

Yankton County Planning Commission
Yankton County Board of Adjustment

Date filed: 11-21-2018

Applicant:

Jeff Koster – Zappa LLC

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

Variance needed:

Section 513 Section 515 Section 705 Section 713 Section 805
 Other Article 10, Section 1013 & 1015

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

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

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

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

Accessory Building Size allowed:

Proposed building size:

Proposed sidewall height:

Affects Section:

NOTE:

Variance Minimum Lot Requirement – On 3 lots, from two (2) acres to .87 acres AND

Variance of Minimum Yard requirement - On 3 lots, front yard from 100 feet to 65 feet and on 5
lots front yard from 100 feet to 50 feet in Commercial district.

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

BOA: Section 1905 (1-6)

Planning Commission date: 12-11-2018

Time: 8:00 PM

Board of Adjustment date: 12-28-2018

Time: 12:55 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: Jeff Laster
 Address: 105 Crestview
 Hearing date: 12-11-18
 Description: Variance of Min Lot 2 Acre →

Action 121118K: Moved by Becker, second by Guthmiller to recommend approval of the Variance, pursuant to Article 18, Section 1807 of the Yankton County Zoning Ordinance, based on Finding of Facts dated December 11, 2018, of Minimum Lot Requirement, on three lots, from two (2) acres to .87 acre and a variance of Minimum Lot Requirement on three lots from two (2) acres to .51 acre in a Commercial District (C) in Yankton County. Said property is legally described as Block 4, exc Lots 31, 32 & 33, Sunrise Addition, S10-T93N-R55W, hereinafter referred at as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address is TBA Oak Street, Yankton, SD.

By roll call vote, all members present 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: Butch Becker
 Second: Dan Guthmiller

Yankton County Planning Commission

Meeting date: December 11, 2018

VARIANCE

Article 18, Section 1807

FINDINGS OF FACT

Applicant: Jeff Koster

Parcel Number: 15.008.200.100

Legal description: Block 4, exc Lots 31, 32 & 33, Sunrise Addition, S10-T93N-R55W

Physical Address: TBA Oak Street, 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 parcels are created to subdivide the commercial property for multiple lots in a cohesive plan.
 - 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 in a Commercial District (C) requiring smaller lots than the industrial lots required in the zoning ordinance.
 - 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.
 - 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 in Commercial Districts (C).

- 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 minimum lot 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 (minimum lot 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-half 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 December 3, 2018.
6. The public hearing shall be held. Any party may appear in person or by agent or by attorney. A public hearing was held at 8:00 pm on December 11, 2018. Jeff Koster discussed development plans for property along SD Hwy 50 between East Side Drive and Oak Street on the north side of the highway. The parcel is +/- eight (8) acres with a preliminary plat to place seven lots on the property for commercial use. Mr. Koster provided a detailed development plan with proposed lots, setbacks, landscaping, ingress / egress, drainage septic systems and utilities. The lots vary in size from .51 acre to 3.89 acres. The minimum size for septic systems in South Dakota is .50 acre. Six of the proposed lots are arranged to provide uniform yard requirements in the development. Mr. Koster stated no intention s at current time to provide fireworks in the development. Mr. Koster will be required to apply for a Conditional Use Permit if fireworks are to in this development. The Planning Commission discussed this application and stated the preliminary plat, site plan and sketches of the proposed structures is beneficial to permitting the variances. 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 Minimum Lots Requirement is approved.

Action 121118K: Moved by Becker, second by Guthmiller to recommend approval of the Variance, pursuant to Article 18, Section 1807 of the Yankton County Zoning Ordinance, based on Finding of Facts dated December 11, 2018, of Minimum Lot Requirement, on three lots, from two (2) acres to .87 acre and a variance of Minimum Lot Requirement on three lots from two (2) acres to .51 acre in a Commercial District (C) in Yankton County. Said property is legally described as Block 4, exc Lots 31, 32 & 33, Sunrise Addition, S10-T93N-R55W, hereinafter referred at as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address is TBA Oak Street, Yankton, SD.

By roll call vote, all members present 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: Jeff Koster
 Address: 102 Crestview
 Hearing date: 12-11-18
 Description: Variance Min yard Requirement in C

Action 121118L: Moved by Bodenstedt, second by Becker to recommend approval of the Variance, pursuant to Article 18, Section 1807 of the Yankton County Zoning Ordinance, based on Finding of Facts dated December 11, 2018, of Minimum Yard Requirement, on three lots, front yard from one hundred (100) feet to sixty five (65) feet and a variance of Minimum Yard Requirement, on five lots, front yard from one hundred (100) feet to fifty (50) feet in a Commercial District (C) in Yankton County. Said property is legally described as Block 4, exc Lots 31, 32 & 33, Sunrise Addition, S10-T93N-R55W, hereinafter referred at as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address is TBA Oak Street, Yankton, SD. By roll call vote, all members present 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
Carll Kretsinger Y N AB
Erik Koenigs Y N AB
Jeff Gudahl Y N AB

Motion: Deb Bodenstedt
 Second: Butch Becker

Yankton County Planning Commission

Meeting date: December 11, 2018

VARIANCE

Article 18, Section 1807

FINDINGS OF FACT

Applicant: Jeff Koster

Parcel Number: 15.008.200.100

Legal description: Block 4, exc Lots 31, 32 & 33, Sunrise Addition, S10-T93N-R55W

Physical Address: TBA Oak Street, 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 parcels are created to subdivide the commercial property for multiple lots in a cohesive plan.*
 - 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 in a Commercial District (C) requiring smaller yards than the industrial yards required in the zoning ordinance.*
 - 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.*
 - 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 minimum yard 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 (minimum yard 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-half 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 December 3, 2018.
6. The public hearing shall be held. Any party may appear in person or by agent or by attorney. A public hearing was held at 8:15 pm on December 11, 2018. Jeff Koster stated he will set the structures along SD Hwy 50 the same setback the existing structures (Humane Society and James Steel) are currently at sixty-five (65) feet from the lot line. Mr. Koster also will place the proposed structures along Oak Street at twenty-five (25) feet from the lot line. The yard proposals will provided sufficient ingress / egress and green space for proper landscaping and lighting.
Mr. Welch requested public comment and a resident from the Sunrise development stated his concern about heavy commercial activity and lighting plans. All lights will be downcast type and traffic will be light consumer activity.
The Planning Commission discussed the application and questioned the yard requirement request for the lots along Oak Street. The request is twenty-five (25) feet and the lots appear to have sufficient room to increase the requirement. Mr. Koster stated this is reasonable and agreed to increase the requirement to fifty (50) feet.
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 Minimum Yard Requirement is approved.

Action 121118L: Moved by Bodenstedt, second by Becker to recommend approval of the Variance, pursuant to Article 18, Section 1807 of the Yankton County Zoning Ordinance, based on Finding of Facts dated December 11, 2018, of Minimum Yard Requirement, on three lots, front yard from one hundred (100) feet to sixty five (65) feet and a variance of Minimum Yard Requirement, on five lots, front yard from one hundred (100) feet to fifty (50) feet in a Commercial District (C) in Yankton County. Said property is legally described as Block 4, exc Lots 31, 32 & 33, Sunrise Addition, S10-T93N-R55W, hereinafter referred at as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address is TBA Oak Street, Yankton, SD. By roll call vote, all members present voted aye.

Motion carried

Sunrise Development is an 8 acre commercial development park, a carefully laid out cohesive plan for the end product to be modern, clean and beautiful and well landscaped. The first building to be erected is our own building, our own offices to set the precedence of what the rest of the project will look like (please see rendered drawings). All frontage lots are the same size as well as the 3 side lots facing east. The frontage variance requested is the same as the buildings to the East and West. They were planned out to maintain the best eye appeal and cohesiveness for the property and the traffic as well as creating an upscale environment for our residential neighbors to the north. Our lot variance request is also in step with Commercial properties in that area. We have went to great expense to make sure all water drains and flows freely to the South, East and West so that all lots involved present and future will not have a water drainage issue. There will be covenants in place to ensure a clean, good looking commercial environment.

YANKTON COUNTY
APPLICATION #: 3413

(Type or Print)
OWNER: Jeff Kosten

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

OWNERS ADDRESS 102 Crestview Dr

OWNERS DAYTIME PHONE#: 605-660-2400

DESCRIPTION OF BUILDING PERMIT: 11-21-2018

REASON FOR BUILDING PERMIT DENIAL: Minimum Yard & Lot Requirements

DATE OF DENIAL: 11-21-2018

JOB ADDRESS: TBA Oak Street + Eastside Drive

LEGAL: Block 4, ex lots 31, 32 & 33 Sunrise Ave., 10-93-55

TOWNSHIP: Missouri 5. **SECTION:** 10

EXISTING USE OF PROPERTY: Commercial Lot

PRESENT ZONING CLASSIFICATION: Commercial

PROPOSED ZONING CLASSIFICATION: Commercial

AFFECTED SECTION OF ZONING ORDINANCE: Article 10, Section 10.3 &

REASON FOR REQUEST: Commercial development 10/15 multiple lots & buildings

LIST SPECIFIC HARDSHIPS: Eight acre lot

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): 12-11-18

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

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

APPLICATION FEE: 100⁰⁰ **CHECK #:** 1768 **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.			
<u>Jeff Kosten</u>	<u>11-21-2018</u>	<u>[Signature]</u>	<u>11-21-2018</u>
Name of Applicant	Date	Signature of Applicant/Owner	Date

Yankton County South Dakota
Parcel Record Information

Parcel Number: 05.010.300.360 Type: RE Year: 2019

Address Info

Deed:
ZAPPA LLC

Contract:

Mailing:
ZAPPA LLC
PO BOX 91604
SIOUX FALLS SD 57109

Legal Info

Location: Section/Town/Range: 10/ 93/ 55

Township: TOWNSHIP 93-55 Addition/Block/Lot: 10-93-55 Acres: 0.00

Legal Description: BLK 4 EXC LTS 31, 32 & 33 SUNRISE ADDN

Values Info

Class	Description	Assessed	Equalized	Exempt
NACC	PLATTED LOTS AND ACREAGES W/O COMMERCIAL	56,500	56,500	0
TOTAL		56,500		

YANKTON COUNTY BUILDING PERMIT APPLICATION

Each building site must have a separate site plan

Applicant to complete numbered spaces only.

1. Job Address	Oak St		
2. Legal Description of Construction Site	Blk 4 exp lots 31, 32, 33 Sunrise Add. 660-2400		
3. Owner	Mail Address	Zip	Phone
Jeff. Koster	102 Crestview Dr.	Yankton, SD	
4. Contractor	Mail Address	Zip	Phone
James Steel			
5. Architect or Designer	Mail Address	Zip	Phone
6. Type and Use of Building			
Commercial retail 50x150			
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 N			

Owner
Job Address

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;">NOTICE</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	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 11-21-2018</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 style="text-align: center;">For County Officials Use Only</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 N</p> <p>Zoning Administrator or Authorized Representative _____ Date _____</p>		

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: Jeff Kuster
 Address: 1062 Crestview Dr
 Hearing date: 12-11-18
 Description: Plat Biemanney & Subdivision

Action 121118D: Moved by Becker, second by Guthmiller to recommend approval of the preliminary plat described as: Lots 34 – 40, Block 4, Sunrise Addition, SW1/4, SW1/4, S10-T93N-R55W, hereinafter referred to as Mission Hill South, County of Yankton, State of South Dakota. The E911 address is TBA Eastside Drive and TBA Oak Street, Yankton, SD.
 By roll call vote, all members present voted aye.
 Motion carried.

[Signature]
 Michael Welch Y N AB

[Signature]
 Don Kettering Y N AB

[Signature]
 Debra Bodenstedt Y N AB

[Signature]
 Butch Becker Y N AB

[Signature]
 Zane Williams Y N AB

[Signature]
 Dan Guthmiller Y N AB

[Signature]
 Carl Kretsinger Y N AB

[Signature]
 Erik Koehnigs Y N AB

[Signature]
 Jeff Gudahl Y N AB

Motion: Butch Contingent on
Verifone

Second: Dan Guthmiller

YANKTON COUNTY SUBDIVISION APPLICATION

5

(Type or Print)

OWNER:

Jeff Koster

OWNERS ADDRESS:

102 Crestview Dr., Yankton

OWNERS DAYTIME PHONE#:

660-2400

DATE OF SUBDIVISION REQUEST:

11-21-2018

DESCRIPTION OF SUBDIVISION:

Seven (7) lots, commercial

JOB ADDRESS / LOCATION:

TBA Eastside Dr & Oak St.

LEGAL:

Lots 34-40, Block 4, Sunrise Pl., SW 1/4

TOWNSHIP:

Mission Hill South

SECTION:

10

10-22-55

EXISTING USE OF PROPERTY:

Commercial lot

PRESENT ZONING CLASSIFICATION:

Commercial

PROPOSED ZONING CLASSIFICATION:

Commercial

AFFECTED SECTION OF SUBDIVISION ORDINANCE:

Article 4, Section 4.02

SKETCH PLAN DATE:

9-10-18

PRELIMINARY PLAN DETAILS:

Seven (7) lots, commercial

business

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

- A) Detailed Site Plan – Lots and Blocks
- B) Road Standards
- C) Grading and Drainage Plan
- D) Erosion control Plan
- E) Application Fee(s)

SCHEDULED FOR PLANNING COMMISSION ACTION (Date):

12-11-18

SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (Date):

12-29-18

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

APPLICATION FEE:

100⁰⁰

CHECK #:

2116

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.

Jeff Koster
Name of Applicant

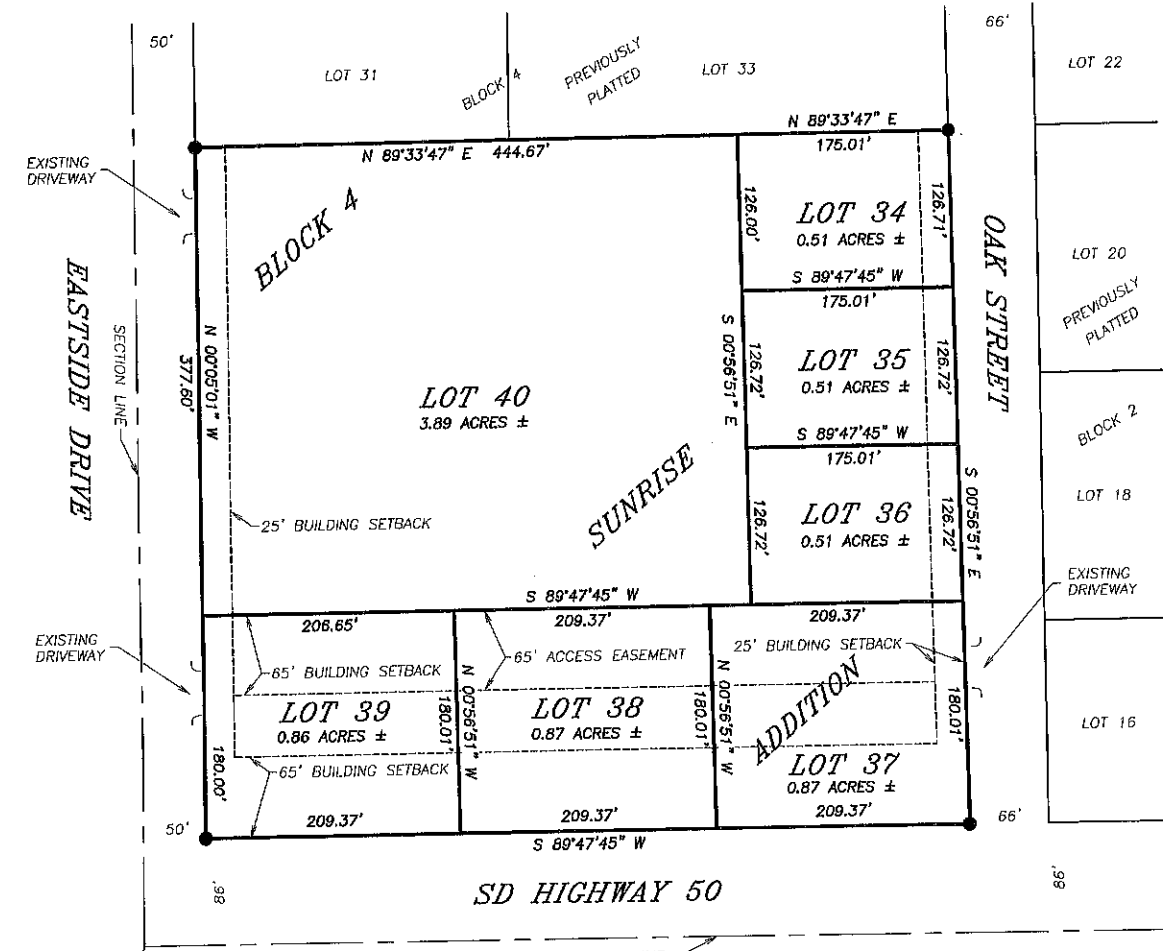
11-28-2018
Date

[Signature]
Signature of Applicant/Owner

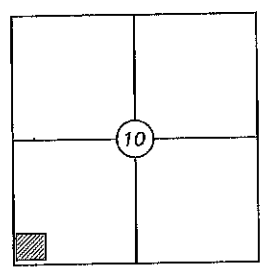
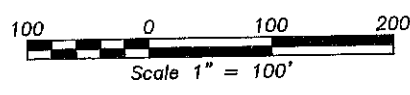
11-28-2018
Date

Print

PRELIMINARY PLAT OF LOTS 34 THROUGH 40, BLOCK 4, SUNRISE ADDITION IN THE SW¹/₄ OF THE SW¹/₄ OF SECTION 10, T93N, R55W OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA.



SW CORNER OF SECTION 10-93-55



NOTE:
BASIS OF BEARING
BY GPS OBSERVATION

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

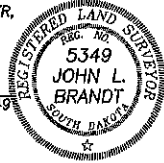
LEGEND

- SET 5/8" REBAR WITH L.S. CAP STAMPED "R.L.S. 5349"
- FOUND 5/8" REBAR WITH L.S. CAP STAMPED "TOM WEEK PELS 2912"

PRELIMINARY PLAT OF LOTS 34 THROUGH 40, BLOCK 4, SUNRISE ADDITION IN THE SW 1/4 OF THE SW 1/4 OF SECTION 10, T93N, R55W OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA.

SURVEYOR'S CERTIFICATE

I, JOHN L. BRANDT, A REGISTERED LAND SURVEYOR UNDER THE LAWS OF SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNER, MADE A SURVEY AND PLAT OF LOTS 34 THROUGH 40, BLOCK 4, SUNRISE ADDITION IN THE SW 1/4 OF THE SW 1/4 OF SECTION 10, T93N, R55W OF THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA. I HAVE SET IRON REBAR AS SHOWN, AND SAID SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



JOHN L. BRANDT REG. NO. 5349

DATED THIS 5TH DAY OF OCTOBER, 2018.

OWNER'S CERTIFICATE

I, JEFF KOSTER, AS MEMBER OF ZAPPA, L.L.C., DO HEREBY CERTIFY THAT ZAPPA, L.L.C. IS THE OWNER OF THE ABOVE SAID REAL PROPERTY AND THAT THE ABOVE SURVEY AND PLAT WAS MADE AT MY REQUEST AND UNDER MY DIRECTION FOR THE PURPOSE OF MARKING, PLATTING AND TRANSFER. I ALSO CERTIFY THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS. I ALSO HEREBY GRANT THE ACCESS EASEMENT AS SHOWN ON THIS PLAT.

DATED THIS ___ DAY OF ___, 20___.

JEFF KOSTER, MEMBER ZAPPA, L.L.C.

