

# PLANNING COMMISSION MINUTES

April 26, 2010

- PRESIDING:** Meyers
- PRESENT:** Meyers, Griffith, Schmucker, Everson, Larson, Fergen, Molumby, Smith
- ABSENT:** None
- OTHERS:** McGannon, Putnam, Hegg, Johnson, Overweg, Nedved, Mayor Sebert

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

## MINUTES:

Motion by Schmucker, seconded by Molumby to approve the minutes of the regular meeting of April 12, 2010. All members present voting aye, motion carried.

## NEXT MEETING:

Motion by Everson, seconded by Griffith to schedule the next Planning Commission meeting for May 10, 2010 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:** Russell Overbay to construct storage buildings with varying compartment sizes that may be used for personal or commercial storage at this address, located at 1715 N. Gale Rd, legally described as Lot C, Heinz's 2nd Addition, NE¼ Section 14, T 103 N, R 60 W, Davison County, South Dakota. Zoned UD.

Putnam explained this was in our 1 mile radius and the county would not have a hearing on this. Putnam and Overbay both stated no covenants for this area. Sonja VanErdewyk stated she is a neighbor of Overbays. She said she has spoken to Overbay and has nothing against him personally. She repeated some points from her letter about the traffic, concerns of safety, road maintenance and probably diminish her property value. Paul Reiland was also available and stated the same things. Overbay reviewed his plans for a pole shed construction similar to Brenden's and would house both boats and motor homes. The building would be in earth tones to blend in with surrounding area. Everson stated that he knows people move out in the country to get away from traffic and businesses and here we bring it out to them. Molumby questioned drainage issues but Overbay did not think

that would be a problem. Larson reviewed the history of zoning UD. He said it was to be there to form a growth pattern and this looks like it should be R-1 or R-2. Motion by Larson, seconded by Everson to recommend denying this conditional use. All members present voting aye, motion carried.

**VARIANCE:** Greg Buche to construct a car port, located at 508 W. 5th Ave., legally described as W½ of Lots 5 & 6, Block 16, Rowley's 2nd Addition to the City of Mitchell, Davison County, South Dakota; the request is being made because the distance off alley not met. Zoned R-2. Applicant will provide approximately a 10' distance from the alley instead of the 16' that is required.

Everson said we see it as a car port now and then it turns into a garage. Greg Buche stated that he has no intentions of enclosing the car port nor attach it to the house. He has a cement slab now and can park on that so getting in and out would not be a problem. Motion by Molumby, seconded by Schmucker to recommend approving this variance. All members present voting aye, motion carried.

**VARIANCE:** Ryan & Jen Jensen to construct an addition, located at 800 E. 6th Ave., legally described as Lot 7, Block 5, FM Greene Addition to the City of Mitchell, Davison County, South Dakota; the request is being made because the front yard setback will not be met. Applicant will provide approximately a 12' front yard setback instead of the 30' that is required. Zoned R-2

Ryan Jensen reviewed his plan for this addition. It would be 5' farther out than the house next to him. Jensen said with the plumbing and expansion it was easier and cheaper to add onto the front of the house. Everson questioned if we have setbacks established why we don't follow them. Molumby thought it should be in line with the neighbor next door. Motion by Schmucker, seconded by Griffith to recommend approving this variance. After roll call, Meyers and Everson voting nay while Griffith, Molumby, Larson, Fergen and Schmucker voting aye. Motion carried.

**VARIANCE:** MSTM Properties to construct a storage shed, located at 1820 Loma Linda, legally described as Lot X-4 and Lot X-5 within Lot X located in SE¼ of NE¼ of 29-103-60 Platted Various to the City of Mitchell, Davison County, SD; the request is being made because the front yard setback will not be met. Zoned HB District. Applicant will provide approximately a 20' front yard setback instead of the 30' that is required.

Billy Schneider from MSTM reviewed his plans to add another building and stated it would line up with existing ones. They would use the same driveway. McGannon stated the drainage is in need of attention but another building wouldn't matter. McGannon said we are getting complaints on the road and may need to have it assessed and see how it gets voted. Motion by Schmucker, seconded by Larson to recommend approving this variance. All members present voting aye, motion carried.

**PLAN:** Pondrosa Rentals 1221 E. Havens Zoned HB  
(Changed size of storage unit from 40 x 140 to 50 x 145)

John stated this has been approved by planning but there is a change in size. This still meets setbacks. Motion by Molumby, seconded by Larson to approve this plan. All members present voting aye, motion carried.

**PLAN:** DCB of Mitchell 1104 W. Havens Plan

Dave Yaeger would like to display another car port and turn an existing one around. Motion by Larson, seconded by Everson to approve this plan. These are for display only. All members present voting aye, motion carried.

**OTHER BUSINESS:** Continue Discussion on Zoning Code

Putnam reviewed the new state law about having to advertize the entire agenda 24 hours before the meeting. This will eliminate last minute addendums.

The committee reviewed the adjustments made to the zoning code. Putnam will bring it back one more time for review and then have council take a look at it.

**ADJOURN:**

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

Minutes submitted by Sheila Loecker