

December 8, 2020

AGENDA

YANKTON COUNTY PLANNING COMMISSION

☐ Paul Harens
☐ Zane Williams
☐ Dan Klimisch

☐ Dennis Michael
☐ Chris Barkl
☐ Doug Hevle

☐ Kristi Schultz

7:00 P.M.

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

7:05 P.M.

Brad King – Variance

Applicant is requesting a Variance for a plat in a Rural Transitional District from 20 acres to 2.385 acres. Said property is legally described as proposed Plat of Tract 4A, DJ's Addition, Being Accretion Property Lying South of Tract 4, DJ's Addition, in Section 16, T93N, R55W, of the 5th PM, hereinafter referred to Mission Hill Township, Yankton County, South Dakota. The E911 address is TBD Eastside Drive, Yankton, SD.

Brad King - Plat

Plat of Tract 4A, DJ's Addition, Being Accretion Property Lying South of Tract 4, DJ's Addition, in Section 16, T93N, R55W, of the 5th PM, Yankton County, South Dakota.

7:10 P.M.

Phil Spady Holdings, Inc. – Conditional Use Permit

Applicant is requesting a Conditional Use Permit for Repair shop in a Lakeside Commercial District (LC) per Article 11 Section 1107 at a camper dealership. Said property is legally described as Lot 7, Thon's Addition located in the SE1/4 of the NW1/4, Section 15 T93N R56W, of the 5th PM, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 3311 Debra Blvd, Yankton, SD.

7:15 P.M.

Brian and Stephanie Wieman – Rezone

Applicant is requesting to Rezone property in a dual zone of Lakeside Commercial District (LC) and Moderate Density Rural Residential District (R2) to Moderate Density Rural Residential District (R2). Said property is legally described as Lot 1A and Lot 3 of Leona's 2nd Addition in the NW1/4 of Section 17, T93N, R56W, of the 5th PM, hereinafter referred to as Utica South Township, Yankton County, South Dakota. The E911 address is 119 Marina Bluffs Rd, Yankton, SD 57078.

7:20 P.M.

Plat

Lot 23 in Baycliffe Estates, Located in the W1/2 of the South 12.91 Acres of the S1/2 of the SW1/4 of Section 7; and in the W1/2 of the W1/2 of Section 18, lying North of Highway 52, except platted areas known as Tramp's 7th Addition, and Except Lots 1 and 2 of Parcel A, and further excepting

Parcels B and C, McVay Addition, all being in T93N, R56W, of the 5th PM, Yankton County, South Dakota

7:25 P.M.

Plat

Lot 31 in Baycliffe Estates, Located in the W1/2 of the South 12.91 Acres of the S1/2 of the SW1/4 of Section 7; and in the W1/2 of the W1/2 of Section 18, lying North of Highway 52, except platted areas known as Tramp's 7th Addition, and Except Lots 1 and 2 of Parcel A, and further excepting Parcels B and C, McVay Addition, all being in T93N, R56W, of the 5th PM, Yankton County, South Dakota

7:30 P.M.

Bruce Jensen – Petition for Review Committee Appointment

7:35 P.M.

Discussion on possible ordinance changes

Public Comment

Adjourn

MEETING (ENTITY): PLANNING COMMISSION REGULAR OR SPECIAL MEETING: Regular
DATE: 11/10/20 TIME: 7PM LOCATION: COMMISSION CHAMBERS

STAFF ATTENDANCE: Vetter

ROLL ☒ BARKL ☒ KLIMISCH ☒ MICHAEL ☒ SCHULTZ ☒ HARENS

CALL:

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

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

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

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

Conflict of Interest: None

AGENDA ITEM: **Kenneth Hausmann** - Applicant is requesting a Conditional Use Permit for an additional single family dwelling in a High Density Rural Residential District (R3) per Article 8 Section 807

ADDRESS/LEGAL: Lot 4A, Block 3, Mayer's Addition located in the NW1/4 of the SW1/4

COMMENTS:

MOTION: Motion to approve Conditional Use Permit as presented based on the fact that the county previously required the lots be put together and it's also a full acre lot and the neighbors are ½ acre and according to Section 809 classification of unlisted uses

APPROVAL: MOTION BY: Klimisch SECOND BY: Harens

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

AGENDA ITEM: **Connie Bornitz** –Applicant is requesting a Conditional Use Permit for an additional single family dwelling in a Lakeside Commercial District (LC) per Article 11 Section 1107

ADDRESS/LEGAL: Lot F-4 and Lot F-5, in Fitzgerald Park, in the SW1/4 of the NW1/4

PUBLIC Matt Evans

COMMENTS:

MOTION: Motion to approve Conditional Use Permit of single family dwelling in Lakeside Commercial District

APPROVAL: MOTION BY: Klimisch SECOND BY: Barkl

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

AGENDA ITEM: **Phil Spady Holdings Inc** –Applicant is requesting a Conditional Use Permit for Repair shop, motor vehicle in a Lakeside Commercial District (LC) per Article 11 Section 1107 at a proposed camper dealership

ADDRESS/LEGAL: Lot 2, Thon's Addition located in the SE1/4 of the NW1/4

COMMENTS: Mike Stevens spoke for Applicant

Public Comment:	Ron Thon Becky Caton
MOTION:	Motion to approve Conditional Use Permit in Lakeside Commercial District with the conditions that storm water runoff is addressed so it does not hinder or runoff to other people's property and cause damage
APPROVAL:	MOTION BY: <u>Michael</u> SECOND BY: <u>Klimisch</u>
PLANNING:	<input checked="" type="checkbox"/> BARKL <input checked="" type="checkbox"/> KLIMISCH <input checked="" type="checkbox"/> MICHAEL <input checked="" type="checkbox"/> SCHULTZ <input checked="" type="checkbox"/> HARENS
AGENDA ITEM:	Terry Fleege, Jerry Fleege, Walter Ackerman – Applicant is requesting a Variance to a proposed plat for Minimum Yard Requirements and a Variance for all existing structures that do not meet minimum yard setbacks in order to bring the lots more into compliance in a Moderate Density Rural Residential District (R2) per Article 7 Section 713 and 715
ADDRESS/LEGAL:	Proposed Lots 1, 2, 3 and 4, Frost-Todd Addition in Government Lot 2
COMMENTS:	
PUBLIC COMMENT:	Jay Cutts Brandy Beringer Ryan Heine
MOTION:	Motion to approve
APPROVAL:	MOTION BY: <u>Klimisch</u> SECOND BY: <u>Michael</u>
PLANNING:	<input checked="" type="checkbox"/> BARKL <input checked="" type="checkbox"/> KLIMISCH <input checked="" type="checkbox"/> MICHAEL <input checked="" type="checkbox"/> SCHULTZ <input checked="" type="checkbox"/> HARENS
AGENDA ITEM:	Terry Fleege, Jerry Fleege and Walter Ackerman - Plat
ADDRESS/LEGAL:	Lots 1, 2, 3 and 4, Frost-Todd Addition in Government Lot 2, Section 3 T93N R55W, of the 5 th PM, hereinafter referred to as Mission Hill South Township, County of Yankton, State of South Dakota.
COMMENTS:	
MOTION:	Move approval of plat
APPROVAL:	MOTION BY: <u>Klimisch</u> SECOND BY: <u>Harens</u>
PLANNING:	<input checked="" type="checkbox"/> BARKL <input checked="" type="checkbox"/> KLIMISCH <input checked="" type="checkbox"/> MICHAEL <input checked="" type="checkbox"/> SCHULTZ <input checked="" type="checkbox"/> HARENS
AGENDA ITEM:	Aaron Petersen – Applicant is requesting a Conditional Use Permit for a Campground, Pool and Self-Storage Warehouses in a Lakeside Commercial District (LC) per Article 11 Section 1107
ADDRESS/LEGAL:	Proposed Lot 18, Whitetail Run, in the NE1/4 of the SE1/4
COMMENTS:	

PUBLIC COMMENT:	Ryan Heine Matt Evans
MOTION:	Motion to deny Conditional Use Permit and recommend applicant comes in for Planned Unit Development
APPROVAL:	MOTION BY: <u>Klimisch</u> SECOND BY: <u>Harens</u>
PLANNING:	<input checked="" type="checkbox"/> BARKL <input checked="" type="checkbox"/> KLIMISCH <input checked="" type="checkbox"/> MICHAEL <input checked="" type="checkbox"/> SCHULTZ <input checked="" type="checkbox"/> HARENS
AGENDA ITEM:	Aaron Petersen – Applicant is requesting a Variance for minimum front yard setback from 75 feet to 6ft which is a variance of 69 feet for Self-Storage Warehouses in a Lakeside Commercial District (LC) per Article 11 Section 1115
ADDRESS/LEGAL:	Proposed Lot 18, Whitetail Run, in the NE1/4 of the SE1/4
COMMENTS:	
MOTION:	Motion to deny variance request on fact that applicant is coming back for a different process and at that time this will be address at that process
APPROVAL:	MOTION BY: <u>Michael</u> SECOND BY: <u>Barkl</u>
PLANNING:	<input checked="" type="checkbox"/> BARKL <input checked="" type="checkbox"/> KLIMISCH <input checked="" type="checkbox"/> MICHAEL <input checked="" type="checkbox"/> SCHULTZ <input checked="" type="checkbox"/> HARENS
AGENDA ITEM:	Rykens RV Park (Matt Evans) Applicant is requesting a Conditional Use Permit for a Campground and Pool in a Lakeside Commercial District (LC) per Article 11 Section 1107
ADDRESS/LEGAL:	Proposed Lot 16, Whitetail Run, in the NE1/4 of the SE1/4
COMMENTS:	
PUBLIC COMMENT:	Ryan Heine Jerry Greer Aaron Petersen
MOTION:	Move to accept conditional use permit for Rykens RV Park (Matt Evans) with the condition of a fence and locked gate around pool
APPROVAL:	MOTION BY: <u>Harens</u> SECOND BY: <u>Michael</u>
PLANNING:	<input checked="" type="checkbox"/> BARKL <input checked="" type="checkbox"/> KLIMISCH <input checked="" type="checkbox"/> MICHAEL <input checked="" type="checkbox"/> SCHULTZ <input checked="" type="checkbox"/> HARENS
AGENDA ITEM:	Bruce Jensen Petition for Review Committee Appointment and Open Meeting La
ADDRESS/LEGAL:	
COMMENTS:	Bruce Jensen not present
MOTION:	Motion to go to next agenda item
APPROVAL:	MOTION BY: <u>Klimisch</u> SECOND BY: <u>Harens</u>
PLANNING:	<input checked="" type="checkbox"/> BARKL <input checked="" type="checkbox"/> KLIMISCH <input checked="" type="checkbox"/> MICHAEL <input checked="" type="checkbox"/> SCHULTZ <input checked="" type="checkbox"/> HARENS

AGENDA ITEM: **Ordell and Shirley Oswald** - Applicant is requesting a Variance to a proposed plat for Minimum Yard Requirement of 20 acres to 9.46 acres (a variance of 10.54 acres) in order to bring the lot more into compliance in an Agriculture District (AG) per Article 5 Section 513

ADDRESS/LEGAL: proposed Oswald Tract 1A, an addition in the SW1/4

COMMENTS: Ryan Wieman spoke for applicant

MOTION: Motion to approve variance for proposed plat

APPROVAL: MOTION BY: Michael SECOND BY: Harens

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

AGENDA ITEM: **Ordell and Shirley Oswald - Plat**

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

COMMENTS:

MOTION: Motion to approve

APPROVAL: MOTION BY: Klimisch SECOND BY: Harens

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

AGENDA ITEM: Plat

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

COMMENTS:

MOTION: Move approval

APPROVAL: MOTION BY: _____ SECOND BY: _____

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

AGENDA ITEM: Plat

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

COMMENTS:

MOTION: Move approval

APPROVAL: MOTION BY: Harens SECOND BY: Michael

☒ BARKL ☒ KLIMISCH ☒ MICHAEL ☒ SCHULTZ ☒ HARENS

AGENDA ITEM:	Plat
ADDRESS/LEGAL:	Lots 16, 17, 19, 20, Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93N, 56W of the 5 th P.M., Yankton County, South Dakota, and a Replat of Lot 7, hereinafter to be known as Lot 6, Whitetail Run, in the NE1/4 of the SE1/4 of Section 16, T93 N, R56W of the 5 th PM, Yankton County, South Dakota
COMMENTS:	
MOTION:	Move approval
APPROVAL:	MOTION BY: Klimisch SECOND BY: Barkl
PLANNING:	<input checked="" type="checkbox"/> BARKL <input checked="" type="checkbox"/> KLIMISCH <input checked="" type="checkbox"/> MICHAEL <input checked="" type="checkbox"/> SCHULTZ <input checked="" type="checkbox"/> HARENS
AGENDA ITEM:	Discussion on possible ordinance changes and Article 5 Discussion
ADJOURN	Motion: Michael Second: Klimisch
PLANNING:	<input checked="" type="checkbox"/> BARKL <input checked="" type="checkbox"/> KLIMISCH <input checked="" type="checkbox"/> MICHAEL <input checked="" type="checkbox"/> SCHULTZ <input checked="" type="checkbox"/> HARENS

Yankton County Planning Commission
Yankton County Board of Adjustment

Applicant **Brad King**

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

☐ LC -- Lakeside Commercial ☒ RT-Rural Transitional

Variance needed:

☒ Section 1213 ☐ Section 515 ☐ Section 705 ☐ Section 715 ☐ Section 805

☒ Section 1807

NOTE:

Applicant is requesting a Variance to a proposed plat for Minimum Yard Requirement of 20 acres to 2.385 acres (a variance of 17.615 acres) in order to bring the lot more into compliance in a Rural Transitional District (RT) per Article 12 Section 1213. Said property is legally described as proposed Plat of Tract 4A, in DJ's Addition, Being Accretion Property Lying South of Tract 4, DJ's Addition in Section 16, T93N, R55W, of the 5th PM, hereinafter referred to as Mission Hill Township, Yankton County, South Dakota. The E911 address is TBD Eastside Drive, Yankton, SD.

PC: Article 18 Section 1807 Article 12 Section 1213
BOA: Article 19 Section 1907 Article 12 Section 1213

Planning Commission date: 11-10-20
Board of Adjustment date:

Time: 7:45 PM
Time:

Yankton County

 X Variance Conditional Use Rezoning

Owner: Darlene Jensen

Owners Address: 511 Eastside Drive, Yankton, SD

Owners Phone: 605-653-0007

Applicants Name,
if different from

Owner: Brad King

Applicants

Address: 908 Bill Baggs Rd #19, Yankton, SD

Job Address: TBD East Side Drive

Legal: Proposed Tract 4A DJS addn being accretion property Lying South of

Section,
Township, Range: 16-93-55

Zoning
Classification: RT

Affected Zoning Ordinance: Section 1807

Reason for Request: Platt smaller than 20 acres

List Specific Hardships: persuing purchasing adjoining property

SCHEDULED FOR PLANNING COMMISSION ACTION (DATE): _____

SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (DATE): _____

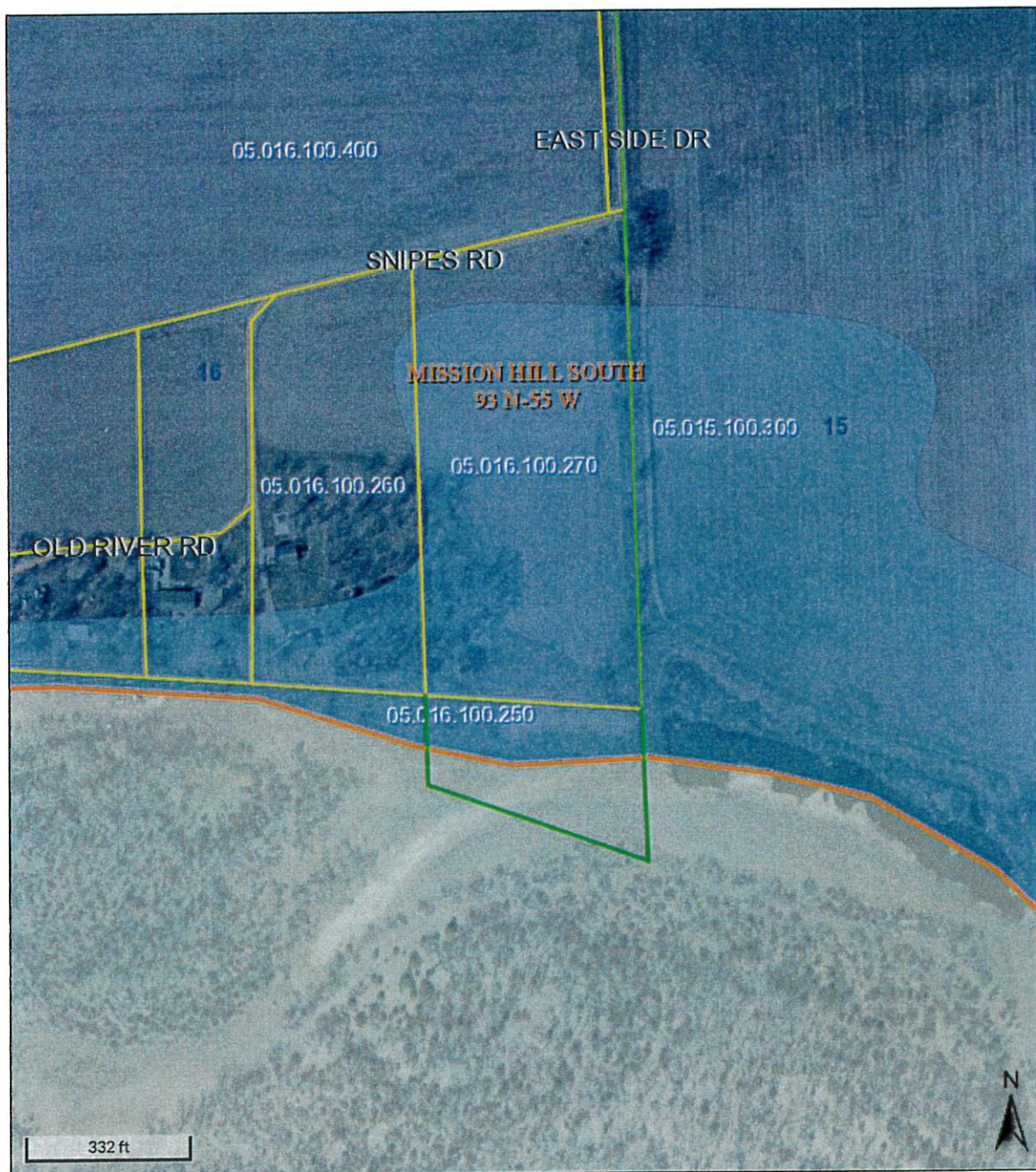
Application Fee: \$450.00 Check #: _____ Receipt #: _____

Date:

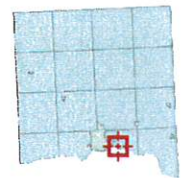
10/29/2020

Signature: _____
Brad King

Brad King



Overview



Legend

-  Townships
-  Sections
-  Parcels
-  City Limits
-  Streets and Roads
- County Zoning District**
-  <all other values>
-  COMMERCIAL
-  ETJ
-  HIGH DENSITY RESIDENTIAL
-  LAKE SIDE COMMERCIAL
-  LOW DENSITY RESIDENTIAL
-  MODERATE DENSITY RESIDENTIAL
-  PLANNED UNIT DEVELOPMENT
-  PUBLIC
-  RURAL TRANSITIONAL
- Floodplain**
-  100 YEAR FLOOD NO BFE; 100 YEAR FLOOD WITH BFE
-  500 YEAR FLOOD

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

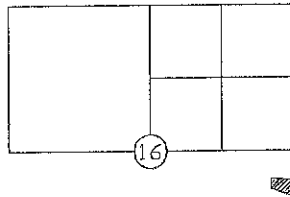
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Last Data Uploaded: 11/24/2020 8:32:23 AM

Developed by  **Schneider**
GEOSPATIAL

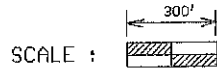
I Darlene Jensen am fine with Brad King
paying the variance on my Platt

Darlene Jensen

PLAT OF TRACT 4A, DJ'S ADDITION, BEING ACCRETION PROPERTY LYING SOUTH OF TRACT 4, DJ'S ADDITION, IN SECTION 16, T93N, R55W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA.

