

CITY OF MITCHELL
CITY PLANNING COMMISSION AGENDA
COUNCIL CHAMBERS, CITY HALL, 612 N MAIN ST
MAY 11, 2020, 12:00 PM (NOON)

1. Instructions For Alternative Participation Methods For City Planning Commission Meetings

Documents:

[PLANNINGCOMMMEETINGINSTRUCTIONS.PDF](#)

2. CALL TO ORDER:

3. ROLL CALL:

4. Declaration Of Conflicts Of Interests

5. APPROVE AGENDA:

6. Approval Of Minutes: April 27, 2020 Meeting

Documents:

[PLANNINGCOMMINUTES4272020.PDF](#)

7. Schedule Next Meeting: May 26, 2020 TUESDAY

8. CONDITIONAL USE PERMIT:

R & M Rentals LLC has applied for a conditional use permit to operate a two-family dwelling building located at 300 W 10th Ave, legally described as Lot 12, Block 41, Capital Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned (R2) Single Family Residential Central Business District.

Documents:

[RMRENTALAPP.PDF](#)
[NOHRMRENTAL.PDF](#)
[RANDMNEIGHBORS.PDF](#)
[AERIAL300W10TH.PDF](#)

9. CONDITIONAL USE PERMIT:

Henry & Patricia Flack have applied for a conditional use permit for construction of a non-contiguous building to be located on Barington Court, legally described as Lot 12I within Lot 12 of Fiala's Addition, in the East ½ of the NW ¼, Section 4, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned RL Residential Lake District.

Documents:

[FLACKAPP.PDF](#)
[FLACKPLANS.PDF](#)
[NOHFLACK.PDF](#)
[FLACKLETTER.PDF](#)

[FLACKNEIGHBORS.PDF](#)
[AERIALFLACK.PDF](#)

10. VARIANCE:

Henry & Patricia Flack have applied for an oversize variance of 3,200 square feet vs 2,000 square feet and a height variance of 24 feet vs 22 feet as required and will be located on Barington Court, legally described as Lot12I within Lot 12 of Fiala's Addition, in the East ½ of the NW ¼, Section 4, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned RL Residential Lake District.

11. Plat: A Plat Of Lot 10, Block 7 Of Westwood First Addition, A Subdivision Of The SW 1/4 Of Section 16, T 103 N, R 60 W Of The 5th P.M., City Of Mitchell, Davison County, South Dakota

Documents:

[PLATLOT10WESTWOOD.PDF](#)
[AERIALLOT10WESTWOOD.PDF](#)

12. Plat: A Plat Of Lot A, A Subdivision Of Previously Platted Lot S Of Maui Farms Second Addition, City Of Mitchell, Davison County, South Dakota

Documents:

[PLATLOTALOTS.PDF](#)
[AERIALLOTAPLAT.PDF](#)

13. Plat: Lot 1, 2, & Lot 3 Of Koupal Brother's First Addition To The City Of Mitchell, In Lot 1 Of The Northeast Quarter (NE1/4) Of Section 27, Township 103 N, Range 60 W Of The 5th P.M., Davison County, South Dakota

Documents:

[PLATKROUPALBRO.PDF](#)
[20067 PRELIMINARY SURVEY W AERIALKROUPAL.PDF](#)
[AERIALKROUPALBROS.PDF](#)

14. OTHER BUSINESS:

15. PUBLIC INPUT: If You Need To Address The City Planning Commission On An Item That Was Not On The Agenda, Excluding Personnel Items, Please Come Forward To The Podium And State Your Name And Your Concern. Presentations Are Limited To Three Minutes. Items Will Be Considered But No Action Will Be Taken At This Time.

16. 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 Meetings- Temporary Participation Methods due to COVID-19 in accordance with Governor Noem's Executive Order 20-14.

Livestream:

YouTube <https://www.youtube.com/user/CityofMitchell>

Facebook at @cityofmitchellsd

Television Broadcast:

Mitchell Telecom Channel 90

Midco Channel 7

Listen only mode through telephone conference:

Zoom meeting phone number: +1 312 626 6799 US

Meeting ID: 642-588-3500

Join URL: <https://us02web.zoom.us/j/6425883500>

Comment Methods

Please include your full name with your comments that are submitted.

Prior to the Meeting:

Mail to: City Hall Attn: Planning & Zoning, City Hall, 612 N Main St, Mitchell, SD 57301

Email City Planner Neil Putnam: nputnam@cityofmitchell.org

Leave a voicemail at 605 995-8433

During the Meeting:

Email City: tjohnson@cityofmitchell.org or kcroce@cityofmitchell.org

YouTube live chat during the meeting

Facebook live chat during the meeting

Text to: (605) 299-1182

Agenda Posting Dates: Agendas will be available on the City's website the Thursday prior to the meeting by 5:00 PM. You can find them at www.cityofmitchell.org/AgendaCenter

Public Participation for City Planning Commission Meetings

The City Planning Commission welcomes participation in all public meetings. However, in light of the current COVID-19 Pandemic, and in response to Governor Noem's Executive Order #2020-14; the public is asked to forward any comments for Planning and Zoning within the Public Works Department in City Hall prior to the meeting.

In addition, City staff will be monitoring the chat features on the livestream channels of the meeting and will answer questions if possible. However, if you would like your comments to be entered into the record you will need to state your full name and which agenda item you are commenting on as part of your comment.

If you do wish to attend the meeting in person, please enter through the Corn Palace Front Entrance.. You will be subject to a temperature check. If you wish to address the commissioners in person, please inform the attendant in the Corn Palace lobby. You will then be escorted in the council chambers at the appropriate time and you will be provided an opportunity to address the commission. The commissioners may ask you questions as well.

**CITY OF MITCHELL
CITY PLANNING COMMISSION MINUTES
APRIL 27, 2020**

NOT APPROVED

Chairman Larson called the April 27, 2020 City Planning Commission Meeting to order at 12:00 PM (Noon) in the Council Chambers, City Hall, 612 N Main St, Mitchell, South Dakota.

Members Present: Larson, Vaux, Osterloo, Genzlinger, Jirsa telephonically, Molumby telephonically, Fergen telephonically
Members Absent: Allen

Staff Present: Putnam, J. Johnson, Schroeder, Croce, Ellwein, and Mayor Everson

Declaration of Interests: Vaux declared a conflict on Item #8

Approve Agenda: Motion by Genzlinger, seconded by Osterloo to approve the agenda as presented. Roll Call: Larson yes, Vaux yes, Osterloo yes, Genzlinger yes, Jirsa yes, Molumby yes, Fergen yes; 7 yes 0 no motion carried.

