

BROOKINGS COUNTY PLANNING & ZONING COMMISSION

BROOKINGS CITY & COUNTY GOVERNMENT CENTER
520 3rd St, 310 Chambers, Brookings, SD 57006

AGENDA

Brookings County Planning & Zoning Commission meetings are still open to the public and we will be enforcing the 10 or less guideline and social distancing. If you would like to attend this meeting, please call the County Development Office by NOON on Friday, May 1, 2020 to make arrangements for entry into the building. If you would like to call in, dial 605-697-8255 and enter code 6056968205 when prompted. Please, if you have any symptoms of COVID-19 or believe you may have been exposed, consider watching the meeting from home broadcast live on Swiftel channel 19, ITC channel 168, or the Brookings County Youtube channel, and call in if you have any comments or questions.

1. **Call to Order - 8:00 PM on Tuesday, May 5, 2020**

2. **Approval of Minutes.**

Approval of Minutes from April 7, 2020 Meeting.

Documents:

[April 7, 2020 DRAFT PZ Minutes_4-14-2020.pdf](#)

3. **Items to be Added to Agenda by Commission Members or Staff**

4. **Invitation for Citizens to Schedule Time on the Commission Agenda for an Item Not Listed**

Anyone wanting to speak during this agenda item must sign in prior to the start of the meeting. Any requested action items must be scheduled for a future meeting date.

(Time limited to 5-minutes per person to address the commission.)

5. **Disclosure of Conflicts of Interest: Relationship(s) to Applicant; or Ex Parte Communication**

6. **Approval of Agenda**

7. **Convene as Brookings County Planning and Zoning Commission**

8. **Consideration of Plats**

9. **Convene as Brookings County Board of Adjustment**

(The Board of Adjustment needs 2/3 approval of the full board to approve any agenda item.)

10. **2020var002**

Thomas A. Tofte for Tofte Brothers, LLC has made an application, 2020var002, to the Brookings County Board of Adjustment for a variance. Article 11.00: Section 11.01 "A" Agricultural District: Area Regulation # 2: Front Yard: The minimum depth of the front yard shall be one hundred (100) feet. A corner lot will have two front yards. The property is described as: "S1/2 S1/2 SE1/4 of Section 9, T109N, R51W (Oslo Township)".

Documents:

[2020var002 Application.pdf](#)
[2020var002 Beacon Map.pdf](#)
[2020var002 Staff Report.pdf](#)

11. 2020var003

Mary C Walkes has made an application, 2020var003, to the Brookings County Board of Adjustment for a variance. Article IV District Requirements: Chapter 4.03 "LP" Lake-Park District: Section 4.03.03. Density, Area and Yard Regulation (Minimum Lake Front). The property is described as: "Lot 28 and the E 20' of Lot 29 in Marvin Wade's Subdivision of Govt Lots 1, 2 and 3 in the NE1/4 of Section 6, T112N, R52W (Laketon Township)" ~~ located at 228 S Lake Dr, Arlington, SD 57212.

Documents:

[2020var003 Application.pdf](#)
[2020var003 Beacon Map.pdf](#)
[2020var003 Staff Report.pdf](#)

12. Department Reports

13. Executive Session, if Necessary.

14. Adjourn

15. Public Notices

Brookings County Zoning Office * Brookings City & County Government Center * 520 3rd Street, Suite 200 * (605) 696-8350 * www.brookingscountysd.gov

BROOKINGS COUNTY PLANNING & ZONING COMMISSION
MINUTES OF APRIL 7, 2020 REGULAR PLANNING & ZONING MEETING

The Brookings County Planning & Zoning Commission met at their regular meeting on Tuesday, April 7, 2020. Modified meeting practices were used due to the global pandemic of COVID-19. Attendance for meetings to be via phone or for those in attendance the CDC recommended guidelines were followed in the Commission Chambers. The following members were present: Mike Bartley, Chad Ford, Darrel Kleinjan, Darrell Nelson, Randy Jensen, Kyle Vanderwal and alternate board member Roger Erickson. Members that phoned in were: Michael McHugh, Tom Davis, and alternate board member Spencar Diedrich. Absent was: Terrell Spence. Also present were: Deputy Director Richard Haugen and County Development Director/Emergency Manager Robert Hill.

CALL TO ORDER

Haugen called the meeting to order at 8:01 PM

ITEMS TO BE ADDED TO AGENDA BY COMMISSION MEMBERS OR STAFF.

None added.

ELECTION OF OFFICERS.

Haugen opened up nominations for chairperson.

(Kleinjan/Bartley) Motion to nominate Ford as Chairperson for the rest of 2020.

(Bartley/Kleinjan) Motion to appoint Chad Ford as Chairperson. Roll call vote: Bartley-aye, Davis-aye, Nelson-aye, Kleinjan-aye, Ford-aye, Jensen-aye, McHugh-aye, Vanderwal-aye, Erickson-aye. **MOTION CARRIED.**

(Davis/no second) Motion to nominate Diedrich as Vice Chairperson for the rest of 2020.

(Ford/Bartley) Motion to nominate Kleinjan as Vice Chairperson for the rest of 2020.

(Bartley/Vanderwal) Motion to appoint Darrel Kleinjan as Vice Chairperson. Roll call vote: Davis-aye, Nelson-aye, Kleinjan-aye, Ford-aye, Jensen-aye, McHugh-aye, Vanderwal-aye, Erickson-aye, Bartley-aye. **MOTION CARRIED.**

Haugen turned meeting over to new Chairman Ford.

INVITATION FOR CITIZENS TO SCHEDULE TIME ON AGENDA FOR ITEM NOT LISTED. *Time limited to 5 minutes per person to address the board.*

No one scheduled time to address the board.

DISCLOSURE OF CONFLICTS OF INTEREST

None.

APPROVAL OF MINUTES – (Due to lack of agenda items a March 3, 2020 regular meeting was not held.)

(Bartley/Kleinjan) Motion to approve the February 4, 2020 Meeting Minutes. Roll call vote: Bartley-aye, Davis-aye, Nelson-aye, Kleinjan-aye, Jensen-aye, McHugh-aye, Vanderwal-aye, Erickson-aye, Ford-aye. **MOTION CARRIED.**

APPROVAL OF AGENDA

(Davis/Erickson) Motion to approve the agenda for the April 7, 2020 Meeting. Roll call vote: Nelson-aye, Kleinjan-aye, Jensen-aye, McHugh-aye, Vanderwal-aye, Erickson-aye, Bartley-aye, Davis-aye, Ford-aye. **MOTION CARRIED.**

CONVENE AS BROOKINGS COUNTY PLANNING & ZONING COMMISSION

CONSIDERATION OF PLATS

2020PLAT005

For property described as “Plat of Lot 10 in Block 1 in Paradise Point Addition in Govt. Lot 2, Section 22, T112N, R47W of the 5th P.M., Brookings County, South Dakota.” Submitted by Lake Dreams, LLC. Plat of a re-platted individual lake lot that was originally platted and approved by Zoning Commission on November 1st, 2005.

(Bartley/Kleinjan) Motion to approve the plat. Roll call vote: Jensen-aye, Erickson-aye, McHugh-aye, Bartley-aye, Davis-aye, Vanderwal-aye, Nelson-aye, Kleinjan-aye, Ford-aye. **MOTION CARRIED.**

2020PLAT006

For property described as “Plat of East Water Tower Addition in the E1/2 SE1/4, Exc S880’ Thereof, and Exc N33’ Highway ROW thereof, in Section 23, T110N, R51W of the 5th P.M., Brookings County, South Dakota.” Submitted by Gary W. Jensen. Plat of 1.16 acre parcel that adjoins the south city limits of Volga. Area to be annexed into the City of Volga in the near future. Platting is the first step in preparation for annexation as it gives the property a legal description. If the area is not annexed, a residence cannot be built on the property as it does not meet the size requirement.

(Nelson/Kleinjan) Motion to approve the plat. Roll call vote: Erickson-aye, Bartley-aye, Davis-aye, Nelson-aye, Kleinjan-aye, Jensen-aye, McHugh-aye, Vanderwal-aye, Ford-aye. **MOTION CARRIED.**

2020PLAT007

For property described as “Plat of Lots 1, 2, 3, 4, 5, 6, 7, 8A & 9A in Cedar Pointe Addition in Govt Lot 3 of the NW1/4 Section 28, T109N, R50W of the 5th P.M., Brookings County, South Dakota.” Submitted by Keith Rounds. Plat of Lake-Park District lots that exceed the 20,000 sq. feet lot requirement. The utility easement was increased from the required 10 feet to be 30 feet. Lots 8A and 9A were re-platted to show the increased utility easement.

