

STAFF REPORT
June 20, 2023

**APPLICATION FOR CONDITIONAL USE FOR AN UNATTACHED
GARAGE WITH SIDEWALLS GREATER THAN 14 FEET**

GENERAL INFORMATION:

PETITIONER	Tom Leisure
REQUEST	Application for Conditional Use for an unattached garage with sidewalls greater than 14 feet
LEGAL DESCRIPTION	Lot 1 in the Plat showing Lots 1-6 Hellevang's 2nd Addition in Gov't Lot 2 in Section 11, T125N, R53W
CURRENT ZONING	Lake Front Residential (R-3)
SURROUNDING ZONING	Lake Front Residential (R-3) and Agricultural (Ag)
REPORTED BY	Erin Collins-Miles

GENERAL COMMENT: Per the Marshall County Zoning Ordinance, an unattached garage with sidewalls greater than 14 feet is permitted under the Conditional Use Section located in TITLE 10, Chapter 10.3. Granting of this conditional use would bring the building into compliance with the rules and regulations set forth by Marshall County.

REVIEW: The proposed building is 40x40 in size with 18-foot sidewalls. The proposed use of the structure is a garage for storage. As the Ordinance states, unattached garages with sidewalls greater than 14 feet falls under the conditional use section. Zoning Director was onsite on 5/24/23 and noted that the applicant had staked out the building exactly 30 feet from the road right-of-way line. The applicant is aware that the building can't go any closer to the road without a variance. No written comments or objections were received prior to the scheduled hearing.

NOTICE OF HEARING - APPLICATION FOR CONDITIONAL USE FOR AN UNATTACHED GARAGE WITH SIDEWALLS GREATER THAN 14 FEET

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on June 20, 2023 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.

Tom Leisure has requested a Conditional Use from the Marshall County Zoning Ordinance for a storage garage with sidewalls greater than 14 feet to be placed on the property described as Lot 1 in the Plat showing Lots 1-6 Hellevang's 2nd Addition in Gov't Lot 2 in Section 11, T125N, R53W of the 5th P.M., Marshall County, South Dakota.

Erin Collins-Miles
Planning & Zoning Administrator

Published once at the approximate cost of

For publication: May 31, 2023

1T (May 31)
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Erin Collins-Miles, Planning & Zoning Administrator
Published at an approximate cost of \$8.41 and can be viewed free of charge at www.sdpublicnotices.com.

MARSHALL COUNTY APPLICATION FOR CONDITIONAL USE

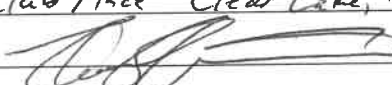
DATE: May 22, 2023

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 10 Section 10.3 for the purpose of unattached garage with sidewalls greater than 14 feet.

Legal Description: Lot 1 Hellavang 2nd Addition in Gov't Lot 2 Section 11, T125N, R53W

Reason: unattached garage with 18' sidewalls

Applicant's Name: Tom Leisure Phone: 641-512-6118
Address: 1 Country Club Place Clear Lake, Iowa 50428
Applicant's Signature: 
Owner's Signature (if different than applicant): _____

For Internal Office Use Only:

Date Received: 5/22/23 Fees (non-refundable): \$150.00 Paid: YES NO

Inspection Report: see staff report

Date of Hearing by Planning and Zoning Commission: June 20, 2023

Action taken by Planning and Zoning Commission: _____

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

May 31, 2023

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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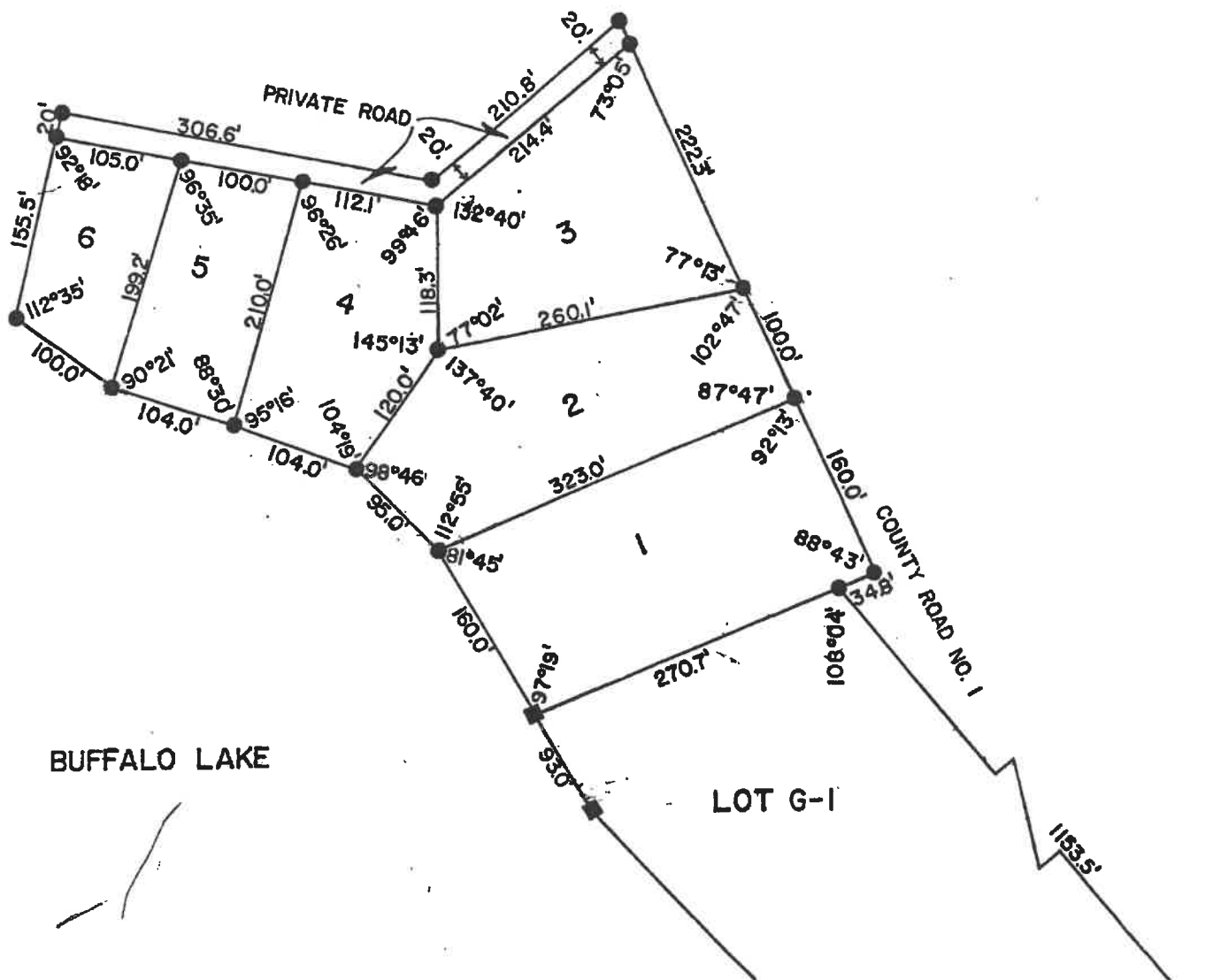
Erin Collins-Miles

Erin Collins-Miles
Planning and Zoning Administrator

Sent to the following adjacent landowners on 5/31/23:

1. Jacob Prins – 12131 Marshall County Rd. #1 Eden, SD 57232
2. Dept. of Game, Fish and Parks – 523 E Capitol Ave. Pierre, SD 57501
3. Buffalo Lake Ranch, Inc. c/o Vice President – 1020 3rd Ave. W Sisseton, SD 57262

PLAT SHOWING LOTS 1-6
HELLEVANG'S 2ND ADDITION
 IN GOV'T LOT 2 IN SECTION 11, T25N, R53W OF THE 5TH P.M.,
 MARSHALL, COUNTY, SOUTH DAKOTA



MARSHALL COUNTY WEB VIEWER

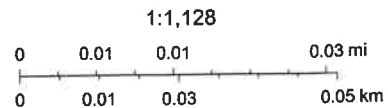


4/18/2023, 10:49:52 AM

PLAT

- BERRY LAKE ADDITION
- HELLEVANG'S 2ND ADDITION
- HELLEVANG'S 4TH ADDITION

- TOWNSHIPS
- SECTIONS
- PARCELS



MARSHALL COUNTY WEB VIEWER

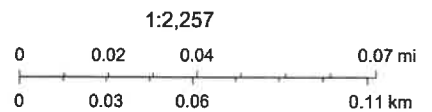


5/24/2023, 3:08:53 PM

PLAT

- BERRY LAKE ADDITION
- HELLEVANG'S 2ND ADDITION
- HELLEVANG'S 4TH ADDITION

- TOWNSHIPS
- SECTIONS
- PARCELS








MARSHALL COUNTY WEB VIEWER

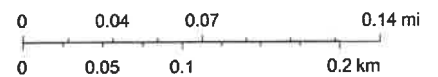


6/13/2023, 1:55:58 PM

ZONING

-  Agricultural District
-  Lake Front Residential District
-  TOWNSHIPS
-  SECTIONS
-  PARCELS

1:4,514



Conditional Use – Tom Leisure



