

CITY OF MITCHELL
CITY PLANNING COMMISSION
COUNCIL CHAMBERS, 612 N MAIN ST
MONDAY, MARCH 12, 2018, 12:00 PM (NOON)

1. CALL TO ORDER:

2. ROLL CALL:

3. APPROVE AGENDA:

4. Approval Of Minutes: 2/26/2018 MEETING

Documents:

2262018PLANNINGCOMMMIN.PDF

5. SCHEDULE NEXT MEETING: MARCH 26, 2018

6. Variance:

Tabled from last meeting:

Roger & Tami Hartley are requesting an oversize variance of 2,448 square feet vs 2,000 square feet for construction of an accessory garage. The property is legally described as Lots 11, Block 18, Capital Addition, City of Mitchell, Davison County, South Dakota (504 W. 13th Ave). The said real property is zoned (R2) Single Family Residential District.

Documents:

HARTLEYVARDRAINAGE.PDF
HARTLYAPP.PDF
HARTLEYNH.PDF
HARTLEYNEIGHBORS.PDF
HARTLEYVARMISC.PDF
HARTLEYMAP.PDF
504W13THVAR.PDF
HARTLEYDRAWING.PDF

7. OTHER BUSINESS:

8. 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, February 26, 2018**

NOT APPROVED

Chairman Larson called the February 26, 2018 City Planning Commission meeting to order at 12:00 pm, Council Chambers, City Hall, 612 N. Main Street.

Members Present: Larson, Everson, Griffith, Jirsa, and Quenzer

Members Absent: Fergen, Molumby and Allen

Other Staff present: Ellwein, J. Johnson, T. Johnson, Hegg, London, Jenniges and Putnam

Approval of Agenda: Motion by Everson, seconded by Griffith to approve the agenda as presented. No conflicts of interest were declared. All members present voting aye, motion carried.

Approval of Minutes: Motion by Everson, seconded by Griffith to approve the minutes of the January 22, 2018 meeting. All members present voting aye, motion carried.

Schedule Next Meeting: Motion by Griffith, seconded by Everson to schedule the next meeting for March 12, 2018. All members present voting aye, motion carried.

Plat: A Plat of Lot 2 of Tech Center Addition in the SW ¼ of Section 26, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. Motion by Jirsa, seconded by Griffith to approve the plat. All members present voting aye, motion carried.

Plat: Survey Plat of Schmig Tract 1 in the South Half of the South Half of the Southeast Quarter of Section 11, Township 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. Putnam and Jenniges indicated this is outside the city's zoning jurisdiction, but within 3 miles of the city limits. Jenniges said the county will hear the plat in April. The owners wish to plat out a homestead. Motion by Everson, seconded by Quenzer to approve the plat. All members present voting aye, motion carried.

Conditional Use Permit: Jeff & Mary Lanning of 76 S Harmon Dr. are requesting a conditional use permit to construct an accessory building on non-contiguous lots, legally described as Lots 1 thru 4, Block 17, Indianhead 3rd Addition, City of Mitchell, Davison County, South Dakota. The said property is zoned RL Lake Residential District.

Lanning (applicant) was present. No one testified in opposition. The commission reviewed written correspondence from a neighbor. No written objections were received.

The public notice was published in the official newspaper on February 15 & 21, 2018 and letters to the neighboring property owners were sent February 14, 2018.

It was noted that an unimproved alley is platted between the home lots and the lots for which the accessory building is to be constructed. Lanning indicated the garage will be wood frame.

Motion by Everson, seconded by Jirsa to recommend the Board of Adjustment approve the condition use permit. All members present voting aye.

Variance: Valor Investment Properties, LLC are requesting backyard variances of 10 feet instead of the 25 feet as required to accommodate the construction of a multi-family property. The property is legally described as Lot X-1 & Lot X-2, Square 19, A Subdivision of portions of Lot X, Square 19, the North ½ of vacated East Kay Ave and the West ½ of vacated South Lawler Street, All in Weaver's Squares, City of Mitchell, Davison County, South Dakota (111-113 E. Juniper Ave). The said real property is zoned (R4) High Density Residential District. Applicant noted after the meeting that this an error in address 111 should be 109.