(Davis/Nelson) Motion to approve the plat. Roll call vote: Bartley-aye, Davis-aye, Nelson-aye, Kleinjan-aye, Jensen-aye, McHugh-aye, Vanderwal-aye, Erickson-aye, Ford-aye. **MOTION CARRIED.**

2020PLAT008

For property described as "Plat of Block 21; Block 22; Block 23; Silverthorne Circle; and Castle Rock Circle of Timberline Addition, in the E1635' of the N1/2 of the NW1/4, Except Clites Addition, and Except the E264' therefor, in Section 34, T110N, R50W of the 5th P.M., Brookings County, South Dakota." Submitted by Gerard and Jean Moriarty. Plat of 20.7 acre parcel making up three tracts that adjoin the Timberline Addition. Application will be submitted to annex area into the City of Brookings in the future. If annexation does not proceed, a residence cannot be built on any of the blocks as they do not meet the acreage size requirement.

(Kleinjan/Vanderwal) Motion to approve the plat. Roll call vote: Vanderwal-aye, Erickson-aye, Bartley-aye, Davis-aye, Nelson-aye, Kleinjan-aye, Jensen-aye, McHugh-aye, Ford-aye. **MOTION CARRIED.**

2020PLAT009

For property described as "Plat of Lot 1 of Richarz Addition in the SE1/4 of Section 35, T109N, R52W of the 5th P.M., Brookings County, South Dakota." Submitted by Marvin Richarz. Plat to divide off 15.0 acres farmstead and building site from the original 158.0 acres they own.

(Vanderwal/Nelson) Motion to approve the plat. Roll call vote: Kleinjan-aye, Nelson-aye, Jensen-aye, Erickson-aye, Bartley-aye, Davis-aye, McHugh-aye, Vanderwal-aye, Ford-aye. **MOTION CARRIED.**

DEPARTMENT REPORTS

Hill announced the Brookings County had 6 COVID-19 cases and 2 of those were now recovered. He urged everyone to follow CDC guidelines. He noted that the county offices were still open but locked with limited public access and the county was following the safe business practices and reducing or modify gatherings to be 10 people or less and maintain social distancing of at least 6 feet. He reminded the elderly and those with health issues to be extra cautious as it is a virus and can be spread before symptoms appear. Hill noted the county would re-evaluate as the May meeting approached.

Haugen noted and welcomed new board member Kyle Vanderwal that took the seat left when Kimberly Elenkiwich resigned from the board. He also noted the office was working on May meeting items and would be monitoring the COVID-19 status and any changes needed regarding meetings.

Bartley noted appreciation to all those in attendance and reminded everyone that there was the option to phone in if anyone wished to do so for future meetings during the health crisis.

ADJOURN

(Bartley) Motion to adjourn. All member voted "aye." **MOTION CARRIED.**
Chair Ford adjourned the meeting at 8:37 PM.

Rae Lynn Maher
Brookings County
Development Department

DRAFT 4-14-2020

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

APR - 6 2020

BROOKINGS
COUNTY DEVELOPMENT

Date of Application: 4/1/2020

Variance Number: 2020VAR 002

To: Brookings County Board of Adjustment
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Board of Adjustment of Brookings County, South Dakota, to grant a Variance to the Brookings County Zoning Regulations for the purpose of:

Pole shed for storage of tree farm.

B.) Section(s) of Zoning Regulations to be exempted:

Article 11.00: Section 11.01 "A" Agricultural District:
Area Regulation #2: Front yard: The minimum depth
of the front yard shall be one hundred (100) feet. A
corner lot will have two front yards.

C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this regulation: that the special conditions and circumstances do not result from the actions of the applicant, and that granting the variance requested will not confer on the applicant, and privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

See Attachment I

D.) Legal Description of Property:

sect
5 1/2 5 1/2 SE 1/4 of 9-109-51 Brookings County SD
(Oslo Twp)
Parcel # 15980-10951-094-00

E.) Time and Date Set for
Hearing before Brookings
County Board of Adjustment.

~~4/11/2020~~ 5-5-2020
Date

8:00 PM
Time

Approved _____

Rejected _____

Date _____

Chairman of Brookings County Board
of Adjustment

Thomas D. Tofto PARTNER
Person filing petition - print

T D Tofto
Person filing petition - sign
Tofto
Brothers,
LLC

4055 South Brady CT
Address

Sioux Falls
City

SD
State

57103
Zip Code

605-351-5207
Telephone

A variance that is granted and not used within three (3) years will be considered invalid.

Section C) – Special Circumstances – Attachment 1

Our site plan proposal is to build a 60' x 88' pole shed for storage and hobby farm (CRP, land rent, pheasants, and tree farm) for this 40 acre parcel. The proposed building site requests a variance of the structure being back 150 foot from the center of the oil road. We are requesting a variance that the most southern end of the structure would be 107 feet from the middle of the road, or a variance of 43 feet. The following hardships would exist if the building could not be located where proposed with the requested variance:

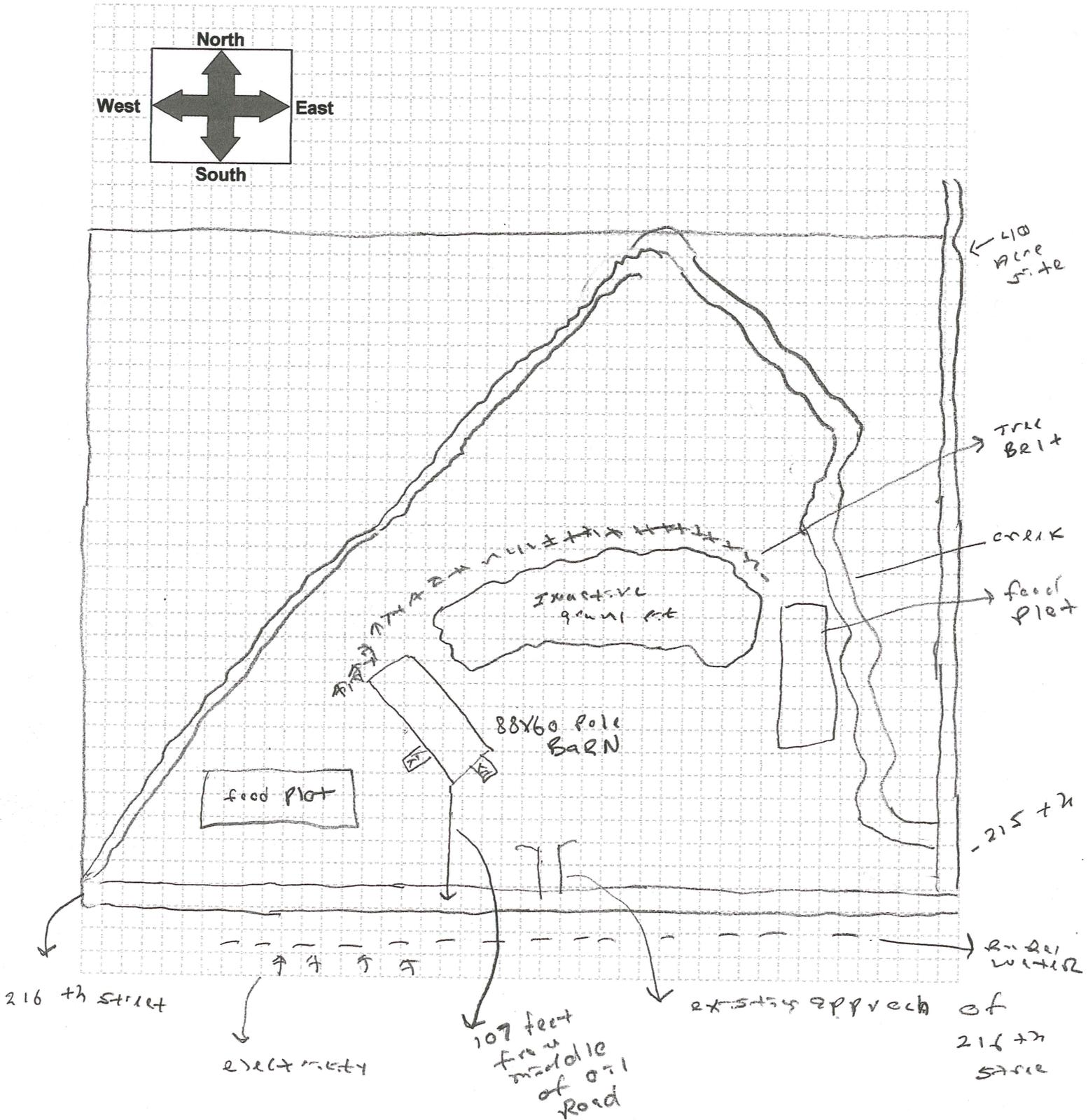
- We cannot build the building straight back as inactive gravel pit exists there. There is also a shelter belt around the gravel pit. While our proposal is to locate the building catty corner to the south west edge of the gravel pit, we would need to remove several trees and complete materially more dirt work (and build much closer to a lower land area creek that goes through the property) to meet the 150 foot set back requirement. Also, utility trenching would be farther.

