

Yankton County Planning Commission  
Yankton County Board of Adjustment

Date filed: 9-21-2018

Applicant:

**Matt & Jon Maras**

**District type:**  AG  R1-Low  R2-Moderate  R3-High  C-Comm.  
 LC – Lakeside Commercial  RT-Rural Transitional

Conditional Use Permit(s) needed:  
 Section 507  Section 519  Section 605  Section 705  Section 805  
 Other Article 11, Section 1107 (16)

North Side/ Yard lot line: \_\_\_\_\_ feet or no closer than \_\_\_\_\_ feet to the \_\_\_\_\_ lot line.

East Side / Yard lot line: \_\_\_\_\_ feet or no closer than \_\_\_\_\_ feet to the \_\_\_\_\_ lot line.

South Side / Yard lot line: \_\_\_\_\_ feet or no closer than \_\_\_\_\_ feet to the \_\_\_\_\_ lot line.

West Side / Yard lot line \_\_\_\_\_ feet or no closer than \_\_\_\_\_ feet to the \_\_\_\_\_ lot line.

Accessory Building Size allowed: _____ sq. ft. Side wall: _____
Proposed building size: _____ or _____ sq. ft.
Proposed sidewall height: _____ ft.
Affects Section: _____

**NOTE:**

Conditional Use Permit for a commercial storage facilities

PC: Article 18, Section 1805 (1-5)

BOA: Section 1905 (1-6)

Planning Commission date: 10-9-2018  
12-11-2018

Time: 7:25 PM  
7:15 PM

Board of Adjustment date: 12-28-2018

Time: 12:25 PM

## Yankton County Planning Recommendation

The Yankton County Planning Commission recommends that the following be approved / denied by the Yankton County Commission or the Board of Adjustment.

Applicant:           Matt & Joni Maras            
 Address:           Hartford, S.D.            
 Hearing date:           12-11-18            
 Description:           CUP for storage units in LC          

Action 121118G: Moved by Becker, second by Kettering to recommend to approve a Conditional Use Permit based on Finding of Facts dated December 11, 2018, pursuant to Article 18, Section 1805 of the Yankton County Zoning Ordinance, for three (3) self-storage facilities in a Lakeside Commercial District (LC) in Yankton County. Said property is legally described as Lot 8, Whitetail Run, SE1/4, NE1/4, S16-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Deer Boulevard, Yankton, SD.

By roll call vote, seven members voted aye, one member abstain.  
 Motion carried.

<p><u>          Michael Welch          </u> <input checked="" type="radio"/> Y <input type="radio"/> N <input type="radio"/> AB</p> <p><u>          Don Kettering          </u> <input checked="" type="radio"/> Y <input type="radio"/> N <input type="radio"/> AB</p> <p><u>          Debra Bodenstedt          </u> <input checked="" type="radio"/> Y <input type="radio"/> N <input type="radio"/> AB</p> <p><u>          Butch Becker          </u> <input checked="" type="radio"/> Y <input type="radio"/> N <input type="radio"/> AB</p> <p><u>          Zane Williams          </u> <input checked="" type="radio"/> Y <input type="radio"/> N <input type="radio"/> AB</p>	<p><u>          Dan Guthmiller          </u> <input type="radio"/> Y <input type="radio"/> N <input checked="" type="radio"/> AB</p> <p><u>          Carll Kretsinger          </u> <input type="radio"/> Y <input type="radio"/> N <input type="radio"/> AB</p> <p><u>          Erik Koenigs          </u> <input checked="" type="radio"/> Y <input type="radio"/> N <input type="radio"/> AB</p> <p><u>          Jeff Gudahl          </u> <input checked="" type="radio"/> Y <input type="radio"/> N <input type="radio"/> AB</p>
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Motion:           Butch Becker            
 Second:           Don Kettering

Yankton County Planning Commission

Meeting date: December 11, 2018

CONDITIONAL USE  
Article 18, Section 1805

FINDINGS OF FACT

Applicant: Matt & Jon Maras

Parcel Number: 09.016.200.100

Legal description: Lot 8, Whitetail Run, SE1/4, NE1/4, S16-T93N-R56W

Physical Address TBA Deer Boulevard, Yankton, SD

1. The applicant specifically cited the section of the zoning ordinance under which the conditional use is sought and has stated the grounds on which it is requested; Applicant is requesting a Conditional Use Permit for a Conditional Use Permit (Article 11, Section 1107 (16)) to build three (3) storage units in a Lakeside Commercial District (LC) in Yankton County. Said property is legally described as Lot 8, Whitetail Run, SE1/4, NE1/4, S16-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Deer Boulevard, Yankton, SD.
2. Notice of public hearing was given, as in Section 1803 (3-5); The applicant mailed letters of notification to property owners within a one-quarter mile radius of the proposed CUP on December 1, 2018 (supported by affidavit), a legal notice was published on December 1, 2018 in the Yankton Daily Press and Dakotan and a notification sign was placed on the property on December 3, 2018.
3. The public hearing shall be held. Any party may appear in person, or by agent or attorney; A public meeting was held at 7:15 pm on December 11, 2018 in the Yankton County Government Center County Commission chambers. The October 9, 2018 Planning Commission meeting presented the following information: Jon Maras discussed the proposal to build self-storage facility in a Lakeside Commercial District. The project site plan shows three (3) buildings 326 feet X 80 feet (26,000 sq. ft. each) on a four (4) acre lot. The drive surface will be crushed asphalt base around each building site. The drainage is proposed to go 50% east direction and 50% west direction. This is an issue as no proper drainage plan is in place to receive the water flowing west. Mr. Maras stated the project could arrange for all drainage to flow east to Deer Boulevard ditch. The preliminary plan shows proposed lots and access but no plans for proper drainage from the proposed lots. The Planning Commission discussed the application and determined the preliminary plan needs to address drainage from the subdivision to retention ditches and Deer Boulevard ditch. The plan needs to show retention when necessary and long term implementation of the drainage plan in the entire subdivision. That current owners are responsible to develop the complete preliminary subdivision plan with proper grading and drainage plan. The Planning Commission offered a continuance until November 13, 2018.

No other comments, positive or negative, were received by the Zoning Administrator or presented at the public hearing.

Jon Maras discussed the application and stated the preliminary plat recommended for approval this evening meets the planning commission recommendation to provide proper drainage for the development site. All the drainage for this proposal will flow to the east (Deer Boulevard). The structures will be three (3) buildings 326 feet X 80 feet (26,000 sq. ft. each) on a four (4) acre lot. The drive surface will be crushed asphalt base around each building site. The ingress / egress will be from Deer Boulevard and the bike trail will be required to have a cement overlay to properly support the storage business traffic. The site plan includes landscaping and site improvements. The outdoor lights will all be downcast style.

No other comments, positive or negative, were received by the Zoning Administrator or presented at the public hearing.

4. The Planning Commission shall make a finding and recommendation that it is empowered under the section of this Ordinance described in the application, to include:

- A. Recommend granting of the conditional use;

- B. Recommend granting with conditions; or

The commission recommends granting approval of the conditional use permit with listed conditions.

- C. Recommend denial of the conditional use.

5. Before any conditional use is decided, the Planning Commission shall make written findings certifying compliance with the specific rules governing individual conditional uses and that satisfactory provision and arrangement has been made concerning the following, where applicable:

- A. 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; The applicant has shown sufficient access to property with established roadway (Deer Boulevard). The applicant will improve the approach with a cement overlay to properly support the storage business traffic

- B. Off right-of-way parking and loading areas where required; with particular attention to the items in (A) above and economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district; All off right-of-way areas are currently compliant.

- C. Refuse and service areas, with particular reference to the items in (A) and (B) above; Refuse and service areas is in compliance.

- D. Utilities, with reference to locations, availability, and compatibility; Utilities will be available and will be in operational condition, the security lights will be monitored for proper downcast illumination to provide sufficient security.

- E. Screening and buffering with reference to type, dimensions, and character; Screening and buffering is provided with landscaping.

- F. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district; All signage will conform to Article 14, Yankton County Zoning Ordinance



- G. Required yards and other open spaces; *Yards and open spaces requirements are compliant with current regulations for proposed activity.*
- H. General compatibility with adjacent properties and other property in the district and that the granting of the conditional use will not adversely affect the public interest. *The use is compatible with adjacent properties in the district and the granting of a Conditional Use Permit will not adversely affect the public interest.*

Action 121118G: Moved by Becker, second by Kettering to recommend to approve a Conditional Use Permit based on Finding of Facts dated December 11, 2018, pursuant to Article 18, Section 1805 of the Yankton County Zoning Ordinance, for three (3) self-storage facilities in a Lakeside Commercial District (LC) in Yankton County. Said property is legally described as Lot 8, Whitetail Run, SE1/4, NE1/4, S16-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Deer Boulevard, Yankton, SD.

By roll call vote, seven members voted aye, one member abstain.  
Motion carried.

YANKTON COUNTY  
APPLICATION # 3349

(Type or Print)

OWNER: Matt & Jon Maras.

OWNERS ADDRESS: 1900 E 2nd St. Hartford.

OWNERS DAYTIME PHONE#: 605-360-2766 <sup>57033</sup>

DATE OF BUILDING PERMIT REQUEST: 9-21-18

DESCRIPTION OF BUILDING PERMIT: Storage Facilities

REASON FOR BUILDING PERMIT DENIAL: CUU requirement

DATE OF DENIAL: 9-21-2018

JOB ADDRESS: TBA Deer Boulevard, Yankton

LEGAL: Lot 8, Whitehart Run, SE 1/4, NE 1/4, 16-28-56

TOWNSHIP: Union South SECTION: 16

EXISTING USE OF PROPERTY: AG production

PRESENT ZONING CLASSIFICATION: LC

PROPOSED ZONING CLASSIFICATION: LC

AFFECTED SECTION OF ZONING ORDINANCE: Article 11, Section 107(16)

REASON FOR REQUEST: Commercial storage

facilities

LIST SPECIFIC HARDSHIPS: CUU requirement

<input type="checkbox"/>	Variance Application
<input checked="" type="checkbox"/>	Conditional Use Permit
<input type="checkbox"/>	Rezoning Permit

Applications will not be accepted nor acted upon until the following information has been provided by the applicant:

- A) Detailed Site Plan (Refer to handout)
- B) Location and Use of Adjacent Structures
- C) Application Fee(s)

SCHEDULED FOR PLANNING COMMISSION ACTION (Date): 10-9-18

SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (Date): 11-6-18 12-28-18

\*TENTATIVE DATE: Final date announced at Planning Commission Meeting:

APPLICATION FEE: 100<sup>00</sup> CHECK #: 2243 RECEIPT #: \_\_\_\_\_

The undersigned acknowledges/declares that all the facts and representations stated in this application are true and by signing, acknowledges the cost and the procedure for the processing of the application and certifies that the property described by the legal description is not delinquent.

X Jon Maras 9/21/18 Jon Maras 9/21/18  
Name of Applicant Date Signature of Applicant/Owner Date

Yankton County South Dakota  
Parcel Record Information

Parcel Number: 09.016.200.100 Type: RE Year: 2018

**Address Info**

Deed:  
DEERFIELD TRUCK & EQUIPMENT CO

Contract:

Mailing:  
DEERFIELD TRUCK & EQUIPMENT C  
PO BOX 805  
LAUREL NE 68745

**Legal Info**

Location: Section/Town/Range: 16/ 93/ 56

Township: TOWNSHIP 93-56 Addition/Block/Lot: 16-93-56 Acres: 67.22

Legal Description: SE4 NE4 EXC PARC A&B & EXC LT H-2 & H-3 & NE4 SE4 EXC PARC A&B  
& EXC TR 1 WHITETAIL RUN

**Values Info**

Class	Description	Assessed	Equalized	Exempt
AGA	AGRICULTURAL LAND	243,600	207,060	0

TOTAL

~~4.74~~  
~~31.77~~  
~~42.51~~  
+  
111 Nome St.  
Yankton, SD 57078  
email  
Jon Mares  
Jon Mares  
jonmares@gmail.com

# PURCHASE AGREEMENT

THIS IS A LEGALLY BINDING CONTRACT. IF YOU DO NOT UNDERSTAND IT, SEEK LEGAL ADVICE.

## 1. PARTIES TO THE CONTRACT

Purchaser and Seller acknowledge that Broker is  is not  the limited agent of both parties to this transaction.

Matt + Jon Mirra, hereinafter referred to as Purchaser.

Deer Blud Truck & Equipment, hereinafter referred to as Seller.

Purchaser offer and agrees to purchase upon the terms and conditions set forth, the property legally described as:

4 Acres (440' frontage & 440' depth) in the SE 1/4, NE 1/4 Evc. A & B Evc. L4 H2 & H3 of NE 1/4 SE 1/4 Evc. Parc. A & B. To 1. Unit 1000 in Sec 16 T93 R56 S4

Also known as: Deer Blud (See MAP) in Grant Co. SD

## 2. EARNEST MONEY DEPOSIT

Earnest Money in the amount of (\$5000) Five thousand Dollars shall be deposited into the trust account of the Listing  Selling  Broker and credited at closing. If an accepted Purchase Agreement does not close, regardless of the circumstances, both Purchaser and Seller must agree in writing prior to release of earnest money or in the alternative, pursuant to court order in accordance with SDCL 36-21A-81.

## 3. FUNDING

This is a cash offer not contingent upon financing. The remaining balance due at closing shall be paid by certified check. Verification of funds from \_\_\_\_\_ will be delivered by \_\_\_\_\_ (date) or this agreement, at the option of the Seller, without notice to the Purchaser, be voided.

This offer is contingent upon Purchaser obtaining financing for a Commercial type of loan. A letter of Purchaser's loan status will be delivered by 9-21-15 (date). Within 10 legal banking days after acceptance of this Purchase Agreement, Purchaser will make written formal application for and diligently and in good faith endeavor to secure a loan, pay all application fees, and to sign all financing documents without delay. Purchaser reserves the right to obtain alternative financing so long as there are no increase costs to Seller.

Contract for Deed. See attached addendum. Plains Common Law

## 4. APPRAISAL

This Purchase Agreement is  is not  subject to the property appraising for the at least the purchase price. If the appraisal report reveals any deficiencies that must be corrected, Purchaser and Seller may negotiate in good faith to correct such deficiencies.

## 5. PROPERTY CONTINGENCY

This offer is not contingent upon the sale or close of property owned by the Purchaser. If Purchaser is obtaining financing this must be stated on loan status letter.

This offer is contingent upon the sale and close of the Purchaser's property commonly known as: (full address) \_\_\_\_\_

within time specified for closing Seller Property. Seller shall the right to continue to offer the property for sale and accept any offer subject to the rights of the Purchaser. Should Seller receive another acceptable offer, Seller will give Purchaser written notice of that fact. Purchaser will provide a written wavier of this contingency within \_\_\_\_\_ hours of receipt of Seller notice or this agreement will terminate without further notice and Earnest Money will be returned according to paragraph 2 of this agreement. Upon waiver of this contingency, Purchaser warrants and will provide written proof that the funds needed for closing will be available and Purchaser's ability to obtain financing is not contingent upon the sale and/or close of any property.

This offer is contingent upon the Seller's property purchase and closing.

## 6. SELLERS PROPERTY DISCLOSURE

Before signing this agreement Purchaser acknowledges receipt of Seller's Property Condition Disclosure Statement dated \_\_\_\_\_ as required by SDCL 43-4-38 through 43-4-43.

Purchaser acknowledges that no disclosure statement is required for the following reason

Base land

INITIALS: PURCHASER JM SELLER MD

# YANKTON COUNTY BUILDING PERMIT APPLICATION

Each building site must have a separate site plan

*Applicant to complete numbered spaces only.*

1. Job Address			
2. Legal Description of Construction Site			
3. Owner	Mail Address	Zip	Phone
	<i>Matt + Jon Maras</i>	<i>1900 E 2nd St</i>	<i>Hartford, SD</i>
4. Contractor	Mail Address	Zip	Phone
	<i>self</i>	<i>Great American Construction</i>	
5. Architect or Designer	Mail Address	Zip	Phone
6. Type and Use of Building	<i>80x326</i> <i>40x300 storage units</i>		
7. Class of Work (Check One)	<input checked="" type="checkbox"/> New	<input type="checkbox"/> Addition	<input type="checkbox"/> Alteration
	<input type="checkbox"/> Repair	<input type="checkbox"/> Move	<input type="checkbox"/> Remove
8. Describe Work:			
9. Valuation of Work: \$		Mobile/Manufactured Home Tax Affidavit	Y <input checked="" type="radio"/> N

Owner

Job Address

57033

For Official Use Only-

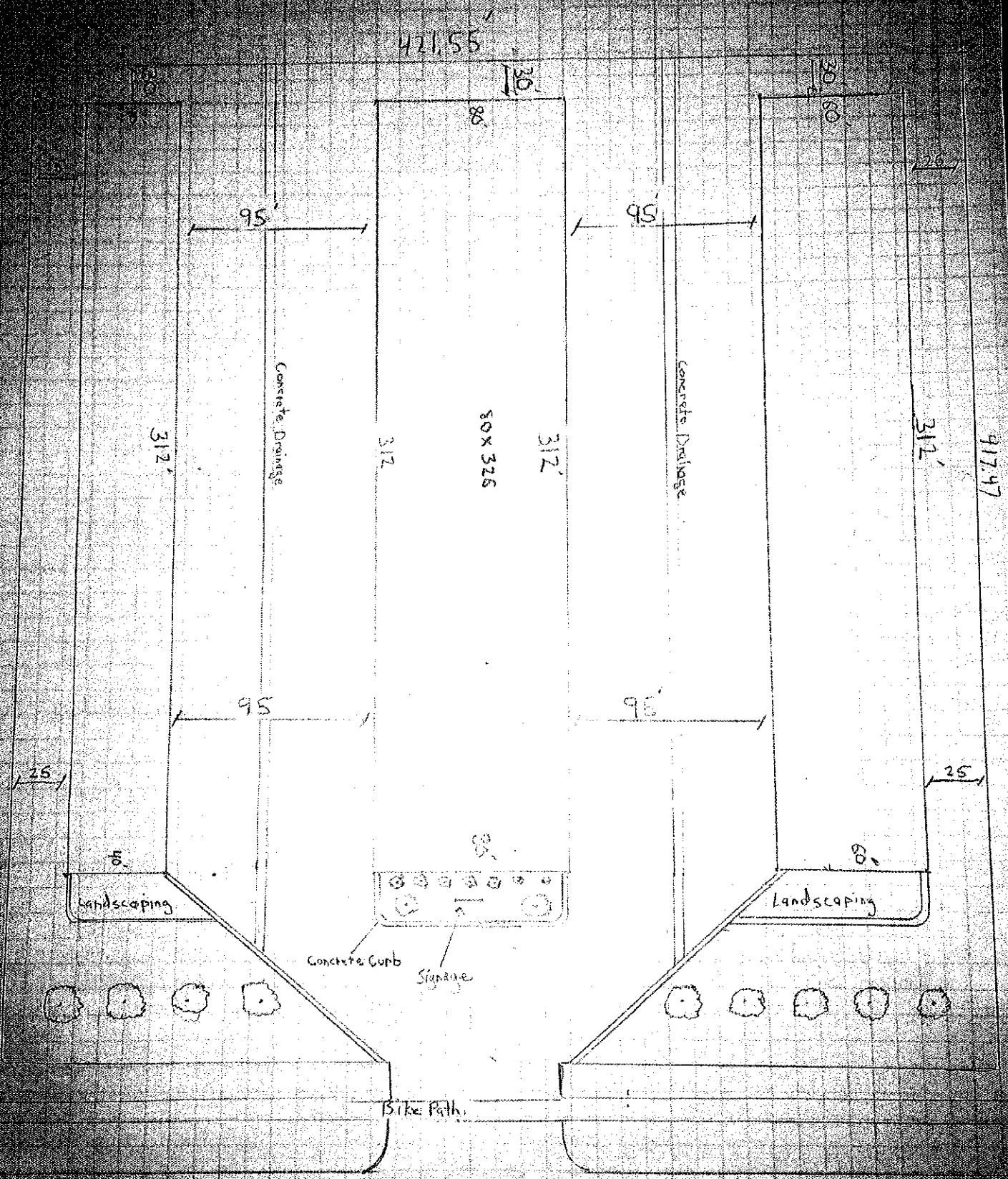
SPECIAL CONDITIONS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Application Accepted By:	Site Plans Checked By:	Approved for Issuance By:	PERMIT FEE	Check #
<p style="text-align: center;"><b>NOTICE</b></p> <p>THIS PERMIT WILL EXPIRE IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN ONE HUNDRED EIGHTY (180) DAYS OR CONSTRUCTION IS NOT SUBSTANTIALLY COMPLETED WITHIN TWO (2) YEARS OF ISSUANCE. I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF THE YANKTON COUNTY ZONING ORDINANCE OR ANY OTHER FEDERAL, STATE, OR LOCAL LAW REGULATING CONSTRUCTION ACTIVITIES OR THE USE OF ANY PROPERTY.</p>			Type of Construction <i>New</i>	Sewer/Water Certification of Service
			Total Square Feet	Number of Stories
			Zoning District	Number of Accessory Buildings
			Number of Dwelling Units	Property/Parcel/Lot Size
<p>Signature of Contractor or Authorized Agent _____ Date _____</p> <p>Signature of Owner (if owner builder) _____ Date _____</p> <p>BY THIS SIGNATURE, THE ZONING ADMINISTRATOR IS AUTHORIZED TO ENTER UPON THE PROPERTY DESCRIBED FOR THE PURPOSE OF INSPECTION</p>			<p><b>For County Officials Use Only</b></p> <p>When properly validated (in this space), this is your permit.</p> <p>The above application is hereby approved.</p> <p>Building Permit Number: _____</p> <p>Post Construction? Y <input checked="" type="radio"/> N</p>	
Zoning Administrator or Authorized Representative			Date	





Deer BLV

## Yankton County Planning Recommendation

The Yankton County Planning Commission recommends that the following be approved / denied by the Yankton County Commission or the Board of Adjustment.

