

CITY OF MITCHELL
CITY PLANNING COMMISSION AGENDA
COUNCIL CHAMBERS, CITY HALL, 612 N MAIN ST.
DATE: NOVEMBER 13, 2017 TIME: 12:00 PM (NOON)

1. CALL TO ORDER:

2. ROLL CALL:

3. APPROVE AGENDA:

4. Approval Of Minutes:

Minutes of October 23, 2017

Documents:

[PLANNINGCOMMMINUTES10232017.PDF](#)

5. SCHEDULE NEXT MEETING: NOVEMBER 27, 2017

6. CONDITIONAL USE PERMIT:

John & Tracy Fink have applied for a conditional use permit to operate a lodging house in the residential property at 1400 N Capital Street, legally described as Lot 7 & W 40' of Lot 8, Block 4, Northridge Subdivision, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.

Documents:

[FINKNARRATIVE.PDF](#)

[FINKNOH.PDF](#)

[FINKMAP.PDF](#)

[L7-8 B4 NORTHRIDGE.PDF](#)

[FINKNEIGHBORLETTERS.PDF](#)

[FINKNEIGHBORLIST.PDF](#)

7. Variance:

Steve & McCullough are requesting a backyard variance of 1 foot vs 5 feet and an oversize variance of 2,446 feet for an addition to their garages. The property is described as Lots 11, 12, & 13, Block 90, Lawler's 2nd Addition, City of Mitchell, Davison County, South Dakota (103 N Minnesota St). The property is zoned R2 Single Family Residential District.

Documents:

[MCCULLOUGHDRAWING.PDF](#)

[MCCULLOUGHNOH.PDF](#)

[MCCULLOUGHAPP.PDF](#)

[MCCULLOUGHNEIGHBORLIST.PDF](#)

[MCCULLOUGHMAP.PDF](#)

[L1113B90LAWLERS2ND.PDF](#)

8. OTHER BUSINESS:

9. ADJOURNMENT:

"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 605-995-8433 at least 24 hour prior to the scheduled meeting."

**CITY OF MITCHELL
CITY PLANNING COMMISSION
MINUTES, OCTOBER 23, 2017**

NOT APPROVED

Chairman Larson called the October 23, 2017 City Planning Commission Meeting to order at 12:00 pm in the Council Chambers, City Hall, 612 N Main St, Mitchell, South Dakota.

Members Present: Larson, Everson, Fergen, Griffith, Jirsa, Molumby, and Schmucker

Members Absent: Allen

Others Present: Putnam, McGannon, J. Johnson, London, Powell, and Mayor Toomey

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

Approval of Minutes: Motion by Everson, seconded by Griffith to approve the minutes of October 10, 2017, all members present voting aye, motion carried.

Schedule Next Meeting: Motion by Schmucker, seconded Molumby to schedule the next meeting for November 13, 2017. All members present voting aye, motion carried.

Chairman Larson asked if there were any conflict of interests to be declared. No member had any to disclose.

Conditional Use Permit: Melissa Jenkins (applicant) and CJG Properties LLC (owner) have applied for a conditional use permit to operate family residential child care center in the residential property located at 924 E. 3rd Ave and legally described as Lot 17, Block 13, F.M. Greene Addition, City of Mitchell, Davison County, South Dakota. The property is within the R2 Single Family Residential District.

The owner of the property was present to answer questions. He indicated there is a fence installed on the property. The applicant was not present. No written objections were received and no one testified in opposition of the application.

Letters to the neighboring properties were sent on October 11, 2017 and the public notice has been and will be published in *The Mitchell Daily Republic* on October 12 and October 26, 2017.

Motion by Fergen, seconded by Jirsa to recommend the Board of Adjustment to approve the conditional use permit with the following conditions; 1) the property pass a fire inspection, 2) the permit is not transferable, and 3) if the business ceases operation for a period of longer than 6 months then a new application must be submitted. All members present voting aye, motion carried.

Review of 6-month Condition and Recommendation of the Conditional Use Permit of the 605 N Duff St.

No one was present in regards to this permit. The property is zoned R4 High Density Residential. The Board of Adjustment set two conditions on the conditional use permit/home occupation (auto detailing) of the property located at 605 N Duff St, legally described as Lot 5, Block 11, Rowley's 2nd Addition, City of Mitchell, Davison County, South Dakota.

The conditions were no parking in the alley and the permit to be reviewed in 6 months. Putnam indicated the Public Works and Public Safety Departments have not received any complaints. The owner has also not received any complaints.

