

**CITY OF MITCHELL
CITY PLANNING COMMISSION AGENDA
CITY COUNCIL CHAMBERS, CITY HALL
612 N MAIN ST
NOVEMBER 28, 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 11-14-22.**

Documents:

[PLANNING COMMISSION UNSIGNED MINUTES 11-14-22.PDF](#)

- 6. Schedule Next Meeting-12-12-22 @ 12:00 P.M.**
- 7. Variance: Ethan Coop Lumber On Behalf Of Robert And Sherri Porter-5210 Fiala Rd.**

Ethan Coop Lumber on behalf of Robert and Sherri Porter have applied for a variance permit for an attached garage of 3,136 square feet vs 2,000 square feet located at 5210 Fiala Rd, legally described as Lot 14 of Fiala's Addition in the NW 1/4 of Section 4, T 103 N, R 60, W of the 5th P.M., Davison County, South Dakota. The said real property is zoned Lake Residential District (RL).

Documents:

[PORTER-APPLICATION.PDF](#)
[PORTER-GIS.PDF](#)
[PORTER-PRELIMINARY FLOOR PLAN.PDF](#)
[PORTER-PRELIMINARY ELEVATIONS.PDF](#)
[PORTER-NOTICE OF HEARING.PDF](#)
[PORTERS-NEIGHBORS.PDF](#)
[PORTER-LETTER FROM NEIGHBOR-PORTER.PDF](#)
[PORTER-LETTER FROM NEIGHBOR-CAHOY.PDF](#)
[PORTER-LETTER FROM NEIGHBOR-BECK.PDF](#)

- 8. Conditional Use Permit: HiWings LLC-40580 250th St.**

HiWings LLC has applied for a conditional use permit for Alcohol Sales (on-sale); located at 40580 250th St, legally described as Kelley Tract 1, a subdivision of the Southwest ¼ of the Southeast ¼; Kelley Tracts 1A and 2, a subdivision of the South ½ of the Southeast ¼; West 208.75' of South 208.75' of the Southeast ¼ of the Southeast ¼; all in Section 36, T 104 N, R 61 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned UD Urban Development District.

Documents:

[HIWINGS LLC-APPLICATION.PDF](#)
[HIWINGS LLC-GIS.PDF](#)
[HIWINGS LLC-NOTICE OF HEARING.PDF](#)

- 9. Plat: Lot I, A Subdivision Of Lot H Of Brech's Subdivision In The W 1/2 Of The SE 1/4 Of Section 4, T 103 N, R 60 W Of The 5th P.M., Davison County, South Dakota; As Requested By Daniel & Quincy Brech.**

Documents:

[BRECH-GIS.PDF](#)
[BRECH-PLAT.PDF](#)

- 10. Plat: Lots 1 And 2 In Block 4 Of Sunny Side Addition, An Addition To The City Of Mitchell, Davison County, South Dakota; As Requested By Mitchell Hotels LLC.**

Documents:

[MITCHELL HOTELS LLC-GIS.PDF](#)
[MITCHELL HOTELS LLC-PLAT.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

11/14/2022 - Minutes

1. Call To Order:

Chairperson Larson called the November 14, 2022 City Planning Commission 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, Larson, Osterloo, Sonne, Doescher.

Absent: Jirsa, Penney, Schmitz

Staff Present: Mayor Everson, Jenniges, J Johnson, T Johnson, Schroeder.

3. Declaration Of Conflicts Of Interests

Genzlinger stated he had done work for item #11 on the agenda but has no further contract with the applicant. After discussion motion by Sonne, second by Osterloo that Genzlinger has no conflict of interest. Roll call vote: Genzlinger – aye, Jirsa – absebt, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – aye. 4 aye, 0 nay, 3 absent; motion carried.

4. Approve Agenda:

Motion by Genzlinger, seconded by Osterloo to approve the proposed agenda. Roll call vote: Genzlinger – aye, Jirsa – absebt, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – aye. 4 aye, 0 nay, 3 absent; motion carried.

5. Approval Of Previous Minutes 11-7-22.

Motion by Sonne, seconded by Osterloo to approve the previous minutes of the November 7, 2022 Planning Commission meeting. All present voting aye; motion carried.

6. Schedule Next Meeting-11-28-22 @ 12:00 P.M.

Motion by Genzlinger, seconded by Osterloo to set the date for the next Planning Commission meeting to be November 28, 2022. All present voting aye; motion carried.

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).

Jenniges explained notices were sent out to the neighbors and it was published in the official news paper with five responses in favor of the variance. Jenniges noted this will not be within the site triangle and it will not be an enclosed structure just a covered porch. The applicant was present to answer questions.

Larson commented that the house was probably never in conformance with zoning code because it was built prior to the code on a 50' wide lot. Jenniges noted the west side did meet the side corner setback prior

to the request of the variance, but the south side did not.

Motion by Genzlinger, seconded by Sonne to recommend approval of the variance. Roll call vote: Genzlinger – aye, Jirsa – absebt, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – aye. 4 aye, 0 nay, 3 absent; motion carried.

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).

Jenniges explained notices were sent out to the neighbors and it was published in the official newspaper with one response received in favor that did not make the packet but had no comments with it. Jenniges noted he did receive a call from a landowner to the west that has concerns about the drainage issues this could create but did not have issues with the conditional use or variance as a whole. The applicant was present to answer questions.

Jenniges explained that by combining the three lots into one parcel the applicant meets the minimum lot width, lot minimum lot area and zoning lot coverage requirements. There is an existing single family dwelling and duplex on the parcel, they are adding a four-plex to.

Schroeder noted that the drainage will be looked at with the site plan and building permit application.

Motion by Osterloo, seconded by Sonne to recommend approval of the conditional use. Roll call vote: Genzlinger – aye, Jirsa – absent, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – aye. 4 aye, 0 nay, 3 absent; motion carried.

