

2016var002 – March 1st, 2016

Prepared by Richard Haugen

Applicant/Owner: Eric Peterson, 47372 209th St, Aurora, SD 57002

Legal Description: "E107' of W1096' of S317' and E420' of W1516' of S424' of SE1/4 Sec. 5 T110N, R49W (Aurora Township)"

2016var002: Eric Peterson has applied for a front yard variance to build a 44' long x 30' wide attached garage on his existing residence, approximately 117 feet from the center of 209th St (Brookings County Road 46). A variance of 33 feet.

Brookings County Zoning Ordinance, Article 11:00 "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.

The current residence is 156 feet from the center of the road, it was built in 1999 and meets the setback requirement of 150 feet from the center of the road.

The land directly east of the residence drops off approximately 4 feet or more from south to north. The area of the proposed garage has an elevation difference of approximately 1 foot over the foot print area.

Hardship: The hardship to consider 1) is the lay of the land; 2) the area to the west of the house contains utility services of water and electric lines, along with geothermal lines used for heating and cooling of the residence.

The Board of Adjustment has granted similar variances in the past:

April 7th, 2015: 2015var003: residence with garage 48 feet from the center of the road.

September 3rd, 2013: 2013var014: residence 83 feet from center of road.

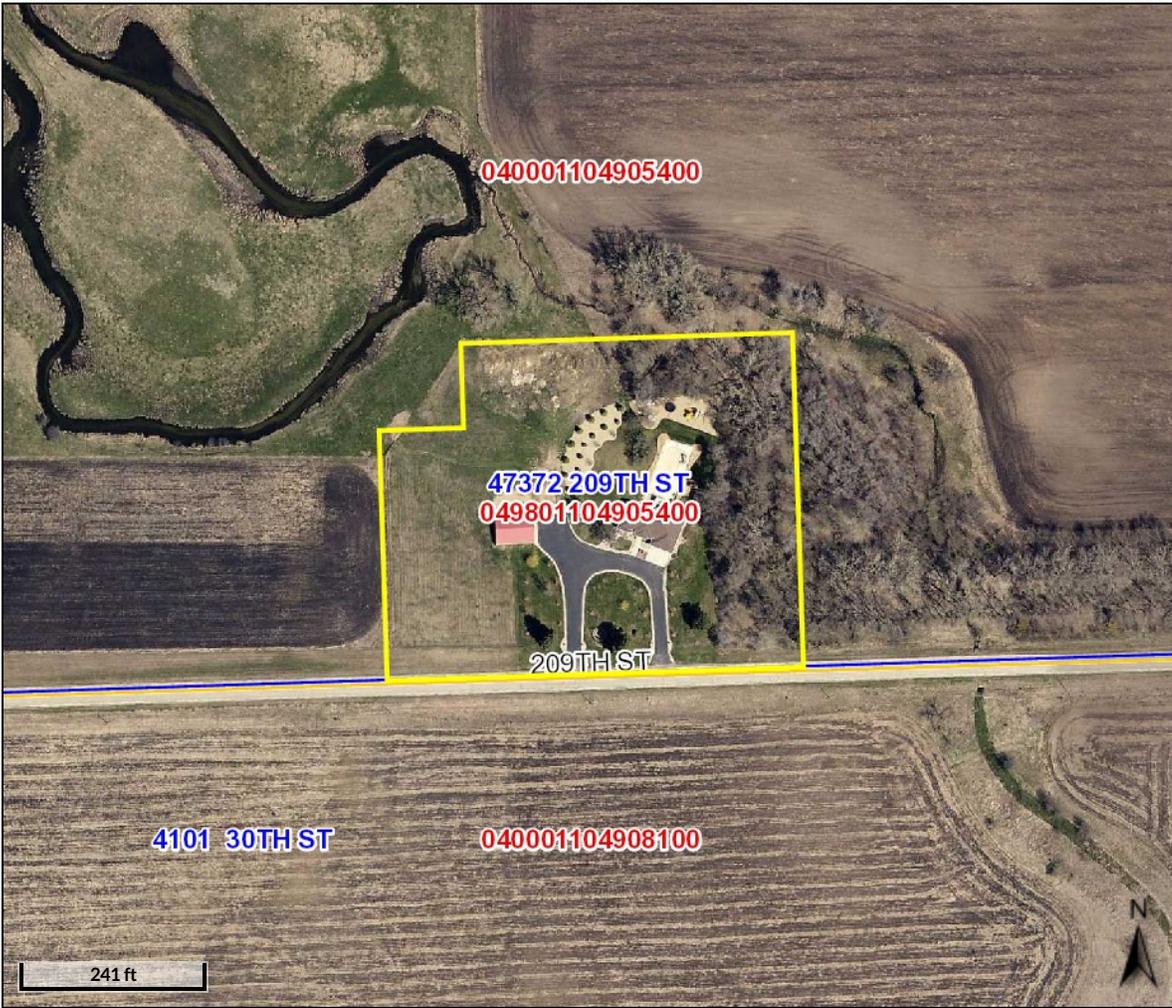
April 3, 2012: 2012var005: residence 54 feet from ROW of SD Hwy 30.

