

CITY OF MITCHELL
CITY PLANNING COMMISSION AGENDA
COUNCIL CHAMBERS, CITY HALL, 612 N MAIN ST
JULY 27, 2020, 12:00 PM (NOON)

1. CALL TO ORDER:
2. ROLL CALL:
3. Declaration Of Conflicts Of Interests
4. APPROVE AGENDA:
5. Approval Of Minutes: July 13, 2020

Documents:

[PLANNINGCOMMINUTES7132020.PDF](#)

6. Schedule Next Meeting: August 10, 2020

7. Conditional Use Permit:

Skyler Sievert, applicant, and CJG Properties LLC, owner, have applied for a conditional use permit to operate a family residential childcare center at 809 N Wisconsin St, legally described as Lot 4, Block 52, Capital Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R4 High Density Residential District.

Documents:

[SIEVERTAPP.PDF](#)
[NOHSIEVERTCUP2020.PDF](#)
[SIEVERTNEIGHBORS.PDF](#)
[SIEVERTLETTER.PDF](#)
[AERIALSIEVERT.PDF](#)

8. Rezoning:

Steven Ahlers has requested the property legally described as W 56 feet of Outlot #7A, SW ¼ of Section 15, T 103 N, R 60 W, City of Mitchell, Davison County, South Dakota (126 W 15th Ave) from R2 Single Family Residential District to HB Highway Oriented Business District and he is requesting a front yard of variance of 20 feet vs 25 feet under R2 District, the HB District requires 30 feet, and a backyard variance of 15 feet the R2 District requires 25 feet, the HB District setback is 0. He wishes to construct a storage garage that may be used for personal and commercial use.

Documents:

[AHLERSAPP.PDF](#)
[REZONEORDAHLERS.PDF](#)
[AHLERSDRAWINGS.PDF](#)
[AHLERSAPPLETTER.PDF](#)
[NOHAHLERSVARREZONING2020.PDF](#)
[AHLERSNEIGHBOR.PDF](#)
[AHLERSLETTER.PDF](#)
[AERIALAHLERS.PDF](#)

9. Variance:

Steven Ahlers has requested the property legally described as W 56 feet of Outlot #7A, SW ¼ of Section 15, T 103 N, R 60 W, City of Mitchell, Davison County, South Dakota

(126 W 15th Ave) from R2 Single Family Residential District to HB Highway Oriented Business District and he is requesting a front yard of variance of 20 feet vs 25 feet under R2 District, the HB District requires 30 feet, and a backyard variance of 15 feet the R2 District requires 25 feet, the HB District setback is 0. He wishes to construct a storage garage that may be used for personal and commercial use.

10. Plat: Lots 1-5, EZ Green Acres Addition In The Southeast Quarter Of The Southwest Quarter Of The Southeast (SE 1/4SW1/4SE1/4) Of Section 3, T 103 N, R 60 W Of The 5th P.M., Davison County, South Dakota

(Name of Subdivision will be changed)

Documents:

[KIRKEGAARDPLAT.PDF](#)

[AERIALKIRKEGAARDPLAT.PDF](#)

11. OTHER BUSINESS:

12. 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.

13. 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
JULY 13, 2020**

NOT APPROVED

Chairman Larson called the July 13, 2020 meeting to order at 12:00 PM (Noon) in the Council Chambers, City Hall, 612 N Main St, Mitchell, SD.

Members Present: Larson, Genzlinger, Osterloo, Vaux, Jirsa, Penney, Molumby, and Allen
Members Absent: none

Staff Present: Putnam, J. Johnson, T. Johnson, Croce, Schroeder, Sandoval, London, and Mayor Everson

Brad Penney introduced himself as the newest member of the planning commission.

Election of Chairperson for a 1 year term from July, 2020 to July 2021. Motion by Molumby, seconded by Jirsa to nominate Jay Larson and that nominations cease and a unanimous ballot be cast. All members voting aye, with the exception of Larson abstaining. Motion carried.

Election of Vice- Chairperson for a 1 year term from July 2020 to July 2021. Motion by Osterloo, seconded by Jirsa to nominate Doug Molumby and that nominations cease and a unanimous ballot be cast. All members voting aye, with the exception of Molumby abstaining. Motion carried.

Declaration of conflicts of interest: none

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

Approval of minutes: June 22, 2020 Meeting. Motion by Jirsa, seconded Osterloo to approve the minutes of the June 22, 2020 Meeting. All members present voting aye, motion carried.

Schedule Next Meeting: Motion by Genzlinger, seconded by Molumby to schedule the next meeting for July 27, 2020. All members present voting aye, motion carried.

