

BROOKINGS COUNTY DEVELOPMENT

Planning, Zoning and Drainage / Emergency Management

Brookings City & County Government Center

520 3rd Street, Suite 200

BROOKINGS, SOUTH DAKOTA 57006

(605)-696-8350

E-Mail: zoning@brookingscountysd.gov

Brookings County Board of Adjustment

June 2, 2020 – 8:00 PM meeting

2020var006 – June 2, 2020

Prepared by Richard Haugen

Applicant/Owner: Todd and Rachel Smidt, 53 Oakwood Shoreline Dr, Bruce, SD 57220

Legal Description: “Lot 35 DeBoer’s Lake Tetonkaha West Subdivision in Govt Lots 1, 4, 5 and 6 in Section 7, T111N, R51W (Oakwood Township)”

Brookings County Zoning Ordinance: Article IV District Requirements: Chapter 4.03 “LP” Lake-Park District: Section 4.03.03. Density, Area and Yard Regulation (Minimum Lake Front).

2020var006: Todd and Rachel Smidt, have applied for a variance to build a 16’ x 28’ attached covered deck onto their existing residence. The outer support post of the proposed deck is; 27’ on the north end from the highest known water mark, a variance of 48’ and 34’ on the south end a variance of 41’. The Lake Park – Lake Front setbacks are 75 feet from the high water mark. The shore line gets farther away from the structures as it goes south. The applicant has an existing 14’ x 20’ attached deck 22 feet from the high water mark. The proposed 16’ x 28’ covered deck will be farther away from the high water mark, than the existing deck. The proposed deck will meet the side setback of 8’. The applicants will be doing a cabin remodel that will include an attached garage and a second story addition above the current residence. The remodel additions will meet all setback requirements. The variance is needed for the covered deck. The property is located in the flood plain and will need to follow the flood plain building requirements. The lake lots and cabins have been existed on Lake Tetonkaha (aka Lake Oakwood) since the 1930’s and 40’s prior to zoning requirements. DeBoer’s Lake Tetonkaha West Subdivision was originally platted in 1984, it re-platted in June of 2003, when the original road was vacated and relocated.

The “Brookings County Comprehensive - Plan Future Land Use-Developed Lakes Future Land Use” found on page 58 –*In paragraph two: “It is likely that the established developed areas of Lake Campbell, Lake Hendricks, Lake Tetonkaha, and Lake Poinsett will experience continued development in varying degrees. While non-lake front growth potential exists for all*

2020var006

Staff Report

June 2, 2020

of the able lakes; significant lake front area is appropriately zoned, and subdivided in some cases, adjacent to Lake Tetonkaha, Lake Hendricks, and Lake Campbell.”

Letters were sent to the adjoining landowners and Oakwood Township Chairman and Clerk.

The public notices were published in the Brookings Register on May 19 & 26, 2020 and the Volga Tribune on May 21 and 28, 2020.

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

MAY 11 2020

BROOKINGS
COUNTY DEVELOPMENT

Date of Application: 5-11-2020

Variance Number: 2020var006

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 a deck with an overhang roof of 12 ft, deck
being 11 ft. facing Lake Dakinwood

-the deck is currently 23' deep - towards the lake & 14' wide, we
would like the new deck to be 11' deep & 28' wide

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

Article IX District Requirements: Chapter 4.03 "LP"
Lake-Park District: section 4.03.63. Density, Area and
Yard Regulation (minimum Lake-Front)

