

CITY OF MITCHELL  
CITY PLANNING COMMISSION AGENDA  
COUNCIL CHAMBERS, CITY HALL, 612 N MAIN ST  
OCTOBER 13, 2020 (TUESDAY), 12:00 PM, NOON

1. CALL TO ORDER:
2. ROLL CALL:
3. Declaration Of Conflicts Of Interests
4. APPROVE AGENDA:
5. Approval Of Minutes: September 28, 2020

Documents:

[PLANNINGCOMMINUTES9282020.PDF](#)

6. Schedule Next Meeting: October 26, 2020

7. Variance: Stacy & LaVonne Murtha, 2700 Mentzer Court

*Stacy & LaVonne Murtha have applied for a height variance of 25 feet vs. 17 feet as required for construction of a detached garage at 2700 Mentzer Court, legally described as Lots 8, Block 3, Woodland Heights 1st Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Woodland Heights Planned Development District.*

Documents:

[APPMURTHA.PDF](#)  
[NOHMURTHAVAR2020.PDF](#)  
[STACY MURTHA GARAGE 9-21-20 ELEVATIONS 24X36.PDF](#)  
[STACY MURTHA GARAGE 9-21-20 PLAN 24X36.PDF](#)  
[STACY MURTHA GARAGE 10-1-20 SITE.PDF](#)  
[MURTHANEIGHBORS.PDF](#)  
[AERIALMURTHA2020.PDF](#)

8. Variance: Steven & Roberta McCullough, 101 & 103 N Minnesota St

*Steven & Roberta McCullough have applied for a back yard variance of 1 foot vs 5 feet, height variance of 26 feet v 22 feet, and an oversize variance of 2,630 square feet vs 2,000 feet as required for construction of a detached garage located at 103 N Minnesota, legally described as Lots 11, 12, & 13, Block 90, Lawler's 2nd Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned (R2) Single Family Residential District.*

Documents:

[APPMCCULLOUGH.PDF](#)  
[PLANMCCULLOUGH.PDF](#)  
[NOHMCCULLOUGHVAR2020.PDF](#)  
[MCCULLOUGHNEIGHBORS.PDF](#)  
[MCULLOUGHLETTERS.PDF](#)  
[AERIALMCCULLOUGH2020VAR.PDF](#)

**9. OTHER BUSINESS:**

- 10. 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.

**11. 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  
SEPTEMBER 28, 2020**

**NOT APPROVED**

Chairman Larson called to order the September 28, 2020 City Planning Commission Meeting to order at 12:00 pm (Noon) in the Council Chambers, City Hall, 612 N. Main St, Mitchell, SD

Members Present: Larson, Jirsa, Osterloo, Penney and Molumby

Members Absent: Genzlinger, Vaux and Allen

Staff Present: Putnam, Croce, T. Johnson, Schroeder, J. Johnson

Declaration of Conflicts of Interest: none

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

Approval of Minutes: September 14, 2020 correction on page one last paragraph; 'Roll Call: Larson yes, ~~Molumby~~ yes, Genzlinger yes, Jirsa yes, Vaux yes, Osterloo yes, Penney yes, Molumby no, 6 yes 1 no, Motion Carried. Motion by Jirsa, seconded by Molumby to approve the corrected minutes. All members present voting aye, motion carried.

Schedule Next Meeting: Motion by Osterloo, seconded by Jirsa to schedule the next meeting for Tuesday, October 13, 2020. All members present voting aye, motion carried.

Review of 2019 Conditional Use Permit: Christy Duba, 113 W Douglas Ave, legally described as the E ½ of Lots 11 & 12, Block 12, Van Eps 1<sup>st</sup> Addition. Last year the planning commission and the board of adjustment approved the conditional use permit for an indoor recreational facility with the following conditions; a code review be completed and the applicants come back in one year for a review. Putnam reported that no issue or complaints have been reported to the office and the applicants have not reported any concerns as well. Motion by Jirsa, seconded by Osterloo to report to the Board of Adjustment that the permit be approved with no conditions. All members present voting aye, motion carried.

Plan Approval: 1321 S Burr St, HB District "Starbucks". Mark Wittenburg, Batis Development, provided an overview (by phone) of the project. The store will be a bit larger than the typical types, as the hope this business becomes a gathering space. The buildings are of prefab construction and will be coming from Minnesota. The frame of the building will take about 3 days to construct and the interior finish and furnishings about 90 days to complete. The owners hope to commence construction before the end of the year. Additional plans are forthcoming. Staff has reviewed the plan and do not have any issues at this time. Motion by Jirsa, seconded by Molumby to approve the plan. All members present voting aye, motion carried.

Plan Approval: Taco Bell, 2000 S Burr St, HB District. Brian Davies, Nate Wenger (representatives of the owner) and John Beck, contractor, were available by phone to explain the project. The project consist of an upgrade to the exterior, new signage, 8' x 14' addition, new restrooms, more storage and other improvements. Motion by Jirsa, seconded by Osterloo to approve the plans. All members present voting aye.

Plat: A Plat of Tract P of Wild Oak Golf Addition in the NW ¼ of Section 23, T 103 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota. Robert Kummer, Surveyor with Infrastructure, was available for questions. He reported that the purpose of the plat is just for conveyance at this time. There are no immediate development plans. The Register of Deeds suggested that the legal description reference Tracts 3A and 4. Kummer concurred and will revised the legal description. This property is outside the city limits, thus the county has to review the plat as well. Roll Call: Osterloo yes, Molumby yes, Jirsa yes, Penney yes, Larson yes. 5 Yes 0 no 2 absent. Motion carried.

