

BROOKINGS COUNTY PLANNING & ZONING COMMISSION
MINUTES OF APRIL 4, 2023 REGULAR PLANNING & ZONING MEETING

The Brookings County Planning & Zoning Commission met at their regular meeting on Tuesday, April 4, 2023. The following members were present: Chad Ford, Mike Bartley, Darrel Kleinjan, Tim Paulson, Spencar Diedrich, Kyle Vanderwal, Brian Gatzke, Neil Trooien, and Randy Jensen. Absent were alternates Roger Erickson and Dale Storhaug. Also present were County Development Director/Emergency Manager Robert Hill, Deputy Director Richard Haugen, and via phone Senior Planner from First District Association of Local Governments Luke Muller.

CALL TO ORDER

Chair Ford called the meeting to order at 8:03 PM

APPROVAL OF MINUTES

(Diedrich/Vanderwal) Motion to approve the March 7, 2023, Meeting Minutes. All present voted aye. **MOTION CARRIED.**

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

Board member Diedrich requested to be added to department reports.

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 AGENDA

(Vanderwal/Bartley) Motion to approve the agenda for the April 4, 2023 Meeting. All present voted aye. **MOTION CARRIED.**

CONVENE AS BROOKINGS COUNTY PLANNING & ZONING COMMISSION

CONSIDERATION OF PLATS

2023PLAT005

For property described as “Plat of Block 1, Preston Church Addition in the NE1/4 of the SE1/4 of Section 20, T112N, R51W of the 5th P.M., Brookings County, South Dakota.” Submitted by two landowners platting for a property line adjustment. The current west property line was moved to be west of the existing shelterbelt and the south property line was moved to the beginning of the farmland. The church originally had a footage description to describe the property and an agreement with the adjoining landowner for the location of the church’s residence. The property line adjustment allows the residence and church to be located on one parcel.

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(Diedrich/Paulson) Motion to approve the plat. Roll call vote: Bartley-aye, Paulson-aye, Diedrich-aye, Kleinjan-aye, Vanderwal-aye, Trooien-aye, Gatzke-aye, Jensen-aye, Ford-aye. 9-aye, 0-nay. **MOTION CARRIED.**

CONVENE AS BROOKINGS COUNTY BOARD OF ADJUSTMENT

2023VAR002

Application for Marilyn Lobbins by Cole Knapp 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: "Lots 33, 34, 35, and the SE 20' of Lot 36 of Marvin Wade Subdivision in Govt Lots 1, 2 and 3 in NE1/4 of Section 6, T112N, R52W (Laketon Township)" ~~ located at 240 S Lake Dr, Arlington, SD 57212.

(Vanderwal/Bartley) Motion to approve the Variance request.

STAFF REPORT: Applicant is requesting a lake side variance to build a second story addition with an attached 8' wide x 16' long deck. The supporting posts for the attached deck is 24' from the highest known water mark, a variance of 51', required setback is 75'. Report noted: 1) Supporting posts for the proposed deck will not extend past the northern most point of the existing north wall of the residence. 2) The second story addition will not extend beyond any of the existing roof lines. 3) 8' side yard setbacks will be met. 4) Property was in the floodplain, but the residence had been removed as a FEMA LOMA (Letter of Map Amendment) had been completed and submitted with elevations that meet FEMA requirements. 5) Property meets the Floodplain standards with structure LOMA removal, but still needs to meet the Lake Park District setback requirements. 6) Hardships or considerations: shape and size of the lot, lot platted May 24, 1949, prior to the current zoning ordinance requirements. Letters were sent to adjoining landowners, Laketon Township Chairman and Clerk. Public notices were published in the Brookings Register on March 21 & 28, 2023, in the Arlington Sun on March 23 & 30, 2023 and the Volga Tribune on March 23 & 30, 2023.

PUBLIC HEARING: Applicant Cole Knapp informed those present he had nothing to add.

Proponents: None.

Opponents: None.

DISCUSSION: Board members had no questions or comments regarding the request. Findings of Facts were reviewed, completed by the board, concurred with by Diedrich and placed on file.

VOTE: Paulson-aye, Diedrich-aye, Kleinjan-aye, Vanderwal-aye, Gatzke-aye, Trooien-aye, Jensen-aye. Bartley-aye, Ford-aye. 9-aye, 0-nay. **MOTION CARRIED.**

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2023VAR003

Application by LeRoy Vande Weerd 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: “W350’ of S460’ of N510’ of NE1/4 of Section 17, T111N, R50W (Sterling Township)”.