Approval of Minutes: Motion by Molumby, seconded by Jirsa to approve the minutes of the April 13, 2020 meeting. Roll Call: Vaux yes, Osterloo yes, Genzlinger yes, Jirsa yes, Molumby yes, Fergen yes, Larson, yes; 7 yes 0 no, motion carried.

Schedule Next Meeting: Motion by Fergen, seconded by Jirsa to schedule the next meeting for May 11, 2020. Roll Call: Osterloo yes, Genzlinger yes, Jirsa yes, Molumby yes, Fergen yes, Vaux yes, Larson yes;; 7 yes 0 no. Motion carried.

Hearing and Action on Establishing the Boundaries of and approval of the project plan for Tax Increment Financing District #25. Vaux stepped away from the commissioners table. Don Petersen, Attorney for Mitchell Area Development Corporation, presented the proposed project plan. He described the proposed boundaries and stated that Phase 1 as identified in the plan is to TIF #25. Phase 2 will not start until the future of the existing Avera campus is determined. He reviewed a document identified statutory requirements and where in the plan the various requirements are addressed. The TIF is set up for 20 years. The real property will be gifted to the MADC from Avera Queen of Hospital. The zoning of the property has recently changed. The plan consists of infrastructure for a housing development project consisting of approximately 51 single-family homes. The home purchases will be consistent with the SD 1st Time Home Buyers Program. Construction of the homes will commence this fall and into next year, however the increment will not be captured until 2022. Petersen explained the financing, capitalized interest, and responsible parties. Petersen also mentioned the purpose of the TIF is to address workforce-housing needs. He said the costs are project are only estimates as there are some details yet to be determined and bidding that has to take place.

Clinton Powell, Shelter Corp, provided an overview of the housing and financing. He mentioned eight lots are to be transferred to Mitchell Technical Institute. He mentioned they are still in discussion with builders, so the two large parcels Block 1 and Block 3 plans are yet to be determined. He reminded the commission that they are a 501 C non-profit corporation. They are hoping for a build out rate of 12 homes per year.

Jeff McCormick, SPN and Associates, provided an overview of the design and infrastructure. He talked about the location of the proposed lift station, drainage, and design work. Molumby asked about mobilization and incidental costs that are mentioned in the estimated costs. McCormick the costs will final once bidding is completed.

Tom Clark, Regional President for Avera Queen of Peace, reminded the commissioners of the donation of the land and this land was at one time intended for future expansion of the hospital. However, the plan is now to move the whole campus to the interstate area. Avera and others have worked with the neighbors in addressing the neighbors' concerns. He reiterated this project is to address workforce housing and Avera has unfilled positions and attainable housing is an issue in filling these positions.

Pam Bathke submitted a question online in regards to various costs. Petersen and Powell indicated all the anticipated costs are included in the plan; again, they are estimates until the project has final bids.

Motion by Genzlinger, seconded by Fergen to adopt the boundaries of TIF #25 as identified in the project plan and adopt the plan as submitted. Roll Call Vote: Larson yes, Genzlinger yes, Osterloo yes, Fergen yes, Jirsa yes, Molumby no, and Vaux abstaining. 5 yes 1 no 1 abstain, Motion carries.

Review and Action on Plan: PATA BBQ, 808 Sanborn Blvd, subject to review by May 1, 2020. The commissioners had previously determined this project is to be reviewed prior to May 1, 2020. The business is currently closed due to the pandemic. They would like to reopen when they can. Staff has not received any concerns in regards to this business, specifically traffic issues. Motion by Osterloo, seconded by Genzlinger to approve the plan and no further reviews are necessary. Roll Call: Fergen yes, Jirsa yes, Molumby yes, Vaux yes, Larson yes, Osterloo yes, Genzlinger yes; 7 yes 0 no, motion carried.

Plat: A Plat of Lots 4 & 5 in Tract I, Wild Oak Golf Club Addition to the City of Mitchell, Davison County, South Dakota. The plat appears to follow the master plan. Putnam indicated there might be a house constructed that crosses over the lot line, however this plat maintains the numbering system. Motion by Genzlinger, seconded by Osterloo to approve the plat. Roll Call: Jirsa yes, Molumby yes, Vaux yes, Larson yes, Genzlinger yes, Fergen yes, Osterloo yes; 7 yes 0 no, motion carried.

Hearing and Action: An ordinance that changes the zoning district classification of the real property legally described as Lot 18A, Tract L of Wild Oak Golf Club Addition, SE ¼, Section 23, T 103 N, R 60 W, Davison County, South Dakota from CN Conservation District to R4 High Density Residential District. Ronald and Delores Trust are making the application. No testified in opposition and no written objections were received. Letters to the neighbors were sent and a public notice was published in the legal newspaper. The plat has been approved. The rezoning request makes the two parcels' zoning consistent and facilitate building. Motion by Molumby, seconded by Jirsa to approve the rezoning request. Roll Call: Larson yes, Osterloo yes, Vaux yes, Jirsa yes, Fergen yes, Molumby yes, Genzlinger yes, 7 yes 0 no, motion carried.

Hearing and Action: An ordinance that changes the zoning district classification of the real property legally described as the N 600 ft. of W 250 ft. of IT 3 in Lot 3, NE ¼, Section 27, T 103 N, R 60 W, Platted Various, City of Mitchell, Davison County, South Dakota. The applicant Jeff Bathke, Bathke Properties LLC, was present to answer questions. No one testified in opposition. Letters to the neighbors were sent and the public notice was published in the legal newspaper. Bathke indicated the purpose of this rezoning is for future development and provide more possibilities. Roll Call: Vaux yes, Larson yes, Osterloo yes, Molumby yes, Genzlinger yes, Jirsa yes, Fergen abstaining. 6 yes 0 no 1 abstaining. Motion carried.

Public Input: none

Chairman Larson adjourned the meeting at 1:07 pm

APPLICATION FOR CONDITIONAL USE PERMIT

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

The undersigned applicant(s) R & M Rentals LLC is hereby making an application for a conditional use permit pursuant to the provisions of the City of Mitchell Zoning Code as amended.

This Application is for the following described real property:

Lot 12, Block 41, Capital Addition, City of Mitchell, Davison County, South Dakota (300 W 10th Ave)

Applicant(s) R & M Rentals LLC of the above-described real estate, request(s) to construct a two-dwelling residential structure. 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 23 of April, 2020.

R & M Rentals LLC.
APPLICANT

Donald + Mona Emerst
OWNER

APPLICATION FOR CONDITIONAL USE PERMIT

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Dated this 23 of April, 2020.

