

1. Agenda

Documents: [04-13-15 AGENDA.PDF](#)

2. Packet

Documents: [04-13-15 PACKET.PDF](#)

PLANNING COMMISSION AGENDA

DATE: Monday, April 13, 2015

TIME: 12:00 NOON

CALL TO ORDER:

ROLL CALL:

APPROVE AGENDA:

MINUTES: Regular Meeting March 23, 2015

NEXT MEETING: April 27, 2015

CONDITIONAL USE: Merl Bechen to replace an off-premise sign between 300 square feet and 600 square feet. The legal description is E 1047 feet of the SW ¼ Lying South of I-90 exc. Lot A, Section 29, T 103 N, R 60 W, Davison County, South Dakota. Zoned HB.

REZONE: Bill Wittstruck in the 301 Block of East Hackberry Ave, legally described as the W 100 feet of the N 158 feet of Block 9, Weaver's Square, City of Mitchell, Davison County, South Dakota from R3 to HB. A side yard on a corner variance of 0' vs 15' and an oversize variance of 5,400 square feet vs 2,000 square feet for an addition to a garage is still pending.

PLAT: Lots W-1A, W-1B and W-1C, a subdivision of Lot W-1 in Lot H1 in the North ½ of the SE ¼ of Section 15, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota

PLAN APPROVAL: Reginald Martin – 510 W Havens – Zoned NS.

OTHER BUSINESS:

ADJOURN:

"The City of Mitchell invites all interested parties to give oral or written comments. If special accommodations are required, please notify the Public Works Department at 995-8433 at least 24 hours prior to the scheduled meeting."

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CONDITIONAL USE: Merl Bechen to replace an off-premise sign between 300 square feet and 600 square feet. The legal description is E 1047 feet of the SW $\frac{1}{4}$ Lying South of I-90 exc. Lot A, Section 29, T 103 N, R 60 W, Davison County, South Dakota. Zoned HB.

REZONE: Bill Wittstruck in the 301 Block of East Hackberry Ave, legally described as the W 100 feet of the N 158 feet of Block 9, Weaver's Square, City of Mitchell, Davison County, South Dakota from R3 to HB. A side yard on a corner variance of 0' vs 15' and an oversize variance of 5,400 square feet vs 2,000 square feet for an addition to a garage is still pending.

PLAT: Lots W-1A, W-1B and W-1C, a subdivision of Lot W-1 in Lot H1 in the North $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 15, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota

PLAN APPROVAL: Reginald Martin – 510 W Havens – Zoned NS.

OTHER BUSINESS:

ADJOURN:

"The City of Mitchell invites all interested parties to give oral or written comments. If special accommodations are required, please notify the Public Works Department at 995-8433 at least 24 hours prior to the scheduled meeting."

**CITY OF MITCHELL
CITY PLANNING COMMISSION
MINUTES, MARCH 23, 2015**

NOT APPROVED

Call to Order: Chairman Larson called the March 23, 2015 to order at 12:00 pm in the Council Chambers, City Hall, Mitchell, South Dakota.

Members Present: Larson, Everson, Meyers, Molumby, Griffith, Fergen and Doescher

Members Absent: Schmucker

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

Minutes: Motion by Molumby, seconded by Griffith to approve the March 9, 2015 minutes. All members present voting aye, motion carried.

Next Meeting: Motion by Everson, seconded by Griffith to schedule the next meeting for April 13, 2015. All members present voting aye, motion carried.

