

# PLANNING COMMISSION MINUTES

## JANUARY 26, 2009

**PRESIDING:** Meyers

**PRESENT:** Meyers, Schmucker, Everson, Larson, Fergen, Molumby

**ABSENT:** Griffith, Smith

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

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

### MINUTES:

Motion by Molumby, seconded by Everson to approve the minutes of the regular meeting of January 12, 2009. All members present voting aye, motion carried.

### NEXT MEETING:

Motion by Larson, seconded by Molumby to schedule the next Planning Commission meeting for February 9, 2009 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.

**PLAT:** A Plat of Lots A-1, A-2 and A-3 of N. Boyden 1st Add., E. 1st Ave and E Fairway Circle, a Subdivision of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  lying south of the abandoned Chicago and Northwestern Transportation Company Railway, now known as Lot R-1, in Section 23, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, SD.

Motion by Molumby, seconded by Everson to note that this plat was withdrawn. All members present voting aye, motion carried.

**PLAN:** Cam Starr          Retail Fireworks and Gift Shop          Zoned HB  
(Tentative address of 2675 W. Havens)

Cam Star reviewed his plan and the commission discussed parking. Motion by Schmucker, seconded by Larson to approve the plan with the front of the building 40' from the property line. All members present voting aye, motion carried.

**VARIANCE:** Mark Stedronsky to construct an enclosed breeze way connecting garage to house, located at 216 E. 6th Ave, legally described as W30' Lot 11, Block 7, Rowley's 1st Addition to the City of Mitchell, Davison County, South Dakota; the request is being made because the back yard setback is not met. Zoned R-2. Applicant will provide approximately a 31' back yard setback instead of the 35' that is required.

Mark Stedronsky stated he would to enclose a breeze way connecting the garage to the house. Motion by Molumby, seconded by Fergen to recommend approving this variance. All members present voting aye, motion carried.

**REZONE:** Robert & Sherri Porter for a Rezone located at 5100 Fiala Rd, legally described as Lot 13 in E½ of NW¼, Fiala's Addition to the City of Mitchell, Davison County, South Dakota. Rezone the property from its present use and now designation of RL District to R-1 District as defined by the Zoning Ordinance of the City of Mitchell, Davison County, South Dakota.

Putnam reviewed the zoning in this area. Hegg stated the entire should not be RL because it does not touch the lake. Motion by Molumby, seconded by Everson to recommend approving this rezone and direct the city planner to start the process to rezone the entire area north of Lots 6 through Lot 12C including Jo Gene Court (Fiala Addition & Airport Addition) from RL to R-1. All members present voting aye, motion carried.

**CONDITIONAL USE:** Robert & Sherri Porter for a Conditional Use Permit located at 5100 Fiala Rd, legally described as Lot 13 in E½ of NW¼, Fiala's Addition to the City of Mitchell, Davison County, South Dakota. The Conditional Use request is being made because an auto detail requires a conditional use permit in an R-1 zone according to the Zoning Code of the City of Mitchell.

Robert Porter stated he just wanted this just for himself and his wife. Motion by Everson, seconded by Schmucker to recommend approving this conditional use subject to no hiring outside employees. All members present voting aye, motion carried.

**ADJOURN:**

Chairman Meyers adjourned meeting at 12:25 P.M.

Minutes submitted by Sheila Loecker