

1. TIME: 12:00 PM, NOON
2. CALL TO ORDER
3. ROLL CALL
4. APPROVE AGENDA
5. APPROVE MINUTES: JULY 11, 2016

Documents:

[PLANNINGCOMMMINUTES71116.PDF](#)

6. SCHEDULE NEXT MEETING: AUGUST 8, 2016

7. REZONE:

***WITHDRAWN.** Changing the zoning classification of the real property legally described as Block 2, Block 3, Block 7, Block 8 and Block 9 of CJM 2nd Addition, and portions of Michael Ave, Livesay Lane and Jamaica St in NW 1/4 of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota from Urban Development District to a Planned Until Development known as CJM Second Addition Planned Development District Number Two and changing the official zoning map accordingly.*

8. VARIANCE:

Brad Bauer application for a height variance of 25' vs 23' for construction of a building to be located at 2501 Anthony Ave.,, legally described as Lot 14, Block 9, CJM 2nd Addition, IT #3, NW 1/4 of Section 32, T 104 N, R 60 W, City of Mitchell, Davison County, South Dakota. Zoned Planned Development District.

Documents:

[DOC072116-07212016092922.PDF](#)

9. PRESENTATION

Justin Johnson, City Attorney, will discuss Board roles and responsibilities.

10. OTHER BUSINESS

11. 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 hours prior to the scheduled meeting."

**CITY OF MITCHELL
CITY PLANNING COMMISSION
MINUTES, July 11, 2016**

NOT APPROVED

Call to Order: Chairman Larson called the July 11, 2016 planning commission meeting to order at 12:00 pm, City Hall, Mitchell, SD

Members Present: Larson, Everson, Griffith, and Molumby

Members Absent: Fergen, Meyers, Schmucker and Allen

Others Present: Mayor Toomey, Putnam, J. Johnson, McGannon, Overweg, Laursen, Hegg, London.

Agenda: Motion by Molumby, seconded by Griffith to approve the agenda as presented. All members present voting aye, motion carried.

Minutes: Motion by Everson, seconded by Griffith to approve the minutes of the June 27, 2016 meeting. All members present voting aye, motion carried.

Next Meeting: Motion by Griffith, seconded by Molumby to schedule the next meeting for July 25, 2016. All members present voting aye, motion carried.

Election of Chairman for the term commencing July, 2016 to July, 2017. Motion by Everson, seconded by Griffith to nominate Jay Larson as chairman. No other nominations were presented. All members present voting aye for Jay Larson as chairman. Motion carried.

Election of Vice-Chairman for the term commencing July, 2016 to July, 2017. Motion by Molumby, seconded by Griffith to nominate Bob Everson as vice-chairman. No other nominations were presented. All members present voting aye for Bob Everson as vice-chairman. Motion carried.

Variance: (referred by from Board of Adjustment) Gloria and Terry Hanson for a side-yard variance of 10" vs 3' as required to construct an addition to their home at 1326 W 4th Ave, legally described as Lot 1 and Lot 2, of Outlot 1, C.R. Johnson's Addition, City of Mitchell, Davison County, South Dakota. Zoned R2.

Gloria Hanson was present to answer questions about the variance application. She provided the commission new photos and a floor plan of her project. She presented them to the board of adjustment. She provided an explanation of the construction plans. No one other than commissioners and staff, testified in regards to this application.

Chairman Larson asked if there was any opposition to the plan. Hanson said the neighbor is opposed.

The public noticed was published in the *Mitchell Daily Republic* on June 6, 2016 and letters to the neighbors were sent on June 1, 2016.

Hanson was asked if she was willing to compromise that the first 2 feet of the addition would be allowed to be within 10" in order to compromise, then the remainder would be in compliance with the code. This may accommodate the placement of a door.

Motion by Everson, seconded by Griffith to reconsider their previous recommendation and recommend to the Board of Adjustment the variance (from overhang) to be approved for the first 36 inches or two feet of the addition and the remainder of the addition be in compliance with the city code of three feet. Roll Call: Larson aye, Everson aye, Griffith aye, and Molumby aye. Motion carried.

Plat (withdrawn): Lot 1, Block 2 of CJM Second Addition, in a portion of Jamaicas Avenue, the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota.

