MARSHALL COUNTY PLANNING & ZONING COMMISSION
Proposed Agenda
Regular Scheduled Meeting
October 20, 2026 – 9:00 AM
Marshall County Courthouse, Commissioners Chambers

I. Call to Order

II. Roll Call

III. Approval of Agenda with corrections

IV. Review & Approval of Minutes from October 6, 2026

V. Matters for Board Discussion

VI. Open

VII. Disclosure of Conflicts/Ex Parte Communication

VIII. New Business:

A. **Variance – Dan Brake**
   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. **Variance – Jeff & Janine Wing**
   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

C. Drainage – Andrew Michael

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

IX. **Building Permits**

X. **Other**

XI. **Old Business**

XII. **Adjourn**

MARSHALL COUNTY PLANNING & ZONING BOARD
PO BOX 9
BRITTON, SOUTH DAKOTA
UNAPPROVED MINUTES
October 6, 2026

The Marshall County Planning & Zoning Board met at 1:00 PM, at the Marshall County Courthouse. Present at the hearing were the following Board members; Matthew Schuller, Doug Medhaug, Andrea Kilker, Jason Bender and Lynda Luttrell. Commissioner Schuller presided. Also present at the hearing were Erin Collins-Miles - Planning & Zoning, Megan Biel – Auditor and Victor Rapkoch, Marshall County States Attorney. Members of the public present at the meeting were Russell Wurst, Gary Anderson, Dylan Anderson, Randall Buisker, McKaelyn Zuehlke, Kurt Zuehlke, Holly Wismer, John Eye, Chris Eye, Todd Stieha and Ben Reisenweber.

AGENDA:
Bender motioned; Kilker seconded to approve the agenda with corrections. All members voted aye. Motion carried.

MINUTES:
Medhaug motioned; Luttrell seconded to approve the minutes from September 22, 2026. All members voted aye. Motion carried.

VARIANCE:
Pertaining to an application for Brent & Jacalyn Wolfe; There were no proponents or opponents present to give testimony on behalf of this application. After Board discussion, Luttrell motioned; Medhaug seconded to approve the requested 26' variance to the road right-of-way line setback. This motion was made noting that there have been similar variances granted in the past and that the granting of this variance may alleviate structures being placed in the right-of-way moving forward. This motion allows for the home to be placed on the lot 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.

DRAINAGE:
Pertaining to a drainage application for Kurt Zuehlke; The applicant was present for the meeting. After Board discussion, Bender motioned; Kilker seconded to approve an application to drain on the property described as the NE¼ of Section 11, T126N, R58W. Conditions to this permit are as follows; to make the construction completion date as seen on permit application; December 31, 2029. Applicants must reapply after said date. Applicants must follow all applicable laws. A roll call vote was taken; Bender – Aye, Luttrell – Aye, Kilker – Aye, Medhaug – Aye, Schuller – Aye. Motion carried.

Pertaining to a drainage application for Linda Reisenweber; There were several members of the public present to give testimony in relation to the project. Concerns about drainage in the township were voiced. The applicant was also present at the meeting. After Board discussion, Kilker motioned; Bender seconded to postpone an application to drain on the property described as the NE¼ of Section 24, T128N, R58W, until November 17, 2026, and until more discussion with the township on the issue of drainage occurs. A roll call vote was taken; Bender – Aye, Luttrell – Aye, Kilker – Aye, Medhaug – 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 a wastewater lagoon to be constructed on the property described as the NW1/4 of Section 14, T127N, R59W; contingent upon a haul road agreement with the Marshall County Highway Department being signed and filed. Kilker motioned; Bender seconded to approve the permit contingently upon a haul road agreement being signed and filed. Roll call vote; Bender – Aye, Luttrell – Aye, Kilker – Aye, Medhaug – Aye, Schuller - Aye. Motion carried.

BUILDING PERMITS:
Kilker motioned; Bender seconded to accept building permits for the following applicants: Eric Cobb – Hamilton Township, Cory Cole – Newport Township, Dale R. Hagen – Wismer Township, Kathy Hanson – Newport Township, Rory Lien – Dumarce Township, Bonnie Henricks – Pleasant Valley Township and Brent & Jacalyn Wolfe (variance) – Lake Township. All members voted aye.

OLD BUSINESS:

Pertaining to a drainage application for Nathan Schultz; There were no opponents or proponents present at the meeting in relation to the project. After Board discussion, Medhaug motioned; Luttrell seconded to approve an application to drain on the property described as the NE1/4NE1/4 and the W1/2NE1/4 and the SE1/4NE1/4; all of Section 34, T127N, R56W; contingent upon working with the township to replace a culvert. Conditions to this permit are as follows; to make the construction completion date as seen on permit application; December 31, 2027. Applicants must reapply after said date. Applicants must follow all applicable laws. A roll call vote was taken; Bender – Aye, Luttrell – Aye, Kilker – Aye, Medhaug – Aye, Schuller – Aye. Motion carried.

OTHER:
The Zoning Director gave an update on communications received for an ongoing project on Roy Lake and noted that a resolution between both parties has been made.

ADJOURN:
Medhaug motioned; Bender seconded to adjourn as Planning and Zoning Board and convened as Marshall County Commission at 2:49 PM. 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……