STATE OF ___ COUNTY OF ___

ON THIS ___ DAY OF ___, 20___, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED JEFF KOSTER, WHO ACKNOWLEDGED HIMSELF TO BE A MEMBER OF ZAPPA, L.L.C., AND THAT HE AS MEMBER, BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

MY COMMISSION EXPIRES NOTARY PUBLIC

RESOLUTION BY THE CITY COMMISSION

WHEREAS, IT APPEARS THAT THE OWNER THEREOF HAS CAUSED A PLAT TO BE MADE OF THE ABOVE DESCRIBED REAL PROPERTY, AND HAS SUBMITTED SUCH PLAT TO THE CITY COMMISSION OF THE CITY OF YANKTON, SOUTH DAKOTA FOR APPROVAL; AND

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

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

MAYOR, CITY OF YANKTON

I, ___ CITY FINANCE OFFICER OF THE CITY OF YANKTON, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE COPY OF THE RESOLUTION PASSED BY THE CITY OF YANKTON, SOUTH DAKOTA, ON THIS ___ DAY OF ___, 20___.

CITY FINANCE OFFICER

COUNTY PLANNING COMMISSION RESOLUTION

BE IT RESOLVED BY THE YANKTON COUNTY, SOUTH DAKOTA, PLANNING COMMISSION THAT THE ABOVE SURVEY AND PLAT IS APPROVED AND THE SAME BE CERTIFIED TO THE YANKTON COUNTY BOARD OF COUNTY COMMISSIONERS WITH THE RECOMMENDATION THAT SAID SURVEY AND PLAT BE APPROVED.

ZONING ADMINISTRATOR PLANNING COMMISSION CHAIR

COUNTY COMMISSIONER'S RESOLUTION

BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF YANKTON COUNTY, SOUTH DAKOTA, THAT THE ABOVE SURVEY AND PLAT BE APPROVED AND THE COUNTY AUDITOR OF YANKTON COUNTY, SOUTH DAKOTA IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THE RESOLUTION AND CERTIFY THE SAME.

DATED THIS ___ DAY OF ___, 20___.

CHAIRMAN, COUNTY COMMISSIONERS

I, THE UNDERSIGNED, COUNTY AUDITOR FOR YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF YANKTON COUNTY, SOUTH DAKOTA AT THE REGULAR MEETING ON THE ___ DAY OF ___, 20___.

COUNTY AUDITOR

HIGHWAY AUTHORITY

ACCESS TO OAK STREET IS APPROVED. THIS ACCESS APPROVAL DOES NOT REPLACE THE NEED FOR ANY PERMITS REQUIRED BY LAW TO ESTABLISH THE PRECISE ACCESS LOCATION, INCLUDING PERMIT REQUIREMENTS SET FORTH IN ADMINISTRATIVE RULE OF SOUTH DAKOTA 70:09:01:02.

HIGHWAY / STREET AUTHORITY

HIGHWAY AUTHORITY

ACCESS TO EASTSIDE DRIVE IS APPROVED. THIS ACCESS APPROVAL DOES NOT REPLACE THE NEED FOR ANY PERMITS REQUIRED BY LAW TO ESTABLISH THE PRECISE ACCESS LOCATION, INCLUDING PERMIT REQUIREMENTS SET FORTH IN ADMINISTRATIVE RULE OF SOUTH DAKOTA 70:09:01:02.

HIGHWAY / STREET AUTHORITY

COUNTY TREASURER'S CERTIFICATE

I, THE UNDERSIGNED, COUNTY TREASURER OF YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED THE ABOVE AND FOREGOING PLAT, AS SHOWN BY THE RECORDS OF MY OFFICE, HAVE BEEN PAID IN FULL.

COUNTY TREASURER

DIRECTOR OF EQUALIZATION

I, THE UNDERSIGNED, COUNTY DIRECTOR OF EQUALIZATION OF YANKTON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT A COPY OF THE ABOVE PLAT HAS BEEN FILED AT MY OFFICE.

DIRECTOR OF EQUALIZATION

REGISTER OF DEEDS

FILED FOR RECORD THIS ___ DAY OF ___, 20___, AT ___ O'CLOCK ___ M., AND RECORDED IN BOOK ___ OF PLATS ON PAGE ___.

REGISTER OF DEEDS

NOTIFICATION

November 28, 2018

Jeff Koster
102 Crestview 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 8:00 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 variance of Minimum Lot Requirement, on three lots, from two (2) acres to .87 acre and a variance of Minimum Lot Requirement on three lots from two (2) acres to .51 acre in a Commercial District (C) in Yankton County. Said property is legally described as Block 4, exc Lots 31, 32 & 33, Sunrise Addition, S10-T93N-R55W, hereinafter referred at as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address is TBA Oak Street, Yankton, SD. and

Applicant is requesting a variance of Minimum Yard Requirement, on three lots, front yard from one hundred (100) feet to sixty five (65) feet and a variance of Minimum Yard Requirement, on five lots, front yard from one hundred (100) feet to twenty five (25) feet in a Commercial District (C) in Yankton County. Said property is legally described as Block 4, exc Lots 31, 32 & 33, Sunrise Addition, S10-T93N-R55W, hereinafter referred at as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address is TBA Oak Street, Yankton, SD.

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

Sincerely,

Jeff Koster
Petitioner

OwnerAddress1

ANDERSON, DEAN
BARNETT, GUY W
BEATY, VIRGIL R
BLOW, DAREK L
BRANAUGH, TIMOTHY F
BRENDEN, JEREMY L
CHIPMAN, ROBERT
CHYTKA, SAGE E
EAGLE VENTURE PROPERTIES LLC
EASTSIDE ENTERPRISES LLC
EIDE FAMILY TRUST
EILERS, ALAN M
ELLIS, ANTHONY
FELDHACKER HOLDINGS LLC
FLINN, BRANDON LEE
GEORGESON, LILLIAN V
GUTHMILLER, DAN J
HAAS, LEONARD J JR
HANSEN, JAMES O
HANSEN, KENNETH L
HANSEN, STEVEN D
HEARTLAND HUMANE SOCIETY INC
HEINE, MYRON
HUNHOFF, MARK B REV TRUST
HUNTLEY, CHARLES
JAMES, DALE R
JANSSEN, LOWELL F SR
JOHNSON, LYLE D
KANE PIPE LINE CO
KIBBLE, WILLIAM
KLEIN, KYLE JAMES
KOLETZKY IMPLEMENT INC
KRANIG, ROBERT
LIVINGSTON, BRYAN K
LOEFFLER, PATRICIA K
LUEBBERT, RICHARD A
METIVIER, BERNARD E III
NELSON, DOMINIC AUBREY
OIEN, MATTHEW L
PAULSEN, RALPH H
PETERSEN, HENRY J REV TRUST
PETHERAM, JASON W
POCHOP, ROLAND E
RIVERSIDE HYDRAULICS INC
ROAD GUY CONSTRUCTION CO INC
ROBINSON, KARL D

OwnerAddress2

1308 OAK ST
1205 SUNRISE DR
4518 N 95 ST
1304 EAST SIDE DR
2003 PENINAH ST
30855 445 AVE
1602 SUNRISE ST
1604 SUNRISE DR
PO BOX 711
1501 WEK RD
1305 EAST SIDE DR
1600 SUNRISE DR
1200 ELLIS RD
P O BOX 733
3211 SHIPTONS RD
1309 SUNRISE DR
2307 VALLEY RD
1503 EAST SIDE DR
901 EAST SIDE DR
2311 SD HWY 50
1207 EAST SIDE DR
3400 SD HWY 50
56031 898 RD
44619 305 ST
3205 MISSOURI VALLEY DR
PO BOX 82
1112 TIMBERLAND DR
1302 OAK ST
PO BOX 690110
2124 ISLEWORTH CIR
PO BOX 468
PO BOX 589
1503 SUNRISE DR
3507 SD HWY 50
1605 SUNRISE DR
1703 EAST SIDE DR
2315 WESTERN AVE
801 EAST SIDE DR
1607 SUNRISE DR
709 WEST 8 ST
2203 VALLEY DR
1305 OAK ST
1303 OAK ST
2609 SD HWY 50
3206 SD HWY 50
1505 SUNRISE DR

OwnerAddress3

YANKTON SD 57078
YANKTON SD 57078
OMAHA NE 68134
YANKTON SD 57078
YANKTON SD 57078
MISSION HILL SD 57046
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
SAINT HELENA NE 68774
VOLIN SD 57072
YANKTON SD 57078
LESTERVILLE SD 57040
YANKTON SD 57078
YANKTON SD 57078
SAN ANTONIO TX 78269
THE VILLAGES FL 32163
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078
YANKTON SD 57078

Exhibit #1 A

ROKUSEK, NORMAN L	811 EAST SIDE DR	YANKTON SD 57078
ROWDY ENTERPRISES LLC	1010 S DEER BLVD	YANKTON SD 57078
SALVATORI, RAYMOND	1405 OAK ST	YANKTON SD 57078
SCHULZ, HARVARD P REV TRUST	810 LOGAN CIR	YANKTON SD 57078
SHELBURG, JUDY K	1405 EAST SIDE DR	YANKTON SD 57078
SMITH, RILEY C	1606 SUNRISE DR	YANKTON SD 57078
SOUHRADA, DAVID J	1401 SUNRISE DR	YANKTON SD 57078
STALEY, JAMES LEO	1021 S CECELIA ST	SIoux CITY IA 51106
SUDBECK, KENNETH	807 EAST SIDE DR	YANKTON SD 57078
SWENNING, THOMAS D	3203 MISSOURI VALLEY DR	YANKTON SD 57078
SWENSEN, GARY R	1408 SUNRISE DR	YANKTON SD 57078
SYD'S EASTSIDE SALVAGE INC	43118 SD HWY 52	YANKTON SD 57078
TACKE, THOMAS F	1400 SUNRISE DR	YANKTON SD 57078
TK ACQUISITION I LLC	2200 SOUTH OHLMAN	MITCHELL SD 57301
TRUCK TRAILER SALES & SERVICE	PO BOX 95	YANKTON SD 57078
WENZLAFF, RODGER	805 EAST SIDE DR	YANKTON SD 57078
WINTERRINGER, JAMES F	1308 SUNRISE DR	YANKTON SD 57078
WINTERRINGER, JASON	1302 SUNRISE DR	YANKTON SD 57078
WOODS, NICK	1502 SUNRISE DR	YANKTON SD 57078
ZAPPA LLC	PO BOX 91604	SIoux FALLS SD 57109

Exhibit #1A

AFFIDAVIT OF MAILING

I, Jeff Kosten, hereby certify that on the 28 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 .25 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.

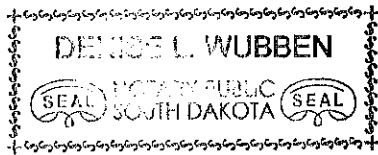
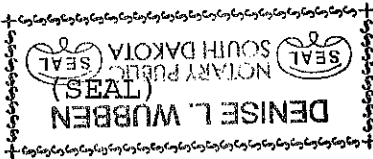
A true and correct copy of the mailing list for owners of real property is attached as Exhibit #1A or #2A.

Dated the 6 day of December, 2018.

Jeff Kosten
(Name)
Affiant

Subscribed and sworn to before me this 6 day of December, 2018.

Denise L. Wubben
Notary Public - South Dakota
My commission expires: 7-1-23



NOTIFICATION

December 12, 2018

Jeff Koster
102 Crestview 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 1:05 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 variance of Minimum Lot Requirement, on three lots, from two (2) acres to .87 acre and a variance of Minimum Lot Requirement on three lots from two (2) acres to .51 acre in a Commercial District (C) in Yankton County. Said property is legally described as Block 4, exc Lots 31, 32 & 33, Sunrise Addition, S10-T93N-R55W, hereinafter referred at as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address is TBA Oak Street, Yankton, SD. and

Applicant is requesting a variance of Minimum Yard Requirement, on three lots, front yard from one hundred (100) feet to sixty five (65) feet and a variance of Minimum Yard Requirement, on five lots, front yard from one hundred (100) feet to twenty five (25) feet in a Commercial District (C) in Yankton County. Said property is legally described as Block 4, exc Lots 31, 32 & 33, Sunrise Addition, S10-T93N-R55W, hereinafter referred at as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address is TBA Oak Street, Yankton, SD.

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

Sincerely,

Jeff Koster
Petitioner

OwnerAddress1	OwnerAddress2	OwnerAddress3
ANDERSON, DEAN	1308 OAK ST	YANKTON SD 57078
BARNETT, GUY W	1205 SUNRISE DR	YANKTON SD 57078
BEATY, VIRGIL R	4518 N 95 ST	OMAHA NE 68134
BLOW, DAREK L	1304 EAST SIDE DR	YANKTON SD 57078
BRANAUGH, TIMOTHY F	2003 PENINAH ST	YANKTON SD 57078
BRENDEN, JEREMY L	30855 445 AVE	MISSION HILL SD 57046
CHIPMAN, ROBERT	1602 SUNRISE ST	YANKTON SD 57078
CHYTKA, SAGE E	1604 SUNRISE DR	YANKTON SD 57078
EAGLE VENTURE PROPERTIES LLC	PO BOX 711	YANKTON SD 57078
EASTSIDE ENTERPRISES LLC	1501 WEK RD	YANKTON SD 57078
EIDE FAMILY TRUST	1305 EAST SIDE DR	YANKTON SD 57078
EILERS, ALAN M	1600 SUNRISE DR	YANKTON SD 57078
ELLIS, ANTHONY	1200 ELLIS RD	YANKTON SD 57078
FELDHACKER HOLDINGS LLC	P O BOX 733	YANKTON SD 57078
FLINN, BRANDON LEE	3211 SHIPTONS RD	YANKTON SD 57078
GEORGESON, LILLIAN V	1309 SUNRISE DR	YANKTON SD 57078
GUTHMILLER, DAN J	2307 VALLEY RD	YANKTON SD 57078
HAAS, LEONARD J JR	1503 EAST SIDE DR	YANKTON SD 57078
HANSEN, JAMES O	901 EAST SIDE DR	YANKTON SD 57078
HANSEN, KENNETH L	2311 SD HWY 50	YANKTON SD 57078
HANSEN, STEVEN D	1207 EAST SIDE DR	YANKTON SD 57078
HEARTLAND HUMANE SOCIETY INC	3400 SD HWY 50	YANKTON SD 57078
HEINE, MYRON	56031 898 RD	SAINT HELENA NE 68774
HUNHOFF, MARK B REV TRUST	44619 305 ST	VOLIN SD 57072
HUNTLEY, CHARLES	3205 MISSOURI VALLEY DR	YANKTON SD 57078
JAMES, DALE R	PO BOX 82	LESTERVILLE SD 57040
JANSSEN, LOWELL F SR	1112 TIMBERLAND DR	YANKTON SD 57078
JOHNSON, LYLE D	1302 OAK ST	YANKTON SD 57078
KANEB PIPE LINE CO	PO BOX 690110	SAN ANTONIO TX 78269
KIBBLE, WILLIAM	2124 ISLEWORTH CIR	THE VILLAGES FL 32163
KLEIN, KYLE JAMES	PO BOX 468	YANKTON SD 57078
KOLETZKY IMPLEMENT INC	PO BOX 589	YANKTON SD 57078
KRANIG, ROBERT	1503 SUNRISE DR	YANKTON SD 57078
LIVINGSTON, BRYAN K	3507 SD HWY 50	YANKTON SD 57078
LOEFFLER, PATRICIA K	1605 SUNRISE DR	YANKTON SD 57078
LUEBBERT, RICHARD A	1703 EAST SIDE DR	YANKTON SD 57078
METIVIER, BERNARD E III	2315 WESTERN AVE	YANKTON SD 57078
NELSON, DOMINIC AUBREY	801 EAST SIDE DR	YANKTON SD 57078
OIEN, MATTHEW L	1607 SUNRISE DR	YANKTON SD 57078
PAULSEN, RALPH H	709 WEST 8 ST	YANKTON SD 57078
PETERSEN, HENRY J REV TRUST	2203 VALLEY DR	YANKTON SD 57078
PETHERAM, JASON W	1305 OAK ST	YANKTON SD 57078
POCHOP, ROLAND E	1303 OAK ST	YANKTON SD 57078
RIVERSIDE HYDRAULICS INC	2609 SD HWY 50	YANKTON SD 57078
ROAD GUY CONSTRUCTION CO INC	3206 SD HWY 50	YANKTON SD 57078
ROBINSON, KARL D	1505 SUNRISE DR	YANKTON SD 57078

Exhibit 12A

ROKUSEK, NORMAN L	811 EAST SIDE DR	YANKTON SD 57078
ROWDY ENTERPRISES LLC	1010 S DEER BLVD	YANKTON SD 57078
SALVATORI, RAYMOND	1405 OAK ST	YANKTON SD 57078
SCHULZ, HARVARD P REV TRUST	810 LOGAN CIR	YANKTON SD 57078
SHELBURG, JUDY K	1405 EAST SIDE DR	YANKTON SD 57078
SMITH, RILEY C	1606 SUNRISE DR	YANKTON SD 57078
SOUHRADA, DAVID J	1401 SUNRISE DR	YANKTON SD 57078
STALEY, JAMES LEO	1021 S CECELIA ST	SIoux CITY IA 51106
SUDBECK, KENNETH	807 EAST SIDE DR	YANKTON SD 57078
SWENNING, THOMAS D	3203 MISSOURI VALLEY DR	YANKTON SD 57078
SWENSEN, GARY R	1408 SUNRISE DR	YANKTON SD 57078
SYD'S EASTSIDE SALVAGE INC	43118 SD HWY 52	YANKTON SD 57078
TACKE, THOMAS F	1400 SUNRISE DR	YANKTON SD 57078
TK ACQUISITION I LLC	2200 SOUTH OHLMAN	MITCHELL SD 57301
TRUCK TRAILER SALES & SERVICE	PO BOX 95	YANKTON SD 57078
WENZLAFF, RODGER	805 EAST SIDE DR	YANKTON SD 57078
WINTERRINGER, JAMES F	1308 SUNRISE DR	YANKTON SD 57078
WINTERRINGER, JASON	1302 SUNRISE DR	YANKTON SD 57078
WOODS, NICK	1502 SUNRISE DR	YANKTON SD 57078
ZAPPA LLC	PO BOX 91604	SIoux FALLS SD 57109

Exhibit #2A

AFFIDAVIT OF MAILING

I, Jeff Koster, 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 .25 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.

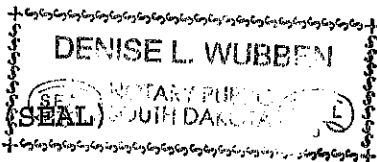
A true and correct copy of the mailing list for owners of real property is attached as Exhibit #1A or #2A.

Dated the 13 day of December, 2018.

