CITY OF MITCHELL
CITY PLANNING COMMISSION AGENDA
CITY COUNCIL CHAMBERS, CITY HALL
612 N MAIN ST
NOVEMBER 14, 2022 @ 12:00P.M. (NOON)

1. **Call To Order:**
2. **Roll Call:**
3. **Declaration Of Conflicts Of Interests**
4. **Approve Agenda:**
5. **Approval Of Previous Minutes 11-7-22.**

   Documents:

   PLANNING COMMISSION UNSIGNED MINUTES 11-7-22.PDF

6. **Schedule Next Meeting-11-28-22 @ 12:00 P.M.**
7. **Variance: Josh And Joni Rasmussen-322 S Wisconsin.**

   Joni and Josh Rasmussen have applied for a variance in minimum front yard setback of 8' vs 25' and side corner yard setback of 16' vs 20' to construct a wraparound porch and move the existing front door from the southwest corner of the house to the south side located at 322 S Wisconsin St, legally described as Lots 7 & 8, Block 12, Railroad Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Single Family Residential District (R2).

   Documents:

   RASMUSSEN-APPLICATION.PDF
   RASMUSSEN-GIS.PDF
   RASMUSSEN-NOTICE OF HEARING.PDF
   RASMUSSEN-NEIGHBORS.PDF
   RASMUSSEN-LETTER FROM NEIGHBOR-MELMER.PDF
   RASMUSSEN-LETTER FROM NEIGHBOR-DEINERT.PDF
   RASMUSSEN-LETTER FROM NEIGHBOR-REIMNITZ.PDF
   RASMUSSEN-LETTER FROM NEIGHBOR-REIMNITZ II.PDF
   RASMUSSEN-LETTER FROM NEIGHBOR-MILLER.PDF

8. **Conditional Use Permit: Gold Key Properties LLC-705, 707 And 711 S Davison St.**

   Gold Key Properties LLC has applied for a conditional use permit for multi-family dwelling units between 5 and 12 (7 dwelling units total on combined lots) located at 705,707 and 711 S Davison St, legally described as Lots 54-56 of Overlook Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Medium Density Family Residential District (R3).

   Documents:

   GOLD KEY PROPERTIES LLC-APPLICATION.PDF
   GOLD KEY PROPERTIES LLC-GIS.PDF
   GOLD KEY PROPERTIES LLC-SITE LAYOUT.PDF
   GOLD KEY PROPERTIES LLC-707 S DAVISON-PHOTOS.PDF

GOLD KEY PROPERTIES LLC-NOTICE OF HEARING.PDF
GOLD KEY PROPERTIES LLC-NEIGHBORS.PDF

9. **Variance: Gold Key Properties LLC-705 S Davison St.**
   Gold Key Properties LLC has applied for a variance in minimum front and rear yard setback of 22' vs 25' for construction of a four-plex with attached garages located at 705 S Davison St, legally described as Lots 54-56 of Overlook Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Medium Density Family Residential District (R3).

   Documents:

   GOLD KEY PROPERTIES LLC-APPLICATION.PDF
   GOLD KEY PROPERTIES LLC-GIS.PDF
   GOLD KEY PROPERTIES LLC-SITE LAYOUT.PDF
   GOLD KEY PROPERTIES LLC-NOTICE OF HEARING.PDF
   GOLD KEY PROPERTIES LLC-NEIGHBORS.PDF

10. **Hearing And Recommendation: An Ordinance Amending 10-9B-3, Woodland Heights Planned Development District.**
    Ethan Coop Lumber is requesting Lot 1, Block 5 of Woodland Heights Planned Development District (see enclosed map) be removed from 10-9B-3 Subarea B and be added to 10-9B-3 Subarea C. The owner wishes to allow a duplex be built on this location.

    Documents:

    ETHAN COOP-WOODLAND HEIGHTS PUD.PDF
    ETHAN COOP-GIS.PDF
    ETHAN COOP-ORDINANCE 02022-18-NOTICE OF HEARING.PDF
    ETHAN COOP-NEIGHBORS.PDF
    ETHAN COOP-LETTER FROM NEIGHBOR-WORTH.PDF
    ETHAN COOP-LETTER FROM NEIGHBOR-HOWARD.PDF

11. **Plan Approval-Western Building Parking-NW Corner Of 3rd And Main.**
    Don Dahl on behalf of John Adamo is proposing a parking facility located at the NW corner of 3rd and Main. The property is zone Central Business.

    Documents:

    WESTERN BUILDING PARKING-GIS.PDF
    WESTERN BUILDING PARKING-SITE PLAN.PDF

12. **Other Business:**

13. **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.**

14. **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

11/7/2022 - Minutes

DRAFT

1. **Call To Order:**

   Chairperson Larson called the November 7, 2022 City Planning Commission Special Meeting to order at 12:00 P.M. noon in the Council Chambers, City Hall, 612 N Main Street.

2. **Roll Call:**

   Quorum is met, simple majority vote required for all items.
   Present: Genzlinger, Jirsa, Larson, Osterloo, Penney, Sonne, Doescher.
   Absent: Schmitz.
   Staff Present: Ellwein, Mayor Everson, Jenniges, J Johnson, Schroeder.

3. **Declaration Of Conflicts Of Interests**

   None.

4. **Approve Agenda:**

   Motion by Genzlinger, seconded by Osterloo to approve the proposed agenda. All present voting aye; motion carried.

5. **Approval Of Previous Minutes 10-24-22.**

   Motion by Jirsa, seconded by Penney to approve the proposed minutes of the October 24, 2022 Planning Commission meeting. All present voting aye; motion carried.

6. **Schedule Next Meeting-11-14-22 @ 12:00 P.M.**

   Motion by Osterloo, seconded by Genzlinger to set the date for the next Planning Commission meeting for November 14, 2022. All present voting aye; motion carried.

7. **Ordinance #O2022-17-Amending Title 10 Zoning Regulations-Indoor Crop Production.**

   Jenniges explained the proposed amendment to the zoning ordinance. This will be a permitted use in Highway Business and Transportation Commercial and Warehousing and a conditional use in Central Business. It will be a permitted use in Industrial but all are permitted in Industrial unless stated in the ordinance as a conditional Use or a prohibited use. This follows along the same zoning areas as medical cannabis cultivation.

   City Attorney Johnson mentioned that this ordinance amendment is not specifically to DGI but for future businesses as well. He believes there will be more of these type businesses down the road and amending the ordinance is proper way.

   Jill Weber questions what amending the ordinance to allow this will open the future to for these areas. She believes that agriculture should stay outside of city limits. She lives by the old Shopko building and has concerns what could go in there. She was inform medical cannabis cultivation is a separate ordinance from this proposed amendment.

   Jirsa stated he wrote a thesis on this some years ago. Hydroponic farms saves the environment and

energy. Most tomatoes and lettuce are already grown at a hydroponic farm.

Motion by Genzlinger, seconded by Sonne to recommend approval of the amendment. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – absent, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

8. **Other Business:**

None.

9. **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.**

None.

10. **Adjournment:**

Chairperson Larson adjourned the meeting at 12:18 P.M.

DRAFT

City of Mitchell

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

The undersigned applicant(s) and owner(s) is hereby making an application pursuant to the provisions of the City of Mitchell Zoning Code.

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 City Council or City Board of Adjustment. Furthermore, the applicant(s) request the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

☐ **Rezoning** *$150 application due with the application.*

- Applicant is request to rezone property from_____ District to _____District.

☒ **Variance** *$100 application due with the application.*

- Description of Variance Requested: We would like to add a wrapping covered front porch to our home while changing the position of the front door from cattywampus SW facing to the South side of the home. The porch dimensions would be approximately 6' wide (south) side of the house and would stretch approximately 28'. The west side of the house will have a 3' covered section approximately 6' long.

