Board of Adjustment
Brookings, South Dakota
May 15, 2014

OFFICIAL MINUTES

Chairperson Shawn Storhaug called the Board of Adjustment meeting to order on Thursday, May 15, 2014, at 5:00 PM in the Chambers Room at the City & County Government Center. Members present were Jere Hieb, Mary Kidwiler, Mary O'Neill, alternate Lynn Mennis, and Storhaug. Others present were Mike McClemans, Steve & Tricia Wilkins, Steve Jorenby, and Planning and Zoning Administrator Dan Hanson.

Item #1 – (Kidwiler /O'Neill) Motion to approve the minutes of the May 1, 2014 meeting. All present voted aye. **MOTION CARRIED**.

Item #2 – (O'Neill /Mennis) Motion to approve the agenda. All present voted aye. **MOTION CARRIED**.

Item #3 – Sunny Ridge, Inc. has made a request for a variance on Lot 9, Block 10, McClemans Addition, also known as 1624 9th Ave S. The request is to build 3.3 feet from the side lot line. The required setback is seven feet (7') in this residential district.

(Kidwiler /Hieb) Motion to approve the request. All present voted aye. **MOTION CARRIED.**

Item #4 – Stephen and Tricia Wilkins have made a request for a variance on Lot 3, Block 1, Esther Heights Addition, also known as 2221 David Cove. The request is to construct a four foot (4') high fence, 4.6 feet from the front lot line abutting a collector street. The required setback is thirty feet (30') in this residential district.

(Kidwiler /Mennis) Motion to approve the request. Hieb, Kidwiler, O'Neill, and Storhaug voted aye. Mennis voted no. **MOTION CARRIED.**

Item #5 – Steven R. Jorenby has made a request for three variances on Block 2, excluding the N214'thereof, Thelen Addition, also known as 1539 32nd Avenue. The first request is to establish 960 square feet of signage for freestanding signs. The maximum permitted signage is 800 square feet on this lot. The second request is to establish 960 square feet of signage along the I-29 street frontage. The maximum permitted is 478 square feet. The third request is to erect two freestanding signs, each with 480 square feet of area. The maximum permitted size is 160 square feet each.

(Mennis/Hieb) Motion to approve the first request. All present voted no. **MOTION FAILED.**

(Kidwiler/O'Neill) Motion to approve the second request. All present voted no. **MOTION FAILED.**

(O'Neill/Kidwiler) Motion to approve the third request. All present voted no. **MOTION FAILED.**

The meeting was adjourned.

Dan Hanson, Secretary
Planning & Zoning Administrator

Shawn Storhaug, Chairperson

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OFFICIAL SUMMARY

Chairperson Shawn Storhaug called the Board of Adjustment meeting to order on Thursday, May 15, 2014, at 5:00 PM in the Chambers Room at the City & County Government Center. Members present were Jere Hieb, Mary Kidwiler, Mary O'Neill, alternate Lynn Mennis, and Storhaug. Others present were Mike McClemans, Steve & Tricia Wilkins, Steve Jorenby, and Planning and Zoning Administrator Dan Hanson.

Item #3 – Mike McClemans, owner of the property, stated that the house was build in 2007 with no deck off the patio doors. In 2008, a previous owner had received a variance to build a deck from the patio doors into the side yard setback but the deck was never built. The variance expired in 2011. He felt there were limited options for locating the deck on the lot based on how the house was originally placed on the parcel. He added that three other neighbors in the area received variances in 2008 to build decks into the setback.

Storhaug asked what the changes were from the 2008 request to this request. Hanson replied that a 4 foot wide walkway was added alongside the house toward the rear yard. O'Neill asked if the deck could be placed on the north side of the house. McClemans answered that the north side had two bedrooms and a hallway. Hieb felt the house plan was the wrong plan for the lot and the variance request was really due to poor planning on the part of the builder. McClemans agreed but he remarked that he was not the builder and was only trying to resolve the issue by applying for a variance. He felt there was a hardship since there was no other place on the lot to build the deck.

Item #4 – Tricia Wilkins stated she wanted to install a 4 foot high chain link fence near Western Avenue. Their house faced David Cove and she considered that side of the lot as the front yard. The fence would protect her children since Western Avenue was a busy street.

O'Neill asked why the fence could not be set back 30 feet as required by ordinance. Wilkins felt the yard area would be very small and would be quite close to their deck. Storhaug asked what the future plans were for Western Avenue. Hanson replied that the street would be converted to an urban street at some point. It would then have curb and gutter, a boulevard, and a sidewalk instead of the rural ditch. If granted, the fence would be about 5 feet from the future sidewalk. Storhaug noted that the house to the south faced Western Avenue and had a driveway onto that street. He inquired if there could be any sight issues. Wilkins responded that the fence would be chain link so you could see through it. Storhaug asked if slats would be placed in the fence. Wilkins said no, only an open chain link design.

Item #5 – Steve Jorenby stated he wanted to place two 12' X 40' freestanding signs along the interstate so he could rent space on the signs to the businesses that leased from him. Storhaug asked what the reasoning was for two signs of this size? Jorenby stated there were trees that

obstructed the view. He added that higher speeds required larger signs. Storhaug asked if other sign sizes were explored. Jorenby answered that other signs in town were the same size as his proposed signs so he felt his request was appropriate. Hanson noted that there were other larger signs in Brookings but they all predated the current sign ordinance. Therefore, they were considered legal, nonconforming signs. The largest sign allowed by ordinance was 240 square feet and that was in the Business B-4 District and the Ag District. Jorenby's lot was in the Business B-3 District

The meeting was adjourned.

Dan Hanson, Secretary
Planning and Zoning Administrator

Shawn Storhaug, Chairperson