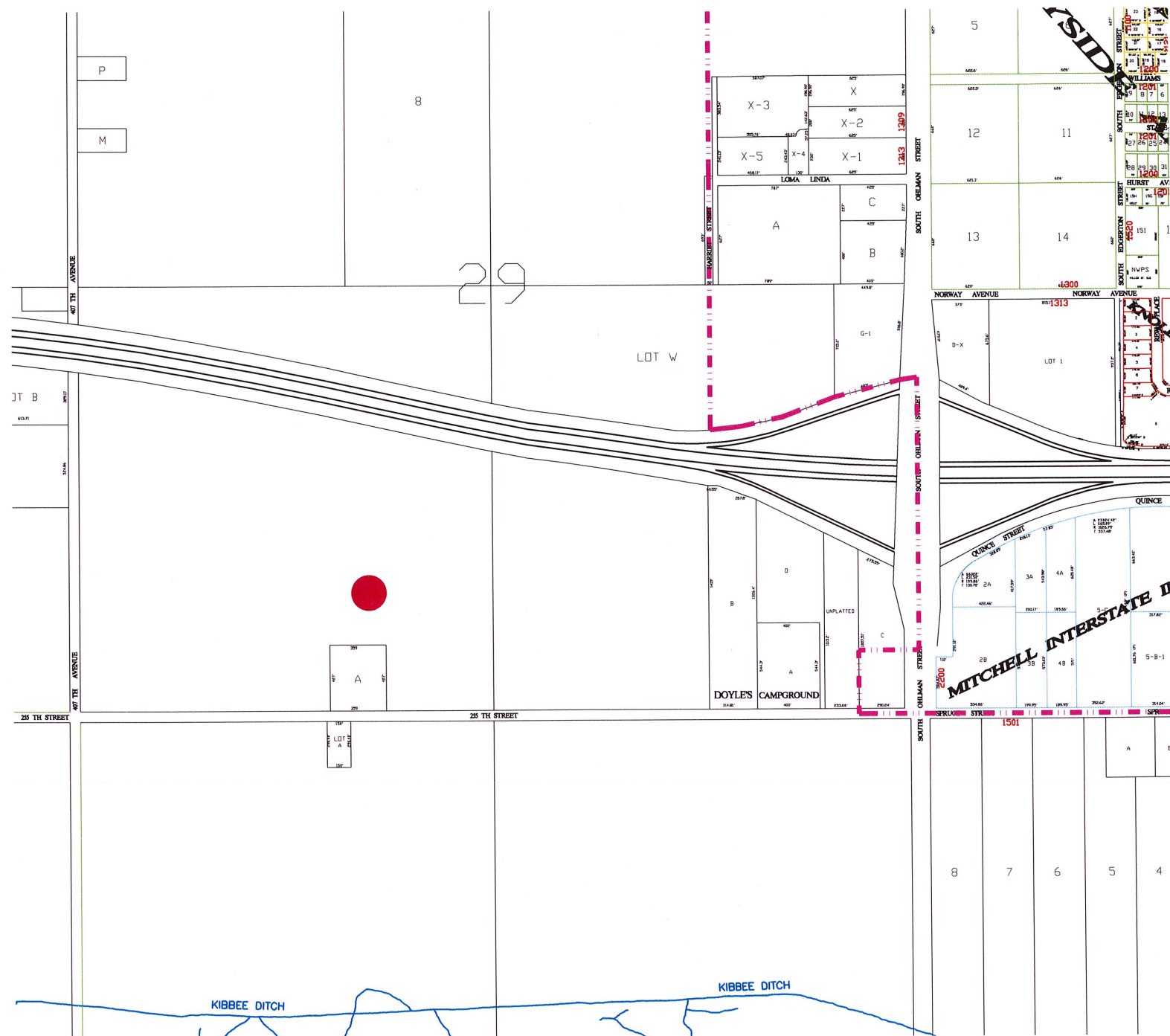
Plat: Lot 2 of Park Acres First Addition in the NE ¼ of Section 16, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. Motion by Everson, seconded by Molumby to approve the plat. All members present voting aye, motion carried.

Other Business: Carl Koch presented a draft for a revised definition for Concentrated Animal Feeding Operations and a statement that would not allow CAFO's in the city zoning jurisdiction. The language would also 'grandfather' existing facilities. Motion by Griffith, seconded by Molumby to recommend the proposed amendment to the city council for their consideration.

