

BOARD OF ZONING ADJUSTMENT
June 12, 2008

The Board of Zoning Adjustment Meeting was held on Thursday, June 12, 2008 in the City Hall 3rd Floor Courtroom, Aberdeen, South Dakota with Bob Babcock presiding as Chairman. Chairman Babcock called the meeting to order. Members present at roll call were Zumbaum, Sikkink, VanDeRostyne, Marske, and Babcock. Also present were Brett Bill, Planning and Zoning Director, Ken Hubbart, City Planner, Mike Olson, Code Enforcement Officer, Mike Holsten, Code Enforcement Officer, Vern Meyer, Planning Technician, Dwayne Schueller, GIS/Planning Technician, Chad Nilson, Building Inspector, Barry Dunlavy, Building Inspector, and Paula Nelson, Board of Zoning Adjustment Secretary.

Zumbaum moved and VanDeRostyne seconded to approve the Board of Zoning Adjustment minutes of May 8, 2008, all members voting aye, the motion carried.

Chairman Babcock began with new business as follows:

- 1) Jessica Kriech requested permission, as per site plan submitted, to operate a daycare as a home occupation in an R-2 (Medium Density Residential District), which would be a Special Exception in a residential zoning district, all on The South 35' of Lot 3 and the North 30' of Lot 4, Block 17, First Addition to the Highlands, a.k.a. 1016 Penn Street N. Jessica Kriech was present to represent the property. Following discussion Sikkink 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) All applicable state regulations must be met, 3) No more than one individual other than the owner, may work at the daycare at one time, 4) Pending notification that the applicant and members of the household have not been rejected by the state due to abuse or neglect, 5) A floor plan must be submitted for review showing the location used for childcare, 6) Age range of children, the number of children and hours of operation must be submitted, 7) This special exception is for the owner, as long as she/he is the owner/operator of the proposed use, 8) Announced and unannounced inspections must be permitted by operator, 9) 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 10) 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) Stacey Weinmeister requested permission, as per site plan submitted, to operate a daycare as a home occupation in an R-2 (Medium Density Residential District), which would be a Special Exception in a residential zoning district, all on Lot 12, Block 3, Forest Acres Second Addition, a.k.a. 1311 Eighth Street S. Robert Weinmeister was present to represent the property. Following discussion VanDeRostyne moved and Marske 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) All applicable state regulations must be met, 3) No more than one individual other than the owner, may work at the daycare at one time, 4) Pending notification that the applicant and members of the household have not been rejected by the state due to abuse or neglect, 5) A floor plan must be submitted for review showing the location used for childcare, 6) Age range of children, the number of children and hours of operation must be submitted, 7) This special

exception is for the owner, as long as she/he is the owner/operator of the proposed use, 8) Announced and unannounced inspections must be permitted by operator, 9) 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 10) 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.**