☐ **Conditional Use Permit** *$150 application due with the application.*

- Description of Conditional Use: _____

This Application is for the following described real property:

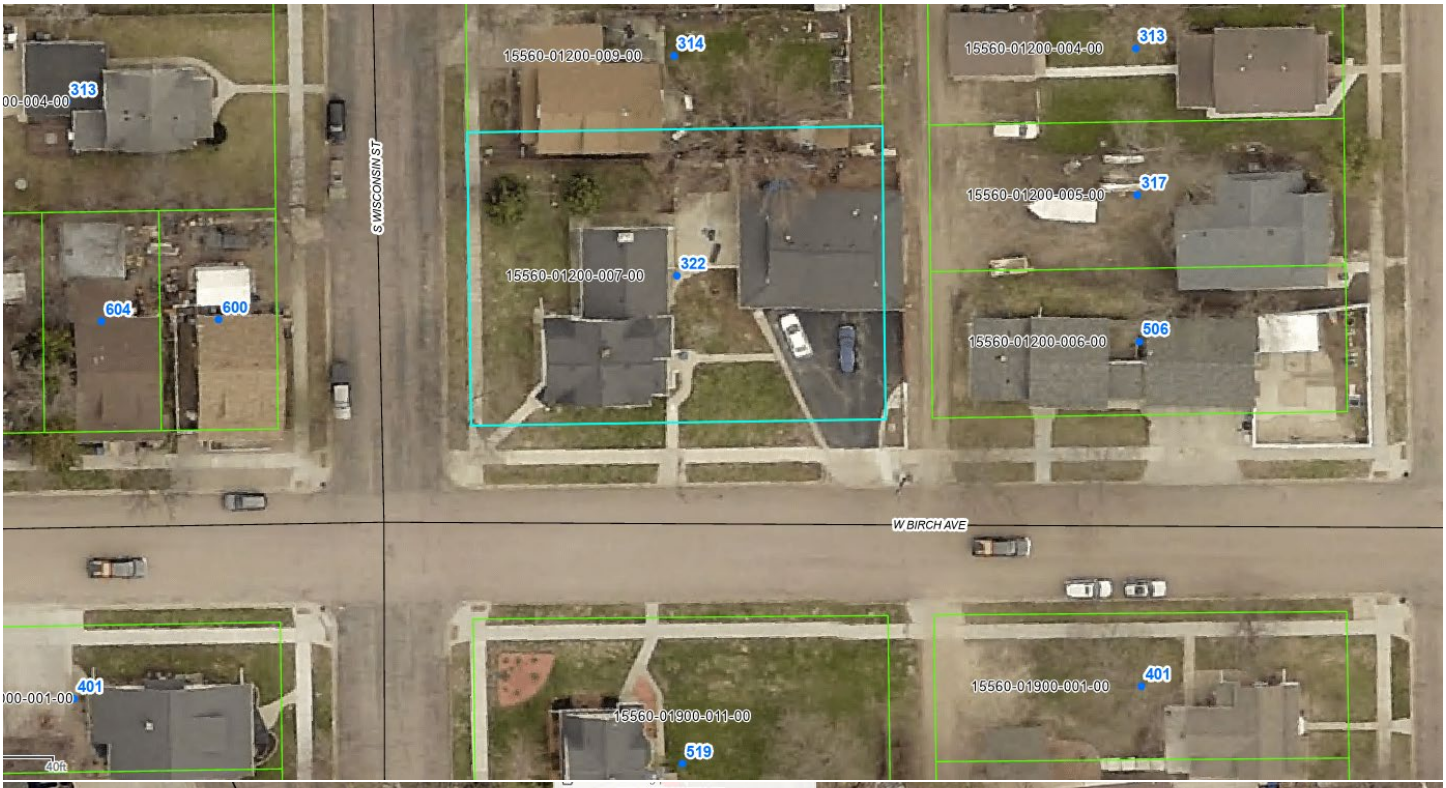
- Legal Description: Rail Road ADDN-SE(21)SW(22) Lots 7 and 8 BLK 12

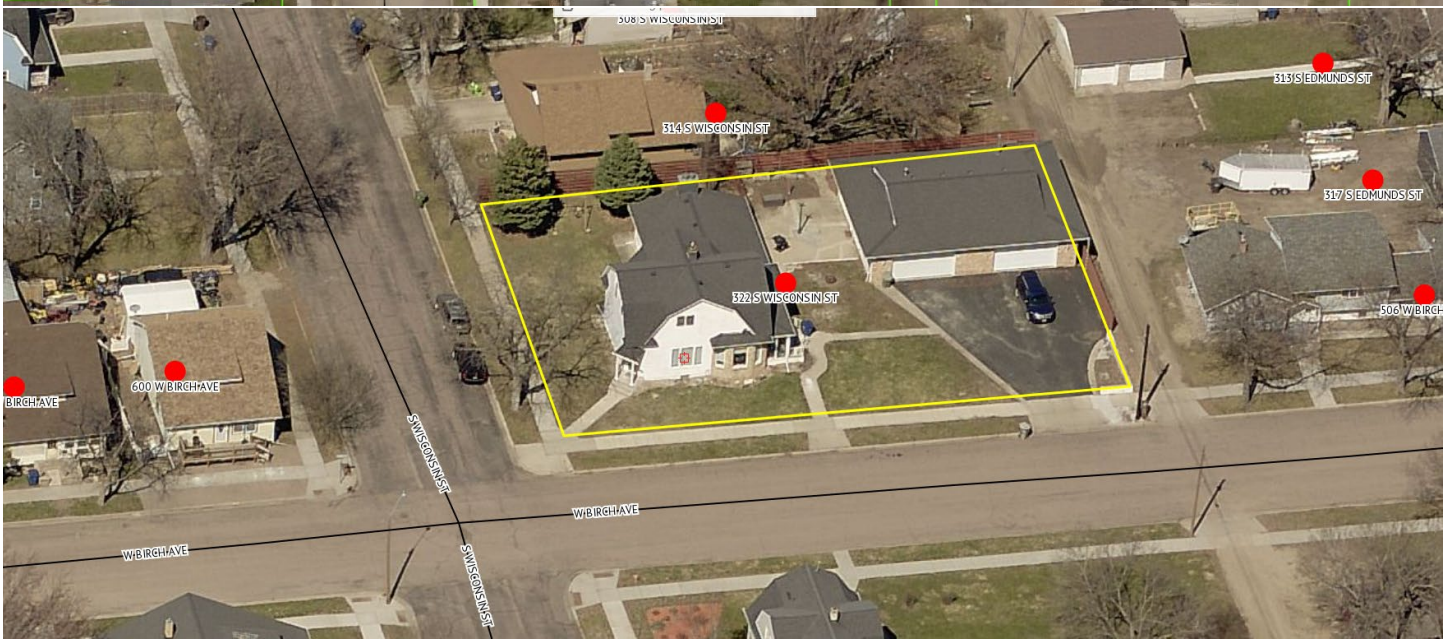
- Property Address: 322 S Wisconsin St Mitchell, SD 57301

Dated this 7th day of October, 2022.

Applicant
Joni Rasmussen

Owner


15560-01200-009-00
314
313
15560-01200-004-00
317
15560-01200-005-00
322
15560-01200-007-00
604
600
506
15560-01200-006-00
S WISCONSIN ST
W BIRCH AVE
401
15560-01900-001-00
15560-01900-011-00
519
40ft


313 S EDMUNDS ST
314 S WISCONSIN ST
317 S EDMUNDS ST
322 S WISCONSIN ST
506 W BIRCH
600 W BIRCH AVE
S WISCONSIN ST
W BIRCH AVE
W BIRCH AVE
S WISCONSIN ST

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 Joni and Josh Rasmussen have applied for a variance in minimum front yard setback of 8' vs 25' and side corner yard setback of 16' vs 20' to construct a wraparound porch and move the existing front door from the southwest corner of the house to the south side located at 322 S Wisconsin St, legally described as Lots 7 & 8, Block 12, Railroad Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Single Family Residential District (R2).

