

CITY OF MITCHELL
CITY PLANNING COMMISSION MINUTES
September 10, 2018

Chairman Larson called the September 10, 2018 City Planning Commission meeting to order at 12:00 p.m., in the Council Chambers, City Hall, 612 N Main Street.

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

Staff Present: Putnam, Croce, T. Johnson, J. Johnson, Sandoval, Overweg, Ellwein, Hegg & London

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

Declaration of Conflicts of Interest: none

Approval of Minutes: Motion by Jirsa, seconded by Osterloo to approve the minutes of the August 27, 2018 meeting.

Schedule Next Meeting: Motion by Genzlinger, seconded by Molumby to schedule the next meeting for September 24, 2018. All members present voting aye, motion carried.

Plan Approval: Agronomy Plus, 2450/2500 W Havens. Zoned HB Highway Oriented Business District. Hegg reported the building will be steel construction and used for storage. Putnam explained about the two parcels. Motion by Osterloo, seconded by Jirsa to approve; Roll Call: Osterloo yes, Genzlinger yes, Larson yes, Jirsa yes, Molumby yes, Fergen absent, and Quenzer absent. Motion passes 5 yes votes 0 no votes and 2 absent.

Discussion/Recommendation: Alley vacation to be heard by the Council 9-17-2018. Putnam explained that the petitioners Phillips Estate & the City are requesting the council to vacate a portion of the alley in Van Ep's 2nd Addition in which a house encroaches. This is only a portion of the alley. J. Johnson indicated this part of the process address the title situation. The commission reviewed the material and have no objections.

Conditional Use Permit: Tami Damman has applied for a conditional use permit/home occupation (Pheasant Cleaning) at 412 N. Foster St, legally described as Lot 1, Block 1, Bridle Acres Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential. The applicant testified. No written objections were received. Letters to the neighboring property owners were sent August 28, 2018 and the legal notice was published in the official newspaper on August 30 & September 6, 2018. Stephanie Ellwein, City Administrator, testified that city offices have received complaints about the portable toilet that has been placed on her property and the disposal of waste from the business. The applicant responded that she prefers to not have individuals with dirty shoes and clothes to use the restroom in her home. She also said that she would agree not to have the structure in her yard. She was also asked about having a dumpster on her property. Jirsa asked about the number of customers that visit her home. She said it varies on the success of the hunters. The applicant said she has been operating for many years. It was noted that this is a busy street and with the hospital is across

the street and there are often out of town visitors. The streets are not aligned. Motion by Genzlinger, second by Jirsa to recommend the Board of Adjustment deny the application. Roll Call: Molumby yes, Jirsa yes, Larson yes, Genzlinger yes, Osterloo yes, Fergen absent, and Quenzer absent. 5 Yes votes 0 No votes, 2 Absent, motion carried.

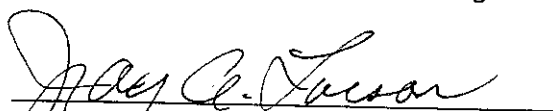
Conditional Use Permit: Carole Ragle applied for a conditional use permit/home occupation (homeopathic treatment) at 820 W 3rd Ave, legally described as Lot 11, Block 101, Lawler's 2nd Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential. Letters to the neighboring property owners were sent August 28, 2018 and the public notice was published in the legal newspaper on August 30 & September 20, 2018. Dr. Ragle was present to answer questions. The planning commission reviewed the written comments. She indicated that she has certifications and this property is her residence. She has moved from a previous address. She said her hours are 10 to 6 pm, 2 hours at a time, and 3 days/week. She was made aware of some concerns about parking and she responded that her clients may park in her driveway. J. Johnson, City Attorney, recommended the conditions that the permit is not-transferable and that if she ceases business for more than 6 months then a new permit would be required. Motion by Jirsa, seconded by Osterloo to recommend approval to the Board of Adjustment with the conditions that the permit is not-transferable and that if she ceases for more than 6 months a new permit will need to be issued. Roll Call vote: Osterloo yes, Genzlinger yes, Larson yes, Jirsa yes, Molumby yes, Fergen absent, Quenzer absent. 5 Yes votes 0 No votes, and 2 Absent votes, motion carried. It was noted the Board of Adjustment will not hear this application until October 1, 2018.

Variance: Andrew & Kyra Mentele have applied for an oversize variance of 3,024 square feet vs. 2,000 square feet as required for construction of a garage located at 718 W Norway Ave, legally described as Lots 7, 8, and W 29' of Lot 9, Block 43, University Addition, City of Mitchell, Davison County, South Dakota. Andy Mentele was available to answer questions. No written objections were received. It was noted that a drain line is on the property. He consulted with Jeff Bathke, County Drainage Administrator. Mentele is going to use the building for storage and he lives north and abutting (excluded platted alley) from this property. He has a business, but no one comes to his home to receive his services. Drainage was a significant discussion. He was encouraged to explore various options to prevent encroachment unto neighbors. T. Johnson noted there is storm sewer on Norway. Mentele also provided a description of features of the proposed garage. He said it will be residential looking. The applicant was also encouraged to visit with the fire marshal about storage of materials. Motion by Osterloo, seconded by Jirsa to recommend the board of adjustment approve the variance request. Roll Call: Larson yes, Osterloo yes, Molumby yes, Genzlinger yes, Jirsa yes, Fergen absent, Quenzer absent. 5 Yes votes, 0 No votes, 2 absent. Motion carried.

Discussion: 2018 South Dakota Planners Association Conference. Putnam noted the conference is in Huron, South Dakota. Larson encouraged commission members who are interested to attend.

Public Input: none

Chairman Larson adjourned the meeting at 12:45 pm


Chairperson

09-24-18
Date