

**CITY OF FLANDREAU  
1005 W. Elm Avenue  
Flandreau, SD 57028-1404**

October 2<sup>nd</sup>, 2023

**MEMBERS OF THE PLANNING & ZONING COMMISSION:**

The Planning & Zoning Commission will meet in special session on **Monday, October 2<sup>nd</sup>, 2023 at 5:15 p.m.** at the City Office.

The following items are on the agenda:

- Variance Request 2023-05 by Ralph E. Jackson at 111. E Broad Ave, Flandreau, SD.

If you are unable to attend, please notify me at 997-2492.

Cohl Turnquist  
City Administrator

**Distribution:**

Brian Bergjord, Chairman  
Bart Sample, Member  
Mike Witte, Member  
David Lillibridge, Member  
Danny Rose, Member

Cc:

**City of Flandreau  
Conditional Use or Variance Application**

Permit Number \_\_\_\_\_

APPLICANT: RALPH E. JACKSON PHONE: (206) 428-8644

ADDRESS: 111 E BROAD AVE FLANDREAU, SD 57028

OWNER: \_\_\_\_\_ PHONE: \_\_\_\_\_  
(IF DIFFERENT FROM APPLICANT)

WE, THE UNDERSIGNED, DO HEREBY PETITION THE BOARD OF ADJUSTMENT OF THE CITY OF FLANDREAU, SOUTH DAKOTA, TO ISSUE A CONDITIONAL USE PERMIT OR A VARIANCE FOR THE PROPERTY DESCRIBED AS: \_\_\_\_\_ (circle as appropriate)

LEGAL DESCRIPTION: \_\_\_\_\_  
SEE ATTACHED REGISTERED SURVEY DRAWING

STREET ADDRESS OR LOCATION: SAME AS APPLICANT'S ADDRESS

EXISTING LAND USE: R2 RESIDENTIAL EXISTING ZONING: R2 RESIDENTIAL

SIZE OF PARCEL: ACRES 0.25 LOT DIMENSIONS: SEE ATTACHED REGISTERED SURVEY DRAWING  
WIDTH \_\_\_\_\_ LENGTH \_\_\_\_\_ DEPTH \_\_\_\_\_

SURROUNDING LAND USE:  
NORTH: R2 RESIDENTIAL  
SOUTH: R2 RESIDENTIAL  
EAST: R2 RESIDENTIAL  
WEST: R2 RESIDENTIAL

PLEASE DESCRIBE WHAT YOU PROPOSE TO DO (ATTACH SEPARATE SHEET IF NECESSARY)  
PLACEMENT OF EXISTING GARAGE (BUILT IN 2015) IS CLOSER TO THE SOUTH AND EAST PROPERTY BOUNDARIES THAN CURRENT ZONING ORDINANCE PERMITS

IF SEEKING A VARIANCE, PLEASE PROVIDE A BRIEF STATEMENT OF VARIANCE DESIRED AND HARDSHIP REQUIRING RELIEF. (PROOF OF HARDSHIP RESTS WITH APPLICANT. EXAMPLES ARE: ODD SIZE OR SHAPE OF LOT, UNUSUAL TOPOGRAPHY, ETC.)

I AM REQUESTING A VARIANCE WHICH WOULD PERMIT THE PLACEMENT OF THE EXISTING GARAGE TO BE CLOSER TO THE SOUTH AND EAST PROPERTY BOUNDARIES THAN CURRENT ZONING ORDINANCE PERMITS

SIGNATURE OF APPLICANT: Ralph E. Jackson

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT): \_\_\_\_\_

NOTE: A SKETCH OF PROJECT SHALL ACCOMPANY THIS APPLICATION, SHOWING THE FOLLOWING:

1. NORTH DIRECTION
2. DIMENSIONS OF PROPOSED STRUCTURE
3. STREET NAMES
4. OTHER INFORMATION AS MAY BE REQUESTED.
5. LOCATION OF PROPOSED STRUCTURE ON LOT
6. DIMENSIONS OF FRONT AND SIDE SET BACKS
7. LOCATION OF ADJACENT EXISTING BUILDINGS

THE BOARD OF ADJUSTMENT MAY REQUIRE THAT SUCH PLANS BE PREPARED BY A REGISTERED ENGINEER OR LAND SURVEYOR.

