

**CITY OF MITCHELL  
CITY PLANNING COMMISSION MINUTES  
MAY 11, 2020**

Chairman Larson called to order the May 11, 2020 City Planning Commission Meeting to order at 12:00 PM (Noon) in the Council Chambers, City Hall, Mitchell, South Dakota,

Members Present: Larson, Osterloo, Molumby, Vaux, Jirsa (telephonically) and Allen  
Members Absent: Fergen & Genzlinger

Staff Present: Putnam, Croce, Schroeder, J. Johnson, Hegg, Ellwein, Mayor Everson

Conflicts of Interests: none

Approval of Agenda: Motion by Osterloo, seconded by Molumby to approve the agenda as presented. Roll Call vote: Larson yes, Vaux yes, Molumby yes, Osterloo yes, Jirsa yes, Fergen absent, Genzlinger absent 5 yes 0 no 2 absent. Motion carried

Approval of Minutes: Motion by Jirsa, seconded by Vaux to approve the minutes of the April 27, 2020 meeting. Vaux yes, Molumby yes, Osterloo yes, Jirsa yes, Larson yes, Fergen absent, Genzlinger absent, 5 yes 0 no 2 absent. Motion carried.

Schedule Next Meeting: Motion by Osterloo, seconded by Molumby to schedule the next meeting for May 26, 2020 (Tuesday), Roll Call: Osterloo yes, Vaux yes, Molumby yes, Jirsa yes, Larson yes, Fergen absent, Genzlinger absent. 5 yes 0 no 2 absent.

Conditional Use Permit: R & M Rentals LLC has applied for a conditional use permit to operate a two-family dwelling building located at 300 W 10<sup>th</sup> Ave, legally described as Lot 12, Block 41, Capital Addition, City of Mitchell, Davison County, South Dakota.

The owner was present and answered questions from the commission. No one testified in opposition. Letters to the neighboring property owners were mailed and a public notice has been provided to the legal newspaper. The owner said he is providing off-street parking for the tenants. Motion by Jirsa, seconded by Osterloo to recommend approval of the conditional use to the Board of Adjustment. Roll Call Molumby yes, Jirsa yes, Osterloo yes, Vaux yes, Larson yes, Fergen absent, Genzlinger absent. 5 yes 0 no 2 absent.

Conditional Use Permit: Henry & Patricia Flack have applied for a conditional use permit for a non-contiguous building to be located on Barington Court, legally described as Lot 12I within Lot 12 of Fiala's Addition, in the East ½ of the NW ¼, Section 4, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned RL Residential Lake District.

Henry Flack was present to answer questions. Written objections were received. Letters to the neighboring property owners were sent and a public notice has been provided to the legal newspaper.

Mr. Flack indicated he would use the proposed building for personal storage. Dale Odegaard, developer of neighboring property, said there are 13 lots in his development and the existing homes are around \$400,000 in value. He was required to install curb, gutter and streets and asked if this project will do the same. He mentioned that he has covenants on the development. He expressed concern that allowing this 'one shed' would result in more being approved. Phil Becker, neighbor, also expressed concern about 'opening the door' for more sheds. What could happen if the lots in this development are sold in the future? Marty Barington, son-in-law of Mr. Flack, stated this development is family owned. The purposes of the building is to store boats, watercraft and other items in order to move them off the lake property. He mentioned there are other similar buildings in the area that have been approved, specifically, Gerlach and Bernard. He stated the building will meet setbacks and will be placed in a location that it may not be noticeable. Croce asked about the possibility of a road and utilities. Barington said they are only seeking electricity. Putnam stated the council has the authority to approve a permit without an improved road. Becker responded that the Gerlach and Bernard buildings are on the same housing lot.

Motion by Molumby, seconded by Jirsa to recommend the board of adjustment deny the conditional use permit. Roll call: Larson yes, Jirsa yes, Molumby yes, Osterloo yes, Vaux abstaining, Fergen absent, Genzlinger absent. 4 yes, 0 no, 1 abstaining, 2 absent. Motion carried.

Variance: Henry & Patricia Flack have applied for an oversize variance of 3,200 square feet vs. 2,000 square feet and a height variance of 24 feet vs 22 feet as required and it will be located on Barington Court, legally described as Lot 12I within Lot 12 of Fiala's Addition, in the East ½ of the NW ¼, Section 4, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota. Written objections were received. Letters to the neighboring property owners were sent and a public notice has been provided to the legal newspaper

Motion by Osterloo, seconded by Jirsa to recommend denial of the variances to the Board of Adjustment. Roll Call: Osterloo yes, Molumby yes, Larson yes, Jirsa yes, Vaux abstaining, Fergen absent, Genzlinger absent. 4 yes, 0 no, 1 abstaining, 2 absent, Motion carried.

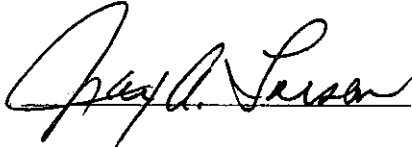
Plat: A Plat of Lot 10, Block 7 of Westwood First Addition, A Subdivision of the SW ¼ of Section 16, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota. Putnam and Schroeder provided an update on the master plan and drainage for the area. Staff has been working with the developer and consultant to review and formalize the most recent plan that should be adopted by the city planning commission. Motion by Osterloo, seconded by Molumby to table action on the plat pending staff and developer completing a plan. Roll Call: Jirsa yes, Molumby yes, Larson yes, Osterloo yes, Vaux yes, Genzlinger absent, Fergen absent. 5 yes, 0 no, 2 absent. Motion carried.

Plat: A Plat of Lot A, A Subdivision of Previously Platted Lot S of Maui Farms Second Addition, City of Mitchell, Davison County, South Dakota. The plat appears to follow the master plan. Motion by Osterloo, seconded by Jirsa to approve the plat. Roll Call: Larson yes, Vaux yes, Jirsa yes, Osterloo yes, Molumby yes, Fergen absent, Genzlinger absent. 5 yes, 0 no, 2 absent. Motion carried.

Plat: Lots 1, 2, 3 of Koupal Brother's First Addition to the City of Mitchell, in Lot No. 1 of the Northeast Quarter (NE ¼) of Section 27, Township 103 North, Range 60 West of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota. The purpose of the plat is to separate the parcel into lots to be sold separately. Motion by Vaux, seconded by Jirsa to approve the plat. Roll Call: Jirsa yes, Molumby yes, Larson yes, Vaux yes, Osterloo yes, Fergen absent, Genzlinger absent. 5 yes, 0 no, 2 absent. Motion carried.

Public Input: none

Chairman Larson adjourned the meeting at 12:50 pm.

A handwritten signature in cursive script, appearing to read "Paul Larson", written over a horizontal line.

05-26-2020