# Hamlin County
# Board of Adjustment & Planning Commission
# June 24th, 2019

• We ask that you silence your cell phones and if you need to have any conversations with anyone in the audience we ask that you step outside so everyone can hear the Board and other testimony.
• If you wish to testify on an issue, you are required to sign in.
• Anyone responsible for disruptive behavior or noise may be asked to leave the meeting.
• Prior to any testimony a motion will be made in the affirmative based upon staff recommendation as read.
• Staff will provide report and recommendation/ Public Hearing is opened.
• The applicant may address the Board (from table up front)
• Proponents will be called to testify – you may address the Board (from table up front)
• Opponents will be called to testify – you may address the Board(from the table up front)
• Please provide your name and address before providing comment
• All comments and questions are to be directed to the Board
• The public hearing will be closed.
• The Board will discuss the item and ask questions of the applicant or audience members.
• The Board will amend any conditions or findings it deems necessary
• A roll call vote will be held – An affirmative vote of 5 members is required to rule in favor of an applicant/applicants.

**Board of Adjustment Agenda**

**Call to Order**

**Items to be added to the agenda by the Board members or staff**

**Invitation for citizens to schedule time on the Board of Adjustment agenda for an item not listed. 5-minute maximum time allotted.**

**Approval of Board of Adjustment Agenda**

**Approve May 22nd, 2019 Board of Adjustment Minutes**

**Motion to Reconsider Oxford Dairy Decision on May 22nd, 2019**

**Old Business**

**Board Discussion: Alsville Crossing Gas Station**

**Conditional Use:** Conditional Uses in the Lake Park District (3.07.05.10) – **Applicant/Owner:** Arlington Rental Property LLC/John Hurley - **Property Description:** Block 1, Petersen Second Edition in the E ½ of the SE ¼ of Section 36, Township 113N, Range 53W of the 5th P.M., Hamlin County, South Dakota (Norden Township).

**Conditional Use:** Conditional Uses in the Lake Park District (3.07.05.2) – **Applicant/Owner:** Josh Spilde – **Property Description:** Block 1 Spilde First Addition in the SE ¼ of Section 36, Township 113N, Range 53W of the 5th P.M., Hamlin County, South Dakota (Norden Township).

**Conditional Use:** Conditional Uses in the Lake Park District (3.07.05.10) – **Applicant/Owner:** Josh Spilde – **Property Description:** Block 1, Bjorklund Addition in the E ½ of the SE ¼ of Section 36, Township 113N, Range 53W of the 5th P.M., Hamlin County, South Dakota (Norden Township)

**New Business**

**Conditional Use:** Conditional Uses in the Agricultural District (3.04.04.13) – **Applicant/Owner:** Otter Tail Power Company – **Property Description:** 50' wide easement that would be parallel and adjoining township/county road right-of-way on certain property situated in Norden, Hayti, Florence, Dempster, and Estelline Townships.

**Conditional Use:** Conditional Uses in the Lake Park 1 District (3.07.05.7) – **Applicant/Owner:** Jeff Brannen – **Property Description:** S ½ of Lot 10, All of 11& 11A & N ½ of Lot 12 of the 5th P.M., Hamlin County, South Dakota (Estelline Township).

**Variance Request:** Lake Park Area Regulations (3.07.10) – **Applicant/Owner:** Jerome Johnson – **Property Description:** Nelson's Beach: Lots 9 & 9A of the 5th P.M., Hamlin County, South Dakota (Estelline Township).

**Conditional Use and Variance Requests:** Conditional Uses in the Lake Park 1 District (3.07.05.10) & Lake Park Area Regulations (3.07.10) – **Applicant/Owner:** Rick Stevens/Right Angle Construction – **Property Description:** Lots 4, 6, and Lots 8-19 of Lake Albert First Auxiliary Addition in the E ½ of Section 25, Township 113N, Range 53W of the 5th P.M., Hamlin County, South Dakota (Norden Township).

**Staff Report/Permitted Special Use/BP Update**

**Open**

**Executive Session**

**Adjourn**

# Motion to Reconsider

Oxford Dairy Decision on May 22nd, 2019

# Hamlin County Board of Adjustment By-Laws

***Article 7: Establishment of Rules for Meetings of the Board of Adjustment***

- Reconsideration:
  - Any decision of the Board of Adjustment may be reconsidered in accordance with Robert's Rules of Order at the same meeting in which the original decision was made.
  - Decisions of the Board of Adjustment may be reconsidered provided the following:
    - A motion to reconsider the specified action is placed on the Agenda for the meeting immediately following the meeting in which the decision is made, by a member that voted on the prevailing side.
    - At the meeting in which the motion to reconsider is made, if seconded; any discussion and vote shall be postponed in accordance with Robert's Rules of Order until notice of reconsideration is provided.
    - Notice of Reconsideration shall be provided in the same manner as notice for the original request; and to any individual that provided testimony in accordance with the rules of the Board of Adjustment.

# Board Discussion: Alsville Crossing Gas Station

# Arlington Rental Property/Hurley Conditional Use

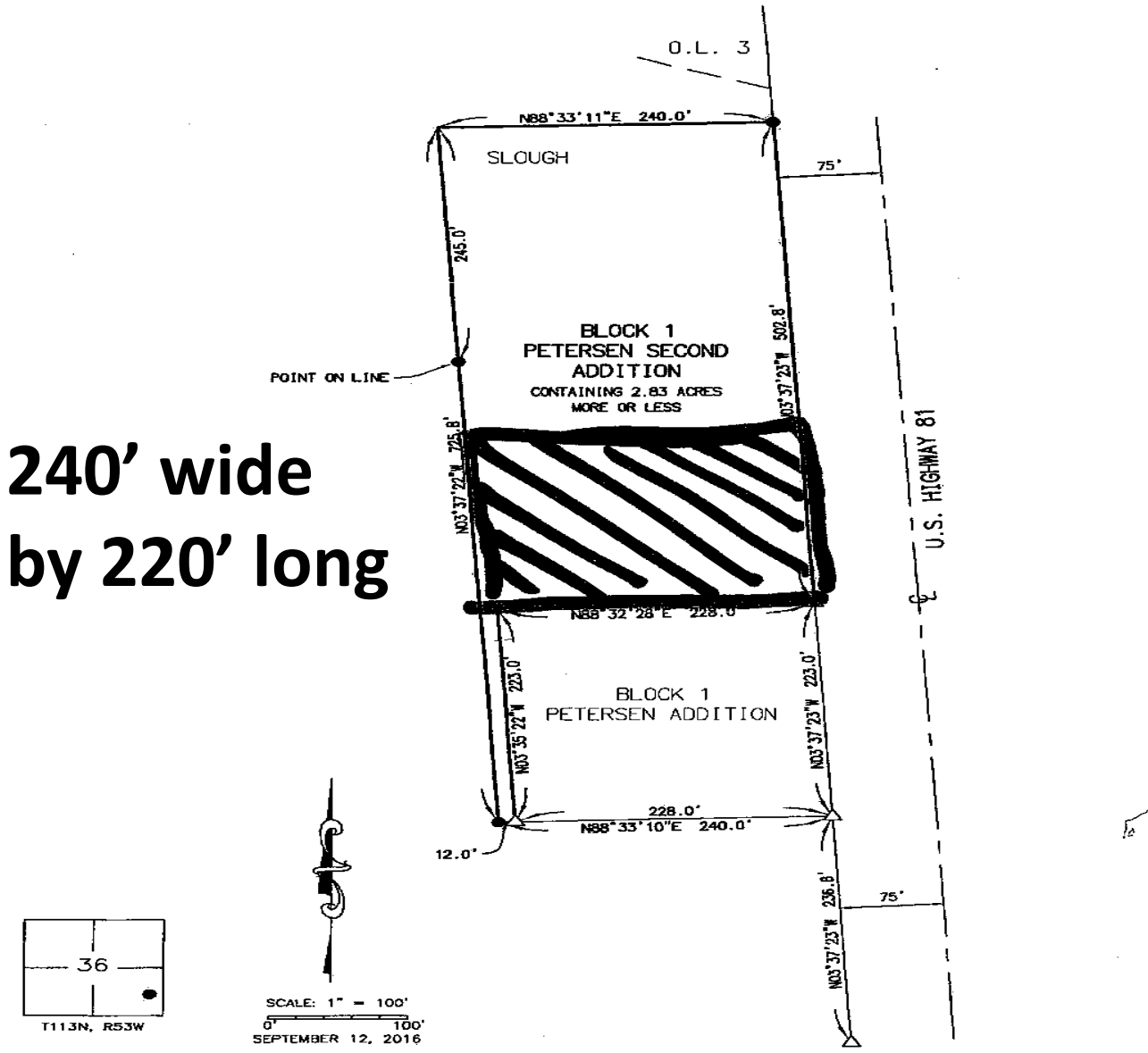
Property Description: Block 1, Petersen Second Edition in the E ½ of the SE ¼ of Section 36, Township 113N, Range 53W of the 5th P.M., Hamlin County, South Dakota (Norden Township).

Action Item: Conditional Uses in the Lake Park District (3.07.05.10)

657
GLEN W HUDY
6205
JOHN & BILLIE JO HURLEY
655
TIM & BRENDA BJORKLUND ETAL
CHECK
653
TIM & BRENDA BJORKLUND ETAL
36-113N-53W
NORDEN
US Highway 81
ROW
454th Ave
WATER
31-113N-52W
SW Lake Dr
6421
KLAPPRODT FAMILY TRUST
6422
KLAPPRODT FAMILY TRUST
ROW

BEING LOCATED IN THE EAST 1/2 OF THE SOUTHEAST 1/4 OF
SECTION 36, T113N, R53W OF THE 5th P.M., HAMLIN COUNTY, SOUTH DAKOTA

**240’ wide**
**by 220’ long**




NOTES:

BASIS OF BEARINGS ARE ASSUMED.

