

2016var004 – April 5th, 2016

Prepared by Richard Haugen

Applicant/Owner: Harris Hoistad, 1126 Willow Drive, Aberdeen, SD 57401

Site: 294 SE Lake Dr, Estelline, SD 57234

Legal Description: “Wacek Beach Lot 11 in Govt. Lot 4 NW1/4 of Sec. 3 T112N, R52W (Laketon Township)”

2016var004: Harris Hoistad has applied for a lake front variance to build 30 feet wide x 60 feet long residential addition with a 12 feet x 30 attached deck, 42 feet 4 inches from the high water mark. A variance of 32 feet, 6 inches. The required lakeside setback distance is 75 feet from the high water mark.

Brookings County Zoning Ordinance, Article 13:00 Lake/Park District: Section 13.01 “LP” Lake-Park District: Density, Area and Yard Regulations (Lake Front); Front Yard – 25 feet; Side Yard – 8 feet; Lake Side Yard – 75 feet..

The current residence is 99 feet from the high water mark to the edge of the existing deck. The current cabin and the addition with the deck meet the side setback of 8 feet. The property is not in the flood plain. The elevation of the property is 5 feet 2 inches above the high watermark. The addition and deck will be farther back from the lake than the residences on either side of him, those residences were built in 1975 and 1993 with no record of a variance on file. Wacek Beach was platted in 1967 prior to the Zoning Ordinance. The lot size is 50 feet wide x 102 feet long.

Hardship: The hardship to consider 1) is shape and size of the lot; 2) lots were platted and before zoning ordinance was adopted.

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

2015var031: residence 38 feet from high water mark.

2015var029: residential addition 52 feet from high water mark.

2007var007: residential setback 30 feet from high water mark.

Public notices were published in the Brooking Register on March 22nd and 29th, 2016; Arlington Sun on March 24th and 31st, 2015.

Letters were sent to the adjoining landowner’s, Laketon 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 Lake Park Zoning Ordinance Setback requirements.

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS



Date of Application: 3-6-16

Variance Number: 2016 var 004

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:

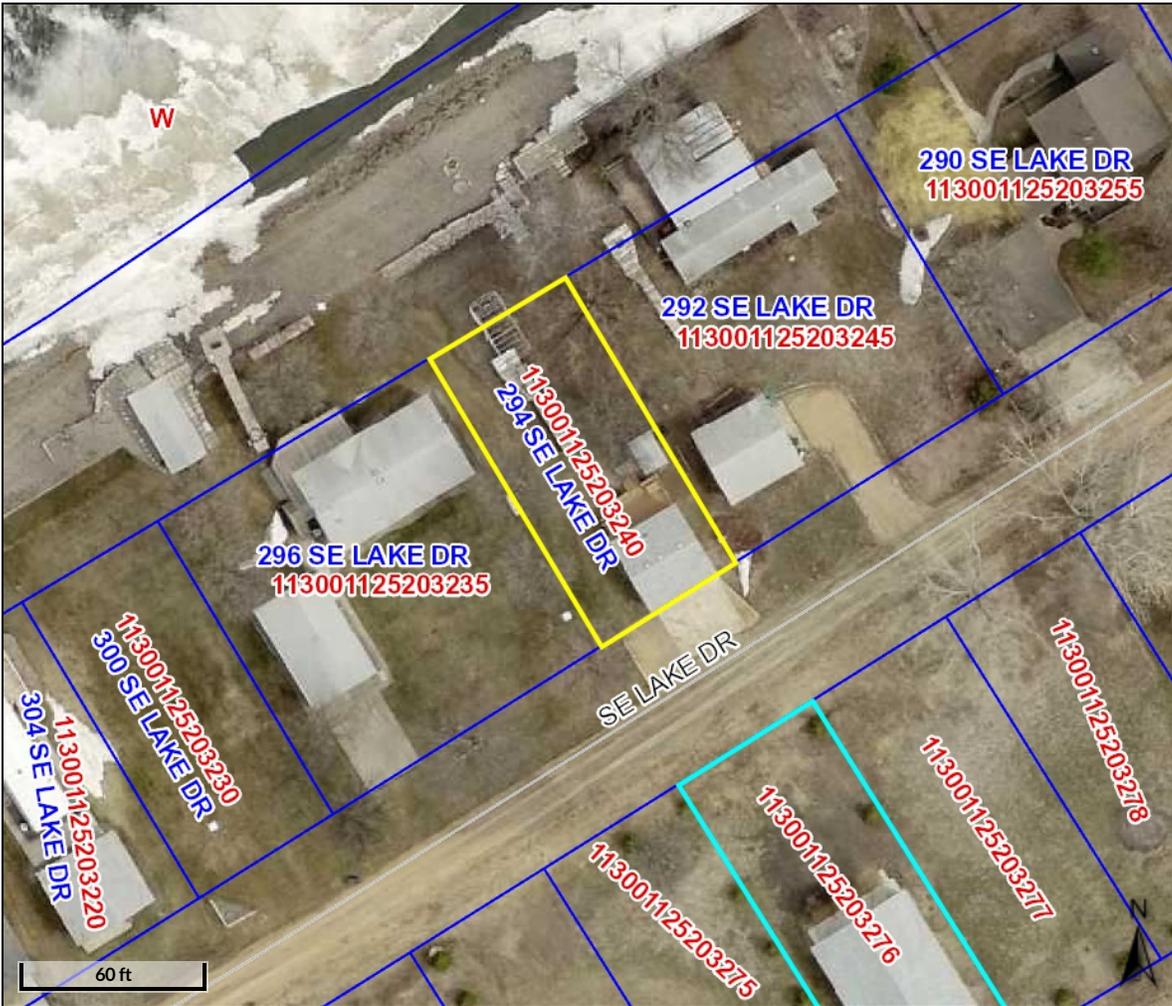
BUILDING AN ADDITION ONTO OUR CURRENT
LAKE CABIN. THE ADDITION WOULD BE A YEAR
ROUND RESIDENCE.

