

MARSHALL COUNTY PLANNING & ZONING COMMISSION

Proposed Agenda

Regular Scheduled Meeting

September 2, 2025– 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 August 5, 2025
- V. Matters for Board Discussion
- VI. Open
- VII. Disclosure of Conflicts/Ex Parte Communication
- VIII. New Business:
 - A. Variance – Randy Lien**
 - 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. Variance – Patricia Torness-Smith**
 - 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

- A. Ordinance #72 – Effective September 9, 2025

XI. Old Business

XII. Adjourn

**MARSHALL COUNTY PLANNING & ZONING BOARD
PO BOX 9
BRITTON, SOUTH DAKOTA
UNAPPROVED MINUTES
August 5, 2025**

The Marshall County Planning & Zoning Board met at 9:00 AM, at the North Marshall Firehall Meeting Room. Present at the hearing were the following Board members; Matthew Schuller, Doug Medhaug, Jason Bender, Lynda Luttrell and Andrea Kilker. Commissioner Schuller presided. Others present at the hearing were Erin Collins-Miles - Planning & Zoning and Megan Biel – Auditor. Also present at the meeting were Roland Larson of Larson Construction, Ron Binger and Karl Kleman with the Weed Board.

AGENDA:

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

MINUTES:

Kilker motioned; Luttrell seconded to approve the minutes from July 22, 2025. All members voted aye. Motion carried.

VARIANCE:

Regarding a Variance for Justin Bock and Kelly Burley; The applicants were available via phone, if needed. There were no proponents or opponents present to give testimony. Kilker motioned; Bender seconded to approve the requested 13' variance to the right-of-way line setback. This motion was made noting that other similar variances have been granted in the past, which allows the addition to remain on the lot as built by the applicant; 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, Kilker – Aye, Bender – 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 Christopher Soine to construct 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. Bender motioned; Kilker seconded to approve the permit. This motion was made noting that other similar buildings, both surrounding and within city limits, have been permitted in the past. A roll call vote was taken; Medhaug – Aye, Luttrell – Aye, Kilker – Aye, Bender – Aye, Schuller - Aye. Motion carried. Note that this application is under joint-jurisdiction and is to be heard at the Britton City Council meeting set for August 11, 2025.

REVISED ZONING REGULATIONS:

Erin Collins-Miles, Planning & Zoning Director, read the changes to the ordinance to the Board and discussed the second reading and adoption of Ordinance 72. The second reading and adoption will take place on August 5, 2025, during regular session.

BUILDING PERMITS:

Medhaug motioned; Luttrell seconded to accept building permits for the following applicants: Britton Grain Terminal, LLC - Miller Township, Justin Bock - Weston Township (variance), Larson Construction/Chris Soine - Miller Township (conditional use), Waletich Farm/Pete Waletich - Fort Township, Network Real Estate, LLC/AT&T - Waverly Township, Judith Schultz - Hamilton Township, Arlo Tank - Miller Township, Kathryn Bosse - Miller Township, Michael Christopherson - Lake Township, Person Family Trust - Hamilton Township, Michael & Diane Lentsch - Labelle Township and Kevin & Jessica Wiek - Dumarce Township. All members voted aye. Motion carried.

OTHER:

Collins-Miles updated the Board on the MSAG Assistance Contract and informed them that once credentials are approved from the State, contract services will begin. Additionally, the Board was informed that an Elevation Report for a property on Lake Dumarce was received via email the morning of August 5th, and would be reviewed as soon as possible.

ADJOURN:

Medhaug motioned; Kilker seconded to adjourn as Planning and Zoning Board and convened as Marshall County Commission at 9:24 AM. All members voted aye. Motion carried.

ATTEST:

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