November 10, 2020

AGENDA

YANKTON COUNTY PLANNING COMMISSION

☐ Paul Harens	☐ Dennis Michael	☐ Kristi Schultz
☐ Zane Williams	☐ Chris Barkl	
☐ Dan Klimisch	☐ Doug Hevle	

7:00 P.M.

Call Meeting to Order
Roll Call
Approve Minutes from previous meetings
Items to be added to Agenda
Approval of Agenda
Conflict of Interest Declarations

7:05 P.M.

Kenneth Hausmann – Conditional Use Permit

Applicant is requesting a Conditional Use Permit for an additional single family dwelling in a High Density Rural Residential District (R3) per Article 8 Section 807. Said property is legally described as Lot 4A, Block 3, Mayer's Addition located in the NW1/4 of the SW1/4, Section 22 T93N R56W hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 107 Robin St, Yankton, SD.

7:10 P.M.

Connie Bornitz – Conditional Use Permit

Applicant is requesting a Conditional Use Permit for an additional single family dwelling in a Lakeside Commercial District (LC) per Article 11 Section 1107. Said property is legally described as Lot F-4 and Lot F-5, in Fitzgerald Park, in the SW1/4 of the NW1/4, Section 17 T93N R56W, of the 5th PM, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 43516 SD Hwy 52, Yankton, SD.

7:15 P.M.

Phil Spady Holdings Inc – Conditional Use Permit

Applicant is requesting a Conditional Use Permit for Repair shop, motor vehicle in a Lakeside Commercial District (LC) per Article 11 Section 1107 at a proposed camper dealership. Said property is legally described as Lot 2, Thon's Addition located in the SE1/4 of the NW1/4, Section 15 T93N R56W, of the 5th PM, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 3311 Debra Blvd, Yankton, SD.

7:20 P.M.

Terry Fleege, Jerry Fleege, Walter Ackerman – Variance

Applicant is requesting a Variance to a proposed plat for Minimum Yard Requirements and a Variance for all existing structures that do not meet minimum yard setbacks in order to bring the lots more into compliance in a Moderate Density Rural Residential District (R2) per Article 7 Section 713 and 715. Said property is legally described as proposed Lots 1, 2, 3 and 4, Frost-Todd Addition in Government Lot 2, Section 3 T93N R55W, of the 5th PM, hereinafter referred to as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address is 44368 309th St, Mission Hill, SD.

Terry Fleege, Jerry Fleege and Walter Ackerman - Plat
Lots 1, 2, 3 and 4, Frost-Todd Addition in Government Lot 2, Section 3 T93N R55W, of the 5th PM, hereinafter referred to as Mission Hill South Township, County of Yankton, State of South Dakota.

7:25 P.M.
Aaron Petersen – Conditional Use Permit
Applicant is requesting a Conditional Use Permit for a Campground, Pool and Self-Storage Warehouses in a Lakeside Commercial District (LC) per Article 11 Section 1107. Said property is legally described as Proposed Lot 18, Whitetail Run, in the NE1/4 of the SE1/4, Section 16 T93N R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBD Deer Blvd, Yankton, SD.

7:30 P.M.
Aaron Petersen – Variance
Applicant is requesting a Variance for minimum front yard setback from 75 feet to 6ft which is a variance of 69 feet for Self-Storage Warehouses in a Lakeside Commercial District (LC) per Article 11 Section 1115. Said property is legally described as Proposed Lot 18, Whitetail Run, in the NE1/4 of the SE1/4, Section 16 T93N R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBD Deer Blvd, Yankton, SD.

7:35 P.M.
Rykens RV Park (Matt Evans)
Applicant is requesting a Conditional Use Permit for a Campground and Pool in a Lakeside Commercial District (LC) per Article 11 Section 1107. Said property is legally described as Proposed Lot 16, Whitetail Run, in the NE1/4 of the SE1/4, Section 16 T93N R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBD Buck Street, Yankton, SD.

7:40 P.M.
Bruce Jensen
Petition for Review Committee Appointment and Open Meeting Law

7:45 P.M.
Ordell and Shirley Oswald - Variance
Applicant is requesting a Variance to a proposed plat for Minimum Yard Requirement of 20 acres to 9.46 acres (a variance of 10.54 acres) in order to bring the lot more into compliance in an Agriculture District (AG) per Article 5 Section 513. Said property is legally described as proposed Oswald Tract 1A, an addition in the SW1/4 of Section 2 T96N R55W, of the 5th PM, hereinafter referred to as Mayfield Township, County of Yankton, State of South Dakota. The E911 address is 29176 444th Ave, Viborg, SD.

Ordell and Shirley Oswald - Plat
Oswald Tract 1A, an addition in the SW1/4 of Section 2 T96N R55W, of the 5th PM, hereinafter referred to as Mayfield Township, County of Yankton, State of South Dakota.

7:50 P.M.
Plats
Lots 9 and 18 in Baycliffe Estates, Located in the W1/2 of the South 12.91 Acres of the S1/2 of the SW1/4 of Section 7; and in the W1/2 of the W1/2 of Section 18, lying North of Highway 52, except platted areas known as Tramp's 7th Addition, and Except Lots 1 and 2 of Parcel A, and further excepting Parcels B and C, McVay Addition, all being in T93N, R56W, of the 5th PM, Yankton County, South Dakota

Lots 4, 5, and 8 in Baycliffe Estates, Located in the W1/2 of the South 12.91 Acres of the S1/2 of the SW1/4 of Section 7; and in the W1/2 of the W1/2 of Section 18, lying North of Highway 52, except platted areas known as Tramp's 7th Addition, and Except Lots 1 and 2 of Parcel A, and further excepting Parcels B and C, McVay Addition, all being in T93N, R56W, of the 5th PM, Yankton County, South Dakota

Lots 16, 17, 19, 20, Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, 56W of the 5th P.M., Yankton County, South Dakota, and a Replat of Lot 7, hereinafter to be known as Lot 6, Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93 N, R56W of the 5th PM, Yankton County, South Dakota

7:55 P.M.
Discussion on possible ordinance changes and Article 5 Discussion

Public Comment

Adjourn

MEETING (ENTITY): PLANNING COMMISSION REGULAR OR SPECIAL MEETING: Regular

DATE: 10/13/20 TIME: 7PM LOCATION: COMMISSION CHAMBERS

STAFF ATTENDANCE: Atkinson, Vetter

ROLL CALL: ☒ BARKL ☒ HEVLE ☒KLIMISCH ☒MICHAEL ☒SCHULTZ ☐WILLIAMS ☒HEALY ☒HARENS

Williams entered meeting at approx.. 7:05

APPROVAL OF MINUTES: MOTION BY: Healy SECOND BY: Klimisch

PLANNING: ☒ BARKL ☒ HEVLE ☒KLIMISCH ☒MICHAEL ☒SCHULTZ ☒HEALY ☒HARENS

APPROVAL OF AGENDA: MOTION BY: Harens SECOND BY: Klimisch

PLANNING: ☒ BARKL ☒ HEVLE ☒KLIMISCH ☒MICHAEL ☒SCHULTZ ☒HEALY ☒HARENS

CONFLICT OF INTEREST: Hevle – conflict of interest with AT&T

AGENDA ITEM: **Peter Rosberg – Conditional Use Permit**
Applicant is requesting a Conditional Use Permit for an increase in maximum structure size in a dual zoned Low Density Rural Residential (R1) and High Density Rural Residential (R3) District. The applicant currently has 1,272 sq. ft. in accessory structure and is requesting an additional 1,920 sq. ft. accessory structure which is an increase of 1,592 sq. ft. in a High Density Rural Residential District.

ADDRESS/LEGAL: Lot 6, Block 1, Riverside Acres North Addition, County of Yankton, South Dakota as per plat as recorded in Book S13, Page 126, Section 22, T93N R56W, hereinafter referred to as Utica South Township, Yankton County, South Dakota. The E911 address is 116 Nome St, Yankton, SD.

COMMENTS:

MOTION: Motion to approve Conditional Use Permit as presented

APPROVAL: MOTION BY: Klimisch SECOND BY: Michael

PLANNING: ☒ BARKL ☒ HEVLE ☒KLIMISCH ☒MICHAEL ☒SCHULTZ ☒WILLIAMS ☒HEALY ☐HARENS

AGENDA ITEM: **Rykens RV Park (Matt Evans) - Rezone**
Applicant is requesting to rezone from an Article 7 Moderate Density Rural Residential District (R2) to an Article 13 Planned Unit Development (PUD).

ADDRESS/LEGAL: Nedved's Addition as platted in Book S10, page 56, excepting therefrom Lot 1, Nedved's Addition as platted in Book S17, page 135, and excepting Lots 9 and 10, Nedved's Addition as platted in Book S20, page 228, and further excepting Lots 1A and 2, Nedved's Addition as platted in Book S18, page 195, all located in the NW1/4 of Section 17, T94N, R56W of the 5th P.M., hereinafter referred to as Utica North Township, County of Yankton, State of South Dakota. The E911 address is TBD 435th Ave, Yankton, SD.

COMMENTS:

PUBLIC COMMENTS:	Matt Rumsey Carrie Rumsey Matt Ahrens Neal Lange Gary T.
MOTION:	Move approval of Planned Unit Development contingent on background checks, DENR approval of working in blue line, sewer and lake levels
APPROVAL:	MOTION BY: Klimisch SECOND BY: Healy
PLANNING:	☐ BARKL ☒ HEVLE ☒KLIMISCH ☐MICHAEL ☒SCHULTZ ☐WILLIAMS ☒HEALY ☒HARENS 5 YAY – 3 NAY Barkl, Michael, Williams voting Nay
AGENDA ITEM:	**Velocitel/AT&T – Conditional Use Permit** Applicant is requesting a Conditional Use Permit for a Communications Tower.
ADDRESS/LEGAL:	Kabeiseman's Tract 4, as platted in Book S10, page 22, excepting therefrom the E590.30' of the S590.30' of Kabeiseman's Tract 4 as shown on survey, located in the N1/2 and excepting the E590.30' of the N590.30' of Section 12, T93N, R57W of the 5th PM, Yankton County, South Dakota less highways and roads hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. The E911 address is 398 Wildflower Rd, Yankton, SD.
COMMENTS:	Speaking for AT&T: Bill Van Camp Carrie Johnson Jim Tidmore Josh Luther Cheryl Riley
PUBLIC COMMENTS:	Lisa Huber Andrea Maibaum Ken Guenther Todd Huber Ken Bertsch John Siekmeier Nancy Wenande Dan Johnson Chad Lacey Jim Thorson
MOTION:	Motion to recommend denial for Conditional Use Permit per Section 1805 #5A Ingress/Egress for property, the proposed structure does not meet standards
APPROVAL:	MOTION BY: Klimisch SECOND BY: Harens
PLANNING:	☒ BARKL ☐ HEVLE ☒KLIMISCH ☒MICHAEL ☒SCHULTZ ☒WILLIAMS ☐HEALY ☒HARENS Hevle Abstained Healy voting Nay
AGENDA ITEM:	**Bruce Jensen** Petition for Review Committee Appointment and Open Meeting Law

ADDRESS/LEGAL:
COMMENTS:

AGENDA ITEM: Plat of Lot 17 of Sundance Ridge, Located in the W1/2 of Section 12, T93N, R57W, of the 5th PM, Yankton County, South Dakota

