

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

August 4, 2020– 8:00 PM meeting

2020var010-August 4, 2020

Prepared by Richard Haugen

Applicant/Owner: Daniel Schaal, 1816 Olwien St, Brookings, SD 57006

Site: 218 S Lake Dr, Arlington, SD 57212

Legal Description: “Lots 21-22 Exc W 2’ Marvin Wade Subdivision in the NE1/4 of Section 6, T112N, R52W (Laketon Township)” ~~ located at 218 S Lake Dr, Arlington, SD 57212.

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 and Minimum Side Yard). The Lake Park – Lake Front setbacks are 75 feet from the high known watermark.

2020var010: Daniel Schaal has applied for a variance to build deck 2 feet from the side property line and 22 feet from the highest known water mark. A variance of 6 feet for the side set back and a variance of 53 feet from the highest known water mark. The side setback is 8 feet from the property line and lake side setback is 75 feet from the highest known watermark. The existing deck/walkway is 5’ wide x 23’ long along the lakeside of the house. The existing deck/walkway will be removed. The proposed deck will be all on one level and wheel chair accessible, it will run along the side of the garage to the back of the house (lakeside), where it will connect to the house. The deck will be 14’ wide x 37’ long which includes a 6’ x 15’ walkway along the side of the garage. The property is in the floodplain. The applicant has added fill and raised up the back yard where the deck will be located.

Things to consider: 1) Marvin Wade Subdivision was platted on May 24th, 1949;

2) Shape and size of lot.

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*

2020var010

Staff Report

August 4, 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, Laketon Township Chairman and Clerk and Brookings County Highway Department.

Public notices were published in the Brookings Register on July 21 and 28, 2020 and Arlington Sun on July 23 and 30, 2020.

APPLICATION FOR VARIANCE
TO
ZONING REGULATIONS

JUL 14 2020

BROOKINGS
COUNTY DEVELOPMENT

Date of Application: July 14, 2020

Variance Number: 2020VAR010

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:

Remove an existing wooden deck and replace it with a larger wooden deck at the same elevation, about 10-12 inches above the ground.

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

Article IV District Reg.: Chapter 4.03 "LP" Lake-Park District:
Section 4.03.03. Density, Area and Yard Regulations
(Minimum Lake Front and Minimum Side Yard)

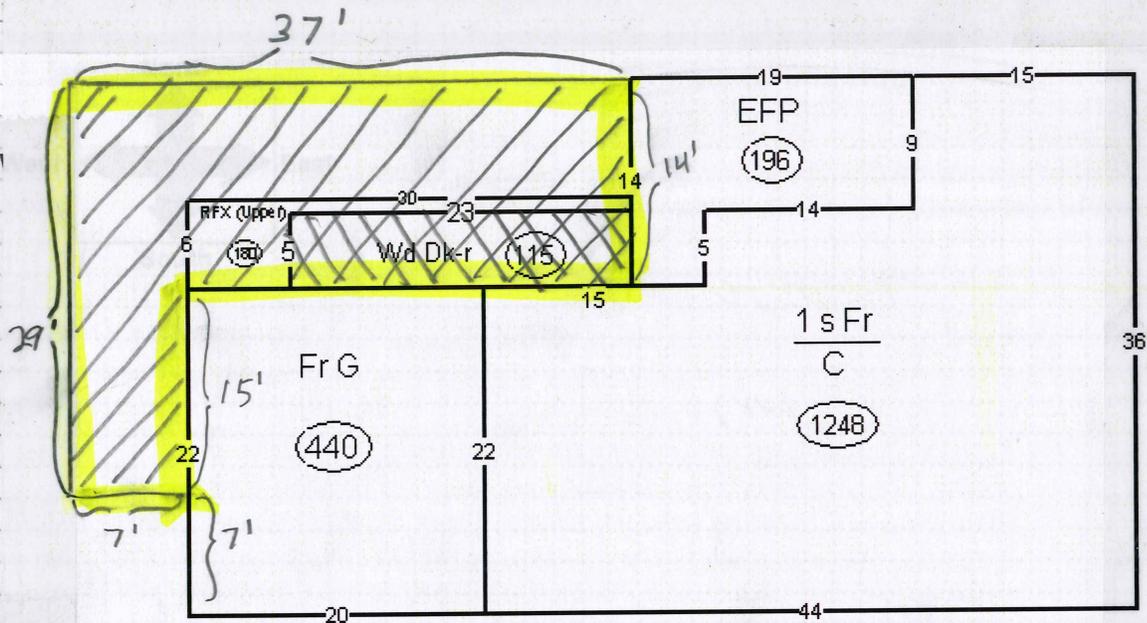
C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms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

