

PLANNING COMMISSION MINUTES

AUGUST 24, 2009

PRESIDING: Meyers

PRESENT: Meyers, Griffith, Schmucker, Everson, Larson, Molumby, Smith

ABSENT: Fergen

OTHERS: Putnam, Hegg, Overweg, Nedved, Mayor Sebert, City Attorney Stiles

AGENDA: Motion by Schmucker, seconded by Everson 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 August 10, 2009. All members present voting aye, motion carried.

NEXT MEETING:

Motion by Everson, seconded by Molumby to schedule the next Planning Commission meeting for Special Meeting August 31, 2009 and regular meeting September 14, 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: Candi Blasius to operate a dog grooming business, located at 809 E. Hanson Ave, legally described as Lot 4 & W½ Lot 3, Block 5, Applegate Addition to the City of Mitchell, Davison County, South Dakota. Zoned R-2.

Candi Blasius was again not in attendance. Motion by Everson, seconded by Larson to recommend to deny this permit. All members present voting aye, motion carried.

VARIANCE: Abbott House to construct an addition, located at 918 Court Merrill, legally described as Block 4, University Addition to the City of Mitchell, Davison County, South Dakota; the request is being made because the side yard setback not met. Zoned PL Public Lands. Applicant will provide approximately a 9' side yard setback instead of the 20' that is required.

Phil Ramsey and Mark Puetz reviewed the plan for this addition. The design of addition was completed prior to verifying the right-of-way boundaries. Due to the property line not following the

property lot curves they requested a variance. A letter of explanation was submitted with the request. Motion by Schmucker, seconded by Larson to recommend approving this variance. All members present voting aye, motion carried.

CONDITIONAL USE: Doug Gehrke to operate Custom Plus Collision & Center, located at 960 Commerce St., legally described as Lot 13, Block 1, Westwood 1st Addition to the City of Mitchell, Davison County, SD. Zoned HB Highway Business District. A body shop auto repair requires a Conditional Use permit within the said District.

Molumby asked about outside storage of vehicles. Doug Gehrke stated his outside storage would be fenced in and Chuck Mauszycki said he had deed restrictions so it shouldn't be a problem. Motion by Larson, seconded by Griffith to recommend approving this permit. All members present voting aye, motion carried.

PLAT: A Plat of Lot 1, Backlund 2nd Addition
Don Petersen stood in for Doug Dailey. Petersen said this plats out for Doug and Dave Jr. Backlund's house. (Former Baas home) Schmucker questioned no identifying lines to the west and south. It probably is a section line but it should be identified. Motion by Schmucker, seconded by Griffith to recommend approving this plat with the condition to identify official property land lines. All members present voting aye, motion carried.

PLAT: A Plat of Tracts 1 and 2 of C Glanzer 1st Addition in Government Lots 1 and 2 in the NW¼ of Section 19, T 103 N, R 60 W of the 5th P.M., Davison County SD.
Don Petersen said that Kevin Thurman had plans to plat it out and develop it but now has found one buyer to use it for farm purposes. Motion by Everson, seconded by Molumby to recommend approving this plat. All members present voting aye, motion carried.

PLAT: A Plat of Lots A-2, A-3, and D-1 in the NE¼ of the SE¼ of Section 4, T 103 N, R 60 W of the 5th P.M., Davison County, SD
This was formerly Bill Mauszycki's property. Terry Torgerson from Cortrust bank stated they are just straightening the back property line and having two separate parcels for the motel and house. Motion by Larson, seconded by Everson to recommend approving this plat. All members present voting aye, motion carried.

SIGN: Bank West 1920 N. Sanborn Zoned HB
Putnam stated this complies with city sign code. Motion by Everson, seconded by Larson to approve this sign. All members present voting aye, motion carried.

SIGN: Northridge Church 323 W. 23rd Ave. Zoned HB
Putnam said this is replacing one on 23rd Ave and adding another sign just south of the church. Motion by Griffith, seconded by Molumby to approve this sign. All members present voting aye, motion carried.

DISCUSSION: Putnam informed the commission that on September 8th Wesleyan Church is asking the council to vacate a portion of an alley.

Putnam also questioned the commission how he should proceed with the Window Shop's request which may go to the 100 block S. Main. (Old Mitchell Motor building) They are selling windows and manufacturing windows. This is zoned Central Business and Putnam said we can either make a zoning code amendment or rezone it TWC. The commission thought it was best to rezone to TWC.

Randy Stiles, city attorney, asked the commission to not put on a condition for a fence on day cares. Stiles explained we do not have a code regulating fences and adding a fence as a condition could expose the city to liability and this may be regulating the business operation. Stiles also thought a fire inspection should be only a recommendation and not a condition. Discussion only, no action taken.

ADJOURN:
Chairman Meyers adjourned meeting at 1:10 P.M.

Minutes submitted by Sheila Loecker