

# MARSHALL COUNTY PLANNING & ZONING COMMISSION

## Proposed Agenda

Regular Scheduled Meeting

November 22, 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 November 10, 2022
- V. Matters for Board Discussion
- VI. Open
- VII. Disclosure of Conflicts/Ex Parte Communication
- VIII. New Business
  - A. Variance – Janet & Jody Birchem**
    - 1) Staff report by E. Collins-Miles
    - 2) Open Public hearing
      - a) Discuss new developments
      - b) Testimony from applicant
      - c) Testimony from proponents and opponents
      - d) Applicant back up for questions (if needed)
    - 3) Close public hearing
    - 4) Boards Discussion
      - a) Questions for audience (No new topics to be discussed)
    - 5) P & Z Boards motion and roll call for vote for recommendation to County Commission
  - B. Plat**
    - a. Roehr Family Farm Addition
      - a) Plat of Roehr Family Farm Addition Located in the NE1/4 of Section 32, T128N, R57W of the 5<sup>th</sup> P.M., Marshall County, South Dakota
    - b. Carson Outlots
      - a) Plat of Carson Outlots Located in the SE1/4SW1/4 of Section 19, T125N, R58W of the 5<sup>th</sup> 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  
**November 10, 2022**

The Marshall County Planning & Zoning Board met at 9:00 AM, November 10, 2022, at the Marshall County Courthouse. Present at the hearing were the following Board members; Doug Medhaug, Matthew Schuller, LeRon Knebel, Lynda Luttrell and Kevin Jones for a portion of the hearing. Commissioner Medhaug Presided. Others present at the hearing were Erin Collins-Miles, Planning & Zoning, Megan Biel, Auditor, Bridget Shileny and Victor Rapkoch, Marshall County States Attorney. Shelby Thompson and Sandy Dinger were present via zoom and conference call.

**AGENDA:**

Luttrell motioned; Schuller seconded to approve the agenda. All members present voted aye. Motion carried.

**MINUTES:**

Knebel motioned; Medhaug seconded to approve the minutes from October 18, 2022. All members present voted aye. Motion carried.

**REZONE:**

Pertaining to a Rezone application for Rodney Westby for A part of the Unplatted Portion of Gov't Lots 2 & 3, Section 19, T126N, R53W in the proposed Plat drawing showing Proposed Lots 7, 8, 9, & 10 Westby Lakeside Addn. in Gov't Lots 2 & 3, Section 19, T126N, R53W of the 5th P.M., Marshall County, South Dakota (Proposed drawing available in the office of Zoning Administrator.); Knebel motioned; Schuller seconded to recommend Ordinance No. 55 to the County Commission. A roll call vote was taken; Medhaug – Aye, Schuller – Aye, Luttrell – Aye, Knebel – Aye, Jones - absent. Motion carried.

**VARIANCE:**

Schuller motioned; Luttrell seconded to approve the requested variance to lot size width for lots 7, 9 & 10 contingent upon rezone effective date of December 13, 2022; allowing Lot 7 to be created with a width of 57 feet, Lot 9 with a width of 50 feet and Lot 10 with a width of 64 feet instead of the 75-foot requirement, per the Marshall County Zoning Ordinance. A roll call vote was taken; Medhaug – Aye, Schuller – Aye, Luttrell – Aye, Knebel – Aye, Jones - absent. Motion carried.

**BUILDING PERMITS:**

Luttrell motioned; Knebel seconded to accept a building permit for the following applicants: Michael Buisker and Natalie Prins/Lincoln Biermann. All members present voted aye. Motion carried.

Knebel motioned; Schuller seconded to accept a building permit from the following applicant; Timothy Tracy. Based on the previous variance approval of a garage on June 30, 2020 and building permit number 23-2020, no other setbacks are violated by the structure in question, and

all that is required is a building permit in the case of this structure. All members present voted aye.

**OTHER:**

Updates to the Drainage ordinance were presented and discussed. Erin Collins-Miles, Zoning/Drainage Administrator, and Victor Rapkoch, Marshall County States Attorney, will be working on implementing these changes in the coming weeks.

**ADJOURN:**

Knebel motioned; Schuller seconded to adjourn as Planning and Zoning Board and convene as Marshall County Commission at 1:38 PM. All members voted aye. Motion carried.

**ATTEST:**

Erin Collins-Miles  
Marshall County Planning and Zoning Administrator  
Marshall County, South Dakota  
Published at the approximate cost of.....