



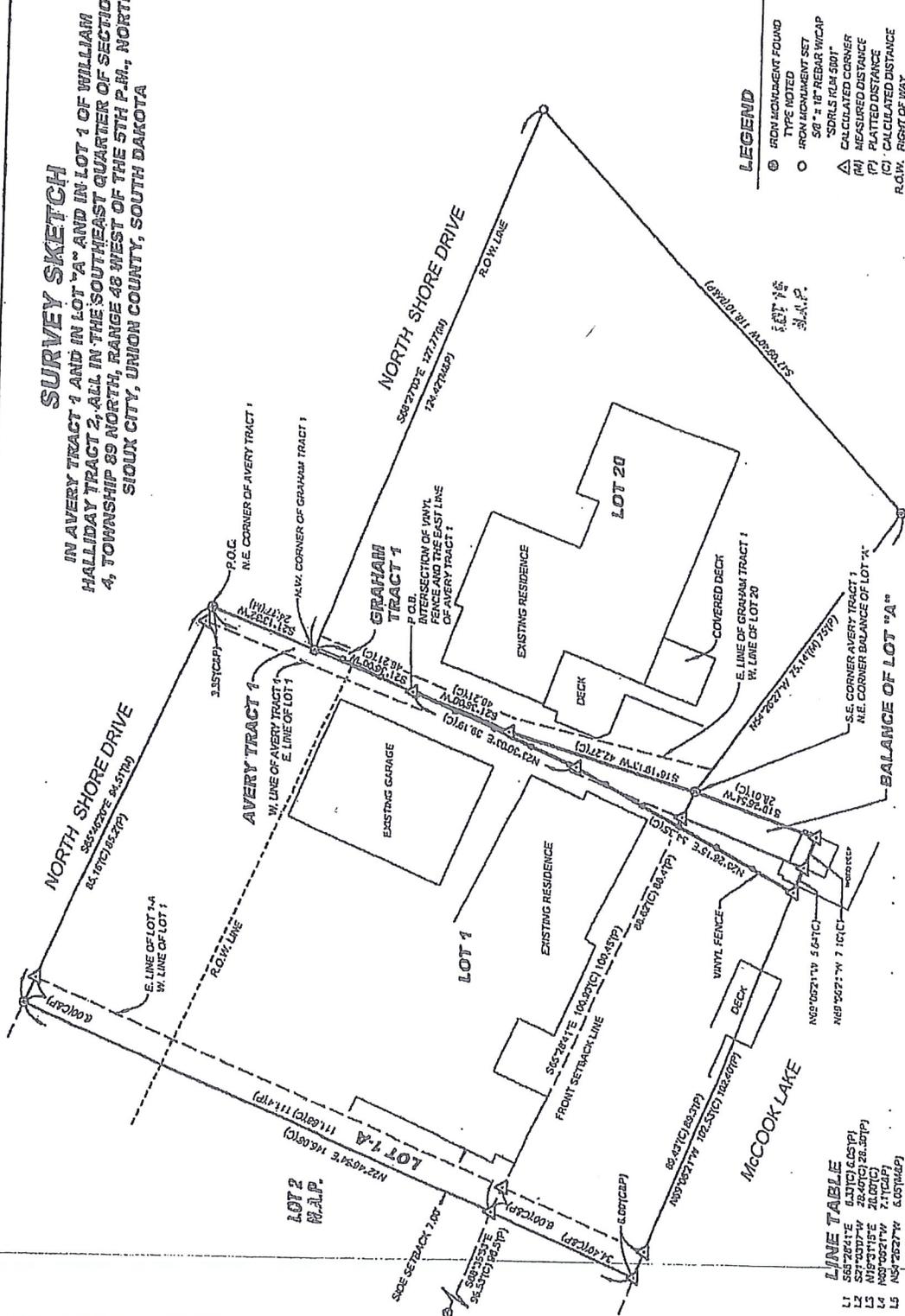
Blumberg No. 5208

EXHIBIT

B

SURVEY SKETCH

IN AVERY TRACT 1 AND IN LOT "A" AND IN LOT 1 OF WILLIAM HALLIDAY TRACT 2, ALL IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 89 NORTH, RANGE 48 WEST OF THE 5TH P.M., NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA



- LEGEND**
- ⊙ FROM MONUMENT FOUND
 - TYPE NOTED
 - IRON MONUMENT SET
 - 30" x 3" IRON REBAR W/ICAP
 - △ SDRLS R/LM S/OT
 - △ CALCULATED CORNER
 - (M) MEASURED DISTANCE
 - (P) PLATTED DISTANCE
 - (C) CALCULATED DISTANCE
 - R.O.W. RIGHT OF WAY
 - N.A.P. NOT A PART OF THIS SURVEY

LINE TABLE

L1	S85°26'11"E	63.71(C)	6.65(P)
L2	N17°00'27"W	22.40(C)	22.35(P)
L3	N87°02'11"E	21.00(C)	21.00(P)
L4	N87°02'11"W	1.11(C)	1.11(P)
L5	N87°02'11"W	6.07(C)	6.07(P)

SURVEY CREW: JPG 12/08/14	DRAWN BY: J.J.L. 12/09/14	PROJECT NO. N/A	SCALE: 1" = 20'
		P.O. BOX 1130 118 W. MAIN STREET ELK POINT, SD 57025 *1.356-2308	
		PAGE 1 OF 2	

Filed: 8/26/2016 5:01:55 PM C.S.T Union County South Dakota



City of North Sioux City
504 River Drive
North Sioux City, SD 57049
Fax (605) 232-0506



Phone (605) 232-4276

www.NorthSiouxCity-SD.gov

Variance Request Date _____
Variance Hearing Date _____

City of North Sioux City – Variance Permit Application

Name and address of property of said variance request:

Name Craig A. and Gina L. Dam Address 25 Northshore Drive, McCook Lake, SD

Legal Description of the land on which such permit is requested: Lot 20 of Charles Halliday Tract No. 1, as platted Book 5 Plats, Page 119, and Graham Tract 1, as Platted Book 8 Plats, Page 137, all in the Southeast Quarter of Section 4, Township 89 North, Range 48 West of the 5th P.M., now North Sioux City, Union County, South Dakota, according to the recorded plat thereof, subject to easements, restrictions, impositions, covenants, rights of way and conditions of record.

Present Zoning
District Classification: Residential

Applicant Name: Craig A. and Gina L. Dam

Address 25 Northshore Drive, McCook Lake Phone #'s (C) (W)

Attorneys: Jeffrey T. Myers 705 Douglas St, Ste 402, Sioux City, IA 51101 (712) 255-0001
Paul W. Tschetter, PO Box 5015, Sioux Falls, SD 57117 (605) 336-2424

