



Planning Commission Agenda
City Council Chambers, City Hall, 612 N. Main Street
September 11, 2023

- 1. 12:00 PM Call to Order**
- 2. Roll Call**
- 3. Declaration Of Conflicts Of Interests**
- 4. Approve Agenda**
- 5. Approval of Previous Minutes: August 28, 2023**
- 6. Schedule Next Meeting: September 25, 2023**
- 7. Plat: Lots B and C of Johnson's subdivision in the NE 1/4 of Section 11, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota; as requested by Neal Johnson**
- 8. Rezone: Jensen Capital & Development LLC-SE corner of Urbana Drive and E Spruce St**

Jensen Capital & Development LLS is requesting the following legally described as; Lot 23 of Starlite Estates in the NW ¼ of Section 34, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota; be changed from UD Urbanl District to HB Highway Business District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME (SE corner of Urbana Drive and E Spruce St).
- 9. Variance Permit: Jason & Summer Greenway**

Jason Greenway has applied for a Variance Permit for a front yard setback of 25' vs 35' for the northwest corner of the garage due to radius corner intersection and to line up with neighbors' houses; located at 5740 Island Court, legally described as Lot 47, Island First Addition, a subdivision of the SE ¼ of Section 31, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned UD Urban Development District.
- 10. Other Business:**
- 11. 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.
- 12. 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
August 28, 2023

1. Call to Order

Chairperson Larson called the August 28, 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: Genzlinger, Larson, Osterloo, Schmitz, Sonne.

Absent: Doescher, Jirsa, Penney.

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

3. Declaration Of Conflicts Of Interests

None.

4. Approve Agenda

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

5. Approval of Previous Minutes: August 14, 2023

Motion by Osterloo, seconded by Schmitz to approve the proposed minutes of the August 28, 2023 Planning Commission meeting. All present voting aye; motion carried.

6. Schedule Next Meeting: September 11, 2023

Motion by Schmitz, seconded by Genzlinger to set the date for the next Planning Commission meeting for September 11, 2023. All present voting aye; motion carried.

7. Conditional Use Permit: Alysha Gray

Alysha Gray has applied for a conditional use permit to operate a Family Residential Daycare; located at 212 W 14th Ave, legally described as Lots 9 and 10, Block 14, Capital 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 neighbors, it was published in the official newspaper and sign posted. There were four letters returned in favor and two opposed that made the packet and one returned in favor that did not make the packet. The applicant was not present to answer questions.

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

8. Plat: Lots 2A and 2B, Block 6 of Woodland Heights First Addition, a subdivision of Lot 3 and Tract 1, Block 1, Crane's Addition in the SE 1/4 of Section 34, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota; as requested by Ethan Coop

Lumber

Jenniges explained the the plat follows the master plan, they are just dividing lots for twin homes to be able to be sold off. The applicant was not present.

Motion by Genzlinger, seconded by Schmitz to approve the plat. All present voting aye; motion carried.

9. Plat: Lot 1, Block 2, Lakeridge Addition, a subdivision of Irregular Tract No. 1 in the NW 1/4 of Section 10, T 103 N, R 60 W of the 5th PM., City of Mitchell, Davison County, South Dakota; as requested by Ethan Coop Lumber

Jenniges explained the plat follows the master plan. The applicant was not present to answer questions.

Motion by Genzlinger, seconded by Schmitz to approve the plat. All present voting aye; motion carried.

10. Other Business:

None.

11. Public Input:

None.

12. Adjourn

Chairperson Larson adjourned the meeting at 12:06 P.M.

Jay A. Larson
Planning Commission Chairperson



1 Inch = 300 Feet

LEGEND

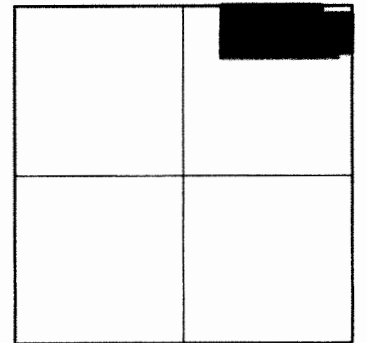
- = FOUND IRON MONUMENT
- = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 13714
- 100' (P) = PLATTED BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE
- = SET NAIL
- △ = SET SURVEY SPIKE
- ▲ = FOUND SURVEY SPIKE
- 4.00 CH (P) = PLATTED DISTANCE IN CHAINS
- = FOUND NAIL
- ◇ = SET 3/8" X 12" SPIKE W/WASHER JAW-13714
- WM = WITNESS MONUMENT