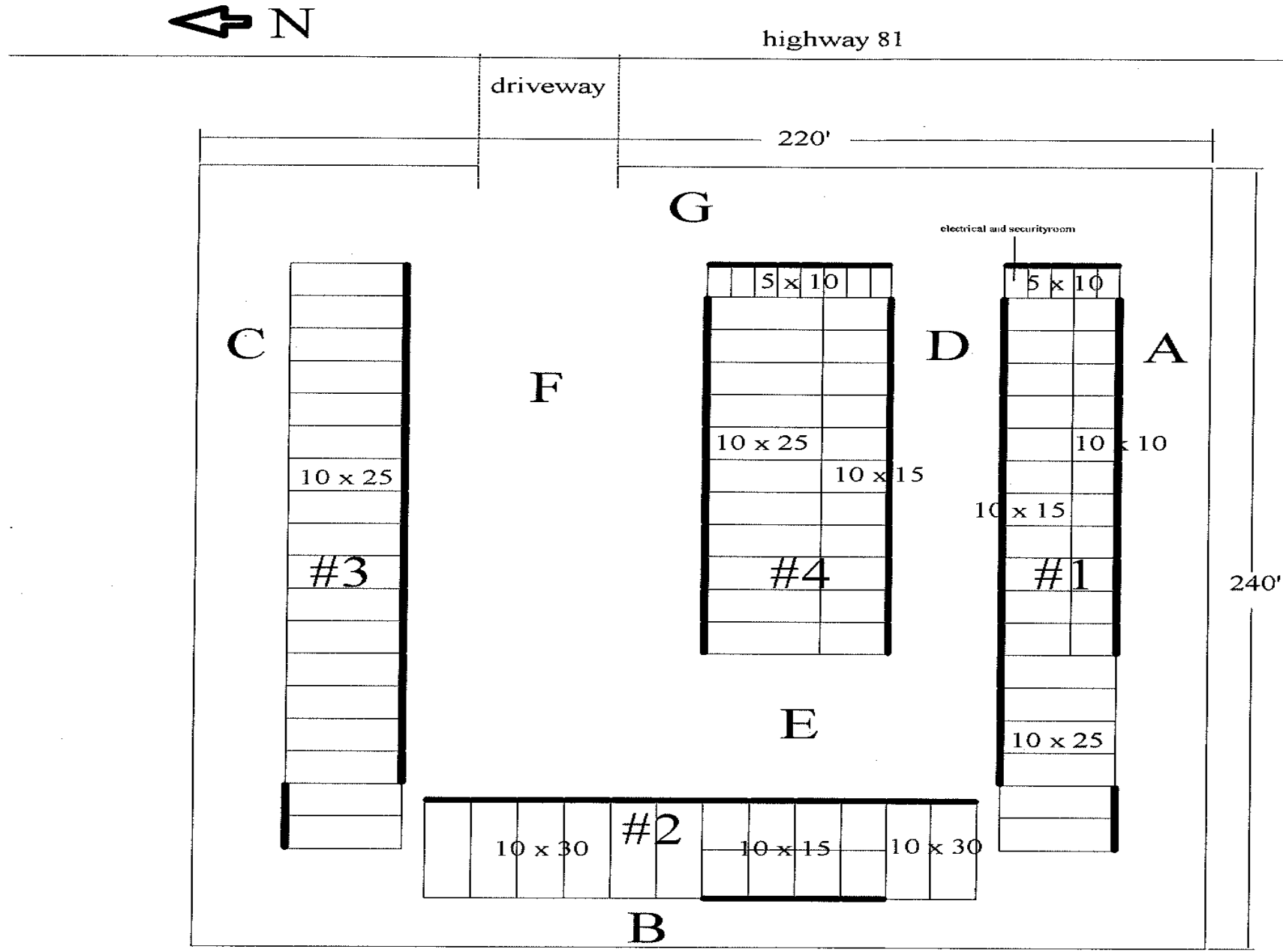
THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

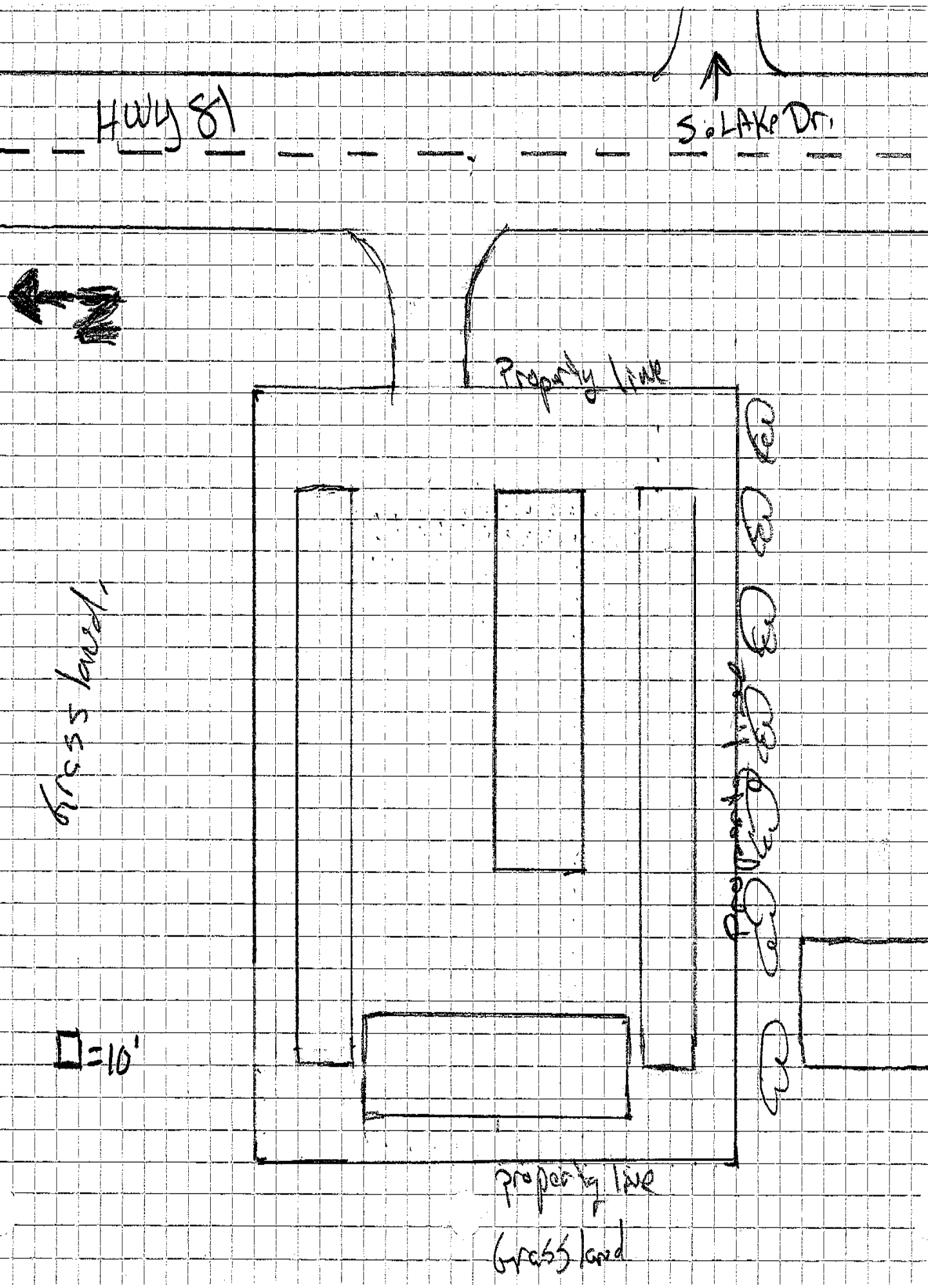
LEGEND

△ FOUND MONUMENTATION

● SET 5/8" REBAR WITH PLASTIC CAP #11114

REGISTERED LAND SURVEYOR
REG. NO.
11114
BRIAN D. ERNST
SOUTH DAKOTA


N
highway 81
driveway
220'
G
electrical and securityroom
5 x 10
5 x 10
C
F
D
A
10 x 25
10 x 25
10 x 15
10 x 10
10 x 15
#3
#4
#1
240'
E
10 x 25
10 x 30
#2
10 x 15
10 x 30
B