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on November 14, 2022, 12:00 P.M. (Noon) and the Board of Adjustment on November 21, 2022 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 this 26th day of October, 2022.

Michelle Bathke

FINANCE OFFICER

Publish once: 2nd day of November, 2022
Approximate Cost:

Josh & Joni Rasmussen
322 S Wisconsin St
Mitchell, SD 57301

Todd & Jeannette Naser
610 W Birch Ave
Mitchell, SD 57301

Stephen Paul
604 W Birch Ave
Mitchell, SD 57301

Jennifer Pettit
600 W Birch Ave
Mitchell, SD 57301

Steven & Julie Anderson
313 S Wisconsin Ave
Mitchell, SD 57301

Ivelisse Rivera
Angel Perez
309 S Wisconsin St
Mitchell, SD 57301

Robert & Dona Balcom
305 S Wisconsin St
Mitchell, SD 57301

Housing Options Made Easy LLC
36468 260th St
Kimball, SD 57355

Michael & Pamela Catalano
606 S Minnesota St
Mitchell, SD 57301

Fred & Margaret Melmer
314 S Wisconsin St
Mitchell, SD 57301

Kay & Boyd Reimnitz
817 N Sanborn Blvd
Mitchell, SD 57301

Dale & Shirley Magnuson
309 S Edmunds St
Mitchell, SD 57301

Jeff Harris
24950 406th Ave
Mitchell, SD 57301

Hauser Rentals LLC
2021 W 23rd Ave
Mitchell, SD 57301

Jose Oviedo
506 W Birch Ave
Wayne, NE 58787

Peter & Trena Dowsett
401 S Edmunds
Mitchell, SD 57301

Renia Aguilar
405 S Edmunds St
Mitchell, SD 57301

Boyd Reimnitz
817 N Sanborn Blvd
Mitchell, SD 57301

Teresa Zirpel
408 S Wisconsin St
Mitchell, SD 57301

Gary & Tracy Jackson
519 W Birch
Mitchell, SD 57301

Rodney & Mardi Deinert
401 S Wisconsin
Mitchell, SD 57301

Ronald & Tanda Miller
40970 256th St
Mitchell, SD 57301

Pam Fristad
409 S Wisconsin St
Mitchell, SD 57301

City of Mitchell | Mayor's Office
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8420 | Fax: 605-995-8054
CityOfMitchell.org

November 2, 2022

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Joni and Josh Rasmussen have applied for a variance in minimum front yard setback of 8' vs 25' and side corner yard setback of 16' vs 20' to construct a wraparound porch and move the existing front door from the southwest corner of the house to the south side located at 322 S Wisconsin St, legally described as Lots 7 & 8, Block 12, Railroad Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Single Family Residential District (R2).

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Monday, November 14, 2022 at 12:00 pm (noon) and the Board of Adjustment will be holding a hearing on Tuesday, November 21, 2022 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.

All interested parties may be present and be heard on said request, either in person or by agent. Please submit written comments by 5:00 P.M. the Friday prior to the meeting, in the City of Mitchell Public Works Office or Finance Office.

I/We Rod & Madi Deenett
OWNER

404 S Wisc St
ADDRESS

✓ APPROVE

_____ DISAPPROVE

COMMENTS: No problem w this.

City of Mitchell | Mayor's Office
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8420 | Fax: 605-995-8054
CityOfMitchell.org

Mitchell
SOUTH DAKOTA
Outside expectations

November 2, 2022

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Joni and Josh Rasmussen have applied for a variance in minimum front yard setback of 8' vs 25' and side corner yard setback of 16' vs 20' to construct a wraparound porch and move the existing front door from the southwest corner of the house to the south side located at 322 S Wisconsin St, legally described as Lots 7 & 8, Block 12, Railroad Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Single Family Residential District (R2).

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Monday, November 14, 2022 at 12:00 pm (noon) and the Board of Adjustment will be holding a hearing on Tuesday, November 21, 2022 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.

All interested parties may be present and be heard on said request, either in person or by agent. Please submit written comments by 5:00 P.M. the Friday prior to the meeting, in the City of Mitchell Public Works Office or Finance Office.

I/We Margaret Melmer
OWNER

314 S Wisconsin St
ADDRESS

X APPROVE

_____ DISAPPROVE

COMMENTS:

City of Mitchell | Mayor's Office
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8420 | Fax: 605-995-8054
CityOfMitchell.org

Mitchell
SOUTH DAKOTA
Outside expectations

November 2, 2022

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Joni and Josh Rasmussen have applied for a variance in minimum front yard setback of 8' vs 25' and side corner yard setback of 16' vs 20' to construct a wraparound porch and move the existing front door from the southwest corner of the house to the south side located at 322 S Wisconsin St, legally described as Lots 7 & 8, Block 12, Railroad Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Single Family Residential District (R2).

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Monday, November 14, 2022 at 12:00 pm (noon) and the Board of Adjustment will be holding a hearing on Tuesday, November 21, 2022 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.

All interested parties may be present and be heard on said request, either in person or by agent. Please submit written comments by 5:00 P.M. the Friday prior to the meeting, in the City of Mitchell Public Works Office or Finance Office.

I/We _____
OWNER

_____
ADDRESS

_____ APPROVE

_____ DISAPPROVE

COMMENTS:

City of Mitchell | Mayor's Office
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8420 | Fax: 605-995-8054
CityOfMitchell.org

Mitchell
SOUTH DAKOTA
Outside expectations

November 2, 2022

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Joni and Josh Rasmussen have applied for a variance in minimum front yard setback of 8' vs 25' and side corner yard setback of 16' vs 20' to construct a wraparound porch and move the existing front door from the southwest corner of the house to the south side located at 322 S Wisconsin St, legally described as Lots 7 & 8, Block 12, Railroad Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Single Family Residential District (R2).

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Monday, November 14, 2022 at 12:00 pm (noon) and the Board of Adjustment will be holding a hearing on Tuesday, November 21, 2022 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.

All interested parties may be present and be heard on said request, either in person or by agent. Please submit written comments by 5:00 P.M. the Friday prior to the meeting, in the City of Mitchell Public Works Office or Finance Office.

I/We _____
OWNER

_____
ADDRESS

X APPROVE

_____ DISAPPROVE

COMMENTS:

Yes Go Mitchell!!

Outside expectations

City of Mitchell | Mayor's Office
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8420 | Fax: 605-995-8054
CityOfMitchell.org

November 2, 2022

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Joni and Josh Rasmussen have applied for a variance in minimum front yard setback of 8' vs 25' and side corner yard setback of 16' vs 20' to construct a wraparound porch and move the existing front door from the southwest corner of the house to the south side located at 322 S Wisconsin St, legally described as Lots 7 & 8, Block 12, Railroad Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Single Family Residential District (R2).

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Monday, November 14, 2022 at 12:00 pm (noon) and the Board of Adjustment will be holding a hearing on Tuesday, November 21, 2022 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.

All interested parties may be present and be heard on said request, either in person or by agent. Please submit written comments by 5:00 P.M. the Friday prior to the meeting, in the City of Mitchell Public Works Office or Finance Office.

I/We Ronald S. & Tahda A. Miller
OWNER

405 South Wisconsin Street
ADDRESS

____ APPROVE

____ DISAPPROVE

COMMENTS:

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

The undersigned applicant(s) and owner(s) is hereby making an application pursuant to the provisions of the City of Mitchell Zoning Code.

