

MARSHALL COUNTY PLANNING & ZONING COMMISSION

Proposed Agenda

Regular Scheduled Meeting

November 7, 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 October 22, 2024
- V. Matters for Board Discussion
- VI. Open
- VII. Disclosure of Conflicts/Ex Parte Communication
- VIII. New Business:
 - A. **Variance – Tania Henning**
 - 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
- XI. Old Business
- XII. Adjourn

MARSHALL COUNTY PLANNING & ZONING BOARD
PO BOX 9
BRITTON, SOUTH DAKOTA
UNAPPROVED MINUTES
October 22, 2024

The Marshall County Planning & Zoning Board met at 9:00 AM, October 22, 2024, at the Marshall County Courthouse. Present at the hearing were the following Board members; Matthew Schuller, Doug Medhaug, LeRon Knebel, Jason Bender and Lynda Luttrell. Commissioner Schuller presided. Others present at the hearing were Erin Collins-Miles, Planning & Zoning, Megan Biel, Auditor, Victor Rapkoch, Marshall County States Attorney and Jerry Nice. Dustin Hofland, Marshall County Highway Superintendent, was present for a small portion of the meeting.

AGENDA:

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

MINUTES:

Knebel motioned; Schuller seconded to approve the minutes from October 8, 2024. All members voted aye. Motion carried.

VARIANCE:

Pertaining to a Variance for Brent Thayer; Discussion was had over previous variances that have been granted with similar setbacks in Marshall County. One letter from an adjacent landowner was received stating they had no issue. Medhaug motioned; Knebel seconded to approve the requested 1' variance to the property line setback.; allowing the shed 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 Jerry Nice; Jerry was present to discuss his variance and answer questions. Discussion was had by all about making sure the shed goes in the approved location when it is moved onto the lot. Knebel motioned; Bender seconded to approve the requested 30' variance to the road right-of-way line setback; allowing the shed to be placed 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 Richard Olson; The application was discussed. Medhaug motioned; Knebel seconded to approve the requested 5' variance to the North property line setback and a 5' variance to the road right-of-way line setback; allowing the anchors to be buried within 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.

BUILDING PERMITS:

Knebel motioned; Luttrell seconded to accept building permits for the following applicants: Ansel Streier – Red Iron Lake Township, Thomas Jemilo o/b/o T-Mobile – Veblen Township, Richard Olson (variance) – Lake Township, Jerry Nice (variance) – Lake Township, Brent Thayer (variance) – Lake Township and Dawn Robinson – Weston Township. All members voted aye. Motion carried.

Pertaining to a permit for Dakota Concrete/Jay Kadoun in Miller Township; Medhaug motioned; Knebel seconded to approve the requested building permit as an accessory structure in the General Industrial District. In

addition, a Conditional Use permit will not be required for this particular structure but may be required on any future structures per the discretion of the Zoning Director; per the Marshall County Zoning Ordinance. All fines and building permit fee(s) will need to be paid. A roll call vote was taken; Medhaug – Aye, Luttrell – Aye, Knebel – Aye, Bender – Aye, Schuller - Aye. Motion carried.

ADJOURN:

Knebel motioned; Luttrell seconded to adjourn as Planning and Zoning Board and convene as Marshall County Commission at 9:38 AM. All members voted aye. Motion carried.

ATTEST:

Erin Collins-Miles

Marshall County Planning and Zoning Administrator

Marshall County, South Dakota

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