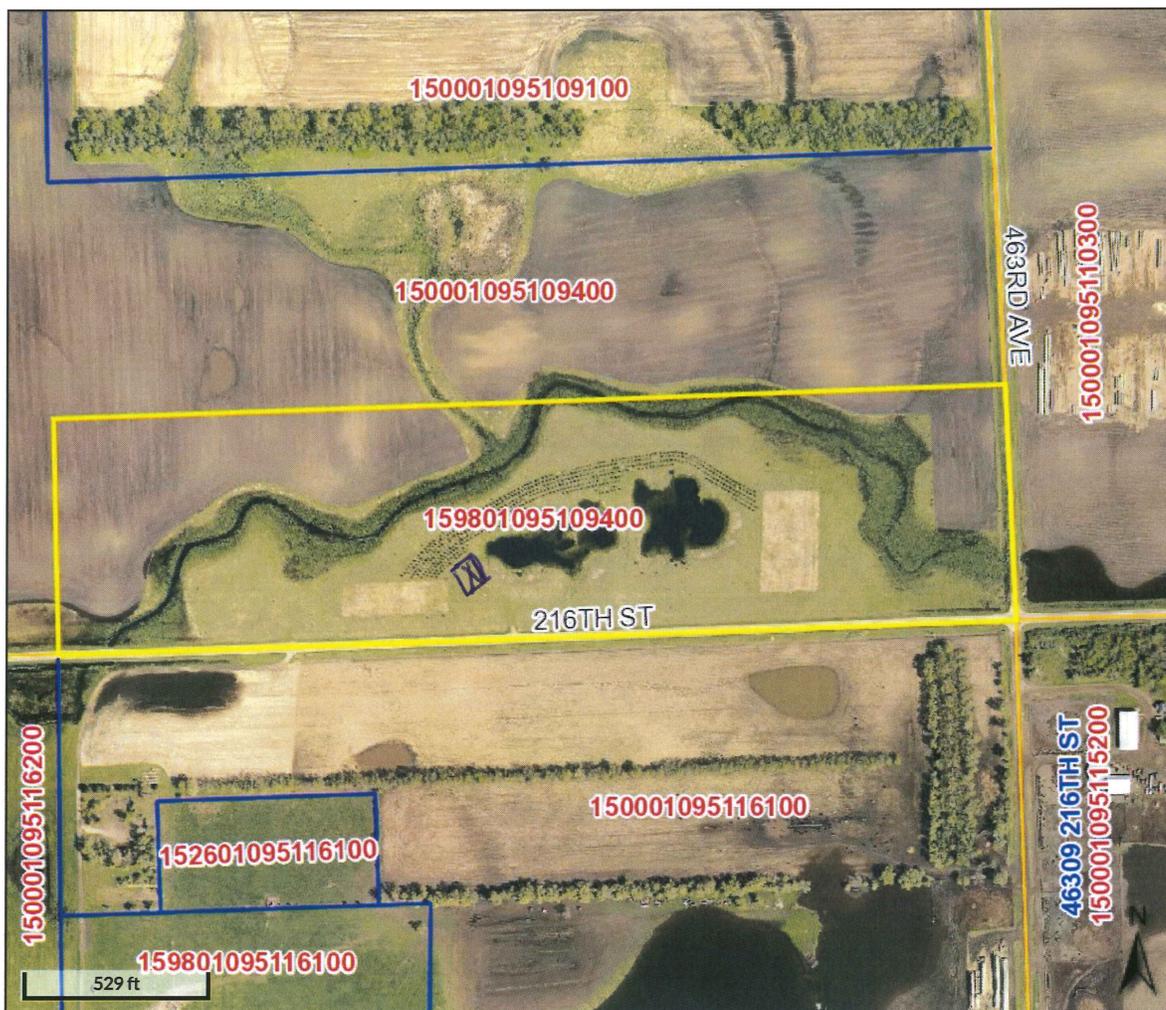
Given the above, we respectfully request a county variance for our proposed building site. Our proposed site does not create any sightline or snowdrift issues. Applicant's verbal discussions with Highway Superintendent Brian Gustad indicated he did not object to our proposal.

2020VAR 002

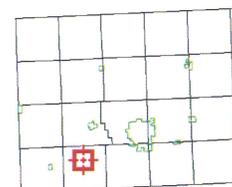
SKETCH

Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.





Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Parcels
- Roads
- Floodplain 2008**
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

Parcel ID	159801095109400	Alternate ID	n/a	Owner Address	TOFTE BROTHERS LLC
Sec/Twp/Rng	9-109-51	Class	AGA		4055 S BRADY CT
Property Address		Acreage	40		SIOUX FALLS SD 57103
District	1505				
Brief Tax Description	S 1/2 OF S 1/2 OF SE 1/4 SEC 09-109-51 40 ACRES				
	(Note: Not to be used on legal documents)				

Date created: 4/6/2020
 Last Data Uploaded: 4/6/2020 8:06:54 AM

Developed by Schneider
 GEOSPATIAL

BROOKINGS COUNTY DEVELOPMENT

Planning, Zoning and Drainage / Emergency Management
Brookings City & County Government Center
520 3rd Street, Suite 200
Brookings, SD 57006
(605) 696-8350

E-Mail: zoning@brookingscountysd.gov

Brookings County Board of Adjustment
May 5, 2020 – 8:00 PM meeting

2020var002 – May 5, 2020

Prepared by Richard Haugen, Brookings County Development Deputy Director

Applicant: Thomas A. Tofte for Tofte Brothers, LLC, 4055 South Brady CT, Sioux Falls, SD 57103.

Site: “S 1/2 S 1/2 S 1/4 of Section 9, T109N, R51W (Oslo Township).”

Legal Description: “S 1/2 S 1/2 S 1/4 of Section 9, T109N, R51W (Oslo Township).”

Article 11.00: Section 11.01 “A” Agricultural District: Area Regulations # 2: Front Yard: The minimum depth of the front yard shall be one hundred (100) feet. A corner lot will have two front yards.”

2020var002: Thomas A. Tofte for Tofte Brothers LLC. Has applied for a variance to build a 60 feet x 88 feet pole shed with an 18’ sidewall, 107 feet from the center of 216th St, a variance of 43 feet. 216th St is a Brookings County blacktop road. The required setback is 150 feet from the center of the road. The buildable space on the property is limited due the topography and shape and size of the lot. The property is long and narrow with a waterway dividing the property from east to west. The property was mined for gravel in the past and has been reclaimed and slopes off where the gravel was mined. The lay of the land drops off towards the waterway, low land and ponds. The balance of the ground is grassland and has a small amount of farm ground in the northwest corner.

Public notices were published in the Brookings Register on April 21 and 28, 2020 and the Volga Tribune on April 23 and 30, 2020.

Letters were sent to the adjoining landowner’s, Oslo Township Chairman and Clerk.

2020var002
Staff Report
May 5, 2020

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

APR - 6 2020

BROOKINGS
COUNTY DEVELOPMENT

Date of Application: 4/1/2020

Variance Number: 2020VAR 002

To: Brookings County Board of Adjustment
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Board of Adjustment of Brookings County, South Dakota, to grant a Variance to the Brookings County Zoning Regulations for the purpose of:

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B.) Section(s) of Zoning Regulations to be exempted:

Article 11.00: Section 11.01 "A" Agricultural District:
Area Regulation #2: Front yard: the minimum depth
of the front yard shall be one hundred (100) feet. A
corner lot will have two front yards.