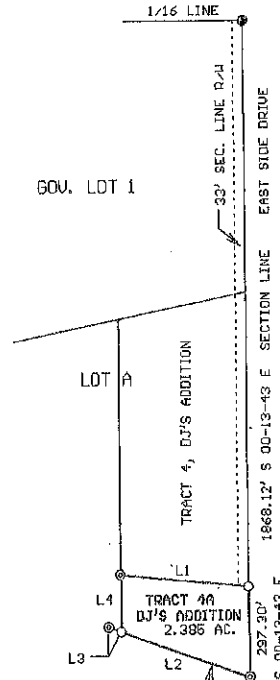
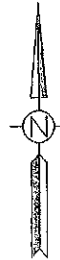


LOCATION



- ⊙ FOUND REBAR WITH CAP
- FOUND PIPE
- SET 5/8" REBAR WITH CAP STAMPED TOM WEEK LS 2912

L1 = 430.06' S 84-17-11 E
 L2 = 464.72' N 70-28-30 W
 L3 = 43.92' N 70-28-30 W
 L4 = 188.26' N 00-09-06 W



SURVEYORS CERTIFICATE

I, THOMAS LYNN WEEK, REGISTERED LAND SURVEYOR IN YANKTON, SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNER, MADE A SURVEY OF TRACT 4A, DJ'S ADDITION, BEING ACCRETION PROPERTY LYING SOUTH OF TRACT 4, DJ'S ADDITION, IN SECTION 16, T93N, R55W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA. SAID SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS 18TH. DAY OF JUNE, 2020.

Thomas Lynn Week
 THOMAS LYNN WEEK
 REGISTERED LAND SURVEYOR
 REG. NO. 2912

OWNERS CERTIFICATE

I, DARLENE M. JENSEN, DO HEREBY CERTIFY THAT I AM THE ABSOLUTE AND UNQUALIFIED OWNER OF THE ABOVE DESCRIBED REAL PROPERTY: TRACT 4A, DJ'S ADDITION, BEING ACCRETION PROPERTY LYING SOUTH OF TRACT 4, DJ'S ADDITION, IN SECTION 16, T93N, R55W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA. THAT THE ABOVE SURVEY AND PLAT WAS MADE AT MY REQUEST AND UNDER MY DIRECTION FOR THE PURPOSE OF LOCATING, MARKING AND PLATTING THE SAME, AND THAT SAID PROPERTY IS FREE FROM ALL ENCUMBRANCES. THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS.

DATED THIS 25 DAY OF June, 2020.

Darlene M. Jensen
 DARLENE M. JENSEN

STATE OF SOUTH DAKOTA
 COUNTY OF YANKTON
 ON THIS 25 DAY OF June, 2020, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED DARLENE M. JENSEN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND WHO ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.

MY COMMISSION EXPIRES 08/25/2024

Kris L. Shury
 KRIS L. SHURY
 NOTARY PUBLIC

SHEET 1 OF 2



PLAT OF TRACT 4A, DJ'S ADDITION, BEING ACCRETION PROPERTY LYING SOUTH OF TRACT 4, DJ'S ADDITION, IN SECTION 16, T93N, R55W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA.

RESOLUTION OF COUNTY PLANNING COMMISSION

BE IT RESOLVED BY THE YANKTON COUNTY PLANNING COMMISSION, THAT THE ABOVE PLAT REPRESENTING TRACT 4A, DJ'S ADDITION, BEING ACCRETION PROPERTY LYING SOUTH OF TRACT 4, DJ'S ADDITION, IN SECTION 16, T93N, R55W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA, BE AND THE SAME IS HEREBY APPROVED.

CHAIRMAN, PLANNING COMMISSION

RESOLUTION OF APPROVAL

WHEREAS, IT APPEARS THAT THE OWNER THEREOF HAS CAUSED A PLAT TO BE MADE OF THE FOLLOWING REAL PROPERTY: TRACT 4A, DJ'S ADDITION, BEING ACCRETION PROPERTY LYING SOUTH OF TRACT 4, DJ'S ADDITION, IN SECTION 16, T93N, R55W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA, AND HAS SUBMITTED SUCH PLAT TO THE COUNTY COMMISSION OF YANKTON COUNTY, SOUTH DAKOTA FOR APPROVAL. NOW THEREFORE BE IT RESOLVED, THAT SUCH PLAT HAS BEEN EXECUTED ACCORDING TO THE LAW AND SAME IS HEREBY APPROVED. THE COUNTY AUDITOR IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THIS RESOLUTION AND CERTIFY THE SAME.

I, _____, COUNTY AUDITOR OF YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF YANKTON COUNTY, SOUTH DAKOTA, ON THIS _____ DAY OF _____.

COUNTY AUDITOR

CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

CERTIFICATE OF STREET AUTHORITY

ACCESS TO THIS PLATTED LOT WILL BE FROM THE SECTION LINE ROAD. ANY CHANGE IN THE EXISTING ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

DATED THIS _____ DAY OF _____,

TOWNSHIP/COUNTY AUTHORITY

RESOLUTION BY THE CITY COMMISSION

WHEREAS, IT APPEARS THAT THE OWNER THEREOF HAS CAUSED A PLAT TO BE MADE OF THE FOLLOWING REAL PROPERTY: TRACT 4A, DJ'S ADDITION, BEING ACCRETION PROPERTY LYING SOUTH OF TRACT 4, DJ'S ADDITION, IN SECTION 16, T93N, R55W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA, AND HAS SUBMITTED SUCH PLAT TO THE CITY COMMISSION OF THE CITY OF YANKTON, SOUTH DAKOTA FOR APPROVAL; AND

WHEREAS, SUCH PLAT HAS BEEN SUBMITTED TO THE PLANNING COMMISSION OF THE CITY OF YANKTON, SOUTH DAKOTA FOR A REPORT AND RECOMMENDATIONS THEREON TO THE CITY COMMISSION AS REQUIRED BY LAW; NOW

THEREFORE BE IT RESOLVED, THAT SUCH PLAT HAS BEEN EXECUTED ACCORDING TO THE LAW AND SAME IS HEREBY APPROVED. THE CITY FINANCE OFFICER IS AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THIS RESOLUTION AND CERTIFY THE SAME.

MAYOR, CITY OF YANKTON, SOUTH DAKOTA

I, AL VIERECK, CITY FINANCE OFFICER OF THE CITY OF YANKTON, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE COPY OF THE RESOLUTION PASSED BY THE CITY OF YANKTON, SOUTH DAKOTA, ON THIS 27 DAY OF JULY, 2020.

CITY FINANCE OFFICER, YANKTON, SOUTH DAKOTA

DIRECTOR OF EQUALIZATION CERTIFICATE

THE UNDERSIGNED, COUNTY DIRECTOR OF EQUALIZATION OF YANKTON COUNTY, SOUTH DAKOTA, HEREBY CERTIFIES THAT SHE HAS RECEIVED A COPY OF THE FOREGOING PLAT. DATED THIS 10 DAY OF November, 2020.

DIRECTOR OF EQUALIZATION, YANKTON COUNTY, S.D.

TREASURER CERTIFICATE

THE UNDERSIGNED, COUNTY TREASURER OF YANKTON COUNTY, SOUTH DAKOTA, HEREBY CERTIFIES THAT ALL TAXES WHICH ARE LIEN UPON ANY LAND INCLUDED IN THE ABOVE PLAT, AS SHOWN BY THE RECORDS OF THIS OFFICE, HAVE BEEN PAID. DATED THIS _____ DAY OF _____.

TREASURER, YANKTON COUNTY, S.D.

REGISTER OF DEEDS CERTIFICATE

THE UNDERSIGNED, REGISTER OF DEEDS, YANKTON COUNTY, SOUTH DAKOTA, HEREBY CERTIFIES THAT THE ORIGINAL PLAT WAS FILED FOR RECORD THIS _____ DAY OF _____, _____ O'CLOCK _____ M., AND DULY RECORDED IN BOOK _____, PAGE _____.

PREPARED BY: TOM WEEK
407 REGAL DRIVE
YANKTON, SOUTH DAKOTA 57078
605-665-8333

REGISTER OF DEEDS, YANKTON COUNTY, S.D.

FINDINGS OF FACT – VARIANCE

Brad King – Var-20-29

Are the requirements of Section 1723 met? (signed by owner unless there is a binding purchase agreement then signed by applicant, Variance accompanied by building permit (if applicable), site plan included with building permit,	Yes
Are the requirements of Section 1729 met? (all fees paid at time of application)	Yes
Section 1807:	
1. A. The strict application of the ordinance would produce undue hardship;	Applicant is requesting a Variance of the Minimum Lot Requirement from 20 acres to 2.385 acres in an Rural Transitional District
B. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity;	
C. The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the grant of the variance; and	
D. The granting of such variance is based upon reasons of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit, and caprice.	
2. No variance shall be recommended for approval unless the Planning Commission finds the condition or situation of the property concerning or the intended use of the property concerned, or the intended use of the property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment of this ordinance.	
3. A. A written application for a variance is submitted demonstrating that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings, in the same district;	
B. The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance;	
C. The special conditions and circumstances do not result	

from the actions of the applicant; and	
D. The granting of the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structure, or buildings in the same district.	
E. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.	
F. Notice of public hearing shall be given, as in Section 1803 (3-5).	
G. The public hearing shall be held. Any party may appear in person for by agent or by attorney.	Public hearing –
H. The Planning Commission shall make findings that the requirements of this Section have been met by the applicant for a variance; the Commission shall further make a finding that the reasons set forth in the application justify the recommendation of granting the variance, and the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure; the Planning Commission shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.	
I. In recommending approval of any variance, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with this ordinance.	Motion to
J. Under no circumstances shall the Planning Commission recommend granting a variance to allow a use not permissible under the terms of this ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this ordinance in said district.	

AFFIDAVIT OF MAILING

I, Brad King, hereby certify that on the 24 day of 11, 2020, I mailed by first class mail, postage prepaid, a true and correct copy of the Notice of Public Hearing to all owners of real property lying within a 1,320 feet radius of the proposed project to the most recent address of the recipient known to your Affiant.

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

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

Dated the 24 day of 11, 2020.

Brad King

(Name)

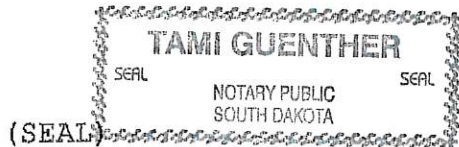
Affiant

Subscribed and sworn to before me this 24 day of November, 2020.

Tami Guenther

Notary Public - South Dakota

My commission expires: 10.4.23



NOTIFICATION

November 28, 2020

Brad King
908 Bill Baggs Rd #19
Yankton, SD 57078

Dear Yankton County Property Owner:

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, at 7:10 P.M. on the 8th day of December, 2020, at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Variance for a plat in a Rural Transitional District from 20 acres to 2.385 acres. Said property is legally described as proposed Plat of Tract 4A, DJ's Addition, Being Accretion Property Lying South of Tract 4, DJ's Addition, in Section 16, T93N, R55W, of the 5th PM, hereinafter referred to Mission Hill Township, Yankton County, South Dakota. The E911 address is TBD Eastside Drive, Yankton, SD.

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

Sincerely,

Brad King
Petitioner

C&C HAULING & CONSTRUCTION INC (D)
2300 WILLOWDALE RD
YANKTON SD 57078

EAGLE VENTURE PROPERTIES LLC (D)
PO BOX 711
YANKTON SD 57078

GULLIKSON, GREGORY (D)
3102 MISSOURI VALLEY DR
YANKTON SD 57078

HUNTLEY, CHARLES (D)
2015 GREEN ST #123
YANKTON SD 57078

JENSEN, DARLENE M (D)
511 EASTSIDE DR
YANKTON SD 57078

JOHNSON, MERTON (D)
PO BOX 32
WALKER IA 52352

KAISER, DONALD J (D)
3104 MISSOURI VALLEY DR
YANKTON SD 57078

KING, BRAD (D)
908 BILL BAGGS RD #19
YANKTON SD 57078

KNEIP, RONALD J REV LIV TRUST (D)
1380 TURNBERRY AVE
LE MARS IA 51031

LARRINGTON, THOMAS J (D)
406 SNIPE'S RD
YANKTON SD 57078

LLEWELLYN, KRIS (D)
3109 OLD RIVER RD
YANKTON SD 57078

NELSON, DOMINIC AUBREY (D)
801 EAST SIDE DR
YANKTON SD 57078

POSCH, THOMAS (D)
234 MARINA DELL AVE
YANKTON SD 57078

ROBINSON, CARMEN (D)
3106 MISSOURI VALLEY DR
YANKTON SD 57078

SOTELO-ZAGAL, JUAN ANTONIO (D)
3205 MISSOURI VALLEY DR
YANKTON SD 57078

WENZLAFF, RODGER (D)
805 EAST SIDE DR
YANKTON SD 57078

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NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, at 7:15 P.M. on the 8th day of December, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting to Rezone property in a dual zone of Lakeside Commercial District (LC) and Moderate Density Rural Residential District (R2) to Moderate Density Rural Residential District (R2). Said property is legally described as Lot 1A and Lot 3 of Leona's 2nd Addition in the NW1/4 of Section 17, T93N, R56W, of the 5th PM, hereinafter referred to as Utica South Township, Yankton County, South Dakota. The E911 address is 119 Marina Bluffs Rd, Yankton, SD 57078.

Yankton County Planning Commission
Yankton County Board of Adjustment

Applicant

Phil Spady

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

☒ LC – Lakeside Commercial ☐ RT-Rural Transitional

CUP needed:

☐ Section 507 ☐ Section 607 ☐ Section 707 ☒ Section 1107

☒ Section 1805 ☐ Section 1905

NOTE:

Conditional Use Permit

Applicant is requesting a Conditional Use Permit for Repair shop, motor vehicle in a Lakeside Commercial District (LC) per Article 11 Section 1107 at a proposed camper dealership. Said property is legally described as Lot 7, Thon's Addition located in the SE1/4 of the NW1/4, Section 15 T93N R56W, of the 5th PM, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 3311 Debra Blvd, Yankton, SD.

