

**BOARD OF ZONING ADJUSTMENT
October 15, 2020**

The Board of Zoning Adjustment Meeting was held on Thursday, October 15, 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 Winter. Also present were Brett Bill, Planning & Zoning Director, Ken Hubbart, City Planner, Eric Miller, City Planner, and Jeremiah Maxfield, GIS/Planning Technician.

VanDeRostyne moved and Weigel seconded to approve the Board of Zoning Adjustment minutes of September 10, 2020, all members voting aye, the motion carried.

OPEN FORUM - No one was present.

- 2) Aberdeen School District 6-1 requested permission, as per site plan submitted, to permit the installation of a 15sf public bulletin board rather than the permitted 12sf, which would be a 3sf Maximum Sign Size Variance, all on Aberdeen Independent School District 32, Lot 1, Aberdeen Independent School District 32, Outlot 1, a.k.a. 2200 Dakota Street N. Carey Gonsor was present to represent the property. Following discussion Fjeldheim moved and VanDeRostyne seconded to approve with the stipulation that a permit must be obtained prior to installation. Upon roll call, all members voting aye, the motion carried. **MAXIMUM SIGN SIZE VARIANCE APPROVED** .
- 3) Sanford Aberdeen Clinic requested permission, as per site plan submitted, to 1) temporarily place a 22'x24' structure on the property, which would be an Appeal to the Board of Zoning Adjustment, and 2) to permit a temporary accessory structure with 12' sidewalls rather than the permitted 10', which would be a Special Exception in the (C-2/HC) Highway Commercial/Healthcare Zoning District, and 3) to construct a temporary accessory structure that is note aesthetically similar to the primary structure, which would be an Appeal to the Board of Zoning Adjustment, all on Lot 2, Mutual of Omaha Fifth Addition, a.k.a. 3015 Third Avenue SE. Jason Herbeck was present to represent the property. Following discussion Weigel moved and Winter seconded to approve with the following stipulations: 1) Must adhere to all requirements of previously issued permit, 2) All inspections must be completed, and 3) Structure must be removed when no longer necessary for COVID-19 Pandemic, as this is a temporary structure not compliant with all building codes a permanent structure must comply with. Upon roll call, all members voting aye, the motion carried. **APPEALS APPROVED & SPECIAL EXCEPTION APPROVED.**
- 4) Tim Janusz and Mangrove Montessori requested permission, as per site plan submitted, to permit the operation of a Montessori School, which would be an Appeal to the Board of Zoning Adjustment in an (I-2) Unrestricted Industrial Zoning District, all on Brick's Outlot 1 & the West 106.5' of Clinton Outlot a, Subdivision of MSTP&SSTM Outlot 1, a.k.a. 24 Main Street N. Tim Janusz and Jillian Schaunaman were present to represent the property. Following discussion Winter moved and Weigel seconded to approve with the following stipulations: 1) Owner must complete licensing process and maintain license in the future (State License), 2) A building and fire inspection must be completed immediately, with all required modifications completed within a specified timeframe or

operation must cease until completed, 3) Any previous or future modifications must be permitted and inspected, and 4) Owner must obtain a sign permit with penalty for installing sign without permit. Upon roll call, all members voting aye, the motion carried.

APPEAL APPROVED .

- 5) Tim Janusz requested permission, as per site plan submitted, to permit the operation of a pet and floral shop in addition to a residence, which would be an Appeal to the Board of Zoning Adjustment in a (R-3) High Density Residential Zoning District, all on Lots 7-9, Block 89, Hagerty & Lloyd Addition, a.k.a. 316 Arch Street S. Tim & Donna Janusz were present to represent the property. Following discussion Weigel moved and Winter seconded to approve with the following stipulations: 1) Property must be inspected to verify building codes were met for commercial use, ADA accessibility, etc., 2) Any work requiring permits must be permitted & inspected, and 3) This approval is for Tim Janusz dba Donna Mae's Place only, as long as they are owner/operators of proposed use. Upon roll call, all members voting aye, the motion carried. **APPEAL APPROVED .**
- 6) Craig Wells requested permission, as per site plan submitted to construct an accessory structure that is not aesthetically similar to the primary structure, all on Lot 3, Park Ridge Estates Fourth Addition, a.k.a. 2110 Sixteenth Avenue NW. Craig Wells was present to represent the property. Following discussion VanDeRostyne moved and Winter seconded to deny, all members voting aye, the motion carried. **APPEAL DENIED .**
- 7) Nancy Aldrich requested permission, as per site plan submitted, for 1) existing residence to remain 15'8" from the South property line rather than the required 25', which would be a 9'4" Building Variance and 2) 4.5' from the East property line rather than the required 15', which would be a 10.5' Building Variance and 3) for existing unattached garage to remain 10' from the East property line rather than the required 25', which would be a 15' Building Variance and 4) existing shed to remain 3'4" from the West property line rather than the required 5', which would be a 1'8" Building Variance in order to 5) construct a 3'x8' front deck 8' from the South property line rather than the required 15', which would be a 7' Building Variance, all on Lot 16, Block 29, Hagerty & Lloyd Addition, a.k.a. 825 Third Avenue NE. Pat Daschle of Dash's Decks was present to represent the property. Following discussion VanDeRostyne moved and Fjeldheim seconded to approve items #1-4, all members voting aye, the motion carried. **BUILDING VARIANCES APPROVED .** Following further discussion Weigel moved and VanDeRostyne seconded to approve item #3 with the following stipulations: 1) Property pins must be located for inspection and setbacks must be verified, and 2) All required inspections must be completed. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCES APPROVED .**
- 8) Dale Aman requested permission, as per site plan submitted, to 1) construct a 1040sf unattached garage rather than the permitted 852sf, which would be a 188sf Maximum Accessory Structure Lot Coverage Variance and 2) to construct an accessory structure 9' from the East property line rather than the required 25', which would be a 16' Setback Variance, all on Lot 1, Block 19, Coe & Howard Addition, a.k.a. 702 Jackson Street S. Dale Aman and Jeff Vilhauer were present to represent the property. Following discussion VanDeRostyne moved and Winter seconded to deny item #1, all members voting aye, the motion carried. **LOT COVERAGE VARIANCE DENIED .** Following further discussion VanDeRostyne moved to deny item #2 but motion died due to lack of

a second. Following further discussion Weigel moved Winter seconded to approve 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 inspection must be completed, and 4) No parking on public right-of-way, sidewalk, or corner visibility triangle.

SETBACK VARIANCE APPROVED .

- 1) Jerry Ochsner requested permission, as per site plan submitted, for 1) existing residence to remain 15.5' from the West property line rather than the required 25', which would be a 9.5' Building Variance in order to 2) replace a 7'x7.5' uncovered deck 8.5' from the West property line rather than the required 15', which would be a 6.5' Building Variance, all on Lot 4, Swain's First Replat of Lots 7-10&12, Block 23, Bennett & Thomas Addition to North Aberdeen, a.k.a. 712 Lincoln Street N. City staff represented this item due to COVID-19 pandemic. Following discussion Fjeldheim moved and VanDeRostyne seconded to approve with the following stipulations: 1) Property pins must be located for inspection and setbacks must be verified, and 2) All required inspections must be completed. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCES APPROVED .**

Brett Bill introduced Jeremiah Maxfield as the new GIS/Planning Technician.

Weigel moved and Fjeldheim seconded to adjourn the meeting.

Paula Nelson
Board of Zoning Adjustment Secretary
October 15, 2020