Reason for Variance

Please be very descriptive in your reasoning

see attached

SIGNATURE IS REQUIRED TO PROCESS APPLICATION

SIGNATURE

Craig A. Dam/Gina L. Dam

DATE

5-15-18

Craig A. Dam/Gina L. Dam

FOR OFFICE USE ONLY

Date of Hearing _____/_____/_____

Dates of Publications _____/_____/_____ and _____/_____/_____

APPROVED BY _____

DATE _____

Reason for Variances

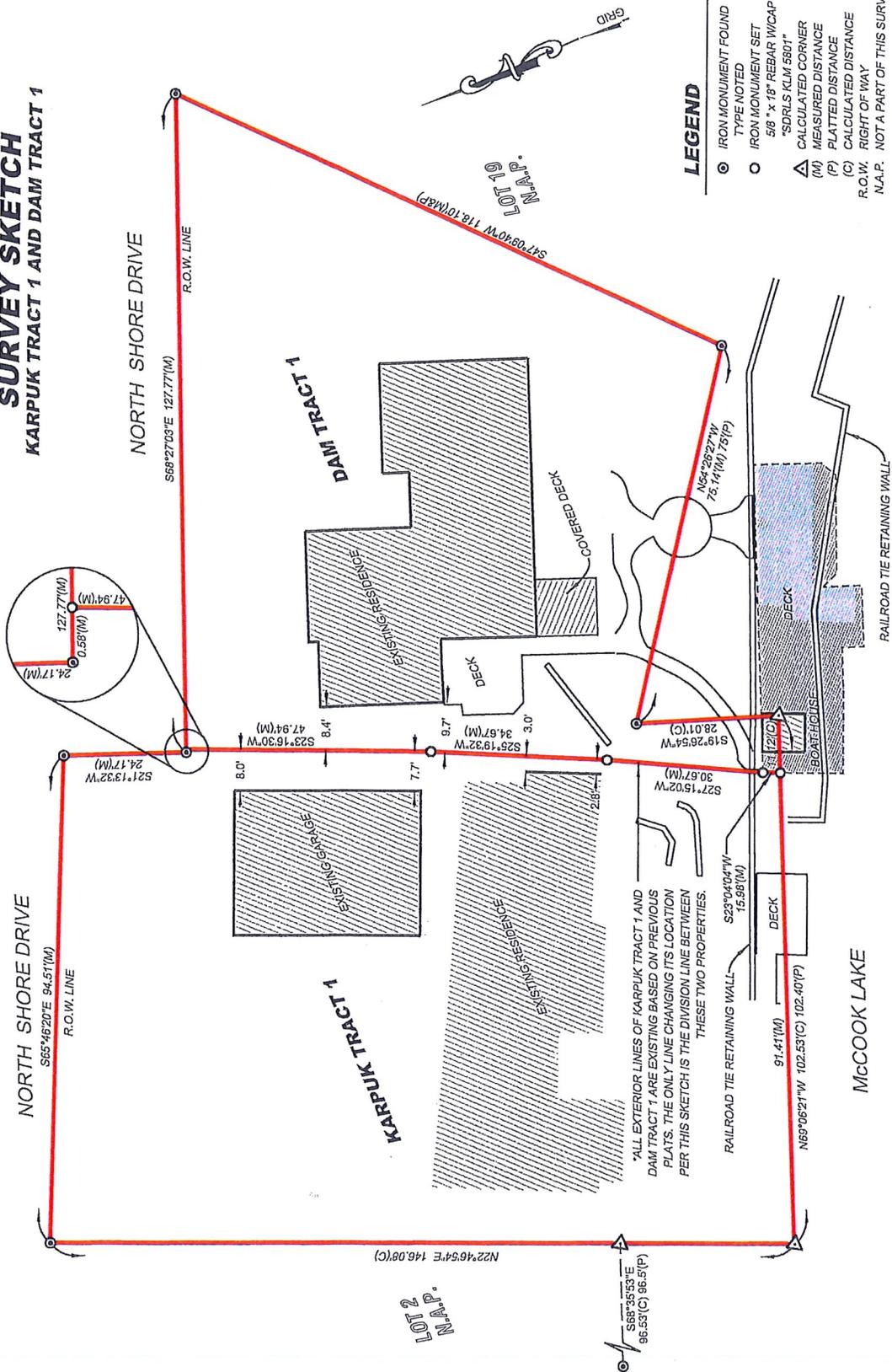
In 2015, Phillip and Lorall Karpuk built a new home at 27 Northshore Drive. Its construction was authorized by Building Permit No. 52-14 issued on November 19, 2014, which Permit was subsequently approved by the North Sioux City Board of Adjustment/Planning and Zoning Commission on January 28, 2015. The house was built in compliance with the 7-foot side yard setback requirement of North Sioux City Ordinance No. 17.24.080 based upon the Karpuks' record ownership. However, Craig and Gina Dam, the Karpuks' neighbors to the east, have claimed ownership of part of the Karpuk record ownership property based upon allegations of adverse possession. These matters are more particularly the subject of a lawsuit involving these parties in Union County Case No. 63 CIV 16-133. The Karpuks and Dams entered into a Settlement Agreement and Mutual Release in October of 2017 conditionally resolving their assertions, including conditionally agreeing to a new boundary line between their properties. In particular, such Agreement is subject to approval of variances for the Karpuk house and the Dam boat house, respectively, with respect to said side yard setback Ordinance.

