

MINUTES
BOARD OF ZONING ADJUSTMENT
January 12, 2023

The Board of Zoning Adjustment Meeting was held on Thursday, January 12, 2023, 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 Weigel, Fjeldheim, Babcock, Grebner, and Schumacher. Also present were Ken Hubbart, City Planner, Eric Miller, City Planner, Stu Nelson, Assistant City Engineer, Paula Nelson, Code Enforcement Officer, and Amanda Kamphuis, Board of Zoning Adjustment Secretary.

Grebner moved, and Weigel seconded, to approve the Board of Zoning Adjustment Minutes of December 8, 2022, all members voting aye, the motion carried.

OPEN FORUM – No one was present.

- 1) Sarah Wolf requested permission, as per site plan submitted, to permit the operation of a Daycare as a home occupation, which would be a Special Exception in the (R-3) High Density Residential Zoning District, all on Lots 7-8, Block 9, Roches East Side Addition, a.k.a. 18 Greenwood Street S. Sarah Wolf was present to represent the property. Weigel moved, and Fjeldheim 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. Said fence needs to be installed by June 15, 2023, (2) No more than one individual, other than the owner, may work at the daycare at one time, (3) A floor plan must be submitted for review showing the location used for childcare, (4) Age range of children, the number of children, and hours of operation must be submitted, (5) This Special Exception is for the owner, as long as she is the owner/operator of the proposed use, (6) Announced and unannounced inspections must be permitted by the operator, (7) The operator must schedule a home inspection with the Building Inspection Department and the Fire Marshal in order to verify that Building and Fire Code requirements are met, and any recommended or required changes or modifications must be made, and (8) The 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) Dakota Supply Group requested permission, as per site plan submitted, to permit the open storage of pipe, culvert, wire, septic tanks, and other products, which would be a Special Exception in the (I-2) Unrestricted Industrial Zoning District, all on Lot 1, First Railroad Addition to Aberdeen, a.k.a. 15 Kline Street N. Todd Langbehn was present to represent the property. Following discussion, Grebner moved, and Fjeldheim seconded, to approve with the following stipulations: (1) No storage may continue to be stored in the Public R.O.W. This includes snow piles in the winter, (2) No storage in 35' corner visibility triangle at corner of First Ave NE and Kline St N, (3) Must keep property neat and orderly at all times, (4) No unlicensed or inoperable vehicles, and (5) Must comply with all Code Enforcement and Fire Marshal requirements. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED.**
- 3) Dakota Supply Group requested permission, as per site plan submitted, to permit the open storage of pipe, culvert, wire, septic tanks, and other products, which would be a Special Exception in the (I-2) Unrestricted Industrial Zoning District, all on Lot 2, First Railroad Addition to Aberdeen, a.k.a. 16 Kline Street N. Todd Langbehn was present to represent the property. Following

discussion, Grebner moved, and Fjeldheim seconded, to approve with the following stipulations: (1) No storage may continue to be stored in the Public R.O.W. , (2) Must keep property neat and orderly at all times, (3) No unlicensed or inoperable vehicles, (4) No storage, including snow, may not be piled in the corner visibility triangle where streets and parking lot entrances/exits intersect, and (5) Must comply with all Code Enforcement and Fire Marshal requirements. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED.**