Motion by Griffith, seconded by Everson to recommend the Board of Adjustment extend the permit for another six months. All members present voting aye, motion carried.

Chairman Larson adjourned the meeting at 12:06 pm.

Chairman

Date

Narrative for The Corner Retreat application for Conditional Use Permit.

John and Tracy Fink are making an application for a Conditional Use Permit (CUP) at the address of 1400 N. Capital St, Mitchell, SD.

The purpose of the CUP is to operate a Lodging Home at the residence. This home has been completely remodeled and updated with an open floor plan to provide a 'home away from home' atmosphere for a variety of purposes. We envision various forms of family gatherings for holidays, graduations, baptism receptions, wedding rehearsal suppers, bridal and baby showers, family reunions, etc.

This home has 4 bedrooms, including 13 TwinXL beds, 3 full bathrooms, and a full kitchen and dining room to accommodate overnight or weekend stays. A large multi-purpose room is also available for a variety of uses. We envision the accommodations can be used for quilt retreats, scrap-booking retreats, family reunions, out of town family members wanting to stay together for funerals or weddings, lodging for families in town for weekend sports or music competitions and tournaments, etc.

We realize neighbors may have concerns, especially regarding parking or noise. We are very willing to work with our neighbors if they wish not to have cars parked on the street in front of their residence. We do live adjacent to this property, 712 E. 14th Ave, so extra parking spots can be used in front of our residence. However, we envision needing extra parking on very limited occasions, such as bridal or baby showers, or graduation receptions, and only for a few hours of the day. Overnight guests will most likely not need more than 10 or so parking spots, and we can provide those parking spots adjacent to both of the properties, one of The Corner Retreat, and the other being our residence. Also, if needed, there is a church located one block away, where overflow parking could be used.

Regarding the potential noise concerns, as mentioned before, we live adjacent to this property, and will be able to monitor this issue. We also will not appreciate any extra noise in the late evenings, and are very careful not to host any parties

that have the potential for late night festivities, such as bachelor or bachelorette parties.

Because we do live adjacent to this property, we are able to monitor all activities, including making sure the property is well maintained and looking nice. After all, no visitors will want to use a facility that is poorly maintained and has bad curb appeal. We are very proud of this property, and it will be looking nice at all times.

We are also in the process of acquiring the appropriate state permits necessary to operate this business, including applying for state and city sales tax licenses. Mr. Marius Larson, state fire marshall is also in consultation with us regarding the safe usage of this facility.

We welcome any other questions, and thank you for your consideration of this CUP.

John and Tracy Fink

NOTICE OF HEARING

To: City Planning Commission, City of Mitchell Board of Adjustment and the General Public,

You are hereby notified that John & Tracy Fink have applied for a conditional use permit to operate a lodging house in the residential property located at 1400 N Capital St, legally described as Lot 7 & W 40' of Lot 8, Block 4, Northridge Subdivision, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.

The City Planning Commission will be conducting a hearing on this application on Monday, November 13, 2017 at 12:00 pm and the Board of Adjustment will be holding a hearing on Monday, November 20, 2017 at 6:00 pm, all meetings will be in the Council Chambers, City Hall, 612 N. Main St, Mitchell, SD. All interested parties may attend the hearings.