Applicant: Matt & Jan Maras  
 Address: 1900 # 2nd St Hartford, SD  
 Hearing date: 10-9-18  
 Description: CUP self storage unit/facility

Action 10918F: Moved by Williams, second by Kretsinger to recommend a continuance to November 13, 2018 for a Conditional Use Permit for self-storage facilities in a Lakeside Commercial District (LC) in Yankton County. A preliminary subdivision plan with proper grading and drainage plan is required prior to the hearing. Said property is tentatively legally described as Lot 8, Whitetail Run, SE1/4, NE1/4, S16-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Deer Boulevard, Yankton, SD.  
 By roll call vote, all members voted aye.  
 Motion carried.

Michael Welch Y N AB  
Don Kettering Y N AB  
Debra Bodenstedt Y N AB  
Butch Beeker Y N AB  
Zane Williams Y N AB

Dan Guthmiller Y N AB  
Carl Kretsinger Y N AB  
Erik Koenigs Y N AB  
Jeff Gudahl Y N AB

Motion: Williams  
 Second: Kretsinger



**Please Check Plat Type:**

- Final
- Amended
- Preliminary
- Revision

**Development Information**

Plat Name: Lots 789, 790 Whiteford  
Co. SE 1/4, N 1/4, 16-93-56

Section No: 16 Township No: Whiteford

Range: 56 Number of Lots/Tracts: 4

Number of Acres: 444.404 ac

How is the property currently being used?  
AG production

What is the proposed use of the property?  
swine facility, LLC  
business

**Surveyor/Engineer Information**

Firm Name: John Brandt  
 Address: 1202 Whiteford Rd  
 City: Yankton State: SD Zip: 57078  
 Contact Person: John  
 Phone: 665-8455

**Property Owner Information**

Name: Matt & Jon Moran  
 Address: 1900 E 2nd St  
 City: Hartford State: SD Zip: 57033  
 Contact person: Jon

If the property owner is represented by an authorized agent, please provide the following:  
 Agent's name: Samuel Beck  
 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) 444.404
3. Is this (plat) an existing farmstead?  Yes  No
4. If a farmstead, how many acres are surrounding it? N/A
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 X Jon Moran  
 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.

Jon Moran  
 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: 10-9-18  
 County Commission Date: 11-6-18

PRELIMINARY PLAT OF LOTS 1-20, WHITETAIL RUN, IN THE SE1/4 OF THE NE1/4 AND IN THE NE1/4 OF THE SE1/4 OF SECTION 16, T93N, R56W, OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA.

R=22833.31'  
L=37.14'  
D=0°05'36"  
T=18.57'

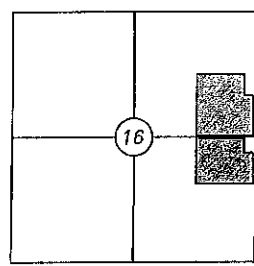
PREPARED BY:  
BRANDT LAND SURVEYING  
1202 WILLOWDALE ROAD  
YANKTON, SD 57078  
(605) 665-8455

NOTE:  
BASIS OF BEARING  
BY GPS OBSERVATION

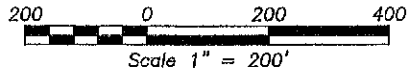
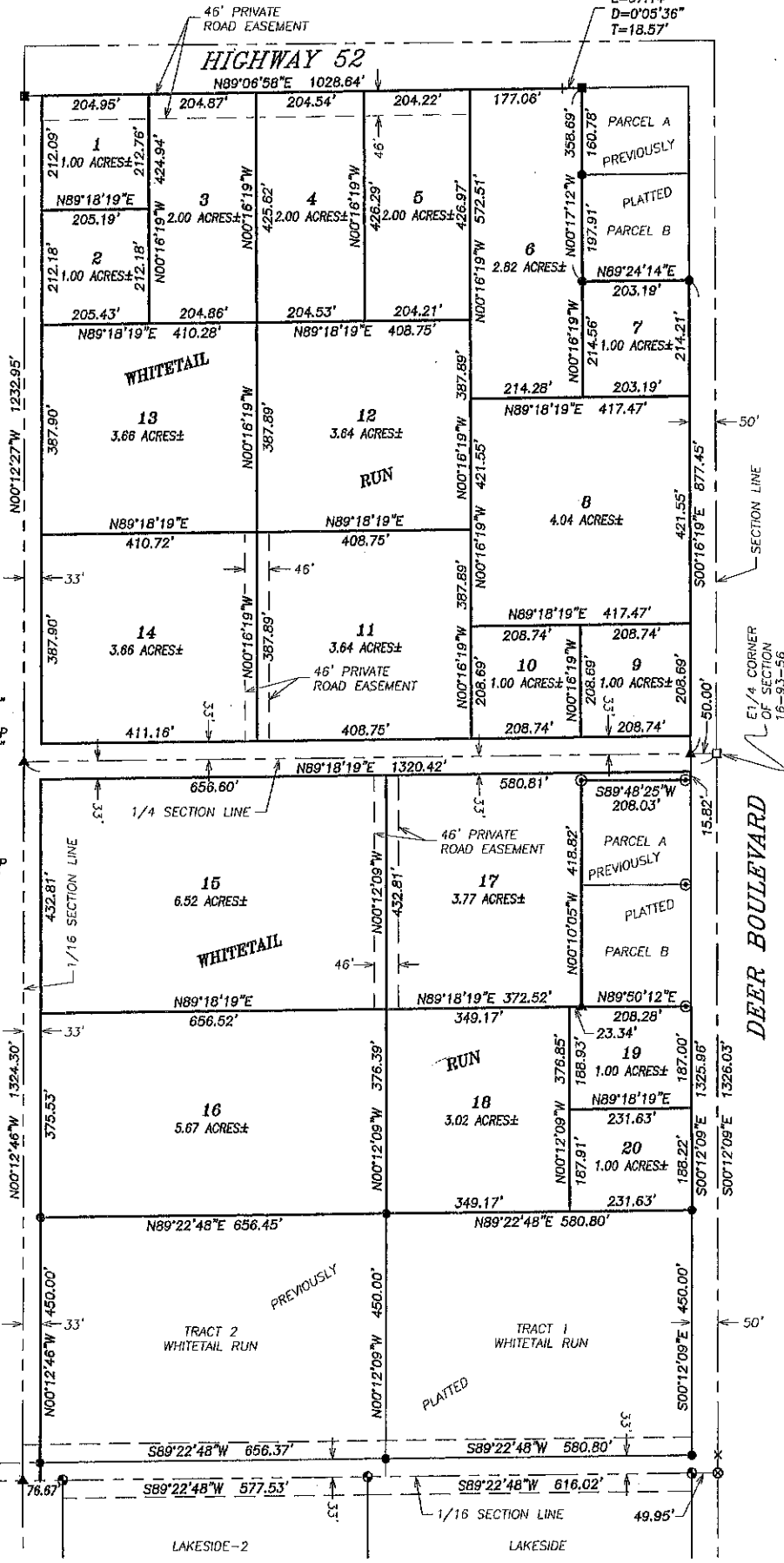


LEGEND

- SET 5/8" REBAR WITH L.S. CAP STAMPED "J. BRANDT R.L.S. 5349"
- FOUND 5/8" REBAR WITH L.S. CAP STAMPED "J. BRANDT R.L.S. 5349"
- FOUND 5/8" REBAR
- FOUND ALUMINUM DOT CAP
- ⊗ FOUND P-K NAIL
- ⊙ FOUND 5/8" REBAR WITH L.S. CAP STAMPED "TOM WEEK PELS 2012"
- ▲ FOUND IRON PIPE WITH L.S. CAP STAMPED "SKROCH 9110"
- ⊙ FOUND IRON PIPE
- × CALCULATED CORNER



LOCATION (N.T.S.)



GRADING PLAN OF LOTS 1-20, WHITETAIL RUN, IN THE SE1/4 OF THE NE1/4 AND IN THE NE1/4 OF THE SE1/4 OF SECTION 16, T93N, R56W, OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA.

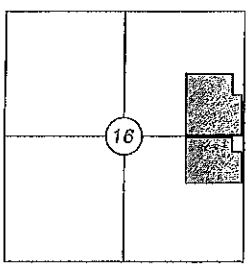
PREPARED BY:  
BRANDT LAND SURVEYING  
1202 WILLOWDALE ROAD  
YANKTON, SD 57078  
(605) 865-8455

NOTE:  
BASIS OF BEARING  
BY GPS OBSERVATION

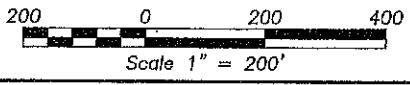
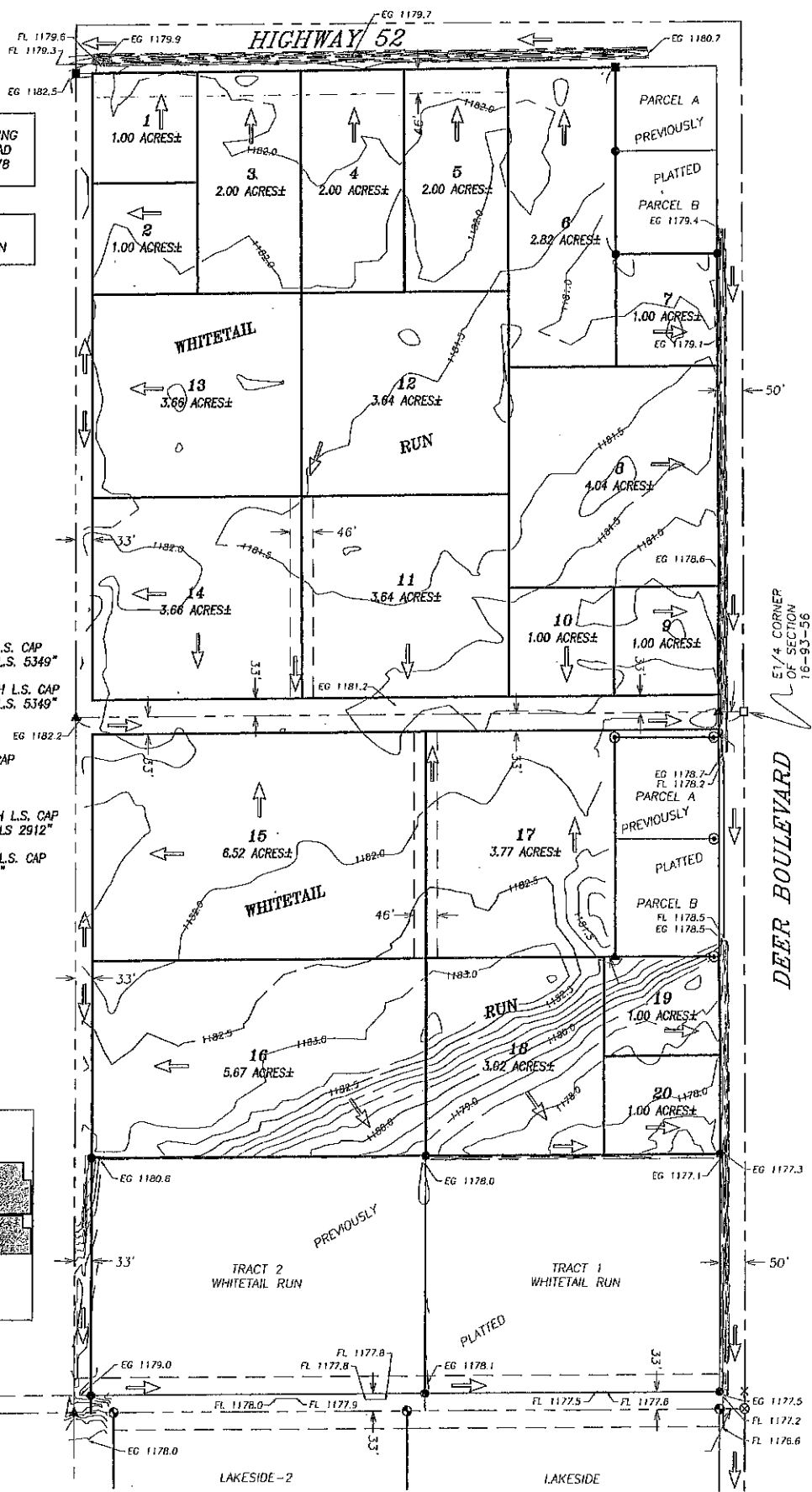


**LEGEND**

- SET 5/8" REBAR WITH L.S. CAP STAMPED "J. BRANDT R.L.S. 5349"
- FOUND 5/8" REBAR WITH L.S. CAP STAMPED "J. BRANDT R.L.S. 5349"
- FOUND 5/8" REBAR
- FOUND ALUMINUM DOT CAP
- ⊗ FOUND P-K NAIL
- ⊙ FOUND 5/8" REBAR WITH L.S. CAP STAMPED "TOM WEEK FELS 2912"
- ▲ FOUND IRON PIPE WITH L.S. CAP STAMPED "SKROCH 9110"
- ⊙ FOUND IRON PIPE
- × CALCULATED CORNER
- FL FLOW LINE
- EG EXISTING GROUND



LOCATION (N.T.S.)



## NOTIFICATION

September 25, 2018

Matt Maras  
1900 E. 2<sup>nd</sup> St.  
Hartford, SD 57033

Exhibit #1

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.

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 7:25 P.M. on the 9th day of October, 2018, 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 self-storage facilities in a Lakeside Commercial District (LC) in Yankton County. Said property is legally described as Lot 8, Whitetail Run, SE1/4, NE1/4, S16-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Deer Boulevard, Yankton, SD.

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

Sincerely,

Matt & Jon Maras  
Petitioner





SUDBECK, JASON K  
T&M STORAGE LLC  
TJ LAND INC  
TJEERDSMA, JEREMY L  
WIESELER, DALE  
YANKTON RV BOAT & STORAGE LLC

256 DEERFIELD DR  
118 WEST 3 ST  
6627 DUNSMORE RD  
406 S DEER BLVD  
4005 WEST 11 ST  
505 PATRICK AVE

YANKTON SD 57078  
YANKTON SD 57078  
RAPID CITY SD 57702  
YANKTON SD 57078  
YANKTON SD 57078  
HARTFORD SD 57033

Exhibit #1A

AFFIDAVIT OF MAILING

I, Jon A. Marcus, hereby certify that on the 29th day of September, 2018, 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 1/4 mile radius of the proposed project to the most recent address of the recipient known to your Affiant.

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

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

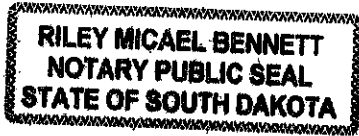
Dated the 29th day of September, 2018.

[Signature]  
(Name)  
Affiant

Subscribed and sworn to before me this 29th day of September, 2018.

[Signature]  
Notary Public - South Dakota  
My commission expires: 07/31/2023

(SEAL)





## NOTIFICATION

November 28, 2018

Matt Maras  
1900 E. 2<sup>nd</sup> St.  
Hartford, SD 57033

Exhibit #1 (2)

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.

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 11th day of December, 2018, 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 self-storage facilities in a Lakeside Commercial District (LC) in Yankton County. Said property is legally described as Lot 8, Whitetail Run, SE1/4, NE1/4, S16-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Deer Boulevard, Yankton, SD.

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

Sincerely,

Matt & Jon Maras  
Petitioner



SUDBECK, JASON K  
T&M STORAGE LLC  
TJ LAND INC  
TJEERDSMA, JEREMY L  
WIESELER, DALE  
YANKTON RV BOAT & STORAGE LLC

256 DEERFIELD DR  
118 WEST 3 ST  
6627 DUNSMORE RD  
406 S DEER BLVD  
4005 WEST 11 ST  
505 PATRICK AVE

YANKTON SD 57078  
YANKTON SD 57078  
RAPID CITY SD 57702  
YANKTON SD 57078  
YANKTON SD 57078  
HARTFORD SD 57033

AFFIDAVIT OF MAILING

I, Jon Marks, hereby certify that on the 1st day of December, 2018, 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 1/4 mile radius of the proposed project to the most recent address of the recipient known to your Affiant.

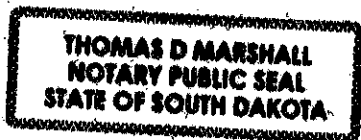
A true and correct copy of the Notice of Public Hearing notification letters are attached as Exhibit #1 or #2.

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

Dated the 1st day of December, 2018.

Jon Marks  
\_\_\_\_\_  
(Name)  
Affiant

Subscribed and sworn to before me this 1st day of December, 2018.



James D. Marshall  
\_\_\_\_\_  
Notary Public South Dakota  
My commission expires: 05/22/2021

(SEAL)

# NOTIFICATION

December 12, 2018

Matt Maras  
1900 E. 2<sup>nd</sup> St.  
Hartford, SD 57033

*Exhibit #2*

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.

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 Board of Adjustment, Yankton County South Dakota, at 12:25 P.M. on the 28th day of December, 2018, 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 self-storage facilities in a Lakeside Commercial District (LC) in Yankton County. Said property is legally described as Lot 8, Whitetail Run, SE1/4, NE1/4, S16-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Deer Boulevard, Yankton, SD.

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

Sincerely,

Matt & Jon Maras  
Petitioner

**OwnerAddress1**

AFFORDABLE SELF-STORAGE 2 LLC  
 ASP5 LLC  
 BENDER, FRED  
 BLOM, JOSHUA  
 BOB LAW INC  
 DAHLIN DRYWALL INC  
 DEERFIELD TRUCK & EQUIPMENT CO  
 DOERING, HENRY L  
 FALKENBERG, STEPHEN  
 FEJFAR, JEFF  
 FEJFAR, MARY REVOCABLE TRUST  
 G & W PROPERTIES  
 GAR HOLDINGS LLC  
 HEINE FARMS  
 HEINE, PATRICK RAYMOND  
 JACKMAN, KATHERINE  
 JOHNSON, BONITA J (LE)  
 JTH LLC  
 KALTSULAS, THOMAS C  
 KETTERING, DONALD L  
 KULBEL, THERESA M REV TRUST  
 LAKESIDE PARK SD LLC  
 LASER BARN LLC  
 LEADER, LARRY F  
 LEFEBVERE, JACOB W  
 LEMONADE STAND LLC (THE)  
 LEWIS & CLARK MEAT LODGE LLC  
 LOCKWOOD LEASING LLC  
 LUKEN CONSTRUCTION LLC  
 MABEE, TAMARA F  
 MCHENRY, CRYSTAL  
 MILLER, DONALD D  
 MINES, SCOTT  
 MR K TRUCK CENTER  
 MUELLENBERG, SUSAN  
 NEU, JOHN  
 PAYER, WAYLON  
 PETERSEN, AARON  
 PHIL SPADY CHRYSLER-JEEP-DODGE  
 SAT ENTERPRISES LLC  
 SCHAEFFER, HAROLD D  
 SCS PROPERTY MANAGEMENT CORP  
 SIMONSEN, THOMAS L  
 SLAMEN LLC  
 STEFFEN, MAUREEN  
 STEVENS, SCOTT D

**OwnerAddress2**

1505 WEST CITY LIMITS RD  
 3609 WEST 8 ST  
 4402 HILLSIDE DR  
 407 GREEN ST  
 3812 SD HWY 314  
 3703 WEST 7 ST  
 PO BOX 805  
 89720 HWY 121  
 105 DEER BLVD  
 407 DEER BLVD  
 43145 SD HWY 52  
 PO BOX 2047  
 42411 201 ST  
 PO BOX 477  
 56221 897 RD  
 PO BOX 373  
 703 DEER BLVD  
 PO BOX 716  
 188 MARINA DELL AVE  
 4201 WEST 11 ST  
 4111 WEST 11 ST  
 639 E MCKINLEY  
 3700 WEST 8 ST  
 43459 KAISER RD  
 308 EAST 21 ST  
 2800 BROADWAY AVE  
 48129 266 ST  
 PO BOX 561  
 605 DOUGLAS AVE  
 3803 WEST 11 ST  
 600 DEER BLVD  
 3609 WEST 7 ST  
 275 MARINA DELL AVE  
 3709 WEST 7 ST  
 1016 WEST 2 ST  
 3706 KRISTI LN  
 4306 WEST 8 ST  
 404 NORTH 4 ST  
 316 CAPITOL ST  
 2001 BRADLEY ST  
 701 DEER BLVD  
 3702 LEADER LN  
 3702 LEADER LN  
 4210 WEST 8 ST  
 407 DEER BLVD  
 PO BOX 2047

**OwnerAddress3**

YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 LAUREL NE 68745  
 CROFTON NE 68730  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 NORFOLK NE 68702  
 BANCROFT SD 57353  
 YANKTON SD 57078  
 FORDYCE NE 68736  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 FRESNO CA 93728  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 BRANDON SD 57005  
 VIBORG SD 57070  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 REDFIELD SD 57469  
 YANKTON SD 57078  
 YANKTON SD 57078  
 BERESFORD SD 57004  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 NORFOLK NE 68702

*Exhibit #2A*

SUDBECK, JASON K  
T&M STORAGE LLC  
TJ LAND INC  
TJEERDSMA, JEREMY L  
WIESELER, DALE  
YANKTON RV BOAT & STORAGE LLC

256 DEERFIELD DR  
118 WEST 3 ST  
6627 DUNSMORE RD  
406 S DEER BLVD  
4005 WEST 11 ST  
505 PATRICK AVE

YANKTON SD 57078  
YANKTON SD 57078  
RAPID CITY SD 57702  
YANKTON SD 57078  
YANKTON SD 57078  
HARTFORD SD 57033



AFFIDAVIT OF MAILING

I, Jon Margas, hereby certify that on the day of 13th, 2018, 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 1/4 mile 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 13th day of Dec., 2018.

