



Planning Commission Meeting Agenda
City Council Chambers, City Hall, 612 N. Main Street
July 24, 2023

- 1. 12:00 PM Call to Order**
- 2. Roll Call**
- 3. Election of Officers**
 - A. Chairperson
 - B. Vice-Chairperson
- 4. Declaration Of Conflicts Of Interests**
- 5. Approve Agenda**
- 6. Approval of Previous Minutes: June 26, 2023**
- 7. Schedule Next Meeting: August 14, 2023**
- 8. Plan Approval: Bill Wittstruck-1007 S Kimball St; zoned Highway Orientated Business District**
- 9. Plan Approval: Muth Electric-1400 S Burr St; zoned Highway Oriented Business District**
- 10. Conditional Use Permit: Latrice Franklin**

Latrice Franklin has applied for a conditional use permit to operate a Family Residential Daycare; located at 1522 Pebble Beach Road, legally described as Lot 27, Block 4, Lakeview 1st Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.
- 11. Condiitional Use Permit: Bobbie Sperlich**

Bobbie Sperlich has applied for a conditional use permit to operate a Family Residential Daycare; located at 2040 W 23rd Ave, legally described as E 100' of Lot B in the SE 1/4 of Section 8, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.
- 12. Variance Permit: CJG Properties LLC**

CJG Properties LLC has applied for a variance permit for an accessory building in the front yard and front yard setback of 6' vs 25'; located at 1821 W 8th Ave, legally described as Lots 5 & 6, Block 3, Home Park Original Addition, Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.
- 13. Other Business:**
- 14. Public Input:**

If you need to address the Board 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.

15. Adjourn

Individuals with disabilities who require special assistance to take part in this meeting may contact one of the following at City Hall (605) 995-8420 at least 24 hours prior to the meeting with requests for assistance: Human Resources Officer or the City Administrator.

Planning Commission Minutes
City Council Chambers, City Hall, 612 N. Main Street
June 26, 2023

1. Call to Order

Chairperson Larson called the June 26, 2023 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: Jirsa, Larson, Osterloo, Schmitz, Sonne.

Absent: Doescher, Genzlinger, Penney.

Staff Present: Dammann, Ellwein, Mayor Everson, Hegg, Jenniges, J Johnson, Schroeder.

3. Declaration Of Conflicts Of Interests

None.

4. Approve Agenda

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

5. Approval of Previous Minutes: June 12, 2023

Motion by Jirsa, seconded by Osterloo to approve the proposed minutes of the June 12, 2023 Planning Commission meeting. All present voting aye; motion carried.

6. Schedule next Meeting: July 10, 2023

Motion by Jirsa, seconded by Sonne to set the date for the next Planning Commission meeting for July 10, 2023. All present voting aye; motion carried.

7. Conditional Use Permit: Jodi Hofer

Jodi Hofer has applied for a conditional use permit to operate a Family Residential Daycare; located at 314 E 10th Ave, legally described as Lot 10, Block 8, D A Scotts First Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

Jenniges explained notices were sent out to the neighbors, it was published in the official newspaper and a sign was posted. There were two responses back, one in favor and one opposed due to safety concerns of their "beware of dogs" sign. Jenniges also cited the three regular conditions put on a daycare conditional use. The applicant was not present to answer questions.

Motion by Schmitz, seconded by Jirsa to recommend approval of the conditional use with the following conditions; 1) the permit is non-transferable, 2) if the business ceases to operate for six months, then a new application would be required, 3) pass fire inspection. All present voting aye; motion carried.

8. Conditional Use Permit: Jennifer Gerfen

Jennifer Gerfen has applied for a conditional use permit to operate a Family Residential Daycare; located at 1026 N Langdon St, legally described as West 81' of Lot 5, Block 4 of DA Scotts Second Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.

Jenniges explained notices were sent out to the neighbors, it was published in the official newspaper and a sign was posted. There was one response returned in favor. The applicant was not present to answer questions.

Motion by Jirsa, seconded by Sonne to recommend approval of the conditional use with the following conditions; 1) the permit is non-transferable, 2) if the business ceases to operate for six months, then a new application would be required, 3) pass fire inspection. All present voting aye; motion carried.

9. Conditional Use Permit: Bailey Week

Bailey Week has applied for a conditional use permit to operate a Family Residential Daycare; located at 308 S Mentzer St, legally described as Lots 7 and 8, Block 9, Applegate Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.

Jenniges explained notices were sent out to the neighbors, it was published in the official newspaper and a sign was posted. There was one response returned in favor that did not make the packet. The applicant was not present to answer questions.