C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this regulation: that the special conditions and circumstances do not result from the actions of the applicant, and that granting the variance requested will not confer on the applicant, and privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

See Attachment I

Section C) – Special Circumstances – Attachment 1

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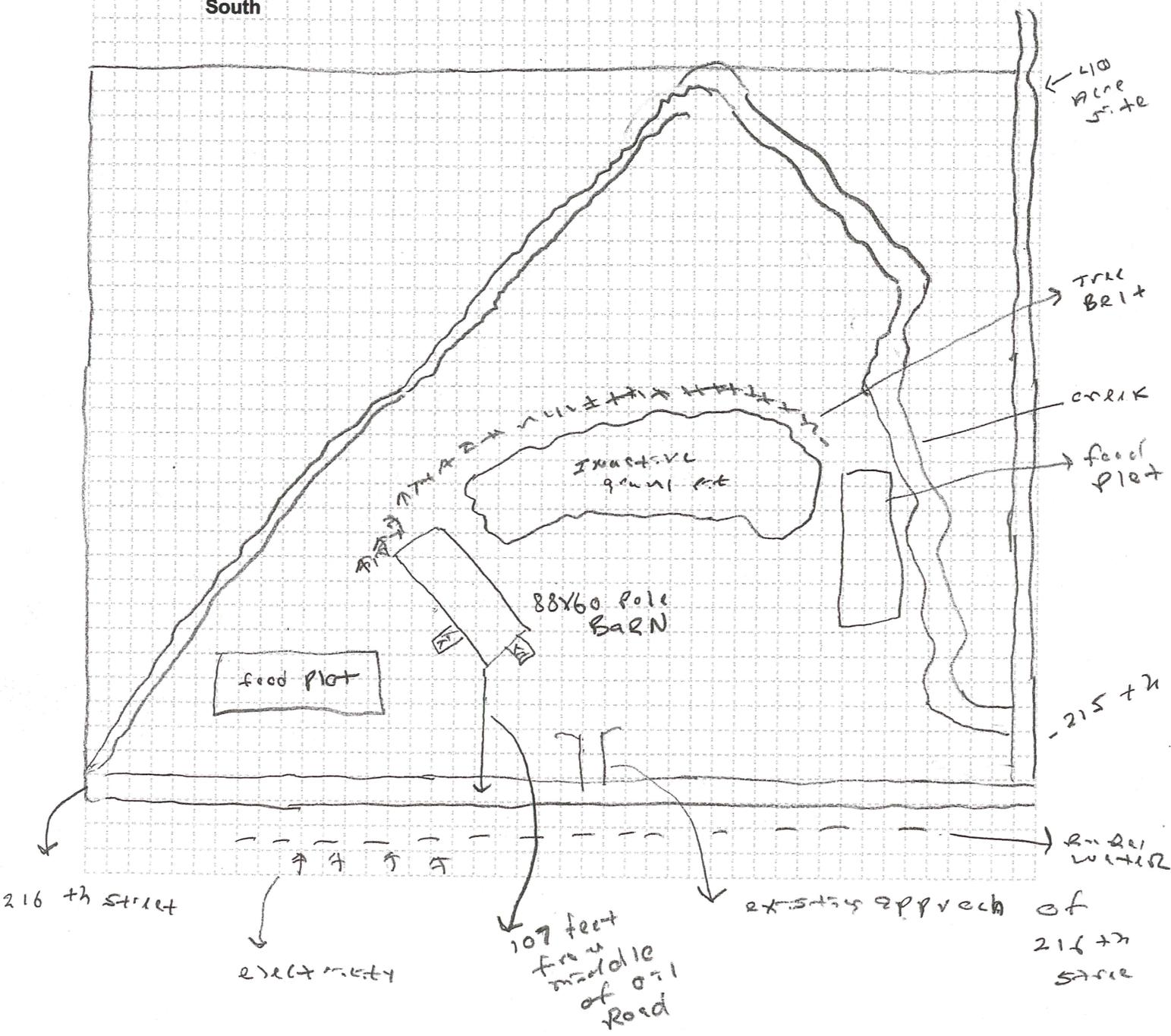
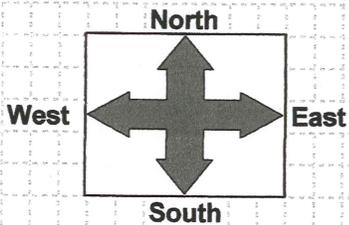
- We cannot build the building straight back as inactive gravel pit exists there. There is also a shelter belt around the gravel pit. While our proposal is to locate the building catty corner to the south west edge of the gravel pit, we would need to remove several trees and complete materially more dirt work (and build much closer to a lower land area creek that goes through the property) to meet the 150 foot set back requirement. Also, utility trenching would be farther.

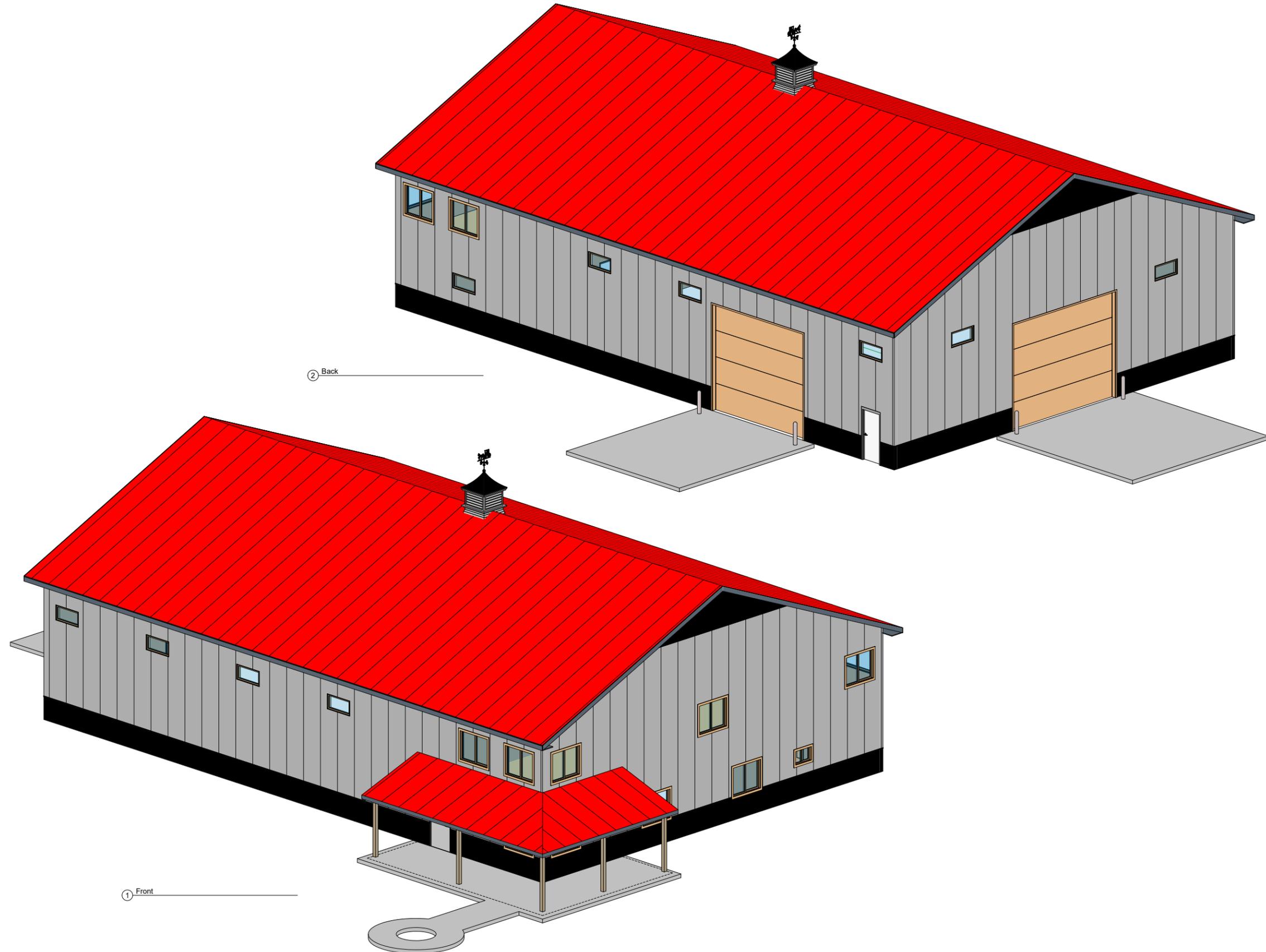
Given the above, we respectfully request a county variance for our proposed building site. Our proposed site does not create any sightline or snowdrift issues. Applicant's verbal discussions with Highway Superintendent Brian Gustad indicated he did not object to our proposal.

2020VAR 002

SKETCH

Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.