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

Planning Commission date: 12-08-20
Board of Adjustment date:

Time: 7:10 PM
Time:

Yankton County

 Variance X Conditional Use Rezoning

Owner: Mariah Nelson

Owners Address: 55091 Winchester Drive Crofton, NE 68730

Owners Phone: 4022702316

Applicants Name,
if different from
Owner: Gavins Point Recreational Center LLC

Applicants
Address: 3311 Debra Blvd Yankton, SD 57078

Job Address: 3311 Debra Blvd

Legal: LT 7 THON'S ADDN SE4 NW4

Section,
Township, Range: 15-93-56

Zoning
Classification: LC

Affected Zoning
Ordinance: Section 1107

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

List Specific
Hardships:

SCHEDULED FOR PLANNING COMMISSION ACTION (DATE):

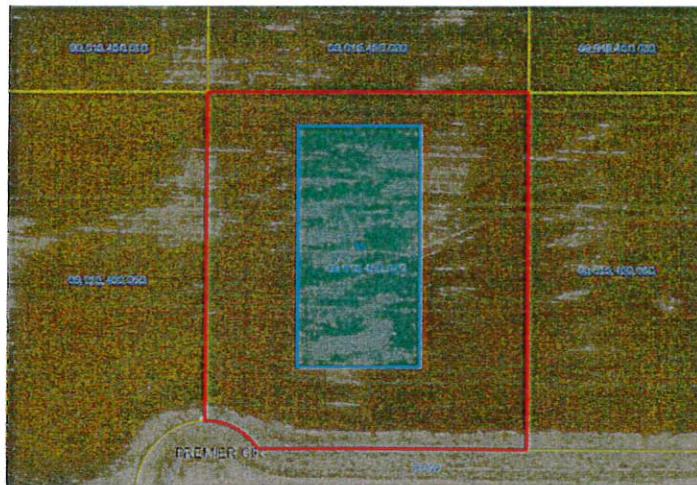
SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (DATE):

Application Fee: \$300.00 Check #: New Checking Receipt #:

Signature:  Date: 11/20/2020

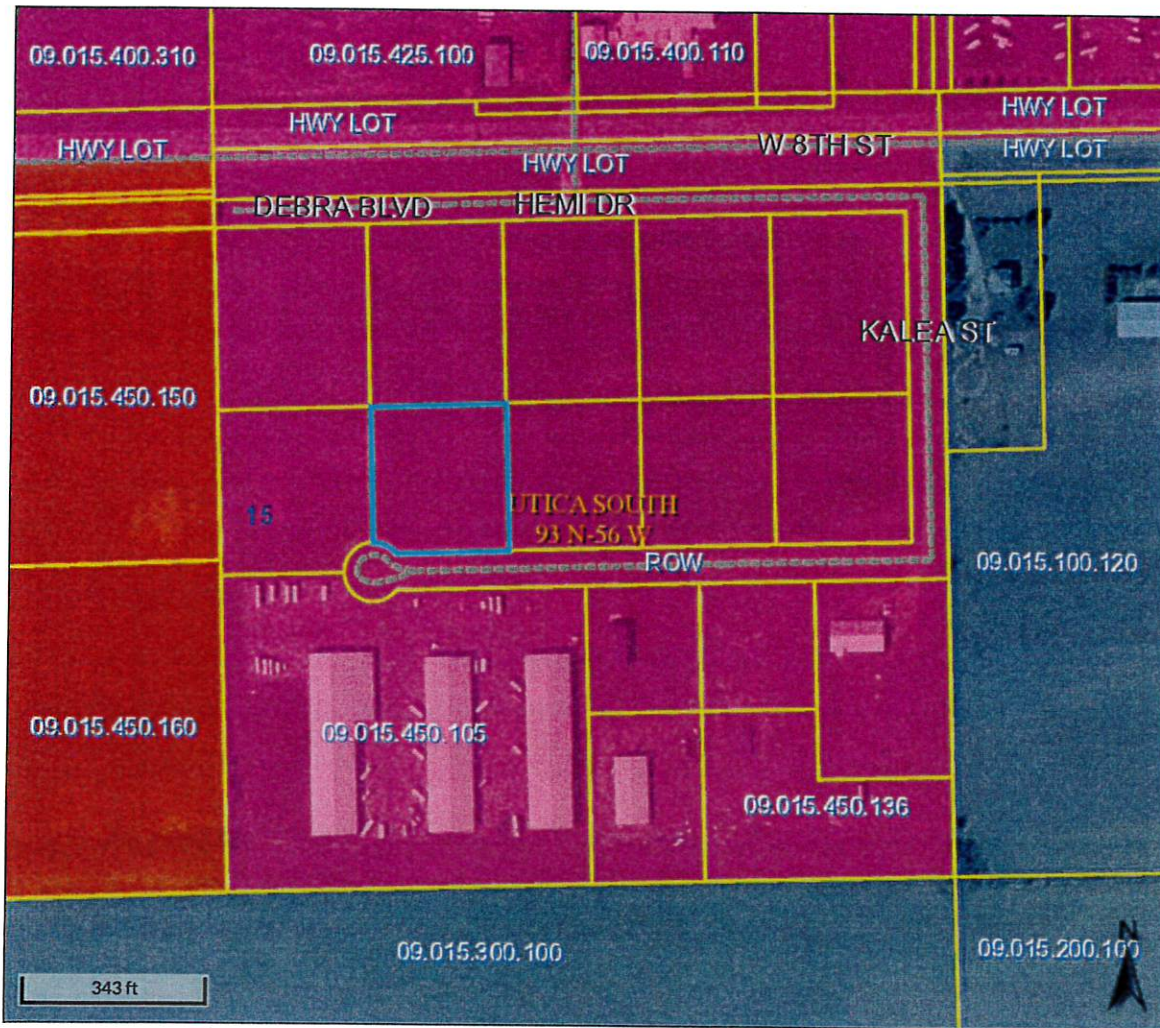
Gavins Point Recreational

Site Map

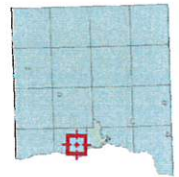


Parcel Number: 09.015.450.070

Site Description:



Overview



Legend

-  Townships
-  Sections
-  Parcels
-  City Limits
-  Streets and Roads
- County Zoning District**
 -  <all other values>
 -  COMMERCIAL
 -  ETJ
 -  HIGH DENSITY RESIDENTIAL
 -  LAKE SIDE COMMERCIAL
 -  LOW DENSITY RESIDENTIAL
 -  MODERATE DENSITY RESIDENTIAL
 -  PLANNED UNIT DEVELOPMENT
 -  PUBLIC
 -  RURAL TRANSITIONAL
- Floodplain**
 -  100 YEAR FLOOD NO BFE; 100 YEAR FLOOD WITH BFE
 -  500 YEAR FLOOD

Parcel ID - 09.015.450.070

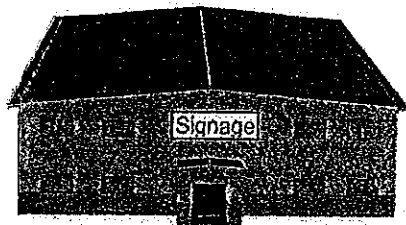
Owner - PHIL SPADY CHRYSLER-JEEP-DODGE (D)

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

Date created: 11/24/2020

Last Data Uploaded: 11/24/2020 8:32:23 AM

Developed by  **Schneider**
GEOSPATIAL



Signage

Signage

Signage

Signage

Signage

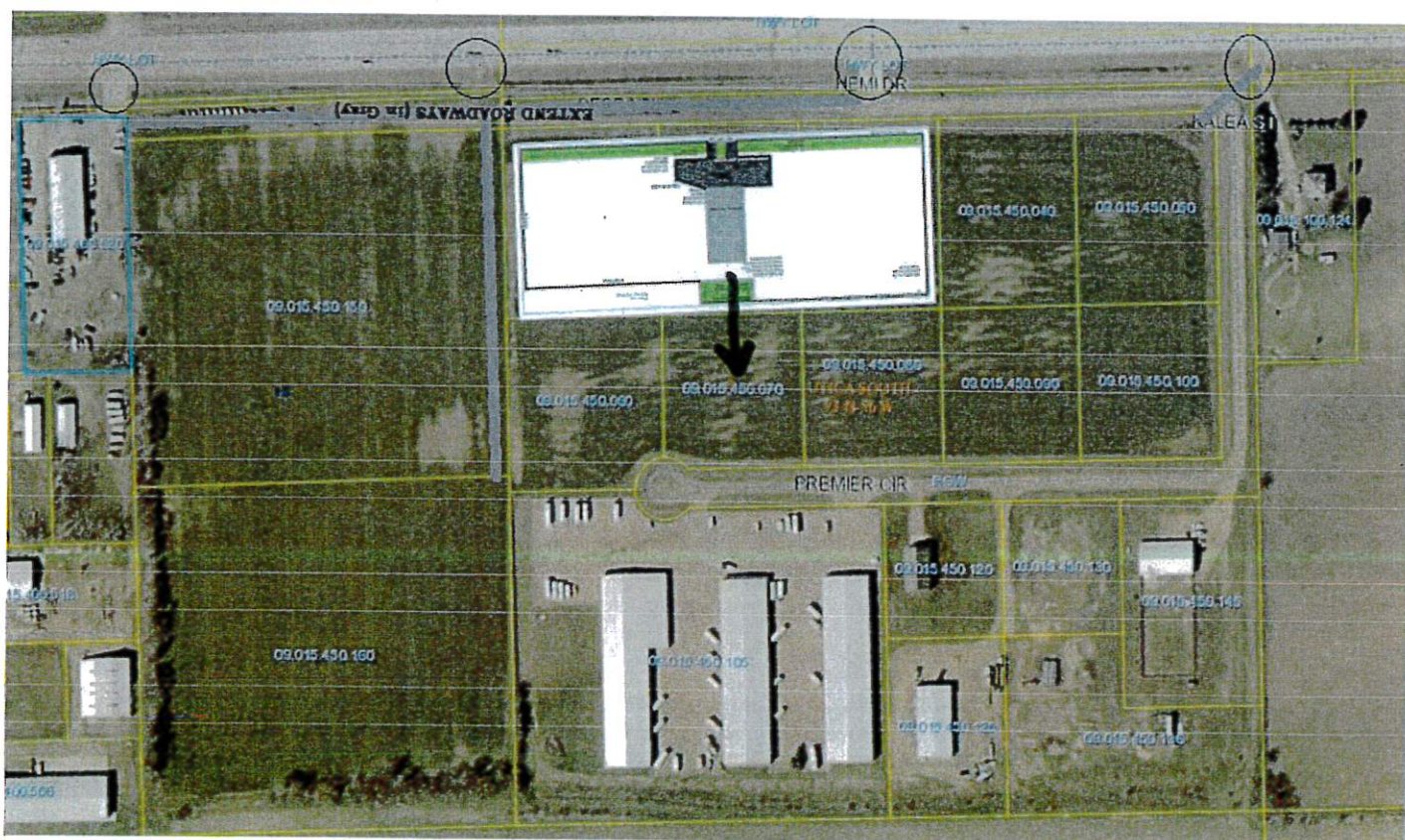
Signage

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Signage



FINDINGS OF FACT – CONDITIONAL USE PERMIT

Phil Spady – CUP-2020-30

Are the requirements of Section 1723 met? (signed by owner unless there is a binding purchase agreement then signed by applicant, Variance accompanied by building permit (if applicable), site plan included with building permit,	Yes
Are the requirements of Section 1729 met? (all fees paid at time of application)	Yes
Section 1805:	
1. Did you specifically cite, in the application, the section of the Ordinance under which the conditional use is sought and state the grounds on which it is requested	Applicant is requesting a Conditional Use Permit for Repair shop, motor vehicle in a Lakeside Commercial District (LC) per Article 11 Section 1107 at a proposed camper dealership
2. Was notice of public hearing given per Section 1803 (3-5)?	
3. Attend the public hearing	
4. Planning Commission: Make a recommendation to include: a. Granting of conditional use; b. Granting with conditions; or c. Denial of conditional use	
5. Planning Commission must make written findings certifying compliance with specific rules including: a. Ingress and Egress to proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe:	
b. Off right-of-way parking and loading areas where required; with particular attention to the items in (A) above and the economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district;	
c. Refuse and service areas, with particular reference to the items in (A) and (B) above;	
d. Utilities, with reference to locations, availability, and compatibility;	
e. Screening and buffering with reference to type, dimensions, and character;	
f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect;	
g. Required yards and other open spaces; and	
h. General compatibility with adjacent properties and other property in the district and that the granting of the conditional	

NOTIFICATION

November 28, 2020

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

Dear Yankton County Property Owner:

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, at 7:15 P.M. on the 8th day of November, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Conditional Use Permit for Repair shop in a Lakeside Commercial District (LC) per Article 11 Section 1107 at a camper dealership. Said property is legally described as Lot 7, Thon's Addition located in the SE1/4 of the NW1/4, Section 15 T93N R56W, of the 5th PM, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 3311 Debra Blvd, Yankton, SD.

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

Sincerely,

Phil Spady Holdings, Inc.
Petitioners

AFFIDAVIT OF MAILING

I, Mariah Nelson, hereby certify that on the 24 day of November, 2020, I mailed by first class mail, postage prepaid, a true and correct copy of the Notice of Public Hearing to all owners of real property lying within a 1,320 feet radius of the proposed project to the most recent address of the recipient known to your Affiant.

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

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

Dated the 24 day of November, 2020.

Mariah Nelson

(Name)

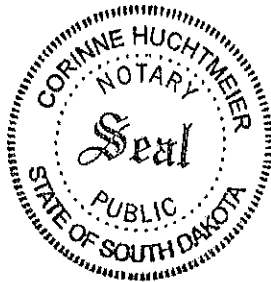
Affiant

Subscribed and sworn to before me this 24 day of November, 2020.

Corinne Huchtmeier
Notary Public - South Dakota

My commission expires: 5/29/2023

(SEAL)



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

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

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

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

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

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

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

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

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

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

HEINE FARMS (D)
PO BOX 477
YANKTON SD 57078

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SPRINGWATER LLC (D)
263 KNIEST AVE
YANKTON SD 57078

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

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

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

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

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Yankton County Planning Commission
Yankton County Board of Adjustment

Applicant

Stephanie and Brian Wieman – Rezone

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

☒ LC – Lakeside Commercial ☐ RT-Rural Transitional

Variance needed:

☐ Section 513 ☐ Section 607 ☐ Section 705 ☐ Section 1709 ☐ Section 1723

☒ Section 1809

NOTE:

Applicant is requesting to rezone a Moderate Density Rural Residential District (R2) and Lakeside Commercial District (LC) to a Moderate Density Rural Residential District (R2).

PC: Article 18 Section 1809

BOA: Article 18 Section 1809

Planning Commission date: 09-08-20

Time: 7:15 PM

Board of Adjustment date: 10-06-20 and 10-20-20

Time: 7:15 PM and 7:05 PM

Yankton County

Variance

Conditional Use

X

Rezoning

Owner: Brian and Stephanie Wieman

Owners Address: 119 Marina Bluffs Road

Owners Phone: (605)660-0985

Applicants Name,
if different from

Owner: Brian and Stephanie Wieman

Applicants

Address: 119 Marina Bluffs Road

Job Address: 119 MARINA BLUFFS RD

Legal: LOT 3 LEONA'S 2ND ADDN NW4

Section,
Township, Range: 17-93-56

Zoning
Classification: LC

Affected Zoning Ordinance:

Reason for Residential Home Request:

List Specific Hardships: This is our primary residence, and it is zoned commercial. We would like to rezone according to it's current use.

SCHEDULED FOR PLANNING COMMISSION ACTION (DATE):

SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (DATE):

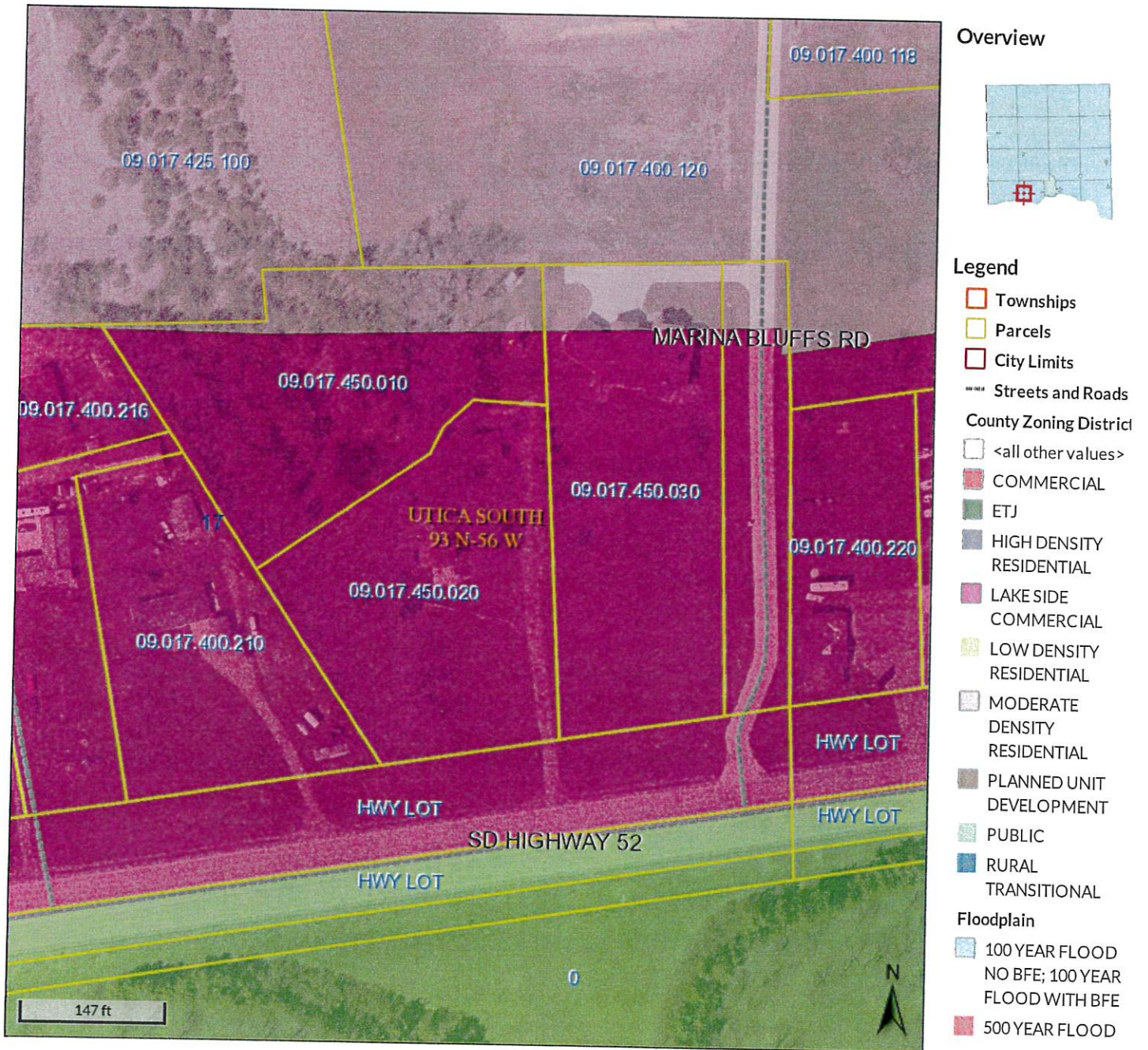
Application Fee: \$450.00 Check #: 4935 Receipt #: 5348

Date:

11/16/2020

Signature:

Brian and Stephanie Wieman



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

Date created: 11/24/2020
Last Data Uploaded: 11/24/2020 8:32:23 AM

Developed by  **Schneider**
GEOSPATIAL

FINDINGS OF FACT – REZONE

Brian and Stephanie Wieman – REZ-2020-28 and Ordinance 20-29

Are the requirements of Section 1723 met?	Yes
Are the requirements of Section 1729 met? (all fees paid at time of application)	Yes
Section 1809:	
1. All documents required for application for said request have been satisfactorily completed and all required fees have been paid in full.	Yes
2. The individual petitioner provides a completed amendment or change in zone request. Said request must clearly state: <ul style="list-style-type: none"> a. Special conditions and circumstances exist which require the land to be rezoned; b. The special conditions and circumstances do not result from the actions of the applicant; and c. The granting of the amendment or change in zoning will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structure, or buildings in the area. 	Currently a dual zoned property of Lakeside Commercial District LC and R2 Moderate Density. Surrounded by LC and R2, but use is Residential
3. Notice of public hearing shall be given, as in Section 1803 (3-5).	
4. The public hearing shall be held. Any party may appear in person or by agent or attorney.	
5. The Planning Commission shall make findings that the requirements of this Section have been met by the applicant for an amendment or change in zone, to include: <ul style="list-style-type: none"> a. The reasons set forth in the application justify a recommendation to approve the amendment or change in zone; 	
<ul style="list-style-type: none"> b. The amendment or change in zone will make possible the reasonable use of the land, building, or structure; 	
<ul style="list-style-type: none"> c. A recommendation to grant the amendment or change in zone will be in harmony with the general purpose and intent of this ordinance; and 	
<ul style="list-style-type: none"> d. A recommendation of approval will not be injurious to the neighborhood, or otherwise detrimental to the public 	

welfare as presented and testified to by the applicant.

