

BROOKINGS COUNTY PLANNING & ZONING COMMISSION
MINUTES OF AUGUST 2, 2022 REGULAR PLANNING & ZONING MEETING

The Brookings County Planning & Zoning Commission met at their regular meeting on Tuesday, August 2, 2022. The following members were present: Chad Ford, Mike Bartley, Darrel Kleinjan, Brian Gatzke, Spencar Diedrich, Kyle Vanderwal, Neil Trooien, and alternates Roger Erickson and Dale Storhaug. Absent was Randy Jensen. The board also has 1 vacant seat in District 3 to fill. 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 8:03 PM

APPROVAL OF MINUTES

(Diedrich/Erickson) Motion to approve the July 5, 2022, Meeting Minutes. All present voted aye. **MOTION CARRIED.**

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

Bartley requested addition of discussion and possible motion to reconsider a previous action.

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

Chad Ford would recuse from vote on 2022var015, Neil Trooien and Brian Gatzke would recuse from vote on 2022plat019.

APPROVAL OF AGENDA

(Vanderwal/Trooien) Motion to approve the agenda for the August 2, 2022 Meeting. All present voted aye. **MOTION CARRIED.**

CONVENE AS BROOKINGS COUNTY PLANNING & ZONING COMMISSION

CONSIDERATION OF PLATS

2022PLAT013

For property described as "Plat of Lot 1 of Suhr Addition in the SW1/4 of Section 4, T109N, R48W of the 5 P.M., Brookings County, South Dakota." Submitted by the Suhr family to plat off 60.8 acres of farm ground, due to the irregular shape. Access will be off 480th Ave or 215th St, both are Parnell Township gravel roads.

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

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2022PLAT014

For property described as “Plat of Lot 1 of Suhr Addition in the SE1/4 of Section 5, T109N, R48W of the 5th P.M., Brookings County, South Dakota.” Submitted by the Suhr family to plat off 48.7 acres of farm ground, due to the irregular shape. Access will be off 480th Ave, a Parnell Township gravel road.

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

2022PLAT015

For property described as “Plat of Tract 1 of Langland’s Addition in the NW1/4 of Section 32, T111N, R52W of the 5 P.M., Brookings County, South Dakota.” Submitted by John Albrecht to plat off an existing 8.4-acre existing homestead from the 160 acres he owns. The parcel shape is irregular, and access will be off 207th Street (Brookings County black top road #8).

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

2022PLAT016

For property described as “Plat of Lot 47A of the First Addition of Lake Poinsett Heights Subdivision in Lot 2, Section 5, T112N, R52W of the 5th P.M., Brookings County, South Dakota.” Submitted by Tim Bjorklund and John Haines to re-plat their existing lot down to the shoreline. Lake Poinsett Heights First Addition was originally platted on September 1, 1922.

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

2022PLAT017

For property described as “Plat of Blocks 1, 2, 3 & 4, Langum Addition in the Southwest ¼ and West ½ of the Southeast 1/4 of Section 18, T109N, R51W of the 5th P.M., Brookings County, South Dakota.” Submitted by Donald C. Langum to plat off a 5.58-acre existing homestead (Block 1), 143.95 acres of farmland and pasture/grassland (Block 2), 57.08 acres of pasture/grassland (Block 3), and 16.95 acres of pasture/grassland (Block 4). No residence can be built on Block 4 as it is less than the required 35 acres. The shape of the parcels is irregular, access will be off 460th Ave and 217th St, Oslo Township gravel roads.

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

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2022PLAT018

For property described as “Plat of Block 1, Jensen Second Addition in the Northwest 1/4 of Section 9, T109N, R48W of the 5th P.M., Brookings County, South Dakota.”

Submitted by Lawrence Jensen to plat off 68.16 acres, an irregular shaped area of farm ground with a railroad going through. Access will be off 480th Ave a Parnell Township gravel road.

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

Neal Trooien and Brian Gatzke recused themselves.

2022PLAT019

For property described as “Plat of Block 1, Inger Addition in the Northwest 1/4 of Section 7, T112N, R47W of the 5th P.M., Brookings County, South Dakota.” Submitted by Trooien family to plat off 81.61 acres of farm ground and pasture/grassland. The 81.61 acres is irregular shaped and located in three separate parcels. Access will be off 197th St (Brookings County black top road #40).

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

Neal Trooien and Brian Gatzke resumed their seats.

2022PLAT020

For property described as “Plat of Lots 1B and 1C of Goodfellow Addition in the N1/2 of the NE1/4 of Section 18, T111N, R51W of the 5th P.M., Brookings County, South Dakota.” Submitted by Vance Goodfellow to subdivide 35.5 acres he owns into Lot 1B – 32.1 acres, in the agricultural district, not a buildable site as doesn’t meet the 35 acres requirement and Lot 1C - 3.4 acres, in the Lake Park District.