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

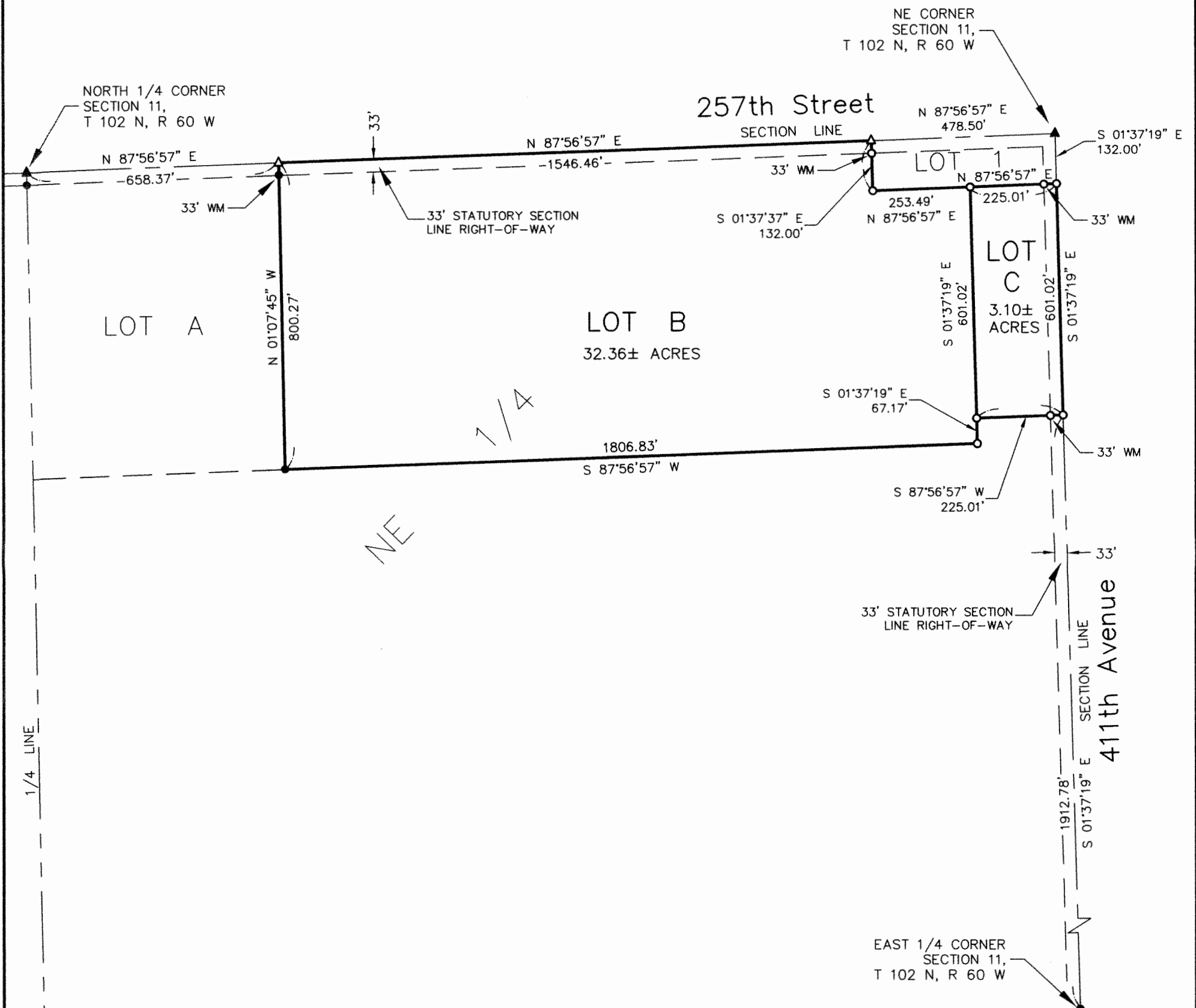
COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH ZONE,
STATE PLANE - NORTH AMERICAN
DATUM 1983 - GEOID 18.
GRID BEARINGS AND GROUND DISTANCES ARE SHOWN.

NOTE:
THIS SURVEY WAS PERFORMED WITHOUT
THE BENEFIT OF A TITLE REPORT OR TITLE
COMMITMENT. EASEMENTS OF RECORD WERE
NOT RESEARCHED AND ARE NOT SHOWN
UNLESS OTHERWISE NOTED.