Plat: A Plat of Tract A of Stratton's Addition in the South 940.50 ' of the SW ¼ of Section 1, T 103 N, R 61 W of the 5th P.M., Davison County, South Dakota. The plat is outside the city's zoning jurisdiction, but within the 3 mile platting jurisdiction. Motion by Molumby, seconded by Jirsa to approve the plat. All members present voting aye, motion carried.

Plat: Lot 2 in Tract H, Wild Oak Golf Club Addition to the City of Mitchell, Davison County, South Dakota. This plat appears to follow the master plan. Motion by Osterloo, seconded by Molumby to approve the plat. All members present voting aye, motion carried.

Conditional Use Permit: Logan and Chelsey Smith have applied for a conditional use permit to operate a family residential childcare center in their home at 1008 E 7th Ave, legally described as Lot 13, Block 13, Wilkinson's Addition, City of Mitchell, Davison County, South Dakota. No one testified in opposition. The applicant was not present. No written objections were received. Letters to the neighbors were sent and a public notice was published in the official newspaper. The fire marshal has inspected the property. Motion by Genzlinger, seconded by Jirsa to recommend the Board of Adjustment approve the conditional use permit with two conditions; 1) the permit is not-transferable, 2) if the business ceases to operate for six months, then a new application would be required. All members present voting aye, motion carried.

Variance: Michael Miller has applied for a back yard variance of 13 feet vs 15 feet as required for replacing a detached garage that was destroyed by a fire located at 412 N Burr St, legally described as Lots 6A & 7A, Block 31, Cooley & Guernsey Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District. Mr. Miller was present. He said the fire was in December and he wishes to replace it just like it was before. No one testified in opposition and no written comments were received. Motion by Jirsa, seconded by Vaux to recommend the Board of Adjustment approve the variance. All members voting aye, motion carried.

Variance: Adam & Katie Koch have applied for a side yard variance of 3 feet vs. 8 feet as required for construction of a garage at 2212 Kelly Drive legally described as Lot 1 Ex W 150 feet, Country Living Estates, NE ¼, Section 14, T 103 N, R 60 W, Davison County, South Dakota. The applicant was not present. No one spoke in opposition and no written objections were received. Motion by Jirsa, seconded by Genzlinger to recommend approval of the variance. All members present voting aye, motion carried.

Discussion and Recommendation of Right-of-Way between 1419 and 1415 Firesteel Drive. Putnam provided the commission and map showing the location of a short alley that does have city utility lines installed. The city has received petitions from all three affected property owners and a hearing before the council has been scheduled for August. Staff recommends that easements be retained and that no construction be allowed on the vacated ROW. Motion by Molumby, seconded by Jirsa to recommend approval of the vacation request, with the conditions that easements be maintained and not construction. All members voting aye, motion carried.

Discussion and Recommendation of Right-of-Way 103 and 99 N Harmon Dr. Jason Bradley, owner of 103 N Harmon Dr, was present. It was discovered that a major gas line for Northwestern Energy is located within the ROW and is also on Mr. Bradley's property. The neighboring property owners have been maintaining the property. Putnam reported that is a platted ROW (street). The owner of the property to the east has not filed a petition. Larson suggested that it may not be appropriate to abandon this ROW for future planning and access. Croce indicated the same concern. Sandoval responded to questions about fire access. Motion by Vaux, seconded by Osterloo to recommend approval of the vacation; Roll Call, Vaux yes, Osterloo yes, Molumby no, Larson no, Penney no, Genzlinger no, Jirsa no. Two yes Five no, motion fails.

Discussion and Recommendation of Right-of-way: Ivy Ave ROW between S Kimball Street and S Lawler Street. Putnam indicated that he has received petitions from the adjoining property owners. The council will conduct a hearing in August. Larson asked about drainage and projects in the area. Commissioners expressed concern about abandoning the ROW at this time. Motion by Genzlinger, seconded by Jirsa to recommend denial of the vacation. Roll Call: Vaux yes, Larson yes, Jirsa yes, Genzlinger, Penney yes, Osterloo yes, Molumby yes. Motion carried.

Public Input: none

Chairman Larson adjourned the meeting at 12:40 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) Skyler Sievert (applicant) and CJG Properties LLC (owner) ~~Chelsey Smith~~ are making an application for a conditional use permit as required pursuant to the provisions of the City of Mitchell Zoning Code as amended.

This Application is for the following described real property:

Lot 4, Block 52, Capital Addition, City of Mitchell, Davison County, South Dakota; 809
N Wisconsin ~~Ave.~~
ST.

