

Yankton County Planning Commission
Yankton County Board of Adjustment

Applicant **Concrete Materials (Brooke Muhlack) – Conditional Use Permit** 5/19/2021

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 to mine sand and gravel from an Agriculture District per Article 5, Section 507. Said property is legally described as The Northeast Quarter (NE1/4) and Southeast Quarter (SE1/4), Section Eighteen (18), Township Ninety-Four (94) North of Range Fifty-Five (55) West of the 5th P.M., Yankton County, South Dakota

PC: Article 18 Section 1805

BOA: Article 19 Section 1905

Planning Commission date:

~~7/13/2021~~ 8/10/2021

Board of Adjustment date:

~~8/2/2021~~ 9/7/2021

Time:

Time:

Permit Number: CUP-2021-47

Yankton County

 Variance X Conditional Use Rezoning

Owner: Chris Frick

Owners Address: 44154 306th St Yankton, SD

Owners Phone: (605)661-8154

Applicants Name,
if different from

Owner: Concrete Materials

Applicants

Address: 1500 N Sweetman Pl Sioux Falls, SD

Job Address: _____

Legal: NE4 & SE4

Section,
Township, Range: 18-94-55

Zoning
Classification: AG

Affected Zoning

Ordinance: Section 507Section 507

Reason for
Request: Mining sand and gravel

List Specific
Hardships: _____

SCHEDULED FOR PLANNING COMMISSION ACTION (DATE):

8/10/2021

SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (DATE):

9/7/2021

Application Fee: \$300.00

Check #: _____

Receipt #: _____

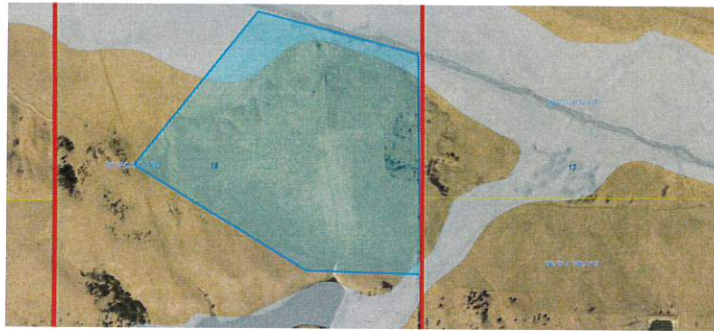
Signature: _____

Concrete Materials

Date: _____

05/19/2021

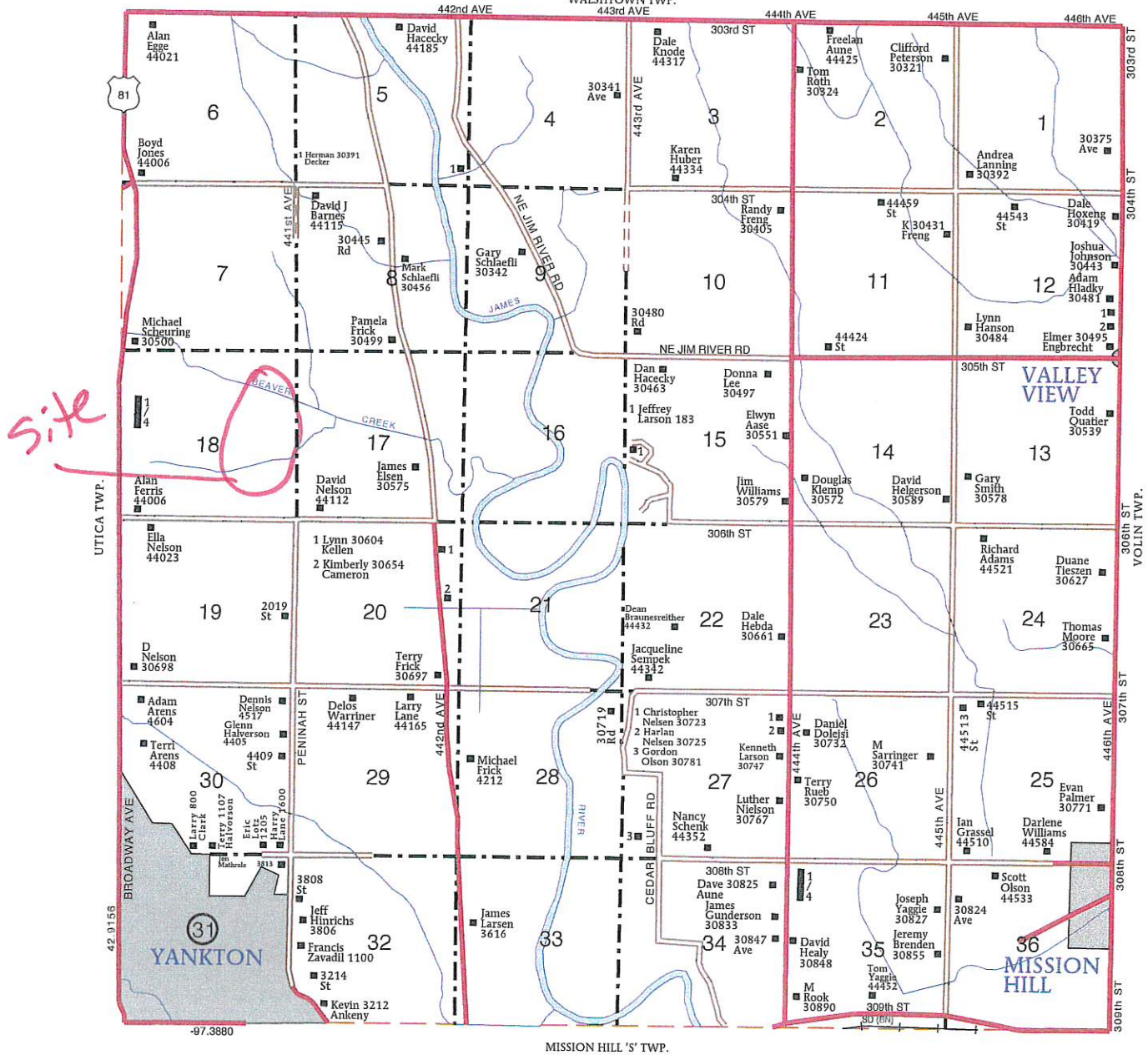
Site Map



Parcel Number: 06.018.100.100

Site Description:

(Residents - Owners or Renters)

**MISSION HILL 'N'****TOWNSHIP****SECTION 12**

- 1 Morgan, Tyler 30487
- 2 Kocmich, Joshua 30491

SECTION 18

- 1 Mueller, Kenneth 30540
- 2 30544
- 3 Borchard, Evan 30546
- 4 Jones, Frank 30548

SECTION 35

- 1 Auch, J 44407
- 2 Clough, Nathan 30814
- 3 Novak, David 30818
- 4 Bovero, Mike 30822

FINDINGS OF FACT – CONDITIONAL USE PERMIT

Concrete Materials (Brooke Muhlack)– CUP-2021-47

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	Applicant is requesting a Conditional Use Permit to mine sand and gravel from an Agriculture District per Article 5, Section 507
2. Was notice of public hearing given per Section 1803 (3-5)?	Mailed – Published –
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.	



A DIVISION OF KNIFE RIVER CORPORATION
1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57117-4140

Concrete Materials is hereby requesting use of a haul road from its pit as named and located as follows:
Frick Pit – SE1/4 NE1/4 Section 18 – T94N – R55W, County of Yankton, State of South Dakota

The road authority having jurisdiction over the haul road is:
Mission Hill Township North

The haul road under consideration is described as follows:
***Approximately 2.1 miles of 306th Street (aka Tabor Road)
from SW Jim River Rd West to Highway 81***

The intended use of the haul road is:
To haul aggregate products from the subject gravel source as needed

PROVISIONS AND/OR CONSIDERATIONS FOR COMPLIANT USAGE OF NOTED HAUL ROAD:

Pre project visual haul road inspection with Concrete Materials and agent of governing body.

Post project visual haul road inspection with Concrete Materials and agent of governing body.

Truck weight restricted to legal gross vehicle weight, unless restricted by seasonal road restrictions.