The size of the lot makes it impossible to place a deck the required distance from the water. The piece of deck on the west side of the garage is to make the house handicap accessible. Please see extra page, Exhibit A

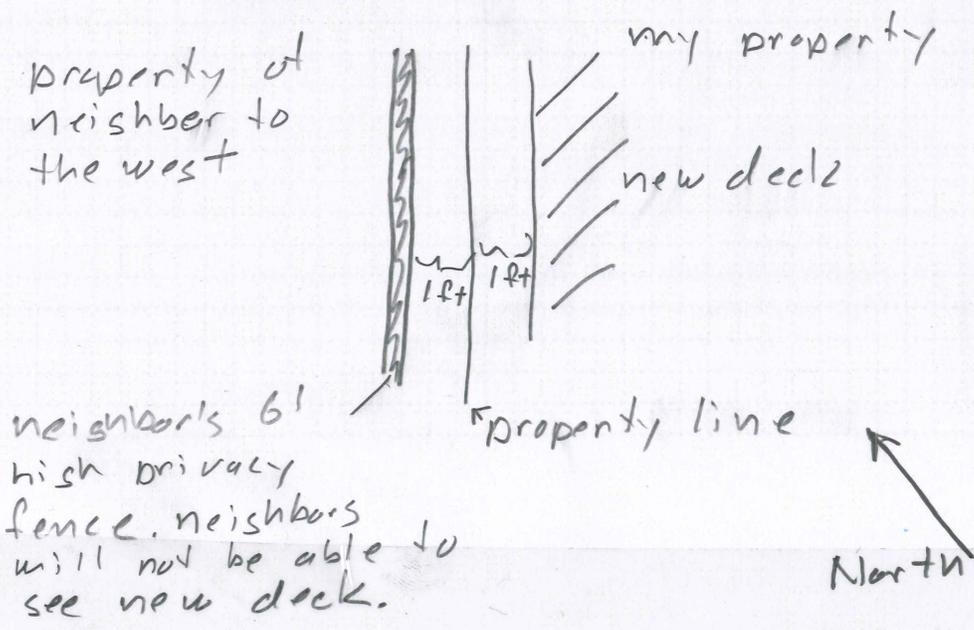
2020 VAR 010

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.



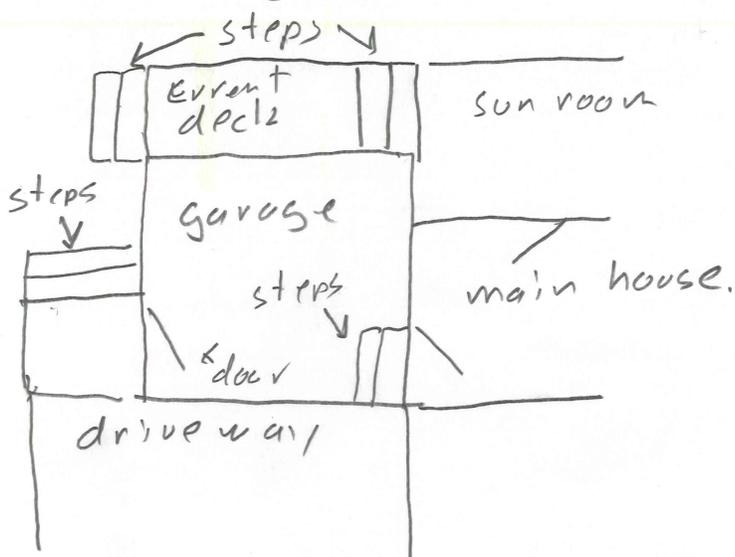
-  current deck to be removed
-  new deck, same elevation as current deck, approx 10-12 inches above the ground.