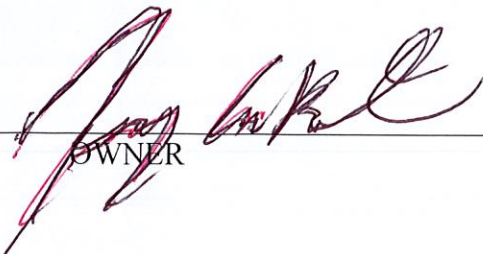
Applicant(s) Skyler Sievert of the above-described real estate is planning to operate a family residential child care center in her home. The said real property is zoned (R4) High Density Residential District.

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 19 of June, 2020.


APPLICANT


OWNER

NOTICE OF HEARING

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

You are hereby notified that Skyler Sievert, applicant, and CJG Properties LLC, owner, have applied for a conditional use permit to operate a family residential childcare center at 809 N Wisconsin St, legally described as Lot 4, Block 52, Capital Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R4 High Density Residential District.

The City Planning Commission will be conducting a hearing on this application on Monday, July 27, 2020 at 12:00 pm (noon) and the Board of Adjustment will be holding a hearing on Monday, August 3, 2020 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 9th day of July, 2020.

Michelle Bathke

Finance Officer

Publish Twice July 15, 2020 & July 22, 2020

Approximate Costs:

PHIL J & KAREN A RIEGER
821 N WISCONSIN
MITCHELL SD 57301

BRYAN VENNARD
817 N WISCONSIN
MITCHELL SD 57301

JAMES R & JILL H BEATON
811 N WISCONSIN
MITCHELL SD 57301

CJG PROPERTIES LLC
909 N MAIN ST
MITCHELL SD 57301

ROBIDEAU CONSTRUCTION
305 W 6TH
MITCHELL SD 57301

RANDY J & DEBBIE SEEZS
519 W 9TH
MITCHELL SD 57301

COREY DEGEN
814 N WISCONSIN
MITCHELL SD 57301

ADAM CLARK
417 E SWITCH GRASS TRAIL
BRANDON SD 57005

RHONDA KING
802 N WISCONSIN
MITCHELL SD 57301

DAKOTA COUNSELING
910 W HAVENS
MITCHELL SD 57301

July 15, 2020

To Whom It May Concern:

You are hereby notified that Skyler Sievert, applicant, and CJG Properties LLC, owner, have applied for a conditional use permit to operate a family residential childcare center at 809 N Wisconsin St, legally described as Lot 4, Block 52, Capital Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R4 High Density Residential District.

The City Planning Commission will be conducting a hearing on this application on Monday, July 27, 2020 at 12:00 pm (noon) and the Board of Adjustment will be holding a hearing on Monday, August 3, 2020 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.