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 City Council. Furthermore, the applicant(s) request the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

☐ **Rezoning** *$150 application due with the application.*
Applicant is request to rezone property from District to District.

☒ **Variance** *$100 application fee due with application.*
Description of Variance: Front and rear yard setbacks of 22' vs 25' for construction of a four-plex with attached garages.

☒ **Conditional Use Permit** *$150 application fee due with application*
Description of Conditional Use: Multi-family dwelling units between 5 and 12 (7 dwelling units on combined lots)

This Application is for the following described real property:

Legal Description: Lots 54-56 of Overlook Addition, City of Mitchell, Davison County, South Dakota.

Property Address: 705, 707 and 711 S Davison St

Dated this 25th of October, 2022

Gold Key Properties LLC
APPLICANT

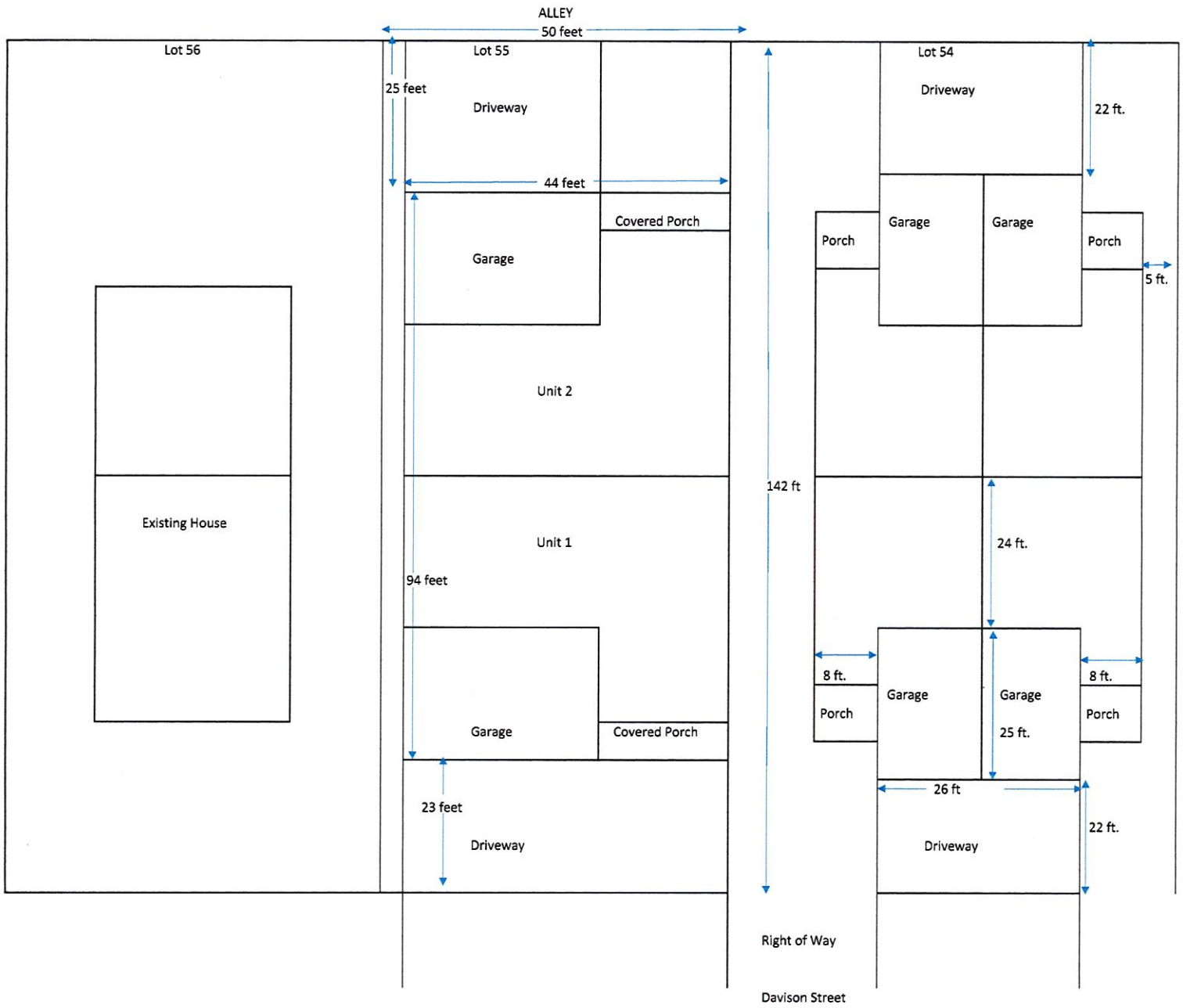
Pam Bathke
OWNER

E ELM AVE
S DAVISON ST
S LANGDON ST
700
701
700
704
704
712
719
720
716
708
705 S Davison St
707 S Davison St
711 S Davison St
Proposed New 4-plex creating 7 dwelling units on 1 parcel
Proposed front and rear yard variance-22' vs 25'
Existing Duplex Dwelling
Existing front yard variance-23' vs 25'
Existing Single Dwelling

Click a starting point.
DAVISON ST
707 S DAVISON ST
705 S DAVISON ST
701 S DAVISON ST
S DAVISON ST
E ELM AVE
20 ft
5 m

Gold Key Properties LLC - 705 S. Davison
Parcel: 150' x 142'

Residential structure would be 42' x 98' including overhang
Request is for a 3' variance on both the front and back yards
to creat a 22' setback for each.



707 S Davison-Front and North

707 S Davison-Front

707 S Davison-Alley Unit

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 Gold Key Properties LLC has applied for a conditional use permit for multi-family dwelling units between 5 and 12 (7 dwelling units total on combined lots) located at 705,707 and 711 S Davison St, legally described as Lots 54-56 of Overlook Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Medium Density Family Residential District (R3).

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on November 14, 2022, 12:00 P.M. (Noon) and the Board of Adjustment on November 21, 2022 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 this 26th day of October, 2022.

Michelle Bathke

FINANCE OFFICER

Publish once: 2nd day of November, 2022
Approximate Cost:

Gold Key Properties LLC
1660 E 8th Ave
Mitchell, SD 57301

G & S Morgan Properties LLC
2918 Canal Cr
Mitchell, SD 57301

Tammy & Josh Renken
25815 SD Hwy 37
Mitchell, SD 57301

Transmission Pros Inc
624 S Burr St
Mitchell, SD 57301

Donald Walters
PO Box 161
M Vernon, SD 57363

Jeff George
Bonita Solko
40532 257th St
Mitchell, SD 57301

Christopher Sindt
712 S Langdon St
Mitchell, SD 57301

Hared Hartmann
720 S Langdon St
Kimball, SD 57355

R & M Rentals
723 E 7th Ave
Mitchell, SD 57301

Jeanne Blaalid Living Trust
% Auto Zone Inc
PO Box 2198 Dept 8088
Memphis, TN 38101

Craig & Amy Hildebrand
719 S Davison St
Mitchell, SD 57301

Stacy Maeschen
701 S Davison St
Mitchell, SD 57301

Ronald & Karen Jensen
613 S Davison St
Mitchell, SD 57301

Scott & Chantelle Kirsch
37016 263rd St
White Lake, SD 57383

Jacob Brunsen
620 S Davison St
Mitchell, SD 57301

Daniel & Renee Niehus
1216 E 1th Ave
Mitchell, SD 57301

Nathan & Valerie Ruml
704 S Davison St
Mitchell, SD 57301

Hill Properties LLC
1434 Pinehurst Ave
Mitchell, SD 57301

Mitchell Real Estate LLC
5024 S Old Yankton PL
Sioux Falls, SD 57108
Mitchell, SD 57301

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

The undersigned applicant(s) and owner(s) is hereby making an application pursuant to the provisions of the City of Mitchell Zoning Code.