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).

Jenniges explained notices were sent out to the neighbors and it was published in the official newspaper with one response received in favor that did not make the packet but had no comments with it. Most of the discussion was with the previous item on the agenda. The applicant was present to answer questions.

Jenniges also noted the duplex to the south was granted a front yard variance previously this year for 23' vs 25' setback. The pictures of the duplex were shown that this four plex will look similar to.

Genzlinger questioned if the the four plex could be built without the variance? Jenniges explained it would be 6' total for the structure that would have to be eliminated and each main area only is 24' in depth to begin with so that would be reduced to 21'. The applicant noted they are also only using a 1' overhang.

Motion by Genzlinger, seconded by Osterloo to recommend approval of the variance permit. Roll call vote: Genzlinger – aye, Jirsa – absent, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – aye. 4 aye, 0 nay, 3 absent; motion carried.

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 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.

Jenniges explained notices were sent out to the neighbors and it was published in the official newspaper with one response received in favor and one response opposed. Since the packet has been made there were two more responses received against, one with no comment and one that stated there are other lots in the area that can have duplexes built on them so this should not be rezoned. The applicant was not present to answer questions.

Osterloo noted there are other duplexes with in a block of this location and that times have changed since it was originally zoned by the the developer.

Motion by Osterloo, seconded by Sonne to recommend approval of the rezone. Roll call vote: Genzlinger – aye, Jirsa – absent, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – aye. 4 aye, 0 nay, 3 absent; motion carried.

11. Plan Approval-Western Building Parking-NW Corner Of 3rd And Main.

Jenniges explained this is the parking facility for the Western Building to the south. This is zoned Central Business. The applicant was present to answer questions.

Don Dahl representing John Adamo stated there are about 60 apartments near the intersection this parking facility will be used for.

Larson questioned if this would be private parking which was answered yes.

Schroeder questioned if there would be access from the alley to the west which was answered no. The applicant feels the alley is to tight for that so access will be from 3rd Ave.

Doescher questioned if it will be signed for private parking which was answered yes. The applicant stated there will be tags issued to the renters of the apartments, it will not be a gated parking lot with a code.

Genzlinger stated it was designed with a visual buffer of the trees/grass/benches so it's not just an asphalt parking lot. Schroeder noted the city approved of the parking facility and it's features

Motion by Osterloo, seconded by Sonne to approve the plan. Roll call vote: Genzlinger – aye, Jirsa – absent, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – aye. 4 aye, 0 nay, 3 absent; motion carried.

12. Other Business:

None.

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.

None.

14. Adjournment:

Chairperson Larson adjourned the meeting at 12:25 P.M.



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 [Click or tap here to enter text.](#) District to [Click or tap here to enter text.](#) District.

☒ **Variance** *\$100 application fee due with application.*

Description of Variance: Variance Permit for an attached garage of 3,136 square feet vs 2,000 square feet.

☐ **Conditional Use Permit** *\$150 application fee due with application*

Description of Conditional Use: [Click or tap here to enter text.](#)

This Application is for the following described real property:

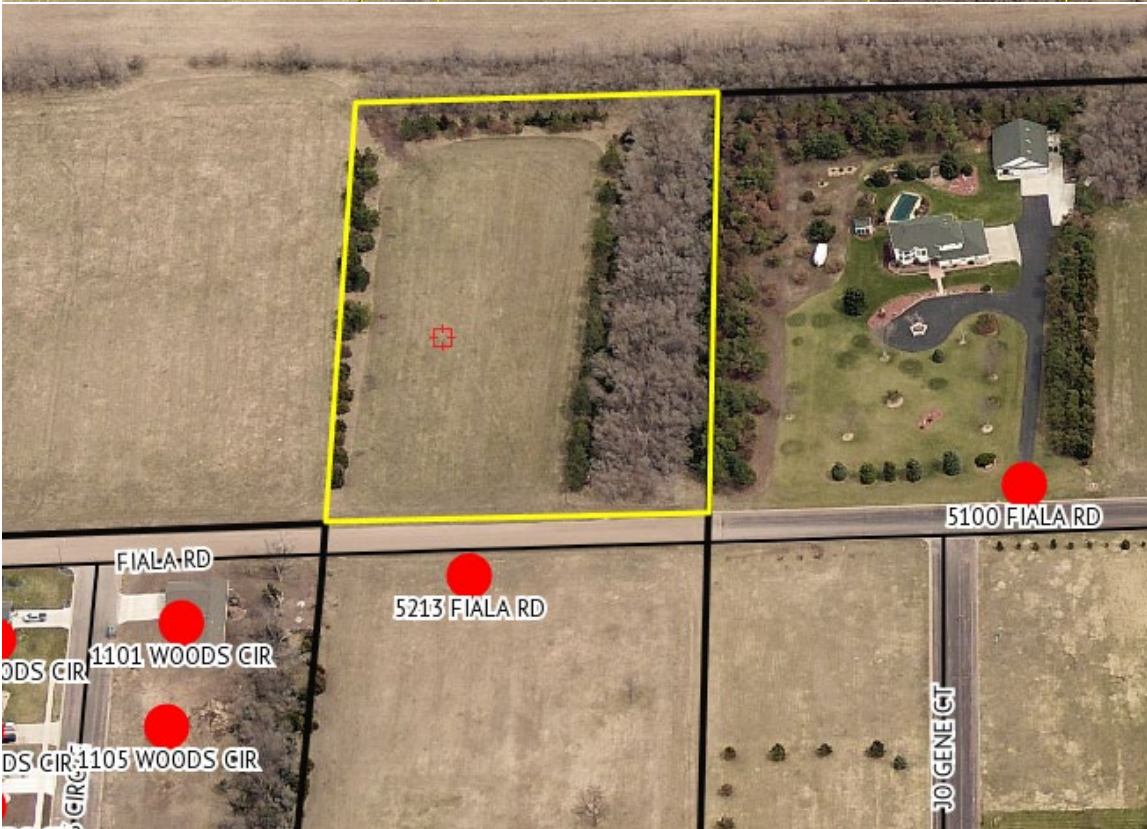
Legal Description: Lot 14 of Fialas Addition in the NW ¼ of Section 4, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota

Property Address: 5210 Fiala Road

Dated this 8th of November, 2022

Ethan Coop Lumber on Behalf of Robert & Sherri Porter
APPLICANT

Robert & Sherri Porter
OWNER



Drawn By:	Ashley Gunnare
Truss Depth:	-
Wall Height:	10'
Sheet Name:	Elevations
Date Revised:	October 25, 2022
Bob & Sherril Porter	

THINK 25% FASTER

EGL

EXPERIENCE. GROW. LEARN.

PO Box 167 117 West Ash Street

Elm, SD 57334

Office: (605) 227-4225

Fax: (605) 227-4225

www.ahhacoolplumber.com

3257

WITH RECREATION

3130

SHOP + GARAGE

Scale: 1/8" = 1'-0"

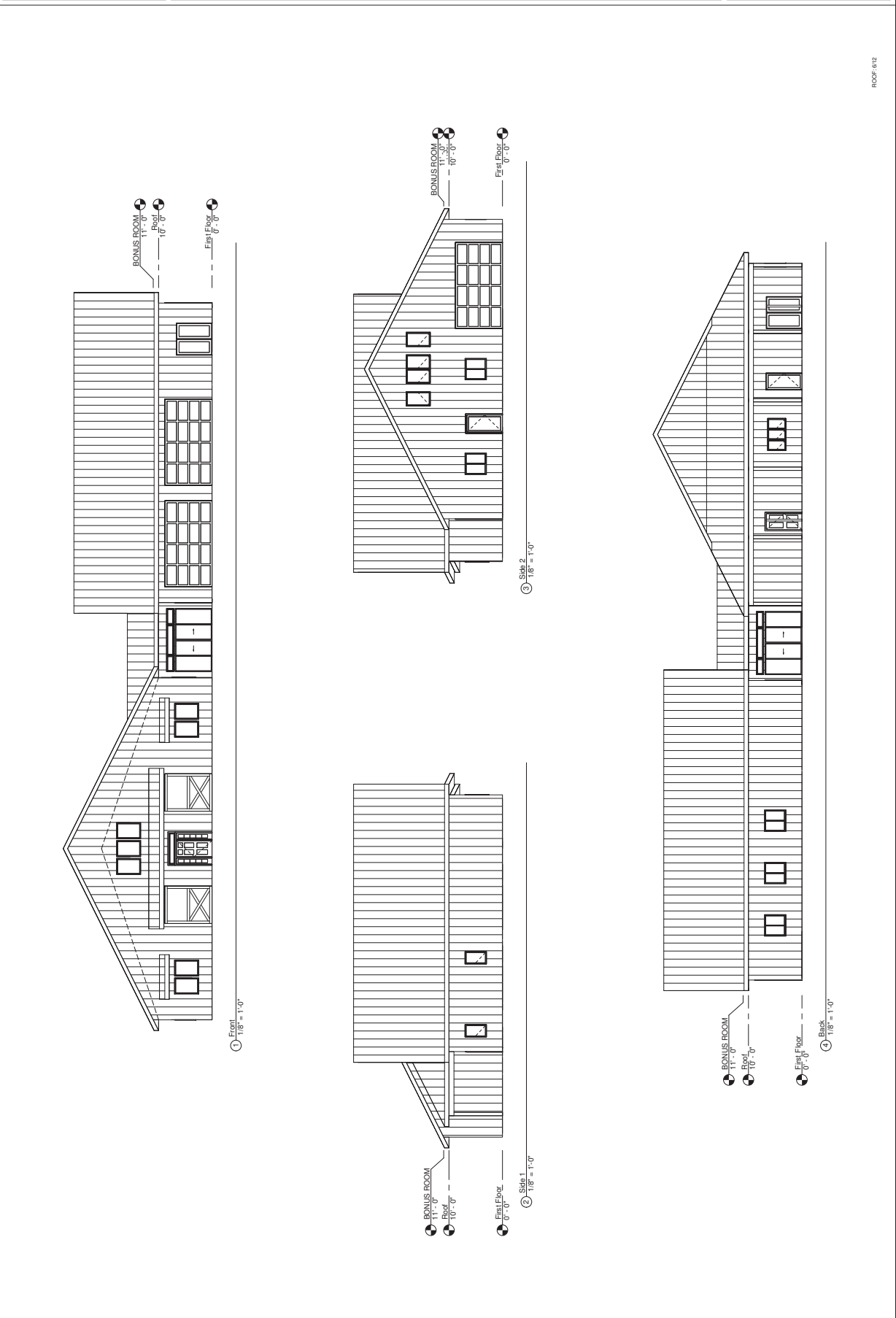
A2

Permitted for Garage

Square Footage for Garage

Permitted for House

Square Footage for House



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 Ethan Coop Lumber on behalf of Robert and Sherri Porter have applied for a variance permit for an attached garage of 3,136 square feet vs 2,000 square feet located at 5210 Fiala Rd, legally described as Lot 14 of Fiala's Addition in the NW 1/4 of Section 4, T 103 N, R 60, W of the 5th P.M., Davison County, South Dakota. The said real property is zoned Lake Residential District (RL).

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on Monday, November 28, 2022, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, December 5, 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 9th day of November, 2022.

