Marshall County Planning & Zoning
STAFF REPORT
October 20, 2026

GENERAL INFORMATION:

OWNER/APPLICANT:	Jeff & Janine Wing
REQUEST:	**The petitioners are requesting to place the new cabin 5ft from the East property line instead of the 7ft requirement; per the Marshall County Zoning Ordinance.**
PROPERTY DESCRIPTION:	Lot 20 in the Plat of Schlekeway Beach in Government Lots 2 & 3 Section 19, T126N, R53W
CURRENT ZONING:	Lake Front Residential (R-3)
SURROUNDING ZONING:	Lake Front Residential (R-3) and Agricultural (Ag)
REPORTED BY:	E. Collins-Miles

COMMENTS/HISTORY:

1. According to property cards, the Lot has been owned by the applicant since September 13, 2001.
2. The existing structure(s) will be removed to build the proposed structure.
    a. The proposed home is 30x40 and will be positioned to be even with the neighbors to the East.
        i. The shoreline juts out further on the applicant's property than the neighbors to the East who previously had a variance to the high-water mark.
        ii. The proposed home will also have a 10" overhang.
            1. The applicants are aware that the house will need to be constructed 5' from the property line measured from the furthest protruding eave or edge of the structure if the variance is granted as requested.
3. There is also a camper near the position where the home is proposed to be located.
    a. Marshall County does not permit for campers as they are temporary structures and are typically placed on lots as the property owner sees fit.
        i. Note; Property owners must be mindful of setbacks and property boundaries.
4. The Plat of Lot 20 shows a dedicated road where Lots 20A and 27A are currently platted; Book 2, pg. 162-163. More recent plats show that road to be vacated. As shown on the plat recorded in Book 4, page 120;

    "Lots 1A-42A and 1B, 14B, 15B, & 16B, locate a 40' section of land dedicated for Road Purposes in Schlekeway Beach, Filed June 29th, 1964, in Book 2 of Plat

Page 162-163, that was vacated by Red Iron Twp. And filed May 20th, 2007, Book PPM pages 448-460.

5. Lot 20 has an average depth of approximately 102ft and a width of approximately 49ft.
6. Marshall County Ordinance requires new structures to be placed at a minimum of 7ft from a property line.
7. No written comments or objections were received prior to the writing of this staff report.
8. **Staff Recommendation – 2' variance to the property line setback and to adopt the facts and the recommended findings of the Planning Commission listed in the staff report.**
9. The Board could table, deny or approve the request. If the Board chooses to approve the variance, it could use the following findings, like those used in previous approvals of setback requirements in R-3 District.
    a. The Board has granted similar property line variances to lake lots in the past, when the neighbors had no objections.
        i. Similar property line variances allowed – 2' for L. & J. Johnson 4/22, 2' for T. Satrang 7/25, 2' for D. Eiel 6/23 & 2' for R. Grajczyk 4/26.
    b. The Board would consider approving other similar requests meeting the unique circumstances.
10. If the Board chooses to deny the variance, it could use the following findings, like those used in previous denials of setback variances.
    a. The lot and situation are not so unique to necessitate the relaxation for the setback requirement.
    b. The granting of this variance would confer upon the applicant special privilege denied to others in the R-3 District.
11. If the Board chooses to grant the variance, it must make findings pursuant to TITLE 19, Chapter 19.6 of the Zoning Ordinance.

Staff Recommendation – 2' variance to the property line setback and to adopt the facts and the recommended findings of the Planning Commission listed in the staff report.

NOTICE OF HEARING - APPLICATION FOR VARIANCE

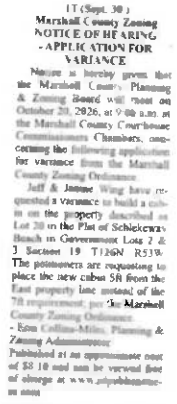
Notice is hereby given that the Marshall County Planning & Zoning Board will meet on October 20, 2026, at 9:00 a.m. at the Marshall County Courthouse Commissioners Chambers, concerning the following application for variance from the Marshall County Zoning Ordinance.

Jeff & Janine Wing have requested a variance to build a cabin on the property described as Lot 20 in the Plat of Schlekeway Beach in Government Lots 2 & 3 Section 19, T126N, R53W. The petitioners are requesting to place the new cabin 5ft from the East property line instead of the 7ft requirement; per the Marshall County Zoning Ordinance.

Erin Collins-Miles
Planning & Zoning Administrator

Published once at the approximate cost of

For publication: September 30, 2026



1T (Sept. 30)
Marshall County Zoning
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- Erin Collins-Miles, Planning & Zoning Administrator

Published at an approximate cost of $8.10 and may be viewed free of charge at www.publicnotice.com

MARSHALL COUNTY APPLICATION FOR VARIANCE

DATE: 9-23-26

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

The undersigned do hereby request a variance from the Marshall County Zoning Ordinance to build (or set) Cabin within 5' of lot line (N) & Approx 45' High Water of a (circle applicable): Twp Rd, County Rd, Federal or State Hwy, Other Rd, Lot Line or High Water Mark.

Structure would be located on (legal description): Lot 20 Schlekeway's Beach Subdivision of Clear Lake in Section 19 Township 126N Range 53 West of the 5th principle meridian Marshall County

Reason: Our lot is very narrow & short. We are approx 8' from the high water Mark & want to be farther back but due to lot size we have had to make the Cabin smaller than we Want. also we have a power line over head limiting us to a single level and with a narrow lot we need to be further to the North lot line to allow for dock & lift install & Removal.