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 City Council. Furthermore, the applicant(s) request the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

☐ **Rezoning** *$150 application due with the application.*
Applicant is request to rezone property from District to District.

☒ **Variance** *$100 application fee due with application.*
Description of Variance: Front and rear yard setbacks of 22' vs 25' for construction of a four-plex with attached garages.

☒ **Conditional Use Permit** *$150 application fee due with application*
Description of Conditional Use: Multi-family dwelling units between 5 and 12 (7 dwelling units on combined lots)

This Application is for the following described real property:

Legal Description: Lots 54-56 of Overlook Addition, City of Mitchell, Davison County, South Dakota.

Property Address: 705, 707 and 711 S Davison St

Dated this 25th of October, 2022

Gold Key Properties LLC
APPLICANT

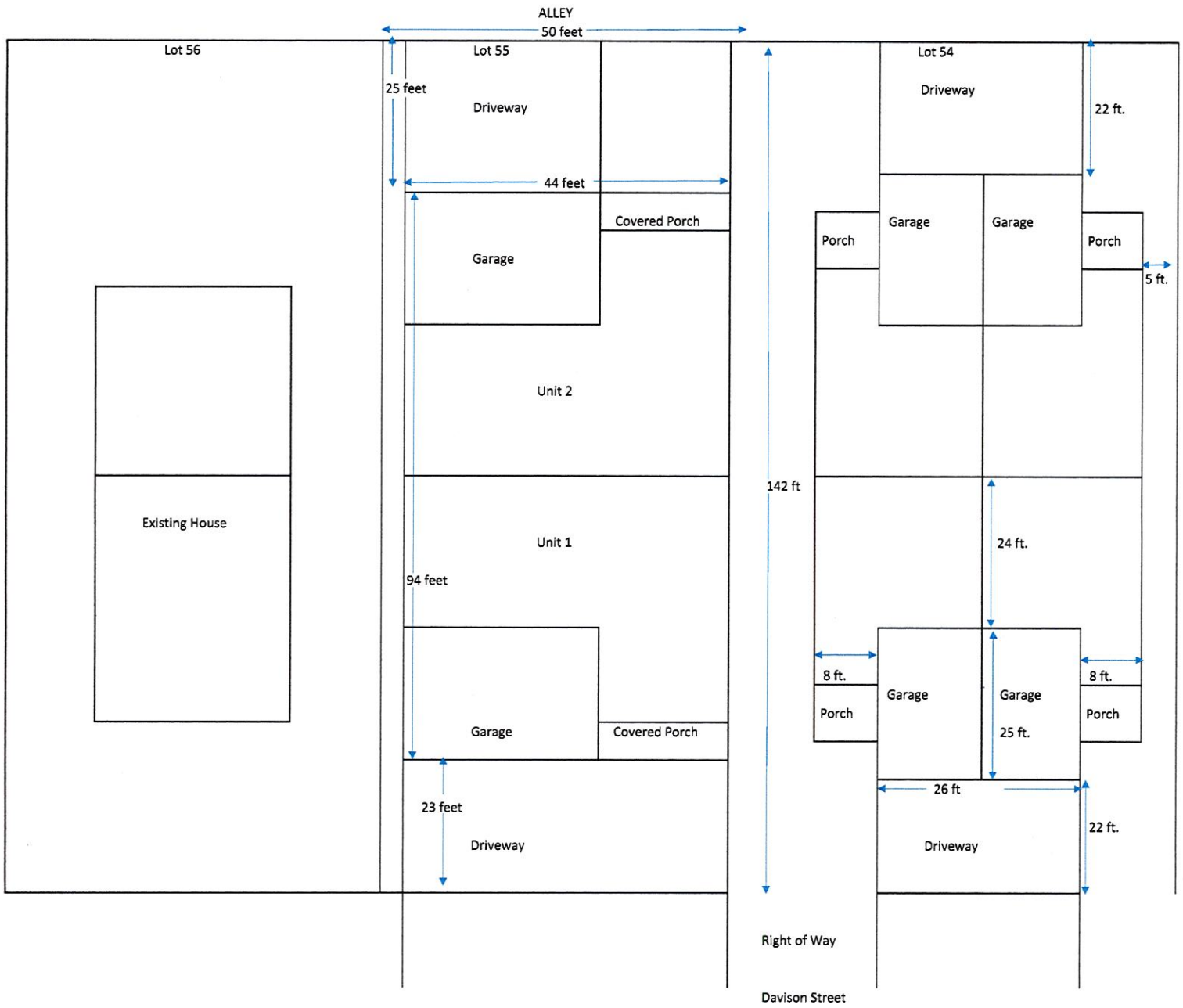
Pam Bathke
OWNER

E ELM AVE
S DAVISON ST
S LANGDON ST
700
701
700
704
704
712
719
720
716
708
705 S Davison St
707 S Davison St
711 S Davison St
Proposed New 4-plex creating 7 dwelling units on 1 parcel
Proposed front and rear yard variance-22' vs 25'
Existing Duplex Dwelling
Existing front yard variance-23' vs 25'
Existing Single Dwelling

Click a starting point.
DAVISON ST
707 S DAVISON ST
705 S DAVISON ST
701 S DAVISON ST
S DAVISON ST
E ELM AVE
20 ft
5 m

Gold Key Properties LLC - 705 S. Davison
Parcel: 150' x 142'

Residential structure would be 42' x 98' including overhang
Request is for a 3' variance on both the front and back yards
to creat a 22' setback for each.



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 Gold Key Properties LLC has applied for a variance in minimum front and rear yard setback of 22' vs 25' for construction of a four-plex with attached garages located at 705 S Davison St, legally described as Lots 54-56 of Overlook Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Medium Density Family Residential District (R3).

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on November 14, 2022, 12:00 P.M. (Noon) and the Board of Adjustment on November 21, 2022 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 this 26th day of October, 2022.

Michelle Bathke

FINANCE OFFICER

Publish once: 2nd day of November, 2022
Approximate Cost:

Gold Key Properties LLC
1660 E 8th Ave
Mitchell, SD 57301

G & S Morgan Properties LLC
2918 Canal Cr
Mitchell, SD 57301

Tammy & Josh Renken
25815 SD Hwy 37
Mitchell, SD 57301

Transmission Pros Inc
624 S Burr St
Mitchell, SD 57301

Donald Walters
PO Box 161
M Vernon, SD 57363

Jeff George
Bonita Solko
40532 257th St
Mitchell, SD 57301

Christopher Sindt
712 S Langdon St
Mitchell, SD 57301

Hared Hartmann
720 S Langdon St
Kimball, SD 57355

R & M Rentals
723 E 7th Ave
Mitchell, SD 57301

Jeanne Blaalid Living Trust
% Auto Zone Inc
PO Box 2198 Dept 8088
Memphis, TN 38101

Craig & Amy Hildebrand
719 S Davison St
Mitchell, SD 57301

Stacy Maeschen
701 S Davison St
Mitchell, SD 57301

Ronald & Karen Jensen
613 S Davison St
Mitchell, SD 57301

Scott & Chantelle Kirsch
37016 263rd St
White Lake, SD 57383

Jacob Brunsen
620 S Davison St
Mitchell, SD 57301

Daniel & Renee Niehus
1216 E 1th Ave
Mitchell, SD 57301

Nathan & Valerie Ruml
704 S Davison St
Mitchell, SD 57301

Hill Properties LLC
1434 Pinehurst Ave
Mitchell, SD 57301

Mitchell Real Estate LLC
5024 S Old Yankton PL
Sioux Falls, SD 57108
Mitchell, SD 57301

ARTICLE B. WOODLAND HEIGHTS PLANNED DEVELOPMENT DISTRICT

SECTION:

10-9B-1: Legal Description

10-9B-2: Purpose

10-9B-3: Scope Of Regulations

10-9B-1: LEGAL DESCRIPTION:

All of Lot Three (3) and Lot Two (2), to Include Tracts One (1), Two (2), Three (3), and Five (5) of Block One (1) in the said Lot Two (2) but except the West Forty (40) feet and the North Forty (40) feet of the said Lot Two (2), except lots Two A (2A), Two B (2B), Two C (2C), Two D, (2D), Two E (2E) and Two F (2F), of the said Lot Two (2) and except Tracts Four (4), Six (6) and Seven (7), Block One (1) of the said Lot Two (2), All in Crane's Addition in the Southeast Quarter (SE 1/4) Section Thirty-Four (34), Township One Hundred Three (103) North Range (60) West, City of Mitchell, Davison County, South Dakota.

