

MARSHALL COUNTY PLANNING & ZONING COMMISSION

Proposed Agenda

Regular Scheduled Meeting

June 6, 2024– 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 May 21, 2024
- V. Matters for Board Discussion
- VI. Open
- VII. Disclosure of Conflicts/Ex Parte Communication
- VIII. New Business:
 - A. **Variance – Daniel Zenk**
 - 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. **Plats**
 - a. **D. Lien Addition**

Plat of D Lien Addition Located in the SE1/4 of Section 4, T128N, R53W of the 5th P.M., Marshall County, South Dakota
- IX. Building Permits
- X. Other
 - A. **In regular session**
 - 1) Ordinance No. 66 adoption & second reading
- XI. Old Business

XII. Adjourn

MARSHALL COUNTY PLANNING & ZONING BOARD
PO BOX 9
BRITTON, SOUTH DAKOTA
UNAPPROVED MINUTES
May 21, 2024

The Marshall County Planning & Zoning Board met at 9:00 AM, May 21, 2024, at the Marshall County Courthouse. Present at the hearing were the following Board members; Matthew Schuller, Doug Medhaug, Jason Bender, LeRon Knebel and Lynda Luttrell. Commissioner Schuller presided. Others present at the hearing were Erin Collins-Miles, Planning & Zoning, Megan Biel, Auditor, Linda Bosse, Larry Bosse, Tammy Satrang, Tom Satrang, Chris Eye, John Eye and Brad Abel.

AGENDA:

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

MINUTES:

Knebel motioned; Bender seconded to approve the minutes from May 7, 2024. All members voted aye. Motion carried.

DRAINAGE:

Pertaining to an application for John Eye; Discussion was had by those present at the hearing regarding a landowner waiver and other drainage related topics.

Medhaug motioned; Knebel seconded to approve the application to drain contingent upon the Drainage Administrator's receipt of an adjacent landowner waiver signed by Linda & Larry Bosse and/or their farm corporation; on the property described as the SW1/4; Except the following: S1/2N1/2W1/2W1/2SW1/4 of Section 16, T128N, R57W. Conditions to this permit are as follows; to make the construction completion date as seen on permit application; December 31, 2024. Applicant must reapply after said date. Applicant must follow all applicable laws. A roll call vote was taken; Medhaug – Aye, Luttrell – Aye, Bender – Aye, Knebel – Aye, Schuller – Aye. Motion carried.

CONDITIONAL USE:

A motion and roll call vote were taken to approve an application for a Conditional Use from the Marshall County Zoning Ordinance for East River Electric Power Cooperative on the property described as Lot U-1 in the Plat of Lot "U-1", SE1/4SE1/4, Section 18, T125N, R57W. Bender motioned; Luttrell seconded to approve the permit. Roll call vote; Medhaug – Aye, Luttrell – Aye, Knebel – Aye, Bender – Aye, Schuller - Aye. Motion carried.

VARIANCE:

Pertaining to a variance for Thomas Satrang; Medhaug motioned; Knebel seconded to approve the requested 27.6' (SE corner) and a 25.3 (NE corner) variance to the road right-of-way line setback and a 28.5' variance to the normal high-water mark setback.; allowing the home and deck to be placed on the lot with the requested setbacks; 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, Knebel – Aye, Bender – Aye, Schuller - Aye. Motion carried.

Pertaining to a variance for Wayne Schlekewy; Luttrell motioned; Bender seconded to approve the permit contingent upon the approval and effective date of the rezone application. The rezone application was also

presented to the Board at the May 21, 2024 meeting. Lot 14; 68.03' (East side) & 60' (West side) variance to lot size depth, Lot 15; 60' variance to both the East and West lot size depths, Lot 17; 50' variance to lot size width, Lots 18 & 19; 25' variance to lot size widths; allowing the lots to be created with the requested dimensions; 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, Knebel – Aye, Bender – Aye, Schuller - Aye. Motion carried.

REZONE:

Pertaining to a Rezone for Wayne Schlekewy; The Board discussed. Bender motioned; Luttrell seconded to recommend Ordinance No. 66 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, Luttrell – Aye, Bender – Aye, Knebel – Aye, Schuller – Aye. Motion carried.

The second reading for Ordinance No. 66 will take place during regular session at the scheduled June 6, 2024 meeting.

PLAT:

Luttrell motioned; Bender seconded to approve the following plat; K. Niesen Addition in Stena Township. A roll call vote was taken; Medhaug – Aye, Luttrell – Aye, Bender – Aye, Knebel – Aye, Schuller – Aye. Motion carried.

BUILDING PERMITS:

Medhaug motioned; Knebel seconded to accept building permits for the following applicants: Stuart Eberhart of Pleasant Valley Township, Brian & Lori Rabenberg of Pleasant Valley Township, Renald & Allison Tank of Lake Township, Thomas Satrang of Lake Township (variance) and Jerae Wire on behalf of East River Electric Power Cooperative of Sisseton Township (conditional use). All members voted aye. Motion carried.

OTHER:

Zoning Director, Erin Collins-Miles, asked the Board for an opinion on an upcoming variance application for Doug & Amy Jo Vietor. This variance is tentatively scheduled to be heard at the June 18, 2024 hearing.

ADJOURN:

Knebel motioned; Bender seconded to adjourn as Planning and Zoning Board and convene as Marshall County Commission at 9:53 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.....