Other business: none

Public Input: none

Chairman Larson adjourned the meeting at 12:31 pm.

---

---

## 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) Stacy and Lavonne Murtha are hereby making an application for a height variance of 25 feet vs 17 feet as required for construction of a detached garage pursuant to the provisions of the City of Mitchell Zoning Code as amended.

This Application is for the following described real property:

Lot 8, Block 3, Woodland Heights 1<sup>st</sup> Addition, City of Mitchell, Davison County, South Dakota (2700 Mentzer Court

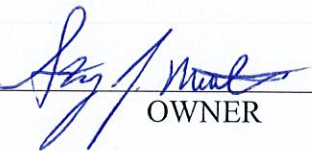
The said real property is zoned (PD) Woodland Heights Planned Development District

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 2<sup>nd</sup> of October, 2020.

  
\_\_\_\_\_  
APPLICANT

  
\_\_\_\_\_  
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 Stacy & LaVonne Murtha have applied for a height variance of 25 feet vs. 17 feet as required for construction of a detached garage at 2700 Mentzer Court, legally described as Lots 8, Block 3, Woodland Heights 1<sup>st</sup> Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Woodland Heights Planned Development District.

**YOU ARE FURTHER NOTIFIED**, that public hearings will be held by the City Planning Commission on October 13, 2020, 12:00 P.M. (Noon) and the Board of Adjustment on October 19, 2020 at 6:00 P.M., at 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.

Dated at Mitchell, South Dakota, this 1<sup>st</sup> day of October, 2020.

