

BOARD OF ZONING ADJUSTMENT
February 9, 2017

The Board of Zoning Adjustment Meeting was held on Thursday, February 9, 2017 in the Aberdeen City Hall, First Floor Council Chambers, Aberdeen, South Dakota with Weigel presiding as Acting Chairman. Chairman Weigel called the meeting to order. Members present at roll call were Grebner, Schumacher, VanDeRostyne, Musel, and Weigel. Also present were Brett Bill, Planning & Zoning Director, Ken Hubbard, City Planner, Shane Smith, Code Enforcement Officer, John Pantzlaff, GIS/Planning Technician, Chad Nilson, Building Inspector, and Paula Nelson, Board of Zoning Adjustment Secretary.

Chairman Weigel welcomed Pat Schumacher as the newest board member.

Musel moved and Grebner seconded to approve the Board of Zoning Adjustment minutes of January 12, 2017, all members voting aye, the motion carried.

- 1) Toni & Mark Knight requested permission, as per site plan submitted, to 1) construct an addition to attached garage 23' from the South property line rather than the required 25', which would be a 2' Building Variance and 2) 5' from the East property line rather than the required 8', which would be a 3' Building Variance, all on Lot 3, Block 7, Mehlhoff's First Addition to North Plains Subdivision, a.k.a. 1215 Eighteenth Avenue NE. There being no representative present this item was moved to the end of the agenda.
- 2) Don Miller requested permission, as per site plan submitted, for 1) existing residence to remain 4.8' from the South property line rather than the required 8', which would be a 3.2' Building Variance and 2) 6' from the North property line rather than the required 8', which would be a 2' Building Variance in order to bring an existing residence into compliance, all on Lot 2, Block 3, Huffman's First Addition to Aberdeen, a.k.a. 1428 Dakota Street S. Jared Zepher of Little Eagle Contracting was present to represent the property. Following discussion Grebner moved and Musel seconded to approve 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.

BUILDING VARIANCES APPROVED .

- 3) Rivett Family Trust requested permission, as per site plan submitted, to plat three lots with 0' of frontage on a Public ROW rather than the required 200', which would be three 200' Minimum Lot Frontage Variances, all on Proposed Lots 1-3, River Horse Second Subdivision, NE $\frac{1}{4}$ Sect. 4-T123N-R63W, a.k.a. 4603, 4608 & 4640 River Horse Drive. There being no representative present this item was moved to the end of the agenda.
- 4) William Schaunaman requested permission, as per site plan submitted, for existing property to remain 40' in width rather than the required 50', which would be a 10' Minimum Lot Width Variance, all on Lot 1, Lawson's Second Replat of Block 11, Woolverton Addition, a.k.a. 1002 Dakota Street S. Beth Lopes was present to represent the property. Following discussion Grebner moved and Musel seconded to approve, all

members voting aye, the motion carried. **MINIMUM LOT WIDTH VARIANCE APPROVED** .