Plat: Lot of 1 of Crago's Addition, in the W1/2 of the NE ¼ of Section 29, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota.

The planning commission previously heard this plat, but the dimensions slightly changed before submission to the council. The county planning commission has approved the plat.

Motion by Molumby, seconded by Everson to approve the plat. All members present voting aye, motion carried.

Plat: Lot 1 of Denne's Addition, in the W ½ of the NE ¼ of Section 29, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. The county planning commission has approved the plat.

Motion by Everson, seconded by Griffith to approve the plat. All members present voting aye, motion carried.

Plat: Lot 14 in Tract H, Wild Oak Golf Club Addition to the City of Mitchell, Davison County, South Dakota.

Motion by Everson, seconded by Molumby to approve the plat. All members present voting aye, motion carried.

Plat: Lot 55 of Maui Farms 2nd Addition, and a portion of Collette Street, 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.

Motion by Molumby, seconded by Griffith to approve the plat. All members present voting aye, motion carried.

Plat: Lot 3, Block 4 of the Woods First Addition, a Subdivision of the East ½ of the SW ¼ of Section 23, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota.

Motion by Griffith, seconded by Molumby to approve the plat. All members present voting aye, motion carried.

Plat: Lots 15 and 16, Block 9 of CJM Second Addition, a Subdivision of a Portion of Blocks 9 and 9A of CJM Second Addition in the NW ¼, and a portion of Irregular Tract No. 3 in the SW ¼, all in Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota.

Motion by Molumby, seconded by Everson to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Portions of Block 2, Block 3, Block 7, Block 8 and Block 9 of CJM Second Addition, and Portions of Michael Avenue, Livesay Lane, and Jamaica Street, All in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota.

This plat is identifying areas for a future development and annexation and rezoning into a new Planned Development.

Motion by Molumby, seconded by Everson to approve the plat. All members present voting aye, motion carried.

Rezone: Changing the zoning classification of the real property legally described as Block 2, Block 3, Block 7, Block 8, and Block 9 of CJM 2nd Addition, and portions of Michael Avenue, Livesay Land and Jamaica Street in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota from Urban Development District to a Planned Development District known as CJM Second Addition Planned Development District Number Two and changing the official zoning map accordingly.

The developer will provide additional information about this proposal at the next planning commission meeting. Putnam stated there will be some changes to the legal descriptions and the notice will reflect such changes.

Motion by Everson, seconded by Molumby to table this rezoning until the next meeting. All members present voting aye, motion carried.

Chairman Larson adjourned the meeting at 12:40 pm.

Chairman

Date

Neil Putnam

From: Brad Bauer <bjbauer@mac.com>
Sent: Thursday, July 07, 2016 3:41 PM
To: John Hegg
Cc: Neil Putnam
Subject: new building

John,
I stopped down and visited with Neil Putnam regarding a building I am planing on Anthony Ave. I left a map of the building on the plot as well as plans for the building with Neil.
The general contractor will be Ryan Baker construction from MT Vernon. The electrician will be Hobach and the plumber will be Mitchell Plumbing.
It looks like I am going to need a variance which I did not realize until I visited with Neil. The building height will be more then the 23 feet requirement. It will be 25 feet at the peek with 17'6" side walls. The two reasons I need that height is the possibility of large campers and other storage items but mainly as I eventually plan to add a storage loft on one end. I I put it ten feet off the floor I will have less that 7.5 feet of head space with the thickness of the loft floor. If I cut that by 2 feet it will get too tight.

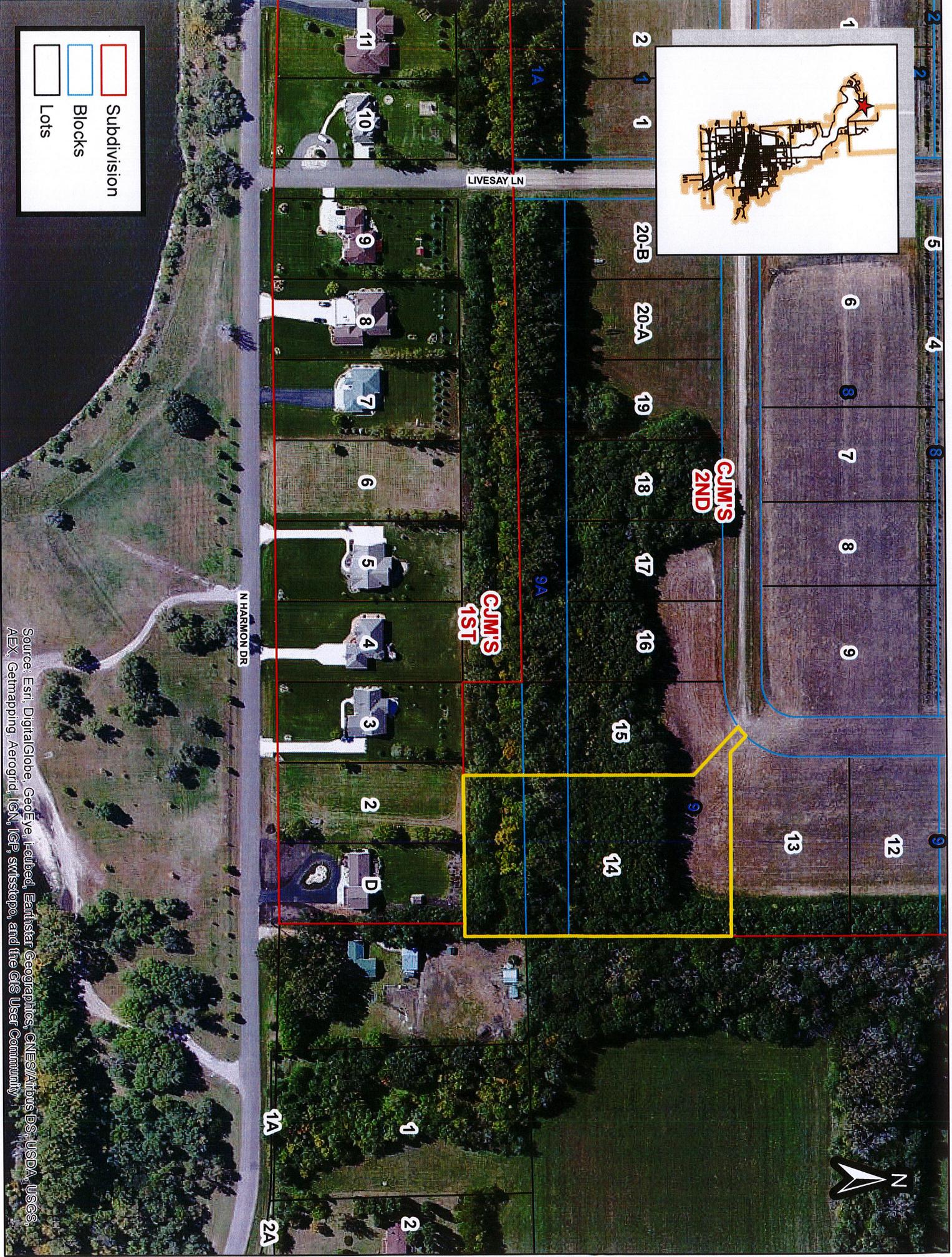
In my ignorance I already ordered the materials so it would require cutting 2 feet of steel off of the entire building.

I talked to Chuck Macuiski who sold me the property and he does not have a problem with it. The building is kind of tucked back into a corner. It would block no ones view.

I would like to proceed with the process needed to get this done.

Thanks you,
Brad Bauer

Brad Bauer
605 996-6521 work
605 770-6322 cell
bjbauer@mac.com



Subdivision
 Blocks
 Lots

Source: Esri, DigitalGlobe, GeoEye, iSatellite, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

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, Bradley Bauer has requested an application for an over-height variance of 25' vs. 23' for construction of a building to be located at 2501 Anthony Avenue, Lot 14, Block 9, CJM 2nd Addition, NW ¼, Section 32, T 104 N, R 60 W, City of Mitchell, Davison County, SD. The property is zoned Planned Development District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the Planning Commission on July 25, 2016 at 12:00 P.M and the Board of Adjustment on August 1, 2016 at 6:30 P.M., at the Council Chambers, Mitchell City Hall. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

Dated at Mitchell, South Dakota, this the 11th day of July, 2016.

