  
 Tel: 605-692-6342  
 Toll Free: 1-855-323-6342  
 www.bannerassocllas.com  
 Designing Projects, Building Trust

CONSULTANTS:

PROJECT TITLE:

NORFELD HUTTERIAN CEMETERY

PROJECT LOCATION:

NEAR WHITE SOUTH DAKOTA

REV. DATE DESCRIPTION

REV.	DATE	DESCRIPTION

DRAWN BY: JLB

DESIGNED BY: CAM

CHECKED BY: JBB

CSB NO.: 21660-00

DATE: APRIL 2014

SCALE: AS SHOWN

SHEET TITLE:

NORFELD HUTTERIAN CEMETERY LOT LAYOUT

SHEET NO.:

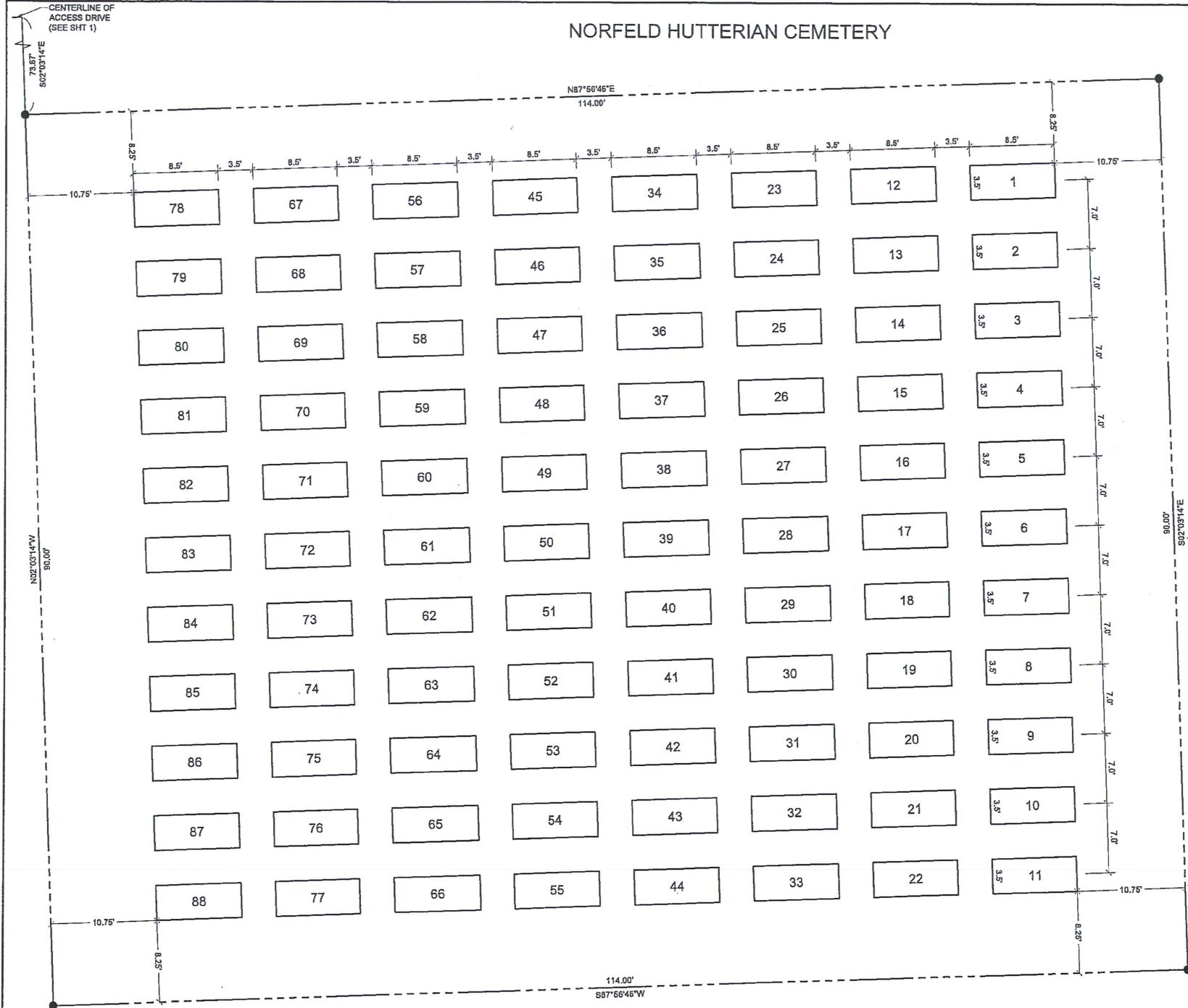
1 OF 2

250585

Marked  
 colors  
 30pt  
 pen

Reference Only

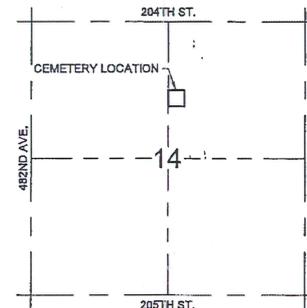
NORFELD HUTTERIAN CEMETERY



GRID BEARING  
SCALE: 1" = 10'

LEGEND

- MONUMENT FOUND
- MONUMENT SET THIS SURVEY (5/8" REBAR WITH STAMPED PLASTIC CAP)
- - - - - PROPERTY LINE

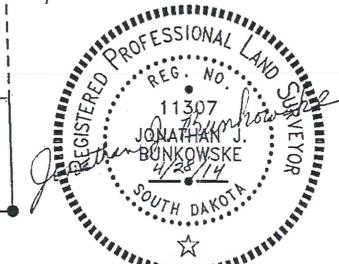


VICINITY MAP  
SECTION 14-111-48  
SCALE: NONE

SURVEYOR'S CERTIFICATE

I, Jonathan J. Bunkowske, a Professional Land Surveyor in the State of South Dakota, hereby certify that on April 8, 2014, this survey was prepared by me or under my direct supervision. The survey of Norfeld Hutterian Cemetery in the Northeast 1/4 of Section 14, Township 111 North, Range 48 West of the 5th P.M., Brookings County, South Dakota, and the drawing shown hereon is a true and correct representation of the survey and the monuments set.

Witnessed by my hand and seal this 28<sup>th</sup> day of April, 2014.



Jonathan J. Bunkowske, S.D. Reg. No. 11307

**BANNER**  
Engineering | Architecture | Surveying  