The new agreed boundary line between the properties is shown in the 02/16/18 Survey Sketch made by McLaury Engineering, Inc. attached hereto as Exhibit A. Said new boundary line is based in significant part upon the anticipated agreed west-to-east movement of certain fence portions by the Dams (from current locations), albeit still to placements that remain on the land of the record ownership of the Karpuks. A major factor in such agreed placements relates to the southeast corner of the Karpuk home and the northwestern corner of the Dam retaining wall shown on the Sketch. The parties agreed to establish a boundary line that runs through the midpoint between these two markers. For background, see photo attached hereto as Exhibit B showing this area (before the agreed fence movement) and see 12/09/14 Survey Sketch made by McLaury Engineering, Inc. attached hereto as Exhibit C.

The new boundary line will result in two separate areas where the distance between the respective owners' structures and the new boundary line will be less than seven feet. One area is at and along the eastern side of the Karpuk home extending to the southeast corner of said house. The other area is the western side of the Dams' presently existing boat house.

The parties request approval of variances at these two areas based upon the agreed boundary line in Exhibit A so as to fulfill the conditions of their Settlement Agreement and Mutual Release. The approved variances will allow the parties to then proceed with execution of the remaining aspects of their settlement.

SURVEY SKETCH KARPUK TRACT 1 AND DAM TRACT 1



SURVEY CREW: JPG 12/08/14

DRAWN BY: JJJ 2/16/18

PROJECT NO. N/A

SCALE: 1" = 20'



