STAFF REPORT
September 22, 2026

GENERAL INFORMATION:

PETITIONER	Horton, Inc.
REQUEST	**Application for Conditional Use for on-premise signs to be replaced**
LEGAL DESCRIPTION	N400' of Outlot A in the NW1/4 and Lot 1 Britton Development Addition in the NW1/4 of Section 13, T127N, R58W of the 5th P.M., Marshall County, South Dakota
CURRENT ZONING	General Industrial District (I)
(SURROUNDING)	Agricultural Fringe Protection District (AGFP), Agricultural District (AG)
REPORTED BY	Erin Collins-Miles

COMMENTS/HISTORY:

Bill Ortmeier with Stein Sign Display on behalf of Horton Inc., has requested a Conditional Use from the Marshall County Zoning Ordinance for on-premise signs to be replaced on the property described as the N400' of Outlot A in the NW1/4 and Lot 1 Britton Development Addition in the NW1/4 of Section 13, T127N, R58W of the 5th P.M., Marshall County, South Dakota.

Per the Marshall County Zoning Ordinance, an on-premise sign is permitted under the Conditional Use Section located in TITLE 13, Section 13.3. Granting this conditional use would bring the sign into compliance with the rules and regulations set forth by Marshall County.

REVIEW:

This sign will include illuminated shipping/receiving signs which fall under the classification of any sign identifying or advertising a business, person, activity, goods, products or services located on the premises where the sign has been erected. (See pg. 19 Sign, On-Premise). The proposed signs) will go on the main building on the East side of the road, or 10840 423rd Ave. An email from SDDOT is included in the file acknowledging the sign(s) will meet the standards established by the State. Total surface area of the "Shipping," sign is 52.92' and "Receiving," is 60.43'. The applicant is aware that this project is joint-jurisdiction with Britton City and may also require additional permits with the City. No objections were received prior to the writing of this staff report.

STAFF RECOMMENDATION/REVIEW:

Granting of this conditional use would bring the proposed signs into compliance with the rules and regulations set forth by Marshall County. Staff recommendation would be to grant the conditional use application as it has been requested.

NOTICE OF HEARING - APPLICATION FOR CONDIITIONAL USE FOR AN ON-PREMISE SIGN

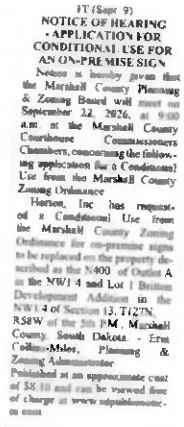
Notice is hereby given that the Marshall County Planning & Zoning Board will meet on September 22, 2026, at 9:00 a.m. at the Marshall County Courthouse Commissioners Chambers, concerning the following application for a Conditional Use from the Marshall County Zoning Ordinance.

Horton, Inc. has requested a Conditional Use from the Marshall County Zoning Ordinance for on-premise signs to be replaced on the property described as the N400' of Outlot A in the NW1/4 and Lot 1 Britton Development Addition in the NW1/4 of Section 13, T127N, R58W of the 5th P.M., Marshall County, South Dakota.

Erin Collins-Miles
Planning & Zoning Administrator

Published once at the approximate cost of

For publication: September 9, 2025


FT (Sept 9)
NOTICE OF HEARING
- APPLICATION FOR
CONDITIONAL USE FOR
AN ON-PREMISE SIGN
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Published at an approximate cost of $8.10 and can be viewed free of charge at www.sdpublicnotice.com

MARSHALL COUNTY APPLICATION FOR CONDITIONAL USE

DATE: 9-1-26

To: Marshall County Planning and Zoning Commission
PO Box 9
Britton, SD 57430

The undersigned do hereby request a conditional use from the Marshall County Zoning Ordinance as provided by Article ON PREMISE Signs Section 14.6 for the purpose of Replacing Exist Signs
Copy: Shipping Recieving
Same size as they are now

Legal Description: 10840 423rd Ave
Horton's Britton SD

Reason: Existing signs are old and peeling.

