

STAFF REPORT
Rezone Application
December 9, 2025

GENERAL INFORMATION:

PETITIONER	Samuel & Amanda Nordquist
REQUEST	REZONING: AGRICULTURAL DISTRICT (AG) TO LAKEFRONT DISTRICT (R-3)
LEGAL DESCRIPTION	A part of Sigaty Subdivision in Gov't lot 1 & 2 & NE1/4SE1/4 in Section 21, T126N, R55W of the 5th P.M., Marshall County, South Dakota; APPROX 5.7 acres North & East of Lot 1 Nordquist 3rd, Lots 1-17 Nordquist 4th, and 1-17 Nordquist 5th Subdivision. SEE SKETCH.
CURRENT ZONING (SURROUNDING)	Agricultural District (AG) and Lakefront Residential (R-3) (see map attached)
REPORTED BY	Erin Collins-Miles

COMMENTS/HISTORY:

1. The petitioner is requesting to Rezone the above-described proposed lots in order to create new lake lots without shore frontage.
 - a. The land cannot be platted prior to the Rezone as there can only be one Zoning classification on a parcel of land.
2. The lots would match the widths of Lots already existing within the original plat.
 - a. Currently, the land for the proposed Lots sits empty (no structures) and is currently used as pasture land.
3. The intent of the proposed lots is for current adjacent landowners to purchase if they wish.
 - a. Some portions of the pasture land are already being used to store miscellaneous items.
4. A 30' private access road is proposed to be created on the West side of Lot 1 of Nordquist Third Addition. The access road width is proposed to be 20' along the North side (back yard side) of proposed Lots, and is proposed to extend along all proposed Lots for ease of access. Please see proposed sketch for more detail.
5. The Rezone would make the land conform with other surrounding Zoning and bring it into compliance with the same use as other surrounding property.
6. The property is currently Zoned Agricultural.
 - a. A variance application also needs to be brought before the Board prior to approval of a rezone.
 - b. A plat will need to be filed upon the effective date of the rezone to establish new boundaries between zoning districts. Effective date is January 20, 2026.

7. Per the Marshall County Zoning Ordinance, A rezone can be permitted under the TITLE 19, Chapter 19.7; noting that supporting language is listed under numbers 1 and 2.
8. One written objection received after the writing of this staff report.

STAFF RECOMMENDATION/REVIEW:

Staff has reviewed this Rezone. Although the land serves use as it is currently zoned, the intended use of the property would be for current property owners in adjacent lots to be offered the proposed backlots for purchase, if they choose. The land in question, as it currently sits, is used as pasture land. Based on the intended use of the proposed lake lots, a Rezone is necessary.

NOTICE OF PUBLIC HEARING OF THE MARSHALL COUNTY PLANNING AND ZONING COMMISSION AND MARSHALL COUNTY BOARD OF COUNTY COMMISSIONERS ON PROPOSED CHANGE OF THE ZONING ORDINANCE OF MARSHALL COUNTY

Notice is hereby given pursuant to SDCL 11-2 that on the 9th day of December, 2025, at 9:00a.m. in the North Marshall Firehall Meeting Room in Britton, South Dakota, is the time and place when and where all persons interested therein may appear and be heard before the Marshall County Planning & Zoning Commission and Marshall County Board of County Commissioners, concerning the proposed changes to the Zoning Ordinance of Marshall County. The Planning and Zoning Commission will submit to the Board of County Commissioners their recommendation as to whether or not the following ordinance should be passed by the respective governing bodies. If recommended for approval the Board of County Commissioners will then have the first reading of the proposed ordinance change.

AN ORDINANCE ENTITLED, An Ordinance to amend the Marshall County Zoning Map.

Be it ordained by the Board of County Commissioners of Marshall County, South Dakota: that Title 4 chapter 4.2 adopted by Ordinance No.32, September 28, 2021 as amended, of the Zoning Ordinance of Marshall County be amended to classify the following property:

A part of Sigaty Subdivision in Gov't lot 1 & 2 & NE1/4SE1/4 in Section 21, T126N, R55W of the 5th P.M., Marshall County, South Dakota; APPROX 5.7 acres North & East of Lot 1 Nordquist 3rd, Lots 1-17 Nordquist 4th, and 1-17 Nordquist 5th Subdivision. SEE SKETCH.