Jon Margas  
(Name)  
Affiant

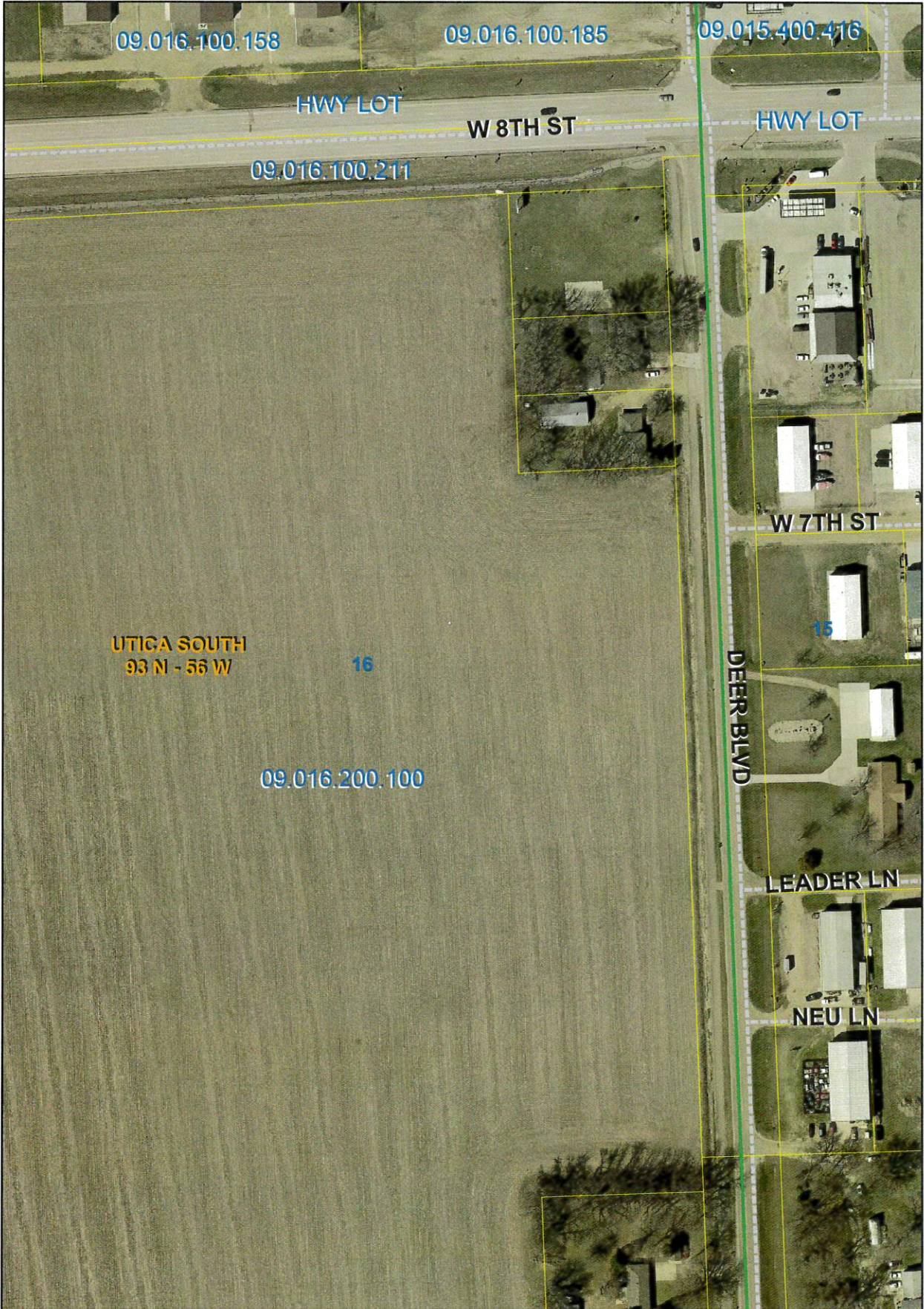
Subscribed and sworn to before me this 13th day of December, 2018.



(SEAL)

Sarah Rajewich  
Notary Public - South Dakota  
My commission expires: 04/25/20





09.016.100.158

09.016.100.185

09.015.400.416

HWY LOT

W 8TH ST

HWY LOT

09.016.100.211

UTICA SOUTH  
93 N - 56 W

16

09.016.200.100

W 7TH ST

15

DEER BLVD

LEADER LN

NEU LN

Yankton County Planning Commission  
Yankton County Board of Adjustment

Date filed: 10-18-2018

Applicant:

**Curtis Olivier**

**District type:**  AG  R1-Low  R2-Moderate  R3-High  C-Comm.  
 LC - Lakeside Commercial  RT-Rural Transitional

Conditional Use Permit(s) needed:  
 Section 507  Section 519  Section 605  Section 707  Section 805  
 Other section 1107 (2)

North Side/ Yard lot line: \_\_\_\_\_ feet or no closer than \_\_\_\_\_ feet to the \_\_\_\_\_ lot line.

East Side / Yard lot line: \_\_\_\_\_ feet or no closer than \_\_\_\_\_ feet to the \_\_\_\_\_ lot line.

South Side / Yard lot line: \_\_\_\_\_ feet or no closer than \_\_\_\_\_ feet to the \_\_\_\_\_ lot line.

West Side / Yard lot line \_\_\_\_\_ feet or no closer than \_\_\_\_\_ feet to the \_\_\_\_\_ lot line.

Accessory Building Size allowed: _____ sq. ft. Side wall: _____
Proposed building size: _____ or _____ sq. ft.
Proposed sidewall height: _____ ft.
Affects Section: _____

**NOTE:**

Conditional Use Permit to build a campground in LC AND  
Variance of Maximum Building Size Requirement to provide a park model construction facility  
from 1,200 to 11,500 sq. ft. in R-2.

PC: Article 18, Section 1805 (1-5)

BOA: Section 1905 (1-6)

Planning Commission date: 12-11-2018

Time: 7:25 PM

Board of Adjustment date: 12-28-2018

Time: 12:35 PM



YANKTON COUNTY  
APPLICATION #: 3369

(Type or Print)  
OWNER: CURTIS OLWIER  
OWNERS ADDRESS: 184 OAK HILLS DR YANKTON SA.  
OWNERS DAYTIME PHONE#: 605-660-2169

<input checked="" type="checkbox"/> Variance Application
<input checked="" type="checkbox"/> Conditional Use Permit
<input type="checkbox"/> Rezoning Permit

DESCRIPTION OF BUILDING PERMIT: Multi-family townhouses  
Part Model / RV Park  
REASON FOR BUILDING PERMIT DENIAL: CUP/Variance

DATE OF DENIAL: 10-18-2018

JOB ADDRESS: TBA Welton Drive

LEGAL: 1/23 Acres, NE 1/4, ex. lots 3, 5, 6, B/T over lots  
2-5, 7, 8, 10, 11, 12, 14, 2, 24w Overlot, etc tract, 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100  
TOWNSHIP: 2nd South SECTION: 18

EXISTING USE OF PROPERTY: Pasture

PRESENT ZONING CLASSIFICATION: R-2 and LC

PROPOSED ZONING CLASSIFICATION: R-2 and LC

AFFECTED SECTION OF ZONING ORDINANCE: Article 7, Section 207(5)  
Article 6, Section 107(2)

REASON FOR REQUEST: Construct ten unit townhouses Part Model /

LIST SPECIFIC HARDSHIPS: Listed CUP Campground  
uses, accessory structures for facilities

Applications will not be accepted nor acted upon until the following information has been provided by the applicant:

- A) Detailed Site Plan (Refer to handout)
- B) Location and Use of Adjacent Structures
- C) Application Fee(s)

SCHEDULED FOR PLANNING COMMISSION ACTION (Date): Nov. 13, 2018

SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (Date): Dec. 4, 2018

\*TENTATIVE DATE: Final date announced at Planning Commission Meeting:  
APPLICATION FEE: 100<sup>00</sup> CHECK #: Cash RECEIPT #:

The undersigned acknowledges/declares that all the facts and representations stated in this application are true and by signing, acknowledges the cost and the procedure for the processing of the application and certifies that the property described by the legal description is not delinquent.

Curtis Olwier 10/18/18 Curtis Olwier 10/18/18  
Name of Applicant Date Signature of Applicant/Owner Date



# NOTIFICATION

December 13, 2018

Curtis Oliver  
184 Oak Hills Dr.  
Yankton, SD 57078

**Exhibit #2.**

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.

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 Board of Adjustment, Yankton County South Dakota, at 12:35 P.M. on the 28th day of December, 2018, 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 to build a campground in a Lakeside Commercial District (LC) in Yankton County. Applicant is requesting a Conditional Use Permit to build ten (10) multi-family units in a Moderate Density Rural Residential District (R-2). Applicant is requesting two (2) variances of Maximum Building Size Requirement, to provide park model construction facility from 1,200 sq. ft. to 11,500 sq. ft. and multi-family storage facility from 1,200 sq. ft. to 5,000 sq. ft. in a Moderate Density Rural Residential District (R-2). Said property is legally described as N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Welkom Drive, Yankton, SD.

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

Sincerely,

Curtis Oliver  
Petitioner

**OwnerAddress1**

ALLEMANN, JERRY TRUST  
 ALSGAARD, HARTLEY C  
 AMIOTTE, LISA  
 BACKMAN, PATRICK  
 BERINGER, BRANDY KAY  
 BLACKBURN, JOHN P  
 BLACKBURN, JOHN P  
 BOB LAW INC  
 CARLOW, JANINE A  
 CHRISTENSEN, LISA J TRUST  
 DAYHUFF, JEFFREY W  
 DECKER, NICOLE  
 DEERFIELD TRUCK & EQUIPMENT CO  
 DEJAGER, KEITH D  
 DICKES, CHRISTOPHER D  
 DRACY, DAVID L  
 DUKE, JAMES W  
 EHLERS, MARVIN D REVOC TRUST  
 EICHFELD, AMY M  
 EVANS, MATTHEW L  
 FOLKEN, CHARLES L  
 FOLKERS, KENT D  
 FRAUENDORFER, MICHAEL A  
 FULLENKAMP, ROBERT J  
 GRECKEL, HARLAN H  
 HEIDBRINK, JOSEPH  
 HEYL, ALAN  
 HOFFMAN, KENNETH  
 HOLLAND, DAVID D  
 HOUCK, BRAD  
 HOXENG, GORDON E LIVING TRUST  
 HUNT, MICHAEL B REV LIV TRUST  
 JACOBSON, DARON  
 JANKE, TERRY L LIVING TRUST  
 KABEISEMAN, KATHERINE M  
 KABEISEMAN, LEONA M REV TRUST  
 KALTSULAS, THOMAS C  
 KEISER, MERLE L  
 KEMPCKE, GORDON P LIV TRUST  
 KING, DWIGHT F  
 KISSEL, CAROLYN L LIVING TRUST  
 KLEINSCHMIT, GARY J  
 KOLLIS, BENJAMIN L  
 KORTAN, DARRELL  
 KUSSMAN, RANDALL W  
 LEARING, GREGORY

**OwnerAddress2**

85950 572 AVE  
 222 LAKEVIEW TER  
 280 LAKEVIEW TER  
 115 STARBOARD ST  
 113 KINGSLEY LN  
 100 WEST 4 ST  
 175 LAKEVIEW TERR  
 3812 SD HWY 314  
 113 LAKEVIEW TER  
 224 NORTH HWY 20  
 113 EAST 3 ST  
 43408 KAISER RD  
 PO BOX 805  
 117 OKIE DOKIE LN  
 109 DEW DROP INN LN  
 178 LAKEVIEW TER  
 114 LAKEVIEW TER  
 31129 435 AVE  
 31102 435 AVE  
 31120 435 AVE  
 379 ROAD R  
 151 KINGSLEY LN  
 31118 435 AVE  
 221 RED CEDAR DR  
 5720 S BALDWIN CT  
 111 PORTSIDE LN  
 120 OKIE DOKIE LN  
 28531 C-38  
 158 LAKEVIEW TERR  
 31116 435 AVE  
 177 KINGSLEY LN  
 966 QUAIL HOLLOW CIR  
 33284 GROUSE AVE  
 56775 HWY 98  
 142 SCENIC DR  
 43520 SD HWY 52  
 188 MARINA DELL AVE  
 125 KINGSLEY LN  
 15271 US HWY 75  
 1836 METZEROTT RD #1004  
 300 LAKEVIEW TER  
 108 OKIE DOKIE LN  
 121 PORTSIDE LN  
 6101 WEST QUEENS CIR  
 210 KINGSLEY LN  
 8808 W DOCKSIDE DR

**OwnerAddress3**

WAYNE NE 68787  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 LAUREL NE 68745  
 YANKTON SD 57078  
 YANKTON SD 57078  
 LAUREL NE 68745  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 LEIGH NE 68643  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 SIOUX FALLS SD 57108  
 YANKTON SD 57078  
 YANKTON SD 57078  
 MERRILL IA 51038  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 DAKOTA DUNES SD 57049  
 SIOUX CITY IA 51108  
 WINSIDE NE 68790  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 BLAIR NE 68008  
 ADELPHI MD 20783  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 SIOUX FALLS SD 57106  
 YANKTON SD 57078  
 SIOUX FALLS SD 57107

*Exhibit #2A*



LUTGEN, GARY L	3049 I AVE	STANLEY IA 50671
MERTENS REAL ESTATE LLC	127 CRESTVIEW DR	YANKTON SD 57078
MILLER, JUSTIN L 2018 TRUST	43438 SD HWY 52	YANKTON SD 57078
NELSON, LEROY F	216 LAKEVIEW TER	YANKTON SD 57078
OPSAHL, KEVIN P	211 KINGSLEY LN	YANKTON SD 57078
ORTMAN LAKE HOUSE LLC	PO BOX 187	CANISTOTA SD 57012
PESCE, ULISES	520 E PLUM CREEK RD	SIOUX FALLS SD 57105
PFEISTER, SUZANNE E REV TRUST	4855 SKYLINE DR	SIOUX CITY IA 51104
PLAMBECK, MARK	1212 S PINE	NORFOLK NE 68701
POKORNEY, STEPHEN	143 KINGLSEY LN	YANKTON SD 57078
RYKEN, GREG	114 DEW DROP IN LN	YANKTON SD 57078
SAYLER, GARY A	134 LAKEVIEW TER	YANKTON SD 57078
SCHEVE, LLOYD F FAMILY TRUST	131 KINGSLEY LN	YANKTON SD 57078
SCHRAMM, JUSTIN M	114 PORTSIDE LN	YANKTON SD 57078
SCHREMPP, JARED J	605 EAST 11 ST	YANKTON SD 57078
SCHROEDER, DUANE F TRUST	112 STARBOARD ST	YANKTON SD 57078
SERCK, LUKE	192 LAKEVIEW TER	YANKTON SD 57078
SHIPWRECK INC	115 STARBOARD ST	YANKTON SD 57078
SMITH, GERALD	508 BROADWAY AVE	YANKTON SD 57078
SORBEL, MURIEL TRUST OF 2000	161 LAKEVIEW TER	YANKTON SD 57078
STURM, JAMES L	185 KINGSLEY LN	YANKTON SD 57078
SWANSON, TANNER	191 KATHERINE WAY	YANKTON SD 57078
UPHOFF, JOHN V	125 PORTSIDE LN	YANKTON SD 57078
URWILER, STEVEN A	PO BOX 156	LAUREL NE 68745
VASTENHOUT, NICOLE	43408 KAISER RD	YANKTON SD 57078
VOGT, CLARENCE M	112 EAST ST	YANKTON SD 57078
VOSS, HANK REVOCABLE TRUST	135 LAKEVIEW TER	YANKTON SD 57078
WALSH, KARLA	810 EAST 21 ST	YANKTON SD 57078
WASS, ROSEMARY T A	31122 435 AVE	YANKTON SD 57078
WELLING, BRIAN	7519 WEST LEGACY ST	SIOUX FALLS SD 57106
WHITE CRANE ESTATES LLC	PO BOX 805	LAUREL NE 68745
WIEMAN, BRIAN A	119 MARINA BLUFFS RD	YANKTON SD 57078
WOODS, TODD B	108 STARBOARD ST	YANKTON SD 57078

AFFIDAVIT OF MAILING

I, Curtis Olivier, hereby certify that on the 13 day of December, 2018, 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 \_\_\_\_\_ mile 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 13 day of December, 2018.

Curtis Olivier  
(Name)  
Affiant

Subscribed and sworn to before me this 13 day of December, 2018.

Linda Sykora  
Notary Public - South Dakota  
My commission expires: May 7, 2020

(SEAL)



## NOTIFICATION

November 28, 2018

Curtis Oliver  
184 Oak Hills Dr.  
Yankton, SD 57078

Exhibit #1 (2)

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.

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Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County South Dakota, at 7:25 P.M. on the 11th day of December, 2018, 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 to build a campground in a Lakeside Commercial District (LC) in Yankton County. Applicant is requesting a variance of Maximum Building Size Requirement, to provide park model construction facility, from 1,200 sq. ft. to 11,500 sq. ft. in a Moderate Density Rural Residential District (R-2). Said property is legally described as N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Welkom Drive, Yankton, SD.

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

Sincerely,

Curtis Oliver  
Petitioner

Oleues

**OwnerAddress1**

ALLEMANN, JERRY TRUST  
ALSGAARD, HARTLEY C  
AMIOTTE, LISA  
BACKMAN, PATRICK  
BERINGER, BRANDY KAY  
BLACKBURN, JOHN P  
BLACKBURN, JOHN P  
BOB LAW INC  
CARLOW, JANINE A  
CHRISTENSEN, LISA J TRUST  
DAYHUFF, JEFFREY W  
DECKER, NICOLE  
DEERFIELD TRUCK & EQUIPMENT CO  
DEJAGER, KEITH D  
DICKES, CHRISTOPHER D  
DRACY, DAVID L  
DUKE, JAMES W  
EHLERS, MARVIN D REVOC TRUST  
EICHFELD, AMY M  
EVANS, MATTHEW L  
FOLKEN, CHARLES L  
FOLKERS, KENT D  
FRAUENDORFER, MICHAEL A  
FULLENKAMP, ROBERT J  
GRECKEL, HARLAN H  
HEIDBRINK, JOSEPH  
HEYL, ALAN  
HOFFMAN, KENNETH  
HOLLAND, DAVID D  
HOUCK, BRAD  
HOXENG, GORDON E LIVING TRUST  
HUNT, MICHAEL B REV LIV TRUST  
JACOBSON, DARON  
JANKE, TERRY L LIVING TRUST  
KABEISEMAN, KATHERINE M  
KABEISEMAN, LEONA M REV TRUST  
KALTSULAS, THOMAS C  
KEISER, MERLE L  
KEMPCKE, GORDON P LIV TRUST  
KING, DWIGHT F  
KISSEL, CAROLYN L LIVING TRUST  
KLEINSCHMIT, GARY J  
KOLLIS, BENJAMIN L  
KORTAN, DARRELL  
KUSSMAN, RANDALL W  
LEARING, GREGORY

**OwnerAddress2**

85950 572 AVE  
222 LAKEVIEW TER  
280 LAKEVIEW TER  
115 STARBOARD ST  
113 KINGSLEY LN  
100 WEST 4 ST  
175 LAKEVIEW TERR  
3812 SD HWY 314  
113 LAKEVIEW TER  
224 NORTH HWY 20  
113 EAST 3 ST  
43408 KAISER RD  
PO BOX 805  
117 OKIE DOKIE LN  
109 DEW DROP INN LN  
178 LAKEVIEW TER  
114 LAKEVIEW TER  
31129 435 AVE  
31102 435 AVE  
31120 435 AVE  
379 ROAD R  
151 KINGSLEY LN  
31118 435 AVE  
221 RED CEDAR DR  
5720 S BALDWIN CT  
111 PORTSIDE LN  
120 OKIE DOKIE LN  
28531 C-38  
158 LAKEVIEW TERR  
31116 435 AVE  
177 KINGSLEY LN  
966 QUAIL HOLLOW CIR  
33284 GROUSE AVE  
56775 HWY 98  
142 SCENIC DR  
43520 SD HWY 52  
188 MARINA DELL AVE  
125 KINGSLEY LN  
15271 US HWY 75  
1836 METZEROTT RD #1004  
300 LAKEVIEW TER  
108 OKIE DOKIE LN  
121 PORTSIDE LN  
6101 WEST QUEENS CIR  
210 KINGSLEY LN  
8808 W DOCKSIDE DR

**OwnerAddress3**

WAYNE NE 68787  
YANKTON SD 57078  
YANKTON SD 57078  
YANKTON SD 57078  
YANKTON SD 57078  
YANKTON SD 57078  
YANKTON SD 57078  
YANKTON SD 57078  
LAUREL NE 68745  
YANKTON SD 57078  
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YANKTON SD 57078  
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LEIGH NE 68643  
YANKTON SD 57078  
YANKTON SD 57078  
YANKTON SD 57078  
SIOUX FALLS SD 57108  
YANKTON SD 57078  
YANKTON SD 57078  
MERRILL IA 51038  
YANKTON SD 57078  
YANKTON SD 57078  
YANKTON SD 57078  
DAKOTA DUNES SD 57049  
SIOUX CITY IA 51108  
WINSIDE NE 68790  
YANKTON SD 57078  
YANKTON SD 57078  
YANKTON SD 57078  
YANKTON SD 57078  
BLAIR NE 68008  
ADELPHI MD 20783  
YANKTON SD 57078  
YANKTON SD 57078  
YANKTON SD 57078  
SIOUX FALLS SD 57106  
YANKTON SD 57078  
SIOUX FALLS SD 57107

Exhibit # 1 (2)

LUTGEN, GARY L	3049 I AVE	STANLEY IA 50671
MERTENS REAL ESTATE LLC	127 CRESTVIEW DR	YANKTON SD 57078
MILLER, JUSTIN L 2018 TRUST	43438 SD HWY 52	YANKTON SD 57078
NELSON, LEROY F	216 LAKEVIEW TER	YANKTON SD 57078
OPSAHL, KEVIN P	211 KINGSLEY LN	YANKTON SD 57078
ORTMAN LAKE HOUSE LLC	PO BOX 187	CANISTOTA SD 57012
PESCE, ULISES	520 E PLUM CREEK RD	SIOUX FALLS SD 57105
PFEISTER, SUZANNE E REV TRUST	4855 SKYLINE DR	SIOUX CITY IA 51104
PLAMBECK, MARK	1212 S PINE	NORFOLK NE 68701
POKORNEY, STEPHEN	143 KINGLSEY LN	YANKTON SD 57078
RYKEN, GREG	114 DEW DROP IN LN	YANKTON SD 57078
SAYLER, GARY A	134 LAKEVIEW TER	YANKTON SD 57078
SCHEVE, LLOYD F FAMILY TRUST	131 KINGSLEY LN	YANKTON SD 57078
SCHRAMM, JUSTIN M	114 PORTSIDE LN	YANKTON SD 57078
SCHREMPP, JARED J	605 EAST 11 ST	YANKTON SD 57078
SCHROEDER, DUANE F TRUST	112 STARBOARD ST	YANKTON SD 57078
SERCK, LUKE	192 LAKEVIEW TER	YANKTON SD 57078
SHIPWRECK INC	115 STARBOARD ST	YANKTON SD 57078
SMITH, GERALD	508 BROADWAY AVE	YANKTON SD 57078
SORBEL, MURIEL TRUST OF 2000	161 LAKEVIEW TER	YANKTON SD 57078
STURM, JAMES L	185 KINGSLEY LN	YANKTON SD 57078
SWANSON, TANNER	191 KATHERINE WAY	YANKTON SD 57078
UPHOFF, JOHN V	125 PORTSIDE LN	YANKTON SD 57078
URWILER, STEVEN A	PO BOX 156	LAUREL NE 68745
VASTENHOUT, NICOLE	43408 KAISER RD	YANKTON SD 57078
VOGT, CLARENCE M	112 EAST ST	YANKTON SD 57078
VOSS, HANK REVOCABLE TRUST	135 LAKEVIEW TER	YANKTON SD 57078
WALSH, KARLA	810 EAST 21 ST	YANKTON SD 57078
WASS, ROSEMARY T A	31122 435 AVE	YANKTON SD 57078
WELLING, BRIAN	7519 WEST LEGACY ST	SIOUX FALLS SD 57106
WHITE CRANE ESTATES LLC	PO BOX 805	LAUREL NE 68745
WIEMAN, BRIAN A	119 MARINA BLUFFS RD	YANKTON SD 57078
WOODS, TODD B	108 STARBOARD ST	YANKTON SD 57078

AFFIDAVIT OF MAILING

I, Linda Sykora, hereby certify that on the 29 day of November, 2018, 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 \_\_\_\_\_ mile radius of the proposed project to the most recent address of the recipient known to your Affiant.