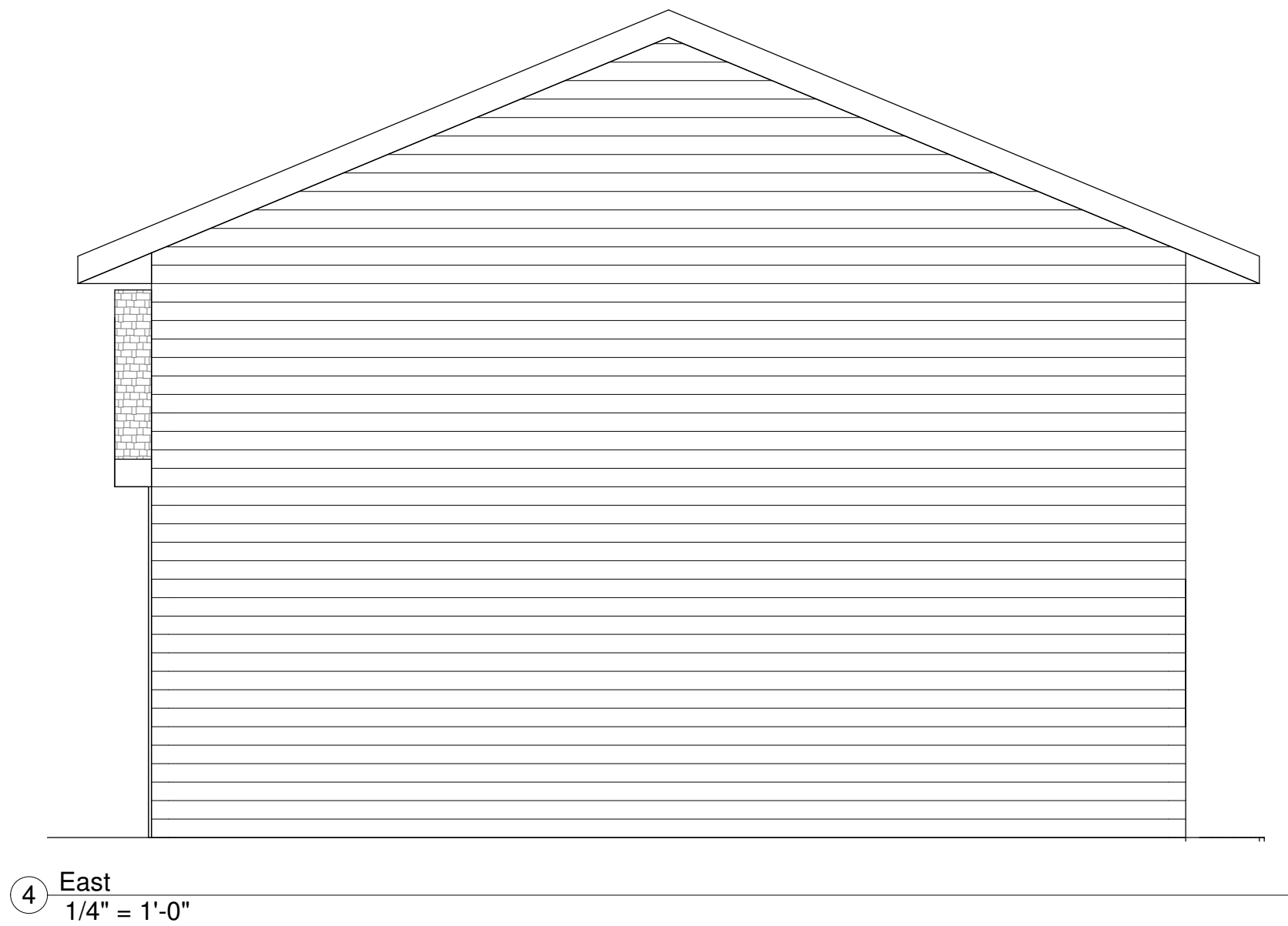
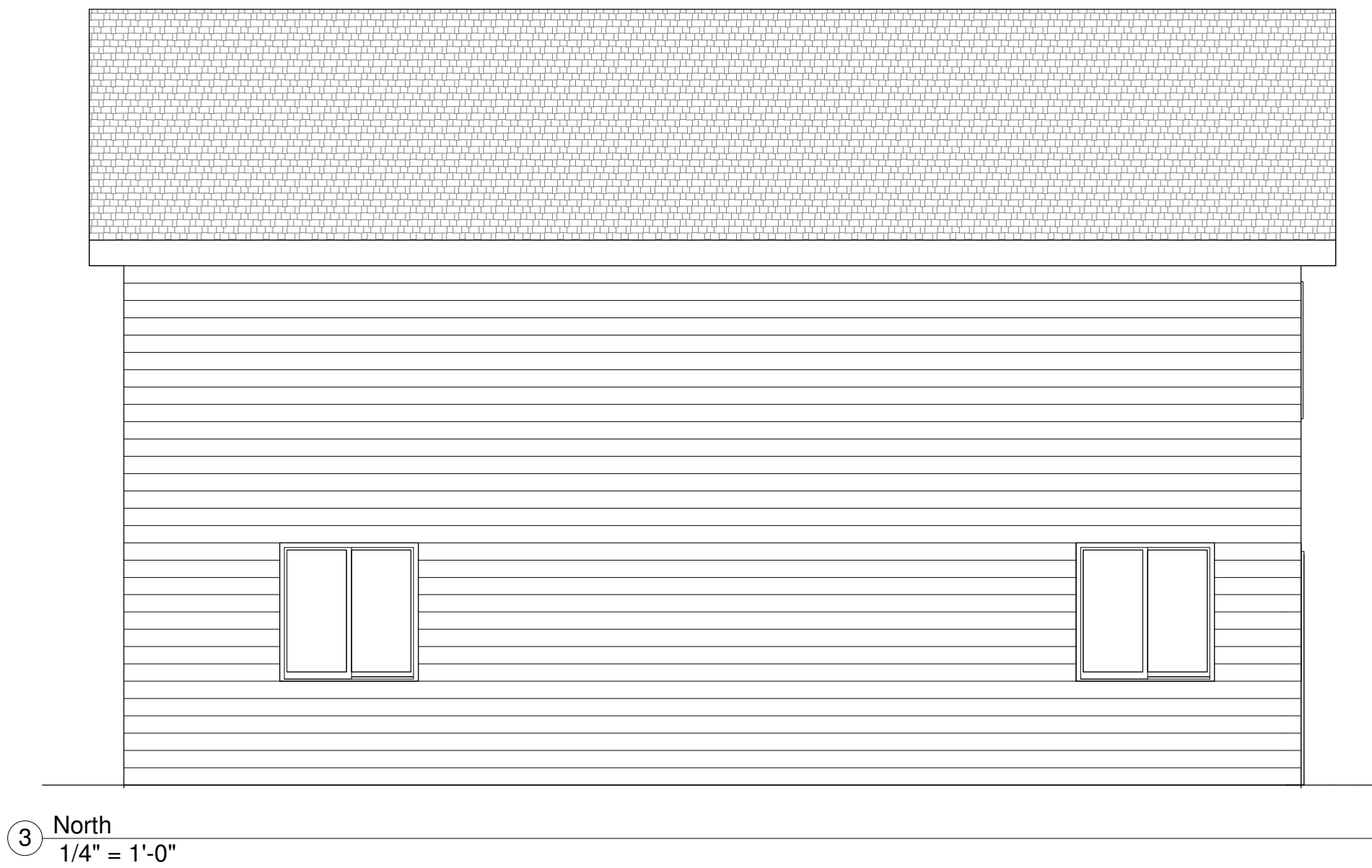
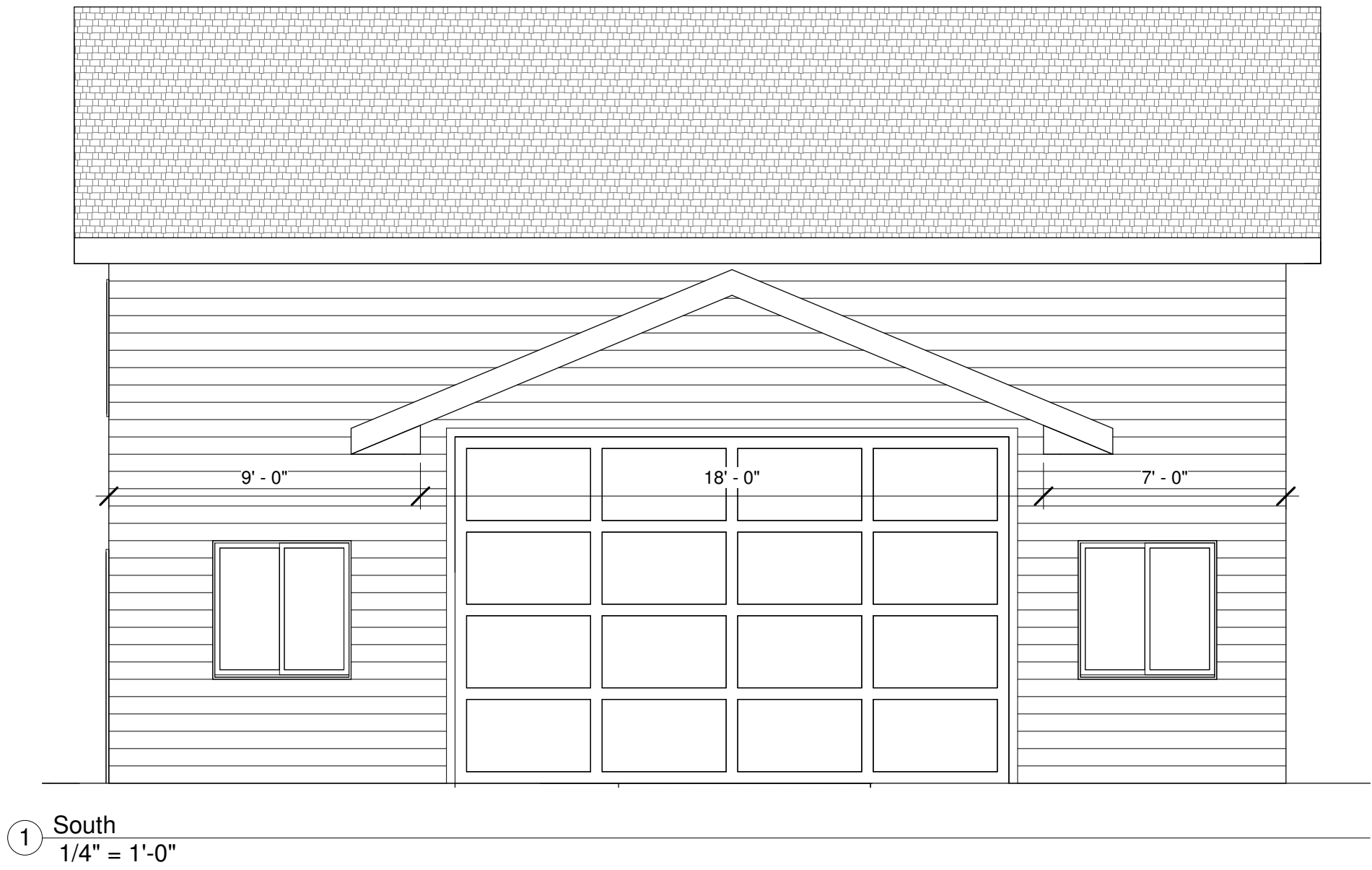
Michelle Bathke

