

BROOKINGS COUNTY PLANNING & ZONING COMMISSION
MINUTES OF AUGUST 1, 2023 REGULAR PLANNING & ZONING MEETING

The Brookings County Planning & Zoning Commission met at their regular meeting on Tuesday, August 1, 2023. The following members were present: Chad Ford, Mike Bartley, Tim Paulsen, Darrel Kleinjan, Kyle Vanderwal, Neil Trooien, Brian Gatzke, and Randy Jensen, and alternates Roger Erickson and Dale Storhaug. Absent was Spencar Diedrich. Also present were County Development Director/Emergency Manager Robert Hill, Deputy Director Richard Haugen, and Senior Planner from First District Association of Local Governments Luke Muller.

CALL TO ORDER

Chair Ford called the meeting to order at 8:22 PM

APPROVAL OF MINUTES

(Vanderwal/Gatzke) Motion to approve the July 10, 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

Brian Gatzke would recuse from vote on 2023plat012.

APPROVAL OF AGENDA

(Paulson/Trooien) Motion to approve the agenda for the August 1, 2023 Meeting. All present voted aye. **MOTION CARRIED.**

CONVENE AS BROOKINGS COUNTY PLANNING & ZONING COMMISSION

CONSIDERATION OF PLATS

2023PLAT011

For property described as “Plat of Block 1, Berreth Addition in the SE1/4 of Section 4, T111N, R48W of the 5th P.M., Brookings County, South Dakota.” Submitted by Richard Berreth to plat off a 7.82 acres existing homestead site from the 156.38 acres that he owns. The main driveway is off SD Hwy 30.

(Vanderwal/Paulson) Motion to approve the plat. Roll call vote: Paulson-aye, Gatzke-aye, Kleinjan-aye, Vanderwal-aye, Trooien-aye, Jensen-aye, Storhaug-aye, Bartley-aye, Ford-aye. 9-aye, 0-nay. **MOTION CARRIED.**

Brian Gatzke recused himself and Erickson took the seat.

August 1, 2023

Meeting Minutes APPROVED

2023PLAT012

For property described as “Plat of David and Miriam Iverson Addition in the County of Brookings, South Dakota, Located in the SE1/4 of Section 6, T112N, R48W of the 5th P.M., Brookings County, South Dakota.” Submitted by David and Miriam Iverson to plat off 10.51-acre existing homestead/building site from the 155.0 acres that they own. The main driveway is off 479th Avenue, an Oak Lake Township gravel road. The site consists of a residence, pole shed, detached garage, and a utility shed.

(Trooien/Jensen) Motion to approve the plat. Roll call vote: Storhaug-aye, Kleinjan-aye, Vanderwal-aye, Erickson-aye, Trooien-aye, Jensen-aye, Bartley-aye, Paulson-aye, Ford-aye. 9-aye, 0-nay. **MOTION CARRIED.**

Erickson stepped down and Gatzke resumed his seat.

CONVENE AS BROOKINGS COUNTY BOARD OF ADJUSTMENT

(Gatzke/Bartley) Motion to remove from the Table the Variance request. All present voted aye. **MOTION CARRIED.**

2023VAR006

Application by Wayne Reiser for variances. Article IV District Requirements: Chapter 4.03 “LP” Lake-Park District: Section 4.03.03. Density, Area, and Yard Regulation (Minimum Front Yard and Minimum Side Yard). The property is described as: “Lot 4 & Lot 5 of Reaves Subdivision in SW1/4 Section 5, T112N, R52W (Laketon Township)” ~~ located at 186 S Like Dr, Arlington, SD 57212.