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

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

Dated the 29 day of November, 2018.

Linda Sykora  
(Name)  
Affiant

Subscribed and sworn to before me this 29 day of November, 2018.

Jan Smato  
Notary Public - South Dakota  
My commission expires: 12-1-2019



# NOTIFICATION

October 30, 2018

Curtis Oliver  
184 Oak Hills Dr.  
Yankton, SD 57078

Exhibit 1

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.

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 7:55 P.M. on the 13th day of November, 2018, 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 to build a campground in a Lakeside Commercial District (LC) in Yankton County. Applicant is requesting a Conditional Use Permit to build ten (10) multi-family units in a Moderate Density Rural Residential District (R-2). Applicant is requesting two (2) variances of Maximum Building Size Requirement, to provide park model construction facility from 1,200 sq. ft. to 11,500 sq. ft. and multi-family storage facility from 1,200 sq. ft. to 5,000 sq. ft. in a Moderate Density Rural Residential District (R-2). Said property is legally described as N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Welkom Drive, Yankton, SD.

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

Sincerely,

Curtis Oliver  
Petitioner

**OwnerAddress1**

ALLEMANN, JERRY TRUST  
 ALSGAARD, HARTLEY C  
 AMIOTTE, LISA  
 BACKMAN, PATRICK  
 BERINGER, BRANDY KAY  
 BLACKBURN, JOHN P  
 BLACKBURN, JOHN P  
 BOB LAW INC  
 CARLOW, JANINE A  
 CHRISTENSEN, LISA J TRUST  
 DAYHUFF, JEFFREY W  
 DECKER, NICOLE  
 DEERFIELD TRUCK & EQUIPMENT CO  
 DEJAGER, KEITH D  
 DICKES, CHRISTOPHER D  
 DRACY, DAVID L  
 DUKE, JAMES W  
 EHLERS, MARVIN D REVOC TRUST  
 EICHFELD, AMY M  
 EVANS, MATTHEW L  
 FOLKEN, CHARLES L  
 FOLKERS, KENT D  
 FRAUENDORFER, MICHAEL A  
 FULLENKAMP, ROBERT J  
 GRECKEL, HARLAN H  
 HEIDBRINK, JOSEPH  
 HEYL, ALAN  
 HOFFMAN, KENNETH  
 HOLLAND, DAVID D  
 HOUCK, BRAD  
 HOXENG, GORDON E LIVING TRUST  
 HUNT, MICHAEL B REV LIV TRUST  
 JACOBSON, DARON  
 JANKE, TERRY L LIVING TRUST  
 KABEISEMAN, KATHERINE M  
 KABEISEMAN, LEONA M REV TRUST  
 KALTSULAS, THOMAS C  
 KEISER, MERLE L  
 KEMPCKE, GORDON P LIV TRUST  
 KING, DWIGHT F  
 KISSEL, CAROLYN L LIVING TRUST  
 KLEINSCHMIT, GARY J  
 KOLLIS, BENJAMIN L  
 KORTAN, DARRELL  
 KUSSMAN, RANDALL W  
 LEARING, GREGORY

**OwnerAddress2**

85950 572 AVE  
 222 LAKEVIEW TER  
 280 LAKEVIEW TER  
 115 STARBOARD ST  
 113 KINGSLEY LN  
 100 WEST 4 ST  
 175 LAKEVIEW TERR  
 3812 SD HWY 314  
 113 LAKEVIEW TER  
 224 NORTH HWY 20  
 113 EAST 3 ST  
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 PO BOX 805  
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 109 DEW DROP INN LN  
 178 LAKEVIEW TER  
 114 LAKEVIEW TER  
 31129 435 AVE  
 31102 435 AVE  
 31120 435 AVE  
 379 ROAD R  
 151 KINGSLEY LN  
 31118 435 AVE  
 221 RED CEDAR DR  
 5720 S BALDWIN CT  
 111 PORTSIDE LN  
 120 OKIE DOKIE LN  
 28531 C-38  
 158 LAKEVIEW TERR  
 31116 435 AVE  
 177 KINGSLEY LN  
 966 QUAIL HOLLOW CIR  
 33284 GROUSE AVE  
 56775 HWY 98  
 142 SCENIC DR  
 43520 SD HWY 52  
 188 MARINA DELL AVE  
 125 KINGSLEY LN  
 15271 US HWY 75  
 1836 METZEROTT RD #1004  
 300 LAKEVIEW TER  
 108 OKIE DOKIE LN  
 121 PORTSIDE LN  
 6101 WEST QUEENS CIR  
 210 KINGSLEY LN  
 8808 W DOCKSIDE DR

**OwnerAddress3**

WAYNE NE 68787  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
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 BLAIR NE 68008  
 ADELPHI MD 20783  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 SIOUX FALLS SD 57106  
 YANKTON SD 57078  
 SIOUX FALLS SD 57107

Exhibit 1A





AFFIDAVIT OF MAILING

I, Curtis Clarke, hereby certify that on the 31 day of OCT, 2018, 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 \_\_\_\_\_ mile 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 1 day of Nov, 2018.

Curtis Clarke  
(Name)  
Affiant

Subscribed and sworn to before me this 1 day of November, 2018.

Linda Sykora  
Notary Public - South Dakota  
My commission expires: 5-07-2020

(SEAL)



# NOTIFICATION

November 20, 2018

Curtis Oliver  
184 Oak Hills Dr.  
Yankton, SD 57078

Exhibit #2

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.

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 Board of Adjustment, Yankton County South Dakota, at 4:55 P.M. on the 4th day of December, 2018, 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 to build ten (10) multi-family units in a Moderate Density Rural Residential District (R-2) in Yankton County. Applicant is requesting a variances of Maximum Building Size Requirement, to provide a multi-family storage facility from 1,200 sq. ft. to 5,000 sq. ft. in a Moderate Density Rural Residential District (R-2). Said property is legally described as N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 - 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Welkom Drive, Yankton, SD.

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

Sincerely,

Curtis Oliver  
Petitioner

**OwnerAddress1**

ALLEMANN, JERRY TRUST  
 ALSGAARD, HARTLEY C  
 AMIOTTE, LISA  
 BACKMAN, PATRICK  
 BERINGER, BRANDY KAY  
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 BLACKBURN, JOHN P  
 BOB LAW INC  
 CARLOW, JANINE A  
 CHRISTENSEN, LISA J TRUST  
 DAYHUFF, JEFFREY W  
 DECKER, NICOLE  
 DEERFIELD TRUCK & EQUIPMENT CO  
 DEJAGER, KEITH D  
 DICKES, CHRISTOPHER D  
 DRACY, DAVID L  
 DUKE, JAMES W  
 EHLERS, MARVIN D REVOC TRUST  
 EICHFELD, AMY M  
 EVANS, MATTHEW L  
 FOLKEN, CHARLES L  
 FOLKERS, KENT D  
 FRAUENDORFER, MICHAEL A  
 FULLENKAMP, ROBERT J  
 GRECKEL, HARLAN H  
 HEIDBRINK, JOSEPH  
 HEYL, ALAN  
 HOFFMAN, KENNETH  
 HOLLAND, DAVID D  
 HOUCK, BRAD  
 HOXENG, GORDON E LIVING TRUST  
 HUNT, MICHAEL B REV LIV TRUST  
 JACOBSON, DARON  
 JANKE, TERRY L LIVING TRUST  
 KABEISEMAN, KATHERINE M  
 KABEISEMAN, LEONA M REV TRUST  
 KALTSULAS, THOMAS C  
 KEISER, MERLE L  
 KEMPCKE, GORDON P LIV TRUST  
 KING, DWIGHT F  
 KISSEL, CAROLYN L LIVING TRUST  
 KLEINSCHMIT, GARY J  
 KOLLIS, BENJAMIN L  
 KORTAN, DARRELL  
 KUSSMAN, RANDALL W  
 LEARING, GREGORY

**OwnerAddress2**

85950 572 AVE  
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 280 LAKEVIEW TER  
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 113 KINGSLEY LN  
 100 WEST 4 ST  
 175 LAKEVIEW TERR  
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 109 DEW DROP INN LN  
 178 LAKEVIEW TER  
 114 LAKEVIEW TER  
 31129 435 AVE  
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 379 ROAD R  
 151 KINGSLEY LN  
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 120 OKIE DOKIE LN  
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 158 LAKEVIEW TERR  
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 177 KINGSLEY LN  
 966 QUAIL HOLLOW CIR  
 33284 GROUSE AVE  
 56775 HWY 98  
 142 SCENIC DR  
 43520 SD HWY 52  
 188 MARINA DELL AVE  
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 1836 METZEROTT RD #1004  
 300 LAKEVIEW TER  
 108 OKIE DOKIE LN  
 121 PORTSIDE LN  
 6101 WEST QUEENS CIR  
 210 KINGSLEY LN  
 8808 W DOCKSIDE DR

**OwnerAddress3**

WAYNE NE 68787  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
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 LAUREL NE 68745  
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 YANKTON SD 57078  
 YANKTON SD 57078  
 LEIGH NE 68643  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 SIOUX FALLS SD 57108  
 YANKTON SD 57078  
 YANKTON SD 57078  
 MERRILL IA 51038  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 DAKOTA DUNES SD 57049  
 SIOUX CITY IA 51108  
 WINSIDE NE 68790  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 BLAIR NE 68008  
 ADELPHI MD 20783  
 YANKTON SD 57078  
 YANKTON SD 57078  
 YANKTON SD 57078  
 SIOUX FALLS SD 57106  
 YANKTON SD 57078  
 SIOUX FALLS SD 57107

*Exhibit #2*



AFFIDAVIT OF MAILING

I, Justin Oliver, hereby certify that on the 20 day of November, 2018, 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 \_\_\_\_\_ mile 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.

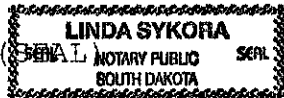
A true and correct copy of the mailing list for owners of real property is attached as Exhibit #1A or #2A.

Dated the 20 day of November, 2018.

Justin Oliver  
(Name)  
Affiant

Subscribed and sworn to before me this 20 day of November, 2018.

Linda Sykora  
Notary Public - South Dakota  
My commission expires: 5-01-2020





Yankton County Planning Commission  
Yankton County Board of Adjustment

Date filed: 10-18-2018

Applicant:

**Curtis Olivier**

**District type:**  AG  R1-Low  R2-Moderate  R3-High  C-Comm.  
 LC - Lakeside Commercial  RT-Rural Transitional

Conditional Use Permit(s) needed:

Section 507  Section 519  Section 605  Section 707  Section 805  
 Other section 1107 (2)

North Side/ Yard lot line: \_\_\_\_\_ feet or no closer than \_\_\_\_\_ feet to the \_\_\_\_\_ lot line.

East Side / Yard lot line: \_\_\_\_\_ feet or no closer than \_\_\_\_\_ feet to the \_\_\_\_\_ lot line.

South Side / Yard lot line: \_\_\_\_\_ feet or no closer than \_\_\_\_\_ feet to the \_\_\_\_\_ lot line.

West Side / Yard lot line \_\_\_\_\_ feet or no closer than \_\_\_\_\_ feet to the \_\_\_\_\_ lot line.

Accessory Building Size allowed: \_\_\_\_\_ sq. ft. Side wall: \_\_\_\_\_

Proposed building size: \_\_\_\_\_ or \_\_\_\_\_ sq. ft.

Proposed sidewall height: \_\_\_\_\_ ft.

Affects Section: \_\_\_\_\_

**NOTE:**

Conditional Use Permit to build 10 multi-family units in R-2. AND

Variance of Maximum Building Size for multi-family storage facility from 1,200 to 5,000 sq. ft.  
in R-2.

PC: Article 18, Section 1805 (1-5)

BOA: Section 1905 (1-6)

Planning Commission date: 11-13-2018

Time: 7:55 PM

Board of Adjustment date: 12-4-2018

Time: 4:55 PM

**DAHLIN DRYWALL INC**  
**3703 W 7<sup>TH</sup> STREET**  
**YANKTON, SD 57078**  
**Ph: 605 665-1817 Fax: 605 665-6894**  
**Email: dahlinc@midconetwork.com**

**PROJECT APPROVAL:**

**Part 1 – Construction of 10 attached family units (wood constructed**

Main Floor Living = 1602 foot

Garage Main = 672 foot

Basement (unfinished) = 1152 foot

Units will be sold with property footage per unit 48' x 220' = 10,560'

Utilities service by B-Y Electric, B-Y Water, and septic tanks – Built per codes.

**Part 2 – Project Lot 4 Additions**

Add 50' x 75' Existing building for office area

Add 75' x 150' for construction of executive park models

Add 50' x 100' for personal storage for family units

**Part 3 –**

Build 70 executive park models with in a gated community – to be displayed so does not look like camping park.

Find a few available models attached –

High end quality finished units to be sold in the amount ranging \$70,000 to \$86,000

Units will be built and moved into place

Units will have their own serial number and the capability of being transferred to another location not permanently attached

Lots will be on an annual rental agreement

Utilities serviced by B-Y Electric, B-Y Water, and septic tanks – built per codes

## Yankton County Planning Recommendation

The Yankton County Planning Commission recommends that the following be approved / denied by the Yankton County Commission or the Board of Adjustment.

Applicant: Curtis Olivier  
 Address: 184 Oak Hills Dr. Yankton  
 Hearing date: 11-13-18  
 Description: CUF 10 units in R-2

**Action 111318K:** Moved by Bodenstedt, second by Kretsinger to recommend to approve a Conditional Use Permit based on Finding of Facts dated November 13, 2018, pursuant to Article 18, Section 1805 of the Yankton County Zoning Ordinance, to build ten (10) multi-family units in a Moderate Density Rural Residential District (R-2). Said property is legally described as N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Welkom Drive, Yankton, SD.

By roll call vote, all members voted aye.  
 Motion carried.

Michael Welch (Y) N AB  
Don Kettering (Y) N AB  
Debra Bodenstedt (Y) N AB  
Butch Becker (Y) N AB  
Zane Williams (Y) N AB

Dan Guthmiller (Y) N AB  
Carl Kretsinger (Y) N AB  
Erik Koenigs Y N AB  
Jeff Gudahl (Y) N AB

Motion: Beb B.  
 Second: Carle K

Yankton County Planning Commission

Meeting date: November 13, 2018

CONDITIONAL USE  
Article 18, Section 1805

FINDINGS OF FACT

Applicant: Curtis Olivier

Parcel Number: 09.018.100.100

Legal description: N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W

Physical Address: TBA Welkom Drive, Yankton, SD

1. The applicant specifically cited the section of the zoning ordinance under which the conditional use is sought and has stated the grounds on which it is requested; Applicant is requesting a Conditional Use Permit for a Conditional Use Permit (Article 7, Section 707) to build ten (10) multi-family units in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Welkom Drive, Yankton, SD.
2. Notice of public hearing was given, as in Section 1803 (3-5); The applicant mailed letters of notification to property owners within a one-quarter mile radius of the proposed CUP on October 31, 2018 (supported by affidavit), a legal notice was published on November 3, 2018 in the Yankton Daily Press and Dakotan and a notification sign was placed on the property on November 5, 2018.
3. The public hearing shall be held. Any party may appear in person, or by agent or attorney; A public meeting was held at 7:55 pm on November 13, 2018 in the Yankton County Government Center County Commission chambers. Mr. Olivier stated his request is to build a ten (10) unit multifamily townhouses along Welkom Drive. The site plan shows the proposed project and a storage building for the residents. The multifamily structures will meet the quality expectation of the neighborhood and not be a negative impact on current or future property owners. The septic systems are in cooperation with South Dakota Department of Environment and Natural Resources (DENR) and meet all requirements. The variance request for the accessory structure size requirement is to provide a planned storage facility for the residences in the townhouses. No commercial storage is proposed. Mr. Olivier discussed the proposed campground and stated the concept will be “park models” which will be purchased by individuals and the space will be leased in the campground. The proposal is for Phase #1 to have 32 units and Phase #2 to have 38 units. The septic system plan is approved by South Dakota Department of Environment and Natural Resources (DENR) and meet all requirements. The project will provide upscale infrastructure and landscaping.

The "park models" will be \$70,000.00 to \$90,000.00 price range. The facility will have proper security and Home Owner Association (HOA) regulations. The larger accessory structure variance is for the construction of the "park models" and then provide storage for the campground.

Mr. Welch requested any proponents of the Conditional Use Permit and variance to present their statements. Ken Hoffman, neighbor resident, stated his approval of the townhouse proposal and the buffer it provides for the residential neighborhood to west of the proposal site. He suggested some photos or graphic illustrations to show end results. Sally Vinson, county resident, stated the townhouse buffer as a strong benefit of this proposal. She suggested a developer covenant on the campground to restrict rentals, activity and property uses. This will be beneficial to the campground but also the entire neighborhood and future development plans.

Mr. Welch requested any opponents of the Conditional Use Permit and variance to present their statements. Chris Dickes, neighbor resident, stated his opposition to the proposal because it will cause determent to adjacent properties values and attract more activity to the area. Karen Dickes, neighbor resident, stated her opposition to the proposal as it will increase traffic and maybe attract excessive people similar to Lake Okoboji in Iowa. Gerald Kleinschmidt, neighbor resident, stated his opposition to the campground proposal as it will not be appropriate for the district. Keith DeJager, neighbor resident, stated the houses in the area are expensive (\$400,000.00) and deserve protection from excessive traffic, noise and other impacts. He feels the area property values will be reduced if this proposal is approved.

No other comments, positive or negative, were received by the Zoning Administrator or presented at the public hearing.

4. The Planning Commission shall make a finding and recommendation that it is empowered under the section of this Ordinance described in the application, to include:

- A. Recommend granting of the conditional use;

- B. Recommend granting with conditions; or

The commission recommends granting approval of the conditional use permit with listed conditions.

- C. Recommend denial of the conditional use.

5. Before any conditional use is decided, the Planning Commission shall make written findings certifying compliance with the specific rules governing individual conditional uses and that satisfactory provision and arrangement has been made concerning the following, where applicable:

- A. 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; The applicant has shown sufficient access to property with established roadway (Welkom Drive).

- B. Off right-of-way parking and loading areas where required; with particular attention to the items in (A) above and economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district; All off right-of-way areas are currently compliant.

- C. Refuse and service areas, with particular reference to the items in (A) and (B) above; Refuse and service areas is in compliance.



- D. Utilities, with reference to locations, availability, and compatibility; Utilities will be available and will be in operational condition, the security lights will be monitored for proper downcast illumination to provide sufficient security, septic systems are DENR approved.
- E. Screening and buffering with reference to type, dimensions, and character; Screening and buffering is provided with townhouse alignment and landscaping.
- F. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district; All signage will conform to Article 14, Yankton County Zoning Ordinance
- G. Required yards and other open spaces; Yards and open spaces requirements are compliant with current regulations for proposed activity.
- H. General compatibility with adjacent properties and other property in the district and that the granting of the conditional use will not adversely affect the public interest. The use is compatible with adjacent properties in the district and the granting of a Conditional Use Permit will not adversely affect the public interest.

