

# PLANNING COMMISSION MINUTES

**March 9, 2009**

**PRESIDING:** Meyers

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

**ABSENT:** Everson, Smith

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

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

## **MINUTES:**

Motion by Griffith, seconded by Molumby to approve the minutes of the regular meeting of February 9, 2009. All members present voting aye, motion carried.

## **NEXT MEETING:**

Motion by Larson, seconded by Griffith to schedule the next Planning Commission meeting for March 23, 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.

**CONDITIONAL USE:** JoAnna Calhoon has made application for a Conditional Use Permit to operate a Day Care Center in her home, located at 216 W. 11th Ave. legally described as Lot 8, Block 29, Capital Addition to the City of Mitchell, Davison County, South Dakota.

Nedved stated she did pass the fire inspection. Putnam said she has a fence. Motion by Larson, seconded by Griffith 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.

**CONDITIONAL USE:** CJM Consulting for a Conditional Use Permit to construct a communication tower over 100', located at 1501 Block W. 17th Ave., legally described as Lot 5, Block 6 of Westwood First Addition, a Subdivision of the NW 1/4 of Section 16, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota. Zoned TWC. A tower over 100' requires a Conditional Use permit within the said District.

Chuck Mauszycki, Jr. put Doug Sweet on intercom to join in the meeting. Griffith asked if there would be any buildings by this tower. Sweet answered it would be a maintenance & equipment storage about 6'. Sweet said they would get FAA approval. Motion by Schmucker, seconded by Griffith to recommend approving this conditional use. All members present voting aye, motion carried.

**PLAN:** Shawd Properties Construction of Offices Zoned HB  
Commerce St./Hiway 37 Bypass

Ryan Shawd was available for questions. Motion by Larson, seconded by Molumby to approve the entire plan. All members present voting aye, motion carried.

**DISCUSSION:** Rezone parts of Fiala Addition and Woods Circle and Jo Gene Court from RL Residential Lake to R-1 Single Family Residential.

Putnam stated we had sent letters out to this area and had them return for approval. We were short the 60% that was required for rezoning this property. After discussion the commission wanted Putnam to bring it to council and see if we should still try to change the zoning. No action taken.

**ADJOURN:**

Chairman Meyers adjourned meeting at 12:30 P.M.

Minutes submitted by Sheila Loecker