

**CITY OF MITCHELL  
CITY PLANNING COMMISSION MEETING MINUTES  
JULY 22, 2019**

Chairman Larson called the July 22, 2019 City Planning Commission Meeting to order at 12:00 pm in the Council Chambers, City Hall, 612 N Main St, Mitchell, South Dakota.

Members Present: Larson, Fergen, Genzlinger, Jirsa, Osterloo and Allen  
Members Absent: Molumby

Staff Present: Putnam, Croce, Hegg, London, J. Johnson, Sandoval, Schroeder, and Ellwein

Declaration of Conflicts of Interests: none

Approval of Agenda: Motion by Osterloo, seconded by Jirsa to approve the agenda as presented. All members present voting aye, motion carried.

Approval of Minutes: Motion by Jirsa, seconded by Genzlinger to approve the minutes of the July 8, 2019 meeting. All members present voting aye, motion carried.

Schedule Next Meeting: Motion by Genzlinger, seconded by Osterloo to schedule the next meeting for August 12, 2019. All members present voting aye, motion carried.

Plat: A Plat of Lots 12A & 12B in the Replat of Tract A, Wild Oak Golf Club Addition to the City of Mitchell, Davison County, South Dakota. Doug Dailey representing the owner was present to answer questions about this plat. Attorney Dailey said the purpose of this plat is to enlarge the property to accommodate the new property line and include the setback, and easement. Hegg suspected there was an error in the staking of the property. Motion by Jirsa, seconded by Genzlinger to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Kelley Tract 1, A Subdivision of the SW ¼ of the SE ¼ of Section 36, T 104 N, R 61 W of the 5<sup>th</sup> P.M., Davison County, South Dakota. The purpose of this plat is to subdivide the Kelly home side into 8.22 acres. The property owner is the City of Mitchell. Motion by Fergen, seconded by Jirsa to approve the plat. All members present voting aye, motion carried.

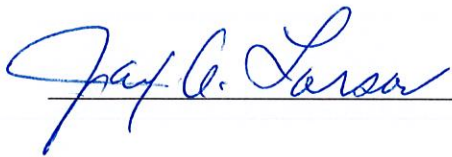
Conditional Use Permit: Danetrea Sonne has applied for a conditional use permit to operate a family residential child care business at the property located at 817 W Douglas Ave, legally described as E 75' of Lots 11 & 12, Block 5, Van Eps 2<sup>nd</sup> Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District. Ms. Sonne was available to answer questions. No one testified in opposition and no written objections were received. She has passed a fire inspection. Letters to the neighbors were sent July 11, 2019 and the public notice was published on July 11, 2019 and will be published on July 25, 2019. Motion by Fergen, seconded by Osterloo to recommend the Board of Adjustment approve the conditional use permit with two conditions; 1. The permit is not transferable 2. If the business ceases for a period of six months or longer then a new permit would be required. All members present voting aye, motion carried.

Conditional Use Permit: GC-VW Revocable Trust (Haley Marquardt) has applied for a conditional use permit to operate a family residential child care center and/or childcare center, preschool and nursery business at the property located at 1525 S Miller St, legally described as S 115' of Lot 16D Exc W 25' of Block 16, Sunnyside Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District and R3 Medium Density Residential District. Ms. Marquardt was present to answer questions. No one spoke in opposition and no written objections were received. Letters to the neighboring property owners were sent July 11, 2019 and the public notice was published July 11 and will be published July 25. Putnam explained the differences of the two definitions. The family residential childcare requires the occupant and operator be the same person. Ms. Marquardt does not reside at this property; it is owned and occupied by her parents. The other definitions allows employees and is more commercial in nature. She indicated there are two exits from her basement and will have no more than 12 children per state regulations. Motion by Osterloo, seconded by Jirsa to approve the conditional use permit for the childcare center, preschool and nursery business with three conditions; 1. She pass a fire inspection 2. The permit is not transferable and 3. If the business ceases to operate for a period of six months or longer then a new permit would be required. All members present voting aye, motion carried.

Variance: Patricia Reimnitz has applied for a backyard variance of 20' vs. 25' to construct an attached entryway from the house to the garage at her home located at 204 W 13<sup>th</sup> Ave, legally described as Lot 11, Block 15, Capital Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District. Ms. Reimnitz was available to answer questions. No testified in opposition and no written objections were received. Letters to the neighboring property were owners were sent July 10, 2019 and the public notice was published on July 11, 2019. Putnam and Hegg explained that once she connects the garage to the house, the backyard setback of 25' becomes applicable and she is currently 20' back. The accessory garage becomes part of the principal building. Motion by Genzlinger, seconded by Osterloo to recommend the board of adjustment to approve the variance. All members present voting aye, motion carried.

Public Input: none

Chairman Larson adjourned the meeting at 12:25 pm.

A handwritten signature in blue ink that reads "Jay C. Larson". The signature is written in a cursive style and is positioned above a horizontal line.

08-12-19