

**STAFF REPORT**  
**July 11, 2023**

---

**APPLICATION FOR CONDITIONAL USE FOR AN ADDITION TO  
EXISTING BUILDING**

---

GENERAL INFORMATION:

PETITIONER	CDJ Electric, Plumbing & Heating
REQUEST	<b>Application for Conditional Use for an addition to existing building</b>
LEGAL DESCRIPTION	East 210' of Lot 1 in the Plat showing Lots 1-8, Industrial Annex Subdivision in the SE1/4 of Section 26, T127N, R58W
CURRENT ZONING	General Industrial (I)
SURROUNDING ZONING	Agricultural Fringe Protection (AGFP), Highway Commercial (HC), General Industrial (I)
REPORTED BY	Erin Collins-Miles

GENERAL COMMENT: Per the Marshall County Zoning Ordinance, there are no permitted uses in the General Industrial District; see TITLE 13, CHAPTER 13.2. Granting of this conditional use would bring the structure into compliance with the rules and regulations set forth by Marshall County.

REVIEW: The original shop/office building was constructed in 2003. In 2007, an addition for cold storage was added, a second addition was added in 2021. The required front yard setback for buildings in the General Industrial district is 25'. The Highway to the East of the property has a span of 200'. Considering the span of the road and required setbacks, the applicant would need to be no less than 125' from the center of the road. The addition would sit 128' from the center of the road. No objections were received prior to the scheduled CU hearing.

**NOTICE OF HEARING - APPLICATION FOR CONDITIONAL USE FOR AN ADDITION TO EXISTING BUILDING**

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on July 11, 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.

CDJ Electric, Plumbing & Heating has requested a Conditional Use from the Marshall County Zoning Ordinance for an addition to the existing building to be constructed on the property described as the East 210' of Lot 1 in the Plat showing Lots 1-8, Industrial Annex Subdivision in the SE1/4 of Section 26, T127N, R58W 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: June 21, 2023*

1T (June 21)  
**NOTICE OF HEARING  
- APPLICATION FOR  
CONDITIONAL USE FOR AN  
ADDITION TO  
EXISTING BUILDING**

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on July 11, 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.

CDJ Electric, Plumbing & Heating has requested a Conditional Use from the Marshall County Zoning Ordinance for an addition to the existing building to be constructed on the property described as the East 210' of Lot 1 in the Plat showing Lots 1-8, Industrial Annex Subdivision in the SE1/4 of Section 26, T127N, R58W of the 5<sup>th</sup> P.M., Marshall County, South Dakota.

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](http://www.sdpublicnotices.com).

**MARSHALL COUNTY APPLICATION FOR CONDITIONAL USE**

DATE: 5/30/23

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~~ <sup>Title</sup> 13 ~~Section~~ <sup>Chapter</sup> 13.3 for the purpose of building an addition off of existing building

Legal Description: 26 - 127 - 58 East 210' of Lot 2  
in Industrial Annex Subdivision

Reason: Add Addition to Existing  
Building

Applicant's Name: CNJ Electric Phone: 605-880-7506  
605-448-5858  
Address: 110 59 SD Hwy 27 Britton  
Applicant's Signature: Craig Tenelle  
Owner's Signature (if different than applicant): \_\_\_\_\_

**For Internal Office Use Only:**

Date Received: 5/30/23 Fees (non-refundable): \$150.00 Paid:  YES  NO

Inspection Report: See staff report - according to plat and

General Ind. District, building needs to be 125' from center of Hwy - (actual 128')

Date of Hearing by Planning and Zoning Commission: July 11<sup>th</sup>, 2023

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

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

June 20, 2023

Dear Property Owner,

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on July 11, 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.

CDJ Electric, Plumbing & Heating has requested a Conditional Use from the Marshall County Zoning Ordinance for an addition to the existing building to be constructed on the property described as the East 210' of Lot 1 in the Plat showing Lots 1-8, Industrial Annex Subdivision in the SE1/4 of Section 26, T127N, R58W of the 5th P.M., Marshall County, South Dakota.

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  
P.O.BOX 9  
BRITTON, SOUTH DAKOTA 57430  
605.448.7540

June 20, 2023

Dear Property Owner,

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on July 11, 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.

CDJ Electric, Plumbing & Heating has requested a Conditional Use from the Marshall County Zoning Ordinance for an addition to the existing building to be constructed on the property described as the East 210' of Lot 1 in the Plat showing Lots 1-8, Industrial Annex Subdivision in the SE1/4 of Section 26, T127N, R58W of the 5th P.M., Marshall County, South Dakota.