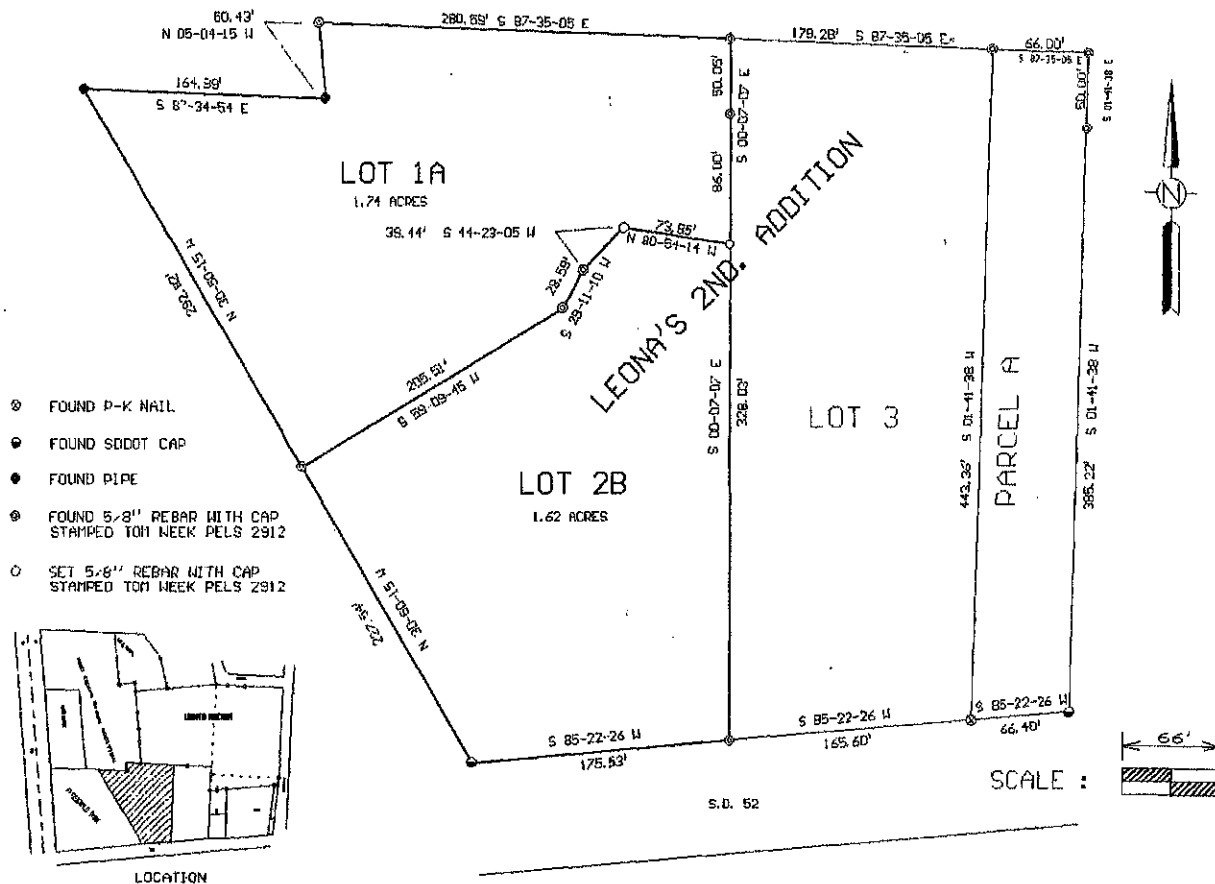
6. No petition for amendment or change in zone shall be recommended for approval unless the Planning Commission finds that the condition, situation or the intended use of the property concerned is unique, required, or necessary as to make reasonably practicable the amendment or change in zone.

7. Before any amendment or petition for rezoning is recommended for approval, the Planning Commission shall make written findings certifying compliance with:

- a. The Comprehensive Plan;
- b. Specific rules governing land uses;
- c. Zoning district regulations; and
- d. Satisfactory provision and arrangement has been made concerning the following, where applicable:

1. Certification of compliance with all ordinances and regulations regarding licensing and zoning, health, plumbing, electrical, building, fire prevention, and all other applicable ordinances and regulations;
2. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
3. Off right-of-way parking and loading areas where required; with particular attention to the items in (A) above and the economic, noise, glare or odor effects of the amendment or rezone on adjoining properties and properties generally in the district;
4. Refuse and service areas, with particular reference to the items in (A) and (B) above;
5. Utilities, with reference to locations, availability, and compatibility;
6. Screening and buffering with reference to type, dimensions, and character;
7. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the

<p>district;</p> <p>8. Required yards and other open spaces; and</p> <p>9. General compatibility with adjacent properties and other property in the district.</p>	
<p>8. In recommending approval of any petition for amendment or change in zone, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with this ordinance.</p>	



SURVEYORS CERTIFICATE

I, THOMAS LYNN WEEK, REGISTERED LAND SURVEYOR IN YANKTON, SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNER, MADE A SURVEY OF LOT 1A AND LOT 2B, BEING A REPLAT OF LOT 1 AND LOT 2 OF LEONA'S 2ND. ADDITION, IN THE N.W.1/4 OF SECTION 17, T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA. I HAVE SET IRON PINS AS SHOWN, AND SAID SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS 27TH. DAY OF MAY, 2014.

Thomas Lynn Week
THOMAS LYNN WEEK
REGISTERED LAND SURVEYOR
REG. NO. 2912

OWNERS CERTIFICATE

I, JOHN R. KABEISEMAN, JR., AS TRUSTEE OF THE LEONA M. KABEISEMAN REVOCABLE TRUST DATED DECEMBER 8, 2010, DO HEREBY CERTIFY THAT THE LEONA M. KABEISEMAN REVOCABLE TRUST DATED DECEMBER 8, 2010, IS THE ABSOLUTE AND UNQUALIFIED OWNER OF THE ABOVE DESCRIBED PROPERTY: LOT 1A AND LOT 2B, BEING A REPLAT OF LOT 1 AND LOT 2 OF LEONA'S 2ND. ADDITION, IN THE N.W.1/4 OF SECTION 17, T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA. THAT THE ABOVE SURVEY AND PLAT WAS MADE AT MY REQUEST AND UNDER MY DIRECTION FOR THE PURPOSE OF LOCATING, MARKING AND PLATTING THE SAME, AND THAT SAID PROPERTY IS FREE FROM ALL ENCUMBRANCES. THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS.

DATED THIS 30th DAY OF June, 2014.

John R. Kabeiseman, Jr.
JOHN R. KABEISEMAN, JR., AS TRUSTEE
OF THE LEONA M. KABEISEMAN REVOCABLE
TRUST DATED DECEMBER 8, 2010.

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

ON THIS 30th DAY OF June, 2014, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED JOHN R. KABEISEMAN, JR. 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 THE PURPOSES THEREIN CONTAINED.

MY COMMISSION EXPIRES 03-13-2014,

Julia S. [Signature]
NOTARY PUBLIC

RESOLUTION OF COUNTY PLANNING COMMISSION

BE IT RESOLVED BY THE YANKTON COUNTY PLANNING COMMISSION, THAT THE ABOVE PLAT REPRESENTING LOT 1A AND LOT 2B, BEING A REPLAT OF LOT 1 AND LOT 2 OF LEONA'S 2ND ADDITION, IN THE N.W.1/4 OF SECTION 17, T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA, BE AND THE SAME IS HEREBY APPROVED.

[Signature]
CHAIRMAN, PLANNING COMMISSION

RESOLUTION OF APPROVAL

WHEREAS, IT APPEARS THAT THE OWNER THEREOF HAS CAUSED A PLAT TO BE MADE OF THE FOLLOWING REAL PROPERTY: LOT 1A AND LOT 2B, BEING A REPLAT OF LOT 1 AND LOT 2 OF LEONA'S 2ND ADDITION, IN THE N.W.1/4 OF SECTION 17, T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA, AND HAS SUBMITTED SUCH PLAT TO THE COUNTY COMMISSION OF YANKTON COUNTY, SOUTH DAKOTA FOR APPROVAL. NOW THEREFORE BE IT RESOLVED, THAT SUCH PLAT HAS BEEN EXECUTED ACCORDING TO THE LAW AND SAME IS HEREBY APPROVED. THE COUNTY AUDITOR IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THIS RESOLUTION AND CERTIFY THE SAME.

I, Rally Holm, COUNTY AUDITOR OF YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF YANKTON COUNTY, SOUTH DAKOTA, ON THIS 15 DAY OF July, 2014.

[Signature]
COUNTY AUDITOR

[Signature]
CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

DIRECTOR OF EQUALIZATION CERTIFICATE

I, Lori Mackey, DIRECTOR OF EQUALIZATION, YANKTON COUNTY, SOUTH DAKOTA, CERTIFY THAT I HAVE RECEIVED A COPY OF THE FOREGOING PLAT. DATED THIS 9 DAY OF July, 2014.

[Signature]
DIRECTOR OF EQUALIZATION, YANKTON COUNTY

TREASURER CERTIFICATE

I, [Signature], TREASURER OF YANKTON COUNTY, SOUTH DAKOTA, CERTIFY THAT ALL TAXES WHICH ARE LIEN UPON ANY LAND INCLUDED IN THE ABOVE PLAT, AS SHOWN BY THE RECORDS OF THIS OFFICE, HAVE BEEN PAID. DATED THIS 10 DAY OF July, 2014.

[Signature]
TREASURER, YANKTON COUNTY

REGISTER OF DEEDS CERTIFICATE

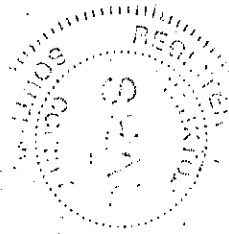
I, Brian Hunhoff, REGISTER OF DEEDS, YANKTON COUNTY, SOUTH DAKOTA, CERTIFY THAT I HAVE RECEIVED THE ORIGINAL PLAT. FILED FOR RECORD THIS 16 DAY OF July, 2014, 3:00 O'CLOCK P.M., AND DULY RECORDED IN BOOK NO. 320, PAGE 71.

PREPARED BY: TOM WEEK
407 REGAL DRIVE
YANKTON, SOUTH DAKOTA 57078
605-665-8333

[Signature]
REGISTER OF DEEDS, YANKTON COUNTY

#141709

\$60 pd.



NOTIFICATION

November 28, 2020

Brian and Stephanie Wieman
119 Marina Bluffs Rd
Yankton, SD 57078

Dear Yankton County Property Owner:

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, at 7:20 P.M. on the 8th day of December, 2020, at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton South Dakota.

Said hearing is to consider the following:

Applicant is requesting to Rezone property in a dual zone of Lakeside Commercial District (LC) and Moderate Density Rural Residential District (R2) to Moderate Density Rural Residential District (R2). Said property is legally described as Lot 1A and Lot 3 of Leona's 2nd Addition in the NW1/4 of Section 17, T93N, R56W, of the 5th PM, hereinafter referred to as Utica South Township, Yankton County, South Dakota. The E911 address is 119 Marina Bluffs Rd, Yankton, SD 57078.

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

Sincerely,

Brian and Stephanie Wieman
Petitioner

AFFIDAVIT OF MAILING

I, Stephanie Wieman, hereby certify that on the 30th day of November, 2020, I mailed by first class mail, postage prepaid, a true and correct copy of the Notice of Public Hearing to all owners of real property lying within a 1,320 feet radius of the proposed project to the most recent address of the recipient known to your Affiant.

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

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

Dated the 30th day of November, 2020.

Stephanie M. Wieman
(Name)
Affiant

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



Angie Saylor
Notary Public - South Dakota
My commission expires: 01/31/2025

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

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

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

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

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

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

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

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

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

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

PERSINGER, JOHN T LIVING TRUST (D)
PO BOX 1000
YANKTON SD 57078

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

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

RYAN, JAMES A (D)
304 MARINA DELL AVE
YANKTON SD 57078

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

SHIPWRECK INC (D)
115 STARBOARD ST
YANKTON SD 57078

SWANSON, TANNER (D)
191 KATHERINE WAY
YANKTON SD 57078

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

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

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

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

VAN NIEUWENHUYZEN, DAVID (D)
7109 S HONORS DR
SIOUX FALLS SD 57108

VELTKAMP, DON (D)
325 MARINA DELL AVE
YANKTON SD 57078

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

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

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

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

WHITE CRANE ESTATES LLC (D)
PO BOX 805
LAUREL NE 68745

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

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

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

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

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

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

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

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

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

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

DORCEY, SUZANNE M REV TRUST (D)
118 SCENIC DR
YANKTON SD 57078

EAST RIVER ELECTRIC POWER (D)
PO BOX 227
MADISON SD 57042

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

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

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

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

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

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

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

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

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

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

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

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

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

HUITINK, JUDITH ANN (D)
467 N ROYAL TROON
DAKOTA DUNES SD 57049

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

HUTCHINSON, BROCK (D)
544 E PINEHURST
DAKOTA DUNES SD 57049

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

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

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

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, at 7:05 P.M. on the 8th day of December, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Variance for a plat in a Rural Transitional District from 20 acres to 2.385 acres. Said property is legally described as proposed Plat of Tract 4A, DJ's Addition, Being Accretion Property Lying South of Tract 4, DJ's Addition, in Section 16, T93N, R55W, of the 5th PM, hereinafter referred to as Mission Hill Township, Yankton County, South Dakota. The E911 address is TBD Eastside Drive, Yankton, SD.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, at 7:10 P.M. on the 8th day of December, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting a Conditional Use Permit for Repair shop in a Lakeside Commercial District (LC) per Article 11 Section 1107 at a camper dealership. Said property is legally described as Lot 7, Thon's Addition located in the SE1/4 of the NW1/4, Section 15, T93N, R56W, of the 5th PM, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 3311 Debra Blvd, Yankton, SD.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, at 7:15 P.M. on the 8th day of December, 2020 at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota. Applicant is requesting to Rezone property in a dual zone of Lakeside Commercial District (LC) and Moderate Density Rural Residential District (R2) to Moderate Density Rural Residential District (R2). Said property is legally described as Lot 1A and Lot 3 of Leona's 2nd Addition in the NW1/4 of Section 17, T93N, R56W, of the 5th PM, hereinafter referred to as Utica South Township, Yankton County, South Dakota. The E911 address is 119 Marina Bluffs Rd, Yankton, SD 57078.

Please Check Plat Type:

☒ Final ☐ Amended ☐ Preliminary ☐ Revision

Development Information

Plat Name: Lot 23 Baycliffe Estates

Section No: 18 Township No: 93

Range : 56 Number of Lots/Tracts: 1

Number of Acres: 4.59 Acres

How is the property currently being used? R-2

What is the proposed use of the property? R-2

Surveyor/Engineer Information

Firm Name: Tom Week

Address:

City: Yankton State: SD Zip 57078

Contact Person: Tom Week

Phone: 605-665-8333

Property Owner Information

Name: Bay Properties

Address:

City: State: Zip:

Contact person:

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

Agent's name:

Agents Title:

You must provide the following:

The Yankton County Zoning Ordinance requires minimum lot sizes.

1. Does this lot/tract conform? ☒ Yes ☐ No

2. What is/are the lot size(s) 4.59 Acres

3. Is this (plat) an existing farmstead? ☐ Yes ☒ No

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? ☒ Yes ☐ No

6. Is this property to have construction on it? ☒ Yes ☐ No
If yes :

Name, address and phone number of contractor(s)

Owner certification

This is to certify that Bay Properties 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 Section 207 of the Yankton county Zoning Ordinance.

Owner Signature

Owner Signature

This is to certify that

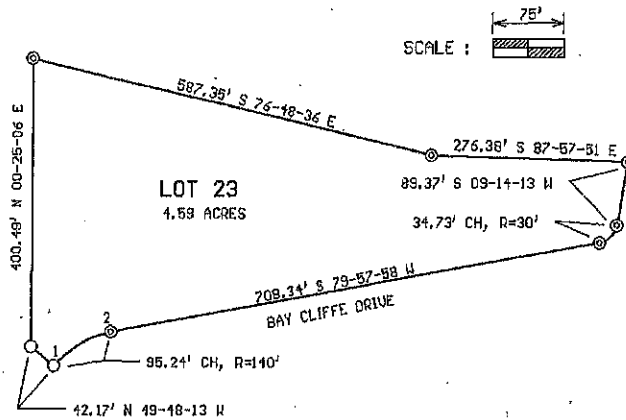
acting by and through the undersigned, its duly authorized agent is/are the sole owner(s) of the property described above on the date of this application, and that I have read and understand Section 207 of the Yankton County Zoning Ordinance.