409 22nd Ave. S. P.O. Box 298  
Brookings, South Dakota 57006  
Tel: 605-692-6342  
Toll Free: 1-855-323-6342  
www.bannerassociates.com  
Designing Projects, Building Trust

CONSULTANTS:

PROJECT TITLE:

NORFELD HUTTERIAN CEMETERY  
PROJECT LOCATION:  
NEAR WHITE SOUTH DAKOTA

REV.	DATE	DESCRIPTION

DRAWN BY: JLU  
DESIGNED BY: CAM  
CHECKED BY: JBB  
JOB NO.: 21860-00  
DATE: APRIL 2014  
SCALE REDUCTION BAR

SHEET TITLE:  
NORFELD HUTTERIAN CEMETERY LOT LAYOUT

SHEET NO.: 2 OF 2

250585

2016cu011 - Google MAP. PROPOSED Cemetery Site



Looking Southwest



Looking West



2016cu011: Red Willow Colony

Looking West



Looking Northwest



# 2016cu012 – June 7<sup>th</sup>, 2016

Prepared by Richard Haugen,

Applicant/Owner: Richard Ahlstrom, 2500 Lake Shore Dr, Volga, SD 57071

Legal Description: “E260’ of W1503’ of Govt. Lot 3 Exc. S75’ in NW1/4 of Section 28, T109N, R50W (Medary Township)”.

2016cu012: Richard Ahlstrom has applied for conditional use to build a 30 feet x 36 feet x 9 feet side wall (1,080 square feet) detached garage (accessory building) on a lake front lot.

The property is located at Lake Campbell in the Lake Park District. The Lake Park Conditional Use that applies is # 6: “Accessory building with a side wall greater than 10 feet or more than 1,000 square feet”.

The setbacks for lake front property are 25 feet from the road, 8 feet side setback and 75 feet from the high water mark (lake-side). He will meet all the setback requirements.

