

BOARD OF ZONING ADJUSTMENT
April 11, 2019

The Board of Zoning Adjustment Meeting was held on Thursday, April 11, 2019 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 Musel, Winter, Schumacher, Grebner, and Babcock. Also present were Brett Bill, Planning & Zoning Director, Ken Hubbart, City Planner, Eric Miller, City Planner, Chad Nilson, Building Inspector, Barry Dunlavy, Building Inspector, George Jones, GIS Technician, David Dosch, Code Enforcement Officer, Stuart Nelson, Assistant City Engineer, and Paula Nelson, Board of Zoning Adjustment Secretary.

Grebner moved and Musel seconded to approve the Board of Zoning Adjustment minutes of March 14, 2019, all members voting aye, the motion carried.

OPEN FORUM - No one was present.

- 1) Kevin Fiedler requested permission, as per site plan submitted, to 1) construct a 42'x50' accessory structure with 16' sidewalls rather than the permitted 10', which would be a 6' Building Variance, and 2) to construct a 42'x50' accessory structure prior to the construction of a residence, which would be an Appeal to the Board of Zoning Adjustment, all on Lot 1, Prairie's Edge Thirteenth Addition, a.k.a. 3004 Twenty-Fourth Avenue NE. Kevin Fiedler was present to represent the property. Anthony & Elizabeth Schwab of 2830 Water View Drive and Jill Danielson of 2822 Water View Drive were present in opposition to this project as requested. Following discussion Grebner moved and Musel seconded to deny agenda item #1, all members voting aye, the motion denied. **BUILDING VARIANCE DENIED** . Following further discussion Schumacher moved and Musel seconded to deny agenda item #2. Upon roll call, Grebner-nay, Musel-aye, Babcock-nay, Winter-nay, Schumacher-aye (2-aye,3-nay), the motion carried. **APPEAL DENIED** .
- 2) Canine Country Club, LLC. and The Aberdeen Development Corporation requested permission, as per site plan submitted, to permit the operation of a Kennel Facility as a Special Exception in the (I-2) Unrestricted Industrial Zoning District, all on Proposed Lot 1, CCC Addition to Aberdeen, in the NE¼ Sect. 16-T123N-R63W, a.k.a. 521 Production Street N. Heath Johnson of Dakota Plains Commercial Real Estate was present to represent the property. Following discussion Grebner moved and Schumacher seconded to approve with the following stipulations: 1) Plat must be approved and filed with the Brown County Register of Deeds, 2) Plans must be approved and permit obtained prior to construction, 3) All required inspections must be completed, 4) Property must be maintained in a neat and orderly manner at all times. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED** .
- 3) Elizabeth Korzan requested permission, as per site plan submitted, to 1) construct a 10'x20' shed 4' from the East property line rather than the required 10', which would be a 6' Building Variance and 2) 4' from the South property line rather than the required 10', which would be a 6' Building Variance, all on The West 70' of Lot 17, Block 6, Gorder's

Replat Fourth Addition, a.k.a. 1880 Eisenhower Circle. Elizabeth Korzan was present to represent the property. Brian Sieben of 123 Gorder Drive was present in opposition to this project as requested. Following discussion Schumacher moved and Grebner seconded to deny, all members voting aye, the motion carried. **BUILDING VARIANCES DENIED.**

- 4) Avera St. Luke's and Presentation Sisters requested permission, as per site plan submitted, to construct an addition to the existing structure 15' from the East property line rather than the required 30', which would be a 15' Building Variance, all on The South 732' of the West 366' of **Highlands Outlot 3, in the SE¼ Sect. 12-T123N-R64W**, a.k.a. 1002 Jay Street N. Sister Kathleen Bierne of Presentation Sisters, Chad Huff of Huff Construction, and Tom Snyder of Avera were present to represent the property. Following discussion Grebner moved and Musel seconded to deny, all members voting nay, the motion failed. Following further discussion Grebner moved and Musel seconded to approve with the following stipulations: 1) The applicant shall relocate the existing storm sewer to avoid any problems during construction or at any time in the future. This work shall be done at the applicant's expense. If relocated, the applicant and city attorney must prepare a new easement for approval by the City Council, and 2) All Fire Marshal requirements must be met. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCE APPROVED .**
- 5) Alan Hoerth requested permission, as per site plan submitted, to construct an 8'x24' access ramp 0' from the West property line rather than the required 15', which would be a 15' Building Variance, all on The West 74' of Lots 7-11, Howard & Hedger Replat of Northwest Addition and the East 17' of North Congress Street ROW, a.k.a. 718 Congress Street N. Eric Vetter was present to represent the property. Following discussion Grebner moved and Musel seconded to approve with the following stipulations: 1) Property lines must be located to verify setbacks at time of inspection, 2) All required inspections must be completed, and 3) If the ramp is ever not required for access, it must be removed. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCE APPROVED .**

Winter moved and Grebner seconded to adjourn the meeting.

Paula Nelson
Board of Zoning Adjustment Secretary
April 11, 2019