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### **August 7th, 2018 Minutes**

Brookings County Planning & Zoning Commission  
August 7th, 2018 – 7:00 PM  
Brookings City & County Government Center  
310 Chambers

Chair Rochel called the meeting to order at 7:00 PM. Commission members present were: Lee Ann Pierce, Robert Rochel, Kimberly Elenkiwich, Darrel Kleinjan, Terrell Spence, Michael McHugh, Randy Jensen, Chad Ford and alternate board members Tom Davis and Roger Erickson. Absent was Darrell Nelson.

Chair Rochel read **agenda item # 2: Approval of minutes from July 3rd, 2018 meeting.** Kimberly Elenkiwich moved to approve the minutes. Roger Erickson second. Chair Rochel called for a voice vote. 9-ayes and 0-nays, motion carried.

Chair Rochel read **agenda item # 3: Items to be added to agenda by commission members or staff.** No items were added.

Chair Rochel read **agenda item # 4: Invitation for citizen to schedule time on the commission agenda for an item not listed. Time limited to 5 minutes per person to address the board.** No one scheduled time to address the board.

Chair Rochel read **agenda item # 5: Approval of Agenda.** Chad Ford moved to approve the agenda. Michael McHugh second. Chair Rochel called for a voice vote. 9-ayes and 0-nays, motion carried.

Chair Rochel stated, "We are now acting as the Brookings County Planning and Zoning Commission" read the opening statement and then recused himself. Vice Chair Elenkiwich moved to chair seat and alternate Tom Davis took vacated seat on the board. Acting Chair Elenkiwich read **agenda item # 6: Action to approve Amendment of May 1<sup>st</sup>, 2018 meeting minutes of the Brookings County Planning and Zoning Commission for May 1<sup>st</sup>, 2018 agenda item # 6: Public Hearing and Consideration of Resolution declaring boundaries and recommending creation of the Tax Increment District Number Two, Brookings County, South Dakota. To be located in the following location: "South Dakota Soybean Processor's Tract 3 B in the NW1/4 of Section 24,**

**T110N, R51W of the 5th, P.M., Brookings County, South Dakota.” The amendment will state that “Darrell Nelson moved to approve the resolution and declaration of boundaries for Tax Increment District Number Two. Kimberly Elenkiwich second. The motion passed unanimously.”** Michael McHugh moved to approve amended minutes. Terrell Spence second. Chair Elenkiwich asked Mr. Haugen for comments. Mr. Haugen noted the May 1st meeting minutes had been reviewed and it was found that the minutes did not state who actually made the resolution declaration of the boundaries. He referenced the area that was corrected. Chair Elenkiwich called for a voice vote: 9-ayes, 0-nays, motion carried.

Chair Elenkiwich read **agenda item # 7: Action to adopt a Resolution recommending to the Brookings County Commission that it approve the creation of Brookings County Tax Increment Financing District Number Two, along with approval of the district boundaries and the plan for Prairie AquaTech. – Tobin J. Morris from Dougherty & Company LLC.** Tom Davis moved to adopt a resolution recommending the creation of Tax Increment Financing District Number Two and approval of the district boundaries and plan for Prairie Aqua Tech. Michael McHugh second. Chair Elenkiwich asked Mr. Haugen for comments. Mr. Haugen stated, “This will be for approval of recommending to the Brookings County Commission for the plan of Tax Increment Financing District Number Two.” He then invited Mr. Morris to come forward and address the board. Mr. Morris introduced himself and reference the report that had been provided to the board and posted online while giving a brief report. He noted: 1) the South Dakota Department of Revenue had classified the plan as economic development. 2) referenced pages 9, 11 and 23 and gave an overview on the information. Chair Elenkiwich opened up for questions from the board. Board member Pierce asked a question regarding base value (if it was for Lot 3A & 3B or just Lot 3A). Mr. Morris noted the Department of Revenue would adjust the base value if it need to be adjusted. Board member Pierce also discussed assignability of a TIF should a business not make it and need to liquidate. Mr. Morris noted it would be assigned in the developer’s agreement and would be assignable if the county allowed it. Chair Elenkiwich opened for discussion from the audience, seeing none. Lee Ann Pierce made a motion to set the boundaries for Tax Increment Financing District Number Two as being SD Soybean Processor’s Lots 3A & 3B in the NW1/4 of Section 24, T110N, R51W of the 5<sup>th</sup> P.M., Brookings County, South Dakota. Chad Ford second. Chair Elenkiwich called for a roll-call vote: Pierce-aye, McHugh-aye, Davis-aye, Erickson-aye, Kleinjan-aye, Ford-aye, Spence-aye, Jensen-aye, Elenkiwich-aye. Motion to change boundary from Lot 3A to Lots 3A & 3B passed. Chair Elenkiwich then called for a roll-call vote for agenda item #7 approval of the plan: McHugh-aye, Davis-aye, Erickson-aye, Kleinjan-aye, Ford-aye, Spence-aye, Jensen-aye, Pierce-aye, Elenkiwich-aye. 9-ayes, 0-nays, motion carried.