(Proposed rezone sketch available in the office of the Zoning Director. Per the proposed rezone sketch, the shaded area shows approx. 5.7 acres to be rezoned.)

To "R-3" Lakefront Residential District from "AG" Agricultural District

BE IT FURTHER ORDAINED by the Marshall County Commission, Britton, South Dakota, that the zoning official for the County of Marshall is hereby authorized to change the official zoning map for the County of Marshall to reflect this Ordinance.

Passed and adopted this ____ day of ____ 20____.

Matthew Schuller
Chairperson

Megan Biel
Auditor

Any persons wishing to present testimony may appear at said hearing or may file written comments with the Marshall County Auditor P.O. Box 130, Britton, South Dakota 57430 prior to said hearing.

Dated this 12th day of November, 2025.

Erin Collins-Miles, Marshall County Planning & Zoning Administrator

Published once at the total approximate cost of _____.

17 (NOV. 12)
NOTICE OF PUBLIC
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MARSHALL COUNTY
PLANNING AND ZONING
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Passed and adopted this 12th day of Nov. 2025. Matthew Schuller, Chairperson, Megan Biel, Auditor

Any persons wishing to present testimony may appear at said hearing or may file written comments with the Marshall County Auditor P.O. Box 130, Britton, South Dakota 57430 prior to said hearing. Dated this 12th day of November, 2025. - Erin Collins-Miles, Marshall County Planning & Zoning Administrator
Published at an approximate cost of \$25.23 and can be viewed free of charge at www.sdpublishnotice.com.

**Marshall County
State of South Dakota**

Notice is hereby filed by SAMUEL & AMANDA NORDQUIST, landowner, and

Ag to Lake Front Residential

Landowner's Signature Samuel Murphy Date 11/6/25

Buyer's Signature _____ Date _____

Date Received: 11/17/25

Date of Hearing by Marshall County Planning Commission: December 9, 2025

Date of hearing(s) by Marshall County Commissioners:

December 30, 2025

Action taken by Marshall County Commissioners:

Ord. number

#74

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

November 14, 2025

Dear Property Owner,

Please take notice that an application has been made by Samuel & Amanda Nordquist for a hearing before the Marshall County Planning & Zoning Commission and Marshall County Board of County Commissioners for a proposed change of the zoning ordinance of Marshall County.

The application is for the rezoning of an Area of Rezone for A part of Sigaty Subdivision in Gov't lot 1 & 2 & NE1/4SE1/4 in Section 21, T126N, R55W of the 5th P.M., Marshall County, South Dakota; APPROX 5.7 acres North & East of Lot 1 Nordquist 3rd, Lots 1-17 Nordquist 4th, and 1-17 Nordquist 5th Subdivision. SEE SKETCH. (Proposed rezone sketch available in the office of the Zoning Director. Per the proposed rezone sketch, the shaded area shows approx. 5.7 acres to be rezoned.) To "R-3" Lakefront Residential District from "AG" Agricultural District

The first reading of this application is on the agenda for a public hearing which will be held on December 9, 2025 at 9:00 am at the North Marshall Firehall Meeting Room.

This notice is sent to you as an owner of the property adjacent to the applicant. Should this request be of concern to you, you may appear at the above stated hearing or may send your comments to:

Marshall County Auditor
PO Box 130
Britton, SD 57430

Sincerely,



Erin Collins-Miles
Planning and Zoning Director

MARSHALL COUNTY PLANNING & ZONING COMMISSION
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Marshall County Auditor
PO Box 130
Britton, SD 57430

Sincerely,



Erin Collins-Miles
Planning and Zoning Director

Sent to the following adjacent landowners on 11/14/25:

1. Paula Hanson – 438375 Northside Dr. Lake City, SD

2. Travis & Nicole Stiegelmeier – 42863 SD HWY 10 Britton, SD 57430
3. Weldon & Ronda Hoesel – 15905 HWY 11 Lidgerwood, ND 58053
4. Craig & Julie Mauch – 16245 Co. Rd. 14 Barney, ND 58008
5. James & Judith Kleingarn – 13753 HWY 13 Milnor, ND 58060
6. Charles Hanson – 438712 Northside Dr. Lake City, SD 57247
7. Kurt & Shana Zuehlke – 42020 SD HWY 10 Britton, SD 57430
8. Anthony Satrang – 3552 Rolling Meadows Dr. Aberdeen, SD 57401
9. Lorne & Patricia Aadland – 438742 Northside Dr. Lake City, SD 57247
10. Amerman Family Trust c/o Lori Amerman – 42231 111th St. Britton, SD 57430
11. Jack & Dorene Brown – P.O. Box 55 Gwinner, ND 58040
12. Lee & Erica Tollefson – 11649 399th Ave. Houghton, SD 57449
13. Anthony Geist – 725 E 15th Ave. Mitchell, SD 57301
14. Jerry & David Wieber – 9970 County Rd 19 Lidgerwood, ND 58053
15. Betty Wettstein – 15232 County Rd 17 Lidgerwood, ND 58053
16. Norman & Carol Grobe – P.O. Box 287 Veblen, SD 57270
17. Darren & Pamela Burchill – 3585 Bridgeview Dr. SE Rochester, MN 55904
18. Karen Zuehlke – 42010 SD HWY 10 Britton, SD 57430
19. Douglas & Amy Jo Vietor – 11334 420th Ave. Britton, SD 57430
20. Lisa Dahme – 1208 7th St. Britton, SD 57430
21. Mark & Audrey Johnson – 306 West 3rd St. Pierpont, SD 57468
22. Dennis & Diane Healy – 438928 Northside Dr. Lake City, SD 57247
23. Roger Allen & Mary Jo Renner - 502 James Place Yankton, SD 57078
24. Ann Erickson – 438962 Northside Dr. Lake City, SD 57247
25. Scott & Jean Ann Phillips – P.O. Box 116 Lake City, SD 57247
26. Joyce Ogren – 411 9th St. Britton, SD 57430

Petition of Samuel & Amanda Nordquist

From Roger/Mary Jo Renner <rmjrenner@gmail.com>

Date Mon 12/8/2025 9:04 PM

To Erin Collins-Miles <mczoning@venturecomm.net>

To Erin Collins-Miles
Planning & Zoning Director

My wife and I own lots #13 & #14 in Nordquist 4th Addition which adjoins the land of the Samuel & Amanda Nordquist Request. We strongly object to the Nordquist Rezoning & Variance Request:

To Plat 35 Lake Lots, Which Includes
Proposed Lot 1A Nordquist 3rd, Lots 1B-17B
Nordquist 4th

SubDivision and Lots 1A-17A
Nordquist 5th SubDivision.

Our objections are numerous:

1) The Nordquist's concern about encroachment on their land is a minor issue that can be resolved by law enforcement and/or repairing their existing fence. Rezoning, with a very significant variance, is a major step to solve a minor issue. I myself have never ever encroached on their land.

2) The proposed access road of 20' width is far too narrow for two-lane traffic, large pickups, campers, boats, etc. There is no place for vehicles to turn around safely and the road isn't even wide enough to make a 3 point turn to change direction.

3) What are the specifications for the road build? Will the access road be made of dirt, gravel, asphalt, or concrete? If dirt or gravel, how much unnecessary dust will be created for the adjoining property owners. Will the road have gutters, ditches, or culverts? Where will runoff from the road be diverted to...east, west,

north, south? Who will take responsibility for maintaining the road summer and winter...the new landowners, the Nordquist family, or the Marshall County road crew?

4) Our lakeshore property is south of lot #13 and we have a very significant problem dealing with water runoff from the north and from the west, which are both uphill from my property. Before we started construction of our cabin, we hired Stockwell Engineers of Sioux Falls to do a watershed study of this area in an effort to protect our cabin and our neighbors. Before any plat is approved I would demand that the Nordquists complete a Watershed Study to protect those of us who own lakeshore property in the area. As I think of concrete pads, garages, sheds, campers, boats, and an access road being placed on the proposed property, I can only see more runoff and more

water damage to all of the properties south of the proposed plat.

5) Since the proposed lots are extremely small and the Marshall County Sheriff has a large area to cover, I see them being used to park old boats, old campers, storage sheds, and miscellaneous items of questionable value. If this happens, the taxable value of my property will go down which won't benefit Marshall County.

6) Do the Nordquists have a plan to get electricity or water to the lots? Are the lots large enough to safely install septic tanks and drain fields?