ADDRESS/LEGAL:
COMMENTS:

MOTION: Move approval

APPROVAL: MOTION BY: Klimisch SECOND BY: Harens
PLANNING: All Aye

AGENDA ITEM: Preliminary Plat of Lots 1 through 10 of Block 4, Lots 1 and 2 of Block 5 and Lots 1 through 12 of Block 6, Law Overlook Subdivision, in the SE1/4 of Section 7 and in the NE1/4 of Section 18, all in T93N, R56W of the 5th PM, Yankton County, South Dakota

ADDRESS/LEGAL:
COMMENTS:

MOTION: Move approval

APPROVAL: MOTION BY: Michael SECOND BY: Klimisch
PLANNING: All Aye

AGENDA ITEM: Plat of Lot 2 of Block 5, Law Overlook Subdivision, in the SE1/4 of Section 7 and in the NE1/4 of Section 18, all in T93N, R56W, of the 5th PM, Yankton County, South Dakota

ADDRESS/LEGAL:
COMMENTS:

MOTION: Move approval

APPROVAL: MOTION BY: Barkl SECOND BY: Harens
PLANNING: All Aye

AGENDA ITEM: Plat of Lot 17, in Gavins Gulch, Located in Engen Tract 14, Section 15, T93N, R57W of the 5th PM, Yankton County, South Dakota
ADDRESS/LEGAL:
COMMENTS: Correct acres on plat approval sheet

MOTION: Move approval with correction

APPROVAL: MOTION BY: Klimisch SECOND BY: Michael
PLANNING: All Aye

AGENDA ITEM: Plat of Lot 4, Located in Engen Tract 13, in Section 15, T93N, R57W, of the 5th PM, Yankton County, South Dakota
ADDRESS/LEGAL:
COMMENTS: Correct acres on plat approval sheet

MOTION: Move approval with correction

APPROVAL: MOTION BY: Harens SECOND BY: Healy
PLANNING: All Aye

AGENDA ITEM: Plat of Lots 456 and 678, Block 1, Marina Dell Two Subdivision, in the N1/2 of the NW1/4 of Section 17, T93N, R56W of the 5th PM, Yankton County, SD.
ADDRESS/LEGAL:
COMMENTS:

MOTION: Move approval

APPROVAL: MOTION BY: Harens SECOND BY: Barkl
PLANNING: All Aye

AGENDA ITEM: **Joe Healy**
Presentation on Article 5

George Fournier

PUBLIC COMMENT:

Adjourn: **Motion:** Harens **Second:** Williams

Yankton County Planning Commission
Yankton County Board of Adjustment

Applicant Kenneth Hausmann

District type: ☐ AG ☐ R1-Low ☐ R2-Moderate ☒ R3-High ☐ C-Comm.

☐ LC – Lakeside Commercial ☐ RT-Rural Transitional

CUP needed:
☐ Section 507 ☐ Section 607 ☐ Section 707 ☒ Section 807

☒ Section 1805 ☐ Section 1905

NOTE:

Conditional Use Permit

Applicant is requesting a Conditional Use Permit for an additional single family dwelling in a High Density Rural Residential District (R3) per Article 8 Section 807. Said property is legally described as Lot 4A, Block 3, Mayer's Addition located in the NW1/4 of the SW1/4, Section 22 T93N R56W hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 107 Robin St, Yankton, SD.

PC:	Article 18 Section 1805	Article 8 Section 807
BOA:	Article 19 Section 1905	Article 8 Section 807

Planning Commission date: 11-10-20 Time: 7:05 PM
Board of Adjustment date: Time:

Permit Number: CUP-2020-20

Yankton County

____ Variance X Conditional Use ____ Rezoning

Owner: Kenneth Hausmann

Owners Address: 107 Robin St

Owners Phone: 661-4952

Applicants Name, if different from Owner: ---

Applicants Address:

Job Address: 107 Robin St

Legal: Lt 4 A Blk 3 Mayers Addn

Section, Township, Range: 22-93-56

Zoning Classification: R3

Affected Zoning Ordinance: 807 1503

Reason for Request: Mother in law suite

List Specific Hardships:

SCHEDULED FOR PLANNING COMMISSION ACTION (DATE): 11/10/2020 7:05

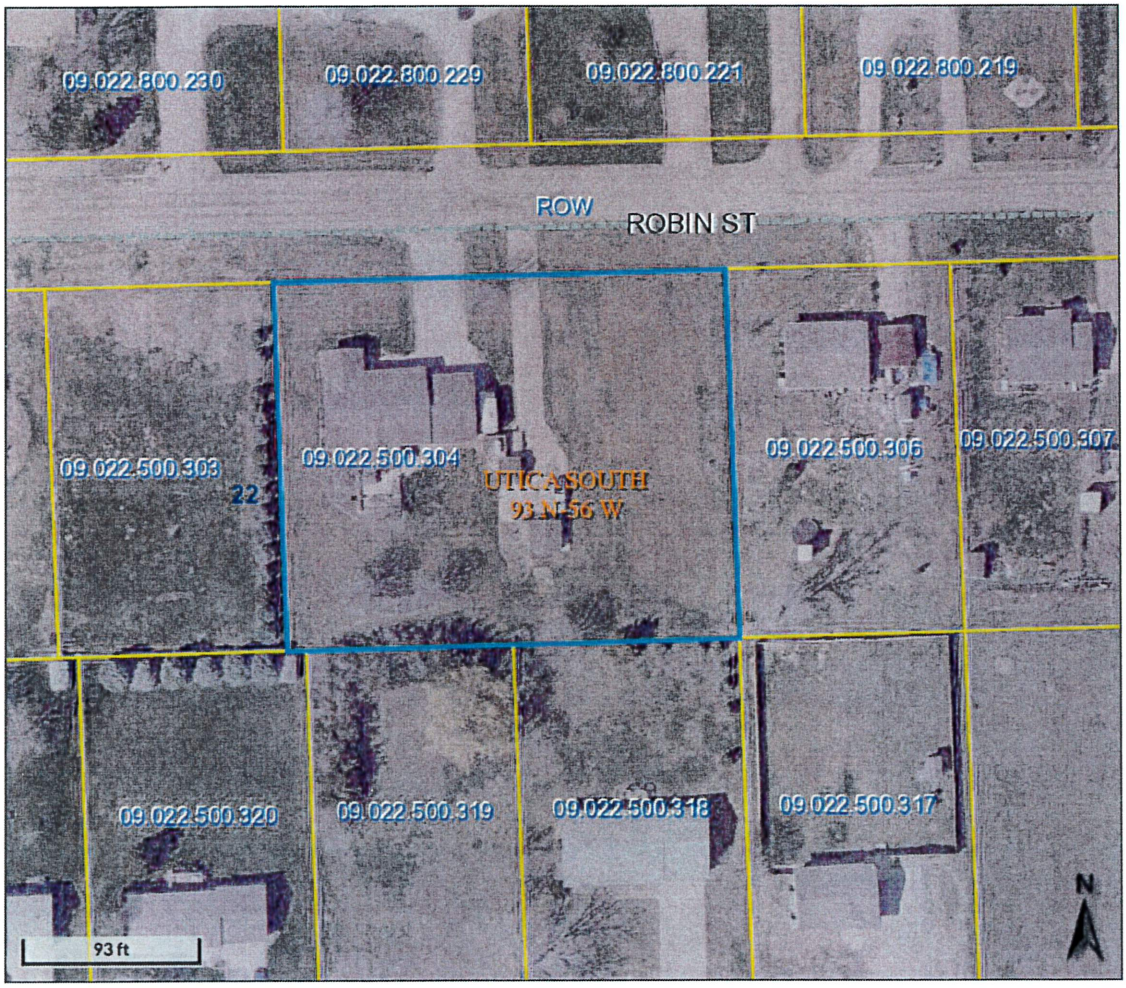
SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (DATE):

Application Fee: $300 Check #: --- Receipt #:

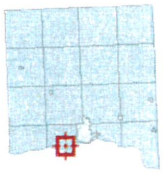
Date:

Signature: Deerfield Truck and

Beacon™ Yankton County, SD



Overview



Legend

- Townships
- Parcels
- City Limits
- Streets and Roads

County Zoning District

- <all other values>
- COMMERCIAL
- ETJ
- HIGH DENSITY RESIDENTIAL
- LAKE SIDE COMMERCIAL
- LOW DENSITY RESIDENTIAL
- MODERATE DENSITY RESIDENTIAL
- PLANNED UNIT DEVELOPMENT
- PUBLIC
- RURAL TRANSITIONAL

Floodplain

- 100 YEAR FLOOD NO BFE; 100 YEAR FLOOD WITH BFE
- 500 YEAR FLOOD

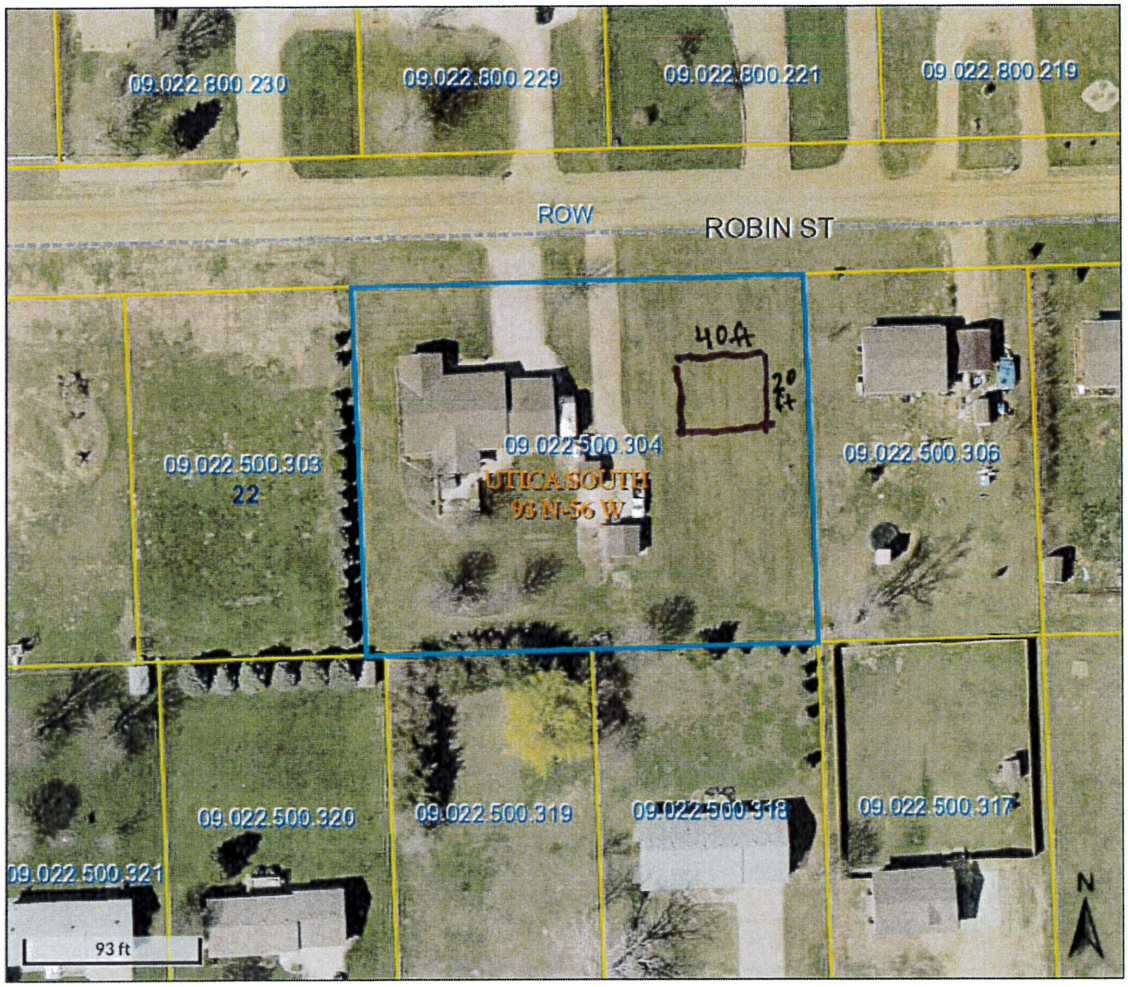
Parcel ID - 09.022.500.304
Address - 107 ROBIN ST
Owner - HAUSMANN, KENNETH M (D)
HAUSMANN, ANGELA D (D)

Disclaimer: Yankton County digital cadastral data are a representation of recorded plats and surveys for use within the Geographic Information System for purposes of data access and analysis. These and other digital data do not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership or use.