Handicap Accessible Features of New Deck

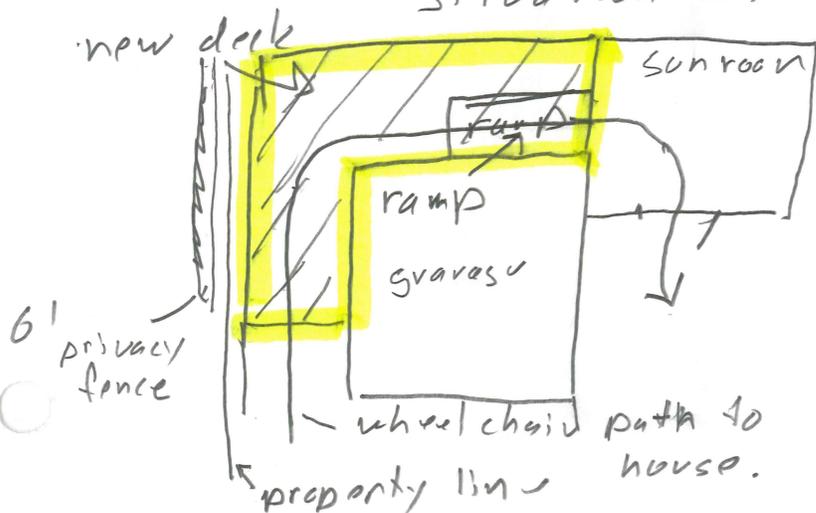
The driveway, garage, and ~~current deck~~ are all at the same elevation. The house is 2 ft higher. There are 2 doors into the house, one from the garage and one from the "sunroom" (EFP in picture) on the lake side. Currently both ways to enter the house involve steps. It is not possible to add a ramp in the garage.

Current Situation



The new deck will allow wheelchair access into the house by a ramp on the north (lake side) portion of the deck.

Situation with new deck.



The portion of the deck on the west that is near the neighbor's privacy fence is needed to allow a wheelchair to get to the north part of the deck and the ramp into the sun room.