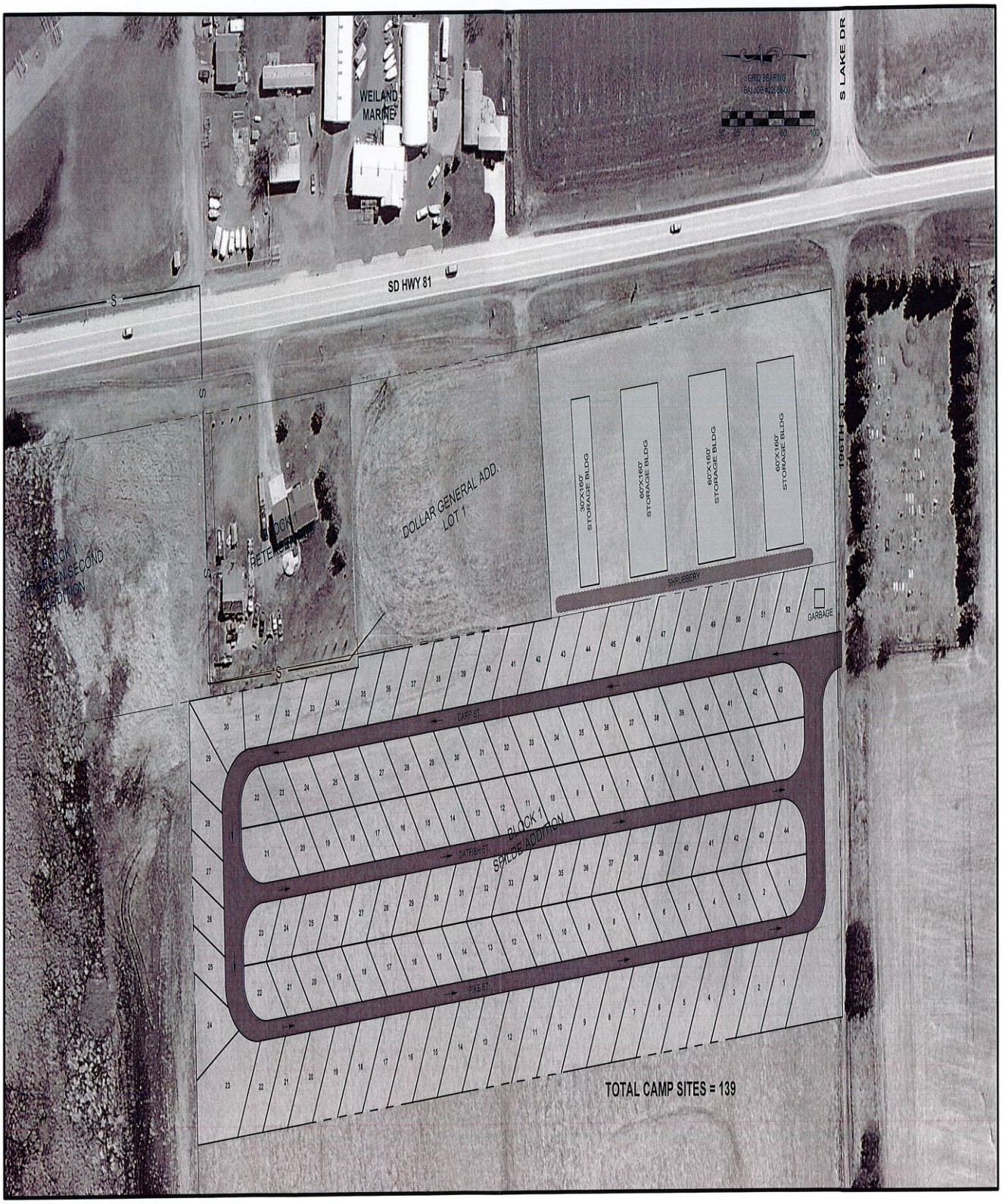

Hwy 81
S. Lake Dr.
Property line
grass land
□=10'
property line
grass land

# Spilde Conditional Use

**Property Description:** Block 1 Spilde First Addition in the SE ¼ of Section 36, Township 113N, Range 53W of the 5th P.M., Hamlin County, South Dakota (Norden Township)

**Action Item:** Conditional Uses in the Lake Park District (3.07.05.2)

657
GLEN W HUDY
6205
JOHN & BILLIE JO HURLEY
655
TIM & BRENDA BJORKLUND ETAL
653
TIM & BRENDA BJORKLUND ETAL
CHECK
US Highway 81
ROW
454th Ave
US Highway 81
SW Lake Dr
SW Lake Dr
S W Lake Dr
S Lake Dr
ROW
81
WATER
36-113N-53W
NORDEN
31-113N-52W
6421
KLAPPRODT FAMILY TRUST
6422
KLAPPRODT FAMILY TRUST
196th St
Hamlin



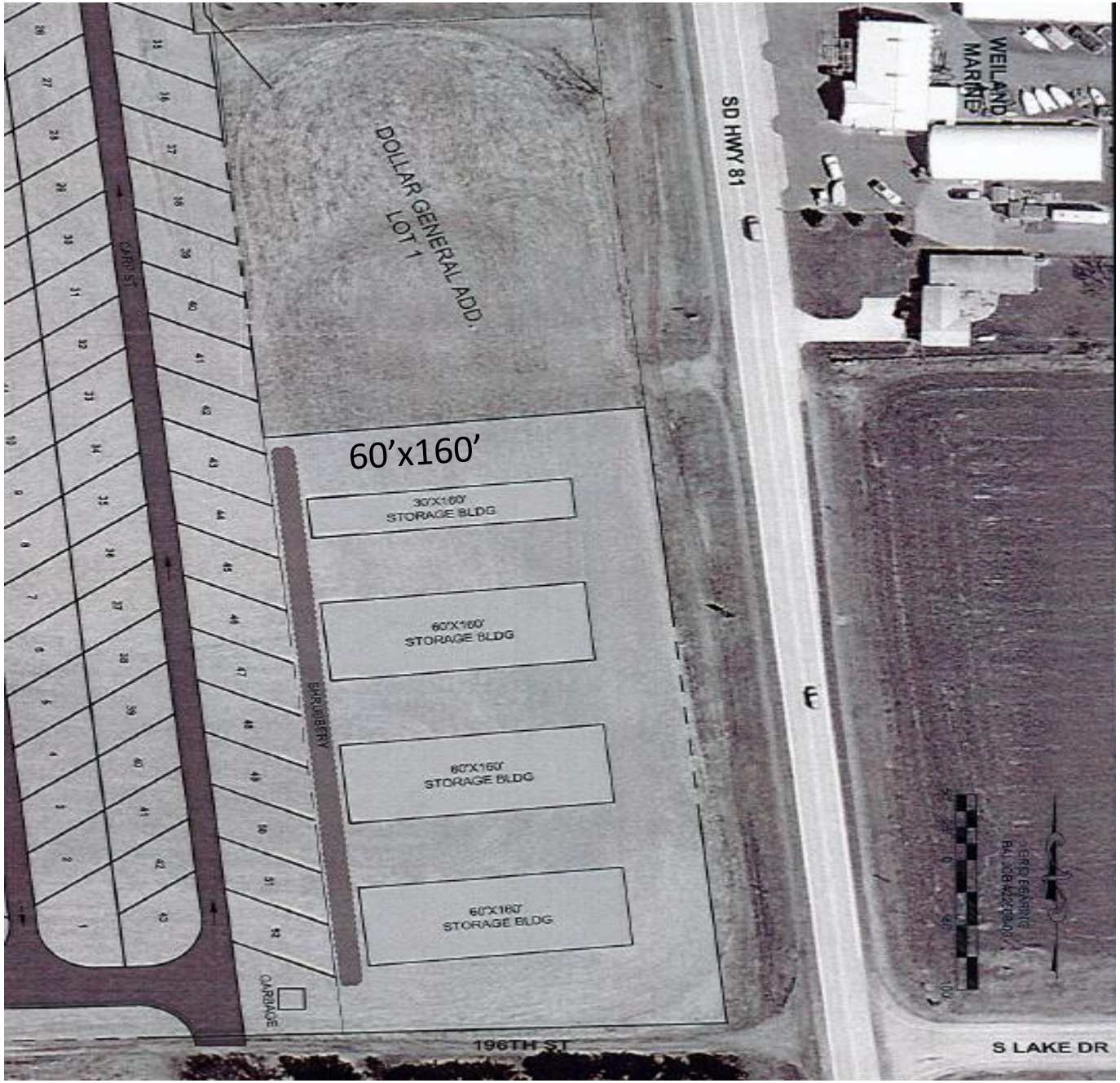
WEILAND MARINE
GRID BEARING
S LAKE DR
SD HWY 81
DOLLAR GENERAL ADD. LOT 1
BLOCK 1 PETERSEN SECOND ADDITION
BLOCK 1 PETERSEN ADD
30'X160' STORAGE BLDG
60'X160' STORAGE BLDG
60'X160' STORAGE BLDG
60'X160' STORAGE BLDG
SHRUBBERY
GARBAGE
196TH ST
CARP ST.
CATFISH ST.
PIKE ST.
BLOCK 1 SPILDE ADDITION
TOTAL CAMP SITES = 139

# Spilde Conditional Use

Property Description: Block 1, Bjorklund Addition in the E ½ of the SE ¼ of Section 36, Township 113N, Range 53W of the 5th P.M., Hamlin County, South Dakota (Norden Township)

Action Item: Conditional Uses in the Lake Park District (3.07.05.10)

655
TIM & BRENDA BJORKLUND ETAL
CHECK
ROW
US Highway 81
454th Ave
SW Lake Dr
WATER
36-113N-53W
NORDEN
81
31-113N-52W
653
TIM & BRENDA BJORKLUND ETAL
6421
KLAPPRODT FAMILY TRUST
6422
KLAPPRODT FAMILY TRUST
SW Lake Dr
ROW
GIS

