

# 2016var008 – May 3<sup>rd</sup>, 2016

Prepared by Richard Haugen

Applicant/Owner: Alan Clark, 21656 479<sup>th</sup> Ave, Aurora, SD 57002

Legal Description: “N2060’ of W275’ of SW1/4 Sec. 17 T109N, R48W (Parnell Township)”

2016var008: Alan Clark has applied for a front yard variance to build a 45’ wide x 64’ feet long pole shed 110 feet from the center of 479<sup>th</sup> Ave (Parnell Township road). A variance of 23 feet. The required setback distance is 133 feet from the center of the road.

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.

Mr. Clark’s building site is long and narrow, limiting his building options. His current residence and existing out building meet the setback requirements. The parcel was subdivided off in September of 1998.

Hardship: The hardship to consider 1) is the shape and size of lot, 2) location of existing building and shelterbelt.

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

April 5<sup>th</sup>, 2016: 2016var005: hoop barn 88 feet from the center of a township road.

June 24<sup>th</sup>, 2013: 2013var013: shed 110 feet from the center of a township road.

November 5<sup>th</sup>, 2013: 2013var020: shed 80 feet from the center of a township road.

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

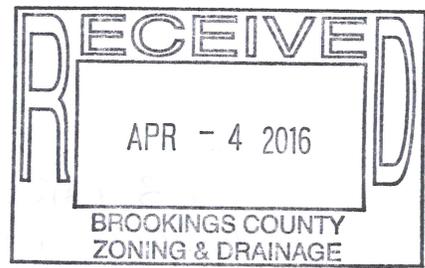
Public notices were published in the Brookings Register on April 19<sup>th</sup> and 26<sup>th</sup>, 2016 and Elkton Record on April 21<sup>st</sup> and 28<sup>th</sup>, 2016.

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

Granting the variance request would allow the applicant have the same benefit as others in the area with similar hardships.

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

APPLICATION FOR VARIANCE  
TO  
ZONING REGULATIONS



Date of Application: 4-4-16

Variance Number: 2016var008

To: Brookings County Board of Adjustment  
520 3<sup>rd</sup> 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 45ft x 64ft pole shed

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.

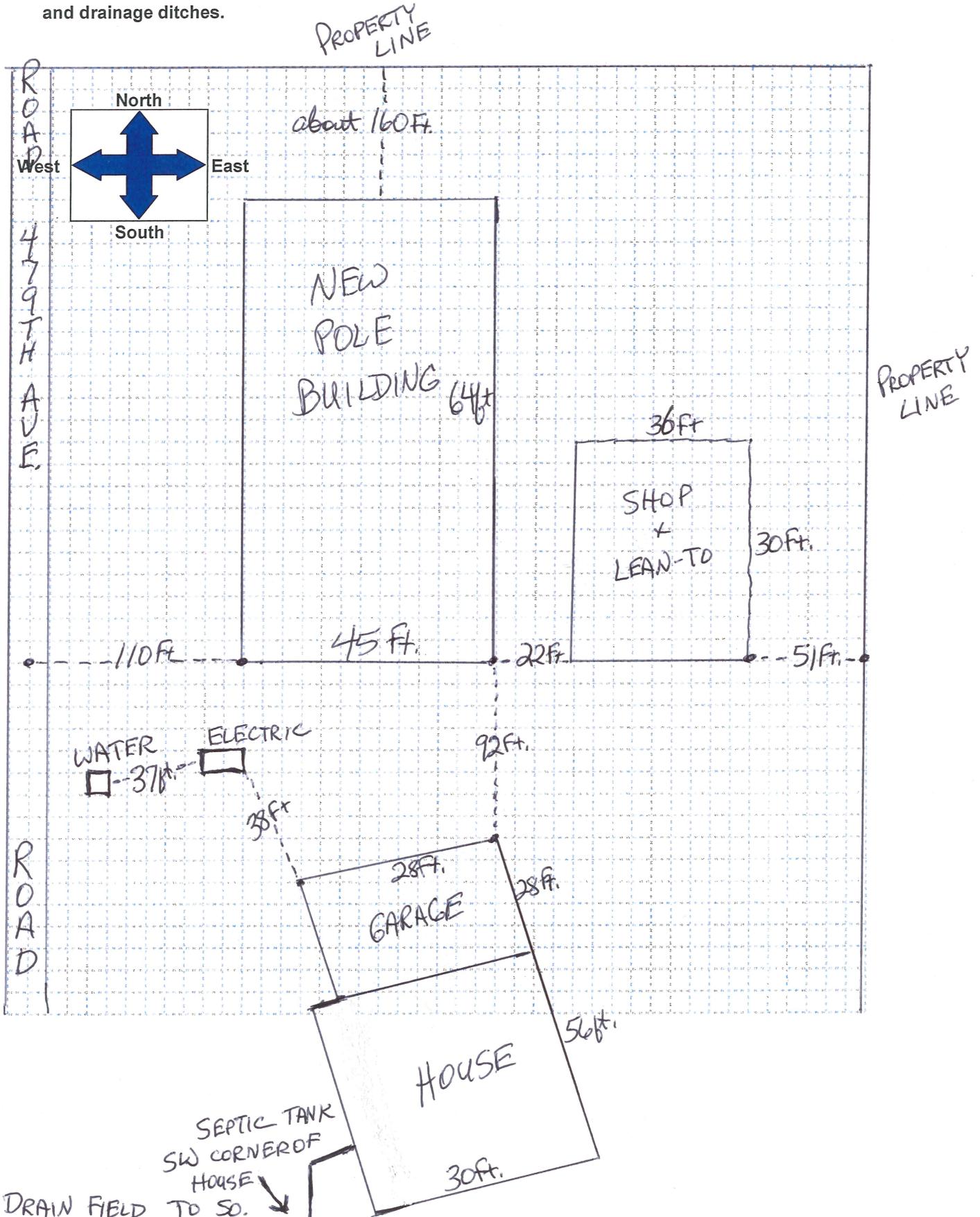
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms 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.

