

# PLANNING COMMISSION MINUTES

## AUGUST 9, 2010

**PRESIDING:** Meyers

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

**ABSENT:** Griffith, Larson, Fergen, Smith

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

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

### MINUTES:

Motion by Schmucker, seconded by Everson to approve the minutes of the regular meeting of July 26, 2010. All members present voting aye, motion carried.

### NEXT MEETING:

Motion by Everson, seconded by Molumby to schedule the next Planning Commission meeting for August 23, 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.

**VARIANCE:** Frank & Mary Bruna to construct a house/garage, located at 30 Cypress Point, legally described as Lot 1, Block 1, Kippes Wedgewood Estates Addition to the City of Mitchell, Davison County, South Dakota; Zoned R-4. Applicant will provide approximately a 4' back yard setback instead of the 30' that is required. Applicant will provide approximately a 2½' front yard setback instead of the 30' that is required.

Neil Putnam reviewed the revised plan. Applicant will now provide approximately a 14.6' front yard setback instead of the 30' and a 15.7' foot back yard instead of the 30' that is required. Pat Weber, contractor stated the Bruna's were in agreement with the revised plan. Joe Kippes, one of the developers, said the development has recorded covenants that require homes to be a minimum size. With this irregular shaped lot this plan would fit in with the cul de sac. Motion by Schmucker, seconded by Molumby to recommend approving this variance. All members present voting aye, motion carried.

**VARIANCE:** Mike Miiller and Suann Streetman to construct an accessory building, located at 1112 S. Kimball, legally described as Lot 6, Square 16, Weaver's Square Addition to the City of Mitchell, Davison County, South Dakota; the request is being made because the side yard and separation will not be met. Zoned R-3 . Applicant will provide approximately a 1' side yard setback instead of the 3' that is required. Applicant will provide approximately a 4' separation instead of the 10' that is required.

Miiller submitted a revised plan showing the separation would be 7' instead of the 10 that is required. With the revised plan no variance is needed for the side yard setback. Hegg told Miiller that he would need a firewall. Motion by Molumby seconded by Schmucker. All members present voting aye, motion carried.

**CONDITIONAL USE:** Jessica Fuerst has made application for a Conditional Use Permit to operate a Day Care Center in her home, located at 1504 E. 4th Ave. legally described as Lot 27, Block 4, Bridle Acres Addition to the City of Mitchell, Davison County, South Dakota.

Jessica Fuerst said she plans to get state certified. Motion by Molumby, seconded by Everson 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:** Mark Buche, potential Owner and applicant, and Raymond and Zelma Buchholz, Owners for a Conditional Use Permit to operate a professional office building, located at 2601 Block N Main St., legally described as Lot 4, Scovilles Addition to the City of Mitchell, Davison County, South Dakota. Zoned R-4. A professional office building requires a Conditional Use permit within the said District.

Neil Putnam reviewed this plan. The lot was sough of the city's campground and the existing driveway was off highway 37. Mark Buche stated he had plans to rent some of the office space out and the storage space would be for his personal use. Nedved questioned about a separation for office and storage area. Motion by Molumby, seconded by Schmucker to recommend approving this conditional use. All members present voting aye, motion carried.

**DISCUSSION:** Davison Feed Supply 1100 W. Havens Ave.

Rollie Wiczorek said he wishes to construct a new building and ran into problems when hooking up to sewer and requested an alley. McGannon reviewed the history of the platting of an alley. On a couple plats, it had written "reserved for alley" but on the last plat it did not have that. After talking to two attorneys McGannon didn't believe the city would be able to put in an alley. Ray Mentele, an area resident, said he's owned this property and has paid taxes on it and did not want an alley after planting 80 trees. Wiczorek said he'd be comfortable with an easement to get hooked up to sewer and water but had concerns with drainage. Schmucker thought the city should come up with a plan. McGannon said usually a developer brings in the plan for the city to review it. After discussion McGannon said he will do an on-location survey.

**ADJOURN:**

Chairman Meyers adjourned meeting at 12:40 P.M.

Minutes submitted by Sheila Loecker