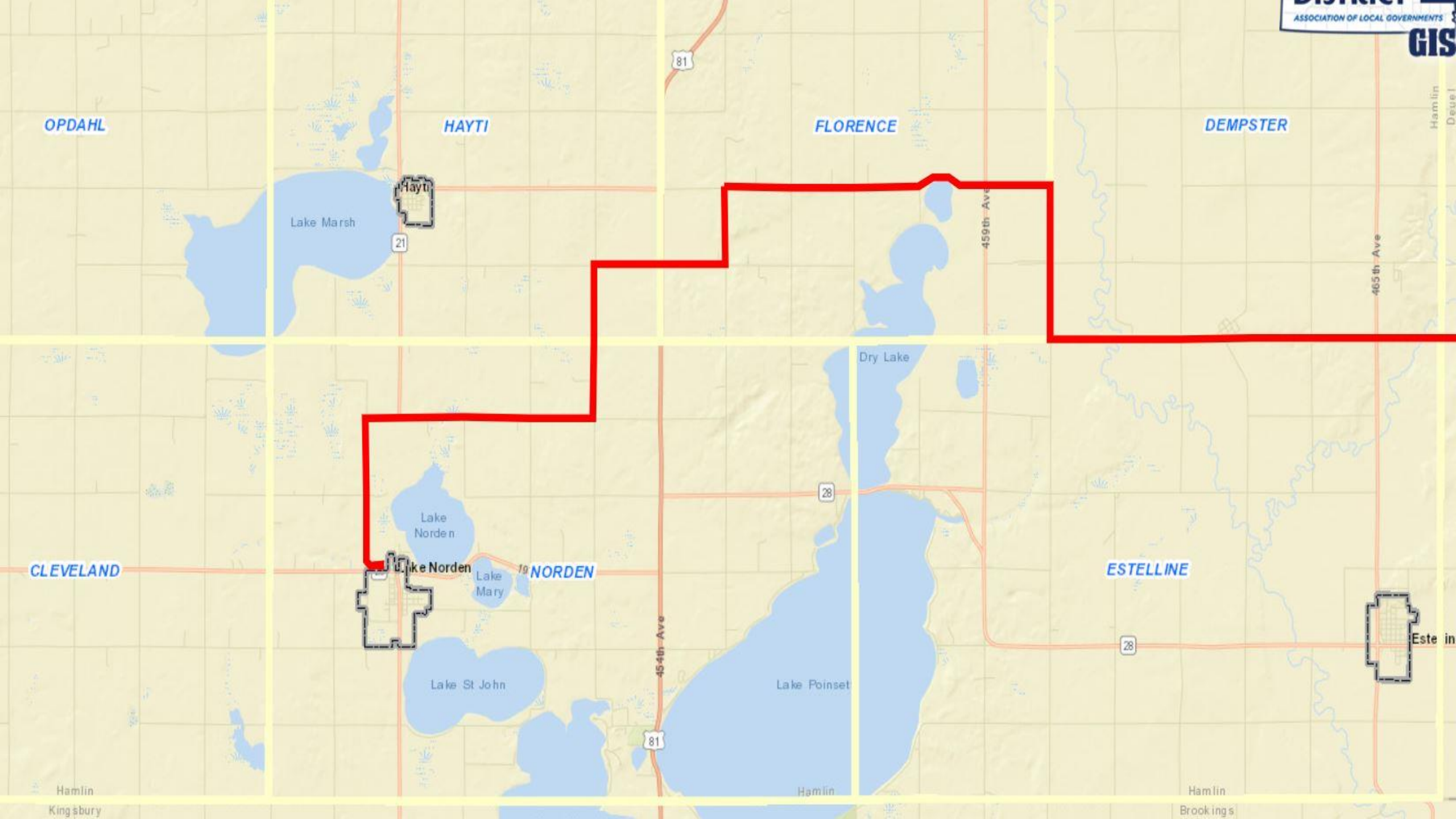


DOLLAR GENERAL ADD.
LOT 1
60’x160’
30'X160'
STORAGE BLDG
60'X160'
STORAGE BLDG
60'X160'
STORAGE BLDG
60'X160'
STORAGE BLDG
SHRUBBERY
GARBAGE
SD HWY 81
WEILAND
MARINE
196TH ST
S LAKE DR

# Otter Tail Conditional Use

Property Description: 50’ wide easement that would be parallel and adjoining township/county road right-of-way on certain property situated in Norden, Hayti, Florence, Dempster, and Estelline Townships

Action Item: Conditional Uses in the Agricultural District(3.04.04.13)


OPDAHL
HAYTI
FLORENCE
DEMPSTER
CLEVELAND
NORDEN
ESTELLINE
Hayti
Lake Marsh
Lake Norden
Lake Norden
Lake Mary
Dry Lake
Lake St John
Lake Poinset
459th Ave
465th Ave
454th Ave
81
21
28
Hamlin
Kingsbury
Brookings

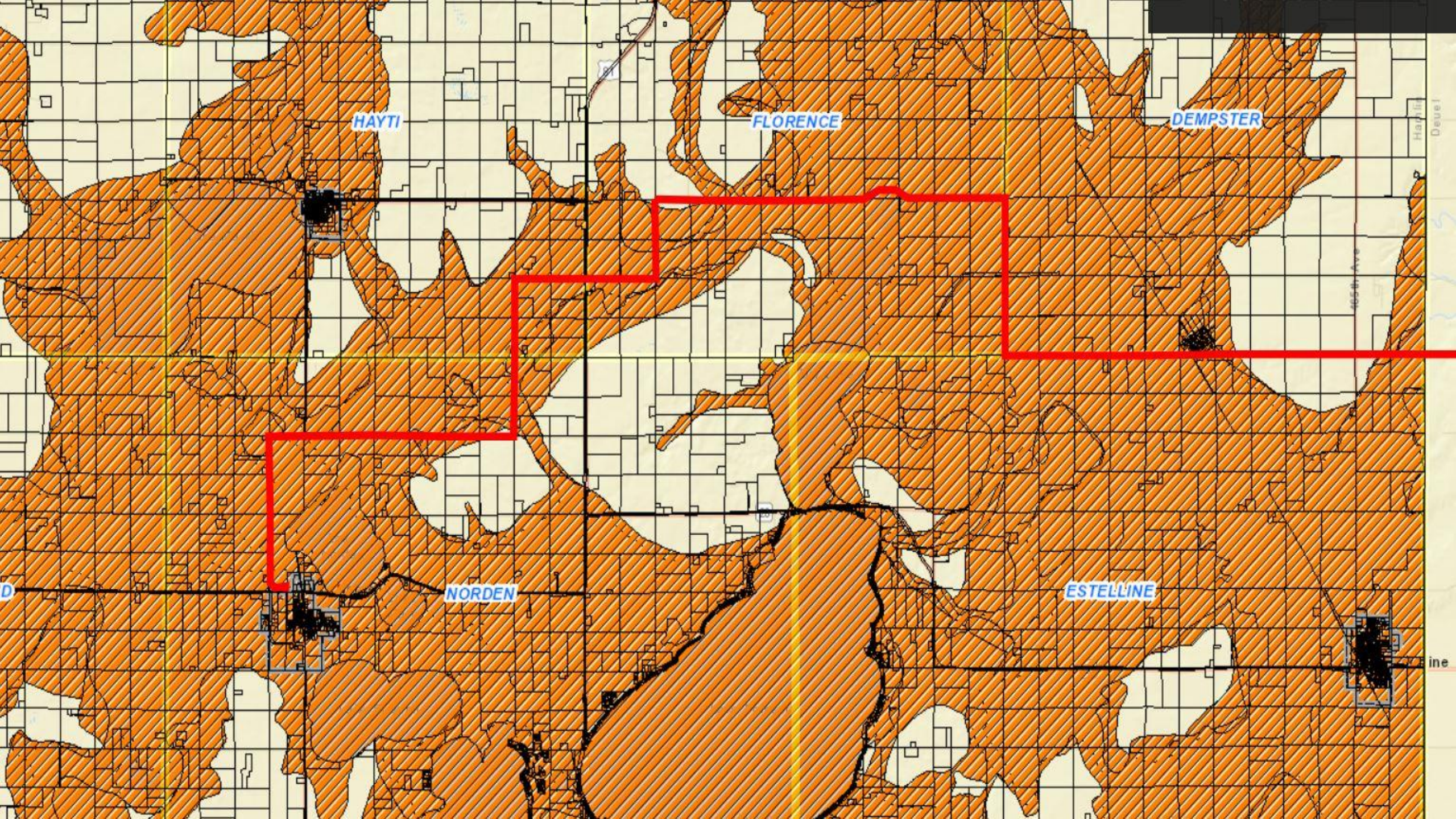
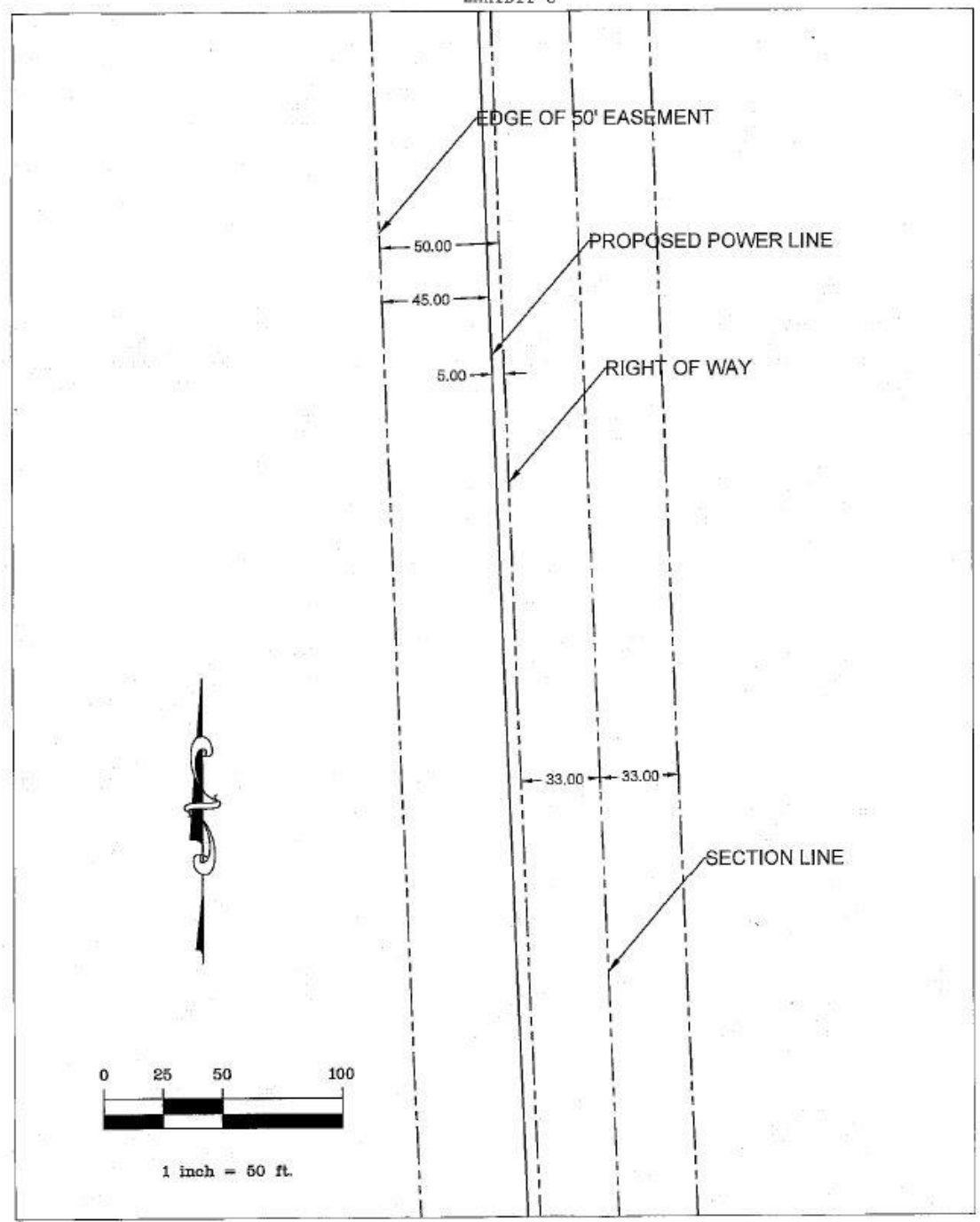

HAYTI
FLORENCE
DEMPSTER
NORDEN
ESTELLINE

EXHIBIT C


EDGE OF 50' EASEMENT
50.00
PROPOSED POWER LINE
45.00
5.00
RIGHT OF WAY
33.00
33.00
SECTION LINE
0
25
50
100
1 inch = 50 ft.

