

MARSHALL COUNTY PLANNING & ZONING COMMISSION

Proposed Agenda

Regular Scheduled Meeting

August 22, 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 August 10, 2023
- V. Matters for Board Discussion
- VI. Open
- VII. Disclosure of Conflicts/Ex Parte Communication
- VIII. New Business:
 - A. Variance – Bosse Family Cabin**
 - 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
- IX. Building Permits
- X. Other: Solar & FEMA Ordinance Updates
 - A. In regular session – Ordinance No. 59 Second reading
- XI. Old Business
- XII. Adjourn

MARSHALL COUNTY PLANNING & ZONING BOARD
PO BOX 9
BRITTON, SOUTH DAKOTA
UNAPPROVED MINUTES
August 10, 2023

The Marshall County Planning & Zoning Board met at 9:00 AM, August 10, 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 Schuller presided. Commissioner Jones was present via telephone for a portion of the hearing. Others present at the hearing were Erin Collins-Miles, Planning & Zoning, Megan Biel, Auditor, Victor Rapkoch, Marshall County States Attorney, Brad Heitmann, Andrew & Meredith Feia and Kalissa Stelzer, Register of Deeds, for a portion of the hearing.

AGENDA:

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

MINUTES:

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

VARIANCE:

Pertaining to a Variance for Carson Cobb; Medhaug motioned; Knebel seconded to approve the requested 26.5' variance to the right-of-way line setback; allowing the structure to be built 3.5ft from the right-of-way line; per the Marshall County Zoning Ordinance and to adopt the facts and the recommended findings of the Planning Commission listed in the staff report. A roll call vote was taken; Medhaug – Aye, Luttrell – Aye, Jones – Absent, Knebel – Aye, Schuller - Aye. Motion carried.

Pertaining to a Variance for Cole Brothers Farms, LLC; Medhaug motioned; Knebel seconded to approve the requested 18' variance to the right-of-way line setback; allowing the bin to be built 42ft from the right-of-way line; per the Marshall County Zoning Ordinance and to adopt the facts and the recommended findings of the Planning Commission listed in the staff report. For findings of fact, please see full file. A roll call vote was taken; Medhaug – Aye, Luttrell – Aye, Jones – Absent, Knebel – Aye, Schuller - Aye. Motion carried.

REZONE:

Pertaining to a Rezone for Robert Novotny; Discussion was had and concerns and questions were heard from the public attending the hearing. The Board discussed. Luttrell motioned; Medhaug seconded to recommend Ordinance No. 59 to the County Commission and to adopt the facts and the recommended findings of the Planning Commission listed in the staff report. A roll call vote was taken; Medhaug – Aye, Schuller – Aye, Luttrell – Aye, Knebel – Aye, Jones - Aye. Motion carried.

The second reading for Ordinance No. 59 will take place during regular session at the scheduled August 22, 2023 meeting.

BUILDING PERMITS:

Knebel motioned; Medhaug seconded to accept building permits for the following applicants: Brian & Gina Freeman Waverly Township, Clark Moeckly Lake Township, Lance Griese Lake Township, Stacey Warner Pleasant Valley Township, Hilary Neuberger Eden Township, Mark E. Hagen Sisseton Township, Thomas Jones Pleasant Valley Township, Barbara Rude Lake Township, Carson Cobb (Variance) Lake Township, Cole Brothers Farms, LLC (Variance) Newport Township. All members present voted aye. Motion carried.

OTHER:

The Zoning Director updated the Board on upcoming Ordinances for Solar and FEMA Flood Mapping and their progress prior to completion. An email containing these ordinances and the Floodplain permit will be sent to the Board in the upcoming weeks for their review prior to the next scheduled hearing.

Some members of the community may have received letters from a Solar Panel company recently. The Zoning Director made the Board aware of efforts to contact the company to discuss their plans and intentions for the community and to make it known that there will be an upcoming solar ordinance.

Victor Rapkoch, Erin Collins-Miles and Kalissa Stelzer discussed updates and amendments to the Zoning ordinance. These changes will be implemented in the coming weeks. The Zoning administrator will provide updates as the process moves forward.

ADJOURN:

Knebel motioned; Schuller seconded to adjourn as Planning and Zoning Board and convene as Marshall County Commission at 10:02 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.....