7) The proposed lots will only increase traffic and thus the need for maintenance on North Side Drive. Does Marshall County have a budget allotment for increasing maintenance/repair on North Side Drive?

8) What will be the zoning rules for the new plat? Who will make the zoning rules and who will enforce them?

In summary, all the above questions must be answered before this plat and variance is approved. The Nordquist request is a big idea that requires a lot more thought and more planning. The Nordquists need to invest in a Watershed Study and have an engineer write specs for an appropriate access road. Marshall County has to decide who will maintain the access road and if the county is willing to increase the maintenance/repair budget for North Side Drive.

Sincerely,

Roger & Mary Jo Renner

Property Owners of Lots #13 & #14 Nordquist
4th Addition

ORDINANCE NO. 74

AN ORDINANCE AMENDING TITLE 4, CHAPTER 4.2
AS AMENDED TO REZONE CERTAIN DESCRIBED PROPERTY

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<u>Notice of Hearing</u>	<u>November 12, 2025</u>
<u>Passed First Reading</u>	<u>December 9, 2025</u>
<u>Passed Second Reading</u>	<u>December 30, 2025</u>
<u>Adopted</u>	<u>December 30, 2025</u>
<u>Published</u>	<u>December 31, 2025</u>
<u>Effective Date</u>	<u>January 20, 2025</u>

Matthew Schuller, Chairman
Marshall County Commission

ATTEST: _____
Megan Biel, Marshall County Auditor

Published once at the total approximate cost of \$_____.

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

November 26, 2025

TO: Samuel and Amanda Nordquist
444 W Roy Lake Ave.
Lake City, SD 57247

To whom this may concern.

This letter shows the official schedule for your **Rezone** application. Please note that the first notice was published in the paper on November 12, 2025.

Also note that future plat approval would be contingent upon the approval/effective date of this rezone and your variance to lot size.

Please see below for detail:

A part of Sigaty Subdivision in Gov't lot 1 & 2 & NE1/4SE1/4 in Section 21, T126N, R55W of the 5th P.M., Marshall County, South Dakota; APPROX 5.7 acres North & East of Lot 1 Nordquist 3rd, Lots 1-17 Nordquist 4th, and 1-17 Nordquist 5th Subdivision. SEE SKETCH.

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<u>Effective Date</u>	<u>January 20, 2026</u>

If you have any questions, please contact my office.

