



Davison County Planning & Zoning  
200 E. 4<sup>th</sup> Ave.  
Mitchell, SD 57301-2631  
Phone (605) 995-8615



PLANNING COMMISSION AGENDA  
October 4, 2022

1. Call to order at 7:00 P.M. by P&Z Chairman Haines.
2. Roll Call.
3. Approve the agenda.
4. Declare conflicts of interest.
5. Approve the September 6, 2022, Minutes.
6. Public input for items not on the agenda, no action will be taken.
7. Consider a conditional use application for a manure application in Davison County from an Aurora County CAFO in the Agricultural District, at the request of Lorang Family Farms, LLC.
8. Consider a conditional use application to construct a 330' telecommunications guyed wire tower to provide T-Mobile service to the area in the Agricultural District, requested by Performance Development Group, LTD.
9. Consider a variance application requested by Scot VanderPol of:
  1. +/- 21.56 acres, creating a lot size of +/- 3.44 acres, where the minimum lot size is 25 acres for a residence in the Agricultural Residential District.
10. Consider a plat of Lot A in Tract 1 of Westy Fifty 2<sup>nd</sup> Addition a Subdivision of Lot A-2, a subdivision of Lot A in the SW1/4 of Section 23, T 103 N, R 61, West of the 5<sup>th</sup> P.M., Davison County, South Dakota, at the request of Scot VanderPol.
11. Consider a plat of Tracts A Through D in Lot B in the NW1/4 of Section 11, T 103 N, R 60, West of the 5<sup>th</sup> P.M., Davison County, South Dakota, at the request of Steven & Judith Thiesse.
12. Consider a plat of Lots 1 and 2 of James Hoyt Addition in the NE1/4 of Section 11, T 102 N, R 62, West of the 5<sup>th</sup> P.M., Davison County, South Dakota, at the request of Wendy Smith & Vicki Schommer.
13. Additional comments from the group.
14. Set date and time for next meeting – November 1, 2022 @ 7:00 P.M.
15. Adjournment.

*Karen Wegleitner*

Karen Wegleitner  
Deputy Director of Planning & Zoning

## PLANNING COMMISSION MINUTES

September 6, 2022

1. Chairman Haines called the meeting to order at 7:00 P.M.
2. Roll Call-quorum is met, simple majority vote required for all items.
  - Present: Dave Anderson, Ray Gosmire, Steve Thiesse, Bruce Haines, Mike Blaalid, Brenda Bode, Lewis Bainbridge, Jeff Bathke, & Karen Wegleitner
  - Absent: None.
  - Guests: Tyler Helma, Larry Neugebauer, Scott & Dawn Mutchelknaus, Danna Kolbeck, Kayla McCloud, Daniel & Chauna McCloud, John Millan, James Wagner, Chris Nebelsick, Matt Doerr, & John & Mary Geidel.
3. Consider the proposed agenda.
  - Motion by Dave Anderson, seconded by Brenda Bode, to approve the proposed agenda. All members voted aye, motion carried.
4. Declare conflicts of interest. None.
5. Consider the previous minutes. Motion by Mike Blaalid, seconded by Ray Gosmire, to approve the August 2, 2022 proposed minutes. All members voted aye, motion carried.
6. Public input for items not on the agenda. Hearing none, the meeting continued.
7. Consider a variance application requested by Larry Neugebauer of:
  - +/- 22 acres, creating a lot size of +/- 3 acres, where the minimum lot size is 25 acres for a residence in the Agricultural District.
  - +/- 15', creating a setback of +/- 35' from the house on the east property line, where the minimum rear yard setback is 50' in the Agricultural District.

This request is located in the NW1/4 & SW1/4 of Section 25, T 102N, R 61, W of the 5<sup>th</sup> P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Variance Application. The applicant was present to answer questions.

**Discussion:** Larry is platting out 3 acres to sell to his tenant. The tenant would like to purchase the house to do some updates on a property of his own. Larry is only selling the house to his tenant and plans to keep the surrounding buildings and well in his name. His tenant will have water access from his well. He plans to give his tenant 25 acres, including the buildings and well, if anything happens to him. The board questioned why the driveway was split in half with a 15' easement on both sides. Instead of one person owning the driveway, it was decided Larry will own half and his tenant will own the other half. The easement will be indexed under both properties in the Register of Deeds.

  - Motion by Lewis Bainbridge, seconded by Steve Thiesse, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:  
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,  
Blaalid – aye, Anderson – aye, motion carried.
8. Consider a plat of Tract 1 of Helma's Addition in the SW1/4 of the NW1/4 and in the NW1/4 of the SW1/4 of Section 25, T 102 N, R 61, West of the 5<sup>th</sup> P.M., Davison County, South Dakota, at the request of Larry Neugebauer.

This request is located in the NW1/4 & SW1/4 of Section 25, T 102N, R 61, W of the 5<sup>th</sup> P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Plat Proposal. The applicant was present to answer questions.

**Discussion:** No comments or concerns on plat.



- Motion by Steve Thiesse, seconded by Mike Blaalid, to recommend approval of the Plat to the County Commissioners. Roll call vote:  
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,  
Blaalid – aye, Anderson – aye, motion carried.

9. Consider a variance application requested by Matt Doerr of:

- +/- 59', creating a setback of +/- 16' from the proposed shelterbelt on the west property line, where the minimum setback is 75' in the Agricultural District.

This request is located in the W1/2 of the SE1/4 of the SE1/4 of Section 1, T 103N, R 61, W of the 5<sup>th</sup> P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Variance Application. The applicant was present to answer questions.

**Discussion:** Matt Doerr would like to plant a shelterbelt 16' from the property line for a windbreak. The abutting neighbor to the west called about concerns with the trees being close and affecting his crops and spraying. The board asked why he wants his shelterbelt 16' away. Matt explained he doesn't want to take up land on his property, as he plans to plant other vegetation in the future.

The board explained trees suck up a lot of water from crops and prevent crops from growing and producing. The older the trees become the more water they will suck up and could affect crops 100 feet into the abutting neighbor's field. There is a fence dividing the neighbors and the Doerr's property. In time the fence will be full of trees making the lack of moisture worse for the crops. There are concerns if the fence will be able to be properly maintained. The board understands you should be able to do what you want on your own property, but we must respect our neighbors. Matt explained he respects his neighbors and is willing to compromise with whatever the decision the board decides.

- Motion by Dave Anderson, to recommend approval of the Variance to the Board of Adjustment, which died for lack of second.

10. Consider a variance application requested by Daniel & Chauna McCloud of:

- +/- 15.161 acres, creating a lot size of +/- 9.839 acres within lot 1, where the minimum lot size is 25 acres for a residence in the Agricultural District.
- +/- 14.812 acres, creating a lot size of +/- 10.188 acres within lot 2, where the minimum lot size is 25 acres for a residence in the Agricultural District.
- +/- 14.785 acres, creating a lot size of +/- 10.215 acres within lot 3, where the minimum lot size is 25 acres for a residence in the Agricultural District.
- +/- 25', creating a setback of +/- 25' from the west garage on the west property line, where the minimum side yard setback is 50' in the Agricultural District.

This request is located in the N1/2 of the NW1/4 & Lot A of McCloud's Addition of Section 14, T 102N, R 60, W of the 5<sup>th</sup> P.M., Davison County, South Dakota.

Deputy Administrator Wegleitner gave an explanation of the Variance Application. The applicant was present to answer questions.

**Discussion:** The McCloud's land is being platted to clean up the legals and gift the land to their two daughters in the future. Their land has been deeded into multiple different legals over the past years and some legal are described by measurements. Their daughters plan on building residences in the distant future.

- Motion by Steve Thiesse, seconded by Ray Gosmire, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:  
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,  
Blaalid – aye, Anderson – aye, motion carried.

11. Consider a plat of Lots 1, 2 & 3 of McCloud's Addition in the N1/2 of the NW1/4 of Section 14, T 102 N, R 60, West of the 5th P.M., Davison County, South Dakota, at the request of Daniel & Chauna McCloud.

This request is located in the N1/2 of the NW1/4 & Lot A of McCloud's Addition of Section 14, T 102N, R 60, W of the 5<sup>th</sup> P.M., Davison County, South Dakota.

Deputy Administrator Wegleitner gave an explanation of the Plat Proposal. The applicant was present to answer questions.

**Discussion:** No comments or concerns on plat.

- Motion by Dave Anderson, seconded by Mike Blaallid, to recommend approval of the Plat to the County Commissioners. Roll call vote:  
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,  
Blaallid – aye, Anderson – aye, motion carried.

12. Consider a variance application requested by James Wagner of:

- +/- 25', creating a setback of +/- 50' from the two proposed sheds on the north property line, where the minimum front yard setback is 75' in the Agricultural District.

This request is located in Lot 20 of Enemy Creek Estates, a Subdivision in the NE1/4 of Section 14, T 102N, R 60, W of the 5<sup>th</sup> P.M., Davison County, South Dakota.

Deputy Administrator Wegleitner gave an explanation of the Variance Application. The applicant was present to answer questions.

**Discussion:** James would like to build two more accessory buildings for storage. Where he lives, there are restrictions of only allowing one accessory building per lot. The board can approve the variance application and allow the buildings to be built, but the covenant & restrictions placed on the land can make him remove them.

The board asked if he could turn the east building a different direction to allow more space between the building and property lines. James explained the doors will be facing west and feels how it's placed is best.

The board discussed moving the west building to avoid another driveway, but James explained he doesn't want to drive through his front yard. There is an opening in the trees, on the west side of his property, perfect for another driveway to be added. The Township is the approving authority for the driveway.

The board made a motion to approve the two variances with the condition to amend the Amendment to Declaration of Reservations and Restrictions recorded in Book 74, Page 279 on July 29, 2014 at the Register of Deeds.

- Motion by Dave Anderson, seconded by Lewis Bainbridge, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:  
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,  
Blaallid – aye, Anderson – aye, motion carried.

13. Consider a conditional use application to amend a condition set forth on the permit granted on July 29, 2003, and amended on July 20, 2004, to add a fourth driveway to 258th Street, at the request of James Wagner.

This request is located in Lot 20 of Enemy Creek Estates, a Subdivision in the NE1/4 of Section 14, T 102N, R 60, W of the 5<sup>th</sup> P.M., Davison County, South Dakota.

Deputy Administrator Wegleitner gave an explanation of the Plat Proposal. The applicant was present to answer questions.

**Discussion:** The contents of item 13 were discussed in item 12. The board made a motion to approve the request with the condition the driveway be approved by Prosper Township.



- Motion by Dave Anderson, seconded by Mike Blaalid, to recommend approval of the Conditional Use to the Board of Adjustment. Roll call vote:  
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,  
Blaalid – aye, Anderson – aye, motion carried.

14. Consider a variance application requested by Dawn Mutchelknaus of:

- +/- 11.19 acres, creating a lot size of +/- 13.81 acres within Tract 2, where the minimum lot size is 25 acres for a residence in the Agricultural District.
- +/- 70', creating a setback of +/- 5' from the hay shelter on the north property line, where the minimum front yard setback is 75' in the Agricultural District.
- +/- 20', creating a setback of +/- 55' from the shed on the north property line, where the minimum front yard setback is 75' in the Agricultural District.
- +/- 4', creating a setback of +/- 46' from the proposed house on the east property line, where the minimum side yard setback is 50' in the Agricultural District.

This request is located in the W.1134' of the S.185' of the SE1/4 of Section 26 & W.1230' of the N.489' of the NE1/4 of Section 35 both in T 103N, R 61, W of the 5<sup>th</sup> P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Variance Application. The applicant was present to answer questions.

**Discussion:** Dawn platted out her father's land due to being described by measurements. She would like to build a residence on an existing foundation on the property. She plans to build as soon as she can and will start cleaning up the property. There is a second driveway to the east, near where she plans to build her residence. She will be using rural water and has been in contact with Davison Rural Water System.

- Motion by Lewis Bainbridge, seconded by Ray Gosmire, to recommend approval of the Variance to the Board of Adjustment. Roll call vote:  
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,  
Blaalid – aye, Anderson – aye, motion carried.

15. Consider a plat of Tract 1 of Mutchelknaus Addition in the SW1/4 of the SE1/4 of Section 26, and Tract 2 of Mutchelknaus Addition in the NW1/4 of the NE1/4 of Section 35, T 103 N, R 61, West of the 5<sup>th</sup> P.M., Davison County, South Dakota, at the request of Dawn Mutchelknaus.

