



Planning Commission 7-28-25
City Council Chambers, City Hall, 612 N. Main Street
July 28, 2025

1. Call to Order

Chairperson Genzlinger called the July 28, 2025 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: Bathke, Genzlinger, Havlik, Osterloo, Schmitz, Schreurs.

Absent: Gunkel, Sonne.

Staff Present: Boehmer, Dammann, Ellwein, Jenniges, Schroeder.

3. Declaration Of Conflicts Of Interests

None.

4. Approve Agenda

Motion by Schmitz, seconded by Osterloo to approve the proposed agenda. All present voting aye; motion carried.

5. Approval of Previous Minutes: July 14, 2025

Motion by Havlik, seconded by Schreurs to approve the proposed minutes of the July 14, 2025 Planning Commission Meeting. All present voting aye; motion carried.

6. Schedule Next Meeting: August 11, 2025

Motion by Osterloo, seconded by Havlik to set the date for the next Planning Commission Meeting for August 11, 2025. All present voting aye; motion carried.

7. Variance Permit: James Bauder

James Bauder has applied for a Variance Permit for a rear yard setback of 14' vs 25' for an attached accessory building. This is located at 700 W Norway Ave, legally described as Lot E, Block 43, University Addition, City of Mitchell, Davison County, South Dakota. The 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 were three responses in favor. The applicant was present to answer questions.

Jenniges gave an overview of the area using GIS. He stated the applicant would like to remove the existing unattached single-car garage and build an attached two-car garage. The lot is 75' deep and the house currently does not sit perfectly in the center and doesn't already meet the rear yard setback. The site plan shows only a rear yard setback is needed for the garage addition.

Motion by Havlik, seconded by Schmitz to recommend approval of the variance. All present voting aye; motion carried.

8. Variance Permit: Mitchell Telecom

Mitchell Telecom has applied for a Variance Permit for a front yard setback of 25' vs 30' for an attached accessory building. This is located at 1524 Commerce St, legally described as S 166' of Lot 2, Block 4, Westwood First Addition, City of Mitchell, Davison County, South Dakota. The property is zoned HB Highway Oriented Business District.

Jenniges noted that a notice was sent out to the neighbors, it was published in the official newspaper and sign posted. There were no responses in favor or opposed. The applicant was present to answer questions.

Jenniges gave an overview of the area using GIS. He noted this would not be an attached accessory building as described on the agenda and an overall plan had come before the board at a previous meeting for the 12' x 28' structure. The application said there was more water to the east of where they wanted to place it so they moved it from their original plan.

Bathke asked if the building had already been placed to which Jenniges said it had.

Genzlinger questioned if this was more asking for forgiveness than approval. Jenniges said it could be because they might have measured from the back of the curb instead of the property line when pouring the slab.

Motion by Schmitz, seconded by Schreurs to recommend approval of the variance but removing the word attached in the description of the variance. All present voting aye; motion carried.

9. Hearing and Recommendation on Ordinance #O2025-10-Amending Title 10 Zoning Regulations: 10-6A-3-Neighborhood Shopping Conditional Use Permit-Alcohol Sales (on-sale)

Jenniges said he was asked by the mayor to present this ordinance amendment prior to the entire ordinance amendment that is being worked on. He said the mayor had talked with business owners that requested the amendment. Jenniges stated by having this as a conditional use permit instead of a permitted use it does not give blanket approval of the alcohol sales (on sale) to all locations where Neighborhood Shopping is zoned. If this ordinance amendment were to pass, applicants would have to go through the conditional use process, giving neighbors their time to approve or disapprove of the conditional use permit and the Board of Adjustment to make the final decision. Jenniges gave an overview of the locations Neighborhood Shopping is located in the city.

Motion by Havlik, seconded by Schmitz to recommend approval of the zoning amendment. All present voting aye; motion carried.

10. Other Business:

None.

11. Public Input:

None.

12. Adjourn

Chairperson Genzlinger adjourned the meeting at 12:10 P.M.

A handwritten signature in blue ink, appearing to read "Kevin Genzlinger".

Kevin Genzlinger
Planning Commission Chairperson