

## BROOKINGS COUNTY DEVELOPMENT

Planning, Zoning and Drainage / Emergency Management

Brookings City & County Government Center

520 3<sup>rd</sup> Street, Suite 200

BROOKINGS, SOUTH DAKOTA 57006

(605)-696-8350

E-Mail: [zoning@brookingscountysd.gov](mailto:zoning@brookingscountysd.gov)

Brookings County Board of Adjustment

October 6, 2020– 8:00 PM meeting

# 2020var018 – October 6, 2020

Prepared by Richard Haugen

Applicant/Owner: Michael Moe, 2421 S Glendale Ave, Sioux Falls, SD 57105

Site: 7 Oakwood Shoreline Dr, Bruce, SD 57220

Legal Description: “Lot 7 of DeBoer’s Lake Tetonkaha Subdivision in Govt Lots 5 & 6 of the SE1/4 of Section 7, T111N, R51W (Oakwood Township)”~~ located at 7 Oakwood Shoreline Dr, Bruce, SD 57220.

*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 highest known watermark; Lake Front side setbacks are 8 feet.*

2020var018: Michael Moe by Shawn Knapp has applied for a variance to build a new 36’ wide x 29’ long house with an 21’ x 26’ attached garage 32 feet from the highest known water mark and 5 feet from the side property line. A variance of 43 feet from the highest known water mark and a variance of 3 feet from the side property line. The Lake Park – Lake Front setbacks are 75 feet from the high water mark and 8 feet from the side property line. The current 16’ x 24’ cabin was built in 1960 and will be removed.

Things to consider: 1) DeBoer’s Lake Tetonkaha Subdivision was originally platted on October 30, 1984 and re-platted on October 10, 2002; 2) Shape and size of lot, the lot is 49.8 feet wide at the road and 42.7 feet wide at the lake side, (pie shaped).

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 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.”*

2020var018

Staff Report

October 6, 2020

Letters were sent to the adjoining landowners, Oakwood Township Chairman and Clerk.  
Public notices were published in the Brookings Register on September 22 and 29, 2020  
and Volga Tribune on September 24 and October 1, 2020.

APPLICATION FOR VARIANCE  
TO  
ZONING REGULATIONS

SEP - 8 2020

BROOKINGS  
COUNTY DEVELOPMENT

Date of Application: Sept. 8<sup>th</sup> 2020

Variance Number: 2020VHR018

To: Brookings County Board of Adjustment  
520 3<sup>rd</sup> 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 new home  
75' lake side use - 32' from high water mark  
45' Lake side, <sup>west</sup> side yard because of pie shaped lot  
Michael Emoc + Laurie L. Nelson Moc

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

75' rule on the lake side  
Article IV District Requirements: Chapter 4.03 "LP" Lake-Park  
District; Section 4.03.03. Density, Area and Yard  
Regulation (Minimum)

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 shape



DRAWING NUMBER  
**23-21**

SAFCO PRODUCTS • NEW HOPE, MINNESOTA  
REORDER BY PART NUMBER 6551

DRAWING NUMBER  
**1 of 2**

SAFCO PRODUCTS • NEW HOPE, MINNESOTA  
REORDER BY PART NUMBER 6551

20175-00-01

**PLAT OF**  
LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 AND 14 OF DEBOER'S LAKE TETONKAHA SUBDIVISION  
IN GOVERNMENT LOTS 5 & 6 IN THE SE1/4 OF  
SECTION 7-T111N-R51W OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA

Vacate Lot 14 MI189 Page 402

**AREA TABLE**

SOUTH OAKWOOD SHORELINE DRIVE = 21,088.1 SQ. FT.

