Board of Adjustment
Brookings, South Dakota
September 18, 2014

OFFICIAL MINUTES

Vice-chairperson Jere Hieb called the Board of Adjustment meeting to order on Thursday, September 18, 2014, at 5:00 PM in the Chambers Room at the City & County Government Center. Members present were Mary Kidwiler, Mary O'Neill, a-Lynn Mennis, a-Eric Youmans and Hieb. Storhaug and Hoffelt were absent. Others present were Donna Rudebusch, Richard Helsper, Chad Borchard, Herb Hoard, Planning and Zoning Administrator Dan Hanson, and others.

Item #1 – (Kidwiler/Mennis) Motion to approve the minutes of the September 4, 2014 meeting. All present voted aye. **MOTION CARRIED**.

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

Item #3 – Richard L. Rudebusch has made a request for a variance on Lot 2, Block 1, East Medary Addition, also known as 1021 Vine Street. The request is to build an addition 22 feet from the front lot line. The required setback is 30 feet in this Residence R-1B district.

(Kidwiler/Mennis) Motion to approve the variance as presented. All present voted aye. **MOTION CARRIED.**

Item #4 – Richard J. and Mary A. Helsper have made a request for a variance on Lots 7 and 7A, Block 13, Brookdale Addition, also known as 708 Park Avenue. The request is to construct a 6 foot high fence 40 feet north of the south front lot line. The maximum allowed fence height in the front yard of a residential lot is 30 inches.

(Mennis/Youmans) Motion to approve the variance as presented. All present voted aye. **MOTION CARRIED.**

Item #5 – Six-Mile Nursery, LLC has made a request for two variances on Block 2, Voss First Addition, also known as 900 W Highway 14. The first request is to build a commercial structure 27 feet from a residential district boundary line. The required setback is 50 feet. The second request is to build 8 feet from the east rear lot line. The required setback is 50 feet.

(Mennis/Youmans) Motion to approve the first variance as presented. All present voted aye. **MOTION CARRIED.**

(Mennis/O'Neill) Motion to approve the second variance as presented.

(Mennis/Youmans) Amendment to the motion to strike out "eight feet (8')" and insert "fifteen feet (15')". All present voted aye. **AMENDMENT CARRIED.**

The motion, as amended, was voted on. All present voted aye. **MOTION CARRIED.**

Item #6 – Cadence Construction, LLC has made a request for a variance on Lot 3, Block 11, Bluegill Addition, also known as 1800 23rd Street South. The request is to build a deck 22 feet from the rear lot line. The required setback is 25 feet in this residential district.

(Kidwiler/Mennis) Motion to approve the variance as presented. All present voted aye. **MOTION CARRIED.**

The meeting was adjourned.

Dan Hanson, Secretary
Planning & Zoning Administrator

Jere Hieb, Vice-chairperson

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OFFICIAL SUMMARY

Vice-chairperson Jere Hieb called the Board of Adjustment meeting to order on Thursday, September 18, 2014, at 5:00 PM in the Chambers Room at the City & County Government Center. Members present were Mary Kidwiler, Mary O'Neill, a-Lynn Mennis, a-Eric Youmans and Hieb. Storhaug and Hoffelt were absent. Others present were Donna Rudebusch, Richard Helsper, Chad Borchard, Herb Hoard, Planning and Zoning Administrator Dan Hanson, and others.

Item #3 – Donna Rudebusch stated they were proposing to build a roofed, front porch with open sides onto the front of the house. They would have two sets of steps for access. She added that her two adjacent neighbors supported her request.

Hanson indicated that the subdivision was under development in the mid 1960s when new zoning regulations were adopted. The new regulations required a 5 foot greater setback than what was allowed for many existing houses in the neighborhood. Therefore, 25 feet was a common front yard setback in the area.

Item #4 – Richard Helsper stated he was proposing to build a 5 ½ foot high fence along the west lot line. His neighbor did not object to the request. The fence would only be erected to within 40 feet of the front lot line along 8th St. So. Hanson noted that Helsper's house was set back about 80 feet from the south property line so the front yard area was larger than a typical residential lot.

Item #5 – Chad Borchard, owner of Six-Mile Nursery, stated he bought the land in 2012. At that time the land to the east was in the Industrial I-1 District and the land to the north was being redeveloped. His business plan was to develop a nursery with mostly growing areas and very few buildings. Borchard noted that the property contained 1 ½ acres and was triangular in shape. This made it difficult to maneuver vehicles and trailers on the lot. He added that he preferred to keep the traffic circulation on the interior part of the parcel.

The shade structure Borchard was proposing on the north end of the lot would be located 27 feet from the residential district line.

Hieb asked how the structure would be designed. Borchard replied that it would 14 feet high and consist of posts and framework only. The top would have a screen for shading the plants below. The floor would be pea gravel. He remarked that trees would be planted in the area north of the structure.

Borchard stated he was proposing to build a new greenhouse and retain the existing greenhouse on the east side of the lot. The buildings would not be utilized year round and his plants were not for retail sales. His operation was geared mostly for selling his products to wholesale or commercial businesses. Mennis asked how high the greenhouses would be. Borchard replied 14 feet. Kidwiler asked if landscaping was planned to the east of the buildings. Borchard responded that he would landscape the 15 foot wide area. He added that preliminary plans for the redevelopment of the parcel to the east showed the nearest apartment building to be 96 feet from his greenhouses. Kidwiler asked if moving the greenhouses 5 feet to the west would pose a problem. Borchard felt it

would impact the traffic circulation area primarily for semis that would need to turn around on his lot.

Item #6 – Herb Hoard, representing Cadence Construction, stated there was confusion about the setback requirements on his lot when he submitted his house plans. The required front yard setback was five feet greater than what he thought so the deck on the back of the house encroached into the rear yard setback.

Hieb asked if he was modifying his plans for other lots he owned in the area so this issue would not come up again. Hoard replied yes.

The meeting was adjourned.

Dan Hanson, Secretary
Planning and Zoning Administrator

Jere Hieb, Vice-chairperson