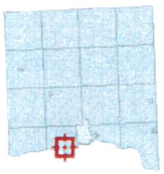
Date created: 10/1/2020
Last Data Uploaded: 10/1/2020 8:07:39 AM

Developed by Schneider GEOSPATIAL

Beacon™ Yankton County, SD



Overview



Legend

- Townships
- Parcels
- City Limits
- Streets and Roads

Parcel ID - 09.022.500.304
Address - 107 ROBIN ST
Owner - HAUSMANN, KENNETH M (D)
HAUSMANN, ANGELA D (D)

Disclaimer: Yankton County digital cadastral data are a representation of recorded plats and surveys for use within the Geographic Information System for purposes of data access and analysis. These and other digital data do not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership or use.

Date created: 10/1/2020
Last Data Uploaded: 10/1/2020 8:07:39 AM

Developed by Schneider GEOSPATIAL

- 20 ft from East Lot line
- 40 ft from North Lot Line

House Dimensions: 42 x 38

DRAFT YANKTON COUNTY
BUILDING PERMIT APPLICATION

Each building site must have a separate site plan

JOB ADDRESS	PARCEL ID
107 ROBIN ST, YANKTON, SD 57078	09.022.500.304

LEGAL DESCRIPTION
LT 4A BLK 3 MAYER'S ADDN

OWNER NAME AND MALING ADDRESS	PHONE/CELL
HAUSMANN, KENNETH M | 107 ROBIN ST | YANKTON SD 57078HAUSMANN, ANGELA D	6056614952 /

CONTRACTOR	MAIL ADDRESS	PHONE
dave rothlubber		

ARCHITECT OR DESIGNER	MAIL ADDRESS	PHONE
architecual designs		8008547852

USE OF BUILDING:	SETBACKS
CLASS OF WORK: New	Front: 40 Rear: 110
DESCRIBE WORK: mother in law suite	Side: 20 Side: 162
VALUATION OF WORK: $	Mobile/Manufactured Home Tax Affidavit:
SPECIAL CONDITIONS:	

App. Accepted By:	Site Plans Check By:	Approved for Issuance By:	**PERMIT FEE: $0.00 Check #**

NOTICE

THIS PERMIT WILL EXPIRE IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN ONE HUNDRED EIGHTY (180) DAYS OR CONSTRUCTION IS NOT SUBSTANTIALLY COMPLETED WITHIN TWO (2) YEARS OF ISSUANCE.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF THE YANKTON COUNTY ZONING ORDINANCE OR ANY OTHER FEDERAL, STATE, OR LOCAL LAW REGULATING CONSTRUCTION ACTIVITIES OR THE USE OF ANY PROPERTY.

10/08/2020

Signature of Date

BY THIS SIGNATURE, THE ZONING ADMINISTRATOR IS AUTHORIZED TO ENTER UPON THE PROPERTY DESCRIBED FOR THE PURPOSE OF INSPECTION

Type of Construction	**Sewer**	**Water**
Wood	Septic	B-Y Water
Total Square Feet	**Number of Stories**	
1062	1	
Zoning District	**Number of Accessory Buildings**	
HD	No	
Number of Dwelling Units	**Property/Parcel/Lot Size (Acres)**	
1		

For County Officials Use Only

When properly validated (in this space), this is your permit.

The above application is hereby approved.

Building Permit Number:

Post Construction?

Date

Architectural Designs
selling quality house plans for over 40 years.

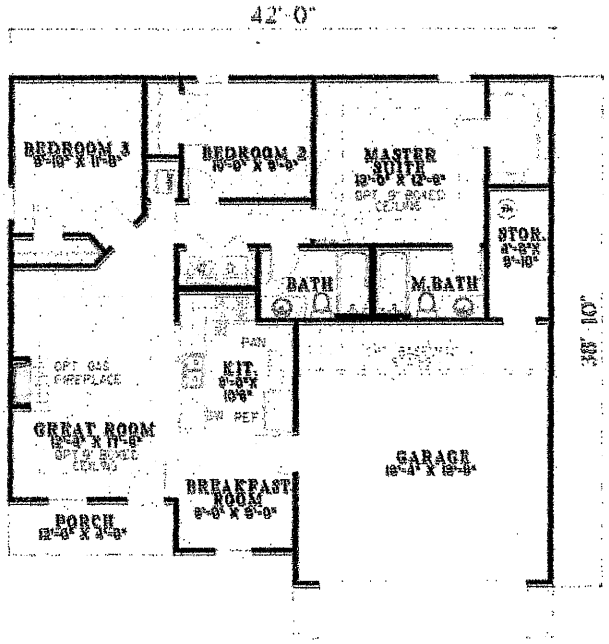
Plan 59648N

About This Plan

- The spacious great room allows you the options of a boxed ceiling and a gas fireplace if desired. Nearby, the step-saver kitchen and adjacent breakfast room will simplify preparing and serving meals.
- Nestled in the back corner of this home is your private master suite complete with optional boxed ceiling and large walk-in closet.
- Just down the hall, you'll find the two additional bedrooms, perfect for the kids or overnight guests.
- **Related Plans:** For an alternate layout, see house plan **59604ND (https://www.architecturaldesigns.com/house-plans/every-square-inch-59604nd)**.
- Gain a fourth bedroom with house plan **59603ND (https://www.architecturaldesigns.com/house-plans/quaint-front-porch-59603nd)**.

Floor Plans

Main Level



Architectural Designs

Plan 59648N

Spacious Great Room Design

1,082	3	2	1	2
Heated S.F.	Beds	Baths	Floors	Car Garage

Buy This Plan

PDF - Single Build	8 Sets	5 Sets + PDF
$700	$800	$1,050
CAD - Single Build	View all purchase option online	
$1,400		

FINDINGS OF FACT – CONDITIONAL USE PERMIT

Kenneth Hausmann – CUP-2020-20

Are the requirements of Section 1723 met? (signed by owner unless there is a binding purchase agreement then signed by applicant, Variance accompanied by building permit (if applicable), site plan included with building permit,	Yes
Are the requirements of Section 1729 met? (all fees paid at time of application)	Yes
Section 1805:	
1. Did you specifically cite, in the application, the section of the Ordinance under which the conditional use is sought and state the grounds on which it is requested	
2. Was notice of public hearing given per Section 1803 (3-5)?	Notice given
3. Attend the public hearing	
4. Planning Commission: Make a recommendation to include: a. Granting of conditional use; b. Granting with conditions; or c. Denial of conditional use	
5. Planning Commission must make written findings certifying compliance with specific rules including: a. Ingress and Egress to proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe:	
b. Off right-of-way parking and loading areas where required; with particular attention to the items in (A) above and the economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district;	
c. Refuse and service areas, with particular reference to the items in (A) and (B) above;	
d. Utilities, with reference to locations, availability, and compatibility;	
e. Screening and buffering with reference to type, dimensions, and character;	
f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect;	
g. Required yards and other open spaces; and	
h. General compatibility with adjacent properties and other property in the district and that the granting of the conditional use will not adversely affect the public interest.	

AFFIDAVIT OF MAILING

I, Barb Hanson, hereby certify that on the 29th day of October, 2020, I mailed by first class mail, postage prepaid, a true and correct copy of the Notice of Public Hearing to all owners of real property lying within a 1,320 feet radius of the proposed project to the most recent address of the recipient known to your Affiant.
A true and correct copy of the Notice of Public Hearing notification letters are attached as Exhibit #1 or #2.
A true and correct copy of the mailing list for owners of real property is attached as Exhibit #1A or #2A.

Dated the 30 day of October, 2020.

Barb J. Hanson
(Name)
Affiant

Subscribed and sworn to before me this 30 day of October, 2020.

Kriss L. Thury
Notary Public - South Dakota
My commission expires: 8/25/2021

(SEAL)

KRISS L. THURY SEAL NOTARY PUBLIC SEAL SOUTH DAKOTA

NOTIFICATION

October 31, 2020

Kenneth Hausmann
107 Robin St
Yankton, South Dakota 57078

Dear Yankton County Property Owner:

The Yankton County Zoning Ordinance requires written notification describing a specific action be sent to the owners of real property lying within 1,320 feet of the property on which the below described action is proposed. The notice shall be given to each owner of record by depositing such notice in the United States Post Office not less than 10 days prior to the hearing date. Therefore, you are hereby notified. Please take a moment to review the notice of public hearing described below.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, at 7:05 P.M. on the 10th day of November, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

Said hearing is to consider the following:
Applicant is requesting a Conditional Use Permit for an additional single family dwelling in a High Density Rural Residential District (R3) per Article 8 Section 807. Said property is legally described as Lot 4A, Block 3, Mayer's Addition located in the NW1/4 of the SW1/4, Section 22 T93N R56W hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 107 Robin St, Yankton, SD.

The application may be reviewed at the Zoning Administrators office, Yankton County Government Center, 321 West Third St., Yankton, S.D. or online at the Yankton County Website.