Chairman Larson adjourned the meeting at 12:13 pm.

Chairman

Date



RICKY L DECKER
2400 W SPRUCE AVE
MITCHELL SD 57301-6224

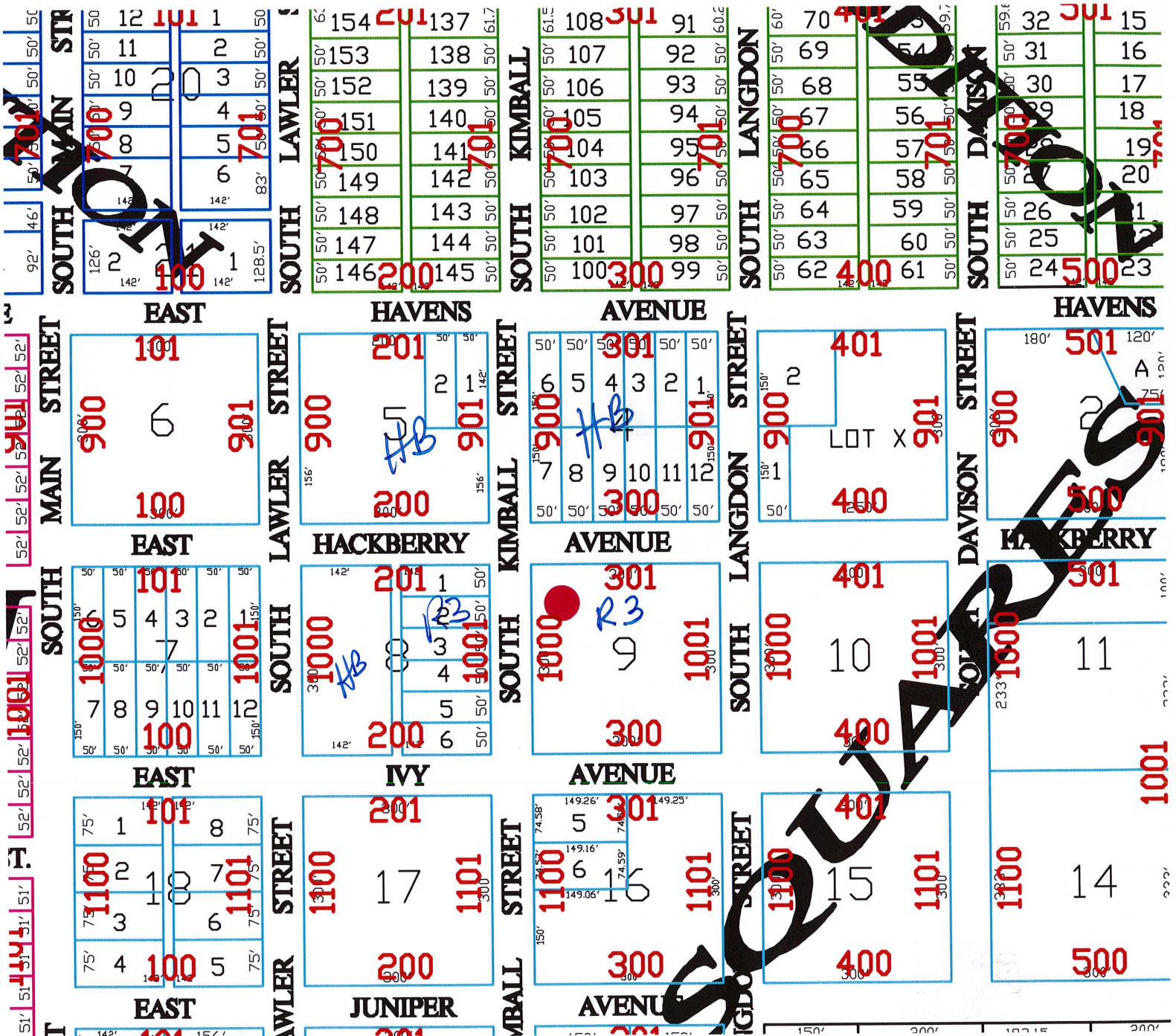
THOMAS & SHIRLEY FLINT
2440 W SPRUCE AVE
MITCHELL SD 57301-6224

