

MARSHALL COUNTY PLANNING & ZONING COMMISSION

Proposed Agenda

Regular Scheduled Meeting

April 26, 2022– 9:00 AM

Marshall County Courthouse, Commissioners Chambers

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Review & Approval of Minutes from April 12, 2022
- V. Matters for Board Discussion
- VI. Open
- VII. Disclosure of Conflicts/Ex Parte Communication
- VIII. New Business
 - A. Rezone permit #54 (Steiner/Eiel)**
 - 1) Staff report by E. Collins-Miles
 - 2) Open Public hearing
 - a) Testimony from applicant
 - b) Testimony from proponents and opponents
 - c) Applicant back up for questions (if needed)
 - 3) Close public hearing
 - 4) Board Discussion
 - a) Questions for audience (No new topics to be discussed)
 - 5) Motion and roll call vote for recommendation to County Commission
 - 6) County Commission to hold 1st Reading (if recommended by P&Z Board)
 - B. Plats**
 - a. North Coteau Acres Plat
 - Plat of Lots 3 and 4 in North Coteau Acres in Gov't Lot 9 in Section 4, T125N, R53W of the 5th P.M., Marshall County, South Dakota**
- IX. Building Permits
- X. Other
- XI. Old Business
- XII. Adjourn

MARSHALL COUNTY PLANNING & ZONING BOARD
PO BOX 9
BRITTON, SOUTH DAKOTA
UNAPPROVED MINUTES
April 12, 2022

The Marshall County Planning & Zoning Board met at 9:00 AM, April 12, 2022, at the Marshall County Courthouse. Present at the hearing were the following Board members; Doug Medhaug, Matthew Schuller, LeRon Knebel, Kevin Jones and Lynda Luttrell. Commissioner Medhaug Presided. Others present at the hearing were Erin Collins-Miles, Planning & Zoning, Megan Biel, Auditor and Shannon Wegleitner. Shelby Thompson and Larry Johnson were present via zoom and conference call.

AGENDA:

Knebel motioned; Jones seconded to approve the agenda. All members voted aye. Motion carried.

MINUTES:

Schuller motioned; Medhaug seconded to approve the minutes from March 29, 2022. All members voted aye. Motion carried.

VARIANCE:

David & Shannon Wegleitner have requested a variance to build a storage shed on the property described as Lot 4 Cottonwood Lake Subdivision in Gov't Lot 5, Section 16, T126N, R55W. The petitioner is asking to build the storage shed 52ft from the state highway right-of-way line instead of the 60ft requirement, per the Marshall County Zoning Ordinance. **Luttrell motioned; Knebel seconded to approve contingent upon reaching the rezone effective date of May 17, 2022; the requested 8' variance to the right-of-way line setback; allowing the shed to be placed 52' from the state highway right-of-way line instead of the 60-foot requirement, per the Marshall County Zoning Ordinance. A roll call vote was taken; Medhaug – Aye, Schuller – Aye, Luttrell – Aye, Knebel – Aye, Jones - Aye. Motion carried.**

REZONE:

David & Shannon Wegleitner are requesting to Rezone the property described as Lot 4 Cottonwood Lake Subdivision in Gov't Lot 5, Section 16, T126N, R55W of the 5th P.M., Marshall County, South Dakota; in order build a shop on the Lot. 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 Highway Commercial and serves no use as it is currently zoned. No objections were received prior to the hearing.

Schuller motioned; Jones seconded to recommend Ordinance No. 53 to the County Commission. A roll call vote was taken; Medhaug – Aye, Schuller – Aye, Luttrell – Aye, Knebel – Aye, Jones - Aye. Motion carried.

By recommendation of the Planning & Zoning Board, the first reading of this Ordinance was held by the County Commission during regular session on April 12, 2022.

VARIANCE:

Larry & Jill Johnson have requested a variance to build a home on the property described as Lots 4 & 5 of Isensee's Fourth Clear Lake Subdivision in the SW1/4 of Section 18, T126N, R53W. The petitioner is asking to build the home 28.5 from the road right-of-way line instead of the 30ft requirement, 5ft from the Northwest property line instead of the 7ft requirement; and 38.5ft from the normal high-water mark instead of the 50ft requirement, per the Marshall County Zoning Ordinance. **Jones motioned; Schuller seconded to approve the requested 1.5' variance to the road right-of-way line setback, 2' variance to the Northwest property line setback and 11.5' variance to the normal high-water mark setback.; allowing the home to be built 28.5 from the road right-of-way line instead of the 30ft requirement, 5ft from the Northwest property line instead of the 7ft requirement; and 38.5ft from the normal high-water mark instead of the 50ft**

requirement, per the Marshall County Zoning Ordinance. A roll call vote was taken; Medhaug – Aye, Schuller – Aye, Luttrell – Aye, Knebel – Aye, Jones - Aye. Motion carried.

DRAINAGE:

Waletich Farms has requested a Drainage Permit to start construction of a drain on the property described as the S1/2SE1/4, S1/2N1/2SE1/4 of Section 32, T126N, R57W. The water will flow North within the same described property and flow into an existing drainage ditch located on the properties described as N1/2N1/2SE1/4 and NE1/4; both of Section 32, T126N, R57W; for the purpose of farming practices. Construction will start on or before April 18, 2022 and will be completed on or before April 1, 2027. **Luttrell motioned; Jones seconded to approve an application to drain on the property described as the S1/2SE1/4, S1/2N1/2SE1/4 of Section 32, T126N, R57W. Conditions to this permit are as follows; to make the construction completion date as seen on permit application; April 1, 2027. Applicant must reapply after said date. A roll call vote was taken; Medhaug – Aye, Schuller – Aye, Luttrell – Aye, Knebel – Aye, Jones - Aye. Motion carried.**

BUILDING PERMITS:

Schuller motioned; Knebel seconded to accept building permits for the following applicants: Gary & Mary Lou Haug, Myra Sommers, Bryce Johnson and Larry Johnson. All members voted aye. Motion carried.

ADJOURN:

Knebel motioned; Jones seconded to adjourn as Planning and Zoning Board and convene as Marshall County Commission at 9:20 AM. All members voted aye. Motion carried.

ATTEST:

Erin Collins-Miles
Marshall County Planning and Zoning Administrator
Marshall County, South Dakota
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