

BOARD OF ZONING ADJUSTMENT
January 12, 2017

The Board of Zoning Adjustment Meeting was held on Thursday, January 12, 2017 in the Aberdeen City Hall, First Floor Council Chambers, Aberdeen, South Dakota with Babcock presiding as Chairman. Chairman Babcock called the meeting to order. Members present at roll call were Grebner, Winter, VanDeRostyne, Weigel, & Babcock. Also present were Brett Bill, Planning & Zoning Director, Ken Hubbart, City Planner, Barry Dunlavy, Building Inspector, David Dosch, Code Enforcement Officer, John Pantzlaff, GIS/Planning Technician, Chad Nilson, Building Inspector, and Paula Nelson.

Weigel moved and VanDeRostyne seconded to approve the Board of Zoning Adjustment minutes of December 8, 2016, all members voting aye, the motion carried.

- 1) St. Mark's Episcopal Church requested permission, as per site plan submitted, to replace a 30sf freestanding sign with a 38sf freestanding sign in addition to two existing freestanding signs, which would be a 1) Variance to replace a third freestanding sign rather than the permitted one freestanding sign and 2) to permit the installation of 126.5sf of total signage rather than the permitted 36sf, which would be a 89.5sf Total Sign Size Variance, all on Lot 1, St. Mark's Episcopal Church First Subdivision, a.k.a. 1410 Kline Street N. Richard Zephier was present to represent the property. Following discussion Grebner moved and Weigel seconded to approve with the stipulation that permits must be obtained prior to installation. Upon roll call, Weigel-aye, VanDeRostyne-aye, Babcock-aye, Grebner-aye, Winter-nay (4-aye, 1-nay), the motion carried. **FREESTANDING SIGN VARIANCE AND TOTAL SIGN SIZE VARIANCE APPROVED.**
- 2) Allan Novstrup and Samantha Miller requested permission, as per site plan submitted, to 1) reuse an existing sign, which would be an Appeal to the Board of Zoning Adjustment, that is 2) internally illuminated, which would be an Appeal to the Board of Zoning Adjustment, and 3) that does not include a 3-D element, which would be an Appeal to the Board of Zoning Adjustment and 4) to permit the installation of a 12sf blade sign in addition to the nonconforming wall sign, which would be an Appeal to the Board of Zoning Adjustment, all on Lots 10-11, Block 11, Original Plat, a.k.a. 220 Main Street S. Samantha Miller, Kathy Novstrup, and Brent Brandt of Aberdeen Downtown Association were present to represent the property. Following discussion VanDeRostyne moved and Winter seconded to deny agenda item #1. Upon roll call, Weigel-aye, VanDeRostyne-aye, Babcock-aye, Grebner-nay, Winter-aye (4-aye, 1-nay), the motion carried. No action taken on agenda items #2 - #4. **APPEAL DENIED.**
- 3) LME, Inc. and Schopp Properties, LLC. requested permission, as per site plan submitted to permit the open storage of semi-trucks and trailers for a freight terminal, which would be a Special Exception in the (I-2) Unrestricted Industrial Zoning District, all on Outlot 14, NE¼ Sect. 17-T123N-R63W, a.k.a. 2921 Industrial Avenue. Justin Schopp was present to represent the property. Following discussion Grebner moved and Winter seconded to approve with the following stipulations: 1) Property must be maintained in a neat and orderly manner at all times, 2) All trucks, trailers, and other vehicles must be licensed & operable, 3) Open storage shall be limited to area indicated on site plan, 4) This Special Exception is for LME, Inc. as long as they are

owner/operator of proposed use only. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED** .

