

BROOKINGS COUNTY PLANNING & ZONING COMMISSION
MINUTES OF MAY 2, 2023 REGULAR PLANNING & ZONING MEETING

The Brookings County Planning & Zoning Commission met at their regular meeting on Tuesday, May 2, 2023. The following members were present: Chad Ford, Mike Bartley, Tim Paulsen, Darrel Kleinjan, Kyle Vanderwal, Neil Trooien, Brian Gatzke, and alternates Roger Erickson and Dale Storhaug. Absent were Spencar Diedrich, and Randy Jensen. Also present were County Development Director/Emergency Manager Robert Hill, Deputy Director Richard Haugen, and via phone Senior Planner from First District Association of Local Governments Luke Muller.

CALL TO ORDER

Chair Ford called the meeting to order at 8:00 PM

APPROVAL OF MINUTES

(Vanderwal/Trooien) Motion to approve the April 2, 2023, Meeting Minutes. 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

None.

APPROVAL OF AGENDA

(Bartley/Paulson) Motion to approve the agenda for the May 2, 2023 Meeting. All present voted aye. **MOTION CARRIED.**

CONVENE AS BROOKINGS COUNTY BOARD OF ADJUSTMENT

2023VAR004

Application by Jon Himley for a variance. Article 11.00: Section 11.01 "A" Agricultural District: Area Regulation # 8: Non-conforming Lots. The property is described as: Outlot 1 in the NE1/4 of the SE1/4 of Section 17, T111N, R50W (Sterling Township)".

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

STAFF REPORT: Applicant is requesting a non-conforming rear yard setback variance to build a proposed 30' x 40' shed addition with a 12' sidewall onto his existing shed 38' from the rear property line, a variance of 12'. The report noted: 1) Current shed was 68 feet from the rear property line. 2) Considerations: Cement pad on the south side of existing shed and water and sewer lines on the north side, property platted April 4, 1967, before the current Zoning Ordinance. Public notices were published in the Brookings

May 2, 2023

Meeting Minutes APPROVED

Register on April 18 & 25, 2023 and the Volga Tribune on April 20 & 27, 2023. Letters were sent to adjoining landowners, Sterling Township Chairman and Clerk.

PUBLIC HEARING: Applicant Jon Himley informed those present he had nothing to add.

Proponents: None. Haugen presented a comment received from adjoining landowner James Hegg that had no issue with the variance request.

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 Vanderwal and placed on file.

VOTE: Bartley-aye, Paulson-aye, Storhaug-aye, Kleinjan-aye, Vanderwal-aye, Gatzke-aye, Trooien-aye, Erickson-aye, Ford-aye. 9-aye,0-nay. **MOTION CARRIED.**

2023CU009

Application by Joseph Ness for a conditional use permit. Article 11: Section 11.01: "A" Agricultural District: Conditional Use Permit # 20: Home Extended Business". The property is described as: "SW1/4 Exc 1 Acre & Exc H-3 in Section 23, T110N, R49W (Aurora Township)." -- located at 47610 US Hwy 14, Aurora, SD 57002.

(Trooien/Gatzke) Motion to approve the Conditional Use.

STAFF REPORT: The applicant is requesting a conditional use permit for a home extended business for sales of used agricultural and construction equipment, preowned motor vehicles to include semi-tractors, trailers, atv's; new trailer's, new short-line agricultural equipment and limited equipment repair for the public. The report also noted: 1) Hours of operation to be 8:00 AM – 5: 00 PM or by appointment. 2) Property over Zone "B' of the Aquifer Materials Map – he would need to follow the Performance Standards in Section 4.06.06 of the Aquifer Protection Section in the Brookings County Zoning Ordinance. 3) Applicant lives on site in living quarters at the north end of the shop building. 4) Applicant is a tenant of the property, and the landowner has no objections to the conditional use request. 5) Public notices were published in the Brookings Register on April 18 & 25, 2023. 6) Letters were sent to the adjoining landowners, Aurora Township Chairman and Clerk and South Dakota Department of Transportation.

PUBLIC HEARING: Applicant Joseph Ness informed those present his plans for the display of equipment and the addition of trees to the site.

Proponents: None.

Opponents: None.

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

VOTE: Paulson-aye, Storhaug-aye, Kleinjan-aye, Vanderwal-aye, Gatzke-aye, Trooien-aye, Erickson-aye, Bartley-aye, Ford-aye. 9-aye, 0-nay. **MOTION CARRIED.**

DEPARTMENT REPORTS

Hill reported the day being a Red Flag Day with the weather conditions being dry and winds gusting. He remarked on the upcoming one-year anniversary of the Derecho that hit South Dakota and Brookings County on May 12, 2022. He reminded everyone to be careful when planting their crops.

Haugen reported that a correction was needed in the Commercial section of the Zoning Ordinance regarding a permitted use, with plans for a correction taking place at the June meeting. He discussed with board members an inquiry he had received for a possible business in the Lake-Park District that involved a Home Extended Business and Semi truck traffic. He updated the board on a CAFO that had been approved for Dan Howell, noting that Mr. Howell had inquired if it would be possible to build two smaller buildings versus one large due to funding issues. He noted he had told Howell that the change from one large to two small would not affect the boards vote and would be allowed.

Muller reported he had nothing to report and was planning to be in person at the June meeting.

ADJOURN

(Erickson/Paulson) Motion to adjourn. All present voted aye. **MOTION CARRIED.** Chair Ford adjourned the meeting at 8:49 PM.

Rae Lynn Maher
Brookings County
Development Department