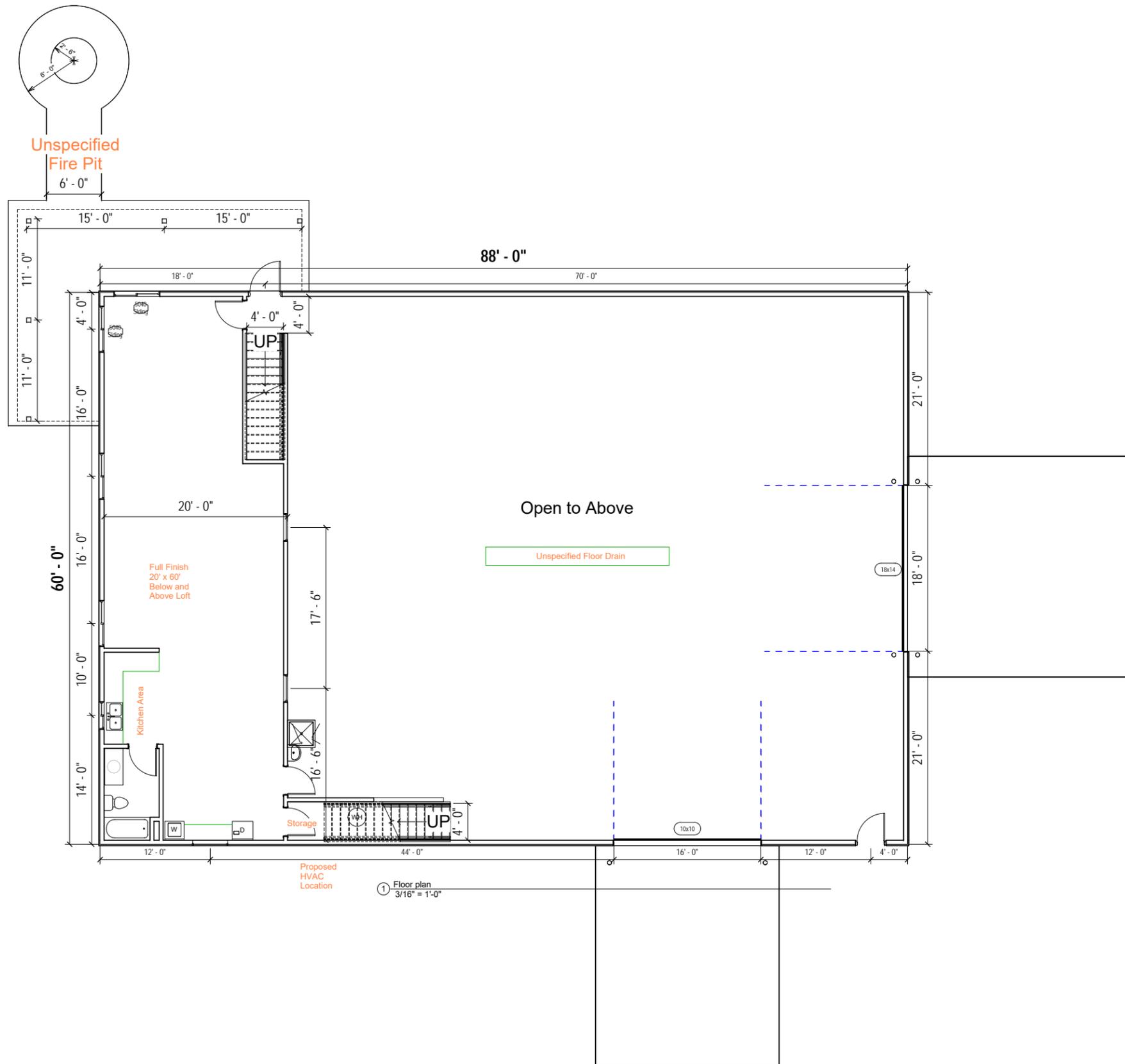
PROJECT INFO

**Reaves
Buildings**

Tofte
60x80
v7c

Cover

REF. NUMBERS	
20003624	JOB
DESIGNER	
Tom Gambrel	
tgambrel@cmcreaves.com	
DRAWING DATES	
FOR APPROVAL (SHOPS)	
4/14/2020	
REVISION(S)	
FOR FIELD USE (FINAL)	
N/A	
PAGE NUMBER	



Building Information

BUILDING SIZE: 60' x 88'
 BUILDING HEIGHT: 18'
 ROOF PITCH: 5:12

ROOF COLOR: BLACK
 WAINSCOT COLOR: BLACK
 WALL COLOR: CRIMSON RED

(COLORS SHOWN ON PLANS
 MAY VARY SLIGHTLY FROM
 COLORS RECEIVED)

Door Schedule				
Type	Family	Count	Width	Head Height
10x10	OHD Flush Panel	1	16' - 0"	14' - 0"
18x14	OHD Flush Panel	1	18' - 0"	14' - 0"
3068	Interior Door	6	3' - 0"	6' - 8"
3468	Exterior	1	3' - 0"	6' - 8"
3468	Exterior window	1	3' - 4"	6' - 8"

Window Schedule				
Type	Count	Width	Height	Head Height
3020 Sliding	1	3' - 0"	2' - 0"	6' - 6"
3060 Fixed	4	3' - 0"	6' - 0"	7' - 0"
4020 Fixed	9	4' - 0"	2' - 0"	6' - 0"
4020 Fixed	1	4' - 0"	2' - 0"	7' - 0"
5040 Sliding	11	5' - 0"	4' - 0"	7' - 0"



Reaves Buildings

Tofte
 60x80
 v7c

Floor Plan

REF. NUMBERS
 20003624 | JOB
 DESIGNER

Tom Gambrel
 tgambrel@cmcreaves.com

DRAWING DATES
 FOR APPROVAL (SHOPS)
 4/14/2020
 REVISION(S)

FOR FIELD USE (FINAL)
 N/A

PAGE NUMBER

B101

PROJECT INFO

Reaves Buildings

Tofte
60x80

v7c

2nd Floor

REF. NUMBERS

20003624 | JOB

DESIGNER

Tom Gambrel

tgambrel@cmcreaves.com

DRAWING DATES

FOR APPROVAL (SHOPS)

4/14/2020

REVISION(S)

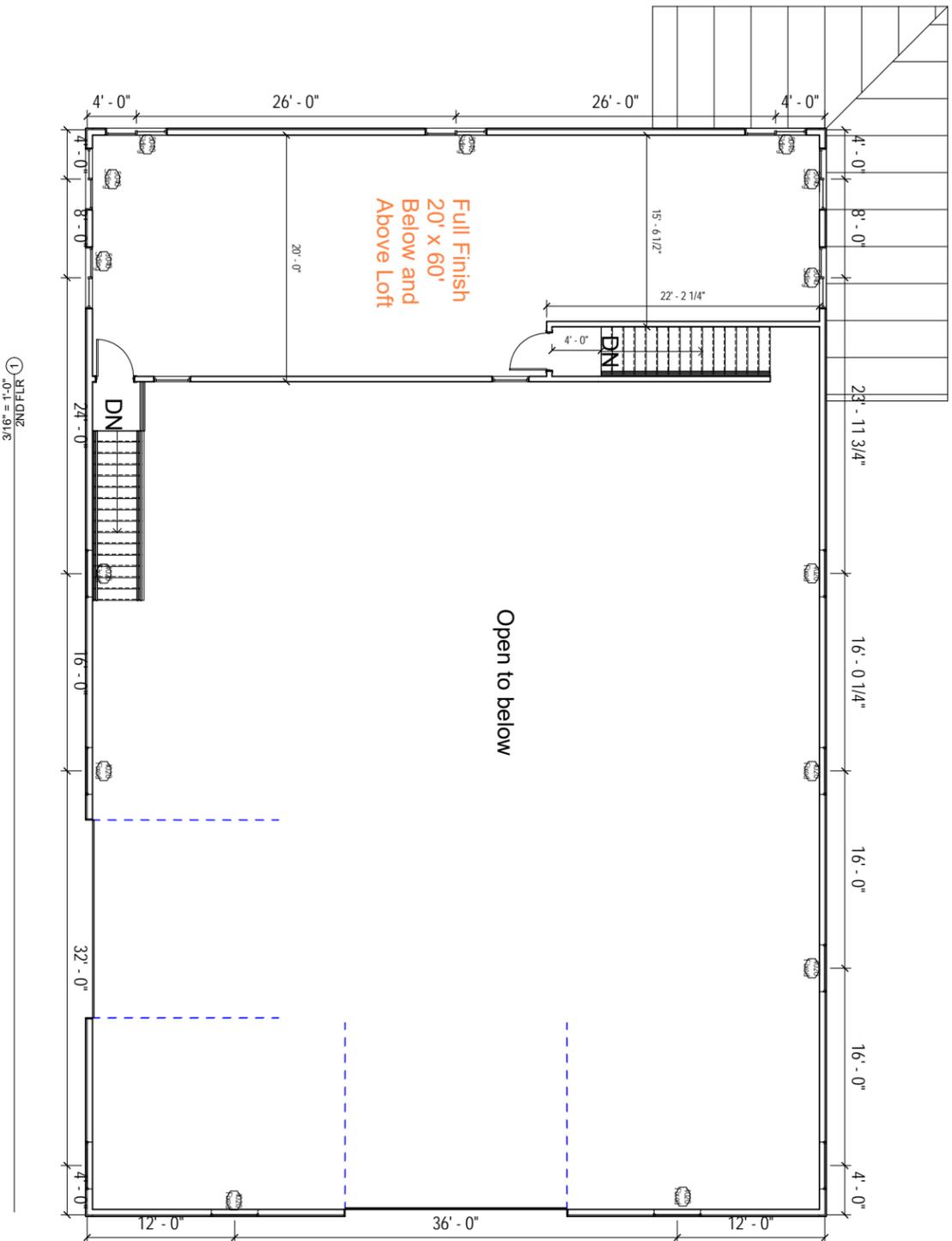
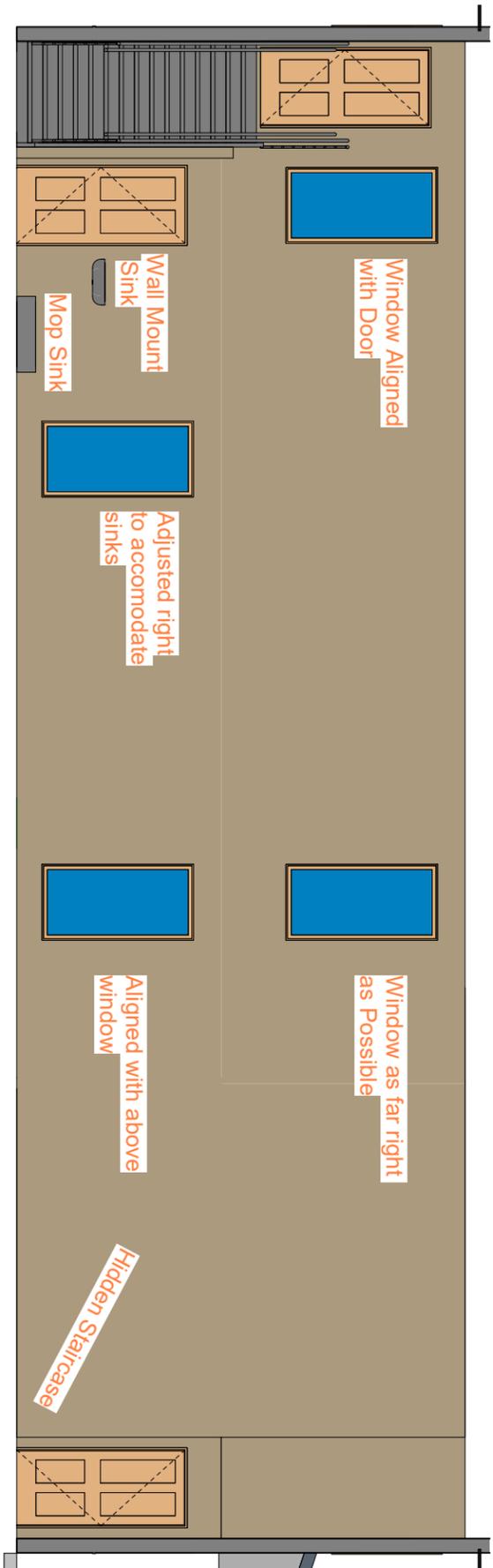
FOR FIELD USE (FINAL)