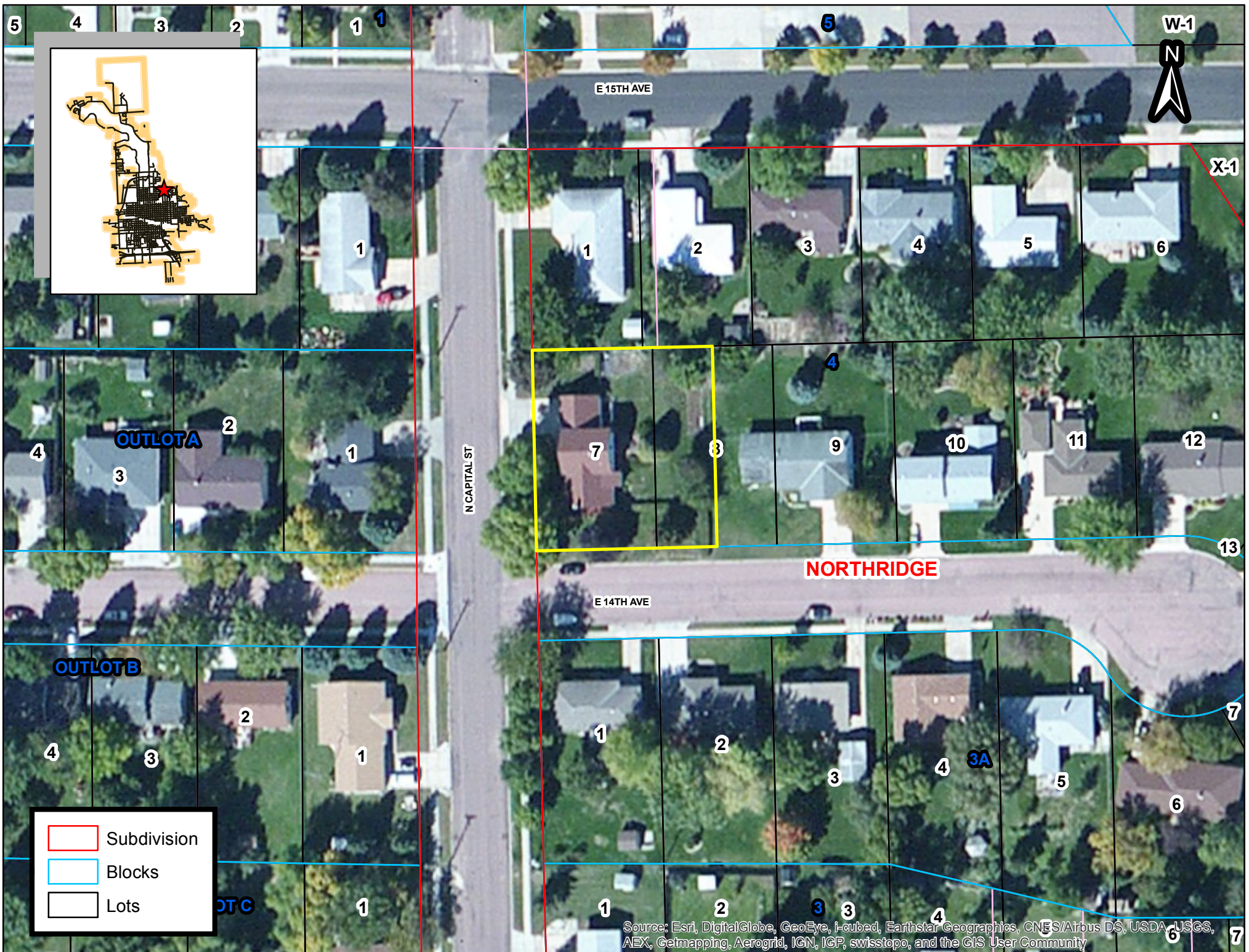
Dated at Mitchell, South Dakota, this the 26th day of October, 2017.

Michelle Bathke

Finance Officer

Publish Twice November 2 & 9, 2017

Approximate Costs:



City of Mitchell - Public Works
111 North Main Street Mitchell, SD 57301
Phone: 605.995.2433 Fax: 605.995.2434
CityOfMitchell.org



November 1, 2017

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that John & Tracy Fink have applied for a conditional use permit to operate a lodging house in the residential property located at 1400 N Capital St, legally described as Lot 7 & W 40' of Lot 8, Block 4, Northridge Subdivision, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the Planning Commission on November 13, 2017 12:00 P.M and the Board of Adjustment on November 20, 2017 at 6:00 P.M., at the Council Chambers, Mitchell City Hall. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

I/We

Mr & Mrs Rod West
OWNER

606 E 15th Ave
ADDRESS

☐ APPROVE

☒ DISAPPROVE

No response will indicate approval.

COMMENTS:

Outside expectations



November 1, 2017

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that John & Tracy Fink have applied for a conditional use permit to operate a lodging house in the residential property located at 1400 N Capital St, legally described as Lot 7 & W 40' of Lot 8, Block 4, Northridge Subdivision, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the Planning Commission on November 13, 2017 12:00 P.M and the Board of Adjustment on November 20, 2017 at 6:00 P.M., at the Council Chambers, Mitchell City Hall. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

I/We Bill & Jayne Subendall
OWNER

1421 N. Capital St.
ADDRESS

X APPROVE

____ DISAPPROVE

No response will indicate approval.