Agent Signature

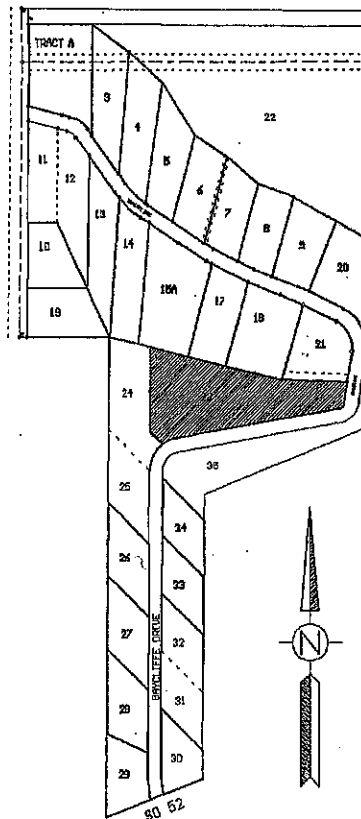
Planning Office Use Only: Planning Commission Date: 12-08-20
County Commission Date: 12-15-20

PLAT OF LOT 23 IN BAYCLIFFE ESTATES, LOCATED IN THE W.1/2 OF THE SOUTH 12.91 ACRES OF THE S.1/2 OF THE S.W.1/4 OF SECTION 7; AND IN THE W.1/2 OF THE W.1/2 OF SECTION 18, LYING NORTH OF HIGHWAY 52, EXCEPT PLATTED AREAS KNOWN AS TRAMP'S 7TH. ADDITION, AND EXCEPT LOTS 1 AND 2 OF PARCEL A, AND FURTHER EXCEPTING PARCELS B AND C, MCVAY ADDITION, ALL BEING IN T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA

- SET 5/8" REBAR WITH CAP STAMPED TON WEEK LS 2912
- FOUND 5/8" REBAR WITH CAP



POINT 1, LAT. 42-52-31.15527, LONG. 97-30-51.06245
POINT 2, LAT. 42-52-31.62479, LONG. 97-30-49.95865



LOCATION MAP (NO SCALE)

SURVEYORS CERTIFICATE

I, THOMAS LYNN WEEK, REGISTERED LAND SURVEYOR IN YANKTON, SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNER, MADE A SURVEY OF LOT 23 IN BAYCLIFFE ESTATES, LOCATED IN THE W.1/2 OF THE SOUTH 12.91 ACRES OF THE S.1/2 OF THE S.W.1/4, OF SECTION 7; AND IN THE W.1/2 OF THE W.1/2 OF SECTION 18, LYING NORTH OF HIGHWAY 52, EXCEPT PLATTED AREAS KNOWN AS TRAMP'S 7TH. ADDITION, AND EXCEPT LOTS 1 AND 2 OF PARCEL A, AND FURTHER EXCEPTING PARCELS B AND C, MCVAY ADDITION, ALL BEING IN T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA. I HAVE SET IRON PINS AS SHOWN, AND SAID SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS 22ND. DAY OF NOVEMBER, 2020.

Thomas Lynn Week
THOMAS LYNN WEEK
REG. LAND SURVEYOR
REG. NO. 2912

CERTIFICATE OF STREET AUTHORITY

THE LOCATION OF APPROACHES ENTERING EACH LOT FROM BAYCLIFFE DRIVE WILL BE APPROVED BY BAY PROPERTIES, L.L.C.
DATED THIS _____ DAY OF _____, _____.

MANAGER OF BAY PROPERTIES, L.L.C.

PLAT OF LOT 23 IN BAYCLIFFE ESTATES, LOCATED IN THE W.1/2 OF THE SOUTH 12.91 ACRES OF THE S.1/2 OF THE S.W.1/4, OF SECTION 7; AND IN THE W.1/2 OF THE W.1/2 OF SECTION 18, LYING NORTH OF HIGHWAY 52, EXCEPT PLATTED AREAS KNOWN AS TRAMP'S 7TH. ADDITION, AND EXCEPT LOTS 1 AND 2 OF PARCEL A, AND FURTHER EXCEPTING PARCELS B AND C, McVAY ADDITION, ALL BEING IN T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA.

OWNERS CERTIFICATE

I, SCOTT G. GREEN, AS MANAGER OF BAY PROPERTIES, L.L.C., A SOUTH DAKOTA L.L.C., DO HEREBY CERTIFY THAT BAY PROPERTIES, L.L.C., A SOUTH DAKOTA L.L.C., IS THE ABSOLUTE AND UNQUALIFIED OWNER OF THE ABOVE DESCRIBED PROPERTY: LOT 23 IN BAYCLIFFE ESTATES, LOCATED IN THE W.1/2 OF THE SOUTH 12.91 ACRES OF THE S.1/2 OF THE S.W.1/4, OF SECTION 7; AND IN THE W.1/2 OF THE W.1/2 OF SECTION 18, LYING NORTH OF HIGHWAY 52, EXCEPT PLATTED AREAS KNOWN AS TRAMP'S 7TH. ADDITION, AND EXCEPT LOTS 1 AND 2 OF PARCEL A, AND FURTHER EXCEPTING PARCELS B AND C, McVAY ADDITION, ALL BEING IN T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA. THAT THE ABOVE SURVEY AND PLAT WAS MADE AT MY REQUEST AND UNDER MY DIRECTION FOR THE PURPOSE OF LOCATING, MARKING AND PLATTING THE SAME, AND THAT SAID PROPERTY IS FREE FROM ALL ENCUMBRANCES. THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS.

DATED THIS _____ DAY OF _____, _____.

STATE OF _____
COUNTY OF _____

SCOTT G. GREEN, MANAGER OF
BAY PROPERTIES, L.L.C.

ON THIS _____ DAY OF _____, _____, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED SCOTT G. GREEN, MANAGER OF BAY PROPERTIES, L.L.C. A SOUTH DAKOTA L.L.C., 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 THE PURPOSES THEREIN CONTAINED.
MY COMMISSION EXPIRES _____

NOTARY PUBLIC

RESOLUTION OF COUNTY PLANNING COMMISSION

BE IT RESOLVED BY THE YANKTON COUNTY PLANNING COMMISSION, THAT THE ABOVE PLAT REPRESENTING LOT 23 IN BAYCLIFFE ESTATES, LOCATED IN THE W.1/2 OF THE SOUTH 12.91 ACRES OF THE S.1/2 OF THE S.W.1/4, OF SECTION 7; AND IN THE W.1/2 OF THE W.1/2 OF SECTION 18, LYING NORTH OF HIGHWAY 52, EXCEPT PLATTED AREAS KNOWN AS TRAMP'S 7TH. ADDITION, AND EXCEPT LOTS 1 AND 2 OF PARCEL A, AND FURTHER EXCEPTING PARCELS B AND C, McVAY ADDITION, ALL BEING IN T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA, BE AND THE SAME IS HEREBY APPROVED.

CHAIRMAN, PLANNING COMMISSION

RESOLUTION OF APPROVAL

WHEREAS, IT APPEARS THAT THE OWNER THEREOF HAS CAUSED A PLAT TO BE MADE OF THE FOLLOWING REAL PROPERTY: LOT 23 IN BAYCLIFFE ESTATES, LOCATED IN THE W.1/2 OF THE SOUTH 12.91 ACRES OF THE S.1/2 OF THE S.W.1/4, OF SECTION 7; AND IN THE W.1/2 OF THE W.1/2 OF SECTION 18, LYING NORTH OF HIGHWAY 52, EXCEPT PLATTED AREAS KNOWN AS TRAMP'S 7TH. ADDITION, AND EXCEPT LOTS 1 AND 2 OF PARCEL A, AND FURTHER EXCEPTING PARCELS B AND C, McVAY ADDITION, ALL BEING IN T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA, AND HAS SUBMITTED SUCH PLAT TO THE COUNTY COMMISSION OF YANKTON COUNTY, SOUTH DAKOTA FOR APPROVAL. NOW THEREFORE BE IT RESOLVED, THAT SUCH PLAT HAS BEEN EXECUTED ACCORDING TO THE LAW AND SAME IS HEREBY APPROVED. THE COUNTY AUDITOR IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THIS RESOLUTION AND CERTIFY THE SAME.

I, _____, COUNTY AUDITOR OF YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF YANKTON COUNTY, SOUTH DAKOTA, ON THIS _____ DAY OF _____.

COUNTY AUDITOR

CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

DIRECTOR OF EQUALIZATION CERTIFICATE

I, _____, DIRECTOR OF EQUALIZATION, YANKTON COUNTY, SOUTH DAKOTA, CERTIFY THAT I HAVE RECEIVED A COPY OF THE FOREGOING PLAT. DATED THIS _____ DAY OF _____.

DIRECTOR OF EQUALIZATION, YANKTON COUNTY

TREASURER CERTIFICATE

I, _____, TREASURER OF YANKTON COUNTY, SOUTH DAKOTA, CERTIFY THAT ALL TAXES WHICH ARE LIEN UPON ANY LAND INCLUDED IN THE ABOVE PLAT, AS SHOWN BY THE RECORDS OF THIS OFFICE, HAVE BEEN PAID. DATED THIS _____ DAY OF _____.

TREASURER, YANKTON COUNTY

REGISTER OF DEEDS CERTIFICATE

I, _____, REGISTER OF DEEDS, YANKTON COUNTY, SOUTH DAKOTA, CERTIFY THAT I HAVE RECEIVED THE ORIGINAL PLAT, FILED FOR RECORD THIS _____ DAY OF _____, _____ O'CLOCK _____ M., AND DULY RECORDED IN BOOK NO. _____, PAGE _____.

PREPARED BY: TOM WEEK
407 REGAL DRIVE
YANKTON, SOUTH DAKOTA 57078
605-665-8333

REGISTER OF DEEDS, YANKTON COUNTY, SD

Please Check Plat Type:

☒ Final ☐ Amended ☐ Preliminary ☐ Revision

-----Development Information-----

Plat Name: Lot 31 Baycliffe Estates

Section No: 18 Township No: 93

Range : 56 Number of Lots/Tracts: 1

Number of Acres: 1.00 Acres

How is the property currently being used? R-2

What is the proposed use of the property? R-2

-----Surveyor/Engineer Information-----

Firm Name: Tom Week

Address: _____

City: Yankton State: SD Zip 57078

Contact Person: Tom Week

Phone: 605-665-8333

-----Property Owner Information-----

Name: Bay Properties

Address: _____

City: _____ State: _____ Zip: _____

Contact person: _____

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

Agent's name: _____

Agents Title: _____

You must provide the following:

The Yankton County Zoning Ordinance requires minimum lot sizes.

1. Does this lot/tract conform? ☒ Yes ☐ No

2. What is/are the lot size(s) 1.00 Acres

3. Is this (plat) an existing farmstead? ☐ Yes ☒ No

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? ☒ Yes ☐ No

6. Is this property to have construction on it? ☒ Yes ☐ No

If yes :

Name, address and phone number of contractor(s)

-----Owner certification-----

This is to certify that Bay Properties

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 Section 207 of the Yankton 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.

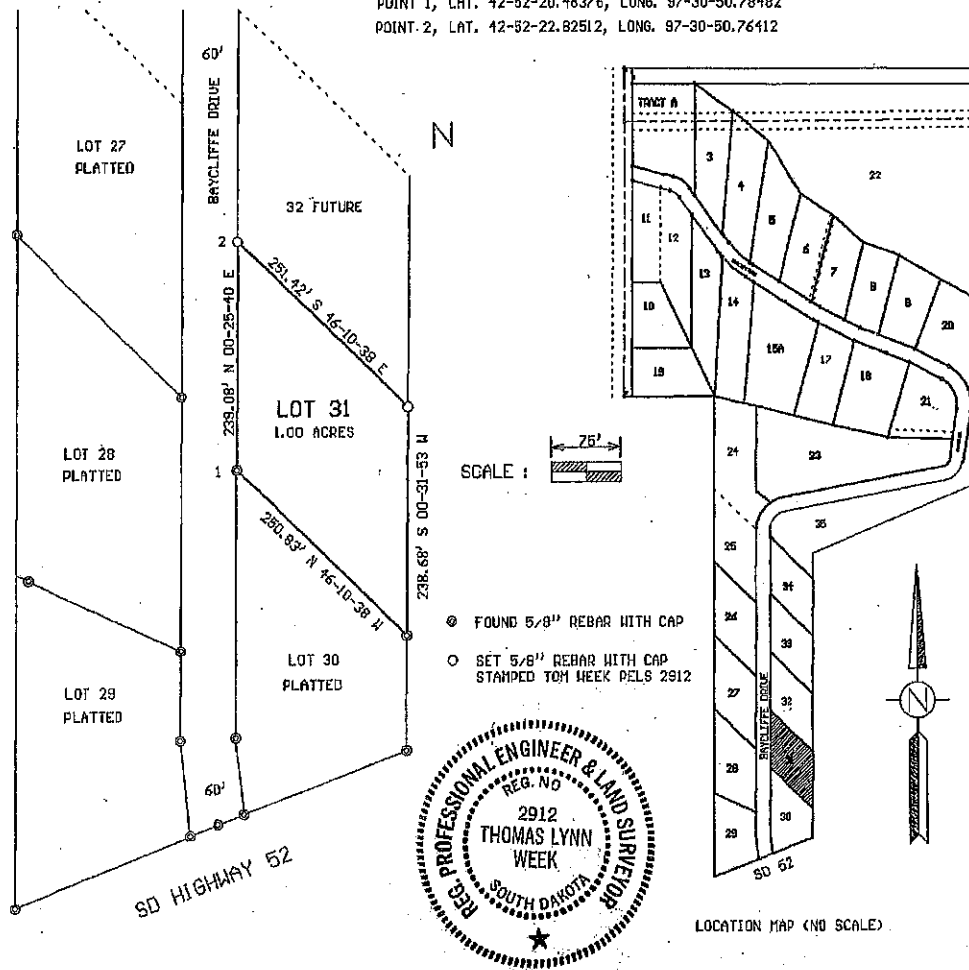
Agent Signature

Planning Office Use Only: Planning Commission Date: 12-08-20

County Commission Date: 12-15-20

PLAT OF LOT 31 IN BAYCLIFFE ESTATES, LOCATED IN THE W.1/2 OF THE SOUTH 12.91 ACRES OF THE S.1/2 OF THE S.W.1/4 OF SECTION 7; AND IN THE W.1/2 OF THE W.1/2 OF SECTION 18, LYING NORTH OF HIGHWAY 52, EXCEPT PLATTED AREAS KNOWN AS TRAMP'S 7TH. ADDITION, AND EXCEPT LOTS 1 AND 2 OF PARCEL A, AND FURTHER EXCEPTING PARCELS B AND C, MCVAY ADDITION, ALL BEING IN T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA

POINT 1, LAT. 42-52-20.16376, LONG. 97-30-50.78482
POINT 2, LAT. 42-52-22.82512, LONG. 97-30-50.76412



SURVEYORS CERTIFICATE

I, THOMAS LYNN WEEK, REGISTERED LAND SURVEYOR IN YANKTON, SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNER, MADE A SURVEY OF LOT 31 IN BAYCLIFFE ESTATES, LOCATED IN THE W.1/2 OF THE SOUTH 12.91 ACRES OF THE S.1/2 OF THE S.W.1/4, OF SECTION 7; AND IN THE W.1/2 OF THE W.1/2 OF SECTION 18, LYING NORTH OF HIGHWAY 52, EXCEPT PLATTED AREAS KNOWN AS TRAMP'S 7TH. ADDITION, AND EXCEPT LOTS 1 AND 2 OF PARCEL A, AND FURTHER EXCEPTING PARCELS B AND C, MCVAY ADDITION, ALL BEING IN T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA. I HAVE SET IRON PINS AS SHOWN, AND SAID SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS 29TH. DAY OF NOVEMBER, 2020.

Thomas Lynn Week
THOMAS LYNN WEEK
REG. LAND SURVEYOR
REG. NO. 2912

CERTIFICATE OF STREET AUTHORITY

THE LOCATION OF APPROACHES ENTERING EACH LOT FROM BAYCLIFFE DRIVE WILL BE APPROVED BY BAY PROPERTIES, L.L.C.
DATED THIS _____ DAY OF _____, _____.

MANAGER OF BAY PROPERTIES, L.L.C.

PLAT OF LOT 31 IN BAYCLIFFE ESTATES, LOCATED IN THE W.1/2 OF THE SOUTH 12.91 ACRES OF THE S.1/2 OF THE S.W.1/4, OF SECTION 7; AND IN THE W.1/2 OF THE W.1/2 OF SECTION 18, LYING NORTH OF HIGHWAY 52, EXCEPT PLATTED AREAS KNOWN AS TRAMP'S 7TH. ADDITION, AND EXCEPT LOTS 1 AND 2 OF PARCEL A, AND FURTHER EXCEPTING PARCELS B AND C, McVAY ADDITION, ALL BEING IN T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA.

OWNERS CERTIFICATE

I, SCOTT G. GREEN, AS MANAGER OF BAY PROPERTIES, L.L.C., A SOUTH DAKOTA L.L.C., DO HEREBY CERTIFY THAT BAY PROPERTIES, L.L.C., A SOUTH DAKOTA L.L.C., IS THE ABSOLUTE AND UNQUALIFIED OWNER OF THE ABOVE DESCRIBED PROPERTY: LOT 31 IN BAYCLIFFE ESTATES, LOCATED IN THE W.1/2 OF THE SOUTH 12.91 ACRES OF THE S.1/2 OF THE S.W.1/4, OF SECTION 7; AND IN THE W.1/2 OF THE W.1/2 OF SECTION 18, LYING NORTH OF HIGHWAY 52, EXCEPT PLATTED AREAS KNOWN AS TRAMP'S 7TH. ADDITION, AND EXCEPT LOTS 1 AND 2 OF PARCEL A, AND FURTHER EXCEPTING PARCELS B AND C, McVAY ADDITION, ALL BEING IN T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA. THAT THE ABOVE SURVEY AND PLAT WAS MADE AT MY REQUEST AND UNDER MY DIRECTION FOR THE PURPOSE OF LOCATING, MARKING AND PLATTING THE SAME, AND THAT SAID PROPERTY IS FREE FROM ALL ENCUMBRANCES. THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS.