Sincerely,

Kenneth Hausmann
Petitioners

ACKLIE, GERALD L (D)
114 ROBIN ST
YANKTON SD 57078

ANDERSON, VERTUS (D)
113 SUNSET ST
YANKTON SD 57078

ANGLIN, TIMOTHY R (D)
101 SUNSET ST
YANKTON SD 57078

BADER, ROGER L (D)
111 SUNSET ST
YANKTON SD 57078

BAIER, MATT (D)
104 RICHARD ST
YANKTON SD 57078

BECKEL, CHARLEEN (D)
119 NOME ST
YANKTON SD 57078

BENDER, BRADLEY (D)
102 SUNSET ST
YANKTON SD 57078

BOHLMANN, JASON R (D)
120 WAYNE ST
YANKTON SD 57078

BOUSKA, LILLACE (D)
107 NOME ST
YANKTON SD 57078

BRADLEY, BRYAN (D)
108 WAYNE ST
YANKTON SD 57078

BRAUSEY, PATRICK S (D)
5011 S GRAYSTONE AVE #4
SIOUX FALLS SD 57108

BROMLEY, TRICIA D (D)
1507 RIVER ASPEN RD
YANKTON SD 57078

CARSON, STUART R (D)
120 SUNSET ST
YANKTON SD 57078

CARUANA, ROBERT T (D)
105 RAINBOW ST
YANKTON SD 57078

CASS, REBECCA D (D)
% HABITAT FOR HUMANITY
218 CAPITAL ST
YANKTON SD 57078

CATON, DEAN A (D)
105 WAYNE ST
YANKTON SD 57078

CHRISTENSEN, MELINDA S (D)
512 S DEER BLVD
YANKTON SD 57078

CHRISTENSEN, TAYLOR L (D)
%HABITAT FOR HUMANITY
218 CAPITAL ST
YANKTON SD 57078

CONDE, DANIEL D (D)
106 SUNSET ST
YANKTON SD 57078

CONRAD, LEE C (D)
113 RAINBOW ST
YANKTON SD 57078

CONTRERAS, JOSE J (D)
116 RAINBOW ST
YANKTON SD 57078

CRAWFORD, STEPHEN (D)
101 RAINBOW ST
YANKTON SD 57078

CURTIS, JUSTIN W (D)
119 RAINBOW ST
YANKTON SD 57078

DIMMER, NATHAN P (D)
111 RAINBOW ST
YANKTON SD 57078

DOLEJSI, WANDA L (D)
1109 CEDAR ST
YANKTON SD 57078

DONLIN, CHAD (D)
120 RAINBOW ST
YANKTON SD 57078

EICKHOFF, JOSEPH D (D)
109 WAYNE ST
YANKTON SD 57078

ESKENS, JUSTIN W (D)
106 ROBIN ST
YANKTON SD 57078

FLYNN, RODNEY J (D)
107 TOOTY'S AVE
YANKTON SD 57078

FRANK, FRED C (D)
102 NOME ST
YANKTON SD 57078

FRICK, BREA R (D)
115 ROBIN ST
YANKTON SD 57078

GAUSE, GORDON L (D)
108 RICHARD ST
YANKTON SD 57078

GOULD REVOCABLE TRUST (D)
108 RAINBOW ST
YANKTON SD 57078

GP PROPERTY VENTURES LLC (D)
805 RYLEE WAY
YANKTON SD 57078

GREER, BRENDA K (D)
121 RAINBOW ST
YANKTON SD 57078

GRIMME, JAMES (D)
116 WAYNE ST
YANKTON SD 57078

HANSEN, ERWIN (D)
114 SUNSET ST
YANKTON SD 57078

HAUSMANN, KENNETH M (D)
107 ROBIN ST
YANKTON SD 57078

HEENEY FAMILY TRUST (D)
502 DEER BLVD
YANKTON SD 57078

HEIER, JEFF A JR (AKA JEFFREY) (D)
107 CURLIES ST
YANKTON SD 57078

HEINE FARMS (D)
PO BOX477
YANKTON SD 57078

HOCHSTEIN, GERALDINE (D)
%HABITAT FOR HUMANITY
218 CAPITAL ST
YANKTON SD 57078

HOILIEN, MATTHEW (D)
101 CURLIES ST
YANKTON SD 57078

HOVDEN, LINDSAY J (D)
109 TOOTY'S AVE
YANKTON SD 57078

HUBER, MATTHEW L (D)
104 TOOTY'S AVE
YANKTON SD 57078

HUCHTMEIER, MICHAEL C (D)
124 ROBIN ST
YANKTON SD 57078

HURLBURT, MARK J (D)
101 WAYNE ST
YANKTON SD 57078

JACOBS, TERRY W (D)
106 TOOTY'S AVE
YANKTON SD 57078

JANSSEN, LOWELL REV TRUST (D)
1112 TIMBERLAND DR
YANKTON SD 57078

KABELLA, DAWN R (D)
105 NOME ST
YANKTON SD 57078

KELLEN, ROBERT V (D)
210 WEST 15 ST
YANKTON SD 57078

KINSLEY, JAMES H (D)
112 WAYNE ST
YANKTON SD 57078

KIRCHNER, LESLIE R (D)
106 WAYNE ST
YANKTON SD 57078

KITTELSON, CHARLENE (D)
PO BOX351
YANKTON SD 57078

KOLBECK, AUDREY B (D)
118 WAYNE ST
YANKTON SD 57078

KORTAN, ZACHERY D (D)
100 CURLIES ST
YANKTON SD 57078

KRAMER, JOSHUA DAVID (D)
109 CURLIES ST
YANKTON SD 57078

KUEHLER, LORIN R REV TRUST (D)
110 WAYNE ST
YANKTON SD 57078

LACROIX, BETTY (D)
PO BOX503
YANKTON SD 57078

LAMBERTZ, CHARLES E (D)
109 RAINBOW ST
YANKTON SD 57078

LOECKER, NATHAN (D)
105 SUNSET ST
YANKTON SD 57078

LUCHTEL, MARK (D)
104 SUNSET ST
YANKTON SD 57078

LUIKENS, ALVIN F (D)
119 WAYNE ST
YANKTON SD 57078

MASKA, RICHARD D (D)
108 TOOTY'S AVE
YANKTON SD 57078

MCMILLEN, ROBERT (D)
117 ROBIN ST
YANKTON SD 57078

MINES, DAVID L (D)
104 ROBIN ST
YANKTON SD 57078

MORIN, CURTIS E (D)
107 RAINBOW ST
YANKTON SD 57078

MORKVE, JENNIFER (D)
%HABITAT FOR HUMANITY
218 CAPITAL ST
YANKTON SD 57078

NELSON, JOHN R JR (D)
%HABITAT FOR HUMANITY
218 CAPITAL ST
YANKTON SD 57078

NELSON-STASTNY, WAYNE (D)
121 SUNSET ST
YANKTON SD 57078

NOVAK, SHEILA K (D)
116 ROBIN ST
YANKTON SD 57078

OLSON, DENNIS G (D)
112 SUNSET ST
YANKTON SD 57078

OLSON, RONALD ROBERT (D)
108 SUNSET ST
YANKTON SD 57078

PALSMA, ROBERT E (D)
117 SUNSET ST
YANKTON SD 57078

PEKAREK, CURT J (D)
511 EAST 9 ST
MORRIS MN 56267

PHIL SPADY CHRYSLER-JEEP-DODGE (D
316 CAPITOL ST
YANKTON SD 57078

POKORNY, BRUCE H (D)
107 WAYNE ST
YANKTON SD 57078

PRICKETT, SCOTT V (D)
102 WAYNE ST
YANKTON SD 57078

RAMSDELL, CLARENCE W (D)
109 NOME ST
YANKTON SD 57078

REISIG, JASON M (D)
116 SUNSET ST
YANKTON SD 57078

RIVERSIDE ACRES DEV LLC (D)
%SCHAEFER, PAUL
116 PIKE ST
YANKTON SD 57078

ROBINSON, DONALD (D)
122 NOME ST
YANKTON SD 57078

ROBINSON, DONALD E (D)
122 NOME ST
YANKTON SD 57078

ROESLER, MARTY (D)
113 TOOTY'S AVE
YANKTON SD 57078

ROESLER, MARTY A (D)
113 TOOTY'S AVE
YANKTON SD 57078

ROSBERG, PETER P (D)
116 NOME ST
YANKTON SD 57078

RUMAN, KAREN M (D)
117 WAYNE ST
YANKTON SD 57078

RUMAN, TAMMY (D)
103 SUNSET ST
YANKTON SD 57078

RUNGE, DAVE (D)
104 NOME ST
YANKTON SD 57078

SAYLOR, NICHOLAS L (D)
114 WAYNE ST
YANKTON SD 57078

SCHAEFFER, RANDY A (D)
103 RAINBOW ST
YANKTON SD 57078

SCHILD, ALLEN M (D)
123 NOME ST
YANKTON SD 57078

SCHMITT, ALAN (D)
1921 W 300 N
WEST POINT UT 84015

SCHMITZ, PATRICK (D)
2133 300 AVE
ALBION NE 68620

SCHROEDER, RUBY (D)
121 WAYNE ST
YANKTON SD 57078

SHELBURG, JEREMY (D)
1405 EAST SIDE DR
YANKTON SD 57078

SHERRATT, CHAD T (D)
110 TOOTY'S AVE
YANKTON SD 57078

SMITH, ETHAN A (D)
101 TOOTY'S AVE
YANKTON SD 57078

SPARKS, RAYMOND W (D)
115 NOME ST
YANKTON SD 57078

STEFFEN, MERLIN (D)
104 RAINBOW ST
YANKTON SD 57078

STEFFEN, MERLIN J (D)
104 RAINBOW ST
YANKTON SD 57078

STODDARD, CHARLES A (D)
105 CURLIES ST
YANKTON SD 57078

SUDBECK, THOMAS D (D)
100 WAYNE ST
YANKTON SD 57078

SUING, DONALD G (D)
115 SUNSET ST
YANKTON SD 57078

SWENSON, BRANDON L (D)
100 SUNSET ST
YANKTON SD 57078

THOMAS, TERESA M (D)
120 NOME ST
YANKTON SD 57078

THOMPSON, TODD A (D)
103 WAYNE ST
YANKTON SD 57078

TRAMP, KEITH J (D)
110 SUNSET ST
YANKTON SD 57078

TRENHAILE, MATTHEW J (D)
118 SUNSET ST
YANKTON SD 57078

TUCKER, BRANDON (D)
103 CURLIES ST
YANKTON SD 57078

TURNER, ERIC J (D)
104 WAYNE ST
YANKTON SD 57078

URNESS, DOUGLAS L (D)
115 RAINBOW ST
YANKTON SD 57078

WADSWORTH, TAMARA (D)
111 WAYNE ST
YANKTON SD 57078

WAGGONER, ROCKEY D (D)
113 WAYNE ST
YANKTON SD 57078

WAIT, BRUCE A (D)
3301 RIVER ASPEN RD
YANKTON SD 57078

WALTER, ADAM (D)
107 SUNSET ST
YANKTON SD 57078

WIESELER, CONNIE F (D)
111 NOME ST
YANKTON SD 57078

WILCOX, LINDA R (D)
115 WAYNE ST
YANKTON SD 57078

WINCHELL, ROBERT W (D)
102 RAINBOW ST
YANKTON SD 57078

WITTE, TIMOTHY D (D)
119 SUNSET ST
YANKTON SD 57078

ZAVADIL, VERNON J (D)
105 TOOTY'S AVE
YANKTON SD 57078

ZIMMERMAN, KENNETH (D)
103 TOOTY'S AVE
YANKTON SD 57078

Yankton County Planning Commission
Yankton County Board of Adjustment

Applicant Connie Bornitz

District type: ☐ AG ☐ R1-Low ☐ R2-Moderate ☐ R3-High ☐ C-Comm.

☒ LC – Lakeside Commercial ☐ RT-Rural Transitional

CUP needed:
☐ Section 507 ☐ Section 607 ☐ Section 707 ☒ Section 1107

☒ Section 1805 ☐ Section 1905

NOTE:

Conditional Use Permit

Applicant is requesting a Conditional Use Permit for an additional single family dwelling in a Lakeside Commercial District (LC) per Article 11 Section 1107. Said property is legally described as Lot F-4 and Lot F-5, in Fitzgerald Park, in the SW1/4 of the NW1/4, Section 17 T93N R56W, of the 5th PM, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 43516 SD Hwy 52, Yankton, SD.