Truck speed restricted to 35 miles per hour.

Dust control at specific locations: Concrete Materials to mitigate dust in the area of the homes along the haul road with water or a dust mitigation chemical at its discretion.

Water will be applied to the balance of haul road as needed:

If gravel is needed for this haul road it will be supplied by Concrete Materials at no cost. In this event, Concrete Materials will be responsible to place the gravel if necessary.

Installing an approach to enter Frick Property build to Township Specifications at no cost to Township.

It is the intent of Concrete Materials to accurately relay these provisions and/or considerations for use of the subject haul road to others who may elect to utilize Concrete Material's gravel source. Although Concrete Materials is making the request for this usage, all parties understand and acknowledge that other parties, agents and/or related business partners will also be granted approval to utilize this haul road for the intended use, provided any and all provisions and/or considerations set forth above are followed.

Concrete Materials

Justin Foss
(Print Name)

Justin Foss
(Sign Name)

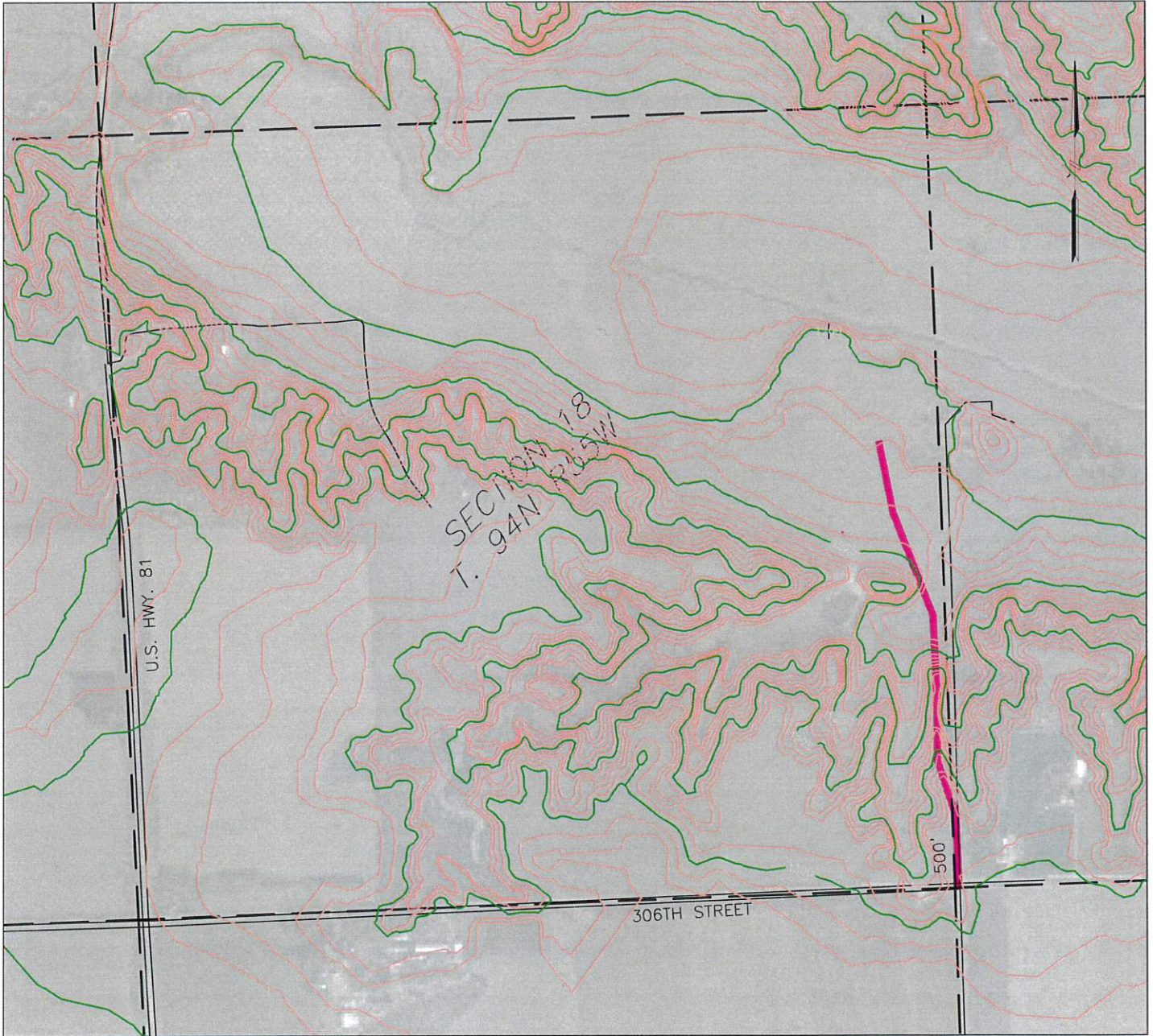
Date: 7-29-21

Mission Hill Road Authority

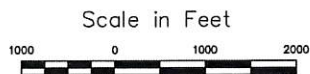
Dan Haczeky
(Print Name)

D Haczeky
(Sign Name)