---

FINANCE OFFICER

Publish once: October 7, 2020

**Approximate Cost:**



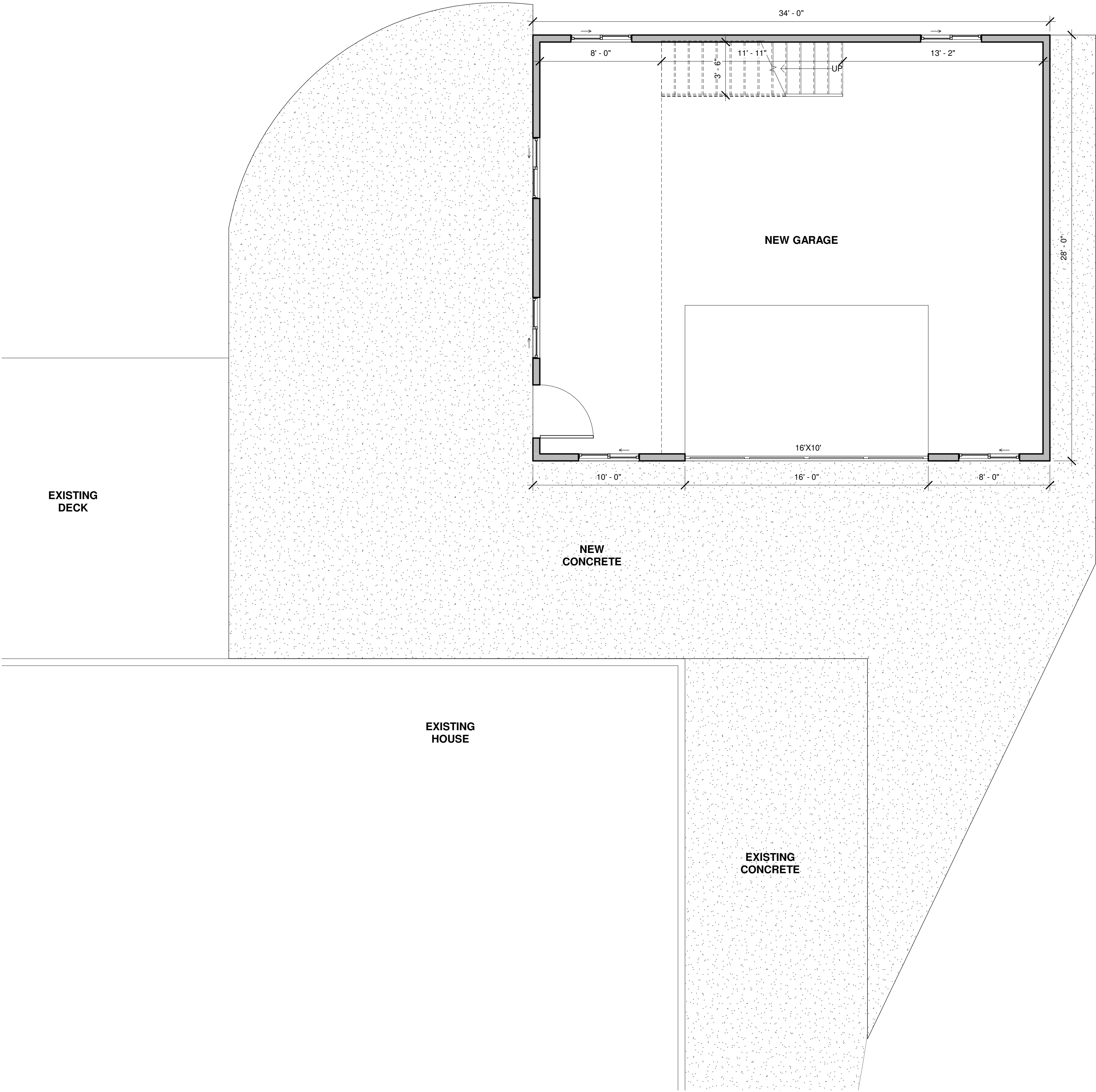
|                            |              |
|----------------------------|--------------|
| Square Footage for House:  | -            |
| Perimeter for House:       | -            |
| Square Footage for Garage: | 952          |
| Perimeter for Garage:      | -            |
| A2                         |              |
| Scale:                     | 1/4" = 1'-0" |

