

STAFF REPORT
December 6, 2022

APPLICATION FOR CONDITIONAL USE FOR A CEMETERY

GENERAL INFORMATION:

PETITIONER	Westwood Colony
REQUEST	Application for Conditional Use for a cemetery
LEGAL DESCRIPTION	SW1/4NE1/4 of Section 22, T128N, R58W
CURRENT & SURROUNDING ZONING	Agricultural (Ag)
REPORTED BY	Erin Collins-Miles

GENERAL COMMENT: Westwood Colony has requested a Conditional Use from the Marshall County Zoning Ordinance for a cemetery on the property described as SW1/4NE1/4 of Section 22, T128N, R58W.

Per the Marshall County Zoning Ordinance, cemeteries are not considered a permitted use in the Agricultural District. Granting of this conditional use would bring the cemetery into compliance with the rules and regulations set forth by Marshall County.

REVIEW:

The cemetery in question is already existing. The drawing prepared by Holton Engineering shows that there are, or will be, 96 burial plots and two 4x8 vaults. Plot numbers 1-4 are occupied. The drawing shows these 96 burial plots as Lots within the cemetery. As stated under 'Permitted Uses and Structures,' the Ordinance shows that cemeteries are not included and therefore would fall under "Conditional Use." No objections were received prior to the scheduled CU hearing.

MARSHALL COUNTY APPLICATION FOR CONDITIONAL USE

DATE: 11-16-2022

To: Marshall County Planning and Zoning Commission
PO Box 9
Britton, SD 57430

The undersigned do hereby request a conditional use from the Marshall County Zoning Ordinance as provided by Article 8.3 Section 4 for the purpose of Cemetery

Legal Description: SW 1/4 NE 1/4 of Section 22, T128N, R58W of the 5th P.M., Marshall County, South Dakota

Reason: Provide 96 Burial Lots for the Westwood Hutterian Brethren

Applicant's Name: Westwood Colony Phone: 605-954-2090
Address: 10332 421st Ave. Britton SD 57430
Applicant's Signature: [Signature]
Owner's Signature (if different than applicant): _____

For Internal Office Use Only:

Date Received: 11-16-22 Fees (non-refundable): \$150.00 Paid: YES NO

Inspection Report: See Staff report

Date of Hearing by Planning and Zoning Commission: December 6, 2022

Action taken by Planning and Zoning Commission: _____

NOTICE OF HEARING - APPLICATION FOR CONDITIONAL USE FOR A CEMETERY

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on December 6, 2022 at 9:00 a.m. at the Marshall County Courthouse Commissioners Chambers, concerning the following application for a Conditional Use from the Marshall County Zoning Ordinance.

Westwood Colony has requested a Conditional Use from the Marshall County Zoning Ordinance for a cemetery which currently exists on the property described as the SW1/4NE1/4 of Section 22, T128N, R58W of the 5th P.M., Marshall County, South Dakota.

Erin Collins-Miles
Planning & Zoning Administrator

Published once at the approximate cost of

For publication: November 23, 2022

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Erin Collins-Miles, Planning & Zoning Administrator
Published at an approximate cost of \$7.25 and can be viewed free of charge at www.sdpublicnotices.com.

MARSHALL COUNTY PLANNING & ZONING COMMISSION
P.O.BOX 9
BRITTON, SOUTH DAKOTA 57430
605.448.7540

November 18, 2022

Dear Property Owner,

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As an adjacent landowner, you are being notified of the hearing. If you have any questions, please contact my office. Any comments or concerns should be stated in writing and forwarded to my office or expressed at the scheduled hearing.