(Ord. 2408, 10-1-2012)

10-9B-2: PURPOSE:

This area is intended to provide residential opportunities and provide for densities, which reflect both the cost and best utilization of land. (Ord. 2408, 10-1-2012)

10-9B-3: SCOPE OF REGULATIONS:

The regulations in this article or set forth elsewhere in the zoning code when referred to in this article are the district regulations that shall be governed by the Woodland Heights planned development district.

A. Subarea A: Also known as lots 1-6, block 1, Woodland Heights First Addition, city of Mitchell, Davison County, South Dakota.

1. Permitted Uses:

Accessory buildings.

Two-family dwellings.

2. Conditional Uses:

Home occupations.

3. Parking Regulations: Parking shall be regulated in conformance with this title. (Ord. 2408, 10-1-2012)

4. Sign Regulations: Sign regulations shall be in conformance with title 9, chapter 4 of this code. (Ord. 2512, 4-6-2015)

5. Maximum Building Height: No principal building shall exceed two and one-half (21/2) stories or thirty five feet (35') in height and no accessory building shall exceed one story or seventeen feet (17') in height.

6. Maximum Coverage: No more than forty five percent (45%) of the lot area shall be covered by structures.

7. Accessory Buildings: Accessory buildings shall not exceed one thousand fifty (1,050) square feet.

8. Minimum Lot Area And Width: The minimum lot area shall be at least ten thousand (10,000) square feet and minimum lot width of seventy feet (70').

9. Minimum Yard Requirements (Setbacks):

a. Front yard: Thirty feet (30').

b. Back yard: Thirty feet (30').

c. Side yard: Six feet (6').

d. Side yard of corner lot: Fifteen feet (15').

B. Subarea B: Also known as Lot 7, Block 1, lots 1-14, block 2, lots 1-14, block 3, lots 1-10, block 4, lots 2-8, block 5, Woodland Heights First Addition, city of Mitchell, Davison County, South Dakota.

1. Permitted Uses:

Accessory buildings.

Single-family dwellings.

2. Conditional Uses:

Home occupations.

3. Parking Regulations: Parking shall be regulated in conformance with this title. (Ord. 2408, 10-1-2012)

4. Sign Regulations: Sign regulations shall be in conformance with title 9, chapter 4 of this code. (Ord. 2512, 4-6-2015)

5. Maximum Building Height: No principal building shall exceed two and one-half (21/2) stories or thirty five feet (35') in height and no accessory building shall exceed one story or seventeen feet (17') in height.

6. Maximum Coverage: No more than forty five percent (45%) of the lot area shall be covered by structures.

7. Accessory Buildings: Accessory buildings shall not exceed one thousand fifty (1,050) square feet.

8. Minimum Lot Area And Width: The minimum lot area shall be at least ten thousand (10,000) square feet and minimum lot width of seventy feet (70').

9. Minimum Yard Requirements (Setbacks):

a. Front yard: Thirty feet (30').

b. Back yard: Thirty feet (30').

c. Side yard: Six feet (6').

d. Side yard of corner lot: Fifteen feet (15').

C. Subarea C: Also to be known as Lots 1 and 10-12 block 5, block 6, Woodland Heights Addition First Addition, city of Mitchell, Davison County, South Dakota.

1. Permitted Uses:

Accessory buildings.

Multi-family dwellings twelve (12) units or less.

Single-family dwellings.

2. Conditional Uses:

Home occupations.

Multi-family dwelling twelve (12) units or more.

3. Parking Regulations: Parking shall be regulated in conformance with this title. (Ord. 2408, 10-1-2012)

4. Sign Regulations: Sign regulations shall be in conformance with title 9, chapter 4 of this code. (Ord. 2512, 4-6-2015)

5. Maximum Building Height: No principal building shall exceed six (6) stories or sixty five feet (65') in height and no accessory buildings shall exceed one story or seventeen feet (17') in height.

6. Maximum Coverage: No more than seventy five percent (75%) of the lot area shall be covered by structures.

7. Minimum Lot Area And Width: The minimum lot area shall be at least ten thousand (10,000) square feet and minimum lot width of seventy feet (70').

8. Minimum Yard Requirements (Setbacks):

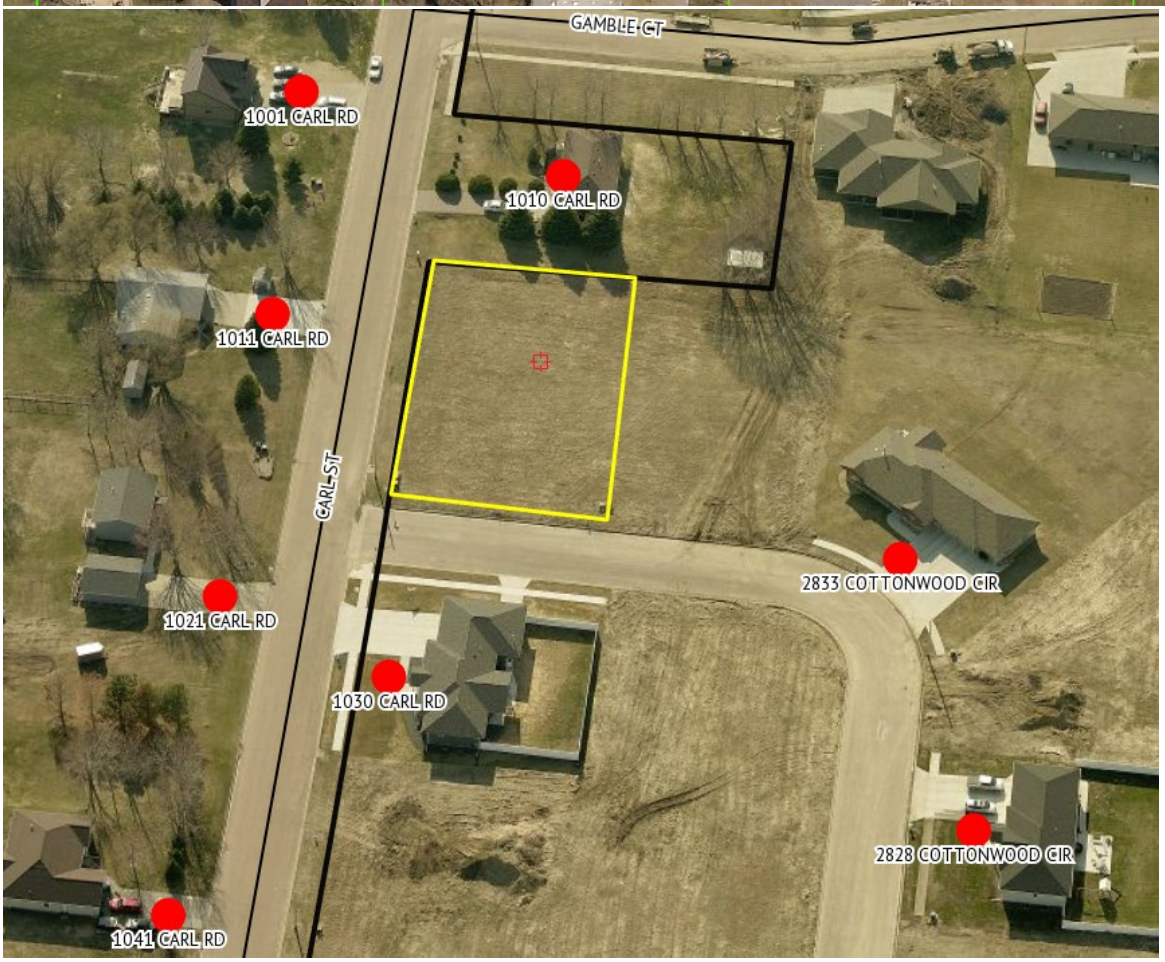
a. Front yard: Thirty feet (30').

