

STAFF REPORT
August 5, 2025

GENERAL INFORMATION:

| | |
|-------------------------------------|---|
| PETITIONER | Christopher Soine |
| REQUEST | Application for Conditional Use for 16' sidewall height |
| LEGAL DESCRIPTION | Lot 11 in the Plat Showing Wismer's Outlots in the SW1/4 of Section 23, T127N, R58W |
| CURRENT ZONING (SURROUNDING) | Residential (R-1), Agricultural Fringe Protection District (AGFP), Highway Commercial (HC) |
| REPORTED BY | Erin Collins-Miles |

COMMENTS/HISTORY:

1. The lot in question has been owned by the applicants since 12/18/23.
 - a. Prior to the current owners acquiring the lot, the property contained a house, which burned down on 5/21/22.
 - b. A shed remains on the North end of the property.
2. According to the applicant, the request to build a storage building with a 16' sidewall height is due to camper storage needs.
 - a. The road lying to the South of the property is Highway 10.
 - b. If the structure is built as requested, it would be positioned on the North end of the Lot directly in front of the existing shed.
 - c. Position of current shed suggests either removal or repositioning on the lot to accommodate the new structure.
3. Marshall County Ordinance requires that There shall be a front yard setback of not less than a depth of thirty (30) feet. There shall be a rear yard setback of not less than a depth of seven (7) feet. Each side yard setback shall not be less than seven (7) feet. All distances shall be measured from the outermost edge (or overhang) of the structure to the property lines.
4. Per the Marshall County Zoning Ordinance, unattached garages with sidewalls greater than 14 feet can be permitted under the Conditional Use Section located in TITLE 9, Chapter 9.3; noting that this language is listed under number 15.
5. No written comments or objections were received prior to the writing of this staff report.

STAFF RECOMMENDATION/REVIEW:

Granting of this conditional use would bring the proposed building with a 16' sidewall height into compliance with the rules and regulations set forth by Marshall County. This property falls under joint-jurisdiction with the City. The current Public Works Supervisor will sign the Marshall County building permit when the application is approved by the city council.

NOTICE OF HEARING - APPLICATION FOR CONDITIONAL USE FOR 16' SIDEWALL HEIGHT

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on August 5, 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.

Christopher Soine has requested a Conditional Use from the Marshall County Zoning Ordinance to build a shop with 16' sidewalks; on the property described as Lot 11 in the Plat Showing Wismer's Outlots in the SW1/4 of Section 23, T127N, R58W.

Erin Collins-Miles
Planning & Zoning Administrator

Published once at the approximate cost of

For publication: July 23, 2025

1T(July 23)
NOTICE OF HEARING
- APPLICATION FOR
CONDITIONAL USE FOR
16' SIDEWALL HEIGHT

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on August 5, 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. Christopher Soine has requested a Conditional Use from the Marshall County Zoning Ordinance to build a shop with 16' sidewalks; on the property described as Lot 11 in the Plat Showing Wismer's Outlots in the SW1/4 of Section 23, T127N, R58W. Erin Collins-Miles Planning & Zoning Administrator
Published at an approximate cost of \$6.38 and can be viewed free of charge at www.sdpublicnotices.com.

2T(July 23-30)
NOTICE OF HEARING
- APPLICATION FOR
CONDITIONAL USE FOR 16'
SIDEWALL HEIGHT

Notice is hereby given that the City of Britton Planning and Zoning Board will meet on August 11th, 2025 at 6:30pm at the Britton Area Event Center Conference Room, concerning the following application for a Conditional Use from the Marshall County Zoning Ordinance. Christopher Soine has requested a Conditional Use from the Marshall County Zoning Ordinance and Britton Planning and Zoning to build a shop with 16' sidewalks; on the property described as Lot 11 in the Plat showing Wismer's Outlots in the SW1/4 of Section 23, T127N, R58W. Britton Planning & Zoning Board
Published at an approximate cost of \$11.96 and can be viewed free of charge at www.sdpublicnotices.com.

MARSHALL COUNTY APPLICATION FOR CONDITIONAL USE

DATE: 7/18/25

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 9 Section 9.3 for the purpose of constructing a shop with 16' Sidewalls.

Legal Description: Lot 11 Wismer's Outlots in Section
23, T127N, R58W

Reason: 16' side walks requested for personal
garage to fit a 5th wheel camper.