I/We Debbie Seeger
OWNER

519 W. 9th Mitchell, SD 57301
ADDRESS

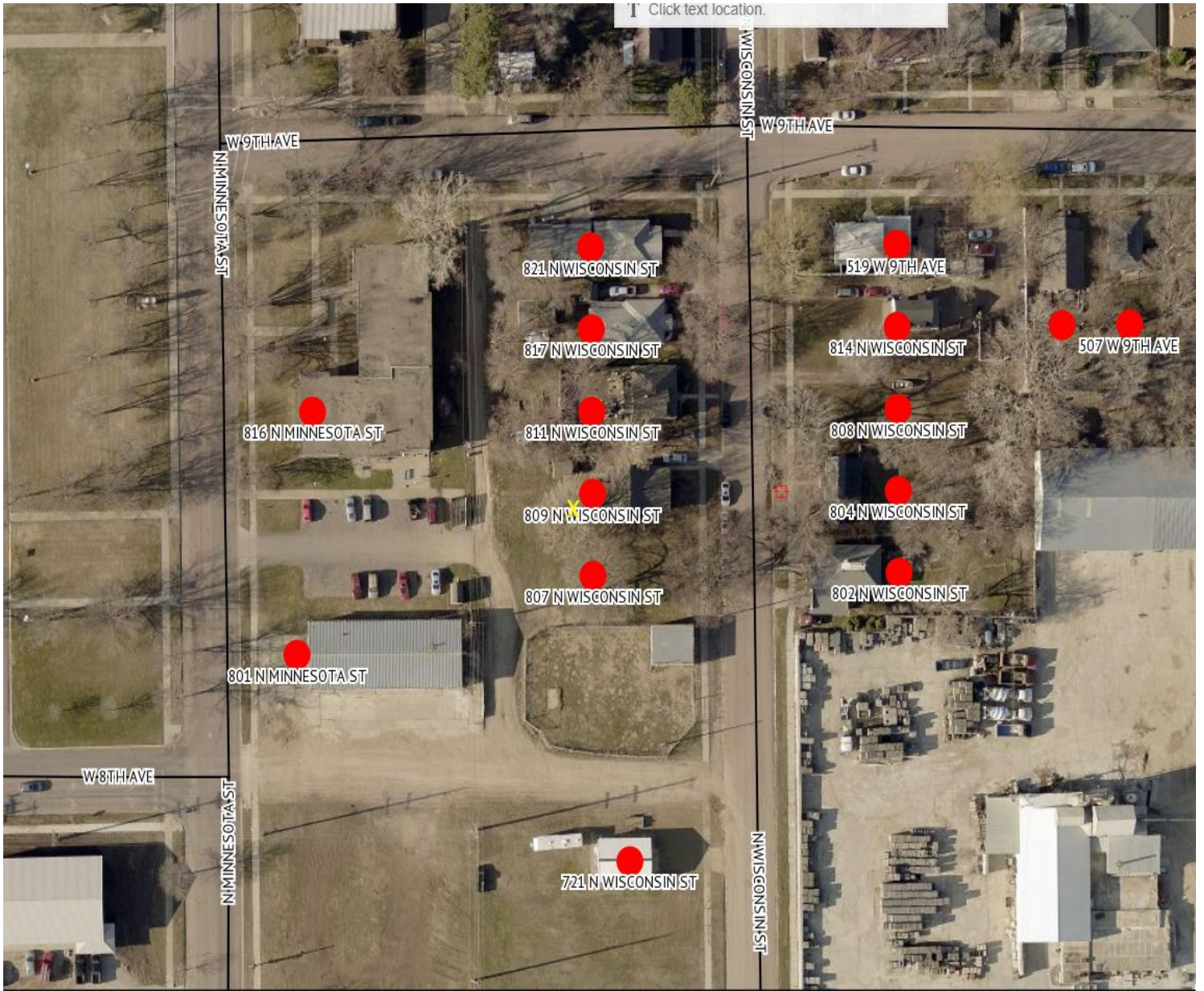
 APPROVE

X DISAPPROVE

No response will indicate approval.

COMMENTS:

The corner of 9th & Wisconsin is bad enough without the added traffic. People are always speeding on Wisconsin street as it is. People also have a habit of not stopping at the stop sign on 9th.



APPLICATION FOR VARIANCE AND REZONNG

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

The undersigned applicant(s) STEVEN AHLERS is making an application for variances and rezoning real property to the provisions of the City of Mitchell Zoning Code as amended.

This Application is for the following described real property:

W 56' of Outlot #7, SW ¼ of Section 15, T 103 N, R 60 W, City of Mitchell, Davison County, South Dakota (126 W 15th Ave)

Rezoning from R2 Single Family Residential District to HB Highway Oriented Business District and he is requesting a front yard of variance of 20 feet vs 25 feet under R2 District, the HB District requires 30 feet, and a backyard variance of 15 feet the R2 District requires 25 feet, the HB District setback is 0. He wishes to construct a storage garage that may be used for personal and commercial use.

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 10 of July, 2020.



APPLICANT



OWNER

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF MITCHELL, THAT CHANGES THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS; The W 56 feet of Outlot #7A, SW ¼ of Section 15, T 103 N, R 60 W, City of Mitchell, Davison County, South Dakota (126 W 15th Ave) from R2 Single Family Residential District to HB Highway Oriented Business District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.

BE IT ORDAINED BY THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA:

Section 1: THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS; The W 56 feet of Outlot #7A, SW ¼ of Section 15, T 103 N, R 60 W, City of Mitchell, Davison County, South Dakota (126 W 15th Ave) from R2 Single Family Residential District to HB Highway Oriented Business District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.

Section 2. The City Finance Officer shall publish notice of this ordinance and the same shall be effective 20 days after the completed publication thereof, unless the referendum shall be invoked as provided by law.

Passed and approved this the 17th day of August, 2020.

