

MARSHALL COUNTY PLANNING & ZONING COMMISSION

Proposed Agenda

Regular Scheduled Meeting

December 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 November 21, 2023
- V. Matters for Board Discussion
- VI. Open
- VII. Disclosure of Conflicts/Ex Parte Communication
- VIII. New Business:

A. Drainage – Matthew McLaen

- 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. Flood Damage Prevention Ordinance for Marshall County, South Dakota, Ord. #62

- a) The Planning & Zoning Administrator, Erin Collins-Miles will read the second notice for the proposed Flood Damage Prevention Ordinance. A copy of the proposed Ordinance is available in its entirety for public review during normal business hours in the offices of the County Zoning Administrator, Erin Collins-Miles and the County Auditor, Megan Biel.
- b) Discussion of adoption of Ordinance No. 62; Noting that the deadline for adoption of this ordinance is December 21, 2023 and that Marshall County will become sanctioned due to not meeting the required deadline.
- c) The reading of the ordinance and its adoption is to be determined to take place during Regular Session.

C. Revised Zoning Regulations for Marshall County, South Dakota, Ord. #63

- a) The Planning & Zoning Administrator, Erin Collins-Miles will read the second notice for the proposed Zoning Regulations. A copy of the proposed zoning revision is available in its entirety for public review during normal

business hours in the offices of the County Zoning Administrator, Erin Collins-Miles and the County Auditor, Megan Biel.

- b) Discussion of adoption of Ordinance No. 63.
- c) The reading of the ordinance and its adoption will take place during Regular Session.

IX. Building Permits

X. Other

XI. Old Business

XII. Adjourn

MARSHALL COUNTY PLANNING & ZONING BOARD
PO BOX 9
BRITTON, SOUTH DAKOTA
UNAPPROVED MINUTES
November 21, 2023

The Marshall County Planning & Zoning Board met at 9:00 AM, November 21, 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, David Jark, Mike Grobe, Norm Grobe, Matilda Grobe, Jeff Grobe, and Ryan Patterson

AGENDA:

Knebel motioned; Luttrell seconded to approve the updated agenda with corrections. All members voted aye. Motion carried.

MINUTES:

Medhaug motioned; Jones seconded to approve the minutes from November 7, 2023. All members voted aye. Motion carried.

VARIANCE:

Pertaining to an application for Jeff Grobe that was previously postponed during the November 7, 2023 Commissioner Meeting due to an objection and needing further information; Medhaug motioned; Knebel seconded to approve the requested 8' variance to the right-of-way line setback; allowing the retaining wall to be built 22' 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 – Aye, Knebel – Aye, Schuller - Aye. Motion carried.

FLOODPLAIN:

Floodplain Administrator, Erin Collins-Miles, discussed the possible second reading of Ordinance No. 62 and its proposed adoption which would take place in regular session. A member of the public was present to ask questions on the matter, to which there was some discussion. The Floodplain Administrator informed the Board that an updated ordinance adoption was drafted and sent to the paper but would be able to be prevented from being published if the ordinance were to again be postponed. A copy of the proposed Ordinance is available in its entirety for public review during normal business hours in the offices of the County Zoning Administrator, Erin Collins-Miles and the County Auditor, Megan Biel.

IN REGULAR SESSION: A member of the public had questions and concerns in regard to the proposed Flood Damage Prevention Ordinance. The Board voted to *postpone* the adoption of Ordinance No. 62 until the next scheduled hearing, December 5, 2023. *Please see the Auditor's official minutes.*

REVISED ZONING REGULATIONS:

The Planning & Zoning Administrator, Erin Collins-Miles, read the first notice for the proposed Zoning Regulations at today's hearing in which an updated Zoning Fee Schedule is proposed. The Planning and Zoning Commission made a recommendation to the Marshall County Commission concerning the adoption of Ordinance No. 63; Luttrell motioned; Medhaug seconded. A roll call vote was taken. A copy of the proposed zoning revision is available in its entirety for public review during normal business hours in the offices of the County Zoning Director, Erin Collins-Miles and the County Auditor, Megan Biel. The first reading was held during regular session. The second reading will be held on December 5, 2023, at 9:00 AM in the Commissioner's Chambers.

BUILDING PERMITS:

Knebel motioned; Jones seconded to accept building permits for the following applicants: Jeff Grobe of Lake Township (Variance) and Scott Phillips of Lake Township. All members voted aye. Motion carried.

ADJOURN:

Medhaug motioned; Knebel seconded to adjourn as Planning and Zoning Board and convene as Marshall County Commission at 9:32 AM. All members voted aye. Motion carried.

ATTEST:

Erin Collins-Miles
Marshall County Planning and Zoning Administrator
Marshall County, South Dakota
Published at the approximate cost of.....