Action 111318K: Moved by Bodenstedt, second by Kretsinger to recommend to approve a Conditional Use Permit based on Finding of Facts dated November 13, 2018, pursuant to Article 18, Section 1805 of the Yankton County Zoning Ordinance, to build ten (10) multi-family units in a Moderate Density Rural Residential District (R-2). Said property is legally described as N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Welkom Drive, Yankton, SD.

By roll call vote, all members voted aye.

Motion carried.

## Yankton County Planning Recommendation

The Yankton County Planning Commission recommends that the following be approved / denied by the Yankton County Commission or the Board of Adjustment.

Applicant: Curtis Olivier  
 Address: 184 Oak Hills Dr. Yankton  
 Hearing date: 11-13-18  
 Description: Variance Multi-family storage R-2.  
1,200 → 5,000

**Action 111318L:** Moved by Bodenstedt, second by Becker to recommend to approve a variance based on Finding of Facts dated November 13, 2018, pursuant to Article 18, Section 1807 of the Yankton County Zoning Ordinance, variances of Maximum Structure Size Requirement, multi-family storage facility from 1,200 sq. ft. to 5,000 sq. ft. in a Moderate Density Rural Residential District (R-2). Said property is legally described as N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Welkom Drive, Yankton, SD.  
 By roll call vote, four members voted aye, four members voted nay.  
 Motion failed.

<p><u>Michael Welch</u>      <input checked="" type="radio"/> Y   <input type="radio"/> N   AB</p> <p><u>Don Kettering</u>      Y   <input checked="" type="radio"/> N   AB</p> <p><u>Debra Bodenstedt</u>      <input checked="" type="radio"/> Y   <input type="radio"/> N   AB</p> <p><u>Butch Becker</u>      <input checked="" type="radio"/> Y   <input type="radio"/> N   AB</p> <p><u>Zane Williams</u>      Y   <input checked="" type="radio"/> N   AB</p>	<p><u>Dan Guthmiller</u>      <input checked="" type="radio"/> Y   <input type="radio"/> N   AB</p> <p><u>Carl Kretsinger</u>      Y   <input checked="" type="radio"/> N   <del>AB</del> <i>resind</i></p> <p><u>Erik Koenigs</u>      Y   <input type="radio"/> N   AB</p> <p><u>Jeff Gudahl</u>      Y   <input checked="" type="radio"/> N   AB</p>
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4 - Yes  
 4 - No  
 failed

Motion: Debra Bodenstedt  
 Second: Butch Becker

## Yankton County Planning Recommendation

The Yankton County Planning Commission recommends that the following be approved / denied by the Yankton County Commission or the Board of Adjustment.

Applicant: Curtis Oliver  
 Address: 184 Oak Hills Dr Yankton  
 Hearing date: 11-13-18  
 Description: Variance Muelle family storage R-2 1-10 UNIT 1,200 - 5,000

**Action 111318M:** Moved by Guthmiller, second by Kretsinger to recommend to approve a variance based on Finding of Facts dated November 13, 2018, pursuant to Article 18, Section 1807 of the Yankton County Zoning Ordinance, variance of Maximum Building Size Requirement, multi-family storage facility from 1,200 sq. ft. to 5,000 sq. ft. in a Moderate Density Rural

Residential District (R-2). Said property is legally described as N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 - 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Welkom Drive, Yankton, SD.

By roll call vote, four members voted aye, four members voted nay.

By roll call vote, six members voted aye, two member voted nay.

Motion carried.

<p><u>Michael Welch</u>      <input checked="" type="radio"/> Y   <input type="radio"/> N   <input type="radio"/> AB</p> <p><u>Don Kettering</u>      Y   <input checked="" type="radio"/> N   <input type="radio"/> AB</p> <p><u>Debra Bodenstedt</u>      <input checked="" type="radio"/> Y   <input type="radio"/> N   <input type="radio"/> AB</p> <p><u>Butch Becker</u>      <input checked="" type="radio"/> Y   <input type="radio"/> N   <input type="radio"/> AB</p> <p><u>Zane Williams</u>      <input checked="" type="radio"/> Y   <input type="radio"/> N   <input type="radio"/> AB</p>	<p><u>Dan Guthmiller</u>      <input checked="" type="radio"/> Y   <input type="radio"/> N   <input type="radio"/> AB</p> <p><u>Carll Kretsinger</u>      <input checked="" type="radio"/> Y   <input type="radio"/> N   <input type="radio"/> AB</p> <p><u>Erik Koenigs</u>      Y   <input type="radio"/> N   <input type="radio"/> AB</p> <p><u>Jeff Gudahl</u>      Y   <input checked="" type="radio"/> N   <input checked="" type="radio"/> AB</p>
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6-yes  
 2-no

Motion: Dan Guthmiller  
 Second: Carll Kretsinger

Yankton County Planning Commission

Meeting date: November 13, 2018

VARIANCE

Article 18, Section 1807

FINDINGS OF FACT

Applicant: Curtis Olivier

Parcel Number: 09.018.100.100

Legal description: N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W

Physical Address: TBA Welkom Drive, Yankton, SD.

1. No such variance shall be recommended for approval by the Planning Commission unless it finds:
  - A. The strict application of the ordinance would produce undue hardship; The proposal is to provide personal storage for a multifamily development. The structure will be in harmony with the ten (10) townhouses.
  - B. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity; The hardship can be shared by other properties but is limited to properties requiring multifamily storage facility. This proposal is in harmony with the proposed development.
  - 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; The granting of a variance will not be of substantial detriment to adjacent property nor the character of the district. The variance is part of the overall plan for the property.
  - D. The granting of such variance is based upon reasons of demonstrable and exceptional hardship as distinguished from variations for purposed of convenience, profit, and caprice. No convenience, profit or caprice was shown.
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. The requested variance can be recurring with special circumstances discussed in the findings.
3. A recommendation of approval concerning a variance from the terms of this ordinance shall not be founded by the Planning Commission unless and until:
  - 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; The



property is demonstrating special conditions or circumstances with size and location and could be applicable to others structures or buildings.

- 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; Previous variances of maximum structure size requirement have been granted in Yankton County.
- C. The special conditions and circumstances do not result from the actions of the applicant; The special conditions and circumstances are not a result of the applicant.
- 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. Variance requests of this type (maximum structure size requirement) have been recommended previously by the Planning Commission.
4. 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. No nonconforming uses of neighboring lands, structures, or buildings in this district, and no permitted or nonconforming use of lands, structures, or buildings in other districts were considered.
5. Notice of public hearing shall be given, as in Section 1803 (3-5). The applicant mailed letters of notification to property owners within a one-quarter mile radius of the proposed variance on October 30, 2018 (supported by affidavit), a legal notice was published on November 3, 2018 in the Yankton Daily Press and Dakotan and a notification sign was placed on the property on November 5, 2018.
2. The public hearing shall be held. Any party may appear in person or by agent or by attorney. A public meeting was held at 7:55 pm on November 13, 2018 in the Yankton County Government Center County Commission chambers. Mr. Olivier stated his request is to build a ten (10) unit multifamily townhouses along Welkom Drive. The site plan shows the proposed project and a storage building for the residents. The multifamily structures will meet the quality expectation of the neighborhood and not be a negative impact on current or future property owners. The septic systems are in cooperation with South Dakota Department of Environment and Natural Resources (DENR) and meet all requirements. The variance request for the accessory structure size requirement is to provide a planned storage facility for the residences in the townhouses. No commercial storage is proposed.  
Mr. Olivier discussed the proposed campground and stated the concept will be "park models" which will be purchased by individuals and the space will be leased in the campground. The proposal is for Phase #1 to have 32 units and Phase #2 to have 38 units. The septic system plan is approved by South Dakota Department of Environment and Natural Resources (DENR) and meet all requirements. The project will provide upscale infrastructure and landscaping. The "park models" will be \$70,000.00 to \$90,000.00 price range. The facility will have proper security and Home Owner Association (HOA) regulations. The larger accessory structure variance is for the construction of the "park models" and then provide storage for the campground.  
Mr. Welch requested any proponents of the Conditional Use Permit and variance to present their statements. Ken Hoffman, neighbor resident, stated his approval of the townhouse proposal and the buffer it provides for the residential neighborhood to west of the proposal site. He suggested some photos or graphic illustrations to show end results. Sally Vinson, county resident, stated the townhouse buffer as a strong benefit of this proposal. She suggested

a developer covenant on the campground to restrict rentals, activity and property uses. This will be beneficial to the campground but also the entire neighborhood and future development plans.

Mr. Welch requested any opponents of the Conditional Use Permit and variance to present their statements. Chris Dickes, neighbor resident, stated his opposition to the proposal because it will cause detriment to adjacent properties values and attract more activity to the area. Karen Dickes, neighbor resident, stated her opposition to the proposal as it will increase traffic and maybe attract excessive people similar to Lake Okoboji in Iowa. Gerald Kleinschmidt, neighbor resident, stated his opposition to the campground proposal as it will not be appropriate for the district. Keith DeJager, neighbor resident, stated the houses in the area are expensive (\$400,000.00) and deserve protection from excessive traffic, noise and other impacts. He feels the area property values will be reduced if this proposal is approved.

No other comments, positive or negative, were received by the Zoning Administrator or presented at the public hearing.

7. 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 recommendations 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.  
The Planning Commission further finds that the reasons set forth in the application and hearing satisfy all requirements for this variance request.
8. In recommending approval of any variance, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with this ordinance. The Planning Commission approves this request.
9. 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. The variance request of Maximum Structure Size Requirement is approved.

Action 111318L: Moved by Bodenstedt, second by Becker to recommend to approve a variance based on Finding of Facts dated November 13, 2018, pursuant to Article 18, Section 1807 of the Yankton County Zoning Ordinance, variances of Maximum Structure Size Requirement, multi-family storage facility from 1,200 sq. ft. to 5,000 sq. ft. in a Moderate Density Rural Residential District (R-2). Said property is legally described as N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Welkom Drive, Yankton, SD.

By roll call vote, four members voted aye, four members voted nay.

Motion failed.

Action 111318M: Moved by Guthmiller, second by Kretsinger to recommend to approve a variance based on Finding of Facts dated November 13, 2018, pursuant to Article 18, Section 1807 of the Yankton County Zoning Ordinance, variance of Maximum Building Size Requirement, multi-family storage facility from 1,200 sq. ft. to 5,000 sq. ft. in a Moderate Density Rural



Residential District (R-2). Said property is legally described as N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA Welkom Drive, Yankton, SD.

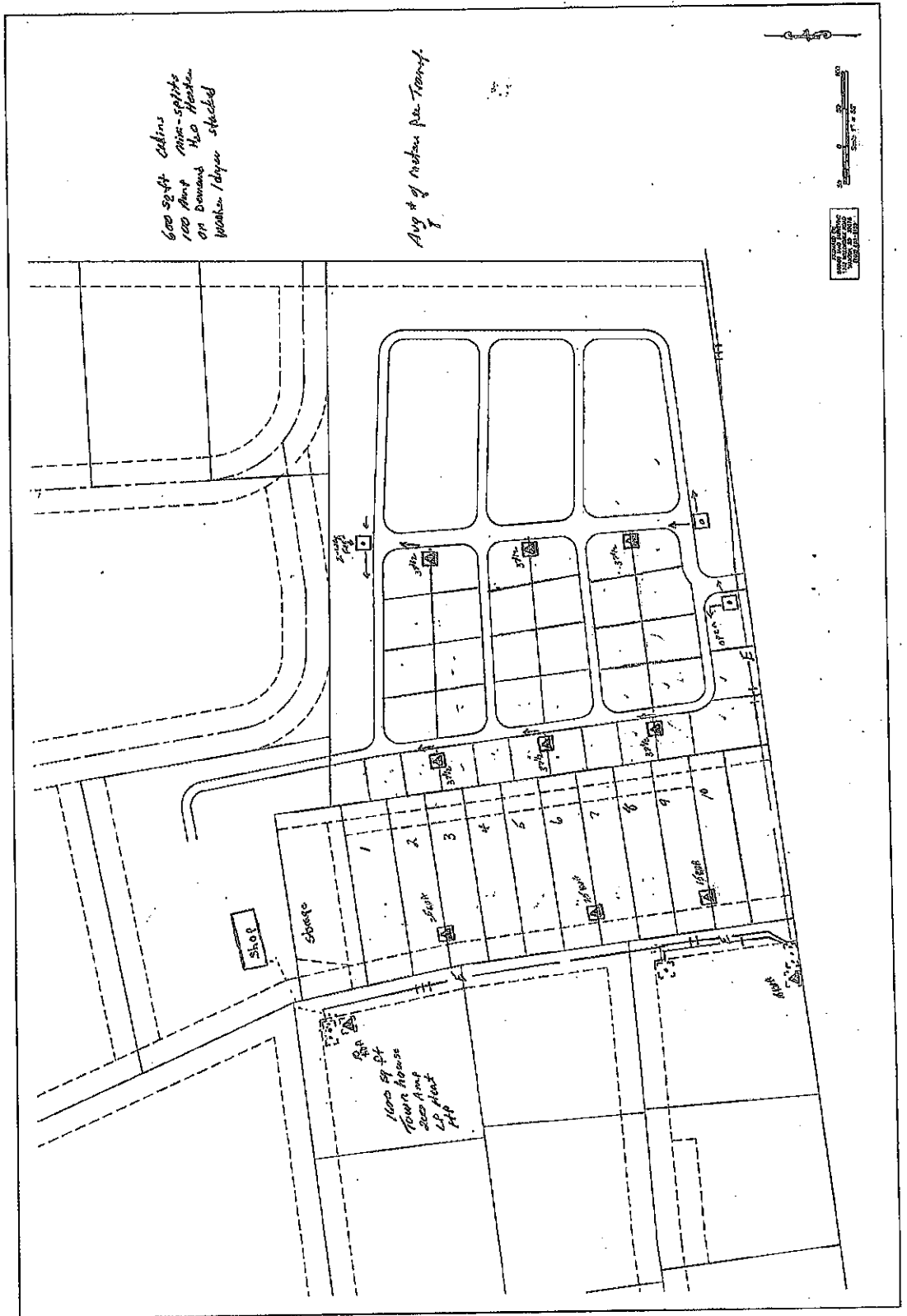
By roll call vote, four members voted aye, four members voted nay.

By roll call vote, six members voted aye, two member voted nay.

Motion carried.

600 sq ft  
100 Amp  
on beams  
broken / deeper stacked

Aug # of inches per Tramp



Scale 1" = 20'  
North Arrow

## Yankton County Planning Recommendation

The Yankton County Planning Commission recommends that the following be approved / denied by the Yankton County Commission or the Board of Adjustment.

Applicant: Curtis Oliver (Executive Estates)  
 Address: 184 Oak Hills Dr. Yankton  
 Hearing date: 12-11-18  
 Description: CUA build a campground in LC

Action 121118H: Moved by Becker, second by Gudahl to recommend to approve a Conditional Use Permit based on Finding of Facts dated December 11, 2018, pursuant to Article 18, Section 1805 of the Yankton County Zoning Ordinance, to build a campground in a Lakeside Commercial District (LC) in Yankton County. Said property is legally described as N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA SD Hwy 52, Yankton, SD.

By roll call vote, all members voted aye.  
 Motion carried.

<p><u>[Signature]</u>                  Michael Welch      <input checked="" type="radio"/> Y   <input type="radio"/> N   <input type="radio"/> AB</p> <p><u>[Signature]</u>                  Don Kettering      <input checked="" type="radio"/> Y   <input type="radio"/> N   <input type="radio"/> AB</p> <p><u>[Signature]</u>                  Debra Bodensstedt      <input checked="" type="radio"/> Y   <input type="radio"/> N   <input type="radio"/> AB</p> <p><u>[Signature]</u>                  Butch Becker      <input checked="" type="radio"/> Y   <input type="radio"/> N   <input type="radio"/> AB</p> <p><u>[Signature]</u>                  Zane Williams      <input checked="" type="radio"/> Y   <input type="radio"/> N   <input type="radio"/> AB</p>	<p><u>[Signature]</u>                  Dan Guthmiller      <input checked="" type="radio"/> Y   <input type="radio"/> N   <input type="radio"/> AB</p> <p><u>[Signature]</u>                  Carl Kretsinger      <input type="radio"/> Y   <input type="radio"/> N   <input type="radio"/> AB</p> <p><u>[Signature]</u>                  Erik Koenigs      <input checked="" type="radio"/> Y   <input type="radio"/> N   <input type="radio"/> AB</p> <p><u>[Signature]</u>                  Jeff Gudahl      <input checked="" type="radio"/> Y   <input type="radio"/> N   <input type="radio"/> AB</p>
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Motion: Butch Becker  
 Second: Jeff Gudahl

Yankton County Planning Commission

Meeting date: December 11, 2018

CONDITIONAL USE  
Article 18, Section 1805

FINDINGS OF FACT

Applicant: Curtis Olivier

Parcel Number: 09.018.100.100

Legal description: N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W

Physical Address TBA SD Hwy 52, Yankton, SD

1. The applicant specifically cited the section of the zoning ordinance under which the conditional use is sought and has stated the grounds on which it is requested; Applicant is requesting a Conditional Use Permit for a Conditional Use Permit (Article 11, Section 1107-2) to build a campground in a Lakeside Commercial District (LC) in Yankton County. Said property is legally described as N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA SD Hwy 52, Yankton, SD.
2. Notice of public hearing was given, as in Section 1803 (3-5); The applicant mailed letters of notification to property owners within a one-quarter mile radius of the proposed CUP on November 29, 2018 (supported by affidavit), a legal notice was published on December 1, 2018 in the Yankton Daily Press and Dakotan and a notification sign was placed on the property on November 5, 2018.
3. The public hearing shall be held. Any party may appear in person, or by agent or attorney; A public meeting was held at 7:25 pm on December 11, 2018 in the Yankton County Government Center County Commission chambers. The November 13, 2018 Planning Commission meeting presented the following information. Mr. Olivier stated his request is to build a ten (10) unit multifamily townhouses along Welkom Drive. The site plan shows the proposed project and a storage building for the residents. The multifamily structures will meet the quality expectation of the neighborhood and not be a negative impact on current or future property owners. The septic systems are in cooperation with South Dakota Department of Environment and Natural Resources (DENR) and meet all requirements. The variance request for the accessory structure size requirement is to provide a planned storage facility for the residences in the townhouses. No commercial storage is proposed. Mr. Olivier discussed the proposed campground and stated the concept will be “park models” which will be purchased by individuals and the space will be leased in the campground. The proposal is for Phase #1 to have 32 units and Phase #2 to have 38 units. The septic system plan is approved by South Dakota Department of Environment and

Natural Resources (DENR) and meet all requirements. The project will provide upscale infrastructure and landscaping. The "park models" will be \$70,000.00 to \$90,000.00 price range. The facility will have proper security and Home Owner Association (HOA) regulations. The larger accessory structure variance is for the construction of the "park models" and then provide storage for the campground.

Mr. Welch requested any proponents of the Conditional Use Permit and variance to present their statements. Ken Hoffman, neighbor resident, stated his approval of the townhouse proposal and the buffer it provides for the residential neighborhood to west of the proposal site. He suggested some photos or graphic illustrations to show end results. Sally Vinson, county resident, stated the townhouse buffer as a strong benefit of this proposal. She suggested a developer covenant on the campground to restrict rentals, activity and property uses. This will be beneficial to the campground but also the entire neighborhood and future development plans.

Mr. Welch requested any opponents of the Conditional Use Permit and variance to present their statements. Chris Dickes, neighbor resident, stated his opposition to the proposal because it will cause detriment to adjacent properties values and attract more activity to the area. Karen Dickes, neighbor resident, stated her opposition to the proposal as it will increase traffic and maybe attract excessive people similar to Lake Okoboji in Iowa. Gerald Kleinschmidt, neighbor resident, stated his opposition to the campground proposal as it will not be appropriate for the district. Keith DeJager, neighbor resident, stated the houses in the area are expensive (\$400,000.00) and deserve protection from excessive traffic, noise and other impacts. He feels the area property values will be reduced if this proposal is approved. No other comments, positive or negative, were received by the Zoning Administrator or presented at the public hearing.

December 11, 2018 meeting, the Conditional Use Permit request for the campground, Curtis Olivier presented a detailed Rules and Operations manual for the campground. Mr. Olivier stated the property ownership for the campground will be a single owner (lots will be rented). The subdivision preliminary plat Lots 16 and Lot 17 will not be subdivided without a public hearing. Mr. Olivier presented a detailed septic system, electrical plan and fresh water plan. The subdivision plan shows a detailed surface drainage plan and ingress / egress plan. The proposed storage building will only be accessed from the campground property. Mr. Olivier presented photographs showing the traffic flow, landscape plans and structure placement. Mr. Olivier will obtain a South Dakota state campground permit and is meeting all the Yankton County requirements.

Chairperson Welch requested public comment from proponents of the proposal. Doug Walsh, area resident, stated his approval of the project. He stated Mr. Olivier will build a quality development and it will be an asset to the community.

Chairperson Welch requested public comment from opponents of the proposal. Nick Moser, attorney representing neighbors, discussed the Article 18 requirements for proper ingress / egress. The only entrance / exit will be the current SD Hwy 52 access driveway. Mr. Moser also discussed the definitions of a campground and the Olivier proposal does not fit the definition as stated. The project is a "tiny house" or "manufactured house" park or facility. The campground Conditional Use Permit is not a proper approach for this application.

Christopher Dickes, neighbor, stated the proposal is more complete than the previous month presentation. Mr. Dikes stated the rules / regulations are applicable to the property owners

not the campground tenants. The Planning Commission recommends compliance from the property owner.

Gary Kleinschmidt, neighbor, stated the rules / regulations must be enforced to maintain the standards of the surrounding property owners. Mr. Kleinschmidt stated the rules are "almost too good to be true" and expects them to be enforced by the property owners and incorporated into the CUP findings of fact.

Keith DeJager, neighbor, stated his opposition to the project and felt they are more like modular homes than a campground. His preference would be a storage facility is a commercial operation must occur on this property. Mr. DeJager also stated Welkom Drive is not available for ingress / egress for the campground vehicles.

