

**October 14, 2025 BOARD OF ADJUSTMENT/ PLANNING COMMISSION DEUEL COUNTY
STAFF REPORT**

Tuesday – October 14, 2025 – 6:30 p.m.

DEUEL COUNTY BOARD OF ADJUSTMENT

ITEM #1 CONDITIONAL USE PERMIT

**Applicant: William & Cheryl Kallhoff
Owner: Kallhoff Revocable Trust**

Property Description: LOT 5 & LOTS 4A-5A REPLAT OF LOT 10 INGVALSONS SUGAR SAND BEACH ADD IN GOV LOT 6 & SE1/4 NE1/4 of the Section 4-114-47, Norden Township, Deuel County, South Dakota.

Action Items – CONDITIONAL USE – (1103.05.8 – Accessory structures located on a lot adjacent to a lot with principle structure separated by a public or private road)

Zoning Designation: LP – Lake Park

Request: Applicant requesting a Conditional Use Permit to construct a dry storage shed on a separate lot from their principal dwelling, with the two lots being separated by Cobblestone Lane, a privately maintained road.

History/Issue(s):

Specifics of Request:

1. William and Cheryl Kallhoff have owned the subject lots for many years and plan to move to the area permanently.
2. The applicants propose to construct a 35' x 54' (1,890 sq. ft.) dry storage shed with 14' sidewalls. An attached 16' x 54' (864 sq. ft.) lean-to is also planned, bringing the total proposed structure size to 2,754 sq. ft. According to Cheryl, the 54' length will run east to west (from the road toward the slough), and the total 51' width (35' shed plus 16' lean-to) will run north to south (from their property line toward the McCluskey property line).
3. The proposed structure will be located on Lots 4A–5A, which are situated across Cobblestone Lane from the applicants' principal residence on Lot 5. A small storage building currently exists on the site.
4. Under Deuel County Ordinance Section 1103.05.8, accessory structures located on lots adjacent to the principal use, but separated by a public or private road, require a Conditional Use Permit within the Lake Park (LP) zoning district.
5. The Zoning Office received a few inquiries from nearby property owners regarding the size, electrical setup, and intended use of the proposed shed. After clarification was provided that the structure will be used solely for personal storage, the concerns were resolved and no further objections were received.
6. According to the applicants, the shed will be used to store personal items such as a motorhome, pontoon, jet ski and trailer, two four-wheelers, a riding lawnmower, bicycles, and other seasonal equipment. The applicants have confirmed that no business activity of any kind will be conducted from the structure.

Ordinance and Comprehensive Land Use Plan regarding this request:

- a) Access & Circulation: Access to the garage will be from Cobblestone Lane, which is a privately maintained road.
- b) Parking: Adequate off-street parking is available. No parking in the right-of-way is anticipated.
- c) Utilities:
 - Water: Brookings-Deuel Rural Water
 - Sewer: In coordination with Lake Cochrane Sanitary District (no specific plan for trash was provided)
 - Electric: H-D Electric Cooperative
 - Trash: No specific trash service plan has been submitted at this time.
- d) Screening and Buffering: The applicant will provide adequate buffering as per district standards.
- e) Signage: No signage is proposed.
- f) Setbacks: The proposed shed meets or exceeds required side yard setbacks.

Staff Summary

Conditional Use Permit – Accessory structures located on a lot adjacent to a lot with principle structure separated by a public or private road: The application may be approved, postponed, or denied.

Staff recommendation:

Approval would be based on the applicant's ability to meet the requirements for a Conditional Use Permit described in ordinance - To grant the Conditional Uses Permit for – Accessory structures (shed with lean-to) located on a lot adjacent to a lot with principle structure separated by a public or private road

The Board determined that it is empowered under the section of the ordinance described in the application to grant the Conditional Use Permit and that granting the Conditional Use Permit will not adversely affect the public interest. Please see Findings of Fact and Conclusions of Law on file with this application.