P.O. Box 167 117 West Ash Street  
 Elhan, SD 57334  
 Office: (605) 227-4224  
 Fax: (605) 227-4225  
 www.ethancooplumber.com



Stacy Murtha

|               |                    |
|---------------|--------------------|
| Date Revised: | September 17, 2020 |
| Sheet Name:   | Elevations         |
| Wall Height:  | 15'                |
| Truss Depth:  | 8'                 |
| Drawn By:     | Ashley Gunnare     |



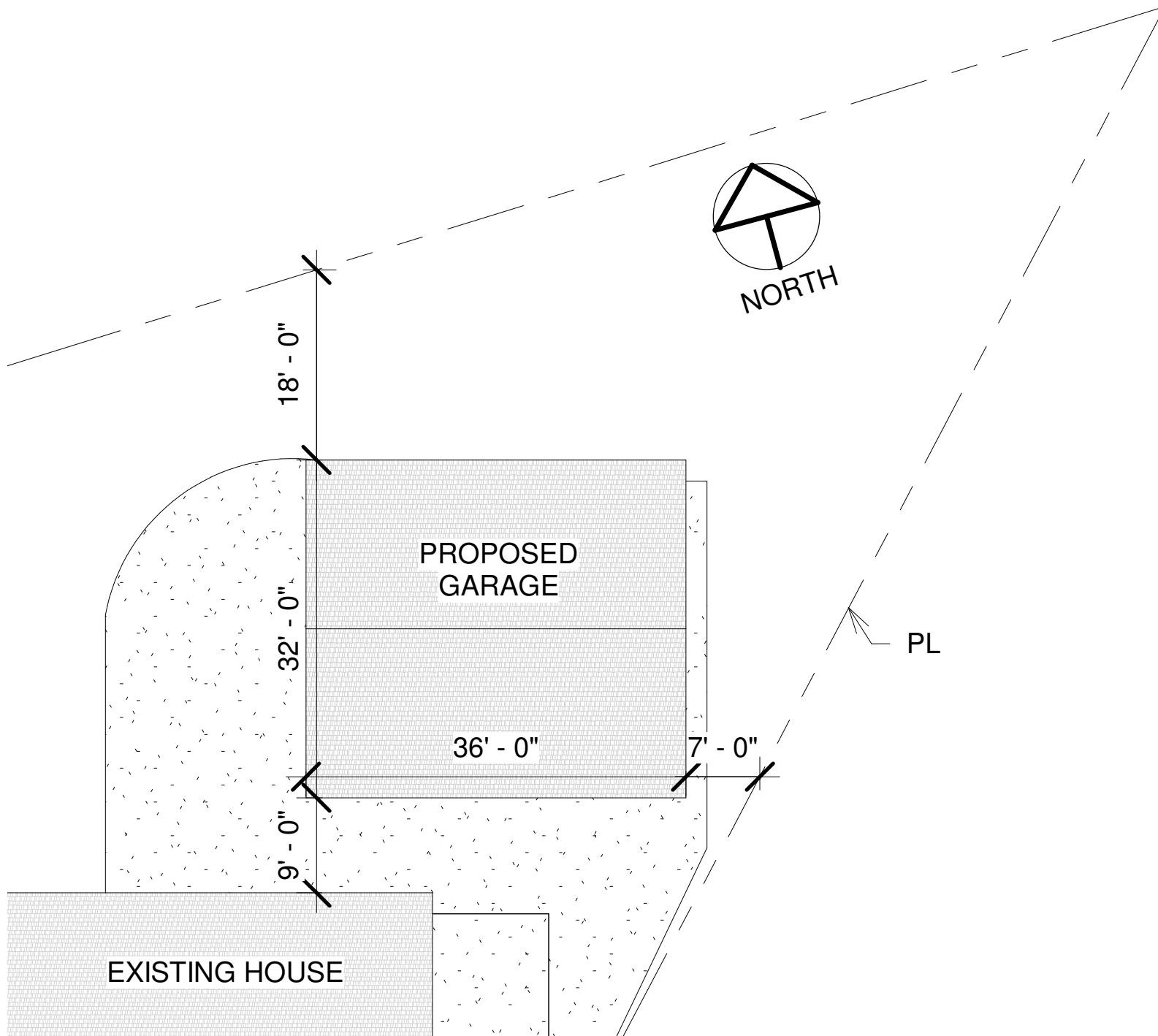
|                            |              |
|----------------------------|--------------|
| Square Footage for House:  | -            |
| Perimeter for House:       | -            |
| Square Footage for Garage: | 952          |
| Perimeter for Garage:      | -            |
| A1                         |              |
| Scale:                     | 1/4" = 1'-0" |