R & M Rentals LLC.
APPLICANT

David + Mona Emmert
OWNER

MICHAEL FORTIER
MONICA TRABING
304 W 10TH
MITCHELL SD 57301

R & M RENTALS
723 E 7TH
MITCHELL SD 57301

MICHAEL PEREBOOM
308 W 10TH
MITCHELL SD 57301

HANNA WILLIS
312 W 10TH
MITCHELL SD 57301

LEONA BURNS
316 W 10TH
MITCHELL SD 57301

TRENT REIMNITZ
301 W 11TH
MITCHELL SD 57301

DENNIS FELTMAN
305 W 11TH
MITCHELL SD 57301

JEFFREY MARTIN
311 W 11TH
MITCHELL SD 57301

CRISTLE FRANKE
317 W 11TH
MITCHELL SD 57301

NATASHA HARTMAN
220 W 10TH
MITCHELL SD 57301

SHAWN TRODE
715 S DUFF
MITCHELL SD 57301

JOSHUA & ALLISON RUSSELL
40457 261ST ST
MITCHELL SD 57301

SUZANNE BURRIS
210 W 10TH
MITCHELL SD 57301

LIN RYSAVY
223 W 11TH
MITCHELL SD 57301

LYNDSAY & ANDREW TIPTON
217 W 11TH
MITCHELL SD 57301

JAYME GILL
215 W 11TH
MITCHELL SD 57301

MELINDA HARMELINK
211 W 11TH
MITCHELL SD 57301

JUAN CHAVEZ
NICOLE CLASSEN
920 N DUFF
MITCHELL SD 57301

CARLA O'CONNOR
41340 SD HWY 38
MITCHELL SD 57301

HAUSER RENTALS
2021 W 23RD
MITCHELL SD 57301

BOYD REIMNITZ
407 N MAIN
MITCHELL SD 57301

SANDRA SIEVERT
301 W 10TH
MITCHELL SD 57301

SHEBA KIRCHEVEL
313 W 10TH
MITCHELL SD 57301

BONNIE SHAWD
315 W 10TH
MITCHELL SD 57301

LINETTA LEWIS
317 W 10TH
MITCHELL SD 57301



APPLICATION FOR CONDITIONAL USE PERMIT AND VARIANCES

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

The undersigned applicant(s) HENRY AND PATRICIA FLACK are hereby making an application for a conditional use permit and variances pursuant to the provisions of the City of Mitchell Zoning Code as amended.

This Application is for the following described real property:

Lot 12I, within Lot 12 of Fiala's Addition, in the East ½ of the NW ¼, Section 4, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota (Barington Court Ave)

Applicant(s) HENRY AND PATRICIA FLACK of the above-described real estate, request(s) to construct a building for personal storage that is not continuous to a principal dwelling and they are requesting an oversize variance of 3,200 square feet vs 2,000 square feet and a height variance of 24 feet vs 22 feet. The said real property is zoned (RL) Residential Lake District.

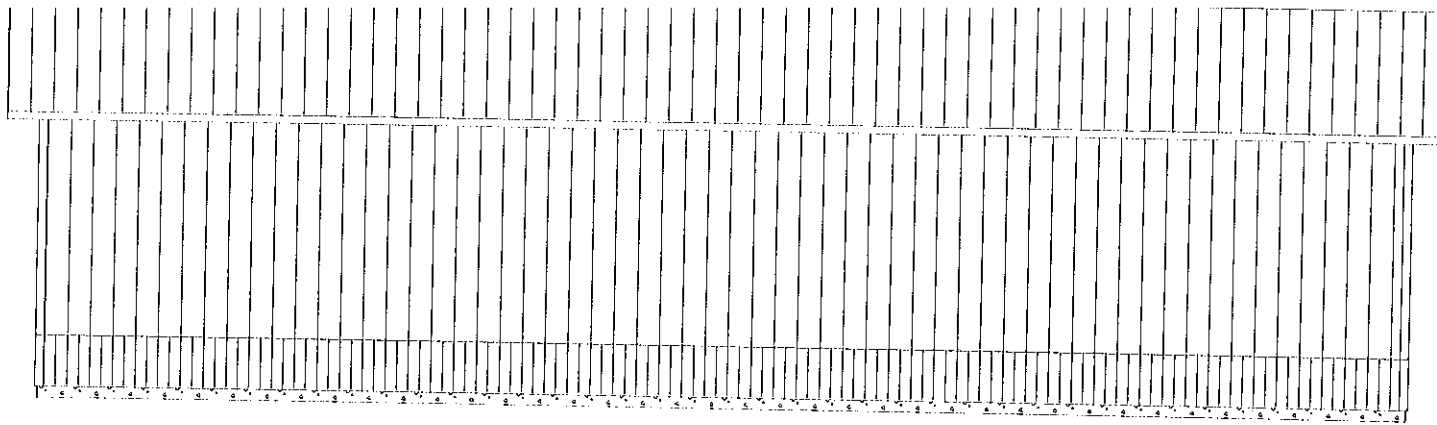
The names and addresses of the current property owners within one hundred and forty feet (140') of the applicant's property (excluding streets and alleys) will be notified upon the filing of this application.

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.

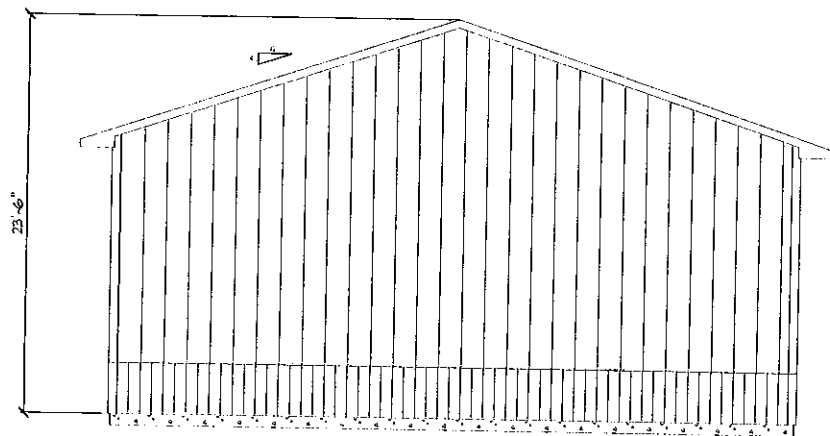
Dated this 27 of April, 2020.