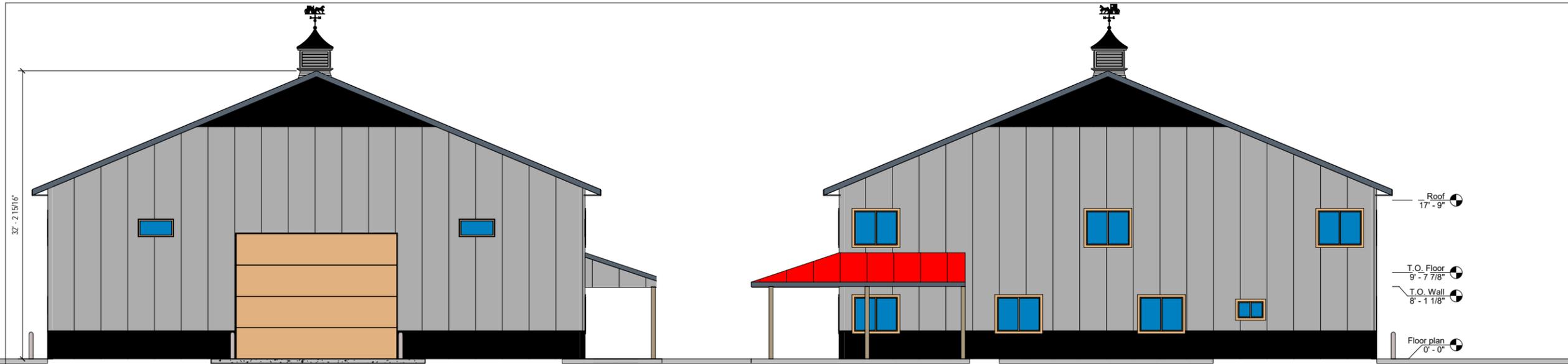
N/A

PAGE NUMBER

B103

View of your divide wall





① ENDWALL #1
3/16" = 1'-0"

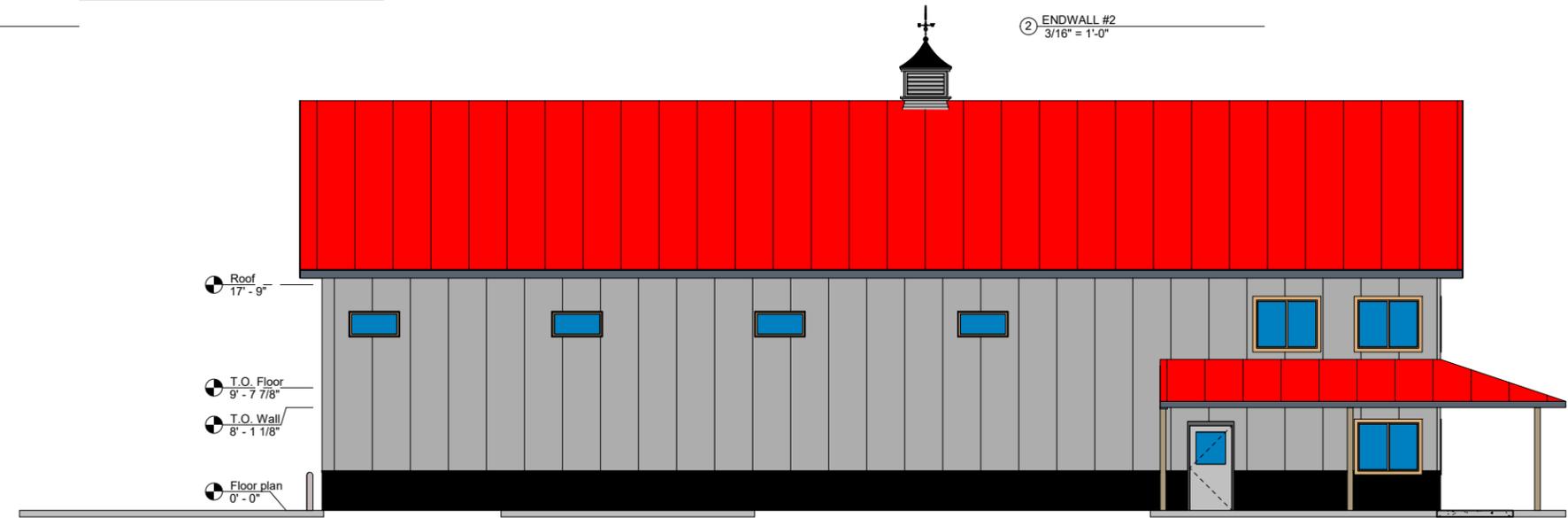
② ENDWALL #2
3/16" = 1'-0"

Roof
17' - 9"

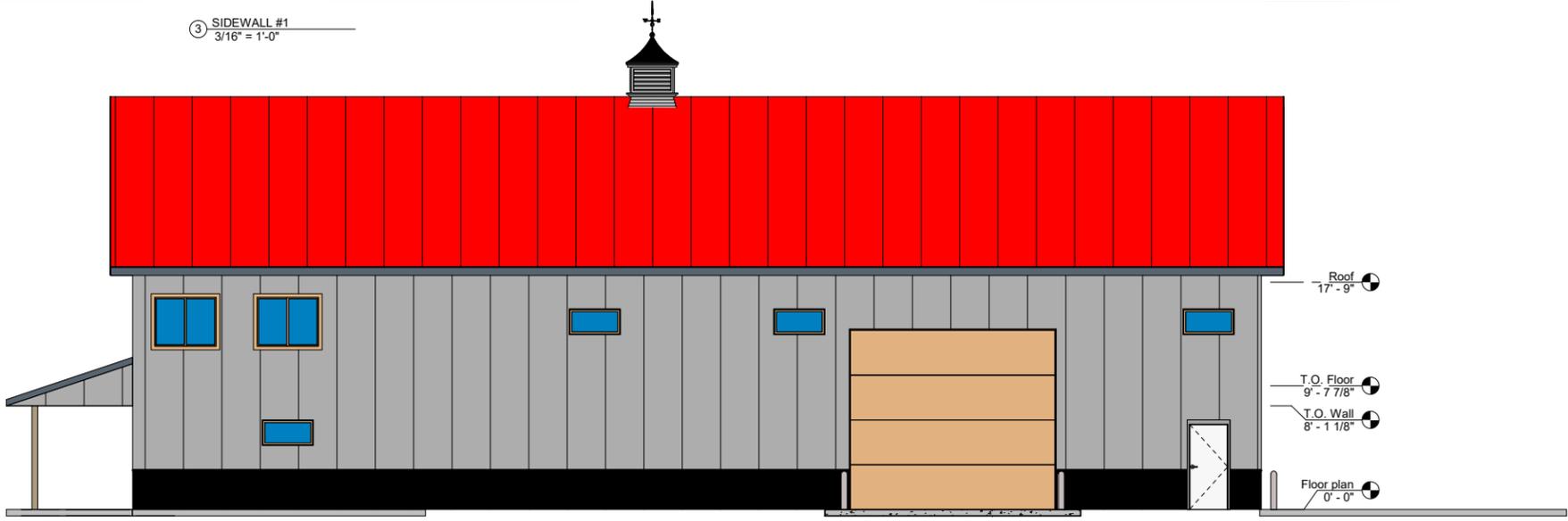
T.O. Floor
9' - 7 7/8"