Applicant's Name: Christopher Soine Phone: 817-937-8464

Address: 1807 Haydenbend Cir Grapevine, TX 76051

Applicant's Signature: [Signature]

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

For Internal Office Use Only:

Date Received: 7/18/25 Fees (non-refundable): \$150.00 Paid: YES NO

Inspection Report: See Staff report

Date of Hearing by Planning and Zoning Commission: August 5, 2025

Action taken by Planning and Zoning Commission: _____

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

July 21, 2025

Dear Property Owner,

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on August 5, 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.

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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,

A handwritten signature in blue ink, appearing to read "Erin Collins-Miles".

Erin Collins-Miles
Planning and Zoning Director

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

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Sincerely,



Erin Collins-Miles
Planning and Zoning Director

Sent to the following adjacent landowners on 7/21/25:

1. Gary Fisher – PO Box 131 Britton, SD 57430
2. Daniel Schott – PO Box 215 Britton, SD 57430
3. Jason & Danielle Bock – 1614 Vander Horck St. Britton, SD 57430
4. Britton City – PO Box 126 Britton, SD
5. John C. Fisher – 10390 416th Ave. Britton, SD 57430
6. Crystal Clean Laundry, LLC c/o DeeAnn Ellerton – 42333 103rd St. Britton, SD 57430
7. Donald & Norma Schumaker – 1611 Vander Horck St. Britton, SD 57430
8. Lynn Thayer – 1703 Vander Horck St. Britton, SD 57430
9. Rhonda Kay Wade – PO Box 331 Britton, SD 57430

MARSHALL COUNTY WEB VIEWER



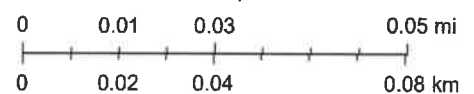
7/18/2025, 2:07:00 PM

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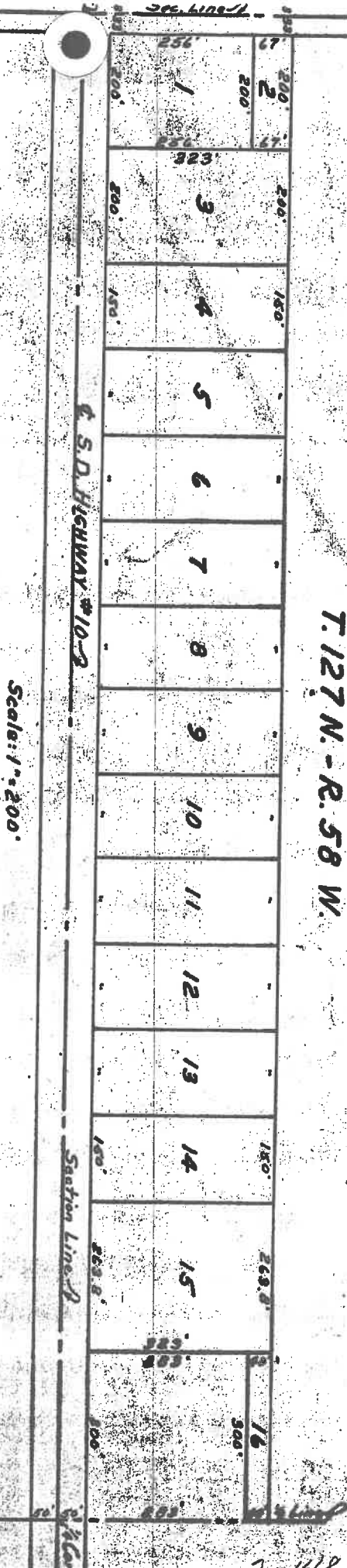
 TOWNSHIPS

SECTIONS

☐ CITY_LIMIT

 PARCELS

Plot Showing
**WISMER'S OUTLOTS IN THE SW ¼ OF SECTION 23,
T. 127 N. - R. 58 W.**