LOT 1	- 13,176.8 S.F., MORE OR LESS
LOT 2	- 8,314.5 S.F., MORE OR LESS
LOT 3	- 7,300.6 S.F., MORE OR LESS
LOT 4	- 7,669.3 S.F., MORE OR LESS
LOT 5	- 14,176.3 S.F., MORE OR LESS
LOT 6	- 8,115.7 S.F., MORE OR LESS
LOT 7	- 5,992.9 S.F., MORE OR LESS
LOT 8	- 9,494.2 S.F., MORE OR LESS
LOT 9	- 11,058.2 S.F., MORE OR LESS
LOT 10	- 6,386.2 S.F., MORE OR LESS
LOT 11	- 7,959.7 S.F., MORE OR LESS
LOT 12	- 19,815.5 S.F., MORE OR LESS
LOT 13	- 10,265.7 S.F., MORE OR LESS
LOT 14	- 32,627.5 S.F., MORE OR LESS

This Plat shall vacate Lots 1 through 9 of the "PLAT OF LOTS 1 THROUGH 18 EXCEPT FOR LOTS 10, 11 AND 12 OF DEBOER SUBDIVISION IN GOVERNMENT LOTS 5 AND 6 IN THE SE1/4 OF SECTION 7-T111N-R51W OF THE 5TH P.M., BROOKINGS COUNTY, SOUTH DAKOTA," FILED OCTOBER 30, 1984 Book 15, Page 75



*Amended Certificate of Owner*  
Book 169 Misc  
Page 280

**LEGEND**

- SURVEY PIN FOUND
- PROPERTY CORNER SET THIS SURVEY 5/8" REBAR WITH STAMPED ALUMINUM CAP
- EASEMENTS

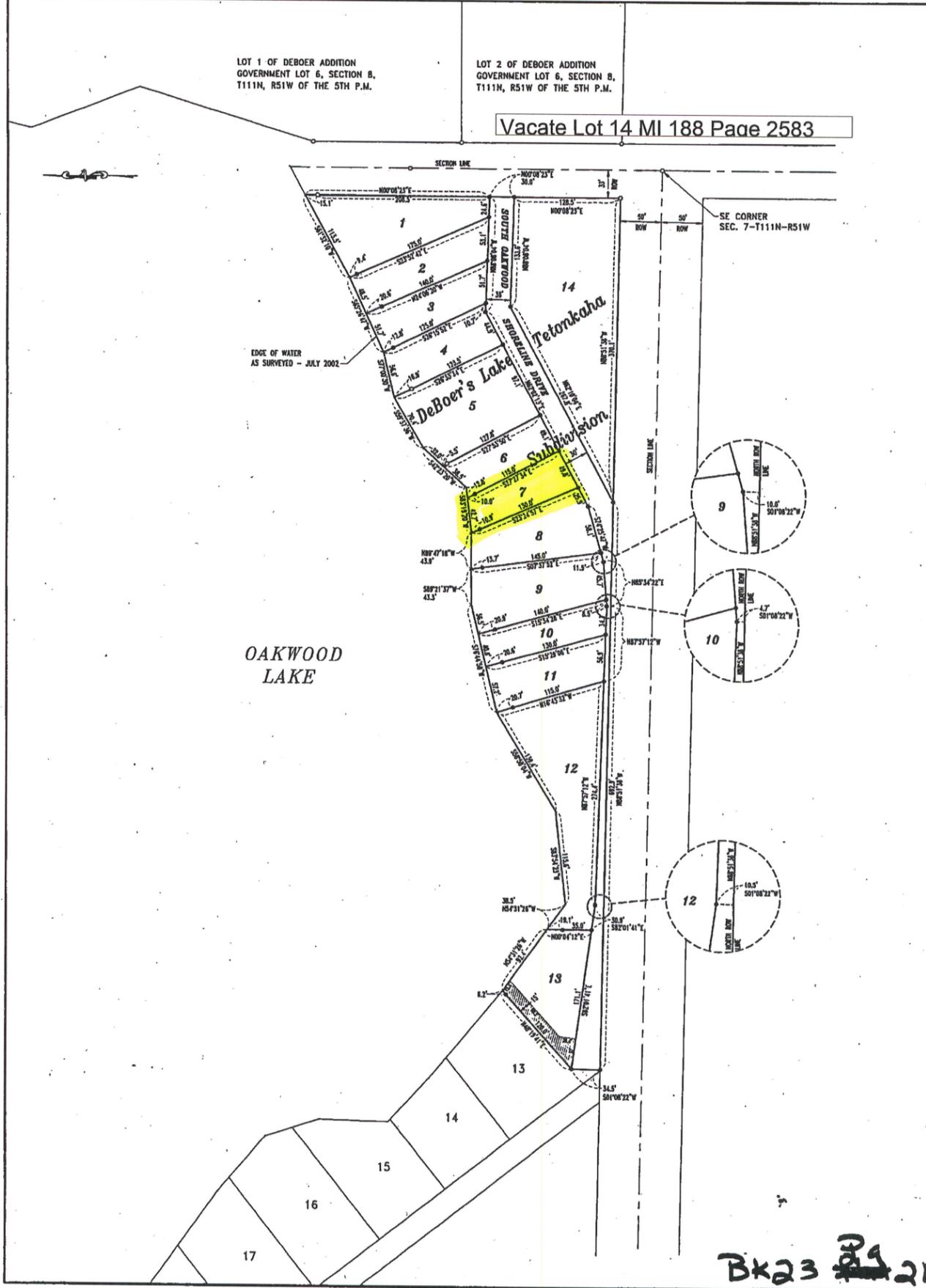
PREPARED BY:  
BANNER ASSOCIATES, INC.  
CONSULTING ENGINEERS  
BROOKINGS, SOUTH DAKOTA  
SEPTEMBER 2002  
(605) 692-6342