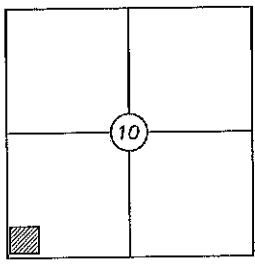
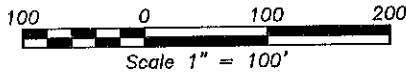
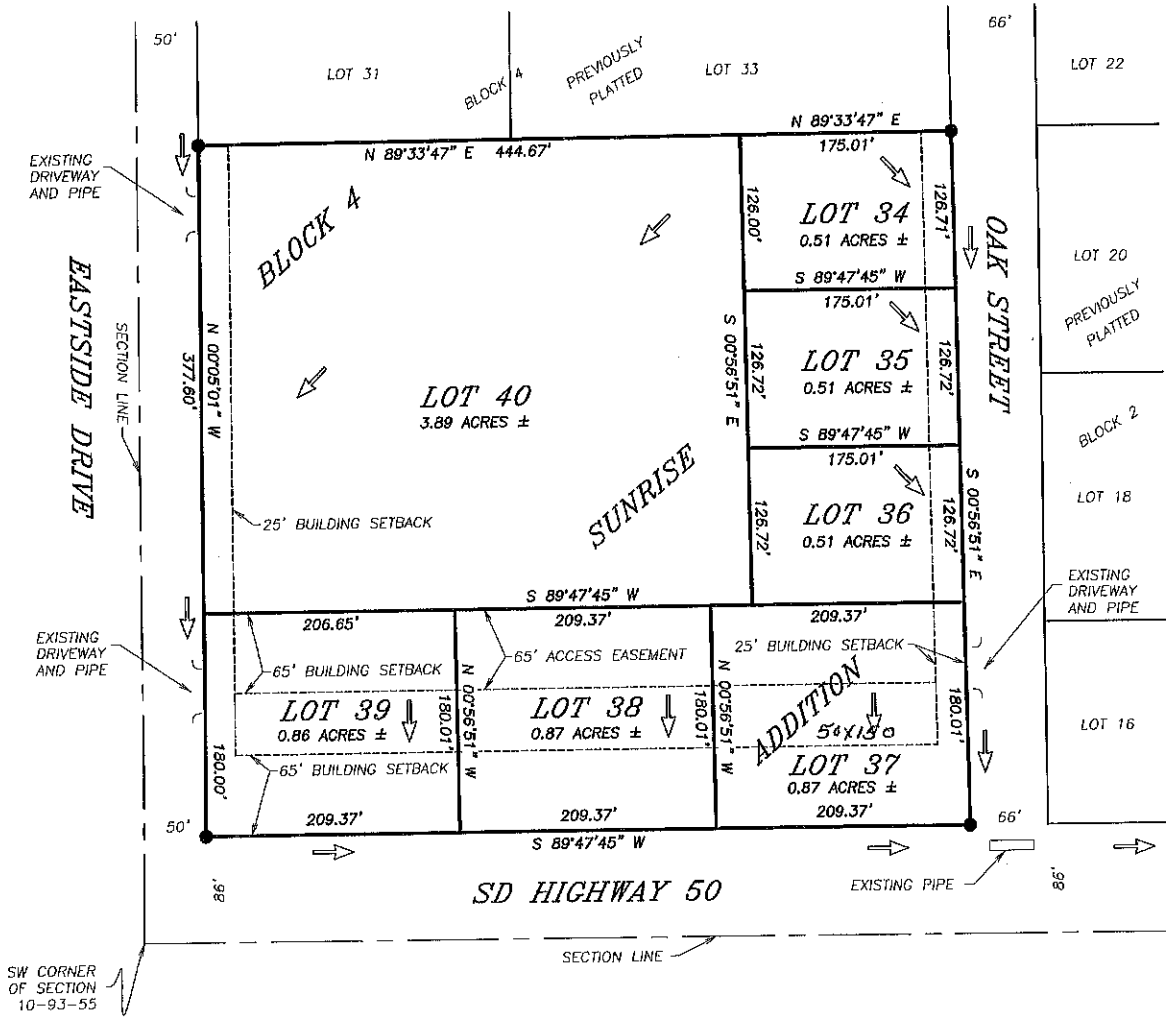
Jeff Koster
(Name)
Affiant

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

Denise L. Wubben
Notary Public - South Dakota
My commission expires: 7-1-23



**DRAINAGE PLAN FOR LOTS 34 THROUGH 40, BLOCK 4, SUNRISE
ADDITION IN THE SW 1/4 OF THE SW 1/4 OF SECTION 10, T93N, R55W OF
THE 5TH P.M., YANKTON COUNTY, SOUTH DAKOTA.**



LOCATION (N.T.S.)

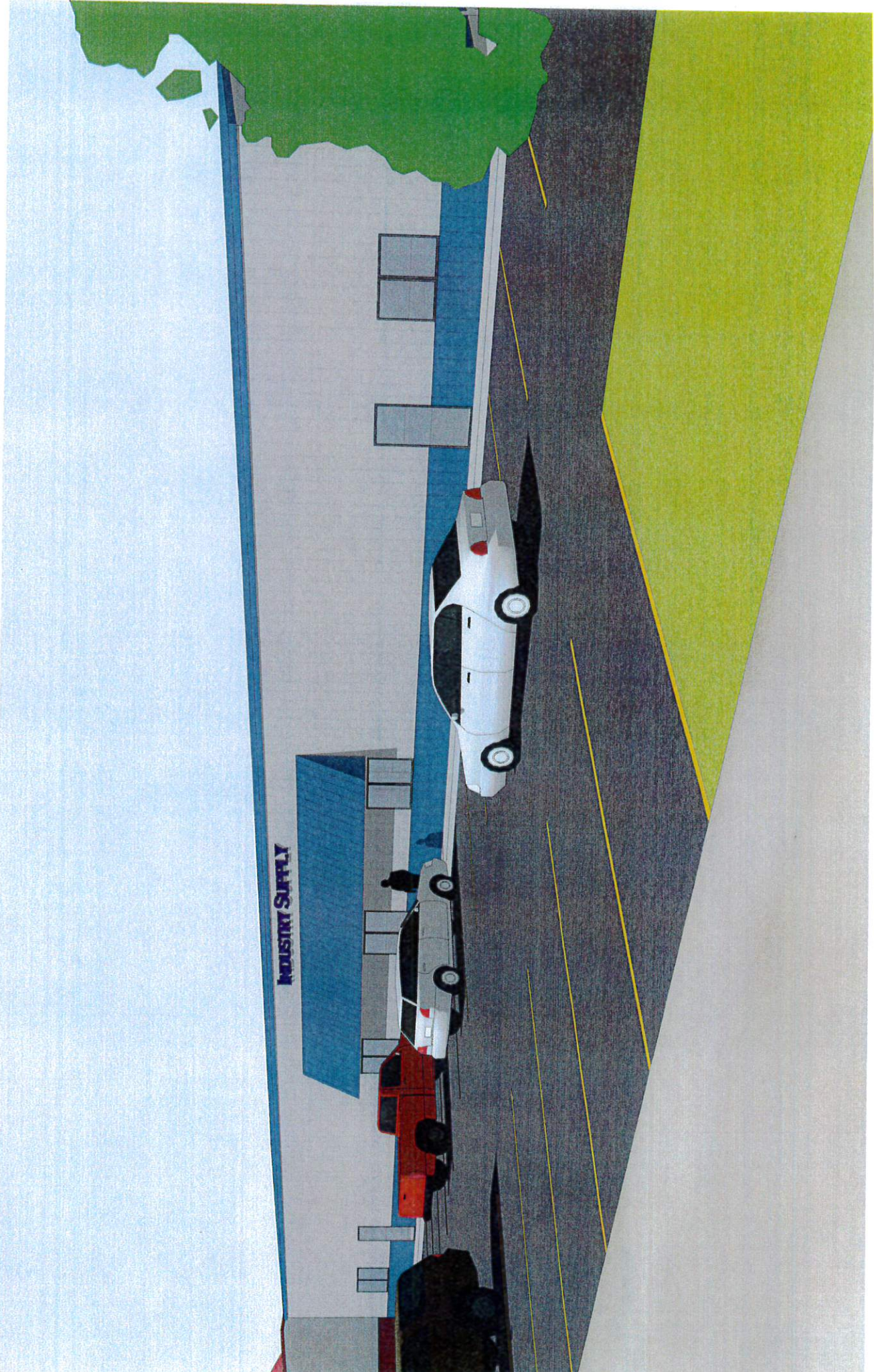
LEGEND

- SET 5/8" REBAR WITH L.S. CAP STAMPED "R.L.S. 5349"
- FOUND 5/8" REBAR WITH L.S. CAP STAMPED "TOM WEEK PELS 2912"

NOTE:
BASIS OF BEARING
BY GPS OBSERVATION

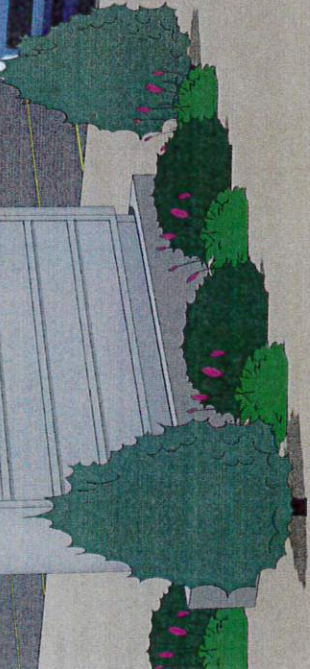
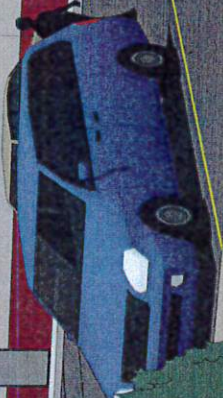
PREPARED BY:
BRANDT LAND SURVEYING
1202 WILLOWDALE ROAD
YANKTON, SD 57078
(605) 665-8455

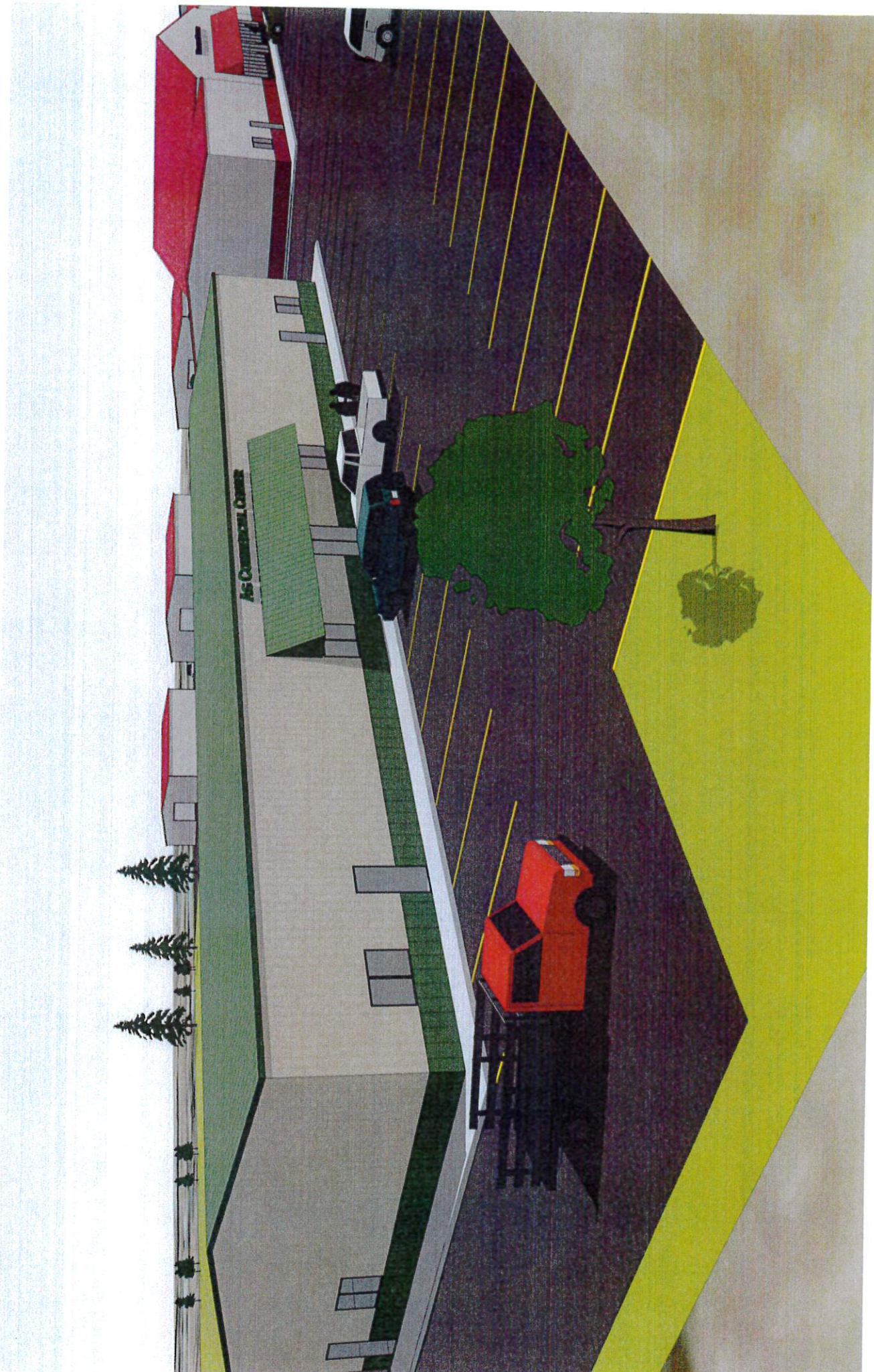


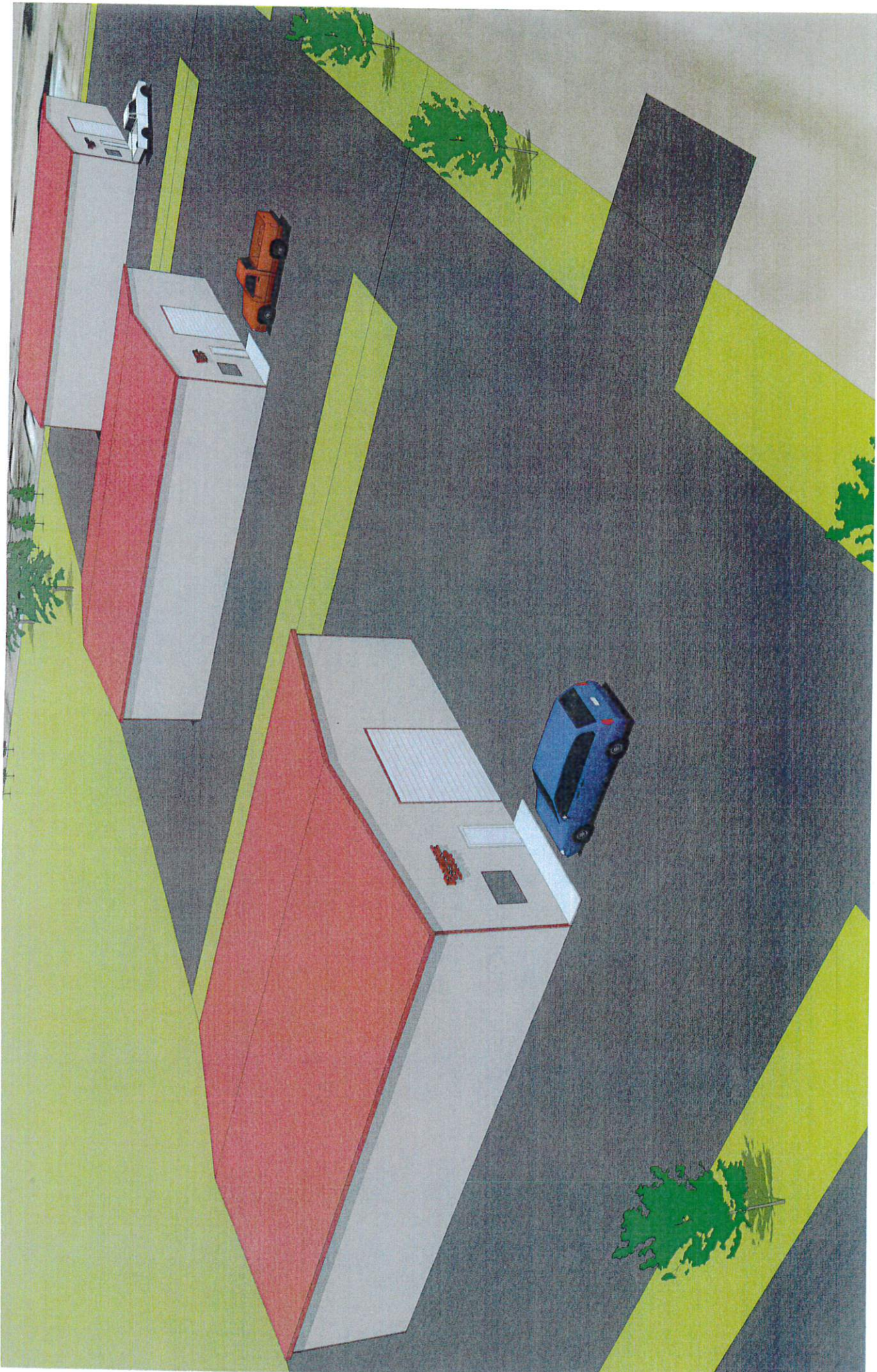


WHOLESALE CENTER

SUNRISE
DEVELOPMENT
PARK









05.010.300.345

05.010.300.340

05.010.300.350

EAST SIDE DR

OAK ST

10

05.010.300.360

MISSION HILL SOUTH
93 N - 55 W

HWY LOT

E SD HIGHWAY 50

HWY LOT - S5 156

HWY LOT - S5 372

HWY LOT

HWY LOT - S5 125

15

05.015.400.430

05.016.100.115

05.015.400.405

05.015.400.406

Yankton County Planning Commission
Yankton County Board of Adjustment

Date filed: 11-20-2017

Applicant:

Cameron Colony

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

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 animal feeding operation-Swine nursery barn. (Class F - 2,800 head)
in AG.

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

BOA: Section 1905 (1-6)

Planning Commission date: 12-11-2018

Time: 7:40 PM

Board of Adjustment date: 12-28-2018

Time: 12:45 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: Cameron Colony
Address: 28977 447th ave Viborg, SD 57070
Hearing date: 12-11-18
Description: CUP Class F 2800 head nursery barn

Action 121118J: Moved by Kettering, second by Williams to recommend approval of 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/operate a Class F 2800 head (280 AU Animal Units) pork (swine under 55 pounds) nursery barn in an Agriculture District (AG) in Yankton County. Said property is legally described as SW1/4, S1-T96N-R55W, hereinafter referred to as Mayfield Township, County of Yankton, State of South Dakota. The E911 address is 44542 292nd Street, Irene, SD.

By roll call vote, all members voted aye.

Motion carried.

Michael Welch Y N AB

Dan Guthmiller Y N AB

Don Kettering Y N AB

Carll Kretsinger Y N AB

Debra Bodenstedt Y N AB

Erik Koenigs Y N AB

Butch Becker Y N AB

Jeff Gudahl Y N AB

Zane Williams Y N AB

Motion: Don Kettering

Second: Zane Williams

Yankton County Planning Commission

Meeting date: November 13, 2018

CONDITIONAL USE
Article 18, Section 1805

FINDINGS OF FACT

Applicant: Cameron Colony

Parcel Number: 08.001.300.010

Legal description: SW1/4, S1-T96N-R55W

Physical Address: 44542 292nd Street, Irene, 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 (Article 5, Section 507) to build /operate a Class F 2800 head (280 AU Animal Units) pork (swine under 55 pounds) nursery barn in an Agriculture District (AG) in Yankton County. Said property is legally described as SW1/4, S1-T96N-R55W, hereinafter referred to as Mayfield Township, County of Yankton, State of South Dakota. The E911 address is 44542 292nd Street, Irene, 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-half 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 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 7:40 pm on December 11, 2018 in the Yankton County Government Center County Commission chambers. Ted Waldner, Cameron Colony, stated the application is complete and meets the zoning requirements for a Class F nursery barn. The ingress / egress is 292nd Street. The barn will be a top ventilated system with biosecurity features. The site plan and building plans are detailed and meet the zoning requirements. Chairperson Mike Welch requested any proponents for the proposal. Craig Johnson stated he has worked for the Cameron Colony in the past and notes they have excellent management and best agriculture practices. Opponents for the application was Steve Brockmueller, neighbor landowner, stated his concern for the township roads in the proposed site. The preferred route will be 292nd Street to 446th Avenue to 291st Street. The Planning Commission discussed the application and determined the requirements are met. 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 to approve granting of the conditional use permit with 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 (292 Street) and site plan turn around for emergency vehicles (Exhibit #3, #3A).
 - 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 designated in the detailed site plan with sufficient area for deliveries, parking and production barn facilities such as animal disposal areas is in compliance required by Article 5. (Exhibit #3, #3A)
 - C. Refuse and service areas, with particular reference to the items in (A) and (B) above; Refuse and service areas, including specific requirements such as equipment storage areas, animal disposal areas, nutrient handling areas and personnel requirements will be in compliance with Article 5 as shown in applicant site plan. (Exhibit #3, #3A)
 - 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 will not be at required at this site location other than stated mortality area and western shelterbelt.
 - 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. (Exhibit #3, #3A).
 - 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 intent of the Agriculture District is to preserve land best suited to agriculture uses.