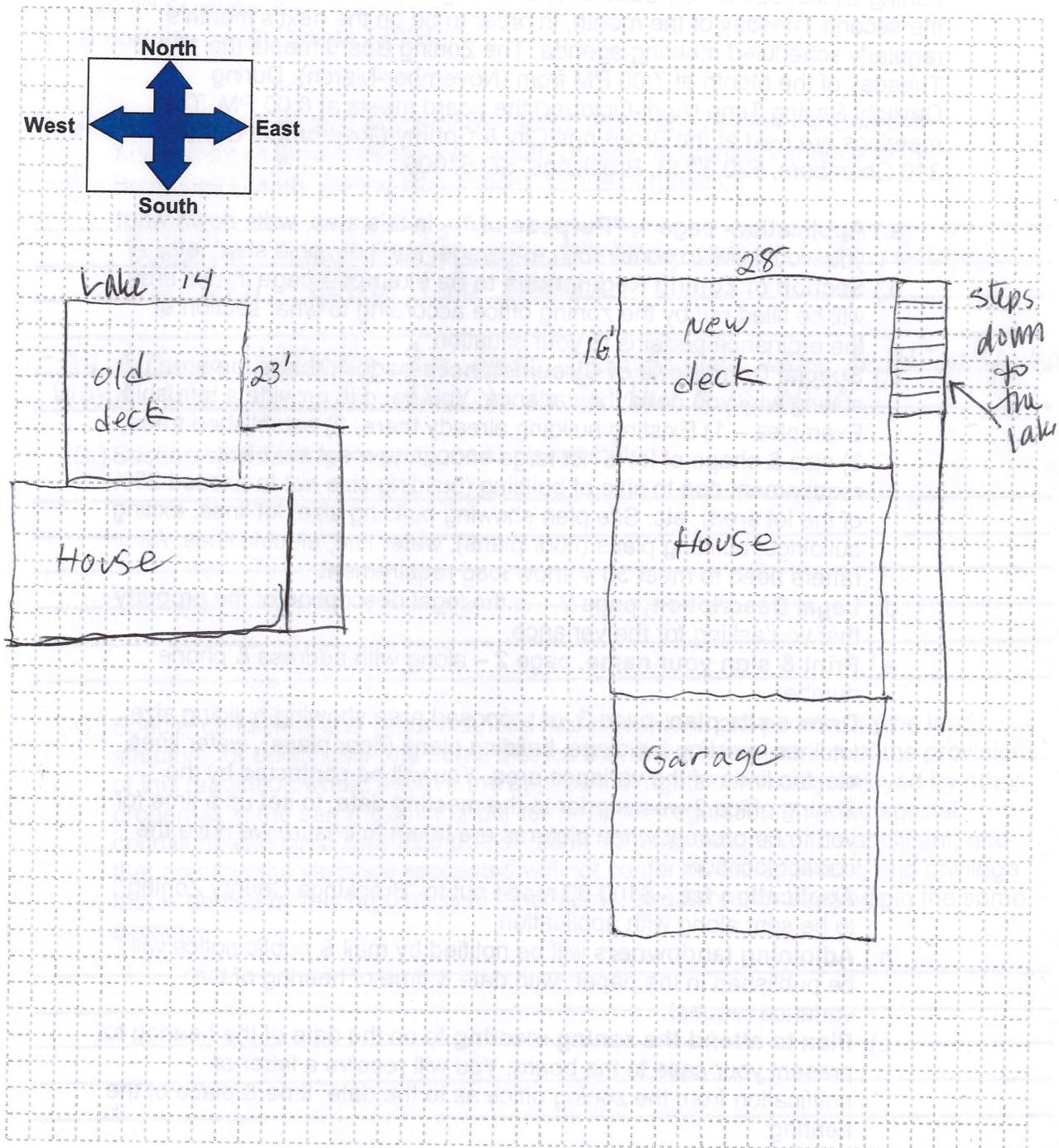
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms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

Lot size and planning on building doesn't meet street
size and lot prevent meeting current setback