DATED THIS _____ DAY OF _____, _____.

SCOTT G. GREEN, MANAGER OF
BAY PROPERTIES, L.L.C.

STATE OF _____
COUNTY OF _____

ON THIS _____ DAY OF _____, _____, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED SCOTT G. GREEN, MANAGER OF BAY PROPERTIES, L.L.C. A SOUTH DAKOTA L.L.C., 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 THE PURPOSES THEREIN CONTAINED.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

RESOLUTION OF COUNTY PLANNING COMMISSION

BE IT RESOLVED BY THE YANKTON COUNTY PLANNING COMMISSION, THAT THE ABOVE PLAT REPRESENTING LOT 31 IN BAYCLIFFE ESTATES, LOCATED IN THE W.1/2 OF THE SOUTH 12.91 ACRES OF THE S.1/2 OF THE S.W.1/4, OF SECTION 7; AND IN THE W.1/2 OF THE W.1/2 OF SECTION 18, LYING NORTH OF HIGHWAY 52, EXCEPT PLATTED AREAS KNOWN AS TRAMP'S 7TH. ADDITION, AND EXCEPT LOTS 1 AND 2 OF PARCEL A, AND FURTHER EXCEPTING PARCELS B AND C, McVAY ADDITION, ALL BEING IN T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA, BE AND THE SAME IS HEREBY APPROVED.

CHAIRMAN, PLANNING COMMISSION

RESOLUTION OF APPROVAL

WHEREAS, IT APPEARS THAT THE OWNER THEREOF HAS CAUSED A PLAT TO BE MADE OF THE FOLLOWING REAL PROPERTY: LOT 31 IN BAYCLIFFE ESTATES, LOCATED IN THE W.1/2 OF THE SOUTH 12.91 ACRES OF THE S.1/2 OF THE S.W.1/4, OF SECTION 7; AND IN THE W.1/2 OF THE W.1/2 OF SECTION 18, LYING NORTH OF HIGHWAY 52, EXCEPT PLATTED AREAS KNOWN AS TRAMP'S 7TH. ADDITION, AND EXCEPT LOTS 1 AND 2 OF PARCEL A, AND FURTHER EXCEPTING PARCELS B AND C, McVAY ADDITION, ALL BEING IN T93N, R56W, OF THE 5TH. P.M., YANKTON COUNTY, SOUTH DAKOTA, AND HAS SUBMITTED SUCH PLAT TO THE COUNTY COMMISSION OF YANKTON COUNTY, SOUTH DAKOTA FOR APPROVAL. NOW THEREFORE BE IT RESOLVED, THAT SUCH PLAT HAS BEEN EXECUTED ACCORDING TO THE LAW AND SAME IS HEREBY APPROVED. THE COUNTY AUDITOR IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THIS RESOLUTION AND CERTIFY THE SAME.

I, _____, COUNTY AUDITOR OF YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF YANKTON COUNTY, SOUTH DAKOTA, ON THIS _____ DAY OF _____, _____.

COUNTY AUDITOR

CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

DIRECTOR OF EQUALIZATION CERTIFICATE

I, _____, DIRECTOR OF EQUALIZATION, YANKTON COUNTY, SOUTH DAKOTA, CERTIFY THAT I HAVE RECEIVED A COPY OF THE FOREGOING PLAT. DATED THIS _____ DAY OF _____, _____.

DIRECTOR OF EQUALIZATION, YANKTON COUNTY

TREASURER CERTIFICATE

I, _____, TREASURER OF YANKTON COUNTY, SOUTH DAKOTA, CERTIFY THAT ALL TAXES WHICH ARE LIEN UPON ANY LAND INCLUDED IN THE ABOVE PLAT, AS SHOWN BY THE RECORDS OF THIS OFFICE, HAVE BEEN PAID. DATED THIS _____ DAY OF _____, _____.

TREASURER, YANKTON COUNTY

REGISTER OF DEEDS CERTIFICATE

I, _____, REGISTER OF DEEDS, YANKTON COUNTY, SOUTH DAKOTA, CERTIFY THAT I HAVE RECEIVED THE ORIGINAL PLAT, FILED FOR RECORD THIS _____ DAY OF _____, _____, _____ O'CLOCK _____ M., AND DULY RECORDED IN BOOK NO. _____, PAGE _____.

PREPARED BY: TOM WEEK
407 REGAL DRIVE
YANKTON, SOUTH DAKOTA 57078
605-665-8333

REGISTER OF DEEDS, YANKTON COUNTY, SD

PETITION FOR REVIEW COMMITTEE APPOINTMENT

WE, THE UNDERSIGNED residents of Yankton County in the State of South Dakota, formally request the Yankton County Commission appoint a committee of one or more competent persons, pursuant to SDCL 7-18A-28 and 7-18A-29, to revise the Yankton County Zoning Ordinance to enact the revisions listed below, as well as any related revisions the committee deems necessary.

#1 Amend Section 513 paragraph 1 as follows:

The minimum lot area shall be two (2) acres.

#2 Amend Section 519 as follows:

Class A (5000-10000)	Section 519 (1, 2, 3, 4, 5, 6, 7A, 8A, 9, 10, 11, 12, 13)
Class B (3000-4999)	Section 519 (1, 2, 3, 4, 5, 6, 7B, 8B, 9, 10, 11, 12, 13)
Class C (2000-2999)	Section 519 (1, 2, 3, 4, 5, 7C, 8C, 9, 10, 11, 12, 13)
Class D (1000-1999)	Section 519 (1, 2, 3, 4, 5, 7D, 8D, 9, 10, 11, 12, 13)
Class E (100-999)	Section 519 (1, 2, 3, 4, 5, 7E, 8E, 9, 10, 11, 12, 13)
Class F (50 – 99)	Section 519 (2, 3, 4, 5, 7F, 8F, 9, 10, 11, 12, 13)
	7F- ¼ Mile
	8F- ¼ Mile

#3 Amend Section 519 paragraph 5 as follows:

New animal feeding operations, new CAFO's and waste facilities shall be set back set back no less than ½ mile (2,610) six hundred sixty (660) feet from a property line delineating a change in ownership and three hundred thirty (330) feet form a right of way line. Additionally, the applicant shall locate the operation two thousand six hundred forty (2,640) feet from neighboring residential dwellings. The Planning Commission may recommend and/ or the Board of Adjustment may mandate setbacks greater than those required herein to further the intent of the Zoning Ordinance while protecting the public health, safety, and welfare.

INSTRUCTIONS TO SIGNERS:

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.
4. Abbreviations of common usage may be used. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

NAME	RESIDENCE	DATE/COUNTY
SIGN 1 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 2 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 3 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 4 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 5 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION

SIGN 6 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 7 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 8 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 9 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 10 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 11 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 12 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 13 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 14 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 15 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 16 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 17 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 18 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 19 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 20 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 21 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 22 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION

SIGN 23 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 24 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION
SIGN 25 _____ PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER _____ CITY OR TOWN	DATE OF SIGNING _____ COUNTY OF REGISTRATION

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

Print name of the circulator	Residence Address	City	State
------------------------------	-------------------	------	-------

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Sworn to before me this _____ day of _____, 20____.
(Seal)

My Commission Expires _____

Signature of Circulator

Signature of Officer Administering Oath

Title of Officer Administering Oath

Restaurant - A business establishment consisting of a kitchen ~~and~~ **with or without** a dining room, whose primary purpose is to prepare and serve food to be eaten by customers ~~seated in the dining room.~~

~~Restaurant, Drive-In - A business establishment consisting of a kitchen, with or without a dining room, where food is prepared and packaged to eat either off the premises or within automobiles parked on the premises.~~

~~Restaurant, In-House - A private business establishment consisting of a kitchen, with or without a dining room, whose primary purpose is to prepare and serve food to be eaten by employees of the principal employer. For the purposes of this ordinance, the term "cafeteria" shall be synonymous with "Restaurant, In-House."~~

Yankton County Zoning Ordinance District Lot Requirements Overview					
District	Lot Area	Minimum Lot Width	Minimum Front Yard Depth	Minimum Rear Yard Depth	Minimum Side Yard Width
Agricultural (AG)	20 acres	500 feet	75 feet	75 feet	75 feet
Low Density Residential (R1)	5 acres	200 feet	30 – 50 feet *	20 feet	10 feet
Moderate Density Residential (R2)	40,000 sq ft (1 acre)	100 feet	30 – 50 feet *	20 feet	10 feet
High Density Residential (R3)	20,000 sq ft (1/2 acre)	75 feet	30 – 50 feet *	20 feet	10 feet
Manufactured Home Park (MHP)	3 acres	300 feet	30 feet	10 feet	10 feet
Commercial (C)	2 acres	150 feet	100 feet	50 feet	25 feet
Lakeside Commercial (LC)	1 acre	150 feet	75 feet	25 feet	25 feet
Rural Transitional (RT)	20 acres	500 feet	30 – 50 feet *	20 feet	10 feet
Planned Unit Development (PUD)	5 acres	N/A	N/A	N/A	N/A

* Refer to the ordinance text for more detailed information.

Agricultural (AG)	20 acres	500	75	75	75
Low Density Residential (R1)	5 acres <u>2 acre or 80,000 sq feet</u>	200 <u>150</u>	30-50*	20	10
Moderate Density Residential (R2)	<u>1 acre or 40,000 sq feet</u>	100	30-50*	20	10
High Density Residential (R3)	½ acre or 20,000 sq feet	75	30-50*	20	10
Manufactured Home Park (MHP)	3 acres	300 feet	30 feet	10 feet	10 feet
Commercial (C)	2 acres <u>20,000 sq feet</u>	150 <u>100</u>	100 <u>50</u>	50 <u>25</u>	25
Lake side Commercial (LC)	1 acre <u>20,000 sq feet</u>	150 <u>100</u>	75 <u>50</u>	25	25
Rural Transitional (RT)	20 acres	500 feet	30-50*feet	20 feet	10 feet
Planned Unit Development (PUD)	5 acres	NA	NA	NA	NA

ARTICLE 6

LOW DENSITY RURAL RESIDENTIAL DISTRICT (R1)

Section 601 Intent

The intent of Low Density Rural Residential Districts (R1) is to provide for residential uses of larger lots and other compatible uses in a pleasant and stable environment.

Section 603 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a Low Density Rural Residential District (R1):

1. Day cares, family;
2. Dwellings, single-family;
3. *Dwellings, two-family;*
4. Governmental services;
5. *Parks;*
6. Horticulture;
7. Modular homes; and
8. Utility facilities.

Section 605 Permitted Accessory Uses and Structures

The following accessory uses and structures shall be permitted in a Low Density Rural Residential District (R1):

1. An aggregate maximum total floor area of 4,000 square foot accessory building or buildings. Side wall height shall not exceed sixteen (16) feet as measured from the highest point of the finished floor at grade to the highest point of wall framing. (Amended May 19, 2020)
2. Home occupations;
3. Signs, banner;
4. Signs, directional on-site;

5. Signs, directional off-site;
6. Signs, easement and utility;
7. Signs, flag;
8. Signs, name and address plate; and
9. Signs, real estate.

Section 607 Conditional Uses

After the provisions of this Ordinance, relating to conditional uses have been fulfilled, the Board of Adjustment may permit as conditional uses in a Low Density Rural Residential District (R1):

~~1. Accessory agricultural structures;~~

2. Bed and breakfasts;

3. Dwellings, multi-family;

4. Campgrounds;
5. Cemeteries;
6. Home based sales;
7. Greenhouses;
8. Golf courses;
9. Hobby farms;
10. Horticultural sales;
11. Kennels;
12. Manufactured homes, pursuant to Section 1507;
13. Manufacturing, light;
- ~~14. Parks;~~
15. Signs, off-site;
16. Swimming pools; and

17. Towers.

18. One Accessory Structure exceeding 4,000 square feet or Accessory Structures with an aggregate maximum total floor area exceeding 4,000 square feet and/or exceeding a sidewall height of sixteen (16) feet. **(Amended May 19, 2020)**

Section 609 Classification of Unlisted Uses

In order to insure that the zoning ordinance will permit all similar uses in each district, the 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 a Low Density Residential 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 611 Prohibited Uses and Structures

All uses and structures, which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Section 609, shall be prohibited.

Section 613 Minimum Lot Requirements

1. The minimum lot area shall be ~~five (5) acres~~; and two (2) acres or 80,000 sq. feet
2. The minimum lot width shall be two hundred ~~(200)~~ 150 feet.

Section 615 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, patios, and carports:

1. There shall be a front yard of not less than a depth of thirty (30) feet, except when said lot is adjacent to or abutting a arterial or collector right-of-way then the depth shall be fifty (50) feet;
2. There shall be a rear yard of not less than a depth of twenty (20) feet;
3. There shall be two (2) side yards, each of which shall not be less than ten (10) feet; and
4. Buildings and structures on corner lots as defined herein shall maintain two (2) front yards for the property abutting the road right-of-ways.
5. Water and sewer or sanitary drainage systems shall be installed by a

*licensed installer and shall comply with all applicable South Dakota
Department of Environment and Natural Resources regulations.*

Section 617 Traffic Visibility

1. A traffic visibility triangle as defined herein shall be maintained at all road intersections, public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and
2. ~~Structures, perennial, or similar vegetation planted on or immediately adjacent to a road right-of-way public shall be approved in writing by the Zoning Administrator prior to construction or planting.~~ No such perennial vegetation between the heights of thirty (30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

THIS PAGE RESERVED FOR FUTURE USE

ARTICLE 7

MODERATE DENSITY RURAL RESIDENTIAL DISTRICT (R2)

Section 701 Intent

The intent of Moderate Density Rural Residential Districts (R2) is to provide for residential uses of moderate lots and other compatible uses in a pleasant and stable environment.

Section 703 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a Moderate Density Rural Residential District (R2):

1. Day cares, family;
2. Dwellings, single-family;
3. *Dwellings, two-family;*
4. *Dwellings, multi-family;*
5. *Parks;*
6. Governmental services;
7. Horticulture;
8. Modular homes; and
9. Utility facilities.

Section 705 Permitted Accessory Uses and Structures

The following accessory uses and structures shall be permitted in a Moderate Density Rural Residential District (R2):

1. An aggregate maximum total floor area of 2,400 square foot accessory structure or structures. Side wall height shall not exceed fourteen (14) feet as measured from the highest point of the finished floor at grade to the highest point of wall framing. **(Amended May 19, 2020).**
2. Home occupations;
3. Signs, banner;

4. Signs, directional on-site;
5. Signs, directional off-site;
6. Signs, easement and utility;
7. Signs, flag;
8. Signs, name and address plate; and
9. Signs, real estate.

Section 707 Conditional Uses

After the provisions of this Ordinance, relating to conditional uses have been fulfilled, the Board of Adjustment may permit as conditional uses in a Moderate Density Rural Residential District (R2):

1. Bed and breakfasts;
2. Campgrounds, pursuant to 1521;
3. Churches;
4. Day cares, group family home;
- ~~5. Dwellings, multi-family;~~
- ~~6. Dwellings, two family;~~
7. Manufactured homes, pursuant to Section 1507;
- ~~8. Parks;~~
9. Schools, public;
10. Signs, off-site;
11. Swimming pools; and
12. Towers.
13. One Accessory Structure exceeding 2,400 square feet or Accessory Structures with an aggregate maximum total floor area exceeding 2,400 square feet and/or exceeding a sidewall height of fourteen (14) feet. **(Amended May 19, 2020)**

Section 709 Classification of Unlisted Uses

In order to insure that the zoning ordinance will permit all similar uses in each district, the 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 a Moderate Density Residential District shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed.

Section 711 Prohibited Uses and Structures

All uses and structures which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Section 709 shall be prohibited.

Section 713 Minimum Lot Requirements

1. The minimum lot area shall be one (1) acre or forty thousand (40,000) square feet;
2. The minimum lot area for multi-family dwellings in areas of two (2) units shall be one (1) acre or forty thousand (40,000) square feet and an additional five thousand (5,000) square feet for each unit in excess of the first two (2); and
3. The minimum lot width shall be one hundred (100) feet.

Section 715 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, patios, and carports:

1. There shall be a front yard of not less than a depth of thirty (30) feet, except when said lot is adjacent to or abutting an arterial or collector right-of-way then the depth shall be fifty (50) feet;
2. There shall be a rear yard of not less than a depth of twenty (20) feet;
3. There shall be two (2) side yards, each of which shall not be less than ten (10) feet;
4. Buildings and structures on corner lots as defined herein shall maintain two (2) front yards for the property abutting the road right-of-ways.
5. Water and sewer or sanitary drainage systems shall be installed by a licensed installer and shall comply with all applicable South Dakota Department of Environment and Natural Resources regulations.

Section 717 Traffic Visibility

1. A traffic visibility triangle as defined herein shall be maintained at all road intersections, public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and

2. ~~Structures, perennial or similar vegetation planted on or immediately adjacent to a road right of way public shall be approved in writing by the Zoning Administrator prior to construction or planting.~~ No such perennial vegetation between the heights of thirty (30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

THIS PAGE RESERVED FOR FUTURE USE

ARTICLE 8

HIGH DENSITY RURAL RESIDENTIAL DISTRICT (R3)

Section 801 Intent

The intent of High Density Rural Residential Districts (R3) is to provide existing concentrated residential subdivisions as recorded with the Register of Deeds and other compatible uses a pleasant and stable environment. ~~Yet, not allow an extension of these areas beyond their respective boundaries as recorded at the time of zoning ordinance adoption.~~

Section 803 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a High Density Rural Residential Districts (R3):

1. Day cares, family;
2. Dwellings, single-family;
3. *Dwellings, two family;*
4. *Dwellings, multi-family;*
5. Governmental services; and
6. Horticulture;
7. *parks*
8. Modular homes;
9. Utility facilities;

Section 805 Permitted Accessory Uses and Structures

The following accessory uses and structures shall be permitted in a High Density Rural Residential Districts (R3):

1. An aggregate maximum total floor area of 1,600 square foot accessory structure or structures. Side wall height shall not exceed twelve (12) feet as measured from the highest point of the finished floor at grade to the highest point of wall framing. **(Amended May 19, 2020)**
2. Home occupations;
3. Signs, banner;
4. Signs, directional on-site;

5. Signs, directional off-site;
6. Signs, easement and utility;
7. Signs, flag;
8. Signs, name and address plate; and
9. Signs, real estate.