# Brannen Conditional Use

Property Description: Eisele's Subdivision Block 1: S ½ of Lot 10, All of 11& 11A & N ½ of Lot 12 of the 5th P.M., Hamlin County, South Dakota (Estelline Township).

Action Item: Conditional Uses in the Lake Park 1 District (3.07.05.7)

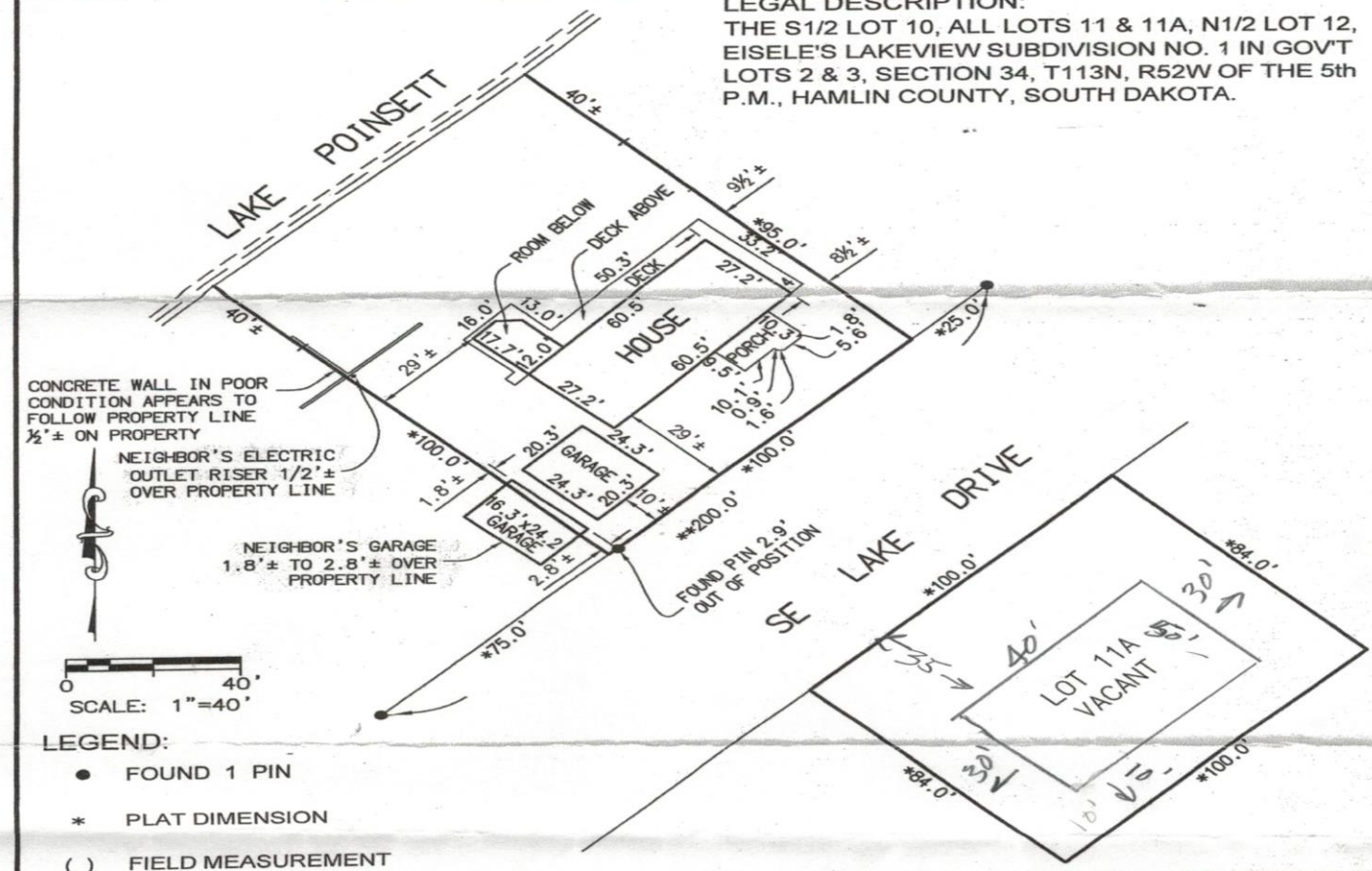
WATER
195th St
195th St
ESTELLINE
388
MARK GACKE
34-113N-52W
35-113N-52W
392
JERRY & GERALDINE RUNIA LIVING TRUST
395
JERRY & GERALDINE RUNIA LIVING TRU
393
JERRY & GERALDINE RUNIA LIVING TRUST
396
PETE & ROBIN CHIKOS

# TITLE INSURANCE DRAWING

(FOR MORTGAGE PURPOSES ONLY)

FOR: DAKOTA ABSTRACT & TITLE COMPANY, INC.
BROOKINGS, SD
ORDER NO. 1500085C

LEGAL DESCRIPTION:
THE S1/2 LOT 10, ALL LOTS 11 & 11A, N1/2 LOT 12, EISELE'S LAKEVIEW SUBDIVISION NO. 1 IN GOV'T LOTS 2 & 3, SECTION 34, T113N, R52W OF THE 5th P.M., HAMLIN COUNTY, SOUTH DAKOTA.




LEGEND:

- ● FOUND 1 PIN
- * PLAT DIMENSION
- ( ) FIELD MEASUREMENT

OWNER: JEFFREY R. & ROCHELLE K. BRANNEN
200 SE LAKE DRIVE, ESTELLINE, SD 57234

SURVEYOR'S STATEMENT

Field work performed to determine approximate location of structures on lot. A detailed field survey must be completed to determine and verify the exact location of property corners and property lines.

Brian D. Ernst
Brian D. Ernst, PLS 11114

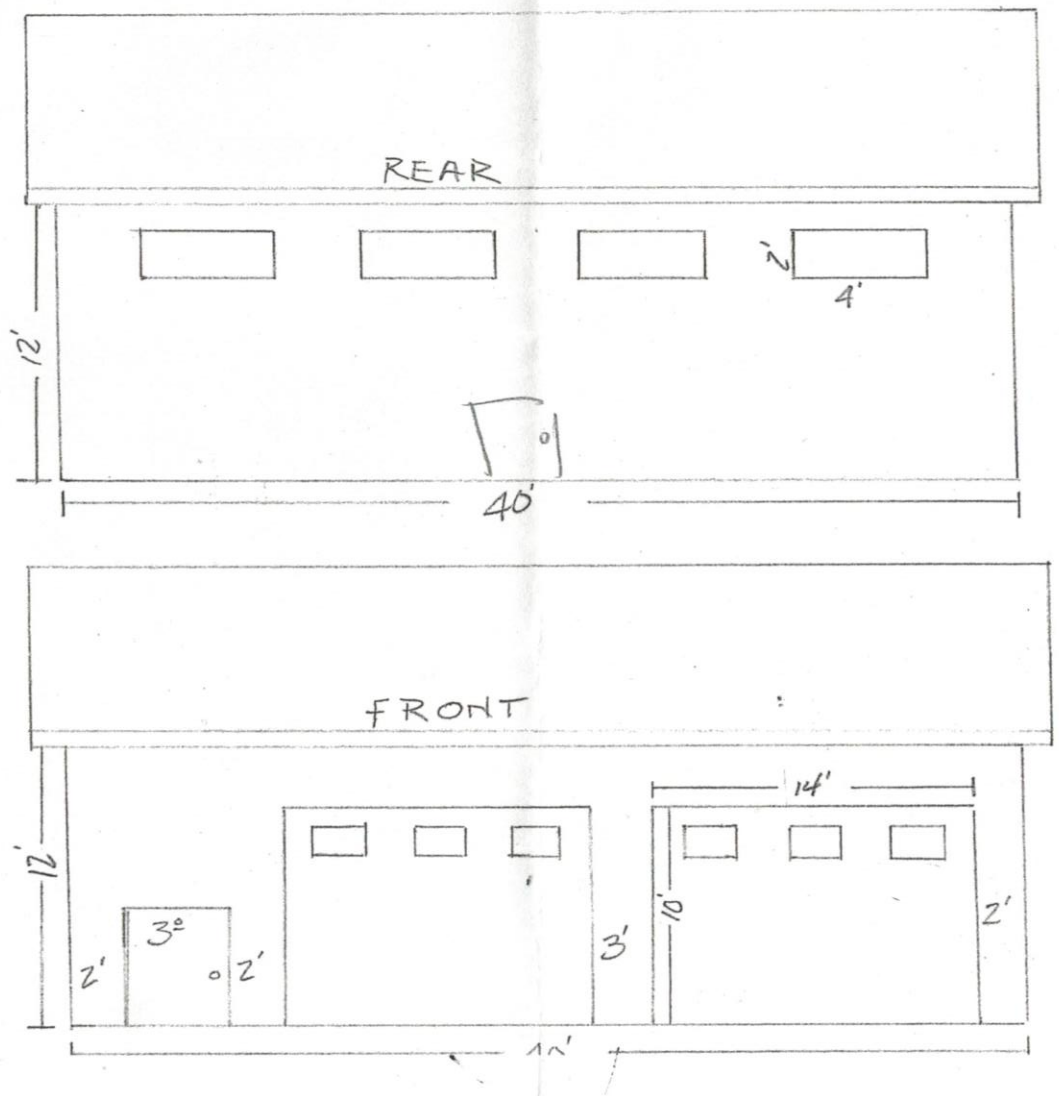
9/2/15
Date

NOTES:
THIS IS NOT A BOUNDARY SURVEY.