Michelle Bathke

FINANCE OFFICER

Publish once: 16th day of November, 2022

Approximate Cost:

Ethan Coop Lumber
117 W Ash St
Ethan, SD 57334

Robert & Sherri Porter
5100 Fiala Rd
Mitchell, SD 57301

Groeneweg Construction
125 Caleb Ct
Parker, SD 57053

Alyssa & Sidney Stemper
1101 Woods Circle
Mitchell, SD 57301

Morris & Ardis Beck
951 National Guard Rd
Mitchell, SD 57301

Nick & Hilary Rockwell
100 N Harmon Dr
Mitchell, SD 57301

B & D Enterprises LLC
21 S Harmon Dr
Mitchell, SD 57301

Chad & Robin Cahoy
100 Jo Gene Ct
Mitchell, SD 57301

CJM Consulting Inc
1050 N Harmon Dr
Mitchell, SD 57301



November 16, 2022

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Ethan Coop Lumber on behalf of Robert and Sherri Porter have applied for a variance permit for an attached garage of 3,136 square feet vs 2,000 square feet located at 5210 Fiala Rd, legally described as Lot 14 of Fiala's Addition in the NW 1/4 of Section 4, T 103 N, R 60, W of the 5th P.M., Davison County, South Dakota. The said real property is zoned Lake Residential District (RL).

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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 Robert & Sherri Porter
OWNER
5100 FIALA ROAD, Mitchell, So. Dak,
ADDRESS 57301

X APPROVE

 DISAPPROVE

COMMENTS:

November 16, 2022

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I/We Chad & Robin Cahoy
OWNER

1100 So Gene Ct, Mitchell, SD 57301
ADDRESS

X APPROVE

 DISAPPROVE

COMMENTS:

November 16, 2022

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Ethan Coop Lumber on behalf of Robert and Sherri Porter have applied for a variance permit for an attached garage of 3,136 square feet vs 2,000 square feet located at 5210 Fiala Rd, legally described as Lot 14 of Fiala's Addition in the NW 1/4 of Section 4, T 103 N, R 60, W of the 5th P.M., Davison County, South Dakota. The said real property is zoned Lake Residential District (RL).

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I/We Morris & Aedis Beck
OWNER

951 National Guard Road
ADDRESS

☒ APPROVE
☐ DISAPPROVE

COMMENTS: Robert and Sherri Porter need to have their lot
Surveyed and Easements Marked clearly
Also the Right of way needs to be marked



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

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Applicant is request to rezone property from [Click or tap here to enter text.](#) District to [Click or tap here to enter text.](#) District.

☐ **Variance** \$100 application fee due with application.

Description of Variance: [Click or tap here to enter text.](#)

☒ **Conditional Use Permit** \$150 application fee due with application

Description of Conditional Use: Alcohol Sales (On-sale).

This Application is for the following described real property:

Legal Description: Kelley Tract 1, a subdivision of the Southwest ¼ of the Southeast ¼; Kelley Tracts 1A and 2, a subdivision of the South ½ of the Southeast ¼; West 208.75' of South 208.75' of the Southeast ¼ of the Southeast ¼; all in Section 36, T 104 N, R 61 W of the 5th P.M., City of Mitchell, Davison County, South Dakota.

Property Address: 40580 250th St, Mitchell, SD 57301

Dated this 9th of November, 2022

HiWings LLC
APPLICANT

OWNER

A handwritten signature in black ink, appearing to be "HiWings LLC", written over the word "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 HiWings LLC has applied for a conditional use permit for Alcohol Sales (on-site); located at 40580 250th St, legally described as Kelley Tract 1, a subdivision of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; Kelley Tracts 1A and 2, a subdivision of the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$; West 208.75' of South 208.75' of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; all in Section 36, T 104 N, R 61 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned UD Urban Development District.

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Dated this 9th day of November, 2022.

Michelle Bathke

FINANCE OFFICER

Publish once: 16th day of November, 2022

Approximate Cost:

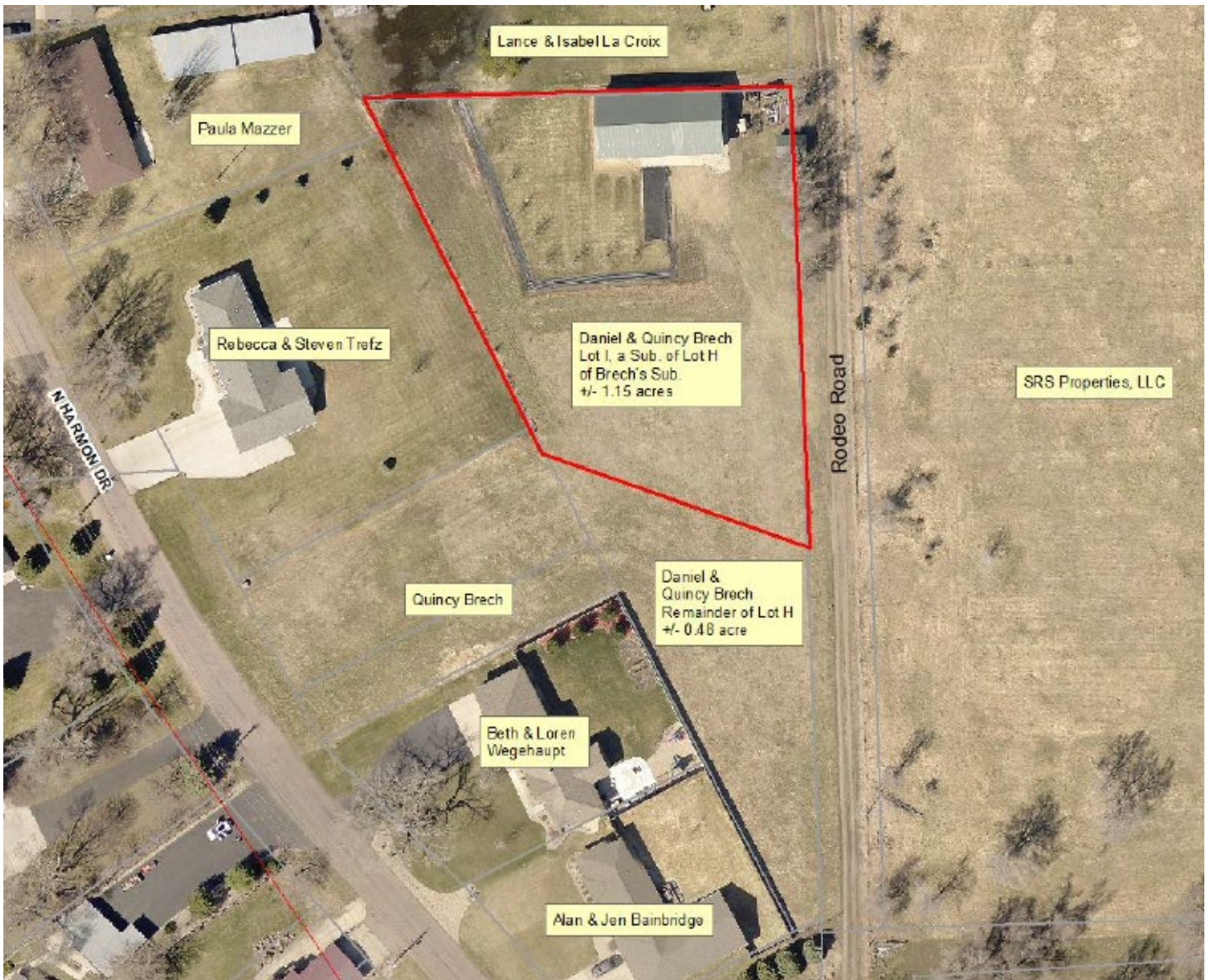
HiWings LLC
600 S Burr St
Mitchell, SD 57301

City of Mitchell
612 N Main St
Mitchell, SD 57301

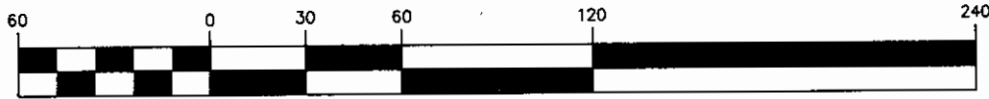
David & Shirley Thompson
24985 406th Ave
Mitchell, SD 57301

Phillip Breidenbach
106 Longwood Green CT
Aiken, SC 59803

Millan Acres LLC
25533 404th Ave
Mitchell, SD 57301

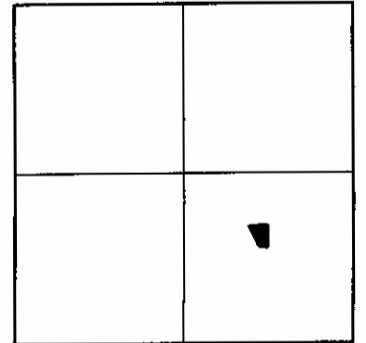


GRAPHIC SCALE



(IN FEET)
1 inch = 60 ft.

SEC. 4, T 103 N, R 60 W



LOCATION MAP
SCALE: 1" = 3000'

LEGEND

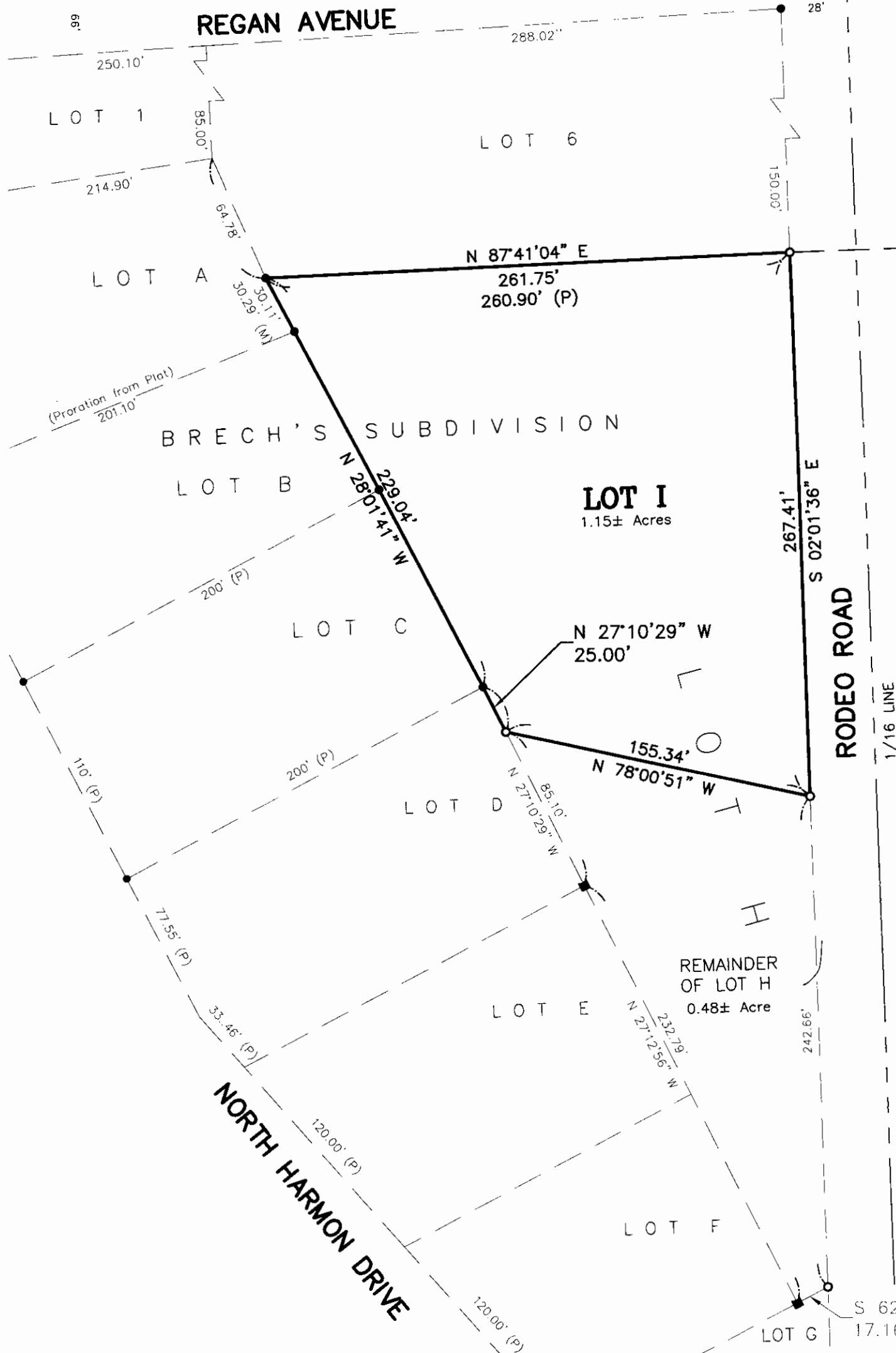
- = FOUND IRON MONUMENT
- = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 8296
- 100' (P) = PLATTED BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE
- = SET NAIL
- △ = SET SURVEY SPIKE
- 4.00 CH (P) = PLATTED DISTANCE IN CHAINS
- = WOOD POST
- ◇ = SET 3/8" X 12" SPIKE W/WASHER PCK-8296
- WM = WITNESS MONUMENT

