

Planning Commission Minutes
City Council Chambers, City Hall, 612 N. Main Street
March 13, 2023

1. Call to Order

Chairperson Larson called the March 13, 2023 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: Doescher, Genzlinger, Jirsa (telephonically), Larson, Osterloo, Penney (telephonically), Schmitz (12:02), Sonne.

Absent:

Staff Present: Jenniges, J Johnson, Schroeder.

3. Declaration Of Conflicts Of Interests

None.

4. Approve Agenda

Motion by Genzlinger, seconded by Osterloo to approve the proposed agenda. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – absent, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

5. Approve Previous Minutes-February 27, 2023

Motion by Osterloo, seconded by Sonne to approve the proposed minutes of the February 13, 2023 Planning Commission meeting. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – absent, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

Schmitz joined the meeting at 12:02.

6. Schedule Next Meeting-March 27, 2023 @ 12:00 P.M.

Motion by Genzlinger, seconded by Osterloo to set the date for the next Planning Commission meeting for March 27, 2023. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

7. Variance: Schreurs

Jay Schreurs has applied for a variance permit for a combination of attached and detached accessory buildings of 2,704 square feet vs 2,000 square feet to build a new detached accessory building of 1,920 square feet located at 1800 Charles Ave, legally described as Lots 8 & 9, Block 5 of Woods First Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned High Density Residential District (R4).

Jenniges explained that notices were sent to the neighbors and it was published in the official newspaper with one response in favor of the variance that made the packet and two in favor that did not make the packet, but there were no comments attached. The applicant was not present to answer questions.

The applicant would like to build a new shed that will put him over 2,000 square feet. Jenniges showed the plans and stated the applicant said he would use the same materials to match his house. There is a shed directly across the street from this one.

Motion by Schmitz, seconded by Osterloo to recommend approval of the variance. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

8. Recommendation on Road Vacation

TKKlingaman LLC, a South Dakota limited liability company, owner of Lots One through Twelve (1-12) inclusive, Block Four (4), Original Plat of Home Park in the Northeast Quarter (NE ¼) of Section Twenty (20), Township One Hundred Three (103) North, Range Sixty (60) West of the 5th P.M., Davison County, South Dakota and Jeffrey R. DelFavero and Denise DelFavero, husband and wife, owner of Lots One through Twelve (1-12) inclusive, Block Five (5), Original Plat of Home Park in the Northeast Quarter (NE ¼) of Section Twenty (20), Township One Hundred Three (103) North, Range Sixty (60) West of the 5th P.M., Davison County, South Dakota respectfully in due and proper for, are requesting the Governing Body of the City of Mitchell to vacate the street and ally right-of way described as set forth below pursuant to the statues in such cases made, and provided, particularly SDCL 9-45-7, et. Sep and petitioners respectfully show and represent the following:

That portion of dedicated street running north and south is platted between Blocks Four (4) and Five (5), Original Plat of Home Park in the Northeast Quarter (NE ¼) of Section Twenty (20), Township One Hundred Three (103) North, Range Sixty (60) West of the 5th P.M., Davison County, South Dakota and,

That portion alley platted running east and west through the center of Lots One through Twelve (1-12) inclusive, Block Four (4), Original Plat of Home Park in the Northeast Quarter (NE ¼) of Section Twenty (20), Township One Hundred Three (103) North, Range Sixty (60) West of the 5th P.M., Davison County, South Dakota.

Jenniges explained that the City Planning Commission has no codified authority in the petition for vacating roads, but it has been the city's practice to have the City Planning Commission give their recommendation to City Council. He gave an overview of the GIS location of the right of ways being petitioned to be vacated. The applicant was present to answer questions.

Kleeve Klingaman representing the applicants stated the reason they petitioned to have the right of ways vacated is so they could clean up the fallen trees and noxious weeds. They have been undeveloped since he has known them and believes them to never get developed in the future.

Osterloo noted that the next item on the agenda is the Comprehensive Plan and it shows development to the west of town. Jenniges noted the plan is not set in stone and the idea of the development was more on the north side of 8th Ave.

Schmitz questioned the likelihood of them ever getting developed. It was noted that if it were to get annexed into the city, it would be an assessment project to the abutting land owners.

Schoered stated within city limits it is the responsibility of the citizens to keep their right of way cleaned up. Jenniges noted that county right of way is supposed to stay clear of trees and structures and that the county does go around and clean some ditches of trees.

Motion by Schmitz to approve both the road right of way and alley right of way vacation. Motion died for a lack of second.

Motion by Jirsa, seconded by Sonne to recommend approval of the vacation of the east/west alley right of way but deny the vacation of the north/south street right of way; . Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay, 0 absent; motion carried.

9. Public hearing for the recommendation to the City Council for the Resolution of Adoption on the City of Mitchell/Davison County Comprehensive Plan.

Jenniges gave a history and a brief description of the Comprehensive Plan.

Eric Ambrosen of District III gave a presentation on the Comprehensive Plan and the steps to move forward for adoption of the plan.

Motion by Genzlinger, seconded by Schmitz to approve a resolution making a recommendation to council to approve the Comprehensive Plan. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

10. Other Business:

None.

11. Public Input:

None.

12. Adjourn

Chairperson Larson adjourned the meeting at 12:41 P.M.



Jay A. Larson
Planning Commission Chairperson