Michelle Bathke

FINANCE OFFICER

Publish once: July 15, 2016

Approximate Cost:

APPLICATION FOR A VARIANCE

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

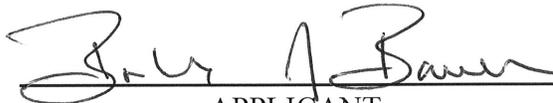
The undersigned applicant(s) and owner(s), Brad Bauer hereby make(s) application for a height variance of 25 feet vs 23 feet as required for the construction of a building, pursuant to the provisions of the City of Mitchell Zoning Code as amended.

This Application is for the following described real property:
Lot 14, Block 9, CJM 2nd Addition, NW1/4 of Section 32, T 104 N R 60 W, City of Mitchell, Davison County, South Dakota. (2501 Anthony Avenue). Zoned Planned Development District.

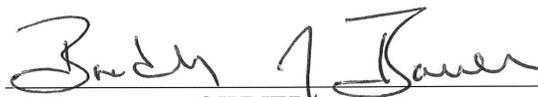
The names and addresses of the current property owners within one hundred and forty feet (140') of the applicant's property (excluding streets and alleys) will be notified upon the filing of this application.

Applicant(s) request that dates be set for public hearings before the Mitchell Planning Commission and the 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.

Dated this 11th of July, 2016.



