

STAFF REPORT
November 7, 2023

APPLICATION FOR CONDITIONAL USE FOR A CHURCH BUILDING

GENERAL INFORMATION:

PETITIONER	Westwood Hutterian Brethren, Inc.
REQUEST	Application for Conditional Use for a church building
LEGAL DESCRIPTION	NW1/4 & NE1/4 of Section 22, T128N, R58W
CURRENT & SURROUNDING ZONING	Agricultural (Ag)
REPORTED BY	Erin Collins-Miles

GENERAL COMMENT: Per the Marshall County Zoning Ordinance, a church is permitted under the Conditional Use Section located in TITLE 8, Chapter 8.3. 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 62x112 in size with 10-foot sidewalls. The proposed use of the structure would be a church for the use of the Colony. As the Ordinance states, Churches fall under the conditional use section. Zoning Director was onsite on 10/19/23 and noted that the applicant had staked out the building exactly 94' feet from the housing to the North and the South. The applicant noted on the permit that the building would be 62x120, but upon measuring, Paul Stahl said the building would be 8' less in length. No written comments or objections were received prior to the scheduled hearing.

NOTICE OF HEARING - APPLICATION FOR CONDITIONAL USE FOR A CHURCH BUILDING

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on November 7, 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.

Westwood Hutterian Brethren, Inc. has requested a Conditional Use from the Marshall County Zoning Ordinance for a Church building to be constructed on the properties described as the NW1/4 & NE1/4 of Section 22, T128N, R58W.

Erin Collins-Miles
Planning & Zoning Administrator

Published once at the approximate cost of

For publication: October 25, 2023

11 (Oct 25)
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T128N, R58W.
Erin Collins-Miles, Planning &
Zoning Administrator
Published at an approximate cost
of \$6.96 and can be viewed free
of charge at www.sdpublicnotices.com.

MARSHALL COUNTY APPLICATION FOR CONDITIONAL USE

DATE: 10-18-2023

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 8 Section 8.3 for the purpose of building a church in the Ag district where it is permitted only with a conditional use. See Sec. 8.3, number 4

Legal Description: NW 1/4 + NE 1/4 Section 22, 128N, 58W

Reason: Church Building

Applicant's Name: Westwood Hutterian Brethren Inc Phone: 605-954-2090
Address: 10332 481st Ave.

Applicant's Signature: Paul Stehr

Owner's Signature (if different than applicant): _____

For Internal Office Use Only:

Date Received: 10/18/23 Fees (non-refundable): \$150 Paid: YES NO

Inspection Report: See staff report

Date of Hearing by Planning and Zoning Commission: November 7, 2023

Action taken by Planning and Zoning Commission: _____

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

October 23, 2023

Dear Property Owner,

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on November 7, 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.

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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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Sincerely,

Erin Collins-Miles

Erin Collins-Miles
Planning and Zoning Administrator

Sent to the following adjacent landowners on 10/23/23:

1. Donald Rust – 9712 124th Ave. SE Cogswell, ND 58017
2. Donald Jarrett – 41996 106th St. Britton, SD 57430
3. Lynne Brown & Mark Jarrett – 614 Walters Ave. S Lake Preston, SD 57249
4. Jennifer Daly – Apt. #1113S Falls Church, VA 22041
5. Stuart & Diane Eberhart – 1004 1st St. Britton, SD 57430



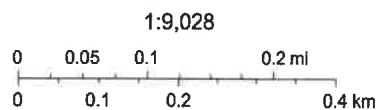
*This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. It is a compilation of information located in various County and State offices and other sources and is to be used for reference purposes only. Marshall County is not responsible for any errors in the drawing. If errors are found, please contact the GIS Administrator. The drawing was electronically produced on Marshall County Geographic Information System.