Motion by Osterloo, seconded by Schmitz to recommend approval of the conditional use with the following conditions; 1) the permit is non-transferable, 2) if the business ceases to operate for six months, then a new application would be required, 3) pass fire inspection. All present voting aye; motion carried.

10. Variance Permit: Aaron Pemrick

Aaron Pemrick has applied for a variance permit for a setback from an alley of 7' vs 16' for an overhead garage door parallel to the alley for a garage addition; located at 209 E 7th Ave, legally described as Lot 4, Block 7, Rowley's 1st Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned NS Neighborhood Shopping District.

Jenniges explained notices were sent out to the neighbors, it was published in the official newspaper and a sign was posted. There were two responses returned in favor. The applicant was present to answer questions.

Jenniges reminded the board that the applicant was approved at the last meeting for construction of the shed.

Schmitz reaffirmed that the garage addition met setbacks for Neighborhood Shopping District, which Jenniges said it did, and also confirmed that this is just about the overhead garage door being installed. Jenniges also noted that the applicant knows that he will not be able to park in front of the door.

Motion by Schmitz, seconded by Osterloo to recommend approval of the variance. All present voting aye; motion carried.

11. Hearing And Recommendation: An Ordinance Amending 10-9E-4, South Point Village Planned Development District

Loyd Companies is requesting to amend South Point Village Planned Unit Development by changing 10-9E-4 Permitted Uses from "Multi-family dwellings of twenty four (24) units or less" to "Multi-family dwellings":

Jenniges explained notices were sent out to the neighbors, it was published in the official newspaper and a sign was posted. There was one response returned in favor and one reminding the boards of their business across the street. The applicant was present to answer questions.

Jenniges explained that when the PUD was created there probably should have been a conditional use section for the unlimited portion of dwellings. He also explained there are some currently non-conforming properties in this PUD because prior permits were issued based on dwellings per building and not per parcel.

Drew O'Brian of Lloyd Companies acknowledged the letter from Menards that their business is across the street. He noted that they are already invested in some of the properties in the area.

Motion by Osterloo, seconded by Schmitz to recommend approval of the zoning amendment.

Roll call vote: Genzlinger – absent, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – aye, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

12. Plat: Lot A-2, a subdivision of Lot A-1 of N. Boyden First Addition, a subdivision of the SE 1/4 of the NE 1/4 of Section 23, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota

Jenniges showed an updated version of the plat that was received on Friday. The only change was the size of the parcel going from 3.11 acres to 2 acres. This parcel is outside the city limits but still falls under city of Mitchell zoning jurisdiction. County will hear the plat during their July meetings. The applicant was present to answer questions.

Motion by Jirsa, seconded by Schmitz to approve the plat. Roll call vote: Genzlinger – absent, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – aye, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

13. Other Business:

None.