The Planning and Zoning Commission has granted conditional uses for accessory buildings in the past:

2007cu013: 7-3-2007 for 36’x48’x 9’ (1,728 sq ft) accessory building – non-lake front (Lake Hendricks);

2009cu003: 4-7-2009 for 30’x40’x10’ (1,200 sq ft) accessory building-lake front (Lake Poinsett);

2010cu009: 8-3-2010 for 36’x42’x10’ (1,512 sq ft) accessory building – non-lake front (Lake Poinsett);

2011cu006: 4-5-2011 – 26’x46’x10’ (1,196 sq ft) accessory building-lake front (Lake Oakwood)

2012cu012: 10-2-2012 for 40’x40’x12’6” (1,600 sq ft) accessory building – lake front (Lake Hendricks);

2015cu010: 10-6-2015 for 36’x40’x12’6” (1,440 sq ft) accessory building-non-lake front.

Public notices were published in the Brooking Register on May 24<sup>th</sup> and 31<sup>st</sup>, 2016 and Volga Tribune on May 26<sup>th</sup> and June 2<sup>nd</sup> 2016.

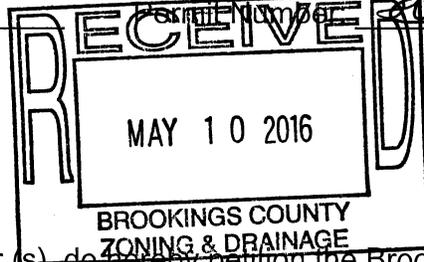
Letters were sent to the adjoining landowner’s, Medary Township Chairman and Clerk.

Granting the conditional use request would allow the applicant the same benefit granted to others in the area with similar sized structures.

Denying the request would be maintaining the Lake Park Zoning Ordinance - Accessory Building permitted use size requirement.

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 5-10-2016



*2016cu*  
*012*

To: Brookings County Planning Commission  
520 3<sup>rd</sup> St, Suite 200  
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Brookings County Planning & Zoning Commission of Brookings County, South Dakota, to grant a Conditional Use to the Brookings County Zoning Regulations for the purpose of:

30' x 36' detached garage (9' sidewall)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B.) Section(s) of Zoning Regulations authorizing Conditional Use:

Article 13.00 "LP" Section 13.01: Conditional Use Permit #6:  
Accessory building with a side-wall greater than ten  
(10) feet or more than 1,000 square feet.  
\_\_\_\_\_  
\_\_\_\_\_

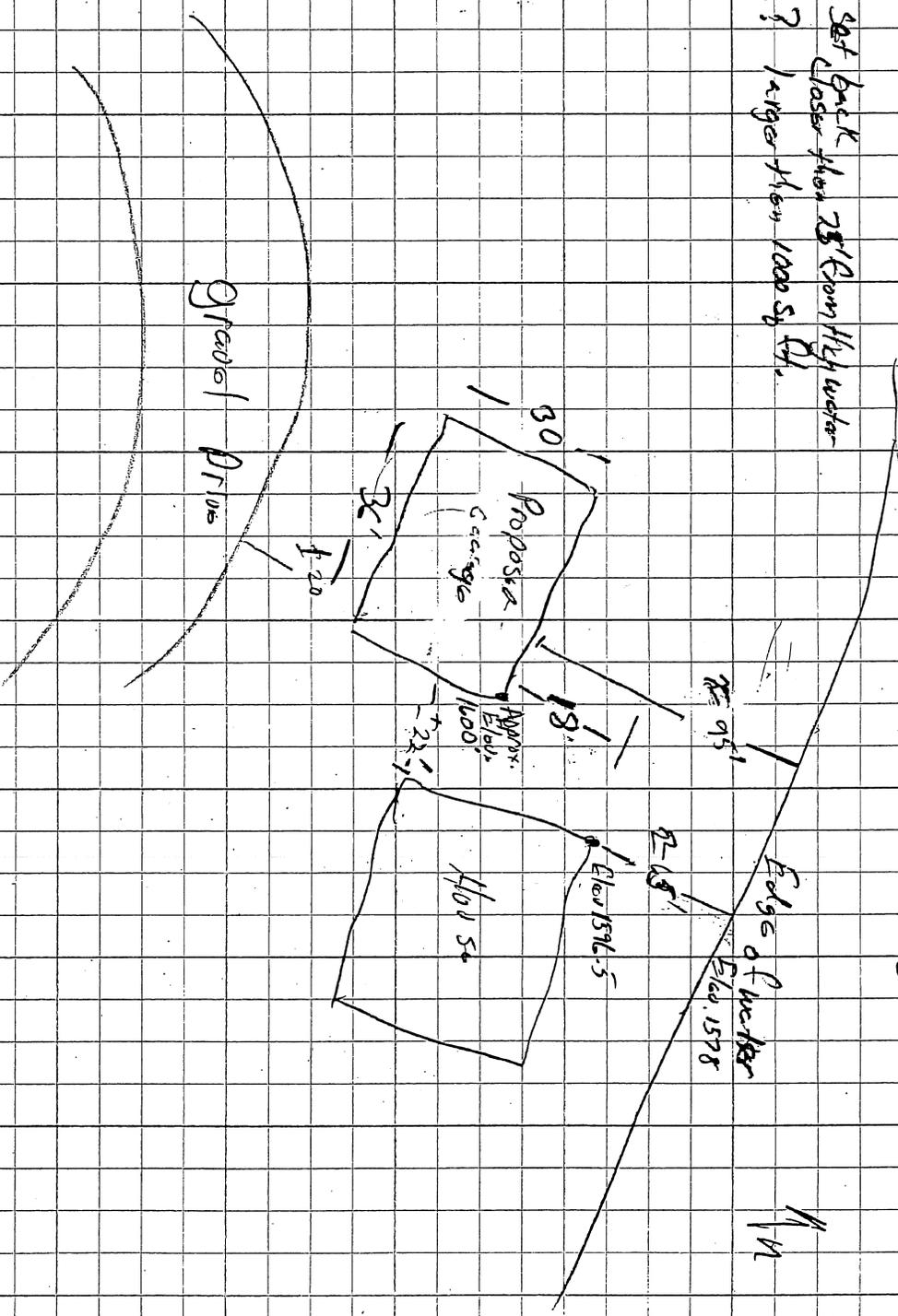
C.) Legal Description of Property:

E 260' of W 1503' of  
cont Lot 3 Exc. S 75' in NW 1/4 Sec 28, T109N, R50W  
(Medary Twp)  
Parcel # 1240510950 28200  
\_\_\_\_\_  
\_\_\_\_\_

Form continued on page 2

2016 eu 012

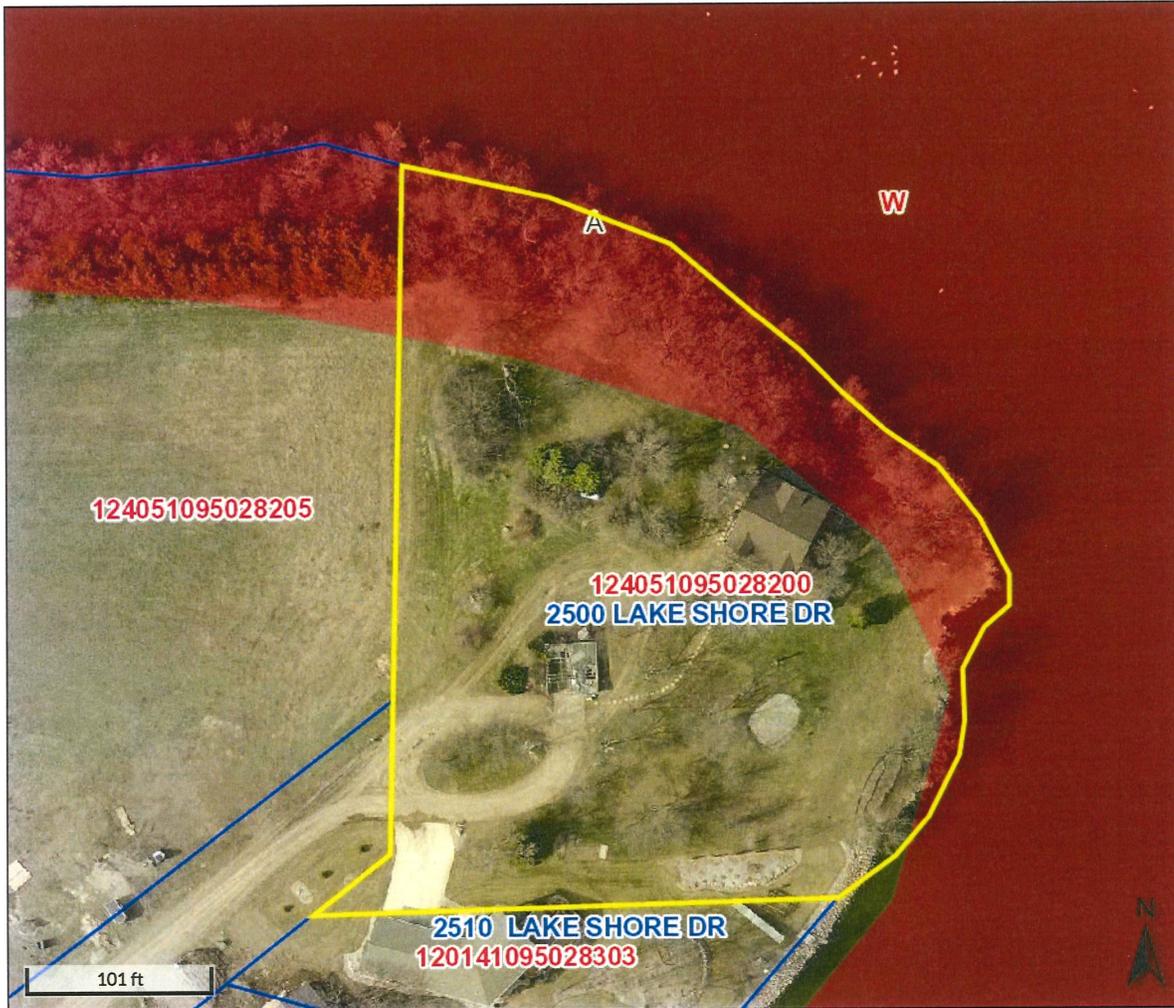
VADN/enc 4  
set back closer than 25' from Hwy water  
conditional use? larger than 1000 sq ft.