APPLICANT



OWNER

CASEY KIDS CAMP
8508 E 35TH
DENVER CO 80238

CJM CONSULTING INC
1050 N HARMON DR *approved*
MITCHELL SD 57301

DAVID & ASHLEY BRUA
2921 N OHLMAN #2
MITCHELL SD 57301

DUSTY & TAMI KUSSER
25089 407TH AVE
MITCHELL SD 57301

GLENN & JILL NYDAM
720 N HARMON DR
MITCHELL SD 57301

PENNY ROYALS
1100 W 5TH AVE
MITCHELL SD 57301

WILLIAM & SUSAN COCHRANE
740 N HARMON DR
MITCHELL SD 57301

JEFFREY & MARY CRAIN
750 N HARMON DR
MITCHELL SD 57301

LONNIE FAWCETT
710 N HARMON DR
MITCHELL SD 57301

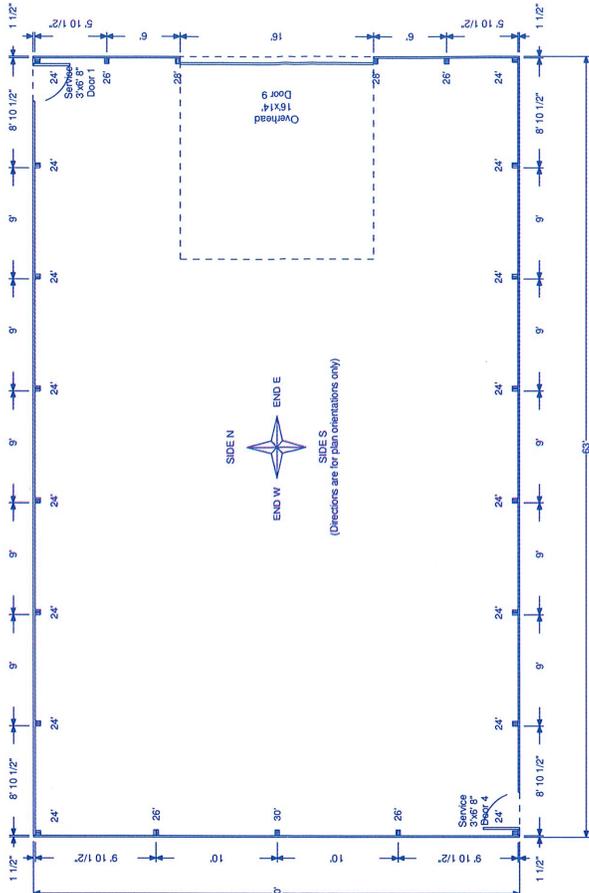
BRAD BAUER

Mitchell/Meyer/Johnson, SD



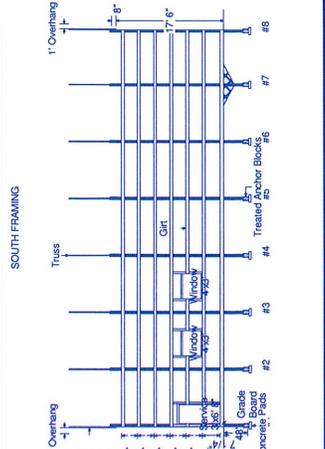
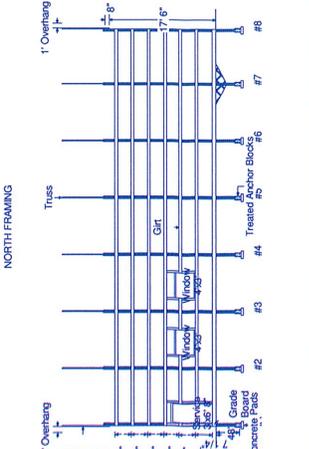
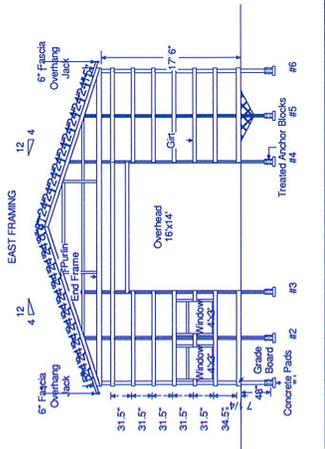
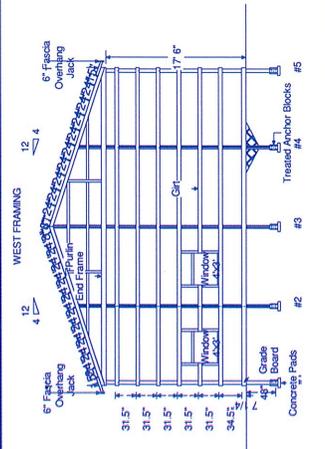
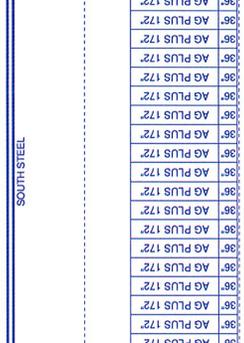
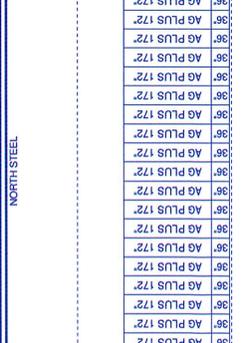
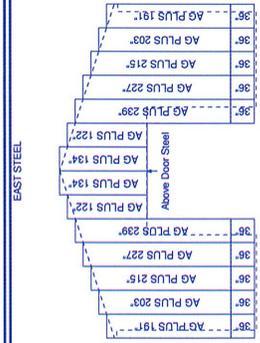
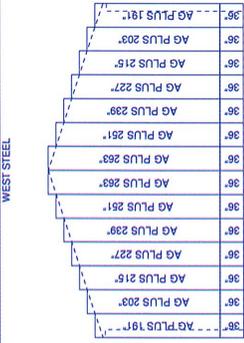
Service Doors and Windows Shown for Representation Only. Please Confirm Exact Location at Time of Construction.

FLOOR PLAN



THIS DRAWING IS THE PROPERTY OF THE ARCHITECT. THESE PLANS HAVE BEEN PREPARED TO CONFORM TO MOST GENERALLY ACCEPTED CONSTRUCTION REQUIREMENTS THROUGHOUT NORTH AMERICA, HOWEVER DUE TO LOCAL CODES, REGULATIONS, AND REQUIREMENTS, THE ARCHITECT HAS MADE NECESSARY CHANGES TO THESE DRAWINGS. THESE CHANGES MAY NOT BE STABLE OR LEGAL FOR USE IN THE CONSTRUCTION OF THIS BUILDING IN ALL JURISDICTIONS. THE ARCHITECT HAS MADE NECESSARY CHANGES TO THESE DRAWINGS TO BRING THEM INTO CONFORMITY WITH ALL LOCAL REQUIREMENTS.