HAROLD & LILLIAN THUE ET AL
25449 407TH AVE
MITCHELL SD 57301-6219

APPROVED

DAVID & CONNIE DEINERT
39923 254TH ST
MT VERNON SD 57363-5305

STEVEN & LYNETTE SHATTUCK
422 W 5TH AVE
MITCHELL SD 57301



March 16, 2015

To: City Planner
Planning and Zoning
City of Mitchell

From: Bill Wittstruck
316 E Hackberry Ave
Mitchell SD 57301

Re: Re-zoning of 301 E Hackberry Ave
W100' x N158' Blk 9

I would like to zone the property I own at 301 E Hackberry Ave from residential to commercial property. I own a pole building on this lot and I would like to add an addition onto this existing building. The addition would be 15' x 80' added onto the west side of the building.

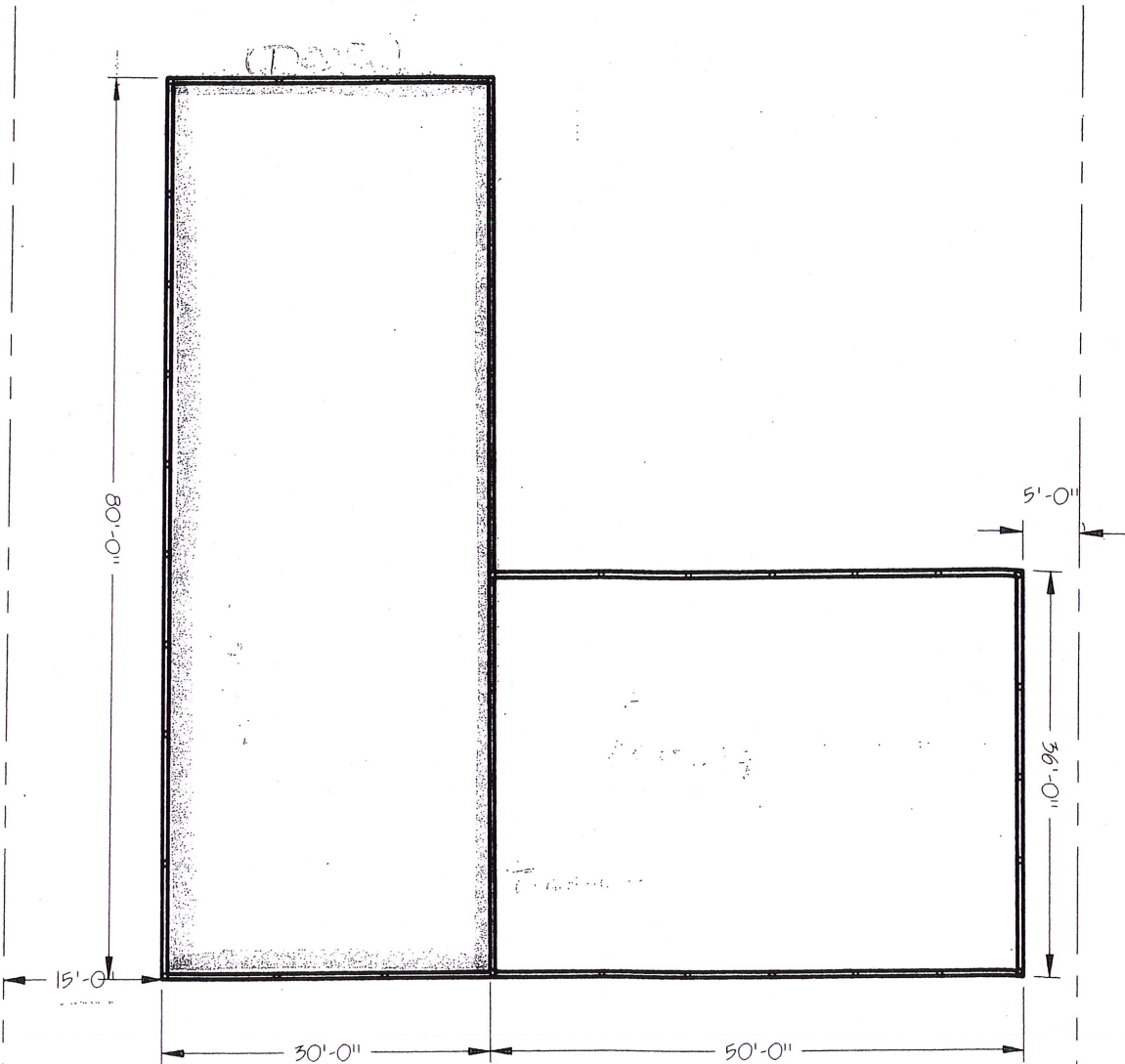
We have several trailers and pickup that do not fit into our existing storage building and would like to enlarge it to accommodate these items. It would look better for the neighborhood to have them inside when not in use and better for my equipment as well. The existing buildings are nice looking and the lot is well maintained and has plenty of room to accommodate this addition. I feel it would be a benefit to the lot.