THIS EXHIBIT SHALL NOT BE USED AS AN EASEMENT OR RECORDED EXHIBIT OR FOR CONSTRUCTION PURPOSES, INCLUDING BUT NOT LIMITED TO STRUCTURES, FENCES, UNDERGROUND SPRINKLER SYSTEMS, ETC.


FORESIGHT
LAND SURVEYORS
1311 MAIN AVE. S, BROOKINGS, SD 57006
PHONE: 605.695.6442 FAX: 605.697.3122


DATE: 9/2/15 J.N. 15-0314

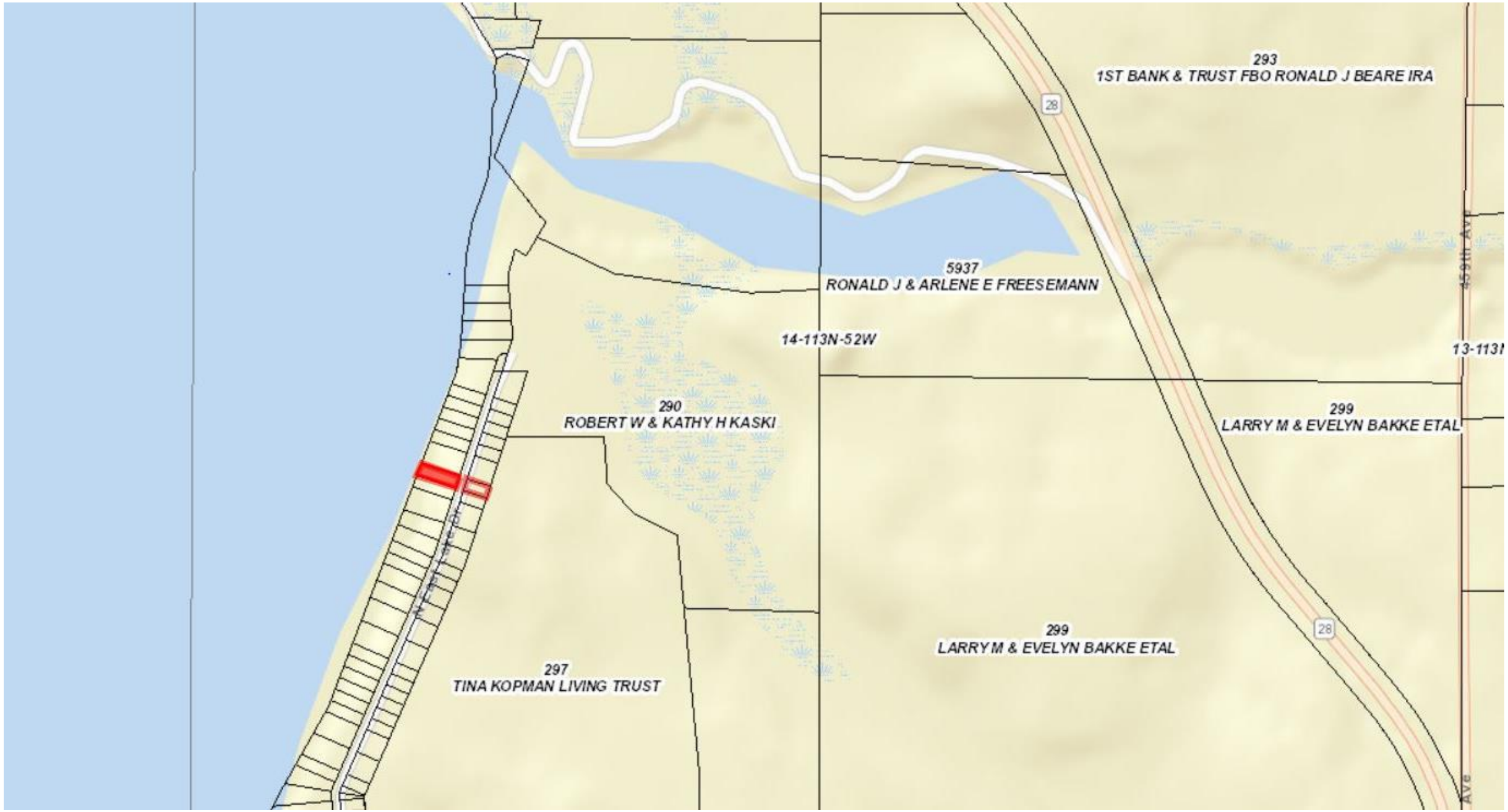

REAR
2'
4'
12'
40'
FRONT
14'
12'
3'
2'
2'
3'
10'
2'
12'

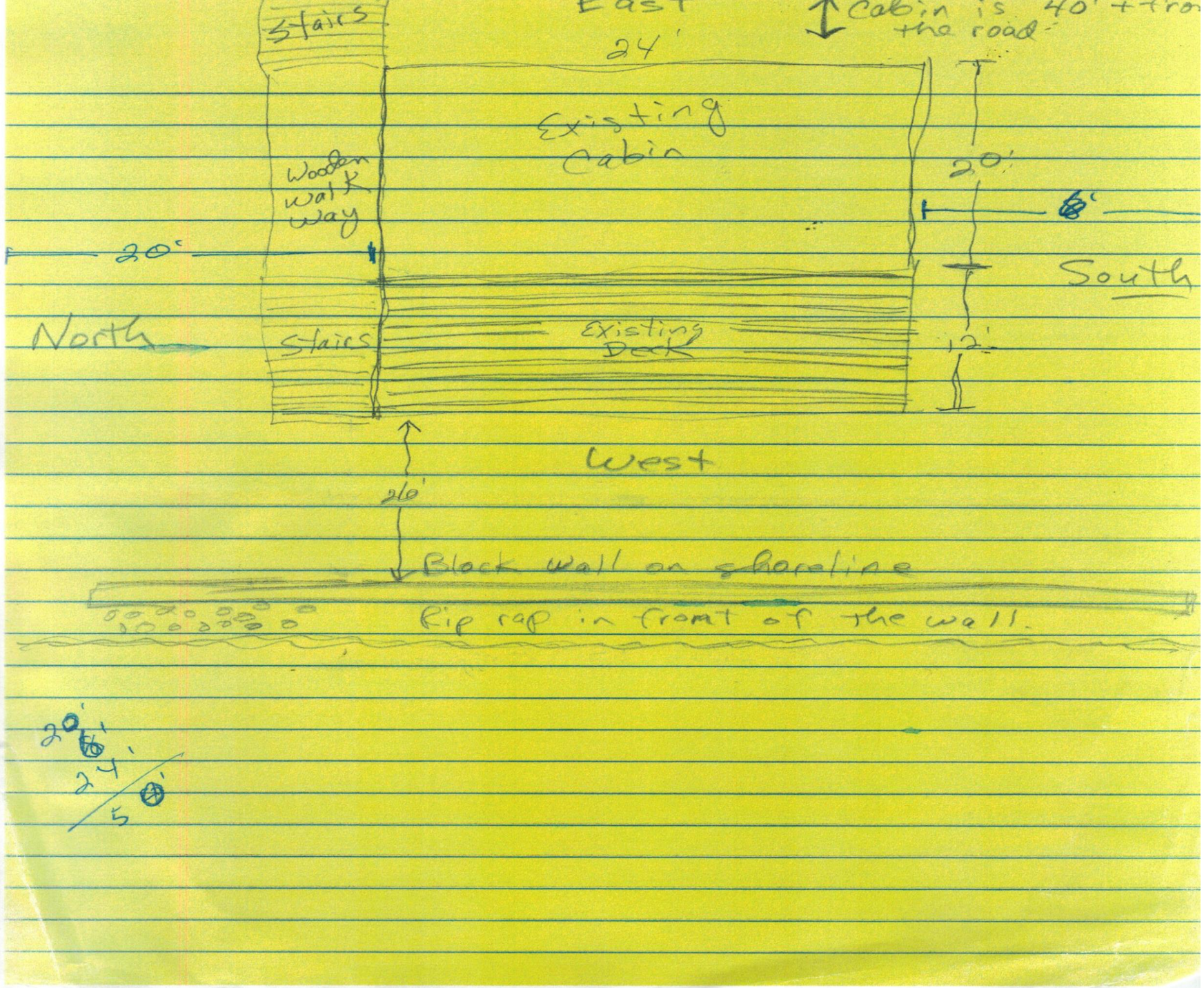
NEW HOLLAND
LS190.B

# Johnson Variance Request

Property Description: Nelson's Beach: Lots 9 & 9A of the 5th P.M., Hamlin County, South Dakota (Estelline Township).