PC:	Article 18	Section 1805	Article 11 Section 1107
BOA:	Article 19	Section 1905	Article 11 Section 1107

Planning Commission date: 11-10-20 Time: 7:10 PM
Board of Adjustment date: Time:

Permit Number: CUP-2020-21

Yankton County

_____ Variance _X_ Conditional Use _____ Rezoning

Owner: connie bornitz

Owners Address: pobox 708 yankton

Owners Phone: 6055536908

Applicants Name, if different from Owner: connie bornitz

Applicants Address: pobox 708 yankton 43516 hwy 52

Job Address: 43516 SD HWY 52

Legal: LTS F4 & F5 FITZGERALD PARK

Section, Township, Range: 17-93-56

Zoning Classification: LC

Affected Zoning Ordinance: Section 1107,Section ~~1805~~ 1107 #5

Reason for Request: additional home on a lot that has a home

List Specific Hardships: as we r getting older we will have a second home for childern or grandchildren to help us

SCHEDULED FOR PLANNING COMMISSION ACTION (DATE): 11/10/2020 7.10

SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (DATE): _____

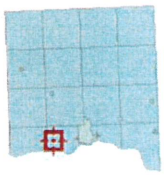
Application Fee: $300.00 Check #: 1509 Receipt #: _____

Signature: Connie Bornitz Date: 10/16/2020

connie bornitz

Beacon™ Yankton County, SD

Overview



Legend

- Townships
- Sections
- Parcels
- City Limits
- Streets and Roads

Floodplain

- 100 YEAR FLOOD NO BFE; 100 YEAR FLOOD WITH BFE
- 500 YEAR FLOOD

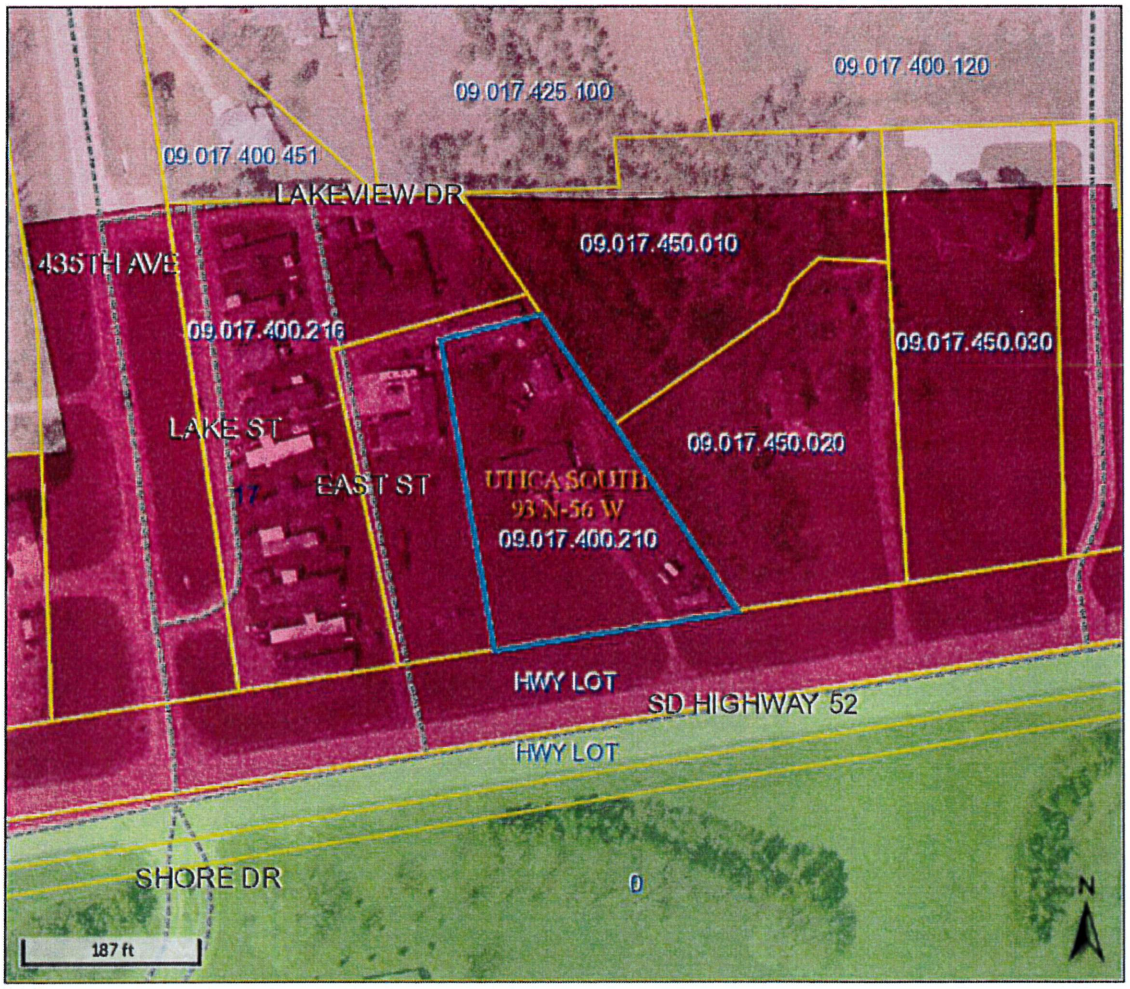
Parcel ID - 09.017.400.210
Address - 43516 SD HWY 52
Owner - GRECKEL, HARLAN H (D)
BORNITZ, CONNIE J (D)

Disclaimer: Yankton County digital cadastral data are a representation of recorded plats and surveys for use within the Geographic Information System for purposes of data access and analysis. These and other digital data do not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership or use.

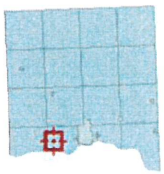
Date created: 10/19/2020
Last Data Uploaded: 10/19/2020 8:22:36 AM

Developed by Schneider GEOSPATIAL

Beacon™ Yankton County, SD



Overview



Legend

- Townships
- Sections
- Parcels
- City Limits
- Streets and Roads

County Zoning District

- <all other values>
- COMMERCIAL
- ETJ
- HIGH DENSITY RESIDENTIAL
- LAKE SIDE COMMERCIAL
- LOW DENSITY RESIDENTIAL
- MODERATE DENSITY RESIDENTIAL
- PLANNED UNIT DEVELOPMENT
- PUBLIC
- RURAL TRANSITIONAL

Floodplain

- 100 YEAR FLOOD NO BFE; 100 YEAR FLOOD WITH BFE
- 500 YEAR FLOOD

Parcel ID - 09.017.400.210
Address - 43516 SD HWY 52
Owner - GRECKEL, HARLAN H (D)
BORNITZ, CONNIE J (D)

Disclaimer: Yankton County digital cadastral data are a representation of recorded plats and surveys for use within the Geographic Information System for purposes of data access and analysis. These and other digital data do not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership or use.

Date created: 10/19/2020
Last Data Uploaded: 10/19/2020 8:22:36 AM

Developed by

DRAFT YANKTON COUNTY
BUILDING PERMIT APPLICATION

Each building site must have a separate site plan

JOB ADDRESS	PARCEL ID
43516 SD HWY 52, YANKTON, SD 57078	09.017.400.210

LEGAL DESCRIPTION
LTS F4 & F5 FITZGERALD PARK

OWNER NAME AND MALING ADDRESS	PHONE/CELL
GRECKEL, HARLAN H | PO BOX 708 | YANKTON SD 57078BORNITZ, CONNIE J	6055536908 /

CONTRACTOR	MAIL ADDRESS	PHONE
list constructionjason list	yankton s.d. 57078	6056655233

ARCHITECT OR DESIGNER	MAIL ADDRESS	PHONE
list construction	yankton s.d. 57078	605 665 5233

USE OF BUILDING: single family dwelling	SETBACKS
CLASS OF WORK: New	Front: 75 Rear: 25
DESCRIBE WORK: single family home 960 sg ft	Side: 25 Side: 25
VALUATION OF WORK: $	Mobile/Manufactured Home Tax Affidavit:
SPECIAL CONDITIONS:	

App. Accepted By:	Site Plans Check By:	Approved for Issuance By:

PERMIT FEE: $0.00 Check #

NOTICE

THIS PERMIT WILL EXPIRE IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN ONE HUNDRED EIGHTY (180) DAYS OR CONSTRUCTION IS NOT SUBSTANTIALLY COMPLETED WITHIN TWO (2) YEARS OF ISSUANCE.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF THE YANKTON COUNTY ZONING ORDINANCE OR ANY OTHER FEDERAL, STATE, OR LOCAL LAW REGULATING CONSTRUCTION ACTIVITIES OR THE USE OF ANY PROPERTY.

C Bornitz

11/03/2020

Signature of Land Owner Date

BY THIS SIGNATURE, THE ZONING ADMINISTRATOR IS AUTHORIZED TO ENTER UPON THE PROPERTY DESCRIBED FOR THE PURPOSE OF INSPECTION