- 5) Audrey Spitzer and Randy's Auto requested permission, as per site plan submitted, to permit the open storage, parking and sale of vehicles, which would be a Special Exception in the (C-2) Highway Commercial Zoning District, all on Lot 1, Ragel's Addition, a.k.a. 621 Sixth Avenue SW. Randy Scherbenske was present to represent the property. Following discussion Musel moved and Grebner seconded to approve with the following stipulations: 1) This approval is for Randy's Auto only, as long as they are the owner/operator of the proposed use as a used car dealership, 2) This Special Exception is for the open storage and sale of licensed, operable vehicles only, 3) Maximum number of vehicles to be displayed at any time is ten (10), 4) No illegal or unpermitted signage shall be displayed on property, 5) No more than 1 vehicle per 10' x 20' parking stall not required for employee or customer parking, 6) The property must be maintained in a neat and orderly manner at all times, and 7) Absolutely no junk, or inoperable/unlicensed vehicles, parts, etc. may be stored outside. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED** .
- 6) The Aberdeen Housing Authority requested permission, as per site plan submitted, to permit the construction of a 24'x24' unattached Garage in front of the primary structure, which would be an Appeal to the Board of Zoning Adjustment, all on Lot 1, Central Villas First Addition, a.k.a. 1901 Merton Street S. Jody Zueger of Aberdeen Housing Authority and Josh Roozeboom of Lloyd Companies was present to represent the property. Following discussion VanDeRostyne moved and Grebner seconded to deny, all members voting aye, the motion carried. **APPEAL DENIED** .
- 7) Five Brothers Property Management requested permission, as per site plan submitted, for 1) existing residence and covered porch to remain 0' from the West property line rather than the required 25', which would be a 25' Building Variance and 2) to construct a 3.5'x12' covered front landing and stairs 0' from the West property line rather than the required 25', which would be a 25' Building Variance, all on The South 92' of Lots 11&12, Block 35, Hagerty & Lloyd Addition, the North 55.5' of Lot 1, Block 1, North Aberdeen Addition, The 36.5' next North of North 55.5' of Lot 1 & Vacated Street, a.k.a. 324 Washington Street N. Jared Little was present to represent the property. Following discussion Musel moved and VanDeRostyne seconded to approve 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, 3) All required inspections must be completed, 4) Front porch/steps may not be enclosed, and 5) If new basement is to be finished, additional permits must be obtained. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCES APPROVED** .
- 8) Daniel Lipp & Don Lipp requested permission, as per site plan submitted, to 1) construct an approach 145' from the next West approach rather than the required 500', which would be a 355' Minimum Approach Separation Variance and 2) 165' from the next East approach rather than the required 500', which would be a 335' Minimum Approach Separation Variance or 3) to construct an approach 180' from the next West approach

rather than the required 500', which would be a 320' Minimum Approach Separation Variance and 4) 133' from the next East approach rather than the required 500', which would be a 367' Minimum Approach Separation Variance, all on Outlot 7, Chandler Outlots, SW¼ Sect. 3-T123N-R64W, a.k.a. 2616 Twenty-fourth Avenue NW. Don Lipp was present to represent the property. Following discussion VanDeRostyne moved and Musel seconded to approve with the stipulation that only 1 approach can be built as requested by the property owner and approved & permitted by the Brown County Highway Department. Upon roll call, all members voting aye, the motion carried.

MINIMUM APPROACH SEPARATION VARIANCE APPROVED .

- 9) Michael Forsting and Morris Forsting requested permission, as per site plan submitted, for 1) existing residence to remain 15'8" from the East property line rather than the required 25', which would be a 9'4" Setback Variance and 2) 3'2" from the North property line rather than the required 5', which would be a 1'10" Setback Variance in order to construct an addition to the South side of residence, all on The South ½ of Lots 5 & 6, Block 23, Hagerty & Lloyd Addition, a.k.a. 415 Kline Street N. Scott Suedmeier of Aberdeen Masonry was present to represent the property. Following discussion Musel moved and Grebner seconded to approve 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, 3) All required inspections must be completed, and 4) If the applicant wishes to construct the addition to the South side of the house, a plat must be submitted to clear up the legal description of the property prior to permitting. Upon roll call, all members voting aye, the motion carried. **SETBACK VARIANCES APPROVED .**
- 3) Rivett Family Trust requested permission, as per site plan submitted, to plat three lots with 0' of frontage on a Public ROW rather than the required 200', which would be three 200' Minimum Lot Frontage Variances, all on Proposed Lots 1-3, River Horse Second Subdivision, NE¼ Sect. 4-T123N-R63W, a.k.a. 4603, 4608 & 4640 River Horse Drive. Ryan Rivett was present to represent the property. Following discussion Grebner moved and Musel seconded to approve, all members voting aye, the motion carried. **MINIMUM LOT FRONTAGE VARIANCES .**
- 1) Toni & Mark Knight requested permission, as per site plan submitted, to 1) construct an addition to attached garage 23' from the South property line rather than the required 25', which would be 2' Building Variance and 2) 5' from the East property line rather than the required 8', which would be a 3' Building Variance, all on Lot 3, Block 7, Mehlhoff's First Addition to North Plains Subdivision, a.k.a. 1215 Eighteenth Avenue NE. This item was withdrawn by petitioners. No action taken.

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

Paula Nelson
Board of Zoning Adjustment Secretary

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