

**BOARD OF ZONING ADJUSTMENT**  
**March 12, 2020**

The Board of Zoning Adjustment Meeting was held on Thursday, February 13, 2020 in the Aberdeen City Hall, First Floor Council Chambers, Aberdeen, South Dakota with Weigel presiding as Acting Chairman. Acting Chairman Weigel called the meeting to order. Members present at roll call were VanDeRostyne, Fjeldheim, Weigel, Grebner, and Winter. Also present were Brett Bill, Planning & Zoning Director, Ken Hubbart, City Planner, Eric Miller, City Planner, Barry Dunlavy, Building Inspector, George Jones, GIS Technician, David Dosch, Code Enforcement Officer, Chris Brick, Building Inspector, and Paula Nelson, Board of Zoning Adjustment Secretary.

Winter moved and Grebner seconded to approve the Board of Zoning Adjustment minutes of February 13, 2020, all members voting aye, the motion carried.

OPEN FORUM - No one was present.

- 1) Tamela White requested permission, as per site plan submitted, to permit the operation of a daycare as a home occupation, which would be a Special Exception in an (R-2) Medium Density Residential Zoning District, all on Lot 1, Block B, Hunstad's First Subdivision, a.k.a. 2402 Fourteenth Avenue SE. Tamela White was present to represent the property. Following discussion Grebner moved and Fjeldheim seconded to approve with the following stipulations: 1) Any provided yard/play area must be maintained as a fenced in area. Fence must be installed by June 1, 2020, 2) No more than one individual other than the owner, may work at the daycare at one time, 3) A floor plan must be submitted for review showing the location used for childcare, 4) Age range of children, the number of children and hours of operation must be submitted, 5) This special exception is for the owner, as long as she/he is the owner/operator of the proposed use, 6) Announced and unannounced inspections must be permitted by operator, 7) The operator must schedule a home inspection with the Building Inspection Department and/or the Fire Marshal in order to verify that Building and Fire Code requirements are met, and any required changes or modifications must be made, and 8) Owner/operator and any employees must be licensed with the City of Aberdeen. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED** .
- 2) Brent Fischer requested permission, as per site plan submitted, to construct a 24'x40' addition to unattached garage 4.81' from the North property line rather than the required 5', which would be a .19' Building Variance, all on Lot 1, Healy Addition to Aberdeen, a.k.a. 1114 Silver Lane. Brent Fischer was present to represent the property. Following discussion Grebner moved and VanDeRostyne seconded to deny. Upon roll call, VanDeRostyne-aye, Fjeldheim-aye, Weigel-aye, Grebner-nay, Winter-nay (3-aye,2-nay), the motion carried. **BUILDING VARIANCE DENIED** .
- 3) Lamont Strip Mall I, LLC requested permission, as per site plan submitted, to permit the installation of 1052.5sf of total signage rather than the permitted 820sf, which would be a 232.5sf Sign Variance, all on Lot 5, Lamont Fifth Addition, a.k.a. 3828 Seventh Avenue SE. There being no representative present this item was moved to the end of the agenda.
- 4) Chelsea Hassel requested permission, as per site plan submitted, to reconstruct residence on existing foundation 1) 11' from the North property line rather than the required 25', which would be a 14' Building Variance and 2) 10' from the West property line rather than the required 15', which would be a 5' Building Variance and 3) for existing detached garage to remain 4' from the East property line rather than the required 5', which would be a 1'

Building Variance, and 4) 21.8' from the West property line rather than the required 25', which would be a 3.2' Building Variance, all on Lot 8, Block 43, Hagerty & Lloyd's Addition to Aberdeen, a.k.a. 124 Penn Street N. Contractor C J Lane was present to represent the property. Following discussion Grebner moved and Winter seconded to approve with the following stipulations: 1) Plans must be submitted for review and a permit must be issued 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) Building Inspection approval or Structural Engineer design must be approved before permits will be issued. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCES APPROVED.**