- 3) Nancy N. Gackle requested permission, as per site plan submitted, to operate a daycare as a home occupation in an R-3 (High Density Residential District), which would be a Special Exception in a residential zoning district, all on The East ½ of Lot 17 & Lot 18, Block 31, Thomas Addition, a.k.a. 223 Seventh Avenue SW. There being no representative this item was moved to the end of the agenda.
- 4) Jeff & George Toupal requested permission, as per site plan submitted, for existing residence to remain 4' from West property line rather than the required 5', which would be a 1' Building Variance in order to construct a deck on back of residence, all on Lot 7, Block 3, Northview Fourth Addition, a.k.a. 1007 Tenth Avenue NE. Ken Hubbart stated that this item was withdrawn by the petitioners.
- 5) Homes Are Possible Inc. requested permission, as per site plan submitted, to 1) plat a lot 83' deep rather than the required 100', which would be a 17' Minimum Lot Depth Variance, and 2) to construct a residence 18' from West property line rather than the required 20', which would be a 2' Building Variance, all on The East 83' of Lot 1, Block 3, Pleasant Hill Addition, a.k.a. 702 Eleventh Street S. This item was moved to the end of the agenda.
- 6) Michael McClure requested permission, as per site plan submitted, to 1) construct a residence 12' from the South property line rather than the required 15', which would be a 3' Building Variance and 2) to construct a detached garage 16' from South property line rather than the required 25', which would be a 9' Building Variance, all on Lot 8, Easton's First Subdivision of Block 40, Bennett & Thomas Addition, a.k.a. 201 Second Street N. Michael McClure was present to represent the property. Following discussion Marske moved and Babcock 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, 3) All required inspections must be completed, and 4) Sidewalks and boulevard trees must be installed as required. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCES APPROVED.**
- 7) First Reformed Church requested permission, as per site plan submitted, for 1) existing structure to remain 16.71' from the North property line rather than the required 25', which would be a 8.29' Building Variance, and 8.5' from East property line rather than the required 15', which would be a 5.5' Building Variance, in order to 2) construct an addition at same setbacks, which would be a 8.29' and an 8.5' Building Variance, and 3) request permission to construct an 8'x10' canopy 7.9' from North property line rather than the required 25', which would be a 17.1' Building Variance and 4) request permission to construct addition to building within the 35' corner visibility triangle, which would be an Appeal to the Board of Zoning Adjustment, all on Lots 1-3, Lawson's First Replat of Block 10, Woolverton Addition, a.k.a. 818 Ninth Avenue SE. Ralph Kusler, Craig A.

Mehlhoff, and Doug Haak were present to represent the property. Following discussion Zumbaum moved and VanDeRostyne seconded to approve agenda item #1, all members voting aye, the motion carried. **BUILDING VARIANCE (#1) APPROVED.** Following further discussion Zumbaum moved and VanDeRostyne seconded to deny agenda items #2 and #4, all members voting aye, the motion carried. **BUILDING VARIANCE (#2) AND APPEAL (#4) DENIED.** Following further discussion Zumbaum moved and Babcock 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, 3) All required inspections must be completed, 4) All landscaping requirements must be met, 5) Walls of addition may not encroach into corner visibility triangle, only the roof may, and 6) Existing tree in corner visibility triangle must be removed. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCE (#2) APPROVED.** Following further discussion Zumbaum moved and Marske seconded to approve agenda item #3 with the stipulation that the canopy remains open with no side walls. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCE (#3) APPROVED.** Following further discussion Marske moved and Zumbaum seconded to approve agenda item #4 with the following stipulation: 1) Walls of addition may not encroach into corner visibility triangle, only the roof may. Upon roll call, all members voting aye, the motion carried. **APPEAL (#4) APPROVED.**

- 8) Kenneth Fuhrmann requested permission, as per site plan submitted, to construct a 40'x200' ministorage unit, rather than the permitted, 30'x120', which would be a 10' Maximum Depth and 80' Maximum Width Variance, all on Lot 3, Fuhrmann's Second Addition, a.k.a. 1602 Twelfth Avenue NE. Kenneth Fuhrman was present to represent the property. Following discussion VanDeRostyne moved and Zumbaum 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, 3) All required inspections must be completed, 4) All landscape requirements must be met, 5) Any Fire Code requirements due to size of structure must be met, and 6) Additional fire hydrant needed within 400' of site. Upon roll call, all members voting aye, the motion carried. **MAXIMUM DEPTH AND MAXIMUM WIDTH VARIANCE APPROVED.**
- 9) Larry Brick requested permission, as per site plan submitted, to permit the open storage, parking or sale of vehicles, machinery, and trailers, building materials and supplies, which would be Special Exception in a C-2 (Highway Commercial Zoning District), all on Lot 2, Auditor's Second Subdivision in the SE¼ Sect. 27-T123N-R64W, a.k.a. 2612 Highway 281 S. Larry Brick was present to represent the property. Following discussion Marske moved and Sikkink seconded to approve with the following stipulations: 1) This special exception is for Larry Brick, as long as he is the owner/operator of use in question, 2) Property must be maintained in a neat and orderly manner, 3) Use may not expand without future approval of this board, 4) No storage of vehicles for sale, unlicensed or inoperable vehicles or off premise property, etc. - this special exception is for the current use as "Brick's TV & Appliance Repair" only, 5) The rezoning petition submitted by applicant must be approved by the Planning Commission and Joint City/County Commission, and 6) Refrigerators, washers and dryers and other equipment with an enclosed locking or air-tight sealing device are not allowed to remain outside of a building without doors removed. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED.**