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,

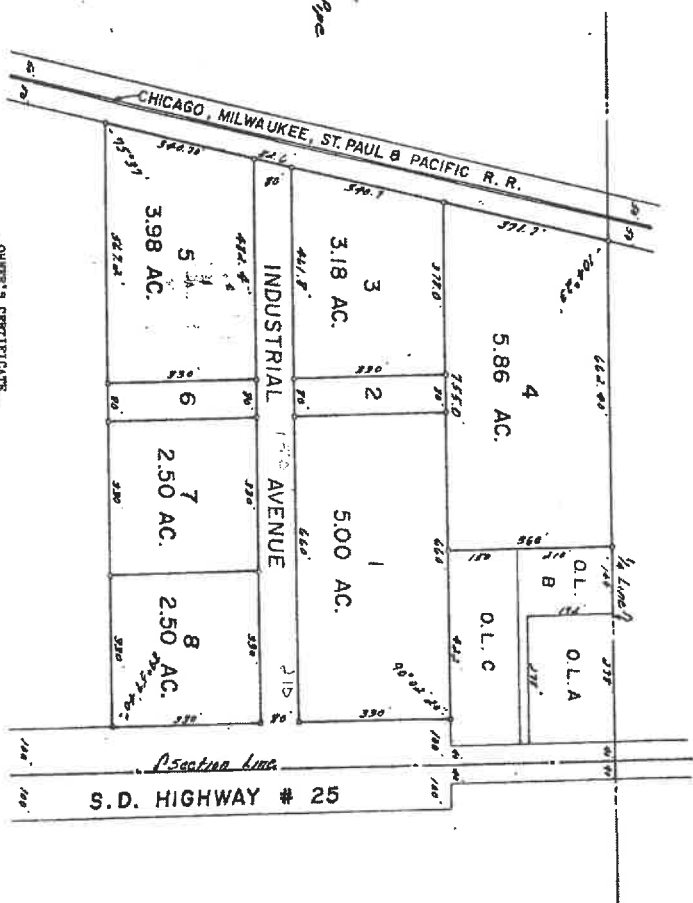
*Erin Collins-Miles*

Erin Collins-Miles  
Planning and Zoning Administrator

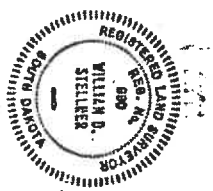
**Sent to the following adjacent landowners on 6/20/23:**

1. RPM Holdings, LLC c/o Lars K. Lyngaas – P.O. Box 156 Britton, SD 57430
2. Craig Teveldal – 11059 SD HWY 27 Britton, SD 57430
3. Kathryn Bosse – 11052 SD HWY 27 Britton, SD 57430
4. Brian & Renae Benda – 46956 247<sup>th</sup> St. Dell Rapids, SD 57022
5. Britton Grain Terminal, LLC c/o Matthew Brandenburger – 10820 464<sup>th</sup> Avenue New Effington, SD 57255 & 6587 US HWY 75 Wheaton, MN 56926
6. RW Farms, Inc. – 1502 Vander Horck Britton, SD 57430

**PLAT SHOWING**  
**LOTS 1-8, INDUSTRIAL ANNEX SUBDIVISION**  
**IN THE SE 1/4 OF SEC. 26, T. 127 N., R. 58 W.**  
**BRITTON, MARSHALL CO., S. D.**



Scale: 1" = 100'  
 Denotes Iron Pps



**OWNER'S CERTIFICATE**

We, Wiser's Lumber Yard, a corporation, do hereby certify that we are the owners of the Southeast Quarter of Section 26, Township 127 North, Range 58 West of the 3rd P.M., in Marshall County, South Dakota, except the railroad right-of-way, and except Lots A, B and C of Lot 8, and described as Lots 1-8 Industrial Annex Subdivision in the SE 1/4 of Sec. 26, T. 127 N., R. 58 W. We shall hereafter be known and described as Lots 1-8 Industrial Annex Subdivision in the SE 1/4 of Sec. 26, T. 127 N., R. 58 W. We do hereby dedicate to the public use forever the platted avenue as shown.

