

**BOARD OF ZONING ADJUSTMENT**  
**May 9, 2019**

The Board of Zoning Adjustment Meeting was held on Thursday, May 9, 2019 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, Weigel, Babcock, Grebner, and Schumacher. Also present were Brett Bill, Planning & Zoning Director, Ken Hubbart, City Planner, Eric Miller, City Planner, Chad Nilson, Building Inspector, Barry Dunlavy, Building Inspector, George Jones, GIS Technician, David Dosch, Code Enforcement Officer, and Paula Nelson, Board of Zoning Adjustment Secretary.

Grebner moved and Weigel seconded to approve the Board of Zoning Adjustment minutes of April 11, 2019, all members voting aye, the motion carried.

OPEN FORUM - No one was present.

- 1) M&S Enterprises, LLC and Russ Beadle requested permission, as per site plan submitted, to 1) permit the open storage and parking of landscape materials, vehicles and equipment, which would be a Special Exception in the (I-2) Unrestricted Industrial Zoning District, and 2) to permit the operation of a fur business, which would be an Appeal to the Board of Zoning Adjustment, all on Lot 1, Inman Irrigation Addition in the **SW¼ Sect. 14-T123N-R63W, a.k.a. 421 392nd Avenue S**. Russ Beadle was present to represent the property. Following discussion Grebner moved and Schumacher seconded to approve agenda item #1 with the following stipulations: 1) All storage must be limited to the area North of the existing building, 2) Property must be maintained in a neat and orderly manner at all times, 3) All vehicles must be licensed and operable, 4) Any storage of landscape materials must be maintained in rear of property and protected from blowing. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED** . Following further discussion Grebner moved and Schumacher seconded to deny agenda item #2, all members voting nay, the motion carried. Following further discussion VanDeRostyne moved and Grebner seconded to approve agenda item #2 with the following stipulations: 1) The use must take place completely within enclosed structures, 2) Carcasses must be disposed of in accordance with all applicable rules & regulations, 3) This approval is for Russ Beadle, as long as he is owner/operator of proposed use. Upon roll call, all members voting aye, the motion carried. **APPEAL APPROVED** .
- 2) H&H Farms, LLP and Fischer Fireworks requested permission, as per site plan submitted, to permit the temporary sale of fireworks for the 2019 fireworks sales season, which would be a Special Exception in the (A-1) Agricultural Zoning District, all on The **SE¼ Sect. 21-T123N-R64W, except Lot 1, Hedges First Addition and Land Deeded, a.k.a. 38451 Highway 12W**. Lukas Fischer was present to represent the property. Following discussion Grebner moved and VanDeRostyne seconded to approve with the following stipulations: 1) All Fire Marshal requirements must be met, and 2) Any signage must be approved and permitted prior to installation. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED** .
- 3) Ann Paradise requested permission, as per site plan submitted, for 1) existing residence to remain 20' from the East property line rather than the required 35', which would be a 15' Building Variance and 2) 1' from the South property line rather than the required 10',

which would be a 9' Building Variance and 3) for three existing sheds to remain 1.3' from the West property line rather than the required 10', which would be an 8.7' Building Variance and 4) 0' from the South property line rather than the required 10', which would be a 10' Building Variance, all on Proposed Lot 2, Spaulding's Sixth Addition, a.k.a. 1411 Kline Street N. Delila Hettich was present to represent the property. Following discussion Grebner moved and VanDeRostyne seconded to approve with the stipulation that plat must be approved and filed with Brown County Register of Deeds. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCES APPROVED** .

- 4) Delila Hettich requested permission, as per site plan submitted, for 1) existing residence to remain 19.9' from the East property line rather than the required 35', which would be a 15.1' Building Variance, and 2) 3.9' from the South property line rather than the required 10', which would be a 6.1' Building Variance, all on Proposed Lot 1, Spaulding's Sixth Addition, a.k.a. 1421 Kline Street N. Delila Hettich was present to represent the property. Following discussion Grebner moved and VanDeRostyne seconded to approve with the stipulation that plat must be approved and filed with Brown County Register of Deeds. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCES APPROVED** .
- 5) Verna Trego requested permission, as per site plan for 1) existing residence to remain 16' from the East property line rather than the required 25', which would be a 9' Building Variance in order to 2) construct a wheelchair ramp 5' from the East property line rather than the required 15', which would be a 10' Building Variance, all on Lot 6, Block 22, Simmons' First Addition, a.k.a. 1524 Second Street S. Nancy Trego was present to represent the property. Following discussion Grebner moved and VanDeRostyne seconded to approve with the following stipulations: 1) All required inspections must be completed, and 2) Ramp must be removed when no longer needed. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCES APPROVED** .

Chairman Babcock continued with other business as follows:

- 1) Brett Bill stated that Chad Nilson, Building Inspector, accepted the Fire Marshal position following Mike Thompson's retirement effective Monday, May 13th.
- 2) Brett Bill stated that on Tuesday, May 21<sup>st</sup> the Joint Aberdeen City/Brown County Planning Commission will discuss a recommendation of approval and adoption, by the City Council, of an Ordinance Amending the Aberdeen City Code and Repealing Extraterritorial Zoning Jurisdiction.

VanDeRostyne moved and Weigel seconded to adjourn the meeting.

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Paula Nelson  
Board of Zoning Adjustment Secretary  
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