- 10) Ronald Angerhofer requested permission, as per site plan submitted, to permit the open storage, parking or sale of vehicles, machinery, and trailers, building materials and supplies, which would be Special Exception in a C-2 (Highway Commercial Zoning District), all on Lot 1, Lowary's First Subdivision and the 100' North of the South 33' of the East 300' of NE¼ Sect. 27-T123N-R64W, a.k.a. 2508 Highway 281 S. Ronald Angerhofer was present to represent the property. Following discussion Zumbaum moved and Sikkink seconded to approve the special exception for the 100' North of the South 33' of the East 300' of the NE ¼, T123N-R64W only with the following stipulations on the North lot: 1) All vehicles must be licensed and operable - no storage of junk vehicles or vehicles not used for the business, 2) No junk, debris, junk vehicles, unlicensed vehicles, parts, etc. may be stored on property - only items used in the business "Angerhofer Concrete Products", 3) This special exception is for Ron Angerhofer as long as he is the owner/operator of this use, 4) Property must be maintained in a neat and orderly manner, 5) Use may not be expanded without approval of this board, 5) The rezoning petition for the 100' North of the South 33' of the East 300' of the NE ¼ of Section 27, T123N-R64W only must be approved and with the following stipulations on the South lot: 1) All junk including rubble, yard waste, unlicensed and inoperable vehicles, wooden, plastic and metal materials and containers and all building and building waste materials currently stored on Lot 1, Lowary's First Subdivision must be cleaned up and disposed of. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED.**
- 11) Roger Ormand requested permission, as per site plan submitted, for existing residence to remain 13' from South property line rather than the required 25', which would be a 12' Building Variance in order to replace basement due to flood damage, all on Lot 2 of Schachte's Subdivision of Lots 7&8, Block 36, Bennett & Thomas Addition to Aberdeen, a.k.a. 120 Third Avenue NW. Roger Ormand was present to represent the property. Following discussion Sikkink moved and Babcock 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 3) All required inspections must be completed. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCE APPROVED.**
- 12) The Aberdeen Housing Authority requested permission, as per site plan submitted, to construct 2 freestanding signs rather than the permitted 1, which would be a Second Freestanding Sign Variance on Lot 19, Pierson's Subdivision in the SE¼ Sect. 18-T123N-R63W, a.k.a. 2222 Third Avenue SE. Bryan Samson was present to represent the property. Following discussion Zumbaum moved and Marske seconded to approve with stipulation that sign permits must be obtained prior to the erection of the signs. Upon roll call, all members voting aye, the motion carried. **SECOND FREESTANDING SIGN VARIANCE APPROVED.**
- 13) Harr Motors requests permission, as per site plan submitted, to 1) plant 7 boulevard trees adjacent to Sixth Avenue SE public ROW, rather than the required 8, which would be a 1 Boulevard Tree Variance, and 2) request permission to install required parking lot landscaping along perimeter of parking area rather than in the required landscape islands, which would be a Parking Lot Landscape Variance, and 3) request permission, to install 0 boulevard trees adjacent to Third Avenue SE Public ROW, rather than the required 16, which would be a 16 Boulevard Tree Variance, and 4) request permission to install a 0% opacity bufferyard adjacent to A-1 zoning district rather than the required 20%, which would be a 20% Minimum Opacity Bufferyard Variance, and 5) request permission to install 0% opacity bufferyard adjacent to I-2 zoning district rather than the required 10%, which