Thank you for your consideration.

Hotel B...

FLOOR PLAN

East



- 5X6 POLES
- CONCRETE
- COLOR STEEL
- 2-12X14 CM INSULATED DOORS WITH
- OPENERS
- 1 WALK DOOR
- 2X8 GIRT

DESIGN FOR

BILL WITTSHEL

SCALE

0" = 1'-0"

WALL HEIGHT

0'-0"

SQUARE FOOTAGE - NOT INCLUDING GARAGE

0000

DATE REVISED

00-00-2007

ETHAN CO P LUMBER

PERIMETER - NOT INCLUDING GARAGE

000'-0"

WITTSTRUCK

DAVID & PHYLLIS MUTZIGER
425 E HACKBERRY
MITCHELL SD 57301

CHRISTINE WITTSTRUCK
413 E HACKBERRY
MITCHELL SD 57301

GRACE REFORMED CHURCH
PO BOX 252
MITCHELL SD 57301

DARREN & KELLY STERK
401 E HACKBERRY
MITCHELL SD 57301

KOUPAL FAMILY TRUST
32 N HARMON DR
MITCHELL SD 57301

BILL & PAM WITTSTRUCK
316 E HACKBERRY
MITCHELL SD 57301

ARROW LLC
C/O SMW ACCOUNTING SERVICE
PO BOX 8352
RAPID CITY SD 57709

LINUS & MARY MAYER
1001 S KIMBALL ST
MITCHELL SD 57301

BERNARD METZ
41340 257TH ST
MITCHELL SD 57301

RODNEY & BARBARA SCHURZ
1021 S KIMBALL ST
MITCHELL SD 57301

MIDDLE BORDER ESTATES
1401 S MAIN ST
MITCHELL SD 57301

CHARLENE NESPOR
C/O HABITAT FOR HUMANITY
PO BOX 1331
MITCHELL SD 57301

MICHAEL & SUEANN MIILLER
1112 S KIMBALL ST
MITCHELL SD 57301

LARRY & KATHLEEN GEBEL
1118 S KIMBALL ST
MITCHELL SD 57301

THOMAS PATZER
PO BOX 1022
MITCHELL SD 57301

ELAINE DOUGHERTY
313 E HACKBERRY
MITCHELL SD 57301

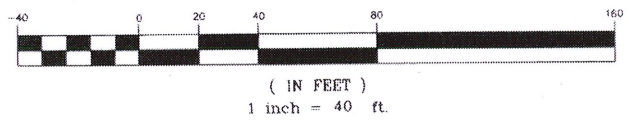
DENNIS & WYONNE KAEMINGK
1312 MITCHELL BLVD
MITCHELL SD 57301

