

CITY OF MITCHELL
CITY PLANNING COMMISSION MINUTES
September 27, 2021

NOT APPROVED

1. Chairperson Larson called the September 27, 2021 City Planning Commission Meeting to order at 12:00 P.M. noon in the Council Chambers, City Hall, 612 N Main Street.
2. Roll Call-quorum is met, simple majority vote required for all items.
Present: Larson, Molumby, Genzlinger, Penney, Osterloo, Sonne, Doescher.
Absent: Jirsa.
Staff Present: Jenniges, Schroeder, Sandoval, London, Ellwein, Mayor Everson.
3. Declare conflicts of interest-None.
4. Approval of proposed agenda: Motion by Genzlinger, seconded by Sonne, to approve the proposed agenda. All present members voting aye, motion carried.
5. Approval of proposed Minutes: Motion by Molumby, seconded by Osterloo, to approve the minutes of the September 13, 2021 Planning Commission meeting. All present members voting aye, motion carried.
6. Schedule next meeting: Motion by Osterloo, seconded by Genzlinger, to schedule the next meeting for October 12, 2021. All present members voting aye, motion carried.
7. Variance: Jason Bates has applied for a north side-yard variance of 0 feet vs 3 feet as required for an addition located at 1112 N Rowley St, legally described as Lot 16, Block 4, D.A. Scotts Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single-Family Residential District. The applicant was present to answer questions. Notices were sent out to the neighbors and it was published in the official newspaper with the 3 responses in favor, one of which being the neighbor the side-yard abuts and 0 opposed to the variance,

The neighbor originally came in questioning what was going on at the residence and if a building permit had been issued. The city did not have any record so Building Inspector Hegg investigated. The structure has already been built and finished. Pictures were provided in the packet showing the completed project and pin location on the lot line.

Molumby questioned if the board was being asked for permission or forgiveness.

Jason Bates stated it is not attached to the house. He did not know he needed a building permit because it wasn't attached to the house. He finished the structure and said it wouldn't take long to take down and move if he needed to. The posts are not concreted into the ground, they are fastened by metal brackets. There is a gutter on the north side draining the water back onto his own property.

Drew Boyden stated he is the neighbor to the north and originally had issues with it but after conversations with Bates he is okay with it. His main concern was the drainage of water onto his property, but with the gutter installed he is okay with it and does not foresee any drainage issues.

Molumby voted against and explained his vote that if everyone in town starts doing this, why do we have rules. Larson stated he agreed with Doug when he voted against.

Motion by Genzlinger, seconded by Osterloo, to recommend approval to the Board of Adjustment with the condition the structure can not be any further enclosed. Roll call vote: Larson – nay, Molumby – nay, Jirsa – absent, Osterloo – aye, Genzlinger – aye, Sonne – aye, Penney – aye. 4 aye, 2 nay, 1 absent, motion carried.

8. Plat: Plat of Lots 1 & 2 in Tract I and Lots 9 & 10 in Tract H, Wild Oak Golf Club Addition to the City of Mitchell, Davison County, South Dakota; as requested by Firesteel Links, LLC. The applicant was not present to answer questions. Elevation certificates were provided with the plat.

Public Works did have a concern with the elevation certificate with there being a 3' drop along the lot line. Public Works Director Schroeder has reached out to the surveyor but have not received a response.

Doescher gave an overview of the area for drainage and the water drains all from the west to the east into these parcels and into a culvert going under the road and then north to the pond. He has seen water standing in this area. He believed there was one buyer for the two parcels but could not confirm if they were building across the lot line or if they were building just on one parcel and keeping the other for green space.

Schroeder reminded the board that any drainage plans or site layout plans would be discussed and addressed at the time of a building permit being applied for.

Motion by Osterloo, seconded by Molumby, to approve Plat with the recommendation that if the requested information is not presented to the Council, the Council table the plat. Roll call vote: Larson – nay, Molumby – aye, Jirsa – absent, Osterloo – aye, Genzlinger – nay, Sonne – aye, Penney – aye. 4 aye, 2 nay, 1 absent, motion carried.

9. Plat: Plat of Lots 13 & 14 in Tract I, Wild Oak Golf Club Addition to the City of Mitchell, Davison County, South Dakota; as requested by Firesteel Links, LLC. The applicant was not present to answer questions. Elevation certificates were provided with the plat.

Motion by Molumby, seconded by Penney, to approve Plat. All present members voting aye, motion carried.

10. Plat: Plat of Lots 17, 18 & 19 in the replat of Tract A, Wild Oak Golf Club Addition to the City of Mitchell, Davison County, South Dakota; as requested by Firesteel Links, LLC. The applicant was not present to answer questions. Elevation certificates were provided with the plat.

Motion by Genzlinger, seconded by Sonne, to approve Plat . All present members voting aye, motion carried.

11. Other Business-None.

12. Public Comment-None.

13. Chairman Larson adjourned the meeting at 12:33 P.M.

Jay Larson
Planning Commission Chairperson