Yankton County Planning Commission **Yankton County Board of Adjustment**

Applicant	Kle	einschmit – Rez	one	
District type:	☐ AG ☐ R1-L	ow R2-Moderate	R3-High	C-Comm.
	☐LC – Lakeside	Commercial XT-R	ural Transition	al
Section 513	Section 607	Variance needed: Section 705	Section 1709	Section 1723
		Section 1809		

NOTE:

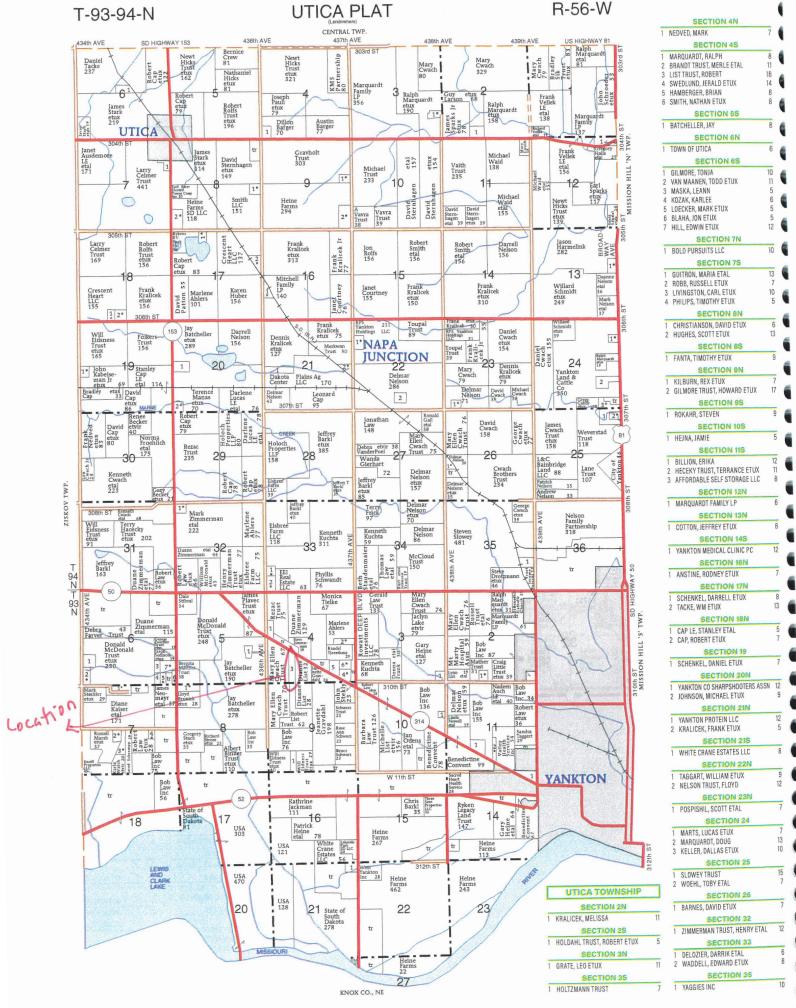
Applicant is requesting to rezone a parcel in Rural Transitional District (RT) to a Moderate Density Rural Residential District (R2) per Article 18 Section 1809 and Article 20 Section 2003. Said property is legally described as. Lot 1 of List Acreage in the East Half of the Southwest quarter of Section 4, lying South of the Public Highway and the East Half of the Northwest Quarter of section 9, all in T93N, R56W of the 5th P.M., Yankton County, South Dakota

PC: Article 18 Section 1809

BOA: Article 20 Section 2003

Planning Commission date: 10/8/2024 Time: 7:15 PM

Board of Adjustment date: 11/5/2024, 11/19/2024 Time: 6:40 PM



FINDINGS OF FACT – REZONE

Kleinschmit – REZ-244

Are the requirements of Section 1723 met?	Yes	
Are the requirements of Section 1729 met?	Yes	
(all fees paid at time of application)		
Section 1805: 1. All documents required for application for said re	quest have	
been satisfactorily completed and all required fee	-	
paid in full.	s have been	
para in ran.		
2. The individual petitioner provides a completed an	nendment or	
change in zone request. Said request must clearly state:		
a Special conditions and circumstances avia	t wilaiala	
 a. Special conditions and circumstances exis require the land to be rezoned; 	t which	
require the fand to be rezoned,		
b. The special conditions and circumstances	do not result	
from the actions of the applicant; and		
The second of th		
c. The granting of the amendment or change		
will not confer on the applicant any specia		
that is denied by this ordinance to other la	nus,	
structure, or buildings in the area.		
3. Notice of public hearing shall be given, as in Section 1803 (3-		
5).		
4. The public hearing shall be held. Any party may a	innear in	
person or by agent or attorney.	ippear in	
person or by agent or attorney.		
,		
5. The Planning Commission shall make findings th		
requirements of this Section have been met by the applicant		
for an amendment or change in zone, to include:		
a. The reasons set forth in the application jus	tify a	
recommendation to approve the amendme		
in zone;		
, and the second		
b. The amendment or change in zone will ma	•	
the reasonable use of the land, building, or	structure;	
c. A recommendation to grant the amendmen	at or change	
in zone will be in harmony with the genera		
and intent of this ordinance; and		

d. A recommendation of approval will not be injurious to the neighborhood, or otherwise detrimental to the public welfare as presented and testified to by the applicant.			
recom finds t proper	tition for amendment or change in zone shall be mended for approval unless the Planning Commission hat the condition, situation or the intended use of the ty concerned is unique, required, or necessary as to reasonably practicable the amendment or change in		
recom	e any amendment or petition for rezoning is mended for approval, the Planning Commission shall written findings certifying compliance with:		
a. The Comprehensive Plan;			
b.	Specific rules governing land uses;		
c.	c. Zoning district regulations; and		
d.	d. Satisfactory provision and arrangement has been made concerning the following, where applicable:		
1.	Certification of compliance with all ordinances and regulations regarding licensing and zoning, health, plumbing, electrical, building, fire prevention, and all other applicable ordinances and regulations;		
2.	Ingress and egress to property and 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;		
3.	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 amendment or rezone on adjoining properties and properties generally in the district;		
4.	Refuse and service areas, with particular reference to the items in (A) and (B) above;		
5.	Utilities, with reference to locations, availability,		

	and compatibility;	
	6. Screening and buffering with reference to type, dimensions, and character;	
	7. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district;	
	8. Required yards and other open spaces; and	
	9. General compatibility with adjacent properties and other property in the district.	
8. In recommending approval of any petition for amendment or change in zone, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with this ordinance.		

Oct 8, 2024

REZONE PERMIT

Longitude -97.47065723159002 Latitude 42.89758570374758 Permit Number **REZONE244** Parcel Number 09.004.300.150 Permit Status **Approved Active** Permit Fee 450 Total Due 450 Was fee paid? Yes Receipt Number 1046 Planning Commission Action Date

9/24/24, 12:56 PM	REZONE PERMIT
Planning Commission Action Time	
7:15 PM	
Board Adjustment Action Date	
Nov 5, 2024	
Board_Adjustment Action Time	
6:30 PM	
Application Accepted By	
Bill Conkling	
Checked By	
BILL GARY	
Existing Zoning	
RURAL TRANSITIONAL	
Affected Zoning Ordinance	
18-1803, 20-2003	
Section Township Range	
4-93-56	
Is location in floodplain?	
No	

Applicant Name

Brett Kleinschmit

Applicant Phone

605-660-6566

Applicant Address

116 Frontier Lane

Applicant Email Address

brett.kleinschmit@antelopecreeklandcompany.com

Owner Name

Green Island Outdoors, LLC

Owner Phone

605-660-6566

Owner Address

Yankton

Owner Email Address

brett.kleinschmit@antelopecreeklandcompany.com

Location of Property

Lat: 42.897586 Lon: -97.470657



Powered by Esri

Reason for Request

After discussion with Gary and Dan, I have decided to apply to rezone this property to R2. We plan to subdivide and sell lots on this property, for homes to be built.

Legal Description

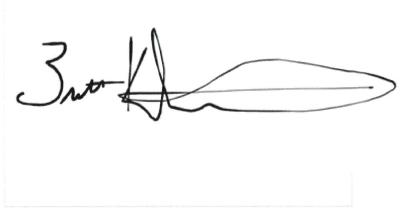
Lot 1 E2 SW4 SOUTH OF Section 4 lying South of the Public Highway; the E1/2 NW1/4 of Section 9 and the East 10 Acres of the South 20 Acres of the W1/2 NW1/4 of Section 9 all in T93, R56W of the 5th P.M. in Yankton County, South Dakota. HIWAY EXC E953'

Applicant Signature

3 mt

ApplicantSignature-.jpg





OwnerSignature-.jpg

Date of Application Submission

Aug 30, 2024

AFFIDAVIT OF MAILING

prepaid, a true and correct of the proposed project to recipient known to your Affian A true and correct copy notification letters are attached	of the Notice of Public Hearing ched as Exhibit #1 or #2. the mailing list for owners of real
Dated the 30th day of_	Soptember, 20 24.
	(Name) Affiant
Subscribed and sworn September, 20 24	to before me this 30th day of
TOPOSTONIC SEAL SOUTH DAKOTA SEAL (SEAL)	Notary Public - South Dakota My commission expires: 2-24-2028

NOTIFICATION

September 24, 2024 Applicant: Brett Kleinschmit 116 Frontier Lane 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 1320 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 8th day of October, 2024 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 to rezone a parcel in Rural Transitional District (RT) to a Moderate Density Rural Residential District (R2) per Article 18 Section 1809 and Article 20 Section 2003. Said property is legally described as. Lot 1 of List Acreage in the East Half of the Southwest quarter of Section 4, lying South of the Public Highway and the East Half of the Northwest Quarter of section 9, all in T93N, R56W 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, Brett Kleinschmit Petitioner BOHNET, BRADLEY A (C) 4608 SD HWY 314 YANKTON SD 57078

CBG PROPERTIES LLC (D) PO BOX 708 YANKTON SD 57078

CMC ADVENTURES LLC (D) PO BOX 89323 SIOUX FALLS SD 57109

CWACH, MARY ELLEN FAMILY TRUST ([% JACK JOE CWACH, TRUSTEE 2665 WEST 162 ST STILWELL KS 66085

CWACH, MARY ELLEN FAMILY TRUST ([EBELING, JOHNIE (D) 30954 436 AVE YANKTON SD 57078

4700 SD HWY 314 YANKTON SD 57078

FAERBER, NEIL L (D) 4305 HERMANS LOOP YANKTON SD 57078

GRAMKOW, WILLIS (D) 4313 HERMANS LOOP YANKTON SD 57078

GRAVDAHL, JEANETTE (D) 45830 116 ST SISSETON SD 57262

JACKSON, BRYANT MERTEN (D) 4710 SD HWY 314 YANKTON SD 57078

4306 HERMANS LOOP YANKTON SD 57078

JUEDEN FAMILY PROTECTION TRUST (KEEGAN, MARTY J (D) 4806 SD HWY 314 YANKTON SD 57078

KLUG, TIFFANY R (D) 4606 SD HWY 314 YANKTON SD 57078

KUCHTA, ELMER FAMILY REV TRUST (C LIST, DIANNE R (D) 4810 SD HWY 314 YANKTON SD 57078

PO BOX 689 YANKTON SD 57078

LIST, ROBERT L TESTAMENTARY TR (D) % DIANNE LIST, TRUSTEE PO BOX 689 YANKTON SD 57078

MARIENAU, MARK (D) 4906 SD HWY 314 YANKTON SD 57078

MEHRMAN REVOCABLE TRUST (D) 4712 SD HWY 314 YANKTON SD 57078

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

4400 HERMANS LOOP YANKTON SD 57078

STECKELBERG, KEVIN R (D) 4706 SD HWY 314 YANKTON SD 57078

VER HEUL, BECKY ANN (D) 4900 SD HWY 314 YANKTON SD 57078

ZIMMERMAN, DUANE G (D) 2717 DEER BLVD YANKTON SD 57078

ZIMMERMAN, STEVEN A (D) 4412 SD HWY 314 YANKTON SD 57078























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1335 Other Employment 1335 Other Employment

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8:00 a.m.- 4:30 p.m.
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Other Services 1475

I am a retired assisted living provider with many years of ex-perience. If you are looking for someone to spend quality time with your loved one give me call. 605-660-4381.

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The Yankton Daily Press & Dakotan/Yankton Media is seeking an experienced graphic artist professional for

our Yankton or Vermillion office.

Qualifications: Experience in graphic design and knowledge of Adobe Acrobat, Photoshop, and InDesign a plus. Willing to train the right applicant with other computer program knowledge. Applicants should also be detail oriented with the ability to multi-task.

Duties include layout/design of ads, special sections, layout publications and other general office work as needed.

Full-time Monday-Friday, 30-40 hours/week. Medical, dental, and vision insurance available. Paid time off/vacation time available after 90 days of service.

Press&Dakotan

Interested applicants please send a cover letter,

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this newspaper is subject to the Federal Fair Housing Act, which makes it illegal to advertise any preference, limitation, or discrimination based or ace, color, religion, sex, handi-ap, familial status or national origin, in the sale, rental or fi-nancing of housing or an intention to make any such prefer-ence, limitation or discrimination. Familial status includes children under the age of 18 living with parents or legal guardians, pregnant women and people securing custody of children under the age of 18.

In addition, South Dakota State Law also prohibits dis rimination based on ancestry

This paper will not knowingly accept any advertising for rea estate which is in violation of the law. All person are hereby informed that all dwellings advertised are available on a equal opportunity basis. If you pelieve vou have been discrim nated against in connection with the sale, rental or financing of housing, call the South Dakota Fair Housing ombudsman at 877-832-0161.

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1705 Items \$100 or Less

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1830 Rummage Sales

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Garden tools, fumiture, pictures, holiday décor. King size bedding, women's small-medium clothing, shoes, miscellaneous items.

Classifieds 665-7811

1403 Spruce St. Friday, 9/27, 8am-6pm Saturday, 9/28, 8am-12Noon Once read books, nice clothes-women's, men's, children. Puzzles, many household items, some new. Too much to mention. Come see!

Utica Saturday, 9/28, 8am-3pm North Hwy 81, left on 300th St. From Hwy. 50 to Utica Rd. into Utica, follow the signs

Furniture, kayak, flat screen TV. home props/equipment. Camping gear vintage items. décor. photography

2010 Legal and Public Notices

NOTICE OF HEARING OF THE THE YANKTON COUNTY PLANNING COMMISSION ADOPTION OF PROPOSED REPLACEMENT OF YANKTON COUNTY ORDINANCE NO. 7, 2010-1

A public hearing will be held before the Yankton County Planning Com-mission on the 8th day of October 2024 beginning at 7:10 p.m. in the Commission Chambers 321 West Third Street, Yankton, South Dakota, to consider the recommendation to Adopt Yankton County Flood Damage Prevention Ordinance and proposed maps which will replace ankton County Ordinance 2010-1 per Ordinance 24-ZN-08.

The complete text of this propose ordinance amendment referred to above is on file with the Yankton County Auditor office and Yankton County Planning and Zoning Office. The document may be inspected, re viewed, or examined by any ested party by contacting (605) 260-

The public is invited to attend the hearing and to present comments and testimony regarding the proposed replacement of Yankton County Ordinance NO. 7 2010-1 hereafter known as Yankton County nereatter known as Yankton County Flood Damage Prevention Ordi-nance. At the conclusion of the hear-ing, the Yankton County Commis-sion may recommend adoption of Yankton County Ordinance No. 24-ZN-08.

Dated this 27th day of September,

ATTEST: Gary Vetter Develop-ment Services Director

Published twice at the total approximate cost of \$35.71 and can be viewed free of charge at www.sd-

Legal and Public 2010 Notices

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the hearing will be held before the Yankton County Commission, Yankton County, South Dakota, at 6:30 P.M. on the 1st day of October, 2024 and at 6:30 P.M. on the 15th day of October, 2024 at the Yankton County Government Center, Com-missioners Chambers, 321 West Third St. Vantene South Dakota. missioners Chambers, 321 West Third St., Yankton, South Dakota. DGOGYankton05242024, LLC is requesting to rezone a parcel in a Rural Transitional District (RT) to Lakeside Commercial District (LC) Lakeside Commercial District (LC)
per Article 18, Section 1809 and Article 20, Section 2003. Said property
is legally described as the North 2
acres (N2A) of the West Eleven rods
(WI 1RDS) Excluding Lot H-3 of
the Southwest quarter of the Northeast Quarter (SWA NE4) Section FifCountry Country (SWA NE4) Section FifCountry (SWA NE4) teen (15), Township Ninety-three (93) North, Range Fifty-six (56) west of the 5th P.M., Yankton County, South Dakota. E911 address is 3111 West 8th St, Yankton.

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Published September 20 & 27,

Classifieds Work! Submit an ad online at www.yankton.net

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23 Tour carrier 24 Scrooge

25 Close 27 Racket 29 Long

swimmer 30 Sled parts 32 Order in the court

34 Young one 35 Military

award 36 Set free 38 Sleep

sound 39 Compo2010 Legal and Public Notices NOTICE OF PUBLIC HEARING

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Published September 27 & Octo-ber 4, 2024.

STATE OF SOUTH DAKOTA

COUNTY OF YANKTON IN CIRCUIT COURT

FIRST JUDICIAL CIRCUIT



Yesterday's answ 27 Greek 12 Highstepping conso-

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