

STAFF REPORT

June 17, 2025

APPLICATION FOR CONDITIONAL USE FOR RETAIL SALES AND SERVICES

GENERAL INFORMATION:

PETITIONER	Holland Bros. Oil Company
REQUEST	Application for Conditional Use for retail sales and services
LEGAL DESCRIPTION	Lot "A" of Government Lot 4, Lot 1 of Johnson's Subdivision in the SW1/4 and A tract of land beginning at the SE corner of Lot "A" of Gov't Lot 4, thence due E200', thence due N220', thence due W205', thence South along the east side of lot "A" to the point of beginning, all in Gov't Lot 4, Section 19, T127N, R57W: all of Section 19, T127N, R57W
CURRENT & SURROUNDING ZONING	Agricultural (Ag)
REPORTED BY	Erin Collins-Miles

GENERAL COMMENT: The buildings are being sold by Dakota Storage, but are being displayed and purchased on the location described above. The applicants were instructed to be mindful of the setbacks described in the Highway Commercial District of the zoning ordinance for all buildings near the road(s), and to move buildings accordingly off of both 424th Ave. and Highway 10. Two other Conditional Use applications have been approved previously. One was approved in 2013 to use the property for bulk fuel storage for fuel distribution/deliveries & one in 2014 allowing a diesel fuel retail outlet.

REVIEW: Per the Marshall County Zoning Ordinance, all retail sales and services can be permitted under the Conditional Use Section located in TITLE 12, Chapter 12.3; noting that this language is listed under number 1. Granting of this conditional use would bring the Dakota Storage buildings into compliance with the rules and regulations set forth by Marshall

County. No written comments or objections were received prior to the scheduled hearing.

NOTICE OF HEARING - APPLICATION FOR CONDITIONAL USE FOR RETAIL SALES AND SERVICES

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on June 17, 2025 at 9:00 a.m. at the North Marshall Firehall meeting room, concerning the following application for a Conditional Use from the Marshall County Zoning Ordinance.

Holland Bros. Oil Company has requested a Conditional Use from the Marshall County Zoning Ordinance for Dakota Storage to display and sell storage sheds on the properties described as Lot "A" of Government Lot 4, Lot 1 of Johnson's Subdivision in the SW1/4 and A tract of land beginning at the SE corner of Lot "A" of Gov't Lot 4, thence due E200', thence due N220', thence due W205', thence South along the east side of lot "A" to the point of beginning, all in Gov't Lot 4, Section 19, T127N, R57W: all of Section 19, T127N, R57W.

Erin Collins-Miles
Planning & Zoning Administrator

Published once at the approximate cost of

For publication: June 4, 2025

17(June 4)
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Published at an approximate cost of \$9.57 and can be viewed free of charge at www.sdpublicnotices.com.

MARSHALL COUNTY APPLICATION FOR CONDITIONAL USE

DATE: 5-20-2025

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 12 Section 12.3 for the purpose of displaying structures

Legal Description: Lot "A" of Government Lot 4, Lot 1 of Johnson's Sub. in the SW 1/4 + A tract of land beg. at the SE corner...
See file for full legal

Reason: Dakota Storage building being displayed and sold on the property.

Applicant's Name: Holland Bros. Oil Co Phone: 605.448.5172
Address: PO Box R 822 Vanden Horck Britton SD 57430
Applicant's Signature: [Signature]
Owner's Signature (if different than applicant): _____

For Internal Office Use Only:

Date Received: 5/23/25 Fees (non-refundable): \$150.00 Paid: YES NO
Inspection Report: See staff report

Date of Hearing by Planning and Zoning Commission: June 17, 2025
Action taken by Planning and Zoning Commission: _____

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

June 2, 2025

Dear Property Owner,

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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,

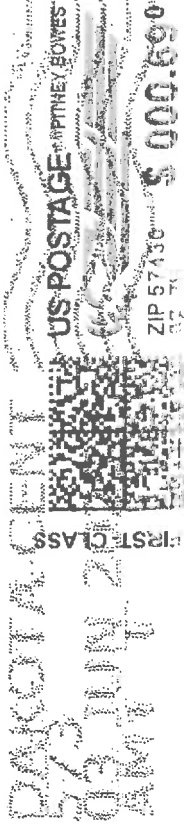
Erin Collins-Miles

Erin Collins-Miles
Planning and Zoning Administrator

Sent to the following adjacent landowners on 6/2/25:

1. Penny & Michael Likness – PO Box 7 Britton, SD 57430
2. Cynthia Bremmon – PO Box 27 Britton, SD 57430
3. SDDOT – 43319 US Highway 12 Webster, SD 57274
Aberdeen Region Office – 2735 U.S. 12 Aberdeen, SD 57401

Marshall County
Zoning
Box 9
Britton SD 57430-0009



Aberdeen Region Office
SDDOT
2735 U.S. 12
Aberdeen, SD 57401

NIXIE 553 SE 1 2206/07/25
RETURN TO SENDER
NO MAIL RECEIPTABLE
UNABLE TO FORWARD
BC: 574300000009 *0712-09121-03-22
NMR 57401384550009

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

June 4, 2025

Holland Brothers Oil Co.
C/o Karsen Holland
P.O. Box R
Britton, SD 57430

To whom this may concern,

While the sheds being used for informational/display purposes do not require a building permit, they are still required to meet the setbacks set forth in the Highway Commercial District of our Zoning Ordinance to be in compliance with zoning rules.