Mike Miiller, applicant, was present. No one testified in opposition. No written objections were received.

The public notice was published in the official newspaper on February 16, 2018. Letters to the neighboring property owners were sent February 14, 2018.

Larson inquired about access on the vacated S Lawler street. This will serve as the ingress/egress to the apartments and will be a private drive. Putnam explained once the plat of X-2 & X-3 was approved and recorded the property lines changed, so the setback requirements changed. Therefore, the purpose of the variance is to address this situation.

Motion by Everson, seconded by Griffith to recommend the Board of Adjustment approve this variance. All members present voting aye, motion carried.

Variance: Roger & Tami Hartley are requesting an oversize variance of 2,448 square feet vs. 2,000 square feet for construction of an accessory garage. The property is legally described as Lot 11, Block 18, Capital Addition, City of Mitchell, Davison County, South Dakota (504 W 13th Ave). The property is zoned (R2) Single Family Residential District.

Mr. Hartley was present to answer questions. No one testified in opposition. The commission did review a letter from a neighbor opposing the variance.

The public notice was published in the official newspaper on February 15, 2018 and letters to neighboring property owners were sent on February 14, 2018.

Hartley was asked about the construction material. He responded that it will be pole construction with colored steel exterior. He was also asked about 'lining' up with existing structures facing W 13th Ave. He indicated that it should be in line to his front porch. Hartley was also asked about drainage. He responded that he was not intending to install gutters.

Motion by Everson, seconded by Griffith to table action on this application until the next meeting and the applicant is required a drainage plan prior to the hearing. All members present voting aye, motion carried.

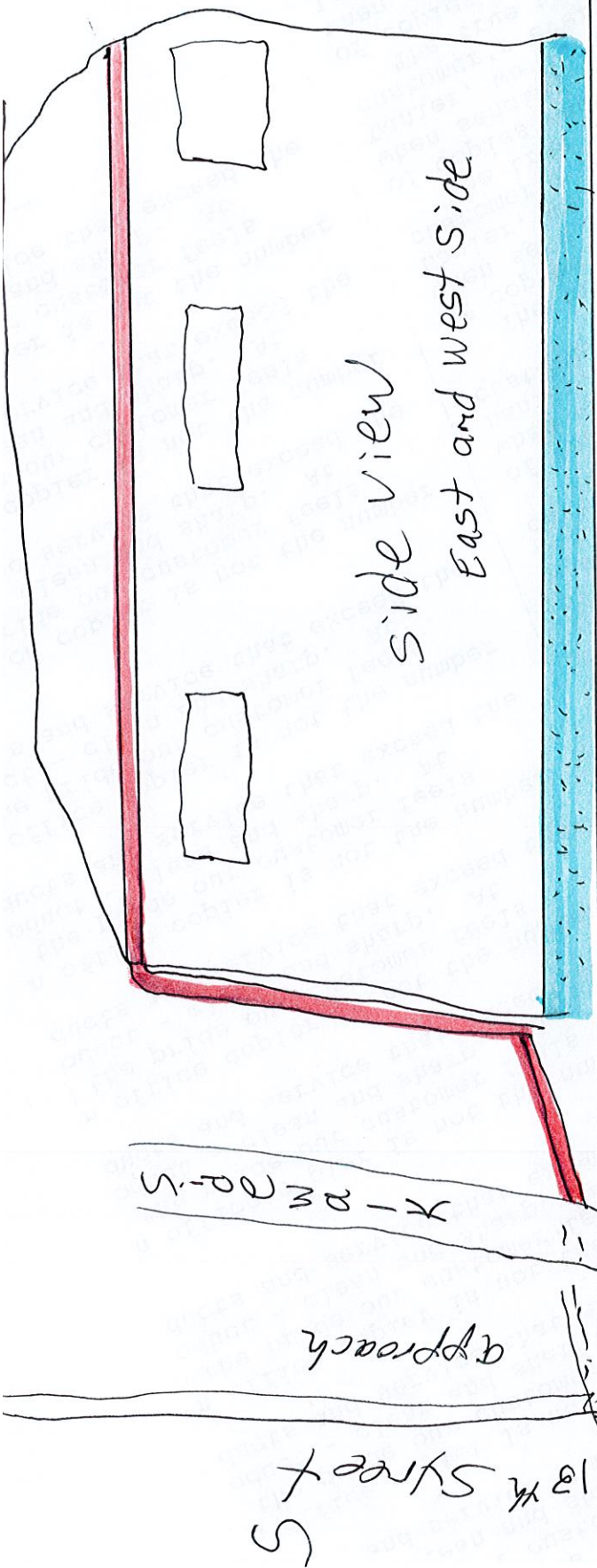
Chairman Larson adjourned the meeting at 12:31 pm.