BEARINGS SHOWN ARE ASSUMED

LOT 1 OF DEBOER ADDITION  
GOVERNMENT LOT 6, SECTION 8,  
T111N, R51W OF THE 5TH P.M.

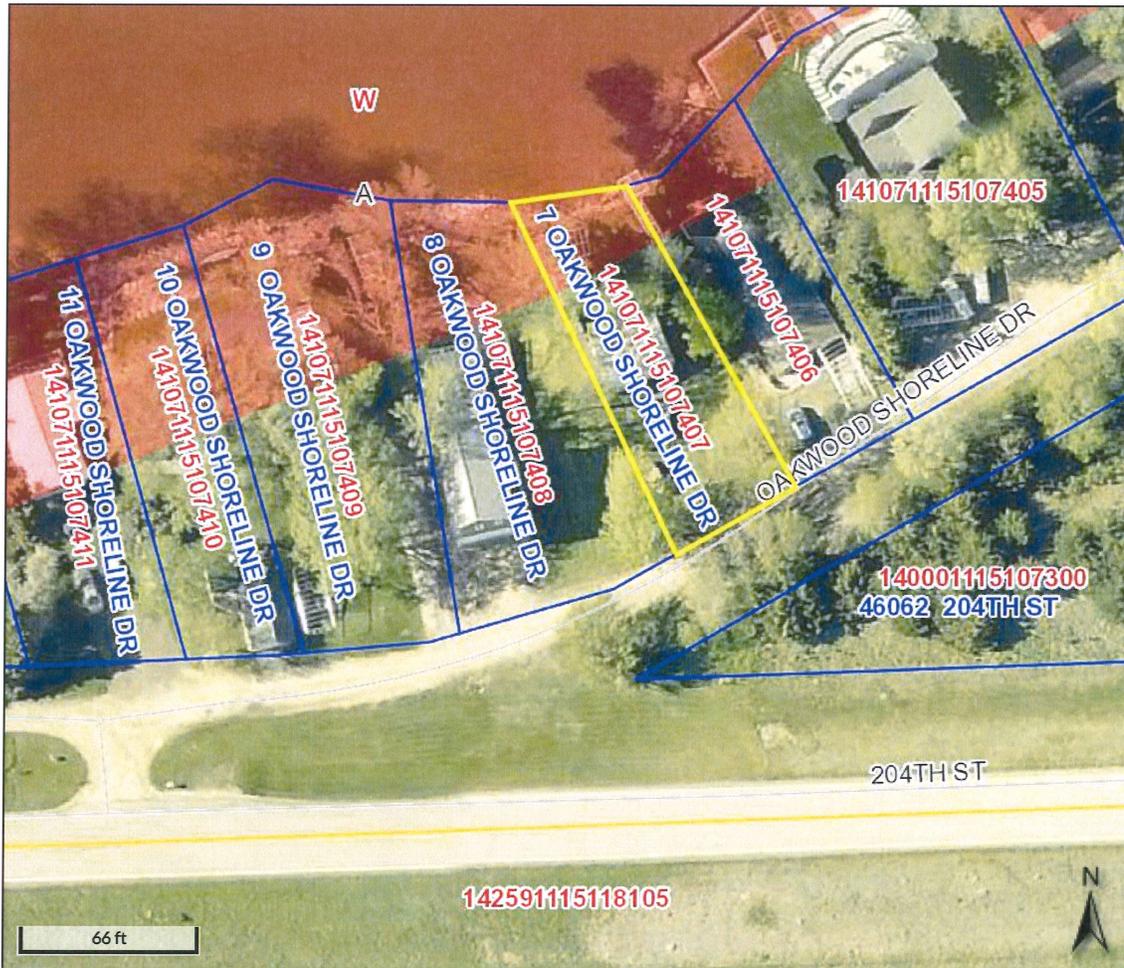
LOT 2 OF DEBOER ADDITION  
GOVERNMENT LOT 6, SECTION 8,  
T111N, R51W OF THE 5TH P.M.

