

MINUTES
BOARD OF ZONING ADJUSTMENT
October 13, 2022

The Board of Zoning Adjustment Meeting was held on Thursday, October 13, 2022, 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 Weigel, Babcock, VanDeRostyne, and Schumacher. Also present were Brett Bill, Planning & Zoning Director, Ken Hubbart, City Planner, Eric Miller, City Planner, Jeremiah Maxfield, GIS Coordinator, David Dosch, Code Enforcement Officer, and Amanda Kamphuis, Board of Zoning Adjustment Secretary.

VanDeRostyne moved, and Schumacher seconded, to approve the Board of Zoning Adjustment Minutes of September 8, 2022, all members voting aye, the motion carried.

OPEN FORUM – No one was present.

- 1) John Loebbs requested permission, as per site plan submitted, for 1) existing residence to remain 20.6' from the East property line rather than the required 25', which would be a 4.4' Building Variance, and 2) for existing shed to remain 2' from the West property line rather than the required 5', which would be a 3' Building Variance, all on The South 71' of Lots 1-3, Block 12, West Hill Addition, a.k.a. 210 Twelfth Street S. There being no representative present, this item was moved to the end of the agenda.
- 2) Cory Weisbeck requested permission, as per site plan submitted, for 1) existing residence to remain 16' from the East property line rather than the required 25', which would be a 9' Building Variance and 2) 13.4' from the South property line rather than the required 15', which would be a 1.6' Building Variance, all on Lot 7, Kelley's Replat of Block 15, Hagerty & Lloyd Addition, a.k.a. 829 Fifth Avenue NE. Cory Weisbeck was present to represent the property. Following discussion, Weigel moved, and VanDeRostyne seconded, to approve items #1 and #2. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCES APPROVED.**
- 3) Sovereign Grace Church requested permission, as per site plan submitted, to 1) permit four wall signs rather than the permitted one, which would be a three Sign Variance, and 2) to permit 80sf of wall signage rather than the permitted 36sf, which would be a 44sf Sign Variance, all on Lot 3, American News First Subdivision to the City of Aberdeen, a.k.a. 206 Second Avenue SW. Sam Ellison was present to represent the property. Following discussion, VanDeRostyne moved, and Weigel seconded, to approve item #1 with the stipulation that permits must be obtained prior to installation. Upon roll call, all members voting aye, the motion carried. **SIGN VARIANCE APPROVED.** Upon further discussion, Weigel moved, and Schumacher seconded, to approve item #2 with the following stipulations: 1) Permits must be obtained prior to installation and 2) Parking signs should be redesigned to indicate the church name so as not to be construed as an official public parking facility. Upon roll call, all members voting aye, the motion carried. **SIGN VARIANCE APPROVED.**
- 4) Barb Thurman requested permission, as per site plan submitted, to construct a 6'x10' shed 17' from the East property line rather than the required 25', which would be an 8' Building Variance, all on Lot 16, Block 43, Hagerty & Lloyd Addition, a.k.a. 831 First Avenue NE. Barb Thurman was present to represent the property. Following discussion, Schumacher moved, and VanDeRostyne seconded, to approve with the following stipulations: 1) A permit must be obtained prior to construction and 2) Property lines must be located to verify setbacks at time of construction. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCE APPROVED.**