Section 807 Conditional Uses

After the provisions of this Ordinance, relating to conditional uses have been fulfilled, the Board of Adjustment may permit as conditional uses in a High Density Rural Residential Districts (R3):

1. Day cares, group family home;
- ~~2. Dwellings, multi-family;~~
- ~~3. Dwellings, two family;~~
4. Manufactured homes, pursuant to Section 1507;
- ~~5. Parks;~~
6. Signs, off-site;
7. Swimming pools; and
8. Towers.
9. One Accessory Structure exceeding 1,600 square feet or Accessory Structures with an aggregate maximum floor area exceeding 1,600 square feet and/or exceeding a sidewall height of twelve (12) feet. **(Amended May 19, 2020)**

Section 809 Classification of Unlisted Uses

In order to insure that the zoning ordinance will permit all similar uses in each district, the 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 a High Density Residential District shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed.

Section 811 Prohibited Uses and Structures

All uses and structures which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Section 809 shall be prohibited.

Section 813 Minimum Lot Requirements

1. The minimum lot area shall be ~~one-half (1/2) acre or~~ twenty thousand (20,000) square feet;
2. The minimum lot area for multi-family dwellings shall be ~~one-half (1/2) acre or~~ twenty thousand (20,000) square feet and an additional five thousand (5,000) square feet for each unit in excess of the first two (2); and
3. The minimum lot width shall be seventy five (75) feet.

Section 815 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, patios, and carports:

1. There shall be a front yard of not less than a depth of thirty (30) feet, except when said lot is adjacent to or abutting an arterial or collector right-of-way then the depth shall be fifty (50) feet;
2. There shall be a rear yard of not less than a depth of twenty (20) feet;
3. There shall be two (2) side yards, each of which shall not be less than ten (10) feet; and
4. Buildings and structures on corner lots as defined herein shall maintain two (2) front yards for the property abutting the road right-of-ways.
5. *Water and sewer or sanitary drainage systems shall be installed by a licensed installer and shall comply with all applicable South Dakota Department of Environment and Natural Resources regulations.*

Section 817 Traffic Visibility

1. A traffic visibility triangle as defined herein shall be maintained at all road intersections, public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and
2. ~~Structures, perennial or similar vegetation planted on or immediately adjacent to a road right-of-way public shall be approved in writing by the Zoning Administrator prior to construction or planting.~~ No such perennial vegetation between the heights of thirty (30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

THIS PAGE RESERVED FOR FUTURE USE

ARTICLE 9

MANUFACTURED HOME PARK DISTRICT (MHP)

Section 901 Intent

The intent of the Manufactured Home Park District (MHP) is to preserve and enhance property values by providing designated, distinctive areas in which manufactured homes may be situated as a residential dwelling. It is the intent that this district be a desirable, prominent area providing adequate open space and essentially the same considerations given to citizens of other residential districts.

Section 903 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a Manufactured Home Park District (MHP):

1. Dwellings, single family;
2. Manufactured homes, pursuant to Section 1409;
3. Modular homes;
4. Parks; and
5. Utility facilities.

Section 905 Permitted Accessory Uses and Structures

The following accessory uses and structures shall be permitted in a Manufactured Home Park District (MHP):

1. Accessory ~~buildings;~~ structure
2. Garages;
3. Home occupations;
4. Signs, banner;
5. Signs, directional on-site;
6. Signs, directional off-site;
7. Signs, easement and utility;
8. Signs, flag;
9. Signs, name and address plate; and
10. Signs, real estate.

It shall be unlawful for any person, firm, or corporation to use any van body, truck body, semi-trailer, rail car, "shipping crate", and/or any vehicle no longer used for its manufactured purpose as a storage shed, storage building, warehouse, or as living quarters. In addition, manufactured homes shall not be for any purpose other than residential living quarters. However, this shall not prevent the lawful parking of vehicles properly licensed, insured, and in regular use for their intended purpose to include 'RVs' and camping trailers.

Section 907 Conditional Uses

After the provisions relating to conditional uses have been fulfilled, the Board of Adjustment may permit as conditional uses in a Manufactured Home Park District (MHP):

1. Day care centers;
2. Day cares, family;
3. Day cares, group family home;
4. Dwellings, two family;
5. Laundry facilities;
6. Self-storage warehouses;
7. Signs, bulletin board;
8. Signs, ground and monument;
9. Signs, mounted wall;
10. Signs, off-site;
11. Signs, portable;
12. Swimming pools; and
13. Towers

Section 909 Classification of Unlisted Uses

In order to insure that the zoning ordinance will permit all similar uses in each district, the 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 a District shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed.

Section 911 Prohibited Uses and Structures

No part of any park shall be used for nonresidential purposes, except such uses that

are required for the direct servicing and well-being of park residents and for the management and maintenance of the park.

Section 913 Minimum Lot Requirements

1. The minimum park size is three (3) acres;
2. The minimum park width is three hundred (300) feet;
3. The minimum lot area for individual manufactured homes shall be four thousand (4,000) square feet;
- ~~4. The density of any manufactured home park shall not exceed eight (8) units per gross acre; and~~
5. The net density of any particular acre shall not exceed ten (10) units per net (gross reduced by required yards, right-of-ways, etc.) acre.

Section 915 Minimum Yard Requirements

All yards must meet the following criteria as measured from the lot line. This Section shall apply to all buildings and structures, including but not limited to decks, patios, and garages:

1. The minimum distance required for the separation of a manufactured home from side and rear lot lines shall be ten (10) feet. In no case shall a manufactured home be closer than twenty (20) feet from another manufactured home;
2. The minimum setback distance required from a private drive or public right-of-way shall be thirty (30) feet; and
3. Accessory buildings shall not encroach on minimum yard requirements.
4. *Water and sewer or sanitary drainage systems shall be installed by a licensed installer and shall comply with all applicable South Dakota Department of Environment and Natural Resources regulations.*

Section 917 Manufactured Home Park Application Requirements

The applicant follows the rezoning process pursuant to Articles 16 -21;

1. A request for a change in zoning districts to a Manufactured Home Park District shall set forth the location and legal description of the proposed manufactured home park property;
2. Each application for a manufactured home park shall be accompanied by a detailed site development plan incorporating the regulations established herein. The plan shall be drawn to scale and indicate the following:

- A. Location and topography of the proposed manufactured home park, including adjacent property owners and proximity to federal and state highways, and to county, township, or city roads;
 - B. Exterior and interior property or individual lot lines with dimensions and square footage of the proposed park;
 - C. Location and dimensions of all easements and right-of-ways;
 - D. Proposed lot layout, including parking and recreational areas;
 - E. General pedestrian access or transportation plan;
 - F. General utility, water, and sewer plan with proximity and proposed connection to municipal and/or private utilities; and
 - G. Site drainage plan and development impact on culverts, etc.
3. Certification of compliance with all ordinances and regulations regarding manufactured home park licensing and zoning, health, plumbing, electrical, building, fire prevention, and all other applicable ordinances and regulations.

Section 919 Manufactured Home Regulations within a Manufactured Home Park

- 1. Manufactured home developments should be located to avoid the need for excessive traffic movement from the park to pass through an existing single-family residential area or area suitable for future single-family residential development; and
- 2. Access and Right-of-way Requirements:
 - A. All manufactured home spaces must be served from internal private right-of-ways within the manufactured home park and there shall be no direct access from a manufactured home space to a public right-of-way;
 - B. Internal private right-of-ways must be graveled at a minimum and kept in good repair to prevent excessive potholes or pooling of water;
 - C. A minimum of two (2) off right-of-way parking spaces shall be provided for each manufactured home lot; guest parking of one (1) parking space per five (5) manufactured home spaces shall be interspersed throughout the manufactured home park;
 - D. No internal private right-of-way access to public right-of-ways shall be located closer than one hundred (100) feet to any public right-of-way intersection;
 - E. Stop signs shall be placed at all public right-of-way intersections and Yield signs placed appropriately on internal private right-of-way;
 - F. Entrance to manufactured home parks shall have direct connections to a

public road and shall be designed to allow free movement of traffic on such public roads; and

- G. Travel surfaces should be of adequate widths to accommodate the contemplated parking and traffic load in accordance with the type of traveled way with twelve (12) feet minimum moving lanes for collector roads, twelve (12) feet minimum moving lanes for minor roads, and eight (8) feet minimum lanes for parallel parking.

3. Other Requirements:

- A. Manufactured homes may be of single or multiple sections and shall not be less than fourteen (14) feet as assembled on the site, as measured across the narrowest portion;
- B. Manufactured homes shall be skirted with materials that are not highly combustible. The skirting shall be installed around the perimeter of the home from the chassis of the manufactured home to the prevailing grade;
- C. The hitch shall be removed;
- D. All electric service shall be underground;
- E. Each manufactured home lot shall be connected to a sanitary sewer system and central water system including individual utility service lines and valves as approved by the Zoning Administrator or their designee;
- F. If individual refuse collection points are not available, each manufactured home park shall provide screened areas or enclosed containers accessible for refuse collection of an adequate size for the number of units served, and shall provide for the disposal of such refuse on a regularly scheduled basis;
- G. Manufactured homes shall be anchored to the ground to resist tipping and lateral movement in the manner contemplated by the manufactured design;
- H. Not less than ten (10) percent of the gross site area shall be devoted and maintained as recreational facilities for occupant needs;
- I. No manufactured home shall occupy more than fifty (50) percent of the area of the lot on which it is situated;
- J. In accordance with Section 921 a landscaped buffer area of ten (10) feet in width shall be provided and maintained around the perimeter of the park, except where the park abuts a public right-of-way then the buffer shall be thirty (30) feet. This does not include those places where walks and drives penetrate the buffer;
- K. The manufactured home shall meet or exceed the federal Manufactured Home Construction and Safety Standards (HUD code); and
- L. Additional development requirements may be prescribed as conditions for

approval when determined to be necessary to ensure protection of the neighboring property's character, compatibility with land uses, and health and safety of manufactured home park occupants.

Section 921 Traffic Visibility

1. A traffic visibility triangle as defined herein shall be maintained at all road intersections, public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and
2. ~~Structures, perennial or similar vegetation planted on or immediately adjacent to a road right-of-way public shall be approved in writing by the Zoning Administrator prior to construction or planting.~~ No such perennial vegetation between the heights of thirty (30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

THIS PAGE RESERVED FOR FUTURE USE

ARTICLE 10

COMMERCIAL DISTRICT (C)

Section 1001 Intent

The intent of the Commercial District (C) is to provide commercial areas for those establishments that can function most satisfactorily in an area related to a rural or municipal fringe environment requiring major vehicular circulation routes and off right-of-way parking and loading due to the nature of the merchandise handled and the display space required.

Section 1003 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a Commercial District (C):

1. Arcades;
2. Bars;
3. Day care centers;
4. Dwellings, single-family;
5. Dwellings, two-family;
6. Dwellings, multi-family;
7. Financial institutions;
8. Funeral homes;
9. Garages, public;
10. Gasoline stations;
11. Golf courses;
12. Governmental services;
13. Historic sites;
14. Hotels;
15. Indoor archery/shooting ranges;
16. Lockers;
17. Manufacturing;
18. Manufacturing, light;

19. Motels;
20. Open sales areas;
21. Parks;
22. Repair shops, auto-body;
23. Repair shops, motor vehicle;
24. Restaurants;
- ~~25. Restaurants, drive-in;~~
- ~~26. Restaurants, in-house;~~
27. Retail sales;
28. Self-storage warehouses;
29. Service establishments;
30. Theaters;
31. Utility facilities;
32. Veterinary clinics;
33. Warehousing facilities; and
34. Wholesale sales.

Section 1005 Permitted Accessory Uses and Structures

Those accessory uses and structures normally appurtenant to the permitted principal uses and structures shall be permitted in a Commercial District (C) when established in conformance within the space limits of this district.

- 1. A (one) 4,000 square foot accessory *structure*. Side wall height shall not exceed (16) feet as measured from the highest point of the finished floor at grade to the highest point of wall framing.**
2. Signs, banner;
- 3. Swimming pool;**
4. Signs, directional off-site;
5. Signs, directional on-site;
6. Signs, easement and utility;
7. Signs, flag;

8. Signs, name and address plate;
9. Signs, on-site; and
10. Signs, real estate.

Section 1007 Conditional Uses

After the provisions of this resolution relating to conditional uses have been fulfilled, the Board of Adjustment may permit as conditional uses in a Commercial District (C):

1. Adult entertainment;
2. Agricultural fertilizer and chemical manufacturing, sales, and applications;
3. Agricultural product processing;
4. Amusement parks; and
5. Asphalt plants;
6. Buying stations;
7. Campgrounds;
8. Concrete plants;
9. Construction services;
- ~~10. Dwellings, single-family;~~
- ~~11. Dwellings, two-family;~~
12. Grain elevators;
13. Manufacturing;
14. Manufacturing, distribution, sale, or storage of flammable, combustible, or hazardous material;
15. Outdoor shooting/archery ranges.
16. Sale and auction yards and barns;
17. Salvage yards;
18. Sanitary landfills and restricted use sites, permitted by DENR;
19. Signs, off-site, pursuant to Article 14;
- ~~20. Swimming pools;~~
21. Tank farms;

- 22. Towers, pursuant to Article 25 & Article 26;
- 23. Truck or equipment terminals;
- 24. Veterinary services; (Amended May 19, 2020)
- 25. Wind energy systems; (Amended May 19, 2020)
- 19. Firework Sales. (Amended May 19, 2020)

20. Accessory Structures exceeding 4,000 square feet and/or exceeding a sidewall height of sixteen (16) feet.

Section 1009 Classification of Unlisted Uses

In order to insure that the zoning ordinance will permit all similar uses in each district, the 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 a Commercial District (C) shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed.

Section 1011 Prohibited Uses and Structures

All uses and structures which are not specifically permitted as principal, accessory, or conditional uses or approved as such within the provisions of Section 1009 shall be prohibited.

Section 1013 Minimum Lot Requirements

- 1. The minimum lot area shall be ~~two (2) acres~~; 20,000 sq feet and
- 2. The minimum lot width shall be ~~one hundred and fifty (150) feet~~. one hundred (100) feet;

Section 1015 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 loading docks, decks, patios, and covered areas:

- 1. There shall be a front yard of not less than a depth of ~~one hundred (100) feet~~; fifty (50) feet;
- 2. There shall be a rear yard of not less than a depth of ~~fifty (50) feet~~; and twenty five (25)
- 3. Each side yard shall be not less than twenty-five (25) feet.
- 4. Water and sewer or sanitary drainage systems shall be installed by a licensed installer and shall comply with all applicable South Dakota

Department of Environment and Natural Resources regulations.

Section 1017 Traffic Visibility

1. A traffic visibility triangle as defined herein shall be maintained at all road intersections, public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and
2. ~~Structures, perennial or similar vegetation planted on or immediately adjacent to a road right-of-way public shall be approved in writing by the Zoning Administrator prior to construction or planting.~~ No such **perennial** vegetation between the heights of thirty (30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

THIS PAGE RESERVED FOR FUTURE USE

ARTICLE 11

LAKESIDE COMMERCIAL DISTRICT (LC)

Section 1101 Intent

The intent of the Lakeside Commercial District (LC) is to provide commercial areas for those establishments that can function most satisfactorily in an area directly related to a tourist, outdoor recreation, and residential environment requiring vehicular circulation routes and large off right-of-way parking due to the nature of the customer base and vehicle traffic.

Section 1103 Permitted Principal Uses and Structures

The following principal uses and structures shall be permitted in a Lakeside Commercial District (LC):

1. Arcades;
2. Bars;
3. Day Cares, family;
4. Day Cares, group family home;
5. Dwellings, single-family;
6. Dwellings, two-family;
7. Dwellings, multi-family;
8. Financial institutions;
9. Gasoline stations;
10. Golf courses;
11. Governmental services;
12. Historic sites;
13. Indoor archery/shooting ranges;
14. Locker;
15. Open sales areas;
16. Parks;
17. Restaurants;

~~18. Restaurants, drive-in;~~

~~19. Restaurants, in-house;~~

20. Retail sales;

21. Service establishments;

22. *Swimming pools;*

23. Theaters; and

24. Utility facilities.

Section 1105 Permitted Accessory Uses and Structures

Those accessory uses and structures normally appurtenant to the permitted principal uses and structures shall be permitted in a Lakeside Commercial District (LC) when established in conformance within the space limits of this district.

1. *A (one) 4,000 square foot accessory structure. Side wall height shall not exceed (16) feet as measured from the highest point of the finished floor at grade to the highest point of wall framing. Signs, banner;*

2. Signs, banner;

3. Signs, directional off-site;

4. Signs, directional on-site;

5. Signs, easement and utility; and

6. Signs, flag.

7. Signs, name and address plate;

8. Signs, on-site;

9. Signs, real estate;

Section 1107 Conditional Uses

After the provisions of this resolution relating to conditional uses have been fulfilled, the Board of Adjustment may permit as conditional uses in a Lakeside Commercial District (LC):

1. Amusement parks;

2. *Accessory Structures exceeding 4,000 square feet and/or exceeding a sidewall height of sixteen (16) feet.*

3. Campgrounds;

4. Day care centers;
- ~~5. Dwellings, multi-family;~~
- ~~6. Dwellings, single-family;~~
- ~~7. Dwellings, two-family;~~
8. Exhibition areas;
9. Garages, public;
10. Hotels;
11. Kennels;
12. Motels;
- 13. Firework Sales;**
14. Outdoor shooting/archery ranges;
15. Outdoor storage areas;
16. Repair shops, auto-body;
17. Repair shops, motor vehicle;
18. Self-storage warehouses;
19. Signs, off-site, pursuant to Article 14;
- ~~20. Swimming pools;~~
21. Towers, pursuant to Article 25 & Article 26;
22. Veterinary clinics; and
23. Warehousing facilities.