Action 121118J: Moved by Kettering, second by Williams to recommend approval of 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/operate a Class F 2800 head (280 AU Animal Units) pork (swine under 55 pounds) nursery barn in an Agriculture District (AG) in Yankton County. Said property is legally described as SW1/4, S1-T96N-R55W, hereinafter referred to as Mayfield Township, County of Yankton, State of South Dakota. The E911 address is 44542 292nd Street, Irene, SD.

By roll call vote, all members voted aye.

Motion carried.

YANKTON COUNTY
APPLICATION # 3408

(Type or Print)
OWNER: Cameron Colony
OWNERS ADDRESS: 28971 447th Ave, Viborg SD 57070
OWNERS DAYTIME PHONE#: 605-661-3719

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

DATE OF BUILDING PERMIT REQUEST: 11-20-2018
DESCRIPTION OF BUILDING PERMIT: Swine Nursery Barn Class
REASON FOR BUILDING PERMIT DENIAL: Applicant request CUP
DATE OF DENIAL: 11-20-2018
JOB ADDRESS: 44542 292nd Street, Irene, SD
LEGAL: SW1/4, 51-796N-1R3W
TOWNSHIP: Maple SECTION: 1
EXISTING USE OF PROPERTY: Agriculture
PRESENT ZONING CLASSIFICATION: AG
PROPOSED ZONING CLASSIFICATION: AG
AFFECTED SECTION OF ZONING ORDINANCE: Article 5, Section 519
REASON FOR REQUEST: Construct swine nursery barn
LIST SPECIFIC HARDSHIPS: Applicant request CUP for class

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

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

APPLICATION FEE: \$100.00 CHECK #: 6733 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.

Ted Waldner 11/20/2018 Ted Waldner 11/20/2018
Name of Applicant Date Signature of Applicant/Owner Date

Yankton County South Dakota
Parcel Record Information

Parcel Number: 08.001.300.010 Type: RE Year: 2019

Address Info

Deed:
CAMERON HUTTERIAN BRETHREN INC

Contract:

Mailing:
CAMERON HUTTERIAN BRETHREN IN
28971 447 AVE
VIBORG SD 57070

Legal Info

Location: 44542 292 ST

Section/Town/Range: 1/ 96/ 55

Township: MAYFIELD TOWNSHIP

Addition/Block/Lot: 1-96-55

Acres: 156.00

Legal Description: SW4

Values Info

Class	Description	Assessed	Equalized	Exempt
AGA	AGRICULTURAL LAND	433,024	433,024	0
TOTAL		433,024		

YANKTON COUNTY BUILDING PERMIT APPLICATION

Each building site must have a separate site plan

Applicant to complete numbered spaces only.

1. Job Address	44542 292 nd Street, Irene, SD		
2. Legal Description of Construction Site	SW/4, 1-96-55-		
3. Owner	Mail Address	Zip	Phone
Cameron Colony	26971 447th Ave Viborg	SD 57070	605-661-3719
4. Contractor	Mail Address	Zip	Phone
5. Architect or Designer	Mail Address	Zip	Phone
	150'x80' Nursery Swine Barn		
6. Type and Use of Building			
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:			
2800 head swine nursery 55 lbs & less			
9. Valuation of Work: \$ 500,000 Mobile/Manufactured Home Tax Affidavit Y N			

Owner

Job Address

For Official Use Only-

SPECIAL CONDITIONS: _____

Application Accepted By:	Site Plans Checked By:	Approved for Issuance By:	PERMIT FEE	Check #
NOTICE			Type of Construction	Sewer/Water Certification of Service
<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>			<i>New</i>	Number of Stories
			Total Square Feet	Number of Accessory Buildings
			Zoning District	Property/Parcel/Lot Size
			Number of Dwelling Units	
<p>Signature of Contractor or Authorized Agent: _____ Date: 11/20/2018</p>			<p>For County Officials Use Only</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>Signature of Owner (if owner builder) _____ Date _____</p>			<p>Post Construction? Y N</p>	
<p>BY THIS SIGNATURE, THE ZONING ADMINISTRATOR IS AUTHORIZED TO ENTER UPON THE PROPERTY DESCRIBED FOR THE PURPOSE OF INSPECTION</p>			<p>Zoning Administrator or Authorized Representative _____ Date _____</p>	

NOTIFICATION

November 28, 2018

Cameron Colony
28971 447th Ave.
Viborg, SD 57070

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 2,640 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 7:40 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/operate a Class F 2800 head (280) AU Animal Units) pork (swine under 55 pounds) nursery barn in an Agriculture District (AG) in Yankton County. Said property is legally described as SW1/4, S1-T96N-R55W, hereinafter referred to as Mayfield Township, County of Yankton, State of South Dakota. The E911 address is 44542 292nd Street, Irene, SD

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

Sincerely,

Ted Walden
Petitioner

OwnerAddress1

BROCKMUELLER, JEAN
CAMERON HUTTERIAN BRETHREN INC
EBBESEN, LEE N
HOFER, ROGER J
JENSEN, DARLEEN D (LE)
JENSEN, DAVID P
JENSEN, KENNETH R
LEE, KIM
MUNKVOLD, CAROL E (LE)
MUNKVOLD, VERNON LIV TRUST
NIELSEN, CAROL S
SAYLER, JEREMY
SCHROEDER, DAVID U

OwnerAddress2

2108 SLATEN CT
28971 447 AVE
28627 SD HWY 19
PO BOX 86
210 N MAPLE ST
PO BOX 452
29219 446 AVE
44466 292 ST
PO BOX 513
1049 E PASTURE CANYON DR
3408 W RALPH ROGERS RD, AP1
29149 442 AVE
29335 446 AVE

OwnerAddress3

SIoux FALLS SD 57103
VIBORG SD 57070
HURLEY SD 57036
CENTERVILLE SD 57014
VIBORG SD 57070
VIBORG SD 57070
IRENE SD 57037
IRENE SD 57037
VIBORG SD 57070
SANTAN VALLEY, AZ 85143
SIoux FALLS SD 57108
VIBORG SD 57070
IRENE SD 57037

Exhibit #1 A

AFFIDAVIT OF MAILING

I, Ted Waldner, hereby certify that on the 29th day of November 20 18, 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 1/2 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.

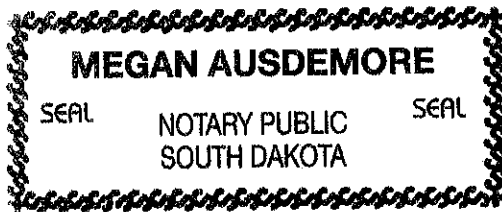
Dated the 3 day of December, 20 18.

Ted Waldner
(Name)
Affiant

Subscribed and sworn to before me this 3 day of December, 20 18.

Megan Ausdemore
Notary Public - South Dakota
My commission expires: 02/24/2023

(SEAL)



NOTIFICATION

December 12, 2018

Cameron Colony
28971 447th Ave.
Viborg, SD 57070

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 2,640 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 12:45 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/operate a Class F 2800 head (280) AU Animal Units) pork (swine under 55 pounds) nursery barn in an Agriculture District (AG) in Yankton County. Said property is legally described as SW1/4, S1-T96N-R55W, hereinafter referred to as Mayfield Township, County of Yankton, State of South Dakota. The E911 address is 44542 292nd Street, Irene, SD

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

Sincerely,

Ted Walden
Petitioner

OwnerAddress1

BROCKMUELLER, JEAN
CAMERON HUTTERIAN BRETHREN INC
EBBESEN, LEE N
HOFER, ROGER J
JENSEN, DARLEEN D (LE)
JENSEN, DAVID P
JENSEN, KENNETH R
LEE, KIM
MUNKVOLD, CAROL E (LE)
MUNKVOLD, VERNON LIV TRUST
NIELSEN, CAROL S
SAYLER, JEREMY
SCHROEDER, DAVID U

OwnerAddress2

2108 SLATEN CT
28971 447 AVE
28627 SD HWY 19
PO BOX 86
210 N MAPLE ST
PO BOX 452
29219 446 AVE
44466 292 ST
PO BOX 513
1049 E PASTURE CANYON DR
3408 W RALPH ROGERS RD, AP1
29149 442 AVE
29335 446 AVE

OwnerAddress3

SIOUX FALLS SD 57103
VIBORG SD 57070
HURLEY SD 57036
CENTERVILLE SD 57014
VIBORG SD 57070
VIBORG SD 57070
IRENE SD 57037
IRENE SD 57037
VIBORG SD 57070
SANTAN VALLEY, AZ 85143
SIOUX FALLS SD 57108
VIBORG SD 57070
IRENE SD 57037

Exhibit #2A

AFFIDAVIT OF MAILING

I, Ted Waldner, 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 1/2 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.

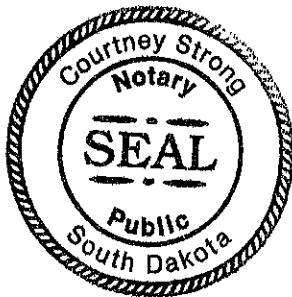
Dated the 14 day of December, 2018.

Ted Waldner
(Name)
Affiant

Subscribed and sworn to before me this 14 day of December, 2018.

Courtney Strong
Notary Public - South Dakota
My commission expires: 03.23.2023

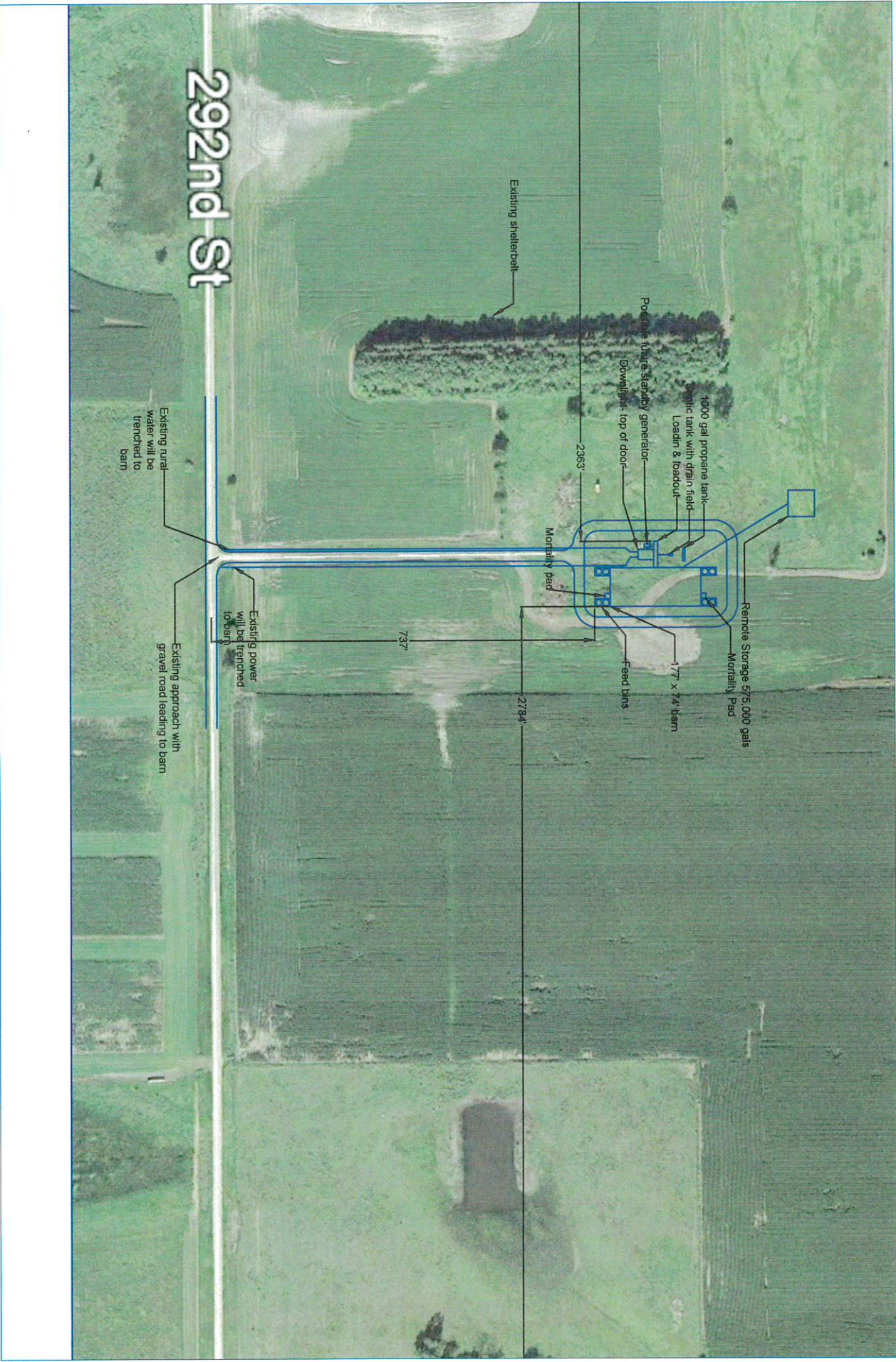
(SEAL)



Proposed 2800 Head Nursery
Cameron Colony
28971 - 447th Ave
Viborg, SD 57070

SW 1/4, Section 1, T96N, R55W - Yankton County, SD

Exhibit 49



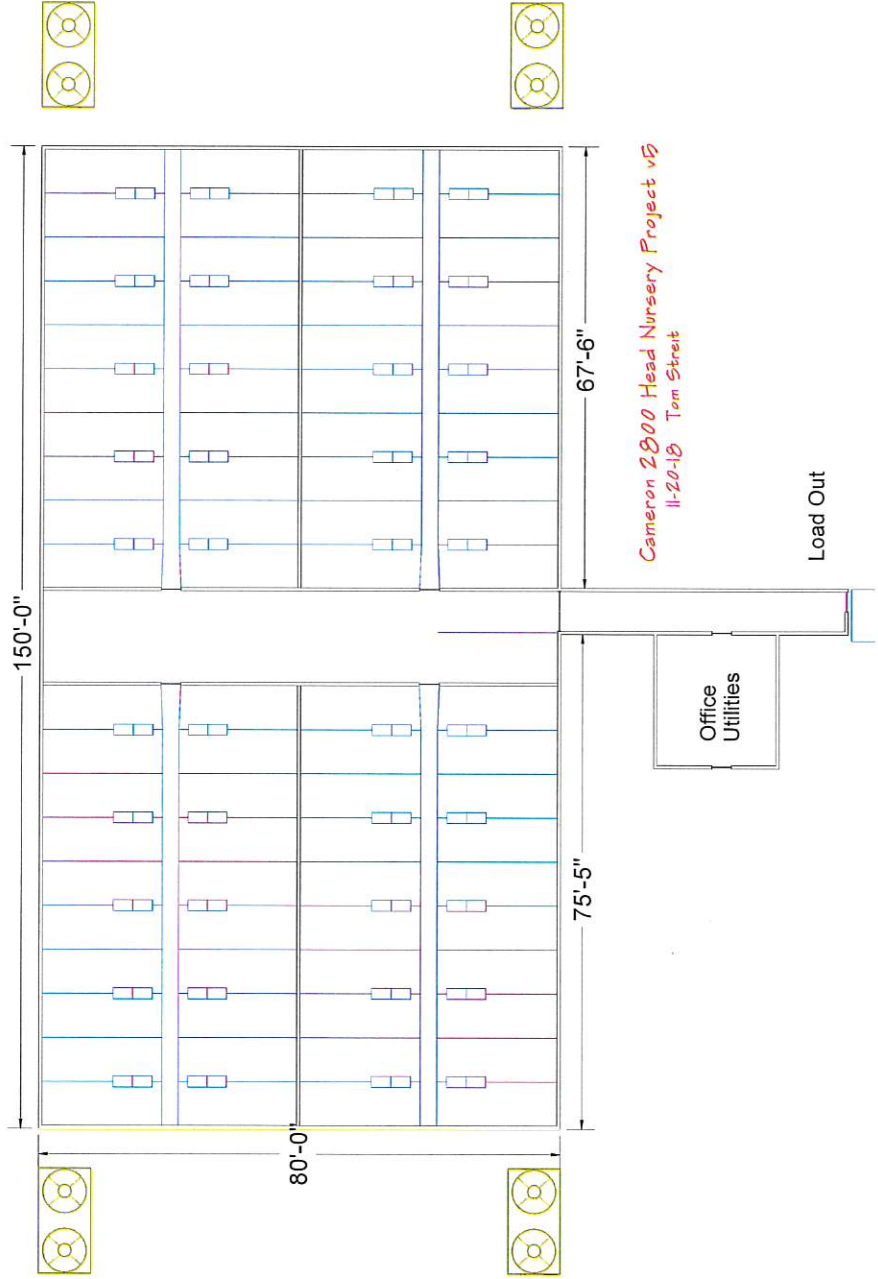
Proposed 2800 Head Nursery
Cameron Colony
28971 - 447th Ave
Viborg, SD 57070

SW 1/4, Section 1, T96N, R55W - Yankton County, SD

Exhibit

43A





Cameron 2800 Head Nursery Project v5
11-20-18 Tom Street

150'-0"

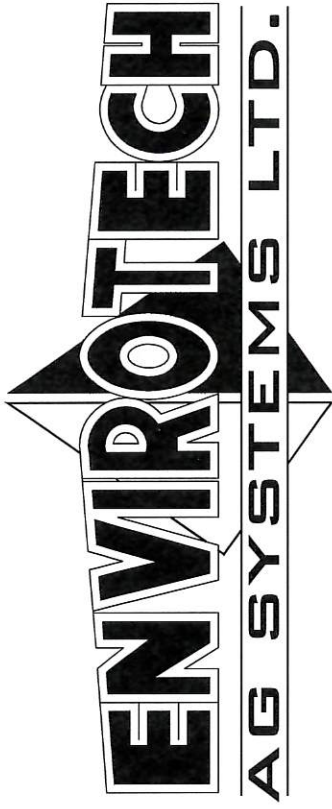
80'-0"

75'-5"

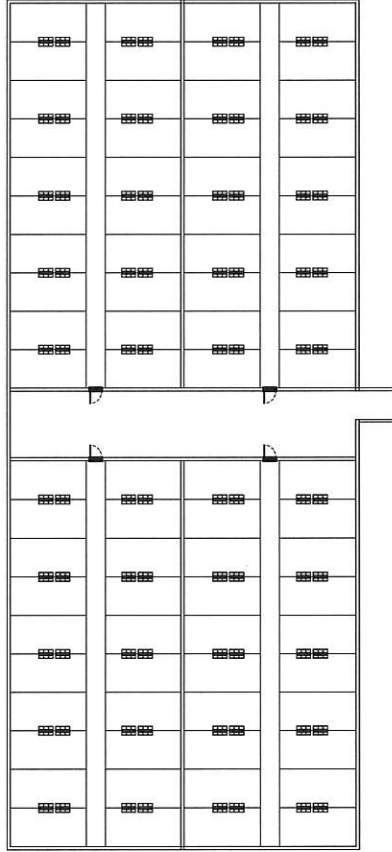
67'-6"