T.O. Wall
8' - 1 1/8"

Floor plan
0' - 0"



③ SIDEWALL #1
3/16" = 1'-0"



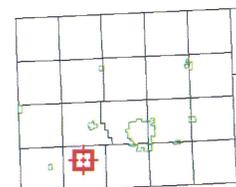
④ SIDEWALL #2
3/16" = 1'-0"

Elevations

REF. NUMBERS	
20003624	JOB
DESIGNER	Tom Gambrel
	tgambrel@cmcreaves.com
DRAWING DATES	
FOR APPROVAL (SHOPS)	4/14/2020
REVISION(S)	
FOR FIELD USE (FINAL)	N/A
PAGE NUMBER	



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Parcels
- Roads
- Floodplain 2008**
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

Parcel ID	159801095109400	Alternate ID	n/a	Owner Address	TOFTE BROTHERS LLC
Sec/Twp/Rng	9-109-51	Class	AGA		4055 S BRADY CT
Property Address		Acreage	40		SIOUX FALLS SD 57103
District	1505				
Brief Tax Description	S 1/2 OF S 1/2 OF SE 1/4 SEC 09-109-51 40 ACRES				
	(Note: Not to be used on legal documents)				

Date created: 4/6/2020
 Last Data Uploaded: 4/6/2020 8:06:54 AM

Developed by Schneider
 GEOSPATIAL

Looking west from driveway on 216th St.



Looking east from driveway on 216th St.



2020var002: Thomas A. Tofte for Tofte Brothers LLC

Looking north from driveway.



Looking northwest towards proposed building site.



Wheel at 107 feet from center of 216th St.



Wheel at 150 feet setback.



Stakes marking east end of building.



Wheel at stakes marking west end of building.



Looking northeast towards pond & trees.
Stake at northeast corner of proposed building.



Looking east towards pond from east side of proposed building.



Looking east from proposed site.



APR 14 2020

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

BROOKINGS
COUNTY DEVELOPMENT

Date of Application: 4/13/20

Variance Number: 2020var003

To: Brookings County Board of Adjustment
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Board of Adjustment of Brookings County, South Dakota, to grant a Variance to the Brookings County Zoning Regulations for the purpose of:

Building a carport west of our lake home.

B.) Section(s) of Zoning Regulations to be exempted:

Article IV District Requirements: Chapter 4.03 "LP" Lake-Park District: Section 4.03-03 Density, Area and Yard Regulation (Minimum Lake Front)

C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this regulation: that the special conditions and circumstances do not result from the actions of the applicant, and that granting the variance requested will not confer on the applicant, and privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

3) Size and shape of lot is not large enough to meet set back requirement.

D.) Legal Description of Property:

Lot 28 and the east 20' feet of Lot 29 in
Marvin Wade's Subdivision of Government Lots 1, Two 2,
and 3 in the Northeast quarter (NE 1/4) of section 6,
Township 112 North, Range 52 West of the 5th P. M.
in Brookings County, South Dakota, according to the recorded
plat thereof.

E.) Time and Date Set for
Hearing before Brookings
County Board of Adjustment.

May 5, 2020
Date

8:00 Pm
Time

Approved

Rejected

Date

Chairman of Brookings County Board
of Adjustment

Mary C Walkes
Person filing petition - print

Mary C Walkes
Person filing petition - sign

41039 304th St.
Address

Avon
City

South Dakota
State

57315
Zip Code

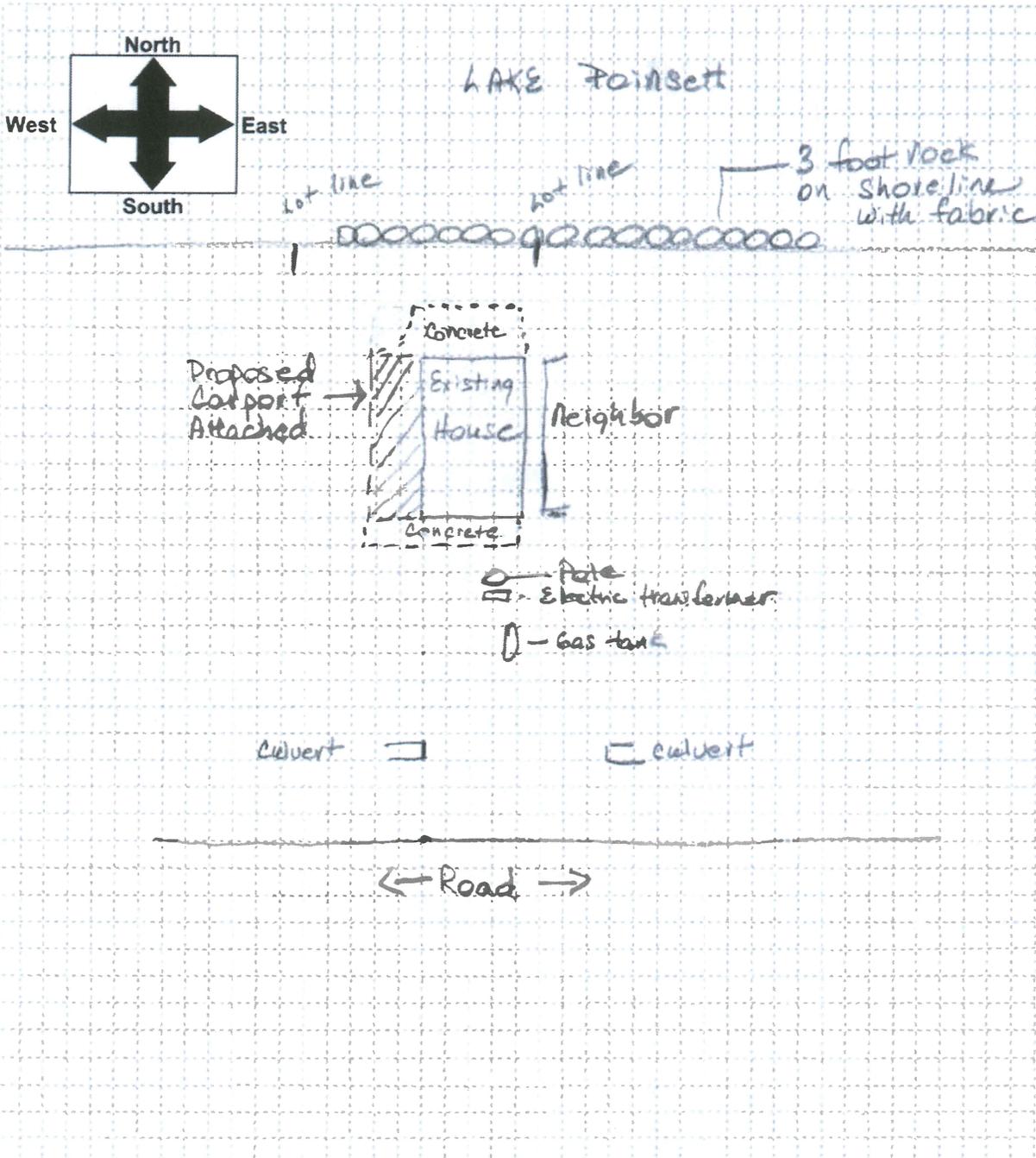
605-661-6726
Telephone

A variance that is granted and not used within three (3) years will be considered invalid.

2020 var 003

SKETCH

Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.