- 5) First Reformed Church of Aberdeen requested permission, as per site plan submitted, to 1) permit the installation of a new 40sf wall sign rather than the permitted 36sf, which would be a 4sf Sign Variance, and 2) to relocate existing 40sf wall sign to south wall of building for a total of 80sf of total signage rather than the permitted 36sf, which would be a 44sf Sign Variance, all on Lots 1-3, Lawson's First Replat of Block 10, Woolverton Addition, a.k.a. 818 Ninth Avenue SE. Jeff Casanova and Doug Haak were present to represent the property. Following discussion Grebner moved and VanDeRostyne seconded to approve with the stipulation that sign permits must be obtained prior to installation. Upon roll call, all members voting aye, the motion carried. **SIGN VARIANCES APPROVED .**
- 6) Scott Suedmeier requested permission, as per site plan submitted, to permit the open storage of vehicles, machinery, materials, equipment and similar items, which would be a Special Exception in the (I-2) Unrestricted Industrial Zoning District, all on The West 37' of Lots 1-7 & Lots 8-14, Block 55, West Aberdeen Addition and the South 33' of the West 195' of Vacated Street and Vacated Alley, except H-1, a.k.a. 610 Sixth Avenue SW. Scott Suedmeier was present to represent the property. Following discussion Fjeldheim moved and VanDeRostyne seconded to deny. Upon roll call, VanDeRostyne-aye, Fjeldheim-aye, Weigel-nay, Grebner- abstain, Winter-nay, the motion failed. Following further discussion Winter moved and VanDeRostyne seconded to approve with the following stipulations: 1) All vehicles must be licensed and operable per state law definition, 2) Any remaining signs for businesses no longer in operation must be removed, 3) No parking or storage within 35' corner visibility triangles at intersections, 4) No materials or miscellaneous equipment may be stored outside. Upon roll call, all members voting aye with Grebner abstaining, the motion carried. **SPECIAL EXCEPTION APPROVED .**
- 7) Doug Braa requested permission, as per site plan submitted, to 1) permit the construction of a min-storage facility, which would be an Appeal to the Board of Zoning Adjustment in the (I-2) Unrestricted Industrial Zoning District, and 2) to permit the construction of a mini-storage building that is 120' in width rather than the permitted 30', which would be a 90' Maximum Width Variance, and 3) to construct a mini-storage building with 18' sidewalls rather than the permitted 16', which would be a 2' Building Variance, all on Lot 1, Aberdeen Asphalt Addition, a.k.a. 408 Twelfth Avenue SW. Chad Huff of Huff Construction was present to represent the property. Following discussion Grebner moved and VanDeRostyne seconded to approve agenda item #1 with the following stipulations: 1) Sidewalks and curb & gutter must be installed where missing along 11<sup>th</sup> and 12<sup>th</sup> Ave as required by City Ordinance, 2) Property must be landscaped to City Ordinance standards, including boulevard trees, 3) No open storage, parking or sale of vehicles, equipment, materials, etc., 4) If bays are rented for commercial use, adequate off street parking must be provided at time of build-out, and 5) Any signage must comply with ordinance and permits obtained prior to construction. Upon roll call, all members voting aye, the motion carried. **APPEAL APPROVED .** Following

further discussion Grebner moved and Fjeldheim seconded to approve agenda items #2 and #3 with the following stipulations: 6) Plans must be submitted for review and a permit must be obtained prior to work commencing, 7) Property pins must be located for inspection and setbacks must be verified, 8) All required inspections must be completed, and 9) All fire rated requirements must be met. Upon roll call, all members voting aye, the motion carried.

**MAXIMUM WIDTH VARIANCE AND BUILDING VARIANCE APPROVED .**

- 8) Midcontinent Communications requested permission, as per site plan submitted, for 1) existing building to remain 2.5' from the North property line rather than the required 25', which would be a 22.5' Building Variance in order to 2) construct a new addition 11.7' from the North property line rather than the required 25', which would be a 13.3' Building Variance, all on Proposed Lot 1, Midcontinent Addition to the City of Aberdeen, a.k.a. 24,102 and 116 First Avenue NE. Brian Rients of Midcontinent Communications was present to represent the property. Following discussion Grebner moved and Winter 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) Any required landscaping must be completed. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCES APPROVED .**
  
- 3) Lamont Strip Mall I, LLC requested permission, as per site plan submitted, to permit the installation of 1052.5sf of total signage rather than the permitted 820sf, which would be a 232.5sf Sign Variance, all on Lot 5, Lamont Fifth Addition, a.k.a. 3828 Seventh Avenue SE. Luke Wietgreffe of Lamont's was present to represent the property. Following discussion Grebner moved and VanDeRostyne seconded to deny. Upon roll call, VanDeRostyne-aye, Fjeldheim-aye, Weigel-aye, Grebner-nay, Winter-aye (4-aye, 1-nay) the motion carried. **SIGN VARIANCE DENIED .**

Grebner moved and Weigel seconded to adjourn the meeting.

---

Paula Nelson  
Board of Zoning Adjustment Secretary  
March 12, 2020