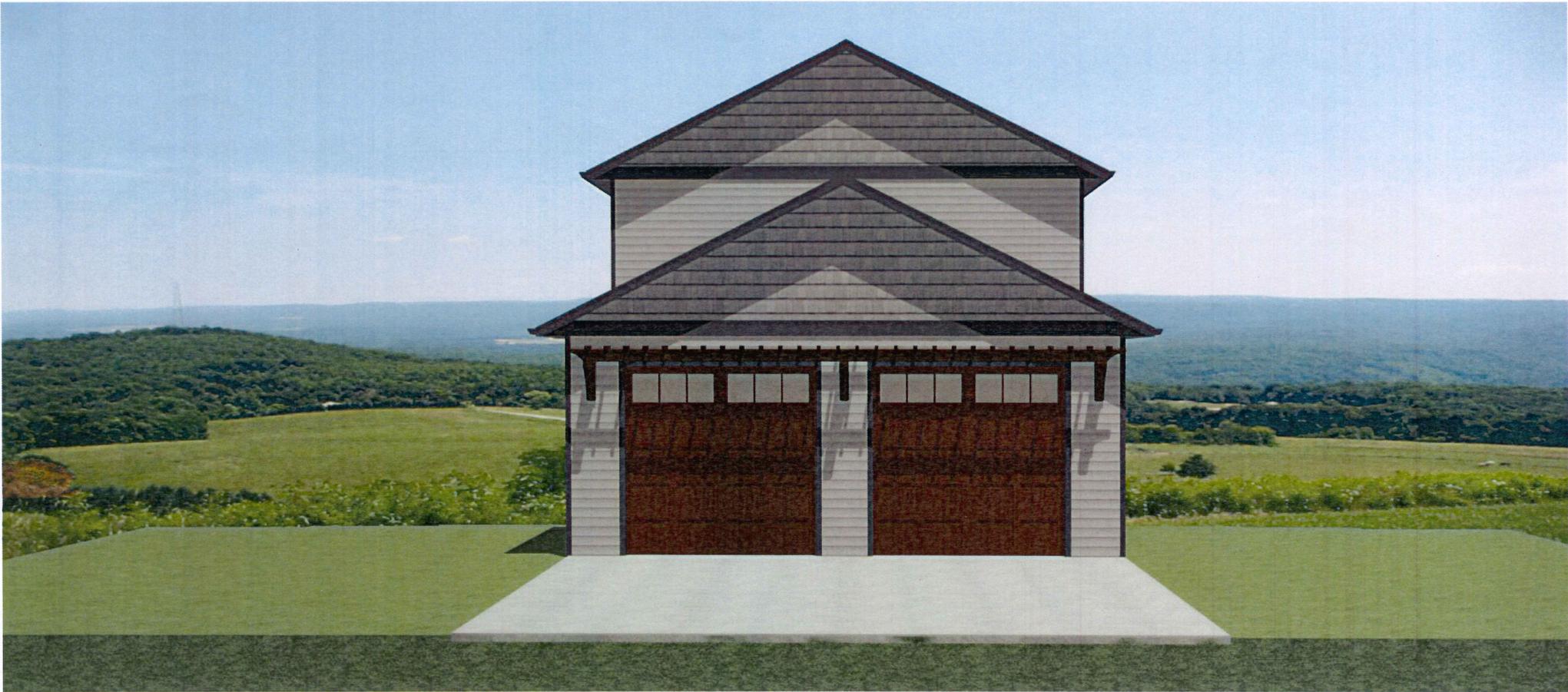
2020 VAR 006

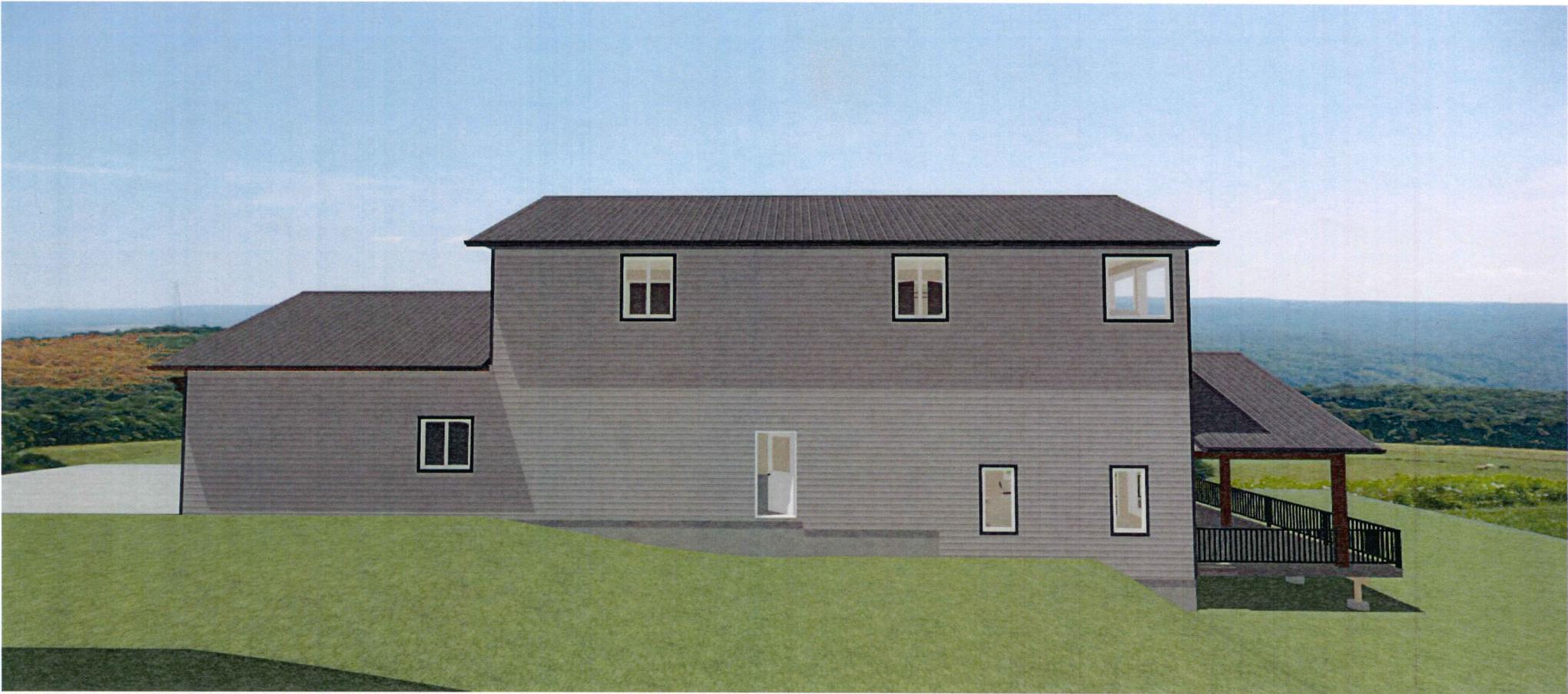
SKETCH

