Board of Adjustment
Brookings, South Dakota
November 6, 2014

OFFICIAL MINUTES

Vice-Chairperson Jere Hieb called the Board of Adjustment meeting to order on Thursday, November 6, 2014, at 5:00 PM in the Chambers Room at the City & County Government Center. Members present were Jason Hoffelt, Mary Kidwiler, Mary O'Neill, alternate Eric Youmans and Hieb. Shawn Storhaug and alternate Lynn Mennis were absent. Others present were Jay Bender, Jace Arndt, Kelli Plymate, Brett Behrends, Gary Mork, Planning and Zoning Administrator Dan Hanson, and others.

Item #1 – (Kidwiler/O'Neill) Motion to approve the minutes of the October 16, 2014 meeting. All present voted aye. **MOTION CARRIED**.

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

Item #3 – Falcon Plastics, Inc. has made a request for a variance on Block 4, Telkamp Industrial Addition, also known as 3300 Prince Drive. The request is to establish a 4th access drive onto Prince Drive. The maximum permitted is 3.

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

Item #4 – Jace Arndt and Kelli Plymate have made a request for a variance in the NW ¼ of Section 6-T109N-R49W, also known as 105 Wagon Wheel Circle in Western Estates Mobile Home Park. The request is to locate a mobile home 14.4 feet from an adjacent mobile home. The required separation is 15 feet.

(O'Neill/Hoffelt) Motion to approve the request as presented. All present voted aye. **MOTION CARRIED.**

Item #5 – Brett Behrends has made a request for a variance on Lot 5, Block 5, East Acres Second Addition, also known as 1630 Elmwood Drive. The request is to establish accessory buildings with 1,156 square feet of floor area. The maximum allowed is 1,000 square feet on a residential lot.

(Hoffelt/Youmans) Motion to approve the request as presented. Kidwiler and Youmans voted aye. O'Neill, Hoffelt, and Hieb voted no. **MOTION FAILED.**

Item #6 – Gary and Melissa Mork have made a request for two variances on Sublot C and the E1/2 of Sublot B on Lot 1, Block 14, Morehouse Addition, also known as 809 Harvey Dunn Street. The first request is to build 21 feet from the rear lot line. The minimum required setback is 25 feet. The second request is to build 5 feet from the east side lot line. The minimum required setback is 7 feet.

(Hoffelt/Kidwiler) Motion to approve both variance requests.

(Youman/Kidwiler) Amendment to the motion to strike out "5 feet" and insert "2.5 feet". All present voted aye. **AMENDMENT CARRIED.**

The motion, as amended, was voted on. 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, November 6, 2014, at 5:00 PM in the Chambers Room at the City & County Government Center. Members present were Jason Hoffelt, Mary Kidwiler, Mary O'Neill, alternate Eric Youmans and Hieb. Shawn Storhaug and alternate Lynn Mennis were absent. Others present were Jay Bender, Jace Arndt, Kelli Plymate, Brett Behrends, Gary Mork, Planning and Zoning Administrator Dan Hanson, and others.

Item #3 – Jay Bender, President of Falcon Plastics, stated that an additional access drive onto Prince Drive was needed due to the expansion of the factory, the increase in traffic that would occur on 34th Avenue after it was improved, and for safety reasons. He anticipated that 7-8 trucks per day would use the driveway and up to 20 per day in the future. The proposed driveway would also be used when 34th Avenue was under construction. The proposed driveway would be the only one that could access loading docks on the east side of the building. Kidwiler asked how many access drives existed along the north side of Prince Drive. Bender replied two for a vending company and one for a construction company.

Item #4 – Arndt stated he was not involved with moving the mobile home onto the lot. The set-up of the mobile home on the lot was determined by the court owner and the moving company. The markers that indicated where the mobile was supposed to be located were set incorrectly and he was not made aware of the city's separation requirements. He noted that the mobile home was a double-wide home which would have to be split and repositioned if the variance was denied. Kidwiler verified that the encroachment involved about 8 inches. Hanson replied yes. Kidwiler asked if the current location would violate any fire codes. Hanson replied no.

Item #5 – Behrends stated that the proposed accessory building had a floor area of just under 1,000 square feet. He also had an existing shed on the property that was 6' X 24' in size. He could remove the shed but preferred not to since it provided a privacy screen between his backyard and the street. Kidwiler noted that the building dimensions could be reduced to avoid a variance. Behrends responded that the garage was designed to house vehicles and a boat. He also felt his lot was oversized so a larger building was appropriate. O'Neill asked if a fence could be erected to replace the existing shed. Behrends replied yes, but he preferred to keep the shed. Hoffelt noted that a 5 foot reduction in the length of the proposed garage would allow Behrends to comply with the zoning regulations.

Item #6 – Gary Mork addressed the rear yard variance request first. The current detached garage was about 17 feet from the rear lot line. However, the future attached garage would be 21 feet from the rear lot line.

Mork stated that determining the actual side lot line variance that was needed was complicated by the absence of any property corners along the east lot line. He felt the current detached garage was about 2 feet from the east side lot line. Therefore, he asked the Board to consider amending the

variance request to allow a 2.5 foot setback instead of the original 5 foot setback. This would allow him to use the existing driveway from Harvey Dunn Street to access his new garage.

Hoffelt noted that the house was built 49 feet from the front lot line. The required setback in this district was currently 25 feet. Hanson remarked that the Mork house and an adjacent house were setback further back on the lot when they were constructed many years ago. Youmans supported amending the second variance due to the existing driveway location.

The meeting was adjourned.

Dan Hanson, Secretary
Planning and Zoning Administrator

Jere Hieb, Vice-Chairperson