would be a 10% Minimum Opacity Bufferyard Variance, all on Lot 3, McIntyre's Subdivision in the SW $\frac{1}{4}$ Sect. 16-T123N-R63W, a.k.a. 4255 Sixth Avenue SE. Attorney Rod Tobin, James & Barbara Harr, Matt Harr and Mike Leidholt of Parkview Nursery were present to represent the property. City Forester Aaron Kiesz and City Attorney Adam Altman were also present. Following discussion Zumbaum moved and VanDeRostyne seconded to approve agenda item #1, all members voting aye, the motion carried. **BOULEVARD TREE VARIANCE APPROVED.** Following further discussion VanDeRostyne moved and Zumbaum seconded to deny agenda item #2. Ken Hubbart stated that Bill Antonides - Wildlife Consultant for the Airport has stated that this would be acceptable and that the islands could still be used for shrubs or small trees. Upon roll call, Marske, Sikkink, Zumbaum, Babcock - nay, VanDeRostyne - aye, (4-nay-1aye), the motion failed. Following further discussion Zumbaum moved and Marske seconded to approve agenda item #2. Upon roll call, Marske, Sikkink, Zumbaum, Babcock - aye, VanDeRostyne - nay, (4-aye,1-nay), the motion carried. **PARKING LOT LANDSCAPE VARIANCE APPROVED.** Following further discussion VanDeRostyne moved and Zumbaum seconded to approve agenda item #3 with the stipulation that when 3rd Avenue SE is developed, the required boulevard trees must be installed. Upon roll call, all members voting aye, the motion carried. **BOULEVARD TREE VARIANCE APPROVED.** Following further discussion Zumbaum moved and Babcock seconded to approve agenda item #4 with the stipulation that when 3rd Avenue SE is developed or any further development of the property occurs, the required opacity buffer yard must be installed where the slough area currently exists. Upon roll call, all members voting aye, the motion carried. **20% MINIMUM OPACITY BUFFERYARD VARIANCE APPROVED.** Following further discussion Zumbaum moved and VanDeRostyne seconded to approve agenda item #5 with the stipulation that when 3rd avenue SE is developed or any further development of the property occurs, the required opacity buffer yard must be installed where the slough area currently exists. Upon roll call, all members voting aye, the motion carried. **10% MINIMUM OPACITY BUFFERYARD VARIANCE APPROVED.**

- 14) Michael L. Shannon requested permission, as per site plan submitted, for existing residence to remain 22.5' from West property line rather than the required 25', which would be a 2.5' Building Variance, and porch to remain 13.5' from West property line rather than the required 15', which would be a 1.5' Building Variance in order to replace foundation due to flood damage, all on Lots 19-20, Pierce's Subdivision of Block 103, Hagerty & Lloyd Addition, a.k.a. 507 Arch Street S. Michael Shannon was present to represent the property. Following discussion Sikkink moved and VanDeRostyne 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, 3) All required inspections must be completed, and 4) Sidewalks and boulevard trees need to be installed as required. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCE APPROVED.**
- 15) Lust Chevrolet requested permission, as per site plan submitted, to construct a 3' awning 19'4" from South property line rather than the required 45', which would be a 25'8" Building Variance, all on The South 286' of E.T. Taubman's Property, SW $\frac{1}{4}$ Sect. 14-T123N-R64W, a.k.a. 1314 Sixth Avenue SW. David Mohn of Huff's Construction was present to represent the property. Following discussion Marske moved and Zumbaum seconded to approve with the following stipulations: 1) Plans must be submitted for review and a permit must be obtained for the remainder of renovation project, 2) Property pins must be located for inspection, 3) All required inspections must be completed. 4) All landscaping requirements must be met, and 4) No parking in corner visibility