PO Box 167 117 West Ash Street  
Elhan, SD 57334  
Office: (605) 227-4224  
Fax: (605) 227-4225  
www.ethancooplumber.com



Stacy Murtha

|               |                    |
|---------------|--------------------|
| Date Revised: | September 17, 2020 |
| Sheet Name:   | First Floor Plan   |
| Wall Height:  | 15'                |
| Truss Depth:  | 8'                 |
| Drawn By:     | Ashley Gunnare     |



STACY & LAVONNE MURTHA  
2700 MENTZER CT  
MITCHELL SD 57301

RONALD & ALETHA KOCH  
2704 MENTZER CT  
MITCHELL SD 57301

TIMOTHY REITZEL  
CRYSTAL SCHLIMGEN  
2701 MENTZER CT  
MITCHELL SD 57301

ETHAN CO-OP LUMBER ASSOC  
PO BOX 167  
ETHAN SD 57334

VI HOANG  
LIZ NGUYEN  
2708 MENTZER CT  
MITCHELL SD 57301

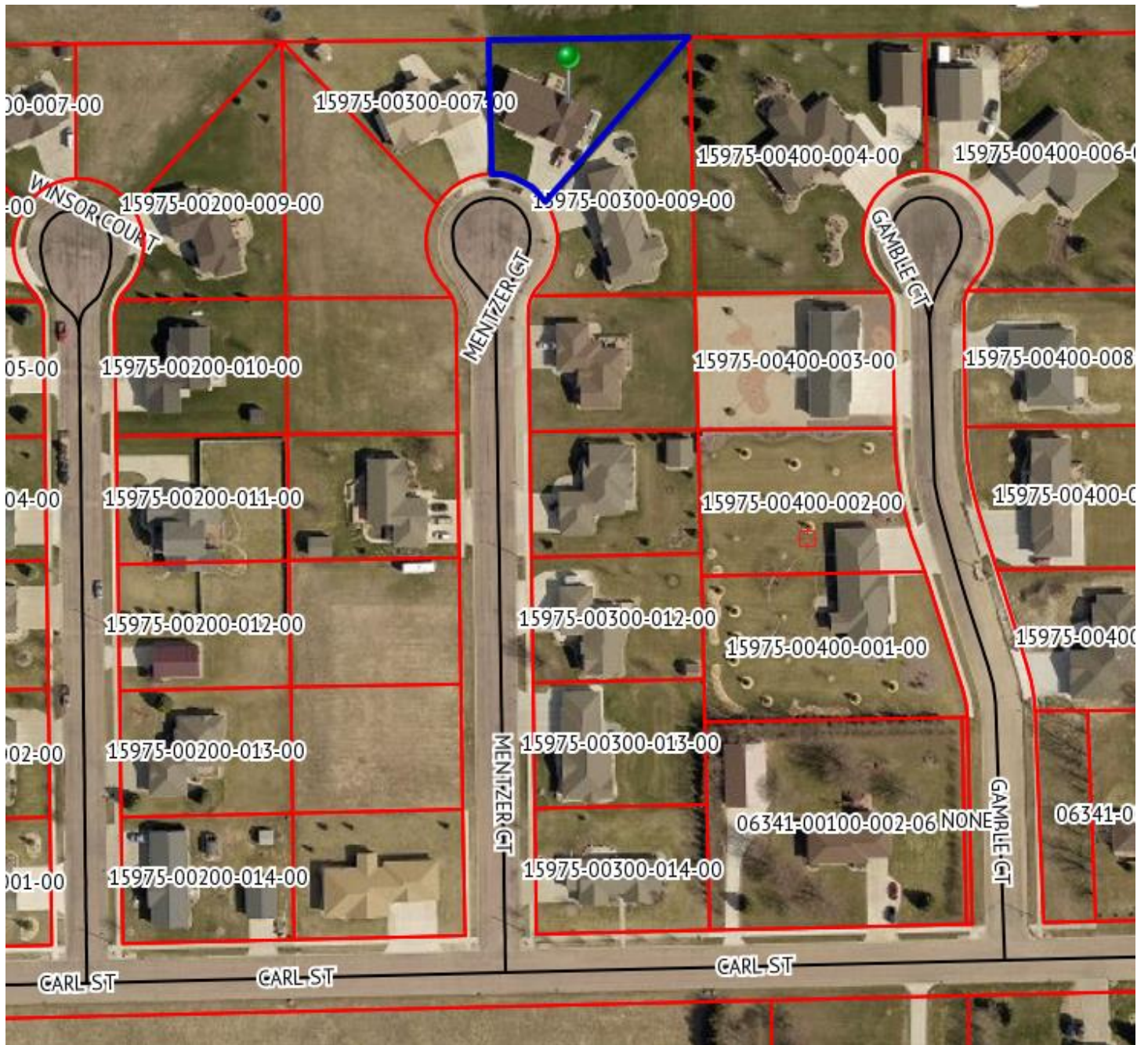
JACOB & DORIS SPAANS TRUST  
2703 GAMBLE CT  
MITCHELL SD 57301