Sincerely,

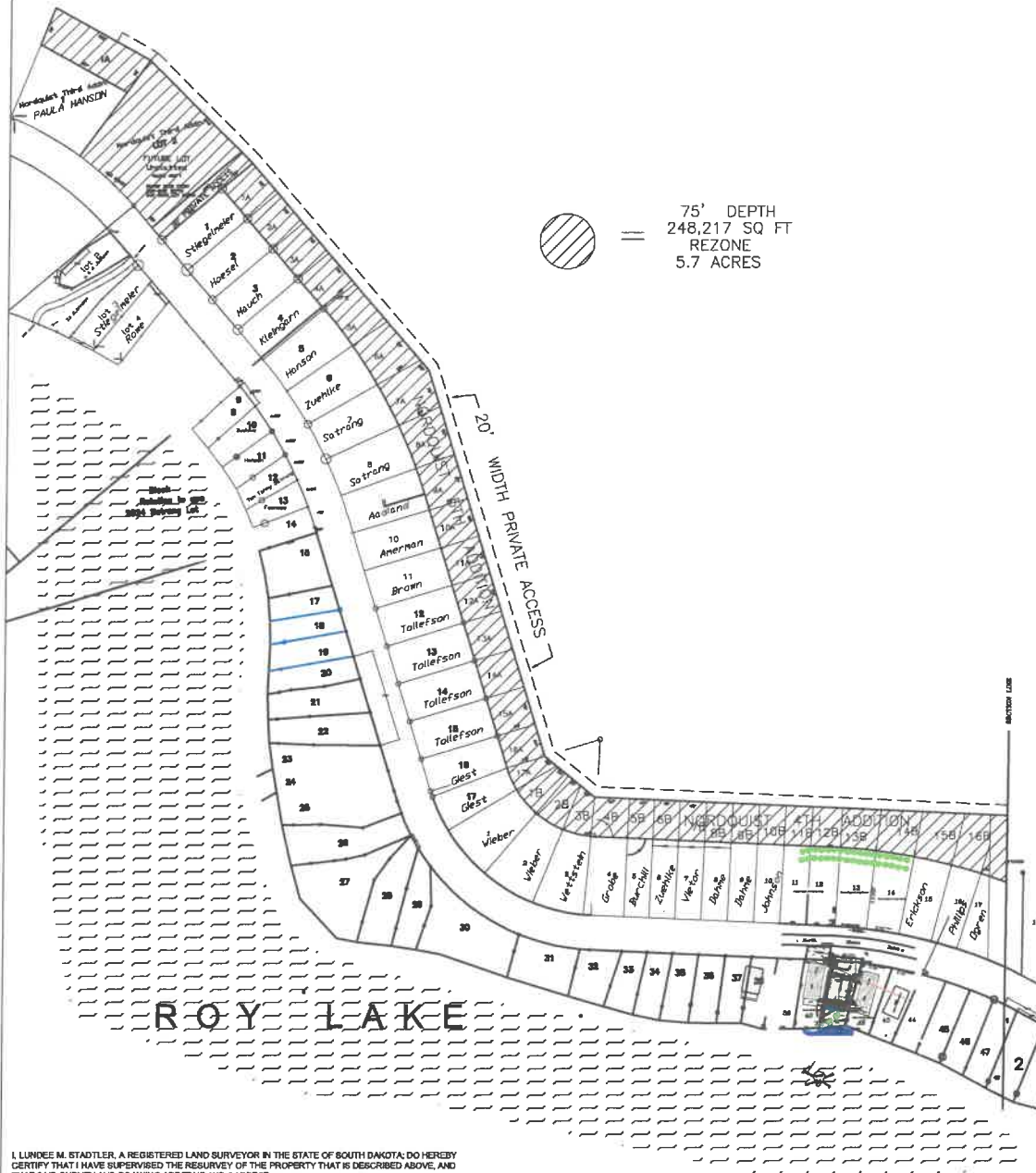


Erin Collins-Miles
Planning and Zoning Director

Letter sent via email on 11/26/25

**** REZONE AREA ****

OF ±5.8 ACRES IN GOV'T LOTS 1,2, AND NE1/4SE1/4
SECTION 21, T126N, R56W OF THE 5TH P.M.,
MARSHALL COUNTY, SOUTH DAKOTA



I, LUNDEE M. STADLER, A REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT I HAVE SUPERVISED THE RESURVEY OF THE PROPERTY THAT IS DESCRIBED ABOVE, AND THAT SAID SURVEY AND DRAWING ARE TRUE AND CORRECT.