b. Back yard: Thirty feet (30').

c. Side yard: Six feet (6').

d. Side yard of corner lot: Fifteen feet (15'). (Ord. 2408, 10-1-2012; Ord. O2021-08, 6-7-2021)

15975-00500-003-00
2828
2833
15975-00400-010-00
2827
2825
15127-00100-002-00
15975-00600-009-00
15975-00500-002-00
15127-00100-001-10
15127-00000-0
GAMBLE CT
06341-00100-002-04
1010
15127-00100-003-10
COTTONWOOD CIR
15975-00600-001-00
1030
1050
CARL RD
1041
1001
1011
1021
06341-10360-002-10
06341-10360-002-20
06341-10360-002-30
06341-10360-004-10


GAMBLE CT
1001 CARL RD
1010 CARL RD
1011 CARL RD
CARL ST
2833 COTTONWOOD CIR
1021 CARL RD
1030 CARL RD
2828 COTTONWOOD CIR
1041 CARL RD

NOTICE OF HEARING

TO: The City of Mitchell Planning Commission, City Council of the City of Mitchell, and the General Public.

You are hereby notified that the following proposed ordinance will be heard and considered by the City Planning Commission on Monday, November 14, 2022 at 12:00 pm (Noon) and the City Council will consider first reading of the proposed ordinance on Monday, November 21, 2022 at 6:00 pm and consider second reading and final adoption on Monday, December 5, 2022 at 6:00 pm. All meetings will held in the Council Chambers, City Hall, 612 N Main St, Mitchell, South Dakota. All interested parties may attend the hearings and provide testimony.

ORDINANCE O2022-18

An Ordinance amending 10-9B-3, Woodland Heights Planned Development District, Title 10 Zoning Regulations, City of Mitchell Municipal Code

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

Section 1.

That 10-9B-3: Scope of Regulations, B., Subarea B., be amended by changing the Lot numbers from "Lot 7, Block 1, lots 1-14, block 2, lots 1-14, block 3, lots 1-10, block 4, lots 1-8, block 5" to "Lot 7, Block 1, lots 1-14, block 2, lots 1-14, block 3, lots 1-10, block 4, lots 2-8, block 5" so to be read as follows:

B. Subarea B. Also known as Lot 7, Block 1, lots 1-14, block 2, lots 1-14, block 3, lots 1-10, block 4, lots 2-8, block 5, Woodland Heights First Addition, city of Mitchell, Davison County, South Dakota

That 10-9B-3: Scope of Regulations, C., Subarea C., be amended by changing the Lot numbers from "Lots 10-12 Block 5, Block 6" to "Lots 1 and 10-12 Block 5, Block 6" so to be read as follows:

C. Subarea C. Also known as Lots 1 and 10-12 Block 5, Block 6, Woodland Heights First Addition, City of Mitchell, Davison County, South Dakota.

Section 2.

The City Finance Officer shall cause notice of adoption of this ordinance to be published in the official newspaper and twenty (20) days after the completed publication, unless the referendum is invoked, this ordinance shall become effective.

Adopted by majority vote of the Mitchell SD City Council in regular session this ____ day of _____, 2022.

_____
Robert B. Everson, Jr. – Mayor

Attest:

(seal)

_____
Michelle Bathke – City Finance Officer

First Reading: _____
Second Reading: _____
Adoption: _____
Published: _____

Publish three times: Wednesday November 2, 2022, Wednesday November 9, 2022 and Wednesday November 23, 2022
Approximate Costs:

Ethan Coop Lumber
PO Box 167
Ethan, SD 57334

Carol & Gary Worth
2808 Gamble Ct
Mitchell, SD 57301

Shelly Howard
1010 Carl Rd
Mitchell, SD 57301

Danny & Valerie Anderson
2833 Cottonwood Cr
Mitchell, SD 57301

Matthew & Bridget Huber
2828 Cottonwood Cr
Mitchell, SD 57301

William & Patricia Carlson
1030 Carl Rd
Mitchell, SD 57301

Kenneth & Debra Wagner
1001 Carl Rd
Mitchell, SD 57301

Laurie Martin
Cody Weerheim
1011 Carl Rd
Mitchell, SD 57301

William & Paula Marken
1021 Carl Rd
Mitchell, SD 57301

Daryl & Megan Bird
1041 Carl Rd
Mitchell, SD 57301

City of Mitchell | Public Works
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8433 | Fax: 605-995-8410
CityOfMitchell.org

Mitchell
SOUTH DAKOTA
Outside expectations

November 2, 2022

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Ethan Coop Lumber is requesting Lot 1, Block 5 of Woodland Heights Planned Development District (see enclosed map) be removed from 10-9B-3 Subarea B and be added to 10-9B-3 Subarea C. The owner wishes to allow a duplex be built on this location.

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Monday, November 14, 2022 at 12:00 pm (noon) and the City Council will consider 1st Reading of the Ordinance on Monday, November 21, 2022 at 6:00 p.m. and 2nd Reading and Adoption on Monday, December 5, 2022 at 6:00 p.m., all meetings will be in the Council Chambers, City Hall, 612 N. Main St, Mitchell, SD. All interested parties may attend the hearings.

All interested parties may be present and be heard on said request, either in person or by agent. Please submit written comments by 5:00 P.M. the Friday prior to the meeting, in the City of Mitchell Public Works Office or Finance Office.

I/We Gary & Carol A. Frost
OWNER

2808 Gamble Ct., Mitchell, SD
ADDRESS

X APPROVE

_____ DISAPPROVE

COMMENTS:

City of Mitchell | Public Works
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8433 | Fax: 605-995-8410
CityOfMitchell.org

Mitchell SOUTH DAKOTA Outside expectations

November 2, 2022

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Ethan Coop Lumber is requesting Lot 1, Block 5 of Woodland Heights Planned Development District (see enclosed map) be removed from 10-9B-3 Subarea B and be added to 10-9B-3 Subarea C. The owner wishes to allow a duplex be built on this location.

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Monday, November 14, 2022 at 12:00 pm (noon) and the City Council will consider 1st Reading of the Ordinance on Monday, November 21, 2022 at 6:00 p.m. and 2nd Reading and Adoption on Monday, December 5, 2022 at 6:00 p.m., all meetings will be in the Council Chambers, City Hall, 612 N. Main St, Mitchell, SD. All interested parties may attend the hearings.

All interested parties may be present and be heard on said request, either in person or by agent. Please submit written comments by 5:00 P.M. the Friday prior to the meeting, in the City of Mitchell Public Works Office or Finance Office.