Action Item: Lake Park Area Regulations (3.07.10)

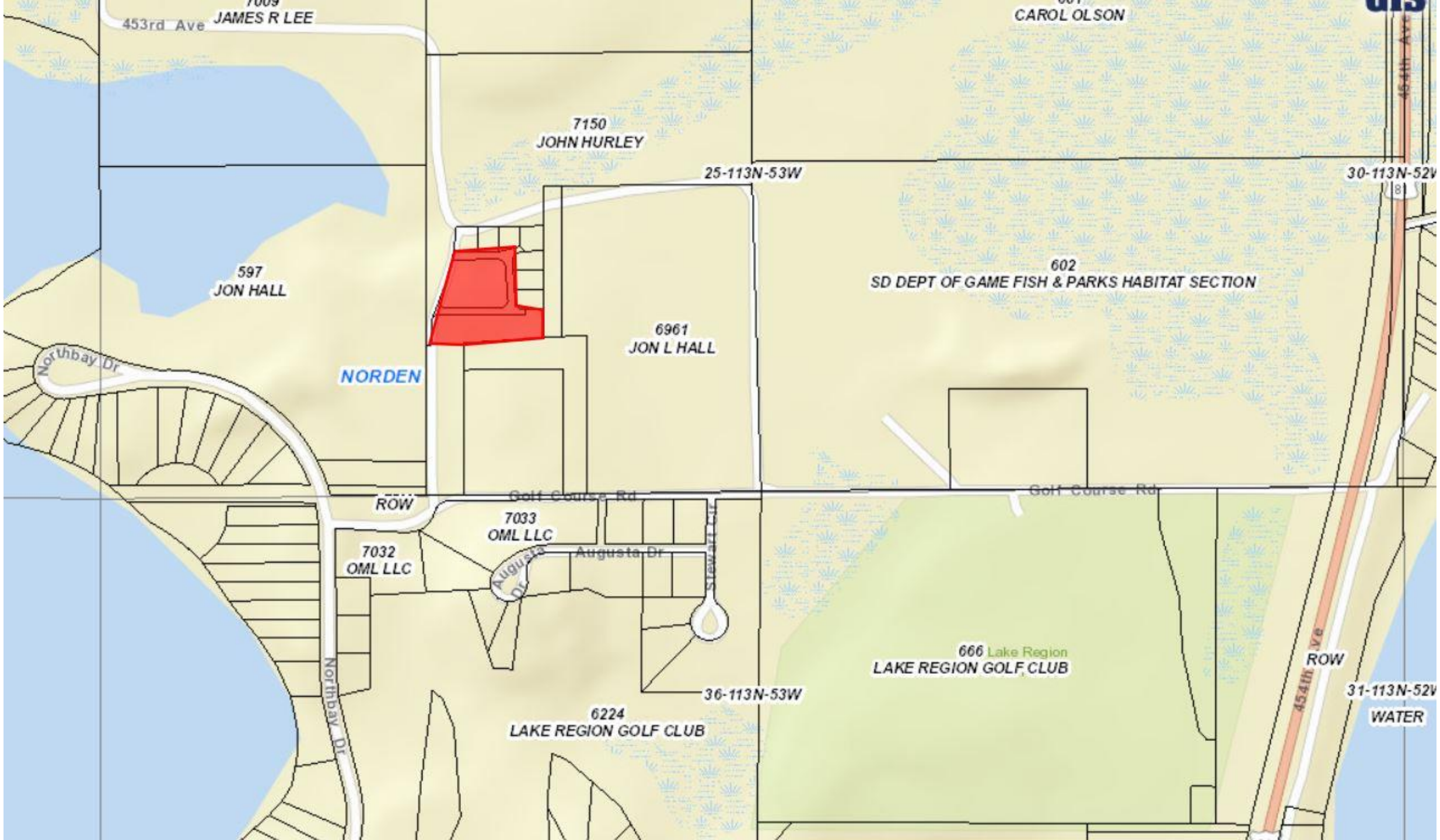

293
1ST BANK & TRUST FBO RONALD J BEARE IRA
28
459th Ave
5937
RONALD J & ARLENE E FREESEMANN
14-113N-52W
13-113N
290
ROBERT W & KATHY H KASKI
299
LARRY M & EVELYN BAKKE ETAL
299
LARRY M & EVELYN BAKKE ETAL
28
297
TINA KOPMAN LIVING TRUST
459th Ave

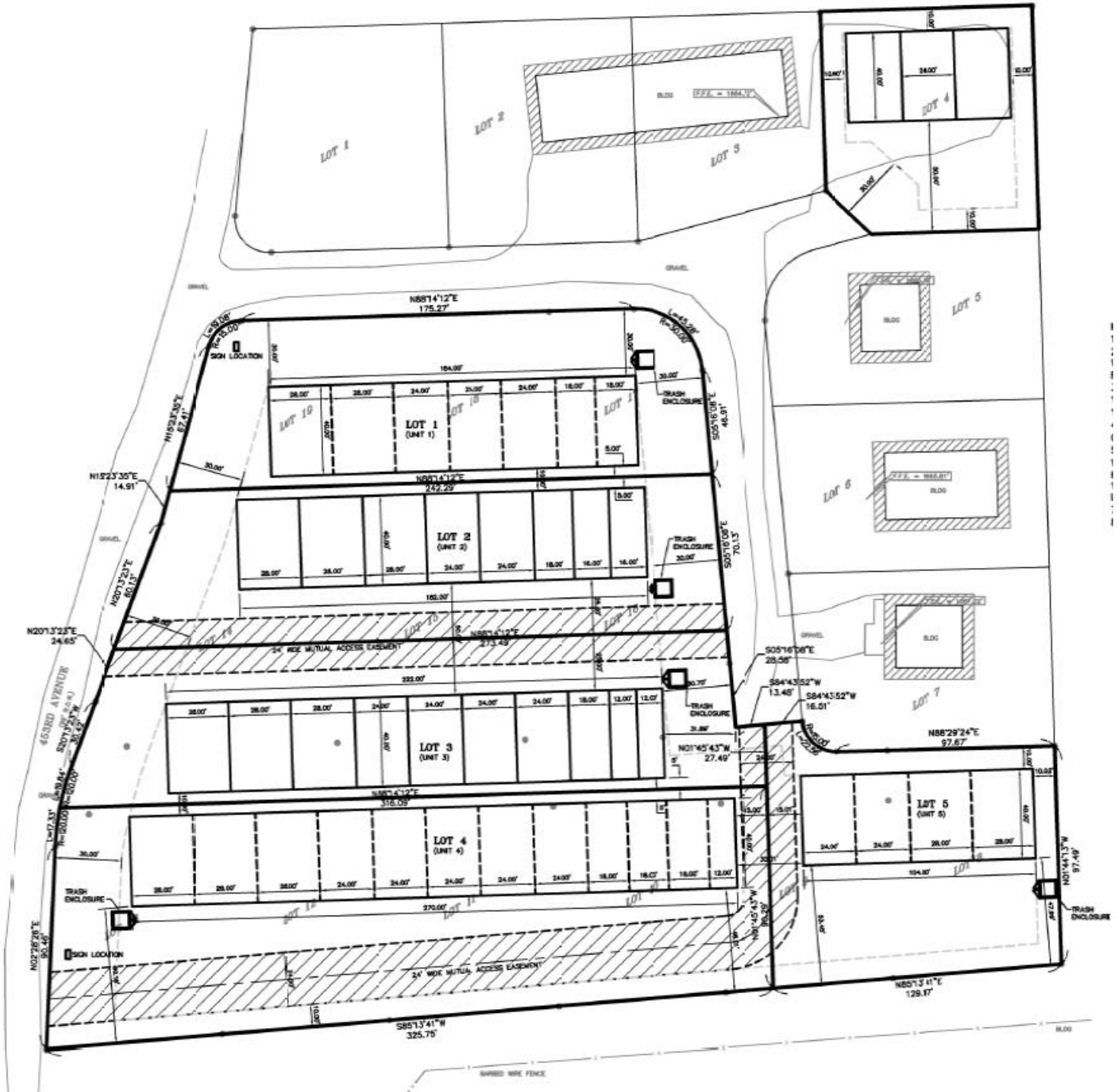

Stairs
East
24'
Cabin is 40'+ fro
the road
Existing
Cabin
Wooden
walk
way
20'
2.0'
6'
South
North
Stairs
Existing
Deck
12'
West
20'
Block wall on shoreline
Rip rap in front of the wall.
20'
6'
24'
8'
5