ITEM #2 CONDITIONAL USE PERMIT

Applicant/Owner: TRYSTEN STUDEMANN

Property Description: LOT A OF LOT 1 DIAMOND W ADD'N IN W1/2 of Section 32-115-47, Norden Township, Deuel County, South Dakota.

Action Items – CONDITIONAL USE PERMIT – (1101.04.16 – Section 1210) Extended Home Occupation & (Section 1101.04-23) On premise and Off-premise Sign provided they meet requirements of Section 1214

Zoning Designation: AG – Agricultural

Request: Applicant/Owner to operate an Extended Home Occupation (operate a vehicle and implement repair shop and on-site sign for the business)

History / Issue(s):

1. The applicant purchased the 11.43-acre property on November 18, 2020. The site includes a residence and machine shed.
2. Property access is provided via 183rd Street, a township-maintained gravel road.
3. The proposed business meets the definition of an Extended Home Occupation as defined in Section 1210.
4. The applicant proposes to use the existing 56' x 80' building for operations and build a new 88' x 165' addition (with a 25' x 88' wash bay) to expand capacity.

Current Shop Details:

- **Size:** 56' x 80' (measuring outside wall)
- **Features Include:**
 - Professionally constructed pad with drainage
 - Concrete flooring with floor drains, catch basins, and oil separator
 - Gutter system with underground outlet to prevent erosion
 - Waste oil collected and removed by a licensed provider
 - Scrap metal recycling and oil filter disposal managed on-site
 - Domestic water via treated well line
 - Septic system with drain field (professionally installed, up to code)
 - Heated/cooled via in-floor heat, furnace, and A/C (propane powered)

Proposed Expansion Details:

- **Size:** 88' x 165' with 25' x 88' wash bay on south end (measuring outside wall)
- **Key Features:**
 - Same plumbing, HVAC, and drainage systems as the existing shop
 - Stainless steel floor drains and catch basins
 - Enhanced floor drainage routed through an oil separator
 - Drive-over truck pit (electric/hydraulic-controlled with safety lock and ventilation)
 - Painted floor safety markings
 - Additional amenities: office space, kitchen/lounge, overhead mezzanine for storage
 - All construction to be performed by licensed contractors and up to code

Business Operations Overview:

5. The business provides on-site and mobile field service for the following:
 - Repair and maintenance for **agricultural, construction, and commercial trucking** equipment
 - Work includes inspections, servicing, and full component overhauls
 - Field service available via **3 service trucks**, stored on site

6. Additional Request Details:

- **a. Work Scope:** Diesel repair and maintenance for both on- and off-site clients
- **b. On-Premise Sign:**
 - One primary wall-mounted sign (backlit, ordinance-compliant)
 - Two directional signs (2' x 3') at designated site entrances (east for trucks, west for parts/staff)
- **c. Signage Coordination:** The Zoning Officer has informed the applicant to consult with **SDDOT** regarding the placement of a **Tourist-Oriented Directional (TOD)** sign.
- **d. Employees:**
 - Current: 1 full-time, 1 part-time, plus owner (not on pay roll)
 - Post-expansion: 2 additional full-time employees
 - Operation of 3 service trucks for field calls and roadside assistance (stored on-site)
- **e. Retail Sales:** Limited to parts required for service operations
- **f. Vehicle Volume:** Up to 25–30 vehicles or implements may be serviced on-site at any time

7. Property is not located in Zone A or Zone B of the Aquifer Protection Overlay Zone.

8. Per ordinance, operation of an **Extended Home Occupation** in the AG District requires a **Conditional Use Permit**.

Relevant Ordinance and Land Use Plan Considerations:

a. Lot Access:

- 183rd Street provides **adequate gravel access** for employee, customer, and delivery traffic

b. Off-Street Parking:

- Ample parking exists on a large, **well-graveled lot** for trucks, staff, and deliveries

c. Utilities & Drainage:

- **Water:** Treated well water supplies both house and shop
- **Electric:** Provided by H-D Electric
- **Stormwater:**
 - Gutters and underground piping route rainwater to side hills
 - Interior floor drains connect to catch basins and oil separator
 - Treated runoff is discharged outside the building
- **Waste Handling:**
 - Scrap metal is sorted and picked up by a local metal service
 - Oil filters are drained, crushed, and placed in a designated barrel
 - Garbage is currently burned on-site; plans underway to **contract a dumpster**

d. Screening & Buffering:

- **Natural tree lines** on north and west boundaries help buffer operations from nearby properties

e. Signage:

- Wall sign (5' x 5', backlit) and two 2' x 3' directional signs
- All signage will comply with **Section 1214** (design, lighting, location standards)

f. Yard Utilization / Open Space:

- Shop and parking areas use front yard efficiently
- East entrance designated for equipment delivery; west entrance for staff/parts

Current Zoning Ordinance:

Section 1210. Extended Home Occupation. There are significant differences between home occupations and extended home occupations. While each use is based on supplementing income, the location and type of business in which each is practiced has unique characteristics. Specifically, a home occupation is conducted within the primary structure (residence) while an extended home occupation is conducted in an accessory building

1. For the purpose of this section, provided all requirements are met, the following shall be considered extended home occupations:
 - a. Those businesses that support agricultural needs to include but not limited to vehicle and implement repair, implement sales, welding repair, veterinarian's office; seed sales; and others, which in the opinion of the Board of Adjustment, would not conflict with adjoining land uses.

2. Performance Standards

- a. An extended home occupation may not be changed to another home occupation except by the issuance of a separate conditional use permit.
- b. Individuals engaged in such occupation shall consist of family members residing on the premises and up to **three (3) non-family employees**.
- c. There shall be no change in the outside appearance of the buildings or premises, or other visible evidence of the conduct of such home occupation other than one on-premise sign, not to exceed eighty (80) square feet in area, non illuminated.
- d. Off premise signage for extended home occupations shall be limited to South Dakota Department of Transportation (SDDOT) commercial, directional signs, also known as "TOD Signs". These signs, with SDDOT approval, may be located adjacent to State and Federal Highways.
- e. The only retail sales allowed shall consist of the sale of commodities/products prepared on the premises in connection with such occupation or activity. Exception: Seed Sales.
- f. Extended home occupations should be agriculturally related and be conducted in an accessory building.
- g. No traffic shall be generated by such extended home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need of parking generated by the conduct of such extended home occupation shall be provided off the street and other than in a required front yard.
- h. No equipment or process shall be used in such extended home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

Section 1214. On–Premise and Off–Premise Signs.

1. No private sign shall be erected or maintained which:
 - a. Creates a hazard due to collapse, fire, collision, decay, or abandonment; or
 - b. Creates traffic hazards, by either:
 - i. Confusing or distracting motorists; or
 - ii. Impairing the driver's ability to see pedestrians, obstacles or other vehicles, or
 - iii. Impairing the driver's ability to see and interpret any official traffic sign, signal or device; or
 - iv. Creates a nuisance to persons using a public right-of-way; or
 - v. Constitutes a nuisance to occupancy of adjacent and contiguous property by its brightness, size, height, or movement
 - c. Any vehicle or trailer parking on public right-of-way, public property or private property so as to be visible from the public right-of-way and which displays an advertising message, unless said vehicle is used in the regular course of a business is prohibited.
2. Signs shall be permitted in all zoning districts, subject to the following provisions:
 - a. Wall signs may be located anywhere on the wall of a building.
 - b. Freestanding signs shall not project over public property.
 - c. Freestanding signs shall not be erected adjacent to a corner of two intersecting streets, unless such signs are constructed to not obstruct the view of said intersection.
 - d. Each sign's size, lighting, and location in the County shall at least meet the standards established by the South Dakota Department of Transportation.
 - e. Other than utility fixtures or holiday decorations, no signs, awnings, or display shall be suspended, hanged, or placed so that the same shall hang over any part of a street or sidewalk, used for vehicular or pedestrian travel unless a written application for a permit is made to the County Zoning Officer and the said Official grants a permit.
3. The Zoning Officer shall take into consideration factors that would make the proposed structure likely to endanger the property or personal safety of passerby traveling the streets or sidewalks in question, and whether or not such structure complies with Codes relating to outdoor advertising.
4. On-premise Signs: Each sign erected as an on-premise sign in those districts where permitted shall unless specified elsewhere in this ordinance, conform to the following requirements:
 - a. Unless otherwise specified herein, each sign erected as an on-premise sign in those districts where permitted shall have a maximum surface area of eighty (80) square feet and shall observe all yard and height requirements of the district in which it is located. Each sign shall meet clear view triangle standards identified in Section 1202. The maximum cumulative area of all allowed on-premise signage, excluding wall signage, shall not exceed eighty (80) square feet. The maximum area of all allowed on-premise wall signs shall not exceed 20% of each individual wall's surface area
 - b. No on-premise sign may be converted to an off-premise sign.