COMMENTS:

JOHN & TREACY FINK
1400 N CAPITAL ST
MITCHELL SD 57301

JRKM FAMILY TRUST
712 E 14TH AVE
MITCHELL SD 57301

JAMES & CHERYL MYERS
718 E 14TH AVE
MITCHELL SD 57301

JOHN & NICOLE JARDING
1416 N CAPITAL ST
MITCHELL SD 57301

EMILY BICKETT
707 E 15TH AVE
MITCHELL SD 57301

DONNIE & LINDA KUDER
713 E 15TH AVE
MITCHELL SD 57301

INTERNATIONAL CHURCH
OF THE FOUR SQUARE GOSPEL
1425 N UNION BLVD STE 100
COLORADO SPRINGS CO 80900

RAYMOND & DOREEN GOSMIRE
719 E 15TH AVE
MITCHELL SD 57301

BRITT & JUDY BRUNER
1549 NORTHRIDGE RD
MITCHELL SD 57301

RONALD ROTH TRUST
616 E 15TH AVE
MITCHELL SD 57301

RODNEY & CYNTHIA WEST
606 E 15TH AVE *disapprove*
MITCHELL SD 57301

WILLIAM & JAYNE RUBENDALL
1421 N CAPITAL ST
MITCHELL SD 57301 *approve*

COREY ELWARD
615 E 15TH AVE
MITCHELL SD 57301

RONALD & MARY PARADEIS
607 E 15TH AVE
MITCHELL SD 57301

BRET & KARA HENNING
1401 N CAPITAL ST
MITCHELL SD 57301

THOMAS & JACQUELINE SCHUMACHER
618 E 14TH AVE
MITCHELL SD 57301

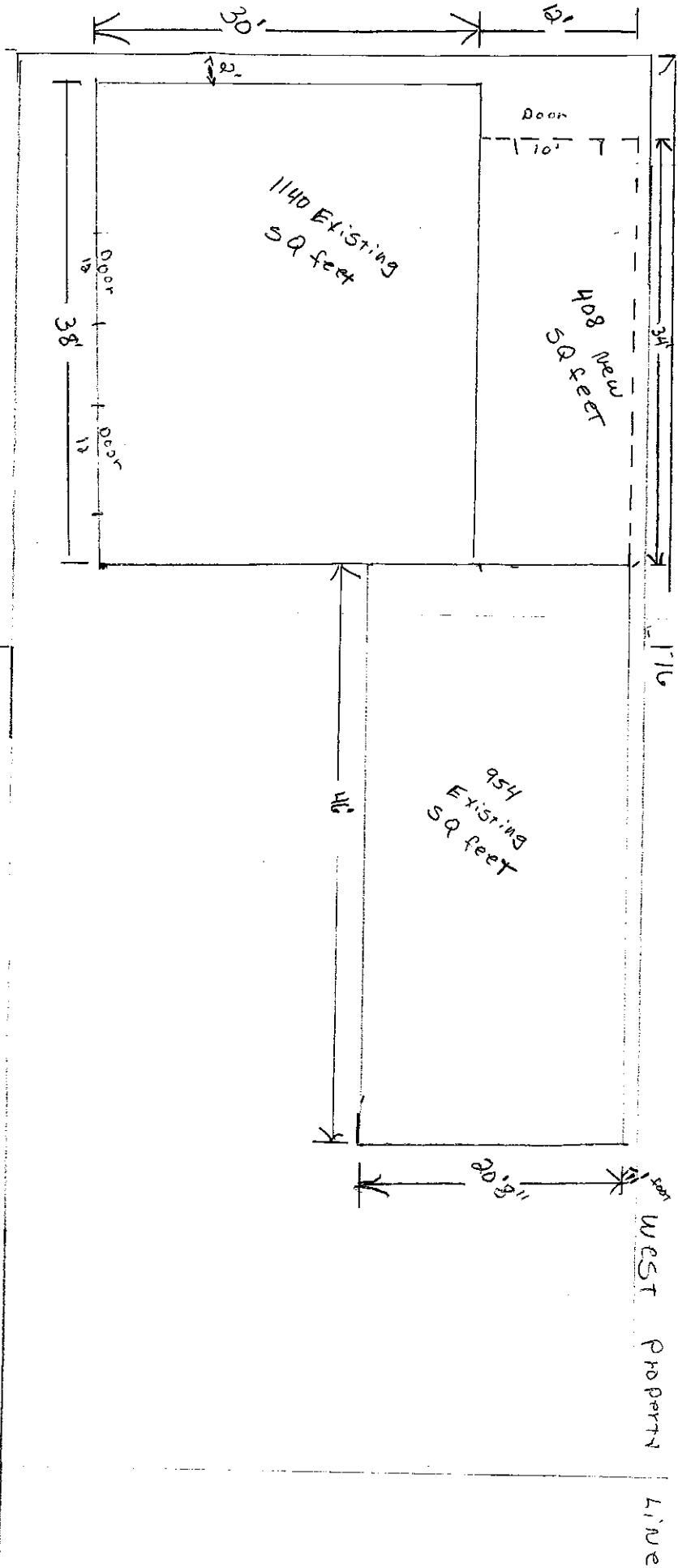
DOUGLAS & MARY TIMMER
616 E 14TH AVE
MITCHELL SD 57301