Section 1109 Classification of Unlisted Uses

In order to insure that the zoning ordinance will permit all similar uses in each district, the 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 a District shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to uses specifically listed.

Section 1111 Prohibited Uses and Structures

All uses and structures which are not specifically permitted as principal, accessory, or

conditional uses or approved as such within the provisions of Section 1109 shall be prohibited.

Section 1113 Minimum Lot Requirements

1. The minimum lot area shall be ~~one (1) acre~~; and 20,000 square feet
2. The minimum lot width shall be ~~one hundred and fifty (150) feet~~. one hundred (100)

Section 1115 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, patios, and carports:

1. There shall be a front yard of not less than a depth of ~~seventy-five (75) feet~~; fifty (50) feet
2. There shall be a rear yard of not less than a depth of twenty-five (25) feet; and
3. Each side yard shall be not less than twenty-five (25) feet.
4. Water and sewer or sanitary drainage systems shall be installed by a licensed installer and shall comply with all applicable South Dakota Department of Environment and Natural Resources regulations.

Section 1117 Traffic Visibility

1. A traffic visibility triangle as defined herein shall be maintained at all road intersections, public and private, driveways, railway crossings, or similar situation as determined by the Zoning Administrator; and
2. ~~Structures, perennial or similar vegetation planted on or immediately adjacent to a road right-of-way public shall be approved in writing by the Zoning Administrator prior to construction or planting.~~ No ~~such~~ perennial vegetation between the heights of thirty (30) inches and ten (10) feet shall encroach upon the right-of-way at the time of planting or future growth. The Zoning Administrator reserves the right to refer such requests to Township Supervisors, the County Highway Superintendent, or other officials.

~~ARTICLE 27~~

~~HIGHWAY 52 CORRIDOR OVERLAY DISTRICT~~

~~Section 2701 – PURPOSE~~

~~Yankton County offers one of the most scenic drives in South Dakota. The view from Chalkstone Hill is spectacular and the corridor ends at beautiful Lewis and Clark Lake. This rich natural environment should be complemented by a vibrant built environment. The Highway 52 Corridor Overlay District (HC) provides basic guidelines that promote quality design along the most visible and heavily traveled road corridor in the Yankton County zoning jurisdiction: Highway 52 from the City of Yankton to Lewis and Clark Lake. The Highway 52 Corridor Overlay District is intended to: Encourage development design that strengthens the physical character and image of Yankton County; Support the value of property and quality of development in the major highway corridor; set basic requirements for good site design and development, building design, landscaping, and signage without discouraging creativity and flexibility in design; permit safe and convenient transportation access and circulation for motorized and non-motorized vehicles, and for pedestrians; manage the impact of commercial and industrial development on adjacent residential neighborhoods.~~

~~Section 2703 – PROHIBITED USES~~

~~The uses permitted in the Highway 52 Corridor Overlay District (HC) shall be the same as those permitted by the underlying base zoning district except as provided by this section. The following uses shall be prohibited within the Highway 52 Corridor Overlay District:~~

- ~~• Hazardous waste storage;~~
- ~~• Manufacturing as stated in the Definitions section of the Yankton County Zoning Ordinance, except by a conditional use permit;~~
- ~~• Mobile home, modular home, and manufactured home sales;~~
- ~~• Mobile home parks;~~
- ~~• Pawn shops, as stated in the Definitions section of the Yankton County Zoning Ordinance;~~
- ~~• Residential houses (exclude all rural residential districts);~~
- ~~• Salvage or junk yard operations and transfer stations, as a primary use;~~
- ~~• Tow lots, as a primary use.~~

Section 2705 – HIGHWAY CORRIDOR OVERLAY DISTRICT BOUNDARIES (HC)

The Highway Corridor Overlay District (HC) applies to the following areas:

- Land within 650 feet south and north side of the centerline of Highway 52 within the planning jurisdiction of Yankton County.
- The eastern terminus of the Corridor Overlay District is the intersection of Highway 52 and lower Chalkstone Road.
- The western terminus of the Corridor Overlay District is the intersection of Highway 52 and Welkom Avenue. This area shall include all property zoned Lakeside Commercial on the north side of Highway 52.

Section 2707 – PROJECT APPLICATION AND EXCEPTIONS

The Highway 52 Corridor Overlay District (HC), its development guidelines, and other provisions, apply to the following:

Any new development requiring a building permit built on land within the boundaries of the Highway 52 Corridor Overlay District after the effective date of this Regulation, except any land that was platted prior to the adoption of this Overlay District. Replats, lot line adjustments, and lot consolidations of such platted properties shall remain excepted. Phased Developments, such as Planned Unit Developments, shall mean property that was, at a minimum, preliminary platted and at least a part of the property within the preliminary plat was final platted. This Overlay District shall include phased developments, such as Planned Unit Developments, if new development occurs within the boundaries of the District as outlined in Section 105.

The requirements of the Highway 52 Corridor Overlay District apply to any rehabilitation, repair, addition(s) or enlargement(s) of a building in place or under construction on a site as of the effective date of this Regulation. The requirements of the HC Overlay District do not apply to any building under construction on a site as of the effective date of this regulation necessitated by casualty loss.

Section 2709 – DESIGN GUIDELINES FOR COMMERCIAL AND OFFICE USES

Site Design Guidelines

(A) BUILDING LOCATION AND ORIENTATION

1. Facades with principal entrances shall be oriented to the project's primary street or to an active pedestrian or public zone within the site. The primary street for a development is Highway 52, Timberland Drive, Deer Boulevard, or a collector

- ~~(frontage) street that fronts the development. The site plan shall determine orientation of the principal entrance.~~
- ~~2. Developments at intersections shall identify or emphasize their corners with significant landscaping or similar public feature. In a corner situation, a public feature may include a sign as referred to in Part E of this Section.~~
 - ~~3. A clearly delineated pathway or route should connect all principal building or business entrances to any sidewalks or trails on streets adjacent to the project.~~



~~(B) PEDESTRIAN ACCESS~~

- ~~1. Developments shall provide a continuous walkway connection at least 5 feet in width from the public sidewalk to the customer entrances of all principal buildings on the site. Developments adjacent to multi-use trails shall provide a direct connection from the trail to the development's internal pedestrian circulation system. For trails that are proposed in the county's comprehensive plan, trail master plan, or other adopted county document but are not yet constructed, the development plan shall make provisions for a connection to the trail, and shall be responsible for constructing the connection when the trail becomes available.~~
- ~~2. Multi-building developments shall provide clear and safe walkways at least 5 feet in width that connect all buildings on the site. Buildings not intended for routine customer access or intended solely for drive-up services are excluded from this requirement.~~
- ~~3. Where the required walkways specified in this section cross drives, parking aisles, or other vehicular ways, the crosswalks shall be distinguished from driving surfaces by the use of durable, low-maintenance surface materials such as concrete or brick pavers; scored, colored concrete; or painted concrete.~~
- ~~4. Pedestrian connections to adjacent developments shall be provided.~~

~~(C) VEHICULAR ACCESS~~

- ~~1. Developments shall make maximum use of internal cross easements and shared access points when possible.~~
- ~~2. Main driveways and drive aisles shall provide a continuous system that connects to the main site entrance.~~

~~(D) PARKING~~

- ~~1. Parking shall be grouped into parking blocks that are divided by pedestrian paths, landscaping, or buildings.~~
- ~~2. A maximum of 400 parking stalls may be located in any one parking block.~~



~~(E) SIGNS~~

~~All permanent signs shall be designed, constructed and maintained in accordance with the following standards:-~~

- ~~1. Attached signs shall be located above the building entrance, storefront opening, or at other locations that are compatible with the architectural features of the building. All signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame or structure. All signs shall be maintained in a safe and legible condition at all times, including the replacement of defective or damaged parts, painting, repainting, cleaning and other services required for maintenance of the signs. All signs with an electronic message display capability shall have internal ambient light monitors installed which automatically adjust brightness to the level defined in this chapter. If a sign is not so maintained, then the owner shall be notified in writing and required to remove the sign or to immediately bring the sign into compliance.~~
- ~~2. All lots abutting Highway 52 shall use monument or ground signs, shall not exceed fifteen feet (15) in height and shall not exceed 120 square feet on each side. Each pole sign shall not exceed thirty (30) feet in height and one hundred twenty (120) square feet on each side for electronic signs and / or one hundred twenty (120) square feet for traditional text / graphics signs. Multi-tenant business sign shall not exceed two (2) square feet / one (1) linear foot of street frontage with maximum of four hundred (400) square feet on each side.~~
- ~~3. All lots abutting Highway 52 exterior building on-site signs shall not exceed two (2) square feet / one (1) linear foot of structure frontage with maximum total of two hundred (200) square feet of signage for each structure.~~
- ~~4. Illuminated signs shall be so shielded, shaded or directed so that the light intensity shall not adversely affect the surrounding or facing premises nor adversely affect the safe vision of operators of vehicles on private or public~~

~~roads. No illumination, including traditionally illuminated signs, shall exceed a brightness level of 0.3 foot candles above ambient light at the nearest property line of abutting property.~~

- ~~5. A landscaped base area shall be provided for all signs appropriate to the mass and height of the sign. All areas within 5 feet of the base of any sign shall be landscaped. The landscaped area may include trees, shrubs, flowering perennials, ornamental tall grass, fountains, water features, decorative stonework, planters, sculpture, decorative paving, turf grass, loose stone, and mulch.~~
- ~~6. All banner signs will require a special permit for a period not exceeding sixty (60) days in a calendar year for a fee of \$50.00 for each sign permit. A banner sign permit for a period not exceeding three (3) days in a calendar year for a fee of \$25.00 for each sign permit.~~
- ~~7. All property in the Hwy 52 Corridor Overlay District in existence as of the date of this amended Overlay Ordinance which is not in compliance with the requirements of Article 27, Section E: Signs, #6, shall be made to comply with all such regulations within twelve (12) months of the date of this amendment to the Corridor Overlay District.~~
- ~~8. Lots not abutting the designated highway are allowed signs as regulated by Article 14 of the Yankton County Zoning Ordinance.~~

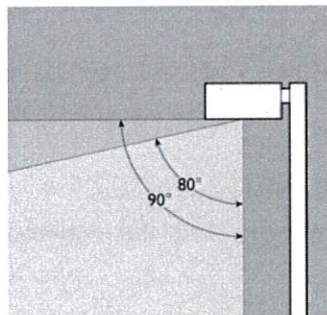


~~(F) SCREENING~~

~~Developments shall provide year-round screening of outdoor storage, utility meters, HVAC equipment, trash collection and processing. Utility meters, HVAC, and trash collection, outdoor storage and processing shall be screened to its full vertical height. Trash enclosure gates shall furnish a steel frame with decorative steel or wood covering, or another design acceptable to the Zoning Administrator. Screening shall be integrated into the overall design of buildings and landscaping and fully contain the visual impact of these service functions from adjacent public streets and neighboring properties.~~

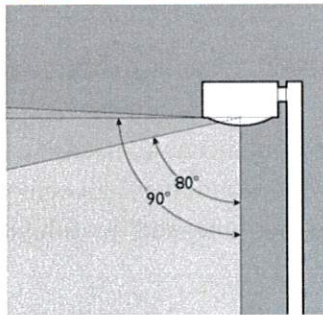
(G) LIGHTING

1. All lighting used to illuminate an off-street parking area, sign or other structure shall be arranged so as to deflect light away from any adjoining property through fixture type and location. When lighting is mounted to the underside of canopies, these lights shall be recessed so that the visible light source is no lower than the plane of the underside of the canopy.
2. The maximum height of lighting standards shall be 30 feet, unless the County grants a specific exception as part of the application approval process.
3. Exterior lighting of buildings shall be limited to illuminating devices hooded (bulb type/non glare) in such a manner that the direct beam of any light sources will not glare upon adjacent property or public streets.



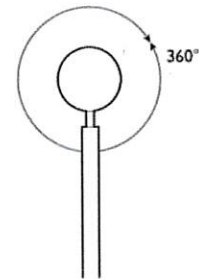
Permitted: Full Cutoff Luminaire

Does not allow light at 90°. Allows 100 cd per 1,000 lamp lumens at 80 degrees



Permitted: Cutoff Luminaire

Allows 25 cd per 1,000 lamp lumens at 90° and 100 cd per 1,000 lamp lumens at 80 degrees



Not Permitted: Non-Cutoff Luminaire

Allows unrestricted distribution of light at any angle.

.Source: IESNA

Section 2711 – ARCHITECTURAL GUIDELINES

(A) MASS AND SCALE FOR BUILDINGS

1. Variations in the vertical plane of the building shall be incorporated into the mass of the building at significant entrances or along walls that front plazas or other significant pedestrian features. Methods of variation may include towers, pediments, or façade articulations or variations; changes in the horizontal plane; or enhancements in color and materials, consistent with the overall design of the building.
2. Primary building facades shall meet one of the following guidelines:
 - a. Facades shall incorporate projections or recesses in the wall plane.
 - b. Facades shall display a pattern of color change, texture change, material change, or expression of structural bays with an offset of at least 12 inches from the ruling plane of the facade.
3. The Yankton County Board of Commissioners may waive these guidelines if the applicant demonstrates an alternative building design that in the Board's opinion provides visual interest and scale to the building.

~~(B) ARCHITECTURAL ELEMENTS~~

- ~~1. Front facades facing a primary street shall have visible, clearly defined customer entrances that include at least three of the following elements: canopies or porticos, overhangs, recesses or projections, arcades, raised cornice parapets over the entrance door, distinctive roof forms, arches, outdoor patios or plazas, display windows, or integral planters.~~
- ~~2. Front facades shall utilize variations in color, horizontal planes, materials, patterns, height, or other techniques to provide visual interest and scale to buildings.~~
- ~~3. All rear and side facades abutting an arterial or collector shall use a simplified expression of the materials and design used on the front facade.~~

~~(C) BUILDING MATERIALS~~

- ~~1. Permitted exterior building materials shall be high quality, durable materials that include, but are not limited to, brick, native or manufactured stone, wood, concrete, cement and/or architectural metals.~~
- ~~2. Materials on all sides of the building shall complement the front facade.~~
- ~~3. These guidelines are not intended to inhibit creativity and innovation in building design.~~

~~(D) ROOF FORMS~~

- ~~1. Buildings with slightly sloped roofs to drain shall incorporate parapets on all facades that face a public street or residential district. Variations in parapet height and articulation of cornice lines may be used to add interest.~~
- ~~2. Roof forms shall be designed to express various building functions or features, such as entrances.~~
- ~~3. Visible roof materials shall include clay or concrete tile, split shakes, torn metal, architectural grade asphalt shingles, asphalt shingles, fiberglass shingles, architectural metals, copper, natural or synthetic slate, or similar durable materials.~~



Section 2713 – LANDSCAPE STANDARDS FOR ALL USES

- ~~1. Building Perimeter Walls~~

~~Shrubs, or other landscape materials, shall be planted / placed within 15 feet of the foundation of the primary structure along each building facade at the rate of at least 20 shrubs per 50 lineal feet of building facade except for sides or rear of building used for loading or service areas. Foundation plantings may be clustered to provide visual interest.~~



~~2. Roadway Frontage~~

~~Along highway frontage there shall be a minimum 10-ft. wide landscape strip, continuous along the frontage except for perpendicular crossings for driveways and utilities. The landscape strip shall be planted with shade trees (6 ft. tall, 2" caliper, dbh, at time of planting, and not less than 20 ft. tall at maturity) planted not more than 50 ft. on center, and shrubbery forming an intermittent hedge not less than 3 ft. in height designed to provide an adequate screen. Landscape berms, earthen mounds designed to provide visual interest, screen undesirable views, and/or decrease noise, may be incorporated into the landscape design.~~



~~3. Outdoor Sales Display Areas~~

~~Along highway frontage there shall be a minimum 10-ft. wide landscape strip, continuous along the frontage except for perpendicular crossings for driveways and utilities. The landscape strip shall be planted in a bed of ground cover, sod, landscape mulch and/or low shrubbery.~~

~~4. Outdoor Storage Areas~~

~~Along highway frontage there shall be a minimum 10-ft. wide landscape strip, continuous along the frontage except for perpendicular crossings for driveways and utilities. The landscape strip shall be planted in a bed of ground cover, sod, landscape mulch and/or low shrubbery.~~

~~5. Customer Parking Lot Landscaping~~

- ~~a. Each parking area of over 25 spaces shall include landscaped islands within the parking area equivalent to not less than 5—10 percent with Planning Director discretion of the total paved area of the parking lot, not including pervious paving surfaces.~~
- ~~b. Landscaping in parking lots shall contain at least 1 shade tree (minimum of 6 ft. tall and 2" caliper dbh at time of planting and 20 ft. tall at maturity) for each 100 square feet of landscaping. Shade trees shall be planted in a bed of ground cover, sod, landscape mulch and/or low shrubbery.~~



~~6. Perimeter Landscaping~~

- ~~a. Where parking lots abut adjacent residentially zoned or residentially used property, a transitional buffer is required.~~
- ~~a. Where parking lots abut public streets other than the Highway, a landscape strip is required.~~
- ~~b. Appropriate shade tree species for landscaping parking lots include the following:~~
 - ~~1. White Swamp Oak~~
 - ~~2. Various ornamental crab apple cultivars~~
 - ~~3. Ginkgo (Variety: President, Autumn Gold, male gender)~~
 - ~~4. Accolade Elm~~
 - ~~5. Amur Maple~~
 - ~~6. Autumn Blaze Maple~~
 - ~~7. Various Linden cultivars~~
 - ~~8. Various Spruce cultivars~~
 - ~~9. Various Birch cultivars~~
 - ~~10. Other indigenous species approved by the Zoning Administrator.~~