Sincerely,

Erin Collins-Miles

Erin Collins-Miles
Planning and Zoning Administrator

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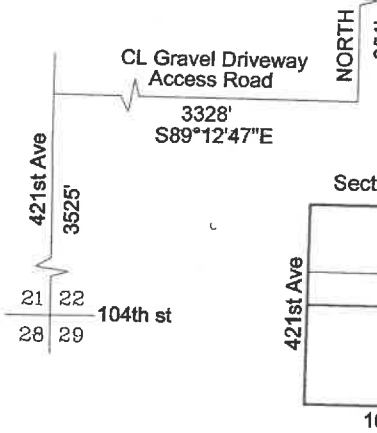
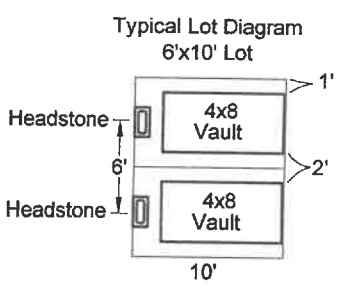
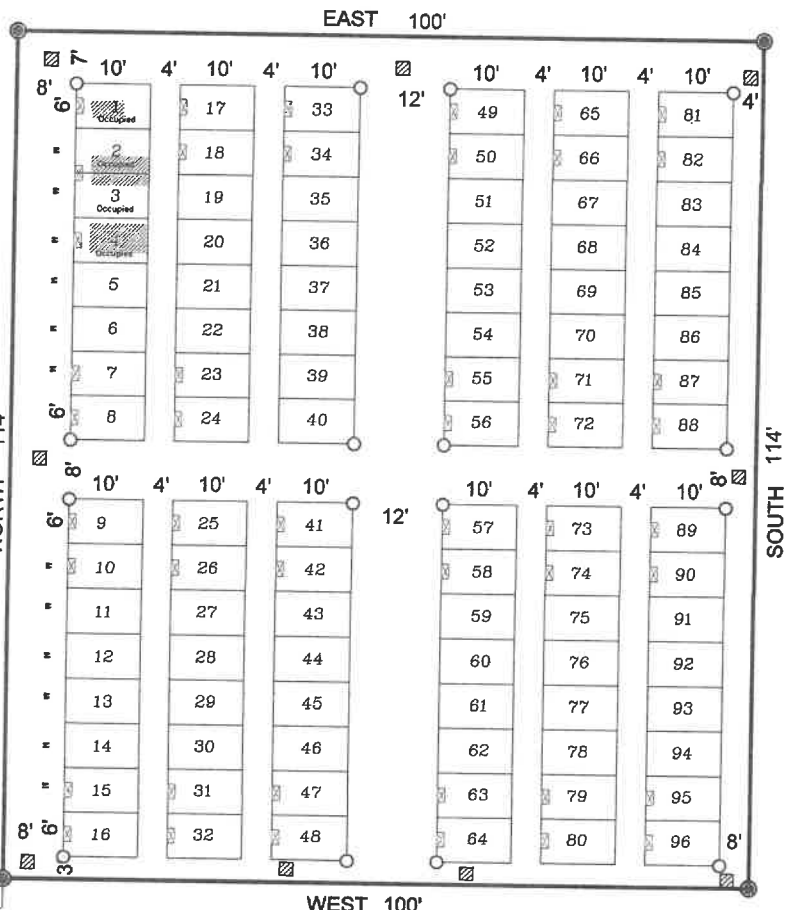
Sent to the following adjacent landowners on 11/18/2022:

1. Stuart & Diane Eberhart – 42485 Golf View Dr. Britton, SD 57430
2. Jennifer Daly – APT #1135 Falls Church, VA 22041
3. Mark Jarrett – 5038 Marquess Trl Court N Lake Elmo, MN 55042

Prepared by:
 Lundee M Stadler
 Holton Engineering
 P.O. Box 68
 512 Veterans Ave
 Sisseton SD 57262

Map of
 for Lots 1 - 96 in Block 1 of
**Westwood Hutterian Brethren
 Cemetery**

Located in the SW1/4NE1/4 of Section 22, T128N, R58W
 of the 5th P.M., Marshall County, South Dakota



- NORTH SCALE 1:20
- O = IRON REBAR/ WASHER ON TOP
 - = IRON REBAR ORANGE CAP "STADTLER LSNO 13482"
 - ☒ = RECOVERED MONUMENT
 - ⊠ = 20"x20" STONE PILLAR

REGISTERED LAND SURVEYOR
 REG. NO. 13482
 LUNDEE M STADTLER
 SOUTH DAKOTA
 11-15-22
Lundee M. Stadler
 Lundee M Stadler RLS #13482

I, LUNDEE M. STADTLER, A REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA; DO HEREBY CERTIFY THAT I HAVE SUPERVISED THE RESURVEY OF THE PROPERTY THAT IS DESCRIBED ABOVE, AND THAT SAID SURVEY AND DRAWING ARE TRUE AND CORRECT.

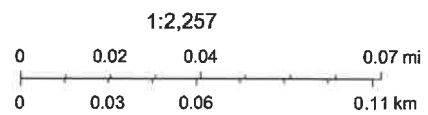
HOLTON ENGINEERING INC.

Web AppBuilder for ArcGIS



12/1/2022, 11:49:48 AM

- TOWNSHIPS
- SECTIONS
- PARCELS



Maxar, Microsoft

Web AppBuilder for ArcGIS



12/1/2022, 11:51:12 AM

ZONING

- Agricultural District
- TOWNSHIPS
- SECTIONS
- PARCELS