PREPARED BY: PAUL C. KIEPKE, R.L.S.
2100 NORTH SANBORN BLVD. - P.O. BOX 398
MITCHELL, SOUTH DAKOTA 57301
PHONE: (605) 996-7761

COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH
ZONE, STATE PLANE - NORTH AMERICAN
DATUM 1983 - GEOID 18.

GRID BEARINGS AND GROUND DISTANCES
ARE SHOWN.

Pins along west line were originally
located then a fence was built along
that line and wood posts are at lot
corners.



A PLAT OF LOT I, A SUBDIVISION OF LOT H OF BRECH'S SUBDIVISION IN THE
W 1/2 OF THE SE 1/4 OF SECTION 4, T 103 N, R 60 W OF THE 5TH P.M.,
DAVISON COUNTY, SOUTH DAKOTA.

SURVEYOR'S CERTIFICATE

I, Paul C. Kiepke, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of Daniel L. Brech and Quincy Brech, as owners, and under their direction for purposes indicated therein, I did on or prior to October 24, 2022, survey those parcels of land described as follows: LOT I, A SUBDIVISION OF LOT H OF BRECH'S SUBDIVISION IN THE W 1/2 OF THE SE 1/4 OF SECTION 4, T 103 N, R 60 W OF THE 5TH P.M., 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 10th day of November, 2022.

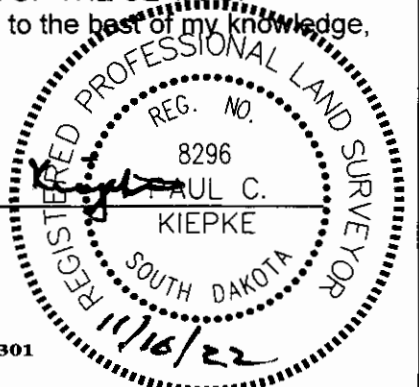
Registered Land Surveyor #SD8296

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 I, A SUBDIVISION OF LOT H OF BRECH'S SUBDIVISION IN THE W 1/2 OF THE SE 1/4 OF SECTION 4, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.

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

KNOW ALL MEN BY THESE PRESENTS that we hereby certify that we are the absolute and unqualified owners of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in LOT H OF BRECH'S SUBDIVISION IN THE W 1/2 OF THE SE 1/4 OF SECTION 4, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at our request and under our direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOT I, A SUBDIVISION OF LOT H OF BRECH'S SUBDIVISION IN THE W 1/2 OF THE SE 1/4 OF SECTION 4, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and we hereby dedicate to the public, for public use forever as such, the streets, alleys and easements, if any, as shown and marked on said plat; and that development of the land included within the boundaries of said Lot I shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists Rodeo Road. 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 Agriculture 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 _____, 2022.

Daniel L. Brech

Quincy Brech

STATE OF SOUTH DAKOTA)

)SS

COUNTY OF DAVISON)

On this, the _____ day of _____, 2022, before me, _____, the undersigned officer, personally appeared Daniel L. Brech and Quincy Brech, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same for the purposes therein contained.

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 I, A SUBDIVISION OF LOT H OF BRECH'S SUBDIVISION IN THE W 1/2 OF THE SE 1/4 OF SECTION 4, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul C. Kiepke, 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 I, A SUBDIVISION OF LOT H OF BRECH'S SUBDIVISION IN THE W 1/2 OF THE SE 1/4 OF SECTION 4, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul C. Kiepke, 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 _____, 2022.

Chairman/Vice-Chairman of Mitchell City Planning Commission

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 _____, 2022; and

WHEREAS, it appears from an examination of the plat of LOT I, A SUBDIVISION OF LOT H OF BRECH'S SUBDIVISION IN THE W 1/2 OF THE SE 1/4 OF SECTION 4, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as prepared by Paul C. Kiepke, 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 I, A SUBDIVISION OF LOT H OF BRECH'S SUBDIVISION IN THE W 1/2 OF THE SE 1/4 OF SECTION 4, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul C. Kiepke, 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 _____, 2022.