Staff recommendation:

Conditional Use Permit – Extended Home Occupation (to operate a diesel equipment service and repair shop—specializing in repair and maintenance for agricultural, construction, and commercial trucking equipment—and an on-site sign for the business): The application may be approved, postponed, or denied. If approved, approval would be based on the board being empowered to issue the permit due to the proposal meeting the definition of an Extended Home Occupation and Uses and the applicant's ability to meet the requirements for a conditional use described in ordinance. Staff recommends the following conditions be agreed to in a letter of assurance signed by the applicant(s):

1. An extended home occupation may not be changed to another home occupation except by the issuance of a separate conditional use permit.
2. Individuals engaged in such occupation shall consist of family members residing on the premises and up to three (3) non-family employees.
3. There shall be no change in the outside appearance of the buildings or premises, or other visible evidence of the conduct of such home occupation other than one on-premise sign, not to exceed eighty (80) square feet in area.
4. Off premise signage for extended home occupations shall be limited to South Dakota Department of Transportation (SDDOT) commercial, directional signs, also known as "TOD Signs". These signs, with SDDOT approval, may be located adjacent to State and Federal Highways.
5. The only retail sales allowed shall consist of the sale of commodities/products prepared on the premises in connection with such occupation or activity. Exception: Seed Sales.
6. Extended home occupations should be agriculturally related and be conducted in an accessory building.
7. No traffic shall be generated by such extended home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need of parking generated by the conduct of such extended home occupation shall be provided off the street and other than in a required front yard.
8. No equipment or process shall be used in such extended home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
9. Maximum number of vehicles or implements actively serviced on-site shall not exceed 25 at any given time.

The Board determined that it is empowered under the section of the ordinance described in the application to grant the conditional use and that granting the conditional use will not adversely affect the public interest. Please see Findings of Fact and Conclusions of Law on file with this application.

ITEM #3 VARIANCE

Applicants/Owners: Cody & Baily Mack

Property Description: Ash Grove Addition in SE1/4 Less E85' S137' & Less W20' E105' S48 of Section 20-115-49 Clear Lake Township, Deuel County, South Dakota

Action Items – Variance – (Section 1236.01.4 Variance Maximum Age of Type B Manufacture Home)

Zoning Designation: AG – Agricultural

Request: The applicants are requesting a variance to allow placement of a Type B Manufactured Home that is more than 15 years old on the above-referenced property, as required under Section 1236.01.4 of the Zoning Ordinance.