Date: 7-29-21



- PROPOSED HAUL ROAD
- 25 EXISTING GROUND
- 5



TOPO MAP
YANKTON PIT
NCR-ESD



	DATE	NAME
DRAWN BY:	7/14/21	RINGSTAD
SURVEYED BY:		
DATUM/SPC:		SD-NORTH.IF
FILENAME:		NCR-ESD Yankton Prop 210713.dwg



Frick Trust

MINING COVER PAGE

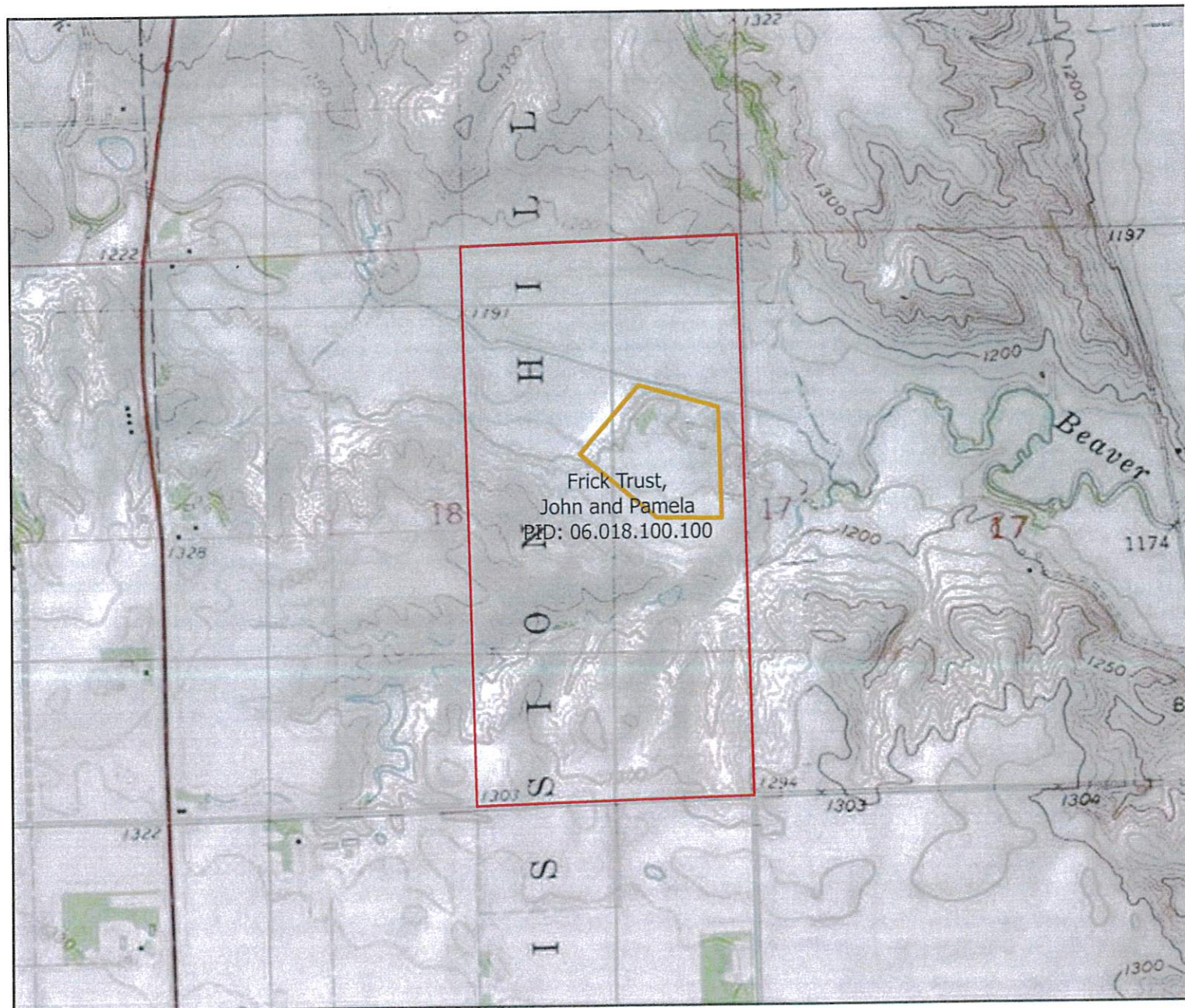
Legend

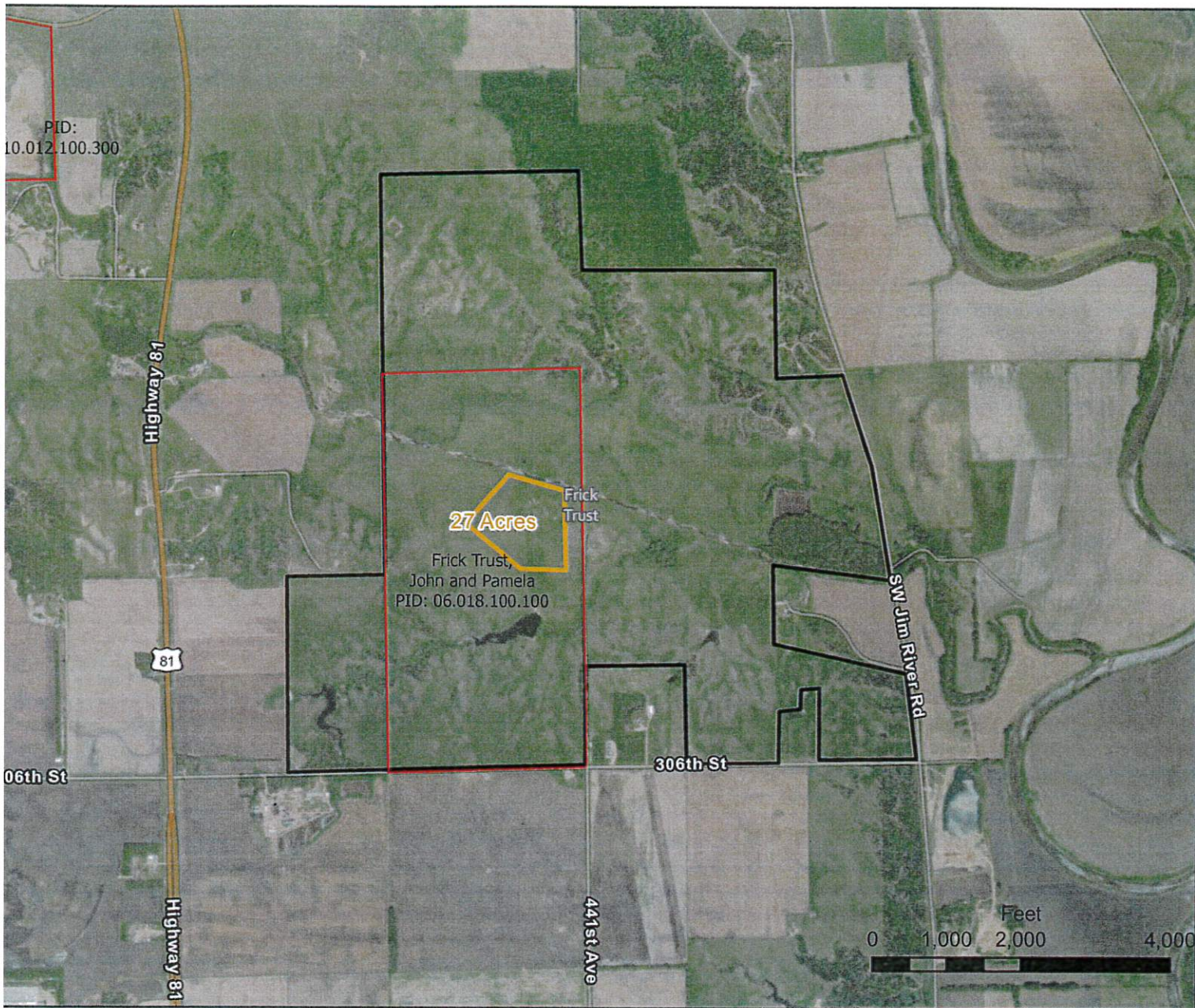
-  Land Parcel Boundaries
-  Mining Area
-  Frick Trust Land

Proposed mining area to be located in
the SE1/4 of NE1/4 Section 18

T94N, R55W

Yankton County, South Dakota






Purpose

An operations and processing report regarding the aforementioned site location.
From Knife River Corporation

Map Author: Jordan Keller

Service Layer Credits: World Street Map: South Dakota Game Fish and Parks, Esri Canada, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS
World Imagery: Maxar
USA_Topo_Maps:  This work is licensed under the Esri Master License Agreement. [View Summary](https://go.arcgis.com/termsfuse/viewsummary) | [View Terms of Use](https://go.arcgis.com/termsfuse/viewtermsfuse)
Important Note: This item is in mature support as of March 2019. For more information, see [Basemaps Life Cycle Support Status](https://go.arcgis.com/lifecycle/content)

Variance, Conditional
Use and Rezoning
Application
CUP-2021-47
Applicant
Brooke Muhlack
Fees Paid
\$300.00
Created
May 19, 2021

Number
CUP-2021-
47

06.018.100.100 | Chris Frick |
, SD,
Submitted by muhlackb on
5/19/2021



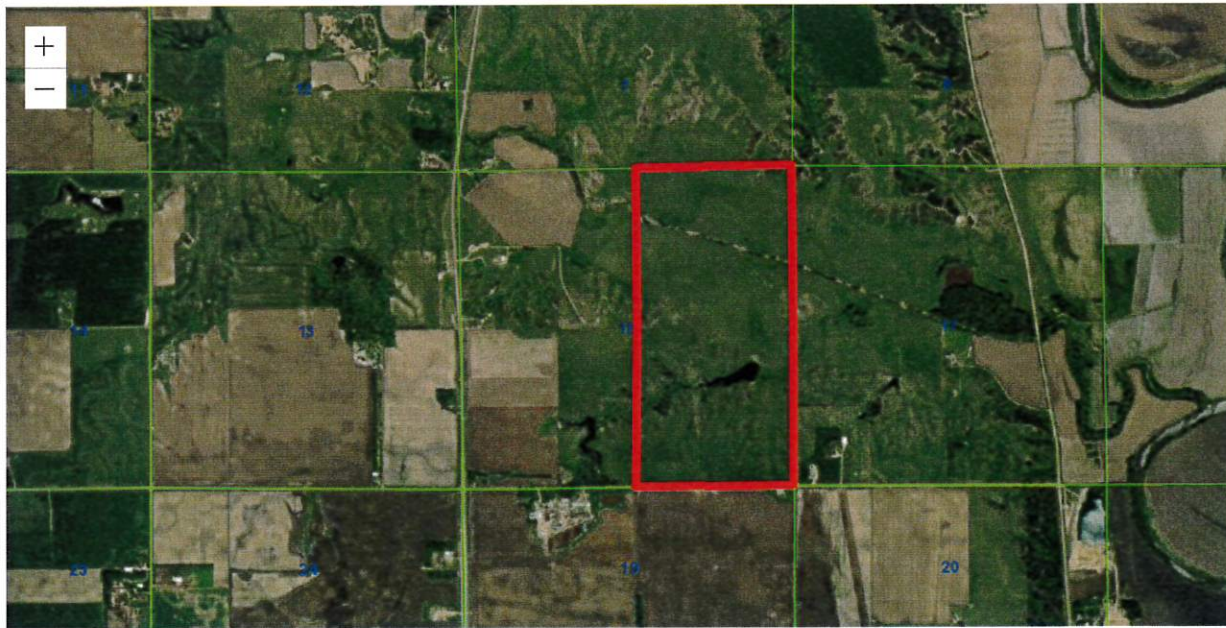
Applicant

Brooke Muhlack

7125776757

brooke.muhlack@kniferiver.com

Parcel search Completed On 5/19/2021 12:45 PM EST by Anonymous



ParcelID	Address	City	OwnerName	Acres
06.018.100.100			FRICK, JOHN G REV TRUST (D) FRICK, PAMELA J REV TRUST (D)	320.000

Request Information Completed On 5/19/2021 12:47 PM EST by muhlackb

Type of Request

Conditional Use

Fee

\$300.00

Reason for Request

Mining sand and gravel

List Specific Hardships

Applicant Information

Are you the owner of the property?

