Board of Adjustment
Brookings, South Dakota
August 21, 2014

OFFICIAL MINUTES

Chairperson Shawn Storhaug called the Board of Adjustment meeting to order on Thursday, August 21, 2014, at 5:00 PM in the Chambers Room at the City & County Government Center. Members present were Mary Kidwiler, Mary O'Neill, alternate Lynn Mennis, and Storhaug. Jason Hoffelt, Jere Hieb and alternate Eric Youmans were absent. Others present were Marvin and Kayleen Bleeker, Duane Kendall, Sig Johnson, Kent Benthin, Planning and Zoning Administrator Dan Hanson, and others.

Item #1 – (Mennis/O'Neill) Motion to approve the minutes of the August 7, 2014 meeting. All present voted aye. **MOTION CARRIED**.

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

Item #3 – Marvin Bleeker has made a request for a variance on Lot 2B, Block 8, McClemans Addition, also known as 718 19th Street South. The request is to build an addition three feet (3') from the east side lot line. The required setback is seven feet (7') in the Residence R-3A District.

(Kidwiler/Mennis) Motion to approve the variance as presented. 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, August 21, 2014, at 5:00 PM in the Chambers Room at the City & County Government Center. Members present were Mary Kidwiler, Mary O'Neill, alternate Lynn Mennis, and Storhaug. Jason Hoffelt, Jere Hieb and alternate Eric Youmans were absent. Others present were Marvin and Kayleen Bleeker, Duane Kendall, Sig Johnson, Kent Benthin, Planning and Zoning Administrator Dan Hanson, and others.

Item #3 – Marvin Bleeker stated that he did hobby work and would use the garage stall to back his vehicle in to load his scooter due to his disability. Mennis asked if a 10 foot wide stall was too narrow for what Bleeker wanted to do. Bleeker replied yes but 12 feet was possible. Mennis asked if outbuildings were permitted on the lot. Bleeker responded yes. Kayleen Bleeker stated her husband was disabled and he enjoyed his hobby because it gave him something to do.

Duane Kendall, a neighbor at 726 19th St. So., felt building 3 feet from the lot line was too close. The required setback of 7 feet should be maintained. This would keep the building setbacks uniform throughout the neighborhood. Sig Johnson, 734 19th St. So., stated he was president of the Homeowners Association and all the members opposed the request. He felt the applicant should have known the zoning rules before he purchased the property. He felt the resale value of his property could be negatively impacted by the proposed encroachment.

Kent Benthin, 1927 7th Ave. So., opposed the request. He calculated that the variance would result in a 60 % reduction in the required setback. He felt a careful consideration was necessary since the Board would create a precedence and open the door for similar variances in the neighborhood in the future.

Mennis felt, with the slope of the land in the area, drainage issues could occur with building within 3 feet of the lot line. He inquired as to why a 10 foot stall width was too narrow? Bleeker responded that the existing outside wall of the garage was a bearing wall and had to stay. Therefore, more width was needed. Mennis remarked that a beam could replace the wall and allow for more space.

Kendall commented that there were several other options available to the applicant without encroaching into the side yard setback. Kayleen Bleeker agreed but reiterated that her husband's disability affected his mobility.

The Board noted that they had received a letter from Bruce and Lori Westergaard, 1923 7th Ave. So., opposing the request. Westergaard felt a 3 foot setback was too close given the existing spacing of buildings throughout the neighborhood. He also felt a precedence could be set for future variances that would impact the views from other neighboring properties.

The meeting was adjourned.

Dan Hanson, Secretary
Planning and Zoning Administrator

Shawn Storhaug, Chairperson