Tom Davis removed himself from the seated board and Vice Chair Elenkiwich and Chair Rochel resumed their seats.

Chair Rochel read **agenda item # 8: Consideration of Plats: a. 2016plat008: “Plat of Thompson Strong-New Beginning’s Addition in the S1/2 of the SW1/4 of Section 3, T111N, R47W of the 5<sup>th</sup> P.M., Brookings**

**County, South Dakota.”** Michael McHugh moved to approve the plat. Kimberly Elenkiwich second. Chair Rochel opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, “Darold Laabs is platting off 5.5 acres of an existing farmstead building site from the approximate 110 acres he owns, located at 20283 487<sup>th</sup> Ave. The farmstead will use the existing driveway located on 487<sup>th</sup> Ave. for access to the property.” Mr. Haugen used visuals to describe the plat. Chair Rochel opened up for questions from the board, hearing none. Chair Rochel opened up for discussion from the audience, seeing none. Chair Rochel asked the board for questions or comments, hearing none he called for a roll-call vote: Elenkiwich-aye, Erickson-aye, Kleinjan-aye, Ford-aye, Spence-aye, Jensen-aye, Pierce-aye, McHugh-aye, Rochel-aye. 9-ayes, 0-nays, motion carried.

Chair Rochel read **agenda item b. 2016plat010: “Plat of Lot 10A, Block 1, Sunset Point Addition in Govt Lots 3 & 4 of Section 22, T112N, R47W of the 5<sup>th</sup> P.M., Brookings County, South Dakota.”** Kimberly Elenkiwich moved to approve the plat. Roger Erickson second. Chair Rochel opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, “Lake Dreams LLC, Preston Mettler & Jim Breckenridge are platting off lot 10A from the Sunset Point Addition which is located at Lake Hendricks. It was originally platted and approved by the Zoning Commission on November 1<sup>st</sup>, 2005, into lake lots meeting the 20,000 sq. ft. requirement. On October 2<sup>nd</sup>, 2012 all the lots that were platted in 2005 that were not sold were re-platted into larger lots for tax purposes. They have sold a lot and lot 10A is being replatted into an individual lake lot, like it was originally platted.” Mr. Haugen used visuals to describe the plat. Chair Rochel opened up for questions from the board, hearing none. Chair Rochel opened up for discussion from the audience, seeing none. Chair Rochel asked the board for questions or comments, hearing none he called for a roll-call vote: Erickson-aye, Kleinjan-aye Ford-aye, Spence-aye, Jensen-aye, Pierce-aye, McHugh-aye, Elenkiwich-aye, Rochel-aye. 9-ayes, 0-nays, motion carried.

Chair Rochel read **agenda item c. 2016plat011: “Plat of Lots 1 through 6 of Block 1, Lots 7 through 19 of Block 2, and Block 3, Arlington Beach Addition in the SW1/4 of Section 5, T112N, R52W of the 5<sup>th</sup> P.M., Brookings County, South Dakota.”** Chad Ford moved to approve the plat. Michael McHugh second. Chair Rochel opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, “JAARL Investments by Mark Norgaard is re-platting their property into Lots 1-6 of Block 1, Lots 7-19 of Block 2 and Block 3 of Arlington Beach Addition. There was previously 3 separate plats for these lots. The three separate plats will be vacated and replaced with this plat. Blocks 1 and 2 contain the cabin structures and Block 3 contains Arlington Beach Resort. Arlington Beach Resort is located on Lake Poinsett and is a permitted resort in Brookings County. The re-platting of the property will allow the individual cabin owner to own the cabin and the property it is built on. The streets and common areas will be owned and maintained by a homeowners association. Resorts were included in the Lake Park Ordinance update to allow for this type of use.” Mr. Haugen used visuals to describe the plat. Chair Rochel opened up for questions from the board, hearing none. Chair Rochel opened up for discussion from the audience, seeing none. Luke Muller, First District wanted to clarify if a document was on file that open area