Office
Utilities

Load Out



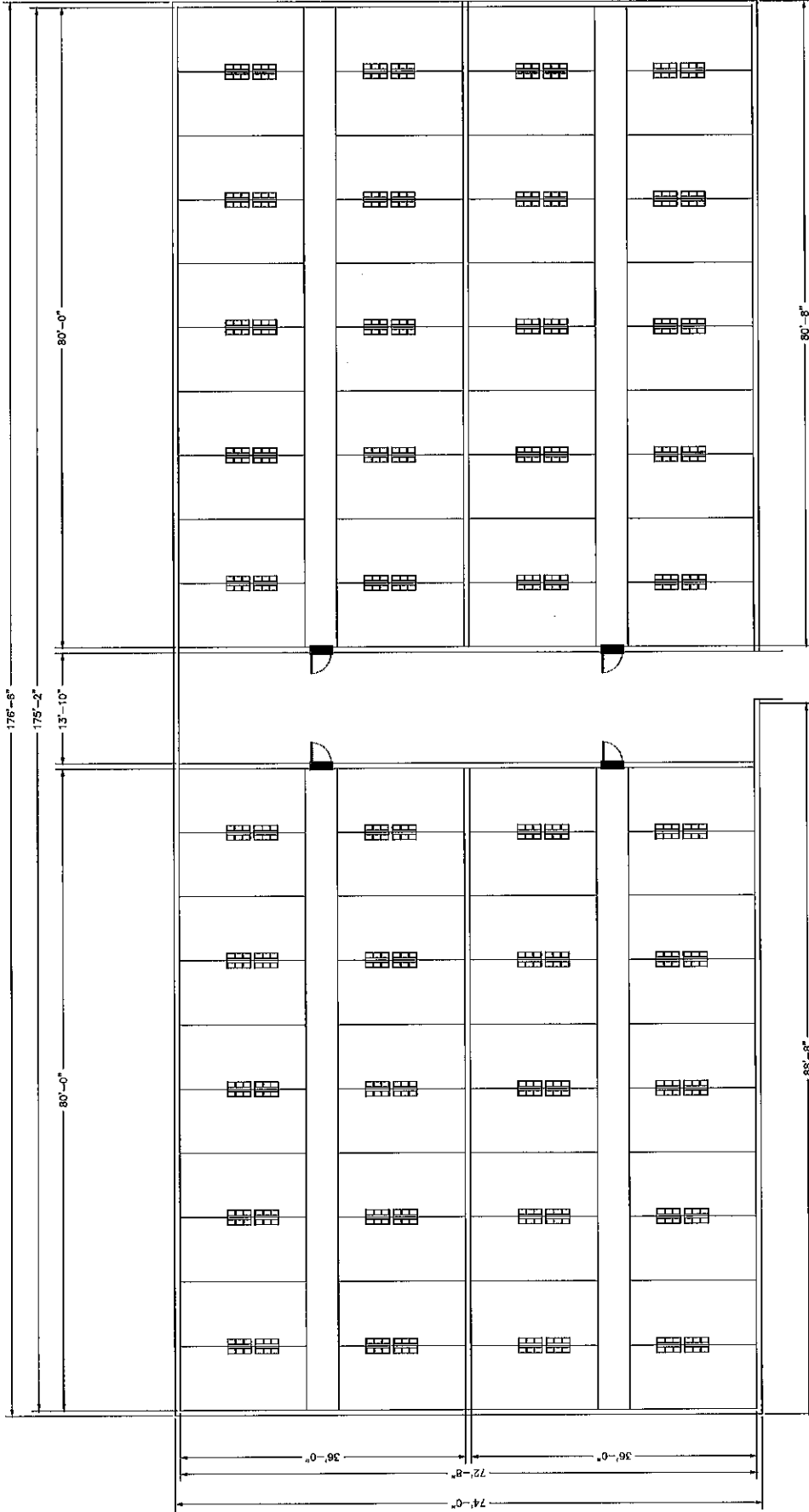
CAMERON COLONY



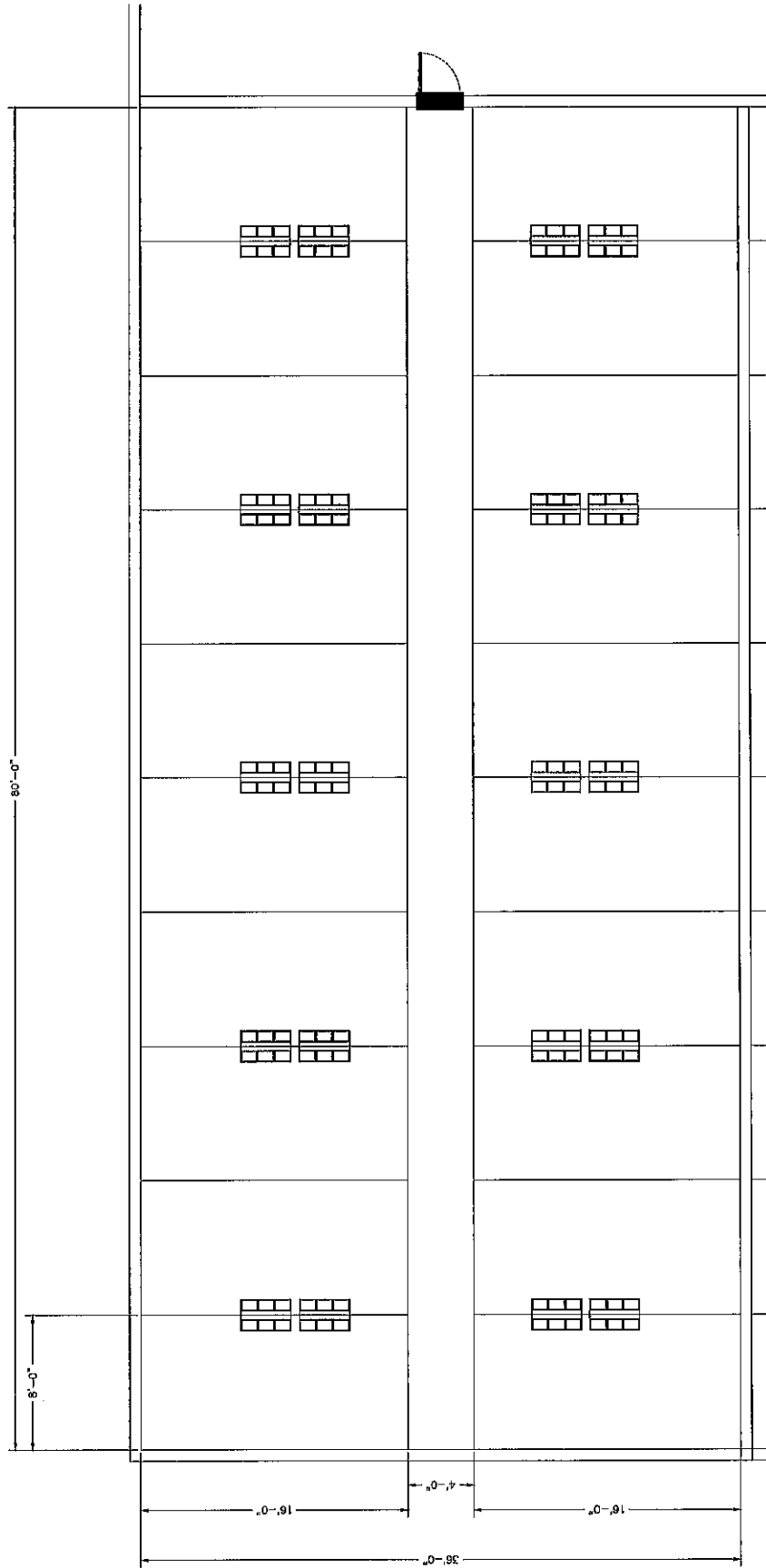
6 Nicolas Avenue, Winnipeg, MB, Canada R2J 0T5
Toll free: 1 800 233 6913
Phone: 204-231-3354 - Fax: 204 231 8574

4012 North Cliff Avenue, Sioux Falls, SD, USA 57104
Toll free: 1 866 274 2828
Phone: 605 271 5393 - Fax: 605 271 5449

Website: www.envirotechag.com
Email: info@envirotechag.com



ENGINEER'S SEAL ISSUE	ISSUED FOR PERMIT USE ONLY		REVISIONS <table border="1"> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </table>																	CLIENT: CAMERON COLONY PROJECT NAME: NURSERY, BARN 2018	SHEET TITLE: LAYOUT SHEET NO.: 1
REV. NO. DESCRIPTION DATE BY	ENVROTECH AG SYSTEMS LTD. 6 Niagara Avenue, Wickham, ME Canada B2J 0T8 Phone: (204) 231-3354 Fax: (204) 231-4674	DATE ISSUED: November 28, 2018 DATE PERMITTED: SCALE: DRAWN BY: CHECKED BY: DATE:	DATE: BY:																		



PROJECT NAME: NURSERY BARN 2018

SHEET TITLE: LAYOUT

SHEET NO.: 1

CLIENT: CAMERON COLONY

DATE CREATED: 10/20/18

DATE: 10/20/18

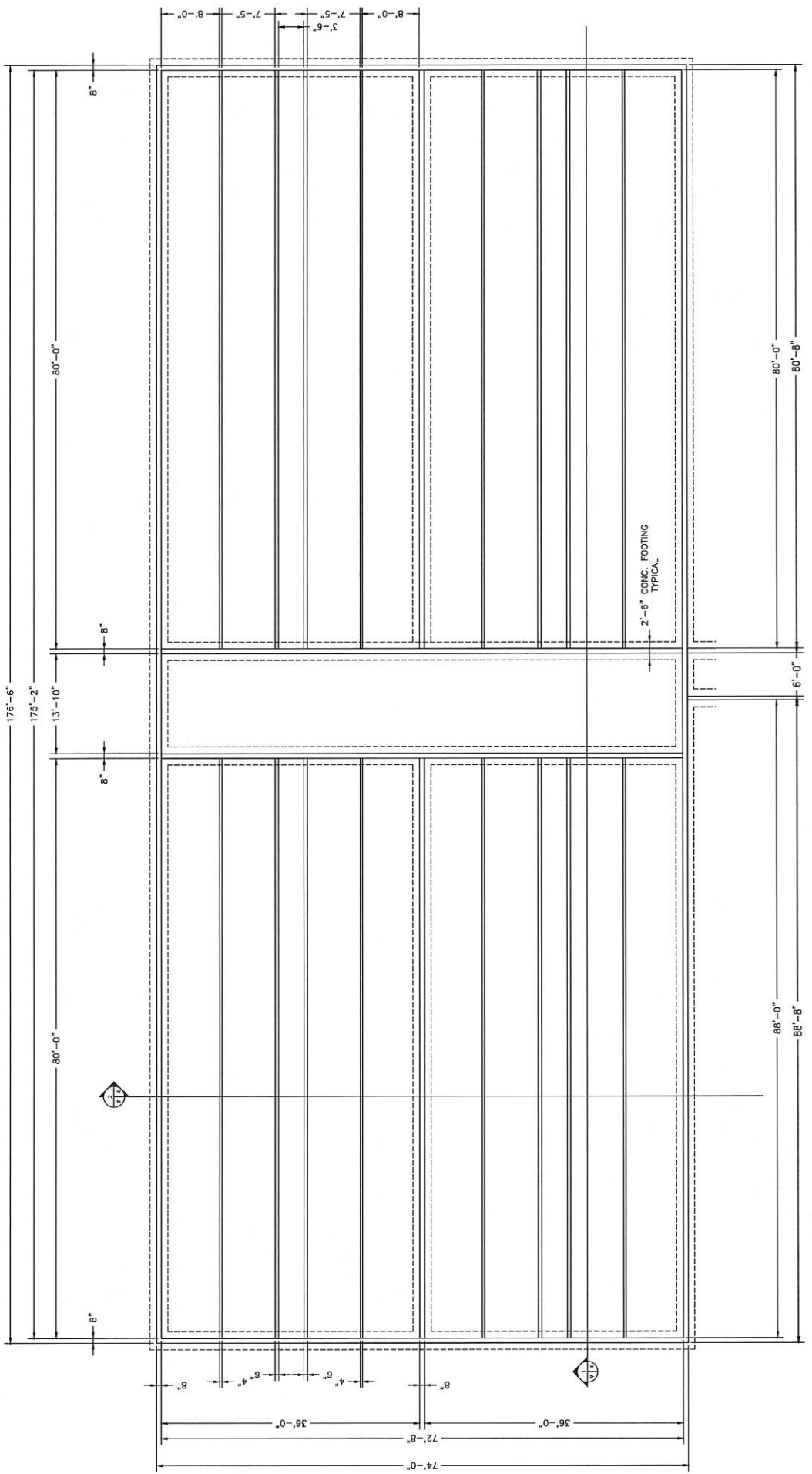
BY: [Signature]

ENVIROTECH
AG SYSTEMS, LTD.
 6 Nicksie Avenue, Watsons Bay, Christchurch 8075
 Phone: (03) 291-5554 Fax: (03) 291-8574

REV. NO.	DESCRIPTION	DATE	BY

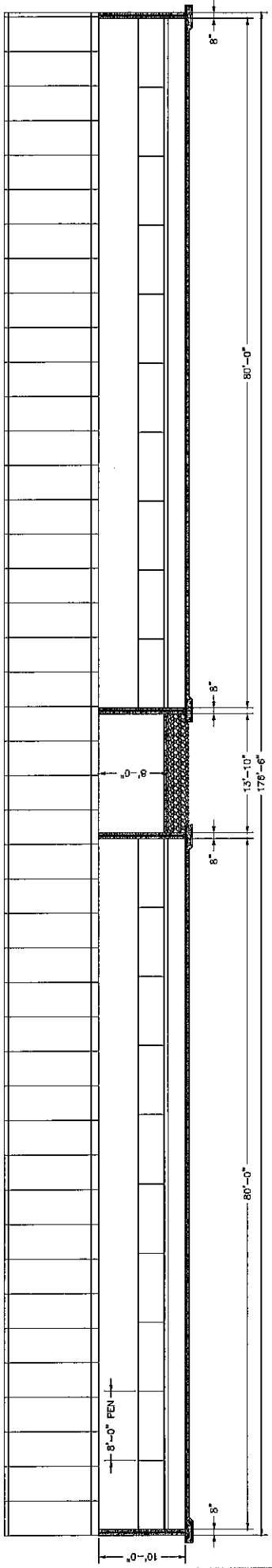
ISSUE FOR PERMIT USE ONLY

ENGINEER'S SEAL

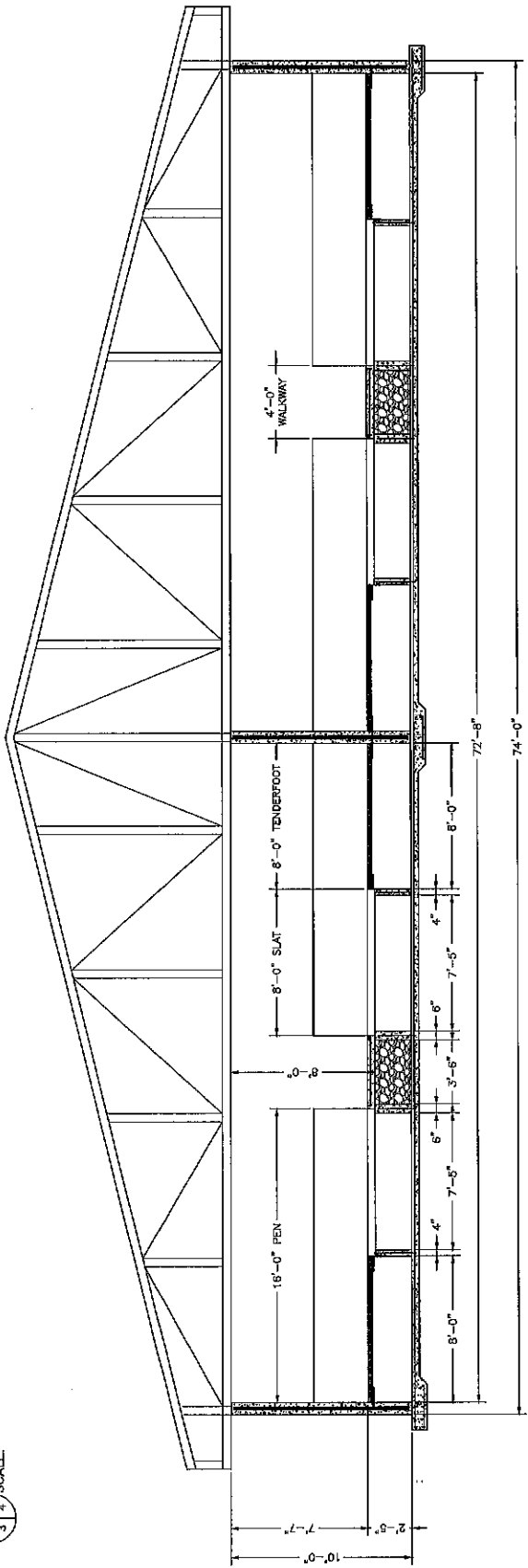


ENGINEER'S SEAL	ISSUE	ISSUED FOR PERMIT USE ONLY	REVISIONS		CLIENT CAMERON COLONY	PRODUCT NAME NURSERY BARN 2018	DATE CREATED November 23, 2018	DATE November 23, 2018	DRAWN BY TDM	LAYOUT BY TDM	SHEET NO. 1
			REV. NO.	DESCRIPTION							

ENVIROTECH
AG SYSTEMS LTD.
 6 WINDY AVENUE, WINDY HILL, CAMERON DISTRICT
 Phone: (041) 231-3354 Fax: (041) 231-5874



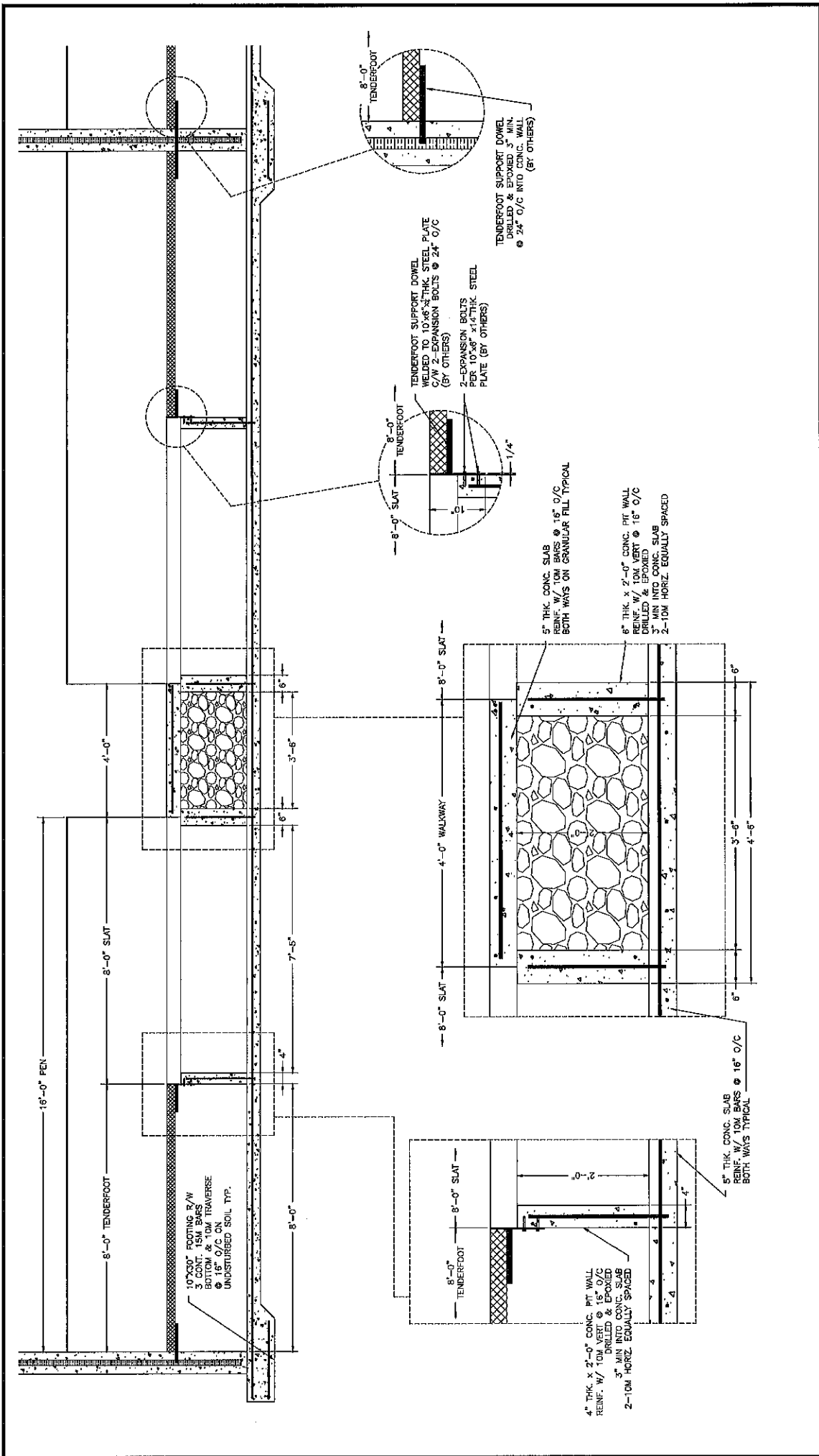
SECTION 1
SCALE: 3/4"