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

2022PLAT021

For property described as “Plat of Tract 1 of BMU WTP Addition in the NW1/4 and the SW1/4 of Section 20, T110N, R49W of the 5th P.M., Brookings County, South Dakota.” Submitted by Brookings Municipal Utilities to replat Lot 1 of Hansens Addition in the NW1/4 Exc Lot H-1 and H-2 of Section 20, T110N, R49W and Lot 1 of CKS Partners Addition in the SW1/4 of Section 20, T110N, R49W into one plat. Combining the two plats was a stipulation, when Lot 1 of CKS Partnership was approved. The combined plat has highway access is off 34thAve. This will be the future site of the Brookings Municipal Utilities Water Treatment Plant.

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

2022PLAT022

For property described as “Plat of Lot 1 of Smallfield Addition in the NE1/4 of Section 7, T109N, R47W of the 5th P.M., Brookings County, South Dakota.” Submitted by the Smallfield Family Trust to plat off an irregular shaped 37.5-acre parcel containing an existing farmstead and farm ground from the 159 acres they own.

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

2022PLAT023

For property described as “Plat of Lots 1 and 2 of Cooper Addition in Government Lots 4, 5, 6, and 7 of Section 6, T110N, R50W of the 5th P.M., Brookings County, South Dakota.” Submitted by James A. Cooper to plat off irregular shaped parcels; Lot 1 is a 20-acre existing building site and Lot 2 contains 87.8 acres of grassland.

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

2022PLAT024

For property described as “Plat of Lot 1 of Risty Farms Addition in Government Lot 3 and the S1/2 of the NW1/4 of Section 4, T109N, R52W of the 5th P.M., Brookings County, South Dakota.” Submitted by Risty Farms Inc to plat off Lot 1, a 36.2-acre irregular shaped grassland parcel that contains a historical building site. The parcel is a buildable site as it is larger than the required 35 acres.

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

CONVENE AS BROOKINGS COUNTY BOARD OF ADJUSTMENT

Chad Ford recused himself. Darrell Kleinjan assumed chairperson role.

2022VAR015

Application by Richard Ford for a variance. Article 11.00: Section 11.01 “A” Agricultural District: Area Regulation # 2: Front Yard: The minimum depth of the front yard shall be one hundred (100) feet. A corner lot will have two front yards. The property is described as: “SE1/4 of Section 21, T112N, R51W (Preston Township)” ~~ located at 46272 200th St, Bruce, SD 57220.

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

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STAFF REPORT: Applicant is requesting a front yard variance to build a 60 x 128 x 20 machine shed 80 feet from the center of 200th Street, a variance of 53 feet. Required front yard setback is 133 feet. Report noted: 1) Considerations: location of existing grain bins, a shed and a driveway to a feed lot that is located on the east side of the existing trees, keep the applicant from meeting setback requirements. Public notices were published in the Brookings Register on July 19 & 26, 2022 and the Volga Tribune on July 21 & 28, 2022. Letters were sent to adjoining landowners, Preston Township Chairman and Clerk.

PUBLIC HEARING: Applicant Chad Ford in place of Richard Ford informed those present if the shed was moved farther north it would affect the feedlot area.

Proponents: Haugen presented comment received from Preston Township noting no objections to 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 Diedrich and placed on file.

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

Chad Ford resumed his seat as Chairman.

DISCUSSION ON RECONSIDERATION OF A MOTION.

Bartley asked that the board discuss and consider making a motion to reconsider or rescind the following motion – “Motion to amend the proposed map that the northern boundary of the Joint Jurisdictional area be brought back to original border as noted in yellow highlight on presented map.”

Brian Gatzke removed himself from the board, noting conflict of interest and left the room.

DISCUSSION: Board members discussed options to reconsider or rescind. No action was taken.

TRAINING BY FIRST DISTRICT ASSOCIATION OF LOCAL GOVERNMENTS

Luke Muller presented a short training session using a PowerPoint and handouts to the board members regarding Conflict of Interest/Ex parte Communication. Information given to the board was placed on file.

DEPARTMENT REPORTS

Haugen asked the board for their input regarding building permits that would be issued to those that lost structured during the May 2022 Derecho and wished to rebuild. Questions ask: 1) If and applicant wished to rebuild and the structure would be larger

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than the original lost in the storm, how should fees be handled? 2) Would the structure being rebuild have to be in the same spot our could new structure be in a different location? 1) Board decided fees would be waved on structures up to 10% larger than the original and fees would be required for additional size. 2) Structure could be in the same spot or a different location if setbacks and any floodplain concerns are met. Haugen then asked the board members for thoughts on a past applicant wanting to add trailer to his approved home-based business. Board discussed and it was decided the trailers would be used to haul the site manufactured equipment that was approved through the conditional use so no new application would be required. Haugen noted he had attended an open house hosted by Dakota Layers and presented a short photographic presentation.

ADJOURN

(Diedrich/Vanderwal) Motion to adjourn. All present voted aye. **MOTION CARRIED.**
Chair Ford adjourned the meeting at 10:00 PM.

Rae Lynn Maher
Brookings County
Development Department