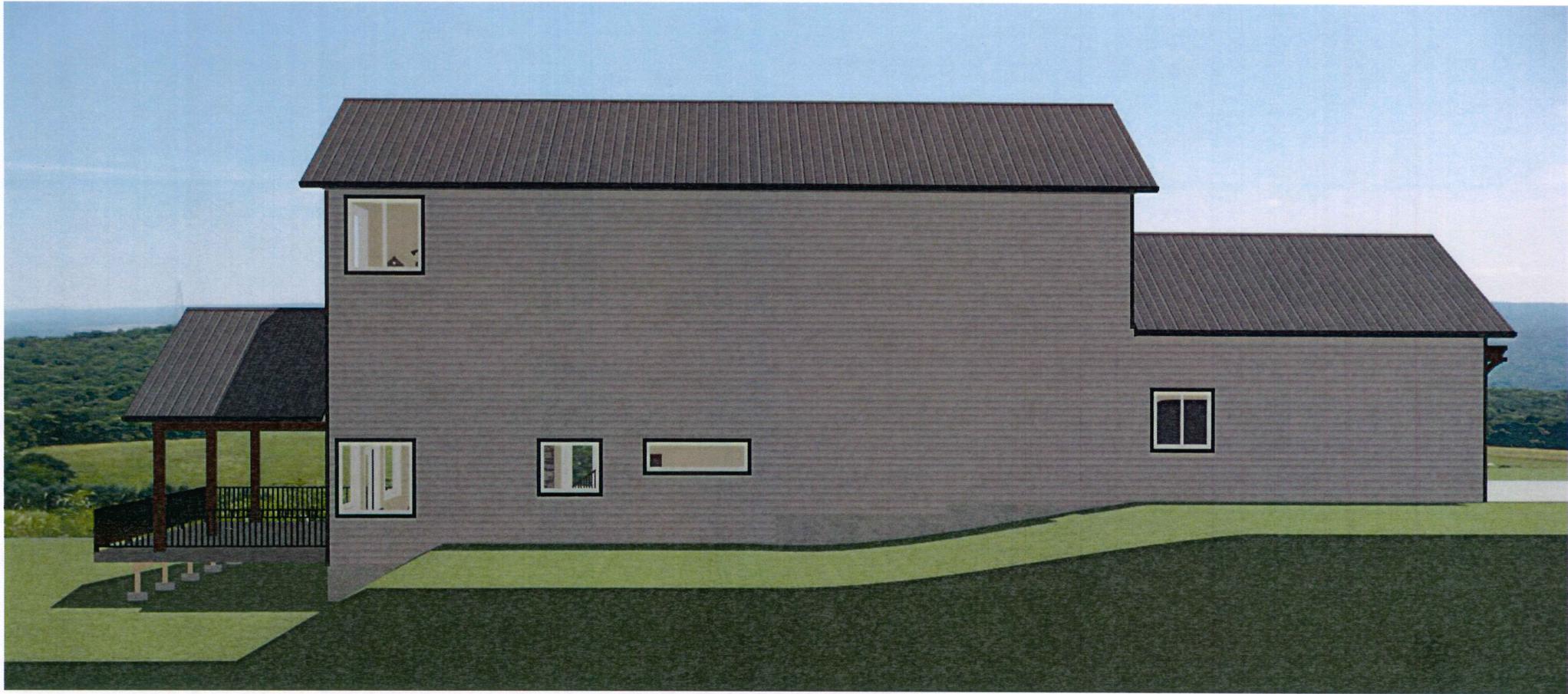
Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage ditches.