SECTION 2
SCALE: 3/4"

ENGINEER'S SEAL		ISSUED FOR PERMIT USE ONLY		REVISIONS		CLIENT: CAMERON COLONY		PROJECT NAME: NURSERY BARN 2D16	
REV. NO.	DESCRIPTION	DATE	BY	NO. CHANGES	ISSUE DATE	SCALE	FILE	SHEET TITLE	SHEET NO.
								SECTION	4

ENVIROTECH
AG SYSTEMS, LTD.
 8 Nickels Avenue, Warwick, RI 02886
 Phone: (401) 251-2354 Fax: (401) 251-6574



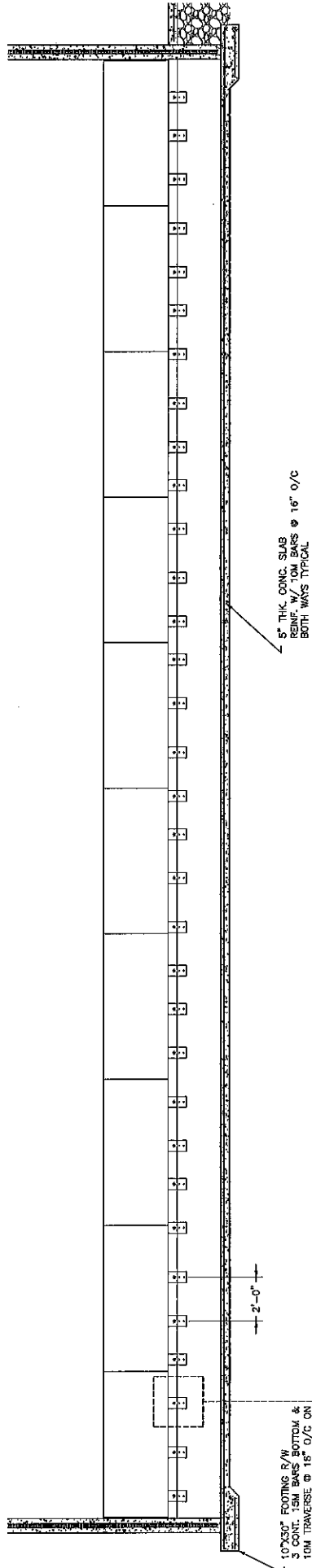
ENGINEER'S SEAL
 ISSUE
 SECTIONS

REV. NO.	DESCRIPTION	DATE	BY

ISSUED FOR PERMIT USE ONLY

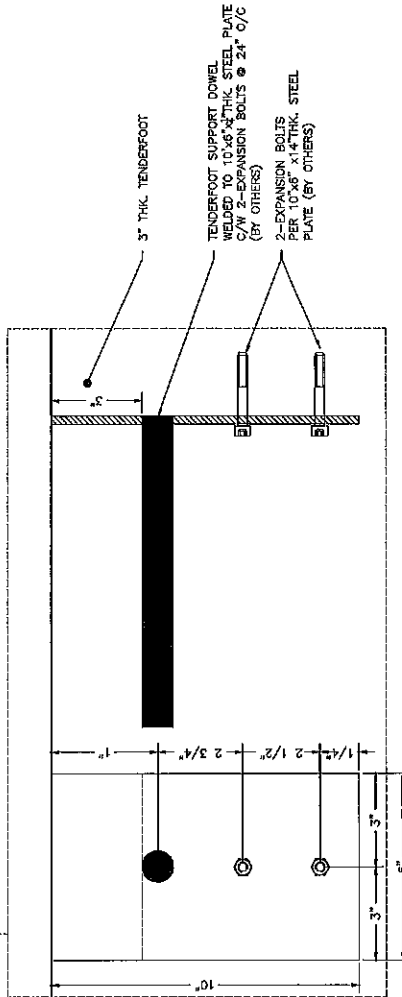
PROJECT NAME: NURGERY BARN 2016
 CLIENT: CAMERON COLONY
 DATE ISSUED: November 29, 2016
 LAST DATE APPROVED: November 29, 2016
 SHEET TITLE: CONC. DETAILS 1
 SHEET No.: 5
 SCALE: AS SHOWN
 DRAWN BY: [Blank]
 CHECKED BY: [Blank]
 DATE: November 29, 2016





5" THICK CONC. SLAB REINF. W/ 10M BARS @ 16" O/C BOTH WAYS TYPICAL

10" x 50" FOOTING R/W 3 CONT. 15M BARS BOTTOM & 10M TRAVERSE @ 18" O/C ON UNDISTURBED SOIL TYP.



3" THICK TENDERFOOT

TENDERFOOT SUPPORT DOWEL WELDED TO 10"x6" THICK STEEL PLATE C/W 2-EXPANSION BOLTS @ 24" O/C (BY OTHERS)

2-EXPANSION BOLTS PER 10"x6" x 1/4" THICK STEEL PLATE (BY OTHERS)

TYPICAL STEEL PLATE DETAIL

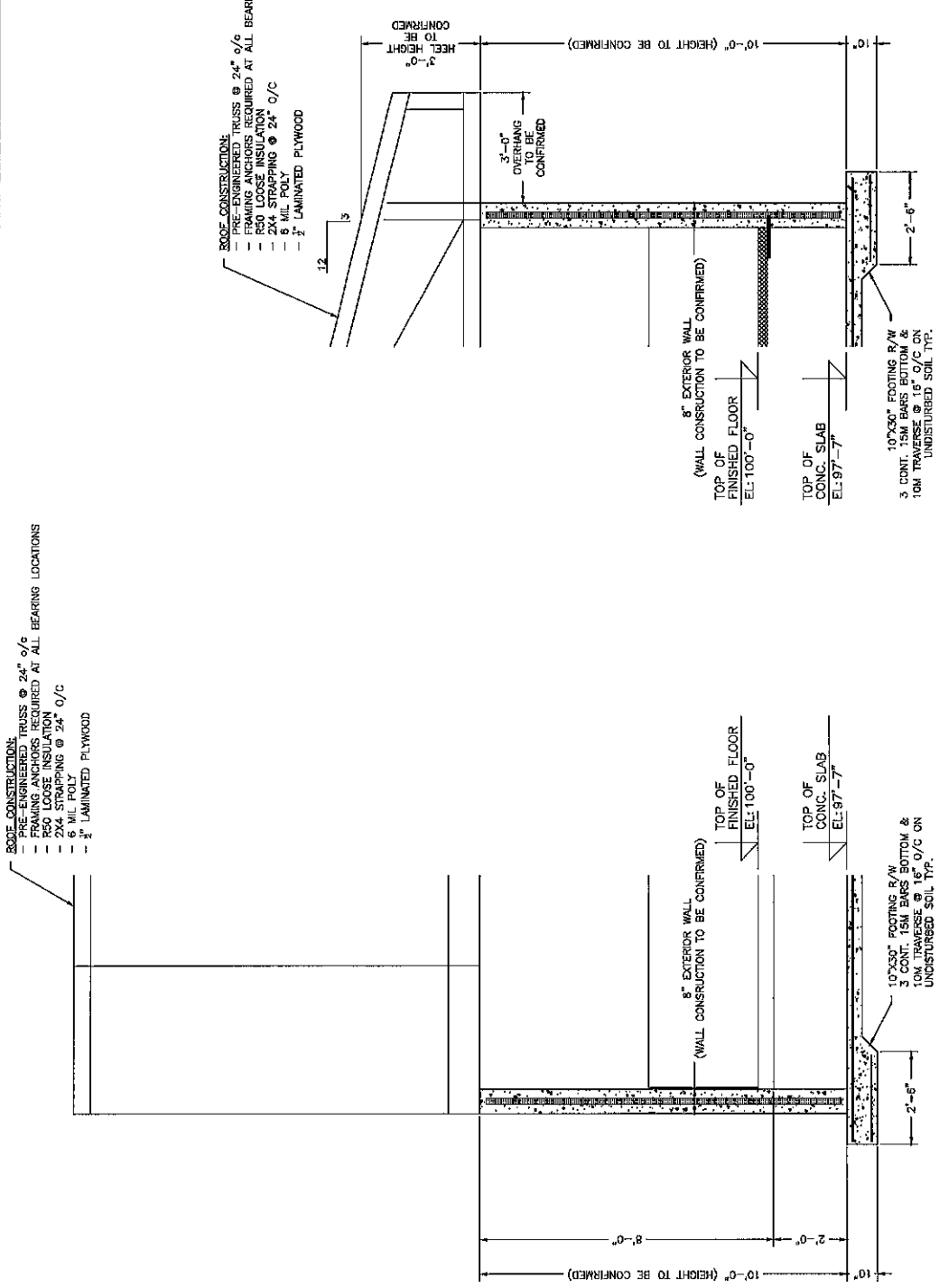
SCALE:
10"x6" THICK STEEL PLATES TO BE 24" O/C
2-PLATES PER 4' OF TENDERFOOT SECTION

OWNER'S SEAL	ISSUED FOR PERMIT USE ONLY		REVISIONS			CLIENT CAMERON COLONY				PROJECT NAME NURSERY BARN 2016		
	DATE	BY	NO.	DESCRIPTION	DATE	BY	NO.	DESCRIPTION	DATE	BY	NO.	DESCRIPTION

DESIGNED BY November 20, 2016	CHECKED BY November 20, 2016	DRAWN BY November 20, 2016	SCALE	FILE	DATE	BY
SHEET TITLE: CONC. DETAILS 2						
SHEET NO.						6

- ROOF CONSTRUCTION:**
- PRE-ENGINEERED TRUSS @ 24" o/c
 - FRAMING ANCHORS REQUIRED AT ALL BEARING LOCATIONS
 - R50 LOOSE INSULATION
 - 2X4 STRAPPING @ 24" o/c
 - 6 MIL POLY
 - 3/4" LAMINATED PLYWOOD

- ROOF CONSTRUCTION:**
- PRE-ENGINEERED TRUSS @ 24" o/c
 - FRAMING ANCHORS REQUIRED AT ALL BEARING LOCATIONS
 - R50 LOOSE INSULATION
 - 2X4 STRAPPING @ 24" o/c
 - 6 MIL POLY
 - 3/4" LAMINATED PLYWOOD

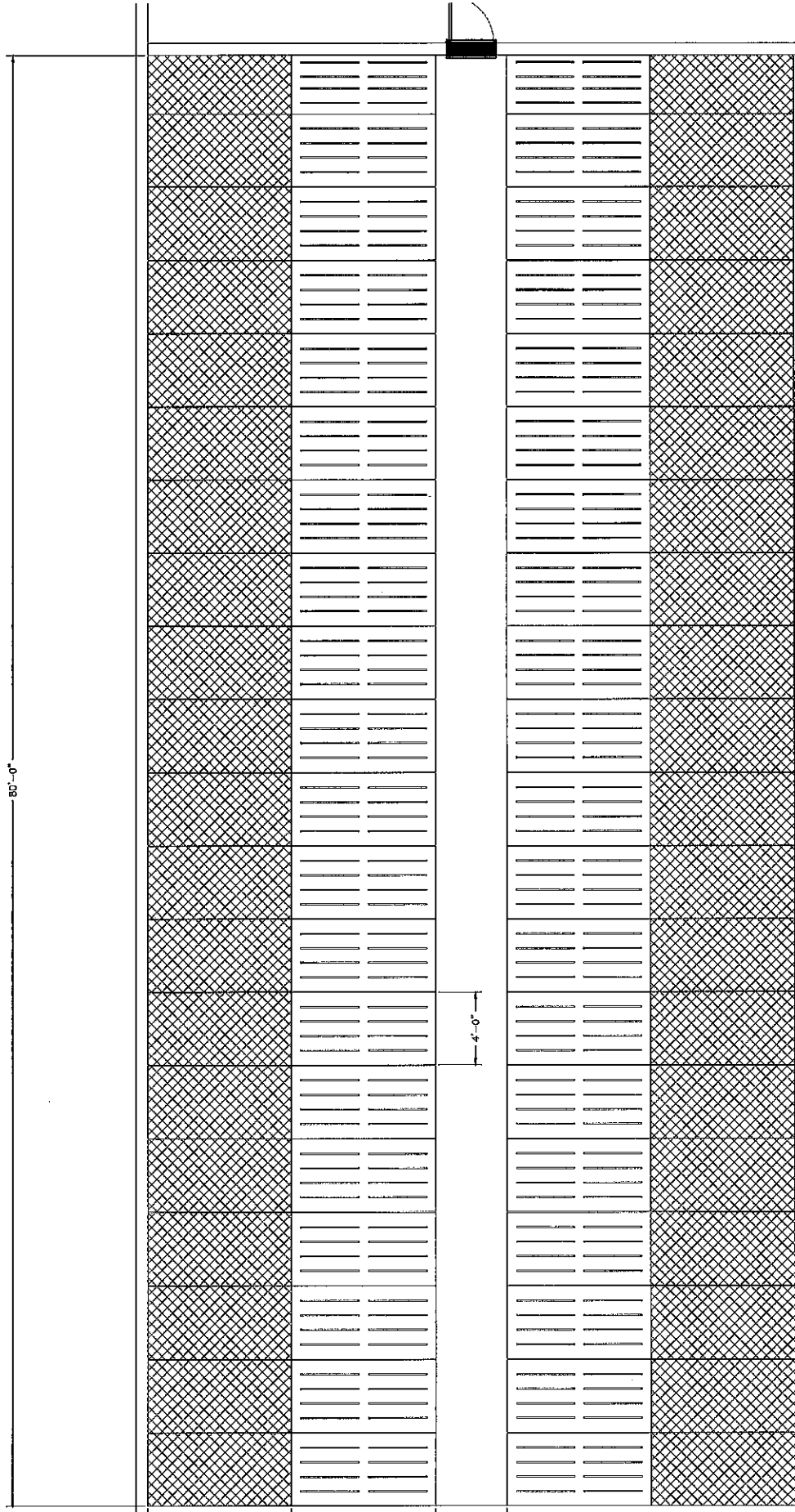


TYPICAL BEARING WALL
SCALE:

TYPICAL GABLE END WALL
SCALE:

ENGINEER'S SEAL	ISSUE	SECTIONS	CLIENT CAMERON COLONY	PROJECT NAME NURSERY BARN 2018	DATE CREATED	DRAWN	DATE	SHEET TITLE WALL SECTIONS	SHEET NO. 7
					APPROVED BY	CHECKED BY	DATE		
ISSUED FOR PERMIT USE ONLY			8 Niskola Avenue, Victoria, BC Canada V2Z 0T5 Phone: (250) 221-3354 Fax: (250) 221-8574			REV. NO.	DESCRIPTION	DATE	BY

80'-0"

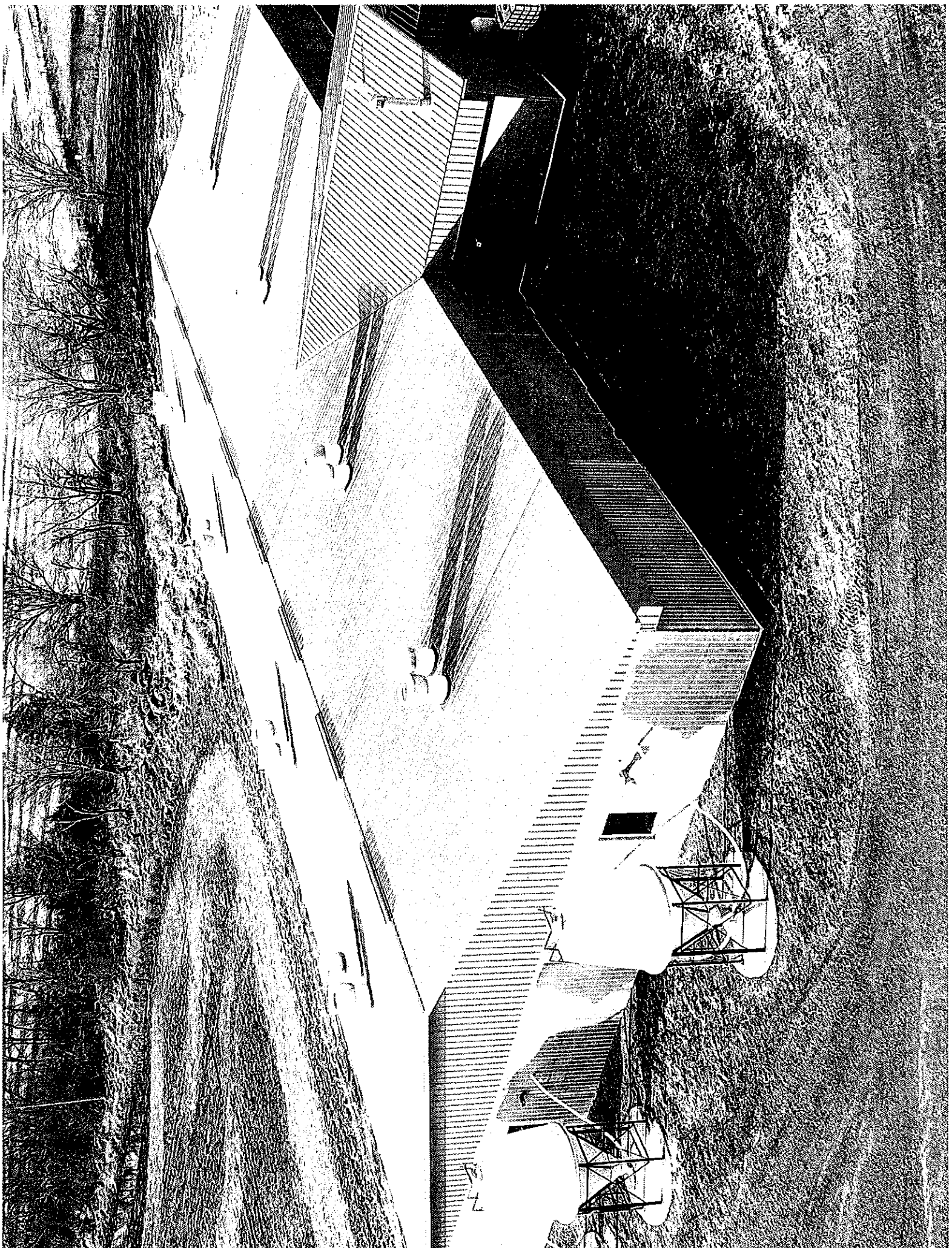


ENGINEER'S SEAL	ISSUED FOR PERMIT USE ONLY	REVISIONS	DATE	BY	CLIENT		PROJECT NAME		SHEET NO.	
					CAMERON COLONY	NURSERY BARN 2018				
					DATE DESIGNED	DATE OF PERMITS	DATE OF PERMITS		SHEET TITLE	SHEET NO.
					November 28, 2018	November 28, 2018	November 28, 2018			

ENVIROTECH
AG SYSTEMS LTD.
6 Mosley Avenue, Warren, ME 04090
Phone: (207) 233-0354 Fax: (207) 231-4574