June 2nd, 2009: 2009var010 – shed 116 from center of a county road & 112 from center of a township road.

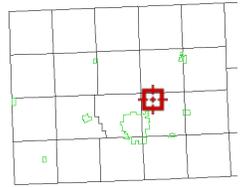
January 2nd, 2007: 2007var002: residence 113' from center of road.

Granting the variance request would allow the applicant have the same benefit as others in the area with similar topography or existing utilities or existing buildings.

Denying the variance request would be maintaining the Agricultural Zoning Ordinance Setback requirements.



Overview



Legend

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

Parcel ID	049801104905400	Alternate ID	n/a	Owner Address	PETERSON, ERIC R ET UX
Sec/Twp/Rng	5-110-49	Class	NACS		47372 209TH ST
Property Address	47372 209TH ST AURORA	Acreage	n/a		AURORA SD 57002
District	0401				
Brief Tax Description	E 107' OF W 1096' OF S 317' AND E 420' OF W 1516' OF S 424' OF SE 1/4 SEC 5-110-49 4.87 ACRES LEASED SITE BLDING 04990-11049-054-00 <i>(Note: Not to be used on legal documents)</i>				

Date created: 2/18/2016
Last Data Upload: 2/17/2016 11:40:30 PM

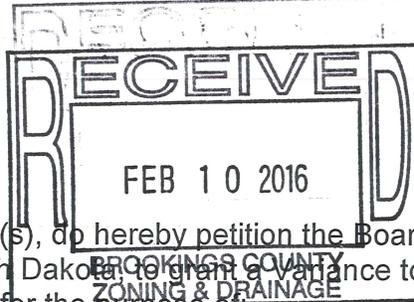
 **Developed by**
The Schneider Corporation

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

Date of Application: 2-10-2016

Variance Number: 2016 var 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:

New garage addition

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

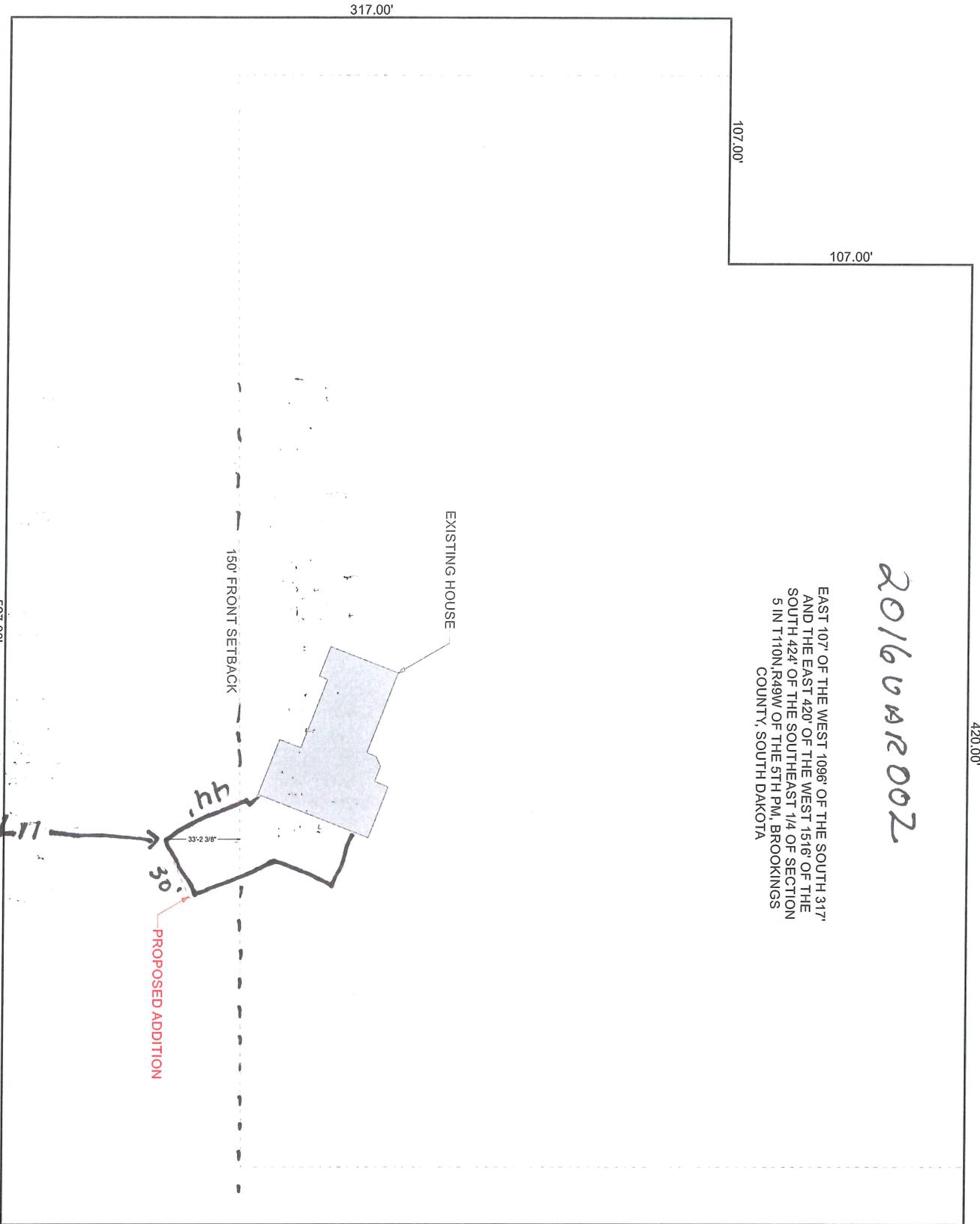
Article 11.00: Section 11.01 "A" Agricultural District: Area Regulation #2. Front Yard: The minimum depth of front yard shall be one hundred (100) feet. A corner lot will have two front yards.

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.

Wanted garage on side of home with existing garage west end of home has Electrical, Water and loops for geothermal. Straight East of home land drops off considerably. Putting Garage at Angle will work best for site and also for Building Contractor.

2016042002

EAST 107' OF THE WEST 1096' OF THE SOUTH 317'
AND THE EAST 420' OF THE WEST 1516' OF THE
SOUTH 424' OF THE SOUTHEAST 1/4 OF SECTION
5 IN T110N, R49W OF THE 5TH PM, BROOKINGS
COUNTY, SOUTH DAKOTA



424.00'

