

NOTICE OF REQUEST TO REZONE

Marshall County
State of South Dakota

To: Marshall County Planning and Zoning Commission

Notice is hereby filed by Terrance Nordquist, landowner, and
Daniel Anderson, buyer, for the following described property to be rezoned from
A9 to Lake front Residential

Legally described as: Proposed Plat of Lot 1, Anderson's Roy Lake
Addition, Section 21, T126N, R55W of the 5th pm,

Landowner's Signature Terrance Nordquist Date 11-30-21

Buyer's Signature Daniel Anderson Date 11-30-21

For Internal Use Only: Date Received: 11/30/21

Date of Hearing by Marshall County Planning Commission: 12/28/21

Action taken by Zoning and Planning Commission: On 12/28/21

Date of hearing(s) by Marshall County Commissioners:

12/28/21 (1st reading/hearing) + January 4th, 2021 (2nd reading/adoption)

Action taken by Marshall County Commissioners: On 1/4/22

Effective: January 25th, 2022

STAFF REPORT
December 28, 2021

REZONING: AGRICULTURAL DISTRICT (AG) TO LAKE FRONT RESIDENTIAL DISTRICT (R-3)

GENERAL INFORMATION:

PETITIONER	Terrance Nordquist/Daniel Anderson
REQUEST	Agricultural (Ag) to Lake Front Residential (R-3)
LEGAL DESCRIPTION	Proposed Plat of Lot 1, Anderson's Roy Lake Addition in the NW1/4 of Section 21, T126N, R55W of the 5th P.M., Marshall County, South Dakota
(Proposed plat available in the office of Zoning Administrator.)	
CURRENT ZONING	Agricultural (Ag)
SURROUNDING ZONING	Agricultural (Ag) and Lake Front Residential (R-3) (see map attached)
REPORTED BY	Erin Collins-Miles

GENERAL COMMENT: The petitioner is requesting to Rezone the above-described property in order to plat Lot 1 Anderson's First Roy Lake Addition. This plat would vacate Lot 14 (zoned as R-3) and create Lot 1. The Western portion of this proposed Lot 1 is zoned as Ag and is a portion of the S1/2S1/2S1/2SW1/4NW1/4 of the Plat entitled "Sigaty's Subdivision" to be vacated by this proposed plat. The Rezone would make the land conform with other surrounding Zoning and bring it into compliance with the same use as other surrounding property. The property is currently Zoned Agricultural.

REVIEW: Staff has reviewed this Rezone. The land is currently listed as Agricultural, but serves no Agricultural use. The proposed Lot 1 currently has two different zoning districts and is intended to be used as a lake front property. No objections were received prior to the hearing.

ORDINANCE NO. 49

AN ORDINANCE AMENDING TITLE 4, CHAPTER 4.2
AS AMENDED TO REZONE CERTAIN DESCRIBED PROPERTY

BE IT ORDAINED by the Board of County Commissioners of Marshall County, South Dakota: that Title 4 chapter 4.2 adopted by Ordinance No.32, September 28, 2021 as amended, of the Zoning Ordinance of Marshall County be amended to classify the following property:

Proposed Plat of Lot 1, Anderson's Roy Lake Addition in the NW1/4 of Section 21, T126N, R55W of the 5th P.M., Marshall County, South Dakota

(Proposed plat available in the office of Zoning Administrator.)

To "R3" Lake Front Residential District from "AG" Agricultural District

BE IT FURTHER ORDAINED by the Marshall County Commission, Britton, South Dakota, that the zoning official for the County of Marshall is hereby authorized to change the official zoning map for the County of Marshall to reflect this Ordinance.

Notice of Hearing _____ December 8, 2021

Passed First Reading _____ December 28, 2021

Passed Second Reading _____ January 4, 2021

Adopted _____ January 4, 2021

Published _____ January 5, 2021

Effective Date _____ January 25, 2021

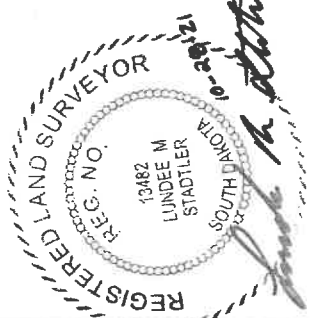
Doug Medhaug, Chairman
Marshall County Commission