REV. NO.	DESCRIPTION	DATE	BY



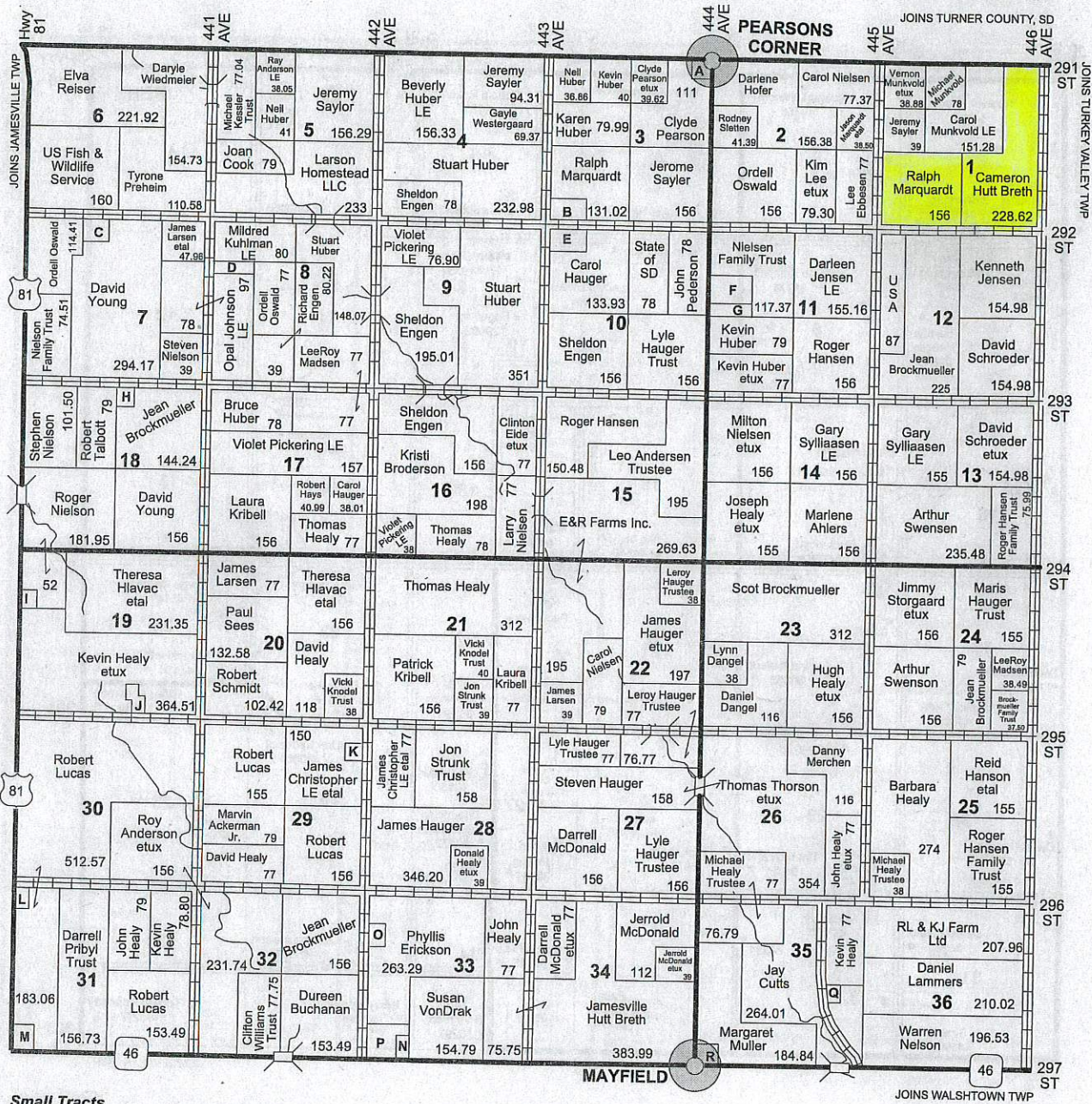


MAYFIELD TWP

LAND OWNER

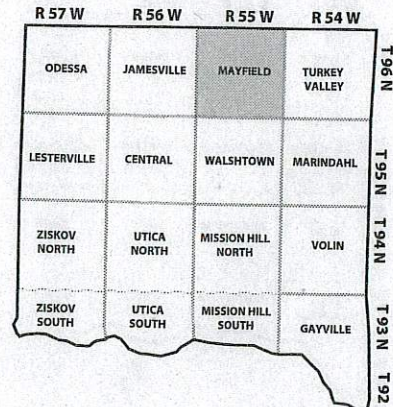
T 96 N

R 55 W



Small Tracts

- Section 3 **A** Ronald Skjonsberg Sr. - 6.61
- Section 3 **B** Clayton Simonsen - 28.48
- Section 7 **C** SD Game, Fish & Parks - 16.84
- Section 8 **D** Ardon Wek - 18.96
- Section 10 **E** Jared Huber - 22.07
- Section 11 **F** Connie Kerns - 31
- Section 11 **G** Glenmore Sorensen etux - 8
- Section 18 **H** David Rye - 11.76
- Section 19 **I** Our Redeemer Lutheran Church - 8
- Section 19 **J** Kevin Healy etux - 37.28
- Section 29 **K** Jerry Jones etux - 6.24
- Section 31 **L** Benjamin Lucas - 6.40
- Section 31 **M** Thomas Schell - 9
- Section 33 **N** Donald Jensen etux - 7.27
- Section 33 **O** Jean Brockmueller - 10.71
- Section 33 **P** Robert Lucas - 29.48
- Section 35 **Q** Rory Nelson etal - 6.36
- Section 35 **R** Timothy Nelson - 5.39



Untitled Map

Write a description for your map.

Legend

- 2017 Time Capsule
- 28971 447th Ave
- Untitled Placemark
- Untitled Polygon

28971 447th Ave 2017 Time Capsule

Untitled Placemark 365

Untitled Placemark

Untitled Placemark

Untitled Placemark

Untitled Placemark

408

448th Ave

444th Ave

447th Ave



1 mi

Google Earth

© 2018 Google



1

08.001.300.010

08.001.200.010

MAYFIELD
96 N - 55 W

44542 292ND ST

292ND ST

12

08.012.300.010



Yankton County Planning Commission
Yankton County Board of Adjustment

Date filed: 10-26-2018

Applicant:

Craig Johnson

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

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.

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

NOTE:

Conditional Use Permit for Class F 2400 head pork nursery barn in AG.

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

BOA: Section 1905 (1-6)

Planning Commission date:	11-13-2018	Time:	9:45 PM
Board of Adjustment date:	12-4-2018 did not hear 12-28-2018	Time:	6:00 PM 12:50 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: Craig Johnson (Louie)
 Address: 30441 447 Ave Volin, S.D.
 Hearing date: 11-13-18
 Description: CUP for pork nursery barn Class F in AG

Action 111318R: Moved by Bodenstedt, second by Kretsinger to recommend approval of 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, build/operate a Class F 2400 head (240 AU Animal Units) pork (swine under 55 pounds) nursery barn in an Agriculture District (AG) in Yankton County. Said property is legally described as NE1/4 & SW1/4, exc Lot H-1 & exc Lot R-65, NW1/4, SW1/4 & exc Lot R-66, SW1/4, SW1/4 & exc 10 Acres & exc S300', W330', SW1/4, SW1/4, exc S300', E200', W530', SW1/4, SW1/4, S7-T94N-R54W, hereinafter referred to as Volin Township, County of Yankton, State of South Dakota. The E911 address is 30441 447th Avenue, Volin, 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

Carll Kretsinger (Y) N AB

Erik Koenigs Y N AB

Jeff Gudahl (Y) N AB

Motion: Deb Bodenstedt

Second: Carll Kretsinger

Yankton County Planning Commission

Meeting date: November 13, 2018

CONDITIONAL USE
Article 18, Section 1805

FINDINGS OF FACT

Applicant: Craig Johnson

Parcel Number: 02.007.200.200

Legal description: NE1/4 & SW1/4, exc Lot H-1 & exc Lot R-65, NW1/4, SW1/4 & exc Lot R-66, SW1/4, SW1/4 & exc 10 Acres & exc S300', W330', SW1/4, SW1/4, exc S300', E200', W530', SW1/4, SW1/4, S7-T94N-R54W

Physical Address: 30443 446th Avenue, Volin, 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 to build a Class F 2400 head (240 AU Animal Units) pork (finisher swine under 55 pounds) nursery barn in an Agriculture District (AG) in Yankton County. (Article 5, Section 507) Said property is legally described as NE1/4 & SW1/4, exc Lot H-1 & exc Lot R-65, NW1/4, SW1/4 & exc Lot R-66, SW1/4, SW1/4 & exc 10 Acres & exc S300', W330', SW1/4, SW1/4, exc S300', E200', W530', SW1/4, SW1/4, S7-T94N-R54W, hereinafter referred to as Volin Township, County of Yankton, State of South Dakota. The E911 address is 30441 447th Avenue, Volin, 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-half mile radius of the proposed CUP on November 3, 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 9:45 pm on November 13, 2018 in the Yankton County Government Center County Commission chambers. Craig Johnson stated he is involved with a lawsuit and the process is now fifteen months old. Mr. Johnson wants to place nursery swine in the barn and the fastest process is to get a Conditional Use Permit for the Class F barn. Mr. Johnson does believe the Class F requires a Conditional Use Permit but the delay in the judicial system is financially difficult for the farm operation. Mr. Welch requested any proponents for the application. John Gunderson stated the legal system is not responsive and the selection of just swine operation is not a proper process to implement the zoning ordinance.

Robert Freng stated the court cases have extended the application requirements and it appears small acreage owners have control over excessive agriculture property. Mr. Johnson is doing an agriculture activity in an Agriculture District.

Mr. Welch requested any opponents for the application.

Veronica Wagner stated her opposition to the permit as CAFO are not good for the environment. The health consequences are real and research shows it is dangerous.

The Planning Commission discussed the application and determined all requirements were completed.

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 to approve granting of the conditional use permit with 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 (447th Avenue) and site plan turn around for emergency vehicles (Exhibit #3).

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 designated in the detailed site plan with sufficient area for deliveries, parking and production barn facilities such as animal disposal areas is in compliance required by Article 5. (Exhibit #3)

C. Refuse and service areas, with particular reference to the items in (A) and (B) above; Refuse and service areas, including specific requirements such as equipment storage areas, animal disposal areas, nutrient handling areas and personnel requirements will be in compliance with Article 5 as shown in applicant site plan. (Exhibit #3)

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 are not required at this site location due to odor footprint modeling for annoyance-free conditions. The area residences are in the 98% or greater annoyance free

zones. The odor footprint model will be utilized to monitor facility odor control management (Exhibit #4).

- 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 not compliant with current regulations and will require a Variance of Minimum ROW Setback Requirement (Exhibit #3).
- 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 intent of the Agriculture District is to preserve land best suited to agriculture uses.

Action 111318R: Moved by Bodenstedt, second by Kretsinger to recommend approval of 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, build/operate a Class F 2400 head (240 AU Animal Units) pork (swine under 55 pounds) nursery barn in an Agriculture District (AG) in Yankton County. Said property is legally described as NE1/4 & SW1/4, exc Lot H-1 & exc Lot R-65, NW1/4, SW1/4 & exc Lot R-66, SW1/4, SW1/4 & exc 10 Acres & exc S300', W330', SW1/4, SW1/4, exc S300', E200', W530', SW1/4, SW1/4, S7-T94N-R54W, hereinafter referred to as Volin Township, County of Yankton, State of South Dakota. The E911 address is 30441 447th Avenue, Volin, SD.

By roll call vote, all members voted aye.

Motion carried.

Yankton County Planning Commission
Yankton County Board of Adjustment

Date filed: 10-26-2018

Applicant: **Craig Johnson**

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

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.

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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 Class F 2400 head pork nursery barn in AG.

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

BOA: Section 1905 (1-6)

FILED
DEC 4 2018
YANKTON
PLANNING/ZONING

Planning Commission date: 11-13-2018 Time: 9:45 PM

Board of Adjustment date: 12-4-2018 *did not hear* Time: 6:00 PM

YANKTON COUNTY
APPLICATION # 3386

(Type or Print)
OWNER: Craig Johnson

OWNERS ADDRESS: 30441 447 Ave Volin SD

OWNERS DAYTIME PHONE#: 661-4412

DATE OF BUILDING PERMIT REQUEST: 7-18-2017

DESCRIPTION OF BUILDING PERMIT: BP #3044 Class E (240)

REASON FOR BUILDING PERMIT DENIAL: Judicial Decision

DATE OF DENIAL: 10-26-18

JOB ADDRESS: 30441 447 Ave Volin, SD 57072

LEGAL: NE 1/4 & SW 1/4 ex Lot 44 & ex Lot 45, NW 1/4 SW 1/4 & ex Lot 46, SW 1/4, SW 1/4 & ex Lot 47 ... see file ... 7-94-54

TOWNSHIP: Volin SECTION: 7

EXISTING USE OF PROPERTY: Agriculture

PRESENT ZONING CLASSIFICATION: AG

PROPOSED ZONING CLASSIFICATION: AG

AFFECTED SECTION OF ZONING ORDINANCE: Article 5, Section 502(1)

REASON FOR REQUEST: CEP requirement as interpreted by judicial decision

LIST SPECIFIC HARDSHIPS: Pending litigation regarding ordinance interpretation

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)

FILED

DEC 4 2018

SCHEDULED FOR PLANNING COMMISSION ACTION (Date): 11-13-18

SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (Date): 12-4-18

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

APPLICATION FEE: 100 CHECK #: 3319 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.

Craig Johnson Craig Johnson 10/26/18
 Name of Applicant Date Signature of Applicant/Owner Date

Variance Application
 Conditional Use Permit
 Rezoning Permit

Yankton County South Dakota
Parcel Record Information

Parcel Number: 02.007.200.200 Type: RE Year: 2017

Address Info

Deed:
JOHNSON, CRAIG LEWIS

Contract:

Mailing:
JOHNSON, CRAIG LEWIS
30441 447 AVE
VOLIN SD 57072

Legal Info

Location: 30441 447 AVE

Section/Town/Range: 7/ 94/ 54

Township: VOLIN TOWNSHIP

Addition/Block/Lot: 7 94 54

Acres: 289.41

Legal Description: NE4 & SW4 EXC LT H1 & EXC LT R-65 NW4 SW4 & EXC LT R-66
SW4 SW4 & EXC 10 A & EXC S300' W330' SW4 SW4 EXC S300' E200'
W530' SW4 SW4 & EXC

Values Info

Class	Description	Assessed	Equalized	Exempt
AGA	AGRICULTURAL LAND	758,900	645,065	0
NAA10	OWNER OCCUPIED	31,100	29,141	0
AGA1	STRUCTURES ON AGRICULTURAL LAND	30,200	25,670	8,500
TOTAL		820,200		

YANKTON COUNTY BUILDING PERMIT APPLICATION

Each building site must have a separate site plan

Applicant to complete numbered spaces only.

1. Job Address	30441 447 th Ave, Volin SD 57072		
2. Legal Description of Construction Site	L & R 65 SW 1/4 SW 1/4 ex 10A... 57-794 R54 NE 1/4 SW 1/4 ex 1A 1/2 ex 1A R 65, NW 1/4 SW 1/4 ex 1A		
3. Owner	Mail Address	Zip	Phone
	Craig Johnson 30441 447 th Ave, Volin		
4. Contractor	Mail Address	Zip	Phone
	Ethan Lumber Company, Ethan, SD		
5. Architect or Designer	Mail Address	Zip	Phone
	MDS Mfg. Company, Parkston, SD		
6. Type and Use of Building	2400 Head Nursery Facility		
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:	61' x 140' Construct and maintain 2400 Head Nursery Facility (All 240... 2400 x .1) Class F		
9. Valuation of Work:	\$ 450,000	Mobile/Manufactured Home Tax Affidavit	Y N

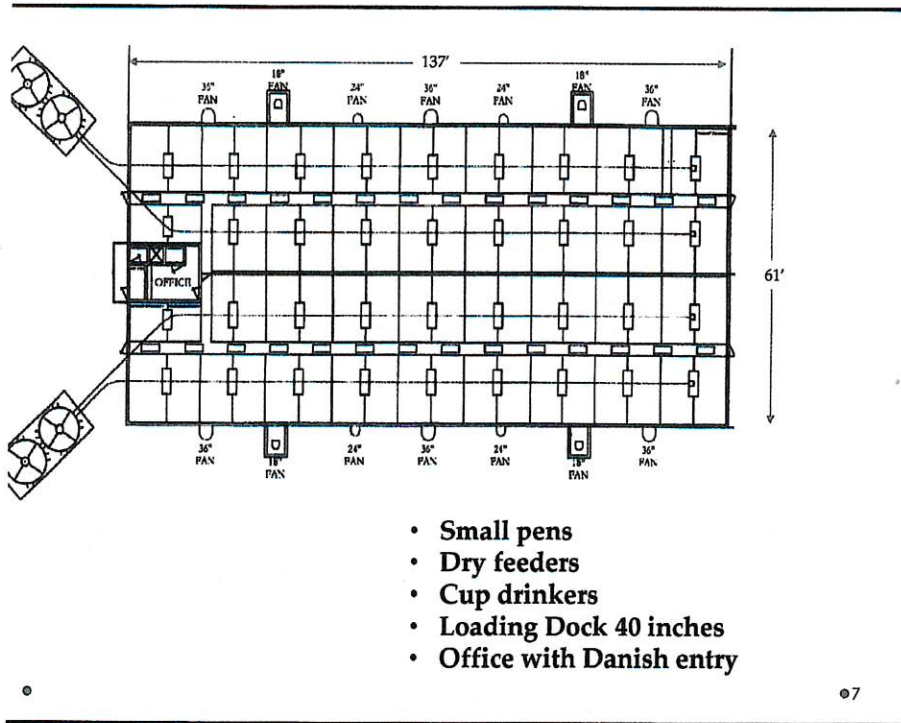
Owner
Job Address

For Official Use Only-
SPECIAL CONDITIONS: May proceed as per site plan, Article 5, Section 519, Class F, no CUP required
 1-18-17 8:28-17

Application Accepted By: <i>[Signature]</i>	Site Plans Checked By: <i>[Signature]</i>	Approved for Issuance By: <i>[Signature]</i>	PERMIT FEE 200 ⁰⁰ Check # 1991
---	---	--	---

<p style="text-align: center;">NOTICE</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 <i>131</i>
	Total Square Feet <i>8357</i>	Number of Stories <i>1</i>
	Zoning District <i>AG</i>	Number of Accessory Buildings <i>—</i>
	Number of Dwelling Units <i>—</i>	Property/Parcel/Lot Size FILED

For County Officials Use Only	
When properly validated (in this space), this is your permit. YANKTON PLANNING/ZONING SEP 06 2017	
The above application is hereby approved.	
Signature of Contractor or Authorized Agent <i>Craig Johnson</i>	Date <i>7-18-17</i>
Signature of Owner (if owner-builder) <i>Craig Johnson</i>	Date <i>7-18-17</i>
BY THIS SIGNATURE, THE ZONING ADMINISTRATOR IS AUTHORIZED TO ENTER UPON THE PROPERTY DESCRIBED FOR THE PURPOSE OF INSPECTION	
Building Permit Number: <i>3044</i>	Post Construction? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
<i>[Signature]</i> 7-18-17 Zoning Administrator or Authorized Representative Date	



- Small pens
- Dry feeders
- Cup drinkers
- Loading Dock 40 inches
- Office with Danish entry

07

**TOTAL
2400 HEAD NURSERY FACILITY**

1- 61' X 137' NURSERY BARN
2 ROWS - CAPACITY 1200 HEAD EACH
INTERIOR OFFICE & SHOWER THROUGH ENTRANCE

ETHAN COOP LUMBER	building	\$199,000.00	
	hole digging and backfill allowance	8,200.00	
	driveway & 40' culvert	1,500.00	
	finish dirt work (using existing dirt)	3,500.00	
	grass seeding	1,100.00	
	gravel and rock (no fabric)	5,000.00	
	steps and dock bumpers	2,400.00	
	generator pad	650.00	
	propane tank pads	950.00	
	• Includes builders risk insurance		
	• Includes sales and excise taxes		
MDS MFG CO INC	equipment and installation	\$182,500.00	
	electrical in barn	22,760.00	
	underground and trenching (no frost & depend on water system)	2,500.00	
	20 kw air cooled generator & switch (gen set not big enough for well site)	7,750.00	
	gas line plumbing (no frost)	4,175.00	
	• Includes installation of all equipment		
	• Includes insurance of product to site		
	• Includes sales and excise taxes		
TOTAL		\$441,985.00	\$184/pig space

INCLUDES ALL SALES AND EXCISE TAX

Bid date: December 12, 2016

Electrical and water is owner responsibility and must be to site within 10 days of pit completion

DOES NOT INCLUDE

GETTING ELECTRICAL AND WATER TO SITE	ADDITIONAL BACK FILL IF NEEDED
REMOVAL OF EXCESS DIRT IF NEEDED	WATER PRESSURE TANK IF REQUIRED
WELL & RELATED COMPONENTS	

08

NOTIFICATION

October 30, 2018

Craig Johnson
30441 447th Ave.
Volin, SD 57072

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 2,640 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 9:45 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/operate a Class F 2400 head (240 AU Animal Units) pork (swine under 55 pounds) nursery barn in an Agriculture District (AG) in Yankton County. Said property is legally described as NE1/4 & SW1/4, exc Lot H-1 & exc Lot R-65, NW1/4, SW1/4 & exc Lot R-66, SW1/4, SW1/4 & exc 10 Acres & exc S300', W330', SW1/4, SW1/4, exc S300', E200', W530', SW1/4, SW1/4, S7-T94N-R54W, hereinafter referred to as Volin Township, County of Yankton, State of South Dakota. The E911 address is 30441 447th Avenue, Volin, SD

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

Sincerely,

Craig Johnson
Petitioner

OwnerAddress1

DEJONG TRUST (THE)
GUSTAD, JEANNIE K REV LV TRUST
GUSTAD, JEANNIE K TRUST
GUSTAD, JERRY D
GUSTAD, ORDELL B REV LIV TRUST
GUSTAD, PAUL
HORTON, CHIP L
HUETHER, DONALD R
JOHNSON, CRAIG LEWIS
LEE, LONNY
LEE, MIKE
NOVOTNY, KARLA (LE)
RPM UNLIMITED PARTNERSHIP
SOLBERG, BERT ALEXANDER

OwnerAddress2

30365 448 AVE
30701 CEDAR BLUFF RD
30701 CEDAR BLUFF RD
44746 305 ST
30701 CEDAR BLUFF RD
30393 447 AVE
30440 446 AVE
44610 305 ST
30441 447 AVE
30416 447 AVE
PO BOX 335
702 MULBERRY ST
30393 447 AVE
30431 448 AVE

OwnerAddress3

VOLIN SD 57072
MISSION HILL SD 57046
MISSION HILL SD 57046
VOLIN SD 57072
MISSION HILL SD 57046
VOLIN SD 57072
VOLIN SD 57072
VOLIN SD 57072
VOLIN SD 57072
VOLIN SD 57072
YANKTON SD 57078
YANKTON SD 57078
VOLIN SD 57072
VOLIN SD 57072

Exhibit 1A

AFFIDAVIT OF MAILING

I, Craig L Johnson, hereby certify that on the 3 day of Nov, 20 18, 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 .5 mile radius of the proposed project to the most recent address of the recipient known to your Affiant.

