

# MARSHALL COUNTY PLANNING & ZONING COMMISSION

## Proposed Agenda

Regular Scheduled Meeting

May 9, 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 April 25, 2023
- V. Matters for Board Discussion
- VI. Open
- VII. Disclosure of Conflicts/Ex Parte Communication
- VIII. New Business:
  - A. **Variance – Jameson Peters**
    - 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. **Drainage – Riverview, LLP**
    - 1) Reported 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) Drainage Board motion and roll call for vote
  - C. **Revised Zoning Regulations for Marshall County, South Dakota**
    - 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 1<sup>st</sup> Reading (if recommended by P&Z Board)

IX. Building Permits

X. Other

XI. Old Business

XII. Adjourn

MARSHALL COUNTY PLANNING & ZONING BOARD  
PO BOX 9  
BRITTON, SOUTH DAKOTA  
UNAPPROVED MINUTES  
**April 25, 2023**

The Marshall County Planning & Zoning Board met at 9:36 AM, April 25, 2023, at the Marshall County Courthouse. Present at the hearing were the following Board members; Matthew Schuller, Doug Medhaug, LeRon Knebel and Lynda Luttrell. Commissioner Jones was absent. Commissioner Schuller presided. Others present at the hearing were Erin Collins-Miles, Planning & Zoning, Megan Biel, Auditor, Lynn Carlson, Melissa Fredrickson, Cory Schmieg, Raymond Effling, Amanda Schmieg, Stuart Eberhart, Shawn Tosse, Ray Johnson, Laurie Polzin, David Mitchell, Diane Mitchell and Bruce R. Johnson. Sandy Dinger, Lori Amerman, Kalissa Stelzer, and Shelby Thompson were present for portions of the meeting via zoom.

**AGENDA:**

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

**MINUTES:**

Luttrell motioned; Schuller seconded to approve the minutes from April 11, 2023. All members present voted aye. Motion carried.

**REZONE:**

A motion and roll call vote were taken to deny an application for a Rezone from the Marshall County Zoning Ordinance for Schmieg Management, LLC. Luttrell motioned; Medhaug seconded to deny the Rezoning of the property from Residential to Commercial District. Roll call vote; Medhaug – Aye, Luttrell – Aye, Knebel – Aye, Schuller – Aye, Jones - Absent. Motion carried.

**CONDITIONAL USE:**

A motion and roll call vote were taken to deny an application for a Conditional Use from the Marshall County Zoning Ordinance for Schmieg Management, LLC. Medhaug motioned; Knebel seconded to deny the permit based on current Zoning Regulations. Roll call vote; Medhaug – Aye, Luttrell – Aye, Knebel – Aye, Schuller – Aye, Jones - Absent. Motion carried.

Luttrell motioned; Medhaug seconded to waive permits fees for both a conditional use and building permit when/if applicant reapplies. All members present voted aye. Motion carried.

**BUILDING PERMITS:**

Luttrell motioned; Medhaug seconded to accept building permits for the following applicants: Ehren Grupe Newark Township, Chris or John Eye White Township, Randy Deutsch Buffalo Township. All members present voted aye. Motion carried.

Medhaug motioned; Knebel seconded to deny a building permit for the following applicant: Schmieg Management, LLC Pleasant Valley Township.

**PLAT:**

Knebel motioned; Medhaug seconded to approve the following plat; All members present voted aye. Motion carried; Plat of Lakeview Second Addition in Lake Township.

**OTHER:**

Luttrell motioned; Knebel seconded to add criteria to the Conditional Use Sections of the Residential, Agricultural and Agricultural Fringe Protection Districts of the Zoning Ordinance; 1) Commercial storage garage or units and 2) Unattached garages with sidewalls greater than 14 feet. The first hearing for the changes

will be held on May 9th. Roll call vote; Medhaug – Aye, Luttrell – Aye, Knebel – Aye, Schuller – Aye, Jones - Absent. Motion carried.

**ADJOURN:**

Knebel motioned; Luttrell seconded to adjourn as Planning and Zoning Board and convene as Marshall County Commission at 10:36 AM. All members present voted aye. Motion carried.

**ATTEST:**

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