Finance Officer/Deputy Finance Officer of City of Mitchell



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 I, A SUBDIVISION OF LOT H OF BRECH'S SUBDIVISION IN THE W 1/2 OF THE SE 1/4 OF SECTION 4, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.

RESOLUTION OF COUNTY PLANNING COMMISSION

WHEREAS, the plat of LOT I, A SUBDIVISION OF LOT H OF BRECH'S SUBDIVISION IN THE W 1/2 OF THE SE 1/4 OF SECTION 4, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul C. Kiepke, duly licensed Land Surveyor in and for the State of South Dakota, heretofore filed in the office of the County Auditor of Davison County, South Dakota, has been submitted to the County Planning Commission of the said County of Davison, South Dakota; and

WHEREAS, the County 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 County of Davison, South Dakota, heretofore adopted by this Commission;

NOW THEREFORE, be it resolved by the County Planning Commission of Davison County, South Dakota, that the plat of LOT I, A SUBDIVISION OF LOT H OF BRECH'S SUBDIVISION IN THE W 1/2 OF THE SE 1/4 OF SECTION 4, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul C. Kiepke, a Land Surveyor, be and the same is hereby approved and its adoption by the Board of Commissioners of the County of Davison, South Dakota, is hereby recommended.

The undersigned hereby certifies that the foregoing resolution was passed by the County Planning Commission of Davison County, South Dakota, at a meeting thereof held on the _____ day of _____, 2022.

Chairman/Vice-Chairman of Davison County Planning Commission

RESOLUTION BY BOARD OF COUNTY COMMISSIONERS

Be it resolved by the Board of County Commissioners of Davison County, South Dakota, that the plat of LOT I, A SUBDIVISION OF LOT H OF BRECH'S SUBDIVISION IN THE W 1/2 OF THE SE 1/4 OF SECTION 4, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, which has been submitted for examination pursuant to law, is hereby approved and the County Auditor is hereby authorized and directed to endorse on such plat a copy of this Resolution and certify the same.

Chairperson/Vice-Chairperson, Board of County Commissioners of Davison County

AUDITOR'S CERTIFICATE

I do hereby certify that the above resolution was adopted by the Board of County Commissioners of Davison County, South Dakota, at a regular meeting held on _____, 2022, approving the above named plat.

Auditor/Deputy Auditor, Davison County

CERTIFICATE OF HIGHWAY AUTHORITY

The location(s) of the existing approach(es) is/are hereby approved. Any change in the location(s) of the existing approach(es) shall require additional approval.

By: _____ Title: _____ Date: _____
Highway Authority

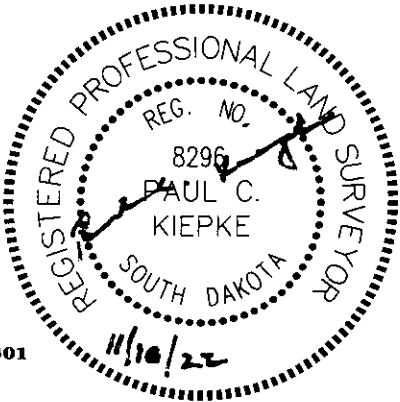
CERTIFICATE OF COUNTY TREASURER

I hereby certify 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 my office, have been fully paid.

