

# PLANNING COMMISSION MINUTES

## APRIL 14, 2008

**PRESIDING:** Meyers

**PRESENT:** Meyers, Griffith, Schmucker, Everson, Larson, Tracy

**ABSENT:** Fergen, Hisel

**OTHERS:** McGannon, Putnam, Hegg, Johnson, Overweg, Mayor Sebert

**AGENDA:** Motion by Everson, seconded by Griffith to approve the agenda. All members present voting aye, motion carried.

### MINUTES:

Motion by Larson, seconded by Everson to approve the minutes of the regular meeting of March 24, 2008. All members present voting aye, motion carried.

### NEXT MEETING:

Motion by Schmucker, seconded by Griffith to schedule the next Planning Commission meeting for April 28, 2008 at 12:00 p.m. subject to chair for hearings on petitions for rezoning and applications for variances and conditional use permits for publication and Finance Officer be directed to give notice according to statute. All members present voting aye, motion carried.

**CONDITIONAL USE:** Mitchell Regional Habitat for Humanity Inc. has made application for a Conditional Use/Variance to construct a duplex located at 300 S. Foster, legally described as W 20' of Lot 5 and all Lot 6, Block 3, Fairview Addition to the City of Mitchell, Davison County, SD. The Front & Back yard Setback will not be met. A duplex requires a conditional use permit in an R-2 zone.

With this being tabled so many times it needed to be advertised and will hear it at the next meeting. Motion by Schmucker, seconded by Griffith to table till next meeting. All members present voting aye, motion carried.

**VARIANCE:** Mitchell Regional Habitat for Humanity Inc. has made application for a Conditional Use/Variance to construct a duplex located at 300 S. Foster, legally described as W 20' of Lot 5 and all Lot 6, Block 3, Fairview Addition to the City of Mitchell, Davison County, South Dakota. The Front & Back yard Setback will not be met. A duplex requires a conditional use permit in an R-2 zone.

Motion by Schmucker, seconded by Griffith to table till next meeting. All members present voting aye, motion carried.

**VARIANCE:** Andy Spaans to construct a garage, located at 2703 Gamble Court, legally described as Lots 4 & 5, Block 4, Woodland Heights Addition to the City of Mitchell, Davison County, South Dakota. Zoned PL. Applicant will provide approximately a 1536 sq footage instead of the 1050 that is required.

Dan Boehmer from Ethan Lumber and Andy Spaans stated the garage would match the house and it met all setbacks. Motion by Larson, seconded by Schmucker to recommend approval of this variance All members present voting aye, motion carried.

**VARIANCE:** Thomas Pollreisiz to construct a garage, located at 1213 N. Rowley, legally described as Lot 1, Block 28, Capital Addition to the City of Mitchell, Davison County, South Dakota. Zoned R-2. Applicant will provide approximately a 15½' side yard setback instead of the 20' that is required.

Everson thought he could move the garden shed and the garage would meet set backs. Thomas Pollresiz stated he is already removing one tree and didn't want to remove the other two. Motion by Larson, seconded by Griffith to recommend approving this variance. Larson, Griffith and Meyers voting aye, Schmucker and Everson voting nay, motion carried.

**CONDITIONAL USE:** Jennifer Endorf to operate a Day Care Center in her home, located at 309 E. 14th Ave., legally described as Lots 7, 8 & 9, Block 5, Palmer & Higman's Addition to the City of Mitchell, Davison County, South Dakota.

Jennifer Endorf stated she already had a fence and she passed the fire inspection. Motion by Larson, seconded by Everson to recommend approving this conditional use with the following conditions: non transferable and the permit will expire if the daycare is not operating in a six month period. All members present voting aye, motion carried.

**PLAT:** A Plat of Lot 38 of Maui Farms 2nd Add., a Subdivision of the SE¼ of Section 31, T 104 N, R 60 W of the 5th P.M. City of Mitchell, Davison, SD.

Motion by Larson, seconded by Griffith to recommend approving this plat. All members present voting aye, motion carried.

**PLAT:** A Plat of Lot 1-B of North Maui's 1st Add., a Subdivision of Lot 1 in the W½ of the NW¼, also described as Lot 1, Subdivision of Government Lot 1, all in Section 31, T 104 N, R 60 W of the 5th P.M., Davison County, SD.

County has approved this as lot 4 but now that it was changed it will need to come back to be approved as Lot 1-B. Larson like to see a master plan for the area. Schmucker had concerns with the depth. Motion by Larson, seconded by Everson to table until a master plan was brought in. All members present voting aye, motion carried.

**PLAT:** A Plat of Tracts 1A and 1B of Indian Village 1st Add., in the NE¼ of the NW¼ of Section 9, T 103 N, R 60 W of the 5th P.M. City of Mitchell, Davison County, SD. Motion by Schmucker, seconded by Everson to recommend approving this plat. All members present voting aye, motion carried.

**PLAT:** A Plat of Lot 1 of D & D Long's 1st Add., A Subdivision of Irregular Tract #3 in the NE¼ of Section 23, T 103 N, R 60 W of the 5th P.M., Davison County, SD. Schmucker had concerns with the private easement. The county has approved this. Motion by Larson, seconded by Griffith to recommend approving this plat. Schmucker voting nay and all other members present voting aye, motion carried.

**PLAN:** Ryan Schoenfelder Discount Joe's 1000 N. Main St.  
Zoned CB 40x90 Building

This does meet setbacks. After discussion, motion by Larson, seconded by Everson to table until a plan and more information was available.

**PLAN:** Cornerstone Baptist Church 728 S. Minnesota Zoned NS  
Pastor Larry Parvin stated it would be an enclosed car port and the roof would tie in the same roof of the church. Motion by Schmucker, seconded by Griffith to approve this plan. All members present voting aye, motion carried.

**OTHER BUSINESS:** Carl Koch questioned the action for denying the vacation of Bayside Avenue. Schmucker stated that with this vacation that there would not be any access to the alley. Lyndon Overweg said that the sidewalk committee was considering this alley for a bike trail out to the new soccer fields. After discussion the commission told Carl he would need to make his request to the council because the commission already recommended denial.

**ADJOURN:**  
Chairman Meyers adjourned meeting at 12:55 P.M.

Minutes submitted by Sheila Loecker