was open for use of the common. Mr. Haugen noted open area would be owned by the common areas and would be covered by a homeowners association. Board member Pierce and Elenkiwich asked for clarification on footprint of the cabin and ownership, and an explanation of the type of set-up. Mr. Haugen noted: 1) the footprint would be the structure and the area below it, the area around each structure would be the common area. 2) Set-up was similar to twin homes with common areas and a homeowner associations. No modifications would be allowed past the footprint of each structure such as additional decks or additions. Example: No additional decks would be allowed past the footprint but could possibly be built on top of the structure. Chair Rochel asked the board for questions or comments, hearing none he called for a roll-call vote: Kleinjan-aye, Ford-aye, Spence-aye, Jensen-aye, Pierce-aye, McHugh-aye, Elenkiwich-aye, Erickson-aye, Rochel-aye. 9-ayes, 0-nays, motion carried.

Chair Rochel read **agenda item d. 2016plat012: "Plat of South Dakota Soybean Processor's Tract 1A & Tract 1B in the NW1/4 of Section 24, T110N, R51W of the 5<sup>th</sup> P.M., Brookings County, South Dakota."** Lee Ann Pierce moved to approve the plat. Kimberly Elenkiwich second. Chair Rochel opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, "This is a joint effort between the South Dakota Soybean Processors and the City of Volga. The South Dakota Soybean Processors are re-platting their property into Tracts 1A for future expansion of a proposed rail loop to be located in the northeast corner and Tract 1B for the expansion of the City of Volga's waste water treatment facility. The South Dakota Soybean Processor's and the City of Volga have agreements in place for Tract 1B." Mr. Haugen used visuals to describe the plat. Chair Rochel opened up for questions from the board, hearing none. Chair Rochel opened up for discussion from the audience, seeing none. Chair Rochel asked the board for questions or comments, hearing none he called for a roll-call vote: Ford-aye, Spence-aye, Jensen-aye, Pierce-aye, McHugh-aye, Elenkiwich-aye, Erickson-aye, Kleinjan-aye, Rochel-aye. 9-ayes, 0-nays, motion carried.

Chair Rochel read **agenda item e. 2016plat013: "Plat of Lots 1 & 3, Dakota Shores Second Subdivision all being located in Govt. Lots 4 & 5, Section 15, T112N, R47W of the 5<sup>th</sup> P.M., Brookings County, South Dakota."** Michael McHugh moved to approve the plat. Randy Jensen second. Chair Rochel opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, "Mr. Zylstra is platting off a final plat for Lots 1 and 3 of Dakota Shores Second Subdivision. His preliminary plat was approved by this board on October 7<sup>th</sup>, 2014 (2014preplat016). Since his preliminary plat was approved, he has platted lots 2, 4, 5, 6, 7A, 8, 9, 10, 11 and 12. The lots are non-lake front and meet the 20,000 sq. ft. lot size requirement. The plat meets the Brookings County Subdivision Ordinance requirements." Mr. Haugen used visuals to describe the plat. Chair Rochel opened up for questions from the board, hearing none. Chair Rochel opened up for discussion from the audience, seeing none. Chair Rochel asked the board for questions or comments, hearing none he called for a roll-call vote: Spence-aye, Jensen-aye, Pierce-aye, McHugh-aye, Elenkiwich-aye, Erickson-aye, Kleinjan-aye, Ford-aye, Rochel-aye. 9-ayes, 0-nays, motion carried.