Applicant's Name: Bill Ortmeier Phone: 605-881-2365
Address: 2020 4th Ave SW Watertown SD 57201
Applicant's Signature: Bill Ortmeier
Owner's Signature (if different than applicant): X Shawn Morgan

For Internal Office Use Only:

Date Received: 9-1-26 Fees (non-refundable): $150.00 Paid: YES NO
Inspection Report: See Staff report

Date of Hearing by Planning and Zoning Commission: September 22, 2026
Action taken by Planning and Zoning Commission:

MARSHALL COUNTY PLANNING & ZONING COMMISSION
911 VANDER HORCK
BRITTON, SD 57430
605.448.7540

September 9, 2026

Dear property owner,

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on September 22, 2026 at 9:00 AM at the Marshall County Courthouse Commissioner Chambers, concerning the following application for a Conditional Use from the Marshall County Zoning Ordinance.

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As an adjacent landowner, you are being notified of the hearing. If you have any questions, please contact my office. Any comments or concerns should be stated in writing and forwarded to my office or expressed at the scheduled hearing.

Sincerely,

Erin Collins-Miles

Erin Collins-Miles
Planning & Zoning Director

MARSHALL COUNTY PLANNING & ZONING COMMISSION
911 VANDER HORCK
BRITTON, SD 57430
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Sincerely,

Erin Collins-Miles

Erin Collins-Miles
Planning & Zoning Director

Sent to the following adjacent landowners on 9/10/26:

1. Britton City – PO Box 126 Britton, SD 57430
2. Britton Economic Development – PO Box 413 Britton, SD 57430
3. Virginia Schaaf – PO Box 173 Britton, SD 57430
4. Marshall County Highway Dept. – 10844 423rd Ave. Britton, SD 57430
5. Drew & Misty Fredrickson – PO Box 619 Britton, SD 57430

52.92 SURFACE AREA OF THE LETTERS 60.43

715-1/8"

SHIPPING RECEIVING

319-1/4"

366"

SHIPPING RECEIVING

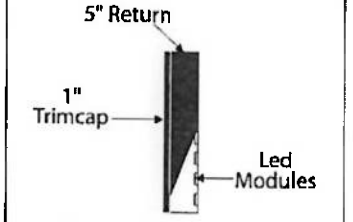
Illuminated view - painted 3M 3635-222 perforated vinyl PMS 287

SHIPPING RECEIVING:
Individually Mounted Exterior Channel Letters

Quantity:	1 Set
Face Material:	(.177) 2447 White Modified Acrylic
Face Decoration:	Painted 3M 3635-222 Dual Color Vinyl Color Legend: C1
Face Retention:	1" Painted Trim Cap Color Legend: C2 (Semi-Gloss)
Return Size/Type:	5" (.040) Painted Returns Color Legend: C2 (Semi-Gloss)
Back Type:	(.118) Pre-finished White ACM
Illumination Rows:	1 Row
LED Brand/Color:	White USLED Point XL2 Dual Led's
Primary Power:	120 VAC
Mounting:	Holes Thru Backs with Template
Listing:	UL Label
Electrical Out:	Out Back Center
Weep Holes:	Yes

Other Notes:
- Artwork was modified for manufacturing purposes.

Letter Detail - Not to Scale



COLOR LEGEND

COLOR		PMS/PAINT/VINYL #	APPLICATION
C1		3M 3635-222/PMS 287	Vinyl/ Painted
C2		PMS 287	Paint

Client:	Horton
Location:	Britton, SD
Account Rep:	Bill Ortmeier
Drawing #:	32724
Revision:	.
Drawn By:	MD
Date:	08/31/2026
Scale:	1/8" = 1'
Sales Order #:	.
Special Order Material:	☐ Yes ☐ No

ELECTRIC SIGN SECTION
ALL ELECTRICAL COMPONENTS

Color Disclaimer & Approval Acknowledgement

Please review your artwork proof carefully before approval. Colors displayed on your screen or printed proof may vary slightly from the final product due to differences in monitor settings, printing processes, and material surfaces. While we make every effort to match colors as closely as possible, exact color replication cannot be guaranteed.