MAYOR

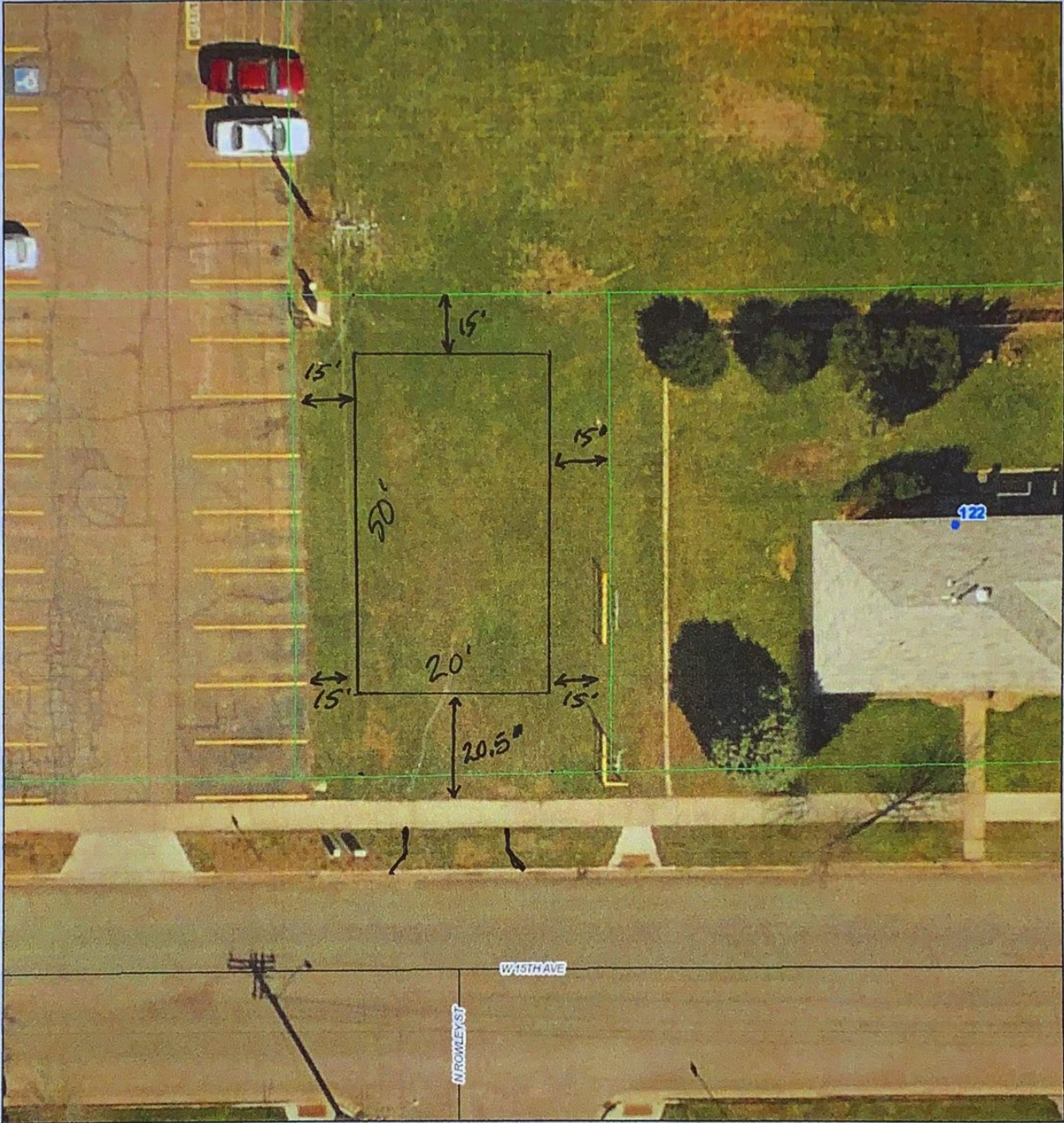
ATTEST:

FINANCE OFFICER

{SEAL}

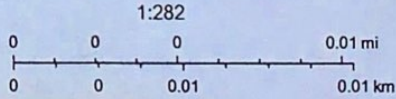
FIRST READING: August 3, 2020
SECOND READING: August 17, 2020
ADOPTION: August 17, 2020