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

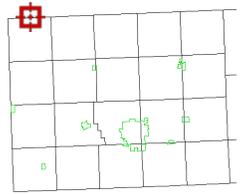
Article 13.00: Section 13.01 "LP" Lake-Park District:
Density, Area and Yard Regulations (Lake Front)

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.

WACEK BEACH LOTS WERE PLATTED IN JUNE 1966 AND
OUR LOT IS SMALLER THAN TYPICAL. OUR LOT IS NOT
IN THE FLOOD PLAIN. OUR PROPOSED CONSTRUCTION WILL
BE FARTHER FROM THE LAKE SHORE THAN ALL OTHER
HOMES + CABINS CURRENTLY IN PLACE ON THIS SUB DIVISION.



Overview



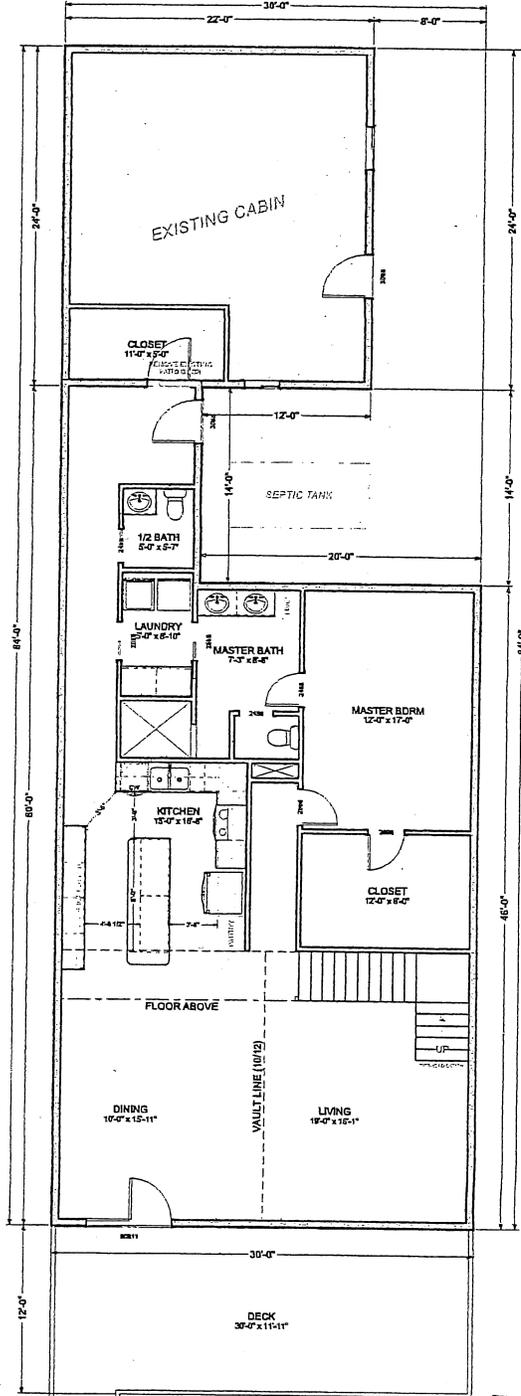
Legend

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

Parcel ID	113001125203240	Alternate ID	n/a	Owner Address	HOISTAD, HARRIS ET UX
Sec/Twp/Rng	3-112-52	Class	NAC		1126 WILLOW DR
Property Address	294 SE LAKE DR ESTELLINE	Acreeage	n/a		ABERDEEN SD 57401
District	110819				