DOUBLE DOWN III LLC  
5800 S REMINGTON PL  
2571 S WESTLAKE DR #100  
SIOUX FALLS SD 57106

SHIRLEY PUEPKE  
2709 GAMBLE ST  
MITCHELL SD 57301

DEANNA MUSICK  
2800 MENTZER ST  
MITCHELL SD 57301

JON & MICHELE FARRIS  
2801 MENTZER ST  
MITCHELL SD 57301



## 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) Steven & Roberta McCullough are hereby making an application for a back yard variance of 1 foot vs 5 feet, height variance of 26 feet vs 22 feet and a size variance of 2,630 square feet v. 2,000 square feet for construction of an addition to an existing garage as required pursuant to the provisions of the City of Mitchell Zoning Code as amended.

This Application is for the following described real property:

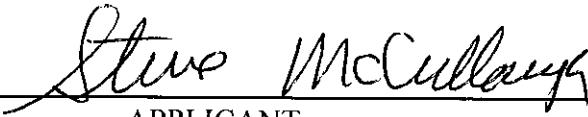
Lots 11, 12, & 13, Block 90, Lawler's 2<sup>nd</sup> Addition to the City of Mitchell, Davison County, South Dakota (103 N Minnesota St)

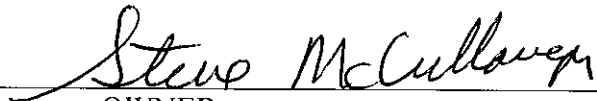
The applicants of the above described real estate, request(s) to construct a detached garage on the property. The said real property is zoned (R2) Single Family Residential District.

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 14<sup>th</sup> of September, 2020