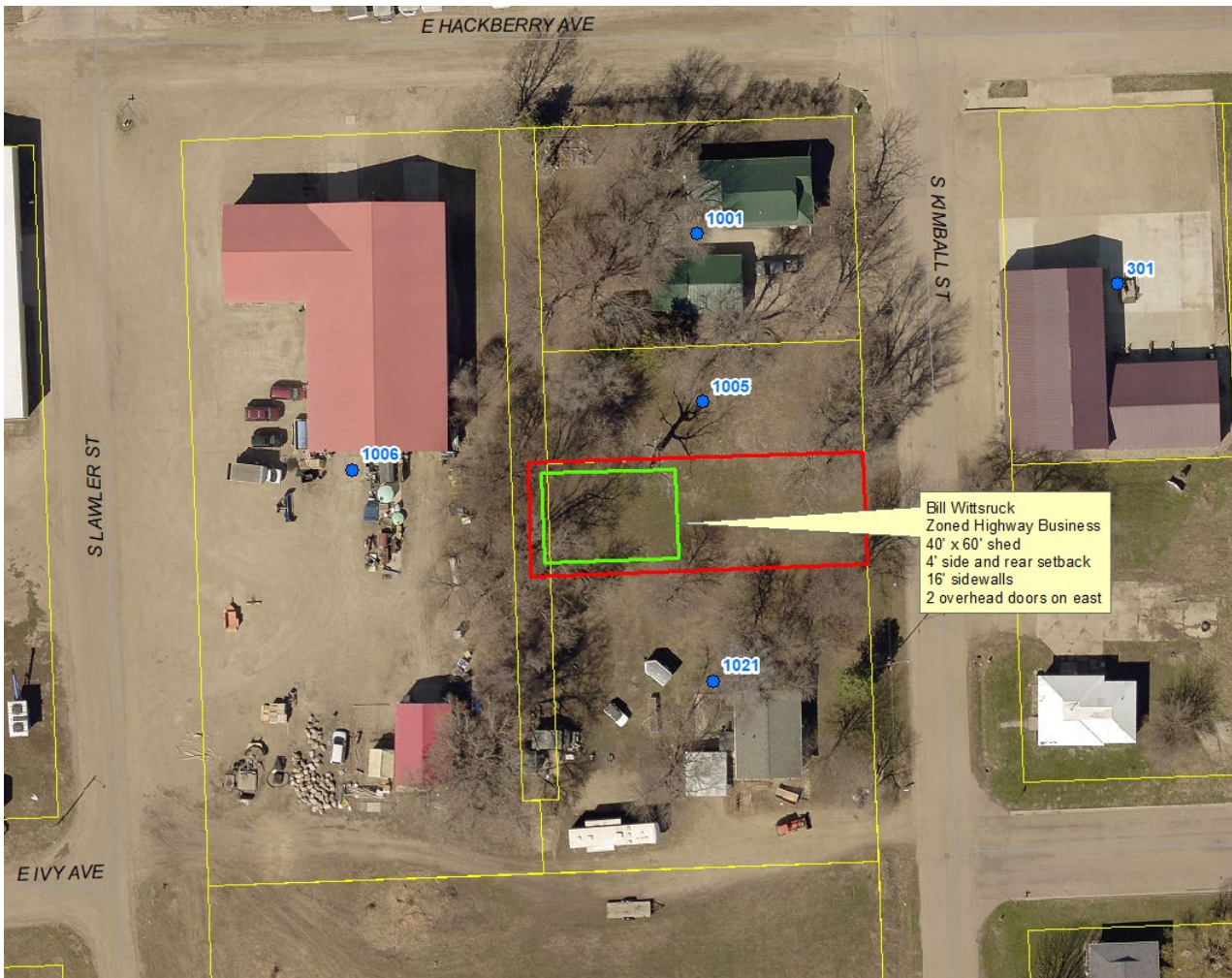
14. Public Input:

None.

15. Adjourn

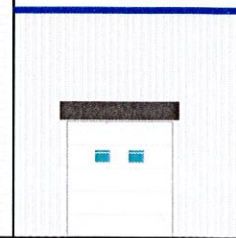
Chairperson Larson adjourned the meeting at 12:16 P.M.

Jay A. Larson
Planning Commission Chairperson





Muth Electric Inc.



MUTH ELECTRIC, INC
OFFICE / SHOP
MITCHELL, SD

Muth Electric Inc.
1717 NORTH SANBORN
MITCHELL, SD 57301
OFFICE (605) 996-3983
FAX(605) 996-2203