**WISER'S LUMBER YARD, a corporation**

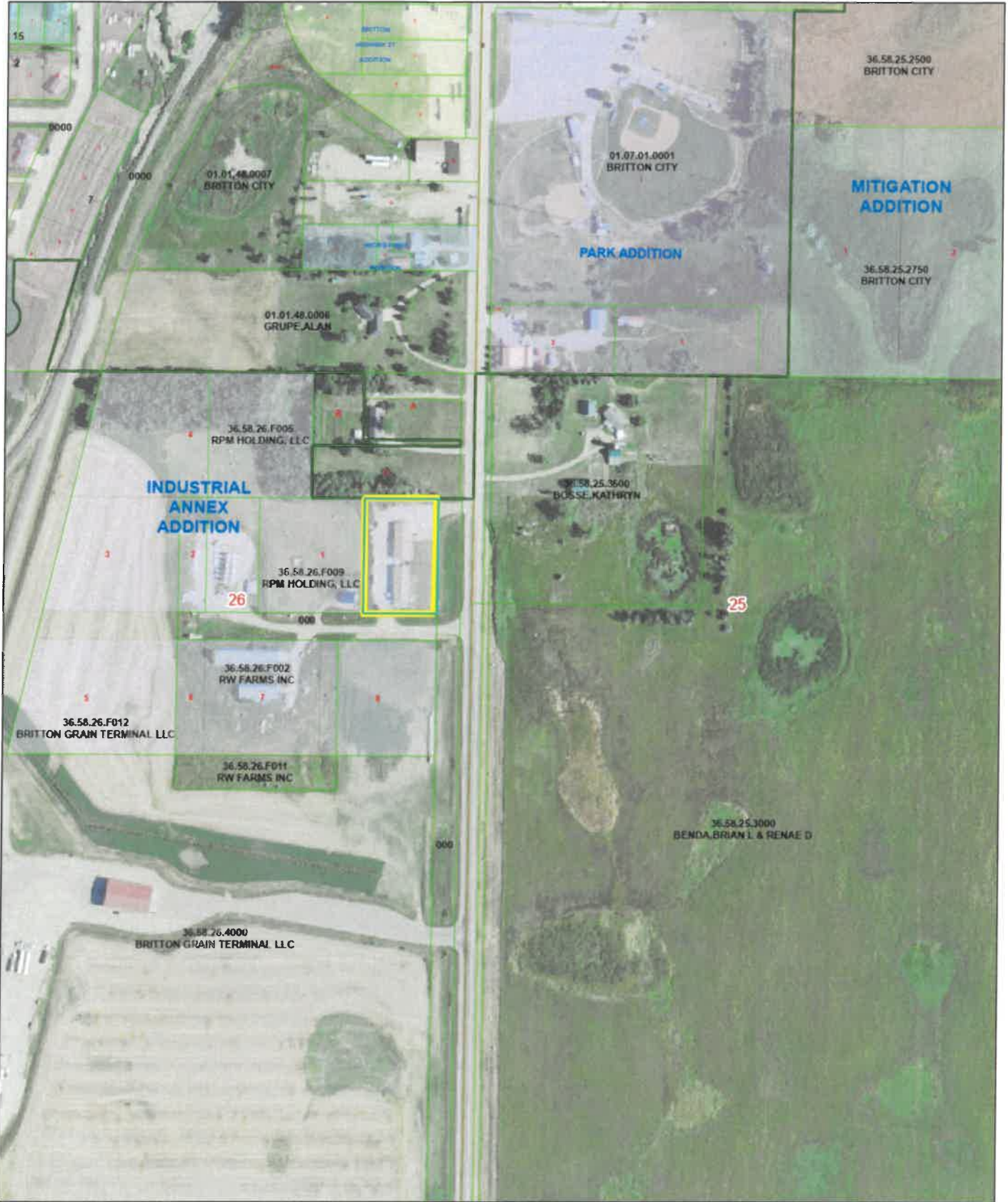
Signed this 17 day of July 1978.

**Notary Public**

State of South Dakota, County of Marshall. On this 17 day of July, 1978, before me, a Notary Public, personally appeared Charles P. Wiser and Richard K. Wiser, known to me to be the president and secretary, respectively, of the corporation that is described in the foregoing certificate, and they acknowledged to me that they executed the same.

