



Planning Commission
City Council Chambers, City Hall, 612 N. Main Street
November 27, 2023

1. Call to Order

Chairperson Larson called the November 27, 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, Larson, Osterloo, Sonne.

Absent: Jirsa, Penney, Schmitz.

Staff Present: Dammann, Mayor Everson, Hegg, Jenniges, J Johnson, Sandoval, Schroeder.

3. Declaration Of Conflicts Of Interests

None.

4. Approve Agenda

Motion by Sonne, seconded by Genzlinger to approve the amended agenda. All present voting aye; motion carried.

5. Approval of Previous Minutes: November 13, 2023

Motion by Genzlinger, seconded by Osterloo to approve the proposed minutes of the November 13, 2023 Planning Commission meeting. All present voting aye; motion carried.

6. Schedule Next Meeting: December 11, 2023

Motion by Osterloo, seconded by Sonne to set the date for the next Planning Commission meeting for December 11, 2023. All present voting aye; motion carried.

7. Variance Permit: Cory Hauser

Cory Hauser has applied for a Variance Permit for a side yard corner setback of 1.33' vs 20' to construct a 24' wide x 20' metal carport; located at 1420 E Birch Ave, legally described as Lot 12, Block 6, Fairview Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

Jenniges noted that a notice was sent out to the neighbors, it was published in the official newspaper and sign posted. There was one letter received in favor that did not make the packet. The applicant was present to answer questions.

Osterloo noted a couple of other carport variances that had been approved in the past.

Motion by Sonne, seconded by Osterloo to recommend approval of the variance. Roll call vote: Genzlinger – nay, Jirsa – absent, Larson – nay, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – aye. 2 aye, 2 nay, 3 absent; motion failed.

8. Conditional Use Permit: CJG Properties LLC

CJG Properties LLC has applied for a Conditional Use Permit to operate a Lodging House & Supportive Living Home; located at 918 Court Merrill, legally described as Lot A except the north 8 feet, Block 3, University Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

Jenniges noted that a notice was sent out to the neighbors, it was published in the official newspaper and sign posted. There was one letter opposed that made the packet and five letters opposed that did not make the packet but were handed out at the meeting. The applicant was present to answer questions.

Jenniges said the applicant came into his office to find out what was permitted at this location prior to closing. The applicant wanted to use it as a rental. He was informed that per ordinance you can only have 4 non-related people living in a single family dwelling, however the city only enforces it on a complaint driven basis. Jenniges noted the code needs to be updated for short and long term rentals, especially with having two colleges in town.

Jeremy Gunkle stated he had planned to purchase the property. It currently has 6 bedrooms but could have 8 and his intention was to rent it out to college students, but after talking with Jenniges he found out that a single family dwelling is only up to 4 non-related people so he looked for other options. He has been in contact with Oxford Housing, which is a second-chance housing setup. There are currently a couple in town and they have a zero chance policy. He is meeting with the Salvation Army next week.

Carolyn Sivik stated she sent a letter in opposition of the proposals. She believes the City of Mitchell does a great job of promoting itself and that's what brought them to Mitchell 19 years ago from New Hampshire. She believes the neighborhood is a great neighborhood and they have invested in their property over the years. Her daughter also moved into the neighborhood. She and her husband are at retirement age and feels the rug would be pulled out from under them if the city were to approve this at this time in their lives.

Gunkle stated he improves properties he purchases and improves the value. Neighbors of all his rentals have his phone number in case there are any issues they can get a hold of him. He understands the concerns of the neighbors in the area but the property was owned by the Abbott House previously. Sivik believes the previous setup is different then the proposal because it was a family with foster kids, not someone new every few weeks.

Larson questioned how long the property had been on the market which was answered since about September.

Motion by Genzlinger, seconded by Sonne to recommend approval of the Lodging House conditional use. Roll call vote: Genzlinger – nay, Jirsa – absent, Larson – aye, Osterloo – nay, Penney – absent, Schmitz – absent, Sonne – aye. 2 aye, 2 nay, 3 absent; motion failed.

Motion by Genzlinger, seconded by Osterloo to recommend approval of the Supportive Living Home conditional use. Roll call vote: Genzlinger – nay, Jirsa – absent, Larson – nay, Osterloo – nay, Penney – absent, Schmitz – absent, Sonne – nay. 0 aye, 4 nay, 3 absent; motion failed.

9. Plan Approval: Bill Wittstruck, 1005 S Kimball St, zoned Highway Business District

Jenniges explained the applicant would like to build an identical shed to the the one he is currently finishing up to the south. This will drain to the east just like the shed to the south. A picture of the existing shed is in the packet for reference. The applicant was present to answer questions.

Motion by Osterloo, seconded by Sonne to approve the plan. All present voting aye; motion carried.

10. Plan Approval: Don DeBoer, 1327 E Havens Ave, zoned Highway Business District

Jenniges explained the applicant would like to build a residence on their property. There is already a residence, but they would like to build a new one. His daughter will live in the old one, and he will live in the new one. They have their business on the property and the two houses are family, so it's still considered single family dwellings. The applicant was not present to answer questions

Motion by Genzlinger, seconded by Sonne to approve the plan. All present voting aye; motion carried.

11. Other Business:

None.

12. Public Input:

None.

13. Adjourn

Chairperson Larson adjourned the meeting at 12:22 P.M.



Jay A. Larson
Planning Commission Chairperson