

**AGENDA**  
**REGULARLY SCHEDULED MEETING**  
**ABERDEEN CITY BOARD OF ZONING ADJUSTMENT**  
**Thursday February 12, 2009 - 8:00 A.M.**  
**Third Floor Courtroom - Municipal Building**

**I. Call to Order**

**II. Roll Call**

**III. Approval of Minutes**

- 1) January 8, 2009

**IV. Old Business**

**V. New Business**

- 1) Stanislav Malsom requests permission, as per site plan submitted, to construct a 28'x36' detached garage 17' from the West property line rather than the required 25', which would be an 8' Building Variance, on Lots 11&12, Block 38, West Aberdeen Addition, a.k.a. 305 Tenth Street S.
- 2) Heritage Business Plaza, LLC and SWS, LLC request permission, as per site plan submitted, to construct a 110' tall cellular phone tower, which would be a Special Exception in an (I-2) Unrestricted Industrial Zoning District, on Lot 3, Heritage Business Plaza Subdivision, a.k.a. 905 Third Avenue SE.
- 3) Gerald M. and James A. Keeley and SWS, LLC request permission, as per site plan submitted, to construct a 199' tall cellular phone tower, which would be a Special Exception in an (I-2) Unrestricted Industrial Zoning District, on Keeley Outlot B in the SW $\frac{1}{4}$  Sect. 14-T123N-R64W, a.k.a. 1900 Sixth Avenue SW.
- 4) Larry and Josh Shilman request permission, as per site plan submitted, to operate a cabinetry shop in an accessory structure located in a (M-Ag) Mini-Agricultural Zoning District, which would be an Appeal to the Board of Zoning Adjustment, on The North 1,000' of the West 330' of the NE $\frac{1}{4}$  Sect. 34-T124N-R64W, a.k.a. 38557 129<sup>th</sup> Street.
- 5) Marcia Carls requests permission, as per site plan submitted, to temporarily place a house on a lot without a foundation in a (R-3) High Density Residential District, which would be an Appeal to the Zoning Board of Adjustment on Lot 9 & the West 5' of Lot 10, Block 49, Second Addition, a.k.a. 114 Ninth Avenue SW.
- 6) Justin D. and David B. Shultis request permission, as per site plan submitted, for existing residence to remain 3' from West property line rather than the required 5', which would be a 2' Building Variance and 0' from the North property line rather than the required 20', which would be a 20' Building Variance, and for accessory structure to remain 0' from the East property line rather than the required 5', which would be a 5' Building Variance, all on Lot 10, Block 51, Second Addition, a.k.a. 13 Ninth Avenue SE.

- 7) Justin D. and David B. Shultis request permission, as per site plan submitted, for 1) existing residence to remain 19' from the North property line rather than the required 25', which would be a 6' Building Variance, and 3.7' from West property line rather than the required 5', which would be a 1.3' Building Variance and 2) request permission to provide 0 off street parking stalls rather than the required 1.5 parking stalls per unit, which would be a 1.5 Parking Stall per Unit Variance, all on Lot 2, Diver's Second Rearrangement of Lots 11-12, Block 23, First Addition, a.k.a. 317 Fourth Avenue SW.
  
- 8) Stacy Bauer for Ka-Boomer's, Inc. requests permission, as per site plan submitted, to allow the temporary sale of fireworks from a temporary structure within the zoning jurisdiction of the City of Aberdeen, which would be an Appeal to the Zoning Board of Adjustments, all on Lot 1, Schumaker Subdivision in the NW¼ S23-T123N-R63W, a.k.a. 39239 133<sup>rd</sup> Street (E. Hwy 12).

**VI. Other Business**

**VII. Adjournment**