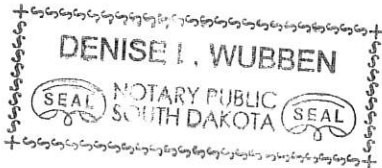
A true and correct copy of the Notice of Public Hearing notification letters are attached as Exhibit #1 or #2.

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

Dated the 5 day of Nov, 20 18.

Craig Johnson
(Name)
Affiant

Subscribed and sworn to before me this 5 day of November, 20 18.



Denise L. Wubben
Notary Public - South Dakota
My commission expires: July 1, 2023

(SEAL)

NOTIFICATION

November 20, 2018

Exhibit #2

Craig Johnson
30441 447th Ave.
Volin, SD 57072

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 2,640 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 6:00 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/operate a Class F 2400 head (240 AU Animal Units) pork (swine under 55 pounds) nursery barn in an Agriculture District (AG) in Yankton County. Said property is legally described as NE1/4 & SW1/4, exc Lot H-1 & exc Lot R-65, NW1/4, SW1/4 & exc Lot R-66, SW1/4, SW1/4 & exc 10 Acres & exc S300', W330', SW1/4, SW1/4, exc S300', E200', W530', SW1/4, SW1/4, S7-T94N-R54W, hereinafter referred to as Volin Township, County of Yankton, State of South Dakota. The E911 address is 30441 447th Avenue, Volin, SD

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Sincerely,

Craig Johnson
Petitioner

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RPM UNLIMITED PARTNERSHIP
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30701 CEDAR BLUFF RD
30393 447 AVE
30440 446 AVE
44610 305 ST
30441 447 AVE
30416 447 AVE
PO BOX 335
702 MULBERRY ST
30393 447 AVE
30431 448 AVE

OwnerAddress3

VOLIN SD 57072
MISSION HILL SD 57046
MISSION HILL SD 57046
VOLIN SD 57072
MISSION HILL SD 57046
VOLIN SD 57072
VOLIN SD 57072
VOLIN SD 57072
VOLIN SD 57072
YANKTON SD 57078
YANKTON SD 57078
VOLIN SD 57072
VOLIN SD 57072

Exhibit #2

AFFIDAVIT OF MAILING

I, Craig Johnson, hereby certify that on the 19 day of Nov, 20 18, 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 1/2 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.

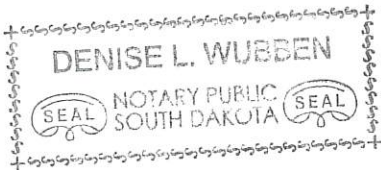
A true and correct copy of the mailing list for owners of real property is attached as Exhibit #1A or #2A.

Dated the 20 day of Nov., 20 18.

Craig Johnson
(Name)
Affiant

Subscribed and sworn to before me this 20 day of November, 20 18.

Denise L. Wubben
Notary Public - South Dakota
My commission expires: 7-1-23



(SEAL)

NOTIFICATION

December 12, 2018

Exhibit #2 (2)

Craig Johnson
30441 447th Ave.
Volin, SD 57072

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 2,640 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 12:50 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/operate a Class F 2400 head (240 AU Animal Units) pork (swine under 55 pounds) nursery barn in an Agriculture District (AG) in Yankton County. Said property is legally described as NE1/4 & SW1/4, exc Lot H-1 & exc Lot R-65, NW1/4, SW1/4 & exc Lot R-66, SW1/4, SW1/4 & exc 10 Acres & exc S300', W330', SW1/4, SW1/4, exc S300', E200', W530', SW1/4, SW1/4, S7-T94N-R54W, hereinafter referred to as Volin Township, County of Yankton, State of South Dakota. The E911 address is 30441 447th Avenue, Volin, SD

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

Sincerely,

Craig Johnson
Petitioner

Denise sent

OwnerAddress1

DEJONG TRUST (THE)
GUSTAD, JEANNIE K REV LV TRUST
GUSTAD, JEANNIE K TRUST
GUSTAD, JERRY D
GUSTAD, ORDELL B REV LIV TRUST
GUSTAD, PAUL
HORTON, CHIP L
HUETHER, DONALD R
JOHNSON, CRAIG LEWIS
LEE, LONNY
LEE, MIKE
NOVOTNY, KARLA (LE)
RPM UNLIMITED PARTNERSHIP
SOLBERG, BERT ALEXANDER

OwnerAddress2

30365 448 AVE
30701 CEDAR BLUFF RD
30701 CEDAR BLUFF RD
44746 305 ST
30701 CEDAR BLUFF RD
30393 447 AVE
30440 446 AVE
44610 305 ST
30441 447 AVE
30416 447 AVE
PO BOX 335
702 MULBERRY ST
30393 447 AVE
30431 448 AVE

OwnerAddress3

VOLIN SD 57072
MISSION HILL SD 57046
MISSION HILL SD 57046
VOLIN SD 57072
MISSION HILL SD 57046
VOLIN SD 57072
VOLIN SD 57072
VOLIN SD 57072
VOLIN SD 57072
VOLIN SD 57072
YANKTON SD 57078
YANKTON SD 57078
VOLIN SD 57072
VOLIN SD 57072

Exhibit #2 (2)

AFFIDAVIT OF MAILING

I, Denise Wubben, hereby certify that on the 12 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 .50 mile radius of the proposed project to the most recent address of the recipient known to your Affiant.

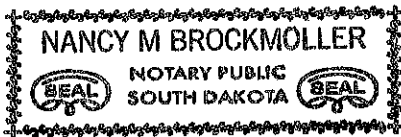
A true and correct copy of the Notice of Public Hearing notification letters are attached as Exhibit #1 or #2.

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

Dated the 12 day of December, 2018.

Denise L Wubben
(Name)
Affiant

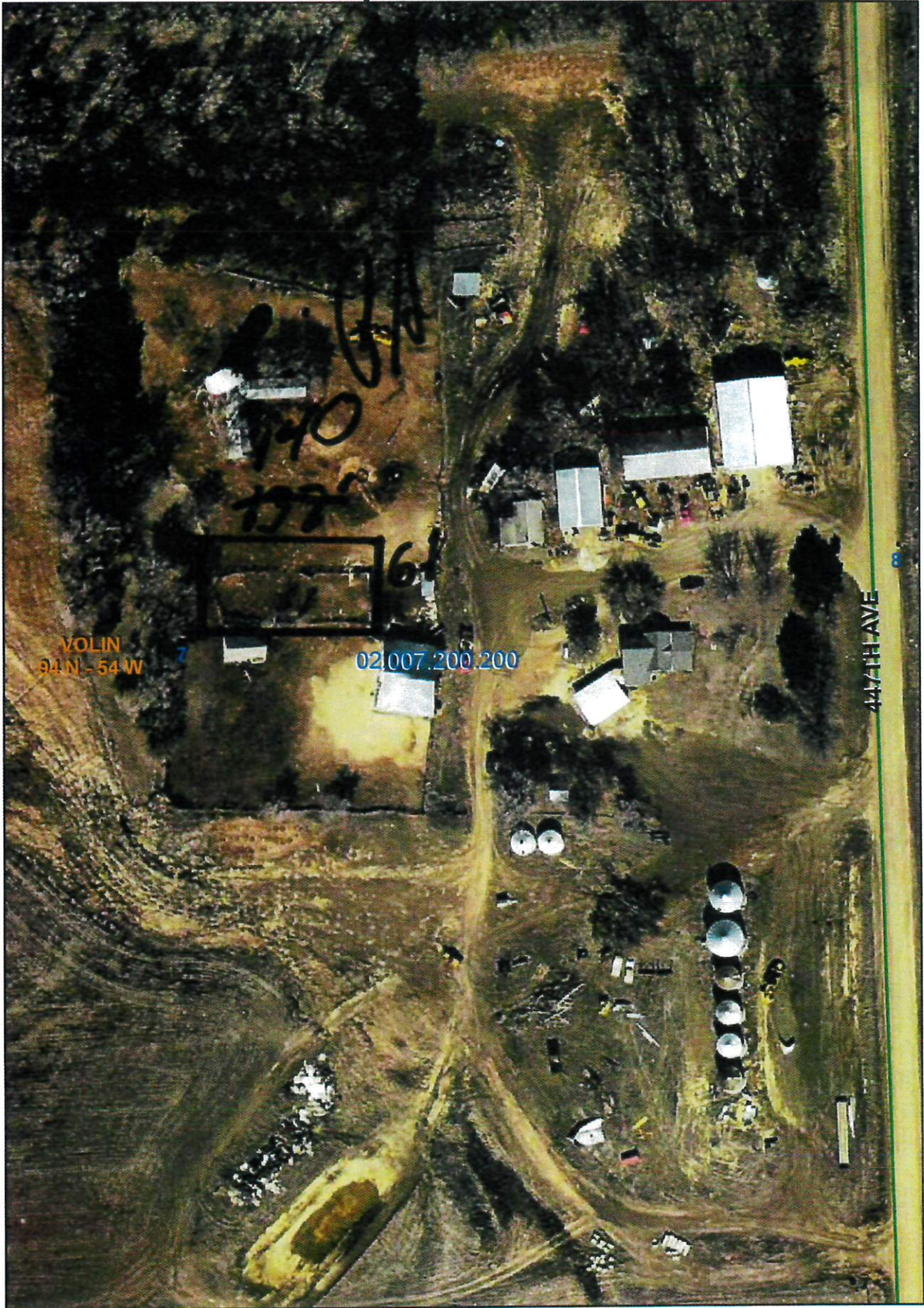
Subscribed and sworn to before me this 12th day of December, 2018.



(SEAL)

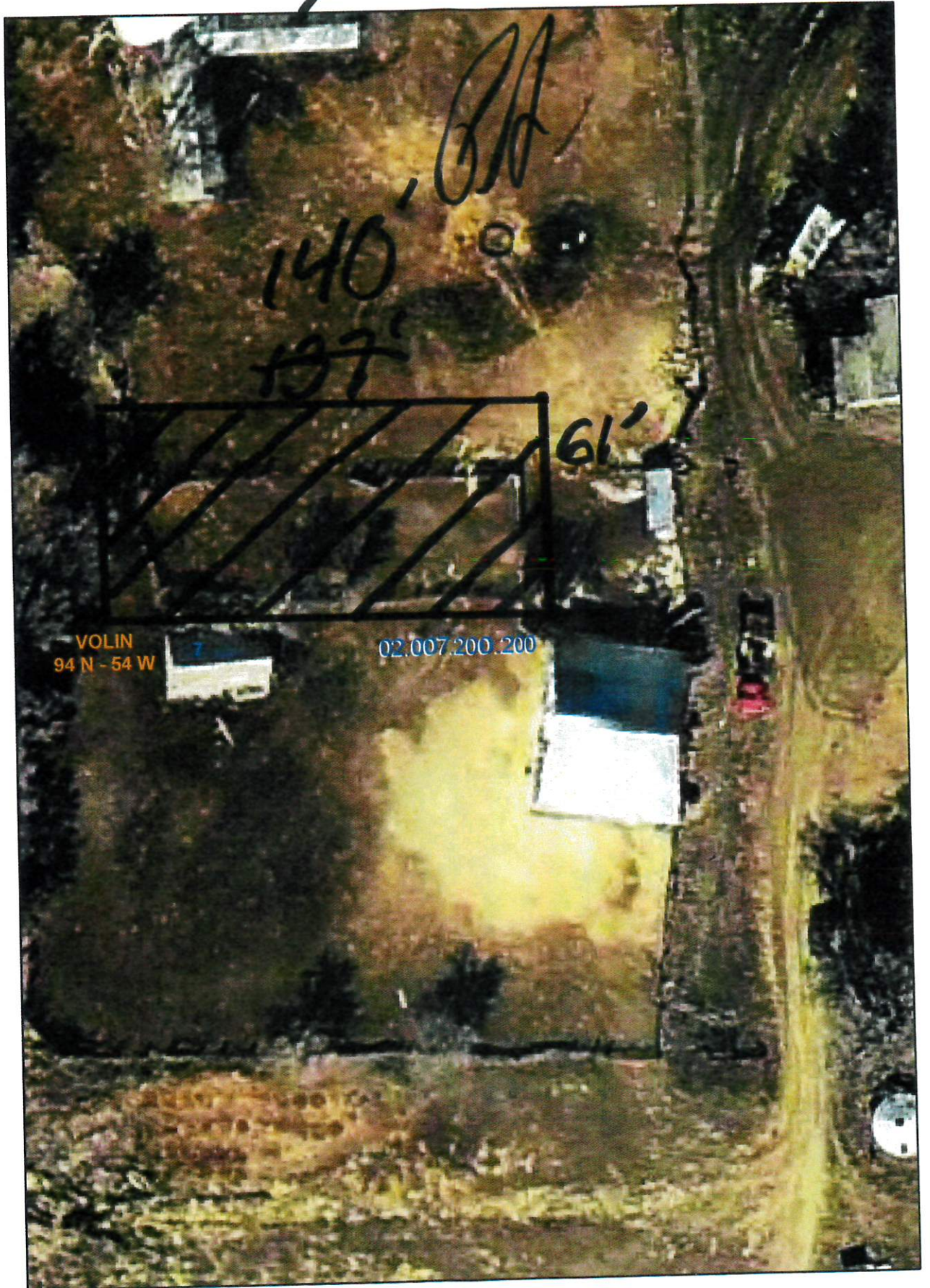
Nancy M Brockmoller
Notary Public - South Dakota
My commission expires: 4/30/18

Nursery Barn Exhibit #3



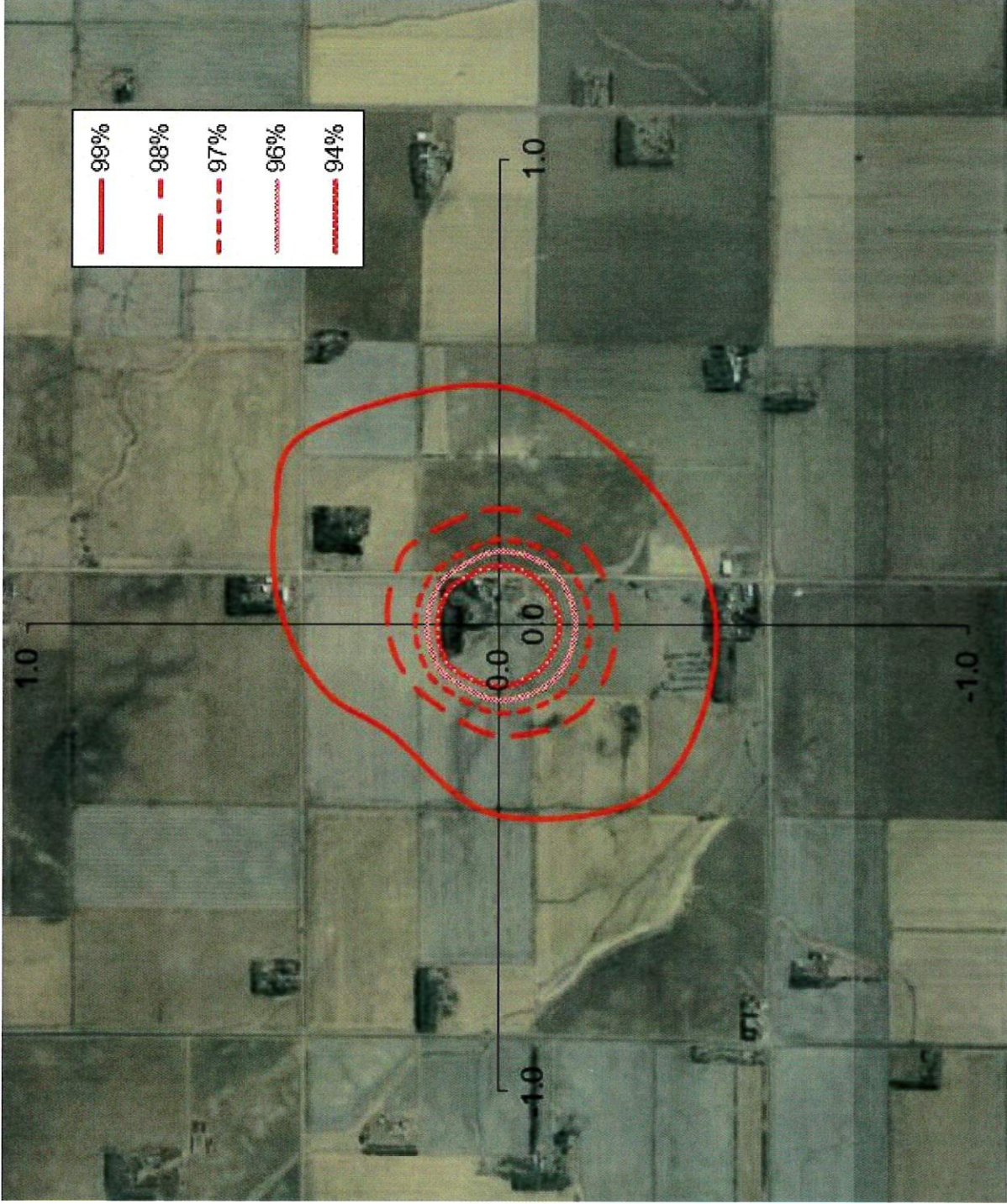
#3044

Nursery Barn



#3044

Exhibit #4



Johnson 11/18