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

STAFF REPORT: The request was tabled at the July 10, 2023, 8:00 PM meeting of the Brookings County Board of Adjustment, due to a misunderstanding of setback requirements. The updated report noted: 1) The applicant, Wayne Reiser applied for a front yard variance for a 10’ side x 16’ long portable shed to be 16 feet from the front property line, a variance of 9 feet. The required front yard setback is 25 from the road. It has been the policy of the Brookings County Development Office for lots on the southside of Lake Poinsett with a large right of way along South Lake Drive, also known as Brookings County blacktop road #2, to allow structures to be no closer than 2 feet from the front property line (front yard/roadside setback). The right of way along the applicant’s property is 60 feet or more. (Beacon map measurements are not too scale and are approximate and they are not to be used as official measurements.) 2) Applicant also applied for a side yard variance for the 10’ wide x 16’ long portable shed to be 4 feet from the side yard property line, a variance of 4 feet. Required side yard setbacks are 8 feet. 3) Proposed shed would meet the 25’ roadside setback and 75’ from the lakeside highest known water mark. Considerations: 1) Shape and size of the lot and location of trees. 2) Reeves Subdivision was platted December 30, 1970. Public notices were published in the Brookings Register on June 18 & 25, 2023 republished on July 18 & 25, 2023, and the Volga Tribune and Arlington Sun on June 22 & 29, 2023 and republished on July 20 & 27, 2023. Letter were sent to the adjoining landowners, Brookings County Highway Department and Laketon Township Chairman and Clerk.

August 1, 2023

Meeting Minutes APPROVED

PUBLIC HEARING: Applicant Wayne Reiser informed those present he had nothing to add.

Proponents: None.

Opponents: None.

DISCUSSION: Board member Ford asked Reiser to identify his hardship. Mr. Reiser noted that he wanted to maintain curb appeal. He planned to build a new house on the lot in a year or two and wanted to hide the building behind the spruce tree in the corner of the lot. He noted the lift station was in the middle of his yard, not appealing and a hardship. Findings of Facts were reviewed, completed by the board, concurred with by Gatzke and placed on file.

VOTE: Kleinjan-aye, Vanderwal-aye, Gatzke-aye, Trooien-aye, Jensen-aye, Bartley-aye, Paulson-aye, Storhaug-aye, Ford-nay. 8-aye, 1-nay. **MOTION CARRIED.**

2023VAR008

Application by Daniel Hildebrandt 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: "W1/2 Lot 21, W1/2 Lot 21A, Lots 22-22A in NW1/4 of Section 15, T112N, R47W (Lake Hendricks Township)" ~~ located at 113 N Lake Hendricks Dr, Grand Prairie Township, SD 56136.

(Jensen/Paulson) Motion to approve the Variance request.

STAFF REPORT: Applicant is requesting a lakeside variance to build a new home with an attached garage 55 feet from the highest known water mark, a variance of 20 feet. The required lake side setback is 75 feet from the highest known water mark. The report noted: 1) Proposed house will be in the same location as the existing home and will not extend past any of the existing houses on either side. 2) Property was in the floodplain and a Floodplain Development Permit would be required and following FEMA Floodplain standards for building in the floodplain. 3) Front yard/roadside setback of 25 feet and side yard setback requirement of 8 feet would be met. Considerations: 1) location of the existing sanitary sewer pumping station located at the northwest corner of the current residence. 2) location of existing water line. 3) shape and size of lot. 4) Camera Beach was platted November 5, 1970, prior to the current Zoning Ordinance. Public notices were published in the Brookings Register on July 18 & 25, 2023 and the White Tri-City Star on July 20 & 27, 2023. Letters were sent to the adjoining landowners, and the Lake Hendricks Township Chairman and Clerk.

PUBLIC HEARING: Applicant Daniel Hildebrandt informed those present he had nothing to add.

Proponents: None.

Opponents: None.

August 1, 2023

Meeting Minutes APPROVED

DISCUSSION: Board member Gatzke asked for clarification on railing. Haugen noted the deck would be a slab on grade and not need a variance, but the railing would need a variance. The board agreed to change variance allotment to 50 feet from the highest known watermark to allow for railing. Luke Muller asked if variance allotment would be needed for a railing. Haugen noted it would extend past the house and be attached to the house, thus a change to 50 feet variance would be needed. Facts were reviewed, completed by the board, concurred with by Trooien and placed on file.

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

DEPARTMENT REPORTS

Hill had no report.

Haugen reported that another Joint BOA meeting would be held in September. He also noted an error was found in the public notice for the ordinance update so a public notice would be published, and Commercial/Industrial update would be heard for a third time. He added that the final draft of the ordinance would be upcoming.

Luke Muller reported that the Ag District portion of the ordinance would probably be ready for review in November.

ADJOURN

(Vanderwal/Trooien) Motion to adjourn. All present voted aye. **MOTION CARRIED.**
Chair Ford adjourned the meeting at 9:01 PM.

Rae Lynn Maher
Brookings County
Development Department