

MARSHALL COUNTY PLANNING & ZONING COMMISSION

Proposed Agenda

Regular Scheduled Meeting

August 10, 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 July 11, 2023
- V. Matters for Board Discussion
- VI. Open
- VII. Disclosure of Conflicts/Ex Parte Communication
- VIII. New Business:
 - A. Variance – Carson Cobb**
 - 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 – Cole Brothers Farms, 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)
 - b) P & Z Boards motion and roll call for vote for recommendation to County Commission
 - C. Rezone permit #59 – Robert Novotny**
 - 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 1st Reading (if recommended by P&Z Board)

IX. Building Permits

X. Other: Solar & FEMA Ordinance Updates

XI. Old Business

XII. Adjourn

MARSHALL COUNTY PLANNING & ZONING BOARD
PO BOX 9
BRITTON, SOUTH DAKOTA
UNAPPROVED MINUTES
July 11, 2023

The Marshall County Planning & Zoning Board met at 9:00 AM, June 20, 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, Jerry Burger, Clarence & Jean Roehrich.

AGENDA:

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

MINUTES:

Knebel motioned; Medhaug seconded to approve the minutes from June 20, 2023 with the following correction; to accept the building permit denial for Blake Schmiege, 29-23, due to a motion to deny a conditional use application for a 10-unit storage building. All members voted aye. Motion carried.

CONDITIONAL USE:

Pertaining to CDJ Electric, Plumbing & Heating; A motion and roll call vote were taken for an application for a Conditional Use from the Marshall County Zoning Ordinance for CDJ Electric 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 for an addition to an existing building. Luttrell motioned; Jones seconded to approve the permit. The applicant will also need to acquire approval from Britton City due to the location being joint jurisdiction. Roll call vote; Medhaug – Aye, Luttrell – Aye, Jones – Aye, Knebel – Aye, Schuller – Aye. Motion carried.

OTHER:

Findings of fact pertaining to Schmiege Management, LLC; The Board has decided to deny the request for additional findings other than what is on the record.

The Zoning Director, also the Floodplain Administrator for Marshall County, reviewed a letter received by FEMA indicating the Final Flood Hazard Determination for Marshall County. The Flood Insurance Study (FIS) report and Flood Insurance Rate Map (FIRM) will become effective on December 21, 2023. An ordinance and permitting process will be adopted and established prior to said effective date. The Floodplain Administrator is working to complete the Ordinance and permit at this time and will update the Board and Community with the process.

The Zoning Director is working on a Solar Ordinance for Marshall County and informed the Board of this process at today's meeting. Updates during this process will be provided as they become available. The Board was made aware of a CPR class for city and county employees that will be held on July 19th and 20th that is also available to them.

BUILDING PERMITS:

Medhaug motioned; Knebel seconded to deny a permit for the following applicant; Blake Schmiege permit No. 29-23 (Conditional Use). Roll call vote; Medhaug – Aye, Luttrell – No, Jones – No, Knebel – Aye, Schuller – Aye. Motion carried.

Jones motioned; Luttrell seconded to accept building permits for the following applicants: Glenn Elmore Lake Township, Len Kretchman Red Iron Lake Township, Craftwell Architecture for Len Kretchman Red Iron Lake Township, Marshall Dairy West; Riverview, LLP Veblen Township, Westwood HBI Newark Township, Nancy

Drexler White Township, Doug Bremmon Pleasant Valley Township, Dalton Docter Feedlot Weston Township, Deborah Cobb Lake Township, Shawn Enge Hamilton Township, Sandra King Hamilton Township, CDJ Electric, Plumbing & Heating (Conditional Use) Miller 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 9:25 AM. All members voted aye. Motion carried.

ATTEST:

Erin Collins-Miles
Marshall County Planning and Zoning Administrator
Marshall County, South Dakota
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