

# MARSHALL COUNTY PLANNING & ZONING COMMISSION

## Proposed Agenda

Regular Scheduled Meeting

May 23, 2023– 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 May 9, 2023
- V. Matters for Board Discussion
- VI. Open
- VII. Disclosure of Conflicts/Ex Parte Communication
- VIII. New Business:
  - A. Variance – Jenna Nordquist**
    - 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)
      - b) P & Z Boards motion and roll call for vote for recommendation to County Commission
  - B. Variance – Jay & Jennifer Harris**
    - 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)
      - b) P & Z Boards motion and roll call for vote for recommendation to County Commission
- IX. Building Permits
- X. Other

A. Discussion of adoption of Ordinance No. 57 and the first reading of the ordinance.

1) During Regular Session; 10:35 AM Ordinance 57 Second Reading

XI. Old Business

XII. Adjourn

MARSHALL COUNTY PLANNING & ZONING BOARD  
PO BOX 9  
BRITTON, SOUTH DAKOTA  
UNAPPROVED MINUTES  
May 9, 2023

The Marshall County Planning & Zoning Board met at 9:15 AM, May 9, 2023, at the Marshall County Courthouse. Present at the hearing were the following Board members; Matthew Schuller, Kevin Jones, Doug Medhaug, LeRon Knebel, and Lynda Luttrell. Commissioner Schuller presided. Others present at the hearing were Erin Collins-Miles, Planning & Zoning, Megan Biel, Auditor and Russell Hawkins, Cody Toutges and Alvan Quinn Jr., all representing the Bureau of Indian Affairs. Sandy Dinger, Kalissa Stelzer, Shelby Thompson and an unidentified participant were present for portions of the meeting via zoom.

**AGENDA:**

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

**MINUTES:**

Knebel motioned; Jones seconded to approve the minutes from April 25, 2023. All members voted aye. Motion carried.

**VARIANCE:**

Pertaining to Jameson Peters; Jones motioned; Medhaug seconded to approve the requested 24ft variance to the right-of-way line setback; allowing the structure to be placed 36ft from the right-of-way line instead of the 60ft requirement, per the Marshall County Zoning Ordinance. A roll call vote was taken; Medhaug – Aye, Luttrell – Aye, Jones – Aye, Knebel – Aye, Schuller - Aye. Motion carried.

**DRAINAGE:**

Pertaining to Riverview, LLP; Concerns from representatives of the Bureau of Indian Affairs were heard by the Board, discussed and considered. Medhaug motioned; Jones seconded to approve a drainage application. Conditions to this permit are as follows; to make the construction completion date as seen on permit application; August 14, 2024. Applicant must reapply after said date. Applicant must follow all applicable laws. A roll call vote was taken; Medhaug – Aye, Luttrell – Aye, Jones – Aye, Knebel – Aye, Schuller – Aye. Motion carried. The permit will be recorded in the Register of Deeds office on June 6, 2023.

Additionally, Medhaug motioned; Knebel seconded to extend the completion date by one (1) year, which has been updated on the permit and is reflected in the motion. A roll call vote was taken; Medhaug – Aye, Luttrell – Aye, Jones – Aye, Knebel – Aye, Schuller – Aye. Motion carried. Please see full file for details.

**OTHER:**

The Planning & Zoning Administrator, Erin Collins-Miles, read the first notice for the proposed Zoning Regulations at today's hearing. Luttrell motioned; Schuller seconded to recommend Ordinance No. 57 to the County Commission. A roll call vote was taken; Medhaug – Aye, Luttrell – Aye, Jones – Aye, Knebel – Aye, Schuller - Aye. Motion carried. A copy of the proposed zoning revision is available in its entirety for public review during normal business hours in the offices of the County Zoning Administrator, Erin Collins-Miles and the County Auditor, Megan Biel. The first reading will be held during regular session on May 23, 2023 at 9:00 AM in the Commissioner's Chambers.

**BUILDING PERMITS:**

Luttrell motioned; Knebel seconded to accept building permits for the following applicants: Jared Holland Sisseton Township, Jay & Jennifer Harris Red Iron Lake Township, Steve Dronen Labelle Township, Mervin Anderson Jr. Buffalo Township, James Peters Lowell Township, Jameson & Carly Peters Waverly Township. All members voted aye. Motion carried.

**ADJOURN:**

Knebel motioned; Medhaug seconded to adjourn as Planning and Zoning Board and convene as Marshall County Commission at 9:52 AM. 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.....