Mr. Olivier rebuttal was confirmation of the ingress / egress from SD Hwy 52, the storage will only be accessed from the campground property and the structures are not campers they are regulated as a campground with all the applicable rules the same as a campground.

Mr. Welch ended public comment and Mr. Becker confirmed the ingress / egress plan for the campground is SD Hwy 52 and for the multi-family housing is Welkom Drive. Mr. Koenigs requested a clarification of manufactured homes definition. The zoning administrator stated the definition and it is clear the proposal is not a manufactured home park as all manufactured homes have a federal register (HUD) requirement. The "tiny home" concept is not in the definitions. The zoning ordinance does provide a classification of 1109 – Classification of Unlisted Use. This section does provide guidance to allow activities not specifically listed but are similar in use to specifically listed uses in the zoning ordinance.

The Planning Commission determined the proposal is similar to the campground regulation currently in use, the site plan is detailed to provide strict adherence to ingress / egress requirements, landscape, lighting, septic system, fresh water, traffic flow and published campground guidelines and rules.

No other comments, positive or negative, were received by the Zoning Administrator or presented at the public hearing.

4. The Planning Commission shall make a finding and recommendation that it is empowered under the section of this Ordinance described in the application, to include:
  - A. Recommend granting of the conditional use;
  - B. Recommend granting with conditions; or

The commission recommends granting approval of the conditional use permit with listed conditions.

- C. Recommend denial of the conditional use.
5. Before any conditional use is decided, the Planning Commission shall make written findings certifying compliance with the specific rules governing individual conditional uses and that satisfactory provision and arrangement has been made concerning the following, where applicable:
  - A. 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; The applicant has shown sufficient access to property with established roadway (SD Hwy 52).
  - B. Off right-of-way parking and loading areas where required; with particular attention to the items in (A) above and economic, noise, glare or odor effects of the conditional use on



adjoining properties and properties generally in the district; All off right-of-way areas are currently compliant, the proposal has provided detailed site plan, completed preliminary plan and campground covenants / regulations.

- C. Refuse and service areas, with particular reference to the items in (A) and (B) above; Refuse and service areas are in compliance.
- D. Utilities, with reference to locations, availability, and compatibility; Utilities will be available and will be in operational condition, the security lights will be monitored for proper downcast illumination to provide sufficient security, septic systems are DENR approved.
- E. Screening and buffering with reference to type, dimensions, and character; Screening and buffering is provided with townhouse alignment and landscaping.
- F. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district; All signage will conform to Article 14, Yankton County Zoning Ordinance
- G. Required yards and other open spaces; Yards and open spaces requirements are compliant with current regulations for proposed activity.
- H. General compatibility with adjacent properties and other property in the district and that the granting of the conditional use will not adversely affect the public interest. The use is compatible with adjacent properties in the district and the granting of a Conditional Use Permit will not adversely affect the public interest. The applicant has provided sufficient regulations to control excessive activity, noise and traffic.

Action 121118H: Moved by Becker, second by Gudahl to recommend to approve a Conditional Use Permit based on Finding of Facts dated December 11, 2018, pursuant to Article 18, Section 1805 of the Yankton County Zoning Ordinance, to build a campground in a Lakeside Commercial District (LC) in Yankton County. Said property is legally described as N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA SD Hwy 52, Yankton, SD.

By roll call vote, all members voted aye.

Motion carried.

## Yankton County Planning Recommendation

The Yankton County Planning Commission recommends that the following be approved / denied by the Yankton County Commission or the Board of Adjustment.

Applicant: Curtis Oliver  
 Address: 184 Oak Hills Dr. Yankton  
 Hearing date: 12-11-18  
 Description: Variance of Max Requirement 1,200 → 11,500 in R-2

Action 121118I: Moved by Guthmiller, second by Bodenstedt to recommend approval a variance based on Finding of Facts dated December 11, 2018, pursuant to Article 18, Section 1807 of the Yankton County Zoning Ordinance, variance of Maximum Building Size Requirement, to provide park model construction facility and campground storage facility from 1,200 sq. ft. to 11,500 sq. ft., in a Lakeside Commercial District (LC). Said property is legally described as N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA SD Hwy 52, Yankton, SD. By roll call vote, all members voted aye. Motion carried.

<p><u>Michael Welch</u>    <input checked="" type="radio"/> Y    <input type="radio"/> N    <input type="radio"/> AB</p> <p><u>Don Kettering</u>    <input type="radio"/> Y    <input checked="" type="radio"/> N    <input type="radio"/> AB</p> <p><u>Debra Bodenstedt</u>    <input checked="" type="radio"/> Y    <input type="radio"/> N    <input type="radio"/> AB</p> <p><u>Butch Becker</u>    <input checked="" type="radio"/> Y    <input type="radio"/> N    <input type="radio"/> AB</p> <p><u>Zane Williams</u>    <input checked="" type="radio"/> Y    <input type="radio"/> N    <input type="radio"/> AB</p>	<p><u>Dan Guthmiller</u>    <input checked="" type="radio"/> Y    <input type="radio"/> N    <input type="radio"/> AB</p> <p><u>Carl Kretsinger</u>    <input type="radio"/> Y    <input type="radio"/> N    <input type="radio"/> AB</p> <p><u>Erik Koenigs</u>    <input checked="" type="radio"/> Y    <input type="radio"/> N    <input type="radio"/> AB</p> <p><u>Jeff Gudahl</u>    <input checked="" type="radio"/> Y    <input type="radio"/> N    <input type="radio"/> AB</p>
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Motion: Dan Guthmiller  
 Second: Deb Bodenstedt

Yankton County Planning Commission

Meeting date: December 11, 2018

VARIANCE

Article 18, Section 1807

FINDINGS OF FACT

Applicant: Curtis Olivier

Parcel Number: 09.018.100.100

Legal description: N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W

Physical Address: TBA SD Hwy 52, Yankton, SD.

1. No such variance shall be recommended for approval by the Planning Commission unless it finds:
  - A. The strict application of the ordinance would produce undue hardship; The proposal is to provide personal storage for a campground development. The structure will be in harmony with the proposed campground. The structure will be temporary construction facility for the campground units until the available lots at a capacity.
  - B. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity; The hardship can be shared by other properties but is limited to properties requiring campground storage facility. This proposal is in harmony with the proposed development.
  - 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; The granting of a variance will not be of substantial detriment to adjacent property nor the character of the district. The variance is part of the overall plan for the property.
  - D. The granting of such variance is based upon reasons of demonstrable and exceptional hardship as distinguished from variations for purposed of convenience, profit, and caprice. No convenience, profit or caprice was shown.
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. The requested variance can be recurring with special circumstances discussed in the findings. The proposal is frequent to warrant an amendment to the ordinance.
3. A recommendation of approval concerning a variance from the terms of this ordinance shall not be founded by the Planning Commission unless and until:
  - 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; The property is demonstrating special conditions or circumstances with size and location and could be applicable to others structures or buildings with a development proposal.
- 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; Previous variances of maximum structure size requirement have been granted in Yankton County.
- C. The special conditions and circumstances do not result from the actions of the applicant; The special conditions and circumstances are not a result of the applicant.
- 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. Variance requests of this type (maximum structure size requirement) have been recommended previously by the Planning Commission.
4. 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. No nonconforming uses of neighboring lands, structures, or buildings in this district, and no permitted or nonconforming use of lands, structures, or buildings in other districts were considered.
5. Notice of public hearing shall be given, as in Section 1803 (3-5). The applicant mailed letters of notification to property owners within a one-quarter mile radius of the proposed variance on November 28, 2018 (supported by affidavit), a legal notice was published on December 1, 2018 in the Yankton Daily Press and Dakotan and a notification sign was placed on the property on November 5, 2018.
2. The public hearing shall be held. Any party may appear in person or by agent or by attorney. A public meeting was held at 7:25 pm on December 11, 2018 in the Yankton County Government Center County Commission chambers. The November 13, 2018 Planning Commission meeting presented the following information. Mr. Olivier stated his request is to build a ten (10) unit multifamily townhouses along Welkom Drive. The site plan shows the proposed project and a storage building for the residents. The multifamily structures will meet the quality expectation of the neighborhood and not be a negative impact on current or future property owners. The septic systems are in cooperation with South Dakota Department of Environment and Natural Resources (DENR) and meet all requirements. The variance request for the accessory structure size requirement is to provide a planned storage facility for the residences in the townhouses. No commercial storage is proposed. Mr. Olivier discussed the proposed campground and stated the concept will be "park models" which will be purchased by individuals and the space will be leased in the campground. The proposal is for Phase #1 to have 32 units and Phase #2 to have 38 units. The septic system plan is approved by South Dakota Department of Environment and Natural Resources (DENR) and meet all requirements. The project will provide upscale infrastructure and landscaping. The "park models" will be \$70,000.00 to \$90,000.00 price range. The facility will have proper security and Home Owner Association (HOA) regulations. The larger accessory structure variance is for the construction of the "park models" and then provide storage for the campground. Mr. Welch requested any proponents of the Conditional Use Permit and variance to present their statements. Ken Hoffman, neighbor resident, stated his approval of the townhouse proposal and the buffer it provides for the residential neighborhood to west of the proposal

site. He suggested some photos or graphic illustrations to show end results. Sally Vinson, county resident, stated the townhouse buffer as a strong benefit of this proposal. She suggested a developer covenant on the campground to restrict rentals, activity and property uses. This will be beneficial to the campground but also the entire neighborhood and future development plans.

Mr. Welch requested any opponents of the Conditional Use Permit and variance to present their statements. Chris Dickes, neighbor resident, stated his opposition to the proposal because it will cause detriment to adjacent properties values and attract more activity to the area. Karen Dickes, neighbor resident, stated her opposition to the proposal as it will increase traffic and maybe attract excessive people similar to Lake Okoboji in Iowa. Gerald Kleinschmidt, neighbor resident, stated his opposition to the campground proposal as it will not be appropriate for the district. Keith DeJager, neighbor resident, stated the houses in the area are expensive (\$400,000.00) and deserve protection from excessive traffic, noise and other impacts. He feels the area property values will be reduced if this proposal is approved. No other comments, positive or negative, were received by the Zoning Administrator or presented at the public hearing.

December 11, 2018 meeting, the Conditional Use Permit request for the campground, Curtis Olivier presented a detailed Rules and Operations manual for the campground. Mr. Olivier stated the property ownership for the campground will be a single owner (lots will be rented). The subdivision preliminary plat Lots 16 and Lot 17 will not be subdivided without a public hearing. Mr. Olivier presented a detailed septic system, electrical plan and fresh water plan. The subdivision plan shows a detailed surface drainage plan and ingress / egress plan. The proposed storage building will only be accessed from the campground property. Mr. Olivier presented photographs showing the traffic flow, landscape plans and structure placement. Mr. Olivier will obtain a South Dakota state campground permit and is meeting all the Yankton County requirements.

Chairperson Welch requested public comment from proponents of the proposal. Doug Walsh, area resident, stated his approval of the project. He stated Mr. Olivier will build a quality development and it will be an asset to the community.

Chairperson Welch requested public comment from opponents of the proposal. Nick Moser, attorney representing neighbors, discussed the Article 18 requirements for proper ingress / egress. The only entrance / exit will be the current SD Hwy 52 access driveway. Mr. Moser also discussed the definitions of a campground and the Olivier proposal does not fit the definition as stated. The project is a "tiny house" or "manufactured house" park or facility. The campground Conditional Use Permit is not a proper approach for this application.

Christopher Dickes, neighbor, stated the proposal is more complete than the previous month presentation. Mr. Dikes stated the rules / regulations are applicable to the property owners not the campground tenants. The Planning Commission recommends compliance from the property owner.

Gary Kleinschmidt, neighbor, stated the rules / regulations must be enforced to maintain the standards of the surrounding property owners. Mr. Kleinschmidt stated the rules are "almost too good to be true" and expects them to be enforced by the property owners and incorporated into the CUP findings of fact.

Keith DeJager, neighbor, stated his opposition to the project and felt they are more like modular homes than a campground. His preference would be a storage facility is a commercial

operation must occur on this property. Mr. DeJager also stated Welkom Drive is not available for ingress / egress for the campground vehicles.

Mr. Olivier rebuttal was confirmation of the ingress / egress from SD Hwy 52, the storage will only be accessed from the campground property and the structures are not campers they are regulated as a campground with all the applicable rules the same as a campground.

Mr. Welch ended public comment and Mr. Becker confirmed the ingress / egress plan for the campground is SD Hwy 52 and for the multi-family housing is Welkom Drive. Mr. Koenigs requested a clarification of manufactured homes definition. The zoning administrator stated the definition and it is clear the proposal is not a manufactured home park as all manufactured homes have a federal register (HUD) requirement. The "tiny home" concept is not in the definitions. The zoning ordinance does provide a classification of 1109 – Classification of Unlisted Use. This section does provide guidance to allow activities not specifically listed but are similar in use to specifically listed uses in the zoning ordinance.

The Planning Commission determined the proposal is similar to the campground regulation currently in use, the site plan is detailed to provide strict adherence to ingress / egress requirements, landscape, lighting, septic system, fresh water, traffic flow and published campground guidelines and rules.

No other comments, positive or negative, were received by the Zoning Administrator or presented at the public hearing.

3. 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 recommendations 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.

The Planning Commission further finds that the reasons set forth in the application and hearing satisfy all requirements for this variance request.

4. In recommending approval of any variance, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with this ordinance. The Planning Commission recommends approval of this request.

5. 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. The variance request of Maximum Structure Size Requirement is recommended for approval.

Action 121118I: Moved by Guthmiller, second by Bodenstedt to recommend approval a variance based on Finding of Facts dated December 11, 2018, pursuant to Article 18, Section 1807 of the Yankton County Zoning Ordinance, variance of Maximum Building Size Requirement, to provide park model construction facility and campground storage facility from 1,200 sq. ft. to 11,500 sq. ft., in a Lakeside Commercial District (LC). Said property is legally described as N123 Acres, NE1/4, exc Lots 3, 5, 6, Block 1 & exc Lots 2 – 5, 7, 8, 10, 11, 12, Block 2, Law Overlook & exc Tract A, Law Overlook S/D, S18-T93N-R56W, hereinafter referred at as Utica South Township, County of Yankton, State of South Dakota. The E911 address is TBA SD Hwy 52, Yankton, SD.

By roll call vote, all members voted aye.

Motion carried.









# EXECUTIVE

# ESTATES

YANKTON, SD

150x75  
FUTURE

100x75  
EXISTING

50x75  
FUTURE

150x50  
FUTURE GARAGES

WELKOM DRIVE

DEW DROP IN LANE

OXIE DORIE LANE

HIGHWAY 52 / WEST 8TH STREET





# Executive Estates Rules and Regulations

Welcome! The Management of Executive Estates is proud of our beautiful, 45 and above estates. Consideration and courtesy to others plus your cooperation in maintaining an attractive home will help sustain our high standards. The Estates Guidelines have been created to provide our Residents with a written statement of our Estate's standards and procedures. Please read the Guidelines carefully. Thank you.

All residents must use the Estates main entrance upon arrival and departure. Two decals, car passes will be issued with the sale of the unit.

## Executive Estates

- Sites are guaranteed for the length of your paid annual lease and a deposit.
- We are a 45 and above estates; guests under 18 are permitted for 30 days. Any guest staying over 30 days must have written management approval.
- Telephone, Electric, Analog, Basic TV, and Internet service is available and can be obtained from the local provider. Utilities must be in resident's name and paid directly to local provider.
- Pets: Executive Estates is a pet free estates. Pets are not allowed in the estates.
- SITE SELECTION: We assign sites upon the sale of the unit.
- CANCELLATIONS: Deposits are forfeited No refunds on the deposit.
- The Annual lease starts on the date of the sale of your unit and is due each year on that same date. All annual payments (US Funds) are due without billing. A \$100.00 late fee is charged to payments received after 15 days late. A \$50.00 fee is charged for returned checks plus the \$100.00 late fee. Receipts will not be mailed unless requested. Preferred payment is personal check, money order, and bank draft. Cash is not accepted.
- Annual lease includes lot rent, water, sewer, trash, lawn care, and snow removal by estate staff.

All homes are to be a 2nd home (vacation home) and not to be used as the owners primary living quarters and must be owner occupied. The only exceptions are immediate family

members for up to two weeks without the owner present if prior notification from the resident is made with the Estates office.

- Tax surcharge: A pass-on tax will be assessed as a portion of the annual lease.

#### POLICY AND GUIDELINES

- ANY PERSON(S) Filling out a purchase agreement must also fill out a Rental Application for residency. A \$50.00 non-refundable application fee is due when the application is submitted. A Background and Credit Check will be obtained. The application must be approved prior to the completion of the sale or possession of the home.
- ALL RESIDENTS All units are designed and based on one or two person occupancy.
- SPEED LIMIT 10 MPH: Please obey all speed limit, stop signs, and one-way signs.
- QUIET HOURS are from 11:00pm until 7:00am. Excessive noise or disturbance will not be tolerated at any time. Nuisance will not be tolerated nor any use or practice which is the source of annoyance to residents and interfering with their peaceful enjoyment. Noise or conduct which management finds objectionable such as annoying parties, abusive or profane actions or language shall not be permitted at any time in the Estates.
- SOLICITING of any type is not permitted. No peddling, soliciting, or commercial enterprises will be allowed in the estates. No displays of crafts, merchandise, or any type of wares are permitted at home Sites. No yard sales except on days sponsored by the Estates. No yard signs or flags are to be permitted other than 1 American Flag.
- NO BUSINESS may not be run from a resident's home.
- SMOKING is prohibited in all buildings.
- NO OPEN FLAMES of any kind. BBQ grills and gas fire pits are permitted.
- THERE WILL BE ABSOLUTELY NO BB guns, air guns, firearms, fireworks, or similar device discharged within the confines of the estates.
- SEWER DONUTS with clamps and backflow preventers on water hookups are required by Executive Estates and are the resident's responsibility.
- GUESTS UNDER AGE 18 are permitted for 30 days. Any guest under 18 staying over 30 days must have written management approval. Appropriate age usage is posted at the facilities with age requirements. Immediate family members of the unit may stay in the home for up to two weeks without the permanent resident being present if the owner contacts the Estates Office upon arrival.

- SUB-LETTING is permitted. Sub-letters renting a minimum of 6 months will go through the application process and abide by all rules and regulations of Executive Estates.
- RESALES: Residents who wish to sell their homes are required to fill out a Resale Inspection Application. A \$35.00 inspection fee is due when the application is submitted. Management will then inspect the condition of the outside of the home for washing, painting, or repairs that may be required. Any improvements deemed necessary must be completed before the home is advertised for sale or sold if the home is to remain in the Estates. One commercially printed "For Sale" sign is permitted in the window of the home; no yard signs. Signs may not be larger than 11" x 19". An Open House is permitted, as long as the owner is present during the open house. Open House yard signs are not permitted; signs may be put in a window of the home. Potential buyers must fill out an application for residency and pay a \$40.00 non-refundable application fee and meet the Estate's age requirement and must be approved by management prior to the completion of the sale or possession of the home. Executive Estates has been very successful in selling homes for our residents. Our commission fees are competitive.
- DO NOT FEED the birds, turtles, or any animal or wildlife.
- CLOTHESLINES are not permitted.
- APPLIANCES may not be outside the home (e.g. refrigerators, freezers, washers or dryers, etc.).
- **Park Models** Electric, phone, and cable lines must be buried. Sewer connections and lines must be under the home with an accessible cleanout. All homes shall be kept clean and in acceptable conditions at all times. No outside storage. All parts of the site shall be kept clean, neat, and in sanitary conditions. If a unit is in need of washing and a resident does not comply with notification, Executive Estates will have the unit washed and charge the resident the current rate.
- WORK ORDERS: Our maintenance area is an excluded area to all residents. FOR YOUR SAFETY, PLEASE DO NOT ENTER THE MAINTENANCE AREA. For maintenance concerns or requests please contact the Estates Office. We have instructed all employees that they are NOT to do any maintenance job without an approved work order. Due to insurance and liability concerns we do not loan tools or equipment.
- **ELECTRICAL WATER, OR SEWER** problems should be reported to the Estates Office before you call a repairman. After hours for emergencies only, call **888-888-8888**. Maintenance will check our service to the meter. We do not make indoor repairs but we



can make sure our outside connections are working properly. Executive Estates will not pay or reimburse bills incurred by you or a repairman you have called.

- **PARKING** on vacant sites or lots is not permitted. Parking at recreation buildings other than for activities or use of the facilities is not permitted without permission from the Estates Office. Parking in the street or on the grass is not permitted. Assigned parking may be available in the overflow lot or in a storage area ONLY.
- **STORAGE** No Boats, Storage Trailers, Car Dollies, extra RVs, etc. are permitted on any site. We required a completed "Storage Request Form" with a copy of the current registration. A vehicle pass must be attached to unit in storage. Executive Estates does not accept any responsibility and/or liability for vehicles or items in storage. Storage sites must be kept clean and neat.

Vehicles must be parked in an orderly manner. Loading and unloading at your site for 48 hours is permitted as long as you do not block traffic.