This request is located in the W.1134' of the S.185' of the SE1/4 of Section 26 & W.1230' of the N.489' of the NE1/4 of Section 35 both in T 103N, R 61, W of the 5<sup>th</sup> P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Plat Proposal. The applicant was present to answer questions.

**Discussion:** No comments or concerns on plat.

- Motion by Dave Anderson, seconded by Mike Blaalid, to recommend approval of the Plat to the County Commissioners. Roll call vote:  
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,  
Blaalid – aye, Anderson – aye, motion carried.

16. Consider a plat of Tract 1 of DeVonne's Addition in the NW1/4 of Section 19, T 104 N, R 60, West of the 5<sup>th</sup> P.M., Davison County, South Dakota, except Lot H1, at the request of Glen Sommer.

This request is located in NW1/4 of Section 19, T 104N, R 60, W of the 5<sup>th</sup> P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Plat Proposal. The applicant was not present to answer questions.

**Discussion:** The property is being platted out due to the land being described by measurements and applicant would like a building permit.

- Motion by Steve Thiesse, seconded by Dave Anderson, to recommend approval of the Plat to the County Commissioners. Roll call vote:  
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,  
Blaalid – aye, Anderson – aye, motion carried.
17. Consider a plat of Tract 1 of Geidel's Addition in the SE1/4 of Section 20, T 102 N, R 60, West of the 5th P.M., Davison County, South Dakota, at the request of John & Mary Geidel. This request is located in the SE1/4 of Section 20, T 102N, R 60, W of the 5<sup>th</sup> P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the Plat Proposal. The applicant was present to answer questions.
- Discussion:** The property is being platted out due to the land being described by measurements and applicant would like a building permit.
- Motion by Dave Anderson, seconded by Mike Blaalid, to recommend approval of the Plat to the County Commissioners. Roll call vote:  
Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Bode – aye,  
Blaalid – aye, Anderson – aye, motion carried.
18. Additional Comments from the Group
- None
19. Set date and time for next meeting – October 4, 2022 @ 7:00 P.M.
20. At 8:40 P.M., a motion was made by Steve Thiesse, seconded by Dave Anderson, to adjourn the meeting. All members voted aye, motion carried.

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Bruce Haines  
Planning Commission Chairperson

*Karen Wegleitner*

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Karen Wegleitner  
Deputy Director of Planning & Zoning



# DAVISON COUNTY

## CONDITIONAL USE APPLICATION

**Applicant Name:** Lorang Family Farms LLC

**Application Date:** 8/25/2022

**Applicant Mailing Address:** 25399 398<sup>th</sup> Ave. Mt. Vernon, SD 57363

**Application deadline:** 9/19/2022

**Applicant Email:** \_\_\_\_\_

**Contact Phone:** (605) 770-5794

**Owner Name:** Lorang Family Farms

**Owner Address:** 25399 398<sup>th</sup> Ave. Mt. Vernon, SD 57363

**Owner Contact Phone:** (605) 770-5794

**Parcel Number of Parent Parcel:** 4000-10462-06110, 04000-10462-06120, 04000-10462-06300, 04000-10462-06420, 04000-10462-07100, 01000-10461-06300, 01000-10461-07200, 01000-10461-07300, 01000-10461-14300, 04000-10462-24200, 04000-10462-24100, 04000-10462-24300, 04000-10462-24400, 04000-10462-27200, 04000-10462-27100, 04000-10462-26200, 04000-10462-26300, 04000-10462-29300, 04000-10462-32200, 04000-10462-32100, 04000-10462-32300, 04000-10462-32400, 04000-10462-34300, 04000-10462-34310, 04000-10462-34400, 03000-10361-04200, 03000-10361-04130, 03000-10361-04120, 03000-10361-04110, 07000-10362-03300, 07000-10362-03420, 07000-10362-03410, 07000-10362-10210, 07000-10362-08300, 07000-10362-23300, 07000-10362-23400, 07000-10362-27210, 07000-10362-27100, 07000-10362-26220, 03000-10361-29300, 03000-10361-29400, 07000-10362-28300, 07000-10362-35300, 07000-10362-33300, 05000-10261-29310, 05000-10261-32210, 05000-10261-28310, 05000-10261-28320, 05000-10261-27400, 05343-10261-00100, 05343-10261-00200, 01000-10461-07100, 04000-10462-31410, & 05000-10261-34315

### **Legal Description of proposed parcel:**

Parcel 1: All of Section 6, T 104 N, R 62 W of the 5th P.M

Parcel 2: NE1/4 of Section 7, T 104 N, R 62 W of the 5th P.M

Parcel 3: SW1/4 of Section 6, T 104 N, R 61 W of the 5th P.M

Parcel 4: W1/2 of Section 7, T 104 N, R 61 W of the 5th P.M

Parcel 5: SW1/4 of Section 14, T 104 N, R 61 W of the 5th P.M

Parcel 6: All of Section 24, T 104 N, R 62 W of the 5th P.M

Parcel 7: N1/2 of Section 27, T 104 N, R 62 W of the 5th P.M

Parcel 8: SW1/4 of Section 26, T 104 N, R 62 W of the 5th P.M

Parcel 9: SW1/4 of Section 29, T 104 N, R 62 W of the 5th P.M

Parcel 10: All of Section 32, T 104 N, R 62 W of the 5th P.M

Parcel 11: E1/2 of the SE1/4 of Section 31 T 104 N R 62 W of the 5th P.M.

Parcel 12: S1/2 of Section 34, T 104 N, R 62 W of the 5th P.M

Parcel 13: N1/2 of Section 4, T 103 N, R 61 W of the 5th P.M

Parcel 14: S1/2 of Section 3, T 103 N, R 62 W of the 5th P.M

Parcel 15: W1/2 of Section 2, T 103 N, R 62 W of the 5th P.M.

Parcel 16: SW1/4 of Section 8, T 103 N, R 62 W of the 5th P.M.

Parcel 17: NW1/4 of Section 10, T 103 N, R 62 W of the 5th P.M.

Parcel 18: North 60 acres in SE1/4 of Section 22, T 103 N, R 62 W of the 5th P.M.

Parcel 19: S1/2 of Section 23, T 103 N, R 62 W of the 5th P.M.

Parcel 20: N1/2 of Section 27, T 103 N, R 62 W of the 5th P.M.

Parcel 21: 40 acres in NW1/4 of Section 26, T 103 N, R 62 W of the 5th P.M.

Parcel 22: S1/2 of Section 29, T 103 N, R 61 W of the 5th P.M.

Parcel 23: SW1/4 of Section 28, T 103 N, R 62 W of the 5th P.M.  
Parcel 24: SW1/4 of Section 33, T 103 N, R 62 W of the 5th P.M.  
Parcel 25: SW1/4 of Section 28, T 102 N, R 61 W of the 5th P.M.  
Parcel 26: North 80 acres in SW1/4 of Section 29, T 102 N, R 61 W of the 5th P.M.  
Parcel 27: N1/2NW1/4 of Section 32, T 102 N, R 61 W of the 5th P.M.  
Parcel 28: SE1/4 of Section 27, T 102 N, R 61 W of the 5th P.M.  
Parcel 29: SW1/4 of Section 34, T 102 N, R 61 W of the 5th P.M.  
Parcel 30: NE1/4 of Section 7, T 104 N, R 61 W of the 5th P.M.;  
all in Davison County, South Dakota.

**Zoning District:** Agricultural

**Reason for Conditional Use Request:** Manure Application in Davison County from an Aurora County CAFO.

**Section of Code Allowing Conditional Use:** 3:05, 3:10(11), 3:10(12), 11:06(A), & 12:06(A)

**Fee Collected for Condition Use (\$100):** 8/25/2022

**Check #:** 2199

**Receipt #:** 12464

**Planning Commission Hearing Date:** 10/4/2022

**Board of Adjustment Hearing Date:** 10/11/2022

**FOR ANIMAL FEEDING OPERATIONS ONLY:**

**Current Animal Units in Operation:** Valley Fresh Foods, Inc. fka National Food Corporation in Plankinton, SD - permitted for 1,980,000 million chickens

**Proposed Expansion of Operation:** NA

**Required Items:**

- ☒ Detailed site plan (GIS Photo of the property)
- ☒ Location and use of adjacent structures/land Agricultural and Ag Residential
- ☒ Application Fee

**Signatures of Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_



**Concentrated Animal Feeding Operations Check List**  
**To go with the Variance Check List**

**Applicant:** Lorang Farms and Lorang Grain  
**Property Owner:** Various  
**Site Plan Showing Required Setbacks:** x  
**Operation Type:** Chicken manure from Aurora County – Valley Fresh Foods, Inc. in Plankinton, SD  
**Operation Ownership/Management:** Lorang Farms and Lorang Grain  
**Labor Considerations:** NA, existing  
**Building Type:** NA, existing in Aurora County  
**Current Operation Status:** Local Farmer

**Application Date:** 8/25/22  
**Parcel Number:** Various  
**Site Topography:** x

**Manure Application Information:**

**Manure Management Plan:** Yes  
**Location:**  
**Manure Application:** ☐ Injected    ☒ Surface Applied    ☐ Tanker    ☐ Drag Line  
**Manure Applied by:** ☒ Self    ☐ Contractor:  
**Time required to apply manure:** All year long  
**Gallons of manure generated per year:** approximately 5,000 tons  
**Gallons of manure held in pit:** NA. Building in Aurora County holds 500 tons.  
**Value of manure generated per year:** approximately \$150,000/year  
**Value of commercial fertilizer per year to cover same area:** approximately \$200,000/year  
**Cost savings per year:** approximately \$50,000/year

**Road Information:**

**Access to Roads:** Various  
**Driveway Required:** NA-Delivery  
**Road Type:** ☒ County    ☒ Township    ☒ State  
**Construction Haul Roads:** NA  
**Construction Timeline:** NA  
**Feed Haul Roads:** NA  
**Animal Haul Roads:** NA  
**Electrical Supply Installed:** NA  
**911 Address:** NA  
**Mortality Plan:** NA

**Water Concerns:**

**Storm Water Permit:** NA  
**Water Runoff Concerns:** Firesteel Creek, Lake Mitchell, Enemy Creek  
**Livestock Water Supply:** ☐ Rural Water Approved    ☐ Well Permit  
**Water Plan:** NA  
**Aquifer Name:** Dakota, Niabrara,

**Depth below Surface** 325'

**Approximate Thickness:** 110-400'

**Distance to Rivers/Creeks:** Multiple distances as some streams pass through some of the land included in application.

## Distance Concerns:

**Distance to Closest Residences:** 473'

NAME	ADDRESS
1. Marty & Kristi Moody	– 39491 244 <sup>th</sup> St., Mt. Vernon, SD 57363 – 2,263'
2. Monte & Heather Fristad	– 39458 245 <sup>th</sup> St., Mt. Vernon, SD 57363 – 2,342'
3. John & Brianne Walsh	– 24538 394 <sup>th</sup> Ave., Mt. Vernon, SD 57363 – 3,095'
4. Brian Sonne	– 39956 246 <sup>th</sup> St., Mt. Vernon, SD 57363 – 2,458'
5. Mike & Nancy Tingle	– 24821 400 <sup>th</sup> Ave., Mt. Vernon, SD 57363 – 881'
6. Todd & Blaide Hanson	– 25152 397 <sup>th</sup> Ave., Mt. Vernon, SD 57363 – 661'
7. Doug & Dawn Roth	– 40145 255 <sup>th</sup> St., Mt. Vernon, SD 57363 – 473'