BOYD REIMNITZ
116 E 3RD AVE
MITCHELL SD 57301

WILLIAM SCHOENFELDER
915 S LANGDON ST
MITCHELL SD 57301



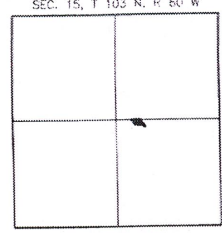
GRAPHIC SCALE



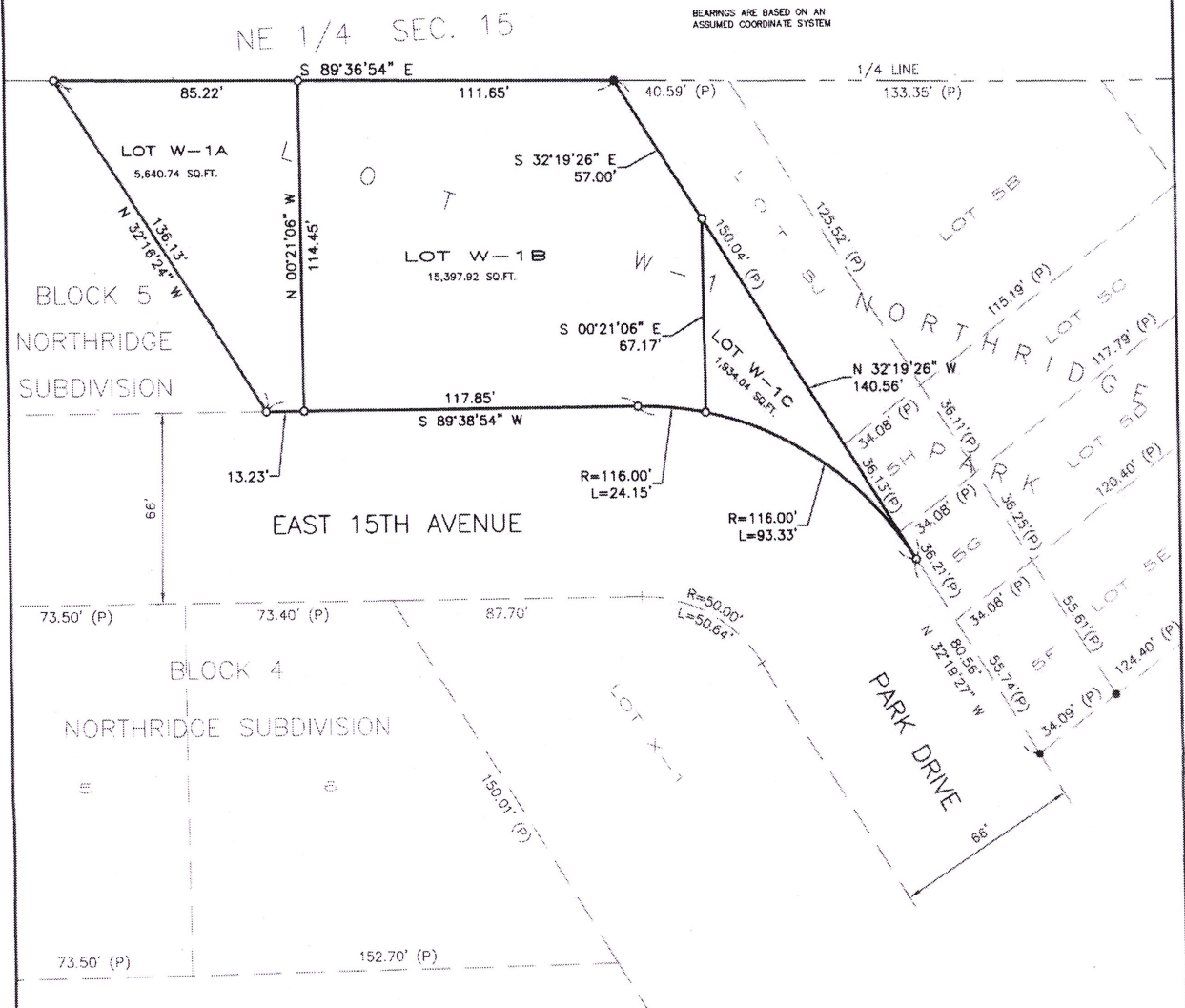
- LEGEND**
- = FOUND IRON MONUMENT (CAP #5801)
 - = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 5702
 - 100' (P) = PLATTED BEARING OR DISTANCE
 - 100' = MEASURED BEARING OR DISTANCE
 - ⊠ = SET NAIL
 - ▲ = SET SURVEY SPIKE
 - 4.00 CH (P) = PLATTED DISTANCE IN CHAINS
 - = FOUND NAIL
 - WM = WITNESS MONUMENT