Henry Flack Patricia Flack
APPLICANT

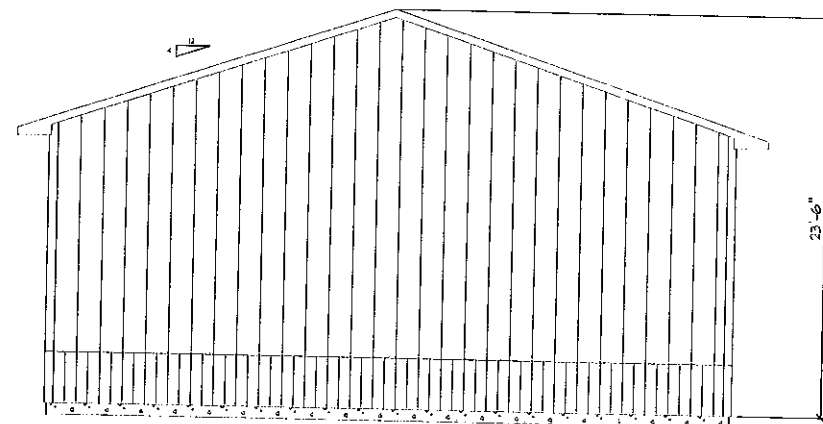
Henry Flack Patricia Flack
OWNER



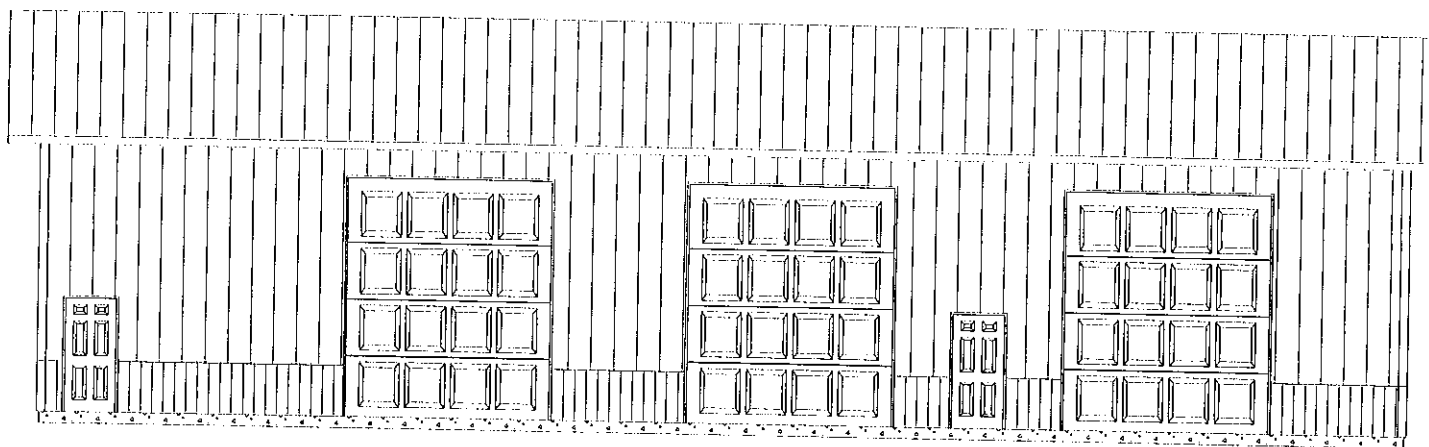
REAR ELEVATION



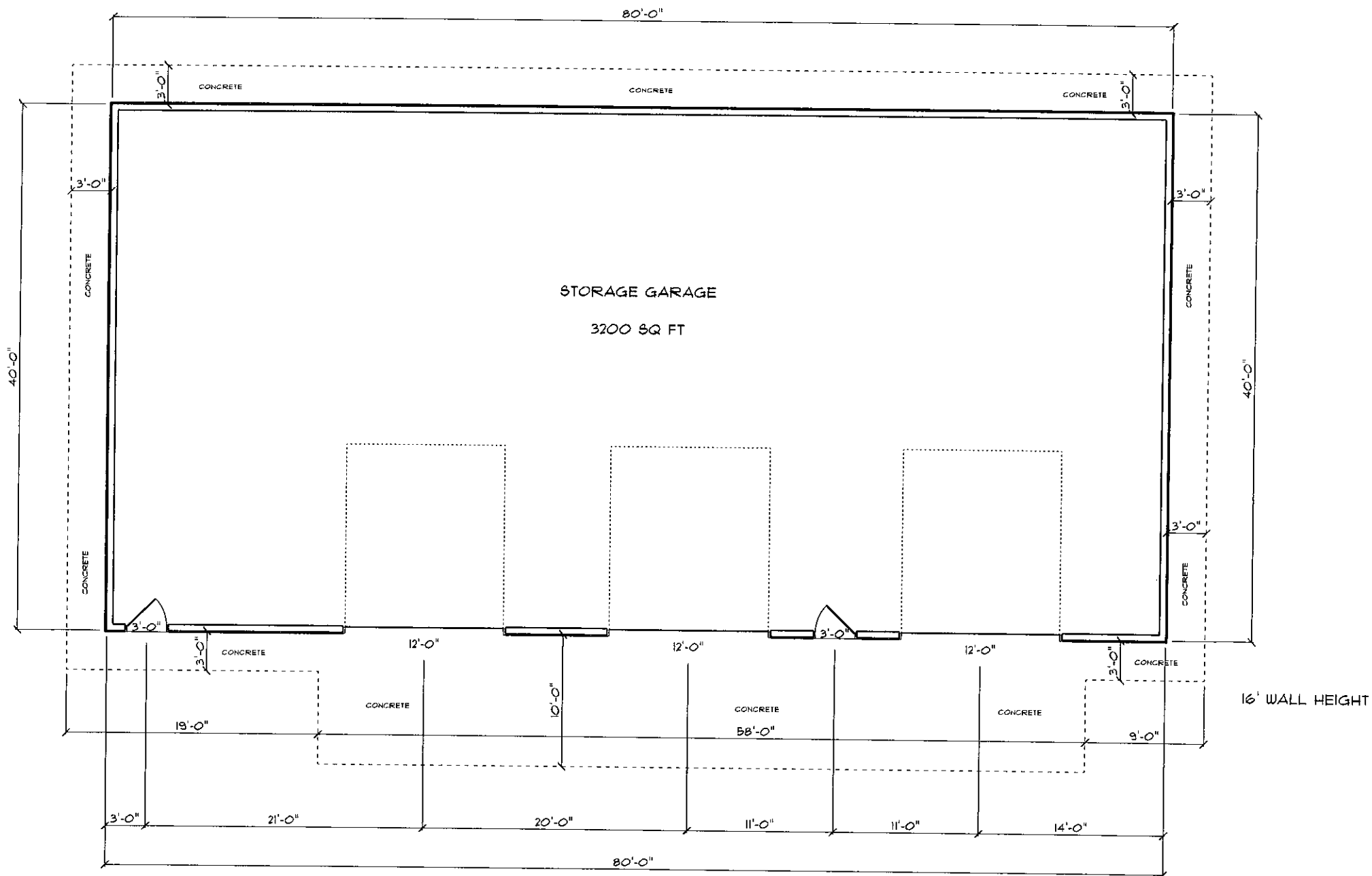
LEFT ELEVATION

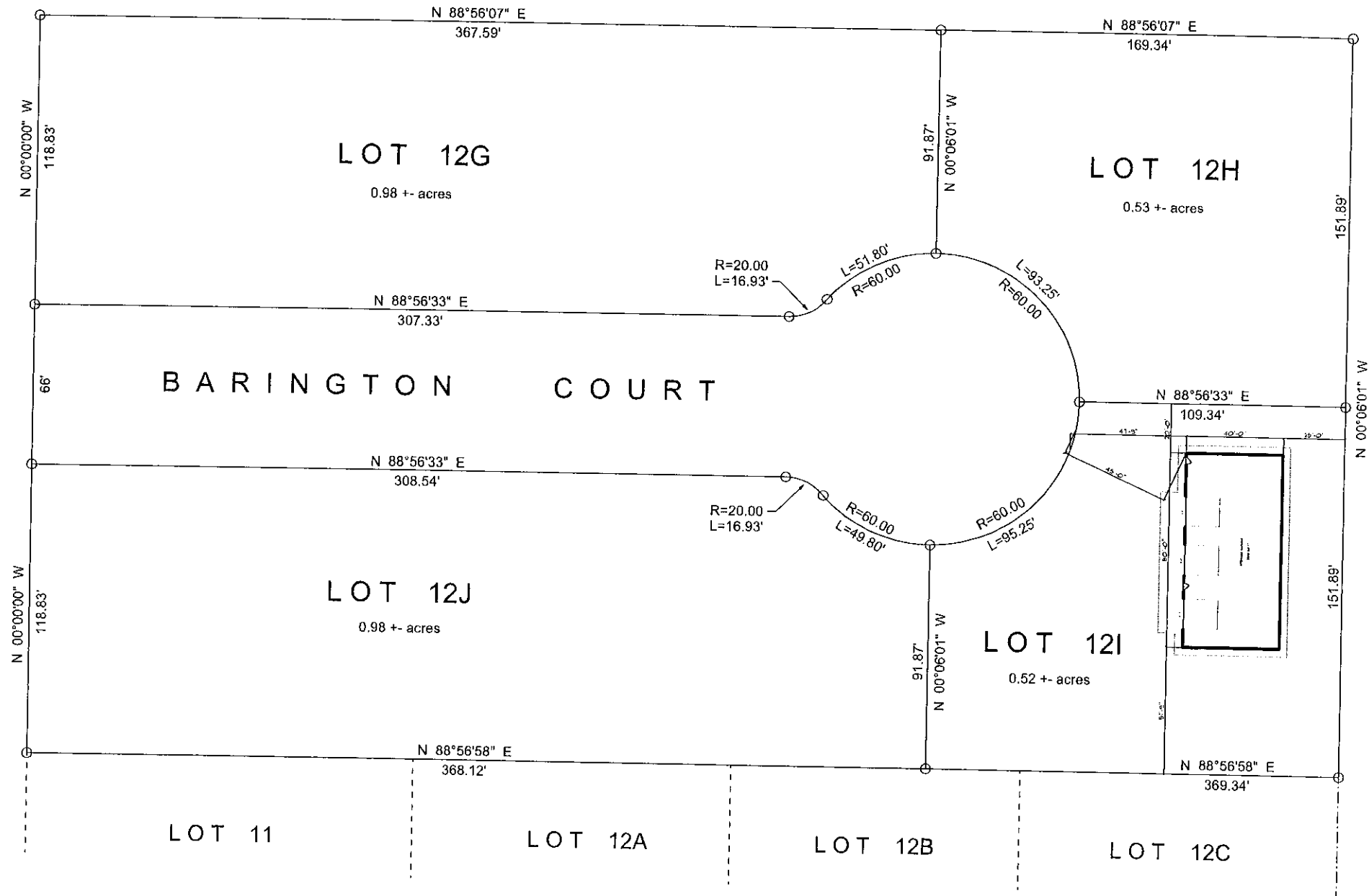


RIGHT ELEVATION



FRONT ELEVATION





A PLAT OF LOTS 12G, 12H, 12I, 12J AND BARINGTON COUNT WITHIN LOT 12 OF FIALA'S ADDITION IN THE EAST 1/2 OF THE NW 1/4 OF SECTION 4, T 103 N, R 60 W OF THE 5th P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

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 Henry & Patricia Flack have applied for a conditional use permit for construction of a non-contiguous building and the building would receive an oversize variance of 3,200 square feet vs 2,000 square feet and a height variance of 24 feet vs 22 feet as required and will be located on Barington Court, legally described as Lot 12I within Lot 12 of Fiala's Addition, in the East ½ of the NW ¼, Section 4, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned RL Residential Lake District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the Planning Commission on May 11, 2020 at 12:00 P.M and the Board of Adjustment on May 18, 2020 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.

Dated at Mitchell, South Dakota, this 24th day of April 2020.

Michelle Bathke

FINANCE OFFICER

Publish twice: April 29 & May 6, 2020

Approximate Cost:

April 28, 2020

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED, Henry & Patricia Flack have applied for a conditional use permit for construction of a non-contiguous building and the building would receive an oversize variance of 3,200 square feet vs 2,000 square feet and a height variance of 24 feet vs 22 feet as required and will be located on Barington Court, legally described as Lot12I within Lot 12 of Fiala's Addition, in the East ½ of the NW ¼, Section 4, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned RL Residential Lake District.

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I/We Robert + Sherri Porter
OWNER

5100 Fiala Rd Mitchell S.Dak
ADDRESS

X APPROVE

 DISAPPROVE

No response will indicate approval.