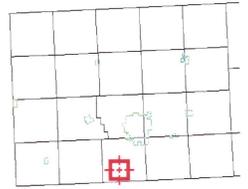
Robert S. P... (signature)

**COPY**

2016 var 011



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Parcels
- Floodplain 2008**
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

Parcel ID	124051095028200	Alternate ID	n/a	Owner Address	AHLSTROM, RICHARD J
Sec/Twp/Rng	28-109-50	Class	NACS		2500 LAKE SHORE DR
Property Address	2500 LAKE SHORE DR	Acreage	n/a		VOLGA SD 57071
	VOLGA				
District	12014				
Brief Tax Description	LOT 3 SEC 28-109-50 E 260' OF W 1503' OF GOVT LOT 3 EXC. S 75' IN NW 1/4 2.60 AC				
	(Note: Not to be used on legal documents)				

Date created: 5/10/2016



# 2016plat004 – June 7<sup>th</sup>, 2016

Prepared by Richard Haugen

Applicant/Owner: Dave Deidrich, 7345 Valley View Rd, Brookings, SD 57006

Legal Description: “Plat of Lots 1 and 2 of Kodiak Addition in the SE1/4 of Section 3, T109N, R48W of the 5<sup>th</sup> P.M., Brookings County, South Dakota.”

2016plat004: Dave Diedrich has submitted a plat for “Lot 1 and Lot 2 of Kodiak Addition in the SE1/4 of Section 3, T109N, R48W of the 5<sup>th</sup> P.M., Brookings County, South Dakota.” He is subdividing 33.39 acres off from 160 acres he owns. Lot 1 is the future site for Kodiak Pork, a class “A” swine CAFO that was approved by the Zoning Board on April 5<sup>th</sup>, 2016. Lot 2 is a future site of an electrical substation for Kodiak Pork. The utility company will be applying for a conditional use # 15: Water pumping stations, elevated tanks and similar essential public utilities and service structures” and a front yard variance request for the substation by the power company in the future.

The plat meets the platting requirements and the 2016 Comprehensive Plan-Unincorporated Rural Area Land Use statement on page 24 for Agricultural Land Use.



**SURVEYOR'S CERTIFICATE**

I, Tim L. Gobel, a Licensed Land Surveyor in the State of South Dakota, do hereby certify that at the request of David Alan Diedrich and Sandra Michelle Diedrich, as owners, and under their direction, did on or prior to May 2, 2016 survey the land described as follows:

A PLAT OF LOTS 1 AND 2 OF KODIAK ADDITION IN THE SE 1/4 OF SECTION 3, T 109 N, R 48 W OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA.

I also hereby certify that this plat is to the best of my knowledge and belief, in all respects, a true description of said property. I have executed this document this 4th day of May, 2016.



