

**BROOKINGS COUNTY PLANNING & ZONING COMMISSION
MINUTES OF FEBRUARY 1, 2022 REGULAR PLANNING & ZONING MEETING**

The Brookings County Planning & Zoning Commission met at their regular meeting on Tuesday, February 1, 2022. The following members were present: Chad Ford, Mike Bartley, Darrel Kleinjan, Neil Trooien, Spencar Diedrich and Kyle Vanderwal (arrived late), and alternates Roger Erickson and Dale Storhaug. Absent were Brian Gatzke and Randy Jensen. The board also has 1 vacant seat in District 3 to fill. Also present were Deputy Director Richard Haugen, County Development Director/Emergency Manager Robert Hill, and phoning in was Senior Planner from First District Association of Local Governments Luke Muller.

CALL TO ORDER

Chair Ford called the meeting to order at 7:00 PM

APPROVAL OF MINUTES

(Diedrich/Trooien) Motion to approve the meeting minutes from the Joint City County April 6, 2021 meeting. All present voted aye. **MOTION CARRIED.**

(Bartley/Erickson) Motion to approve the meeting minutes from the January 4, 2022 meeting. All present voted aye. **MOTION CARRIED.**

ITEMS TO BE ADDED TO AGENDA BY COMMISSION MEMBERS OR STAFF.

None added.

INVITATION FOR CITIZENS TO SCHEDULE TIME ON AGENDA FOR ITEM NOT LISTED. *Time limited to 5 minutes per person to address the board.*

No one scheduled time to address the board.

DISCLOSURE OF CONFLICTS OF INTEREST

Darrel Kleinjan would recuse from vote on 2022plat003.

APPROVAL OF AGENDA

(Diedrich/Kleinjan) Motion to approve the agenda for the February 1, 2022 Meeting. All present voted aye. **MOTION CARRIED.**

CONVENE AS BROOKINGS COUNTY PLANNING & ZONING COMMISSION

CONSIDERATION OF PLATS

2022PLAT002

For property described as "Plat of Lot 1 of Finnegan's Addition in the E989.3' of the SW1/4 of Section 36, T110N, R51W of the 5th P.M., Brookings County, South Dakota." Submitted by Peter & Nancy Thiex to plat off 7.2-acre parcel from the 93 acres they own. The parcel is being purchased by the adjoining acreage landowner to enlarge their acreage. The parcel is not a buildable lot for a residence as it does not meet the 35-acre requirement.

February 1, 2022

Meeting Minutes APPROVED

(Trooien/Diedrich) Motion to approve the plat. Roll call vote: Bartley-aye, Erickson-aye, Storhaug-aye, Diedrich-aye, Kleinjan-aye, Trooien-aye, Ford-aye. 7-aye, 0-nay.

MOTION CARRIED.

Darrel Kleinjan recused himself.

2022PLAT003

For property described as “Plat of Bolstad 2nd Subdivision in the SW1/4 of Section 25, T109N, R52W of the 5th P.M., Brookings County, South Dakota.” Submitted by Greg Bolstad to plat off a 35-acre parcel from the 143.76 acres they own. The parcel is a future building site for a family member and meets the 35-acre requirement to build a home on. Access will be off 219th St. (aka Brookings County gravel road #14).

(Trooien/Storhaug) Motion to approve the plat. Roll call vote: Erickson-aye, Storhaug-aye, Diedrich-aye, Trooien-aye, Bartley-aye, Ford-aye. 6-aye, 0-nay. **MOTION CARRIED.**

Darrel Kleinjan resumed his seat and Kyle Vanderwal arrived.

CONVENE AS BROOKINGS COUNTY BOARD OF ADJUSTMENT

Haugen noted that 6 aye votes were needed for the variance request to pass and only 8 members were in attendance.

2022VAR002

Application by Kevin Hunhoff, 2022var002, for a variance. Article IV District Requirements: Chapter 4.03 “LP” Lake-Park District: Section 4.03.03. Density, Area and Yard Regulation (Minimum Lake Front). The property is described as: “Lots 7 & 8 Exc SE10’ of Lot 8 all in C.M. Christensen’s Subdivision Govt. Lot 4 & Lot A of the County Highway Addition all in NW1/4 of Section 6, T112N, R52W (Laketon Township)” ~~ located at 296 S Lake Dr, Arlington, SD 57212.

(Diedrich/Vanderwal) Motion to approve the Variance request.