FOR OFFICIAL USE ONLY	
DATE FILED WITH ADMINISTRATIVE OFFICIAL: _____	
FEE PAID (NON-REFUNDABLE): \$ _____	YES _____ NO _____
DATE OF HEARING: _____	
ACTION BY BOARD OF ADJUSTMENT: _____	

## **PROPERTY BOUNDARY SURVEY DRAWING**

Please note:

The Registered Land Surveyor's measurements of distances between garage and property boundaries were made from the body (sidewalls) of the garage, not from the outermost projections of the garage (the eaves).

The eaves extend 12 inches out from the garage sidewalls. Therefore, the measurements shown on the survey drawing must be reduced by 12 inches:

The true distance from the outermost projections of the garage to the property boundaries are thus:

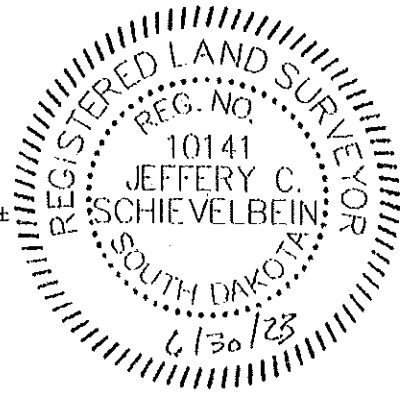
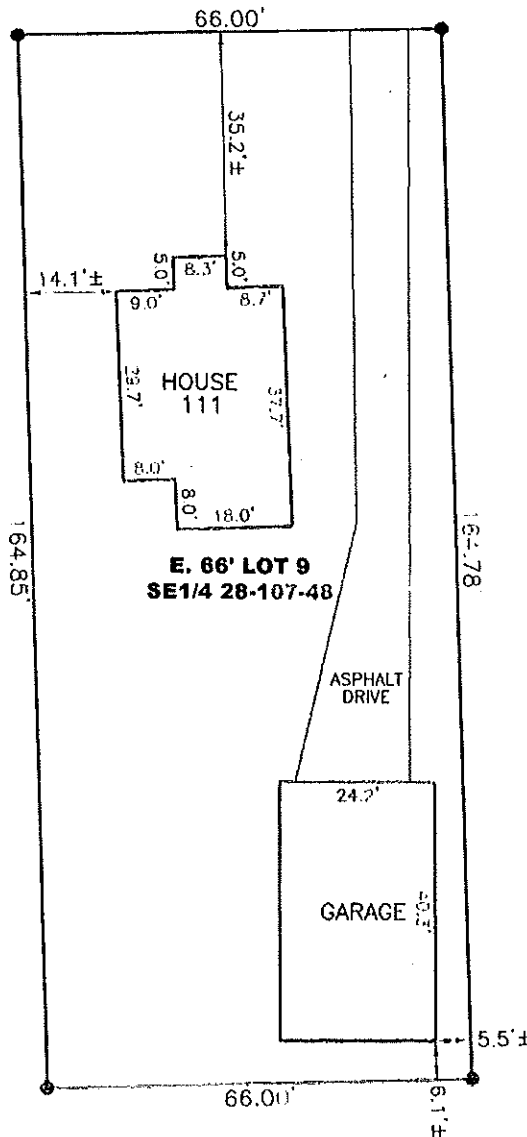
4.5 feet from the southeast corner of the garage to the east property boundary, and

5.1 feet from the southeast corner of the garage to the south property boundary

Additionally, the survey drawing demonstrates that the northeast corner of the garage is closer to the east property boundary than is the southeast corner of the garage.