ATTEST: _____
Megan Biel, Marshall County Auditor

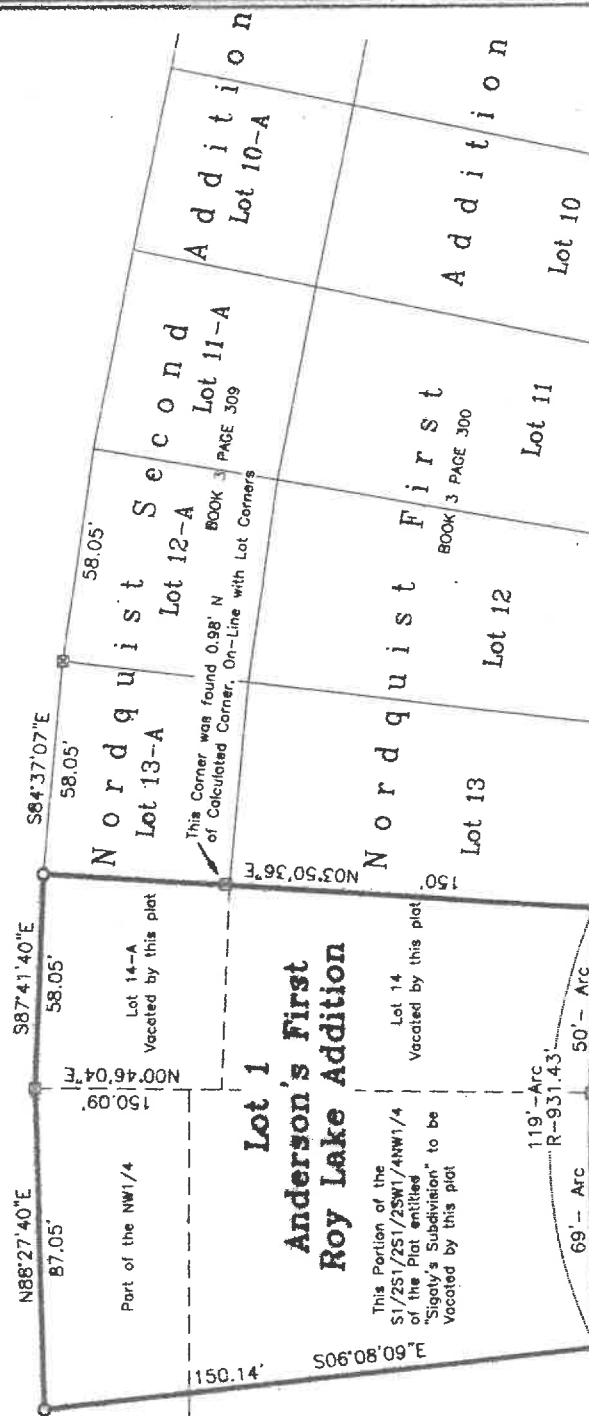
Published once at the total approximate cost of \$_____.

Plat of

Lot 1, Anderson's Roy Lake Addition
 in NW1/4 of Section 21, T126N, R55W of the 5th P.M.,
 Marshall County, South Dakota



NW1/4
 Section 21



**Lot 1
 Anderson's Roy Lake Addition**

S1/2S1/2S1/2SW1/4NW1/4
 BOOK 3 PAGE 239
 Sigaty's Subdivision

This Plat Shall Vacate:

A Portion of the S1/2S1/2S1/2SW1/4NW1/4 of the Plat entitled "Sigaty's Subdivision Located in Section 21, T126N, R55W of the 5th P.M., Marshall County, South Dakota" as filed in Book 3 Page 239 on May 17th, 1990.

Lot 14, Nordquist First Addition in the NW1/4 and Gov't Lot 3, Section 21, T126N, R55W of the 5th P.M. in the County of Marshall, South Dakota as filed in Book 3 Page 300 on July 31st, 1996

Lot 14A, Nordquist Second Addition in the NW1/4 of Section 21, T126N, R55W of the 5th P.M. in the County of Marshall, South Dakota as filed in Book 3 Page 309 on August 29th, 1997

This Plat contains unplatted land within the NW1/4 of Section 21, T126N, R55W of the 5th P.M., Marshall County, South Dakota