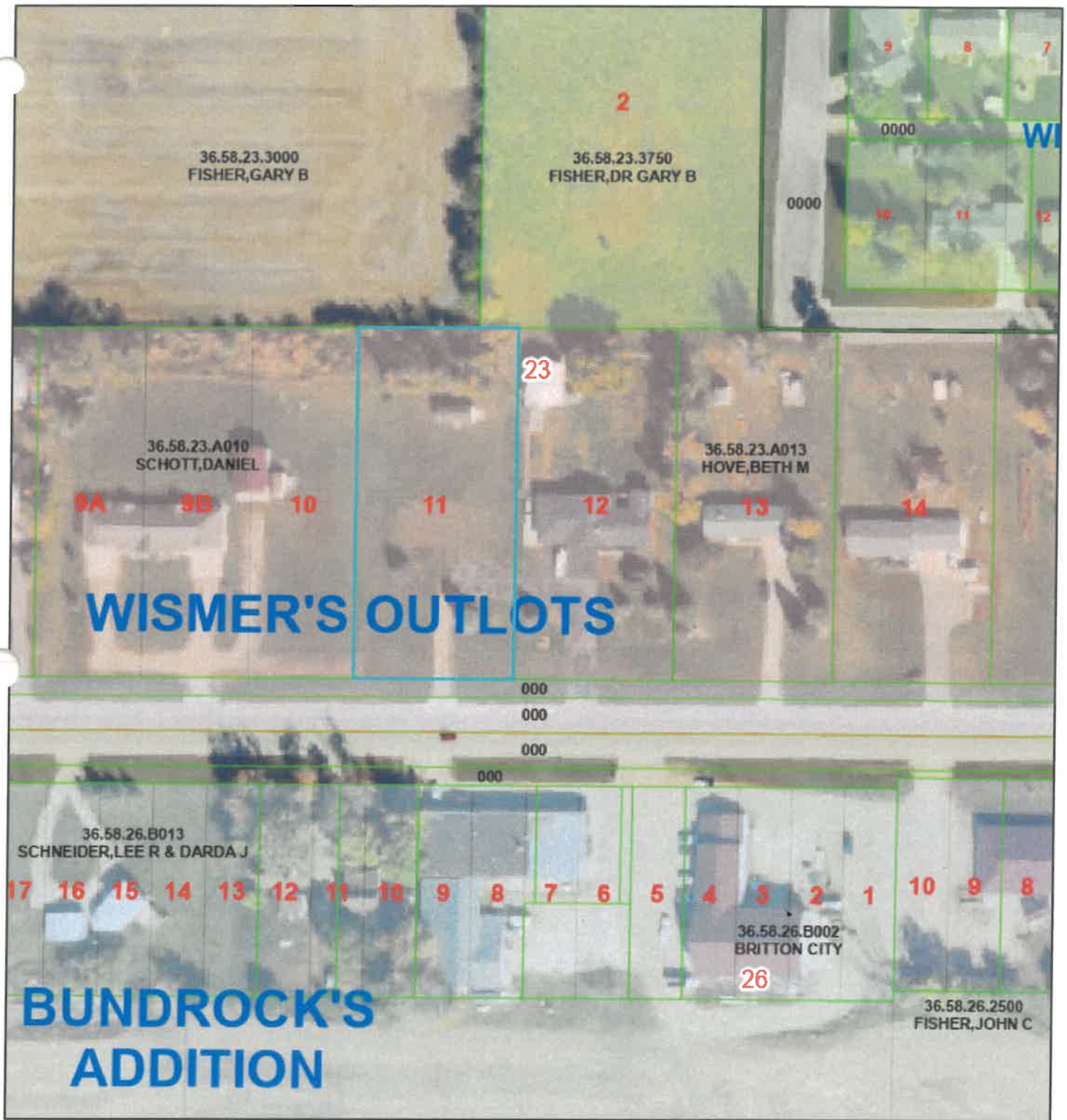


Scale: 1" = 200'

OWNER'S CERTIFICATE

I, Don Lison, do hereby certify that I am the absolute and unqualified owner of a tract of land located in the Southwest Quarter of Section 23, Township 127 North, Range 58 West of the 5th Principal Meridian, in Marshall County, South Dakota, more particularly described as follows: Beginning at a point 98 feet east and 60 feet north of the SW corner of said Sec. 23, T. 127 N., R. 58 W., thence east a distance of 200 feet along the north right-of-way line of South Dakota Highway 10