By approving this proof, you acknowledge that:
- You have reviewed all colors, text, and layout for accuracy.
- Minor variations in color, size, and placement are acceptable within the industry standards.
- You accept responsibility for any errors or discrepancies not identified prior to approval.

Once approved, production will proceed. any changes while in production, additional costs may or will incur.

This drawing is property of Stein Sign Display. Any Reproduction is prohibited. All rights reserved until purchased or sold.

STEIN SIGN DISPLAY

Delivery Notes: *FAILURE TO FILL OUT DELIVERY NOTES MAY LEAD TO ADDITIONAL SHIPPING COSTS*

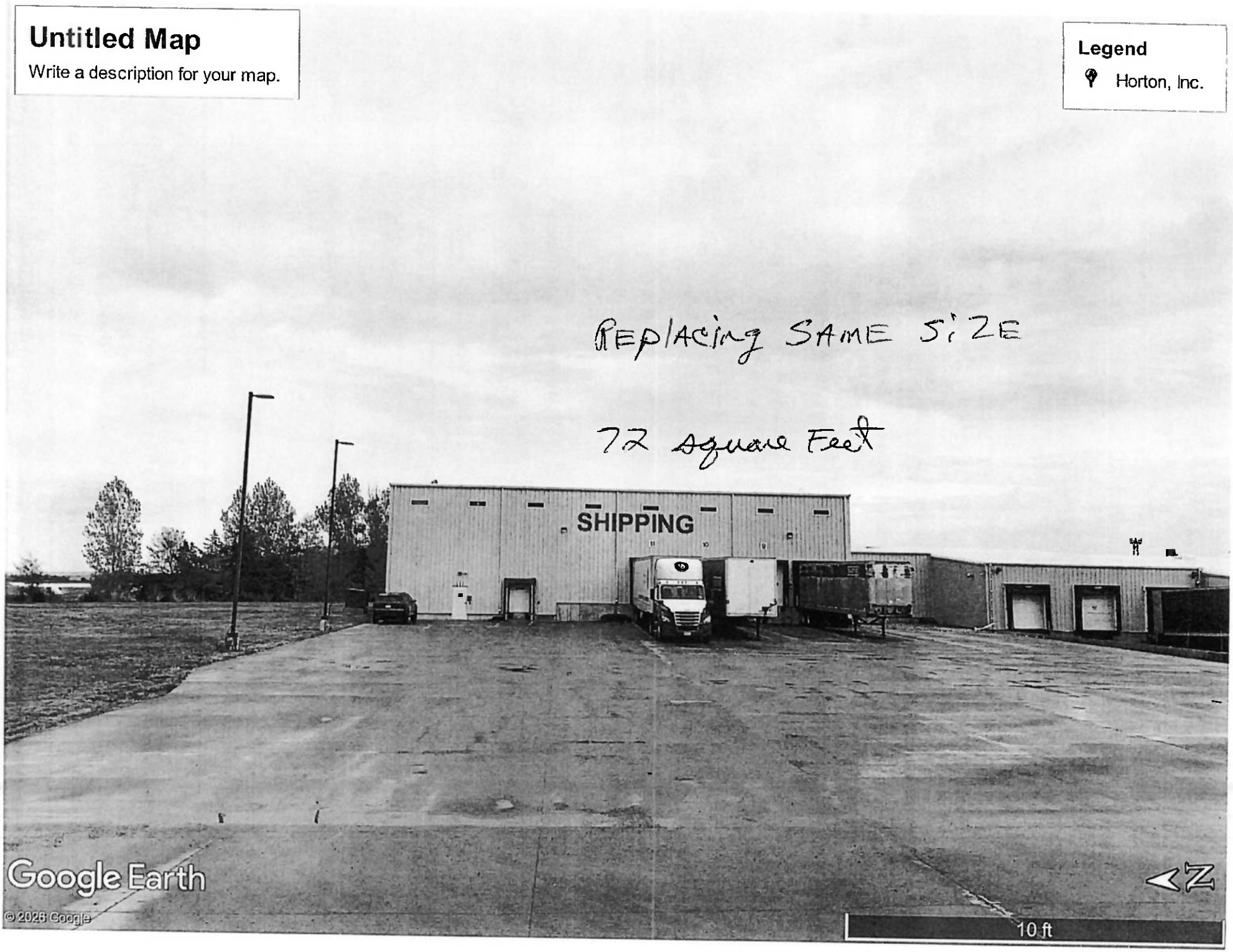
☐ Business ☐ Residential ☐ Job Site ☐ Lift Gate Delivery