STAFF REPORT: Applicant is requesting a variance to build a residence 23’5” from the highest known water mark on Lake Poinsett, a variance of 51’7”. The report also noted: 1) The residence will meet the side setbacks of 8 feet and the front yard setback of 25 feet. 2) applicant has purchase agreement with the owner of the property pending approval of the variance request. 3) North portion on the parcel is in the flood plain and a Flood Plain Development Permit will need to be completed. 4) Considerations & hardships: shape and size of the lot, lot was platted 11-20-1950, prior to the current zoning ordinance requirements. 5) Letters were sent to adjoining landowners, Laketon Chairman and clerk, and the current landowner. 6) Public notices were published in the Brookings Register on January 18 and 25, 2022 and the Volga Tribune on January 20 and 27, 2022. 7) Site is a bare lot as the existing landowner removed the house.

PUBLIC HEARING: Applicant Kevin Hunhoff informed those present he had nothing to add.

February 1, 2022

Meeting Minutes APPROVED

Proponents: None.

Opponents: None.

DISCUSSION: Board members had no questions or comments regarding the request. Findings of Facts were reviewed, completed by the board, concurred with by Diedrich and placed on file.

VOTE: Storhaug-aye, Diedrich-aye, Kleinjan-aye, Vanderwal-aye, Trooien-aye, Erickson-aye, Bartley-aye, Ford-aye. 8-aye, 0-nay. **MOTION CARRIED.**

2022VAR003

Application by Megan and Lane Hammond, 2022var003, for a variance. Article 19.00: Section 19.01: "Shelterbelt Setback Requirements". The property is described as: "Anderson Addition in SW1/4 of Section 27, T110N, R49W (Aurora Township)" ~~ located at 21286 475th Ave, Aurora, SD 57002.

(Trooien/Vanderwal) Motion to approve the Variance request.

STAFF REPORT: Applicants are requesting a variance to plant a shelterbelt parallel to the road, 33 feet from the center of 475th Ave, next to the right-of-way, a variance of 100 feet. The report also noted: 1) applicant wanted to plant a new shelterbelt close to the road to: help reduce light and noise from the neighboring Novita ag processing plant; add greater privacy from traffic on the road, and not encumber the view from their house. 2) Letters were sent to adjoining landowners, Aurora Township Chairman, and clerk. 6) Public notices were published in the Brookings Register on January 18 and 25, 2022.

PUBLIC HEARING: Applicants Megan and Lance Hammond informed those present the further the trees would be set back the less they would block out light their house was tall, so more light is visible from Novita.

Proponents: Haugen presented comments received from adjoining landowners, Novita that noted full support to request. Aurora Township Supervisor Bruce Kreutner voiced support of Aurora Township. He noted that similar plantings were located along the same road to the north of the proposed site.

Opponents: None.

DISCUSSION: Board members Diedrich, Bartley, Kleinjan, Trooien and Ford discussed and reviewed: 1) Trees – type/species, size, number of rows 2) Safety concerns – vision, snow, maintenance required to when to close to road 3) Consider height, growth rate and diameter of trees to get desired results. 4) putting the planting at an angle or parallel with driveway versus parallel to the road. Board hearing no concern from Aurora township on the setback amount and with applicant agreeing decision was made to allow that the shelterbelt may be 50 feet from the center of (475th Ave) the road (a variance of 83 feet). Findings of Facts were reviewed, completed by the board, concurred with by Vanderwal and placed on file.

February 1, 2022

Meeting Minutes APPROVED

VOTE: Diedrich-aye, Vanderwal-aye, Kleinjan-aye, Trooien-aye, Bartley-aye, Erickson-aye, Storhaug-aye, Ford-aye. 8-aye, 0-nay. **MOTION CARRIED.**

DEPARTMENT REPORTS

Hill noted COVID-19 test kits were available and being distributed from the office and announced that he would be absent from the March 1, 2022, meeting that that Luke Muller would be present at the meeting.

Haugen reminded the board that a Joint Work Session meeting would be held on Monday, February 7, 2022, at 7:00 PM with the City Planning Commission to continue review of the Joint Jurisdictional Ordinance section. The scheduling of future joint work sessions would also be discussed at the meeting. He reminded the board that there was still an open board seat (District 3) and asked the board to spread the word so that the seat could get filled. Haugen informed the board that Commissioner Larry Jensen also wanted the board to know he was misquoted in a publication, it should have noted he said the ordinance may need to be updated not the ordinance does need.

ADJOURN

(Diedrich/Trooien) Motion to adjourn.

Chair Ford adjourned the meeting at 8:03 PM.

Rae Lynn Maher
Brookings County
Development Department