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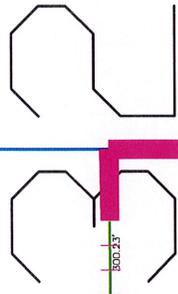




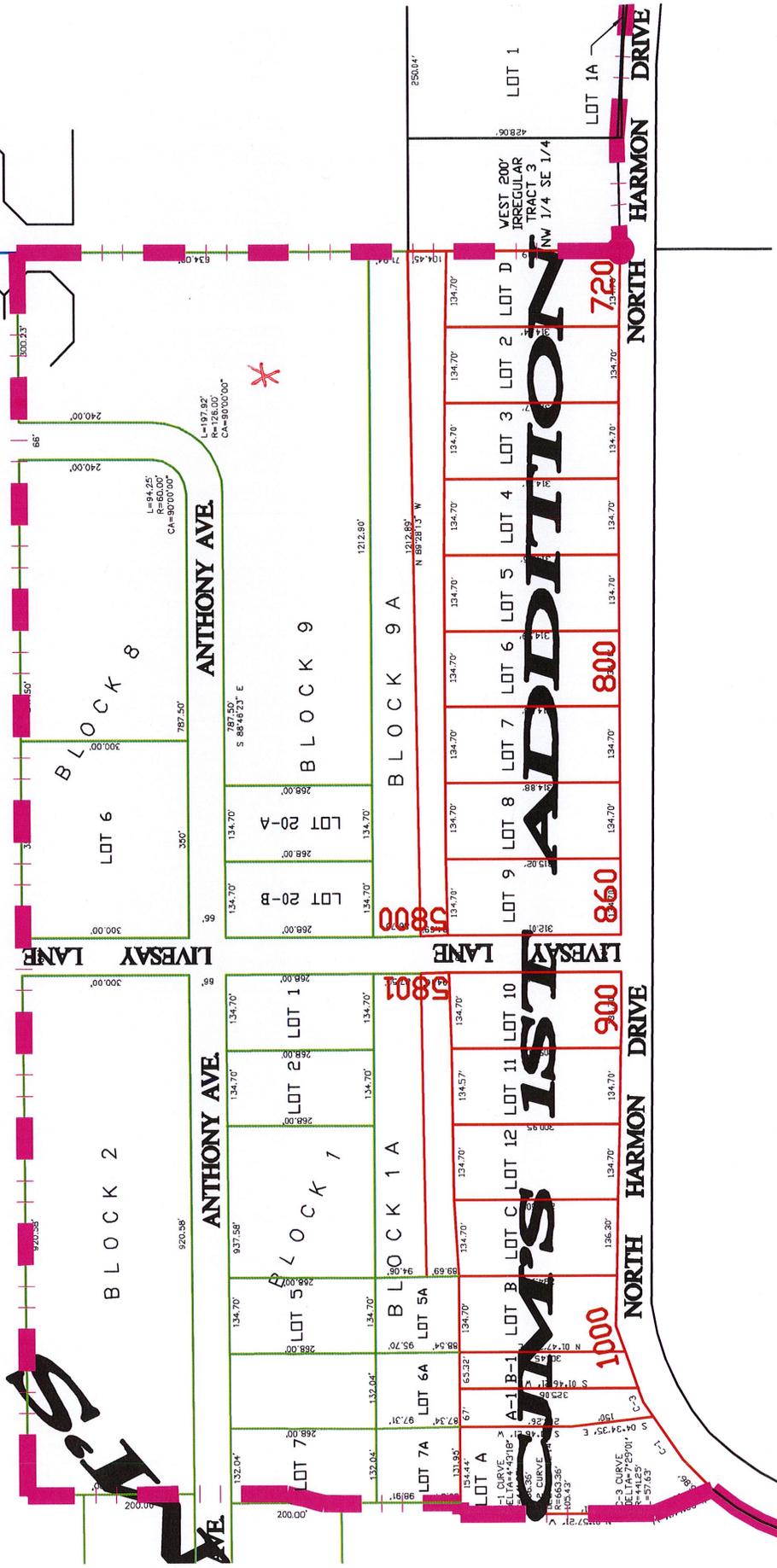
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NORTH HARMON DRIVE

NORTH HARMON DRIVE

BLOCK 2

BLOCK 8

BLOCK 9

BLOCK 9 A

BLOCK 1

BLOCK 1 A

CLAMP'S ADDITION

LOT 6

LOT 20-A

LOT 20-B

LOT 9

LOT 8

LOT 7

LOT 6

LOT 5

LOT 4

LOT 3

LOT 2

LOT 1

LOT 1A

LOT 1

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