

MARSHALL COUNTY PLANNING & ZONING COMMISSION

Proposed Agenda

Regular Scheduled Meeting

June 20, 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 June 6, 2023
- V. Matters for Board Discussion
- VI. Open
- VII. Disclosure of Conflicts/Ex Parte Communication
- VIII. New Business:
 - A. Conditional Use – Schmieg Management, LLC**
 - 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. Conditional Use – Tom Leisure**
 - 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
 - C. Variance – Dan Brake**
 - 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

D. Drainage – Ehren Grupe

- 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

E. Revised Zoning Regulations for Marshall County, South Dakota

- a) The Planning & Zoning Administrator, Erin Collins-Miles will read the second notice for the proposed Zoning Regulations. 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.
- b) Discussion of adoption of Ordinance No. 58. The reading of the ordinance and its adoption will take place during Regular Session.

IX. Building Permits

X. Other

XI. Old Business

XII. Adjourn

MARSHALL COUNTY PLANNING & ZONING BOARD
PO BOX 9
BRITTON, SOUTH DAKOTA
UNAPPROVED MINUTES
June 6, 2023

The Marshall County Planning & Zoning Board met at 9:00 AM, June 6, 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, Darian Kilker, Drew Fredrickson, Terrance Fredrickson, Kent Moeckly, Drew Amacher, Jeff Amacher and Glen Aldentaler. Sandy Dinger and Shelby Thompson 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:

Jones motioned; Luttrell seconded to approve the minutes from May 23, 2023. All members voted aye. Motion carried.

CONDITIONAL USE:

Pertaining to Wayne Foote; A motion and roll call vote were taken to approve an application for a Conditional Use from the Marshall County Zoning Ordinance for Wayne Foote on the property described as Lot 1 in the Plat showing Wismer's Outlots in the SW1/4 of Section 23, T127N, R58W of the 5th P.M., Marshall County, South Dakota for an off-premise sign. Luttrell motioned; Knebel seconded to approve the permit. Roll call vote; Medhaug – Aye, Luttrell – Aye, Jones – Aye, Knebel – Aye, Schuller – Aye. Motion carried.

VARIANCE:

Pertaining to David Eiel; Medhaug motioned; Jones seconded to approve the requested 16' variance to the road right-of-way line setback; allowing the structure to be placed 14ft from the right-of-way line and to approve the 2.5' variance to the Southeast corner of the property line setback and 2' from the Southwest corner of the property line setback; allowing the structure to be 4.5ft from the Southeast corner and 5ft from the Southwest corner; both on the South property line; 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 Glen Aldentaler; Knebel motioned; Jones seconded to approve an application to drain on the properties described as the SW1/4 and the SE1/4 both of Section 14, T127N, R58W and the N1/2N1/2NW1/4NW1/4, N1/2S1/2N1/2NW1/4NW1/4, & N/2S/2S/2N/2NW1/4NW1/4 of Section 23, T127N, R58W. Conditions to this permit are as follows; to make the construction completion date as seen on permit application; August 1, 2024, with the requirement of Terry Fredrickson signing an adjacent landowner waiver. Please see file for full details. 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.

Drainage permit No. 1-23 for Riverview, LLP will be recorded in the register of Deeds office today, June 6, 2023.

OTHER:

The Planning & Zoning Administrator, Erin Collins-Miles, read the first notice for the proposed Zoning Regulations at today's hearing. Luttrell motioned; Jones seconded to recommend Ordinance No. 58 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 June 20, 2023 at 9:00 AM in the Commissioner's Chambers.

BUILDING PERMITS:

Medhaug motioned; Luttrell seconded to accept building permits for the following applicants: Dennis & Brenda Joy Lake Township, Chris Schuster Eden Township, David Eiel Lake Township (Variance), Conner Thompson Lake Township, Wayne Foote Miller Township (Conditional Use). 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 9:44 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.....