(Diedrich/Jensen) Motion to approve the Variance request.

STAFF REPORT: Applicant is requesting a front yard variance for a proposed overhead grain bin to be no closer to the center of 204th St (Brookings Co #6), than 138’, a variance of 12’, required setback is 150’. The report noted: 1) Applicant is updating his grain handling system with a pit, grain leg, augers, and an overhead bin. 2) Exact location is not known until the weather allows for accurate analysis and measurement. Preliminary calculation is that the overhead bin will be the farthest north component and will not exceed 138’ from the center of 204th St. 3) Existing grain bins on the East side of the dryer are at the required 150’ setback. 4) Hardships or considerations: Existing grain dryer and grain auger infrastructure prevents the overhead bin from meeting the setback requirements. Public notices were published in the Brookings Register on March 21 & 28, 2023 and in the Volga Tribune on March 23 & 30, 2023. Letters were sent to adjoining landowners, Sterling Township Chairman and Clerk.

PUBLIC HEARING: Applicant LeRoy Vande Weerd informed those present he had nothing to add.

Proponents: None.

Opponents: None.

DISCUSSION: Board members had no questions or comments regarding the request. Findings of Facts were reviewed, completed by the board, concurred with by Vanderwal and placed on file.

VOTE: Diedrich-aye, Kleinjan-aye, Vanderwal-aye, Gatzke-aye, Trooien-aye, Jensen-aye, Bartley-aye, Paulson-aye, Ford-aye. 9-aye, 0-nay. **MOTION CARRIED.**

2023CU008

Application by Charles Miller for a conditional use permit. Article 11: Section 11.01: “A” Agricultural District: Conditional Use Permit # 20: Home Extended Business”. The property is described as: “Lots 4-5 Exc Road & H-3-4-5, W1/2 NE1/4 Exc. N1386’ of W1056’ of NE1/4 of Section 20, T110N, R52W (Bangor Township)” ~ located at 45577 Hwy 14, Arlington, SD 57212.

(Trooien/Diedrich) Motion to approve the Conditional Use.

STAFF REPORT: The applicant is requesting a conditional use permit #20, for an extended home business for a small metal works shop. The report noted: 1) applicant

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would use an existing 40' x 80' pole shed for the metal works shop. 2) Decorative metal pieces would be created using antique and used iron that would be welded, cut, bent, and shaped. 3) Completed pieces would be picked by customers or delivered by the applicant, the pickup and delivery traffic would be 5-7 trips per week. Public notices were published in the Brookings Register on March 21 & 28, 2023, in the Volga Tribune on March 23, & 30, 2023 and in the Arlington Sun on March 23 & 30, 2023. Letters were sent to the adjoining landowners, South Dakota DOT, and the Bangor Township Chairman and Clerk.

PUBLIC HEARING: Applicant Charles Miller informed those present he had nothing to add.

Proponents: None.

Opponents: None.

DISCUSSION: The Board decided to stipulate that the permit had no expiration date and was non-transferrable. If the business is sold to another individual in the future, the new owner would need to apply for a conditional use permit. Findings of Facts were reviewed and completed by the board, concurred with by Paulson and placed on file.

VOTE: Kleinjan-aye, Vanderwal-aye, Gatzke-aye, Trooien-aye, Jensen-aye, Bartley-aye, Paulson-aye, Diedrich-aye, Ford-aye. 9-aye, 0-nay. **MOTION CARRIED.**

DEPARTMENT REPORTS

Hill reported the biggest upcoming concern in the county was the potential for flooding. The Big Sioux River is at minor status but could change, depending on future snow and rainfalls. He also reminded board members to use caution when driving home from the meeting as the county was under a no travel advisory due to the icing weather.

Haugen reminded the subcommittee that they would meet Thursday (4-6-2023) at 9:00 AM – 1:00 PM.

Diedrich asked for board members thoughts on keeping all meetings to a 7:00 PM start time versus moving to 8:00 PM with the time change each year. Haugen announced that the bylaws was the only thing that would need to be changed if the board wanted to change the meeting time. He noted it would involve a proposal, and a public hearing at a regular meeting. Muller added the bylaws allow for alterations or changes at any regularly scheduled meeting. Board members discussed and at this time decided to leave scheduled times as is.

ADJOURN

(Diedrich/Vanderwal) Motion to adjourn. All present voted aye. **MOTION CARRIED.**

Chair Ford adjourned the meeting at 8:49 PM.

Rae Lynn Maher
Brookings County
Development Department
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