Chair Rochel read **agenda item f. 2016plat014: “Plat of Lot 3, Olson’s Subdivision all being located in Govt. Lot 4, Section 15, T112N, R47W of the 5<sup>th</sup> P.M., Brookings County, South Dakota.”** Kimberly Elenkiwich moved to approve the plat. Randy Jensen second. Chair Rochel opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, “Mr. Zylstra is platting off Lot 3 of Olson’s Subdivision to be purchased by the owners of Lots 2A & 2B of Olson’s Subdivision located at 152 Dakota Shores Place. This is a triangle shaped lot that sits directly in front of Lots 2A & 2B and between two dedicated roads, where Dakota Shores splits and goes north and south. This lot is currently being used for landscaping as an entrance to 152 Dakota Shores Place. The lot is not a build-able lot for a residence.” Mr. Haugen used visuals to describe the plat. Chair Rochel opened up for questions from the board, hearing none. Chair Rochel opened up for discussion from the audience, seeing none. Chair Rochel asked the board for questions or comments, hearing none he called for a roll-call vote: Jensen-aye, Pierce-aye, McHugh-aye, Elenkiwich-aye, Erickson-aye, Kleinjan-aye, Ford-aye, Spence-aye, Rochel-aye. 9-ayes, 0-nays, motion carried.

Chair Rochel stated, “We are now acting as the Brookings County Board of Adjustment” read the opening statement and **agenda item # 9: 2018var013: Bobcat Farms RE, LLC by Barry Kerkaert has made an application 2018var013 to the Brookings County Board of Adjustment, for a variance. Article 22: Section 22.01: Concentrated Animal Feeding Operation Regulations: Concentrated Animal Feeding Operation Control Requirements: # 6) Required Setback and Separation Distance. The property is described as: “N1/2 of the NE1/4 Section 6, T110N, R47W (Richland Township)”**. Chad Ford moved to approve the variance request. Kimberly Elenkiwich second. Chair Rochel opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, “Bobcat Farms RE, LLC by Barry Kerkaert has applied for a variance to be 2,138.8 feet from a well located in the NW1/4 of Section 5, T110N, R47W located to the southeast of the proposed facility, a variance of 501.2 feet. The well is not on the South Dakota Department of Environment and Natural Resources Water Well Completion Report for that Township/Range/Section, meaning the well was dug before the completion records were required.” Mr. Haugen noted: 1) the well was located on top of a cement casing with a pump head, with no visible well rod and no wind mill tower. 2) In the past water had been pumped from the well to a cistern and then to various locations on the farm site. With the installation of rural water on the property the well was no longer used. 3) The well was located on a 160 acre site consisting of pasture, farm ground and accessory farm buildings used for livestock, no residence located on the property. 4) Well site current landowner signed a letter that he had no objections to the variance request. 5) Letters were sent to adjoining landowners, Richland Township Chairman and Clerk, Brookings County Highway Department, and Brookings Deuel Rural Water. 6) Public notices were published in the Brookings Register on July 24 and 31, 2018 and in the Elkton Record on July 26 and August 2, 2018. Mr. Haugen then presented a visual presentation of the site. Chair Rochel asked Mr. Kerkaert to come forward and address the board. The applicant identified himself as Barry Kerkaert, Chief Manager for Bobcat

Farms and stated, "I really have no other comments." Chair Rochel opened up for questions from the board. Board members McHugh and Pierce asked: 1) what the hardship was regarding the request. 2) How the manure would be stored on the proposed CAFO site. Mr. Kerkaert noted: 1) if the variance was not granted the Hog CAFO would not be able to be built on the site they wanted. 2) The manure would be stored beneath the buildings in a concrete pit. Chair Rochel asked for further comments from the board, hearing none. He opened up to the audience opponents and proponents, hearing none. Chair Rochel asked for additional comments from the board, hearing none he asked Mr. Haugen to go over the findings of facts, with any additions, which are on file. Chair Rochel called for a roll-call vote: Ford-aye, Jensen-aye, Spence-aye, Pierce-aye, McHugh-aye, Elenkiwich-aye, Erickson-aye, Kleinjan-aye, Rochel-aye. 9-ayes, 0-nays, motion carried.

