



Planning Commission
City Council Chambers, City Hall, 612 N. Main Street
December 11, 2023

1. Call to Order

Chairperson Larson called the December 11, 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, Jirsa (telephonically), Larson, Osterloo, Schmitz, Sonne.

Absent: Genzlinger, Penney.

Staff Present: Dammann, Jenniges, J Johnson, T Johnson, Schroeder.

3. Declaration Of Conflicts Of Interests

None.

4. Approve Agenda

Motion by Schmitz, seconded by Sonne to approve the proposed agenda. Roll call vote: Genzlinger – absent, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – aye, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

5. Approval of Previous Minutes: November 27, 2023

Motion by Osterloo, seconded by Sonne to approve the proposed minutes of the November 27, 2023 Planning Commission meeting. Roll call vote: Genzlinger – absent, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – aye, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

6. Schedule Next Meeting: January 8, 2024

Motion by Sonne, seconded by Osterloo to set the date for the next Planning Commission meeting for January 8, 2024. Roll call vote: Genzlinger – absent, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – aye, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

7. Variance Permit: Wayne Lambert

Wayne Lambert has applied for a Variance Permit for a side yard setback of 0' vs 3' and rear yard setback of 7' vs 16' for a 32' deep x 44' wide unattached accessory building with a door parallel to the alley being built in the same overall footprint of an existing garage being torn

down; located at 909 E 1st Ave, legally described as Lot 4, Block 3, Applegate Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R3 Medium Density Residential District.

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

Lambert stated he has lived at the residence for 20 years and would like to tear down the existing garage and lean to and build a new garage using the same setbacks as the existing one.

Larson questioned the lot width, which he was correct with his guess of it being a 50' wide lot.

Osterloo questioned what his hardship was and why the 0' of the side instead of 3' and 7' instead of 16' and stated he is not a fan of 0' setbacks. Lambert explained he wanted to have more room on the east side to get into his backyard and move trash cans easier. He also didn't want to attach the garage to the house and wanted to keep as much patio space between the new garage and the house. The existing apron would be extended to the east to the width of the garage but not into the alley right of way. Jenniges explained setbacks are from overhangs and not walls, also gutters are not included in the setback.

Jirsa question the distance between the two existing garages and Lambert said there is about two feet there and he keeps it clean from debris so he would do the same if the new garage was allowed.

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

8. Plat: Tract 1 of Blindauer's Addition in the SE 1/4 of the SE 1/4 of Section 18, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota; as requested by Chad Blindauer

Jenniges stated this plat is outside the ETJ but within 3-miles of city limits. Zoning jurisdiction is the counties. The applicants land is currently described by measurements and per county ordinance a building permit cannot be obtained, so they are coming in compliance with their ordinance. County Planning Commission has recommended approval of the plat and County Commission will hear it on December 12, 2023. The applicant was not present to answer questions.

Motion by Osterloo, seconded by Schmitz to approve the plat. Roll call vote: Genzlinger – absent, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – aye, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

9. Plan Approval: Sudz & The Outback Casino-508 E Havens Ave, zoned Highway Business District

Jenniges stated HT Construction requested a building permit to put an addition onto the building, but since this is within Highway Business District plans must be approved by Planning Commission. The contractor said he would use similar materials to the existing building, and it meets all setbacks. The applicant was not present to answer questions.

Motion by Sonne, seconded by Schmitz to approve the plat. Roll call vote: Genzlinger – absent, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – aye, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

10. Other Business:

None.

11. Public Input:

None.

12. Adjourn

Chairperson Larson adjourned the meeting at 12:15 P.M.

A handwritten signature in cursive script, reading "Jay A. Larson".

Jay A. Larson
Planning Commission Chairperson