I/We Shelly Howard
OWNER

1010 Carl Rd
ADDRESS

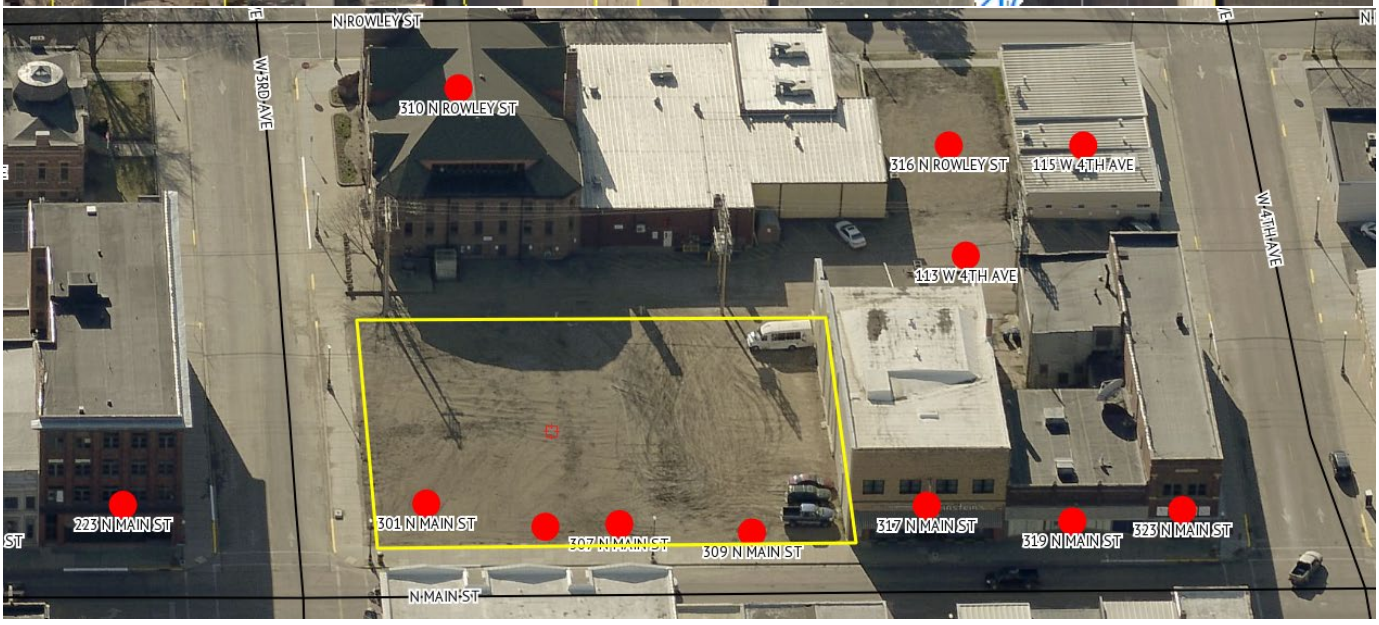
____ APPROVE

V DISAPPROVE

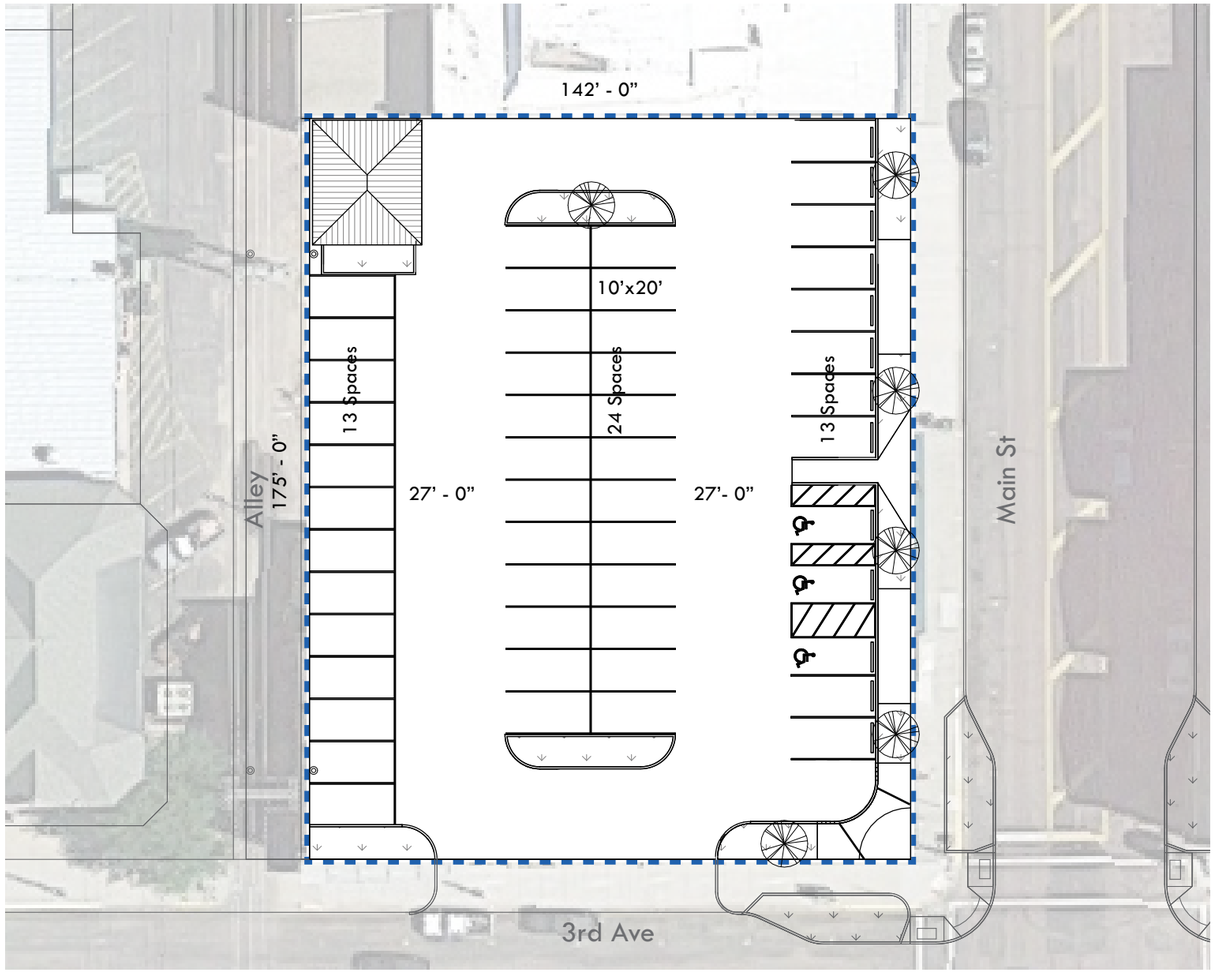
COMMENTS:

There are no other duplexes in this area of development. I think it would lower property value for the rest and look tacky.

W 4TH AVE
323
322
115
320
319
318
316
113
316
317
314
N ROWLEY ST
312
310
308
N MAIN ST
300
310
W 3RD AVE
223
218
217


N ROWLEY ST
W 3RD AVE
310 N ROWLEY ST
316 N ROWLEY ST
115 W 4TH AVE
W 4TH AVE
113 W 4TH AVE
223 N MAIN ST
301 N MAIN ST
309 N MAIN ST
317 N MAIN ST
319 N MAIN ST
323 N MAIN ST
N MAIN ST

CIAVARELLA DESIGN ARCHITECTS

Concept 01

Parking Spaces: **50 (including 3 handicap)** | Parking Space Size: **10’x20’**