Type of Construction	Sewer	Water
Wood	Septic	B-Y Water

Total Square Feet	Number of Stories
960	3

Zoning District	Number of Accessory Buildings
LC	Yes

Number of Dwelling Units	Property/Parcel/Lot Size (Acres)
1	0

For County Officials Use Only

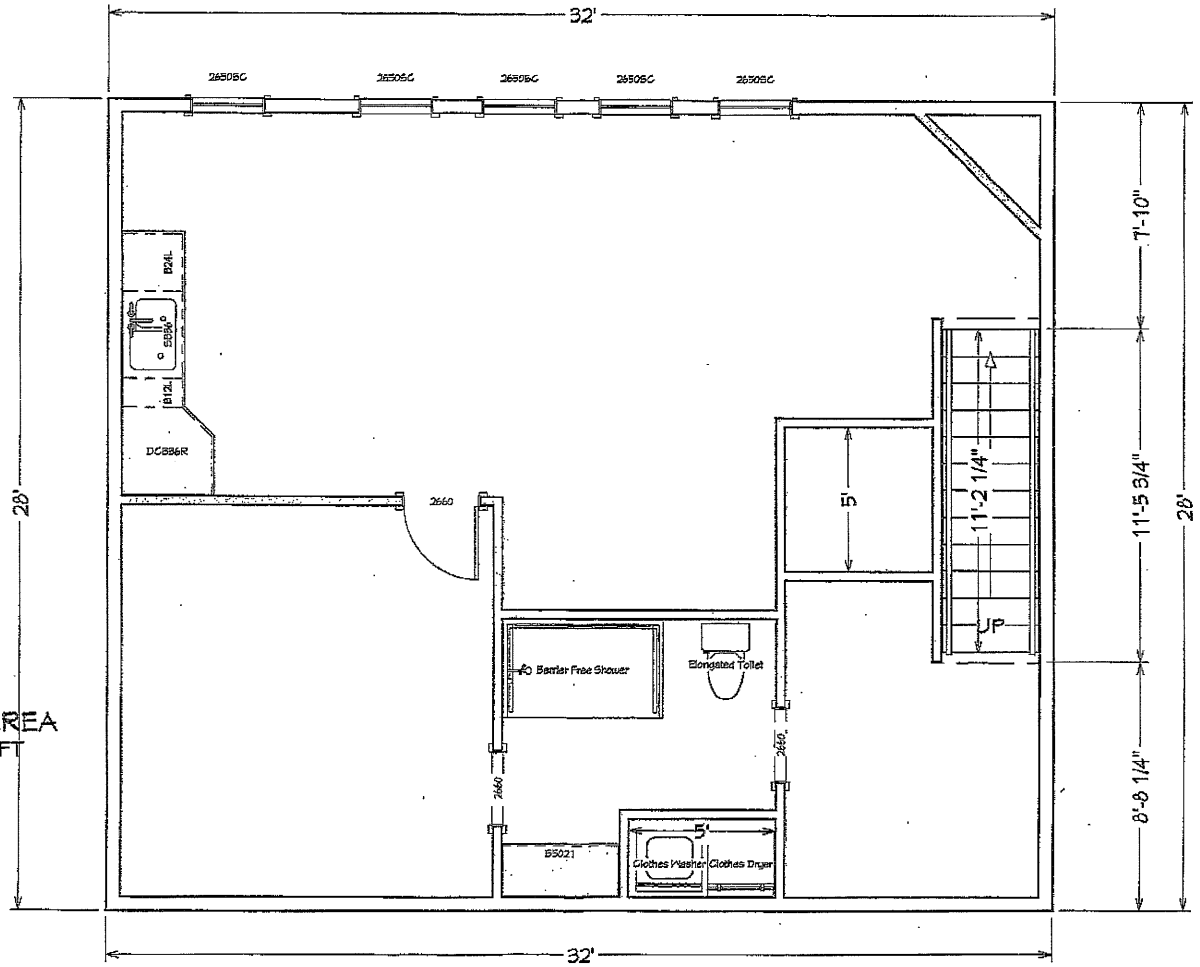
When properly validated (in this space), this is your permit.

The above application is hereby approved.

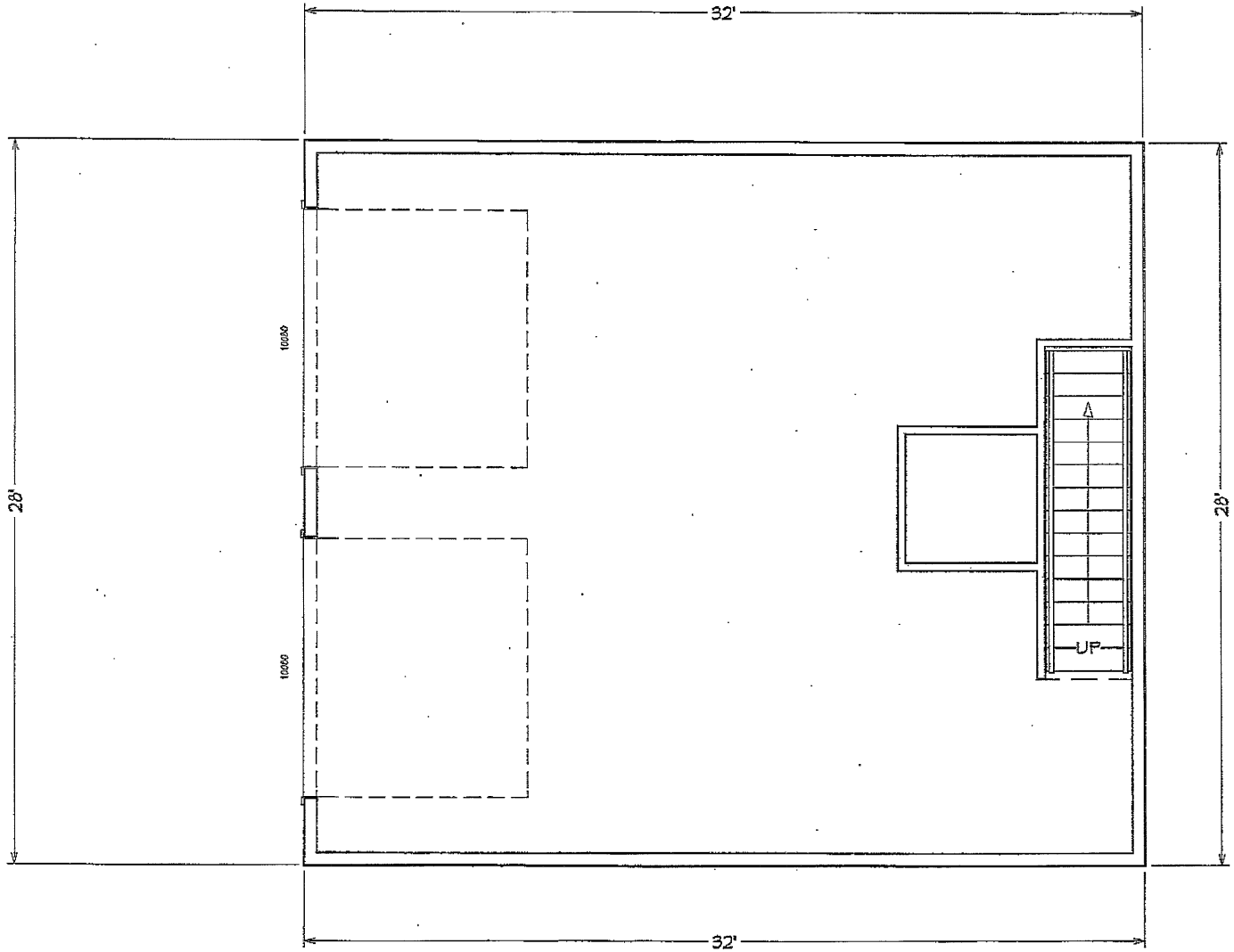
Building Permit Number:

Post Construction?

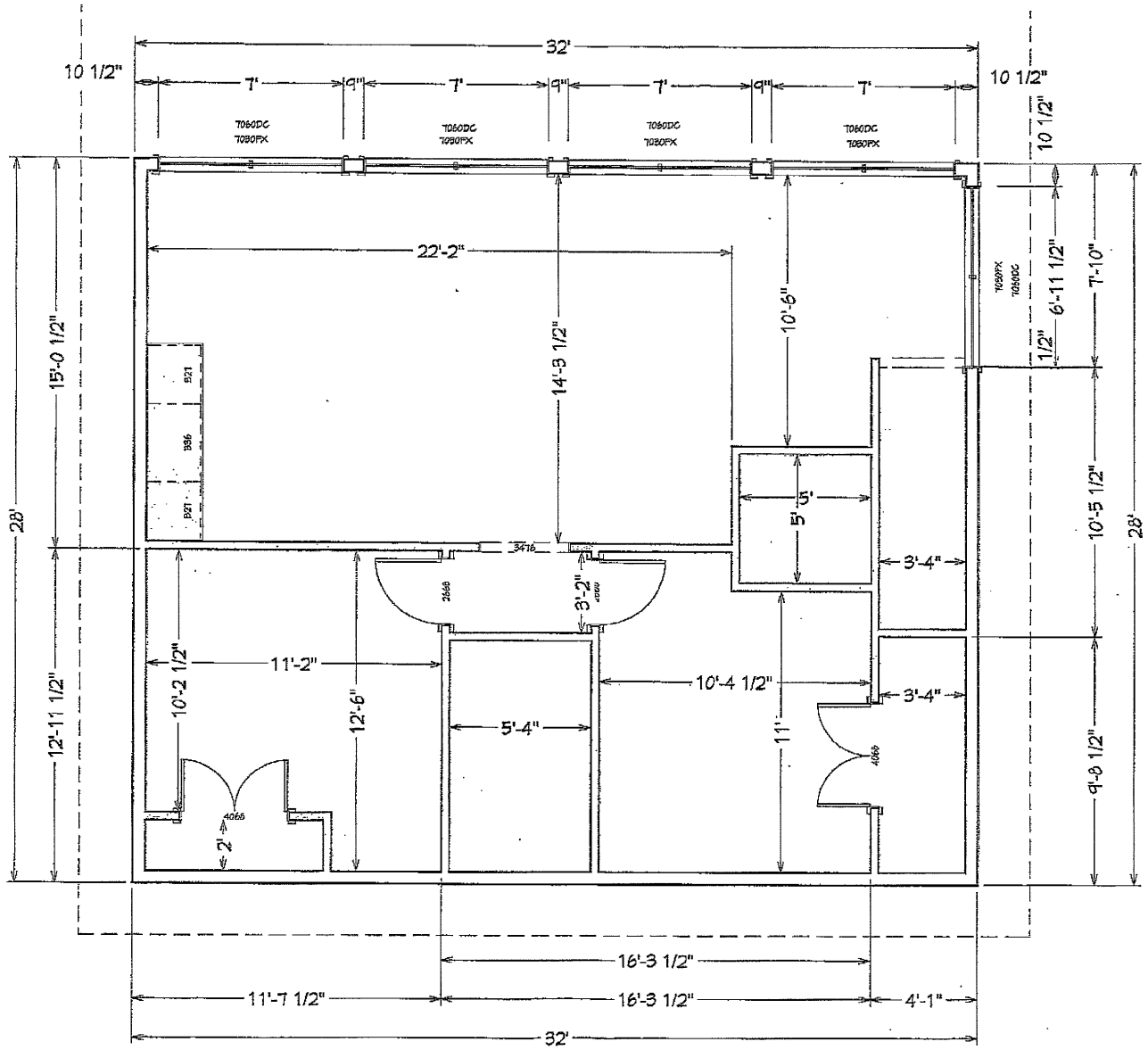
Date



LIVING AREA
896 SQ FT



LIVING AREA
896 SQ FT



LIVING AREA
896 SQ FT

FINDINGS OF FACT – CONDITIONAL USE PERMIT

Connie Bornitz – CUP-2020-21

Are the requirements of Section 1723 met? (signed by owner unless there is a binding purchase agreement then signed by applicant, Variance accompanied by building permit (if applicable), site plan included with building permit,	Yes
Are the requirements of Section 1729 met? (all fees paid at time of application)	Yes
Section 1805:	
1. Did you specifically cite, in the application, the section of the Ordinance under which the conditional use is sought and state the grounds on which it is requested	
2. Was notice of public hearing given per Section 1803 (3-5)?	
3. Attend the public hearing	
4. Planning Commission: Make a recommendation to include: a. Granting of conditional use; b. Granting with conditions; or c. Denial of conditional use	
5. Planning Commission must make written findings certifying compliance with specific rules including: a. Ingress and Egress to proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe:	
b. Off right-of-way parking and loading areas where required; with particular attention to the items in (A) above and the economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district;	
c. Refuse and service areas, with particular reference to the items in (A) and (B) above;	
d. Utilities, with reference to locations, availability, and compatibility;	
e. Screening and buffering with reference to type, dimensions, and character;	
f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect;	
g. Required yards and other open spaces; and	
h. General compatibility with adjacent properties and other property in the district and that the granting of the conditional use will not adversely affect the public interest.	

AFFIDAVIT OF MAILING

I, Connie Boenitz, hereby certify that on the 29th day of Oct, 2020, I mailed by first class mail, postage prepaid, a true and correct copy of the Notice of Public Hearing to all owners of real property lying within a 1,320 feet radius of the proposed project to the most recent address of the recipient known to your Affiant.