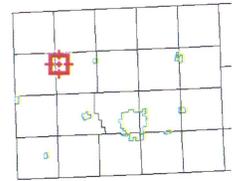


Beacon™

2020 VAR 606
Brookings County, SD



Overview



Legend

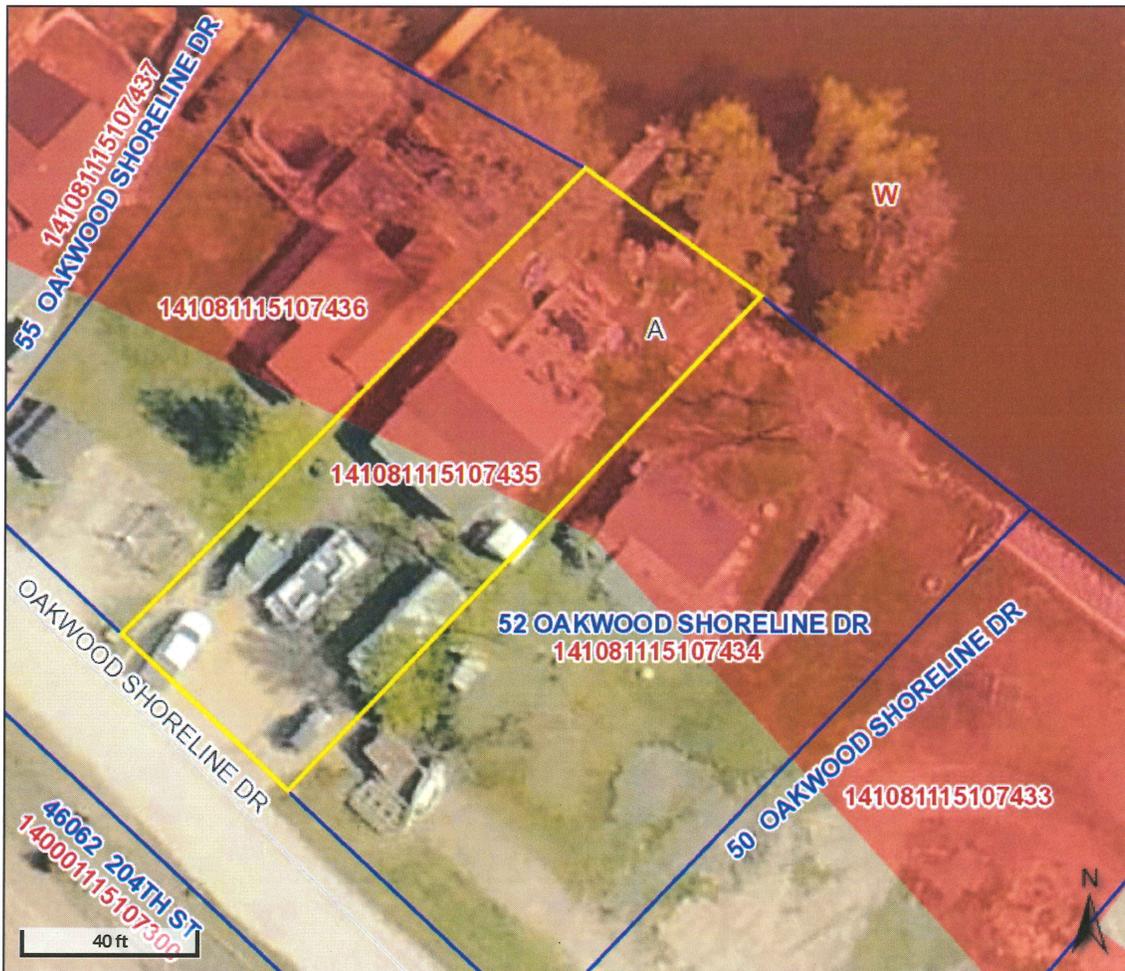
- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Parcels
- Roads