1 square
= 6 feet

o Carport 14 feet wide x length of cabin o



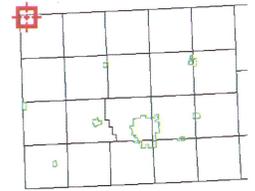
Beacon™

Brookings County, SD

2020 var 003



Overview



Legend

- Address Layer
- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Parcels
- Roads

Parcel ID	112251125206157	Alternate ID	n/a	Owner Address	WALKES, DAVID LIVING TRUST
Sec/Twp/Rng	6-112-52	Class	NAC		41039 304TH ST
Property Address	228 S LAKE DR	Acreage	n/a		AVON SD 57315
	ARLINGTON				
District	110919				
Brief Tax Description	MARVIN WADE SUBDIVISION LOT 28 & E 20' LOT 29 IN NE 1/4 SEC 6-112-52 60' X 82'				
	(Note: Not to be used on legal documents)				

Date created: 4/13/2020
Last Data Uploaded: 4/13/2020 8:09:04 AM

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BROOKINGS COUNTY DEVELOPMENT

Planning, Zoning and Drainage / Emergency Management

Brookings City & County Government Center

520 3rd Street, Suite 200

BROOKINGS, SOUTH DAKOTA 57006

(605)-696-8350

E-Mail: zoning@brookingscountysd.gov

Brookings County Board of Adjustment

May 5, 2020 – 8:00 PM meeting

2020var003 – May 5, 2020

Prepared by Richard Haugen

Applicant/Owner: Mary C Walkes, 41039 304th St, Avon, SD 57315

Site Address: 228 S Lake Dr, Arlington, SD 57212

Legal Description: “Lot 28 and the E 20’ of Lot 29 Marvin Wade’s Subdivision of Govt Lots 1,2 and 3 In NE1/4 Section 6, T112N, R52W (Laketon Township)”

Brookings County Zoning Ordinance: Article IV District Requirements: Chapter 4.03 “LP” Lake-Park District: Section 4.03.03. Density, Area and Yard Regulation (Minimum Lake Front).

2020var003: Mary Walkes, has applied for a variance to build a 14’ x 28’ post frame car port attached to the west side of their lake cabin. The outer support post of the car port is 25 feet from the highest known water mark, a variance of 50 feet. The Lake Park – Lake Front setbacks are 75 feet from the high water mark. The proposed car port will meet the road and side setback requirements. The proposed car port will not block the shoreline view for either adjoining landowners. The property is located in the flood plain, as noted on the attached Beacon Map. The car port is considered a non-substantial improvement and could be built in the floodplain.

Things to consider are the shape and size of the lot. Marvin Wade Subdivision was originally platted on May 24th, 1949.

The “Brookings County Comprehensive - Plan Future Land Use-Developed Lakes Future Land Use” found on page 58 –*In paragraph two: “It is likely that the established developed areas of Lake Campbell, Lake Hendricks, Lake Tetonkaha, and Lake Poinsett will experience continued development in varying degrees. While non-lake front growth potential exists for all of the able lakes; significant lake front area is appropriately zoned, and subdivided in some cases, adjacent to Lake Tetonkaha, Lake Hendricks, and Lake Campbell.”*

2020var003

Staff Report

May 5, 2020

Letters were sent to the adjoining landowners and Laketon Township Chairman and Clerk.
The public notices were published in the Brookings Register on April 21 & 28, 2020 and
the Arlington Sun on April 23 and 30, 2020.

APR 14 2020

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

BROOKINGS
COUNTY DEVELOPMENT

Date of Application: 4/13/20

Variance Number: 2020var003

To: Brookings County Board of Adjustment
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Board of Adjustment of Brookings County, South Dakota, to grant a Variance to the Brookings County Zoning Regulations for the purpose of:

Building a carport west of our lake home.

B.) Section(s) of Zoning Regulations to be exempted:

Article IV District Requirements: Chapter 4.03 "LP" Lake-Park District: Section 4.03.03 Density, Area and Yard Regulation (Minimum Lake Front)

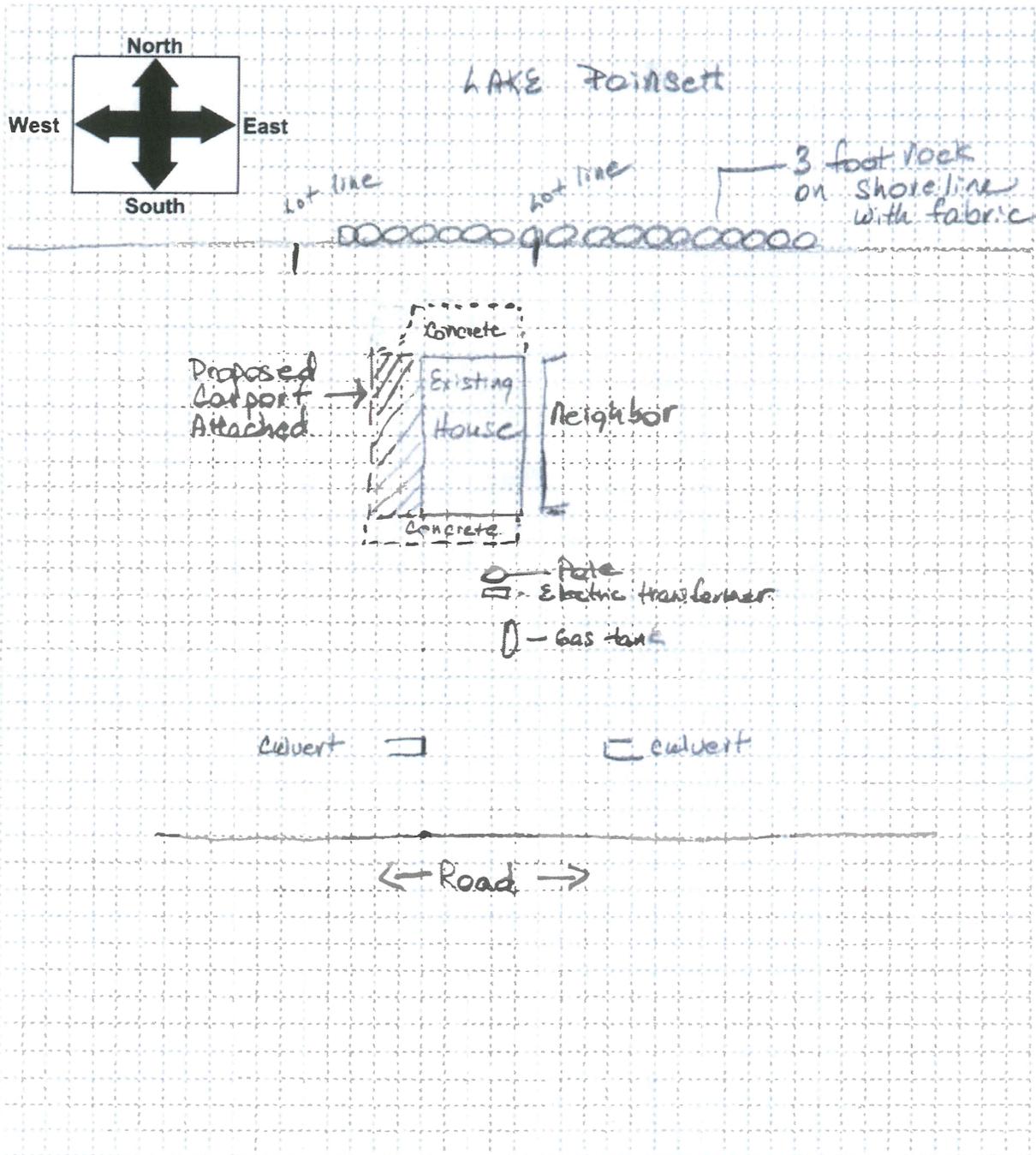
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this regulation: that the special conditions and circumstances do not result from the actions of the applicant, and that granting the variance requested will not confer on the applicant, and privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

3) Size and shape of lot is not large enough to meet set back requirement.

2020 var 003

SKETCH

Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.

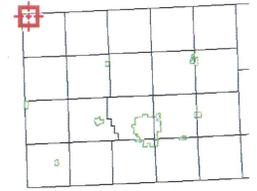


1 square = 6 feet

o Carport 14 feet wide x length of cabin o



Overview



Legend

- Address Layer
- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Pipeline Consultation Area 660'
- Parcels
- Roads
- Floodplain 2008**
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

Parcel ID	112251125206157	Alternate ID	n/a	Owner Address	WALKES, DAVID LIVING TRUST
Sec/Twp/Rng	6-112-52	Class	NAC		41039 304TH ST
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District	110919				
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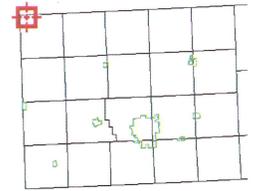
Beacon™

Brookings County, SD

2020 var 003



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Looking east from driveway.



Looking north towards lake from Brkgs Cnty Rd # 2 (196th St)



2020var003: Mary Walkes

Looking south from lake. Wheel at 25 feet from highest known water mark.



Wheel at 14 feet from of house., west side of proposed car port.



Wheel at north end of car port.
25 feet from highest know water mark.



Looking west along lake shore.



Looking east along lake shore.