Chair Rochel read **agenda item # 10: 2018cu014: Bobcat Farms RE, LLC by Barry Kerkaert has made an application, 2018cu014, to the Brookings County Board of Adjustment for a conditional use. Article 11: Section 11.01: "A" Agricultural District: Conditional Use Permit # 11: Class A, B, C and D Concentrated Animal Feeding Operation. The property is described as: "N1/2 of the NE1/4 Section 6, T110N, R47W (Richland Township)".** Chad Ford moved to approve the conditional use request. Kimberly Elenkiwich second. Chair Rochel opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, "Bobcat Farms RE, LLC by Barry Kerkaert has applied for an Agricultural District conditional use # 11 for a Class "A" Swine CAFO operation for 2,994 animal units (4,704 gestating sows, 1,080 farrowing sows, and 1,620 replacement gilts > 55 pounds, and 324 head of nursery swine < 55 pounds a total of 7,404 head of swine = 2,994 animal units)." He noted: 1) facility would be a swine breeding, farrowing and nursery facility with pigs being moved out at 15 pounds, only selected replacement gilt piglets would be kept on site for breeding stock replacements. 2) Buildings would consist of a gilt development unit, gestation unit and farrowing unit and units would be connected with alleyways between structures. 3) Four rows of trees would be planted around the perimeter of the site. 4) Nutrient/manure storage pit under each building would allow for 365 days of storage. 5) Nutrient management plan shows the need for 975 acres with 2,080.9 acres available. 6) A variance was granted for a well that was found on an adjoining landowner's property within the setback requirements. 7) Not located in Zone "A" (Wellhead Protection Areas) or Zone "B" (remainder of mapped shallow/surficial aquifer not included in Zone "A"). 8) Public notices were published in the Brookings Register on July 24 and 31, 2018 and in the Elkton Record on July 26 and August 2, 2018. 9) Letters were sent to the adjoining landowners, Richland Township Chairman and Clerk, Brookings County Highway Department, Brookings-Deuel Rural Water and the current landowner. Mr. Haugen then presented a visual presentation of the site. Chair Rochel asked Mr. Kerkaert to address the board and add and comments. The applicant stated, "Richard did a very nice job covering the project. From our prospective it is a very nice site and we would be excited to build that farm." Chair Rochel opened up for questions from the board and asked the project engineer to identify himself and add any additional comments. The project

engineer identified himself as Brad Woerner from Stockwell Engineers, Inc. and gave a brief summary of the soil boring report that presented to the board. He noted that 9 (nine) borings were done, more than the state required and that the site had beautiful lean clay. He further noted that the South Dakota DENR were not going to require any monitoring wells for the facility as it was not located over a shallow aquifer in their (SD DENR's) opinion and research based on the DENR's research and the logs provided by Stockwell. Chair Rochel asked for further description regarding the permeability of the lean clay. Mr. Woerner replied, "There is very, very, very little. If we were to do a holding pond out there for the waste water, which we are required, I would have zero concern for meeting the state requirements for permeability, we would exceed them, and do very well out there." Chair Rochel asked for further comments from the board, hearing none. He opened up to the audience opponents and proponents, hearing none. Board member Jensen noted a compost facility was going to be on site. The engineer verified that and noted it was an allowed mortality management with the animal industry board. Chair Rochel asked for additional comments from the board, hearing none he asked Mr. Haugen to go over the findings of facts, with any additions, which are on file. Chair Rochel called for a roll-call vote: Jensen-aye, Pierce-aye, McHugh-aye, Elenkiwich-aye, Erickson-aye, Kleinjan-aye, Ford-aye, Spence-aye, Rochel-aye. 9-ayes, 0-nays, motion carried.

Chair Rochel read **agenda item # 11: 2018var014: Jodi Jensen has made an application, 2018var014, to the Brookings County Board of Adjustment for a variance. Article IV District Requirements: Chapter 4.03 "LP" Lake/Park Districts: Section 4.03.03. Density, Area and Yard Regulation (Lake Front). The property is described as: "Parcels Numbered One (1), Two (2), Three (3) and Four (4) in Lot 25 in the Subdivision and Replat of Lake Poinsett Heights in Section 5, T112N, R52W (Laketon Township)" -- located at 170 South Lake Dr, Arlington, SD 57212.** Lee Ann Pierce recused herself and Tom Davis took her seat on the board. Kimberly Elenkiwich moved to approve the variance request. Randy Jensen second. Chair Rochel opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, "Jodi Jensen has applied for a lake front variance to build a 36 feet x 50 feet residence with a 36 feet x 36 feet attached garage 59 feet from the highest known water mark and 2 feet from the east side property line. A 16 feet variance from the high water mark and 6 feet variance from the side property line. The proposed residence with attached garage will meet the side setback of 8 feet on the west side and the 25 feet from the road." Mr. Haugen then noted: 1) Hardships – location of existing rural water meter pit, sanitary sewer connection, electrical meter, and the shape and size of the lot. 2) Site is located on a bluff, 20 feet above the beach and lake shore area. 3) Dedicated lake access area located on the property to the east. 4) Lake Poinsett Heights was platted on September 1, 1922. 5) Public notices were published in the Brookings Register on July 24 and 31, 2018 and in the Arlington Sun on July 26 and August 2, 2018. 6) Letters were sent to adjoining landowners, and the Laketon Township Chairman and Clerk. Mr. Haugen then presented a visual presentation of the site. Chair Rochel asked the applicant to come forward and address the board. The applicant identified himself as Lynn Jensen and stated, "I have nothing to add, unless you