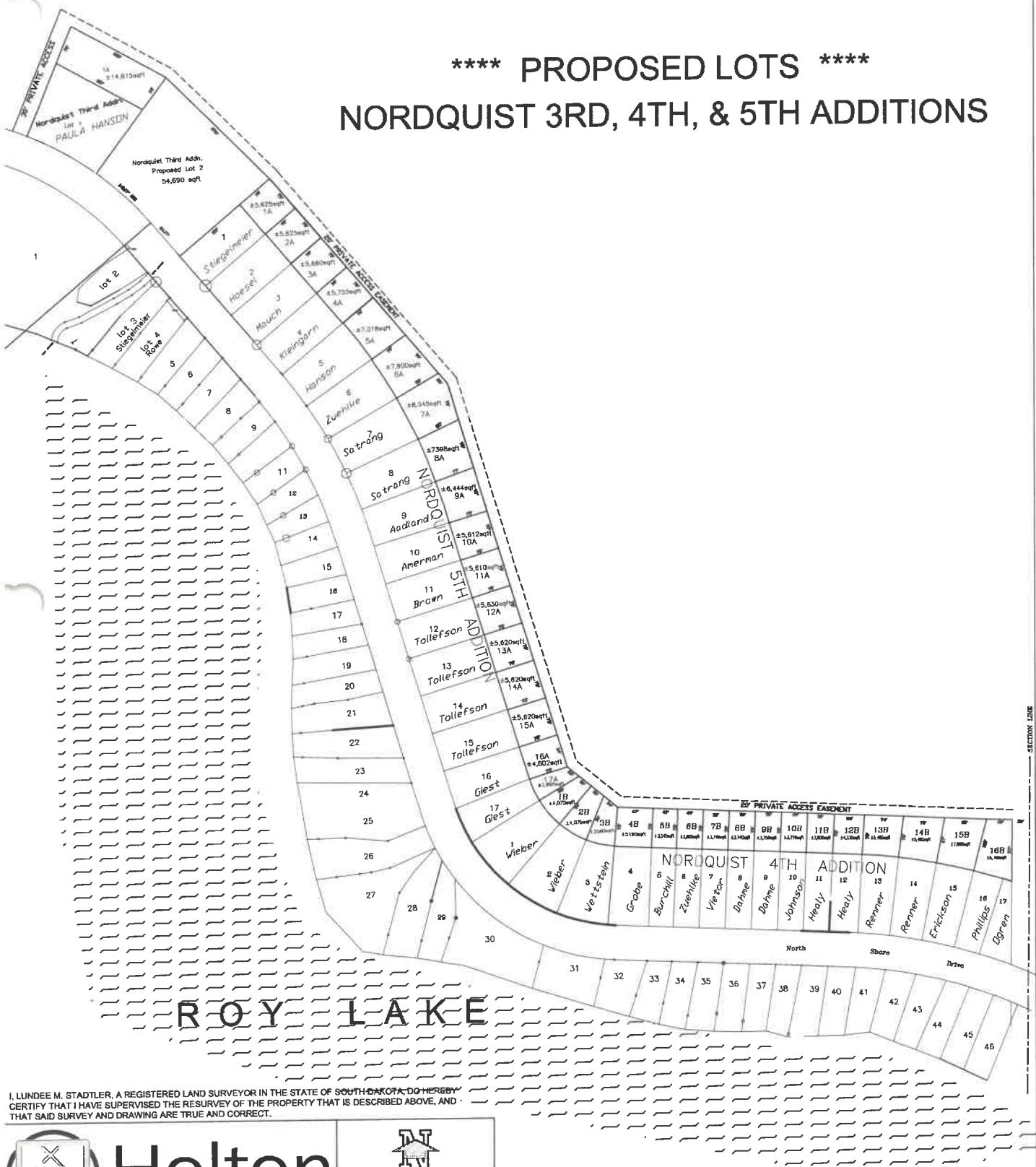


Holton
SURVEYING & DESIGN, LLC

GPS-NORTH MIDSTATES VRS
SCALE: 1" = 300'
© 2017 HOLTON SURVEYING & DESIGN, LLC

New road placement 11/20/25

**** PROPOSED LOTS ****
NORDQUIST 3RD, 4TH, & 5TH ADDITIONS



I, LUNDEE M. STADLER, A REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT I HAVE SUPERVISED THE RESURVEY OF THE PROPERTY THAT IS DESCRIBED ABOVE, AND THAT SAID SURVEY AND DRAWING ARE TRUE AND CORRECT.

Holton
SURVEYING & DESIGN, L.L.C.
128 E HICKORY ST, SISSETON SD PH 605-698-3850
DRAWN: FIFI D.