SEC. 11, T 102 N, R 60 W



LOCATION MAP
SCALE: 1" = 3000'



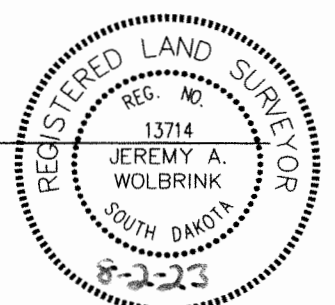
A PLAT OF LOTS B AND C OF JOHNSON'S SUBDIVISION IN THE NE 1/4 OF SECTION 11, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, Jeremy A. Wolbrink, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of Neal R. Johnson, Trustee of the Neal R. Johnson Revocable Living Trust Agreement dated the 1st day of February, 2013, and under his direction for purposes indicated therein, I did on or prior to July 26, 2023, survey those parcels of land described as follows: LOTS B AND C OF JOHNSON'S SUBDIVISION IN THE NE 1/4 OF SECTION 11, T 102 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 2ND day of AUGUST, 2023.

Jeremy A. Wolbrink
Registered Land Surveyor #SD13714



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 LOTS B AND C OF JOHNSON'S SUBDIVISION IN THE NE 1/4 OF SECTION 11, T 102 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 I, the undersigned, hereby certify that I am the Trustee of the Neal R. Johnson Revocable Living Trust Agreement dated the 1st day of February, 2013, and that said Trust is the absolute and unqualified owner of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in THE NE 1/4 OF SECTION 11, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at my request and under my direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOTS B AND C OF JOHNSON'S SUBDIVISION IN THE NE 1/4 OF SECTION 11, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and I 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 Lots B and C shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists 257th Street and 411th Avenue. 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 , 2023.

Neal R. Johnson, Trustee of the Neal R. Johnson Revocable Living Trust Agreement dated the 1st day of February, 2013

STATE OF SOUTH DAKOTA))SS
COUNTY OF DAVISON)

On this, the _____ day of _____, 2023, before me, _____, the undersigned officer, personally appeared Neal R. Johnson, Trustee of the Neal R. Johnson Revocable Living Trust Agreement dated the 1st day of February, 2013, known to me or satisfactorily proven to be the person described in the foregoing instrument, and acknowledged to me that he executed the same in the capacity therein stated and 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 LOTS B AND C OF JOHNSON'S SUBDIVISION IN THE NE 1/4 OF SECTION 11, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, 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 LOTS B AND C OF JOHNSON'S SUBDIVISION IN THE NE 1/4 OF SECTION 11, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, 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 _____, 2023.

Chairperson/Vice-Chairperson 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 _____, 2023; and

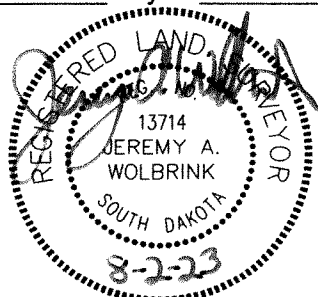
WHEREAS, it appears from an examination of the plat of LOTS B AND C OF JOHNSON'S SUBDIVISION IN THE NE 1/4 OF SECTION 11, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as prepared by Jeremy A. Wolbrink, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat 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 LOTS B AND C OF JOHNSON'S SUBDIVISION IN THE NE 1/4 OF SECTION 11, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, 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 _____, 2023.

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 LOTS B AND C OF JOHNSON'S SUBDIVISION IN THE NE 1/4 OF SECTION 11, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

RESOLUTION OF COUNTY PLANNING COMMISSION

WHEREAS, the plat of LOTS B AND C OF JOHNSON'S SUBDIVISION IN THE NE 1/4 OF SECTION 11, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, 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 LOTS B AND C OF JOHNSON'S SUBDIVISION in the NE 1/4 OF SECTION 11, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, 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 _____, 2023.

Chairperson/Vice-Chairperson 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 LOTS B AND C OF JOHNSON'S SUBDIVISION IN THE NE 1/4 OF SECTION 11, T 102 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 _____, 2023, 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: _____

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 _____

DIRECTOR OF EQUALIZATION

I hereby certify that a copy of the plat of LOTS B AND C OF JOHNSON'S SUBDIVISION IN THE NE 1/4 OF SECTION 11, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, has been received by me and is filed in my office.