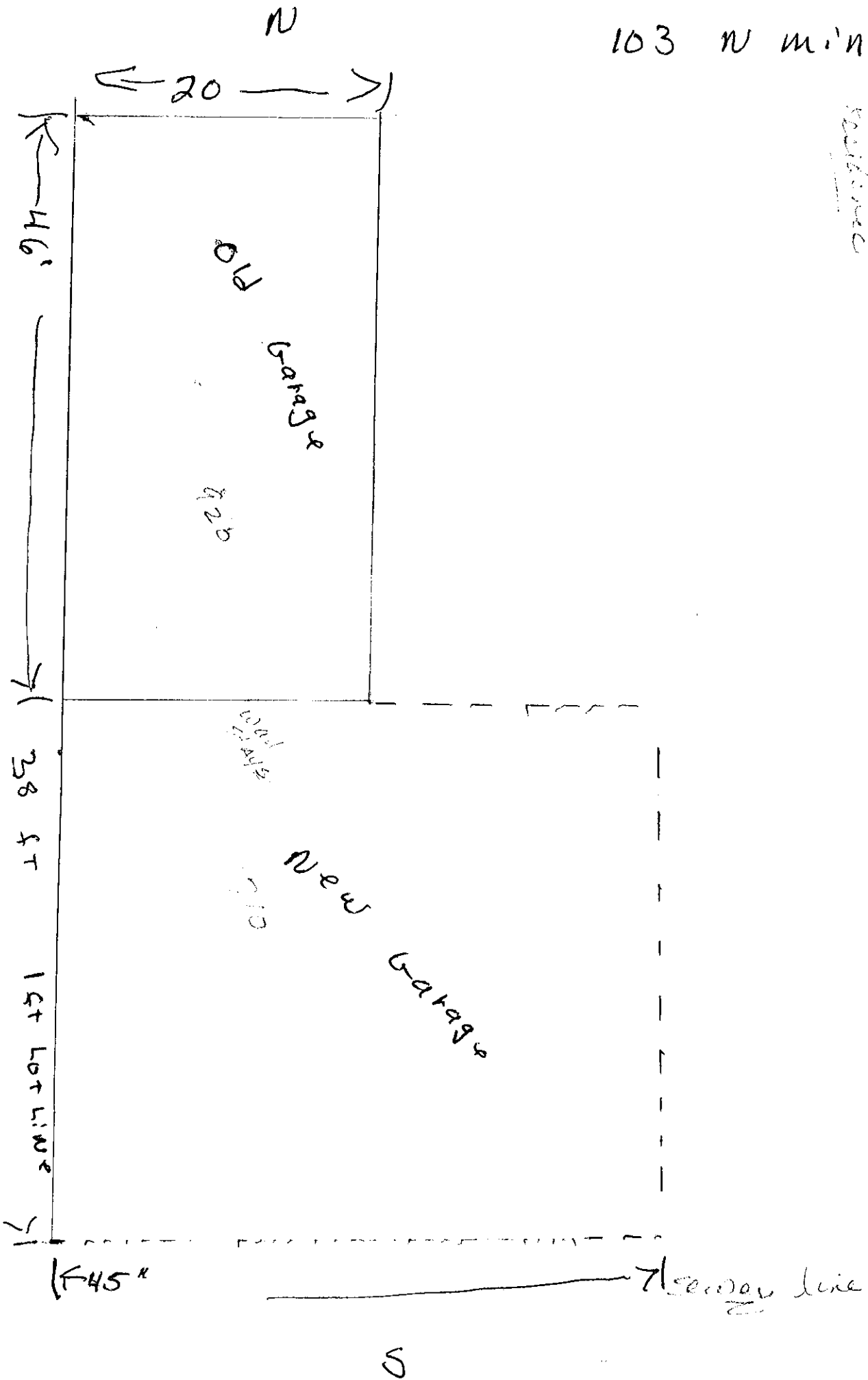
  
APPLICANT

  
OWNER

103 N MINNESOTA ST

MINNESOTA ST

garage



S

## 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 Stacy & LaVonne Murtha have applied for a height variance of 25 feet vs. 17 feet as required for construction of a detached garage at 2700 Mentzer Court, legally described as Lots 8, Block 3, Woodland Heights 1<sup>st</sup> Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Woodland Heights Planned Development District.

**YOU ARE FURTHER NOTIFIED**, that public hearings will be held by the City Planning Commission on October 13, 2020, 12:00 P.M. (Noon) and the Board of Adjustment on October 19, 2020 at 6:00 P.M., at 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.

Dated at Mitchell, South Dakota, this 23<sup>rd</sup> day of September, 2020.

Michelle Bathke

---

FINANCE OFFICER

Publish once: September 30, 2020

**Approximate Cost:**

STEVE & ROBERTA MCCULLOUGH  
101 N MINNESOTA  
MITCHELL SD 57301

STEVE & ROBERTA MCCULLOUGH  
103 N MINNESOTA  
MITCHELL SD 57301

STEVE & ROBERTA MCCULLOUGH  
108 N MONTANA  
MITCHELL SD 57301

JASON CARNES  
701 W 2<sup>ND</sup>  
MITCHELL SD 57301

FLOYD & JANCE HANTEN  
703 W 2<sup>ND</sup>  
MITCHELL SD 57301

GREGORY STULC  
715 W 2<sup>ND</sup>  
MITCHELL SD 57301

LOREN & SHELLEY STEINER  
719 W 2<sup>ND</sup>  
MITCHELL SD 57301

CB RENTALS LLC  
417 E SWITCH GRASS TRAIL  
BRANDON SD 57006

GEORGE & SHERRY MORGAN  
940 N HARMON DR  
MITCHELL SD 57301

LINDA NELSON  
DOUG DRIGGS  
40530 254<sup>TH</sup> ST  
MITCHELL SD 57301

JULIE BRIDGE  
622 W 1<sup>ST</sup>  
MITCHELL SD 57301

HAUSER RENTALS  
2021 W 23<sup>RD</sup> AVE  
MITCHELL SD 57301

ROXANNE SINKULAR  
605 W 2<sup>ND</sup> AVE  
MITCHELL SD 57301

STEVE & ROBERTA MCCULLOUGH  
621 W 1<sup>ST</sup>  
MITCHELL SD 57301

GREGORY & LORA HILDEBRANDT  
920 E 13<sup>TH</sup>  
MITCHELL SD 57301

ERNEST & MARIAN BIES  
712 W HANSON  
MITCHELL SD 57301



September 30, 2020

**TO WHOM IT MAY CONCERN:**

**YOU ARE HEREBY NOTIFIED**, that Steven & Roberta McCullough have applied for a back yard variance of 1 foot vs 5 feet, height variance of 26 feet v 22 feet, and an oversize variance of 2,630 square feet vs 2,000 feet as required for construction of a detached garage located at 103 N Minnesota, legally described as Lots 11, 12, & 13, Block 90, Lawler's 2<sup>nd</sup> Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned (R2) Single Family Residential District.

**YOU ARE FURTHER NOTIFIED**, that public hearings will be held by the City Planning Commission on October 13, 2020, 12:00 P.M. (Noon) and the Board of Adjustment on October 19, 2020 at 6:00 P.M., at 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 Ernest Bies  
OWNER

712 W HANSON Mitchell SD  
ADDRESS

☒ APPROVE

☐ DISAPPROVE

***No response will indicate approval.***

COMMENTS:

September 30, 2020

**TO WHOM IT MAY CONCERN:**

**YOU ARE HEREBY NOTIFIED**, that Steven & Roberta McCullough have applied for a back yard variance of 1 foot vs 5 feet, height variance of 26 feet v 22 feet, and an oversize variance of 2,630 square feet vs 2,000 feet as required for construction of a detached garage located at 103 N Minnesota, legally described as Lots 11, 12, & 13, Block 90, Lawler's 2<sup>nd</sup> Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned (R2) Single Family Residential District.

**YOU ARE FURTHER NOTIFIED**, that public hearings will be held by the City Planning Commission on October 13, 2020, 12:00 P.M. (Noon) and the Board of Adjustment on October 19, 2020 at 6:00 P.M., at 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 George & Sherry Morgan  
OWNER  
623 West Second  
ADDRESS

           APPROVE

X DISAPPROVE

***No response will indicate approval.***

COMMENTS:

*To big, for that size lot!  
To tall as well!*