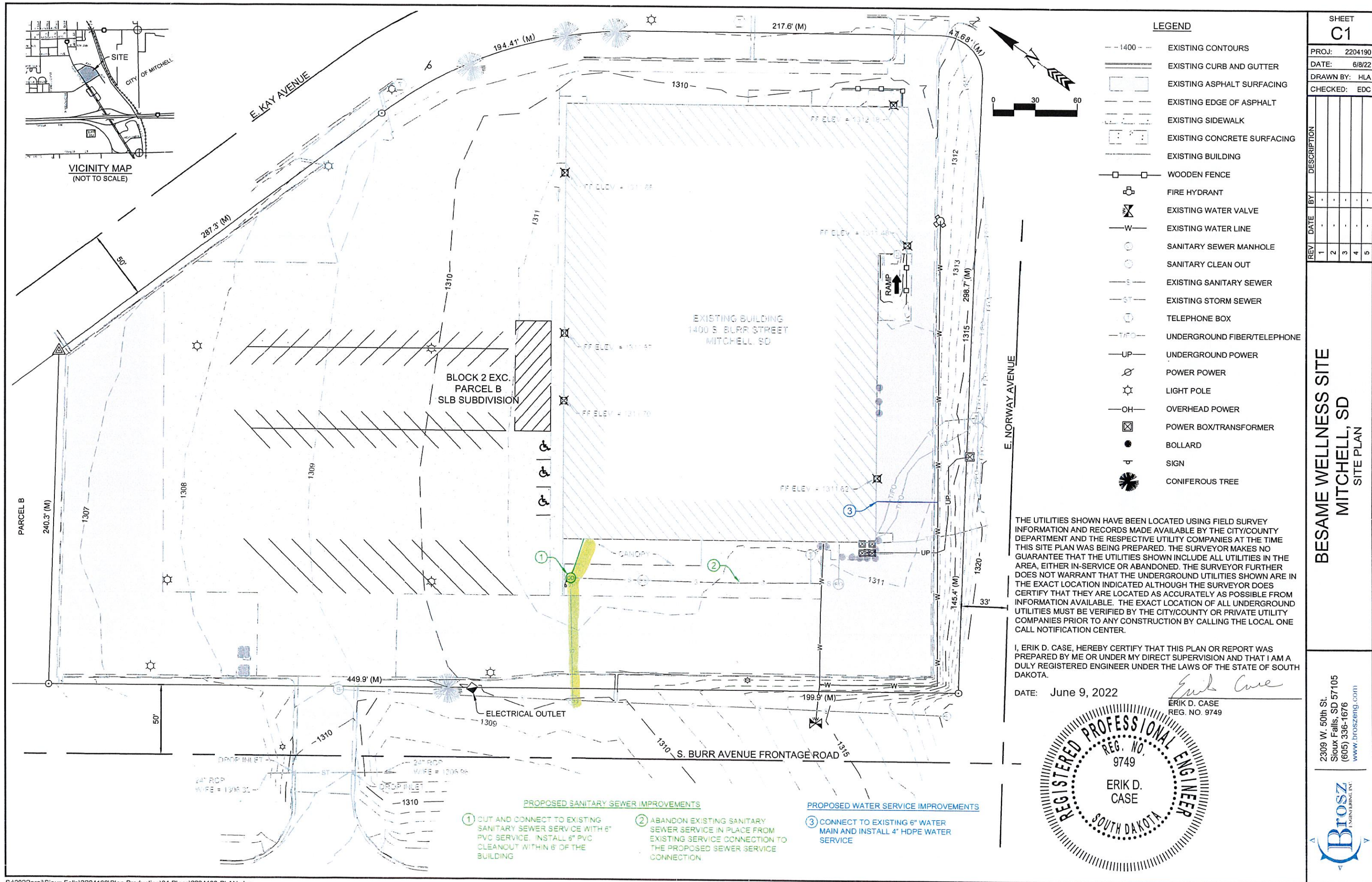


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A300





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: Click or tap here to enter text.

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

Description of Conditional Use: Family Residential Daycare

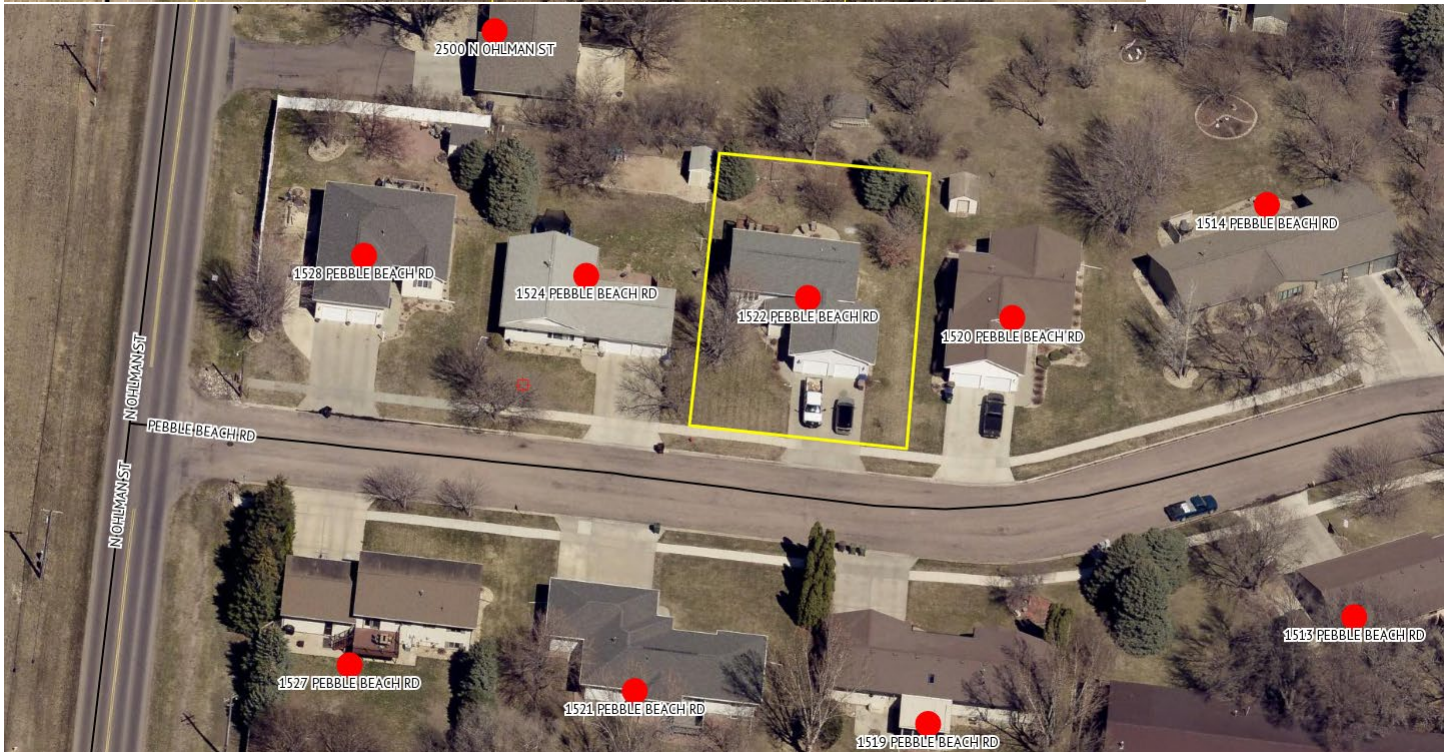
This Application is for the following described real property:

Legal Description: Lot 27, Block 4, Lakeview 1st Addition, City of Mitchell, Davison County, South Dakota.

Property Address: 1522 Pebble Beach Road

Dated this 19th of June, 2023

APPLICANT John Frankel
OWNER John Frankel



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 Latrice Franklin has applied for a conditional use permit to operate a Family Residential Daycare; located at 1522 Pebble Beach Road, legally described as Lot 27, Block 4, Lakeview 1st 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 Monday, July 24, 2023, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, August 7, 2023 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 6th day of July, 2023.

Michelle Bathke

FINANCE OFFICER

Publish once: 12th day of July, 2023

Approximate Cost:

Latrice Franklin
2430 W 23rd Ave
Mitchell, SD 57301

Black Hills Land & RV LLC
11 S Harmon Dr
Mitchell, SD 57301

Craig & Stacy Mock
2500 N Ohlman St
Mitchell, SD 57301

Andrew & Marissa Becker
1515 Augusta Ave
Mitchell, SD 57301

Lynn & Jill Eckmann
1528 Pebble Beach Rd
Mitchell, SD 57301

Carly Schoenfelder
Joe Muntefering
1524 Pebble Beach Rd
Mitchell, SD 57301

Riley Heck
1520 Pebble Beach Rd
Mitchell, SD 57301

Ella Goehring
1514 Pebble Beach Rd
Mitchell, SD 57301

Derek & Melinda Grohs
1527 Pebble Beach Rd
Mitchell, SD 57301

Ronald & Jean Rachuy
1521 Pebble Beach Rd
Mitchell, SD 57301

Larry & Barbara Zimmerman
1519 Pebble Beach Rd
Mitchell, SD 57301

Gregory & Lea Geppert
1513 Pebble Beach Rd
Mitchell, SD 57301

City of Mitchell
612 N Main St
Mitchell, SD 57301

Kelly & Joan Pfaff
1500 W 23rd Ave
Mitchell, SD 57301

Gregory & Patricia Kogel
1420 W 23rd Ave
Pittsburg, KS 66762

July 12, 2023

TO WHOM IT MAY CONCERN:

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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 Ronald A. Rasky Jean V. Rasky
OWNER

1521 Pebble Beach Rd. Mitchell, SD

ADDRESS

____ APPROVE

✓ DISAPPROVE

COMMENTS:

July 12, 2023

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I/We

Ella Mae Goehring
OWNER

1514 Pebble Beach Rd
ADDRESS

✓ APPROVE

 DISAPPROVE

COMMENTS:



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

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

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

Description of Conditional Use: Family Residential Daycare

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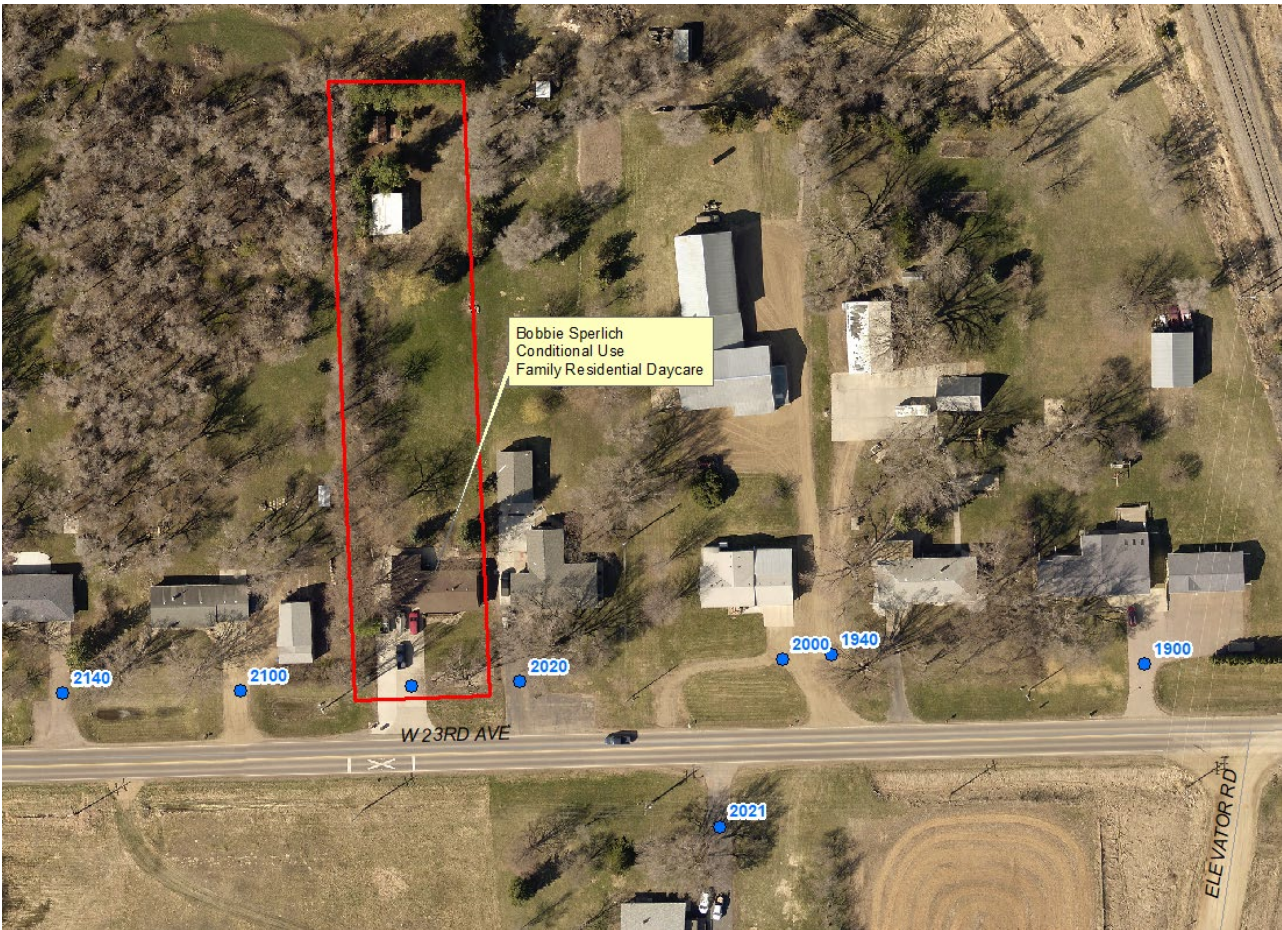
Legal Description: W 100' of Lot B in the SE ¼ of Section 8, T 103 N, R 60 W of the 5h P.M., Davison County, South Dakota.

Property Address: 2040 W 23rd Ave, Mitchell, SD 57301

Dated this 26th of June, 2023

APPLICANT *Bobbie Sperlich*

OWNER *Bobbie Sperlich*



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 Bobbie Sperlich has applied for a conditional use permit to operate a Family Residential Daycare; located at 2040 W 23rd Ave, legally described as E 100' of Lot B in the SE 1/4 of Section 8, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.

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Dated this 6th day of July, 2023.

Michelle Bathke

FINANCE OFFICER

Publish once: 12th day of July, 2023

Approximate Cost:

Cris & Bobbie Sperlich
1028 E 2nd Ave
Mitchell, SD 57301

Clayton & Ashleyann Weber
2100 W 23rd Ave
Mitchell, SD 57301

Nathan & Jennifer Maeschen
2020 W 23rd Ave
Mitchell, SD 57301

Larry & Arlette Huff
2000 W 23rd Ave
Mitchell, SD 57301

RT LLC
3201 N Ohlman St
Mitchell, SD 57301

Michael & Jeanne Hauser
2021 W 23rd Ave
Mitchell, SD 57301



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.

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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 S150 application due with the application.