 Director of Equalization/Deputy Director
 of Equalization, Davison County Date _____

REGISTER OF DEEDS

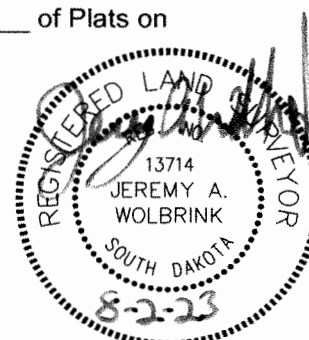
STATE OF SOUTH DAKOTA))SS
COUNTY OF DAVISON)

FILED for record this _____ day of _____, 2023, at _____, and recorded in Book _____ of Plats on
Page(s) _____ therein and recorded on Microfilm Number _____.

Register of Deeds, Davison County

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







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 fee due with the application.*

Applicant is request to rezone property from UD District to HB 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: Click or tap here to enter text.

This Application is for the following described real property:

Legal Description: Lot 23 of Starlite Estates in the NW ¼ of Section 34, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota.

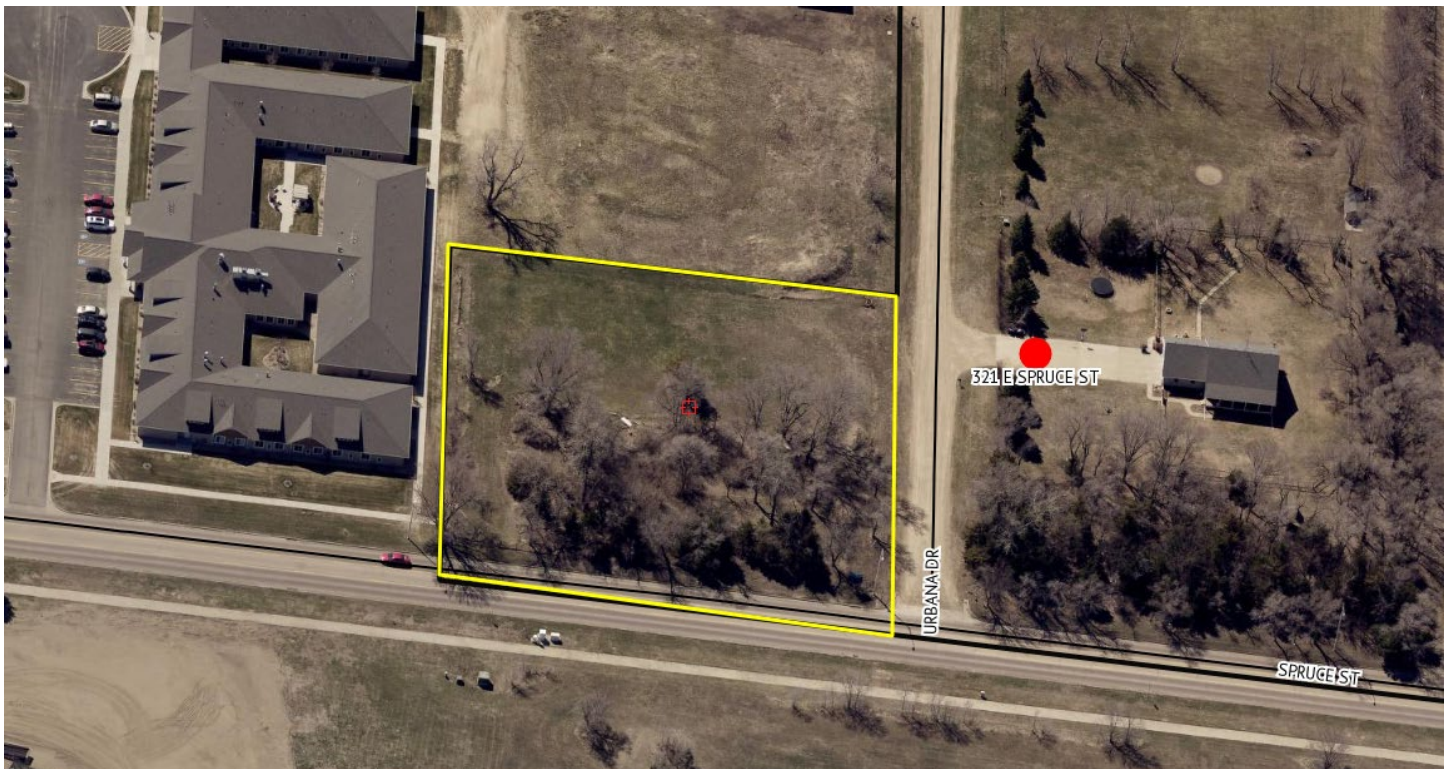
Property Address: NE corner of E Spruce St and Urbana Dr

