

**STAFF REPORT**

**April 25, 2023**

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**APPLICATION FOR CONDITIONAL USE FOR A 10-UNIT STORAGE BUILDING**

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GENERAL INFORMATION:

PETITIONER	Schmieg Management, LLC
REQUEST	<b>Application for Conditional Use for a 10-unit storage building</b>
LEGAL DESCRIPTION	W1/2W1/2NW1/4NE1/4 of Section 19, T127N, R57W
CURRENT & SURROUNDING ZONING	Residential (R-1), Ag Fringe (AGFP)
REPORTED BY	Erin Collins-Miles

GENERAL COMMENT: Schmieg Management, LLC has requested a Conditional Use from the Marshall County Zoning Ordinance for a 10-unit storage building to be constructed on the property described as the W1/2W1/2NW1/4NE1/4 of Section 19, T127N, R57W of the 5th P.M., Marshall County, South Dakota.

Per the Marshall County Zoning Ordinance, a storage unit is not listed as a permitted use in the Residential District. In the Commercial District under 11.3 Conditional Use, number 3 states that it includes structures containing both commercial and residential uses. Granting of this conditional use would bring the structure into compliance with the rules and regulations set forth by Marshall County.

REVIEW:

There is an existing single-family home on the property which is currently being used as a rental home. The proposed storage building will go South of the residence and run East to West. The applicant is aware that prior to the start of construction, the Zoning Director will be notified to confirm the desired setback distances from the road and lot lines as shown in the site plan attached and will meet Zoning requirements. Objections were received prior to the scheduled hearing.

**NOTICE OF HEARING - APPLICATION FOR CONDITIONAL USE FOR A 10-UNIT STORAGE BUILDING**

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on April 25, 2023 (DATE CHANGE) 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.

Schmieg Management, LLC has requested a Conditional Use from the Marshall County Zoning Ordinance for a 10-unit storage building to be constructed on the property described as the W1/2W1/2NW1/4NE1/4 of Section 19, T127N, R57W of the 5<sup>th</sup> P.M., Marshall County, South Dakota.

Erin Collins-Miles  
Planning & Zoning Administrator

Published once at the approximate cost of

*For publication: April 12, 2023*

1T (April 12)  
**NOTICE OF HEARING  
- APPLICATION FOR  
CONDITIONAL USE FOR  
A 10-UNIT STORAGE  
BUILDING**

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Erin Collins-Miles, Planning

**MARSHALL COUNTY APPLICATION FOR CONDITIONAL USE**

DATE: 03/10/2023

**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 9 Section 9.3 for the purpose of Construct a self storage building to be utilized by the public.

10 units 14' wide 50' deep 16' walls, Doors- 12' wide x 14' tall

**Legal Description:**

West Half of West Half of Northwest Quarter of Northeast Quarter (W1/2W1/2NW1/4NE1/4) of Section Nineteen (19), Township One Hundred Twenty-seven North (127N) Range Fiftyseven (57) West of the 5th P.M. Marshall County, State of South Dakota.

Reason: Construct a storage building to rent units to the public. Building not to exceed 60x160 with 16' eve height.

Applicant's Name: Schmieg Management LLC  
(Cory Schmieg & Blake Schmieg) Owners Phone: 605-290-2997

Address: 13971 479th Ave Corona SD 57227

Applicant's Signature:  

Owner's Signature (if different than applicant): \_\_\_\_\_

**For Internal Office Use Only:**

Date Received: 3/10/23 Fees (non-refundable): \$ 150.00 Paid: YES NO

Inspection Report: See staff report

Date of Hearing by Planning and Zoning Commission: April 25, 2023

Action taken by Planning and Zoning Commission: \_\_\_\_\_

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

April 11, 2023

**\*\*NOTICE: DATE OF HEARING HAS CHANGED. PREVIOUS DATE: 4/11/23  
THE CONTENTS OF THIS NOTICE ARE THE SAME, WITH NO CHANGES TO  
THE INTENT OF THE CONDITIONAL USE. BEING PRESENT AT THE HEARING  
IS NOT MANDATORY UNLESS YOU SUBMIT A LETTER OF OBJECTION OR  
WISH TO BRING QUESTIONS OR CONCERNS TO THE BOARD.**

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

MARSHALL COUNTY PLANNING & ZONING COMMISSION  
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Sincerely,

*Erin Collins-Miles*

Erin Collins-Miles  
Planning and Zoning Administrator

**Sent to the following adjacent landowners on 4/11/23:**

1. Shawn and April Tosse – 42475 109<sup>th</sup> St. Britton, SD
2. Lynn and Randy Carlson – 42462 109<sup>th</sup> St. Britton, SD
3. David Mitchell – 40154 111<sup>th</sup> St. Houghton, SD 57449
4. Melissa Fredrickson – P.O. Box 924 Britton, SD
5. Bruce and Kitty Johnson – P.O. Box 461 Britton, SD
6. Stuart and Diane Eberhart – 42485 Golf View Dr.