PREPARED BY: PAUL J. REILAND, R.L.S.
 2100 NORTH SANBORN BLVD. - P.O. BOX 398
 MITCHELL, SOUTH DAKOTA 57301
 PHONE: (605) 996-7761

BEARINGS ARE BASED ON AN ASSUMED COORDINATE SYSTEM



LOCATION MAP
 SCALE: 1" = 3000'



A PLAT OF LOTS W-1A, W-1B AND W-1C, A SUBDIVISION OF LOT W-1 IN LOT H1 IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 15, T 103 N, R 60 W OF THE 5th P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

THIS PLAT VACATES PREVIOUSLY PLATTED LOT W-1 IN LOT H1 IN THE N 1/2 OF THE SE 1/4 OF SECTION 15, T 103 N, R 60 W OF THE 5th P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 12 ON PAGE 9.

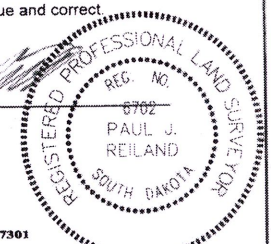
SURVEYOR'S CERTIFICATE

I, Paul J. Reiland, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of the City of Mitchell, South Dakota, a South Dakota municipal corporation, as owner, and under its direction for purposes indicated therein, I did on or prior to January 27, 2015, survey those parcels of land described as follows: LOTS W-1A, W-1B AND W-1C, A SUBDIVISION OF LOT W-1 IN LOT H1 IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 15, T 103 N, R 60 W OF THE 5th P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA. This plat does hereby vacate previously platted LOT W-1 IN LOT H1 IN THE N 1/2 OF THE SE 1/4 OF SECTION 15, T 103 N, R 60 W OF THE 5th P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 12 ON PAGE 9.

In my professional opinion and to the best of my knowledge, information and belief, the within and foregoing plat is true and correct

Dated this 6TH day of APRIL, 2015.

Paul J. Reiland
 Registered Land Surveyor #SD6702



A PLAT OF LOTS W-1A, W-1B AND W-1C, A SUBDIVISION OF LOT W-1 IN LOT H1 IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 15, T 103 N, R 60 W OF THE 5th P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

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OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS that the City of Mitchell, South Dakota, a South Dakota municipal corporation, hereby certifies that it is the absolute and unqualified owner of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in PREVIOUSLY PLATTED LOT W-1 IN LOT H1 IN THE N 1/2 OF THE SE 1/4 OF SECTION 15, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at the request of the City of Mitchell, South Dakota, a South Dakota municipal corporation, and under its direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOTS W-1A, W-1B AND W-1C, A SUBDIVISION OF LOT W-1 IN LOT H1 IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 15, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and the City of Mitchell, South Dakota, a South Dakota municipal corporation, hereby dedicates to the public, for public use forever as such, the streets and alleys, if any, as shown and marked on said plat; and that development of the land included within the boundaries of said Lots W-1A, W-1B and W-1C shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations; further that there now exists East 15th Avenue and Park Drive.