Vacate Lot 14 MI 188 Page 2583

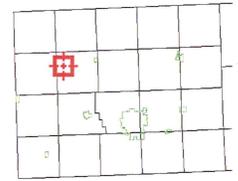


BK23 23-21

2020 VAR 018 Floodplain 2008



Overview



Legend

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

Parcel ID	141071115107407	Alternate ID	n/a	Owner Address	MOE, MICHAEL E ET UX
Sec/Twp/Rng	7-111-51	Class	NAC		2421 S GLENDALE AVE
Property Address	7 OAKWOOD SHORELINE DR	Acreage	n/a		SIOUX FALLS SD 57105
	BRUCE				
District	1409 - OAKWOOD TWP/ARLINGTON SCH				
Brief Tax Description	DEBOER'S LAKE TETONKAHA SUBDIV LOT 7 IN SE 1/4 SEC 07-111-51 56.9' X 122'				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 9/9/2020  
 Last Data Uploaded: 9/9/2020 8:03:47 AM

Developed by Schneider  
 GEOSPATIAL

2020 VAR 018

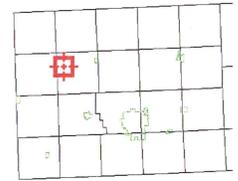


Beacon™

Brookings County, SD



Overview



Legend

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

Parcel ID	141071115107407	Alternate ID	n/a	Owner Address	MOE, MICHAEL E ET UX
Sec/Twp/Rng	7-111-51	Class	NAC		2421 S GLENDALE AVE
Property Address	7 OAKWOOD SHORELINE DR	Acres	n/a		SIoux FALLS SD 57105
	BRUCE				
District	1409 - OAKWOOD TWP/ARLINGTON SCH				
Brief Tax Description	DEBOER'S LAKE TETONKAHA SUBDIV LOT 7 IN SE 1/4 SEC 07-111-51 56.9' X 122'				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 9/9/2020  
 Last Data Uploaded: 9/9/2020 8:03:47 AM

Developed by Schneider  
 GEOSPATIAL

Looking east towards lot.



Looking towards lake from road. Wheel at 25' from road.



2020var018: Michael Moe

Looking west, wheel at 25' from the road.



Looking east. Wheel at end of house, 32' from highest known water mark.



Looking west, wheel at 32' from highest known water mark.



Property pin by sign. Wheel at 8' from side property line.



Wheel at property pin and high water mark.



Wheel at approximate west property line, 42'6" from east property pin.



Wheel at 5' from west property line.



Looking east along shore line.



Looking west along shore line.

