

**July 13, 2026 BOARD OF ADJUSTMENT/ PLANNING COMMISSION DEUEL COUNTY
STAFF REPORT**

Monday – July 13, 2026 – 6:30 p.m.

DEUEL COUNTY BOARD OF ADJUSTMENT

ITEM #1 CONDITIONAL USE PERMIT

Applicant/Owner: Jeffrey T. Rief Living Trust

Property Description: Lots 2 & 3, Block 1, Dakota Bluffs Addition, located in Section 8, Township 114 North, Range 47 West, 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: The applicant requests a Conditional Use Permit to construct a pole shed for recreational use and storage on property separated from the principal residence by Edgewater Drive.

History/Issue(s):

Specifics of Request:

1. The Jeffrey T. Rief Living Trust owns the subject lots. The principle residence is owned by the Robin Rief Trust. Jeff and Robin Rief serve as trustees for both trusts.
2. The applicants propose to construct a 50' x 80' (4,000-square-foot) pole shed with 14-foot sidewalls and a front porch. The structure will be used for recreational activities and storage.
3. The proposed structure will be located on Lots 2 & 3, Block 1, Dakota Bluffs Addition, which are situated across Edgewater Drive from the applicants' principle residence located on Lot 72A (Replat of Lots 72–73), Thokola Beach, Government Lot 2. An existing 12' x 20' storage shed is located on the property and was approved through a Conditional Use Permit on September 9, 2024. The applicants intend to retain the existing storage shed.
4. Pursuant to Deuel County Zoning Ordinance Section 1103.05.8, accessory structures located on lots adjacent to the principle use, but separated by a public or private road, require approval of a Conditional Use Permit within the Lake Park (LP) Zoning District.
5. According to the applicants, the proposed structure will be used for recreational activities, including pickleball, basketball, and a golf simulator, as well as for storage. The applicants state that the structure is not intended for residential occupancy; however, it will include a bathroom and a bar area for family use.

Ordinance and Comprehensive Land Use Plan regarding this request:

a) Access & Circulation: Access to the proposed structure will be provided from Edgewater Drive, a county-maintained roadway.

b) Parking: Adequate off-street parking is available. No parking within the public right-of-way is anticipated.

c) Utilities:

- Water: Brookings-Deuel Rural Water
- Sewer: In coordination with Lake Cochrane Sanitary District
- Electric: H-D Electric Cooperative
- Trash: No regular trash service is currently provided. The applicants have indicated that they have not used a trash service at the lake for over 20 years.

d) Screening and Buffering: The property has an existing tree shelterbelt located along the west side of the property, which provides natural screening and buffering for the proposed structure. The existing vegetation is expected to assist in meeting applicable screening and buffering requirements of the LP Zoning District.

e) Signage: No signage is proposed.

f) Setbacks: The proposed pole shed exceeds the minimum setback requirements of the LP Zoning District. The structure will be located more than 55 feet from the front property line, more than the required 10-foot side yard setback, and more than 25 feet from the rear property line. The increased front setback is due to existing utility and drainage easements, while the increased rear setback is intended to preserve the existing tree line on the property.

Staff Summary

Conditional Use Permit – Accessory Structure

The proposed accessory structure is located on a lot adjacent to the applicants' principle residence but separated by a public road. Section 1103.05.8 of the Deuel County Zoning Ordinance requires approval of a Conditional Use Permit for this type of request within the Lake Park (LP) Zoning District.

The Board may approve, approve with conditions, continue, or deny the application.

Staff Recommendation

Staff recommends approval of the Conditional Use Permit to allow construction of an accessory structure (pole shed) with a front porch for recreational use and storage on a lot adjacent to the principle residence but separated by Edgewater Drive, a public road, subject to compliance with all applicable provisions of the Deuel County Zoning Ordinance.

If the Board determines that it is authorized under Section 1103.05.8 of the Deuel County Zoning Ordinance to grant the Conditional Use Permit and finds that approval will not adversely affect the public interest, the Board may approve the request. Proposed Findings of Fact and Conclusions of Law have been prepared and are included with this application for the Board's consideration.

ITEM #2 – PLAT APPROVAL

Applicant/Owner: Allan & Jane Moore Living Trust

Property Address: 19439 481 Ave

Property Description: Plat of Moore Addition in the S½ NE¼ of Section 28, Township 113 North, Range 48 West, Scandinavia Township, Deuel County, South Dakota.

Action Item: Plat Approval

Zoning Designation: AG – Agricultural

Request: The applicant is requesting approval of the Plat of Moore Addition in the S½ NE¼ of Section 28, Township 113 North, Range 48 West, Scandinavia Township, Deuel County, South Dakota, to create a separate tract for an existing rural homesite.

Staff Recommendation: Staff recommends approval of the plat and forwarding the recommendation to the Deuel County Commissioners for final approval.

ITEM #3 – PLAT APPROVAL

Applicant/Owner: Sharon Boersma Coustry Trust et al. & Gordon & Ruth Boersma Irrevocable Trust

Property Description: Plat of Boersma Addition in the N½ of Section 6, Township 114 North, Range 48 West, Norden Township, Deuel County, South Dakota.

Action Item: Plat Approval

Zoning Designation: AG – Agricultural

Request: The applicants are requesting approval of the Plat of Boersma Addition in the N½ of Section 6, Township 114 North, Range 48 West, Norden Township, Deuel County, South Dakota. The proposed plat will create two separate tracts: one tract consisting primarily of farmland and pasture, and one tract containing the existing rural homesite with associated farmland and pasture.

Staff Recommendation: Staff recommends approval of the plat and forwarding the recommendation to the Deuel County Commissioners for final approval.

MATTERS FOR BOARD DISCUSSION

Next Meeting:

Regular Meeting – Monday, August 10, 2026

STAFF REPORT

Missouri River Energy Services Conditional Use Permit Application

Staff received notice via email on June 22, 2026, from Missouri River Energy Services requesting withdrawal of Conditional Use Permit Application 26-CUV-004 for the proposed 145 MW dual-fuel combustion turbine power plant and associated 345 kV substation located in Scandinavia Township.

The Conditional Use Permit application was submitted in conjunction with a request to rezone the property from the Agricultural (AG) District to the Commercial/Industrial (CI) District. The rezoning request was subsequently referred to a public vote by referendum.

The referendum was not approved by the voters. As a result, the rezoning ordinance did not become effective, and the property remains zoned Agricultural (AG).

Following the election, Missouri River Energy Services requested withdrawal of the Conditional Use Permit application and removal of the matter from further consideration.

Staff considers the Conditional Use Permit application withdrawn, and the file will be closed. No further action is requested by the Planning Commission or Board of Adjustment.