The City of Mitchell, South Dakota, a South Dakota municipal corporation, also hereby certifies that the platting of said LOTS W-1A, W-1B AND W-1C, A SUBDIVISION OF LOT W-1 IN LOT H1 IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 15, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA does hereby vacate previously platted LOT W-1 IN LOT H1 IN THE N 1/2 OF THE SE 1/4 OF SECTION 15, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 12 ON PAGE 9.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2015.

The City of Mitchell, South Dakota, a South Dakota
municipal corporation

Ken Tracy, Mayor

CORPORATION ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _____ day of _____, 2015, before me, _____, the undersigned officer, personally appeared Ken Tracy, of the City of Mitchell, South Dakota, a South Dakota municipal corporation, and that he, as such Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation by himself as Mayor.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public, South Dakota
My Commission Expires: _____

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of LOTS W-1A, W-1B AND W-1C, A SUBDIVISION OF LOT W-1 IN LOT H1 IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 15, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, duly licensed Land Surveyor in and for the State of South Dakota, heretofore filed in the office of the City Finance Officer of Mitchell, South Dakota, has been submitted to the City Planning Commission of the said City of Mitchell, South Dakota; and

WHEREAS, the City Planning Commission, in regular meeting assembled, had duly considered said plat and finds as a fact that said plat is in conformity and does not conflict with the Master Plan for the City of Mitchell, South Dakota, heretofore adopted by this Commission;

NOW THEREFORE, be it resolved by the City Planning Commission of Mitchell, South Dakota, that the plat of LOTS W-1A, W-1B AND W-1C, A SUBDIVISION OF LOT W-1 IN LOT H1 IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 15, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, a Land Surveyor, be and the same is hereby approved and its adoption by the City Council of the City of Mitchell, South Dakota, is hereby recommended.

I, _____, Chairman of the City Planning Commission for the City of Mitchell, South Dakota, do hereby certify that the foregoing resolution was passed by the City Planning Commission of Mitchell, South Dakota, at a meeting thereof held on the _____ day of _____, 2015.

CITY PLANNING COMMISSION --- BY: _____



SPN

& Associates
Engineers, Planners and Surveyors
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

THIS PLAT VACATES PREVIOUSLY PLATTED LOT W-1 IN LOT H1 IN THE N 1/2 OF THE SE 1/4 OF SECTION 15, T 103 N, R 60 W OF THE 5th P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 12 ON PAGE 9.

WHEREAS, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the _____ day of _____, 2015; and

WHEREAS, it appears from an examination of the plat of LOTS W-1A, W-1B and W-1C, A SUBDIVISION OF LOT W-1 IN LOT H1 IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 15, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEFORE, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOTS W-1A, W-1B AND W-1C, A SUBDIVISION OF LOT W-1 IN LOT H1 IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 15, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

I, _____, Finance Officer of the City of Mitchell, South Dakota, hereby certify that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the _____ day of _____, 2015.

I, _____, hereby certify that I am the duly elected, qualified, and acting Treasurer of
 _____, Davidson County, South Dakota, and I hereby certify that all taxes which would, if not paid, be liens upon any of the land included in the within and
 foregoing plat, as shown by the records of my office, have been fully paid.

I, _____, Director of Equalization of Davison County, South Dakota, hereby certify that a copy of the plat of LOTS W-1A, W-1B AND W-1C, A SUBDIVISION OF LOT W-1 IN LOT H1 IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 15, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, has been received by me and is filed in my office.

STATE OF SOUTH DAKOTA))SS
COUNTY OF DAVISON)

FILED for record this _____ day of _____, 2015, at _____, and recorded in Book _____ of Plats on Page _____ therein and recorded on Microfilm Number _____.

Register of Deeds, Davison County By _____ Deputy



SPN

Engineers, Planners and Surveyors

2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