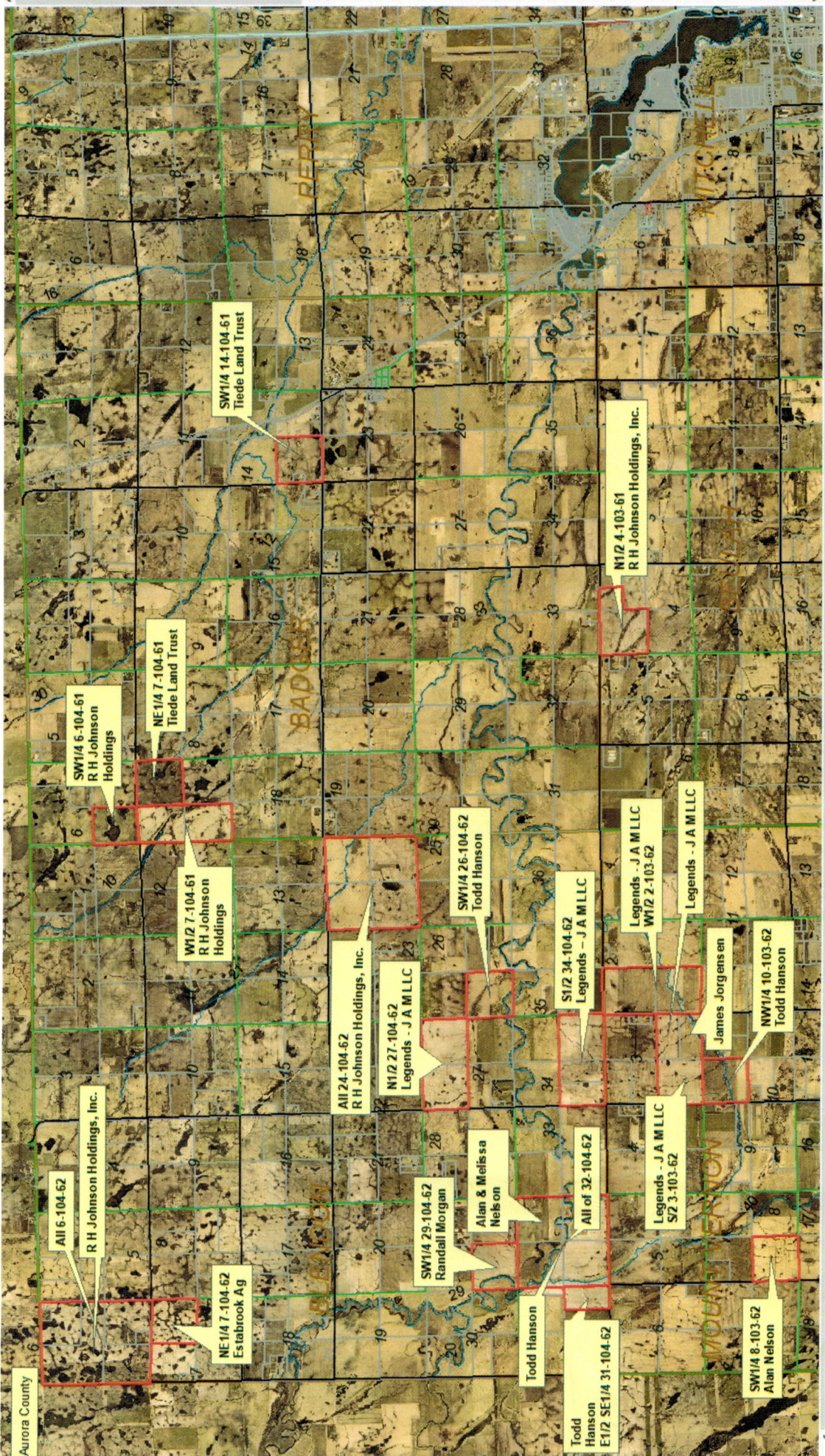
**Distance to surrounding CAFOs:** Northern Prairie Swine, LLC (Blendon Township) 2,313 feet & Blue Stem Family Farms, LLC (Beulah Township) 5,351 feet

**Reclamation Plan:** NA

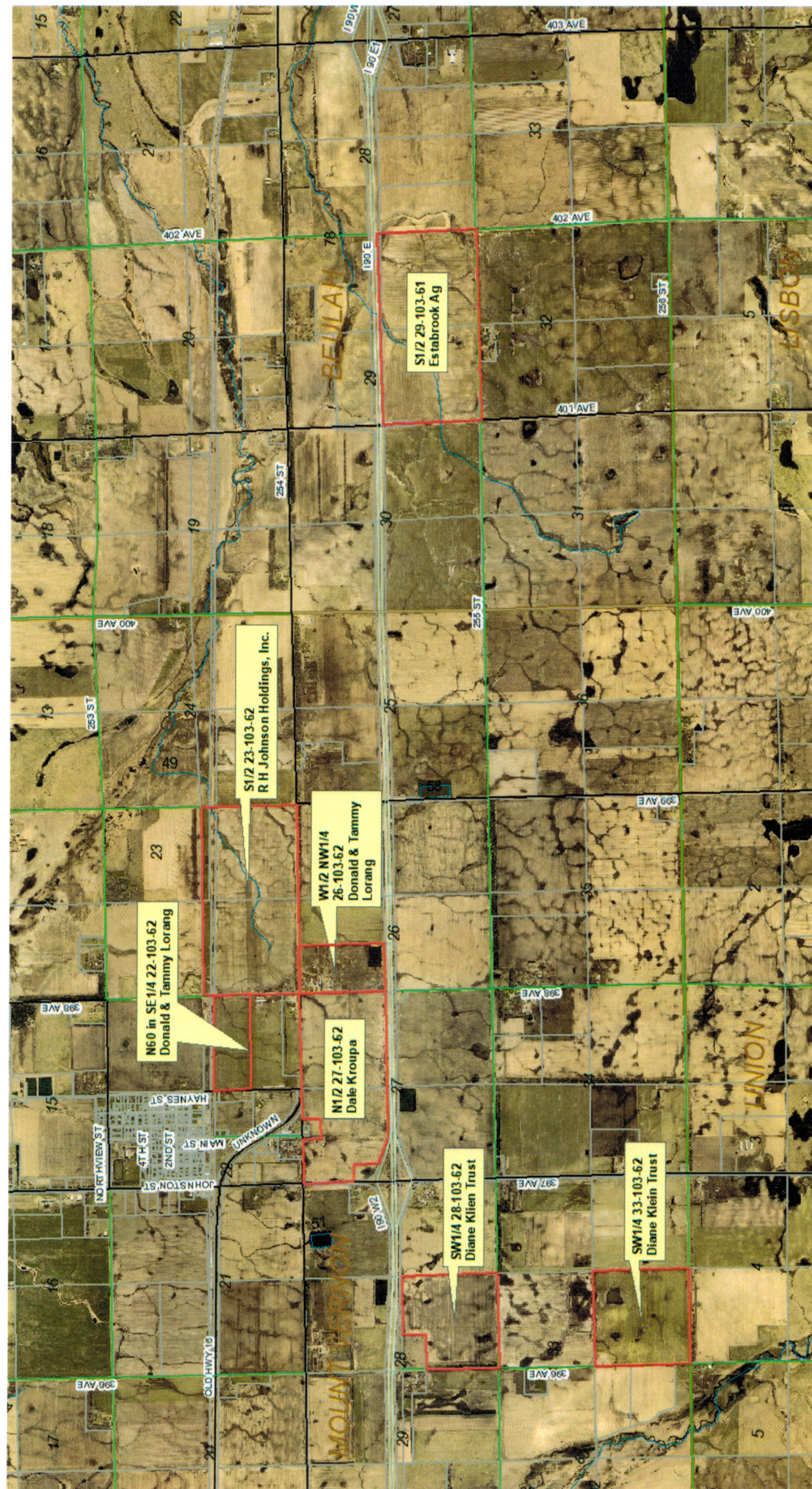
**Planning Commission Date/Time:** 10/4/2022 @ 7:00 P.M.

**Board of Adjustment Date/Time:** 10/11/2022 @ 9:15 A.M.

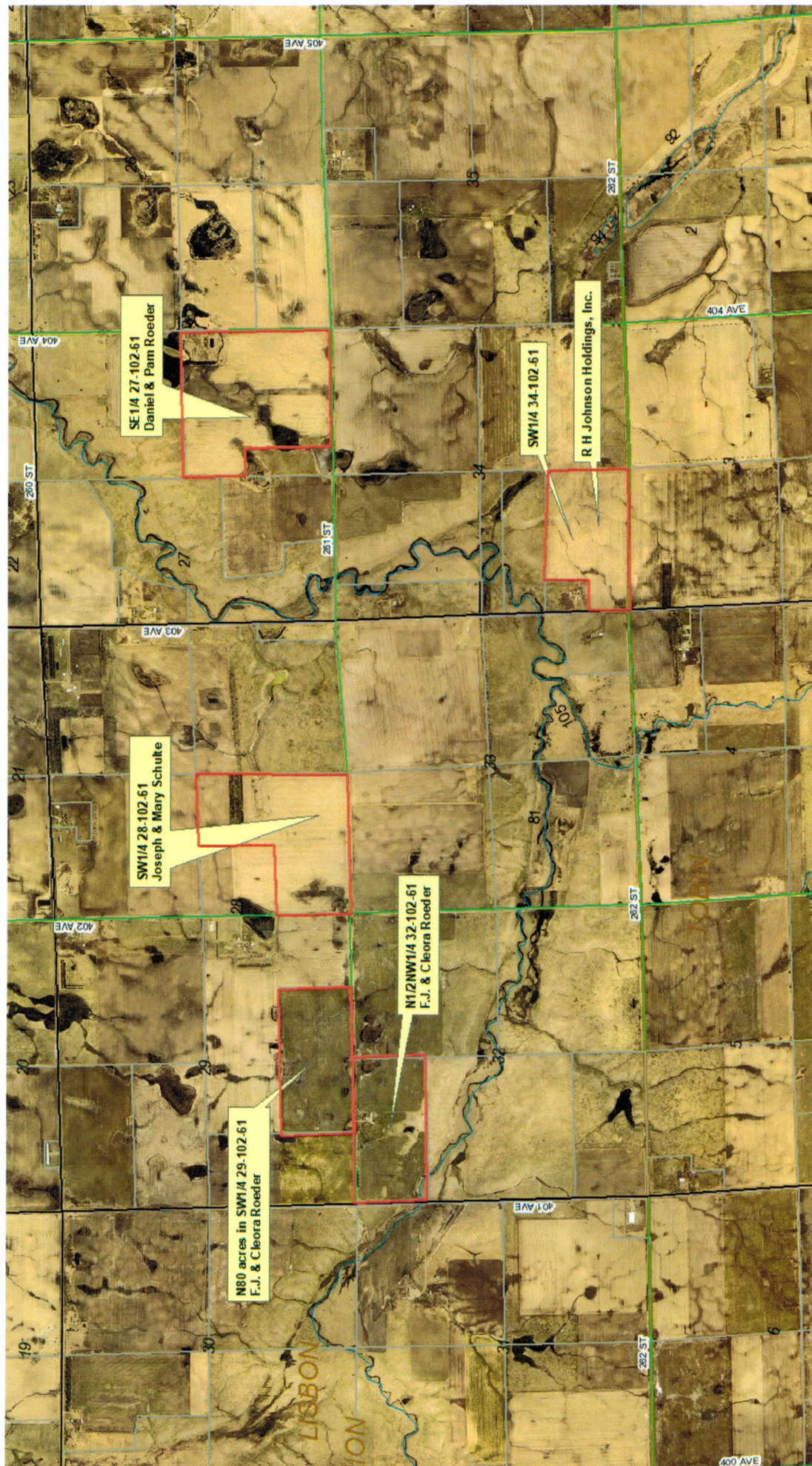














# DAVISON COUNTY CONDITIONAL USE APPLICATION

**Applicant Name:** Performance Development Group, LTD

**Applicant Mailing Address:** P.O. Box. 39, Gary, SD 57237

**Application Date:** 9/12/22

**Application Deadline:** 9/19/22

**Applicant Email:** bsnyder@vikor.com

**Contact Phone:** 331-6972 (Ben Snyder)

**Owner Name:** Ronald & Patricia Deinert Living Trust

**Owner Address:** 39981 254<sup>th</sup> St., Mt. Vernon, SD 57363

**Owner Contact Phone:** \_\_\_\_\_

**Parcel Number of Parent Parcel:** 07000-10362-253-00

**Legal Description of parcel:** SW1/4 of Section 25, T 103 N, R 62, West of the 5th P.M., Davison County, South Dakota, ex. Lot H-1.

**Zoning District:** Agricultural

**Reason for Conditional Use Request:** To construct a 330' telecommunications guyed wire tower to provide T-Mobile service to the area.