DAVISON COUNTY WEB VIEWER

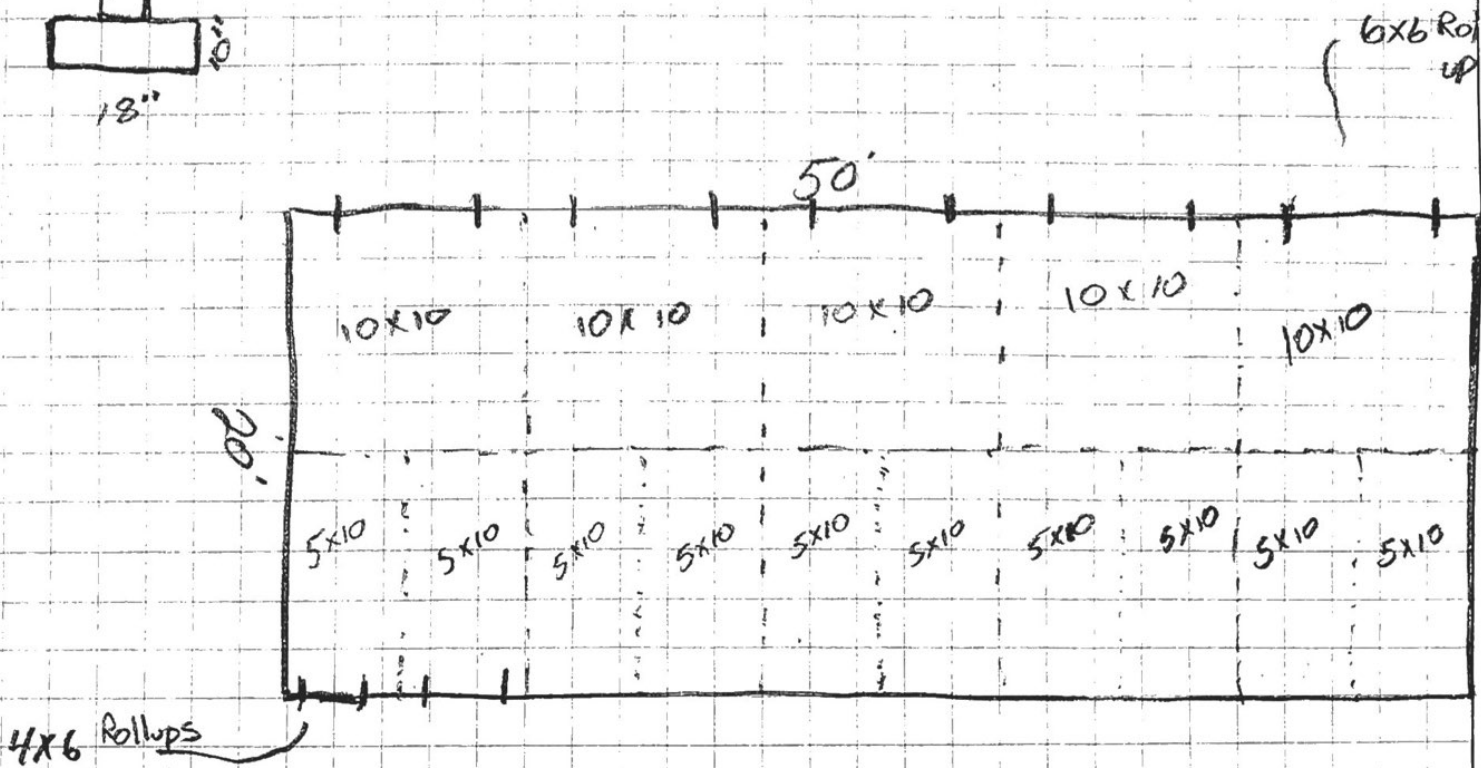
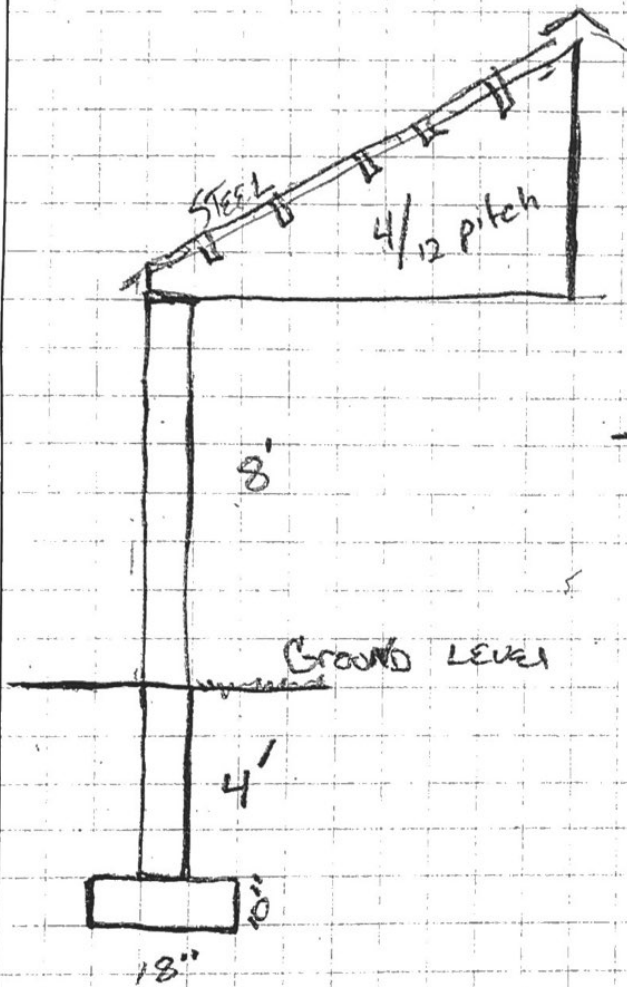