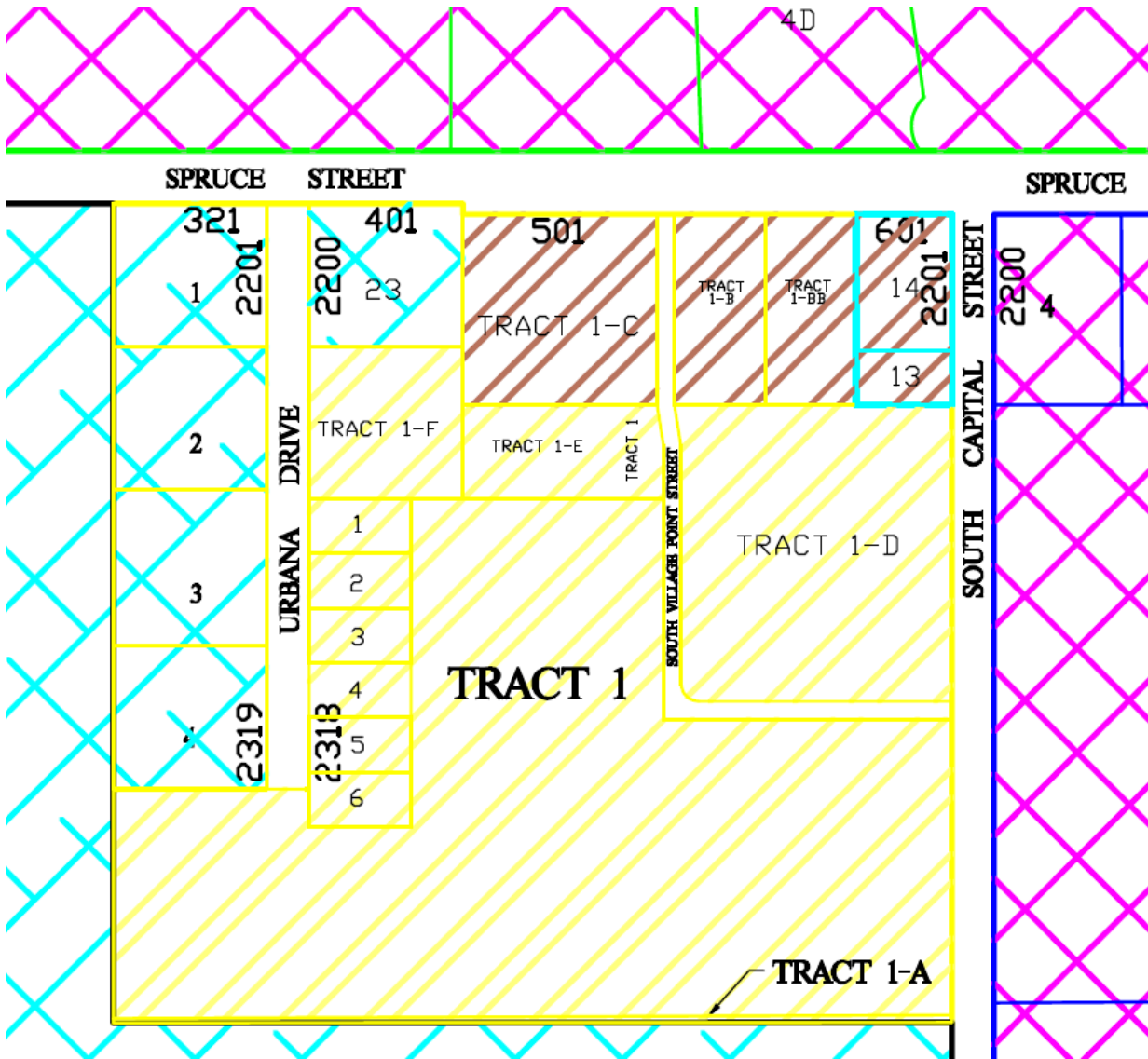
Dated this 18 of Aug, 2023

Jensen Capital & Development LLC
APPLICANT

OWNER

Jeremy Jensen
A handwritten signature in black ink, appearing to read "Jer R J", written over the printed name "Jeremy Jensen".





