



Planning Commission Agenda
City Council Chambers, City Hall, 612 N. Main Street
February 26, 2024

- 1. 12:00 PM Call to Order**
- 2. Roll Call**
- 3. Declaration Of Conflicts Of Interests**
- 4. Approve Agenda**
- 5. Approval of Previous Minutes: February 12, 2024**
- 6. Schedule Next Meeting: March 11, 2024**
- 7. Conditional Use Permit: Ron Peterson**

Ron Peterson has applied for a Conditional Use Permit for multi-family dwelling; located in the 1100 block of S Lawler St, legally described as Lots 6, 7, and 8, Block 18, Weavers Squares Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned HB Highway Oriented Business District.
- 8. Plan Approval: Ron Peterson, 1100 Block of South Kimball, zoned Highway Oriented Business**
- 9. Other Business:**
- 10. 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.
- 11. 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
City Council Chambers, City Hall, 612 N. Main Street
February 12, 2024

1. Call to Order

Chairperson Larson called the February 12, 2024 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: Doescher, Genzlinger, Havlik, Jirsa (telephonically), Larson, Osterloo, Schmitz, Sonne.

Absent: None.

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 Genzlinger to approve the proposed agenda. Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

5. Approval of Previous Minutes: January 22, 2024

Motion by Havlik, seconded by Osterloo to approve the proposed minutes of the January 22, 2024 Planning Commission meeting. Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

6. Schedule Next Meeting: February 26, 2024

Motion by Genzlinger, seconded by Sonne to set the date for the next Planning Commission meeting for February 26, 2024. Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

7. Plat: Lots 1 and 2 of Bowman's Addition in the Southeast Quarter of Section 17, Township 104 North, Range 60 West of the 5th P.M., Davison County, South Dakota; as requested by Bowman Family Trust

Jenniges explained this is outside the ETJ but within 3 miles of city limites, therefore it is the

county's zoning jurisdiction. County Planning Commission has recommended approval of the plat and variance. County Commission will hear the plat and variance on February 13, 2024. The applicant was not present to answer questions.

Motion by Genzlinger, seconded by Schmitz to approve the plat. Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

8. Variance: Kayla Fluth

Kayla Fluth has applied for a Variance Permit for a side yard setback of 1' vs 3' to tear down existing garage and build a new 20' x 24' garage; located at 802 W 2nd Ave, legally described as Lot 15, Block 92, Lawler's 2nd Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

Jenniges noted that a notice was sent out to the neighbors, it was published in the official newspaper and sign posted. There were two letters received in favor of the variance. The applicant was present to answer questions.

Osterloo questioned the overhang to which was answered it will be 1' so there will essentially be 2' from the fence to the garage wall. He questioned if they felt they could adequately maintain that 2' space.

Genzlinger questioned what their hardship is and why they can't meet the setback to which was answered there is an overhead powerline going from the ally to the house.

Motion by Schmitz, seconded by Jirsa to recommend approval of the variance. Roll call vote: Genzlinger – nay, Havlik – aye, Jirsa – aye, Larson – aye, Osterloo – Nay, Schmitz – aye, Sonne – aye. 5 aye, 2 nay; motion carried.

9. Plat: Lots 11 and 12, Block 5 of Woodland Heights First Addition, a subdivision of Lot 3, Crane's Addition in the SE ¼ 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 stated this follows the master plan of the area. ECL is platting two lots to build twin homes on. The applicant was not present to answer questions.

Motion by Schmitz, seconded by Havlik to approve the plat. Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

10. Other Business:

None.

11. Public Input:

None.

12. Adjourn

Chairperson Larson adjourned the meeting at 12:09 P.M.

Jay A. Larson
Planning Commission Chairperson



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, plats being the exception.

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** \$250 application fee due with the application.

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

☐ **Variance** \$150 application fee due with application.

- Description of Variance:

- Description of Hardship:

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

- Description of Conditional Use: Multi-family dwelling

☐ **Plat Application** \$100 application fee due with application

This Application is for the following described real property:

Legal Description: Lots 6, 7, and 8, Block 18, Weavers Squares Addition, City of Mitchell, Davison County, South Dakota.

Property Address: Corner of E Ivy Ave & S Lawler St

Dated this 7th of February, 2024


APPLICANT

Ronald & Delores Peterson Revocable Living Trust
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 Ron Peterson has applied for a Conditional Use Permit for multi-family dwelling; located in the 1100 block of S Lawler St, legally described as Lots 6, 7, and 8, Block 18, Weavers Squares Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned HB Highway Oriented Business District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on Monday, February 26, 2024 at 12:00 P.M. (Noon) and the Board of Adjustment on Monday, March 4, 2024 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 8th day of February, 2024.

Michelle Bathke

FINANCE OFFICER

Publish once: 14th day of February, 2024

Approximate Cost:

Ronald & Delores Peterson
1961 E Havens Ave
Mitchell, SD 57301

Daniel & Renee Niehus
126 E 11th Ave
Mitchell, SD 57301

Hackberry Holdings LLC
177 S Harmon Dr
Mitchell, SD 57301

Mitchell School Dist 17-2
800 W 10th Ave
Mitchell, SD 57301

Christopher Roeder
1100 S Main St
Mitchell, SD 57301

Larry Stunes
1808 E Birch Ave
Mitchell, SD 57301

Nilus & Joanne Johnson
1116 S Main St
Mitchell, SD 57301

Patrick Mernaugh
1124 S Main St
Mitchell, SD 57301

Timothy Sieber
1200 S Main St
Mitchell, SD 57301

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

Brent & Denise Neihoff
1125 S Lawler St
Mitchell, SD 57301

Valor Investment Properties 1 Inc
817 N Sanborn BLVD
Mitchell, SD 57301

Brian Klock
5523 E Verede Ln
Phoenix, AZ 85018

Madecadel Juarez
Timmi Grablander
210 E Juniper Ave
Mitchell, SD 57301

Boyd Reimnitz
817 N Sanborn BLVD
Mitchell, SD 57301

February 14, 2024

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Ron Peterson has applied for a Conditional Use Permit for multi-family dwelling; located in the 1100 block of S Lawler St, legally described as Lots 6, 7, and 8, Block 18, Weavers Squares Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned HB Highway Oriented Business District.

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Monday, February 26, 2024, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, March 4, 2024 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 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

109 E Juniper
ADDRESS

 APPROVE

____ DISAPPROVE

COMMENTS:

Let's go Mitchell!

February 14, 2024

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 
OWNER

121 E Juniper (empty lot east of 109)
ADDRESS

 APPROVE

_____ DISAPPROVE

COMMENTS:

Let's go Mitchell!





