

# **MARSHALL COUNTY PLANNING & ZONING COMMISSION**

## **Proposed Agenda**

Regular Scheduled Meeting

September 16, 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 September 2, 2025
- V. Matters for Board Discussion
- VI. Open
- VII. Disclosure of Conflicts/Ex Parte Communication
- VIII. New Business:

### **A. Plats**

#### **a. Schlekewy Addition**

- a) Plat of Lot 1 in Block 10 in Schlekewy Addition in Gov't Lot 3 of Section 13, T126N, R54W of the 5<sup>th</sup> P.M., Marshall County, South Dakota

- IX. **Building Permits**
- X. **Other**
- XI. Old Business
- XII. Adjourn

**MARSHALL COUNTY PLANNING & ZONING BOARD**

**PO BOX 9**

**BRITTON, SOUTH DAKOTA**

**UNAPPROVED MINUTES**

**September 2, 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 Richard Misterek and Lundee Stadtler of Holton Survey & Design and David A. Geyer, representing Randy & Jackie Lien, who were also present.

## **AGENDA:**

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

**MINUTES:**

Luttrell motioned; Bender seconded to approve the minutes from August 5, 2025. All members voted aye. Motion carried.

**VARIANCES:**

Regarding a Variance for Randy & Jackie Lien; Discussion was had regarding meandered vs. non-meandered lakes. The applicants and Geyer were there to give testimony. There were no opponents present at the meeting. Medhaug motioned; Kilker seconded to approve the requested 50' variance to the High-water mark setback contingent upon the applicants moving the structure 2' back from the water; 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. This motion was made noting that there is no established high-water mark by the State, there were no neighbor objections, no view obstructions caused by the structure and no easy public access to the lake.

Regarding a variance for Patricia Torness-Smith; Comments from the applicant were read at the meeting. There were no proponents or opponents present. Medhaug motioned; Bender seconded to approve the requested 5' variance to the property line setback. A roll call vote was taken; Medhaug – Nay, Luttrell – Nay, Kilker – Nay, Bender – Nay, Schuller - Nay. Motion failed. This motion was made noting that the applicant and an adjacent neighbor both agreed to request that this portion of the variance application be denied. Kilker motioned; Luttrell seconded to approve the requested 12' variance to the normal high-water mark setback. A roll call vote was taken; Medhaug – Aye, Luttrell – Aye, Kilker – Aye, Bender – Aye, Schuller - Aye. Motion carried. This motion was made noting that the average high-water mark setback in the area per records is 38'. These findings allow for the covered porch to be constructed as requested; per the Marshall County Zoning Ordinance, and to adopt the facts and the recommended findings of the Planning Commission listed in the staff report.

**BUILDING PERMITS:**

Bender motioned; Kilker seconded to accept building permits for the following applicants: Randy & Jackie Lien (variance) - Dumarce Township, Peter Rabenberg - Pleasant Valley Township, Tim Steiner - Lake Township, Chris Eye - White Township, Bush Angus/James Bush - Stena Township and Patricia Torness-Smith (variance) - Lake Township. All members voted aye. Motion carried.

**OTHER:**

Ordinance number 72 which contains language for campgrounds becomes effective on September 9, 2025. Discussion took place over the topic of separate zoning ordinances for meandered lakes and the possibility of implementing those changes in the future. The topic of Data center and crypto ordinances was also discussed but it was determined that Marshall County already has regulations for buildings via our zoning ordinance.

**ADJOURN:**

Medhaug motioned; Kilker seconded to adjourn as Planning and Zoning Board and convened as Marshall County Commission at 10:39 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.....