triangles. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCE APPROVED.**

- 16) The Aberdeen Family YMCA requests permission, as per site plan submitted, to 1) permit the installation of a 3'x8' multi-color electronic message center sign, which would be an Appeal to the Board of Zoning Adjustment in an I-2(Unrestricted Industrial Zoning District), 2) 10' from the South and West property lines rather than the required 20', which would be 2-10' Sign Setback Variances, and 3) request permission to construct a freestanding sign 9' above grade rather than the required 12' in a corner visibility triangle, which would be an Appeal to the Board of Zoning Adjustment, all on Lot 2, Hagerty & Lloyd Third Subdivision, a.k.a. 5 State Street S. Steve Graf and Cory Weisenburger of Service Signs were present to represent the property. Terry Dickman was present in opposition. Following discussion Zumbaum moved and VanDeRostyne seconded to deny agenda item #1. Upon roll call, Marske, Sikkink, Babcock - nay, VanDeRostyne, Zumbaum - aye (3-nay,2-aye), the motion carried. Following further discussion Sikkink moved and Marske seconded to approve with the following stipulations: 1) All electronic message board signs shall be in compliance with all other applicable codes regarding signs, 2) This sign shall not interfere with traffic safety, and may not be confused with or construed as a traffic control device, 3) Each message displayed shall remain static for a minimum of 6 seconds, with all change sequences to be instantaneous, 4) Electronic message board signs shall not contain animated images or graphics, audio components, scrolling, blinking, flashing, pulsating, or fluttering images or the appearance or illusion of writing, printing, or other movement, 5) Electronic message board signs shall not be operated to display a message or graphic that is entirely red or blue in color. Monochrome electronic message board signs shall be limited to utilizing only amber colored lights, and 6) Sign permit must be installed prior to the erection of sign. Upon roll call, VanDeRostyne, Zumbaum - nay, Marske, Sikkink, Babcock - aye (2-nay,3-aye), the motion carried. **APPEAL APPROVED.** Following further discussion Zumbaum moved and Marske seconded to approve agenda item #2, all members voting aye, the motion carried. **SIGN SETBACK VARIANCES APPROVED.** Following further discussion Zumbaum moved and VanDeRostyne seconded to deny agenda item #3. Upon roll call, Marske, Sikkink, Babcock - nay, VanDeRostyne, Zumbaum - aye (3-nay,2-aye), the motion failed. Following further discussion VanDeRostyne moved and Babcock seconded to approve agenda item #3 with the stipulation that when the house at 605 1st Avenue SE is demolished or removed the sign would need to be raised to 12' from the bottom of the sign. Upon roll call, Marske, Sikkink, VanDeRostyne, Babcock - aye, Zumbaum - nay (4-aye,1-nay), the motion carried. **APPEAL APPROVED.**
- 17) Heartland Grain Fuels requested permission, as per site plan submitted, to waive all landscape requirements, which would be an Appeal to the Board of Zoning Adjustment, all on Lot 4, Wheat Growers West Subdivision and Lot 2, HGF Addition, a.k.a. 38469 133rd Street. James Friedt and Attorney Jay Gellhaus were present to represent the property. Following discussion VanDeRostyne moved Zumbaum seconded to approve with the stipulation that the same number of trees must be planted elsewhere on the property. Upon roll call, all members voting aye, the motion carried. **APPEAL APPROVED.**
- 18) Don Weigel requested permission, as per site plan submitted, to construct 26'x26' detached garage 13.5' from West property line rather than the required 25', which would be a 11.5' Building Variance, all on Lot 2, Forest Acres US Bank Addition, a.k.a. 1714 Eighth Street S. Don Weigel

was present to represent the property. Following discussion Marske moved and Sikkink 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 3) All required inspections must be met. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCE APPROVED.**

