

**MINUTES
BOARD OF ZONING ADJUSTMENT
April 14, 2022**

The Board of Zoning Adjustment Meeting was held on Thursday, April 14, 2022, 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 Grebner, Weigel, Babcock, Winter, and Schumacher. Also present were Brett Bill, Planning & Zoning Director, Ken Hubbard, City Planner, Eric Miller, City Planner, Jeremiah Maxfield, Planning Technician, David Dosch, Code Enforcement Officer, Stu Nelson, Assistant City Engineer, and Amanda Kamphuis, Board of Zoning Adjustment Secretary.

Grebner moved, and Weigel seconded, to approve the Board of Zoning Adjustment Minutes of March 10, 2022, all members voting aye, the motion carried.

OPEN FORUM – No one was present.

- 1) Brittany Fehr requested permission, as per site plan submitted, to operate a daycare as a home occupation, which would be a Special Exception in the (R-2) Medium Density Residential Zoning District, all on The North 35' of Lot 9 & the South 30' of Lot 10, Block 6, Howard & Hedger Replat of Northwest Addition, a.k.a. 706 Jackson Street N. Brittany Fehr was present to represent the property. Following discussion, Grebner moved, and Schumacher seconded, to approve with the following stipulations: 1) Any provided yard/play area must be maintained as a fenced in area on or before July 15, 2022 prior to the operation of this daycare, 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/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) Michael Kost requested permission, as per site plan submitted, to install a 6'x10' multicolor electronic message board on an existing freestanding sign structure, which would be an Appeal to the Board of Zoning Adjustment in the (C-3) Central Business District, all on Lots 1-3, Block 22, First Addition to Aberdeen, a.k.a. 302 Second Street S. Michael Kost was present to represent the property. Following discussion, Grebner moved, to approve this request. The motion failed for lack of a second. Upon further discussion, Grebner moved, and Schumacher seconded, to deny this request. Upon roll call, all members voting nay, the motion failed. Following further discussion, Grebner moved, and Schumacher seconded, to approve with the following stipulations: 1) Sign permits must be obtained for each sign face prior to installation, 2) No off-premises advertising, and 3) Must adhere to all other ordinances relating to EMC signs. Upon roll call, all members voting aye, the motion carried. **APPEAL APPROVED.**
- 3) Aberdeen School District 6-1 requested permission, as per site plan submitted, to 1) construct three 48'x100' greenhouses in the side yard of the property, rather than the required rear yard, which would be an Appeal to the Board of Zoning Adjustment, and 2) to construct three 48'x100'

greenhouses which are not aesthetically similar to the primary structure, which would be an Appeal to the Board of Zoning Adjustment, and 3) to construct three 48'x100' accessory structures with 13' sidewalls rather than the permitted 10', which would be a Special Exception in the (R-2) Medium Density Residential Zoning District, all on Lot 1, Aberdeen High School Second Subdivision, a.k.a. 2200 Roosevelt Street S. Kody Schochenmaier with Co-op Architecture was present to represent the property. Following discussion, Grebner moved, and Weigel seconded, to approve with the following stipulations: 1) Permits must be obtained prior to construction and 2) All required inspections must be completed. Upon roll call, all members voting aye, the motion carried. **APPEALS APPROVED. SPECIAL EXCEPTION APPROVED.**