- 5) Menard, Inc. requested permission, as per site plan submitted, to 1) permit the construction of a mini-storage facility consisting of twelve buildings, which would be a Special Exception in the (C-2) Highway Commercial Zoning District, and 2) to permit the open storage and parking of vehicles, which would be a Special Exception, and 3) to construct a mini-storage building 180' long rather than the permitted 120', which would be a 60' Maximum Length Variance and 4) to construct a mini-storage building 140' long rather than the permitted 120', which would be a 20' Maximum Length Variance and 5) to construct a mini-storage building 500' long rather than the permitted 120', which would be a 380' Maximum Length Variance and 6) to construct a mini-storage building 40' wide rather than the permitted 30', which would be a 10' Maximum Width Variance, and 7) to repurpose a mini-storage building that is 60' wide rather than the permitted 30', which would be a 30' Maximum Width Variance and 8) to construct a mini-storage building that is 40' wide rather than the permitted 30', which would be a 10' Maximum Width Variance and 9) 140' in length rather than the permitted 120', which would be a 20' Maximum Length Variance and 10) to construct a mini-storage building that is 168' long rather than the permitted 120', which would be a 48' Maximum Length Variance and 11) to construct a mini-storage building that is 40' wide rather than the required 30', which would be a 10' Maximum Width Variance and 12) 300' long rather than the permitted 120', which would be a 180' Maximum Length Variance and 13) to construct a mini-storage building that is 300' long rather than the permitted 120', which would be a 180' Maximum Length Variance, and 14) to construct a mini-storage building that is 300' long rather than the permitted 120', which would be a 180' Maximum Length Variance and 14) to construct a mini-storage building that is 384' long rather than the permitted 120', which would be a 264' Maximum Length Variance, and 15) to construct a mini-storage building that is 170' long rather than the permitted 120', which would be a 50' Maximum Length Variance and 16) 40' wide rather than the permitted 30', which would be a 10' Maximum Width Variance, all on Lots 2,3&4, Menards AmericInn Third Subdivision, a.k.a. 3824 and 3906 Third Avenue SE and 316 Brown County Highway 19 S. Tyler Edwards was present to represent the property. Following discussion, Weigel moved, and Schumacher seconded, to approve item #1 with the following stipulations: 1) A plat must be filed to combine underlying parcels into one lot, 2) Plans must be approved and a permit obtained prior to construction, and 3) All required inspections must be completed. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED.** Following further discussion, Weigel moved, and Schumacher seconded, to approve item #2 with the following stipulations: 1) All open storage must be within the areas indicated on site plan, 2) All vehicles must be licensed and operable, and 3) 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.** Upon further discussion, Schumacher approved, and VanDeRostyne seconded, to approve items #3-#16 with the stipulation that all building and fire code requirements are met. Upon roll call, all members voting aye, the motion carried. **MAXIMUM LENGTH AND WIDTH VARIANCES APPROVED.**
- 6) Rob Hengel requested permission, as per site plan submitted, to permit the open storage and parking of vehicles, trailers, materials, and equipment for an electrical business, which would be a Special Exception in the (C-2) Highway Commercial Zoning District, all on Lot 1, Wagner Holding's Subdivision of Lot 1, Pheasant Run Second Subdivision, a.k.a. 925 Convention Center Street N. Rob Hengel was present to represent the property. Following discussion, Schumacher moved, and VanDeRostyne seconded, to approve with the following stipulations: 1) Only licensed and operable vehicles, equipment, and trailers associated with Hengel Electric may be stored outside in an allowable parking area, 2) All other vehicles, miscellaneous parts, materials, refuse, etc. must be stored in the proposed fenced enclosure, 3) Property must be maintained in a neat and orderly manner at all times, 4) Any code enforcement violations must be corrected upon notice, and 5) This Special Exception is for Hengel Electric only, as long as they are the owner/operator of proposed used. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED.**

- 7) Jay & Daline Gellhaus requested permission, as per site plan submitted, to 1) install a freestanding sign with 4'x6' and 3'x6' panels 0' from the East property line rather than the required 5', which would be a 5' Sign Setback Variance, and 2) 1' from the North property line rather than the required 5', which would be a 4' Sign Setback Variance, all on The North 80' of the West 4' of Lot 15 and North 80' of Lot 16, Block 53, Second Addition to Aberdeen, a.k.a. 902 Main Street S. Jay and Daline Gellhaus were present to represent the property. Following discussion, Schumacher moved, and Babcock seconded, to approve with the following stipulations: 1) A permit must be obtained prior to construction and 2) This is for relocating the existing sign only, no alterations or additions, etc. Upon roll call, all members voting aye, the motion carried. **SIGN SETBACK VARIANCES APPROVED.**
- 1) John Loebis requested permission, as per site plan submitted, for 1) existing residence to remain 20.6' from the East property line rather than the required 25', which would be a 4.4' Building Variance, and 2) for existing shed to remain 2' from the West property line rather than the required 5', which would be a 3' Building Variance, all on The South 71' of Lots 1-3, Block 12, West Hill Addition, a.k.a. 210 Twelfth Street S. Timothy Kleinsasser was present to represent the property. Following discussion, Weigel moved, and Schumacher seconded, to approve items #1 and #2. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCES APPROVED.**

OTHER BUSINESS:

There being no further business before the Board, Weigel moved, and Schumacher seconded, to adjourn the meeting, all members voting aye, the motion carried.

Amanda Kamphuis
Board of Zoning Adjustment Secretary
October 13, 2022