**Section of Code Allowing Conditional Use:** Section 3:04(40), 11:06(A), and 12:06(A)

**Fee Collected for Condition Use (\$100):** 9/12/22

**Check #:** Credit Card

**Receipt #:** 12566

**Planning Commission Hearing Date:** 10/4/22

**Board of Adjustment Hearing Date:** 10/11/22

## FOR ANIMAL FEEDING OPERATIONS ONLY:

**Current Animal Units in Operation:** N/A

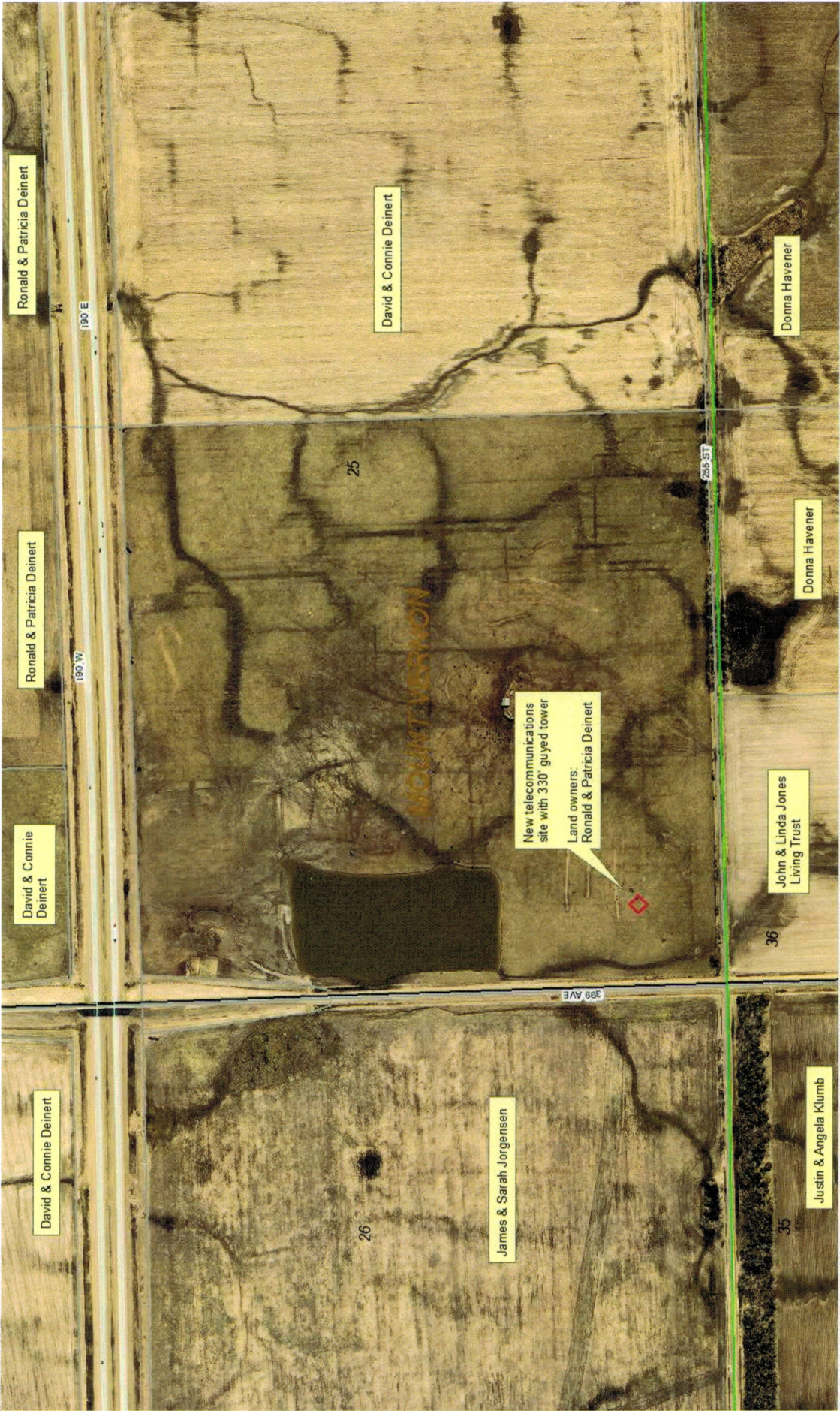
**Proposed Expansion of Operation:** N/A

## Required Items:

- ☒ Detailed site plan (GIS Photo of the property)
- ☒ Location and use of adjacent structures
- ☒ Application Fee

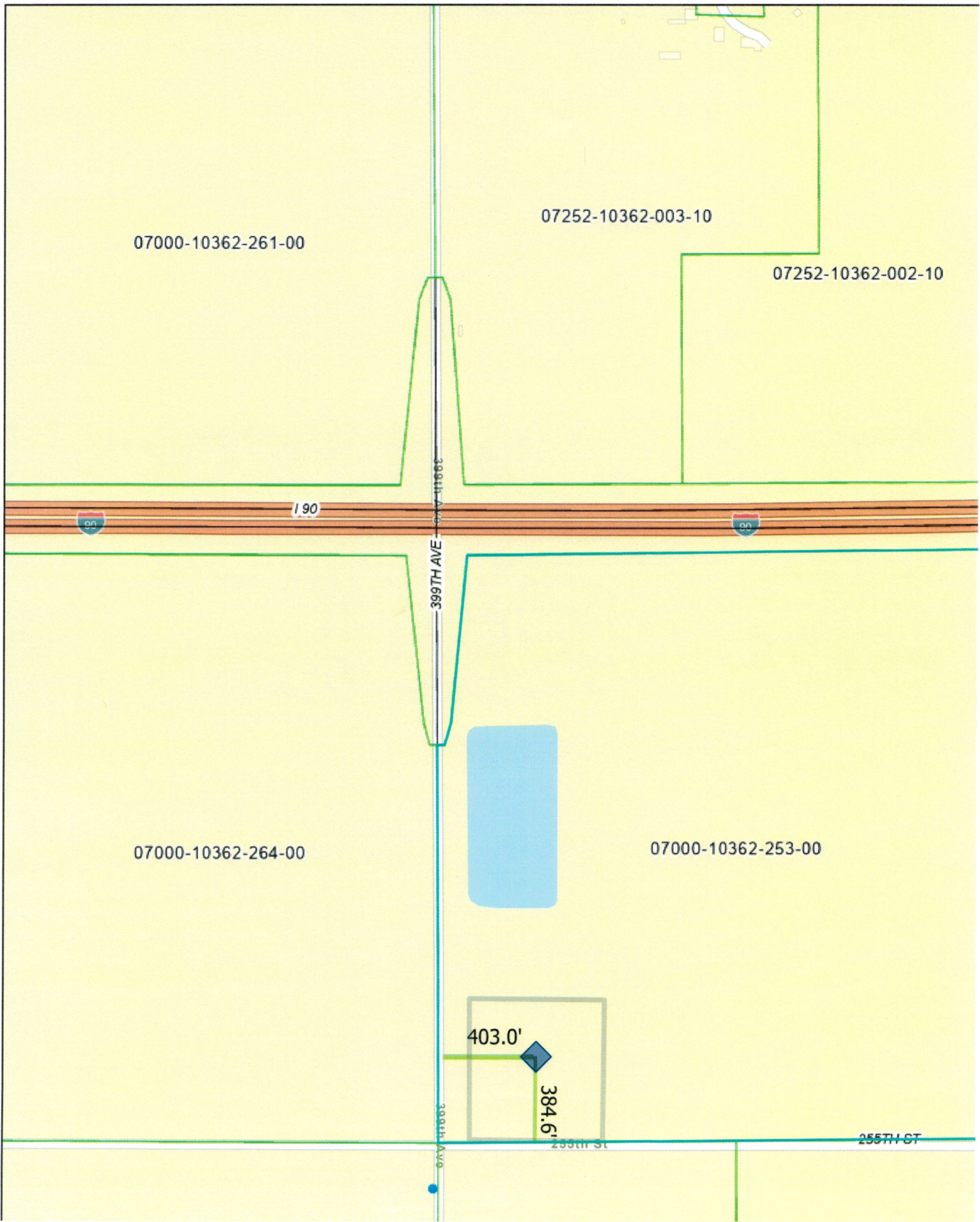
**Signatures of Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_







# DAVISON COUNTY WEB VIEWER





# DAVISON COUNTY VARIANCE APPLICATION

**Applicant Name:** Scot VanderPol

**Application date:** 9/19/22

**Applicant Address:** 40434 254<sup>th</sup> St., Mitchell, SD 57301

**Application deadline:** 9/19/22

**Applicant Email:** svanderpol@trailingking.com

**Contact Phone:** 770-9894

**Owner Name:** Hot Rod Road, LLC

**Owner Address:** 1001 Hot Rod Road, Mitchell, SD 57301

**Owner Contact Phone:** 770-9894

**Parcel Number of parent parcel:** 03000-10361-233-15

**Legal Description of current parcel(s):** Tract 1 of West Fifty 2nd Addition, a Subdivision of Lot A-2, a Subdivision of Lot A in the SW1/4 of Section 23, Township 103 North, Range 61, West of the 5th P.M., Davison County, South Dakota.

**Proposed Legal Description of parcels:** Lot A in Tract 1 of West Fifty 2nd Addition, a Subdivision of Lot A-2, a Subdivision of Lot A in the SW1/4 of Section 23, Township 103 North, Range 61, West of the 5th P.M., Davison County, South Dakota.

**Reason for Variance:** Recommend granting a variance of:

1. +/- 21.56 acres, creating a lot size of 3.44 acres, where the minimum lot size is 25 acres for a residence in the Agricultural Residential District.

This request is pursuant to Section 4:07(4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.

**Reason for Request to include hardships:** Applicant plans to sell Lot A to a family member for a residence.

**Section of Code Allowing Variance:** 4:07(4), 11:06(B), and 12:06(B)

**Fee Collected for Variance (\$100):** 9/19/22

**Check #:** CC

**Receipt #:** 12612

**Planning Commission Hearing Date:** 10/4/22

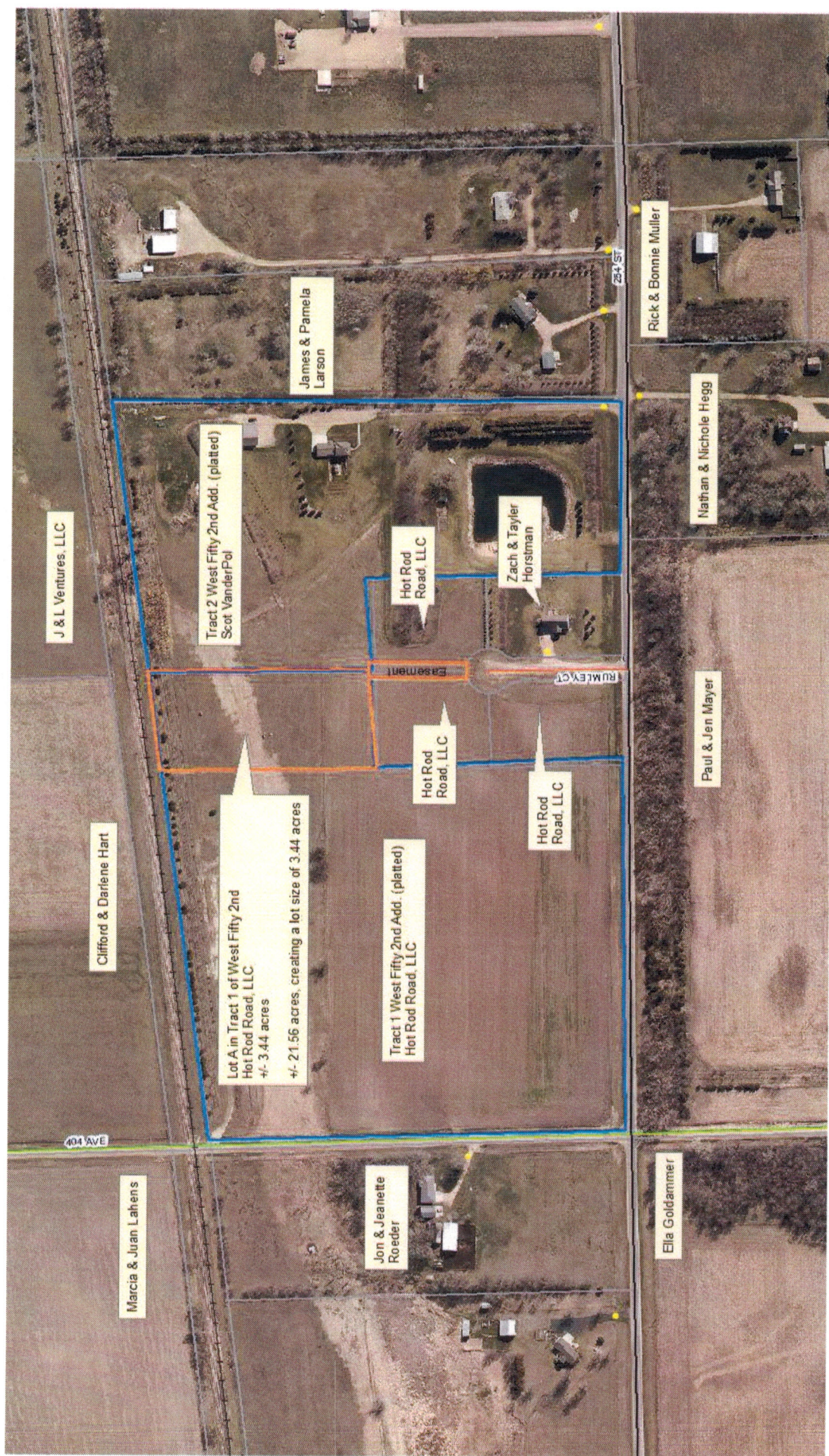
**Board of Adjustment Hearing Date:** 10/11/22