- Employment Area/Offices/Business Park
- Heavy Commercial/Transportation/Warehousing/Utilities
- Industrial/Production
- Low Density Residential
- Medium Density Residential
- Mixed Use
- Neighborhood Commercial/Services
- Open Space
- Parks Rec - Conservation
- Regional Commercial

NOTICE OF HEARING

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

The City Planning Commission has scheduled a public hearing and action on the following ordinance. The Planning Commission hearing will be Monday September 11, 2023 at 12:00 p.m., the City Council will consider 1st Reading of the Ordinance on Monday, September 18, 2023 at 6:00 p.m. and 2nd Reading and Adoption on Monday, October 2, 2023 at 6:00 p.m. all meetings will be held in the Council Chambers, City Hall, 612 N Main St, Mitchell, SD. All interested parties are encouraged to attend the meetings.

ORDINANCE NO. O2023-

AN ORDINANCE OF THE CITY OF MITCHELL, THAT CHANGES THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS; Lot 23 of Starlite Estates in the NW ¼ of Section 34, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota; be changed from UD Urban District to HB Highway Business District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.

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

Section 1: THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS, Lot 23 of Starlite Estates in the NW ¼ of Section 34, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota; be changed from UD Urban District to HB Highway Business District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.

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

Passed and approved this the ____ day of _____, 2023.

MAYOR

ATTEST:

FINANCE OFFICER

{SEAL}

FIRST READING: September 18, 2023
SECOND READING: October 2, 2023
ADOPTION: October 2, 2023

Published three times: August 30, 2023 and September 6 and 20, 2023
Approximate Costs:

Jensen Capital & Development LLC
25063 Alex Ct
Mitchell, SD 57301

Avera Queen of Peace
525 N Foster St
Mitchell, SD 57301

TDR Passthru LLC
RB48 Passthru LLC
771 Chesapeake Dr
Tarpon Springs, FL 34689

Philip & Kelli Malde
321 E Spruce St
Mitchell, SD 57301

EVI Mitchell LLC
322 Demers Ave
Ste 500
Grand Forks, ND 58201

August 30, 2023

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Jensen Capital and Development LLC is requesting the following property legally described as; Lot 23 of Starlite Estates in the NW ¼ of Section 34, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota; be changed from UD Urban District to HB Highway Business District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME (SE Corner of Urbana Drive and E Spruce St).

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Monday September 11, 2023 at 12:00 p.m., the City Council will consider 1st Reading of the Ordinance on Monday, September 18, 2023 at 6:00 p.m. and 2nd Reading and Adoption on Monday, October 2, 2023 at 6:00p.m. all meetings will be held in the Council Chambers, City Hall, 612 N Main St, Mitchell, SD. All interested parties are encouraged to attend the meetings.

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 Philip & Kelli Malde 605-99-9-9653 or
OWNER 605-770-4771
321 E Spruce St.
ADDRESS

____ APPROVE

X DISAPPROVE until details are laid out.

COMMENTS:

I am concerned that Urbana^{st.} would be used for business travel. This street was intended for Residential use. Will the City allow access to the business lot from Spruce St.?
~~Depending on the type of business, our property~~
~~value may be reduced and I am reluctant to~~ *Outside expectations*
agree to approve until more information is given.



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: 25' vs 35' Front yard setback
Due to radius corner intersection + to line
up with neighbors house.

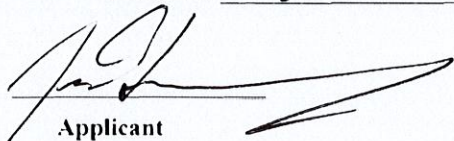
☐ Conditional Use Permit \$150 application due with the application.