Brief Tax Description	WACEK BEACH LOT 11 IN NW 1/4 SEC 3-112-52 50' X 103'				
	(Note: Not to be used on legal documents)				

Date created: 3/7/2016
 Last Data Uploaded: 2/18/2014 4:02:57 AM

← SURVEY PINS



Lake shore →

← 42'4" — to highwater mark. →

Approximate NORTH →

APPROX. 1525 SQ-FT

9' CEILINGS
(UNLESS OTHERWISE NOTED)

18" OVERHANGS ALL AROUND

ALL EXTERIOR DIMENSIONS ARE TO THE OUTSIDE OF FRAMING!!

WINDOW HEADERS DRAWN @ 83 3/8" (UNLESS OTHERWISE NOTED)

HAMLIN
Building Center

Brookings • Lake Norden
605.692.3381 • 605.785.3381

Closest stake edge of deck-42'4" from HWM.
Stake w-flag 75' setback

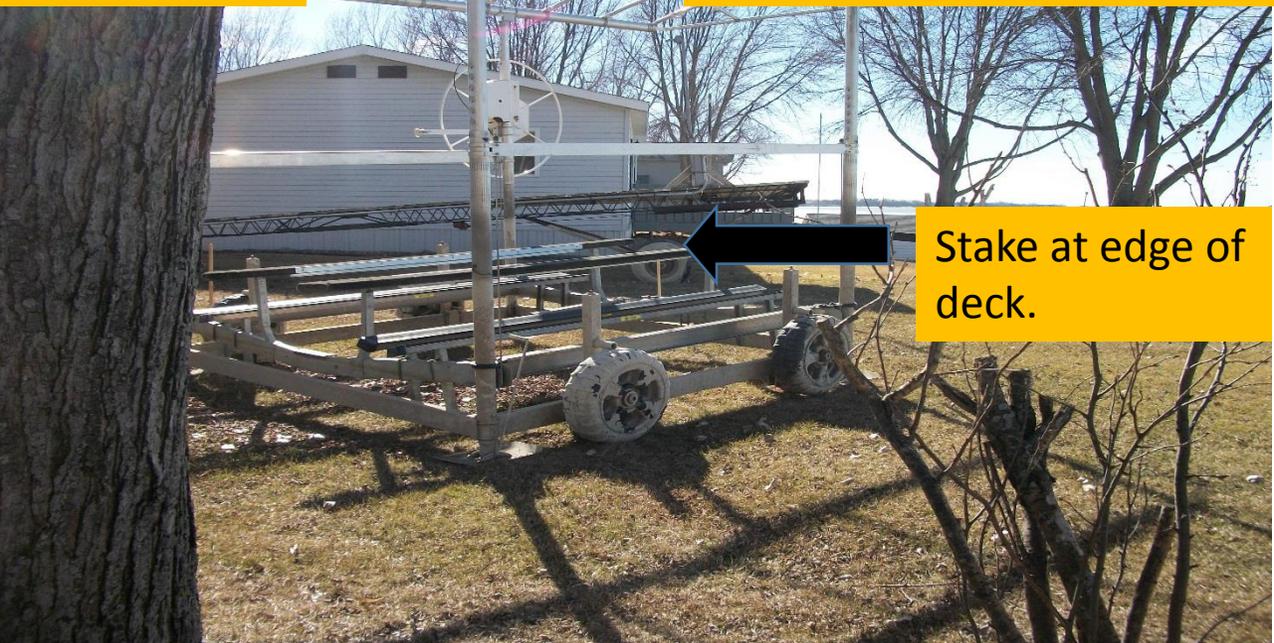


Closest stake

Stake w-flag

Looking west

2016var004: Harris Hoistad



Stake at edge of deck.

Looking east



Stake at edge of deck.

Shoreline looking south towards cabin