have questions.” Chair Rochel opened up for questions from the board. Board member Davis asked about width and any concerns of the access area that adjoined the property. Mr. Jensen noted the area was an unused access and he had no concerns. Chair Rochel asked for further comments from the board, hearing none he opened up to the audience, hearing none. Chair Rochel asked for additional comments from the board, hearing none he asked Mr. Haugen to go over the findings of facts, with any additions, which are on file. Chair Rochel called for a roll-call vote: Davis-aye, McHugh-aye, Elenkiwich-aye, Erickson-aye, Kleinjan-aye, Ford-aye, Spence-aye, Jensen-aye, Rochel-aye. 9-ayes, 0-nays, motion carried. Tom Davis removed himself and Lee Ann Pierce resumed her seat on the board.

Chair Rochel read **agenda item # 12: 2018var015: Randy L. Hume has made an application, 2018var015, to the Brookings County Board of Adjustment for a variance. Article IV District Requirements: Chapter 4.03 “LP” Lake/Park Districts: Section 4.03.03. Density, Area and Yard Regulation (Lake Front). The property is described as: “Lot 8 & 8A Camara Beach Addition in NW1/4 of Section 15, T112N, R47W (Lake Hendricks Township)” ~~ located at 105 N Lake Hendricks Dr, Hendricks, MN 56136.** Michael McHugh moved to approve the variance request. Roger Erickson second. Chair Rochel opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, “Randy Hume has applied for a lake front variance to build a 50 feet x 30 feet residence with a 24 feet x 30 feet attached garage, 60 feet from the highest known water mark. A variance of 15 feet. The required setback is 75 feet from the high water mark.” Mr. Haugen noted: 1) site is same location of existing 1987 manufactured (mobile) home. 2) Proposed residence will meet the side setback (8 feet) and front road setback (25 feet). 3) A portion of the property is located in the flood plain and the applicant is in the process of removing the property from the flood plain. 4) Camara Beach was originally platted in November 1970 and back lots were platted in August 1975, prior to current zoning ordinance setbacks. 5) Hardships – shape and size of the lot, location of the lift/grinder station for sanitary sewer system. 6) Public notices were published in the Brookings Register on July 24 and 31, 2018 and in the Hendricks Pioneer on July 25 and August 1, 2018. 7) Letters were sent to the adjoining landowners, Lake Hendricks Township Chairman and Clerk and the Brookings County Highway Department. Mr. Haugen then presented a visual presentation of the site. Chair Rochel asked Mr. Hume to come forward and address the board. The applicant identified himself as Randy Hume and stated, “Richard represented me pretty good. The lift grinder station is roughly about 6 feet off the property line, I know side set backs are 8 feet and one side or the other I would probably stay at 12 feet to allow a vehicle to get around and up to the front. Civil Design Inc. did a high water mark study and they are in the process of getting me out of the floodplain. I have plans for a 50 feet deep by 30 feet wide residence with an attached garage and no basement underneath, just a small crawl space.” Mr. Hume also noted that if the variance was granted the new house would be 4 feet farther away from the lake than his current residence. Chair Rochel asked for comments from the board, hearing none. He opened up to the audience opponents and proponents, hearing none. Chair Rochel asked for



additional comments from the board, hearing none he asked Mr. Haugen to go over the findings of facts, with any additions, which are on file. Chair Rochel called for a roll-call vote: McHugh-aye, Elenkiwich-aye, Erickson-aye, Kleinjan-aye, Ford-aye, Spence-aye, Jensen-aye, Pierce-aye, Rochel-aye. 9-ayes, 0-nays, motion carried.