MARSHALL COUNTY WEB VIEWER



7/28/2025, 2:51:07 PM

PLAT

BUNDROCK'S ADDITION

FISHER'S & JOHNSON'S ADDITION

OLSON'S ADDITION

WESTVIEW ADDITION

WISMER'S OUTLOTS

ROW

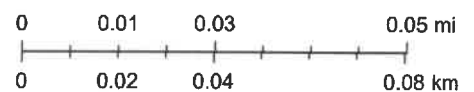
TOWNSHIPS

SECTIONS

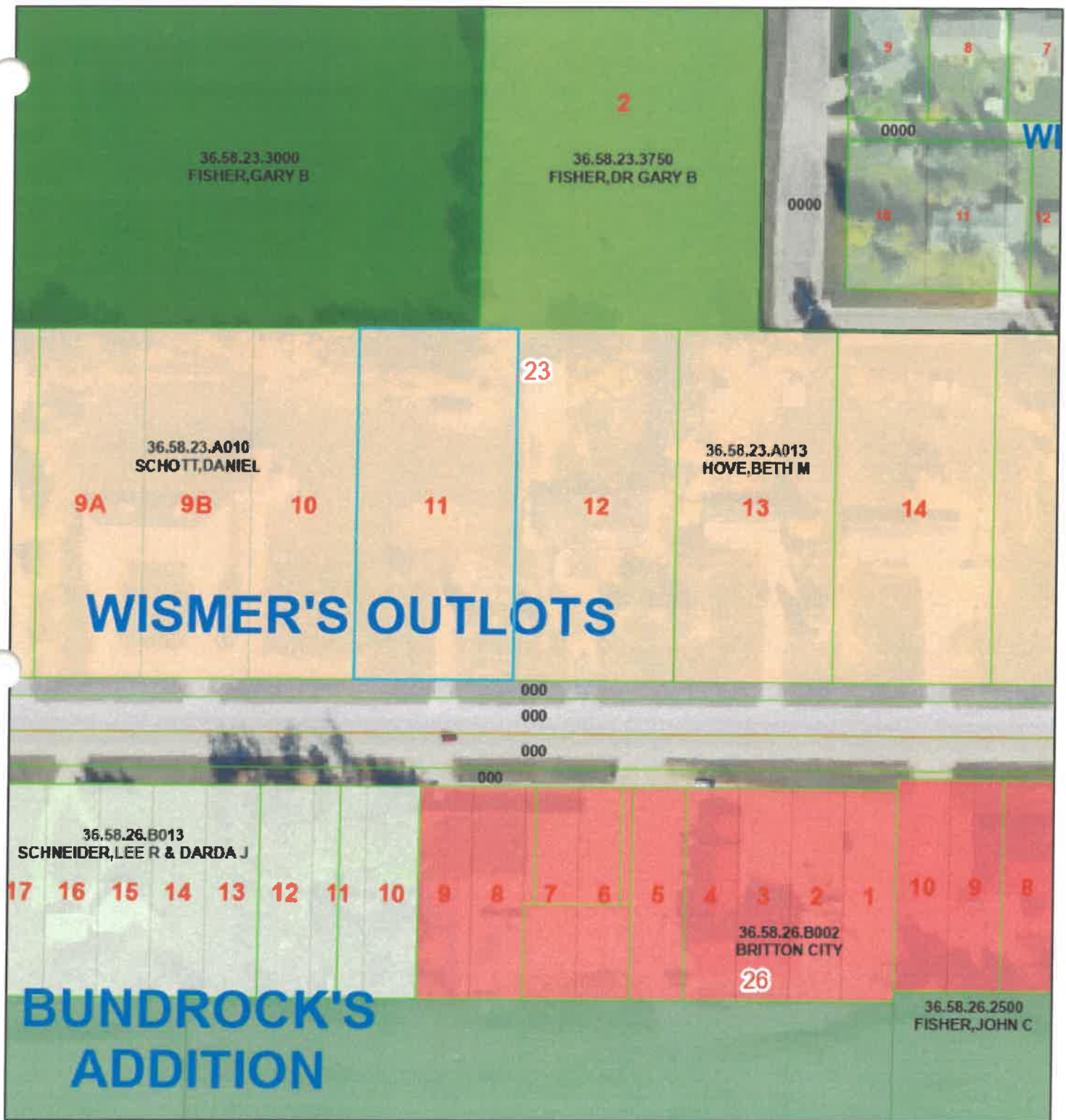
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PARCELS

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MARSHALL COUNTY WEB VIEWER



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ZONING

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

PLAT

- BUNDROCK'S ADDITION
- FISHER'S & JOHNSON'S ADDITION
- OLSON'S ADDITION

WESTVIEW ADDITION

WISMER'S OUTLOTS

ROW

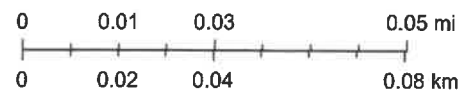
TOWNSHIPS

SECTIONS

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PARCELS

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Conditional Use – Christopher Soine





