

City of Mitchell | Public Works
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8413 | Fax: 605-995-8410
CityOfMitchell.org



June 29, 2022

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Vander Hamm Motorsports has applied for a conditional use permit to operate an Automotive Repair Services facility; located at 2951 S Rowley St, legally described as Lot 11 of Iverson's Addition in the SE ¼ of Section 33, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. The said real property is zoned UD Urban Development District.

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Monday, July 11, 2022, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, July 18, 2022 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 
OWNER

2312 Dan Dr
ADDRESS

APPROVE

DISAPPROVE

COMMENTS:

7/4/22

To Whom It May Concern:

I'm writing in disapproval of the conditional use permit to operate an Automotive Repair Services facility that would be located at 2951 S. Rowley St. My family has owned the farmland across the road to the east of the proposed location for three generations. I've never met Mr Vander Hamm and have nothing against him. The issue that we have with approving anything other than a residential setting has to do with the neighbor to the North along Kibbie Ditch owned by Mr David Wise. The area has been a dumping ground of garbage and disassembly of modular homes for three generations. My grandparents, parents and myself have all brought concerns to the county over the years and its still happening. The area is a complete eyesore. I have better things to do with my time other than to pick up garbage that floats from his property onto ours so crops can be planted. The response that we have always received is that nothing can be done about it. I completely understand that the Wise dumping ground isn't what this letter should be about, but governs our decision to disapprove. In the event Mr Vander Hamm's property would become a nuisance property history has shown it's something the neighbors will have to live with. While I don't live by the property I have received phone calls from other property owners that worry about the same issues. Residential areas should remain just that.

Thank you,

A handwritten signature in black ink, appearing to read "David Harris". The signature is written in a cursive, flowing style with some loops and flourishes.

David Harris

PS: I have not seen, but understand that in the Iverson's Addition there are covenants that should also be looked at and reviewed.

To the City Planning Commission:

We, neighbors on Dean Vander Hamm, strongly oppose the request for a conditional use permit to operate a Automotive Repair Service (Vander Hamm Motorsports) at 2951 S. Rowley, Mitchell, SD

REASONS:

- This neighborhood is a residential area NOT a business area.
- Test driving the motorsports would require them to be driven down a 55 MPH road or through the neighbors ditches. Would they all be licenses and insured?
- Noise from the repair process
- What would be the times of operation - would he be working after 6PM and on weekends?
- Customers coming and going - dropping of repairs or picking them up
- Leftover parts and vehicles used for repairs left cluttering up the yard
- When people don't pay or he buys it from them because of cost to fix exceeds value, will they be put for sale in front yard.
- This business will de-value the property around it

I have also enclosed a letter of the covenants that Merv Iverson created for all purchasers of the lots when they were developed that specifically said.

"The lots described in the above tract of land (which includes the property of 2951 S. Rowley) shall be USED SOLEY FOR RESIDENTIAL PURPOSES. No structure shall be erected, place or permitted to remain on any lot other than a SINGLE FAMILY RESIDENCE" Witness by Janie Schoenfelder and signed by each property purchaser

I want this portion (highlighted in green) of this letter officially admitted into the meetings and read to/by the City Planning Commission and the Board of Adjustments. See Attached

Signed
Neighbors of Dean Vander Hamm

RESTRICTIVE COVENANTS

Restrictive Convenant for lots one thru eleven in:

Iverson addition A portion of Previously Platted Lot B in the SE1/4 of Section 33-T103N-R60W

In consideration of the benefits present and future to its successors agree and declare that each of the numbered lots in the addition shall be subject to the following conditions.

The lots described in the above tract of land shall be used solely for residential purposes. No structures shall be erected, place or permitted to remain on any lot other than a single family residence and such outbuildings as are usually accessory to a single family house.

Prohibition of used structures, prefabricated mobile homes or manufactured homes. All structures constructed or placed on any lot shall be constructed with new materials and no used structures or prefabricated dwelling shall be relocated to placed on any such lot.

No animals shall be kept to maintained on any lot in the development except the usual household pets, such household pets shall be kept within the owners lot or attached to a leash as not to become a nuisance.

This agreement shall be binding and shall insure to the benefit of the undersigned and its successors the value of their properties.



Witness

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I/We Douglas Schoenfelder
OWNER

3061 S. Rowley St. Mitchell, SD
ADDRESS

APPROVE

DISAPPROVE

COMMENTS:

RESTRICTIVE COVENANTS

Restrictive Convenant for lots one thru eleven in:

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Witness