Chair Rochel read **agenda item # 13: 2018var016: Grant Sunne has made an application, 2018var016 to the Brookings County Board of Adjustment for a variance. Article 11.00: Section 11.01 "A" Agricultural District: Area Regulation # 4: Rear Yard: The minimum depth of a rear yard shall be fifty (50) feet. The property is described as: "Tract 3 of Knutson's Addition: Subject to Lot H-2 thereof, in the SW1/4 of Section 18, T110N, R51W (Volga Township)" ~~ located at 46042 US Hwy 14, Volga, SD 57071.** Lee Ann Pierce moved to approve the variance request. Michael McHugh second. Chair Rochel opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, "Grant Sunne has applied for a variance to build a 14 feet wide x 26 feet long garage addition 35 feet from the rear property line. A variance of 15 feet. The required set back is 50 feet." Mr. Haugen also noted: 1) the property was platted on July 18, 1996. 2) The current residence with an attached garage was built in 2000. 3) Mr. Sunne purchased the property on May 22, 2018. 4) Hardships: location, of the lay of the land, shape and size of lot. 5) Public notices were published in the Brookings Register on July 24 & 31, 2018 and in the Volga Tribune on July 26 & August 2, 2018. 6) Letter were sent to adjoining landowners, Volga Township Chairman and Clerk, the Brookings County Highway Department, and the SD DOT. Mr. Haugen then presented a visual presentation of the site. Chair Rochel asked Mr. Sunne to come forward and address the board. The applicant identified himself as Grant Sunne and stated, "I do not have anything to add." Chair Rochel opened up for questions from the board. Board member Pierce asked for clarification if the existing garage was going to be removed and a new one built or if an addition was being added onto the existing garage. Mr. Sunne noted that it was just an extension onto the existing garage. Chair Rochel asked for further comments from the board, hearing none. He opened up to the audience opponents and proponents, hearing none. Chair Rochel asked for additional comments from the board, hearing none he asked Mr. Haugen to go over the findings of facts, with any additions, which are on file. Chair Rochel called for a roll-call vote: Elenkiwich-aye, Erickson-aye, Kleinjan-aye, Ford-aye, Spence-aye, Jensen-aye, Pierce-aye, McHugh-aye, Rochel-aye. 9-ayes, 0-nays, motion carried.

Chair Rochel read **agenda item # 14: 2018cu018: Marla Mitchell has made an application, 2018cu018, to the Brookings County Board of Adjustment for a conditional use. Article 11: Section 11.01: "A" Agricultural District, Conditional Use # 16: "One manufactured or mobile home as a secondary residence, on an established farmstead to be used for the occupancy of a farm employee, or by parents, grandparents, children or brothers and sisters of the occupant of the land, provided that said mobile home is removed within ninety (90) days of the vacation there from by the qualified occupant or occupants. The property is described as: "Lot 1 of Parker Subdiv in SW1/4 SE1/4 of Section 33, T111N, R52W (Winsor**

**Township)'' ~ located at 45652 208<sup>th</sup> St, Arlington, SD 57212.** Chad Ford moved to approve the conditional use request. Terrell Spence second. Chair Rochel opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, "Marla Mitchell has applied for a conditional use to move in a used manufactured home as a secondary residence on her son's property. Marla's son lives in the primary residence and they will live the manufactured home. The used manufactured home will be located on the north side of the existing building site and will meet the setback requirements." Mr. Haugen noted: 1) Public notices were published in the Brookings Register on July 24 and 31, 2018 and in the Arlington Sun on July 26 and August 2, 2018. 2) Letters were sent to the land owner, adjoining landowners, Bangor Township Chairman and Clerk, and the Winsor Township Chairman and Clerk. Mr. Haugen then presented a visual presentation of the site. Chair Rochel asked the applicant to come forward and address the board. The applicant identified herself as Marla Mitchell and stated, "I think he has done a great job and I have nothing to add, it has been an interesting process. I think Richard covered it pretty well." Chair Rochel opened up for questions from the board. Board member Pierce asked for the description of the home. Ms. Mitchell stated, "It is a 26 feet by 60 feet 1995 modular home." Board member Pierce clarified that if the applicant moved out of the home it would need to be removed. Chair Rochel asked for further comments from the board, hearing none. He opened up to the audience opponents and proponents, hearing none. Chair Rochel asked for additional comments from the board, hearing none he asked Mr. Haugen to go over the findings of facts, with any additions, which are on file. Chair Rochel called for a roll-call vote: Kleinjan-aye, Ford-aye, Spence-aye, Jensen-aye, Pierce-aye, McHugh-aye, Erickson-aye, Elenkiwich-aye, Rochel-aye. 9-ayes, 0-nays, motion carried.