LOT 1, ANDERSON ROY LAKE ADDITION	0.45 AC (19,750 SQFT)
In the NW1/4	0.08 AC (3403 SQFT)
In S1/2S1/2S1/2SW1/4NW1/4, Sigaty's Sub.	0.19 AC (8256 SQFT)
In Lot 14, Nordquist First Addition	0.12 AC (5254 SQFT)
In Lot 14-A, Nordquist Second Addition	0.06 AC (2837 SQFT)

N O R T H S I D E D R I V E



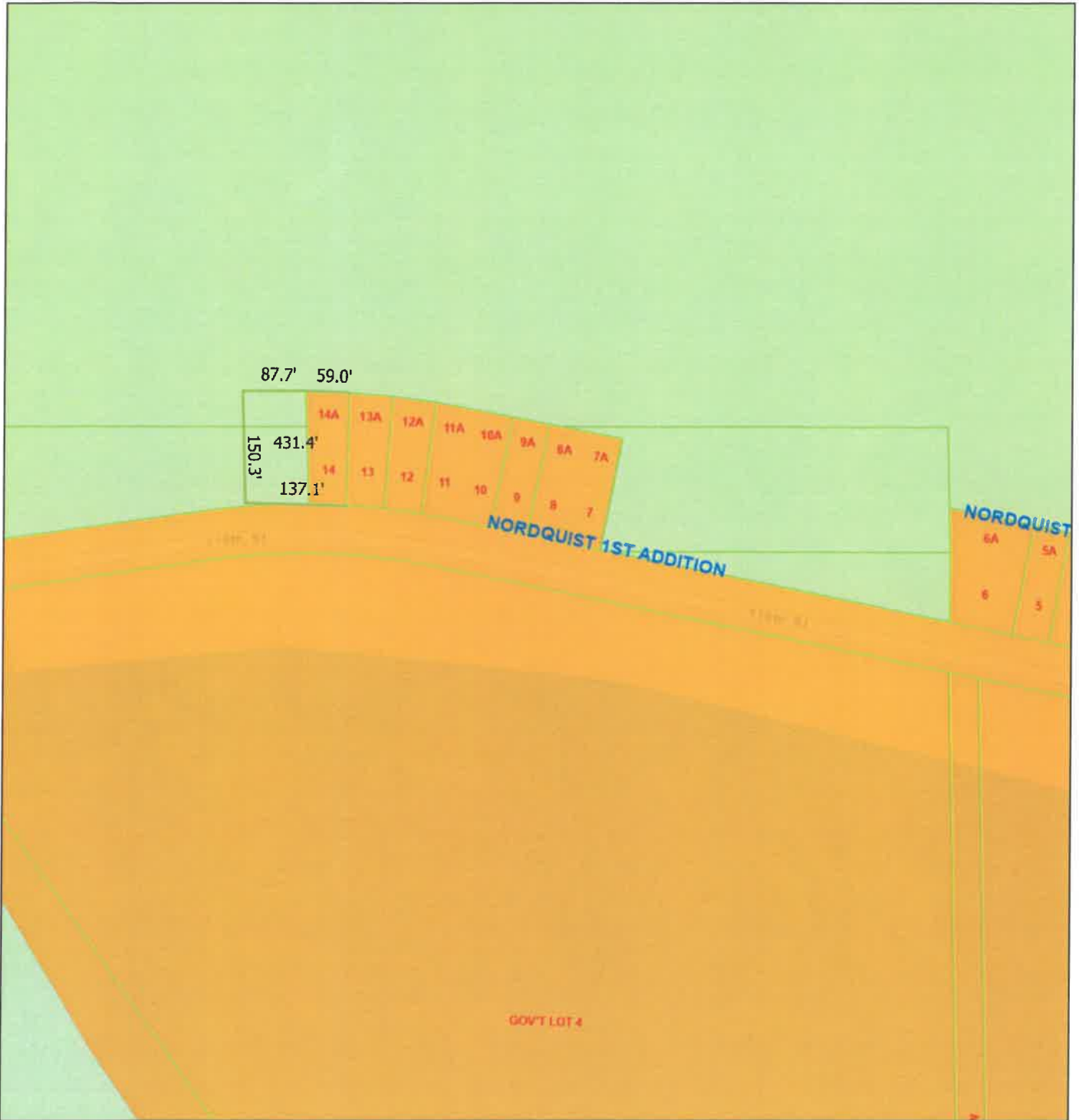
GPS-NORTH
 SCALE: 1" = 40'

- = CAPPED IRON PIN SET
- = ORANGE CAP STADTLER (SNO. 13482)
- ⊠ = RECOVERED MONUMENT
- ⊠ = "MASON L.S. 3426"

HOLTON ENGINEERING INC.