Chairman

Date

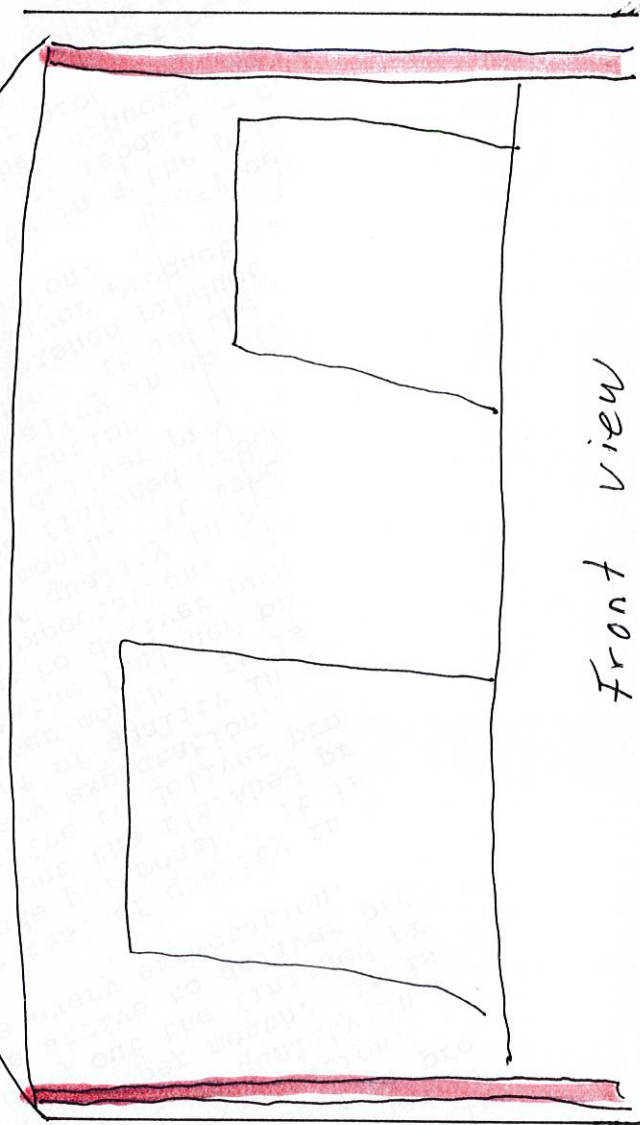
N

Rain
- Gutter
Landscape
Rock



side view
East and west side

water from gutters
would drain to the
south and to the curb.



front view

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) ROGER & TAMI HARTLEY are hereby 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:

LOT 11, BLOCK 18, CAPITAL ADDITION, CITY OF MITCHELL, DAVISON
COUNTY, SOUTH DAKOTA (504 W. 13TH AVE)

The applicant of the above described real estate, request(s) an oversize variance of 2,448 square feet v. 2,000 as required to construct an accessory building. 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 5th of February, 2018.

Roger Hartley Tami Hartley
APPLICANT

Roger Hartley Tami Hartley
OWNER

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 Roger & Tami Hartley are requesting an oversize variance of 2,448 square feet vs 2,000 square feet for construction of an accessory garage. The property is legally described as Lots 11, Block 18, Capital Addition, City of Mitchell, Davison County, South Dakota (504 W. 13th Ave). 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 February 26, 2018 at 12:00 P.M and the Board of Adjustment on March 5, 2018 at 6:00 P.M. both meetings will be 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 8th day of February, 2018.

