

MINUTES
BOARD OF ZONING ADJUSTMENT
May 12, 2022

The Board of Zoning Adjustment Meeting was held on Thursday, May 12, 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 VanDeRostyne, Weigel, Babcock, and Grebner. Also present were Ken Hubbart, City Planner, Eric Miller, City Planner, Jeremiah Maxfield, Planning Technician, 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 April 14, 2022, all members voting aye, the motion carried.

OPEN FORUM – No one was present.

- 1) Bonnie Kolb requested permission, as per site plan submitted, for existing residence to remain 4' from the South property line rather than the required 5', which would be a 1' Building Variance, all on Lot 24, Block 9, Nicollet Park Addition, a.k.a. 411 Jackson Street S. John Kirchgessler and Bonnie Kolb were present to represent the property. Following discussion, Grebner moved, and VanDeRostyne seconded, to approve this request. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCE APPROVED.**
- 2) Bruce Zeller requested permission, as per site plan submitted, to permit the open storage of fill material and construction equipment, which would be a Special Exception in the (I-2) Unrestricted Industrial Zoning District, all on Lots 1-12, Block 52, Bennett & Thomas Addition and Vacated ROW, a.k.a. 101 Third Street N. Bruce Zeller was present to represent the property. Following discussion, Grebner moved, and VanDeRostyne seconded, to approve with the following stipulations: 1) All current and past Code Enforcement concerns must be addressed immediately, 2) Property must be replatted into one lot, 3) Construction must commence within 2 years or this Special Exception shall become null and void, and 4) This Special Exception is for Bruce Zeller as long as he is the owner, the sale or transfer of this property within the life of this 2 year timeframe will negate approval. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED.**
- 3) Boneta Arlt requested permission, as per site plan submitted, for 1) existing residence to remain 18.5' from the West property line rather than the required 25', which would be a 6.5' Building Variance in order to 2) construct a 9'x20' uncovered front deck and stairs 12' from the West property line rather than the required 15', which would be a 3' Building Variance, all on Lot 9, Easton's First Subdivision of Block 34, Bennett & Thomas Addition, a.k.a. 508 Second Street N. J Arlt and Boneta Arlt were present to represent the property. Following discussion, Grebner moved, and VanDeRostyne seconded, to approve items #1-2 with the following stipulations: 1) Plans must be approved and a permit obtained prior to construction, 2) All required inspections must be completed, and 3) Property pins must be located to verify setbacks at the time of inspection. Upon roll call, all members voting aye, the motion carried. **BUILDING VARIANCES APPROVED.**

- 4) Randall Weber requested permission, as per site plan submitted, to permit the open storage and parking of vehicles, which would be a Special Exception in an (I-2) Unrestricted Industrial Zoning District, all on The West 94'8" of Lots 7-9, Block 37, Bennett & Thomas Addition, a.k.a. 204 Second Street N. Randall Weber and Brian Weber were present to represent the property. Following discussion, Grebner moved, and VanDeRostyne seconded, to approve with the following stipulations: 1) Property must be platted into adjacent "Dino Mart" property and existing freestanding sign structure removed to comply with ordinance, 2) Existing gas canopy and gas pumps must be removed by May 12, 2024. If remainder of Parcel Erickson building is to remain, it must be made aesthetically similar to "Dino Mart" by May 12, 2024 or demolished as indicated in narrative, 3) All parking must take place in designated parking spaces, 4) No parking or storage in corner visibility triangles, 5) Property must be maintained in a neat and orderly manner at all times, 6) Property must be rezoned to (C-2) Highway Commercial District to be consistent with existing "Dino Mart" property, 7) If any landscaping requirements are applicable, they must be completed, and 8) Must provide a minimum rated 2A 20BC multipurpose fire extinguisher for the skid steer storage building. Upon roll call, all members voting aye, the motion carried. **SPECIAL EXCEPTION APPROVED.**