DRAWN: 10/25/21 FIELD: 10/2021 512 VETERANS AVE. SISSETON, SD PH. 1-605-698-3850 2112655-P656

MARSHALL COUNTY WEB VIEWER

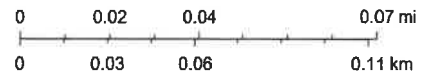


12/22/2021, 11:36:23 AM

ZONING

-  Agricultural District
-  Lake Front Residential District
-  TOWNSHIPS
-  PARCELS

1:2,257

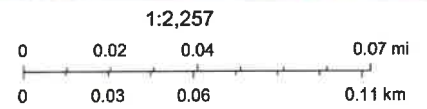


MARSHALL COUNTY WEB VIEWER



12/22/2021, 11:38:08 AM

- TOWNSHIPS
- PARCELS



Maxar, Microsoft

NOTICE OF PUBLIC HEARING OF THE MARSHALL COUNTY PLANNING AND ZONING COMMISSION AND MARSHALL COUNTY BOARD OF COUNTY COMMISSIONERS ON PROPOSED CHANGE OF THE ZONING ORDINANCE OF MARSHALL COUNTY

Notice is hereby given pursuant to SDCL 11-2 that on the 28th day of December, 2021, at 9:10a.m. in the Commission Chambers of the Marshall County Courthouse in Britton, South Dakota, is the time and place when and where all persons interested therein may appear and be heard before the Marshall County Planning & Zoning Commission and Marshall County Board of County Commissioners, concerning the proposed changes to the Zoning Ordinance of Marshall County. The Planning and Zoning Commission will submit to the Board of County Commissioners their recommendation as to whether or not the following ordinance should be passed by the respective governing bodies. If recommended for approval the Board of County Commissioners will then have the first reading of the proposed ordinance change.

AN ORDINANCE ENTITLED, An Ordinance to amend the Marshall County Zoning Map.

Be it ordained by the Board of County Commissioners of Marshall County, South Dakota: that Title 4 chapter 4.2 adopted by Ordinance No.32, September 28, 2021 as amended, of the Zoning Ordinance of Marshall County be amended to classify the following property:

Proposed Plat of Lot 1, Anderson's Roy Lake Addition in the NW1/4 of Section 21, T126N, R55W of the 5th P.M., Marshall County, South Dakota

(Proposed plat available in the office of Zoning Administrator.)

To "R-3" Lake Front Residential District from "AG" Agricultural District

BE IT FURTHER ORDAINED by the Marshall County Commission, Britton, South Dakota, that the zoning official for the County of Marshall is hereby authorized to change the official zoning map for the County of Marshall to reflect this Ordinance.

Passed and adopted this ____ day of _____ 20____.

Chairperson

Auditor

Any persons wishing to present testimony may appear at said hearing or may file written comments with the Marshall County Auditor P.O. Box 130, Britton, South Dakota 57430 prior to said hearing.

Dated this 8th day of December, 2021.

Erin Collins-Miles, Marshall County Planning & Zoning Administrator

Published once at the total approximate cost of _____.

Sent to newspaper 12/7/21

1T (Dec 8)
**NOTICE OF PUBLIC
HEARING OF THE
MARSHALL COUNTY
PLANNING AND ZONING
COMMISSION AND
MARSHALL COUNTY
BOARD OF COUNTY
COMMISSIONERS ON
PROPOSED CHANGE OF
THE ZONING ORDINANCE
OF MARSHALL COUNTY**
Notice is hereby given pur-

suant to SDCL 11-2 that on the 28th day of December, 2021, at 9:10a.m. in the Commission Chambers of the Marshall County Courthouse in Britton, South Dakota, is the time and place when and where all persons interested therein may appear and be heard before the Marshall County Planning & Zoning Commission and Marshall County Board of County Commissioners, concerning the proposed changes to the Zoning Ordinance of Marshall County. The Planning and Zoning Commission will submit to the Board of County Commissioners their recommendation as to whether or not the following ordinance should be passed by the respective governing bodies. If recommended for approval the Board of County Commissioners will then have the first reading of the proposed ordinance change.