**McLaury
Engineering, Inc.**

P.O. BOX 1130
118 W. MAIN STREET
ELK POINT, SD 57025
(605) 356-2308

P/

Blumberg No. 5208

EXHIBIT

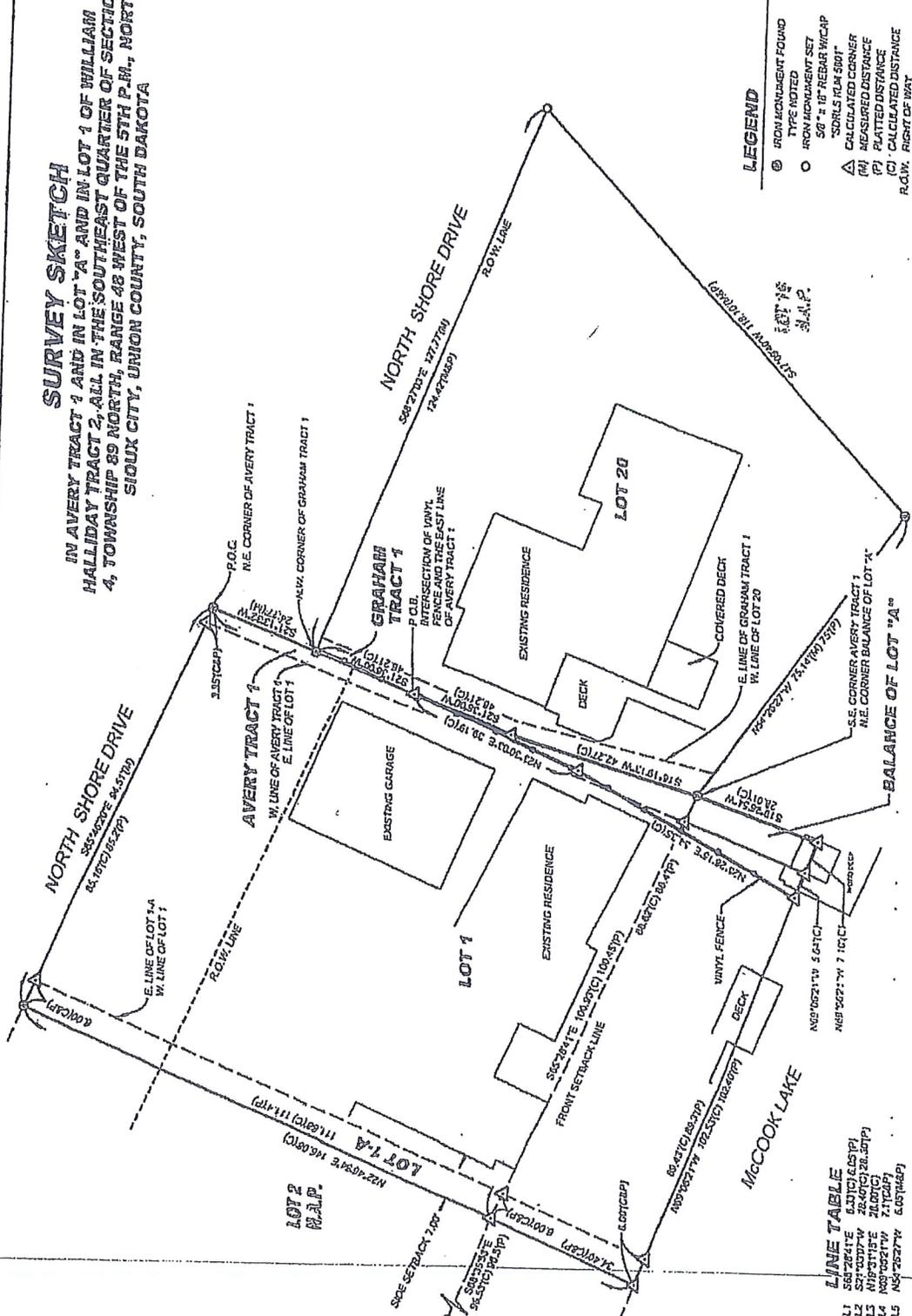
A



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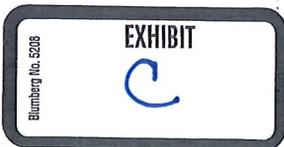


- LEGEND**
- ⊙ FROM MONUMENT FOUND
 - TYPE NOTED
 - FROM MONUMENT
 - FROM MONUMENT NEW SET
 - △ SDC'S FROM SDC'S
 - △ CALCULATED CORNER
 - (M) MEASURED DISTANCE
 - (C) PLATTED DISTANCE
 - (D) CALCULATED DISTANCE
 - R.O.W. RIGHT OF WAY
 - N.A.P. NOT A PART OF THIS SURVEY

LINE TABLE

L1	S88°28'41"E	170.00(1) 6.07(CBP)
L2	S21°03'07"W	210.00(1) 6.07(CBP)
L3	N18°31'15"E	210.00(1) 6.07(CBP)
L4	N89°05'21"W	7.71(CBP)
L5	N54°25'27"W	6.07(CBP)

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		P.O. BOX 1130 118 W. MAIN STREET ELK POINT, SD 57025 605-236-2308	



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City Council MEMO

504 River Drive
North Sioux City, SD 57049
Phone (605) 232-4276
Fax (605) 232-0506

To: Mayor Randy Fredericksen and North Sioux City Council Members
From: Chief Richard Headid
Date: 08-02-2018
Re: Call log for the Police Department from 2017 to 2018

Background: The police department call log showing what kind of calls the police department has dealt with during the year of 2017 into the current month in 2018.

Financial Consideration: None

Recommendation: This is information for the Mayor's and Council Members viewing so they can see each type of call the police department deals with month to month, year to year.