Parcel ID	141081115107435	Alternate ID	n/a	Owner Address	SMIDT, TODD R ET UX
Sec/Twp/Rng	7-111-51	Class	NACS		53 OAKWOOD SHORELINE DR
Property Address	53 OAKWOOD SHORELINE DR BRUCE	Acreage	n/a		BRUCE SD 57220
District	1409				
Brief Tax Description	DEBOER'S LAKE TETONKAHA WEST SUBDIV LOT 35 IN SE 1/4 SEC 07-111-51 47.6 X 146 (Note: Not to be used on legal documents)				

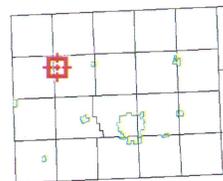
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Developed by Schneider GEOSPATIAL

2020VAR006 Floodplain 2008 map



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Parcels
- Roads
- Floodplain 2008**
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X

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Developed by **Schneider**
GEOSPATIAL

Front of cabin. Looking east from road. North property line.



Looking east from road. Existing cabin.



2020var006: Todd & Rachel Smidt

Looking east at south property line.



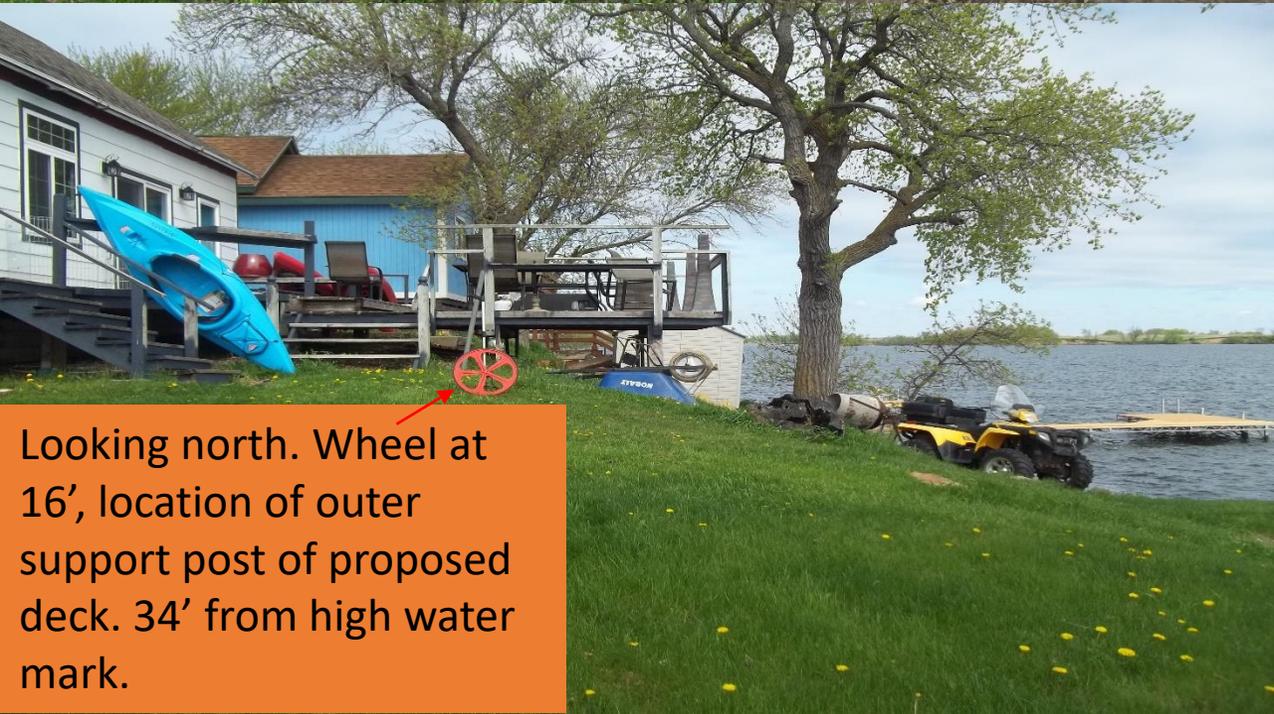
Wheel at 16', location of outer support post of proposed deck, 27' from high water mark.



Looking west from lake shore.
Wheel at 8' property line.



Looking west from lake shore.
Wheel at south property line.



Looking north. Wheel at 16', location of outer support post of proposed deck. 34' from high water mark.



Looking north along shoreline.