- 4) Nickolas Nilson requested permission, as per site plan submitted, to construct a 900sf accessory structure rather than the permitted 864sf, which would be a 36sf Accessory Structure Lot Coverage Variance, all on Lot 2, Wagner's First Subdivision of Block F, Lincoln & Boyd's Subdivision of Lincoln University Outlots, a.k.a. 1607 Third Avenue SE. There being no representative present, this item was moved to the end of the agenda.
- 5) Secure Storage requested permission, as per site plan submitted, to 1) permit the operation of a mini-storage facility, which would be an Appeal to the Board of Zoning Adjustment in an (I-2) Unrestricted Industrial Zoning District, and 2) to permit the open storage of vehicles, which would be a Special Exception, and 3) to construct four mini-storage buildings that are 60' wide rather than the permitted 30', which would be four 30' Maximum Building Width Variances, and 4) to plat two lots that are 138' in depth rather than the required 150', which would be two 12' Minimum Lot Depth Variances, all on Lot 1, Mardian Fourth Subdivision, a.k.a. 318 First Avenue SW. Jeff Kiesz was present to represent the property. Following discussion, Grebner moved, and Schumacher seconded, to approve items #1-3 with the following stipulations: 1) Property must be hard surfaced in all areas used for open storage, 2) Property must be landscaped and sidewalks installed, where required, by ordinance, 3) The existing fence must be replaced in any area where it extends beyond the property boundaries, 4) Open storage shall be limited to licensed and operable vehicles only, and 5) 35' visibility triangles must be maintained at SE corner of property. Upon roll call, all members voting aye, the motion carried. **APPEAL APPROVED. SPECIAL EXCEPTION APPROVED. MAXIMUM BUILDING WIDTH VARIANCE APPROVED.** Following further discussion, Grebner moved, and Schumacher seconded, to deny item #4. Upon roll call, Grebner nay, Weigel aye, Babcock aye, Winter aye, and Schumacher aye (1 nay, 4 aye), the motion carried. **MINIMUM LOT DEPTH VARIANCES DENIED.**
- 6) Mike Jepsen requested permission, as per site plan submitted, to 1) permit a residential use as a Special Exception in an (I-2) Unrestricted Industrial Zoning District, and 2) to utilize 45.5% of a structure for a residential use rather than the permitted 40%, which would be an Appeal to the Board of Zoning Adjustment, all on Lots 7-13, Block 65, Hagerty & Lloyd Addition, a.k.a. 317 First Avenue SE. Mike Jepsen, and Heath Johnson with YMCA Board, was present to represent the property. Following discussion, Grebner moved, and Schumacher seconded, to approve item #1 with the following stipulations: 1) Full plans must be submitted for review and approval and a permit must be obtained prior to construction, 2) All required inspections must be completed, and 3) A plat must be submitted combining the underlying lots into one parcel. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED.** Following further discussion, Grebner moved, and Schumacher seconded, to approve item #2. Upon roll call, all members voting aye, the motion carried. **APPEAL APPROVED.**
- 7) Tom Wipf and Cool Cart Parts requested permission, as per site plan submitted, to 1) permit the open storage, parking and sale of golf carts, trailers and related equipment, which would be a

Special Exception in the (C-2) Highway Commercial Zoning District, and 2) to construct a 10'x20' shed 5' from the South property line rather than the permitted 30', which would be a 25' Building Variance and 3) 5' from the West property line rather than the permitted 30', which would be a 25' Building Variance, all on Lot 1, Score's Addition to the City of Aberdeen, a.k.a. 601 Riverside Drive. Dan Harber was present to represent the property. Following discussion, Grebner moved, and Winter seconded, to approve item #1 with the following stipulations: 1) No open storage in required off-street parking stalls, 2) No storage in corner visibility triangles, 3) No unpermitted signage/temporary signage, and 4) This Special Exception is for Cool Cart Parts only, as long as they are the operator of the proposed use. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED.** Upon further discussion, Grebner moved, and Weigel seconded, to deny items #2-3. Upon roll call, all members voting nay, the motion failed. Following further discussion, Grebner moved, and Schumacher seconded, to approve items #2-3. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCES APPROVED.**

- 4) Nickolas Nilson requested permission, as per site plan submitted, to construct a 900sf accessory structure rather than the permitted 864sf, which would be a 36sf Accessory Structure Lot Coverage Variance, all on Lot 2, Wagner's First Subdivision of Block F, Lincoln & Boyd's Subdivision of Lincoln University Outlots, a.k.a. 1607 Third Avenue SE. Nickolas Nilson was present to represent the property. Following discussion, Schumacher moved, and Weigel seconded, to deny this request. Upon roll call, Grebner nay, Weigel nay, Babcock aye, Winter aye, and Schumacher aye (2 nay, 3 aye), the motion failed. Following further discussion, Grebner moved, and Weigel seconded, to approve this request. Upon roll call, Grebner aye, Weigel aye, Babcock nay, Winter nay, and Schumacher nay (2 aye, 3 nay), the motion failed. No further action taken.

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
April 14, 2022