- 19) Brent Saylor requested permission, as per site plan submitted, for 1) existing residence to remain 15' from West property line rather than the required 25', which would be a 10' Building Variance, and 3.5' from the North property line rather than the required 5', which would be a 1.5' Building Variance in order to 2) construct a 5'x28' deck 10' from West property line rather than the required 15', which would be a 5' Building Variance, and 3) request permission to construct a wheelchair ramp 0' from West property line rather than the required 15', which would be a 15' Building Variance, all on Lot 10, Block 27, First Addition to the Highlands, a.k.a. 816 State Street N. Brent Saylor was present to represent the property. Following discussion Zumbaum moved and Sikkink 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, 3) All required inspections must be completed, and 4) This variance is for owner (Brent Saylor) only; if house is sold before ramp is built, the new owner shall NOT construct any structure 0' from the front lot line. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCES APPROVED.**
- 20) Jay Kusler requested permission, as per site plan submitted, to construct an addition to a residence 7' from East property line rather than the required 10', which would be a 3' Building Variance, all on Lot 9, Block 7, Fifteenth Addition to the Highlands Addition, a.k.a. 401 Twentieth Avenue NE. Jay Kusler was present to represent the property. Following discussion Marske moved and Zumbaum 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 3) All required inspections must be completed. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCE APPROVED.**
- 21) Bill Hinds requested permission, as per site plan submitted, to construct 2-30'x120' ministorage units, which would be a Special Exception on property zoned I-2 (Unrestricted Industrial Zoning District), all on Lot 2, Schwan Electric Second Subdivision, a.k.a. 5 Dakota Street N. Bill Hinds was present to represent the property. VanDeRostyne moved and Zumbaum 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, 3) All required inspections must be completed, and 4) Property must be landscaped to meet city ordinance requirements. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED.**
- 22) Rodney Jondahl requested permission, as per site plan submitted, for existing residence to remain 24' from East property line rather than the required 25', which would be a 1' Building Variance in order to construct a 7'x8' deck on front of residence, all on Lot 4, Block 12, Thomas Addition, a.k.a. 916 Arch Street S. Rodney Jondahl was present to represent the property. Following discussion VanDeRostyne moved and Marske 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 3) All required inspections must be completed. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCE APPROVED.**

- 3) Nancy N. Gackle requested permission, as per site plan submitted, to operate a daycare as a home occupation in an R-3 (High Density Residential District), which would be a Special Exception in a residential zoning district, all on The East ½ of Lot 17 & Lot 18, Block 31, Thomas Addition, a.k.a. 223 Seventh Avenue SW. Nancy Gackle was present to represent the property. Following discussion Zumbaum moved and Babcock 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) All applicable state regulations must be met, 3) No more than one individual other than the owner, may work at the daycare at one time, 4) Pending notification that the applicant and members of the household have not been rejected by the state due to abuse or neglect, 5) A floor plan must be submitted for review showing the location used for childcare, 6) Age range of children, the number of children and hours of operation must be submitted, 7) This special exception is for the owner, as long as she/he is the owner/operator of the proposed use, 8) Announced and unannounced inspections must be permitted by operator, 9) 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 10) 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.**
- 5) Homes Are Possible Inc. requested permission, as per site plan submitted, to 1) plat a lot 83' deep rather than the required 100', which would be a 17' Minimum Lot Depth Variance, and 2) to construct a residence 18' from West property line rather than the required 20', which would be a 2' Building Variance, all on The East 83' of Lot 1, Block 3, Pleasant Hill Addition, a.k.a. 702 Eleventh Street S. Following discussion Marske moved and VanDeRostyne 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, 3) All required inspections must be completed, and 4) Boulevard trees and sidewalks must be installed as required. Upon roll call, all members voting aye, the motion carried. **MINIMUM LOT DEPTH VARIANCE & BUILDING VARIANCE APPROVED.**

Following further discussion Zumbaum moved for adjournment, seconded by VanDeRostyne, all members voting aye, the meeting was adjourned until July 10, 2008.

Paula Nelson
Board of Zoning Adjustment Secretary
June 12, 2008