- 4) SFP-E, LLC requested permission, as per site plan submitted, to permit the open storage of tires and related items, which would be a Special Exception in the (C-2) Highway Commercial Zoning District, all on Lot 3 in the NE¼ Sect. 20-T123N-R63W, except Lot A, Snaza First Subdivision and Lot H-2, a part of Kortess Lot 3, a.k.a. 704 Melgaard Road S. Scott Kolbinger was present to represent the property. Following discussion, Grebner moved, and Schumacher seconded, to approve with the following stipulations: (1) Open storage is limited to tires and similar items associated with this business, (2) All vehicles and machinery must be licensed and operable, (3) Property must be maintained in a neat and orderly manner at all times, and (4) Must comply with all Code Enforcement and Fire Marshal requirements. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED.**
- 5) Joop Bollen requested permission, as per site plan submitted, to permit the existing vegetation to exceed 10” in height in a (R-2) Medium Density Residential Zoning District, which would be an Appeal to the Board of Zoning Adjustment, all on Lots 5-13, Block 13, Lot 4, except the East 25’ and Lots 5-21, except the East 25’ of Lot 21, Block 10, Lot 2, except the East 56.5’ and Lots 3-15 & 18-20, Block 11, Wylie Park Estates Fifth Addition to Aberdeen, and adjacent Public ROW, a.k.a. 1414 & 1415 Maple Drive, 1416 Poplar Drive, and 1416 Willow Drive. Joop Bollen was present to represent the property. Following discussion, Grebner moved, and Weigel seconded, to approve with the following stipulations: (1) Property may remain in current state as long as Joop Bollen is the owner or property is maintained as a single family home lot, and (2) Owner must comply with any Notice and Order relating to the control of noxious or nuisance vegetation or rodent infestation or harborage. Upon roll call, all members voting aye, the motion carried. **APPEAL APPROVED.**
- 6) Mike Jepsen and Lamar Outdoor Advertising requested permission, as per site plan submitted, to (1) permit a new 10’x22’ EMC billboard as an accessory land use in addition to an existing primary property use as a vehicle storage facility, which would be an Appeal to the Board of Zoning Adjustment, and (2) to permit a billboard 0’ from the East property line rather than the required 20’, which would be a 20’ Sign Setback Variance and (3) to permit a EMC billboard 176’ from an adjacent billboard rather than the required 600’, which would be a 424’ Separation Variance, and (4) 410’ from an adjacent billboard rather than the required 600’, which would be a 190’ Separation Variance, all on Lot 1, Second Overpass Subdivision, a.k.a. 103 Second Street N. Chad Hettermann was present to represent the property. Following discussion, Fjeldheim moved, and Schumacher seconded to deny items #1 - #4. Upon roll call, Weigel nay, Fjeldheim aye, Babcock aye, Grebner nay, Schumacher nay (3 nay, 2 aye), the motion failed. Upon further discussion, Weigel moved, and Grebner seconded, to approve items #1 - #4 with the following stipulations: (1) a 20’ setback from the east property line must be adhered to, (2) Lamar Advertising must renew Sign Hanger License prior to installation, (3) A permit must be obtained prior to installation, and (4) New sign must adhere to all off-premises EMC sign requirements. Upon roll call, all members voting aye, the motion carried. **APPEAL APPROVED. SIGN SETBACK VARIANCE APPROVED. SEPARATION VARIANCES APPROVED.**

- 7) Lee Klitzke requested permission, as per site plan submitted, to permit the open storage and parking of vehicles and equipment, which would be a Special Exception in the (C-2) Highway Commercial Zoning District, all on Lot 9, Block 48, Bennett & Thomas Addition, a.k.a. 516 Fourth Street N. Lee Klitzke was present to represent the property. Following discussion, Schumacher moved, and Grebner seconded, to approve with the following stipulations: (1) All vehicles must be licensed and operable, (2) Property must be maintained in a neat and orderly manner at all times, (3) No junk, debris, and other items may be stored onsite, (4) Storage limited to items associated with Twist Cone or rental house adjacent to property. No off-premises storage, and (5) This Special Exception is for Lee Klitzke so long as he is the owner/operator of the proposed use. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED.**
- 8) Lee Klitzke requested permission, as per site plan submitted, to permit the open storage and parking of customer, employee and tenant vehicles and equipment, which would be a Special Exception in the (C-2) Highway Commercial Zoning District, all on Lots 7 & 8, Block 48, Bennett & Thomas Addition, a.k.a. 504 & 508 Fourth Street N. Lee Klitzke was present to represent the property. Following discussion, Schumacher moved, and Grebner seconded, to approve with the following stipulations: (1) Parking and open storage is limited to tenants, customer, and employee parking of licensed and operable vehicles only, (2) Property must be maintained in a neat and orderly manner at all times, (3) No off-premises storage or display of vehicles or merchandise for sale by off-premises people, and (4) This Special Exception is for Lee Klitzke, as long as he is the owner/operator of proposed use. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED.**

OTHER BUSINESS:

There being no further business before the Board, Weigel moved, and Schumacher seconded, to adjourn the meeting, all members voting aye, the motion carried.

Amanda Kamphuis
Board of Zoning Adjustment Secretary
January 12, 2023