- 5) Randall Weber requested permission, as per site plan submitted, to permit the open storage and parking of vehicles, which would be an Appeal to the Board of Zoning Adjustment in an (R-3) High Density Residential Zoning District, all on Lot 4, Block 14, North Aberdeen Addition, a.k.a. 211 First Street N. Randall Weber and Brian Weber were present to represent the property. Following discussion, Weigel moved, and Grebner seconded, to deny this request. Upon roll call, VanDeRostyne aye, Weigel aye, Babcock aye, Grebner nay (3 aye, 1 nay), the motion failed. Following further discussion, Grebner moved, and VanDeRostyne seconded, to approve with the following stipulations: 1) The now graveled area must be paved with asphalt or concrete, 2) The now existing fence must be maintained, or replaced if taken down, so that a fence is on the north and south side of the indicated area at all times, 3) this parking area is limited to employees and 3 courtesy vehicles only, 4) no parking in the remainder east grass lot, 5) must keep grass area east of parking space maintained at all times, 5) must get approval for landscaping requirements, and 6) drainage flow must be on lot, not neighbors' properties. Upon roll call, VanDeRostyne aye, Weigel nay, Babcock aye, and Grebner aye (3 aye, 1 nay), the motion failed. No further action taken.

- 6) Dwight Syverson and Michael Herman requested permission, as per site plan submitted, to permit two existing accessory structures totaling 1392sf in size rather than the permitted 744sf to remain on the property, which would be an Appeal to the Board of Zoning Adjustment, all on Lot 2, Tarrell-Syverson First Subdivision, a.k.a. 1121 Cochrane Street S. Mike Herman was present to represent the property. Following discussion, Grebner moved, and VanDeRostyne seconded, to approve with the following stipulations: 1) A permit must be obtained prior to work commencing, 2) All required inspections must be completed, and 3) All work to bring into compliance must be completed by June 15, 2022 as stated in application. Upon roll call, all members voting aye, the motion carried. **APPEAL APPROVED.**

- 7) The Aberdeen Development Corporation and Summit Contracting request permission, as per site plan submitted to 1) construct three mini-storage and mini-warehouse buildings in addition to a contractors shop, which would be an Appeal to the Board of Zoning Adjustment in the (I-2) Unrestricted Industrial Zoning District, and 2) to construct three mini-storage/mini-warehouse

buildings with 20' sidewalls rather than the permitted 16', which would be three 4' Maximum Sidewall Height Variances, and 3) to construct two mini-warehouse buildings that are 100' wide rather than the permitted 30', which would be two 70' Maximum Width Variances and 4) 240' long rather than the permitted 120', which would be two 120' Maximum Length Variances and 5) to construct one mini-storage building that is 40' wide rather than the permitted 30', which would be a 10' Building Variance and 6) 380' long rather than the required 120', which would be a 260' Maximum Length Variance, all on Proposed Lot 1, ADC 2022-1 Addition to the City of Aberdeen, a.k.a. 2916 Industrial Avenue NE. Casey Baumgarn was present to represent the property. Following discussion, Grebner moved, and VanDeRostyne seconded, to approve item #1. Upon roll call all members voting aye, the motion carried. **APPEAL APPROVED.** Following further discussion, Grebner moved, and VanDeRostyne seconded, to approve item #2 with the stipulation that FAA approval must be obtained prior to construction if necessary. Upon roll call, all members voting aye, the motion carried. **MAXIMUM SIDEWALL HEIGHT VARIANCES APPROVED.** Upon further discussion, Grebner moved, and VanDeRostyne seconded, to approve items #3-6 with the following stipulations: 1) All plans must be approved and permits obtained prior to construction, 2) Permitted buildings may be altered to be shorter and narrower, but may not exceed requested dimensions when permitted, 3) Fire Marshal must approve final plans prior to construction, 4) All landscape requirements must be met, 5) Any signage must be approved and permitted prior to installation, 6) No open storage may take place on lot without Zoning Board approval, and 7) Any required off-street parking must be provided at time of permitting. Upon roll call, all members voting aye, the motion carried. **MAXIMUM WIDTH VARIANCES APPROVED. MAXIMUM LENGTH VARIANCES APPROVED. BUILDING VARIANCE APPROVED.**

OTHER BUSINESS:

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

Amanda Kamphuis
Board of Zoning Adjustment Secretary
May 12, 2022