## Required Items:

- ☐ Detailed site plan (GIS Photo of the property)
- ☒ Location and use of adjacent structures/land Agricultural, Residential
- ☒ Application Fee

**Signatures of Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

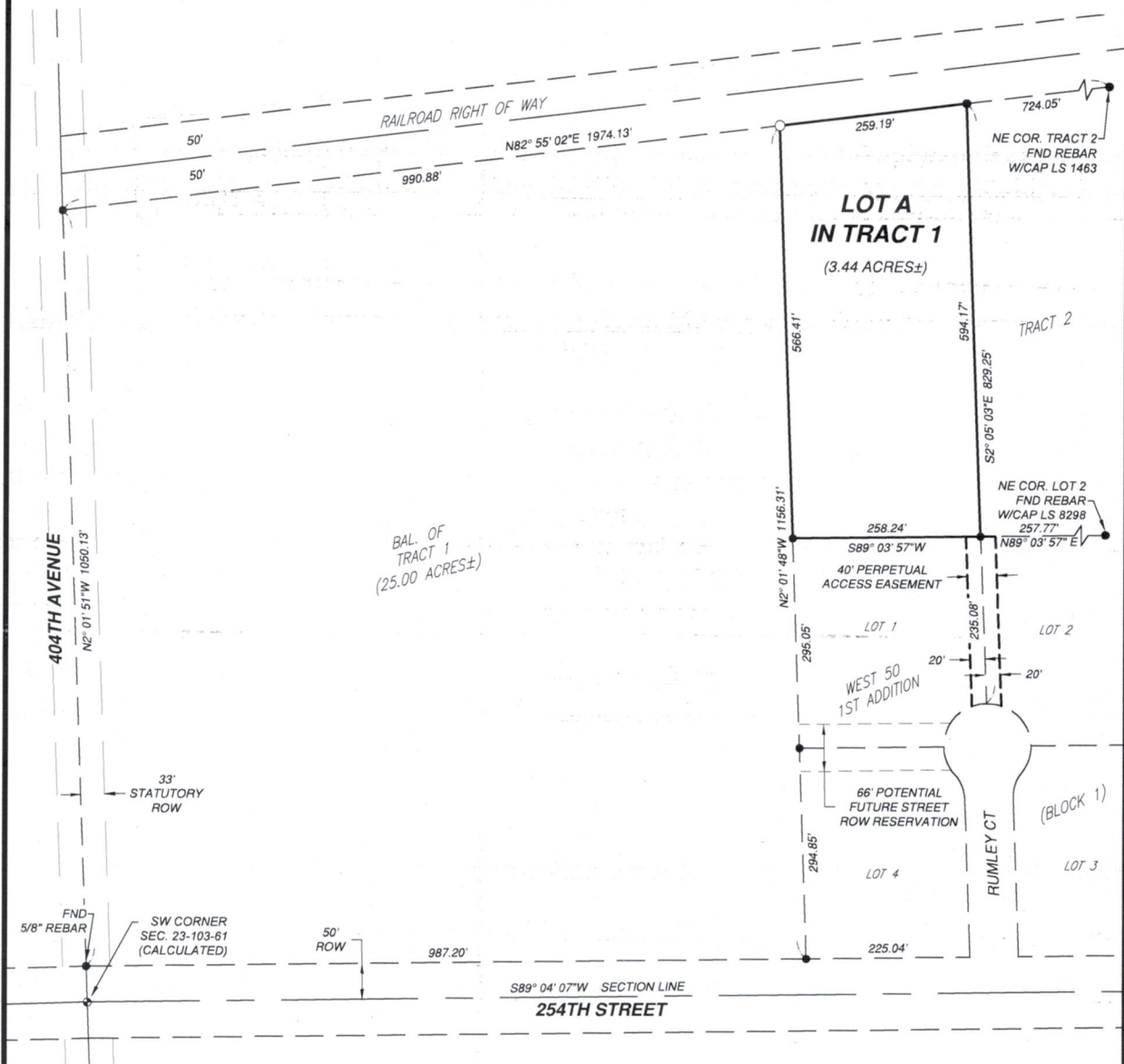






# **LOT A IN TRACT 1 OF WEST FIFTY 2ND ADDITION**

A SUBDIVISION OF LOT A-2, A SUBDIVISION OF LOT A IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 23, TOWNSHIP 103 NORTH, RANGE 61 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA



## **LEGEND**

- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- FOUND SURVEY REBAR W/CAP LS 6702 UNLESS NOTED OTHERWISE
- SET NO. 5 REBAR W/CAP RLS NO. 8298



## **SURVEYOR'S NOTES**

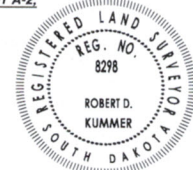
1. BEARINGS ARE BASED ON SOUTH DAKOTA STATE PLANE, SOUTH ZONE.
2. ALL DISTANCES ARE GROUND.
3. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS OF RECORD WERE NOT RESEARCHED AND MAY NOT BE SHOWN.

## **SURVEYOR'S CERTIFICATE**

I, ROBERT D. KUMMER, A REGISTERED LAND SURVEYOR OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT I DID ON OR BEFORE SEPTEMBER 16, 2022, FOR THE PURPOSE OF PLATTING FOR CONVEYANCE, DID SURVEY THAT PORTION AS SHOWN OF TRACTS 1 OF WEST FIFTY 2ND ADDITION, A SUBDIVISION OF LOT A-2, A SUBDIVISION OF LOT A IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 23, TOWNSHIP 103 NORTH, RANGE 61 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA AS SHOWN ON THE ABOVE PLAT. THE SAME SHALL HEREAFTER BE KNOWN AND DESCRIBED AS **LOT A IN TRACT 1 OF WEST FIFTY 2ND ADDITION, A SUBDIVISION OF LOT A-2, A SUBDIVISION OF LOT A IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 23, TOWNSHIP 103 NORTH, RANGE 61 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.**

DATED THIS \_\_\_\_ DAY OF \_\_\_\_, 2022.

ROBERT D. KUMMER  
 REGISTERED LAND SURVEYOR NO. 8298



PREPARED BY:

**infrastucture**  
 design group, inc.

520 N LAWLER ST., SUITE 400  
 MITCHELL, SD 57301  
 PHONE: 605-292-0231  
 WEB: infrastucturedg.com

## **LOT A IN TRACT 1 OF WEST FIFTY 2ND ADDITION**

A SUBDIVISION OF LOT A-2, A SUBDIVISION OF LOT A IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 23, TOWNSHIP 103 NORTH, RANGE 61 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

PROJ. NO.: 22059  
 DATE: 9/15/2022  
 DRAWN BY: MAS  
 CHECKED BY: RDK  
 SHEET NO: 1 OF 2

## LOT A IN TRACT 1 OF WEST FIFTY 2ND ADDITION

A SUBDIVISION OF LOT A-2, A SUBDIVISION OF LOT A IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 23, TOWNSHIP 103 NORTH, RANGE 61 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

### OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL LAND INCLUDED IN THE ABOVE PLAT AND THAT SAID PLAT HAS BEEN MADE AT OUR REQUEST AND IN ACCORDANCE WITH OUR INSTRUCTIONS FOR THE PURPOSE OF TRANSFER, AND THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND EROSION AND SEDIMENT CONTROL LAWS, ORDINANCES, AND REGULATIONS. PURSUANT TO SDCL 11-3-8.1 AND 11-3-8.2 THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE RESPONSIBLE FOR PROTECTING ANY WATER OF THE STATE LOCATED ADJACENT TO OR WITHIN SUCH PLATTED AREA FROM POLLUTION FROM SEWAGE FROM SUCH SUBDIVISION AND SHALL, IN PROSECUTION OF SUCH PROTECTIONS CONFORM TO AND FOLLOW ALL REGULATION OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME. ADDITIONALLY, THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE LIABLE FOR ANY POLLUTION THAT OCCURS FROM FAILURE TO EXECUTE SUCH PROTECTIONS OR FOLLOW SUCH REGULATIONS, EXCEPTION BEING THOSE LOTS IN SUBDIVISIONS THAT SHOW DOCUMENTATION THAT WASTEWATER DRAINAGE SHALL BE CONNECTED TO A MUNICIPAL SYSTEM.

WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER THE STREETS, ROADS AND ALLEYS, AND PARKS AND PUBLIC GROUNDS, IF ANY, AS SHOWN ON SAID PLAT, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATER DISTRIBUTION LINES, SIDEWALKS, AND OTHER IMPROVEMENTS ON OR UNDER THE STREETS, ALLEYS, PARKS AND PUBLIC GROUNDS WHETHER SUCH IMPROVEMENTS ARE SHOWN OR NOT. I/WE ALSO HEREBY GRANT EASEMENTS TO RUN WITH THE LAND FOR WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICE UNDER, ON, OR OVER THOSE STRIPS OF LAND DESIGNATED HEREON AS EASEMENTS.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_, 2022.

ON BEHALF OF HOT ROD ROAD, LLC

TITLE: \_\_\_\_\_

STATE OF: SOUTH DAKOTA )

COUNTY OF: DAVISON ) :SS

ON THIS \_\_\_\_ DAY OF \_\_\_\_, 2022, BEFORE ME, THE UNDERSIGNED OFFICER, APPEARED \_\_\_\_\_ WHO ACKNOWLEDGED HIM/HERSELF TO BE THE \_\_\_\_\_ OF HOT ROD ROAD, A LIMITED LIABILITY COMPANY, AND THAT HE/SHE, AS SUCH MEMBER BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE COMPANY BY HIM/HERSELF AS SUCH MEMBER.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL THIS

\_\_\_\_ DAY OF \_\_\_\_, 2022

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES: \_\_\_\_\_

DATED THIS \_\_\_\_ DAY OF \_\_\_\_, 2022.

ON BEHALF OF HOT ROD ROAD, LLC

TITLE: \_\_\_\_\_

STATE OF: SOUTH DAKOTA )

COUNTY OF: DAVISON ) :SS

ON THIS \_\_\_\_ DAY OF \_\_\_\_, 2022, BEFORE ME, THE UNDERSIGNED OFFICER, APPEARED \_\_\_\_\_ WHO ACKNOWLEDGED HIM/HERSELF TO BE THE \_\_\_\_\_ OF HOT ROD ROAD, A LIMITED LIABILITY COMPANY, AND THAT HE/SHE, AS SUCH MEMBER BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE COMPANY BY HIM/HERSELF AS SUCH MEMBER.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL THIS

\_\_\_\_ DAY OF \_\_\_\_, 2022

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES: \_\_\_\_\_

### CERTIFICATE OF ROAD AUTHORITY

THE LOCATIONS OF THE EXISTING APPROACHES ARE HEREBY APPROVED. ANY CHANGE IN THE LOCATIONS OF THE EXISTING APPROACHES SHALL REQUIRE ADDITIONAL APPROVAL.

BY: \_\_\_\_\_  
ROAD AUTHORITY TITLE DATE

### RESOLUTION OF COUNTY PLANNING COMMISSION

WHEREAS, THE PLAT OF LOT A IN TRACT 1 OF WEST FIFTY 2ND ADDITION, A SUBDIVISION OF LOT A-2, A SUBDIVISION OF LOT A IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 23, TOWNSHIP 103 NORTH, RANGE 61 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, HERETOFORE FILED IN THE OFFICE OF THE COUNTY AUDITOR OF DAVISON COUNTY, SOUTH DAKOTA HAS BEEN SUBMITTED TO THE COUNTY PLANNING COMMISSION OF THE SAID COUNTY OF DAVISON, SOUTH DAKOTA; AND

WHEREAS, THE COUNTY PLANNING COMMISSION, IN REGULAR MEETING ASSEMBLED, HAD DULY CONSIDERED SAID PLAT AND FINDS AS A FACT THAT SAID PLAT IS IN CONFORMITY AND DOES NOT CONFLICT WITH THE MASTER PLAN FOR THE COUNTY OF DAVISON, SOUTH DAKOTA, HERETOFORE ADOPTED BY THIS COMMISSION;

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF DAVISON COUNTY, SOUTH DAKOTA, THAT THE PLAT OF LOT A IN TRACT 1 OF WEST FIFTY 2ND ADDITION, A SUBDIVISION OF LOT A-2, A SUBDIVISION OF LOT A IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 23, TOWNSHIP 103 NORTH, RANGE 61 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, PREPARED BY ROBERT D. KUMMER, A LAND SURVEYOR, BE AND THE SAME IS HEREBY APPROVED AND ITS ADOPTION BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF DAVISON, SOUTH DAKOTA, IS HEREBY RECOMMENDED.

