

MARSHALL COUNTY PLANNING & ZONING COMMISSION

Proposed Agenda

Regular Scheduled Meeting

June 4, 2026– 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 May 19, 2026
- V. Matters for Board Discussion
 - A. Permits up for review by the Board
- VI. Open
- VII. Disclosure of Conflicts/Ex Parte Communication
- VIII. New Business:
 - A. **Variance – Terri Glodrey**
 - 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. **Drainage – K. Rabenberg**
 - 1) Reported 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)
- 5) Drainage Board motion and roll call for vote

C. Plats

- a. Quamen Ravine Outlot 1
 - a) Quamen Ravine Outlot 1 Located in Gov't Lot 4 in Section 4, T127N, R53W of the 5th P.M., Marshall County, South Dakota
- b. Quamen Ravine Outlot 2
 - a) Quamen Ravine Outlot 2 Located in the SE1/4SW1/4 in Section 33, T128N, R53W of the 5th P.M., Marshall County, South Dakota

IX. Building Permits

X. Other

- A. Revised Zoning Regulations for Marshall County, South Dakota**
- B. Comprehensive Plan for Marshall County, South Dakota**

XI. Old Business

XII. Adjourn

**MARSHALL COUNTY PLANNING & ZONING BOARD
PO BOX 9
BRITTON, SOUTH DAKOTA
UNAPPROVED MINUTES
May 19, 2026**

The Marshall County Planning & Zoning Board met at 9:00 AM, at the Marshall County Courthouse. Present at the hearing were the following Board members; Matthew Schuller, Jason Bender, Lynda Luttrell, Andrea Kilker and Doug Medhaug. Commissioner Schuller presided. Others present at the hearing were Erin Collins-Miles - Planning & Zoning and Megan Biel – Auditor. Victor Rapkoch, Marshall County States Attorney, Gerry Burger, Eric Senger and Lesleann Palmer with NECOG were also present for the meeting.

AGENDA:

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

MINUTES:

Bender motioned; Kilker seconded to approve the minutes from May 5, 2026. All members voted aye. Motion carried.

VARIANCE:

Pertaining to a variance for Rick & Myra Sommers; After Board discussion, Kilker motioned; Bender seconded to approve the requested 8' variance to the normal high-water mark setback. This motion was made noting the following; There is a principal structure located less than fifty (50) feet from the normal high-water mark on properties contiguous to the lot and other similar variances have been granted previously. This motion allows for the deck 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; Bender – Aye, Luttrell – Aye, Kilker – Aye, Medhaug – Aye., Schuller - Aye. Motion carried.

Pertaining to a variance James Rabenberg; After Board discussion, Luttrell motioned; Medhaug seconded to approve the requested 5' variance to the property line setback. This motion was made noting the following; The previous shed had already been positioned as close to the South property line that is being requested with this application and that other similar variances have been granted previously. This motion allows for the shed to be placed 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; Bender – Aye, Luttrell – Aye, Kilker – Aye, Medhaug – Aye., Schuller - Aye. Motion carried.

Pertaining to a variance Anita Patterson; After Board discussion, Bender motioned; Kilker seconded to approve the requested 23' variance to the right-of-way line setback. This motion was made noting that the recent acquisition of an additional 25' of right-of-way by the state has posed an undue hardship and that other similar variances have been granted in the past, which allows the deck 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; Bender – Aye, Luttrell – Aye, Kilker – Aye, Medhaug – Aye, Schuller - Aye. Motion carried.

DRAINAGE:

Pertaining to a drainage application for Kirk Rabenberg; There were no opponents or proponents present at the meeting in relation to the project. Medhaug motioned; Kilker seconded to approve an application to drain on the property described as the SW1/4 & SE1/4 Except Tracts 1 & 2 in the Plat of Tracts 1 & 2 of D & M Addition of Section 29, T126N, R57W. Conditions to this permit are as follows; to make the construction completion date as seen on permit application; December 1, 2028. Applicant must reapply after said date. Applicant must follow all applicable laws. A roll call vote was taken; Bender – Abstained, Luttrell – Aye, Kilker – Aye, Medhaug – Aye, Schuller – Aye. Motion carried.

PLATS:

Kilker motioned; Luttrell seconded to approve the following plat; Madi Neiber Addition in Newport Township. All members voted aye. Motion carried.

REVISED ZONING REGULATIONS:

Erin Collins-Miles, Planning & Zoning Director, discussed the proposed ordinance changes with the Board. NECOG was also present for questions and discussion. Bender motioned; Medhaug seconded to recommend Ordinance No. 78 to the County commission. A roll call vote was taken;

Bender – Aye, Luttrell – Aye, Kilker – Aye, Medhaug – Aye, Schuller - Aye. Motion carried. The County Commission will hold the First reading of the ordinance during regular session at the scheduled meeting on June 4, 2026.

MARSHALL COUNTY COMPREHENSIVE PLAN:

Erin Collins-Miles, Planning & Zoning Director, along with the Board and members of NECOG discussed questions and changes to the document. Kilker motioned; Bender seconded to recommend the adoption of the Comprehensive Plan to the County commission. A roll call vote was taken; Medhaug – Aye, Luttrell – Aye, Kilker – Aye, Bender – Aye, Schuller - Aye. Motion carried. The document is proposed to be adopted by Resolution during regular session at the scheduled meeting on June 4, 2026.

BUILDING PERMITS:

Medhaug motioned; Kilker seconded to accept building permits for the following applicants: Darin Roehr – Weston Township, Terri A. Glodrey – Lake Township, Myra Sommers (variance) - Lake Township, James A. Rabenberg (variance) - Lake Township, Anita Patterson (variance) - Stena Township, Corey Schmieg - Pleasant Valley Township, Ralph Schmidt - Pleasant Valley Township. All members voted aye. Motion carried.

OTHER:

Property owners that have projects with deadlines which have been assigned by the board, were discussed. More information to follow as these projects are completed. Properties who are exempt from building permit fees were discussed. No action was taken on either of these items.

ADJOURN:

Medhaug motioned; Bender seconded to adjourn as Planning and Zoning Board and convened as Marshall County Commission at 10:26 AM. All members voted aye. Motion carried.

ATTEST:

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