BRIAN GROSZ
NADINE HOWARD
701 E 14TH AVE
MITCHELL SD 57301

RENEE WALTER
709 E 14TH AVE
MITCHELL SD 57301

SHARON & WILLIAM MUELLER
713 E 14TH AVE
MITCHELL SD 57301

ERIN & CHASE KUHLMAN
719 E 14TH AVE
MITCHELL SD 57301



MINIMUM 10' SETBACK

NOTICE OF HEARING

To: The Planning Commission, Board of Adjustment of the City of Mitchell, Mitchell South Dakota, and to the general public:

YOU ARE HEREBY NOTIFIED, that Steve & Roberta McCullough are requesting a backyard variance of 1 foot vs. 5 feet and an oversize variance of 2,446 square feet vs 2,000 square feet for an addition to existing garages. The property is legally described as Lots 11,12, & 13, Block 90, Lawler's 2nd Addition, City of Mitchell, Davison County, South Dakota (103 N Minnesota St). The said real property is zoned (R2) Single Family Residential District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the Planning Commission on November 13, 2017 at 12:00 P.M and the Board of Adjustment on November 20, 2017 at 6:00 P.M., in the Council Chambers, Mitchell City Hall, 612 N Main St, Mitchell, SD. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

Dated at Mitchell, South Dakota, this the 26th day of October, 2017.

Michelle Bathke

FINANCE OFFICER

Publish once: November 2, 2017

Approximate Cost:

APPLICATION FOR VARIANCE

TO: THE MITCHELL PLANNING COMMISSION AND THE BOARD OF
ADJUSTMENT THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

The undersigned applicant(s) Steve & Roberta McCullough hereby are making an application for a variance pursuant to the provisions of the City of Mitchell Zoning Code as amended.

This Application is for the following described real property:

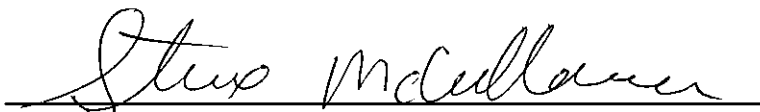
Lots 11, 12, & 13, Block 90, Lawler's 2nd Addition, City of Mitchell, Davison County, South Dakota (103 N Minnesota Street)

The applicant of the above described real estate, request(s) to construct an addition to existing garages with a back yard variance of 1 foot vs 5 feet and an oversize variance of 2,442 square feet vs 2,000 square feet as required. The said real property is zoned (R2) Single Family Residential District.

The names and addresses of the current property owners within one hundred and forty feet (140') of the applicant's property (excluding streets and alleys) will be notified upon the filing of this application.

Applicant(s) request that dates be set for public hearings before the Mitchell Planning Commission and the Board of Adjustment. Furthermore, the applicant requests the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

Dated this 6 of Nov, 2017.



APPLICANT

OWNER

JASON CARNES
701 W 2ND AVE
MITCHELL SD 57301

FLOYD & JANICE HANTEN
703 W 2ND AVE
MITCHELL SD 57301

GREGORY STULC
715 W 2ND AVE
MITCHELL SD 57301

LOREN & SHELLEY STEINER
719 W 2ND AVE
MITCHELL SD 57301

STEVEN & ROBERTA MCCULLOUGH
103 N MAIN ST
MITCHELL SD 57301

JUAN & SUSI CONTRERAS
713 ½ W 2ND AVE
MITCHELL SD 57301

ERNEST & MARIAN BIES
712 W HANSON AVE
MITCHELL SD 57301

KYLE FOWLER
601 S MONTANA ST
MITCHELL SD 57301

JULIE BRIDGE
622 W 1ST AVE
MITCHELL SD 57301

MICHAEL & JEANNE HAUSER
1420 E BIRCH AVE
MITCHELL SD 57301

ROXANNE SINKULAR
605 W 2ND AVE
MITCHELL SD 57301

JEFF GEORGE
40532 257TH ST
MITCHELL SD 57301

GEORGE & SHERRY MORGAN
940 N HARMON DR
MITCHELL SD 57301

LINDA NELSON
DOUG DRIGGS
40530 254TH ST
MITCHELL SD 57301

BRANDON LOCKHART
609 W 2ND AVE
MITCHELL SD 57301

MERVELA HILDEBRANDT
2957 DAILEY DR
MITCHELL SD 57301