- Applicant is request to rezone property from _____ District to _____ District.

☒ Variance S100 application due with the application.

- Description of Variance Requested: Accessory building in front yard +
front yard setback of 6' to 25' for a garage

☐ Conditional Use Permit S150 application due with the application.

- Description of Conditional Use: _____

This Application is for the following described real property:

- Legal Description: Lots 5+6, Block 3, Home Park Original Addition
Davison County, South Dakota

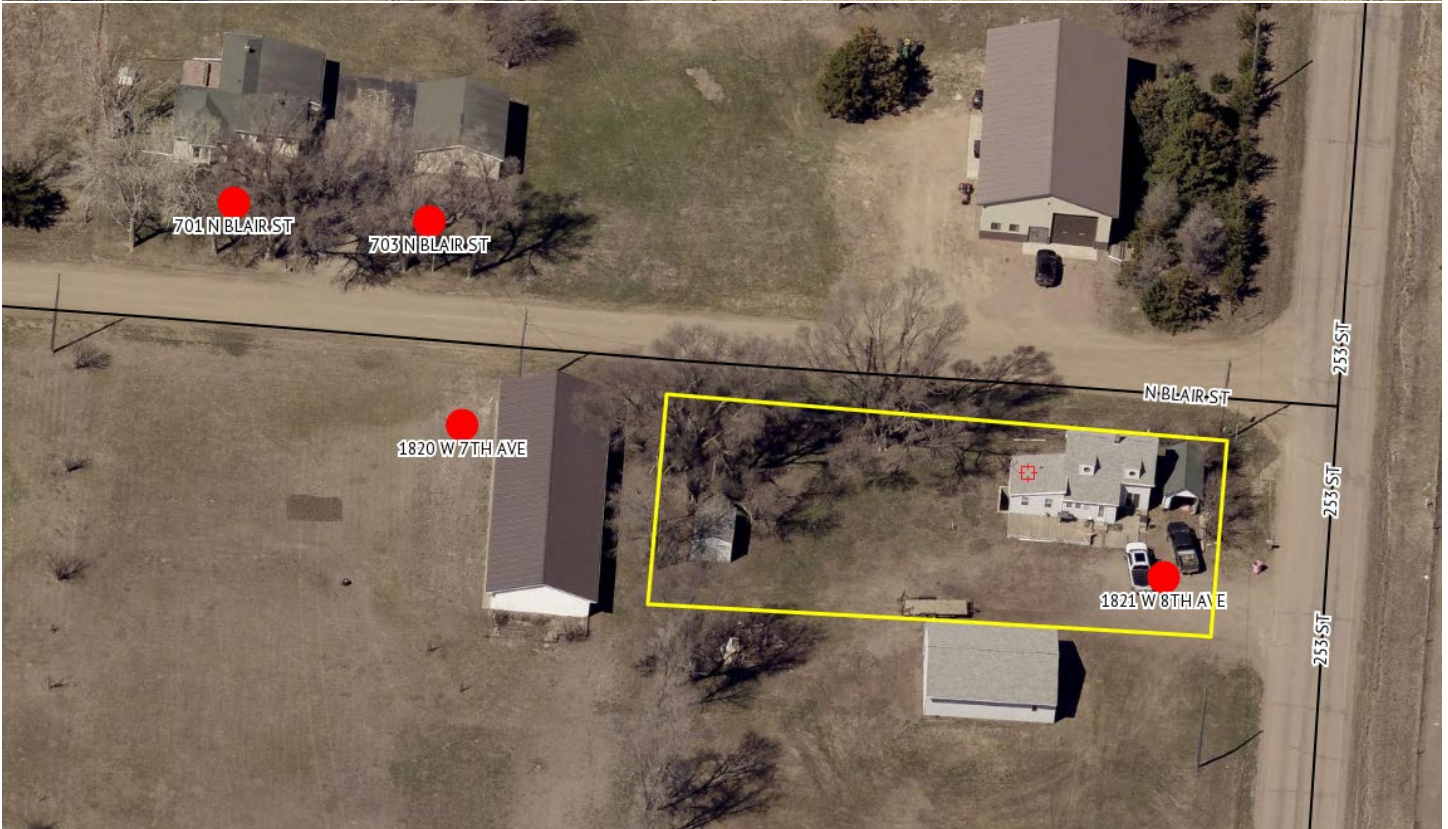
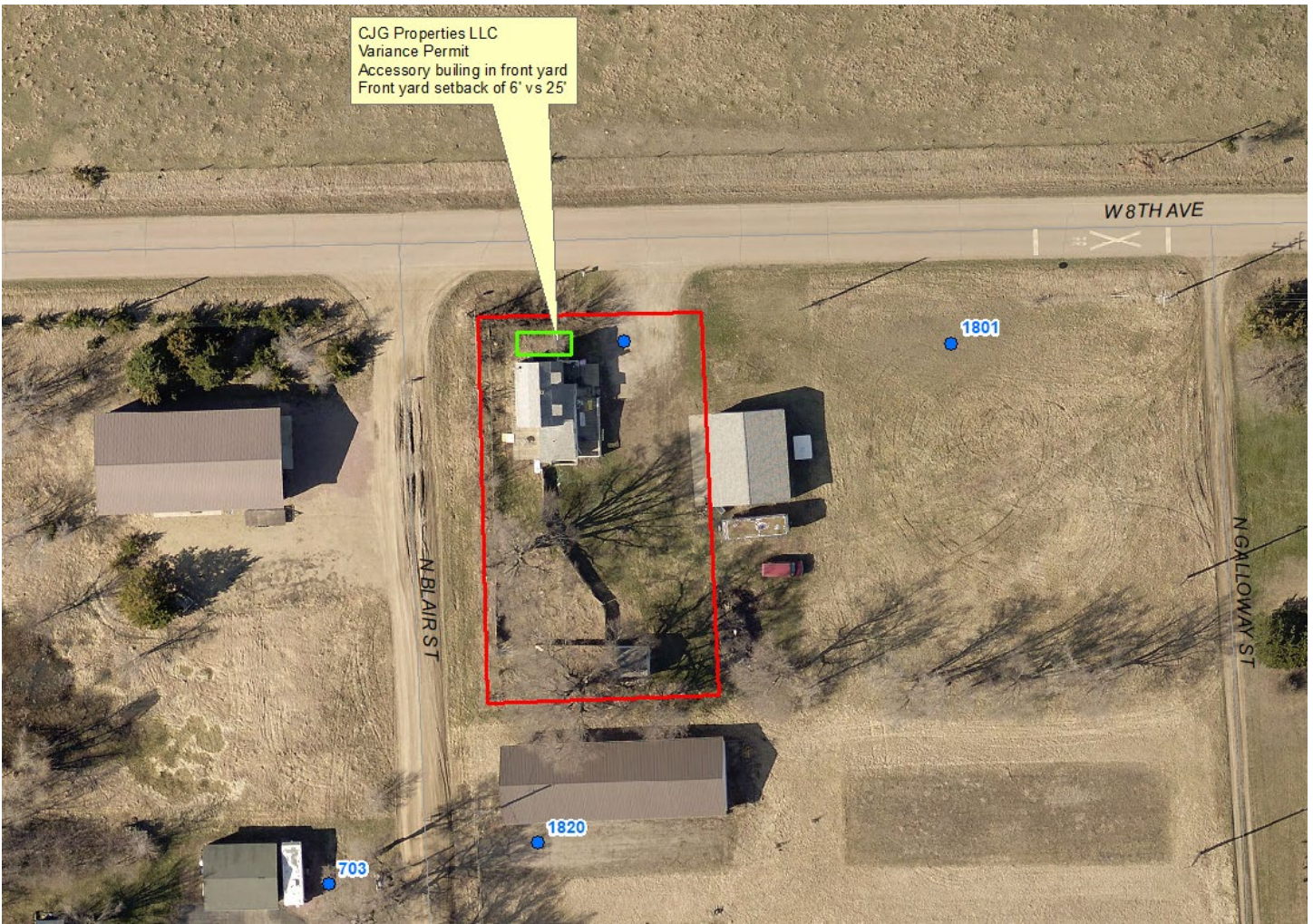
- Property Address: 1821 W 8th Ave

Dated this 29th day of June, 2023

CSG Properties LLC

Applicant

[Signature]
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 CJG Properties has applied for a variance permit for an accessory building in the front yard and front yard setback of 6' vs 25'; located at 1821 W 8th Ave, legally described as Lots 5 & 6, Block 3, Home Park Original Addition, Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.

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Dated this 6th day of July, 2023.

Michelle Bathke

FINANCE OFFICER

Publish once: 12th day of July, 2023

Approximate Cost:

CJG Properties LLC
909 N Main St
Mitchell, SD 57301

Bertha King
2124 W 8th Ave
Mitchell, SD 57301

TKKLingaman LLC
117 E 4th Ave
Mitchell, SD 57301

Warner & Verylis Boyd
400 N Main Ave
Unit 5
Tea, SD 57064