I need the variance because the size and shape of my property is not large enough with wise to meet setback requirements and keep my building close to my established yard

2016 var 008

SKETCH

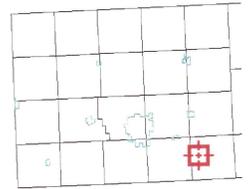
Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.



2016 var 008



Overview



Legend

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

Parcel ID	169801094817300	Alternate ID	n/a	Owner Address	CLARK, ALAN ET UX
Sec/Twp/Rng	17-109-48	Class	NACS		21656 479TH AVE
Property Address	21656 479TH AVE	Acreeage	n/a		AURORA SD 57002
	AURORA				
District	1603				
Brief Tax Description	N 2060' OF W 275' OF SW 1/4 SEC 17-109-48 13.00 AC				
	(Note: Not to be used on legal documents)				

Date created: 4/4/2016



Developed by  
The Schneider Corporation

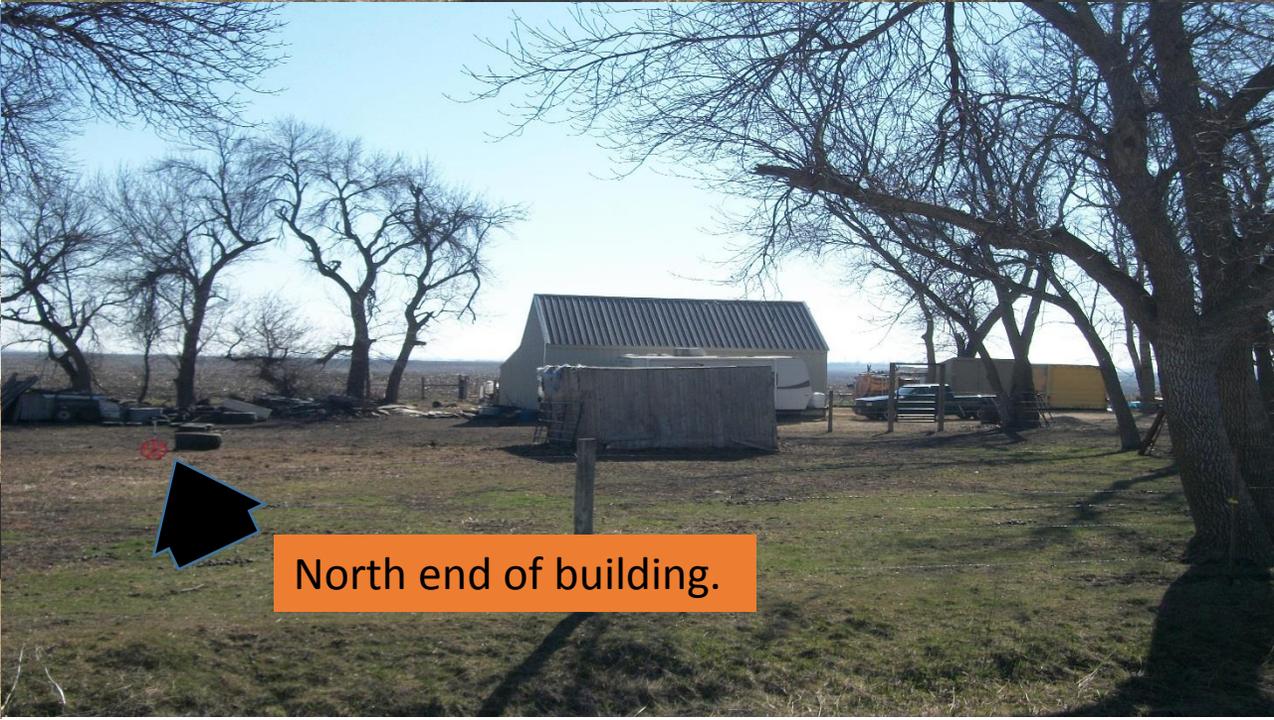


2016var008: Alan Clark

South edge of building .



110 ft from center of 479<sup>th</sup> Ave



North end of building.