

BOARD OF ZONING ADJUSTMENT
February 11, 2016

The Board of Zoning Adjustment Meeting was held on Thursday, February 11, 2016 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 Kezar, Babcock, VanDeRostyne, Grebner, and Winter. Also present were Ken Hubbart, City Planner, Chris Witzel, City Planner, Brett Bill, Planning & Zoning Director, David Dosch, Code Enforcement Officer, John Pantzlaff, GIS/Planning Technician, Chad Nilson, Building Inspection, Stuart Nelson, Assistant City Engineer, and Paula Nelson, Board of Zoning Adjustment Secretary.

Kezar moved and VanDeRostyne seconded to approve the Board of Zoning Adjustment minutes of January 14, 2016, all members voting aye, the motion carried.

Chairman Babcock began with new business as follows:

- 1) Lori & Clarence Habeck requested permission, as per site plan submitted, to permit the open storage of vehicles and merchandise associated with a furniture refurbishing and sales business and a farmer's market, which would be a Special Exception, all on Lots 1 & 3-6 & the East 22' of Lots 19-22 & 24, Block 65, Hagerty & Lloyd Addition and Vacated Alley between said lots, a.k.a. 324 Railroad Avenue SE. Lori & Clarence Habeck were present to represent the property. Following discussion VanDeRostyne moved and Babcock seconded to approve with the following stipulations: 1) Storage shall be limited to the items requested by applicant only, 2) Property must be maintained in a neat and orderly manner at all times, 3) No illegal or unpermitted signs may be displayed on property, 4) Property must be replatted into one parcel once alley is vacated, 5) All vehicles must be licensed and operable and used for the business described in the request, and 6) This special exception is for Lori & Clarence Habeck, as long as they are the owner/operator of proposed use. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED.**
- 2) Ochsner Real Estate, LP II and Matthew Ochsner requested permission, as per site plan submitted, to 1) permit the construction of a second primary structure on the same lot as an existing primary structure, which would be an Appeal to the Board of Zoning Adjustment and 2) to permit the operation of a packing plant, which would be a Special Exception in the (I-2) Unrestricted Industrial Zoning District, all on Mead's Outlot D in the East ½ of Sect 20-T123N-R64W, a.k.a. 38390 Highway 12 W. Matthew Ochsner was present to represent the property. Following discussion VanDeRostyne moved and Kezar seconded to deny agenda item #1. Upon roll call, Kezar-nay, VanDeRostyne-aye, Babcock-aye, Grebner-nay, Winter-aye (3-aye/2-nay) the motion carried. **APPEAL DENIED.** Following further discussion Kezar moved and Grebner seconded to approve agenda item #2 with the following stipulations: 1) A plat must be submitted at time of permitting to create a separate parcel for the new primary structure, and 2) Plans must be submitted and permit obtained prior to construction. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED.**
- 3) St. Paul's Lutheran Church requested permission, as per site plan submitted, to 1) permit the installation of a 48sf Freestanding Sign in addition to an existing 62sf Freestanding Sign, which would be a Second Freestanding Sign Variance and 2) to permit the installation of a second freestanding sign that would increase the total freestanding sign size to 110sf rather than the permitted 100sf, which would be a 10sf Freestanding Sign Size Variance and 3) to

permit the installation of a 4'x8' multicolor electronic message center sign, which would be a Special Exception in the (C-3/R-4) Central Business/Special Density Residential Zoning District, all on Lot 1, St. Paul's Second Subdivision of Block 36, Second Addition to Aberdeen, a.k.a. 214 Seventh Avenue SW. Brady Byram of Quality Quick Print and Deb Droog of St. Paul's Lutheran Church were present to represent the property. Following discussion VanDeRostyne moved and Winter seconded to approve agenda item #3 with the following stipulations: 1) Sign must be operated in accordance with ordinances regulating EMC's, 2) As with other EMC's for churches and schools, it may not be operated between 10 p.m. and 7 a.m. and it may not be utilized for off-premise advertising, and 3) A sign permit must be obtained prior to installation. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED** . Following further discussion Kezar moved and Grebner seconded to approve agenda item #1. Upon roll call, Kezar-aye, VanDeRostyne-nay, Babcock-aye, Grebner-aye, Winter-aye (4-aye,1-nay), the motion carried. **SECOND FREESTANDING SIGN VARIANCE APPROVED** . Following further discussion Kezar moved and Grebner seconded to approve agenda item #2. Following further discussion Kezar moved and Grebner seconded to approve agenda item #1. Upon roll call, Kezar-aye, VanDeRostyne-nay, Babcock-aye, Grebner-aye, Winter-aye (4-aye,1-nay), the motion carried. **FREESTANDING SIGN VARIANCE APPROVED** .

Following further discussion Kezar moved and Winter seconded to adjourn the meeting.

Paula Nelson
Board of Zoning Adjustment Secretary
February 11, 2016