

PLANNING COMMISSION MINUTES

May 11, 2009

PRESIDING: Meyers

PRESENT: Meyers, Schmucker, Everson, Fergen, Molumby, Smith

ABSENT: Griffith, Larson,

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

ELECTION OF CHAIRMAN for term commencing May 2009 to May 2010.
Motion by Everson, seconded by Schmucker to nominate Don Meyers for Chairman. With no other nominations an unanimous ballot was cast. All members voting aye, motion carried.

ELECTION OF VICE CHAIRMAN for term commencing May 2009 to May 2010
Motion by Everson, seconded by Schmucker to nominate Jay Larson for Vice-Chairman. With no other nominations an unanimous ballot was cast. All members voting aye, motion carried.

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

MINUTES:
Motion by Fergen, seconded by Molumby to approve the minutes of the regular meeting of April 27, 2009. All members present voting aye, motion carried.

NEXT MEETING:
Motion by Schmucker, seconded by Everson to schedule the next Planning Commission meeting for (Tuesday) May 26, 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.

Tabled from last meeting

CONDITIONAL USE: Sarah Mendenhall to operate a Day Care Center in her home, located at 409 S. Montana, legally described as Lot 4, Block 22, Railroad Addition to the City of Mitchell, Davison County, South Dakota. Zoned R-2.

Sarah Mendenhall stated she was going to put in a fence and she would be the sole operator. Motion by Everson, seconded by Fergen to recommend approving this day care with the following conditions: Pass fire inspection (which she did except for house #'s needed to be installed), fence installed by July 4, 2009, 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: Collette Stadlman (Owner), Reggie Siegel (Applicant) to operate a small motorcycle business, located at 240 E 54th Ave., legally described as Lot 8, Maui Farms 1st Addition to the City of Mitchell, Davison County, South Dakota. Zoned UD.

Collette Stadlman stated that there would not be any outside storage and the hours would be Monday through Friday 8 to 5 and some Saturdays from 8 to 12. If the business grew to where he would need employees he would go elsewhere. Reggie is doing his sales over the internet so not much traffic and she also didn't think the noise would be a problem. Motion by Schmucker, seconded by Molumby to recommend approving this conditional use with the following conditions: No outside storage, hours from 8 AM to 5 PM on Monday through Friday and Saturday 8 AM to 12 PM; only employees residents and to review in one year. All members present voting aye, motion carried.

VARIANCE: Ray Koth to construct an addition, located at 1020 W. 3rd Ave., legally described as Lot 7, Block 2, Justs Addition to the City of Mitchell, Davison County, South Dakota. Zoned R-2. Applicant will provide approximately a 27' back yard setback instead of the 35' that is required.

This was tabled due to the drainage. Koth also is considering a duplex for this area. Putnam told him he would need to come back for a conditional use. A duplex needs a conditional use in an R-2 zoning. McGannon stated Koth would need to have his carpenter bring in a drainage plan before a building permit will be issued. Motion by Schmucker, seconded by Molumby to recommend approving this variance subject to a drainage plan approved by public works dept. Everson opposed but all others members present voting aye, motion carried.

New Business

VARIANCE: Mary Jepsen to construct a garage, located at 1100 E. 7th Ave., legally described as Lot 7, Block 2, Wilkinson's Addition to the City of Mitchell, Davison County, South Dakota. Zoned R-4. Applicant will provide approximately a 8' side yard setback instead of the 20' that is required.

She is replacing the existing garage and will have the same setbacks as that one had. She may go a little bigger on the side by Firesteel Nursing Home but that will meet setbacks. Motion by Molumby, seconded by Fergen, to recommend approving this variance. All members present voting aye, motion carried.

VARIANCE: Tom & Mary Day to construct a house/garage, located south of 1532 Lakeview Lane, legally described as Lot 4, Lake Park Addition to the City of Mitchell, Davison County, South Dakota. Zoned R-3. Applicant will provide approximately a 10' front yard setback instead of the 30' that is required. Applicant will provide approximately a 5' side yard setback instead of the 8' that is required.

This lot has a large sewer line and drops off so will need a variance. Motion by Schmucker, seconded by Everson to recommend approving this variance. All members present voting aye, motion carried.

VARIANCE: Mike Hale to construct a Garage, located at 621 S. Burns St., legally described as Lot 6, Block 6, Bloom's Addition to the City of Mitchell, Davison County, South Dakota. Zoned R-2. Applicant will provide approximately a 1200 sq ft instead of the 1050 size limitation that is required.

Mike Hale said he would get rid of the shed that is there now. The siding would be the same as the house. Motion by Molumby, seconded by Everson to recommend approving this variance. All members present voting aye, motion carried.

PLAT: A Plat of Lot 14, Block 1 of Westwood 1st Add., A Subdivision of the SW¼ of Section 16, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, SD McGannon questioned the area behind Lot 14 could be land locked. Motion by Molumby, seconded by Everson to table this until they could have someone to answer these questions. All members present voting aye, motion carried.

PLAT: Plat of Lot 1 of Bussmus Farms Add., in the NE¼ of Section 34, T 104 N. R61W, of the 5th P.M. Davison County, SD

Dan Sudrla stated this was approved by the county planning commission. Motion by Everson, seconded by Schmucker to recommend approving this. All members present voting aye, motion carried.

PLAN: Mountain Mud Move Coffee house from County Fair parking lot (1305 W. Havens) to The Chicken Coupe (1610 S. Burr). Zoned HB.

Holly Wellnitz from Mountain Mud said she was going to move the Mountain Mud coffee house from County Fair parking lot to the NW corner of Graham lot. She said she would only need electricity and there was no need for water or sewer. Motion by Molumby, seconded by Everson to approve this plan.

ZONING CODE AMENDMENT:

Don Petersen said this was a formality. When the adult entertainment ordinance was brought in we needed to make an exemption for businesses that were in existence prior to this code modification. Schmucker remembered this legal may have errors in the wording and thought it should be checked. Motion by Everson, seconded by Schmucker to approve the amendment subject to verifying the legal description. All members present voting aye, motion carried.

OTHER BUSINESS:

Neil Putnam questioned if any of the commission had reviewed focus 20/20 findings.

ADJOURN:

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

Minutes submitted by Sheila Loecker