

MARSHALL COUNTY PLANNING & ZONING COMMISSION

Proposed Agenda

Regular Scheduled Meeting

September 5, 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 22, 2023
- V. Matters for Board Discussion
- VI. Open
- VII. Disclosure of Conflicts/Ex Parte Communication
- VIII. New Business:

A. Drainage – Riverview, LLP (Marshall West Dairy)

- 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

B. Revised Zoning Regulations for Marshall County, South Dakota

- a) The Marshall County Planning and Zoning Commission will hold a public meeting to receive public input concerning Marshall County's proposed Zoning Regulations. The Planning and Zoning Commission will make a recommendation to the Marshall County Commission concerning the adoption of the Zoning Regulations.

C. Plats

- a. Roykota Legacy Estates

Plat of Roykota Legacy Estates Second Subdivision being a replat of part of Lot 14, Roykota Legacy Estates, in Government Lot 5 of Section 27, T126N, R55W of the 5th P.M., Marshall County, South Dakota

b. Heitmann Brothers Subdivision

Plat of Heitmann Brothers Subdivision in Gov't Lots 2, 3, 4 & 5, N1/2NW1/4, NE1/4 and NE1/4SE1/4, Section 24, T127N, R54W, of the 5th P.M., Marshall County, South Dakota

IX. Building Permits

X. Other

XI. Old Business

XII. Adjourn

MARSHALL COUNTY PLANNING & ZONING BOARD
PO BOX 9
BRITTON, SOUTH DAKOTA
UNAPPROVED MINUTES
August 22, 2023

The Marshall County Planning & Zoning Board met at 9:00 AM, August 22, 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 absent. Others present at the hearing were Erin Collins-Miles, Planning & Zoning and Megan Biel, Auditor.

AGENDA:

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

MINUTES:

Medhaug motioned; Luttrell seconded to approve the minutes from August 10, 2023. All members present voted aye. Motion carried.

VARIANCE:

Pertaining to a Variance for Bosse Family Cabin; Medhaug motioned; Luttrell seconded to approve the requested 18' variance to the normal high-water mark setback; allowing the structure to be built 32ft from the normal high-water mark; 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.

REZONE:

The Zoning Director mentioned that the County Commission will hold the 2nd reading for a Rezone pertaining to Robert Novotny at 10:45 AM. The Board may then take a vote to adopt the ordinance. Ordinance No. 59 will become effective on September 12, 2023.

BUILDING PERMITS:

Luttrell motioned; Medhaug seconded to accept building permits for the following applicants: Robert Tchida – Dumarce, Randy Deutsch – Buffalo, Owen Stavick – McKinley, Todd McLaen – Pleasant Valley, Timothy J. Tracy – Lake, Larry Bosse – Lake. All members present voted aye. Motion carried.

OTHER:

Updates to the Zoning ordinance were discussed and will be implemented in the coming weeks. The Zoning administrator will provide updates as the process moves forward. This will include the upcoming Solar Ordinance (Appendix H) and other changes including other Zoning Districts. The first reading for the upcoming Zoning Ordinance changes will be held on September 5th, 2023.

The upcoming FEMA Ordinance is in review. The Zoning Director has asked the Marshall County State's Attorney to look over the ordinance prior to beginning the adoption process. The Zoning Director will update the Board of its progress at the next scheduled Commissioner's hearing.

The Zoning Director mentioned City offices using the Marshall County building permit for use within their own jurisdiction(s). The Zoning Director will be in touch with those local officials to aid in creating their own forms.

ADJOURN:

Knebel motioned; Medhaug seconded to adjourn as Planning and Zoning Board and convene as Marshall County Commission at 9:20 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.....