THE UNDERSIGNED HEREBY CERTIFIES THAT THE FOREGOING RESOLUTION WAS PASSED BY THE COUNTY PLANNING COMMISSION OF DAVISON COUNTY, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_, 2022.

CHAIRMAN/VICE-CHAIRMAN OF DAVISON COUNTY PLANNING COMMISSION

### RESOLUTION BY BOARD OF COUNTY COMMISSIONERS

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DAVISON COUNTY, SOUTH DAKOTA, THAT THE PLAT OF LOT A IN TRACT 1 OF WEST FIFTY 2ND ADDITION, A SUBDIVISION OF LOT A-2, A SUBDIVISION OF LOT A IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 23, TOWNSHIP 103 NORTH, RANGE 61 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, WHICH HAS BEEN SUBMITTED FOR EXAMINATION PURSUANT TO LAW, IS HEREBY APPROVED AND THE COUNTY AUDITOR IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THIS RESOLUTION AND CERTIFY THE SAME.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_, 2022.

CHAIRPERSON/VICE CHAIRPERSON, BOARD OF COUNTY COMMISSIONERS  
DAVISON COUNTY, SOUTH DAKOTA

### AUDITOR'S CERTIFICATE

I, \_\_\_\_\_, DO HEREBY CERTIFY THAT I AM THE DULY ELECTED, QUALIFIED, AND ACTING COUNTY AUDITOR OF DAVISON COUNTY, SOUTH DAKOTA, AND THAT THE ABOVE RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF DAVISON COUNTY, SOUTH DAKOTA AT A REGULAR MEETING HELD ON \_\_\_\_, 2022, APPROVING THE ABOVE PLAT.

AUDITOR/DEPUTY AUDITOR, DAVISON COUNTY, SOUTH DAKOTA

### COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED IN THE ABOVE (AND THE FOREGOING) PLAT, AS SHOWN BY THE RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_, 2022.

COUNTY TREASURER/DEPUTY TREASURER  
DAVISON COUNTY, SOUTH DAKOTA

### DIRECTOR OF EQUALIZATION

I HEREBY CERTIFY THAT A COPY OF THE PLAT OF LOT A IN TRACT 1 OF WEST FIFTY 2ND ADDITION, A SUBDIVISION OF LOT A-2, A SUBDIVISION OF LOT A IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 23, TOWNSHIP 103 NORTH, RANGE 61 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, HAS BEEN RECEIVED BY ME AND FILED IN MY OFFICE.

DIRECTOR OF EQUALIZATION/DEPUTY DIRECTOR OF EQUALIZATION  
DAVISON COUNTY, SOUTH DAKOTA

### REGISTER OF DEEDS

FILED FOR RECORD THIS \_\_\_\_ DAY OF \_\_\_\_, 2022, AT \_\_\_\_\_

O'CLOCK \_\_\_\_ M., AND RECORDED IN BOOK \_\_\_\_ OF PLATS ON PAGE \_\_\_\_

REGISTER OF DEEDS/DEPUTY REGISTER OF DEEDS  
DAVISON COUNTY, SOUTH DAKOTA

PREPARED BY:

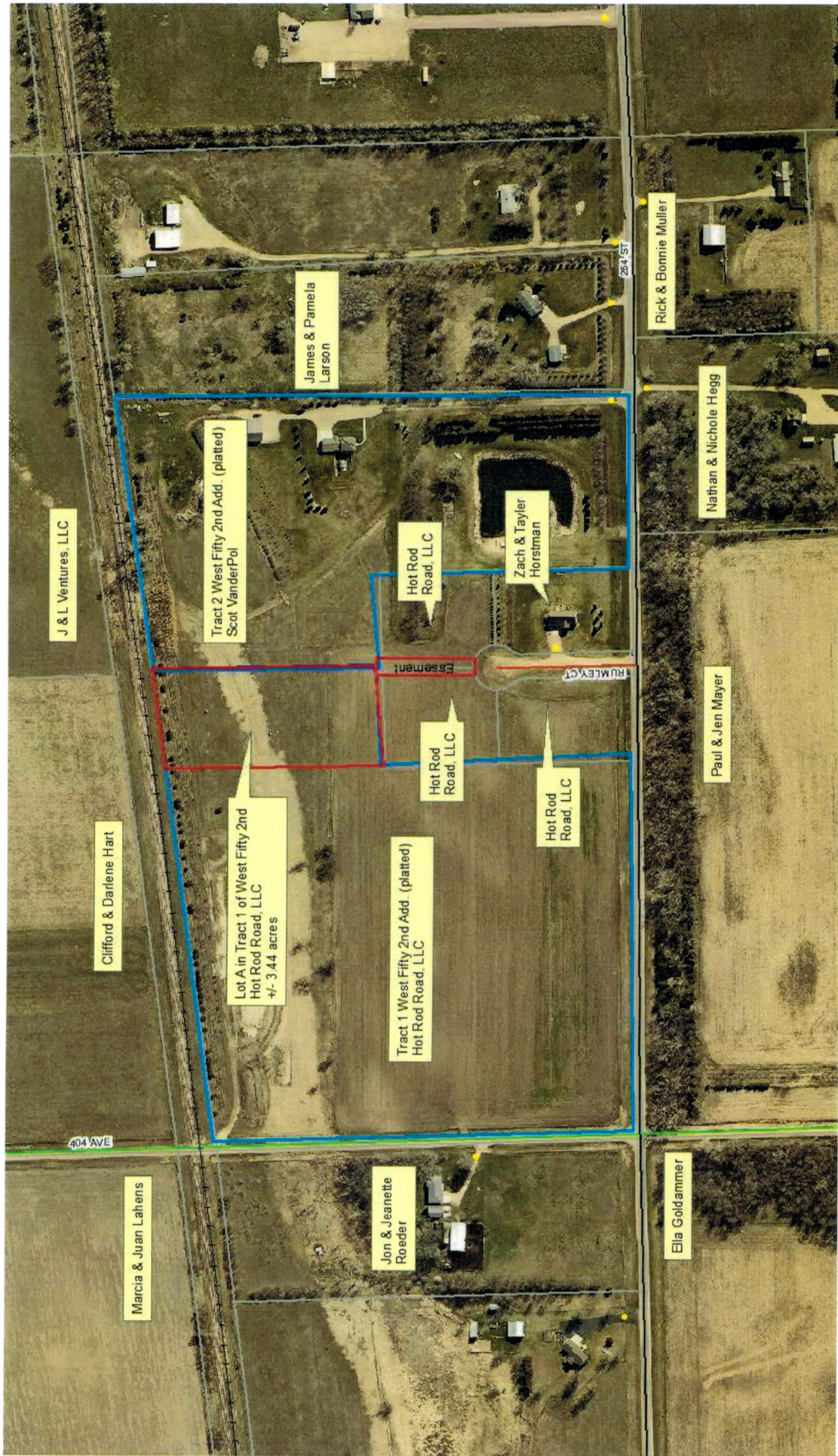
**infrastucture**  
design group, inc.

520 N LAWLER ST., SUITE 400  
MITCHELL, SD 57301  
PHONE: 605-292-0231  
WEB: infrastucturedg.com

**LOT A IN TRACT 1 OF WEST FIFTY 2ND ADDITION**  
A SUBDIVISION OF LOT A-2, A SUBDIVISION OF LOT A IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 23, TOWNSHIP 103 NORTH, RANGE 61 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

PROJ. NO.: 22059  
DATE: 9/15/2022  
DRAWN BY: MAS  
CHECKED BY: RDK  
SHEET NO. 2 OF 2

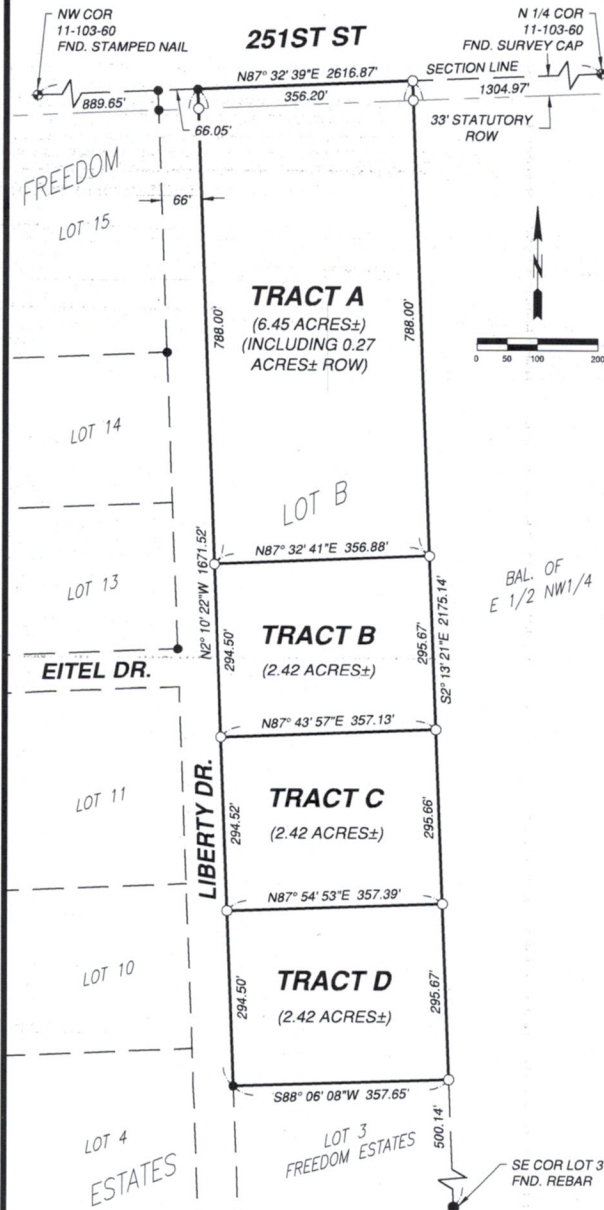






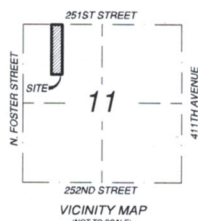
## TRACTS A THROUGH D IN LOT B

IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11, TOWNSHIP 103 NORTH,  
RANGE 60 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA



### SURVEYOR'S NOTES:

1. BASIS OF BEARING IS NAD83(2011) SOUTH DAKOTA SOUTH ZONE.
2. ALL DISTANCES ARE GROUND DISTANCES.
3. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
4. EASEMENTS OF RECORD WERE NOT RESEARCHED AND MAY NOT BE SHOWN.



### LEGEND

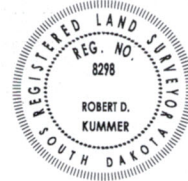
- PROPOSED PROPERTY LINE
- - - EXISTING PROPERTY LINE
- - - EXISTING EASEMENT LINE
- FOUND 5/8" REBAR (UNLESS NOTED)
- SET NO. 5 REBAR W/CAP RLS NO. 8298

### SURVEYOR'S CERTIFICATE

I, ROBERT D. KUMMER, A REGISTERED LAND SURVEYOR OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT I DID ON OR BEFORE SEPTEMBER 2, 2022, FOR THE PURPOSE OF PLATTING FOR CONVEYANCE, DID SURVEY THAT PORTION AS SHOWN OF LOT B IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA AS SHOWN ON THE ABOVE PLAT. THE SAME SHALL HEREAFTER BE KNOWN AND DESCRIBED AS **TRACTS A THROUGH D IN LOT B IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.**

DATED THIS \_\_\_\_ DAY OF \_\_\_\_, 2022.