COMMENTS:

RANDY & SANDY CAHOY
133 N HARMON DR
MITCHELL SD 57301

KEITH & CAROL LEHR
129 N HARMON DR
MITCHELL SD 57301

DENNIS & MARY WAGNER
14375 PEACE RIVER WAY
PALM BEACH GARDEN FL 33418

PHILLIP & SHERRY BECKER
115 N HARMON DR
MITCHELL SD 57301

MARC & MARILYN BERNARD
145 N HARMON DR
MITCHELL SD 57301

JACK & PAMELA WINEGARDNER
3421 SW 38TH ST
WEST PARK FL 33208

B & D ENTERPRISES
21 S HARMON DR
MITCHELL SD 57301

ROBERT & SHERRY PORTER
5100 FIALA RD
MITCHELL SD 57301

HENTRY & PATRICIA FLACK
40 N HARMON DR
MITCHELL SD 57301

SCOTT & STACY GIBLIN
151 N HARMON DR
MITCHELL SD 57301

CUDMORE & KNEIFEL CONSTRUCTION
11504 MELCHERT PL
HILL CITY SD 57745

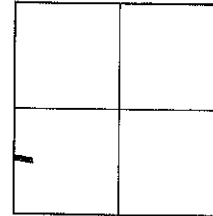




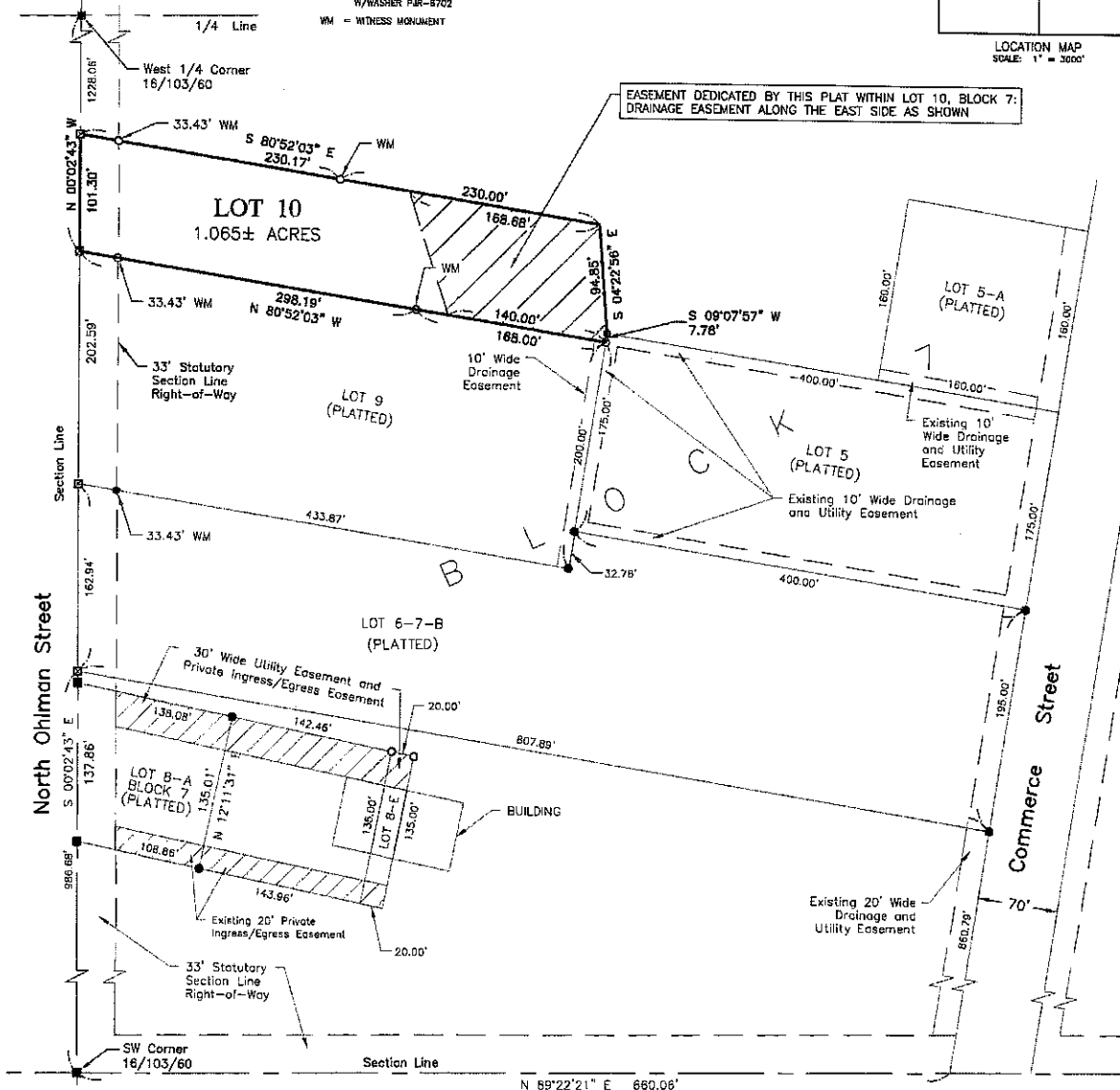
- = FOUND IRON MONUMENT
- = SET 5/8" x 18" REBAR WITH PLASTIC CAP NO. 6702
- (P) = PLATTED BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE
- ✕ = SET NAIL
- △ = SET SURVEY SPIKE
- (P) = PLATTED DISTANCE IN CHAINS
- = FOUND NAIL
- ◇ = SET 3/8" x 12" SPIKE W/ WASHIER PUR-8702
- WM = WITNESS MONUMENT

NOTE:
THIS SURVEY WAS PERFORMED WITHOUT
THE BENEFIT OF A TITLE REPORT OR TITLE
COMMITMENT. EASEMENTS OF RECORD WERE
NOT RESEARCHED AND ARE NOT SHOWN
UNLESS OTHERWISE NOTED.

SEC. 16, T 103 N, R 60 W



LOCATION MAP
SCALE: 1" = 3000'



SURVEYOR'S CERTIFICATE

Dated this _____ day of _____, 2020.