DATE OF SURVEY  
6/28/2023

**E. BROAD AVENUE**



OWNER/ADDRESS:  
RALPH E. JACKSON  
111 E. BROAD AVENUE  
FLANDREAU, SD

**LEGAL DESCRIPTION-**

THE EAST 66 FEET OF LOT 9 IN THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 107 NORTH, RANGE 48 WEST OF THE 5TH PRINCIPAL MERIDIAN, MOODY COUNTY, SOUTH DAKOTA.

**NOTES**

1. THIS SURVEY WAS PERFORMED FOR MORTGAGE AND BOUNDARY PURPOSES
2. BUILDING AND SITE IMPROVEMENT SETBACK VIOLATIONS ARE NOT VERIFIED OR NOTED AS AN ENCROACHMENT
3. BUILDING AND SETBACK DIMENSIONS SHOWN ARE APPROXIMATE AND SHALL NOT BE USED FOR CONSTRUCTION PURPOSES
4. THE RESEARCH OF EXISTING EASEMENTS OF RECORD WAS NOT PERFORMED
5. THE DEEDED LEGAL DESCRIPTION WAS SURVEYED, JUNIOR & SENIOR RIGHTS OF ADJACENT OWNERS WAS NOT RESEARCHED
6. DRAWING SHOWN ABOVE ARE THE CONDITIONS AS OF THE DATE OF SURVEY.

**SURVEYOR'S CERTIFICATE-**

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT I AM A REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF SOUTH DAKOTA

*Jeffery C. Schievelbein*  
**JEFFERY C. SCHIEVELBEIN REG. NO. 10141**

DRAWN BY JEB  
APPROVED BY JCS  
DATE 06/29/2023  
PROJECT NUMBER 23-344  
SHEET 1-1

**PREPARED BY:**

**Midwest**  
*Land Surveying, Inc.*  
Land Surveying and GPS Consulting  
211 E. 14th Street Suite 100  
Sioux Falls, South Dakota 57104  
Phone: (605) 330-8901 FAX: (605) 274-8951



SCALE: 1"=30'

CHISELED "X"  
FOUND IRON PIN  
SET IRON PIN  
PREVIOUSLY PLATTED  
DIMENSION (R)

**SHAEFFER LAW OFFICE**

**John A. Shaeffer**  
**Attorney at Law**  
**308 North Wind Street**  
**P. O. Box 304**  
**Flandreau, South Dakota 57028-1214**

**E-mail Address:**  
**Shaeffer@iw.net**

**Telephone: 605-997-3721**  
**Fax: 605-997-3722**

August 8, 2023

Mr. Cohl Turnquist  
City Administrator  
1005 West Elm Avenue  
Flandreau, South Dakota 57028

Re: Ralph E. Jackson

Dear Cohl:

In compliance with our various telephone conversations, enclosed herewith please find the Conditional Use or Variance Application on behalf of my client, Mr. Ralph E. Jackson of 111 East Broad Avenue, Flandreau, South Dakota 57028.

Please advise if there is anything further that you or the City needs from either Mr. Jackson or myself. I will await your action on this matter.

Yours very truly,



John A. Shaeffer

JAS/lec  
Enclosure  
Cc/ Ralph E. Jackson

**CITY OF FLANDREAU  
NOTICE OF PUBLIC HEARING BY BOARD OF ADJUSTMENT  
ON PROPOSED VARIANCES AND CONDITIONAL USE PERMITS**

Notice is hereby given that a Public Hearing will be held on Monday, October 2<sup>nd</sup>, 2023 at 5:15 p.m. in the City Office to consider in full or in part the following requests:

**Variance Request V2023-05**, Ralph Jackson has requested a variance from Section 3.04.02 Area Regulations. The request, if granted, would permit the placement of the existing garage to be closer to the south and east property boundaries than current zoning ordinance permits. The variance requested is for the property described as E-66' LOT 9 SE-1/4 SEC. 28-107-48 with an address of 111 E Broad Ave, Flandreau, SD 57028.

Cohl Turnquist  
City Administrator

**Published Once (September 20, 2023)**