MARSHALL COUNTY WEB VIEWER

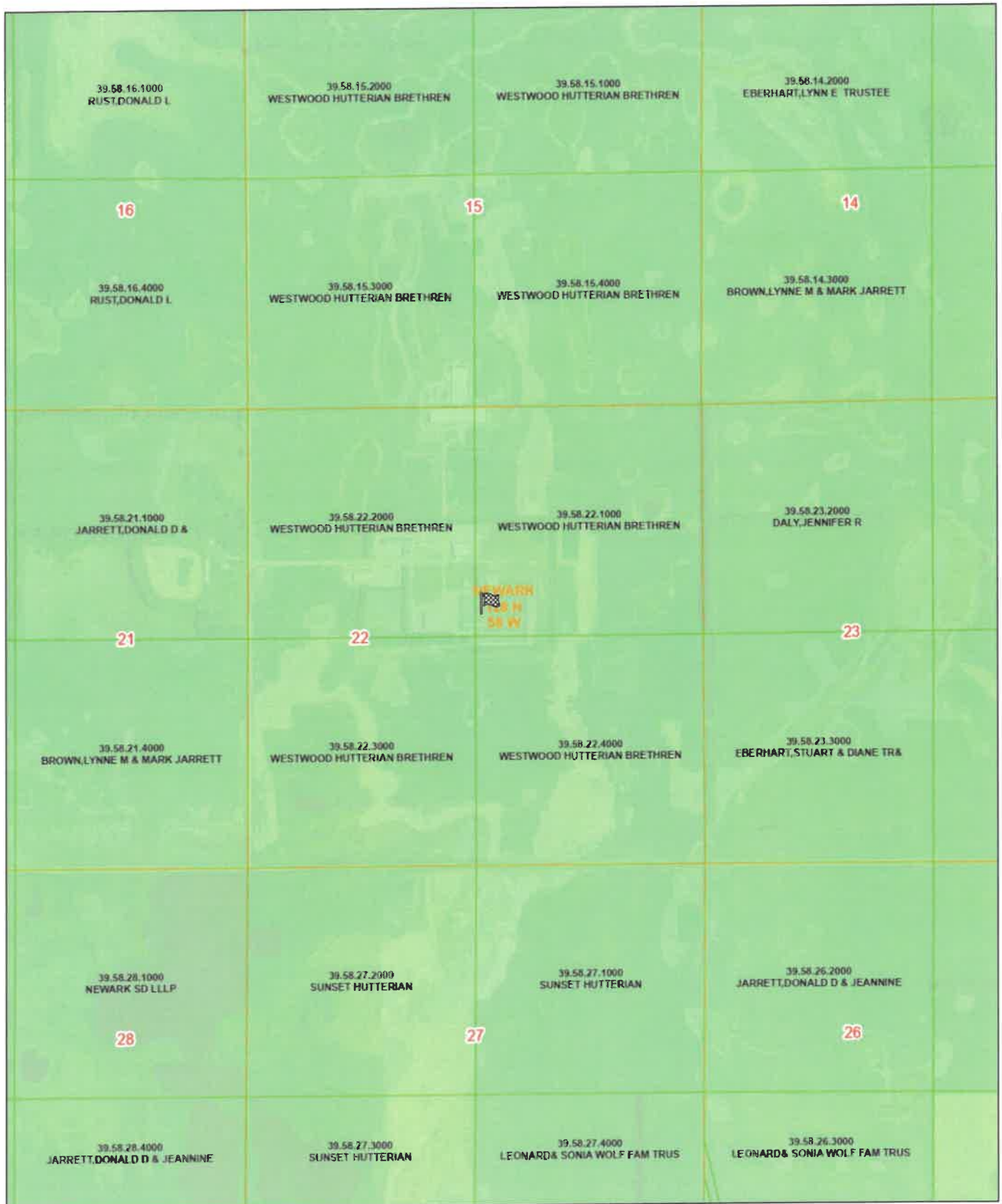


10/31/2023, 3:41:56 PM

- TOWNSHIPS
- SECTIONS
- PARCELS



MARSHALL COUNTY WEB VIEWER



10/31/2023, 3:42:37 PM

ZONING

- Agricultural District
- TOWNSHIPS
- SECTIONS
- PARCELS

1:18,056



Conditional Use – Westwood Hutterian Brethren, Inc.





