

Board of Adjustment

2016 Annual Report

PURPOSE

The Board of Adjustment is a quasi-judicial board that may, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions or grant variances to the regulations in the zoning ordinance.

PROGRAMS AND SERVICES

The Board of Adjustment hears appeals by any person who is seeking relief from the strict application of the zoning regulations. In reviewing an application, the Board of Adjustment may, in conformity with state law, reverse, modify, or affirm, wholly or partly, the regulation(s) set forth in the zoning ordinance. The concurring vote of three-fourths of the members of the board is necessary to decide in favor of the applicant or to effect any variation in the zoning ordinance.

PERFORMANCE MEASUREMENT

The Board of Adjustment generally holds meetings on the first and third Thursdays of each month. In 2016, the Board held 18 meetings and acted on 60 separate variance requests.

The following variance requests were received for consideration:

1. 11 – erecting a larger freestanding sign
2. 8 – building closer to the front lot line
3. 8 – building closer to the side lot line
4. 7 – erecting a higher fence on a residential lot
5. 6 – installing a wider driveway/curb cut
6. 4 – landscaping requirements
7. 4 – erecting a larger wall sign
8. 2 – building closer to the rear lot line
9. 2 – installing an additional access drive
10. 2 – constructing a larger accessory building
11. 2 – lot size/frontage
12. 1 – each for
 - a. parking reduction
 - b. height of sign
 - c. allowing menu board signage
 - d. allowing front yard parking for a residential use

The Board of Adjustment approved 48 variance requests, modified and approved 7 requests, and denied 5 requests.

EXPENDITURE REPORT

Funding and staff time associated with the Board of Adjustment is budgeted through the Community Development Department.

GOALS AND OBJECTIVES FOR 2017

The Board of Adjustment strives to apply the regulations established in the zoning ordinance and the powers afforded them through state law to produce consistent decisions. The requested variances involved 16 different land use regulations within the zoning ordinance. Many setback variances were for properties with older homes or for placing a home on an existing foundation. The majority of sign variances were for the Brookings Health Systems.

Goals and objectives for 2017 include the following:

1. Take a field trip to observe the impact of approved variances on adjoining properties.

NEEDS

The Board of Adjustment has requested information showing how often other similar boards in the area meet and their approval rates. In addition, the Board requested a copy of the bylaws for each member.