Registered Land Surveyor #SD6702



SPN

& Associates

Engineers, Planners and Surveyors

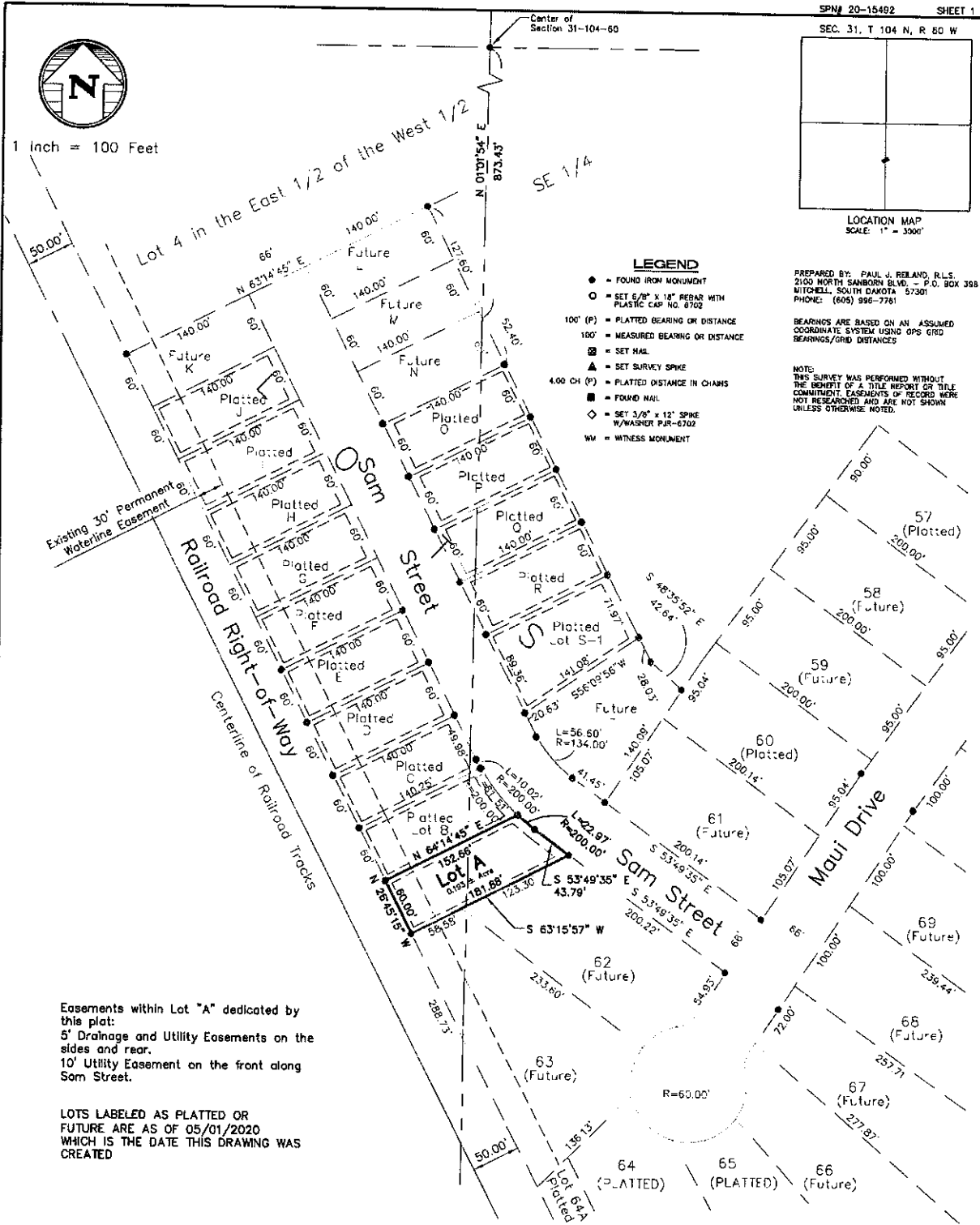
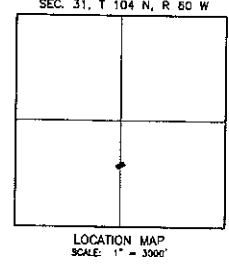
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

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





1 Inch = 100 Feet



A PLAT OF LOT A, A SUBDIVISION OF PREVIOUSLY PLATTED LOT S OF MAUI FARMS SECOND ADDITION, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA **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 Maui Farms Inc., a South Dakota corporation, as owner, and under its direction for purposes indicated therein, I did on or prior to April 30, 2020, survey those parcels of land described as follows: LOT A, A SUBDIVISION OF PREVIOUSLY PLATTED LOT S OF MAUI FARMS SECOND ADDITION, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

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 _____ day of _____, 2020.

Registered Land Surveyor #SD6702

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



A PLAT OF LOT A, A SUBDIVISION OF PREVIOUSLY PLATTED LOT S OF MAUI FARMS SECOND ADDITION, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE, DEDICATION AND AGREEMENT OF PROTECTION OF WATER

KNOW ALL MEN BY THESE PRESENTS that I, the undersigned, hereby certify that Maui Farms Inc., a South Dakota corporation, 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 LOT S OF MAUI FARMS SECOND ADDITION IN THE SE 1/4 OF SECTION 31 AND PREVIOUSLY PLATTED LOT 4 IN THE EAST 1/2 OF THE WEST 1/2 OF SECTION 31, T 104 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 Maui Farms Inc., a South Dakota corporation, and under its direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOT A, A SUBDIVISION OF PREVIOUSLY PLATTED LOT S OF MAUI FARMS SECOND ADDITION, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and Maui Farms Inc., a South Dakota 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 Lot A shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations; further that there now exists Sam Street. Pursuant to SDCL 11-3-8.1 and 11-3-8.2 the developer of the property described within this plat shall be responsible for protecting any waters of the state located adjacent to or within such platted area from pollution from sewage from such subdivision and shall, in prosecution of such protections conform to and follow all regulations of the South Dakota Department of Environment and Natural Resources relating to the same. Additionally, the developer of the property described within this plat shall be liable for any pollution that occurs from failure to execute such protections or follow such regulations, exception being those lots in subdivisions that show documentation that wastewater drainage shall be connected to a municipal system.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2020.

Charles J. Mauszycki, Jr., Vice President of Maui Farms, Inc.,
a South Dakota corporation

CORPORATION ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _____ day of _____, 2020, before me, _____, the undersigned officer, personally appeared Charles J. Mauszycki, Jr., of Maui Farms Inc., a South Dakota corporation, and that he, as such Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Vice President.

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 LOT A, A SUBDIVISION OF PREVIOUSLY PLATTED LOT S OF MAUI FARMS SECOND ADDITION, 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 LOT A, A SUBDIVISION OF PREVIOUSLY PLATTED LOT S OF MAUI FARMS SECOND ADDITION, 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.

The undersigned hereby certifies that the foregoing resolution was passed by the City Planning Commission of Mitchell, South Dakota, at a meeting thereof held on the _____ day of _____, 2020.

Chairperson/Vice-Chairperson of the City Planning Commission

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



A PLAT OF LOT A, A SUBDIVISION OF PREVIOUSLY PLATTED LOT S OF MAUI FARMS SECOND ADDITION, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

RESOLUTION OF CITY COUNCIL

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 _____, 2020; and

WHEREAS, it appears from an examination of the plat of LOT A, A SUBDIVISION OF PREVIOUSLY PLATTED LOT S OF MAUI FARMS SECOND ADDITION, 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;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOT A, A SUBDIVISION OF PREVIOUSLY PLATTED LOT S OF MAUI FARMS SECOND ADDITION, 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.