3/6/2020, 11:44:47 AM

- ADDRESS POINT
- ROADS
- PARCEL
- ETHAN CITY LIMITS
- MT VERNON CITY LIMITS
- MITCHELL CITY LIMITS



2x4 WALLS
2x6 LAM POLES



Variance and Rezoning Request

To Whom It May Concern:

I am asking for rezoning of this property from residential to commercial due to future planning and the possibility of building a commercial structure there for self storage purposes but don't want to limit myself for future planning if I want us it for personal use in the future.

I am asking for multiple variances due to the fact that this is a very small area and there are multiple utililies that are surrounding the property that have to be worked around and will also be doing a curb knockout for road access to the property.

The building will be mostly steel with partial brick façade colored to match neighboring structures for aesthetics.

If you have any further questions please let me know.

Thanks you for your consideration.

Steve Ahlers

NOTICE OF HEARING

To: The City of Mitchell Planning Commission, Board of Adjustment, City Council, and the general public:

YOU ARE HEREBY NOTIFIED, that Steven Ahlers has requested the property legally described as W 56 feet of Outlot #7A, SW $\frac{1}{4}$ of Section 15, T 103 N, R 60 W, City of Mitchell, Davison County, South Dakota (126 W 15th Ave) from R2 Single Family Residential District to HB Highway Oriented Business District and he is requesting a front yard of variance of 20 feet vs 25 feet under R2 District, the HB District requires 30 feet, and a backyard variance of 15 feet the R2 District requires 25 feet, the HB District setback is 0. He wishes to construct a storage garage that may be used for personal and commercial use.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission will consider the variance and rezoning request on July 27, 2020, 12:00 PM (Noon) and the Board of Adjustment will consider the variance request on August 3, 2020 at 6:00 PM. The City Council will consider first reading of the rezoning request on August 3, 2020 at 6:00 PM and consider second reading and adoption of the rezoning request on August 17, 2020 at 6:00 pm, all meeting will be 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 requests.

Dated at Mitchell, South Dakota, this 10th day of July, 2020.

Michelle Bathke

FINANCE OFFICER

Publish once: July 15, July 22, and August 5, 2020

Approximate Cost:

PRILL FAMILY TRUST
1501 N MAIN
MITCHELL SD 57301

PATRICIA HOHBACH TRUST
122 W 15TH
MITCHELL SD 57301

SBB DEVELOPERS LLC
105 S MAIN AVE
SIOUX CENTER IA 51250

MELVIN & BRENDA EILTS
821 KYNETTE PL
MITCHELL SD 57301

STEVE AHLERS
1414 N ROWLEY
MITCHELL SD 57301

DENNIS & WYONNE KAEMINGK
1312 MITCHELL BLVD
MITCHELL SD 57301

JAMES & SHAWN MILES
1419 N ROWLEY
MITCHELL SD 57301

GEORGE & LAUREL HARTWIG
1415 N ROWLEY
MITCHELL SD 57301

KODY & HEATHER DOERR
211 W 15TH
MITCHELL SD 57301

JOHN & LINDA MCLEOD
1307 RIDGE RD
MITCHELL SD 57301

FIRST BANK OF SD
ATTN: METRO0061
2800 E LAKE ST LAKE 0012
MINNEAPOLIS MN 55406

CAMDEN & SHERRY HOFER
1408 N ROWLEY
MITCHELL SD 57301

THERESA GOTTLOB
1409 N ROWLEY
MITCHELL SD 57301

July 15, 2020

To Whom It May Concern:

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I/We Dir Roger Trilk
OWNER

1501 N Main
ADDRESS

☒ APPROVE

☐ DISAPPROVE

No response will indicate approval.