No

Applicant Name

Concrete Materials

Applicant Address

1500 N Sweetman Pl Sioux Falls, SD

Applicant Phone

(712)279-7570

Owner Information

Owner Name

Chris Frick

Owner Address

44154 306th St Yankton, SD

Owner Phone Number

(605)661-8154

Property Information

Parcel ID Number

06.018.100.100

Legal Description

NE4 & SE4

Site Address

City

Zip

Section-Township-Range

18-94-55

Zoning District

AG

Zoning Description

AG

Existing Use of Property

Property Owner Verification of Approval Completed On 5/19/2021 12:48 PM EST by muhlackb

Applicants who are not the property owner must provide consent by the owner for the proposed request. Please download/print the [Verification of Approval](#) document here. Fill out the form and attach below.

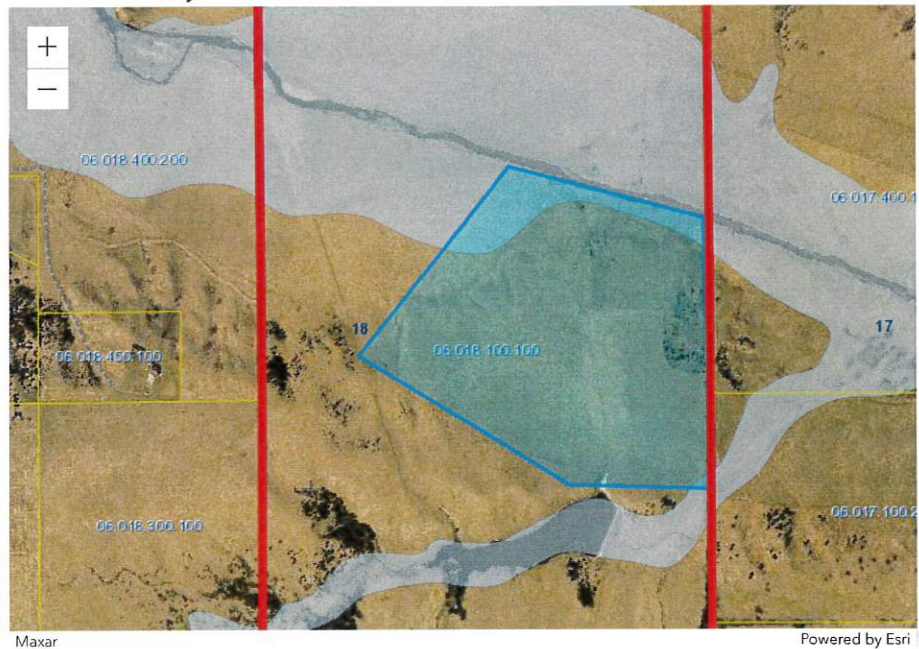
Upload signed document here

[Frick Signature.pdf](#)

Site Plan Completed On 5/19/2021 12:49 PM EST by muhlackb

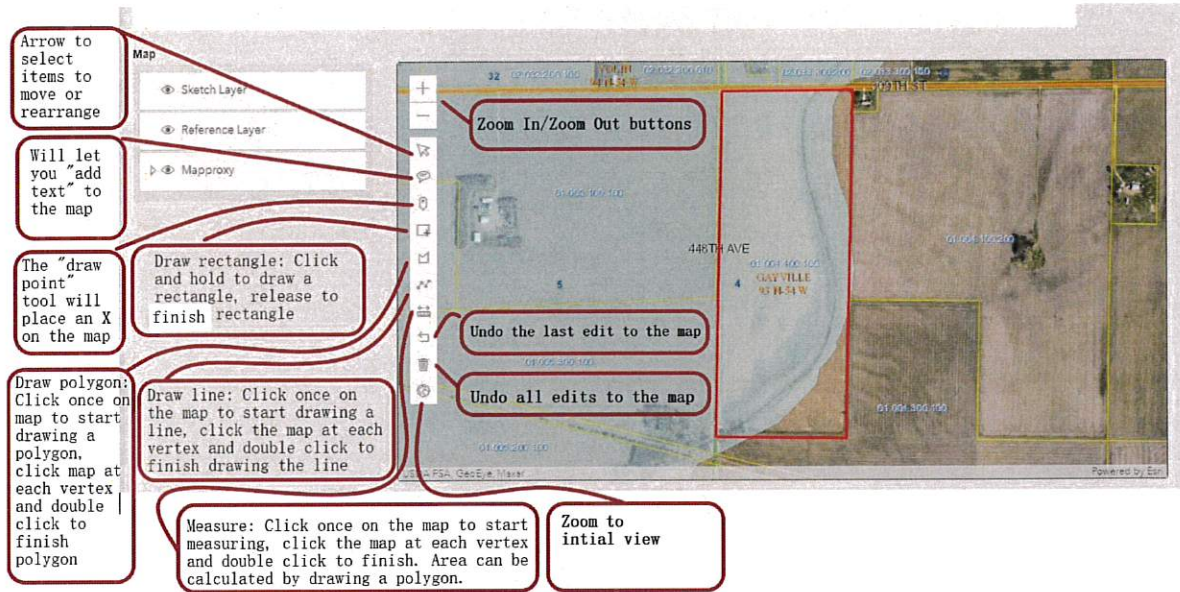
Map - Mark the location of structures and other necessary information.

- ☐ Sketch Layer
- ☐ Reference Layer
- ☒ Mapproxy



Describe the location and use of adjacent structures

Upload Site Plan and/or additional plans and documents



Draft Building Permit Completed On 5/19/2021 12:49 PM EST by muhlackb

Upload Draft Building Permit 

Draft Building Permit Form Completed On 5/19/2021 12:50 PM EST by muhlackb

Job Address

Legal Description of Construction Site

NE4 & SE4

Owner Name

FRICK, JOHN G REV TRUST (D) || FRICK, PAMELA J REV TRUST (D)

Owner Address

Owner Phone

Contractor

Contractor Mailing Address

Contractor Phone

Architect or Designer

Architect or Designer Mailing Address

Architect or Designer Phone

Type and Use of Building

Class of Work

Describe Work

Valuation of Work

\$

Generate Draft Building Permit Completed On 5/19/2021 12:50 PM EST by muhlackb

[Generate Draft Building Permit](#)

Submit Completed On 5/19/2021 12:50 PM EST by muhlackb

A notification sign shall be posted on the property upon which action is pending at least seven (7) days prior to the hearing date. Such signs shall be placed along all the property's road frontage so as to be visible from the road. If a property does not have a road frontage, then such signs shall be placed upon the closest available right-of-way and upon the property. Said signs shall not be less than one hundred and eighty seven (187) square inches in size. It shall be unlawful for any person to remove, mutilate, destroy or change such posted notice prior to such hearings.

Please pick the sign up from the zoning office on or before eight (8) days prior to the meeting.

Applicant Agreement

Please check the box to confirm you have read and agree to the notices above.

Signature



Date

5/19/2021

Application Submitted Successfully Completed On 5/19/2021 12:50 PM EST by muhlackb

Your application has been submitted for review. Thank you.