ROBERT D. KUMMER  
REGISTERED LAND SURVEYOR NO. 8298



### OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL LAND INCLUDED IN THE ABOVE PLAT AND THAT SAID PLAT HAS BEEN MADE AT OUR REQUEST AND IN ACCORDANCE WITH OUR INSTRUCTIONS FOR THE PURPOSE OF TRANSFER, AND THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND EROSION AND SEDIMENT CONTROL LAWS, ORDINANCES, AND REGULATIONS. PURSUANT TO SDCL 11-3-8.1 AND 11-3-8.2 THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE RESPONSIBLE FOR PROTECTING ANY WATER OF THE STATE LOCATED ADJACENT TO OR WITHIN SUCH PLATTED AREA FROM POLLUTION FROM SEWAGE FROM SUCH SUBDIVISION AND SHALL, IN PROSECUTION OF SUCH PROTECTIONS CONFORM TO AND FOLLOW ALL REGULATION OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME. ADDITIONALLY, THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE LIABLE FOR ANY POLLUTION THAT OCCURS FROM FAILURE TO EXECUTE SUCH PROTECTIONS OR FOLLOW SUCH REGULATIONS, EXCEPTION BEING THOSE LOTS IN SUBDIVISIONS THAT SHOW DOCUMENTATION THAT WASTEWATER DRAINAGE SHALL BE CONNECTED TO A MUNICIPAL SYSTEM.

WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER THE STREETS, ROADS AND ALLEYS, AND PARKS AND PUBLIC GROUNDS, IF ANY, AS SHOWN ON SAID PLAT, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATER DISTRIBUTION LINES, SIDEWALKS, AND OTHER IMPROVEMENTS ON OR UNDER THE STREETS, ALLEYS, PARKS AND PUBLIC GROUNDS WHETHER SUCH IMPROVEMENTS ARE SHOWN OR NOT. I/WE ALSO HEREBY GRANT EASEMENTS TO RUN WITH THE LAND FOR WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICE UNDER, ON, OR OVER THOSE STRIPS OF LAND DESIGNATED HEREON AS EASEMENTS.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_, 2022.

STEVEN E. THIESSE

JUDITH F. THIESSE

STATE OF: SOUTH DAKOTA )

COUNTY OF: DAVISON )

ON THIS \_\_\_\_ DAY OF \_\_\_\_, 2022, BEFORE ME, THE UNDERSIGNED OFFICER, APPEARED, STEVEN E. THIESSE AND JUDITH F. THIESSE, KNOWN TO BE THE PERSONS WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL THIS \_\_\_\_ DAY OF \_\_\_\_, 2022

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES: \_\_\_\_

PREPARED BY:

**infrastructure**  
design group, inc.

520 N. LAWLER ST., SUITE 400  
MITCHELL, SD 57301  
PHONE: 605-292-0231  
WEB: [infrastructuredg.com](http://infrastructuredg.com)

**TRACTS A THROUGH D IN LOT B**  
IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11,  
TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M.,  
DAVISON COUNTY, SOUTH DAKOTA

PROJECT NO.: 22172  
DATE: 09/02/2022  
DRAWN BY: MAS  
CHECKED BY: RDK  
SHEET NO: 1 OF 2



## TRACTS A THROUGH D IN LOT B

IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11, TOWNSHIP 103 NORTH,  
RANGE 60 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

### RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, THE PLAT OF TRACTS A THROUGH D IN LOT B IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA HAS BEEN SUBMITTED TO THE CITY PLANNING COMMISSION OF SAID CITY OF MITCHELL, SOUTH DAKOTA; AND

WHEREAS, THE CITY PLANNING COMMISSION, IN REGULAR MEETING ASSEMBLED, HAD DULY CONSIDERED SAID PLAT AND FINDS AS A FACT THAT SAID PLAT IS IN CONFORMITY AND DOES NOT CONFLICT WITH THE MASTER PLAN FOR THE CITY OF MITCHELL, SOUTH DAKOTA, HERETOFORE ADOPTED BY THIS COMMISSION;

NOW THEREFORE, BE IT RESOLVED BY THE CITY PLANNING COMMISSION OF MITCHELL, SOUTH DAKOTA, THAT THE PLAT OF TRACTS A THROUGH D IN LOT B IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, BE AND THE SAME IS HEREBY APPROVED AND ITS ADOPTION BY THE CITY COUNCIL OF THE CITY OF MITCHELL, SOUTH DAKOTA, IS HEREBY RECOMMENDED.

I, \_\_\_\_\_, CHAIRMAN/VICE CHAIRMAN OF THE CITY PLANNING COMMISSION FOR THE CITY OF MITCHELL, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE CITY PLANNING COMMISSION OF MITCHELL, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
CHAIRMAN/VICE CHAIRMAN CITY PLANNING COMMISSION

### RESOLUTION OF CITY COUNCIL

WHEREAS, IT APPEARS THAT THE CITY PLANNING COMMISSION OF THE CITY OF MITCHELL, SOUTH DAKOTA, DID DULY CONSIDER AND DID RECOMMEND THE APPROVAL AND ADOPTION OF THE HEREINAFTER DESCRIBED PLAT, AT ITS MEETING HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022; AND

WHEREAS, IT APPEARS FROM AN EXAMINATION OF THE PLAT OF TRACTS A THROUGH D IN LOT B IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA THAT SAID PLAT IS IN ACCORDANCE WITH THE SYSTEM OF STREETS AND ALLEYS SET FORTH IN THE MASTER PLAN ADOPTED BY THE CITY PLANNING COMMISSION OF THE CITY OF MITCHELL, SOUTH DAKOTA, AND THAT SUCH PLAT HAS BEEN PREPARED ACCORDING TO LAW;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MITCHELL, SOUTH DAKOTA, THAT THE PLAT OF TRACTS A THROUGH D IN LOT B IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA BE AND THE SAME IS APPROVED AND THE DESCRIPTION SET FORTH THEREIN AND THE ACCOMPANYING SURVEYOR'S CERTIFICATE SHALL PREVAIL.

I, \_\_\_\_\_, FINANCE OFFICER/DEP. FINANCE OFFICER OF THE CITY OF MITCHELL, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE CITY OF MITCHELL, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
FINANCE OFFICER/DEP. FINANCE OFFICER

### CERTIFICATE OF ROAD AUTHORITY

THE LOCATIONS OF THE EXISTING APPROACHES ARE HEREBY APPROVED. ANY CHANGE IN THE LOCATIONS OF THE EXISTING APPROACHES SHALL REQUIRE ADDITIONAL APPROVAL.

BY: \_\_\_\_\_  
ROAD AUTHORITY TITLE DATE

### RESOLUTION OF COUNTY PLANNING COMMISSION

WHEREAS, THE PLAT OF TRACTS A THROUGH D IN LOT B IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, HERETOFORE FILED IN THE OFFICE OF THE COUNTY AUDITOR OF DAVISON COUNTY, SOUTH DAKOTA HAS BEEN SUBMITTED TO THE COUNTY PLANNING COMMISSION OF THE SAID COUNTY OF DAVISON, SOUTH DAKOTA; AND

WHEREAS, THE COUNTY PLANNING COMMISSION, IN REGULAR MEETING ASSEMBLED, HAD DULY CONSIDERED SAID PLAT AND FINDS AS A FACT THAT SAID PLAT IS IN CONFORMITY AND DOES NOT CONFLICT WITH THE MASTER PLAN FOR THE COUNTY OF DAVISON, SOUTH DAKOTA, HERETOFORE ADOPTED BY THIS COMMISSION;

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF DAVISON COUNTY, SOUTH DAKOTA, THAT THE PLAT OF TRACTS A THROUGH D IN LOT B IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, PREPARED BY ROBERT D. KUMMER, A LAND SURVEYOR, BE AND THE SAME IS HEREBY APPROVED AND ITS ADOPTION BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF DAVISON, SOUTH DAKOTA, IS HEREBY RECOMMENDED.

THE UNDERSIGNED HEREBY CERTIFIES THAT THE FOREGOING RESOLUTION WAS PASSED BY THE COUNTY PLANNING COMMISSION OF DAVISON COUNTY, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
CHAIRMAN/VICE-CHAIRMAN OF DAVISON COUNTY PLANNING COMMISSION

### RESOLUTION BY BOARD OF COUNTY COMMISSIONERS

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DAVISON COUNTY, SOUTH DAKOTA, THAT THE PLAT OF TRACTS A THROUGH D IN LOT B IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, WHICH HAS BEEN SUBMITTED FOR EXAMINATION PURSUANT TO LAW, IS HEREBY APPROVED AND THE COUNTY AUDITOR IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THIS RESOLUTION AND CERTIFY THE SAME.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
CHAIRPERSON/VICE CHAIRPERSON, BOARD OF COUNTY COMMISSIONERS  
DAVISON COUNTY, SOUTH DAKOTA

### AUDITOR'S CERTIFICATE

I, \_\_\_\_\_, DO HEREBY CERTIFY THAT I AM THE DULY ELECTED, QUALIFIED, AND ACTING COUNTY AUDITOR OF DAVISON COUNTY, SOUTH DAKOTA, AND THAT THE ABOVE RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF DAVISON COUNTY, SOUTH DAKOTA AT A REGULAR MEETING HELD ON \_\_\_\_\_, 2022, APPROVING THE ABOVE PLAT.

\_\_\_\_\_  
AUDITOR/DEPUTY AUDITOR, DAVISON COUNTY, SOUTH DAKOTA

### COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED IN THE ABOVE (AND THE FOREGOING) PLAT, AS SHOWN BY THE RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
COUNTY TREASURER/DEPUTY TREASURER  
DAVISON COUNTY, SOUTH DAKOTA

### DIRECTOR OF EQUALIZATION

I HEREBY CERTIFY THAT A COPY OF THE PLAT OF TRACTS A THROUGH D IN LOT B IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, HAS BEEN RECEIVED BY ME AND FILED IN MY OFFICE.

\_\_\_\_\_  
DIRECTOR OF EQUALIZATION/DEPUTY DIRECTOR OF EQUALIZATION  
DAVISON COUNTY, SOUTH DAKOTA

### REGISTER OF DEEDS

FILED FOR RECORD THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022, AT \_\_\_\_\_

O'CLOCK \_\_\_\_ M., AND RECORDED IN BOOK \_\_\_\_ OF PLATS ON PAGE \_\_\_\_.

\_\_\_\_\_  
REGISTER OF DEEDS/DEPUTY REGISTER OF DEEDS  
DAVISON COUNTY, SOUTH DAKOTA

PREPARED BY:

**infrastucture**  
design group, inc.

520 N LAWLER ST., SUITE 400  
MITCHELL, SD 57301  
PHONE: 605-292-0231  
WEB: infrastucturedg.com

**TRACTS A THROUGH D IN LOT B**  
IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 11,  
TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M.,  
DAVISON COUNTY, SOUTH DAKOTA

PROJECT NO.: 22172  
DATE: 09/02/2022  
DRAWN BY: MAS  
CHECKED BY: RDK  
SHEET NO: 2 OF 2









1 Inch = 400 Feet

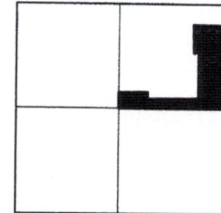
- LEGEND**
- = FOUND IRON MONUMENT
  - = SET 5/8" x 16" REBAR WITH PLASTIC CAP NO. 13714
  - 100' (P) = PLATTED BEARING OR DISTANCE
  - 100' = MEASURED BEARING OR DISTANCE
  - = SET NAIL
  - △ = SET SURVEY SPIKE
  - = FOUND NAIL
  - ◇ = SET 3/8" x 12" SPIKE W/WASHER JAW-13714
  - ◆ = FOUND POLE BARN NAIL
  - WM = WITNESS MONUMENT

PREPARED BY: JEREMY A. WOLBRINK, R.L.S.  
2100 NORTH SANBORN BLVD. - P.O. BOX 398  
MITCHELL, SOUTH DAKOTA 57301  
PHONE: (605) 996-7761