- **VEHICLES** must be parked completely on your site and your your site will have 2 parking spots and not in the grass or street. Vehicles are required to have Executive Estates ID. Guest parking in designated overflow parking only. No unlicensed vehicles permitted on the property. Damaged or unsightly vehicles are not permitted on the property. Vehicle repair is not permitted on any site. Minor repairs or maintenance may be done in the storage are; please contact the Estates Office for location.
- **MOTORCYCLES, BIKES, SCOOTERS, GOLF CARTS** must have the proper safety equipment for day and night use. Mopeds/Scooters with engines no larger than 100cc are allowed to be used in the Estates and to the facilities. Mopeds/Scooters with engines over 100cc may be permitted with special written permission of management. Motorcycles, mopeds, and scooters, if properly licensed, may be operated by a Resident only as transportation on Estates streets via the shortest route in and out of the Estates. No joyriding will be permitted within the Estates by Resident or guests. All permitted vehicles must have factory-type quiet mufflers. "QUIET" is defined as being such that a motorcycle, moped, or motor scooter will be operated at a noise level which in Estates Management's sole discretion is not unreasonably loud or will disturb the health, safety, property, welfare, or quiet enjoyment of estates residents. All bikes, scooters, and rollerblades must be used in a safe and orderly manner and persons under the age of 18 must be supervised. Must be a licensed driver to operate a golf cart.
- **CAR COVERS** and wheel covers are permitted if factory made and in acceptable appearance and in good condition. Car covers must be secured to the vehicles by rubber straps, bungee cords, or rope, under the vehicles from one side to the other. Weights to hold the cover down on the sides, such as blocks, water bottles, etc. will NOT be allowed. No tarps, plastic, boards, cardboard pieces of aluminum to be used for car or wheel covers.

The Estates assumes no liability for any vehicles left on site or covers either lost or damaged. If a cover becomes unsightly or starts to blow off it will be removed and disposed of.

- **WINTERIZING YOUR SITE:** When you leave for the winter or any extended time please put everything inside or under your home. DO NOT leave anything out when gone, this includes lawn furniture, bikes, flowerpots. If items are left out, they will be disposed of. They will not be returned or replaced. NO FOIL, CARDBOARD, PAPER, ETC. may be used to cover windows or glass doors. Shades, drapes, and approved pre-fab sun reflectors should be used for this purpose.
- **DIGGING** for any reason is prohibited without management approval. All utilities are buried underground and you will be charged for damages.
- **ANTENNAS** are not permitted. Satellite Dishes may not exceed 39" in diameter. Outdoor reception devices must be installed on the resident's home or on the ground of resident's home site in a location which is most inconspicuous and must be attractively landscaped and shielded from view to the greatest extent feasible. Outdoor devices must not obstruct a driver's view of any street, driveway, or intersection, nor may they be installed on or encroach upon any common area or other resident's home site. Short-term residents may have freestanding dishes placed on the concrete pad shielded from view as much as possible.
- **REGISTERED CONTRACTORS/BUSINESSES:** Executive Estates accepts no responsibility for contractor performance and/or material used for site improvements. All vendors and contractors must submit a copy of their Yankton County Occupational Licenses and Liability Insurance coverage before they do work in Executive Estates. A list of registered vendors is available at the Estates Office.
- **ALTERATIONS TO THE EXTERIOR** OF YOUR HOME INCLUDING BUT NOT LIMITED TO SCREEN ROOMS, ADDMONS, DECKS, CARPORTS, AWNINGS, AIR CONDITIONERS, CONCRETE, TREES, AND PLANTS MUST BE APPROVED IN WRITING BY MANAGEMENT. A SITE IMPROVEMENT APPLICATION must be completed and approved by management prior to the start of any alteration. All improvements are based on Estates regulations and Yankton County requirements. Yankton County regulations for permitting supersede estates rules. A County permit must be obtained when required. All additions or alterations must meet the required setbacks between structures per Yankton County code. Approval by the management does not waive resident's responsibility to secure all permits required by the governing municipality. Yankton County Development & Permitting Department, 888-8888. Property on empty sites will not be given up to allow for any carport, deck, or shed. Awnings may not protrude past your lot line and you may need neighbor's written



approval. PAINT COLORS to the exterior of your home must be approved in writing by management. Driveways may be texture coated or seal coated and colors must be approved in writing by management. A site improvement form must be completed and approved by management prior to the exterior improvements being made. If you are changing colors of the home, a paint sample must be attached. We will allow neutral colors, pale colors, and colors that would be compatible with the other homes in the estates. SHUTTERS, etc. may be installed with management's approval. Wood may be used if painted the same color as the home.

- UTILITY SHEDS: Are not permitted on your site. Executive Estates will have on site storage units available for rent.
- **CONCRETE**: All units will have a concrete step and patio provided to each unit. All concrete work must have prior approval by management and a permit from Executive Estates. The resident agrees that he/she is financially responsible for removal or replacement of concrete work in the event that it would have to be excavated to gain access to any utilities.
- **FENCES**: All units may put up a privacy fence around their deck/patio as long as they pick out the fencing from the Executive Estates office and they will have 3 colors to pick from.
- FREE STANDING SCREEN rooms or shade covers are not permitted on any unit. No canvas, metal or cloth; screen rooms are permitted on homes.
- **LANDSCAPING** Around your unit must be done from your unit 3' out and needs to be approved in writing by management prior to installation. Residents are responsible for weed control in these areas year round as well as driveways, patios, and walkways. Areas not cared for will result in a violation notice being sent and if Executive Estates is forced to care for this area, a \$150.00 fee will be assessed each time. Bushes or trees with thorns or thorn type leaves may not be planted since they could injure our employees when they are mowing. Executive Estates is not responsible for any damage or removal of any flowers, bushes, and trees that are planted whether approved or not approved. Any flowers, plant, or tree planted by a resident is the complete care of the resident. Residents are also responsible for anything planted by the previous owner of their home. Any ornaments, lights, hoses, etc. must be removed when the home is unattended. Executive Estates will not be responsible for loss or damage to any plants or outside items. We do not weed or trim garden areas and weed killer may be used to control weeds at unattended sites.



- **MOW EDGE OR BORDER:** The unit, 3' out must have barrier, mow edge, or border of some type such as concrete, landscape blocks, or a maintained flower or planting area around the home. If not, the management will not accept responsibility for any mower or weed eater damage done to the home.
- **LAWN CARE:** Other than the 3' boarder around your unit, lawns will be mowed and trimmed by management. We are not responsible for insects, weed control, or irrigation.

This Estates is intended, operated, and maintained for the occupancy, use, and benefit of persons 45 years of age or older. As such, this Estates adheres to and enforces the requirements of the "Housing for Older Persons Act" of 1995. Consequently, at least 80% of the occupied homes must be occupied by at least one person who is 45 years of age or older as of the date of occupancy and any other occupant must be 35 years of age or older (except spouses, and permanent full-time caregivers whose presence is required by a licensed physician). In the event the oldest occupant of a home dies or vacates the home, the remaining occupant(s) may continue as a resident(s) of the Estates and an occupant of the home as long as at least 80 percent of the occupied homes in the Estates, including that occupied by the remaining resident(s) are occupied by at least one person 45 years of age or older. Not with standing this express policy and intent to the contrary, Estates Management reserves the right in its sole discretion to accept a resident who is less than 45 years of age but older than 35, as long as at least 80% of the occupied homes in the Estates, including that of the new resident, are occupied by at least one person 45 years of age or older.

At the time of application for initial occupancy or upon request of Estates Management, a prospective resident shall, for all purposes of age verification, produce for inspection and copying one of the following: driver's license, birth certificate, passport, immigration card, military identification, or other valid local, state, national or international document of comparable reliability containing the prospective resident's birth date; or a certification in a lease, rental agreement, application, affidavit, or other document signed by any member of the prospective resident's household age thirty-five or older asserting that at least one person in the home is 45 years of age or older.

Upon request of Estates Management, existing residents shall produce documentation, as referenced above, for purpose of age verification. On January 1st of each even numbered year, all existing residents shall be required to provide the names and ages of all current occupants of the home, in writing, to Estates Management.

Only homes owned and occupied by persons who have applied for residency in the Estates and who have been approved as such by Estates Management are permitted to reside in the Estates. As a condition to approval for residency in the estates, all residents are required to show proof of ownership of their home; such proof may be made by title or registration to the home. Each occupant of the home must be approved for residency by the Estates Management prior

to the beginning of occupancy in the home. Written approval of the Estates Management is required as to any changes in the number or makeup of persons in the home.

The estates recreation facilities are available for the use of our residents and their registered guests only. Use the estates facilities at your own risk. The estates will not be responsible for personal injury or property damage to our tenants, their families, or their guests. Hours and rules governing the various facilities will be posted in each individual area. No one is allowed in the estates office or any recreational building without SHOES and a SHIRT.

These Rules and Regulations are based on the experience of the owner and changes and modifications may be made without prior notice. VIOLATIONS to these Rules and Regulations may result in eviction from the estates. Under South Dakota State Statute, if the resident or guest does not correct the violation when notified or repeats a rule violation within his/her term of occupancy, he/she may be evicted.

## PRIVACY STATEMENT

WE TAKE GREAT CARE TO SAFEGUARD YOUR CUSTOMER INFORMATION AND TO ENSURE ITS ACCURACY.

We limit employee access to nonpublic personal information to those who need to know this information in order to serve customer relationships. Employees are educated about the importance of privacy in accordance with our Standards of Conduct Policy.

We maintain physical, electronic and procedural safeguards that comply with all applicable regulatory standards to guard your nonpublic personal information.

We strive to maintain complete, current and accurate information about you and your accounts. If you request a correction to our records, we will respond in a timely manner.

WE COLLECT CUSTOMER INFORMATION SO WE ARE ABLE TO OFFER YOU PRODUCTS AND ENHANCE THE SERVICE WE PROVIDE TO YOU.

We collect and maintain nonpublic personal information in order to:

- Service your accounts and process your requests efficiently and accurately.
- Identify you and protect your accounts from unauthorized access or identity theft.
- Inform you of financial services, such as insurance products, and choices that can meet your needs now and in the future. This information may be collected from a variety of sources, including:
  - Information we receive from you on applications or Other loan or account forms, such as your name, address, and financial information.
  - Information we receive through your transactions or experiences with affiliates within the Executive Estates family of companies, such as your account, balance and payment history.
  - Information we receive from outside companies, such as a credit reporting agency, which reports your credit score and credit history.

WE MAY SHARE INFORMATION WITH NONAFFILIATED THIRD PARTIES WHO ARE ACTING ON OUR BEHALF.

We may disclose all the information we collect, as described above. Information is shared with nonaffiliated third parties only when those parties are acting on our behalf, or as required or permitted by law. These third parties may include:

- Service providers who provide support services to help us administer your financial relationship. They may include data processing companies, companies that prepare account statements, or companies that help us market products to you. These companies are legally obligated to maintain the confidentiality of the information we provide to them, and are restricted from using this information for any reason beyond the performance of specified services on our behalf.
- Companies who work with us under joint marketing agreements to provide you with financial services that we do not offer ourselves but we believe may be of interest to you. In such cases, we may share information we collect, as described above, but only as necessary to offer these services to you. These companies are legally obligated to maintain the confidentiality of the information we provide to them, and are restricted from using this information for any reason other than what is specified in the agreement. Other parties as permitted or required by applicable law. These may include, for example, government agencies in response to subpoenas and other legal processes, consumer reporting agencies, or those with whom you have authorized us to share information.

#### WITHIN THE EXECUTIVE ESTATES, INFORMATION MAY BE SHARED IN ORDER TO SERVICE YOUR RELATIONSHIP AND MEET YOUR FINANCIAL GOALS.

The Executive Estates works together to help you achieve your financial goals. We may share information among our affiliated companies to offer you additional financial services that may be of interest or value to you. As listed in this statement, the Executive Estates family of companies encompasses a number of different companies that provide a wide range of quality financial services, including land leases, home sales, storage rentals, mortgage services, and insurance. In order to evaluate your needs and to introduce you to additional financial services, we are permitted to share among these companies information about your transactions, account history or other experiences with us.

In addition, we may also share non-experience information. Information received from applications or outside sources such as credit reporting agencies is considered non-experience information. Under the Fair Credit Reporting Act, you may advise us that you do not want us to share this non-experience information within the Executive Estates by completing and mailing the attached Opt-Out Request Form.

Please allow a reasonable period of time (up to 90 days) for us to process your request. Whether or not you choose to opt out, we may share identifying information and information about your transactions and experiences within the Executive Estates family of companies. Even if you

choose to opt out, you will continue to receive statements and other account information, as well as special offers that could be of value to you from other affiliates in the Executive Estates family of companies.

#### EXECUTIVE ESTATES MISSION STATEMENT

Executive Estates is committed to being the premier provider of quality community lifestyles by offering individualized housing and residential services.

#### EXECUTIVE ESTATES VISION STATEMENT

We are an inspired, engaged, and collaborative team committed to providing extraordinary service to our residents, customers, and each other.

#### A MESSAGE TO OUR CUSTOMERS:

At Executive Estates, we have a long tradition of integrity and service. These are a part of our Company's core values, and are reflected in the way we serve our customers each day. This privacy statement reflects the policy for all of the entities that make up the Executive Estates family of companies. It describes how "nonpublic personal information," which includes customer and financial information, may be collected and shared, as well as the steps we take to protect this information from unauthorized access. This policy applies both to current and former residents and customers, and is designed to comply with the privacy provisions in Title I of Gramm-Leach-Bliley Act, as well as applicable federal privacy regulations.

#### Fair Credit Reporting Act Opt-Out Request Form

Please exclude me from non-experience information sharing within the Executive Estates family of companies as described above.

Date:

Name:

Community:

Site #:

Address:

City:

State:

Zip Code:

Please provide a telephone number that we may use to contact you if we have questions (required to opt-out):

Please provide an e-mail address that we may use to contact you if we have questions (optional):

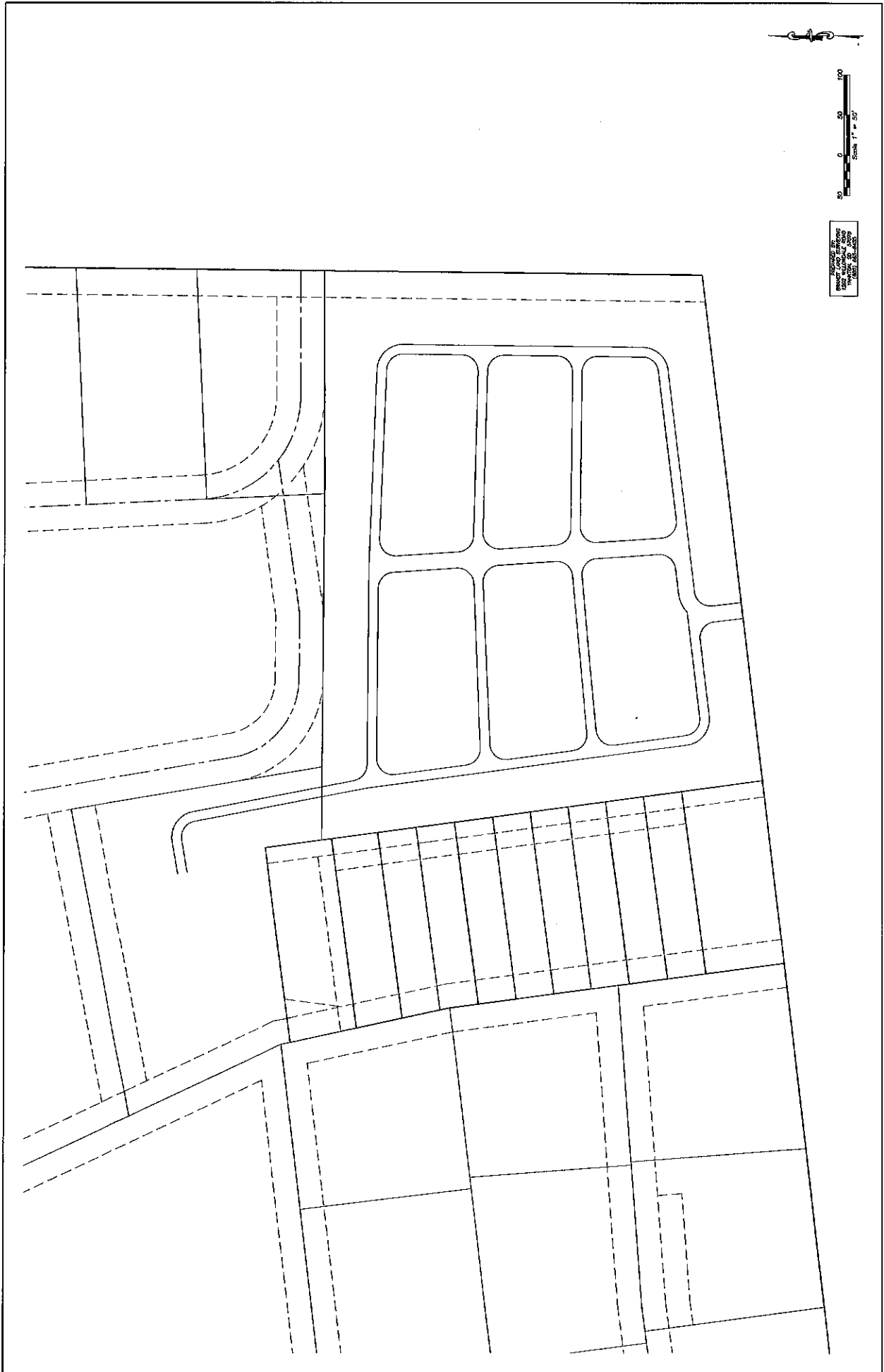
By signing below, I (we) confirm that I (we) wish to opt-out of all non-experience information sharing as described in Executive Estates Privacy Statement.

X

Please complete all information on this form, cut it out and mail it back to us at the following address:

Executive Estates Communities, Inc. / Executive Estates Home  
Services, Inc. — Opt-Out Program