Please click next at the bottom to continue. Thank you

Planning Review Completed On 5/19/2021 1:13 PM EST by bconkling

Continue with application

Continue

Describe what the applicant is requesting

Quarry to mine sand and gravel

Planning Commission Code Reference

Section 507

Other Planning Commission Code Reference ⓘ**Board of Adjustment Code Reference**

Section 507

Other Board of Adjustment Code Reference ⓘ

Please confirm the zoning provided by the applicant. If zoning is incorrect, please enter the correct zoning. It is this field that is printed on the final form to avoid applicant/system error. The correct zoning must be entered.

Zoning Classification ⓘ

AG

Wave Fee**Notes ⓘ**

A portion of the area identified for mining is in the flood plain. A Floodplain Development permit will be required for that work.

Director Review Completed On 5/20/2021 10:06 AM EST by gvetter

Zoning Director Review

Approve

Payment Completed On 5/20/2021 1:27 PM EST by bconkling

Fees Paid

[VIEW RECEIPT](#)

Fee Name	Recipient	Amount
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Confirmation Data

Payment Method	Online
----------------	--------

Confirmation Number	
---------------------	--

Amount Paid	\$0.00
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External Notes

Documents

Internal Notes

Documents

VERIFICATION OF APPROVAL
YANKTON COUNTY, SOUTH DAKOTA

I, Chris Fred date this 17th day of May, 2021 am aware of the
proposed Variance/CUP/Rezone being proposed by Concrete Materials at the property legally
described as SE 1/4 NE 1/4 SECTION 18 - T94N-R55W,
County of Yankton, State of South Dakota

Chris Fred

Signature

44154 308

Address

Yankton, S.D. 57078

City, State, Zip

605-668-8154

Phone

AFFIDAVIT OF MAILING

I, Brooke Muhlacke, hereby certify that on the 26
day of July, 2021, 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 2640 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.

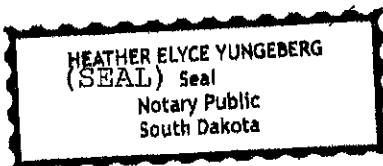
A true and correct copy of the mailing list for owners of real
property is attached as Exhibit #1A or #2A.

Dated the 26 day of July, 2021.

[Signature]
(Name)
Affiant

Subscribed and sworn to before me this 26 day of
July, 2021.

[Signature]
Notary Public - South Dakota
My commission expires: 10/22/2025



My Commission Expires
10-22-2025

NOTIFICATION

July 26, 2021

John Frick
PO Box 661
Yankton, SD 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 2640 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 August, 2021 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 in an Agriculture District. Applicant wishes to mine gravel per Article 5, Section 507. Said property is legally described The Northeast Quarter (NE1/4) and Southeast Quarter (SE1/4), Section Eighteen (18), Township Ninety-Four (94) North of Range Fifty-Five (55) West of the 5th P.M., Yankton County, South Dakota.

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,
John Frick

Petitioner

BARNES, DAVID J (D)
44115 304 ST
YANKTON SD 57078

BOGATZ, STEVE JOSEPH (C)
PO BOX 484
YANKTON SD 57078

BORCHARD, EVAN C (D)
30546 US HWY 81
YANKTON SD 57078

ELSEN, JAMES E (D)
30575 SW JIM RIVER RD
YANKTON SD 57078

FERRIS, ALAN R (D)
44006 306 ST
YANKTON SD 57078

FRICK, CHRISTOPHER J (D)
44154 306 ST
YANKTON SD 57078

FRICK, JOHN G REV TRUST (D)
PO BOX 661
YANKTON SD 57078

FRICK, PAMELA J REV TRUST (D)
30499 SW JIM RIVER RD
YANKTON SD 57078

FRICK, TERRY LEE (D)
30697 SW JIM RIVER RD
YANKTON SD 57078

HALLA, GRANT (D)
2900 OAKSIDE DR
BRYAN TX 77802

HALLA, GREGORY (D)
415 COLORADO AVE #C
CHULA VISTA CA 91910

JONES, FRANK D (D)
30548 US HWY 81
YANKTON SD 57078

LIKNESS, MICAH (D)
44054 RASPBERRY LN
YANKTON SD 57078

LIKNESS, MICAH M (D)
44054 RASPBERRY LN
YANKTON SD 57078

MUELLER, KENNETH (D)
30540 US HWY 81
YANKTON SD 57078

NELSON AG HOLDINGS LLC (D)
44023 306 ST
YANKTON SD 57078

NELSON FAMILY PARTNERSHIP (D)
44023 306 ST
YANKTON SD 57078

NELSON, DELMAR F (C)
43742 307 ST
YANKTON SD 57078

NELSON, ELLA E (D)
44023 306 ST
YANKTON SD 57078

RYKEN FAMILY LIMITED PARTNRSHP (D)
PO BOX 603
YANKTON SD 57078

SCHEURING, MICHAEL L (D)
30500 US HWY 81
YANKTON SD 57078

AFFIDAVIT OF MAILING

I, Broke Muhlack, hereby certify that on the 30
day of June, 2021, 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 2640 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 June, 2021.

[Signature]
(Name)
Affiant

Subscribed and sworn to before me this 30 day of
June, 2021.

[Signature]
Notary Public - South Dakota
My commission expires: 10/22/2025



My Commission Expires
10/22/2025

NOTIFICATION

June 28, 2021

John Frick
PO Box 661
Yankton, SD 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 2640 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 13th day of July, 2021 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 in an Agriculture District. Applicant wishes to mine sand and gravel per Article 5, Section 507. Said property is legally described The Northeast Quarter (NE1/4) and Southeast Quarter (SE1/4), Section Eighteen (18), Township Ninety-Four (94) North of Range Fifty-Five (55) West of the 5th P.M., Yankton County, South Dakota.

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,
John Frick

Petitioner

BARNES, DAVID J (D)
44115 304 ST
YANKTON SD 57078

BOGATZ, STEVE JOSEPH (C)
PO BOX 484
YANKTON SD 57078

BORCHARD, EVAN C (D)
30546 US HWY 81
YANKTON SD 57078

ELSEN, JAMES E (D)
30575 SW JIM RIVER RD
YANKTON SD 57078

FERRIS, ALAN R (D)
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YANKTON SD 57078

FRICK, CHRISTOPHER J (D)
44154 306 ST
YANKTON SD 57078

FRICK, JOHN G REV TRUST (D)
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YANKTON SD 57078

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44054 RASPBERRY LN
YANKTON SD 57078

LIKNESS, MICAH M (D)
44054 RASPBERRY LN
YANKTON SD 57078

MUELLER, KENNETH (D)
30540 US HWY 81
YANKTON SD 57078

NELSON AG HOLDINGS LLC (D)
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YANKTON SD 57078

NELSON FAMILY PARTNERSHIP (D)
44023 306 ST
YANKTON SD 57078

NELSON, DELMAR F (C)
43742 307 ST
YANKTON SD 57078

NELSON, ELLA E (D)
44023 306 ST
YANKTON SD 57078

RYKEN FAMILY LIMITED PARTNRSHP (D)
PO BOX 603
YANKTON SD 57078

SCHEURING, MICHAEL L (D)
30500 US HWY 81
YANKTON SD 57078

AFFIDAVIT OF MAILING

I, Reed Mahlack, hereby certify that on the 24 day of May, 2021, 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 2640 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.

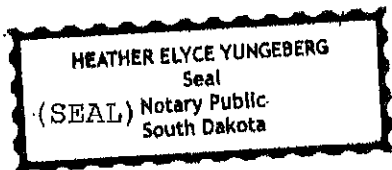
Dated the 24 day of May, 2021.

(Name)
Affiant

Subscribed and sworn to before me this 24 day of May, 2021.

(Signature)
Notary Public - South Dakota

My commission expires: 10-22-2025



My Commission Expires
10-22-2025

NOTIFICATION

May 24, 2021

Concrete Materials
1500 N Sweetman Pl
Sioux Falls, SD 57107

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 2640 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 7:20 P.M. on the 8th day of June, 2021 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 in an Agriculture District. Applicant wishes to mine sand and gravel per Article 5, Section 507. Said property is legally described The Northeast Quarter (NE1/4) and Southeast Quarter (SE1/4), Section Eighteen (18), Township Ninety-Four (94) North of Range Fifty-Five (55) West of the 5th P.M., Yankton County, South Dakota.

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,
Brooke Muhlack

Petitioner



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

David Barnes
44115 304 ST
Yankton, SD 57078

Dear David Barnes,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

This proposed site will allow us to continue to serve the public gravel, a vital component to our expanding communities. Along with this letter is our application, including a copy of the Notice of Public Hearing from the Yankton County Office of Planning and Zoning.

Please contact me at 605-336-5784 if you have any questions or concerns regarding our application. If you prefer, I will be happy to meet with you at a time convenient for you.

Sincerely,

Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Steve J. Bogatz
PO Box 484
Yankton, SD 57078

Dear Steve J. Bogatz,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

This proposed site will allow us to continue to serve the public gravel, a vital component to our expanding communities. Along with this letter is our application, including a copy of the Notice of Public Hearing from the Yankton County Office of Planning and Zoning.

Please contact me at 605-336-5784 if you have any questions or concerns regarding our application. If you prefer, I will be happy to meet with you at a time convenient for you.

Sincerely,

Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Evan Borchard
30546 US HWY 81
Yankton, SD 57078

Dear Evan Borchard,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Andy Haas
Vice President-Operations



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1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

James Elsen
30575 SW Jim River Rd
Yankton, SD 57078

Dear James Elsen,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Alan Ferris
44006 306 St
Yankton, SD 57078

Dear Alan Ferris,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Sincerely,

Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Christopher Frick
44154 306 St
Yankton, SD 57078

Dear Christopher Frick,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Sincerely,

Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

John Frick
PO Box 661
Yankton, SD 57078

Dear John Frick,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Sincerely,

Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Pamela Frick
30499 SW Jim River Rd
Yankton, SD 57078

Dear Pamela Frick,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Sincerely,

Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Terry Frick
30697 SW Jim River Rd
Yankton, SD 57078

Dear Terry Frick,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Sincerely,

Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Grant Halla
2900 Oakside Dr
Bryan, TX 77802

Dear Grant Halla,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Sincerely,

Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Gregory Halla
415 Colorado Ave #C
Chula Vista, CA 91910

Dear Gregory Halla,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Sincerely,

Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Frank Jones
30548 US HWY 81
Yankton, SD 57078

Dear Frank Jones,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Sincerely,

Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Micah Likness
44054 Raspberry Ln
Yankton, SD 57078

Dear Micah Likness,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Micah M Likness
44054 Raspberry Ln
Yankton, SD 57078

Dear Micah M Likness,

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Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Kenneth Mueller
30540 US HWY 81
Yankton, SD 57078

Dear Kenneth Mueller,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Sincerely,

Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Nelson Ag Holdings, LLC
44023 306 St
Yankton, SD 57078

Dear Nelson Ag Holdings, LLC,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Nelson Family Partnership
44023 306 St
Yankton, SD 57078

Dear Nelson Family Partnership,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Delmar Nelson
43742 307 St
Yankton, SD 57078

Dear Delmar Nelson,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Ella Nelson
44023 306 St
Yankton, SD 57078

Dear Ella Nelson,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Ryken Family Limited Partnership
PO Box 603
Yankton, SD 57078

Dear Ryken Family Limited Partnership,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Andy Haas
Vice President-Operations



A DIVISION OF SWEETMAN CONST. CO.

1500 N SWEETMAN PLACE
POST OFFICE BOX 84140
SIOUX FALLS, SOUTH DAKOTA 57118-4140

May 24, 2021

Michael Scheuring
30500 US HWY 81
Yankton, SD 57078

Dear Michael Scheuring,

Enclosed is a Notice of Public Hearing from the Yankton County Office of Planning & Zoning. As Concrete Materials is hoping to begin mining gravel from the John Frick property, all property owners within 2,640 feet of the outer boundaries of the site are required to be notified of this. We will be appearing before the Planning & Zoning Commission at 7:15 PM, Tuesday, June 8, 2021 to request a conditional use permit to develop a gravel mine site. This site will be located on property legally described as the Northeast Quarter and the Southeast Quarter of Section 18, Township 94 North, Range 55 West of Yankton County, South Dakota.

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Sincerely,

Andy Haas
Vice President-Operations

BARNES, DAVID J (D)
44115 304 ST
YANKTON SD 57078

BOGATZ, STEVE JOSEPH (C)
PO BOX 484
YANKTON SD 57078

BORCHARD, EVAN C (D)
30546 US HWY 81
YANKTON SD 57078

ELSEN, JAMES E (D)
30575 SW JIM RIVER RD
YANKTON SD 57078

FERRIS, ALAN R (D)
44006 306 ST
YANKTON SD 57078

FRICK, CHRISTOPHER J (D)
44154 306 ST
YANKTON SD 57078

FRICK, JOHN G REV TRUST (D)
PO BOX 661
YANKTON SD 57078

FRICK, PAMELA J REV TRUST (D)
30499 SW JIM RIVER RD
YANKTON SD 57078

FRICK, TERRY LEE (D)
30697 SW JIM RIVER RD
YANKTON SD 57078

HALLA, GRANT (D)
2900 OAKSIDE DR
BRYAN TX 77802

HALLA, GREGORY (D)
415 COLORADO AVE #C
CHULA VISTA CA 91910

JONES, FRANK D (D)
30548 US HWY 81
YANKTON SD 57078

LIKNESS, MICAH (D)
44054 RASPBERRY LN
YANKTON SD 57078

LIKNESS, MICAH M (D)
44054 RASPBERRY LN
YANKTON SD 57078

MUELLER, KENNETH (D)
30540 US HWY 81
YANKTON SD 57078

NELSON AG HOLDINGS LLC (D)
44023 306 ST
YANKTON SD 57078

NELSON FAMILY PARTNERSHIP (D)
44023 306 ST
YANKTON SD 57078

NELSON, DELMAR F (C)
43742 307 ST
YANKTON SD 57078

NELSON, ELLA E (D)
44023 306 ST
YANKTON SD 57078

RYKEN FAMILY LIMITED PARTNRSHP (D)
PO BOX 603
YANKTON SD 57078

SCHEURING, MICHAEL L (D)
30500 US HWY 81
YANKTON SD 57078

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 August, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit to mine gravel from an Agriculture District (AG) per Article 5, Section 507. Said property is legally described as The Northeast Quarter (NE1/4) and Southeast Quarter (SE1/4), Section Eighteen (18), Township Ninety-Four (94) North, Range Fifty-Five (55) West of the 5th P.M., Yankton County, South Dakota

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 August, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting to amend his Conditional Use Permit and for an accessory building in a Moderate Density Residential District (R2) that exceeds the maximum aggregate square footage of 2400 square feet per article 7 Section 707. Applicant wishes to build an accessory structure in a different location than was previously approved and is 1900 square feet (15,000 Square feet of accessory structures on site). Said property is legally described as Lot 4 of Block 3, Law Overlook Subdivision, in the Northeast Quarter (NE1/4) of Section Eighteen (18), Township Ninety-Three (93) North, Range Fifty-six (56) West of the 5th P.M., Yankton County, South Dakota. E911 address is 109 Welkom Dr., Yankton, South Dakota

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 August, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit for an accessory building in a Moderate Density Residential

District that exceeds the maximum aggregate square footage of 2400 square feet and maximum sidewall height of 14 feet. Applicant wishes to build an accessory structure that is 2688 square feet with 16' sidewalls per Article 7, Section 707. Said property is legally described as Lot K and Lot L in the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4), Section Seven (7), Township Ninety-Three (93) North, Range Fifty-Six (56) West of the 5th P.M., Yankton County, South Dakota. E911 address is 108 Bird Dog Dr., Yankton, South Dakota

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 7:20 P.M. on the 10th day of August, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit for multifamily housing in a Moderate Density Residential District. Applicant wishes to build multiple multifamily units per Article 7 Section 707. Said property is legally described as Lot 1 Drake Subdivision in the Southwest Quarter (SW1/4) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE1/4), Section Seventeen (17), Township Ninety-Three (93), Range Fifty-Six (56) West of the 5th P.M., Yankton County, South Dakota

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 13th day of July, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit to mine sand and gravel from an Agriculture District (AG) per Article 5, Section 507. Said property is legally described as The Northeast Quarter (NE1/4) and Southeast Quarter (SE1/4), Section Eighteen (18), Township Ninety-Four (94) North of Range Fifty-Five (55) West of the 5th P.M., Yankton County, South Dakota

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 13th day of July, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting to amend his Conditional Use Permit and for an accessory building in a Moderate Density Residential District (R2) that exceeds the maximum aggregate square footage of 2400 square feet per article 7 Section 707. Applicant wishes to build an accessory structure in a different location than was previously approved and is 1900 square feet (15,000 Square feet of accessory structures on site). Said property is legally described as Lot 4 of Block 3, Law Overlook Subdivision, in the NE1/4 of Section 18, T93N, R56W of the 5th P.M., Yankton County, South Dakota. E911 address is 109 Welkom Dr., Yankton, South Dakota

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 13th day of July, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit for a campground in a Lakeside Commercial District (LC) per Article 11 Section 1107. Said property is legally described as Lot 11, Whitetail Run, in the SE1/4

of the NE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota

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 7:20 P.M. on the 13th day of July, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit for an accessory building in a Moderate Density Residential District that exceeds the maximum sidewall height of 14 feet. Applicant wishes to build an accessory structure with 18' sidewalls per Article 7, Section 707. Said property is legally described as Lots Seven (7) and Eight (8), Block Three, Oak Hills Addition, Section 13, T93N, R56W of the 5th P.M., Yankton County, South Dakota, as per plat recorded in Book S3, page 103A. E911 address is 174 Oak Hills Dr., Yankton, South Dakota

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 8th day of June, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit for a campground in a Lakeside Commercial District (LC) per Article 11 Section 1107. Said property is legally described as Lot 11, Whitetail Run, in the SE1/4 of the NE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota

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 8th day of June, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit to mine sand and gravel from an Agriculture District per Article 5, Section 507. Said property is legally described as The Northeast Quarter (NE1/4) and Southeast Quarter (SE1/4), Section Eighteen (18), Township Ninety-Four (94) North of Range Fifty-Five (55) West of the 5th P.M., Yankton County, South Dakota

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 7:20 P.M. on the 8th day of June, 2021 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting to amend their Planned Unit Development plan per Article 22, Section 2201. Said property is legally described as Lot BP1 in the SE1/4 NE1/4, Section 15, T93N R56W of the 5th PM, Yankton County, South Dakota hereinafter referred to as Utica South Township, County of Yankton, South Dakota. The E911 address is 705 Timberland Dr., Yankton, SD

MEETING (ENTITY): PLANNING COMMISSION REGULAR OR SPECIAL MEETING: Regular
DATE: 6/8/2021 TIME: 7PM LOCATION: COMMISSION CHAMBERS

STAFF ATTENDANCE: Vetter/Conkling

ROLL ☒ BARKL ☒ HEVLE ☐ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

CALL:

APPROVAL OF MINUTES: MOTION BY: Micheal SECOND BY: Hoffman

PLANNING: ☒ BARKL ☒ HEVLE ☐ KETTERING ☒ MICHAEL ☐ SCHULTZ ☒ WEISS ☒ HOFFMAN

APPROVAL OF AGENDA: MOTION BY: Hoffman SECOND BY: Michael

PLANNING: ☒ BARKL ☒ HEVLE ☐ KETTERING ☒ MICHAEL ☐ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Article 5 and Definitions**

ADDRESS/LEGAL:

COMMENTS: Guy Larsen, Jim Pearson, Ron Lorenzen, Jerry Wilson, Dan Klimisch all spoke against Special Permitted Use being in the proposed Article 5 Ordinance

Commission member Kristi Schultz presented proposed changes to the proposed Article 5 Ordinance

MOTION: Motion to accept the proposed Article 5 ordinance with the changes presented to the Planning Commission

Motion Passed 4-2, Barkl and Michael voted "NO", Kettering was absent

APPROVAL: MOTION BY: Schultz SECOND BY: Weiss

PLANNING: ☐ BARKL ☒ HEVLE ☐ KETTERING ☐ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Concrete Materials (Brooke Mulhack) – Conditional Use Permit**

ADDRESS/LEGAL: Applicant is requesting a Conditional Use Permit to mine sand and gravel from an Agriculture District per Article 5, Section 507. Said property is legally described as The Northeast Quarter (NE1/4) and Southeast Quarter (SE1/4), Section Eighteen (18), Township Ninety-Four (94) North of Range Fifty-Five (55) West of the 5th P.M., Yankton County, South Dakota Applicant is requesting to amend their Planned Unit Development plan per Article 22, Section 2201. Said property is legally described as Lot BP1 in the SE1/4 NE1/4, Section 15, T93N R56W of the 5th PM, Yankton County, South Dakota hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 705 Timberland Dr., Yankton, SD

COMMENTS: Justn Foss, Brooke Muhlack spoke on behalf of Concrete Materials
Lauren Nelson, James Elsen, Darrell Nelson, Micah Likness, Alan Ferriss, Joyce Bogatz spoke regarding concerns they had with road deterioration, sound, water quality, and dust.
Dan Hacecky, Mission Hill Township Board, Spoke in regards to whether the access road is open, closed, or vacated

MOTION: Motion to table the application until more information is obtained about the road issues
Motion passed 6-0

APPROVAL: MOTION BY: Michael SECOND BY: Schultz

PLANNING: ☒ BARKL ☒ HEVLE ☐ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Randy Golden – Amend PUD**

ADDRESS/LEGAL: Applicant is requesting to amend their Planned Unit Development plan per Article 22, Section 2201. Said property is legally described as Lot BP1 in the SE1/4 NE1/4, Section 15, T93N R56W of the 5th PM, Yankton County, South Dakota hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 705 Timberland Dr., Yankton, SD

COMMENTS: Randy Golden, Applicant, presented an amended plan expanding from 130 to 150 camping spaces.

MOTION: Approve application as presented pending DANR approval of the septic system
Motion passed 6-0

APPROVAL: MOTION BY: Schultz SECOND BY: Michael

PLANNING: ☐ BARKL ☐ HEVLE ☐ KETTERING ☐ MICHAEL ☐ SCHULTZ ☐ WEISS ☐ HOFFMAN

AGENDA ITEM: **Jerry Myott – Conditional Use Permit**

ADDRESS/LEGAL: Applicant wishes to construct a campground in a Lakeside Commercial District per Article 11, Section 1107. Said property is legally described as Lot 11, Whitetail Run, in the SE1/4 of the NE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota

COMMENTS: No one representing the application attended the meeting

MOTION: Table the application until the next meeting
Motion passed 6-0

APPROVAL: MOTION BY: Barkl SECOND BY: Schultz

PLANNING: ☒ BARKL ☒ HEVLE ☐ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Plat – Tract 1, Reade Addition**

ADDRESS/LEGAL: Plat of Tract 1, Reade Addition, in the SE1/4 of the NE1/4 of Section 10, T93N, R55W of the 5th P.M., Yankton County, South Dakota

COMMENTS:

MOTION: Approve the plat as presented
Motion passed 6-0

APPROVAL: MOTION BY: Schultz SECOND BY: Weiss
PLANNING: ☒ BARKL ☒ HEVLE ☐ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Public comment**
ADDRESS/LEGAL:
COMMENTS: None

MOTION: Motion to Adjourn
Passed 6-0

APPROVAL: MOTION BY: Michael SECOND BY: Schultz
PLANNING: ☒ BARKL ☒ HEVLE ☐ KETTERING ☒ MICHAEL ☒ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM:
ADDRESS/LEGAL:
COMMENTS:

MOTION:

APPROVAL: MOTION BY: SECOND BY:
PLANNING: ☐ BARKL ☐ HEVLE ☐ KETTERING ☐ MICHAEL ☐ SCHULTZ ☐ WEISS ☐ HOFFMAN

AGENDA ITEM:
ADDRESS/LEGAL:
COMMENTS:

MEETING (ENTITY): PLANNING COMMISSION REGULAR OR SPECIAL MEETING: Regular
DATE: 7/13/2021 TIME: 7PM LOCATION: COMMISSION CHAMBERS

STAFF ATTENDANCE: Conkling

ROLL ☒ BARKL ☐ HEVLE ☒ KETTERING ☒ MICHAEL ☐ SCHULTZ ☒ WEISS ☒ HOFFMAN

CALL:

APPROVAL OF MINUTES: MOTION BY: Hoffman SECOND BY: Michael

PLANNING: ☒ BARKL ☐ HEVLE ☐ KETTERING ☒ MICHAEL ☐ SCHULTZ ☒ WEISS ☒ HOFFMAN

APPROVAL OF AGENDA: MOTION BY: Kettering SECOND BY: Hoffman

PLANNING: ☒ BARKL ☐ HEVLE ☒ KETTERING ☒ MICHAEL ☐ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Concrete Materials (Brooke Mulhack) – Conditional Use Permit**

ADDRESS/LEGAL: Applicant is requesting a Conditional Use Permit to mine sand and gravel from an Agriculture District per Article 5, Section 507. Said property is legally described as The Northeast Quarter (NE1/4) and Southeast Quarter (SE1/4), Section Eighteen (18), Township Ninety-Four (94) North of Range Fifty-Five (55) West of the 5th P.M., Yankton County, South Dakota

COMMENTS: Andy Haas spoke as applicant
Dan Hacecky spoke for Township Board
Darrell Nelson spoke in opposition

MOTION: Table until a completed road haul agreement with Mission Hill Township has been signed, the electrical issue has been addressed, Mike Sedlacek has visited the site and given approval, Culvert size is identified, Road maintenance standards are clarified, utilities have been addressed, and ingress/egress final location has been identified. **Passed 5-0**

APPROVAL: MOTION BY: Hoffman SECOND BY: Michael

PLANNING: ☒ BARKL ☐ HEVLE ☒ KETTERING ☒ MICHAEL ☐ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Curtis Olivier – Conditional Use Permit Modification**

ADDRESS/LEGAL: Applicant is requesting to amend his Conditional Use Permit and for an accessory building in a Moderate Density Residential District that exceeds the maximum aggregate square footage of 2400 square feet per article 7 Section 707. Applicant wishes to build an accessory structure in a different location than was previously approved and is 1900 square feet (15,000 Square feet of accessory structures on site). Said property is legally described as Lot 4 of Block 3, Law Overlook Subdivision, in the NE1/4 of Section 18, T93N, R56W of the 5th P.M., Yankton County, South Dakota. E911 address is 109 Welkom Dr., Yankton, South Dakota

COMMENTS: No one appeared for applicant

MOTION: Table the application **Passed 5-0**

APPROVAL: MOTION BY: Kettering SECOND BY: Hoffman
PLANNING: ☒ BARKL ☐ HEVLE ☒ KETTERING ☒ MICHAEL ☐ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Jerry Myott – Conditional Use Permit**

ADDRESS/LEGAL: Applicant wishes to construct a campground in a Lakeside Commercial District per Article 11, Section 1107. Said property is legally described as Lot 11, Whitetail Run, in the SE1/4 of the NE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota

COMMENTS: Corey Halstenson spoke as applicant

MOTION: Approve the application with the conditions DANR approval before permit is issued, proper signage is in place, an E911 address is assigned, and fencing and gates are installed at ingress/egress
Passed 5-0

APPROVAL: MOTION BY: Kettering SECOND BY: Hoffman
PLANNING: ☒ BARKL ☐ HEVLE ☒ KETTERING ☒ MICHAEL ☐ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Nate Franzen – Conditional Use Permit**

ADDRESS/LEGAL: Applicant is requesting a Conditional Use Permit for an accessory building in a Moderate Density Residential District that exceeds the maximum sidewall height of 14 feet. Applicant wishes to build an accessory structure with 18' sidewalls per Article 7 Section 707. Said property is legally described as Lots Seven (7) and Eight (8), Block Three, Oak Hills Addition, Yankton County, South Dakota, as per plat recorded in Book S3, page 103A. E911 address is 174 Oak Hills Dr., Yankton, South Dakota

COMMENTS: Nate Franzen spoke as applicant

MOTION: Approve application as presented
Passed 5-0

APPROVAL: MOTION BY: Kettering SECOND BY: Hoffman
PLANNING: ☒ BARKL ☐ HEVLE ☒ KETTERING ☒ MICHAEL ☐ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Plat Lot 13 Whitetail Run**

ADDRESS/LEGAL: Plat of Lot 13, Whitetail Run, in the SE1/4 of the NE1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota

COMMENTS:

MOTION: Approve as presented
Passed 5-0

APPROVAL: MOTION BY: Michael SECOND BY: Weiss
PLANNING: ☒ BARKL ☐ HEVLE ☒ KETTERING ☒ MICHAEL ☐ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Plats Souhrada's Addition**

ADDRESS/LEGAL: Plat of Souhrada's Addition, in the SE1/4 of the NE1/4 of Section 31, T95N, R57W of the 5th P.M., Yankton County, South Dakota.

COMMENTS:

MOTION: Approve as presented
Passed 5-0

APPROVAL: MOTION BY: Kettering SECOND BY: Hoffman
PLANNING: ☒ BARKL ☐ HEVLE ☒ KETTERING ☒ MICHAEL ☐ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Plat McDonald's Additon**

ADDRESS/LEGAL: Plat of Tract 1 of McDonald Addition in Government Lots 1 and 2 in the Northeast ¼ of Section 2, Township 95 North, Range 55 West of the 5th P.M., Yankton County, South Dakota

COMMENTS:

MOTION: Approve as presented
Passed 5-0

APPROVAL: MOTION BY: Michael SECOND BY: Kettering
PLANNING: ☒ BARKL ☐ HEVLE ☒ KETTERING ☒ MICHAEL ☐ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: **Plat Mathison Tract 6**

ADDRESS/LEGAL: Plat of Mathison Tract 6, in the NE1/4 of the NE1/4, Section 6, T93N, R56W of the 5th P.M., Yankton County, South Dakota

COMMENTS:

MOTION: Approve as presented
Passed 5-0

APPROVAL: MOTION BY: Michael SECOND BY: Weiss
PLANNING: ☒ BARKL ☐ HEVLE ☒ KETTERING ☒ MICHAEL ☐ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: Packet Distribution Method

ADDRESS/LEGAL:

COMMENTS: Packets will be sent by email, hard copy will be mailed to Commissioner Schultz

MOTION:

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: ☐ BARKL ☐ HEVLE ☐ KETTERING ☐ MICHAEL ☐ SCHULTZ ☐ WEISS ☐ HOFFMAN

AGENDA ITEM: Public Comment

ADDRESS/LEGAL:

COMMENTS: None

MOTION:

APPROVAL: MOTION BY: _____ SECOND BY: _____
PLANNING: ☐ BARKL ☐ HEVLE ☐ KETTERING ☐ MICHAEL ☐ SCHULTZ ☐ WEISS ☐ HOFFMAN

AGENDA ITEM: Adjourn

ADDRESS/LEGAL:

COMMENTS:

MOTION: _____

APPROVAL: _____

MOTION BY: Kettering SECOND BY: Michael

PLANNING: _____

☒ BARKL ☐ HEVLE ☒ KETTERING ☒ MICHAEL ☐ SCHULTZ ☒ WEISS ☒ HOFFMAN

AGENDA ITEM: _____

ADDRESS/LEGAL: _____

COMMENTS: _____

MOTION: _____

APPROVAL: _____

MOTION BY: _____ SECOND BY: _____

PLANNING: _____

☐ BARKL ☐ HEVLE ☐ KETTERING ☐ MICHAEL ☐ SCHULTZ ☐ WEISS ☐ HOFFMAN

Yankton County, South Dakota

Receipt

Paid by
Brooke Muhlack
brooke.muhlack@kniferiver.com

Payment number 03c004b3089a4f48945691ab249c4511
Date paid May 20, 2021 07:16 PM
Payment method CreditCardPOS

\$300.00 paid on May 20, 2021

Variance, Conditional Use and Rezoning Application

Application ID: 7971

Description	Amount
Fee	\$300.00