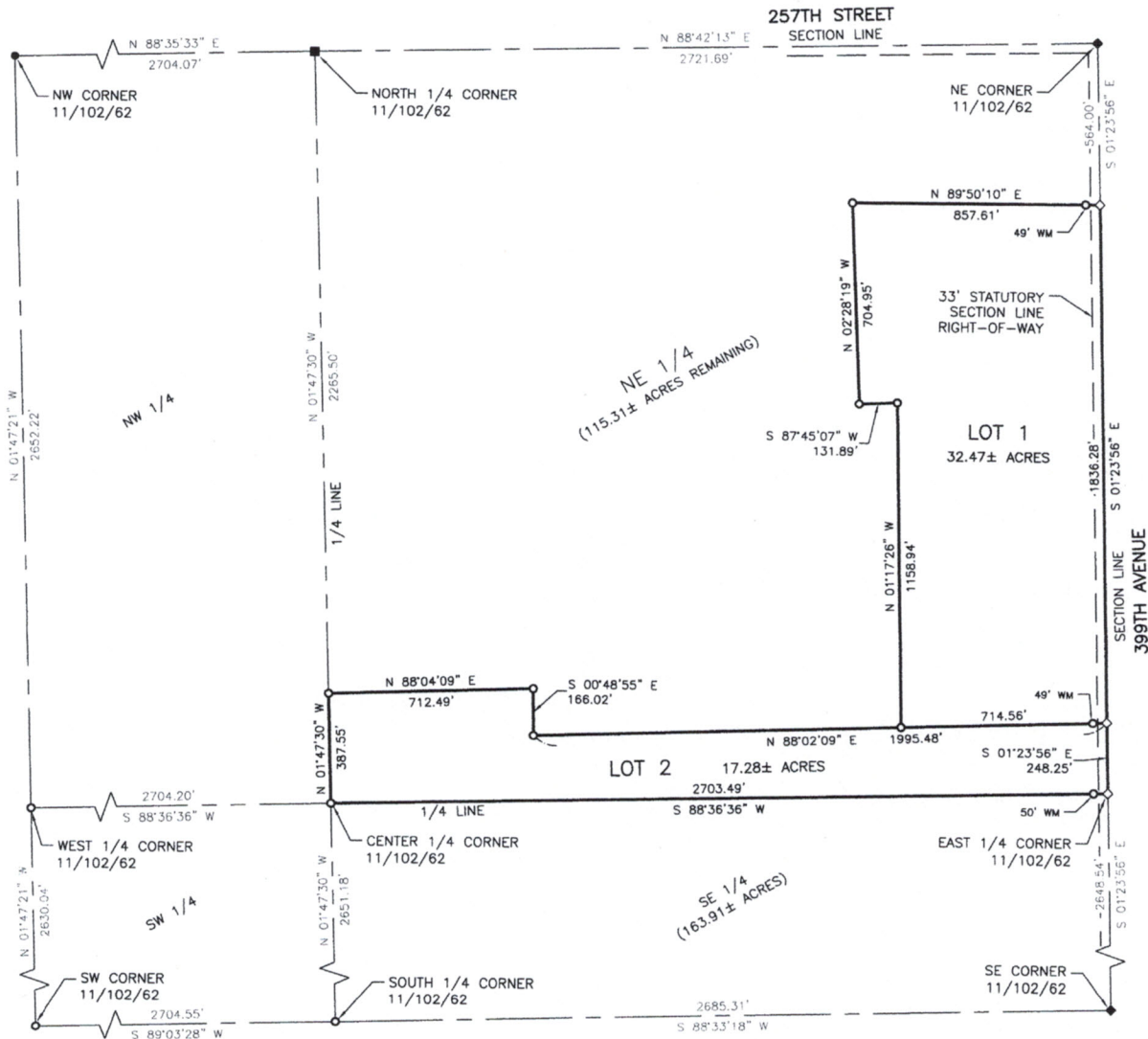
COORDINATE SYSTEM:  
STATE PLANE SOUTH DAKOTA SOUTH ZONE, 4002  
NORTH AMERICAN DATUM 1983 - GEOID 18.  
GRID BEARINGS AND GROUND DISTANCES ARE SHOWN.

NOTE:  
THIS SURVEY WAS PERFORMED WITHOUT  
THE BENEFIT OF A TITLE REPORT OR TITLE  
COMMITMENT. EASEMENTS OF RECORD WERE  
NOT RESEARCHED AND ARE NOT SHOWN  
UNLESS OTHERWISE NOTED.

SEC. 11, T 102 N, R 62 W



LOCATION MAP  
SCALE: 1" = 3000'



A PLAT OF LOTS 1 AND 2 OF JAMES HOYT ADDITION IN THE NE 1/4 OF SECTION 11, T 102 N, R 62 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

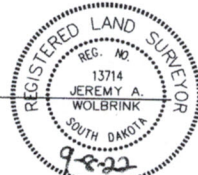
### SURVEYOR'S CERTIFICATE

I, Jeremy A. Wolbrink, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of Wendy S. Smith and Vicki L. Schommer, as owners, and under their direction for purposes indicated therein, I did on or prior to August 24, 2022, survey those parcels of land described as follows: LOTS 1 AND 2 OF JAMES HOYT ADDITION IN THE NE 1/4 OF SECTION 11, T 102 N, R 62 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.

In my professional opinion and to the best of my knowledge, information and belief, the within and foregoing plat is true and correct.

Dated this 8TH day of SEPTEMBER, 2022.

*Jeremy A. Wolbrink*  
Registered Land Surveyor #SD13714



**SPN**

**& Associates**  
Engineers, Planners and Surveyors  
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301  
Phone: (605) 996-7761 Fax: (605) 996-0015



# A PLAT OF LOTS 1 AND 2 OF JAMES HOYT ADDITION IN THE NE 1/4 OF SECTION 11, T 102 N, R 62 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

## OWNER'S CERTIFICATE, DEDICATION AND AGREEMENT OF PROTECTION OF WATER

KNOW ALL MEN BY THESE PRESENTS that we, the undersigned, hereby certify that we are the absolute and unqualified owners of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in THE NE 1/4 OF SECTION 11, T 102 N, R 62 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at our request and under our direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOTS 1 AND 2 OF JAMES HOYT ADDITION IN THE NE 1/4 OF SECTION 11, T 102 N, R 62 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and we hereby dedicate to the public, for public use forever as such, the streets and alleys, if any, as shown and marked on said plat; and that development of the land included within the boundaries of said Lots 1 and 2 shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists 399th Avenue. Pursuant to SDCL 11-3-8.1 and 11-3-8.2 the developer of the property described within this plat shall be responsible for protecting any waters of the state located adjacent to or within such platted area from pollution from sewage from such subdivision and shall, in prosecution of such protections conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same. Additionally, the developer of the property described within this plat shall be liable for any pollution that occurs from failure to execute such protections or follow such regulations, exception being those lots in subdivisions that show documentation that wastewater drainage shall be connected to a municipal system.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Wendy S. Smith

STATE OF SOUTH DAKOTA)  
COUNTY OF \_\_\_\_\_)SS

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me, \_\_\_\_\_, the undersigned officer, personally appeared Wendy S. Smith, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public, South Dakota  
My Commission Expires: \_\_\_\_\_

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Vicki L. Schommer

STATE OF \_\_\_\_\_)  
COUNTY OF \_\_\_\_\_)SS

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me, \_\_\_\_\_, the undersigned officer, personally appeared Vicki L. Schommer, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public,  
My Commission Expires: \_\_\_\_\_

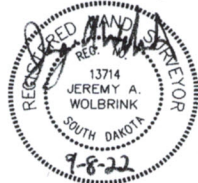
## RESOLUTION OF COUNTY PLANNING COMMISSION

WHEREAS, the plat of LOTS 1 AND 2 OF JAMES HOYT ADDITION IN THE NE 1/4 OF SECTION 11, T 102 N, R 62 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, duly licensed Land Surveyor in and for the State of South Dakota, heretofore filed in the office of the County Auditor of Davison County, South Dakota, has been submitted to the County Planning Commission of the said County of Davison, South Dakota; and

WHEREAS, the County Planning Commission, in regular meeting assembled, had duly considered said plat and finds as a fact that said plat is in conformity and does not conflict with the Master Plan for the County of Davison, South Dakota, heretofore adopted by this Commission;

NOW THEREFORE, be it resolved by the County Planning Commission of Davison County, South Dakota, that the plat of LOTS 1 AND 2 OF JAMES HOYT ADDITION IN THE NE 1/4 OF SECTION 11, T 102 N, R 62 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, a Land Surveyor, be and the same is hereby approved and its adoption by the Board of Commissioners of the County of Davison, South Dakota, is hereby recommended.

The undersigned does hereby certify that the foregoing resolution was passed by the County Planning Commission of Davison County, South Dakota, at a meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.



\_\_\_\_\_  
Chairperson/Vice Chairperson of the Davison County  
Planning Commission

**SPN**

**& Associates**  
Engineers, Planners and Surveyors  
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301  
Phone: (605) 996-7761 Fax: (605) 996-0015

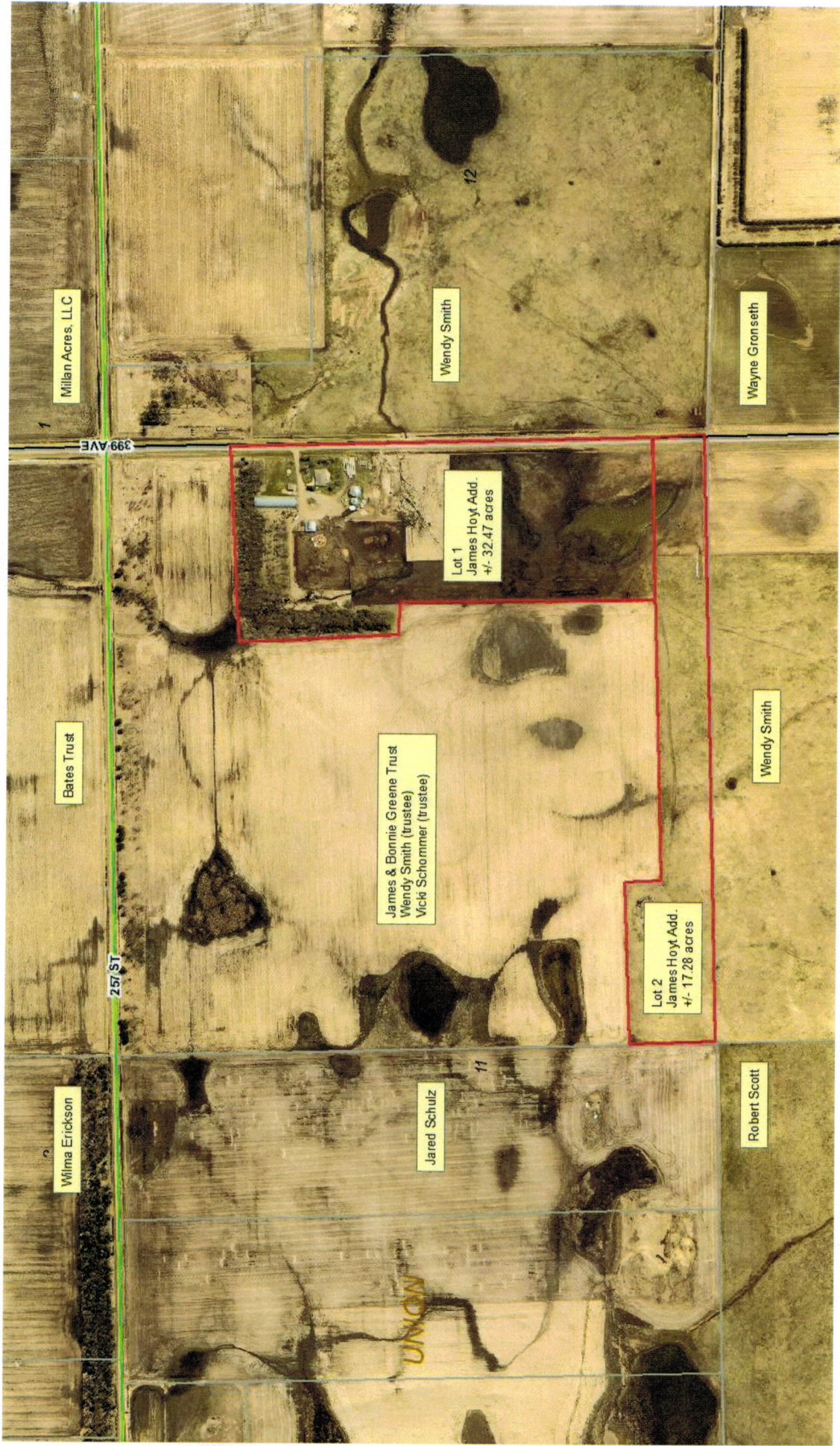


**RESOLUTION BY BOARD OF COUNTY COMMISSIONERS**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

REGISTERED LAND DIRECTOR  
13714  
JEREMY A.  
WOLBRINK  
SOUTH DAKOTA  
9-8-22





Millan Acres, LLC

Bates Trust

Wilma Erickson

Wendy Smith

James & Bonnie Greene Trust  
Wendy Smith (trustee)  
Vicki Schommer (trustee)

Jared Schulz

Wayne Gronseth

Wendy Smith

Robert Scott

Lot 1  
James Hoyt Add.  
±/- 32.47 acres

Lot 2  
James Hoyt Add.  
±/- 17.28 acres

12

11

UNION

399 AVE

257 ST