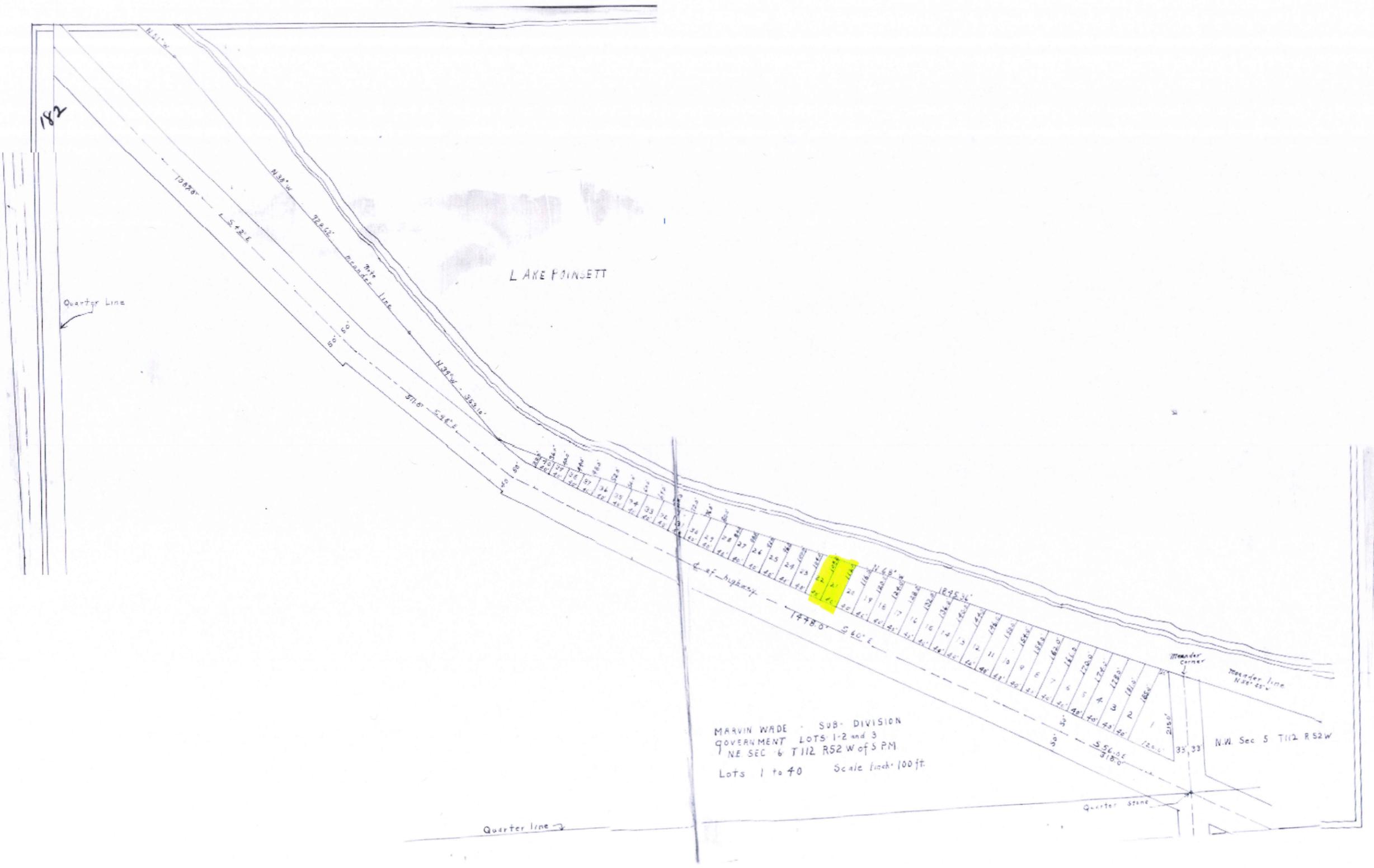
182

LAKE POINSETT

Quarter Line

MARVIN WADE - SUB-DIVISION
GOVERNMENT LOTS 1-2 and 3
NE SEC 6 T112 R52 W of 5 PM
Lots 1 to 40 Scale 1 inch = 100 ft

N.W. Sec 5 T112 R52W



2020 var 010

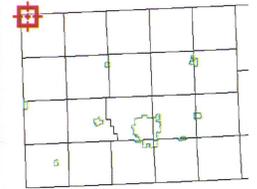


Beacon™

Brookings County, SD



Overview



Legend

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

Parcel ID	112251125206142	Alternate ID	n/a	Owner Address	SCHAAL, DANIEL J ET UX
Sec/Twp/Rng	6-112-52	Class	NAC		1816 OLWIEN ST
Property Address	218 S LAKE DR	Acreeage	n/a		BROOKINGS SD 57006
	ARLINGTON				
District	110919				
Brief Tax Description	MARVIN WADE SUBDIVISION LOTS 21-22 EXC W 2' IN NE 1/4 SEC 6-112-52 78'X 108'				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 7/8/2020
Last Data Uploaded: 7/8/2020 8:06:20 AM

Developed by  Schneider
GEOSPATIAL

Looking north towards lake.
Proposed deck location.



2020var010: Daniel Schaal

Looking north towards the lake.
Wheel at 2' from side property line.



Looking east towards existing deck/walkway.



Looking east. Wheel at northwest corner of proposed deck, 14' from house.



Looking east along shoreline.



Looking west along shore. Wheel at 14' from house.



View from dock, towards the proposed deck. Wheel at 14' from house.