A true and correct copy of the Notice of Public Hearing notification letters are attached as Exhibit #1 or #2.

A true and correct copy of the mailing list for owners of real property is attached as Exhibit #1A or #2A.

Dated the 29th day of Oct, 2020.

Connie Boenitz
(Name)
Affiant

Subscribed and sworn to before me this 29 day of Oct, 2020.

Notary Public - South Dakota
My commission expires: 3-24-22

(SEAL)

NOTIFICATION

October 31, 2020

Connie Bornitz
PO Box 708
Yankton, South Dakota 57078

Dear Yankton County Property Owner:

The Yankton County Zoning Ordinance requires written notification describing a specific action be sent to the owners of real property lying within 1,320 feet of the property on which the below described action is proposed. The notice shall be given to each owner of record by depositing such notice in the United States Post Office not less than 10 days prior to the hearing date. Therefore, you are hereby notified. Please take a moment to review the notice of public hearing described below.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, at 7:10 P.M. on the 10th day of November, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

Said hearing is to consider the following:
Applicant is requesting a Conditional Use Permit for an additional single family dwelling in a Lakeside Commercial District (LC) per Article 11 Section 1107. Said property is legally described as Lot F-4 and Lot F-5, in Fitzgerald Park, in the SW1/4 of the NW1/4, Section 17 T93N R56W, of the 5th PM, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 43516 SD Hwy 52, Yankton, SD.

The application may be reviewed at the Zoning Administrators office, Yankton County Government Center, 321 West Third St., Yankton, S.D. or online at the Yankton County Website.

Sincerely,

Connie Bornitz
Petitioners

BERKE, ROBIN R (D)
103 MARINA BLUFFS CT #2B
YANKTON SD 57078

BLOM, COLE S (D)
517 LOCUST ST
YANKTON SD 57078

BLOM, GARY (D)
115 PIKE ST
YANKTON SD 57078

BOB LAW INC (D)
3812 SD HWY 314
YANKTON SD 57078

BURNS, DAVID (D)
101 MARINA BLUFFS CT #2
YANKTON SD 57078

CHRISTENSEN, LISA J TRUST (D)
224 NORTH HWY 20
PO BOX 805
LAUREL NE 68745

DAYHUFF, JEFFREY W (D)
113 EAST 3 ST
YANKTON SD 57078

DEERFIELD TRUCK & EQUIPMENT CO (D
PO BOX 805
LAUREL NE 68745

EHLERS, MARVIN D REVOC TRUST (D)
31129 435 AVE
YANKTON SD 57078

EICHFELD, AMY M (D)
31102 435 AVE
YANKTON SD 57078

EVANS, MATTHEW L (D)
31120 435 AVE
YANKTON SD 57078

EXECUTIVE PARK MODEL EST LLC (D)
3703 WEST 7 ST
YANKTON SD 57078

FOLKEN, CHARLES L (D)
379 ROAD R
LEIGH NE 68643

FRAUENDORFER, MICHAEL A (D)
31118 435 AVE
YANKTON SD 57078

FULLENKAMP, ROBERT J (D)
221 RED CEDAR DR
YANKTON SD 57078

GB TRUST (D)
101 MARINA BLUFFS CT #1
YANKTON SD 57078

GOLDEN, RANDY S (D)
110 PRIMROSE LN
YANKTON SD 57078

GRAIN BELT LLC (D)
PO BOX 805
LAUREL NE 68745

GRECKEL, HARLAN H (D)
PO BOX 708
YANKTON SD 57078

HIXSON, LARRY REV TRUST (D)
101 MARINA BLUFFS CT #4
YANKTON SD 57078

HUNT, MICHAEL B REV LIV TRUST (D)
966 QUAIL HOLLOW CIR
DAKOTA DUNES SD 57049

JOHNSON, J KELLY (D)
105 MARINA BLUFFS CT #3F
YANKTON SD 57078

KABEISEMAN, KATHERINE M (D)
%KABEISEMAN, WILLIAM
1210 DOUGLAS AVE
YANKTON SD 57078

KABEISEMAN, WILLIAM J (D)
1210 DOUGLAS AVE
YANKTON SD 57078

KLENTZ, SETH M (D)
310 W N MAPLE ST
BERESFORD SD 57004

KORTAN, DARRELL (D)
6101 WEST QUEENS CIR
SIOUX FALLS SD 57106

KRAUSE-SWIFT, ANNE (D)
142 KATHERINE WAY
YANKTON SD 57078

MARINA BLUFFS HOMEOWNERS ASSOC
101 MARINA BLUFFS CRT #7
YANKTON SD 57078

MARINA DELL ESTATES ROAD DISTR (D)
142 KATHERINE WAY
YANKTON SD 57078

MERTENS REAL ESTATE LLC (D)
127 CRESTVIEW DR
YANKTON SD 57078

OLIVIER, CURTIS (D)
184 OAK HILLS DR
YANKTON SD 57078

ORTNER, STEVEN L (D)
5045 330 ST
DANBURY IA 51019

PERSINGER, JOHN PAUL REV TRUST (D)
520 E PINEHURST TRL
DAKOTA DUNES SD 57049

POESCHL, JEROME A REV LIV TRST (D)
213 KATHERINE WAY
YANKTON SD 57078

RABINE, BETH A (D)
606 DAVIS MOUNTAIN CIR
GEORGETOWN TX 78633

SCHULZE FAMILY REVOCABLE TRUST (D
964 PEBBLE BEACH DR
DAKOTA DUNES SD 57049

SHIPWRECK INC (D)
115 STARBOARD ST
YANKTON SD 57078

SWIFT, DON DEROY II (D)
142 KATHERINE WAY
YANKTON SD 57078

TAYLOR, RANDY (D)
2619 310 ST
ROCK VALLEY IA 51247

UHING, ROBERT H (D)
103 MARINA BLUFFS CT #2E
YANKTON SD 57078

VILLA NORTH LLC (D)
490 FIRETHORN TRL
DAKOTA DUNES SD 57049

VOGT, CLARENCE M (D)
112 EAST ST
YANKTON SD 57078

WAHL, JEFF REV TRUST (D)
PO BOX 754
YANKTON SD 57078

WESTGARD, GARY A (D)
101 MARINA BLUFFS CT #5
YANKTON SD 57078

WIEMAN, BRIAN (D)
119 MARINA BLUFFS RD
YANKTON SD 57078

WIEMAN, BRIAN A (D)
119 MARINA BLUFFS RD
YANKTON SD 57078

Yankton County Planning Commission
Yankton County Board of Adjustment

Applicant Phil Spady

District type: ☐ AG ☐ R1-Low ☐ R2-Moderate ☐ R3-High ☐ C-Comm.

☒ LC – Lakeside Commercial ☐ RT-Rural Transitional

CUP needed:
☐ Section 507 ☐ Section 607 ☐ Section 707 ☒ Section 1107

☒ Section 1805 ☐ Section 1905

NOTE:

Conditional Use Permit

Applicant is requesting a Conditional Use Permit for Repair shop, motor vehicle in a Lakeside Commercial District (LC) per Article 11 Section 1107 at a proposed camper dealership. Said property is legally described as Lot 2, Thon's Addition located in the SE1/4 of the NW1/4, Section 15 T93N R56W, of the 5th PM, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 3311 Debra Blvd, Yankton, SD.

PC:	Article 18 Section 1805	Article 11 Section 1107
BOA:	Article 19 Section 1905	Article 11 Section 1107

Planning Commission date: 11-10-20 Time: 7:15 PM
Board of Adjustment date: Time:

Permit Number: CUP-2020-22

Yankton County

_____ Variance _X_ Conditional Use _____ Rezoning

Owner: PHIL SPADY HOLDINGS INC

Owners Address: 316 CAPITAL STREET YANKTON, SD 57078

Owners Phone: 402-270-2316

Applicants Name, if different from Owner: PHIL SPADY HOLDINGS INC

Applicants Address: 316 CAPITAL STREET YANKTON, SD 57078

Job Address: 3311 DEBRA BLVD

Legal: LT 2 THONS ADDN SE4 NW4

Section, Township, Range: 15-93-56

Zoning Classification: LC

Affected Zoning Ordinance: Section 1107,Section 1807

Reason for Request: To Establish a service repair center to service travel trailer, utility trailer, and fifth wheel campers

List Specific Hardships:

SCHEDULED FOR PLANNING COMMISSION ACTION (DATE): 11/10/2020 7:15

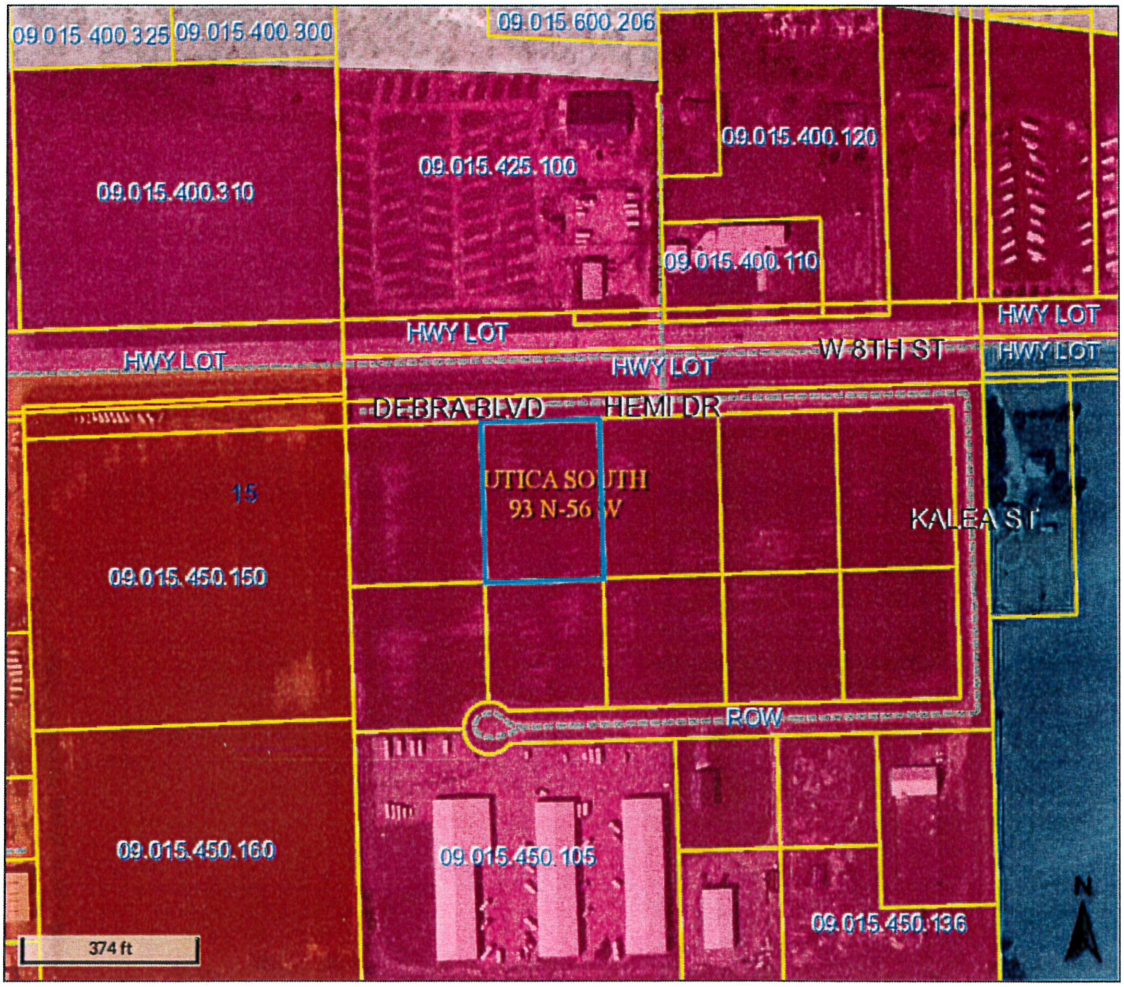
SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (DATE): _____