Specifics of Request:

1. The applicants purchased the subject property in July 2021.
2. A previous double-wide manufactured home was located on the property but has since been removed.
3. On November 21, 2023, a variance was granted for the placement of a 1999 model, 16' x 80' Type B manufactured home (single-wide, 24 years old at that time). The proposed placement complied with all setback requirements, including approx. 113 feet from the right-of-way and greater than 25 feet from side and rear yards.
 - Note: The applicants did not act on the granted variance within the required one-year period, and it has since expired.
4. On August 22, 2024, the applicants applied for a building permit to place a home on the site, but that action was not completed.
5. In August 2025, the applicants purchased a 2001 model, 16' x 80' manufactured home with an attached 12' x 16' addition from Chase West, but did so without first obtaining the required building permit or an updated variance for the age of the home. They are now seeking a new variance to address the age requirement of the manufactured home prior to placement on the property.

Ordinance and Comprehensive Land Use Plan regarding this request:

1. "Type B Manufactured Homes...." Are listed as a permitted use in the Agricultural District.
2. Type B Manufactured Homes are required to be less than 15 years old at the time of placement on the property; unless a variance issued by the board.
3. In order to issue the variance, the applicant shall obtain the written consent of sixty-six (66) percent of property owners owning property immediately adjacent (excluding streets and alleys) to the proposed building site and the consent of fifty (50) percent of the property owners within two hundred (200) feet (excluding streets and alleys) of said proposed location has been received. Which this complies with section 1205 Moved In Buildings for the written consent.
 - a. The applicant has submitted signature/approval of 2 of the 2 adjoining landowners at the time of this report.
 - b. Adjoining landowners include:
 - Darla Jane Rost Dorn
 - Eugene Hamann Living Trust

Staff Summary & Recommendation

Variance – Minimum Age of of Type A Manufactured Home: The application may be approved, postponed or denied.

Staff recommends approval of the variance on the the grounds that the condition for approving a variance to the maximum age of the manufactured home have been met by the applicant.

ITEM # 4 PLAT

Applicants/Owners: Leroy & Melissa Anderson, Paul & Lisa Brandt & Joel & Dianne Brandt

Property Description: Anderson Addition located in the NW¼ of Section 4, Township 115 North, Range 49 West, Clear Lake Township, Deuel County, South Dakota.

Request: The applicants are requesting approval to vacate and replat Lot 1 of Johnson Addition. The proposed replat will expand the lot by approximately 1.60 acres to incorporate an area of trees and agricultural field that was not included in the original Johnson Addition plat. The newly platted lot, to be known as Anderson Addition, will consist of a total of 6.60 acres.



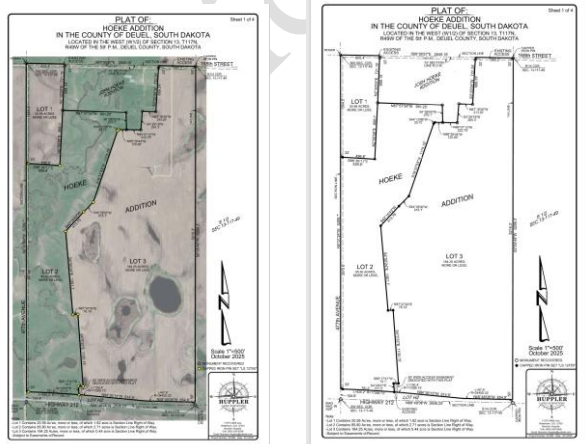
Action Item: Review and approval of the proposed Anderson Addition plat to the Deuel County Commissioners.

ITEM # 4 PLAT

Applicants/Owners: John Hoeke, Jack Hoeke, Vikki Linder and Vonne Mathers

Property Description: Hoeke Addition located in the W1/2 of Section 13, Township 117 North, Range 49 West, Portland Township, Deuel County, South Dakota.

Request: The applicants are requesting approval to plat approximately 290.01 acres into 3 lots for transferring purposes. Lot 1 approximately contains 20.58 acres; Lot 2 approximately contains 85.80 acres and Lot 3 approximately contains 184.25 acres.



Action Item: Review and approval of the proposed Anderson Addition plat to the Deuel County Commissioners.