



**BOARD OF ADJUSTMENT  
APPLICATION FOR VARIANCE  
FEE: \$ 150.00**

**\*Applicants are responsible for attending the meeting and providing proof of a hardship.**

Name (applicant): Barnaby Wainman - OJM Homes Phone: (605) 695-3981

Address: 120 22nd Ave S. Ste 104, Brookings, SD 57006 Email: barnaby@ojmhomes.com

Name (owner): Chuck Bennis Phone: (605) 222-0444

Address: 1015 Crystal Ridge Rd, Brookings, SD 57006 Email: bennisartstudios@gmail.com

Property address where variance is sought: 630 6th Ave, Brookings, SD 57006

Legal Description: PETERSONS SECOND ADDITION, LOT 8 BLK 5 50 X 165 X 140

**Site Plan Required:** A “top view” or overhead plan, drawn to scale, showing all existing and proposed buildings, structures, fences, lot lines, dimensions and other relevant information regarding the request shall be submitted with all applications.

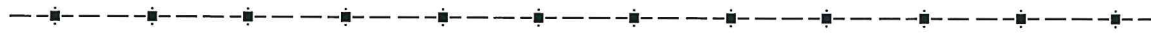
**Brief statement regarding the variance desired:** A new detached garage will be built, with access from the alley on the east side of the property, to replace the existing garage. The desired variance is to permit the north side of the garage to be aligned with the east/west plain of the house. This will mean the north setback will need to be reduced.

**Brief statement explaining how your request meets the following criteria:**

Describe special conditions specific to the property (irregular lot boundary, size, unusual topography, etc.) that make it difficult to meet the ordinance requirements and explain why the rules cause an unnecessary hardship that does not affect surrounding properties in the same way:  
The property is on a corner lot so has larger setbacks on two sides. The north side of the existing garage, which will be replaced by a new garage, is 7' 2" from the south side of the sidewalk to the north of the property (7th St). Building a new garage within the current north setback would reduce the size of the garage thus making it less useful. If granted, the variance would permit the north side of the new garage to be 12' 5" from the south side of the sidewalk to the north of the property (7th St). This means the new garage would be 5' 3" further south than the current structure and would allow a larger and more usable garage to be built.  
The access to the new garage will be from the alley to the east of the property and is in keeping with other garages on the alley.

Applicant's Signature: *[Handwritten Signature]* Date: November 8th, 2022

Owner's Signature: *[Handwritten Signature]* Date: November 8th, 2022



**BOARD OF ADJUSTMENT**

Decision: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Chairperson, Board of Adjustment

\_\_\_\_\_  
Date