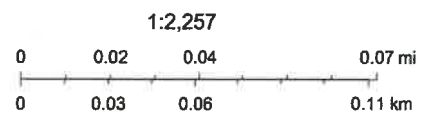
7. Jason and Kelly Teveldal – 42455 Golfview Dr.
8. Wayne and Laurie Polzin – 807 6<sup>th</sup> St. Britton, SD

# MARSHALL COUNTY WEB VIEWER

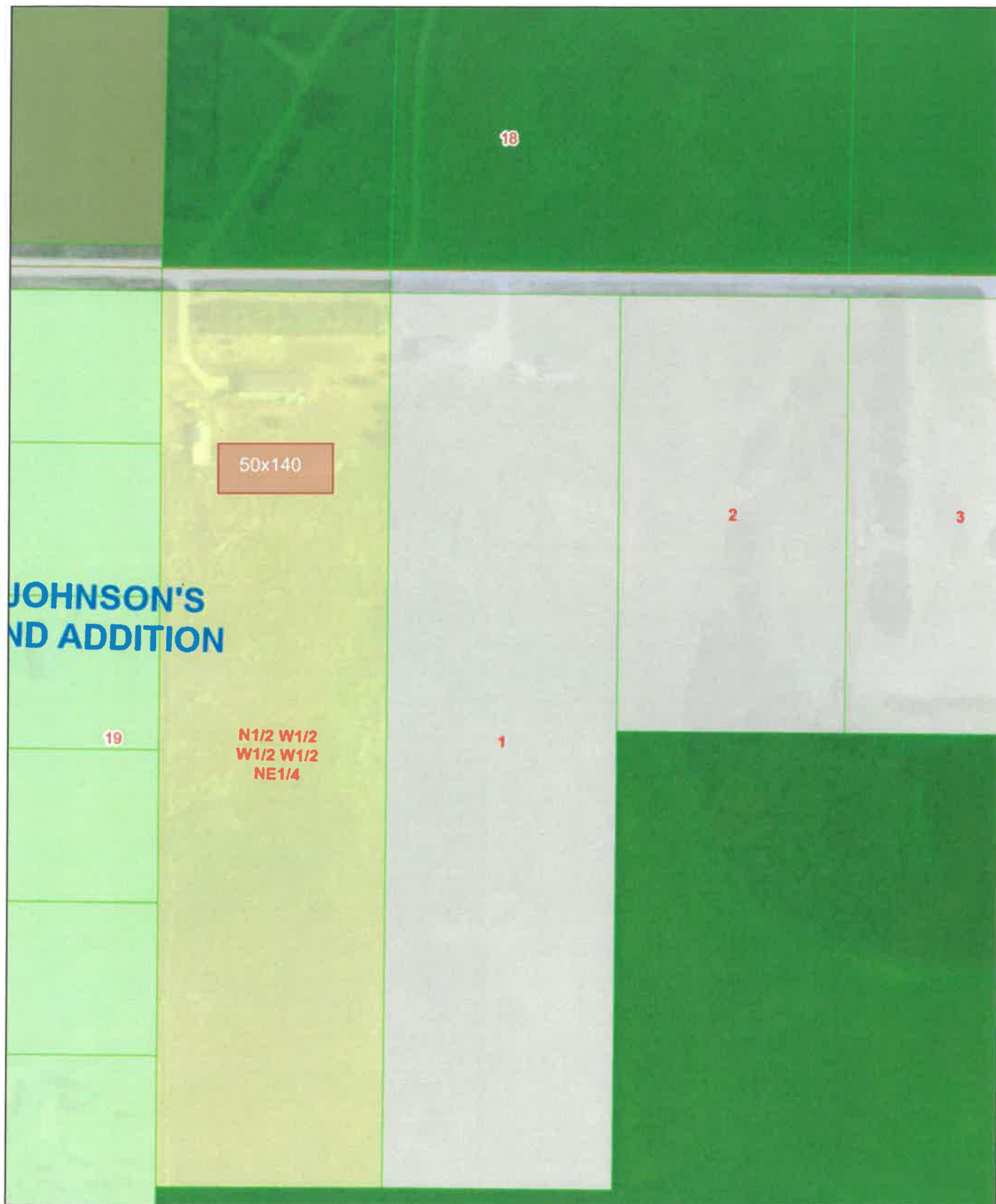


3/20/2023, 9:24:00 AM

- PLAT
- JOHNSON'S 2ND ADDITION
  - JOHNSON'S ADDITION
  - OUTLOT
- TOWNSHIPS
- SECTIONS
- PARCELS



# MARSHALL COUNTY WEB VIEWER



3/20/2023, 9:24:48 AM

## ZONING

- Agricultural Fringe Protection District
- Residential District

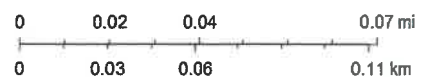
## PLAT

- JOHNSON'S 2ND ADDITION

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1:2,257





# Schmieg Management, LLC – Conditional Use