AN ORDINANCE ENTITLED,
An Ordinance to amend the Marshall County Zoning Map.

Be it ordained by the Board of County Commissioners of Marshall County, South Dakota: that Title 4 chapter 4.2 adopted by Ordinance No.32, September 28, 2021 as amended, of the Zoning Ordinance of Marshall County be amended to classify the following property:

Proposed Plat of Lot 1, Anderson's Roy Lake Addition in the NW1/4 of Section 21, T126N, R55W of the 5th P.M., Marshall County, South Dakota

(Proposed plat available in the office of Zoning Administrator.)

To "R-3" Lake Front Residential District from "AG" Agricultural District

BE IT FURTHER ORDAINED by the Marshall County Commission, Britton, South Dakota, that the zoning official for the County of Marshall is hereby authorized to change the official zoning map for the County of Marshall to reflect this Ordinance.

Passed and adopted this ____ day of ____ 20__.

Chairperson
Auditor

Any persons wishing to present testimony may appear at said hearing or may file written comments with the Marshall County Auditor P.O. Box 130, Britton, South Dakota 57430 prior to said hearing.

Dated this 8th day of December, 2021.

Erin Collins-Miles, Marshall County Planning & Zoning Administrator

Published once at the total approximate cost of \$27.88.

NOTICE OF ADOPTION
ORDINANCE NO. 49

Notice is hereby given that Ordinance No. 49, An Ordinance Amending Title 4 chapter 4.2 adopted by Ordinance No.32, September 28, 2021, As Amended, Of the Zoning Ordinance of Marshall County was duly adopted by the Board of County Commissioners on the 4th of January, 2021, and will become effective on the 25th of January, 2021.

ORDINANCE NO. 49

AN ORDINANCE AMENDING TITLE 4, CHAPTER 4.2
AS AMENDED TO REZONE CERTAIN DESCRIBED PROPERTY

BE IT ORDAINED by the Board of County Commissioners of Marshall County, South Dakota: that Title 4 chapter 4.2 adopted by Ordinance No.32, September 28, 2021 as amended, of the Zoning Ordinance of Marshall County be amended to classify the following property:

Proposed Plat of Lot 1, Anderson's Roy Lake Addition in the NW1/4 of Section 21, T126N, R55W of the 5th P.M., Marshall County, South Dakota

(Proposed plat available in the office of Zoning Administrator.)

To "R3" Lake Front Residential District from "AG" Agricultural District

BE IT FURTHER ORDAINED by the Marshall County Commission, Britton, South Dakota, that the zoning official for the County of Marshall is hereby authorized to change the official zoning map for the County of Marshall to reflect this Ordinance.

Notice of Hearing _____ December 8, 2021

Passed First Reading _____ December 28, 2021

Passed Second Reading _____ January 4, 2021

Adopted _____ January 4, 2021

Published _____ January 5, 2021

Effective Date _____ January 25, 2021

Doug Medhaug, Chairman
Marshall County Commission

ATTEST: _____
Megan Biel, Marshall County Auditor

Published once at the total approximate cost of \$_____.

MARSHALL COUNTY PLANNING & ZONING COMMISSION
P.O.BOX 9
BRITTON, SOUTH DAKOTA 57430

December 8, 2021

Dear Property Owner,

Please take notice that an application has been made by Daniel Anderson for a hearing before the Marshall County Planning & Zoning Commission and Marshall County Board of County Commissioners for a proposed change of the zoning ordinance of Marshall County.

The application is for the rezoning of a Proposed Plat of Lot 1, Anderson's Roy Lake Addition in the NW1/4, Section 21, T126N, R55W of the 5th P.M., Marshall County, South Dakota (Proposed plat available in the office of the Zoning Administrator), from Agricultural (AG) District to Lake Front Residential (R3) District.

This application is now on the agenda for a public hearing which will be held on December 28th, 2021 at 9:10 am at the Marshall County Courthouse, Commissioners Chambers.

This notice is sent to you as an owner of the property adjacent to the applicant. Should this request be of concern to you, you may appear at the above stated hearing or may send your comments to:

Marshall County Auditor
PO Box 130
Britton, SD 57430

Sincerely,

Erin Collins-Miles
Planning & Zoning Administrator

sent 8/8/21 to:

Thomas Schlosser
G.F. & P