

**BOARD OF ZONING ADJUSTMENT**  
**September 10 , 2020**

The Board of Zoning Adjustment Meeting was held on Thursday, September 10, 2020 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 VanDeRostyne, Fjeldheim, Babcock, Weigel, and Schumacher. Also present were Brett Bill, Planning & Zoning Director, Ken Hubbard, City Planner, and Eric Miller, City Planner.

VanDeRostyne moved and Weigel seconded to approve the Board of Zoning Adjustment minutes of August 13, 2020, all members voting aye, the motion carried.

OPEN FORUM - No one was present.

- 3) Chris Holmes requested permission, as per site plan submitted, for 1) residence to remain 22' from the East property line rather than the required 25', which would be a 3' Building Variance and 2) to construct an accessory structure that is 768sf in size rather than the permitted 600sf, which would be a 168sf Accessory Structure Lot Coverage Variance, all on Lots 3&4, Block 27, Hagerty & Lloyd Addition, a.k.a. 417 Penn Street N. Chris Holmes was present to represent the property. Following discussion Schumacher moved and Weigel seconded to approve agenda item #1, all members voting aye, the motion carried. **BUILDING VARIANCE APPROVED** . Following further discussion VanDeRostyne moved and Fjeldheim seconded to deny agenda item #2, all members voting nay, the motion failed. Following further discussion VanDeRostyne moved and Schumacher seconded to approve agenda item #2 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) Property must be replatted into one lot prior to permitting. Upon roll call, all members voting aye, the motion carried. **LOT COVERAGE VARIANCE APPROVED** .
- 4) James Thares requested permission, as per site plan submitted, to construct a 35'x52' unattached accessory structure 30' from the West property line rather than the required 35', which would be a 5' **Building Variance**, all on Lot 14, **Boulevards Subdivision in the SE¼ Sect. 6-T123N-R63W**, a.k.a. 2610 Pheasant Run Boulevard. James Thares was present to represent the property. Following discussion Schumacher moved and Fjeldheim seconded to approve with the following stipulations: 1) Unattached accessory structure not to exceed 32' x 52', 2) Building permit must be obtained prior to work commencing, 3) Property pins must be located for inspection and setbacks must be verified, and 4) All required inspections must be completed. Upon roll call, VanDeRostyne-aye, Fjeldheim-aye, Babcock-aye, Weigel-aye, Schumacher-aye (4-aye,1-nay), the motion carried. **BUILDING VARIANCES APPROVED** .
- 5) Shawn and Chanda Boesl requested permission, as per site plan submitted, to 1) permit an accessory structure within the side yard setback, which would be an Appeal to the Board of Zoning Adjustment, and 2) to construct a 34'x56' accessory structure with 12' sidewalls rather than the required 10', which would be a Special Exception and 3) to construct 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, Shawn & Chanda Boesl Addition, a.k.a. 5006 Kingfisher Avenue SE. Shawn Boesl was present to represent the property. Following discussion Schumacher moved and Fjeldheim seconded to deny agenda item #1. Upon roll call, VanDeRostyne- nay, Fjeldheim-aye, Babcock-aye, Weigel-aye, Schumacher-aye (4-aye,1-nay), the motion carried. **APPEAL DENIED** . Following further discussion Schumacher moved and Weigel seconded to deny agenda item #2, all members voting aye, the motion carried. **SPECIAL EXCEPTION DENIED** . Following further discussion VanDeRostyne moved and

Schumacher seconded to deny agenda #3, all members voting aye, the motion carried.

**APPEAL DENIED .**

- 6) Ed Korbel requested permission, as per site plan submitted, to construct a 26'x30' unattached garage 10' from the North property line rather than the required 25', which would be a 15' Building Variance, all on Lot 8, Searle & Hedger's Replat of Block 4, Sullivan & Easton Addition to Aberdeen, a.k.a. 824 Lincoln Street N. Ed Korbel and Dave Mitzel were present to represent the property. Following discussion Schumacher moved and Weigel seconded to deny, all members voting nay, the motion failed. Following further discussion VanDeRostyne moved and Weigel 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. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCE APPROVED .**
- 7) Kiropa Properties, LLC requested permission, as per site plan submitted, to 1) provide 102 parking stalls rather than the required 250, which would be a 148 stall Parking Variance and 2) to provide 3 off-street loading and unloading stalls rather than the permitted 11, which would be an 8 Stall Parking Variance, all on Lot 1, Lamont Second Addition, a.k.a. 3502 Seventh Avenue SE. City staff represented this item due to the COVID-19 pandemic. Following discussion VanDeRostyne moved and Fjeldheim seconded to approve, all members voting aye, the motion carried. **PARKING VARIANCES APPROVED .**
- 1) Savannah Black 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 a (R-3) High Density Residential District, all on Lot 5, Rasmussen's Replat of Lots 4,5&6, Block 56, Thomas Addition, a.k.a. 312 Tenth Avenue SW. City staff represented this item due to the COVID-19 pandemic. Following discussion Weigel moved and VanDeRostyne seconded to approve with the following stipulations: 1) Any provided yard/play area must be maintained as a fenced in area prior to the operation of this daycare commencing, 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) Jeff Carroll requested permission, as per site plan submitted, for 1) existing residence to remain 20' from the East property line rather than the required 25', which would be a 5' Building Variance and 2) 3' from the South property line rather than the required 5', which would be a 2' Building Variance, all on Lots 806-807, Morning Heights Extended Addition, a.k.a. 1006 Lawson Street S. City staff represented this item due to COVID-19 pandemic. Following discussion VanDeRostyne moved and Weigel seconded to approve, all members voting aye, the motion carried. **BUILDING VARIANCES APPROVED .**

VanDeRostyne moved and Weigel seconded to adjourn the meeting.

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Paula Nelson  
Board of Zoning Adjustment Secretary

September 10, 2020