Treasurer/Deputy Treasurer, Davison County Date _____



& 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

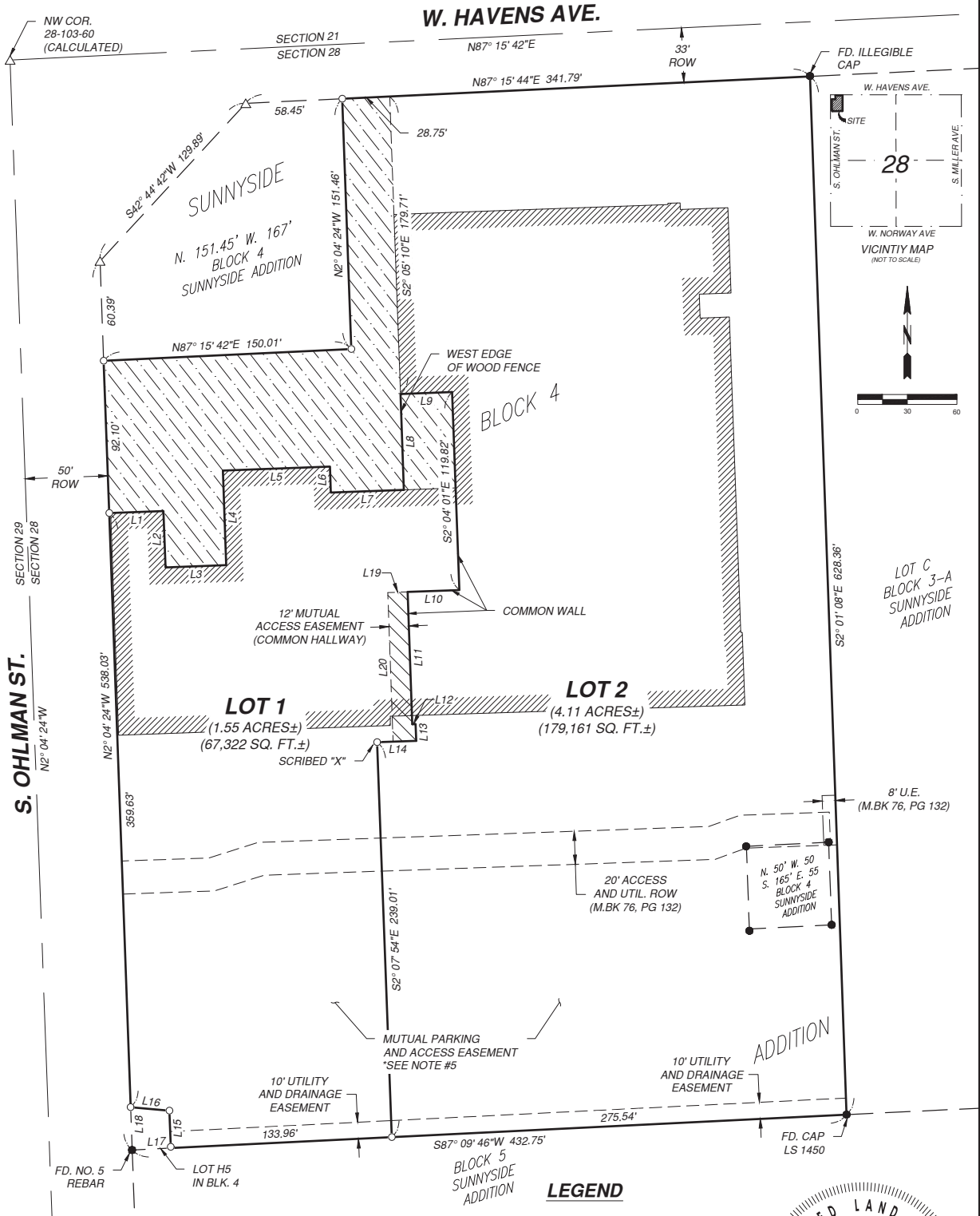






LOTS 1 AND 2 IN BLOCK 4 OF SUNNYSIDE ADDITION

AN ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA



PREPARED BY:

infrastructure
 design group, inc.

520 N LAWLER ST., SUITE 400
 MITCHELL, SD 57301
 PHONE: 605-292-0231
 WEB: infrastructuredg.com

LOTS 1 AND 2 IN BLOCK 4 OF SUNNYSIDE ADDITION

AN ADDITION TO THE CITY OF MITCHELL,
 DAVISON COUNTY, SOUTH DAKOTA

PROJ. NO.: 21199

DATE: 11/21/2022

DRAWN BY: MAS

CHECKED BY: RDK

SHEET NO: 1 OF 3

PROJ. NO.: 21199
DATE: 11/21/2022
DRAWN BY: MAS
CHECKED BY: RDK
SHEET NO: 2 OF 3

LOTS 1 AND 2 IN BLOCK 4 OF SUNNY SIDE ADDITION

AN ADDITION TO THE 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 _____, 2022; AND

WHEREAS, IT APPEARS FROM AN EXAMINATION OF THE PLAT OF **LOTS 1 AND 2 IN BLOCK 4 OF SUNNY SIDE ADDITION, AN ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, 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 **LOTS 1 AND 2 IN BLOCK 4 OF SUNNY SIDE ADDITION, AN ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA** BE AND THE SAME IS APPROVED AND THE DESCRIPTION SET FORTH THEREIN AND THE ACCOMPANYING SURVEYOR'S CERTIFICATE SHALL PREVAIL.

I, _____, FINANCE OFFICER/DEP. FINANCE OFFICER OF THE CITY OF MITCHELL, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE CITY OF MITCHELL, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE ____ DAY OF _____, 2022.

FINANCE OFFICER/DEP. FINANCE OFFICER

CERTIFICATE OF ROAD AUTHORITY

THE LOCATIONS OF THE EXISTING APPROACHES ARE HEREBY APPROVED. ANY CHANGE IN THE LOCATIONS OF THE EXISTING APPROACHES SHALL REQUIRE ADDITIONAL APPROVAL.

BY: _____
ROAD AUTHORITY TITLE DATE

AUDITOR'S CERTIFICATE

I, _____, DO HEREBY CERTIFY THAT I AM THE DULY ELECTED, QUALIFIED, AND ACTING COUNTY AUDITOR OF DAVISON COUNTY, SOUTH DAKOTA, AND THAT THE ABOVE RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF DAVISON COUNTY, SOUTH DAKOTA AT A REGULAR MEETING HELD ON _____, 2022, APPROVING THE ABOVE PLAT.

AUDITOR/DEPUTY AUDITOR, DAVISON COUNTY, SOUTH DAKOTA

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED IN THE ABOVE (AND THE FOREGOING) PLAT, AS SHOWN BY THE RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID.

DATED THIS ____ DAY OF _____, 2022.

COUNTY TREASURER/DEPUTY TREASURER
DAVISON COUNTY, SOUTH DAKOTA

DIRECTOR OF EQUALIZATION

I HEREBY CERTIFY THAT A COPY OF THE PLAT OF **LOTS 1 AND 2 IN BLOCK 4 OF SUNNY SIDE ADDITION, AN ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA**, HAS BEEN RECEIVED BY ME AND FILED IN MY OFFICE.

DIRECTOR OF EQUALIZATION/DEPUTY DIRECTOR OF EQUALIZATION
DAVISON COUNTY, SOUTH DAKOTA

REGISTER OF DEEDS

FILED FOR RECORD THIS ____ DAY OF _____, 2022, AT _____

O'CLOCK __M., AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____.

REGISTER OF DEEDS/DEPUTY REGISTER OF DEEDS
DAVISON COUNTY, SOUTH DAKOTA

PREPARED BY:



520 N LAWLER ST., SUITE 400
MITCHELL, SD 57301
PHONE: 605-292-0231
WEB: infrastructuredg.com

LOTS 1 AND 2 IN BLOCK 4 OF SUNNY SIDE ADDITION

AN ADDITION TO THE CITY OF MITCHELL,
DAVISON COUNTY, SOUTH DAKOTA

PROJ. NO.: 21199

DATE: 11/21/2022

DRAWN BY: MAS

CHECKED BY: RDK

SHEET NO: 3 OF 3