Please be advised that the sheds and sign which lie on the North side of Highway 10 must be moved an additional 10' North as it is required to be 90' from the center of this highway in the Highway Commercial zoning District.

Additionally, the shed which lies East of 424th Ave, must be moved an additional 18' East as structures are required to be 73' from a township road in the Highway Commercial District.

Upon receipt of this letter, please move these structures in an effort to be mindful of the setbacks listed in the Highway Commercial District and contact my office as soon as possible to confirm that you are complying with the Zoning Ordinances set forth by Marshall County. Failure to comply could result in further action being taken, and/or additional permitting to be required. As a reminder, the meeting date for the Conditional Use permit is scheduled for June 17th at 9:00 AM.

Please find the following document enclosed:
TITLE 12 HIGHWAY COMMERCIAL DISTRICT (HC)

If you have any questions, please contact my office.
Sincerely,

Erin Collins-Miles
Planning and Zoning Administrator

MARSHALL COUNTY WEB VIEWER



6/2/2025, 2:20:31 PM

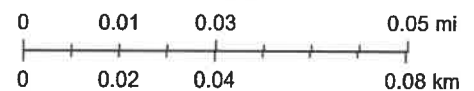
PLAT

- AMACHER-MCGREGOR'S ADDITION
- JOHNSON'S SUBDIVISION
- OUTLOT

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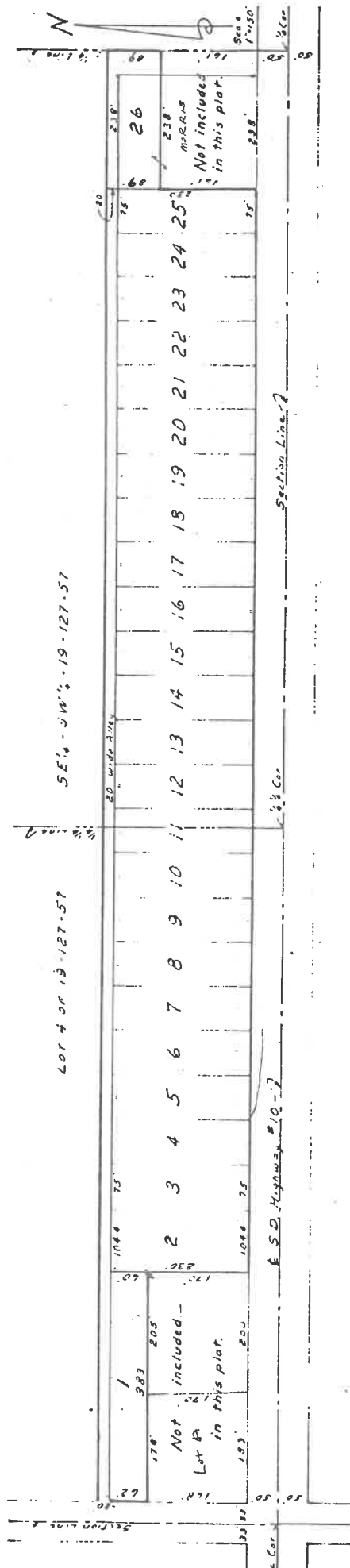
- TOWNSHIPS
- SECTIONS
- PARCELS

1:2,257



JOHNSON'S SUBDIVISION IN THE SW¹/₄ OF SEC. 19, T. 127 N., R. 57 W.
MARSHALL COUNTY, SOUTH DAKOTA

Plot Showing Pleasant Valley Ditch



MARSHALL COUNTY WEB VIEWER



6/11/2025, 10:18:42 AM

PLAT

AMACHER-MCGREGOR'S ADDITION
JOHNSON'S SUBDIVISION
OUTLOT

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TOWNSHIPS

SECTIONS

PARCELS

1:2,257

0 0.01 0.03 0.05 mi
0 0.02 0.04 0.08 km

MARSHALL COUNTY WEB VIEWER

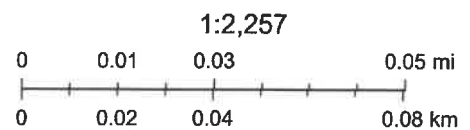


6/11/2025, 10:16:40 AM

ZONING

- Agricultural Fringe Protection District
- Commercial District
- Highway Commercial District

- Residential District
- TOWNSHIPS
- SECTIONS
- PARCELS



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Conditional Use – Holland Bros. Oil