Michelle Bathke

FINANCE OFFICER

Publish once: February 15, 2018

Approximate Cost:

PAULA VANDERBUCH
501 W 14TH AVE
MITCHELL SD 57301

DREW & TRENA PORTER
509 W 14TH AVE
MITCHELL SD 57301

OLIVE RISSKY
515 W 14TH AVE
MITCHELL SD 57301

LARRY & JANICE KOCH
517 W 14TH AVE
MITCHELL SD 57301

RUTH & BRUCE GREEN
500 W 13TH AVE
MITCHELL SD 57301

ROGER & TAMELA HARTLEY
508 W 13TH AVE
MITCHELL SD 57301

ZACHARY CIAVARELLA
518 W 13TH AVE
MITCHELL SD 57301

LARRY & NITA LARSON
520 W 13TH AVE
MITCHELL SD 57301

KERMIT BLACK
PO BOX 446
MITCHELL SD 57301

MICHAEL & MELANIE KAYSER
419 W 14TH AVE
MITCHELL SD 57301

BRUCE & JULIE FRITZEMEIER
420 W 13TH AVE
MITCHELL SD 57301

CHAZ JOHNSON
418 W 13TH AVE
MITCHELL SD 57301

SCOTT & SONYA FOSSUM
1221 N EDMUNDS ST
MITCHELL SD 57301

JAMES TEGETHOFF
2220 W HAVENS AVE
MITCHELL SD 57301

CLAYTON WEBER
519 W 13TH AVE
MITCHELL SD 57301

SCOTT MAESCHEN
1220 N EDMUNDS ST
MITCHELL SD 57301

DAWN BULT
417 W 13TH AVE
MITCHELL SD 57301

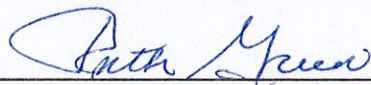
February 14, 2018

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED, that Roger & Tami Hartley are requesting an oversize variance of 2,448 square feet vs 2,000 square feet for construction of an accessory garage. The property is legally described as Lots 11, Block 18, Capital Addition, City of Mitchell, Davison County, South Dakota (504 W. 13th Ave). The said real property is zoned (R2) Single Family Residential District.

YOU ARE FURTHER NOTIFIED, that public hearings in regards to the variance will be held by the Planning Commission on February 26, 2018 at 12:00 pm and the City Council acting as the Board of Adjustment will conduct their hearing on March 5, 2018 at 6:00 pm. Both hearings will be held in the Council Chambers, Mitchell City Hall, 612 N Main St. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

I/We



OWNER

500 West 13th

ADDRESS

☐ APPROVE

☒ DISAPPROVE

No response will indicate approval.

COMMENTS:

Please see sheet enclosed.

If you look at the placement of the cones, this garage will sit closer to the front of the lot and also closer to my house than even another house would be allowed to sit. Look at the other homes. None sit this far to the front of the lot. Typically a garage sits to the rear of the lot. The proposed size of this garage, would more appropriately be located on a lot zoned Commercial and not Residential.

This is not intended to be a snide comment, but I ask you all, most sincerely, would any of you want this garage built this close to your home? Please don't ignore this because it isn't in your neighborhood. If this is allowed to move forward, there will be others who will want larger garages, too.

Ruth Green
500 West 13th
2/22/2018

1301

NORTH MINNESOTA

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

WEST

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

WEST

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

WEST

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

14 TH

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

13 TH

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

12 TH

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

VACATED	142'	14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'	50'	50'

VACATED

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

EDMUNDS ST.

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

VACATED

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

NORTH SANBORN BO

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

WEST

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

WEST

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

WEST

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

NORTH DUFF STREET

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

1

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

1

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'

1

14	12	11	10	9	8	7
50'	50'	50'	50'	50'	50'	50'



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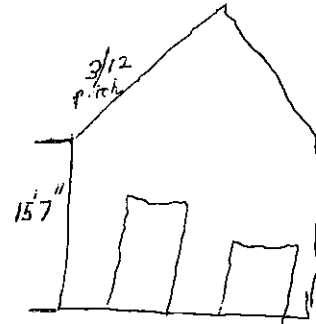
Alley

43 ft

Lot line

14' x 14'
over head
door

34' +



E

34' wide x 72' Long

34' +

Lot line

14' x 14'
Over head door

10' x 12'
over head
door

34' +

25 ft

25 ft

side walk

Lot line

S