GPS-NORTH MIDSTATES VRS
SCALE: 1" = 300'
○ = CAPPED IRON PIN SET
□ = RECOVERED MONUMENT

MARSHALL COUNTY WEB VIEWER



12/4/2025, 1:21:15 PM

PLAT

NORDQUIST 3RD ADDITION

NORDQUIST 4TH ADDITION

NORDQUIST 5TH ADDITION

GOV'T LOT 1

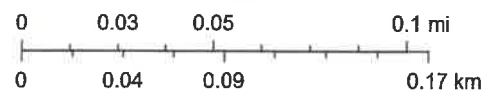
SIGATY'S SUBDIVISION

TOWNSHIPS

SECTIONS

PARCELS

1:4,514



MARSHALL COUNTY WEB VIEWER



12/4/2025, 1:23:31 PM

ZONING

- Agricultural District
- Lake Front Residential District

PLAT

- NORDQUIST 3RD ADDITION
- NORDQUIST 4TH ADDITION

ROY LAKE NORTHSIDE ADDITION

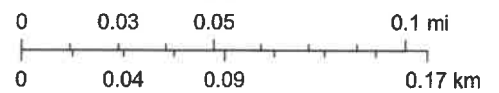
SIGATY'S 2ND SUBDIVISION

SIGATY'S SUBDIVISION

TOWNSHIPS

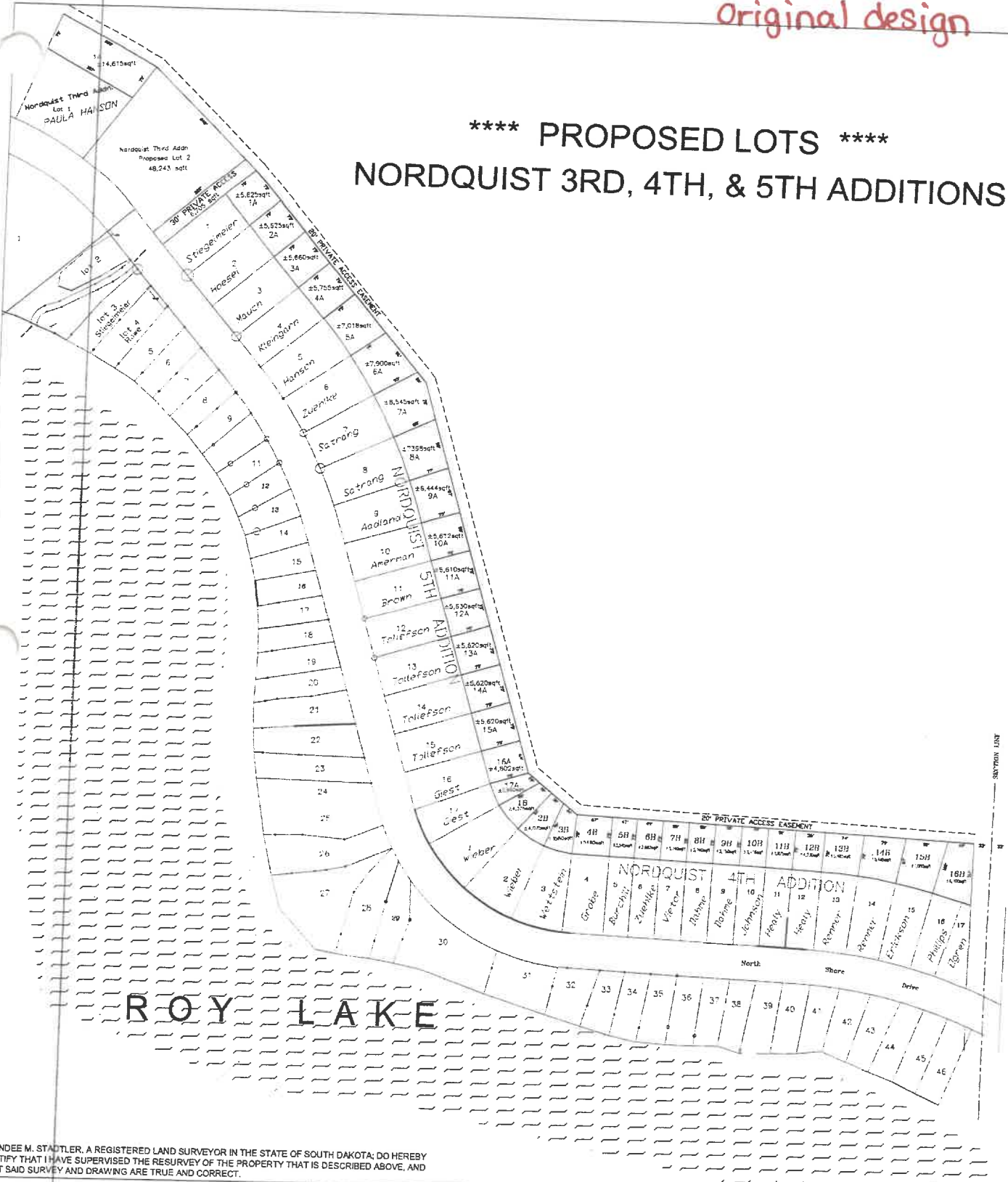
SECTIONS

1:4,514



Original design

**** PROPOSED LOTS ****
NORDQUIST 3RD, 4TH, & 5TH ADDITIONS



ROY LAKE

SECTION LINE

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Holton



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