The undersigned hereby certifies that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the _____ day of _____, 2020.

Finance Officer/Deputy Finance Officer

CERTIFICATE OF COUNTY TREASURER

The undersigned hereby certifies 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 this office, have been fully paid.

Treasurer/Deputy Treasurer, Davison County

Date

DIRECTOR OF EQUALIZATION

The undersigned hereby certifies that a copy of the plat of LOT A, A SUBDIVISION OF PREVIOUSLY PLATTED LOT S OF MAUI FARMS SECOND ADDITION, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, has been received by me and is filed in this office.

Director of Equalization/Deputy Director of Equalization

Date

REGISTER OF DEEDS

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

FILED for record this _____ day of _____, 2020, at _____, and recorded in Book _____ of Plats on Page _____ therein and recorded on Microfilm Number _____.

Register of Deeds, Davison County

By _____

Deputy

SPN

& Associates

Engineers, Planners and Surveyors

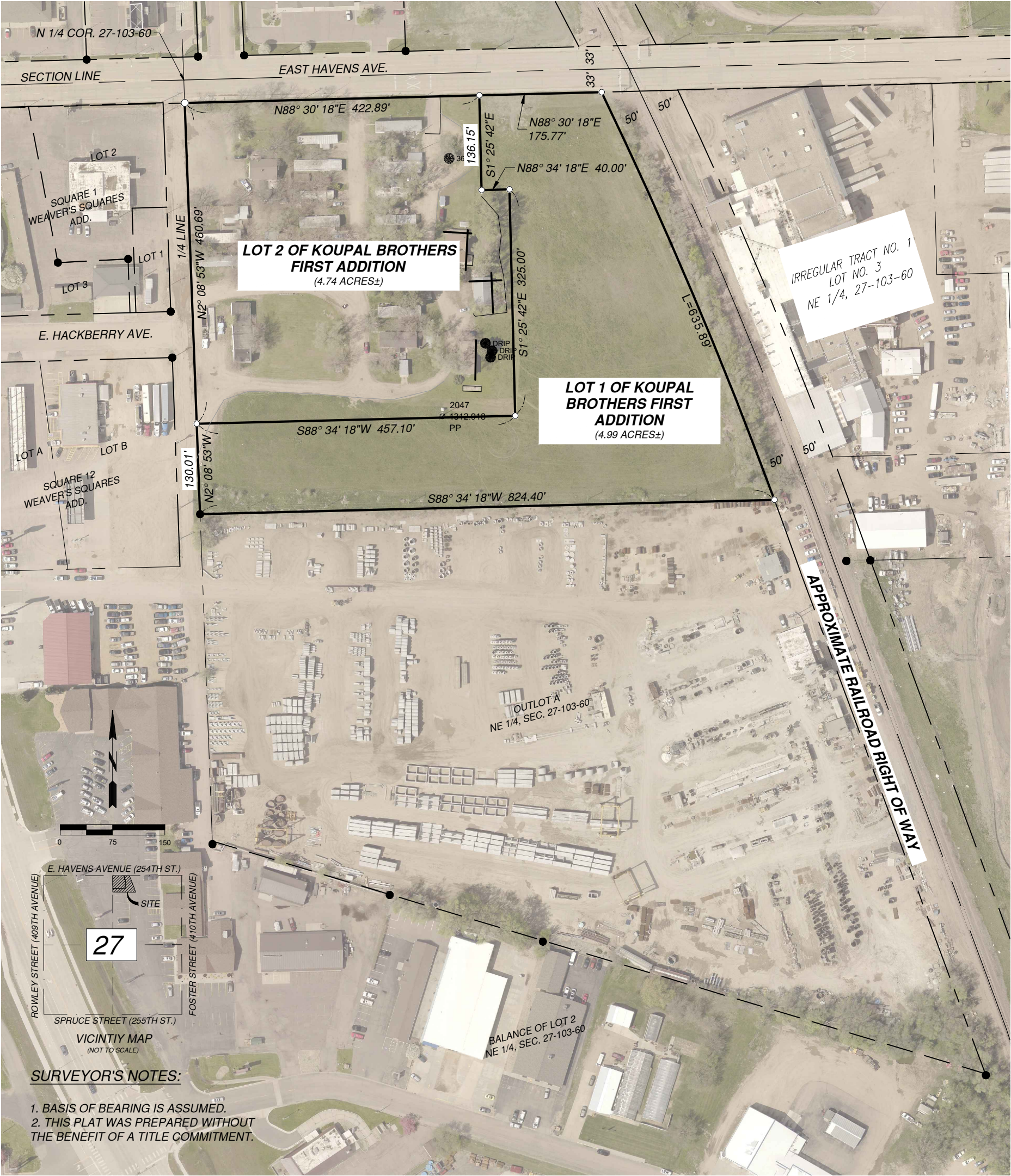
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Phone: (605) 996-7761 Fax: (605) 996-0015





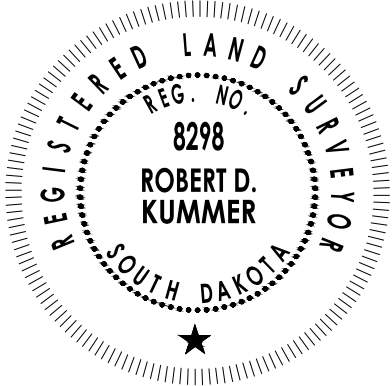
SHEET NO: 2 OF 2

LOT 1 AND LOT 2 OF KOUPAL BROTHER'S FIRST ADDITION
IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 27, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH. P.M.,
DAVISON COUNTY, SOUTH DAKOTA



SURVEYOR'S NOTES:

1. BASIS OF BEARING IS ASSUMED.
2. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.



SURVEYOR
ROBERT D. KUMMER, R.L.S.
INFRASTRUCTURE DESIGN GROUP, INC.
3241 E. BISON TRAIL
SIOUX FALLS, S.D. 57108
PHONE: 605-271-5527

OWNER
KOUPAL BROTHERS, LLC
32 N. HARMON DR.
MITCHELL, SD 57301

LEGEND

- PROPOSED PROPERTY LINE
- - - EXISTING PROPERTY LINE
- - - EXISTING R/WAY LINE
- - - EXISTING EASEMENT LINE
● FOUND SURVEY MONUMENT AS NOTED
○ SET NO.5 REBAR W/CAP RLS NO. 8298
△ CALCULATED POSITION



T Click text location.

Auto (Oblique) ▾ Dates: Latest ▾ < image 1 of 4 > 05/14/2019