Ship to Address: _____

☐ Notification (Phone #: _____ Name: _____)

ORDER APPROVAL: _____

DATE: _____ *Please Sign & Email - For project pricing refer to the quote supplied.*


Untitled Map
Write a description for your map.
Legend
Horton, Inc.
Replacing SAME SIZE
72 Square Feet
SHIPPING
Google Earth
© 2026 Google
10 ft
N

above the roof level and not intended for human occupancy; provided, that the Federal Aviation Administration (FAA) and the Federal Communications Commission (FCC) regulations are met.

SIGNS

14.5 On-premise and Off-premise Signs

1. Prohibited

   a. No sign shall be erected or maintained which creates a hazard due to collapse, fire, collision, decay, or abandonment; or creates traffic hazards, by either:

      i. Confusing or distracting motorists; or DOES NOT

      ii. Impairing the driver's ability to see pedestrians, obstacles or other vehicles; or DOES NOT

      iii. Impairing the driver's ability to see and interpret any official traffic sign, signal or device; or DOES NOT

      iv. Creates a nuisance to persons using a public right-of-way; or DOES NOT

      v. Constitutes a nuisance to occupancy of adjacent and contiguous property by its brightness, size, height, or movement. DOES NOT

2. Signs shall be permitted in all zoning districts, subject to the following provisions:

   a. Wall signs may be located anywhere on the wall of a building. IT DOES

   b. Signs shall not project over public property. IT DOES NOT

   c. Signs shall not be erected adjacent to a corner of two (2) intersecting streets, unless such signs are constructed to not obstruct the view of said intersection. See Section 14.1. IT DOES NOT

   d. Each sign – size, lighting, and location - in the County shall at least meet the standards established by the South Dakota Department of Transportation. IT DOES

   e. Other than utility fixtures or holiday decorations, no signs, awnings, or display shall be suspended, hanged, or placed so that the same shall hang over any part of a street or sidewalk, used for vehicular or pedestrian travel unless a

written application for a permit is made to the Zoning Officer and the said Official grants a permit therefore. IF DOES NOT

f. The Zoning Officer shall take into consideration factors that would make the proposed structure likely to endanger the property or personal safety of passerby traveling the streets or sidewalks in question, and whether or not such structure complies with codes relating to outdoor advertising.

14.6 On-premise Signs: Each sign erected as an on-premise sign in those zoning districts where permitted shall, unless specified elsewhere in this ordinance, conform to the following requirements:

a. Unless otherwise specified herein, each sign erected as an on-site sign in those districts where permitted shall have a maximum surface area of eighty (80) square feet and shall observe all yard and height requirements of the district in which it is located. Each sign shall meet clear view triangle standards identified in Section 14.1. The maximum cumulative amount of all on-site signage allowed shall not exceed eighty (80) square feet. IF DOES

b. No on-premise sign may be converted to an off-premise sign. N/A

4. Off-premise Signs: Off-premise signs erected in those zoning districts where permitted shall, unless specified elsewhere in this ordinance, conform to the following requirements: N/A

a. Each sign shall have a maximum surface area of one hundred (100) square feet. N/A

b. The sign structure or sign shall have a maximum height of thirty (30) feet. Height of sign is the vertical distance from the top of the sign or sign structure, whichever is greater, to the ground in a straight line directly below, measured from a point equidistant from the sides or edges of the sign. N/A

c. Stacked signs (two or more signs stacked vertically on a single sign structure are prohibited. N/A

d. Each sign shall not be closer than the street or road right-of-way line, in exception to signs adjacent a State Highway must follow state requirements. N/A

Outlook

RE: On-Premise Signs/Requirements

Hello Bill,

Thank you for contacting me in regards to this new signage.

As far as the requirements the DOT has, we do not have any concerns regarding the new signs. With this location being off of a State or US highway, we do not have much say in that area, that falls under the county and city requirements. However I was in contact with the SDDOT Aeronautics Office and explained to them the details of the proposed new signs, and they as well had no concerns.

As always thank your for checking with the DOT.

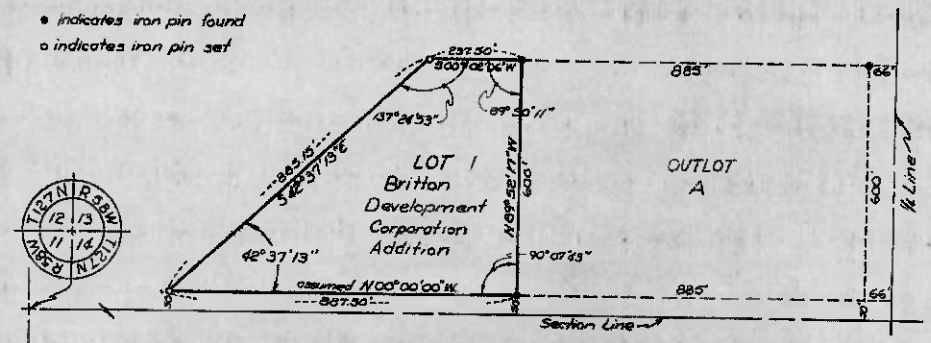
Alex Mitchell
Aberdeen Region Traffic Technician | SDDOT
Better Lives Through Better Transportation
Aberdeen Region Office – 2735 US HWY 12 Aberdeen, SD 57401
C: 605-380-8999
Alex.mitchell@state.sd.us

PLAT SHOWING

LOT 1 OF BRITTON DEVELOPMENT CORPORATION ADDITION IN THE NW 1/4 OF SEC. 13, T127N, R58W OF THE 5TH P.M. MARSHALL COUNTY, SOUTH DAKOTA

Scale 1" = 200'

* indicates iron pin found
o indicates iron pin set



OWNER'S CERTIFICATE

The City of Britton hereby certifies that it is the owner of an irregular tract of land in the Northwest Quarter (NW 1/4) of Section 13, Township 127 North, Range 58 West of the 5th Principal Meridian, in Marshall County, South Dakota, and that the City has caused the same to be surveyed and platted as shown on the above plat, which shall hereafter be known and described as "Lot 1 of Britton Development Corporation Addition in the NW 1/4 of Sec. 13, T.127N., R.58W. of the 5th P.M."

Signed this 10th day of October, 1974

Donald Jensen
Mayor, City of Britton

Anna Anderson
Municipal Finance Officer, City of Britton

State of South Dakota)ss
County of Marshall)

On this 10th day of October, 1974, before me, a Notary Public, personally appeared the City of Britton, known to me to be the persons described in and who executed the within instrument, and who acknowledged to me that it executed the same.

My commission expires: September 2, 1981

William D. Hauck
Notary Public, Marshall County, South Dakota

SURVEYOR'S CERTIFICATE

I, Kenroy K. Janzen, Registered Land Surveyor, do hereby certify that, at the request of the owners, I have surveyed and platted "Lot 1 of Britton Development Corporation Addition in the NW 1/4 of Sec. 13, T.127N., R.58W. of the 5th P.M.," as shown on the above plat, that I have set iron pins as indicated thereon, and that said survey and plat are true and correct.

Signed this 8th day of October, 1974

Kenroy K. Janzen
Registered Land Surveyor #1949

State of South Dakota)ss
County of Brown)

On this 9th day of October, 1974, before me, a Notary Public, personally appeared Kenroy K. Janzen, known to me to be the person in and who executed the within instrument, and who acknowledged to me that he executed the same.

My commission expires: _____

Eugene Schwab
Notary Public, Brown County, South Dakota

CITY PLAN COMMISSION CERTIFICATE

I hereby certify that the following is a correct copy of the resolution duly passed by the City Plan Commission of Britton, South Dakota at a meeting held on the _____ day of _____, 1974.

Municipal Finance Officer, Britton, South Dakota

"Be it resolved by the City Plan Commission of Britton, South Dakota, that the plat showing "Lot 1 of Britton Development Corporation Addition in the NW 1/4 of Sec. 13, T.127N., R.58W. of the 5th P.M.," having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-6, and any amendments thereof."

COUNTY PLAN COMMISSION CERTIFICATE

I hereby certify that the following is a correct copy of the resolution duly passed by the County Plan Commission of Marshall County, South Dakota at a meeting held on the _____ day of _____, 1974.

Secretary of Marshall County Planning Commission, South Dakota

"Be it resolved by the County Plan Commission of Marshall County, South Dakota, that the plat showing "Lot 1 of Britton Development Corporation Addition in the NW 1/4 of Sec. 13, T.127N., R.58W. of the 5th P.M." having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-6, and any amendments thereof."

APPROVAL BY CITY

I hereby certify that the following is a correct copy of the resolution duly passed by the City Council, Britton, South Dakota at a meeting held on the _____ day of _____, 1974.

Municipal Finance Officer, Britton, South Dakota

"Be it resolved by the City Council, Britton, South Dakota, that the plat showing "Lot 1 of Britton Development Corporation Addition in the NW 1/4 of Sec. 13, T.127N., R.58W. of the 5th P.M.," having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof."

APPROVAL BY COUNTY

I hereby certify that the following is a correct copy of the resolution duly passed by the Board of County Commissioners of Marshall County, South Dakota at a meeting held on the 10th day of October, 1974.

Marie Cusick
County Auditor, Marshall County, South Dakota

"Be it resolved tha the Board of County Commissioners of Marshall County, South Dakota, that the plat showing "Lot 1 of Britton Development Corporation Addition in the NW 1/4 of Sec. 13, T.127N., R.58W. of the 5th P.M.," having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof."

TREASURER'S CERTIFICATE

I hereby certify that all taxes which are liens upon any of the lands included in the above plat are shown by the records of my office to be fully paid.

Signed this 10th day of Oct., 1974

Nels Kvistad
County Treasurer, Marshall County, South Dakota

DIRECTOR OF EQUALIZATION'S CERTIFICATE

I hereby certify that I have received a copy of this plat this 10th day of October, 1974.

Roland Swenson
Director of Equalization, Marshall County, South Dakota

15191

REGISTER OF DEED'S CERTIFICATE

Filed for record this 15th day of October, 1974, at 3:00 o'clock P. M., and duly recorded in Book of Plats No. 3, on page 48 therein.

Leonard Gade
Register of Deed's, Marshall County, South Dakota

Plat Showing
OUTLOT A IN THE NW¼
OF SEC. 13 - T. 127 N. - R. 58 W.
MARSHALL COUNTY, S.D.

OUTLOT A
IN THE NW¼ OF SEC. 13
T. 127 N. - R. 58 W.
12.13 ACRES

2-181