**Notary Public**

# MARSHALL COUNTY WEB VIEWER

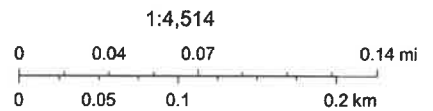


7/5/2023, 3:56:26 PM

PLAT

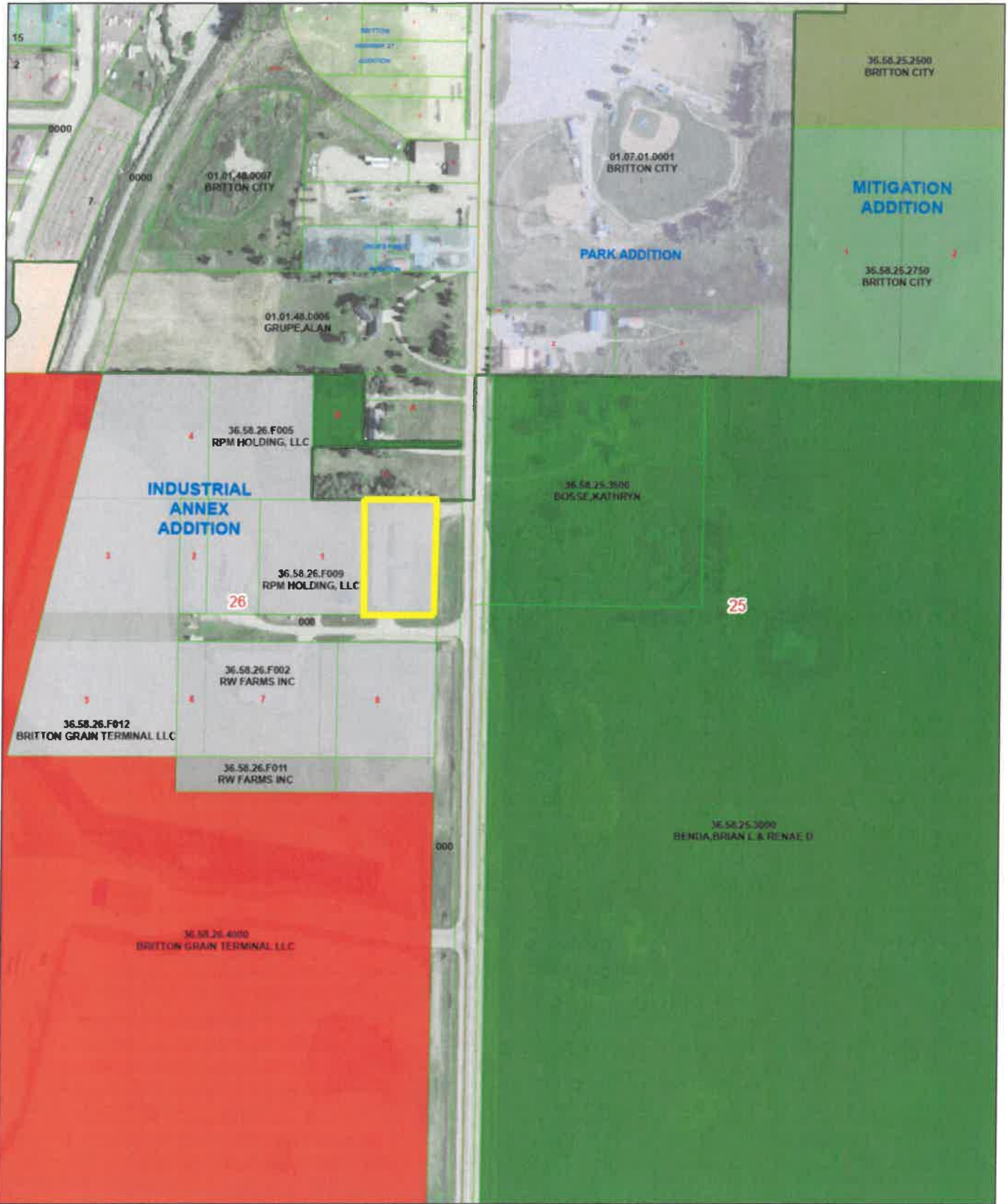
- BRITTON HIGHWAY 27 ADDITION
- FORTNER SUBDIVISION
- HICKS FIRST ADDITION
- INDUSTRIAL ANNEX ADDITION**

- KADOUN SUBDIVISION
- LEEWOOD PLAT
- MITIGATION ADDITION
- OUTLOT
- PARK ADDITION
- PLATTED ROW
- TOWNSHIPS
- SECTIONS
- CITY\_LIMIT
- PARCELS





# MARSHALL COUNTY WEB VIEWER



7/5/2023, 3:58:20 PM

ZONING

- Agricultural Fringe Protection District
- General Industrial District
- Highway Commercial District
- Residential District

PLAT

BRITTON HIGHWAY 27 ADDITION

FORTNER SUBDIVISION

HICKS FIRST ADDITION

INDUSTRIAL ANNEX ADDITION

KADOUN SUBDIVISION

LEEWOOD PLAT

MITIGATION ADDITION

OUTLOT

PARK ADDITION

PLATTED ROW

TOWNSHIPS

SECTIONS

CITY\_LIMIT

PARCELS

1:4,514





## Conditional Use – CDJ Electric, Plumbing & Heating