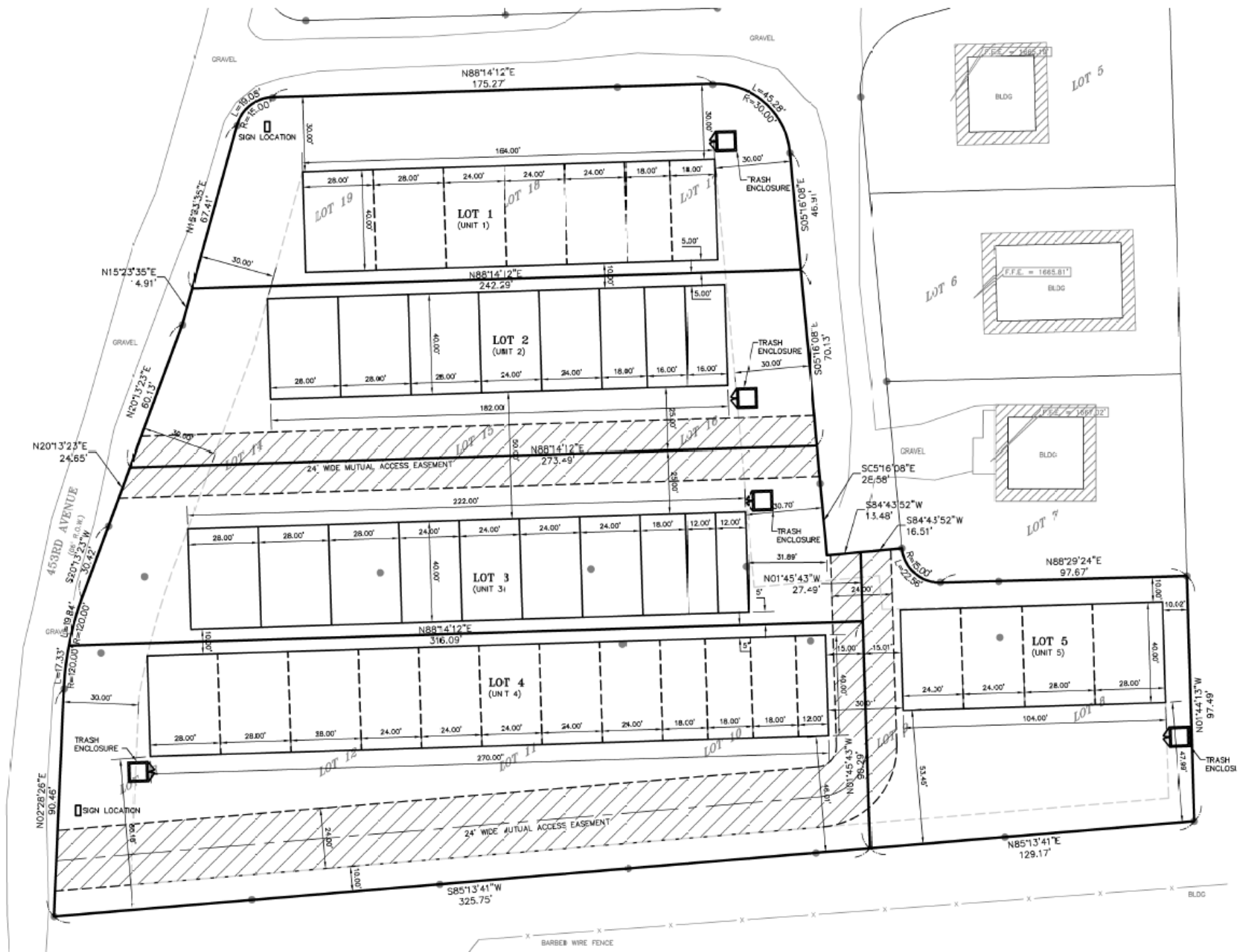
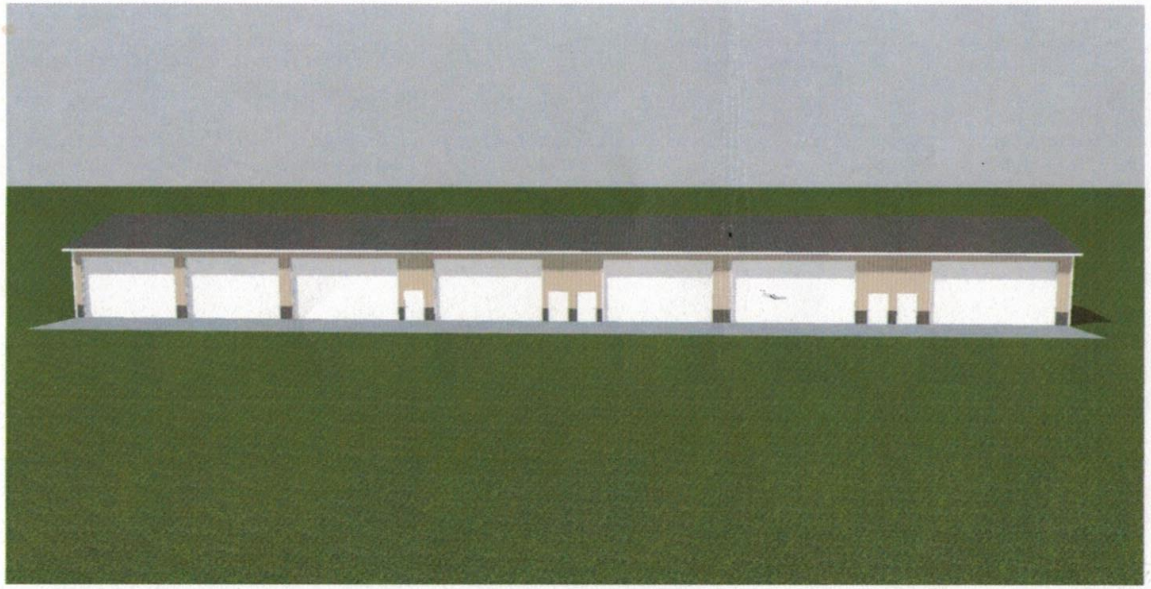
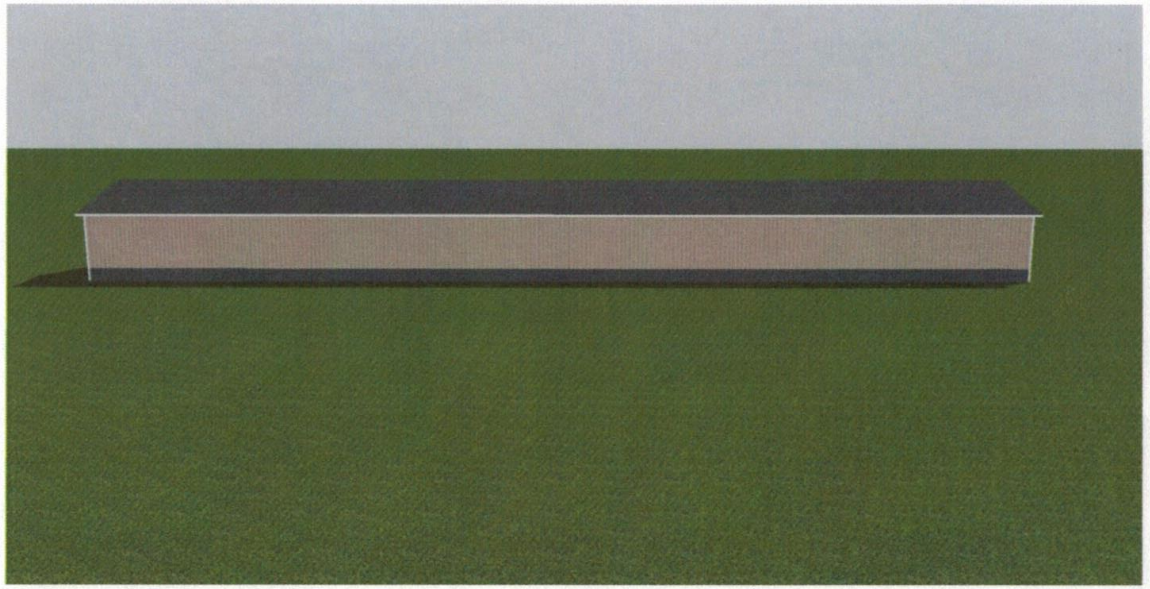
# Stevens Conditional Use and Variance Request(s)

Property Description: Lots 4, 6, and Lots 8-19 of Lake Albert First Auxiliary Addition in the E ½ of Section 25, Township 113N, Range 53W of the 5th P.M., Hamlin County, South Dakota (Norden Township)

Action Item(s): Conditional Uses in the Lake Park District (3.07.05.10) & Lake Park Area Regulations (3.07.10)


7009
JAMES R LEE
453rd Ave
CAROL OLSON
454th Ave
7150
JOHN HURLEY
25-113N-53W
30-113N-52W
597
JON HALL
602
SD DEPT OF GAME FISH & PARKS HABITAT SECTION
6961
JON L HALL
NORDEN
Northbay Dr
ROW
Golf Course Rd
7033
OML LLC
7032
OML LLC
Augusta Dr
Stewart Cir
Northbay Dr
666 Lake Region
LAKE REGION GOLF CLUB
ROW
454th Ave
36-113N-53W
31-113N-52W
6224
LAKE REGION GOLF CLUB
WATER


LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
LOT 1 (UNIT 1)
LOT 2 (UNIT 2)
LOT 3 (UNIT 3)
LOT 4 (UNIT 4)
LOT 5 (UNIT 5)
SIGN LOCATION
TRASH ENCLOSURE
24' WIDE MUTUAL ACCESS EASEMENT
460RD AVENUE
GRAVEL
BLDG
N88°14'12"E 175.27'
N88°14'12"E 242.29'
N88°14'12"E 273.49'
N88°14'12"E 316.09'
N88°29'24"E 97.67'
S85°13'41"W 325.75'
N85°13'41"E 129.17'
S05°16'08"E 46.91'
S05°16'08"E 70.13'
S05°16'08"E 28.56'
S84°43'52"W 13.48'
S84°43'52"W 16.01'
N01°45'43"W 27.49'
N01°45'43"W 97.49'
N20°13'23"E 24.65'
N15°23'35"E 14.91'
N15°23'35"E 67.41'
N20°13'23"E 60.13'
N02°26'29"E 60.46'
BARBED WIRE FENCE


LOT 1
(UNIT 1)
LOT 2
(UNIT 2)
LOT 3
(UNIT 3)
LOT 4
(UNIT 4)
LOT 5
(UNIT 5)
24' WIDE MUTUAL ACCESS EASEMENT
24' WIDE MUTUAL ACCESS EASEMENT
SIGN LOCATION
SIGN LOCATION
TRASH ENCLOSURE
TRASH ENCLOSURE
TRASH ENCLOSURE
TRASH ENCLOSURE
453RD AVENUE
GRAVEL
BLDG
BARBED WIRE FENCE
N88°14'12"E 175.27'
N15°23'35"E 67.41'
N15°23'35"E 4.91'
N20°13'23"E 60.13'
N20°13'23"E 24.65'
S20°13'23"W 30.42'
N88°14'12"E 242.29'
N88°14'12"E 273.49'
N88°14'12"E 316.09'
S05°16'08"E 46.91'
S05°16'08"E 70.13'
SC5°16'08"E 26.58'
S84°43'52"W 13.48'
S84°43'52"W 16.51'
N01°45'43"W 27.49'
N88°29'24"E 97.67'
N01°44'13"W 97.49'
N02°28'26"E 90.46'
N01°45'43"W 96.29'
S85°13'41"W 325.75'
N85°13'41"E 129.17'
L=19.84'
R=120.00'
L=17.33'
R=120.00'
L=19.08'
R=15.00'
L=45.28'
R=30.00'
R=15.00'
L=22.56'
LOT 19
LOT 18
LOT 17
LOT 14
LOT 15
LOT 16
LOT 12
LOT 11
LOT 10
LOT 9
LOT 8
LOT 7
LOT 6
LOT 5
F.F.E. = 1685.70'
F.F.E. = 1685.81'
F.F.E. = 1686.02'

598
RIGHT ANGLE CONSTRUCTION LLC
598
RIGHT ANGLE CONSTRUCTION LLC