

MARSHALL COUNTY PLANNING & ZONING COMMISSION

Proposed Agenda

Regular Scheduled Meeting

October 28, 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 30, 2025
- V. Matters for Board Discussion
- VI. Open
- VII. Disclosure of Conflicts/Ex Parte Communication
- VIII. New Business:
 - A. **Variance – 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
September 30, 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 Jeff Amacher, Clyde Fredrickson, Stuart Eberhart and Woody Krog.

AGENDA:

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

MINUTES:

Medhaug motioned; Kilker seconded to approve the minutes from September 16, 2025. All members voted aye. Motion carried.

VARIANCES:

Regarding a Variance for Jeff & Jean Amacher; Discussion was had regarding the proposed addition. Jeff Amacher and Clyde Fredrickson were present to give testimony. There were no opponents present at the meeting. Bender motioned; Kilker seconded to approve the requested 4' variance to both the North and South property line setback and the 5' variance to the normal high-water mark setback. This motion was made noting that the site-line that averages the setback of the principal structures on the adjoining lots is 38ft, and that other similar variances have been granted. The motion also allows for the project 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. A roll call vote was taken; Medhaug – Aye, Luttrell – Aye, Kilker – Aye, Bender – Aye, Schuller - Aye. Motion carried.

Regarding a variance for Ehren Grupe; Discussion was had regarding the proposed grain bin. Stuart Eberhart was present to give testimony. There were no opponents present at the meeting. Bender motioned; Medhaug seconded to approve the requested 41' variance to the right-of-way line setback and to adopt the facts and the recommended findings of the Planning Commission listed in the staff report. This motion was made noting that other similar variances have been granted in the past, which allows the bin to be constructed on the property as requested by the applicant; per the Marshall County Zoning Ordinance. A roll call vote was taken; Medhaug – Aye, Luttrell – Aye, Kilker – Aye, Bender – Aye, Schuller - Aye. Motion carried.

Regarding a variance for Loren Cutler; Discussion was had regarding a pole barn and shed. There were no proponents or opponents present at the meeting. Kilker motioned; Luttrell seconded to approve the requested 15' variance to the right-of-way line setback for the pole building, a 38' variance to the right-of-way line setback for the shed and to adopt the facts and

the recommended findings of the Planning Commission listed in the staff report. This motion was made noting that other similar variances have been granted in the past, which allows the structures to remain on the property as built by the applicant; per the Marshall County Zoning Ordinance. 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 The Towers, LLC by Buell Consulting, Inc. to construct a 255' lattice telecommunications tower and facility within a 100'x100' lease area, which will also include a 30' wide access/utilities easement extending East toward 425th Ave., on the property described as the NW1/4 of Section 5, T127N, R57W. This motion was made noting that other similar Conditional Use applications and permits have been approved previously, and that telecommunications towers are necessary structures in rural areas. Medhaug motioned; Kilker seconded to approve the permit 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.

BUILDING PERMITS:

Medhaug motioned; Kilker seconded to accept building permits for the following applicants: Jeff & Jean Amacher - Red Iron Lake (variance), Beth Hove – Miller, Loren Cutler - Pleasant Valley (variance), Thomas Satrang – Lake, Ehren Grupe - Newark (variance), Levi Peters - Pleasant Valley, Jodi Kraft – Lake, Bob & Eileen Skjonsberg – Dumarce and Terry Riedl – Lake. All members voted aye. Motion carried.

Kilker Motioned; Bender seconded to approve building permit No. 70-25 for The Towers. LLC on behalf of Buell Consulting, Inc. contingent upon receiving the remaining supporting documents and plans pertaining to the application. A roll call vote was taken; Medhaug – Aye, Luttrell – Aye, Kilker – Aye, Bender – Aye, Schuller - Aye. Motion carried.

OTHER:

The Zoning Board, along with Zoning Director Collins-Miles, discussed the need to update the Marshall County Comprehensive Plan and Land Use Manual in order to remove unnecessary verbiage and update the contents to reflect more accurate and updated language. A motion was made to hire Eric Senger, NECOG, to aid the County in writing a new and updated Comprehensive Land Use manual. This work will take place in the coming months.

ADJOURN:

Medhaug motioned; Kilker seconded to adjourn as Planning and Zoning Board and convened as Marshall County Commission at 9:49 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.....