*Tim L. Gobel*  
Tim L. Gobel, LS 12491

**OWNER'S CERTIFICATE**

We, the undersigned, hereby certify that we are the absolute and unqualified owners of the land included in this plat being entitled: A PLAT OF LOTS 1 AND 2 OF KODIAK ADDITION IN THE SE 1/4 OF SECTION 3, T 109 N, R 48 W OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA; that the plat was made at our request and under our direction, for the purpose of defining and describing the property as shown by this plat; that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations, and I hereby dedicate to the public, for public use forever as such, the right-of-ways and easements, as shown and marked on this plat.

In witness whereof I have hereunto set my hand this 11<sup>th</sup> day of May, 2016.  
By *David Alan Diedrich* By *Sandra Michelle Diedrich*  
David Alan Diedrich Sandra Michelle Diedrich

STATE OF South Dakota )  
COUNTY OF Brookings )

Be it remembered that on this 11 day of May, 2016 before me, the undersigned, a Notary Public within and for the county and state aforesaid, personally appeared David Alan Diedrich and Sandra Michelle Diedrich, known to me to be the persons who are described in and who executed the within and foregoing instrument and certificate and acknowledged to me that they executed the same.

My commission expires 03/14/2020.

*[Signature]* Seal  
Notary Public, Brookings County, South Dakota



**CERTIFICATE OF HIGHWAY AUTHORITY**

I, \_\_\_\_\_, Supervisor, acting for \_\_\_\_\_ Township, hereby approve the access as shown on the attached plat to the abutting public highway subject to all applicable laws, ordinances and permit requirements. Any changes in the location of the proposed access shall require additional approval.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Highway Authority

**CERTIFICATE OF COUNTY PLANNING COMMISSION**

Approved by the Brookings County Planning Commission of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chairman, Brookings County Planning Commission

**RESOLUTION NO.**

It was moved by \_\_\_\_\_, seconded by \_\_\_\_\_, motion carried the the plat of LOTS 1 AND 2 OF KODIAK ADDITION IN THE SE 1/4 OF SECTION 3, T 109 N, R 48 W OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA, as described above and hereon be approved and accepted and the Chairman is hereby instructed to endorse on such plat this resolution and certify the same.

ATTEST: \_\_\_\_\_  
Chairman, Board of Commissioners  
Brookings County, South Dakota

**DIRECTOR OF EQUALIZATION**

I, the undersigned, County Director of Equalization for Brookings County, South Dakota, do hereby certify that a copy of the above plat has been filed at my office.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Director of Equalization, Brookings County

**CERTIFICATE OF FINANCE OFFICER OF BROOKINGS COUNTY, SD**

I, the undersigned, Finance Officer of Brookings County, South Dakota, do hereby certify that all taxes which are liens upon any land included in the above and foregoing plat as shown by the records of my office have been fully paid.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Finance Officer, Brookings County, South Dakota

**CERTIFICATE OF REGISTER OF DEEDS**

STATE OF SOUTH DAKOTA )  
COUNTY OF BROOKINGS )

Filed for record this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_ at \_\_\_ o'clock \_\_\_ M. and recorded in Book \_\_\_ of Plats on page \_\_\_ herein.

\_\_\_\_\_  
Register of Deeds, Brookings County

PROJECT NUMBER:	Y15163
CREW CHIEF:	TLG
DRAFTED BY:	BRK
REVIEWED BY:	DDE
DRAWING:	15163-PLAT
LAYOUT:	Text
SHEET NO. 2 OF 2 TOTAL SHEETS	

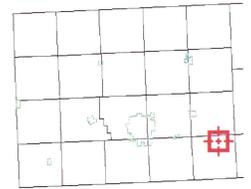
Prepared By:

**STOCKWELL**

STOCKWELL ENGINEERS, INC.  
215 WALNUT STREET  
YANKTON, SD 57078  
PH: 605.665.8092  
FAX: 605.665.0523



Overview



Legend

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

Parcel ID	160001094803400	Alternate ID	n/a	Owner Address	DIEDRICH, DAVID ALAN ET UX
Sec/Twp/Rng	3-109-48	Class	AGA		7345 VALLEY VIEW RD
Property Address		Acreage	160		BROOKINGS SD 57006
District	1603				
Brief Tax Description	SE 1/4 SEC 3-109-48 160.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 5/9/2016

Developed by  
The Schneider Corporation

*2016 plat 004*