Sketch Plan





Part of Parcel  
Landscaping



Back Porch  
x  
Landscape







Park Model  
Landscape





Paul & Mabel  
Landscaping



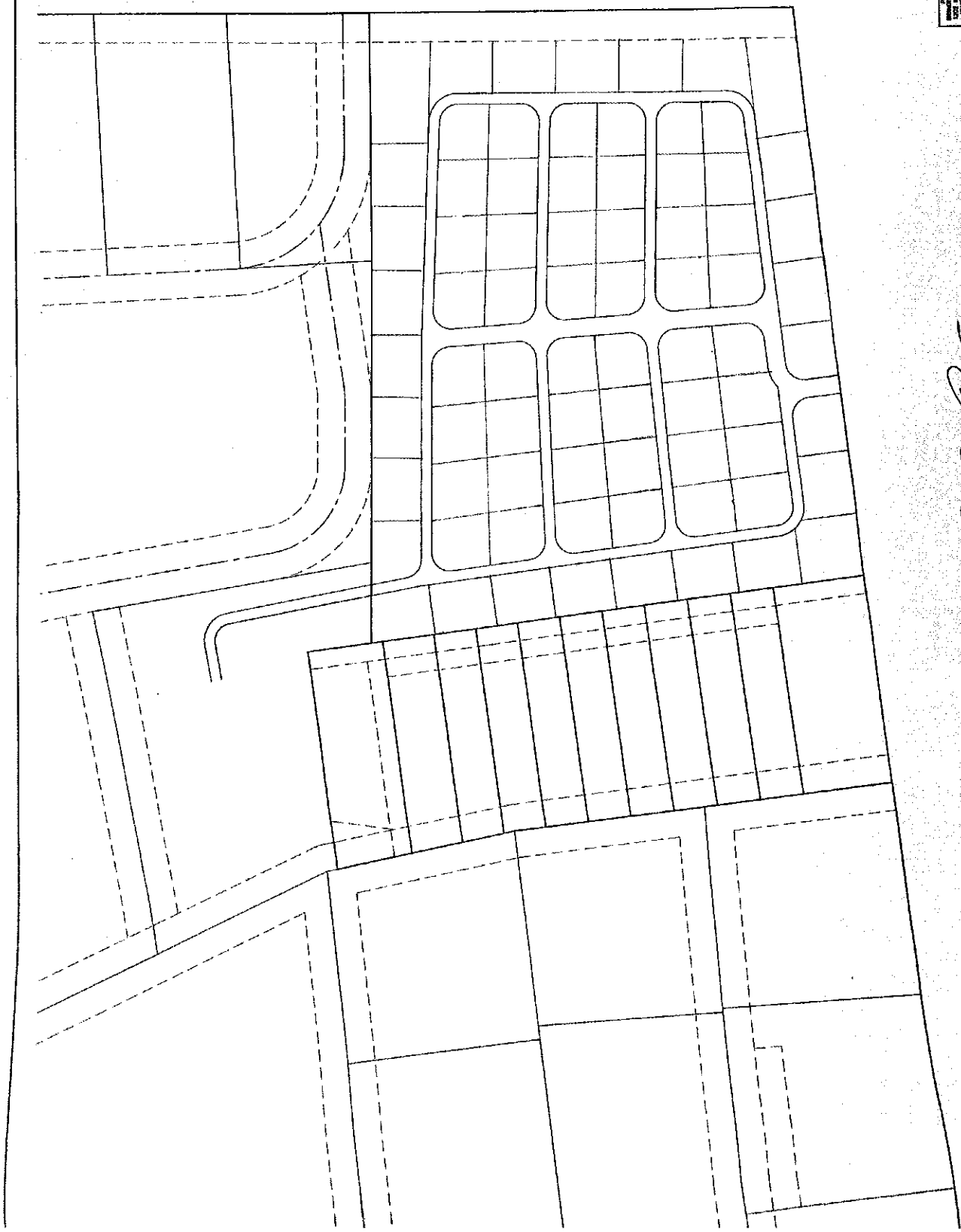


Park Model  
Landscape

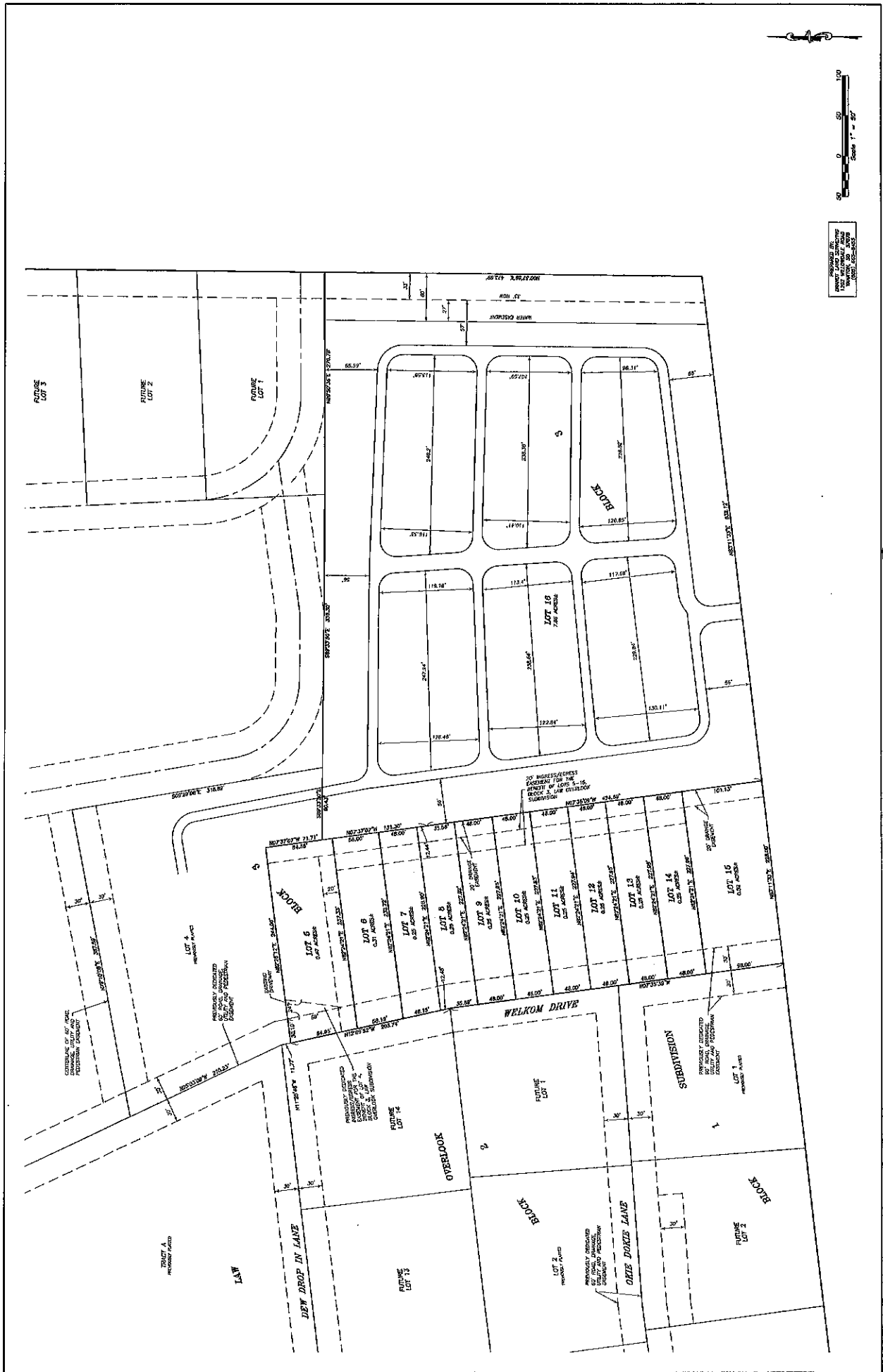




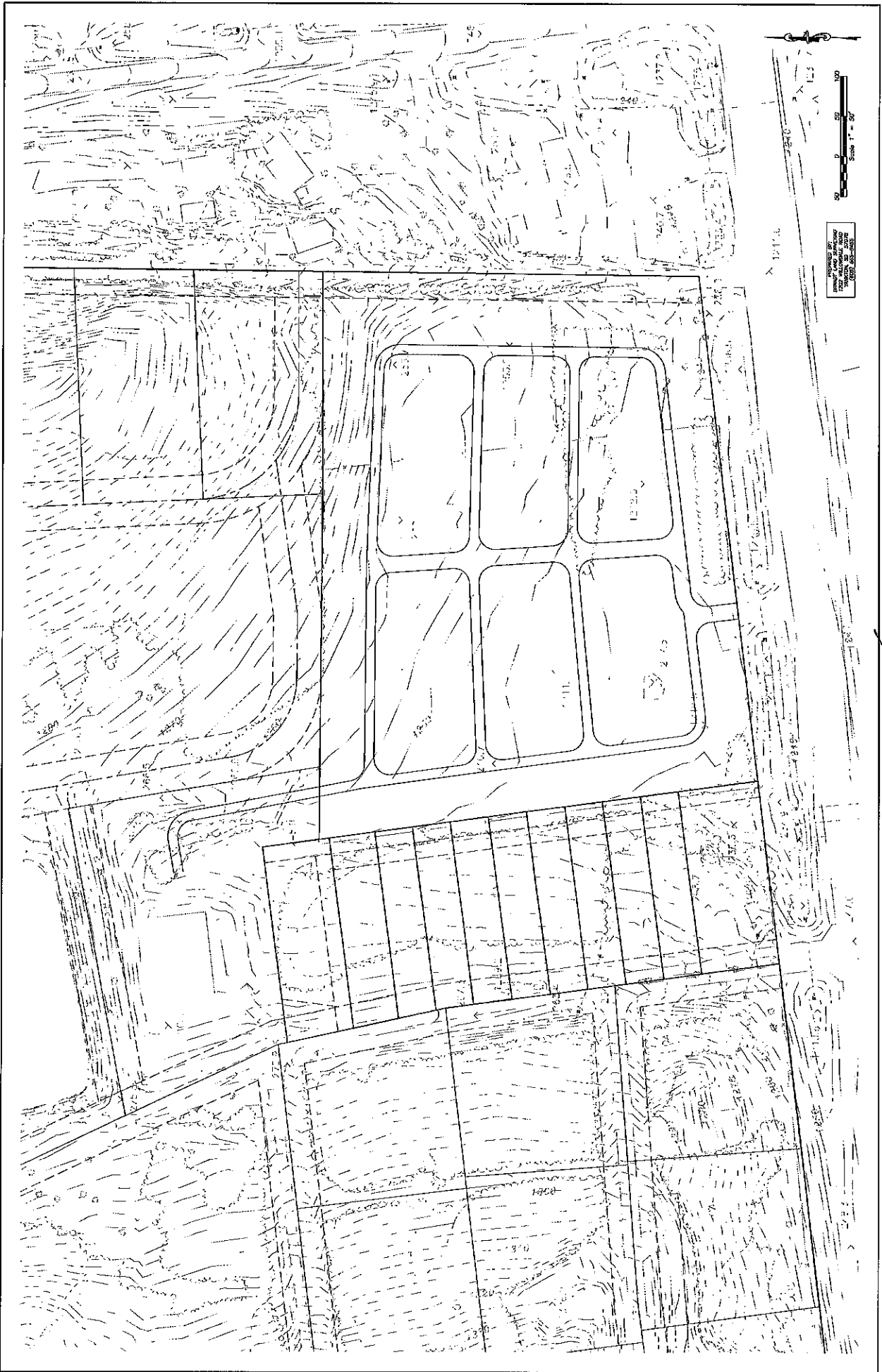
RECORD OF SURVEY  
FOR THE  
1987-88  
1987-88



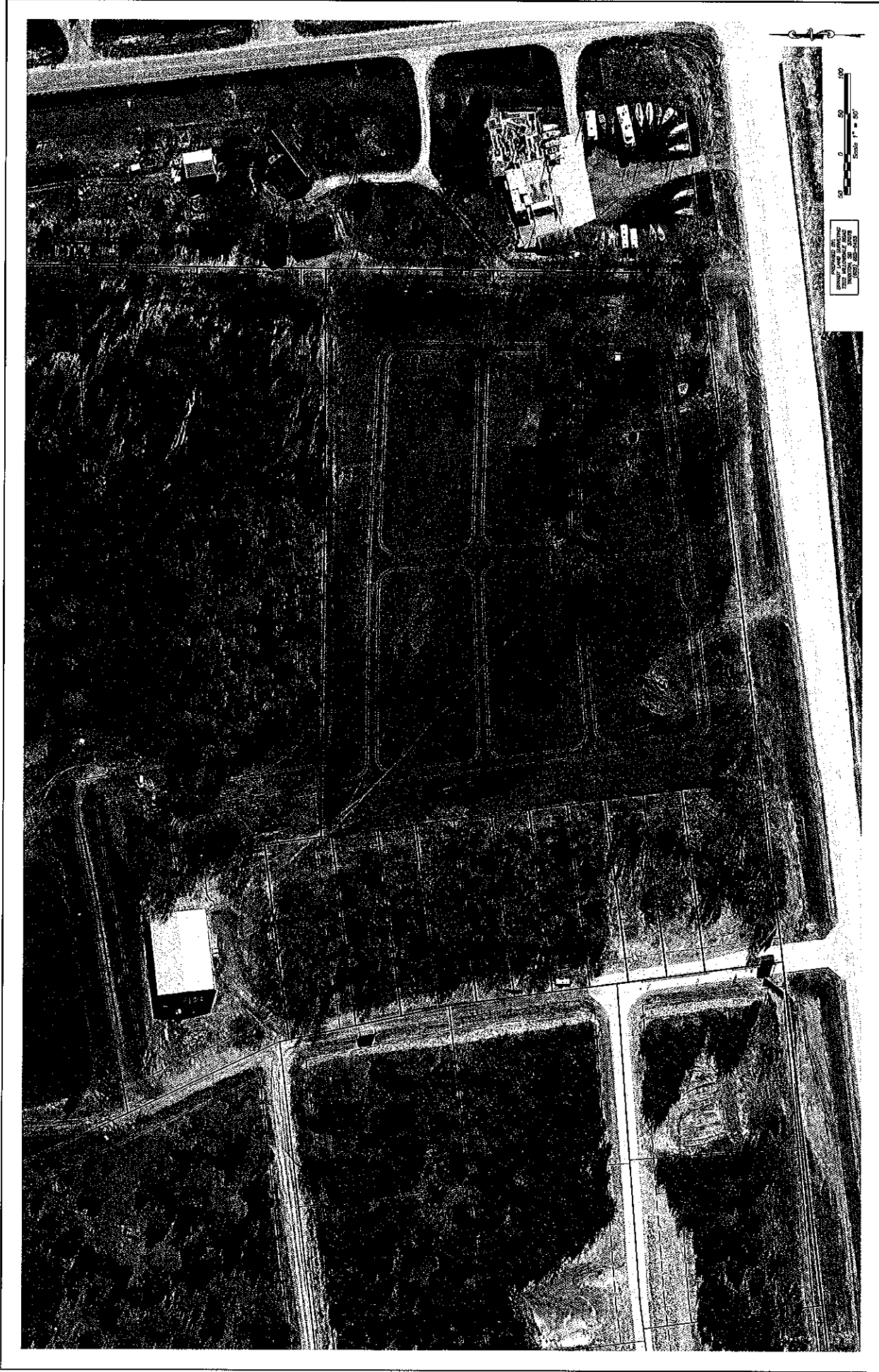
*Site Plan*



1st Draft Preliminary Plan



Topographic Plan / Map



BRUNNEN & CO. PHOTOGRAPHY  
PHOTOGRAPHED BY J. W. BROWN  
1957 100-2553



*Sketch Plan*

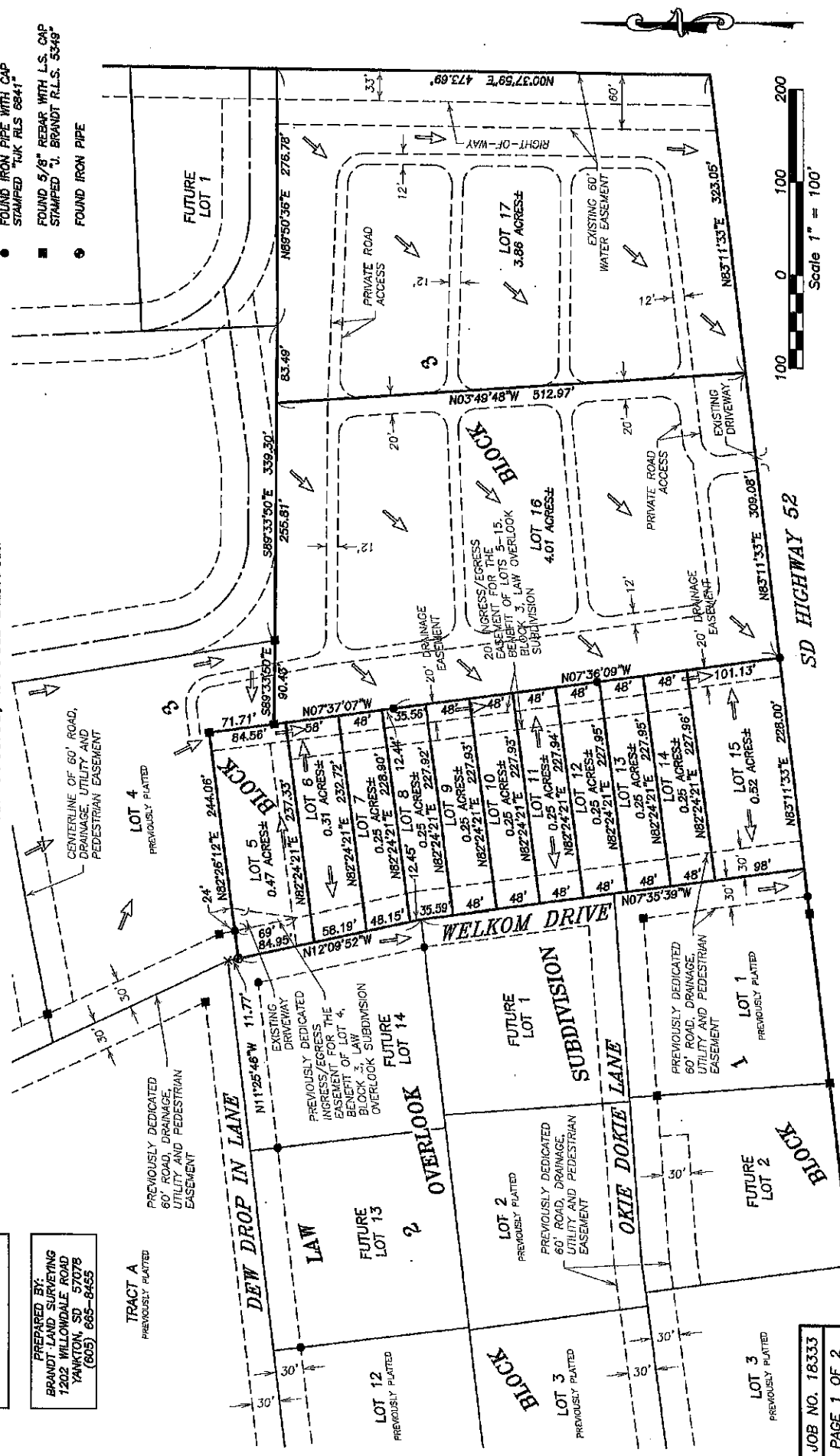
**DRAINAGE PLAN FOR LOTS 5-17 OF BLOCK 3, LAW OVERLOOK SUBDIVISION,  
IN THE NE1/4 OF SECTION 18, T98N, R56W OF THE 5TH P.M.,  
YANKTON COUNTY, SOUTH DAKOTA.**

**NOTE:**  
BASIS OF BEARING  
BY GPS OBSERVATION

**PREPARED BY:**  
BRANDT LAND SURVEYING  
1202 WILLOWDALE ROAD  
YANKTON, SD 57078  
(605) 665-8455

**LEGEND**

- FOUND IRON PIPE WITH CAP STAMPED "K K RLS 6841"
- FOUND 5/8" REBAR WITH L.S. CAP STAMPED "J. BRANDT R.L.S. 5349"
- FOUND IRON PIPE





**GENERAL NOTES**  
 1. BY WATER SERVICE  
 2. 200 PSI DUCTILE IRON  
 3. WATER SERVICE LINE  
 4. WATER SERVICE LINE



PREPARED BY  
 ENGINEER  
 12345 MAIN STREET  
 ANYTOWN, CA 90210  
 (555) 555-4321

*WATER PLAN*



## Pat Garrity

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**From:** dahlinc@midconetwork.com  
**Sent:** Thursday, November 1, 2018 10:56 AM  
**To:** Pat Garrity  
**Subject:** Fwd: Re: yankton project

Pat  
Here is the response from Scott Hipple, the same as you thought.  
Thanks  
Curt Olivier

----- Original Message -----

**From:** "Hipple, Scott" <scott.hipple@state.sd.us>  
**To:** "dahlinc@midconetwork.com" <dahlinc@midconetwork.com>  
**Sent:** Thu, Oct 25, 2018, 09:29 AM  
**Subject:** RE: yankton project

The septic systems will need to be designed to serve two or more lots to provide at least 20,000 sq. feet of land for a system. There must be an easement for this and for both residences to be connected to the system.

The owner of the property is technically the person we would name in a legal action should a septic system fail and need to be repaired or replaced.

Scott Hipple, R.E.H.S.

Environmental Scientist III

SD Department of Environment and Natural Resources Phone (605) 773-3651

Fax (605) 773-6035

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**From:** [dahlinc@midconetwork.com](mailto:dahlinc@midconetwork.com) [mailto:[dahlinc@midconetwork.com](mailto:dahlinc@midconetwork.com)]  
**Sent:** Thursday, October 25, 2018 8:36 AM  
**To:** Hipple, Scott  
**Subject:** [EXT] yankton project

Scott

Just following up on a preliminary project in Yankton, SD. I emailed you a brief description along with a sketch explaining the project. Wondering what your thoughts were and if you need more information.

Thanks Curt Olivier



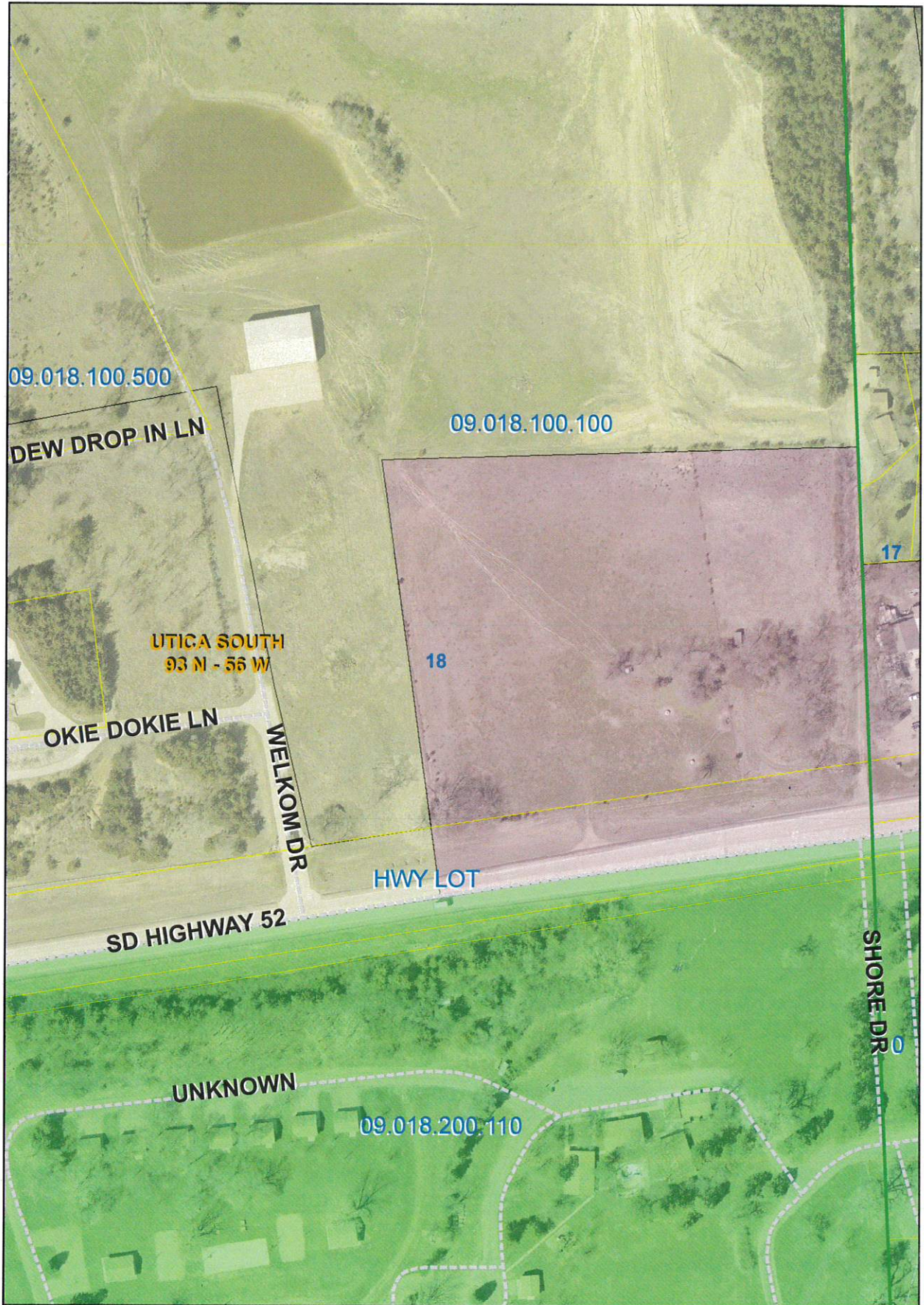
- GENERAL NOTES**
- 1000 GALLON STERIC TANKS
  - 3" DIA. 20' CHAMBER BHM
  - 1" RADIUS MANHOLE
  - 4" PIPE FROM UNIT TO TANK
  - PENDING STATE APPROVAL

DESIGNED BY  
 ENGINEER  
 1000 W. GALE ROAD  
 SUITE 100  
 WEST GALE, MO 64088



*SEWER PLAN*





*Moderate Density Lakeside Commercial*





09.018.100.500

DEW DROP LN

09.018.100.100

UTICA SOUTH  
93 N - 56 W

18

OKIE DOKIE LN

WELKOM DR

HWY LOT

SD HIGHWAY 52

UNKNOWN

09.018.200.110

SHORE DR