- Description of Conditional Use: _____

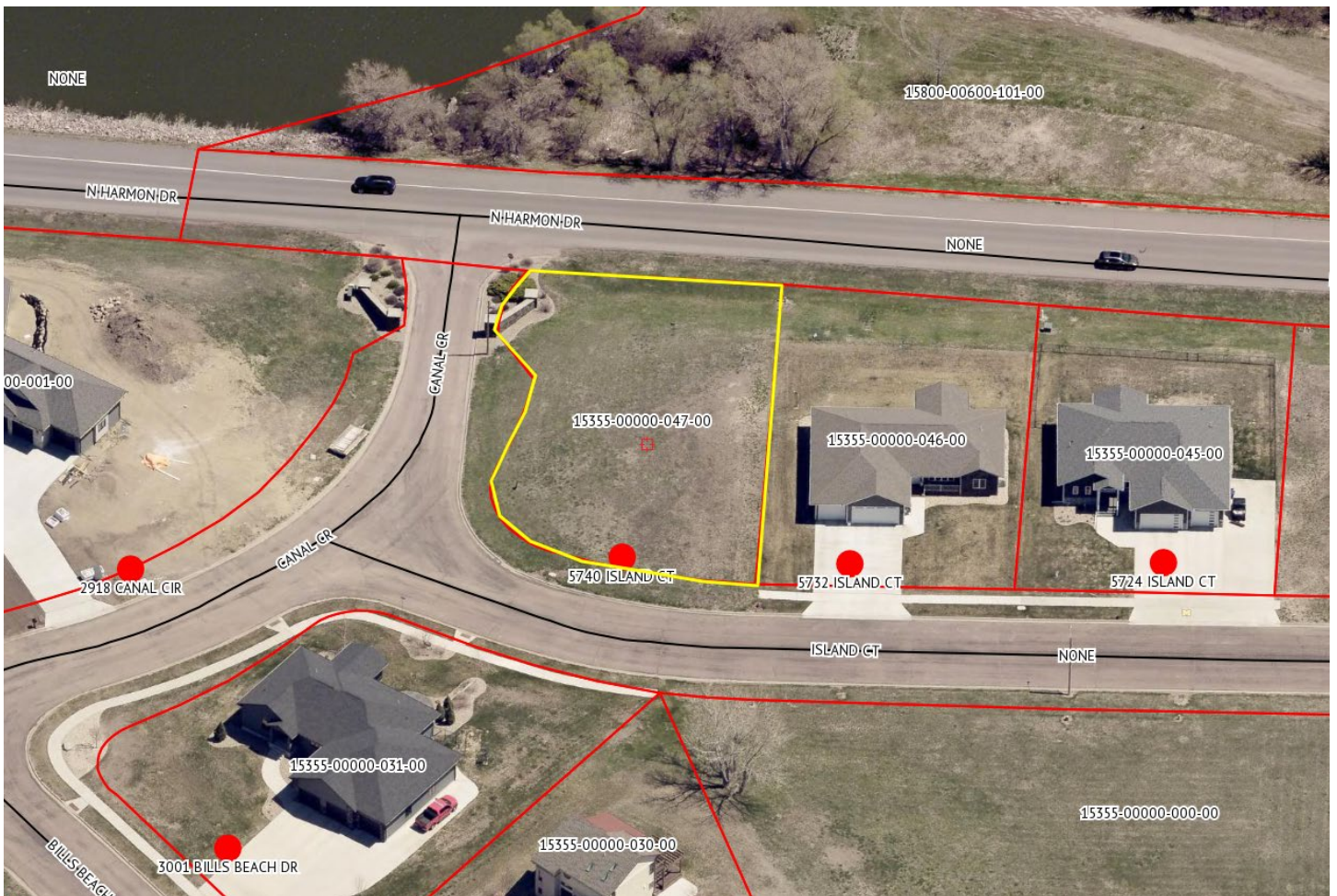
This Application is for the following described real property:

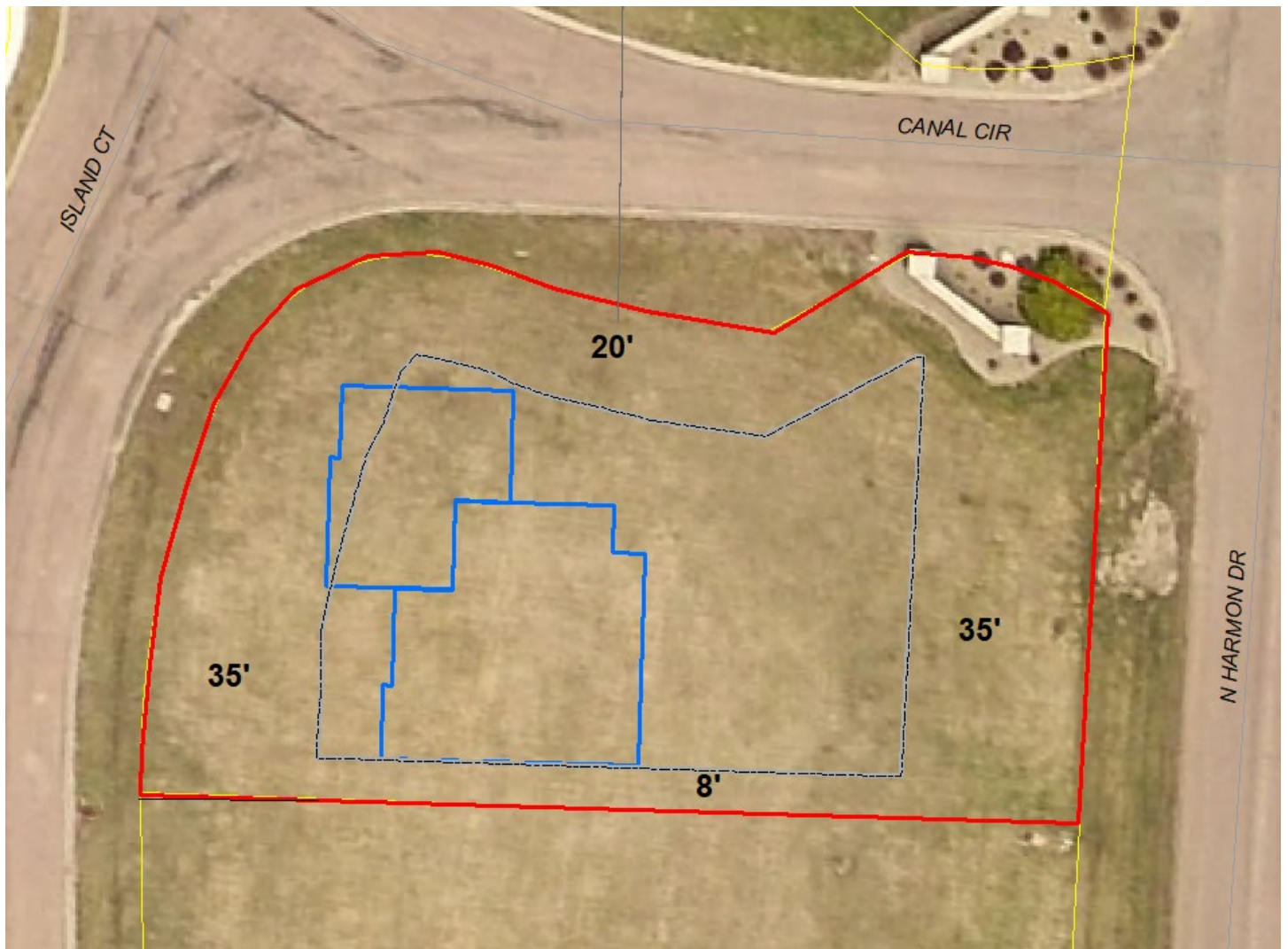
- Legal Description: Lot 47, Island First Addition, a subdivision of
the SE 1/4 of Section 31, T104 N, R 60 W of the
5th P.M., City of Mitchell, Davison County, South Dakota
- Property Address: 5740 Island Court

Dated this 22nd day of August, 2023


Applicant

Tuan Greenway
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 Jason Greenway has applied for a Variance Permit for a front yard setback of 25' vs 35' for the northwest corner of the garage due to radius corner intersection and to line up with neighbors' houses; located at 5740 Island Court, legally described as Lot 47, Island First Addition, a subdivision of the SE ¼ of Section 31, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned RL Lake Residential District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on Monday, September 11, 2023, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, September 18, 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 24th day of August, 2023.

Michelle Bathke

FINANCE OFFICER

Publish once: 30th day of August, 2023
Approximate Cost:

Jason & Summer Greenway
950 Carl Rd
Mitchell, SD 57301

George & Sherry Morgan
2918 Canal Dr
Mitchell, SD 57301

Jeff & Michelle Bathke
3001 Bills Beach Dr
Mitchell, SD 57301

Anne Dailey
623 S Sanborn BLVD
Mitchell, SD 57301

Maui Farms Inc
3240 Maui Dr
Mitchell, SD 57301

Steven & Jennifer Herrmann
Po Box 1133
Mitchell, SD 57301

Emily & Jordan Hanson
5724 Island Ct
Mitchell, SD 57301

City of Mitchell
612 N Main St
Mitchell, SD 57301

August 30, 2023

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Jason Greenway has applied for a Variance Permit for a front yard setback of 25' vs 35' for the northwest corner of the garage due to radius corner intersection and to line up with neighbors' houses; located at 5740 Island Court, legally described as Lot 47, Island First Addition, a subdivision of the SE ¼ of Section 31, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned RL Lake Residential District.

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Monday, September 11, 2023, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, September 18, 2023 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

Maui Farms Inc Appl. Pres

OWNER

3240 Maui Drive

ADDRESS

X

APPROVE

DISAPPROVE

COMMENTS:

nice home like to see it happen

August 30, 2023

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I/We Jason & Summer Greenway
OWNER

5740 Island Ct. Mitchell, SD 57301

ADDRESS

X

APPROVE

DISAPPROVE

COMMENTS: