September 12, 2023				
AGENDA				
YANKTON COUNTY PLANNING COMMISSION				
Cheri Loest Cathy Weiss Don Kettering	 Dennis Michael Chris Barkl Dan Clark 	Lauren Nelson		

<u>7:00 P.M.</u>

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.

Yankton Land and Cattle – Rezone

Applicant is requesting to rezone a parcel in a Rural Transitional District (RT) to Commercial District (C) per Article 18 Section 1809 and Article 20 Section 2003. Said property is legally described as Lot 4 in the NE1/4 of the SE1/4 of Section 24, Township 94 North, Range 56 West of the 5th Principal Meridian, Yankton County, South Dakota. Containing 130,375 SQ.FT. (2.99 Acres) More or less (Utica North)

<u>7:10 P.M.</u>

American Tower Corp. – Conditional Use Permit

Applicant is requesting a Conditional Use Permit to co-locate a new wireless carrier on an existing tower in an Agricultural District per Article 25 Section 2503. Said property is legally described as the West half (W1/2) of the Southwest Quarter (SW1/4) excepting Parcel A and the North 150 feet of the South 776.5 feet of the West 370.5 feet and Tract 2 Lucas Addition in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) AND excepting Tract one (1) Lucas Addition Lot Four (4) in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of the Southwest Quarter (1/4), All in Section Thirty-one (31), Township Ninety-six (96) North, Range Fifty-five (55) west of the 5th P.M., Yankton County, South Dakota. E911 address is 29654 US HWY 81, Irene, SD (**Mayfield**)

7:15 P.M.

<u>Plats</u>

Yankton Land and Cattle - Plat of Lot 4 in the NE1/4 of the SE1/4 of Section 24, Township 94 North, Range 56 West of the 5th Principal Meridian, Yankton County, South Dakota. Containing 130,375 SQ.FT. (2.99 Acres) More or less (**Utica North**)

Staudenmaier – Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South Dakota (**Mission Hill South**)

James Cwach Revocable Trust - Plat of Tract 1, Brandon Cwach's Addition, in the NW1/4 of the NW1/4 of Section 25, T94N, R56W of the 5th P.M., Yankton County, South Dakota (**Utica North**)

Jorgensen - Plat of Tyler Jorgensen Addition, in the NE1/4 of the SE1/4 of Section 35, T95N, R56W of the 5th P.M., Yankton County, South Dakota (**Central**)

7:20 P.M. Article 29 discussion

<u>7:25 P.M</u> Public Comment

Yank	ton Count	y Planning	Commission
Yank	ton Count	ty Board of	f Adjustment

Date filed: 7/25/2023

Applicant	icant Yankton Land and Cattle - PLAT			
District type : AG	R1-Low R2-Moderate R3-High C-Comm.			
	– Lakeside Commercial 🛛 RT-Rural Transitional			
Section 513 (4) –	Variance needed: Existing Farmstead/Home Section 515 Section 705			
	Section 715 Section 805			
	Other 605			
North Side/ Yard lot line:	feet or no closer than feet to the lot line.			
East Side / Yard lot line:	feet or no closer than feet to thelot line.			
South Side / Yard lot line:	feet or no closer thanfeet to thelot line.			
West Side / Yard lot line	feet or no closer thanfeet to thelot line.			
Accessory Building Size al	lowed:			
Proposed building size:				
Proposed sidewall height:				
Affects Section:				

NOTE:

Plat of Lot 4 in the NE1/4 of the SE1/4 of Section 24, Township 94 North, Range 56 West of the 5th Principal Meridian, Yankton County, South Dakota. Containing 130,375 SQ.FT. (2.99 Acres) More or less

Please Check Plat Type:	You must
Final Amended Preliminary Revision	The Yankton County Zonin sizes.
Development Information	1.Does this lot/tract conform 2.What is/are the lot size(s)
Plat Name: Plat of Lot 4 in the NE1/4 of the	3. Is this (plat) an existing f4. If a farmstead, how many5. The Yankton County Zon
Section No: 24 Township No: 94	minimum lot sizes. Are you necessary? X Yes
Range : 56 Number of Lots/Tracts: 1	6. Is this property to have c If yes :
Number of Acres: 94.91	Name, address and phone n
How is the property currently being used?	
What is the proposed use of the property?	Owi
Surveyor/Engineer Information	This is to certify that $kyle$ the undersigned is/are the s above on the date of this ap
Firm Name: Stockwell engineers	understand Section207 of the
Address: City: <u>Yankton</u> State: <u>SD</u> Zip 57078	
Contact Person: Brett Kennedy Phone: 6056658092	This is to certify that
Property Owner Information	is/are the sole owner(s) of t of this application, and that
Name: <u>Yankton Land and Cattle</u> Address: PO Box 774	of the Yankton County Zon
City: Yankton State: SD Zip: 57078 Contact person: Brett Kennedy	
If the property owner is represented by an authorized agent, please provide the following: Agent's name:	Planning Office Use Only: Plan Count
Agents Title:	L

:

You must provide the following:
The Yankton County Zoning Ordinance requires minimum lot
sizes.
1. Does this lot/tract conform? Yes XNo
2. What is/are the lot size(s) 2.99 acres
3. Is this (plat) an existing farmstead? Yes XNo
4. If a farmstead, how many acres are surrounding it?
5. The Yankton County Zoning Ordinance requires a variance from
minimum lot sizes. Are you willing to apply for the variance, if
necessary? X Yes No
6. Is this property to have construction on it? Yes X No
If yes :
Name, address and phone number of contractor(s)
,
Owner certification
This is to certify that kyle gross
the undersigned is/are the sole owner(s) of the property described
above on the date of this application, and that I/we have read and
understand Section207 of the Yankton county Zoning Ordinance.
Understand Section 207 of the Tankton county Zoning Ordinance.
Owner Signature
Owner Signature
This is to certify that
acting by and through the undersigned, its duly authorized agent
is/are the sole owner(s) of the property described above on the date
of this application, and that I have read and understand Section 207
of the Yankton County Zoning Ordinance.

Agent Signature

ning Commission Date: ty Commission Date: ____

Some plats of subdivisions and additions may require a Perpetual Road Maintenance Agreement prior to consideration.

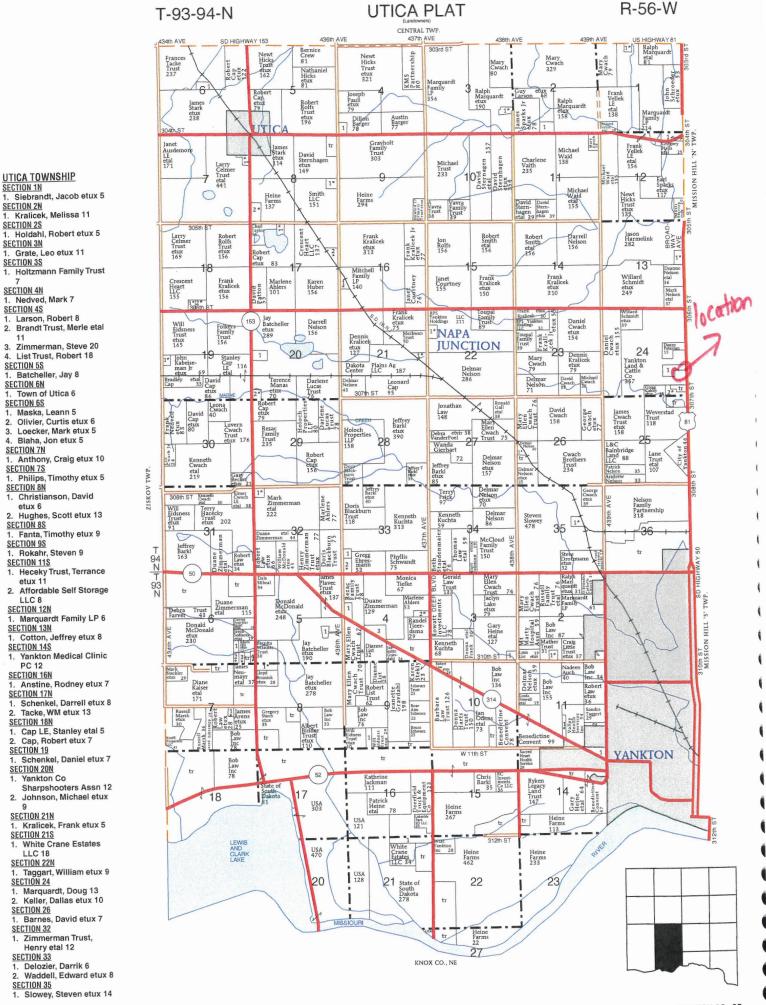
YANKTON COUNTY PLANNING PLAT APPROVAL CHECKLIST

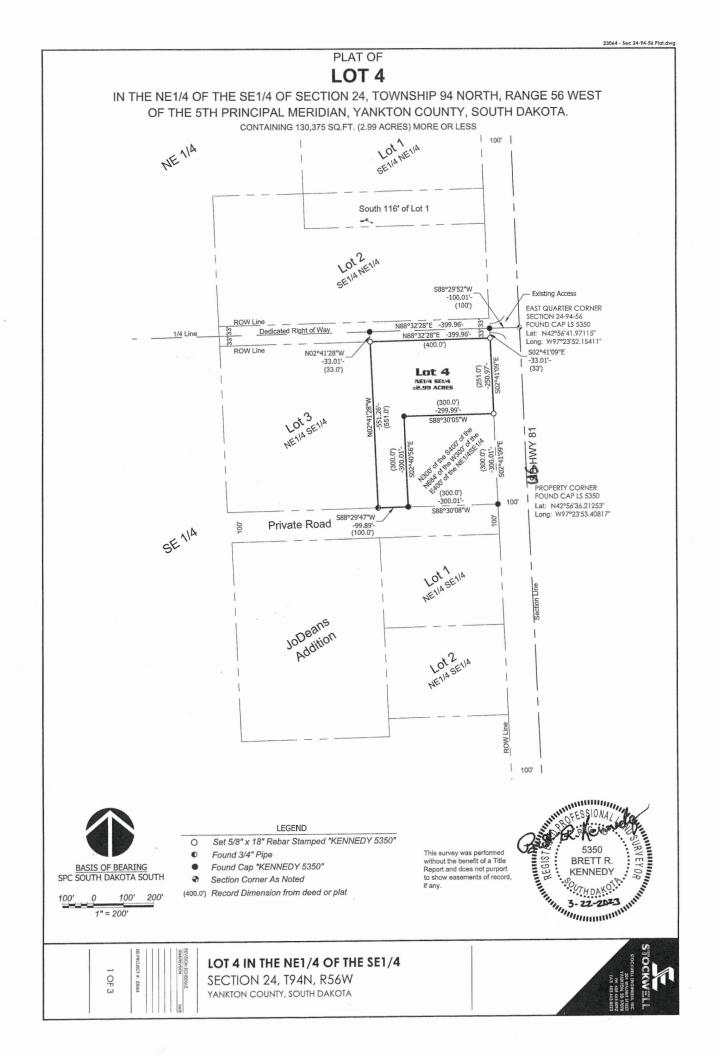
In order to insure prompt approval of your plat, please follow these steps:

X Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

- ☑ 1. All required signatures notarized (owner(s), surveyor)?
- 🖾 2. Taxes paid at County Treasures?
- ☑ 3. County Treasurer's signature?
- X 4. Ownership verified by Director of Equalization and signed?
- ☑ 5. Street authority signature (DOT, Highway, Township)?
- ☑ 6. \$100.00 Fee Paid at Zoning Office?
- X 7. Plat has been scheduled/approved by the Yankton County Planning Commission?
- □ 8. County Planning Commission Chair signature?
- □ 9. Plat has been scheduled/approved by the Yankton County Board of County Commissioners?
- □ 10. County Commission Chairs signature?
- \Box 11. County Auditor's signature?
- \Box 12. Plat has been filed with the Register of Deeds?

Planning Commission date: 09/12/2023 Board of Adjustment date:





23064	- Sec	24-94-56	Plat.dwg

SURVEYOR'S CERTIFICATE

I, Brett R. Kennedy, a Registered Land Surveyor in the State of South Dakota, do hereby certify that at the request of the owner, and under their direction, did on or prior to March 21, 2023 I have surveyed the NE1/4 of the SE1/4 of Section 24, Township 94 North, Range 56 West of the 5th P.M., Yankton County, South Dakota, with area and dimensions as shown on the plat:

A portion shall hereafter be known and described as LOT 4 IN THE NE1/4 OF THE SE1/4 OF SECTION 24, T94N, R56W OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA.

Lalso hereby certify that this plat is to the best of my knowledge and belief, in all respects, a true description of said r

I also hereby certify that this plat is to the best of my knowledge and belief, in all respects, a true descriptio	n of said property.
I have executed this document this 22nd day of March, 2023. UNIVERSIONA/	
Taiso hereby certify that this plat is to the best of my knowledge and belief, in all respects, a true description I have executed this document this <u>22nd</u> day of <u>March</u> , 2023. Brett R. Kennedy, to 5350 Brett R. Kennedy, to 5350 Brett R. Kennedy, to 5350	
Brit R lennedy	
Brett R. Kennedy, S 5350	
KENNEDY	
UTHDANO.	
The summer	
.awwww.	
OWNER'S CERTIFICATE	
I, the undersigned, hereby certify that Yankton Land & Cattle Company, a South Dakota Corporation is the	absolute and unqualified owner of the land included in
this plat being entitled:	absolute and unqualitied owner of the fand included in
LOT 4 IN THE NE1/4 OF THE SE1/4 OF SECTION 24, T94N, R56W OF THE 5TH P.M., YANKTON COUNT	Y SOUTH DAKOTA that the plat has been made at
our request and under our direction, for the purpose of defining and describing the property as shown by this p	
all existing applicable zoning, subdivision and erosion and sediment control regulations, and I hereby dedicate t	to the public, for public use forever as such, the
right-of-ways and easements, as shown and marked on this plat.	
In witness whereof I have hereunto set my hand thisday of,,	
Yankton Land & Cattle Company, a South Dakota Corporation	
Ву	
Title	
CORPORATION ACKNOWLEDGEMENT	
STATE OF) SS	
COUNTY OF)	
Be it remembered that on thisday of,, before me the undersigned, a Notary Pu	ublic within and for the county and state
aforesaid, personally appeared	_, of Yankton Land & Cattle Company, a South
acknowledged to me that he executed the same.	
My commission expires	
Seal	
Notary Public, County, South Dakota	
CERTIFICATE OF STREET AUTHORITY	
The location of existing access roads abutting or approaches entering the State/County/Township/City Road,	is hereby approved. Any changes in the existing
access shall require additional approval.	
Approved thisday of ,	
·	
State/County/Township/City Road Authority	
SE	Ś
NOP ROLECT : 220 PROJECT : 220	siocity
ω 🙎 🔢 🔤 YANKTON COUNTY, SOUTH DAKOTA	

COUNTY PLANNING COMMISSION APPROVAL

Approval of the final plan of LOT 4 IN THE NE1/4 OF THE SE1/4 OF SECTION 24, T94N, R56W OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA, is hereby granted by the Yankton County Planning Commission on this ______day of ______.

Chair, County Planning Commission Yankton County, South Dakota

COUNTY COMMISSION APPROVAL

Chairman, County Commission Yankton County, South Dakota

COUNTY AUDITOR CERTIFICATE

I do hereby certify that the above certificate of approval is true and correct including the signature theron.

.

Dated this_day of

County Auditor Yankton County, South Dakota

DIRECTOR OF EQUALIZATION

I, the undersigned, County Director of Equalization for Yankton County, South Dakota, do hereby certify that a copy of the above Plat has been filed at my office.

Dated this____day of____

Director of Equalization Yankton County

CERTIFICATE OF COUNTY TREASURER

I, the undersigned, County Treasurer for Yankton County, South Dakota, do hereby certify that all taxes which are liens upon any land included in the above and foregoing plat as shown by the records of my office have been fully paid.

Dated this __day of _____, ____.

) SS

Treasurer Yankton County

CERTIFICATE OF REGISTER OF DEEDS

, 20 at

STATE OF _____

Filed for record this_____day of____

____o'clock_____M. and recorded in Book_____

of Plats on page

therein.

Register of Deeds Yankton County



LOT 4 IN THE NE1/4 OF THE SE1/4 SECTION 24, T94N, R56W

YANKTON COUNTY, SOUTH DAKOTA

Plat Approval Application 106581

Applicant

Bill Conkling

Fees Paid \$100.00

Created March 24, 2023

2023

Final | Plat of Lot 4 in the NE1/4 of the SE1/4 of Section 24, Township 94 North, Range 56 West of the 5th Principal Meridian, Yankton County, South Dakota. Containing 130,375 SQ.FT. (2.99 Acres) More or less | Yankton Land and Cattle | PO Box 774 | 10.024.200.100 Submitted by bconkling on

3/24/2023

Number

106581



Applicant

Bill Conkling

6052604447

Bill@co.yankton.sd.us

+States Trees 10.024 100 100 Y WORL TING HEAL AND AND PROVE SAL US HIC HWAY 81 HIGHWAY 81 **439TH AVE** 19 23 MISSION HILL NO 94 11-55 W 10 024 300 300 06.019.300 ALLKII WEST CITY LIMITS RD BROADWAY AVE 307TH ST 307TH ST 30 Maxar Powered by Esri ParcellD Address City OwnerName Acres 10.024.200.100 30651 US HWY 81 YANKTON YANKTON LAND & CATTLE COMPANY (D) 94.910

Parcel search Completed On 3/24/2023 1:23 PM EST by bconkling

Requested Information Completed On 3/24/2023 1:27 PM EST by bconkling

Fee

\$100.00

Plat Type

Final

Development Information

Plat Name

Plat of Lot 4 in the NE1/4 of the SE1/4 of Section 24, Township 94 North, Range 56 West of the 5th Principal Meridian, Yankton County, South Dakota. Containing 130,375 SQ.FT. (2.99 Acres) More or less

Section No:

24

Township No:

94

Range

56

Number of Lots/Tracts

1

Number of Acres

94.91

How is this property currently being used? rural Transitional

What is the proposed use of the property? Commercial

Surveyor/Engineer Information

Firm Name

Stockwell engineers

Address

201 Walnut

City

Yankton

State

SD

Contact Person

Brett Kennedy

Phone

6056658092

Property Owner Information

Owner Name

Yankton Land and Cattle

Address

PO Box 774

City

Yankton

State

SD

Zip

57078

Owner Phone

6056658092

Contact Person

Brett Kennedy

If the property owner is represented by an authorized agent, please provide the following:

Agent's name

Agent's Title

Plat Information

Does this lot/tract conform with Yankton County Zoning Ordinance required minimum lot sizes? No

2.99 acres

Is this plat an existing farmstead

No

If a farmstead, how may acres are surrounding it

The Yankton County Zoning Ordinance requires a variance from minimum lot sizes. Are you willing to apply for the variance, if necessary? Yes

Is this property to have construction on it No

If Yes:

Construction contractors Name, Address, and phone number (If applicabale)

Plat Approval Items Completed On 4/12/2023 11:16 AM EST by bconkling

In order to insure prompt approval of your plat, please complete the following steps before submitting your application

Upload Copy of Plat

23064 - Lot 4 24-94-56 Plat.pdf

Plat Approval Applicant Checklist 0

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

All required signatures notarized (owner(s), surveyor)?

Taxes paid at County Treasures?

County Treasurer's signature?

Submit Application Completed On 4/12/2023 11:17 AM EST by bconkling

Owner Certification

Owner(s)

kyle gross

This is to certify that the aforementioned owner(s) undersigned is/are the sole owner(s) of the property described above on the date of this application, and that I/we have read and understand Section207 of the Yankton County Zoning Ordinance.

Owner Signature

In

Owner Signature

If represented by an Agent, please provide name and signature below

Agent Name

This is to certify that (Agent) acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understood Section207 of the Yankton County Zoning Ordinance.

1

Agent Signature

Payment Completed On Fees Paid	4/12/2023 11:17 AM EST by bconkling		
rees Palu		VIE	N RECEIPT
Fee Name	Recipient	Amount	
Fee	Planning and Zoning	\$100.00	
Confirmation Dat	a		
Payment Method		Cash	
Confirmation Number			
Amount Paid		\$100.00	
Planning Commissic	ON Review Completed On 7/25/2023 2:55 PM EST by bo	conkling	
Plat Approval Pla	nning Commission Checklist		
Please follow these steps:			
Plat has been approved b	by the City of Yankton, if within the ETJ or 3 mile buffer	r zone?	
All required signatures no	otarized (owner(s), surveyor)?		
Taxes paid at County Trea	asures and County Treasurer's signature?		
Ownership verified by Dire	ector of Equalization and signed?		
Plat name has been appr	oved by Register of Deeds?		
Street authority signature	e (DOT, Highway, Township)?		
\$100.00 Fee Paid at Zoni	ng Office?		
Plat has been scheduled/	approved by the Yankton County Planning Commission	on?	

09/12/2023

External Notes

Documents

Internal Notes

Documents

Yankton County, South Dakota

Payment number Date paid Payment method ee8c9c57e84e43b795391c3c8c309aee April 12, 2023 11:17 AM Cash

Receipt

Paid by Bill Conkling Bill@co.yankton.sd.us

\$100.00 paid on April 12, 2023

Plat Approval Application

Application ID: 106581

Description	Amount
Fee	\$100.00

Yankton County Planning Commission Yankton County Board of Adjustment				
Y	ankton Coul	nty Board of Adj		Date filed: 7/27/2023
Applicant	Staude	enmaier- PLA	ΑT	
District type : AG	R1-Low	R2-Moderate	R3-High	n 🛛 C-Comm.
LC –	Lakeside Com	mercial 🗌 RT-R	ural Transition	nal
Section 513 (4) – E		nriance needed: tead/Home	Section 515	Section 705
	Section	n 715 🗌 Section	805	
	[Other 605		
North Side/ Yard lot line: _	feet or no	closer than fee	t to the	lot line.
East Side / Yard lot line:	feet or no	closer than	feet to the _	lot line.
South Side / Yard lot line: _	feet or	no closer than	feet to the	elot line.
West Side / Yard lot line	_feet or no clo	ser than feet to	thel	ot line.
Accessory Building Size all	owed:			
Proposed building size:				
Proposed sidewall height:				
Affects Section:				

NOTE:

Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South Dakota

Please Check Plat Type:	You must provide the following:
Final Amended Preliminary Revision	The Yankton County Zoning Ordinance requires minimum lot sizes.
	1.Does this lot/tract conform? XYes No
Development Information	2. What is/are the lot size(s) 1.57 acres
	3. Is this (plat) an existing farmstead? Yes No
Plat Name: Replat of Lot 38, block 4, Sunrise	4. If a farmstead, how many acres are surrounding it?
	5. The Yankton County Zoning Ordinance requires a variance from
a i y 10 a y 03	minimum lot sizes. Are you willing to apply for the variance, if
Section No: 10 Township No: 93	necessary? \square Yes \square No
Range : 55 Number of Lots/Tracts: 1	6. Is this property to have construction on it? X Yes No
Range, <u>55</u> Rumber of Lots/ Hacts, 1	If yes : Commercial building Name, address and phone number of contractor(s)
Number of Acres: 1.57	
How is the property currently being used?	
What is the proposed use of the property?	Owner certification
Commercial	
	This is to certify that NIck Staudenmaier
	the undersigned is/are the sole owner(s) of the property described
Surveyor/Engineer Information	above on the date of this application, and that I/we have read and
Noridian Land Surveying	understand Section207 of the Yankton county Zoning Ordinance.
Firm Name: Meridian Land Surveying	Owner Signature
City: Yankton State: SD Zip 57078	
Contact Person: Brian Benson	Owner Signature
Phone: 4028604332	This is to certify that
	acting by and through the undersigned, its duly authorized agent
Property Owner Information	is/are the sole owner(s) of the property described above on the date
	of this application, and that I have read and understand Section 207
Name: Nick STAUDENMAIER	of the Yankton County Zoning Ordinance.
Address: 702 NORTH 19 ST City: Norfolk State: NE Zip: 68701	Agent Signature
Contact person: Brian Benson	ABent organitie
If the property owner is represented by an authorized agent, please provide the	
following:	Planning Office Use Only: Planning Commission Date:
Agent's name:	County Continusion Date:
Agents Title:	

:

Some plats of subdivisions and additions may require a Perpetual Road Maintenance Agreement prior to consideration.

YANKTON COUNTY PLANNING PLAT APPROVAL CHECKLIST

In order to insure prompt approval of your plat, please follow these steps:

X Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

- ☑ 1. All required signatures notarized (owner(s), surveyor)?
- ☑ 2. Taxes paid at County Treasures?
- ☑ 3. County Treasurer's signature?
- X 4. Ownership verified by Director of Equalization and signed?
- ☑ 5. Street authority signature (DOT, Highway, Township)?
- ☑ 6. \$100.00 Fee Paid at Zoning Office?
- X 7. Plat has been scheduled/approved by the Yankton County Planning Commission?
- □ 8. County Planning Commission Chair signature?
- □ 9. Plat has been scheduled/approved by the Yankton County Board of County Commissioners?
- □ 10. County Commission Chairs signature?
- \Box 11. County Auditor's signature?
- \Box 12. Plat has been filed with the Register of Deeds?

Planning Commission date: 09/12/2023 Board of Adjustment date:



MISSION HILL 'S'

- TOWNSHIP SECTION 1 1. RWH Land LLC 6
- 2. Nelson, Nancy 13

- SECTION 2 1. Palece
- 1. Palecek, Lance etux 15 2. Willman, David etux 5
- SECTION 3 1. State of South Dakota 9

- 2. Anderson, Richard etux
- 9
- 3. Loecker, Reynold 9
- SECTION 9 1. Keehr, Mark 5 2. Northwestern Public

 - Service 15 3. Eide, Mark etux 6

 - Yankton Area 4.
 - Progressive Growth Inc 25
- 5. Holmstrom, Thomas
- etux 10 SECTION 10 1.
 - Madson Trust, Clifford 14
- Goeden, Josephine 10 2.
- Brasel, Anthony etux 6 Schulz Trust, Harvard 6 3.
- 4. 5.
- 6. Tackle, Dan 5
- Tackle, Dan etal 7
- 10 2. Merkwan, Daryl 10 <u>SECTION 12</u> 1. Kopejtka, Jeff etux 8 2. Kaberna Trust, Carol 8 <u>SECTION 13</u> 1. Brady Tree Farm & Landscape LLC 27 2. Brady, Thomas 8

SECTION 11

10

1. Jensen Trust, Gary etux

30

SECTION 15 1. Harper, John etux 8 SECTION 16

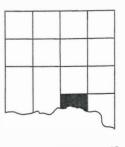
SECTION 24 1. Henning, Mary 15

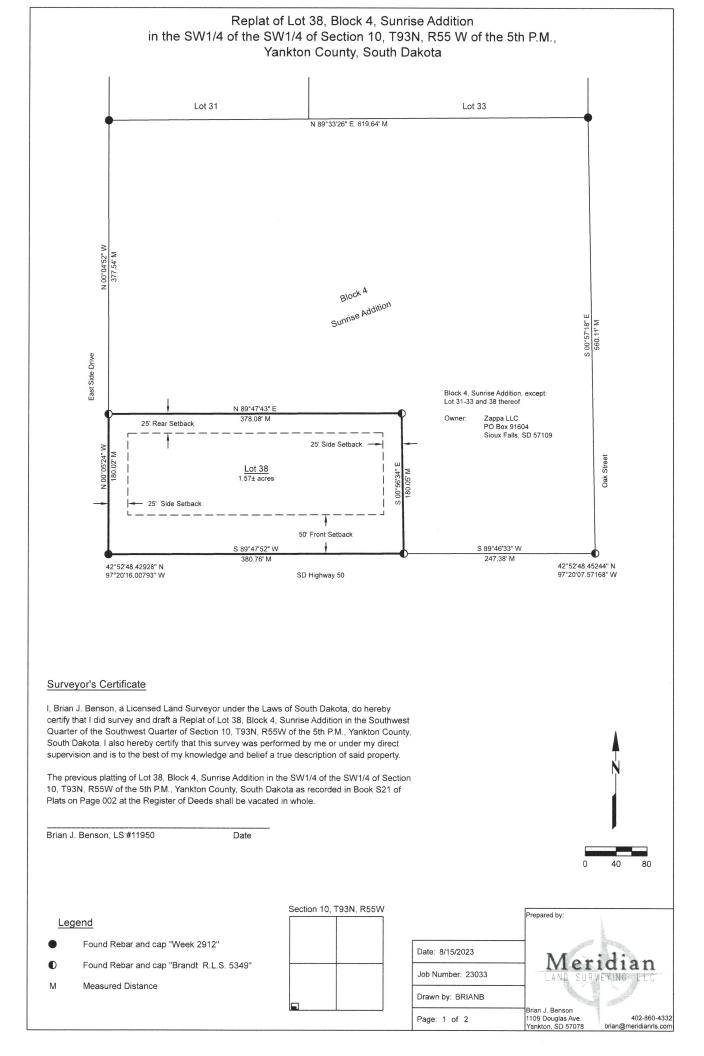




1. National Field Archery







Replat of Lot 38, Block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South Dakota

Owners Certificate

I, Nicholas Staudenmaier, do hereby certify that I am the owner of Lot 38, Block 4, Sunrise Addition in the Southwest Quarter of the Southwest Quarter of Section 10, Township 93 North, Range 55 West of the 5th P.M., Yankton County, South Dakota; that this Plat was made at my request and under my direction for the purpose of defining and describing the property as shown by this plat. The development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.

Dated this _____ day of _____

By: Nicholas R. Staudenmaier

State of _____

Be it remembered that on this _____day of _____, before me the undersigned, a Notary Public within and for the county and state aforesaid, personally appeared Nicholas Staudenmaier, known to me to be the person who is described in and who executed the within and foregoing instrument and certificate and acknowledged to me that they executed the same.

My commission expires _____

Notary Public

County of

Owners Certificate

I, Lori Staudenmaier, do hereby certify that I am the owner of Lot 38, Block 4, Sunrise Addition in the Southwest Quarter of the Southwest Quarter of Section 10, Township 93 North, Range 55 West of the 5th P.M., Yankton County, South Dakota; that this Plat was made at my request and under my direction for the purpose of defining and describing the property as shown by this plat. The development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.

Dated this _____ day of _____

By: Lori Staudenmaier
State of ______)
County of _____)

Be it remembered that on this ______ day of _____, before me the undersigned, a Notary Public within and for the county and state aforesaid, personally appeared Lori Staudenmaier, known to me to be the person who is described in and who executed the within and foregoing instrument and certificate and acknowledged to me that they executed the same.

My commission expires

Notary Public

Owners Certificate

I, Gregory Staudenmaier, do hereby certify that I am the owner of Lot 38, Block 4, Sunrise Addition in the Southwest Quarter of the Southwest Quarter of Section 10, Township 93 North, Range 55 West of the 5th P.M., Yankton County, South Dakota; that this Plat was made at my request and under my direction for the purpose of defining and describing the property as shown by this plat. The development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.

Dated this _____ day of _____, ____.

By: Lori Staudenmaier

State of ____

County of

Be it remembered that on this ______day of _______before me the undersigned, a Notary Public within and for the county and state aforesaid, personally appeared Gregory Staudenmaier, known to me to be the person who is described in and who executed the within and foregoing instrument and certificate and acknowledged to me that they executed the same.

My commission expires

Notary Public

Communi

Certificate of Community Development Director

I, Community Development Director of the City of Yankton, have reviewed this plat and have found it to conform to the Subdivision requirements of the Code of Ordinances of the City of Yankton, and pursuant to the authority granted in SDCL 11-3-6 and Yankton Ordinance Section 17-72, I have approved this Plat as a Final Plat.

Dated this _____ day of _____, 20_____

Certificate of Finance Officer

I, Finance Officer of the City of Yankton, do hereby certify that the Community Development Director of the City of Yankton has approved this Final Plat as shown hereon.

Dated this _____ day of _____, 20____

Finance Officer of the City of Yankton

County Planning Commission Approval

Approval of the final plan of the Replat of Lot 38, Block 4, Sunrise Addition in the Southwest Quarter of the Southwest Quarter of Section 10, Township 93 North, Range 55 West of the 5th P.M., Yankton County, South Dakota, is hereby granted by the Yankton County Planning Commission on this ______ day of ______, 20____.

Chair, County Planning Commission Yankton County, South Dakota

County Commission Approval

I hereby certify that the final plan of the Replat of Lot 38, Block 4, Sunrise Addition in the Southwest Quarter of the Southwest Quarter of Section 10, Township 93 North, Range 55 West of the 5th P.M., Yankton County, South Dakota was duly submitted to the Yankton County Board of County Commissioners, and that after due consideration the Board approved said final plan at its meeting held on the _____ day of _____, 20___.

Chairman County Commission Yankton County, South Dakota

County Auditor Certificate

I, the undersigned, County Auditor for Yankton County, South Dakota, do hereby certify that the foregoing resolution was passed by the Board of County Commissioners of Yankton County, South Dakota, at the regular meeting on the _____ day of _____, 20____.

County Auditor Yankton County, South Dakota

Highway Authority

Access to East Side Drive is approved. This access approval does not replace the need for any permits required by law to establish the precise access location, including permit requirements set forth in the State of South Dakota administrative rule 70:09:01:02.

Highway / Street Authority

Date

Highway Authority

Access to South Dakota Highway 50 is approved. This access approval does not replace the need for any permits required by law to establish the precise access location, including permit requirements set forth in the State of South Dakota administrative rule 70:09:01:02.

Date

Highway / Street Authority

Director of Equalization Certificate

I, the undersigned Director of Equalization of Yankton County, South Dakota, certify that I have received a copy of the foregoing plat. Dated this ______ day of ______, _____.

Director of Equalization Yankton County, South Dakota

Treasurer Certificate

I, Treasurer of Yankton County. South Dakota, hereby certify that all taxes which are liens upon any land shown in the above plat as shown by the records of my office, have been paid in full.

Treasurer

Yankton County, South Dakota

Register of Deeds

Filed for record this _____, day of _____, 20___, at ____ O'clock ____, M., and recorded in book _____ of plats on page _____.

Register of Deeds Yankton County, South Dakota

nity Development Director of the City of Yankton	Date: 8/15/2023	Job Number: 23033	Drawn by: BRIANB	Page: 2 of 2

Plat Approval Application 155139

Applicant

Bill Conkling

Fees Paid \$100.00

Created July 27, 2023

Number 155139 Final | Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South DAkota | Nick STAUDENMAIER | 702 NORTH 19 ST | 05.010.300.380 Submitted by bconkling on 7/27/2023



Applicant

Bill Conkling

6052604447

Bill@co.yankton.sd.us

Parcel search Completed On 7/27/2023 3:23 PM EST by bconkling



05 010 200 200	1110 5407	VANUETON		1 570
05.010.300.380	TTT2 EAST	YANKION	STAUDENMAIER, NICHOLAS R (D) STAUDENMAIER, LORI (D)	1.570
	SIDE DR		STAUDENMAIER, GREGORY (D)	

Requested Information Completed On 7/27/2023 3:26 PM EST by bconkling

Fee

\$100.00

Plat Type

Final

Development Information

Plat Name

Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South DAkota

Section No:

10

Township No:

93

Range

55

Number of Lots/Tracts

1

Number of Acres

1.57

How is this property currently being used? Commercial

What is the proposed use of the property?

Commercial

Surveyor/Engineer Information

Firm Name

Meridian Land Surveying

Address

1109 douglas Ave

City

Yankton

State

SD

Contact Person

Brian Benson

Phone

4028604332

Property Owner Information

Owner Name

Nick STAUDENMAIER

Address

702 NORTH 19 ST

City

Norfolk

State

NE

Zip

68701

Owner Phone

4028604332

Contact Person

Brian Benson

If the property owner is represented by an authorized agent, please provide the following:

Agent's name

Agent's Title

Plat Information

Does this lot/tract conform with Yankton County Zoning Ordinance required minimum lot sizes?

Yes

1.57 acres

Is this plat an existing farmstead

No

If a farmstead, how may acres are surrounding it

The Yankton County Zoning Ordinance requires a variance from minimum lot sizes. Are you willing to apply for the variance, if necessary? Yes

Is this property to have construction on it Yes

If Yes: Commercial building

Construction contractors Name, Address, and phone number (If applicabale)

Plat Approval Items Completed On 8/29/2023 12:50 PM EST by bconkling

In order to insure prompt approval of your plat, please complete the following steps before submitting your application

Upload Copy of Plat

Staudenmaier.pdf

Plat Approval Applicant Checklist 🖲

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

All required signatures notarized (owner(s), surveyor)?

Taxes paid at County Treasures?

County Treasurer's signature?

Submit Application Completed On 8/29/2023 12:51 PM EST by bconkling

Owner Certification

Owner(s) NIck Staudenmaier

This is to certify that the aforementioned owner(s) undersigned is/are the sole owner(s) of the property described above on the date of this application, and that I/we have read and understand Section207 of the Yankton County Zoning Ordinance.

Owner Signature

1 Stanne

```
Owner Signature
```

If represented by an Agent, please provide name and signature below

Agent Name

This is to certify that (Agent) acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understood Section207 of the Yankton County Zoning Ordinance.

Agent Signature

Submittal Email Completed On 8/29/2023 12:51 PM EST by bconkling

```
Delivered on Tuesday, August 29, 2023 at 12:51 PM CDT
```

Options

```
Send to the applicant? Yes
Send to members of the following roles:
Zoning
```

Recipients

To:

andrea@co.yankton.sd.us

gary@co.yankton.sd.us

bill@co.yankton.sd.us

Subject: Plat Approval Application Submitted

A Plat Approval Application has been submitted for review.

 Number:
 155139

 Workflow:
 Plat Approval Application

 Description:
 Final | Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South DAkota | Nick STAUDENMAIER | 702 NORTH 19 ST | 05.010.300.380

 Created On:
 7/27/2023

 View Application

Email to Pay Completed On 8/29/2023 12:51 PM EST by bconkling

Delivered on Tuesday, August 29, 2023 at 12:51 PM CDT

Options

Send to the applicant? Yes Send to members of the following roles: Zoning

Zoning Director

Recipients

To:

andrea@co.yankton.sd.us

gary@co.yankton.sd.us

bill@co.yankton.sd.us

Subject: Payment Required: Plat Approval Application

Your Plat Approval application has been received and payment is required. Payment can be made in person at the Zoning office. Once payment is received, we will proceed with the review process for your request. Please return to your application and make payment online.
Total Amount Due: \$100.00
Please bring the Mylar Plats and at least two original copies to the Zoning Office.
If any information is incorrect, please let me know immediately.
Number: 155139
Workflow: Plat Approval Application
Description: Final | Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton
County, South DAkota | Nick STAUDENMAIER | 702 NORTH 19 ST | 05.010.300.380
Created On: 7/27/2023
View Application

Payment Completed On 8/29/2023 12:51 PM EST by bconkling

Fee Summary	
Fee	\$100.00
Total Fees	\$100.00
Total Due	\$0.00

Payments Made

Payment Method	Paid On	Confirmation Number	Amount	
Check	August 29, 2023 12:51 PM	035194	\$100.00	VIEW RECEIPT
		Tot	tal Paid: \$100.00	

Payment Made Email Completed On 8/29/2023 12:51 PM EST by bconkling

Delivered on Tuesday, August 29, 2023 at 12:51 PM CDT

Options

Send to the applicant? Yes Send to members of the following roles: Zoning

Recipients

pattyv@co.yankton.sd.us andrea@co.yankton.sd.us

gary@co.yankton.sd.us

bill@co.yankton.sd.us

Subject: Plat Approval Application: Payment Made

Payment has successfully been made for a Plat Approval Application.

Amount Paid: \$100.00

 Number:
 155139

 Workflow:
 Plat Approval Application

 Description:
 Final | Replat of Lot 38, block 4, Sunrise Addition in the SW1/4 of the SW1/4 of Section 10, T93N, R55 W of the 5th P.M., Yankton County, South DAkota | Nick STAUDENMAIER | 702 NORTH 19 ST | 05.010.300.380

 Created On: 7/27/2023
 7/27/2023

View Application

Planning Commission Review Completed On 8/29/2023 12:51 PM EST by bconkling Plat Approval Planning Commission Checklist

Please follow these steps:

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?
All required signatures notarized (owner(s), surveyor)?
Taxes paid at County Treasures and County Treasurer's signature?
Ownership verified by Director of Equalization and signed?
Plat name has been approved by Register of Deeds?
Street authority signature (DOT, Highway, Township)?
\$100.00 Fee Paid at Zoning Office?
Plat has been scheduled/approved by the Yankton County Planning Commission?

Planning Commission date:

09/12/2023

External Notes

Documents

Internal Notes

Documents

8/8

Yankton County, South Dakota

Paid by Bill Conkling Bill@co.yankton.sd.us Payment number Date paid Payment method Receipt

035194 August 29, 2023 12:51 PM Check

\$100.00 paid on August 29, 2023

Plat Approval Application

Application ID: 155139

Description

Amount

Fee

\$100.00

Yankton County Planning Commission Yankton County Board of Adjustment Date filed: 7/14/2023 James Cwach Revocable Trust - PLAT Applicant **District type:** \square AG \square R1-Low \square R2-Moderate \square R3-High \square C-Comm. LC – Lakeside Commercial RT-Rural Transitional Variance needed: Section 513 (4) – Existing Farmstead/Home Section 515 Section 705 Section 715 Section 805 Other 605 North Side/ Yard lot line: _____ feet or no closer than _____ feet to the _____ lot line. East Side / Yard lot line: ______ feet or no closer than ______ feet to the _____ lot line. South Side / Yard lot line: ______ feet or no closer than ______ feet to the _____lot line. West Side / Yard lot line _____feet or no closer than _____ feet to the lot line. Accessory Building Size allowed: Proposed building size: Proposed sidewall height: Affects Section:

NOTE:

Plat of Tract 1, Brandon Cwach's Addition, in the NW1/4 of the NW1/4 of Section 25, T94N, R56W of the 5th P.M., Yankton County, South Dakota (Utica North)

Image: Final Amended Preliminary Revision Plat Name: Plat Name: Plat of Tract 1, Brandon Cwach's Section No: 25 Township No: 94 Section No: 25 Township No: 94 Range : 56 Number of Lots/Tracts: 1 Number of Acres: 10.17 Sumber of Acres: 10.17 How is the property currently being used? Name, address and phone number of contractor(s) Farmstead - AG	Please Check Plat Type:	You must provide the following:
	X Final Amended Preliminary Revision	
Plat Name: Plat of Tract 1, Brandon Cwach's	Development Information	
Plat Name: Plat of Tract 1, Brandon Cwach's Section No: 25 Township No: 94 Range: 56 Number of Lots/Tracts: 1 Number of Acres: 10.17 How is the property currently being used? Image: Farmstead - AG Image: What is the property currently being used? Image: Farmstead - AG Image: What is the property currently being used? Image: Farmstead - AG Image: What is the property currently being used? Image: Farmstead - AG Image: Mume: Meridian Land Surveying Address: Zip 57078 Contact Person: Brian Benson Phone: James and Elizabeth Cwach Address: Adoress: City: Yankton State: SD Zip: 57078 Contact Person: Brian Benson Phone: James and Elizabeth Cwach Address: Adoress: Contact Person: Brian Benson Pitaning Office Use Only: Planni	Development Intormation	
Section No: 25 Township No: 94 Section No: 25 Township No: 94 Range : 56 Number of Lots/Tracts: 1 Number of Acres: 10.17 Number of Acres: 10.17 How is the property currently being used? Name, address and phone number of contractor(s) Farmstead - AG Name, address and phone number of contractor(s) What is the proposed use of the property?	Plat Name: Plat of Tract 1, Brandon Cwach's	4. If a farmstead, how many acres are surrounding it? 10.17
Section No: 25 Township No: 94 Section No: 25 Township No: 94 Range : 56 Number of Lots/Tracts: 1 Number of Acres: 10.17 How is the property currently being used? Farmstead - AG What is the proposed use of the property? Farmstead - AG What is the proposed use of the property? Farmstead - AG What is the proposed use of the property? Farmstead - AG What is the proposed use of the property? Farmstead - AG What is the proposed use of the property? Farmstead - AG What is the proposed use of the property? Farmstead - AG What is the proposed use of the property? Farmstead - AG What is the proposed use of the property? Farmstead - AG What is the proposed use of the property? Farmstead - AG What is the proposed use of the property? Farmstead - AG What is the proposed use of the property? Charter Person: Brian Benson Phone: 4028604332 Owner Signature Name: James and Elizabeth Cwach Address: 4600 W City Limits rd<		5. The Yankton County Zoning Ordinance requires a variance from
Range : 56	25	minimum lot sizes. Are you willing to apply for the variance, if
Range : <u>56</u> Number of Lots/Tracts: 1 If yes : Number of Acres: <u>10.17</u>	Section No: 25 Township No: 94	
Number of Acres: 10.17 Name, address and phone number of contractor(s) How is the property currently being used?	56	
Number of Acres: 10.17 How is the property currently being used? Farmstead - AG What is the proposed use of the property? Farmstead - AG Surveyor/Engineer Information Firm Name: Meridian Land Surveying Address: City: Yankton State: SD Zip 57078 Contact Person: Brian Benson Phone: 4028604332 Property Owner Information Name: James and Elizabeth Cwach Address: 4600 W City Limits rd City: Yankton State: SD Zip: 57078 Contact person: Brian Benson Phone: James and Elizabeth Cwach Address: 4600 W City Limits rd City: Yankton State: SD Zip: 57078 Contact person: Brian Benson Piter property owner is represented by an authorized agent, please provide the following: Planning Office Use Only: Planning Commission Date:	Range : <u>50</u> Number of Lots/Tracts: <u>1</u>	
How is the property currently being used? Farmstead - AG What is the proposed use of the property? Farmstead - AG What is the proposed use of the property? Farmstead - AG This is to certify that <u>Cwach Revocable Trust</u> the undersigned is/are the sole owner(s) of the property described above on the date of this application, and that I/we have read and understand Section207 of the Yankton county Zoning Ordinance. Firm Name: Meridian Land Surveying Address: Contact Person: Brian Benson Phone: 4028604332	Number of Agrees 10,17	Name, address and phone number of contractor(s)
Farmstead - AG What is the proposed use of the property? Farmstead - AG Farmstead - AG This is to certify that Cwach Revocable Trust the undersigned is/are the sole owner(s) of the property described above on the date of this application, and that I/we have read and understand Section207 of the Yankton county Zoning Ordinance. Firm Name: Meridian Land Surveying Address: Owner Signature City: Yankton State: SD Zip_57078 Owner Signature Owner Signature Owner Signature Name: James and Elizabeth Cwach Address: 4600 W City Limits rd City: Yankton State: SD Zip: 57078 Contact person: Brian Benson Phone: James and Elizabeth Cwach Address: 4600 W City Limits rd City: Yankton State: SD Zip: 57078 Contact person: Brian Benson If the property owner is represented by an authorized agent, please provide the following: Planning Office Use Only: Planning Commission Date: </td <td>Number of Acres:</td> <td></td>	Number of Acres:	
Farmstead - AG What is the proposed use of the property? Farmstead - AG Farmstead - AG	How is the property currently being used?	
Farmstead - AG Farmstead - AG Farmstead - AG Farmstead - AG Firm Name: Meridian Land Surveying Address: Owner Signature City: Yankton State: SD Zip 57078 Contact Person: Brian Benson Phone: 4028604332 Owner Signature Property Owner Information Owner (s) of the property described above on the date of this application, and that I/we have read and understand Section207 of the Yankton county Zoning Ordinance. Name: James and Elizabeth Cwach Address: 4600 W City Limits rd City: Yankton State: SD Zip: 57078 Contact person: Brian Benson If the property owner is represented by an authorized agent, please provide the following: Agent Signature Planning Office Use Only: Planning Commission Date:	Farmstead - AG	
Farmstead - AG Farmstead - AG Farmstead - AG Farmstead - AG Firm Name: Meridian Land Surveying Address: Owner Signature City: Yankton State: SD Zip 57078 Contact Person: Brian Benson Phone: 4028604332 Owner Signature Property Owner Information Owner (s) of the property described above on the date of this application, and that I/we have read and understand Section207 of the Yankton county Zoning Ordinance. Name: James and Elizabeth Cwach Address: 4600 W City Limits rd City: Yankton State: SD Zip: 57078 Contact person: Brian Benson If the property owner is represented by an authorized agent, please provide the following: Agent Signature Planning Office Use Only: Planning Commission Date:		
Surveyor/Engineer Information This is to certify that <u>Cwach Revocable Trust</u> Firm Name: Meridian Land Surveying above on the date of this application, and that I/we have read and understand Section207 of the Yankton county Zoning Ordinance. City: Yankton State: SD Zip 57078 Contact Person: Brian Benson Owner Signature Phone: 4028604332 Owner Signature		Owner certification
Surveyor/Engineer Information Firm Name: Meridian Land Surveying Address: Owner Signature City: Yankton State: SD Phone: 4028604332 Owner Signature Property Owner Information This is to certify that Address: Gowner Signature Name: James and Elizabeth Cwach Address: 4600 W City Limits rd City: Yankton State: SD Zip: 57078 Contact Person: Brian Benson Phone: James and Elizabeth Cwach Address: 4600 W City Limits rd City: Yankton State: SD Zip: 57078 Contact person: Brian Benson If the property owner is represented by an authorized agent, please provide the following: Agent Signature	Farmstead - AG	This is to cortify that Cayach Revocable Trust
Surveyor/Engineer Information above on the date of this application, and that I/we have read and understand Section207 of the Yankton county Zoning Ordinance. Firm Name: Meridian Land Surveying Address: Owner Signature City: Yankton State: SD Phone: 4028604332 Owner Signature Property Owner Information This is to certify that acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understand Section 207 of the Yankton County Zoning Ordinance. Name: James and Elizabeth Cwach Address: 4600 W City Limits rd City: Yankton State: SD Zip: 57078 Contact person: Brian Benson If the property owner is represented by an authorized agent, please provide the following: Agent Signature Planning Office Use Only: Planning Commission Date:		the undersigned is/are the sole owner(s) of the property described
Firm Name: Meridian Land Surveying Address:	Surveyor/Engineer Information	
Address: Owner Signature City: Yankton State: SD Zip 57078 Contact Person: Brian Benson Owner Signature Phone: 4028604332 Owner Signature Property Owner Information This is to certify that acting by and through the undersigned, its duly authorized agent Name: James and Elizabeth Cwach Address: 4600 W City Limits rd City: Yankton State: SD Zip: 57078 Contact person: Brian Benson Agent Signature If the property owner is represented by an authorized agent, please provide the following: Planning Office Use Only: Planning Commission Date:		
Address: Owner Signature City: Yankton State: SD Zip 57078 Contact Person: Brian Benson Owner Signature Phone: 4028604332 Owner Signature Property Owner Information This is to certify that acting by and through the undersigned, its duly authorized agent Name: James and Elizabeth Cwach Address: 4600 W City Limits rd City: Yankton State: SD Zip: 57078 Contact person: Brian Benson Agent Signature If the property owner is represented by an authorized agent, please provide the following: Planning Office Use Only: Planning Commission Date:	Firm Name: Meridian Land Surveying	
Phone: <u>4028604332</u> This is to certify that	Addream	Owner Signature
Phone: <u>4028604332</u> This is to certify that	City: <u>Yankton</u> State: <u>SD</u> Zip 57078	Owner Signature
Property Owner Information acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understand Section 207 of the Yankton County Zoning Ordinance. Name: James and Elizabeth Cwach Address: 4600 W City Limits rd City: Yankton State: SD Zip: 57078 Contact person: Brian Benson If the property owner is represented by an authorized agent, please provide the following: Planning Office Use Only: Planning Office Use Only: Planning Commission Date:	Contact Person: Brian Benson	This is to post if a that
Property Owner Information	Phone: 4028604332	
Name: James and Elizabeth Cwach Address: 4600 W City Limits rd City: Yankton State: SD Zip: 57078 Contact person: Brian Benson If the property owner is represented by an authorized agent, please provide the following: Planning Office Use Only: Planning Office Use Only: Planning Commission Date:	Property Owner Information	
Name: James and Elizabeth Cwach Address: 4600 W City Limits rd City: Yankton State: SD Zip: 57078 Contact person: Brian Benson If the proporty owner is represented by an authorized agent, please provide the following: Planning Office Use Only: Planning Office Use Only: Planning Commission Date:	I Toperty Owner Information	
Address: 4600 W City Limits rd City: Yankton State: SD Zip: 57078 Contact person: Brian Benson If the proporty owner is represented by an authorized agent, please provide the following: Planning Office Use Only: Planning Commission Date:	Name: James and Elizabeth Cwach	
City: Yankton State: SD Zip: 57078 Agent Signature Contact person: Brian Benson If the property owner is represented by an authorized agent, please provide the following: Planning Office Use Only: Planning Commission Date:	Address: 4600 W City Limits rd	
Contact person: Brian Benson If the property owner is represented by an authorized agent, please provide the following: Planning Office Use Only: Planning Commission Date:	City: Yankton State: SD Zip: 57078	Agent Signature
following: Planning Office Use Only: Planning Commission Date:	Contact person: Brian Benson	
		Planning Office Use Only: Planning Commission Date:
Agent's name:	Agent's name:	County Commission Date:
Agents Title:	Agents Title:	

t

Some plats of subdivisions and additions may require a Perpetual Road Maintenance Agreement prior to consideration.

YANKTON COUNTY PLANNING PLAT APPROVAL CHECKLIST

In order to insure prompt approval of your plat, please follow these steps:

X Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

- ⊠ 1. All required signatures notarized (owner(s), surveyor)?
- □ 2. Taxes paid at County Treasures?
- □ 3. County Treasurer's signature?
- X 4. Ownership verified by Director of Equalization and signed?
- ☑ 5. Street authority signature (DOT, Highway, Township)?
- ☑ 6. \$100.00 Fee Paid at Zoning Office?
- X 7. Plat has been scheduled/approved by the Yankton County Planning Commission?
- □ 8. County Planning Commission Chair signature?
- □ 9. Plat has been scheduled/approved by the Yankton County Board of County Commissioners?
- □ 10. County Commission Chairs signature?
- □ 11. County Auditor's signature?
- \Box 12. Plat has been filed with the Register of Deeds?

Planning Commission date: 09/12/2023 Board of Adjustment date: 09/11/2023

UTICA PLAT R-56-W T-93-94-N CENTRAL TWP. 437th AVE WAY 153 Bernice Crew 81 303rd S Ralph Marquardt etal 81 Newt Hicks ship France Tacke Trust 237 Mary Cwach 329 Mary Cwach Natha Hicks etux 81 Trust etux 321 Cap 3 KMS Partn 80 Marquardt Family LP 6 Joseph Pauli etux 79 Ralph Marg etux 190 2 Frank Vellek LE ardt chr 356 Rober Rolfs Trust etux 196 James Stark ľ 11 1* etux 238 etus 158 11 etal 138 Marquardt amily Dilløn Barger 70 Austin Barger spar spar IT. 1 Rishard Janet Ausden LE etal 171 Gravholt Family Trust 303 Cwach 3 ames Stark etux 114 tr 157 Michael Waid 138 Frank Vellek LE etal 156 David Sternagen Sternagen David Sternh etux 149 ż Charlen Vaith 235 Larry Celmer Trust etal 441 Michael Trust 233 UTICA TOWNSHIP SECTION 1N MISSION HILL C 12 Wald 1. Siebrandt, Jacob etux 5 Michael Waid etal 155 Smith LLC 151 Heine Farms 137 Heine Farms 294 SECTION 2N 1. Kralicek, Melissa 11 David David Stern-hagen hagen etal 39 etux Vavra Family Trust 39 0 Vavra Trust 38 Trus etux 139 1. Holdahl, Robert etux 5 Frank Kralicek Jr etux Larry Celmer Trust etux 169 Rober Rolfs Trust etux 156 Frank Kralicek etux 313 Darrell Nelson 156 Robert Smith etal 156 Jason Harmelink 282 Cresce Heart LLC BRO/ WAY AVE Smith Rolfs 156 1. Grate, Leo etux 11 etal 156 Robert 83 1. Holtzmann Family Trust 16 13 Mitchell Family Frank Kralicek etux 150 Crescent Heart LLC 155 Frank Kralicel etux 156 ney Frank Kralice) etux 310 Willard Schmidt etux 249 Fam LP 140 Marlen Ahlers Janet Courtney 155 Karen Huber 156 SECTION 4N 1. Nedved, Mark 7 Mark Nelson etal 37 aner Court 1* 2 1. Larson, Robert 8 2. Brandt Trust, Merle etal Frank Kralicek etux 75 Eamily Trust Jay Batcheller etux 289 ankton Holdings 153 LLC 211 Will Eids Trus etux 165 Darrell Nelson 156 S Yankt Daniel Cwach etux 154 retux 1. NAPA 31 Toupal yurany Family Trust Trust ag Fami Trust 156 Denni Kralice etux 127 Zimmerman, Steve 20
 List Trust, Robert 18 7 Weation JUNCTION Danny Peterson 15 20 21 24 1 23 an man Jr etux Bradley Cap Stanley Cap LE etal Dennis Kralicek etux 79 Mary Cwach 79 Land & Cattle 110 Dakota Center Plains Ag LLC 187 1. Batcheller, Jay 8 Delman Nelson 1 etux L Tereno Mana Dehmar Nelson 71 Darlen Michae Cwach Leona Cap 95 David Cwach 1. Town of Utica 6 Lucas Trust L tr 30 70 Cwach 40 tr 1. Maska, Leann 5 Ionathar Rona Gall etal Cap etux 79 arlene ucas rust Wach Trust David Cwach 158 Law 148 Olivier, Curtis etux 6 Jeffrey Barkl etux 390 Properties LLP 158 Cwac 81 Loecker, Mark etux 5 Blaha, Jon etux 5 Rezac Family Trust 235 Trus etux 158 Debra etvir VanderPoel Wanda Gierhart 17 29 28 27 2630 Cwach Jr 24 1. Anthony, Craig etux 10 SECTION 7S ridge Cwach Brothers Trust 234 Delman Nelson etux 157 72 88 nneth Trus etal 107 Cap etux 156 Jeffrey Barkl etux TWP. etal 219 Juffrey Barkl etix 39 1. Philips, Timothy etux 5 35 33 ZISKOV nai 1. Christianson, David Jeffr Bark etux 40 Terry Frick 97 George Cwach etux 39 308th ST Kennet Elmer Cwach Mark Zimm etal 222 elson Nelson Family Partner 318 rman Will Eidsness Trust etux 91 1 38 Marler Ahlers Doris Black Trust 118 2. Hughes, Scott etux 13 SECTION 85 Terry Hacecky Trust Kenneth Kuchta 313 Delmar Nelson 86 202 Steven Slowey 478 Fanta, Timothy etux 9 3 32 33 35 36 man 22 urn 75 McCloud Family Trust 150 SECTION 9S 1. Rokahr, Steven 9 0 Jeffrey Barkl 163 Law tr 20 94 N T Phyllis Schwandt 75 SECTION 11S Ehres Stev Dro etux 32 2 etal 77 Wcl Wcl 1. Heceky Trust, Terrance etux 11 50 Ralph Mar-guardt tsnrto Family LP Monic Tielke 67 93 N amily illen Cwach Irust Jaclyn Lake etux 79 2. Affordable Self Storage tr Donald McDon: etux 248 Duane Zimmerman etal 11 Marle Ahlers SECTION 12N TWI rman Trust 43 Debra Marquardt Family LP 6 2 4 Rowat Invest LLC Mt Marty Hospital Assn 59 Bob Law Inc Mathe SECTION 13N Donald McDon Gary Heine etal 127 HILL 1 1. Cotton, Jeffrey etux 8 etux 230 SECTION 14S Jay Batch etux 190 MISSION F Kennet Kuchta 68 Jonna neller Yankton Medical Clinic tr 31 1* ynn 19 3th 310th S F Mark Delmar Nelson etux 59 SECTION 16N Karen Stekij 23 Bob Law Inc 136 Bob Na Au 40 Neu-mayr etal 3 1. Anstine, Rodney etux 7 SECTION 17N Diane Kaiser etal 171 Batc etux 278 Gravdahl Robert List Trust 62 Bob Law Inc 155 Schwa Trust 23 Roh tr Mary Barbara Law Trust 126 Law etux 36 1. Schenkel, Darrell etux 8 314 Linda Newell 10 Rose Ann Schw 2. Tacke, WM etux 13 SECTION 18N Gregor Stach etux 35 Bol Lav Inc 33 1 James Arens Bo La In 76 Marsi etux 30 Sandra Taggert Jan Oden Valley Health Services et 25 Albert Binder Bruce Bob Lav Inc 78 tr edicti W 11th ST YANKTON Bob Law Inc 78 tr tr tr 52 Kathr Jackm 111 Chris Barkl 35 Co LLC Ryken Legacy Land Trust 147 South Daket 64 14 18 7 1615 Patric Gary Heine USA 303 Heine Farms 267 Lakesté Park SD LLC USA 121 tr 12th LEWIS AND CLARK LAKE 312th ST RIVER Whit USA 470 Heine Farms 462 Heine Farms 233 Crane Estates tr USA 128 20 21 State of South Dakota 278 22 23 SIOL ine ms Hei Far 22 tr 27 KNOX CO., NE

1. Cap LE, Stanley etal 5 2. Cap, Robert etux 7 SECTION 19 1. Schenkel, Daniel etux 7 SECTION 20N Yankton Co 1. Sharpshooters Assn 12 2. Johnson, Michael etux 9 SECTION 21N Kralicek, Frank etux 5 **SECTION 21S** White Crane Estates 1. LLC 18 SECTION 22N 1. Taggart, William etux 9 SECTION 24 1. Marquardt, Doug 13 2. Keller, Dallas etux 10 SECTION 26 1. Barnes, David etux 7 SECTION 32 Zimmerman Trust, Henry etal 12 SECTION 33 Delozier, Darrik 6 Waddell, Edward etux 8 2.

SECTION 2S

SECTION 3N

SECTION 3S

SECTION 4S

11

SECTION 5S

SECTION 6N

SECTION 6S

SECTION 7N

SECTION 8N

etux 6

LLC8

PC 12

2.

3.

4.

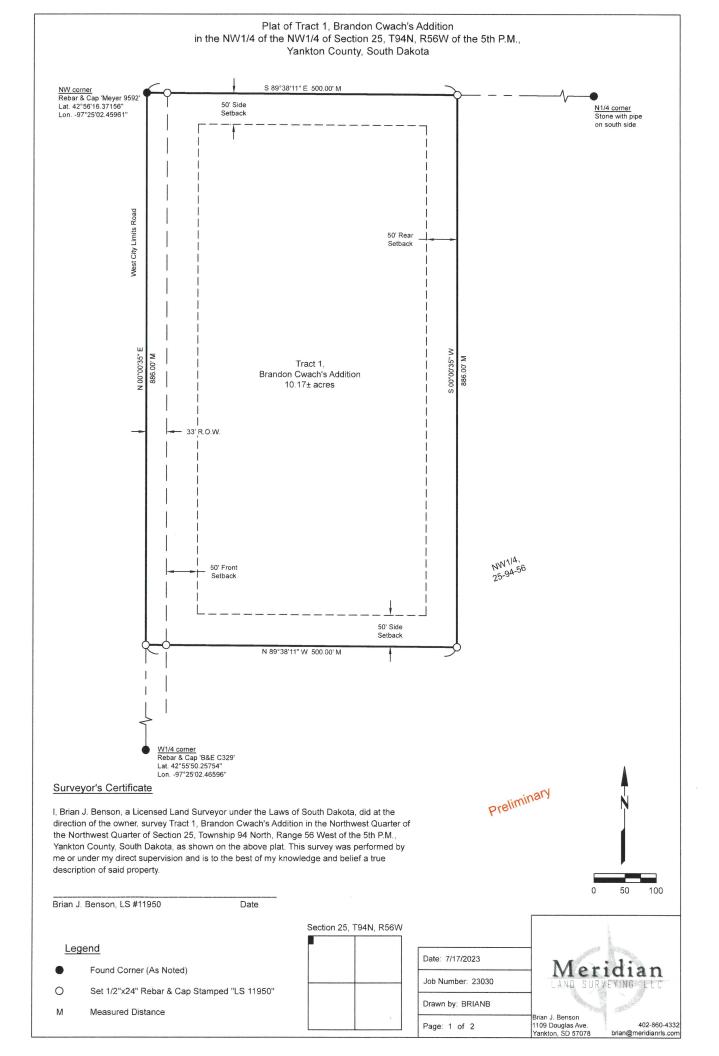
1.

1.

1.

7

SECTION 35



Plat of Tract 1, Brandon Cwach's Addition in the NW1/4 of the NW1/4 of Section 25, T94N, R56W of the 5th P.M., Yankton County, South Dakota

Owners Certificate

I, the undersigned, do hereby certify that I am the owner of the Northwest Quarter of Section 25, Township 94 North, Range 56 West of the 5th P.M., Yankton County, South Dakota; that this Plat was made at my request and under my direction for the purpose of defining and describing the property as shown by this plat and shall hereafter be known as Tract 1, Brandon Cwach's Addition in the Northwest Quarter of the Northwest Quarter of Section 25, Township 94 North, Range 56 West of the 5th P.M., Yankton County, South Dakota. The development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.

Dated this _____ day of _____, ____

James and Elisabeth Cwach Revocable Trust

State of _____

County of _____

Be it remembered that on this _____ day of _____, ____, ____, before me the undersigned, a Notary Public within and for the county and state aforesaid, personally appeared ______, known to me to be the person who is described in and who executed the within

and foregoing instrument and certificate and acknowledged to me that they executed the same.

My commission expires _____

Notary Public

Zoning Administrator

The undersigned, County Zoning Administrator of Yankton County, South Dakota, hereby certifies that this plat has been reviewed by me or my authorized agent in accordance with Section 513 (Farmstead Minimum Lot Requirements) of the Yankton County Subdivision Regulations, and does qualify as a farmstead.

Dated this _____ day of _____, 20_____

Zoning Administrator

Approval of Highway Authority

State of South Dakota County of Yankton

The location of the existing proposed access roads abutting the County or State highway as shown hereon is hereby approved. Any change in the location of the existing or proposed access shall require additional approval

Highway Authority

County Planning Commission Approval

Approval of the final plan of Tract 1, Brandon Cwach's Addition in the Northwest Quarter of the Northwest Quarter of Section 25, Township 94 North, Range 56 West of the 5th P.M., Yankton County, South Dakota, is hereby granted by the Yankton County Planning Commission on this _____ day of _____, 20____.

Chair, County Planning Commission Yankton County, South Dakota

Preliminary

County Commission Approval

I hereby certify that the final plan of Tract 1, Brandon Cwach's Addition in the Northwest Quarter of the Northwest Quarter of Section 25, Township 94 North, Range 56 West of the 5th P.M., Yankton County, South Dakota was duly submitted to the Yankton County Board of County Commissioners, and that after due consideration the Board approved said final plan at its meeting held on the ______ day of ______, 20_____.

Chairman County Commission Yankton County, South Dakota

Director of Equalization Certificate

I, the undersigned Director of Equalization of Yankton County, South Dakota, certify that I have received a copy of the foregoing plat. Dated this ______ day of ______, _____.

Director of Equalization Yankton County, South Dakota

County Auditor Certificate

I do hereby certify that the above certificate of approval is true and correct including the signature thereon.

Dated this _____ day of _____, 20____

County Auditor Yankton County, South Dakota

Treasurer Certificate

I, Treasurer of Yankton County, South Dakota, hereby certify that all taxes which are liens upon any land shown in the above plat as shown by the records of my office, have been paid in full.

Treasurer Yankton County, South Dakota

Register of Deeds

Filed for record this _____, day of _____, 20___, at ____O'clock _____M., and recorded in book _____ of plats on page _____.

Register of Deeds Yankton County, South Dakota

Date: 7/17/2023
Job Number: 23030
Drawn by: BRIANB
Page: 2 of 2



Plat Approval Application 151171 Fees Paid \$100.00

Applicant Bill Conkling Created July 17, 2023

Number 151171 Final | Plat of Tract 1, Brandon Cwach's Addition, in the NW1/4 of the NW1/4 of Section 25, T94N, R56W of the 5th P.M., Yankton County, South Dakota | James and Elizabeth Cwach Revocable Trust | 4600 W City Limits rd | 10.025.400.100 Submitted by bconkling on 7/17/2023



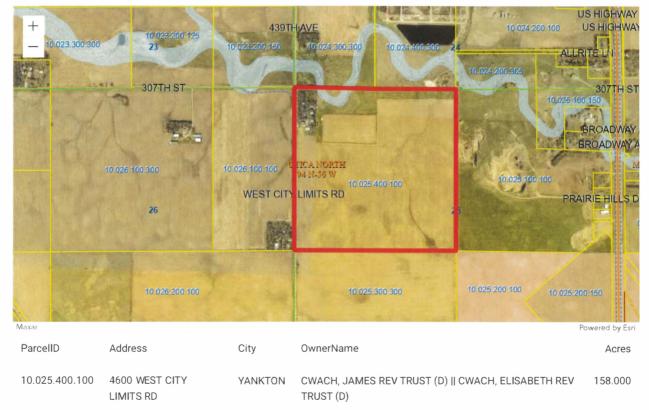
Applicant

Bill Conkling

6052604447

Bill@co.yankton.sd.us

Parcel search Completed On 7/17/2023 11:21 AM EST by bconkling



Submit Application Completed On 7/17/2023 11:27 AM EST by bconkling

Owner Certification

Owner(s)

Cwach Revocable Trust

This is to certify that the aforementioned owner(s) undersigned is/are the sole owner(s) of the property described above on the date of this application, and that I/we have read and understand Section207 of the Yankton County Zoning Ordinance.

Owner Signature

If represented by an Agent, please provide name and signature below

Agent Name

This is to certify that (Agent) acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understood Section207 of the Yankton County Zoning Ordinance.

Agent Signature

Plat Approval Items Completed On 7/18/2023 8:56 AM EST by bconkling

In order to insure prompt approval of your plat, please complete the following steps before submitting your application

Upload Copy of Plat

James Cwach Trust.pdf

Plat Approval Applicant Checklist

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

All required signatures notarized (owner(s), surveyor)?

Taxes paid at County Treasures?

County Treasurer's signature?

Requested Information Completed On 7/18/2023 1:57 PM EST by bconkling

Fee

\$100.00

Plat Type

Final

Development Information

Plat Name

Plat of Tract 1, Brandon Cwach's Addition, in the NW1/4 of the NW1/4 of Section 25, T94N, R56W of the 5th P.M., Yankton County, South Dakota

Section No:

Township No:

94

Range

56

Number of Lots/Tracts

1

Number of Acres

How is this property currently being used? Farmstead - AG

What is the proposed use of the property? Farmstead - AG

Surveyor/Engineer Information

Firm Name

Meridian Land Surveying

Address

1109 Douglas

City

Yankton

State

SD

Zip

57078

Contact Person

Brian Benson

Phone

4028604332

Property Owner Information

Owner Name

James and Elizabeth Cwach Revocable Trust

Address

4600 W City Limits rd

City

Yankton

State

SD

Zip

57078

Owner Phone

4028604332

Contact Person

Brian Benson

If the property owner is represented by an authorized agent, please provide the following:

Agent's name

Agent's Title

Plat Information

Does this lot/tract conform with Yankton County Zoning Ordinance required minimum lot sizes? Yes

What is/are the lot size(s) 10.17

Is this plat an existing farmstead Yes

If a farmstead, how may acres are surrounding it

The Yankton County Zoning Ordinance requires a variance from minimum lot sizes. Are you willing to apply for the variance, if necessary?

Yes

Is this property to have construction on it

No

If Yes:

Construction contractors Name, Address, and phone number (If applicabale)

Payment Completed On 7/19/2023 9:16 AM EST by bconkling

Fees Paid

Fee Name	Recipient		Amount
Fee	Planning and Zoning		\$100.00
Confirmation Data			
Payment Method		Check	
Confirmation Number		2123	
Amount Paid		\$100.00	

Planning Commission Review Completed On 7/19/2023 9:16 AM EST by boonkling Plat Approval Planning Commission Checklist

Please follow these steps:

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

All required signatures notarized (owner(s), surveyor)?

Taxes paid at County Treasures and County Treasurer's signature?

Ownership verified by Director of Equalization and signed?

Plat name has been approved by Register of Deeds?

Street authority signature (DOT, Highway, Township)?

\$100.00 Fee Paid at Zoning Office?

Plat has been scheduled/approved by the Yankton County Planning Commission?

Planning Commission date: 08/08/2023

Plat Approval Application (Planning Commission) Completed On 7/19/2023 9:16 AM EST by bconkling Plat Approval Application (Planning Commission) External Notes

Documents

Internal Notes

Documents

Yankton County, South Dakota

Payment number Date paid Payment method

Receipt

2123 July 19, 2023 09:16 AM Check

Paid by Bill Conkling Bill@co.yankton.sd.us

\$100.00 paid on July 19, 2023

Plat Approval Application

Application ID: 151171

DescriptionAmountFee\$100.00

Yankton County Planning Commission Yankton County Board of Adjustment

Date filed: 7/20/2023

Applicant	Jorgensen - PL	LAT	
District type: 🛛 AG	R1-Low R2-Mod	oderate R3-High C-Comm.	
LC – Lakeside Commercial RT-Rural Transitional			
Variance needed: Section 513 (4) – Existing Farmstead/Home Section 515 Section 705			
Section 715 Section 805			
	Other 605	5	
North Side/ Yard lot line:	feet or no closer than	feet to the lot line.	
East Side / Yard lot line:	feet or no closer than	feet to thelot line.	
South Side / Yard lot line:	feet or no closer tha	nanfeet to thelot line.	
West Side / Yard lot linefee	et or no closer than	feet to thelot line.	
Accessory Building Size allowed	4.		
Proposed building size:			
Proposed sidewall height:			
Affects Section:			

NOTE:

Plat of Tyler Jorgensen Addition, in the NE1/4 of the SE1/4 of Section 35, T95N, R56W of the 5th P.M., Yankton County, South Dakota (Central)

Some plats of subdivisions and additions may require a Perpetual Road Maintenance Agreement prior to consideration.

YANKTON COUNTY PLANNING PLAT APPROVAL CHECKLIST

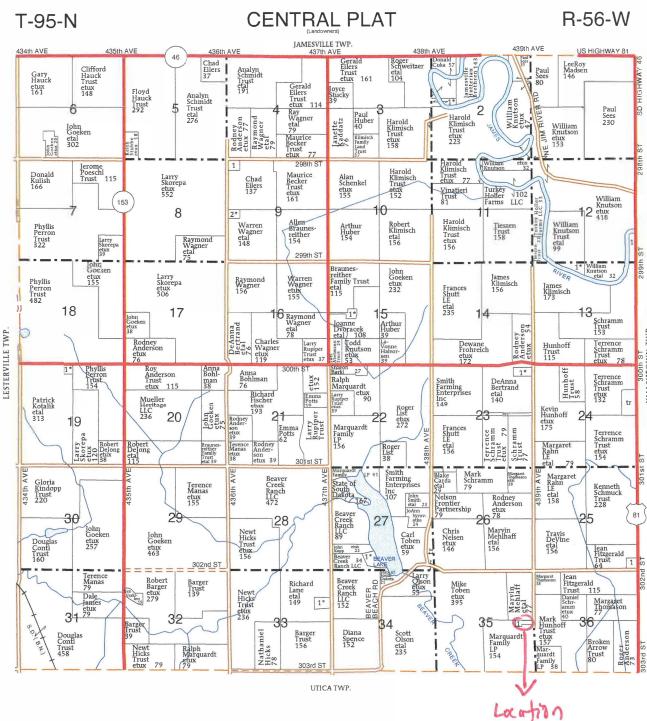
In order to insure prompt approval of your plat, please follow these steps:

X Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

- ☑ 1. All required signatures notarized (owner(s), surveyor)?
- ▲ 2. Taxes paid at County Treasures?
- Ճ 3. County Treasurer's signature?
- ☑ 4. Ownership verified by Director of Equalization and signed?
- ☑ 5. Street authority signature (DOT, Highway, Township)?
- ☑ 6. \$100.00 Fee Paid at Zoning Office?
- X 7. Plat has been scheduled/approved by the Yankton County Planning Commission?
- □ 8. County Planning Commission Chair signature?
- □ 9. Plat has been scheduled/approved by the Yankton County Board of County Commissioners?
- □ 10. County Commission Chairs signature?
- □ 11. County Auditor's signature?
- \Box 12. Plat has been filed with the Register of Deeds?

Please Check Plat Type:			
Final Amended Preliminary Revision			
Development Information			
Plat Name: Plat of Tyler Jorgensen Addition, in			
Section No: 35 Township No: 95			
Range : 56 Number of Lots/Tracts: 1			
Number of Acres: 9.97			
How is the property currently being used?AG - Farmstead			
What is the proposed use of the property?			
Surveyor/Engineer Information			
Firm Name: Brandt Land Surveying			
Address:			
Property Owner Information			
Name: Tyler Jorgensen Address: 30257 439 AVE City: Yankton State: SD Zip: 57078 Contact person: John Brandt If the property owner is represented by an authorized agent, please provide the following: Agent's name:			

	You must provide the following:						
	kton County Zoning Ordinance requires minimum lot						
sizes.							
	1.Does this lot/tract conform? XYes No						
	2. What is/are the lot size(s) 9.97						
3. Is this (plat) an existing farmstead? Yes No 4. If a farmstead, how many acres are surrounding it? 9.97 5. The Yankton County Zoning Ordinance requires a variance from							
					minimum lot sizes. Are you willing to apply for the variance, if		
				necessary? X Yes No			
6. Is this property to have construction on it? 🗌 Yes 🖾 No							
If yes :	11						
Name, a	ddress and phone number of contractor(s)						
1							
	L.						
1							
	Owner certification						
This is to							
	certify that Tyler Jorgensen						
the unde	o certify that <u>Tyler Jorgensen</u> rsigned is/are the sole owner(s) of the property described						
the under above or	o certify that <u>Tyler Jorgensen</u> rsigned is/are the sole owner(s) of the property described in the date of this application, and that I/we have read and						
the under above or	o certify that <u>Tyler Jorgensen</u> rsigned is/are the sole owner(s) of the property described						
the under above or	o certify that <u>Tyler Jorgensen</u> rsigned is/are the sole owner(s) of the property described in the date of this application, and that I/we have read and						
the under above or	o certify that <u>Tyler Jorgensen</u> rsigned is/are the sole owner(s) of the property described a the date of this application, and that I/we have read and nd Section207 of the Yankton county Zoning Ordinance.						
the under above or	o certify that <u>Tyler Jorgensen</u> rsigned is/are the sole owner(s) of the property described in the date of this application, and that I/we have read and nd Section207 of the Yankton county Zoning Ordinance.						
the under above or understan This is to	o certify that <u>Tyler Jorgensen</u> rsigned is/are the sole owner(s) of the property described in the date of this application, and that I/we have read and nd Section207 of the Yankton county Zoning Ordinance. <u>Jorgen</u> Owner Signature Owner Signature						
the under above or understan This is to acting by	o certify that <u>Tyler Jorgensen</u> rsigned is/are the sole owner(s) of the property described a the date of this application, and that I/we have read and nd Section207 of the Yankton county Zoning Ordinance. <u>Jord Marce</u> Owner Signature Owner Signature o certify thaty and through the undersigned, its duly authorized agent						
the under above or understau This is to acting by is/are the	o certify that <u>Tyler Jorgensen</u> rsigned is/are the sole owner(s) of the property described in the date of this application, and that I/we have read and nd Section207 of the Yankton county Zoning Ordinance. <u>Owner Signature</u> Owner Signature Owner Signature o certify that y and through the undersigned, its duly authorized agent e sole owner(s) of the property described above on the dat						
the under above or understau This is to acting by is/are the of this ap	o certify that <u>Tyler Jorgensen</u> rsigned is/are the sole owner(s) of the property described in the date of this application, and that I/we have read and and Section207 of the Yankton county Zoning Ordinance. <u>Owner Signature</u> Owner Signature Owner Signature o certify that y and through the undersigned, its duly authorized agent e sole owner(s) of the property described above on the dat oplication, and that I have read and understand Section 20						
the under above or understau This is to acting by is/are the of this ap	o certify that <u>Tyler Jorgensen</u> rsigned is/are the sole owner(s) of the property described in the date of this application, and that I/we have read and nd Section207 of the Yankton county Zoning Ordinance. <u>Owner Signature</u> Owner Signature Owner Signature o certify that y and through the undersigned, its duly authorized agent e sole owner(s) of the property described above on the dat						
the under above or understau This is to acting by is/are the of this ap	o certify that <u>Tyler Jorgensen</u> rsigned is/are the sole owner(s) of the property described in the date of this application, and that I/we have read and nd Section207 of the Yankton county Zoning Ordinance. <u>Owner Signature</u> Owner Signature Owner Signature o certify that y and through the undersigned, its duly authorized agent e sole owner(s) of the property described above on the dat oplication, and that I have read and understand Section 20 ankton County Zoning Ordinance.						
the under above or understau This is to acting by is/are the of this ap	o certify that <u>Tyler Jorgensen</u> rsigned is/are the sole owner(s) of the property described in the date of this application, and that I/we have read and nd Section207 of the Yankton county Zoning Ordinance. <u>Owner Signature</u> Owner Signature Owner Signature o certify that y and through the undersigned, its duly authorized agent e sole owner(s) of the property described above on the dat oplication, and that I have read and understand Section 20						
the under above or understau This is to acting by is/are the of this ap	o certify that <u>Tyler Jorgensen</u> rsigned is/are the sole owner(s) of the property described in the date of this application, and that I/we have read and nd Section207 of the Yankton county Zoning Ordinance. <u>Owner Signature</u> Owner Signature Owner Signature o certify that y and through the undersigned, its duly authorized agent e sole owner(s) of the property described above on the dat oplication, and that I have read and understand Section 20 ankton County Zoning Ordinance.						
the unde above or understa This is tr acting by is/are the of this ap of the Ya	o certify that <u>Tyler Jorgensen</u> rsigned is/are the sole owner(s) of the property described a the date of this application, and that I/we have read and nd Section207 of the Yankton county Zoning Ordinance. <u>Owner Signature</u> Owner Signature Owner Signature o certify that <u>y</u> and through the undersigned, its duly authorized agent e sole owner(s) of the property described above on the dat opplication, and that I have read and understand Section 20 ankton County Zoning Ordinance. <u>Agent Signature</u>						
the unde above or understa This is tr acting by is/are the of this ap of the Ya	o certify that <u>Tyler Jorgensen</u> rsigned is/are the sole owner(s) of the property described in the date of this application, and that I/we have read and nd Section207 of the Yankton county Zoning Ordinance. <u>Owner Signature</u> Owner Signature Owner Signature o certify that y and through the undersigned, its duly authorized agent e sole owner(s) of the property described above on the dat oplication, and that I have read and understand Section 20 ankton County Zoning Ordinance.						



CENTRAL TOWNSHIP

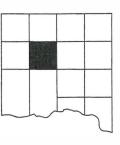
Schweitzer, Roger etal 9 SECTION 9 1. Becker-Jerred, Dawn 11 2. Wagner, Raymond etal 8

SECTION 12 1. State of South Dakota 6

SECTION 13 Knutson Trust, William etux 15 SECTION 15 Klimisch, Daniel etux 10 SECTION 19 1. Kotalik, Steven etux 5

SECTION 23 Hunhoff, Brian etux 11 Schramm Trust 5 2 SECTION 25 1. Kerr, James 8 SECTION 26 1. Lavelle, Jason 10

SECTION 27 1. List, Roger etux 18 <u>SECTION 33</u> 1. Kortan, Douglas etux 9 SECTION 35 1. Jorgensen, Tyler 6

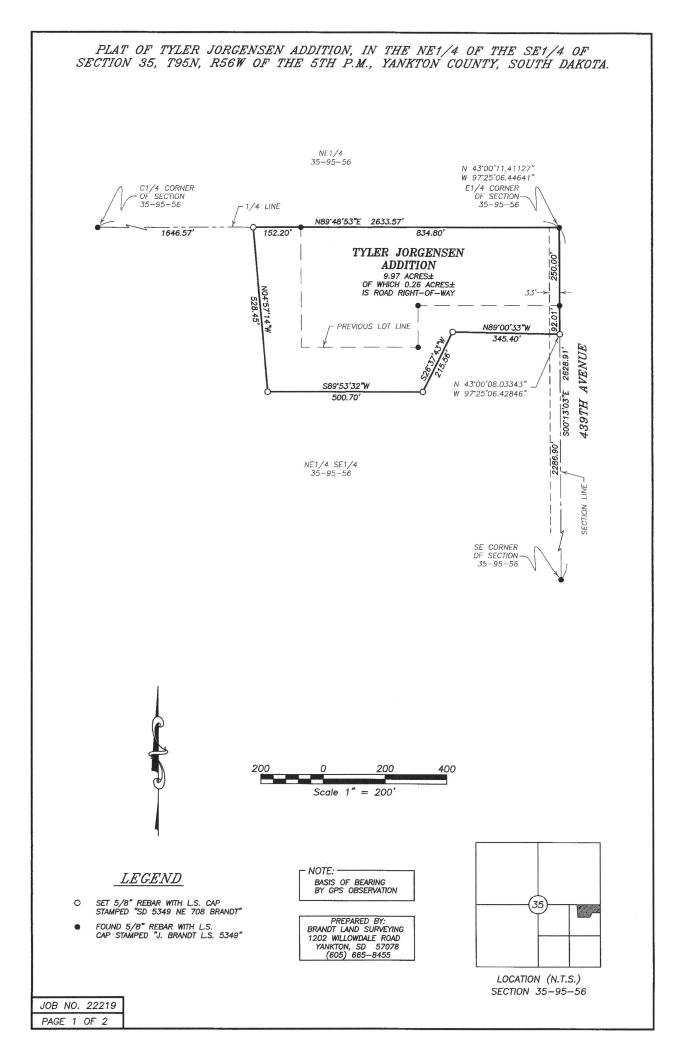


WALSHTOWN TWP

Yankton County Planning Commission Yankton County Board of Adjustment			
	v		Date filed: 7/20/2023
Applicant	Jorgensen -	PLAT	
District type: 🔀 AG	R1-Low R2-M	Moderate R3-H	ligh C-Comm.
LC –	Lakeside Commercial	🗌 RT-Rural Transi	tional
Variance needed: Section 513 (4) – Existing Farmstead/Home Section 515 Section 705			
	Section 715	Section 805	
Other 605			
North Side/ Yard lot line:	feet or no closer that	n feet to the	lot line.
East Side / Yard lot line:	feet or no closer tha	n feet to the	elot line.
South Side / Yard lot line:	feet or no closer	thanfeet to	thelot line.
West Side / Yard lot line	_feet or no closer than _	feet to the	_lot line.
Accessory Building Size allo	owed:		
Proposed building size:			
Proposed sidewall height:			
Affects Section:			

NOTE:

Plat of Tyler Jorgensen Addition, in the NE1/4 of the SE1/4 of Section 35, T95N, R56W of the 5th P.M., Yankton County, South Dakota (Central)



PLAT OF TYLER JORGENSEN ADDITION SECTION 35, T95N, R56W OF THE 5TH .	N, IN THE NE1/4 OF THE SE1/4 OF P.M., YANKTON COUNTY, SOUTH DAKOTA.
SURVEYOR'S CERTIFICATE	COUNTY PLANNING COMMISSION
I, JOHN L. BRANDT, A REGISTERED LAND SURVEYOR UNDER THE LAWS OF SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNERS, MADE A SURVEY AND PLAT OF TYLER JORGENSEN ADDITION, IN THE NE1/4 OF THE SE1/4 OF SECTION 35, T95N, R56W OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA. I HAVE SET IRON REBAR AS SHOWN AND SAID SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.	BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF YANKTON COUNTY, SOUTH DAKOTA, THAT THE ABOVE SURVEY AND PLAT IS APPROVED AND THE SAME BE CERTIFIED TO THE YANKTON COUNTY BOARD OF COUNTY COMMISSIONERS WITH THE RECOMMENDATION THAT SAID SURVEY AND PLAT BE APPROVED.
DATED THIS 12TH DAY OF JULY, 2023.	DATED THIS DAY OF , 20
JOHN L. BRANDT REG. NO. 5349	CHAIRMAN, PLANNING COMMISSION
	COUNTY_COMMISSIONER'S RESOLUTION
<u>OWNER'S CERTIFICATE</u> I, TYLER JORGENSEN, DO HEREBY CERTIFY THAT I AM THE OWNER OF A PORTION OF THE ABOVE DESCRIBED REAL PROPERTY AND THAT THE ABOVE SURVEY AND PLAT WAS MADE AT MY REQUEST AND UNDER MY DIRECTION FOR THE PURPOSE OF MARKING, PLATTING AND TRANSFER. I ALSO CERTIFY	BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF YANKTON COUNTY, SOUTH DAKOTA, THAT THE ABOVE SURVEY AND PLAT BE APPROVED AND THE COUNTY AUDITOR OF YANKTON COUNTY, SOUTH DAKOTA, IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THE RESOLUTION AND CERTIFY THE SAME.
THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS.	, <u>, , , , , , , , , , , , , , , , , , </u>
DATED THIS DAY OF , 20	CHAIRMAN, COUNTY COMMISSIONERS
TYLER JORGENSEN	I, THE UNDERSIGNED, COUNTY AUDITOR FOR YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF YANKTON COUNTY,
	SOUTH DAKOTA, AT THE REGULAR MEETING ON THE DAY OF
STATE OF	, 20
COUNTY OF	
ON THIS DAY OF, 2023, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED TYLER JORGENSEN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND WHO ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES THEREIN CONTAINED.	COUNTY AUDITOR
	APPROVAL OF HIGHWAY AUTHORITY STATE OF SOUTH DAKOTA COUNTY OF YANKTON
MY COMMISSION EXPIRES NOTARY PUBLIC	STATE OF SOUTH DAKOTA COUNTY OF YANKTON ACCESS TO 439TH AVENUE IS APPROVED. THIS ACCESS APPROVAL DOES NOT REPLACE THE NEED FOR ANY PERMITS REQUIRED BY LAW TO ESTABLISH THE PRECISE ACCESS LOCATION, INCLUDING PERMIT REQUIREMENTS SET FORTH IN ADMINISTRATIVE RULE OF SOUTH DAKOTA 70:09:01:02.
OWNER'S CERTIFICATE	
I, RALPH MARQUARDT, GENERAL PARTNER OF THE MARQUARDT FAMILY LIMITED PARTNERSHIP, DO HEREBY CERTIFY THAT THE MARQUARDT FAMILY LIMITED PARTNERSHIP IS THE OWNER OF A PORTION OF THE ABOVE DESCRIBED REAL PROPERTY AND THAT THE ABOVE SURVEY AND PLAT WAS	HIGHWAY OR STREET AUTHORITY
MADE AT MY REQUEST AND UNDER MY DIRECTION FOR THE PURPOSE OF MARKING, PLATTING AND TRANSFER. I ALSO CERTIFY THAT THE	COUNTY TREASURER'S CERTIFICATE
DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS.	I, THE UNDERSIGNED, COUNTY TREASURER FOR YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED IN THE ABOVE PLAT, AS SHOWN BY THE RECORDS OF
DATED THIS DAY OF , 20	MY OFFICE ON THE DAY OF, 20, HAVE BEEN PAID IN FULL.
RALPH MARQUARDT, GENERAL PARTNER	COUNTY TREASURER
	DIRECTOR OF EQUALIZATION
STATE OF	I, THE UNDERSIGNED, COUNTY DIRECTOR OF EQUALIZATION FOR YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT A COPY OF THE ABOVE PLAT HAS BEEN FILED AT MY OFFICE.
ON THIS DAY OF, 2023, BEFORE ME, THE	NOTE FUN THE DELIVITIED AT MI UTTILE.
UNDERSIGNED OFFICER, PERSONALLY APPEARED RALPH MARQUARDT, WHO ACKNOWLEDGED HIMSELF TO BE GENERAL PARTNER OF THE MARQUARDT FAMILY LIMITED PARTNERSHIP, AND THAT HE AS GENERAL PARTNER, BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.	DIRECTOR OF EQUALIZATION
MY COMMISSION EXPIRES NOTARY PUBLIC	REGISTER OF DEEDS
	FILED FOR RECORD THIS DAY OF, 20,
	AT O'CLOCKM., AND RECORDED IN BOOK OF PLATS ON PAGE
JOB NO. 22219	REGISTER OF DEEDS

PAGE 2 OF 2

Plat Approval Application 152464 Fees Paid \$100.00

Applicant Bill Conkling Created July 20, 2023

Parcel search Completed On 7/20/2023 11:57 AM EST by bconkling

Number 152464 Final | Plat of Tyler Jorgensen Addition, in the NE1/4 of the SE1/4 of Section 35, T95N, R56W of the 5th P.M., Yankton County, South Dakota | Tyler Jorgensen | 30257 439 AVE | 11.035.200.150 Submitted by bconkling on 7/20/2023



Applicant

Bill Conkling

6052604447

Bill@co.yankton.sd.us

 H
 1025 100 125

 1025 100 125
 405

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 125
 1025 100 125

 1025 100 1

 ParcelID
 Address
 City
 OwnerName
 Acres

 11.035.200.150
 30257 439 AVE
 YANKTON
 JORGENSEN, TYLER (D)
 5.955

Requested Information Completed On 7/20/2023 12:00 PM EST by bconkling

Fee

\$100.00

Plat Type

Final

Development Information

Plat Name

Plat of Tyler Jorgensen Addition, in the NE1/4 of the SE1/4 of Section 35, T95N, R56W of the 5th P.M., Yankton County, South Dakota

Section No:

35

Township No:

95

Range

56

Number of Lots/Tracts

1

Number of Acres

9.97

How is this property currently being used? AG - Farmstead

What is the proposed use of the property? AG - Farmstead

Surveyor/Engineer Information

Firm Name

Brandt Land Surveying

Address

1202 Willowdale Rd

City

Yankton

State

SD

John Brandt

Phone

6056658455

Property Owner Information

Owner Name

Tyler Jorgensen

Address

30257 439 AVE

City

Yankton

State

SD

Zip

57078

Owner Phone

6056658455

Contact Person

John Brandt

If the property owner is represented by an authorized agent, please provide the following:

Agent's name

Agent's Title

Plat Information

Does this lot/tract conform with Yankton County Zoning Ordinance required minimum lot sizes?

Yes

Is this plat an existing farmstead

Yes

If a farmstead, how may acres are surrounding it

9.97

The Yankton County Zoning Ordinance requires a variance from minimum lot sizes. Are you willing to apply for the variance, if necessary? Yes

Is this property to have construction on it No

If Yes:

Construction contractors Name, Address, and phone number (If applicabale)

Plat Approval Items Completed On 7/20/2023 12:49 PM EST by bconkling

In order to insure prompt approval of your plat, please complete the following steps before submitting your application

Upload Copy of Plat

Jorgensen plat.pdf

Plat Approval Applicant Checklist 0

Plat has been approved by the City of Yankton, if within the ETJ or 3 mile buffer zone?

All required signatures notarized (owner(s), surveyor)?

Taxes paid at County Treasures?

County Treasurer's signature?

Submit Application Completed On 7/20/2023 12:49 PM EST by bconkling

Owner Certification

Owner(s)

Tyler Jorgensen

This is to certify that the aforementioned owner(s) undersigned is/are the sole owner(s) of the property described above on the date of this application, and that I/we have read and understand Section207 of the Yankton County Zoning Ordinance.

Owner Signature

sa m

Owner Signature

If represented by an Agent, please provide name and signature below

Agent Name

This is to certify that (Agent) acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understood Section207 of the Yankton County Zoning Ordinance.

Agent Signature

Payment Completed On 7/27/2023 11	:03 AM EST by bconkling			
Fees Paid				VIEW RECEIPT
Fee Name	Recipient		Amount	
Fee	Planning and Zoning		\$100.00	
Confirmation Data				
Payment Method		Check		
Confirmation Number		8360		
Amount Paid		\$100.00		
Planning Commission Review	Completed On 7/27/2023 11:04 AM EST by bconkling			
Plat Approval Planning Co	ommission Checklist			
Please follow these steps:				
Plat has been approved by the City of	Yankton, if within the ETJ or 3 mile buffer zone?			
All required signatures notarized (own	er(s), surveyor)?			
Taxes paid at County Treasures and C	ounty Treasurer's signature?			
Ownership verified by Director of Equa	lization and signed?			
Plat name has been approved by Regi	ster of Deeds?			
Street authority signature (DOT, Highw	ray, Township)?			
\$100.00 Fee Paid at Zoning Office?				
Plat has been scheduled/approved by	the Yankton County Planning Commission?			

08/08/2023

Plat Approval Application (Planning Commission) Completed On 7/27/2023 11:04 AM EST by bconkling Plat Approval Application (Planning Commission) External Notes

Documents

Internal Notes

Documents

Yankton County, South Dakota

Payment number Date paid Payment method 8360 July 27, 2023 11:03 AM Check

Receipt

Paid by Bill Conkling Bill@co.yankton.sd.us

\$100.00 paid on July 27, 2023

Plat Approval Application

Application ID: 152464

Description	Amount
Fee	\$100.00

ARTICLE 29

SOLAR ENERGY CONVERSION SYSTEMS (SECS)

Section 2901 Intent and Purpose

- a. Purpose. It is the purpose of this Article to outline the requirements Yankton County has for ground-mounted solar energy conversion systems (SECS). As SECS, depending upon their size and location, can be detrimental to the preservation of the predominantly rural, agricultural character of the County, and of its important natural resources, the County requires all SECS, other than those used for domestic purposes, to apply for and receive a conditional use permit.
- b. Intent. The regulations set out in this Article are intended to address the major issues generally associated with SECS. Because issues not addressed below may be deemed significant to public health, safety or welfare but only emerge during the course of the County's review of the application for conditional use permit, applicants are encouraged to maintain close consultation with the Zoning Administrator during the preparation of the plans and other requirements of this Article.
- c. SECS placed on the rooftops of structures are not subject to the regulations of this Article.

Yankton County allows <u>domestic</u> SECS in specified zoning districts as a permitted principle use. <u>Commercial</u> SECS are allowed as conditional uses in the C – Commercial District or AG-Agricultural District. <u>Utility</u> SECS are allowed as conditional uses on land zoned C-Commercial District or AG – Agricultural District.

Definitions:

<u>Agrivoltaics</u>: The use of land for both agriculture (crop production, livestock grazing and pollinator habitat) and solar photovoltaic energy generation. This is located underneath solar panels and/or between rows of solar panels. Encouraged in C - Commercial District as well as AG – Agricultural District

<u>Concentrating Solar Thermal Devices (CST's)</u>: CSP technologies use mirrors to reflect and concentrate sunlight onto a receiver. The energy from the concentrated sunlight heats a high temperature fluid in the receiver.

<u>Solar Energy System, Building Mounted (BMSES)</u>: A device or structural design feature intended to provide for the collection, storage, and distribution of solar energy for heating or cooling, electricity generating, or water heating. The primary purpose or use of the BMSES shall be customary & clearly incidental to the principal use and only mounted to the roof or exterior sidewall of an accessory building, building, residential building, or detached building.

<u>Solar Energy System, Utility-Scale (USES)</u>: Any non-building mounted SES with the primary purpose of delivering solar energy for heating/cooling, electricity generating, or water heating and distributing energy to the end user by electric utilities or power system operators. USES can also be referred to as a Solar Farm.

<u>Solar Energy:</u> Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

<u>Solar Energy Farms</u> Solar energy farms are composed of multiple solar panels on multiple mounting systems (poles or racks), and have an alternating current (AC) rated capacity greater than fifty (50) kilowatts AC. Solar energy farms require a conditional use permit. Solar energy farms are allowed up to eight (8) megawatts AC.

<u>Solar Energy Conversion Systems:</u> (SECS) Solar energy systems are any combination of solar panels on a parcel of property. with a combined energy rated capacity not to exceed fifty (50) kilowatts AC. <u>Solar energy systems</u> ten (10) kilowatt AC and not exceeding fifty (50) kilowatts are permitted uses in all zoning districts. Solar energy systems over fifty (50) kilowatts AC in an Agricultural or Commercial District only, require a conditional use permit.

SECTION 2903 Permitted Principal Uses and Structures

- 1. Domestic SECS are allowed as principal uses in the AG, R-1, R-2, R-3, MHP, C, LC, and RT zoning districts under fifty (50) kilowatts; and per Solar Energy System, Building Mounted or Solar Energy System Utility-Scale Definitions.
 - a. Domestic SECS are encouraged to utilize vegetation under and around solar panels in order to reduce stormwater runoff.
- Ground-mounted domestic SECS are allowed as principal uses in the AG, R-1, R-2, R-3, MHP, C, LC, and RT zoning districts under fifty (50) kilowatts; and per Solar Energy System, Building Mounted or Solar Energy System Utility Scale Definitions.

Section 2905 Permitted Accessory Uses and Structures

1. Agrivoltaics in the AG and RT zoning districts.

Section 2907 Conditional Uses and Structures

- 1. Agrivoltaics in the R-1 zoning district.
- 2. Solar Energy Systems over fifty (50) Kilowatts and up to ninety-nine (99) megawatts and projects equal to or above one hundred (100) megawatts after SD Public Commission permit approval.

Section 2909 Classification of Unlisted Uses

<u>In order to ensure that the zoning ordinance will permit all similar uses in each district, the</u> Planning Commission and Board of Adjustment, upon its own initiative or upon written application, shall determine whether a use not specifically listed as a permitted, accessory, or conditional use in an Agricultural District shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed. The review shall be heard at a regular meeting of the aforementioned bodies and may be required to adhere to the notification requirements as described in Section 1803(3-5).

Section 2911 Prohibited Uses and Structures

Concentrating solar thermal devices, (CSTs) are prohibited in all zoning districts.

All uses and structures, which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Section 2909, shall be prohibited.

Section 2913 Minimum Lot Requirements

All uses and structures, which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Section 2909, shall be prohibited.

- 1. The minimum lot area shall be the lot requirements of that designated zoning district it is in;
- 2. The minimum lot width shall be the lot width of that designated zoning district it is in.
- 3. Lots of record, as defined herein, existing prior to adoption of this ordinance may be developed pursuant to Article 16 and as approved by the Zoning Administrator;

Section 2915 Minimum Yard Requirements

All yards must meet the following criteria as measured from the lot lines. This Section shall apply to all buildings and structures, including but not limited to decks and patios of that designated zoning district it is in.

Section 2917 Traffic Visibility

1. Traffic Visibility requirements will be as the designated zoning district it is in.

Section 2919 Solar Energy Systems- Commercial and Utility Performance Standards

Conditional use permit applications for commercial and utility SECS shall comply with the designated provisions.

<u>Conditional Use Permit Application Requirements.</u> The following shall be submitted for the consideration of a Solar Energy System Utility-Scale SECS Conditional Use Permit:

a. Site description SECS:

- i. The owners', managers', management company's or similar entities' name, address and telephone number.
- ii. A legal description of the site and proposed 911 address for the location.
- iii. Site diagram of all proposed solar structures and setbacks.
- iv. Site diagram of Surface water drainage patterns and utilities.
- v. Roadway Maintenance and Haul Agreement with State/County/Township authority approval. with signatures and prompt repair of any damages.

The following provisions shall apply to all solar farms/energy systems over fifty (50) kilowatts alternating current (AC).

Facility Setback Requirements. SECS shall be located no closer than the following regulations prescribe. The applicant(s) of a SECS may request the required setback to any residence other than the applicant, active church, business, or school be lessened. This request shall only be approved after the applicant obtains signed waivers from all property owners within the setback distance. Any authorized person, business or governmental entity that is within the setback distance may waive the setback distance. The written waiver(s) shall be permanently attached to the approved conditional use permit.

Facility Setback Chart	<u>Feet</u>
Residence, active church, business,	1,320
schools	
Municipalities	2,640
Residence, active church, business,	1,320
schools	
Lakes, rivers and streams	660
Right-of-way line	330
Property line delineating a change	660- 330
in ownership	
100 year flood plain	PROHIBITED

<u>Design standards.</u> The design standards and bulk regulations listed in the Agricultural (Ag) District for setbacks, lot size, lot coverage, lot area, height, and signage shall be suspended for all solar farms and the following regulations shall apply instead.

A. <u>Foundations.</u> The project's engineer or another qualified engineer shall certify that the foundation and/or design of the solar panels is within accepted professional

standards, given local soil and climate conditions.

B. <u>Road Maintenance Agreement.</u> Public Roads: Prior to commencement of construction, the permittees shall identify all state, county or township "haul roads" that will be used during the construction of the SES project and shall notify the state, county or township governing body having jurisdiction over the roads to determine if the haul roads identified are acceptable. The governmental body shall be given adequate time to inspect the haul roads prior to use of these haul roads. Where practical, existing roadways shall be used for all activities associated with the SES. Where practical, all-weather roads shall be used to deliver cement, solar collectors and components, and all other heavy components to and from the site.

- The permittees shall, prior to the use of approved haul roads, make satisfactory arrangements with the appropriate state, county or township governmental body having jurisdiction over approved haul roads for construction of the SES for the maintenance and repair of the haul roads that will be subject to extra wear and tear due to transportation of equipment and SES components. The permittees shall notify the County of such arrangements upon request of the County.
- Private Roads: The permittees shall promptly repair private roads or lanes damaged when moving equipment or when obtaining access to the site, unless otherwise negotiated with the affected landowner.

C. <u>Minimum lot size</u>. No conditional use solar farm shall be erected on any lot less than five (5) acres in size.

D. <u>Ground Cover</u>. In order to reduce soil erosion and stormwater runoff, disturbed land, and including land under and around solar panels to be covered and maintained. shall be seeded with a revegetation seed mix of native grasses and flowers.

•<u>Soil Erosion and sediment control</u>. All construction roadwork and site development work must meet national pollutant discharge elimination system (NPDES) permit requirements.

E. <u>Underground Installation of Lines</u>. All commercial and utility SECS shall install power collection lines and communication lines underground and, wherever possible, under or at the edge of the project access roads I in order to minimize soil disturbances.

Aboveground transmission lines may be utilized in public road right-of-ways or easements.

The requirements of a. above may be waived by the Board of Commissioners upon a

finding that there are existing conditions, which justify alternative, aboveground installation, and that such installation would not be averse to the public interest.

F. <u>Height</u>. Systems, equipment and structures shall not exceed twenty (20) feet in height when mounted at maximum tilt. Excluded from this height requirement, however, are electric transmission lines, communications poles, and utility poles. <u>Minimum height of three (3) feet.</u>

G. <u>Site Design requirements</u>: A detailed electrical grid, showing all connection points in a Solar Energy System and to an electrical grid.

H. <u>Endangered Species and Wetlands</u>. Applicant must submit a plan for environmental review to County and meet all South Dakota Department of Agricultural and Natural Resources and Game, Fish and Parks requirements.

I. <u>Fencing</u>. The solar energy system shall be fully enclosed and secured by a locked fence with a minimum height of six feet at the discretion of the Commission.

J.<u>Lighting</u>. If lighting is provided at the site, lighting shall be shielded and downcast such that the light does not spill onto the adjacent parcel or roadways.

K. <u>Noise</u>. Noise levels measured at the property line shall not exceed 50 decibels when located adjacent to an existing residence or residential district.

L. <u>Solar Thermal Devices</u>. Concentrating solar thermal devices, (CSTs) are prohibited in all zoning districts.

M. <u>Performance standards.</u> All solar power plants SECS must conform to the performance standards as set forth by any local, state, federal regulatory standards.

N. <u>Signage.</u> An appropriate warning sign shall be provided at the entrance to the facility and along each perimeter to the solar farm project. The sign at the entrance to the facility shall include the facilities 911 address and a 24-hour emergency contact number.

O. <u>Aviation Protection</u>. For solar energy systems located within one thousand feet (1000) feet of an airport, the applicant must meet FAA standards.

P. <u>Decommission plan</u>: A plan shall be required with conditional use application to ensure that facilities are properly removed after their useful life. Decommissioning of solar panels must occur in the event the plant is not in use for six (6) consecutive months, at this time the operating company and or land owner will have six (6) months to complete the decommission plan or the county will take the necessary steps to force decommission. The plan shall include provisions for removal of all structures (including

equipment, fencing, roads and foundations), restoration of soil and vegetation and a plan ensuring financial resources will be available to fully decommission the site. Disposal of structure and/or foundations shall meet the provisions and regulations of the South Dakota Environmental Protection Agency or the United States Environmental Protection Agency.

The plan shall also include:

Decommissioning Cost Estimate. The decommissioning plan shall include a detailed decommissioning cost estimate prepared by a professional engineer preferably with solar experience.

The applicant or its successor shall compensate the County for any third-party review and analysis by an engineer of the initial cost estimate.

The applicant or its successor shall update the decommissioning cost every five (5) years or with change of ownership adjusted for actual inflation (no less than 150% of the estimated removal cost) that may have occurred during the interval following approval of the conditional use permit and compensate the County for any review and analysis of each cost estimate revision by a professional engineer preferably with solar experience. If, as a result of each five-year (5) re-calculation, the estimated decommissioning costs increase, the facility owner will increase the Decommissioning Bond amount accordingly and provide the new Decommissioning Bond to the County. (NOTE: Landowner is ultimately responsible and could have a Lien put on property if shortage on decommissioning costs)

Notice to County. The applicant or its successor shall provide six (6) months' written notice to the Development Services Director that it intends to commence the decommissioning process.

Reduction to Financial Assurance. The amount of any bond set by Yankton County for assuring decommissioning may be reduced, at the discretion of the County, if an updated cost estimate shows a decrease from an earlier cost estimate.

Within six (6) months after the cessation of use of the SECS for electrical power generation or transmission the applicant or its successor, at its sole cost and expense, shall decommission the SECS in accordance with the decommission plan approved by the Board of County Commissioners.

If the applicant or its successors fail to decommission the SECS within six (6) months following commencement of decommissioning the County has the right, but not the obligation, to undertake decommissioning financed by the financial agreement required for a conditional use permit.

The county is granted the right to seek injunctive relief to effect and complete decommissioning, as well as to seek reimbursement from applicant or applicant successor for decommissioning costs against any real estate owned by applicant or applicant's successor, or in which they have an interest and to take all steps allowed by law to enforce said lien.

Q. <u>Liability insurance</u>: The owner operator of the solar farm shall obtain and hold a general liability policy covering bodily injury and property damage and name Yankton County as an additional insured with limits of at least two million dollars (\$2,000,000.00) per occurrence and five million dollars (\$5,000,000.00) in the aggregate with a deductible of no more than five thousand dollars (\$5,000.00). The applicant/owner must provide proof of insurance to the Yankton County Zoning Office prior to construction.

And/or

A. <u>Surety Requirements.</u> Developer will provide the County with an escrow which will be deposited and held in reserve by the County (or other surety as approved by the County States Attorney) as security for the obligations of the Developer under this contract to be performed. Said security shall be in the amount of one hundred thousand dollars (\$100,000). The County agrees it will credit interest to the Security on a monthly basis. In the event the Security is ever changed to a letter of credit, said letter of credit must meet the approval of the County States Attorney as to form and issuing bank (the issuing bank must be an FDIC/NCUA (AAA rated) insured bank located within 100 miles of Yankton County, SD), and must be available in its entirety to fulfill the obligations of the Developer under this Agreement. Any potential letter of credit to the County shall contain language requiring its automatic renewal prior to December 31 of each calendar year, unless Yankton County specifically approves cancellation of the letter of credit in writing.

R. <u>Indemnity</u>: Developer shall hold the County and its officers and employees harmless from claims made by Developer and third parties for damages sustained or costs incurred resulting from said SECS project. The Developer shall indemnify the County and its officers and employees for all costs, damages or expenses that the County may pay or incur in consequence of such claims, including attorney fees. Third parties shall have no recourse against the County under this agreement.

S. <u>Power Purchase Agreement.</u> If an applicant has an executed power purchase agreement at the time of application, the applicant shall provide with the application either such agreement, or at the applicant's discretion, an affidavit of non-confidential information regarding such agreement.

<u>Section 2920</u> Conditional Use Permit for an SECS Not Permitted if Applicant Applies for the Permit for the Purpose of Selling, Transferring, or Brokering.

The Board of Adjustment shall not grant a Conditional Use Permit for an SECS if the Applicant is applying for the Permit for the purpose of selling, transferring, or brokering the Permit.

For the purposes of this Ordinance, any sale or transfer of the Permit from the Applicant to any other person or entity within five (5) years of the date that the Permit is issued shall be considered to be prima facie evidence that such Permit was obtained for the purpose of selling, transferring or brokering the Permit. The Board of Adjustment may hear and grant exceptions to this rule in the case of unforeseen life events that may force the sale of an operation.

Any evidence that is presented by any person that any Building Permit and/or Conditional Use Permit for an SECS was sought for the purpose of selling, transferring, or brokering the Permit shall be considered by the Zoning Administrator, Planning Commission, and/or Board of Adjustment in considering a new application for Conditional Use Permit. It may be the basis for a denial or revocation of the application, building permit, and/or a conditional use permit by the Board of Adjustment.