COMMENTS:



SHEET NO: 1 OF 1

LOTS 1 - 5, EZ GREEN ACRES ADDITION

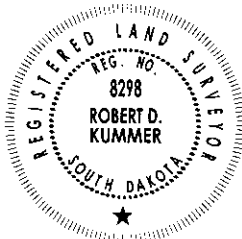
IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4 SW 1/4 SE 1/4) OF SECTION 3, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, ROBERT D. KUMMER, A REGISTERED LAND SURVEYOR OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT I DID ON OR BEFORE JULY 15, 2020, FOR THE PURPOSE OF PLATTING FOR CONVEYANCE, DID SURVEY THAT PORTION AS SHOWN OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4 SW 1/4 SE 1/4) OF SECTION 3, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA AS SHOWN ON THE ABOVE PLAT, THE SAME SHALL HEREAFTER BE KNOWN AND DESCRIBED AS **LOTS 1 - 5, EZ GREEN ACRES ADDITION IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4 SW 1/4 SE 1/4) OF SECTION 3, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.**

DATED THIS ____ DAY OF _____, 2020.

ROBERT D. KUMMER
REGISTERED LAND SURVEYOR NO. 8298



OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL LAND INCLUDED IN THE ABOVE PLAT AND THAT SAID PLAT HAS BEEN MADE AT OUR REQUEST AND IN ACCORDANCE WITH OUR INSTRUCTIONS FOR THE PURPOSE OF TRANSFER, AND THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND EROSION AND SEDIMENT CONTROL LAWS, ORDINANCES, AND REGULATIONS, 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 WATER 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 REGULATION 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.

WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER THE STREETS, ROADS AND ALLEYS, AND PARKS AND PUBLIC GROUNDS, IF ANY, AS SHOWN ON SAID PLAT, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATER DISTRIBUTION LINES, SIDEWALKS, AND OTHER IMPROVEMENTS ON OR UNDER THE STREETS, ALLEYS, PARKS AND PUBLIC GROUNDS WHETHER SUCH IMPROVEMENTS ARE SHOWN OR NOT. WE ALSO HEREBY GRANT EASEMENTS TO RUN WITH THE LAND FOR WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICE UNDER, ON, OR OVER THOSE STRIPS OF LAND DESIGNATED HEREON AS EASEMENTS.

DATED THIS ____ DAY OF _____, 2020.

COLIN KIRKEGAARD, PARTNER
EZ GREEN ACRES (OWNER)

STATE OF: SOUTH DAKOTA;
COUNTY OF: DAVISON;

ON THIS ____ DAY OF _____, 2020, BEFORE ME, _____, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED, COLIN KIRKEGAARD, WHO ACKNOWLEDGED HIMSELF TO BE ONE OF THE PARTNERS OF EZ GREEN ACRES, LLC, A PARTNERSHIP, AND THAT HE, AS SUCH PARTNER, BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED, BY SIGNING THE NAME OF PARTNERSHIP BY HIMSELF AS A PARTNER.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL THIS

____ DAY OF _____, 2020.

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES: _____

OWNER'S CERTIFICATE (CONT.)

DATED THIS ____ DAY OF _____, 2020.

JOSE RINCONES, PARTNER
EZ GREEN ACRES (OWNER)

STATE OF: SOUTH DAKOTA;
COUNTY OF: DAVISON;

ON THIS ____ DAY OF _____, 2020, BEFORE ME, _____, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED, JOSE RINCONES, WHO ACKNOWLEDGED HIMSELF TO BE ONE OF THE PARTNERS OF EZ GREEN ACRES, LLC, A PARTNERSHIP, AND THAT HE, AS SUCH PARTNER, BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED, BY SIGNING THE NAME OF PARTNERSHIP BY HIMSELF AS A PARTNER.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL THIS

____ DAY OF _____, 2020.

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES: _____

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, THE PLAT OF **LOTS 1 - 5, EZ GREEN ACRES ADDITION IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4 SW 1/4 SE 1/4) OF SECTION 3, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA**, HAS BEEN SUBMITTED TO THE CITY PLANNING COMMISSION OF 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 1 - 5, EZ GREEN ACRES ADDITION IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4 SW 1/4 SE 1/4) OF SECTION 3, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA** 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/VICE 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 _____, 2020.

CHAIRMAN/VICE CHAIRMAN CITY PLANNING COMMISSION

PREPARED BY:

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LOTS 1 - 5, EZ GREEN ACRES ADDITION
IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4 SW 1/4 SE 1/4) OF SECTION 3, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

PROJ. NO.: 20109
DATE: 7/15/2020
DRAWN BY: RDK
CHECKED BY: RDK
SHEET NO.: 2 OF 3

PROJ. NO.: 20109
DATE: 7/15/2020
DRAWN BY: RDK
CHECKED BY: RDK
SHEET NO: 3 OF 3



Dates: Latest ▾ 04/05/2020 - 04/21/2020