- 4) Schopp Properties, LLC. and Scott Thayer Trucking, LLC. requested permission as per site plan submitted, to 1) permit the open storage of new and used wooden pallets and related equipment, machinery and vehicles for Schopp Properties, LLC, which would be a Special Exception in the (I-2) Unrestricted Industrial Zoning District, and 2) to permit the open storage of semi-trucks, trailers and related equipment for Scott Thayer Trucking, LLC., all on Outlot 4, NE¼ Sect. 17-T123N-R63W, a.k.a. 403 County Road 19 N. Justin Schopp was present to represent the property. Following discussion Grebner moved and Weigel seconded to approve agenda items #1 and #2 with the following stipulations: 1) Property must be maintained in a neat and orderly manner at all times, 2) All trucks, trailers and other vehicles must be licensed and operable, 3) Open storage shall be limited to areas indicated on site plan, and 4) The Special Exceptions are for Scott Thayer Trucking and Schopp Properties, LLC only as long as they are owner/operator of the two proposed uses. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION S APPROVED** .
- 5) RK3, LLC. requested permission, as per site plan submitted, to 1) construct a 40'x48' addition to an existing 84'x48' cold storage building 15' from the North property line rather than the required 30', which would be a 15' Setback Variance and 2) to construct an addition to an accessory structure that is not aesthetically similar to the primary structure, which would be an Appeal to the Board of Zoning Adjustment, all on Lot 1, Ackerman's Third Subdivision, a.k.a. 2301 Eighth Avenue NE. John Kokales of Quest Construction was present to represent the property. Following discussion VanDeRostyne moved and Grebner seconded approve agenda item #1 with the following stipulations: 1) Plans must be submitted for review and a permit must be obtained prior to work commencing, 2) Property pins must be located for inspection and setbacks must be verified, and 3) All required inspections must be completed. Upon roll call, all members voting aye, the motion carried. **SETBACK VARIANCE APPROVED** . Following further discussion VanDeRostyne moved and Grebner seconded to approve agenda item #2, all members voting aye, the motion carried. **APPEAL APPROVED** .
- 6) SDN Communications requested permission, as per site plan submitted, to permit the installation of a 35' tall cellular tower in Public ROW, which would be an Appeal to the Board of Zoning Adjustment, located in Public ROW adjacent to 819 Eighth Avenue NE. Pat Schumacher of Northern Valley Communications was present to represent the property. Chairman Babcock stated that he had spoken with Bob Pitz of the Aberdeen School District and that they are 100% ok with the location of this request as printed. John Kokales stated that he owns the adjacent property and is also ok with this request. Following discussion Grebner moved and Babcock seconded to approve with the following stipulations: 1) The tower must be approved and permitted prior to installation, 2) The tower may not exceed the maximum structure height of the zoning district, and 3) The owner shall be responsible for the proper maintenance of the facility at all times. Upon roll call, all members voting aye, the motion carried. **APPEAL APPROVED** .
- 7) Dan Zumbaum requested permission, as per site plan submitted, to plat two lots with 33' of frontage on a Public ROW rather than the required 100', which would be two 67' Minimum Lot Frontage Variances, all on Proposed Lots 1&2, Zumbaum First Addition to

Aberdeen, a.k.a. 411 & 416 Fourth Avenue SW. Dan Zumbaum was present to represent the property. Following discussion Weigel moved and Grebner seconded to approve with the stipulation that a plat must be approved and filed with the Register of Deeds Office. Upon roll call, all members voting aye, the motion carried. **MINIMUM LOT FRONTAGE VARIANCES APPROVED** .

Chairman Babcock continued with other business as follows:

1) Election of Officers

Brett Bill continued with election of a Chairman. VanDeRostyne opened nominations by nominating Bob Babcock for Chairman. Grebner seconded the nomination. Weigel moved and VanDeRostyne seconded that nominations cease. All members voting aye to cease nominations, the motion carried. There being no further nominations for Chairman, all members voting aye to elect Bob Babcock as Chairman, the motion carried.

Babcock opened nominations by nominating Don Weigel for Vice-Chairman. VanDeRostyne seconded the nomination. VanDeRostyne moved and Winter seconded that nominations cease. All members voting aye to cease nominations, the motion carried. There being no further nominations for Vice-Chairman, all members voting aye to elect Don Weigel as Vice-Chairman, the motion carried.

2) Weigel raised concerns regarding the Downtown Sign Ordinance and the fact that the Downtown Association isn't abiding by it.

Following further discussion VanDeRostyne moved and Weigel seconded to adjourn the meeting.

Paula Nelson
Board of Zoning Adjustment Secretary
January 12, 2017