Application Fee: $300.00 Check #: 2836 Receipt #: _____

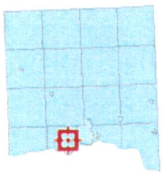
Signature: Mourh. Nelson Date: 10/16/2020

PHIL SPADY HOLDINGS

Beacon™ Yankton County, SD



Overview



Legend

- Townships
- Sections
- Parcels
- City Limits
- Streets and Roads

County Zoning District

- <all other values>
- COMMERCIAL
- ETJ
- HIGH DENSITY RESIDENTIAL
- LAKE SIDE COMMERCIAL
- LOW DENSITY RESIDENTIAL
- MODERATE DENSITY RESIDENTIAL
- PLANNED UNIT DEVELOPMENT
- PUBLIC
- RURAL TRANSITIONAL

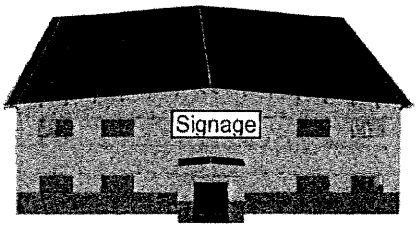
Parcel ID - 09.015.450.020
Address - 3311 DEBRA BLVD
Owner - PHIL SPADY CHRYSLER-JEEP-DODGE (D)

Disclaimer: Yankton County digital cadastral data are a representation of recorded plats and surveys for use within the Geographic Information System for purposes of data access and analysis. These and other digital data do not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership or use.

Date created: 11/3/2020
Last Data Uploaded: 11/2/2020 9:40:08 PM

Developed by Schneider GEOSPATIAL

HWY LOT
HWY LOT
HWY LOT
KEMI DR
EXTEND ROADWAYS (In Grey)
KALEA ST
09.015.450.040
09.015.450.050
09.015.450.060
09.015.450.070
09.015.450.080
09.015.450.090
09.015.450.100
PREMIER CIR ROW
09.015.450.120
09.015.450.130
09.015.450.145
09.015.450.160
09.015.450.125


Signage

FINDINGS OF FACT – CONDITIONAL USE PERMIT

Phil Spady – CUP-2020-22

Are the requirements of Section 1723 met? (signed by owner unless there is a binding purchase agreement then signed by applicant, Variance accompanied by building permit (if applicable), site plan included with building permit,	Yes
Are the requirements of Section 1729 met? (all fees paid at time of application)	Yes
Section 1805:	
1. Did you specifically cite, in the application, the section of the Ordinance under which the conditional use is sought and state the grounds on which it is requested	
2. Was notice of public hearing given per Section 1803 (3-5)?	
3. Attend the public hearing	
4. Planning Commission: Make a recommendation to include: a. Granting of conditional use; b. Granting with conditions; or c. Denial of conditional use	
5. Planning Commission must make written findings certifying compliance with specific rules including: a. Ingress and Egress to proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe:	
b. Off right-of-way parking and loading areas where required; with particular attention to the items in (A) above and the economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district;	
c. Refuse and service areas, with particular reference to the items in (A) and (B) above;	
d. Utilities, with reference to locations, availability, and compatibility;	
e. Screening and buffering with reference to type, dimensions, and character;	
f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect;	
g. Required yards and other open spaces; and	
h. General compatibility with adjacent properties and other property in the district and that the granting of the conditional use will not adversely affect the public interest.	

AFFIDAVIT OF MAILING

I, Mariah Nelson, hereby certify that on the 29th day of October, 2020, I mailed by first class mail, postage prepaid, a true and correct copy of the Notice of Public Hearing to all owners of real property lying within a 1,320 feet radius of the proposed project to the most recent address of the recipient known to your Affiant.
A true and correct copy of the Notice of Public Hearing notification letters are attached as Exhibit #1 or #2.
A true and correct copy of the mailing list for owners of real property is attached as Exhibit #1A or #2A.

Dated the 29 day of October, 2020.

Mariah Nelson for Phil Spady Holdings Inc
(Name)
Affiant

Subscribed and sworn to before me this 29 day of October, 2020.

Notary Public - South Dakota
My commission expires: 5/29/2023

(SEAL)

CORINNE HUCHTMEIER NOTARY Seal PUBLIC STATE OF SOUTH DAKOTA

NOTIFICATION

October 31, 2020

Phil Spady Holdings, Inc.
316 Capital Street
Yankton, South Dakota 57078

Dear Yankton County Property Owner:

The Yankton County Zoning Ordinance requires written notification describing a specific action be sent to the owners of real property lying within 1,320 feet of the property on which the below described action is proposed. The notice shall be given to each owner of record by depositing such notice in the United States Post Office not less than 10 days prior to the hearing date. Therefore, you are hereby notified. Please take a moment to review the notice of public hearing described below.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, at 7:15 P.M. on the 10th day of November, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

Said hearing is to consider the following:
Applicant is requesting a Conditional Use Permit for Repair shop, motor vehicle in a Lakeside Commercial District (LC) per Article 11 Section 1107 at a proposed camper dealership. Said property is legally described as Lot 2, Thon's Addition located in the SE1/4 of the NW1/4, Section 15 T93N R56W, of the 5th PM, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 3311 Debra Blvd, Yankton, SD.

The application may be reviewed at the Zoning Administrators office, Yankton County Government Center, 321 West Third St., Yankton, S.D. or online at the Yankton County Website.

Sincerely,

Phil Spady Holdings, Inc.
Petitioners

ASPS LLC (D)
3609 WEST 8 ST
YANKTON SD 57078

BARKL, CHRIS (D)
3009 WEST 8 ST
YANKTON SD 57078

BARRETT, BEAU C (D)
3005 WEST 11 ST
YANKTON SD 57078

BINDER, TIMOTHY (D)
169 CLARK TRL
YANKTON SD 57078

BLOM, COLE S (D)
517 LOCUST ST
YANKTON SD 57078

BOB LAW INC (D)
3812 SD HWY 314
YANKTON SD 57078

CATON, REBECCA (D)
105 WAYNE ST
YANKTON SD 57078

CPEC EXCHANGE 43633 LLC (D)
1007 APRIL LN
YANKTON SD 57078

DAHLIN DRYWALL INC (D)
3703 WEST 7 ST
YANKTON SD 57078

DOERING, HENRY L (D)
902 BEEMER AVE
YANKTON SD 57078

EBBENS, DANIEL W (D)
3111 WEST 8 ST
YANKTON SD 57078

FEIMER, MICHAEL P (D)
1004 MAY LN
YANKTON SD 57078

G & W PROPERTIES (D)
% SCOTT STEVENS
PO BOX 2047
NORFOLK NE 68702

HANSON, STEVE (D)
14355 SW ROCHESTER DR
BEAVERTON OR 97008

HEINE FARMS (D)
PO BOX 477
YANKTON SD 57078

HOFER, DAVID J (D)
1009 APRIL LN
YANKTON SD 57078

INHOFER, RICK (D)
3306 WEST 8 ST
YANKTON SD 57078

LACROIX, MARLIN (D)
1303 WEST 19 ST #4
YANKTON SD 57078

LANGE FAMILY PROTECTION TRUST (D)
118 LAKE SHORE DR
UTICA SD 57067

LARSON, BARRETT P (D)
2900 WEST 11 ST
YANKTON SD 57078

LARSON, BARRETT P TRUST (D)
2900 WEST 11 ST
YANKTON SD 57078

LASER BARN LLC (D)
3700 WEST 8 ST
YANKTON SD 57078

LEADER, LARRY F (D)
43459 KAISER RD
YANKTON SD 57078

LEET, LARRY REVOCABLE TRUST (D)
1011 APRIL LN
YANKTON SD 57078

LEFEBVERE, JACOB W (D)
308 EAST 21 ST
YANKTON SD 57078

LUKEN CONSTRUCTION LLC (D)
605 DOUGLAS AVE
YANKTON SD 57078

MACY FAMILY TRUST (D)
3701 WEST 11 ST
YANKTON SD 57078

MACY, ROBERT M (D)
3701 WEST 11 ST
YANKTON SD 57078

MCHENRY, CRYSTAL (D)
600 DEER BLVD
YANKTON SD 57078

MIELKE, KEITH L (D)
PO BOX 63
YANKTON SD 57078

MILLER, DONALD D (D)
3609 WEST 7 ST
YANKTON SD 57078

MUELLER, MARY C (D)
3204 WEST 8 ST
YANKTON SD 57078

MUELLER, STEVEN (D)
3204 WEST 8 ST
YANKTON SD 57078

NEDVED, FRANK (D)
1007 JUNE LN
YANKTON SD 57078

PHIL SPADY CHRYSLER-JEEP-DODGE ([
316 CAPITOL ST
YANKTON SD 57078

PREMIER VENTURES LLC (D)
1010 MAY LN
YANKTON SD 57078

REZAC FAMILY REVOCABLE TRUST (D)
30776 435 AVE
YANKTON SD 57078

RYKEN LEGACY LAND TRUST (D)
%RUSSELL RYKEN
19597 EAST 70 ST N
OWASSO OK 74055

SCS PROPERTY MANAGEMENT CORP ([
3702 LEADER LN
YANKTON SD 57078

SD DEPT OF TRANSPORTATION (D)
700 E BROADWAY AVE
PIERRE SD 57501

SIMONSEN, THOMAS L (D)
%MC STORAGE
3702 LEADER LN
YANKTON SD 57078

SIMONSEN, THOMAS L (D)
3702 LEADER LN
YANKTON SD 57078

SPRINGWATER LLC (D)
263 KNIEST AVE
YANKTON SD 57078

STEVENS, SCOTT D (D)
PO BOX 2047
NORFOLK NE 68702

TERESHINSKI FAMILY TRUST (D)
1005 JUNE LN
YANKTON SD 57078

THOMAS, DAVID L (D)
3109 WEST 11 ST
YANKTON SD 57078

THON, RONALD REVOCABLE TRUST (D)
1010 MAY LN
YANKTON SD 57078

VELLEK, FRANK (D)
1010 APRIL LN
YANKTON SD 57078

WALLBAUM, JUDITH A REV TRUST (D)
2911 WEST 11 ST
YANKTON SD 57078

WOERNER, BRADLEY S (D)
1407 ST BENEDICT DR
YANKTON SD 57078

YANKTON STORAGE LLC (D)
1303 WEST 19 ST #4
YANKTON SD 57078