Chair Rochel read **agenda item # 15: 2018cu019: Stefini Thomsen has made an application, 2018cu019, to the Brookings County Board of Adjustment for a conditional use. Article IV District Requirements: Chapter 4.03 "LP" Lake Park District: Section 4.03.02 Conditional Uses Permit # 6: Accessory buildings with a side-wall greater than fourteen (14) feet or more than 2,000 square feet and used accessory buildings greater than 120 square feet. The property is described as: "Lot 11 Haffner Knoll Addition in SW1/4 Section 22, T112N, R47W (Lake Hendricks Township)".** Kimberly Elenkiwich moved to approve the conditional use request. Darrel Kleinjan second. Chair Rochel opened up for discussion and asked Mr. Haugen for his staff report. Mr. Haugen stated, "Stefini Thomsen has applied for a Lake-Park District conditional use #6 to build an accessory building 40 feet wide x 80 feet long with 16 feet sidewalls (3,200 sq. ft.) to be used for personal storage and a workshop for private use. The proposed accessory building will be located on a non-lake front lot and will meet the setback requirements of 25 feet from the road, 25 feet from the rear property line and 8 feet from the side property lines." Mr. Haugen further noted: 1) the lot was located south of Lake Hendricks in the Haffner Knoll Addition that was platted in November 1978, and measures 103 feet wide x 208 feet long. 2) Public notices were published in the Brookings Register on July 24 and 31, 2018 and in the Hendricks Pioneer on July 25 and August 1, 2018. 3) Letters were sent to

adjoining landowners, Lake Hendricks Township Chairman and Clerk and the Brookings County Highway Department. Mr. Haugen then presented a visual presentation of the site. Chair Rochel asked the applicant to come forward and address the board. The applicant identified himself as Matt Thomsen and stated, "I think Richard covered it pretty well, it is just going to be used as a storage shed and workshop area." Chair Rochel opened up for questions from the board. Board members Pierce, Elenkiwich and Chair Rochel discussed: 1) Use of the building. 2) Why size needed, and 3) possibility of stripping 2 feet of land away. Mr. Thomsen noted: 1) the workshop area would be for personal metal work, 2) he wanted the height to allow for 2nd story storage area inside and store a camper in the future, and 3) he was concerned with stripping ground away and having a drainage issue. Chair Rochel asked the board for comments. Board members Elenkiwich, Pierce, Kleinjan and Spence noted they would not vote in favor of the building at the size Mr. Thomsen was requesting. Mr. Haugen noted that Mr. Thomsen could request to postpone to come up with a plan for a smaller building with lower sidewall heights or withdraw and reapply. Chair Rochel noted the options to table the item for 90 days or withdraw application. Lee Ann Pierce made a motion to postpone the item until the November 6, 2018 meeting. Kimberly Elenkiwich second. Chair Rochel called for a voice vote. 9-ayes and 0-nays, motion carried.

Chair Rochel read **agenda item # 16: Department Reports**. Chair Rochel asked Mr. Hill for his Directors report. Mr. Hill asked that Mr. Luke Muller speak first. Mr. Muller reminded the board that the SD Planners Conference would be on Oct. 17 & 18, 2018 in Huron, SD and highlighted agenda items were going to be on nuts and bolts and day to day operations. He also reminded the board to do public notices for any public hearing while working on the various areas of Ordinance adoption. Mr. Hill recognized and thanked Mr. Haugen and Ms. Maher for their handling of the meeting(s) and day to day operations of the office. He also discussed solar energy future options for the county. He also gave a brief report regarding the storm damage to various areas of the county from the large rain fall. Mr. Haugen gave a brief report and asked the board for advice regarding updating mobile homes to modular homes. Board advised that the applicant should put in an application and come before the board.

Chair Rochel asked for a motion to adjourn. Lee Ann Pierce made a motion to adjourn the meeting, Kimberly Elenkiwich second.

Chair Rochel adjourned the meeting at 9:50 PM.

Rae Lynn Maher  
Brookings County  
Development Department.