Applicant Name: Jeff or Janine Wing Phone: 605-366-4373
605-360-4601
Address: 46704 Jose St Sioux Falls SD 57107

Applicant Signature: Jeff Wing Janine Wing

Owner Signature (if different than applicant): _____

For Internal Office Use Only:

Date Received: 9-25-26 Fees(non-refundable): $150.00 Paid: YES NO

Inspection Report: See Staff report

Date of Hearing by Planning and Zoning Commission: October 20, 2026

Action taken by Planning and Zoning Commission: _____

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

September 28, 2026

Dear property owner,

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on October 20, 2026, at 9:00 a.m. at the Marshall County Courthouse Commissioners Chambers, concerning the following application for variance 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
Planning & Zoning Director

Sent to the following adjacent landowners on 9/28/26:

1. Karen Siefkes - 39576 103rd St. Hecla, SD 57446
2. Timothy & Connie Vosberg – 117465 South Shore Dr. Lake City, SD 57247

MARSHALL COUNTY PLANNING & ZONING COMMISSION
911 VANDER HORCK
BRITTON, SD 57430
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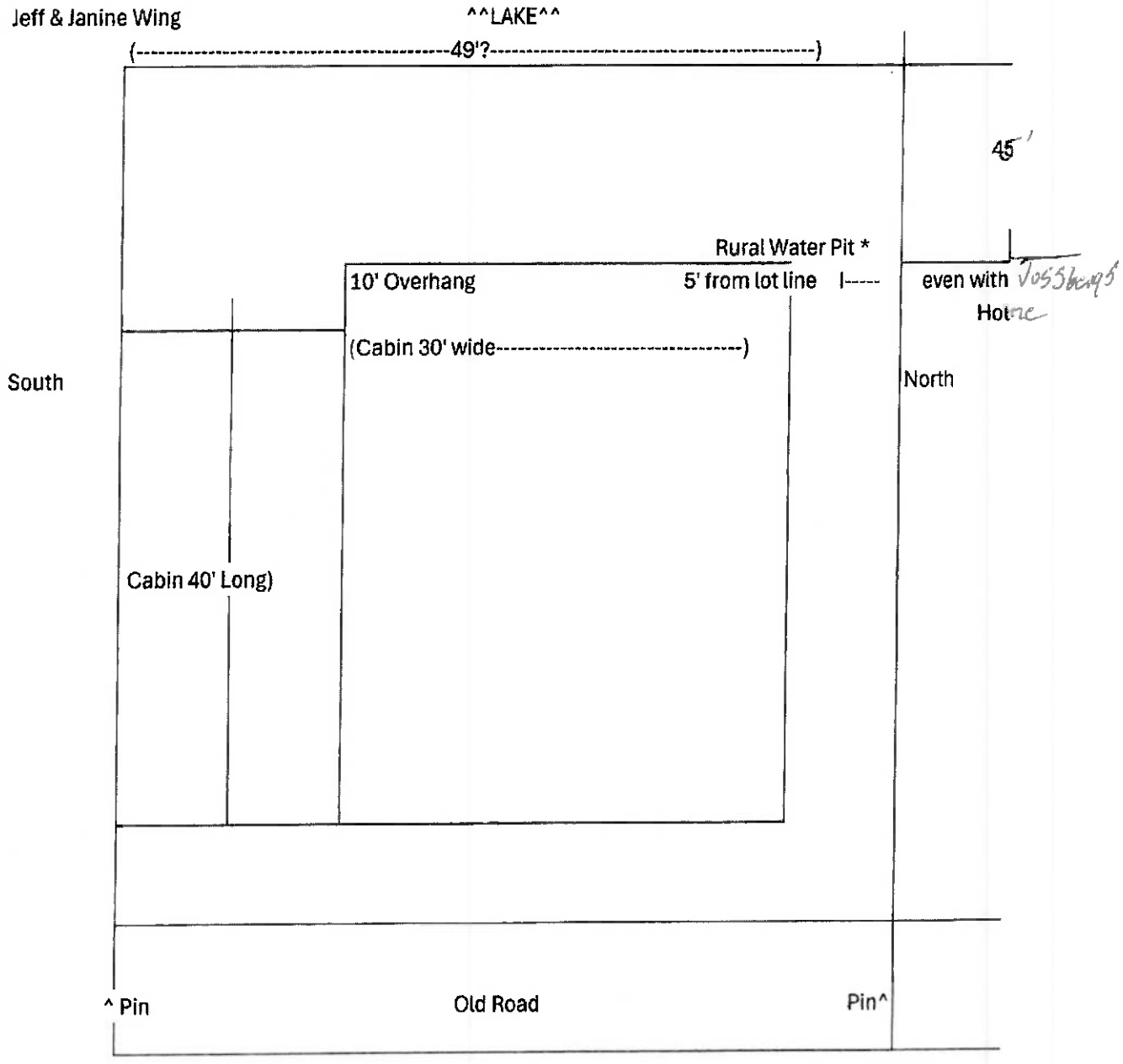
Erin Collins-Miles
Planning & Zoning Director

9/21/2026

Jeff & Janine Wing



PLAT OF
SCHLEKEWAY BEACH

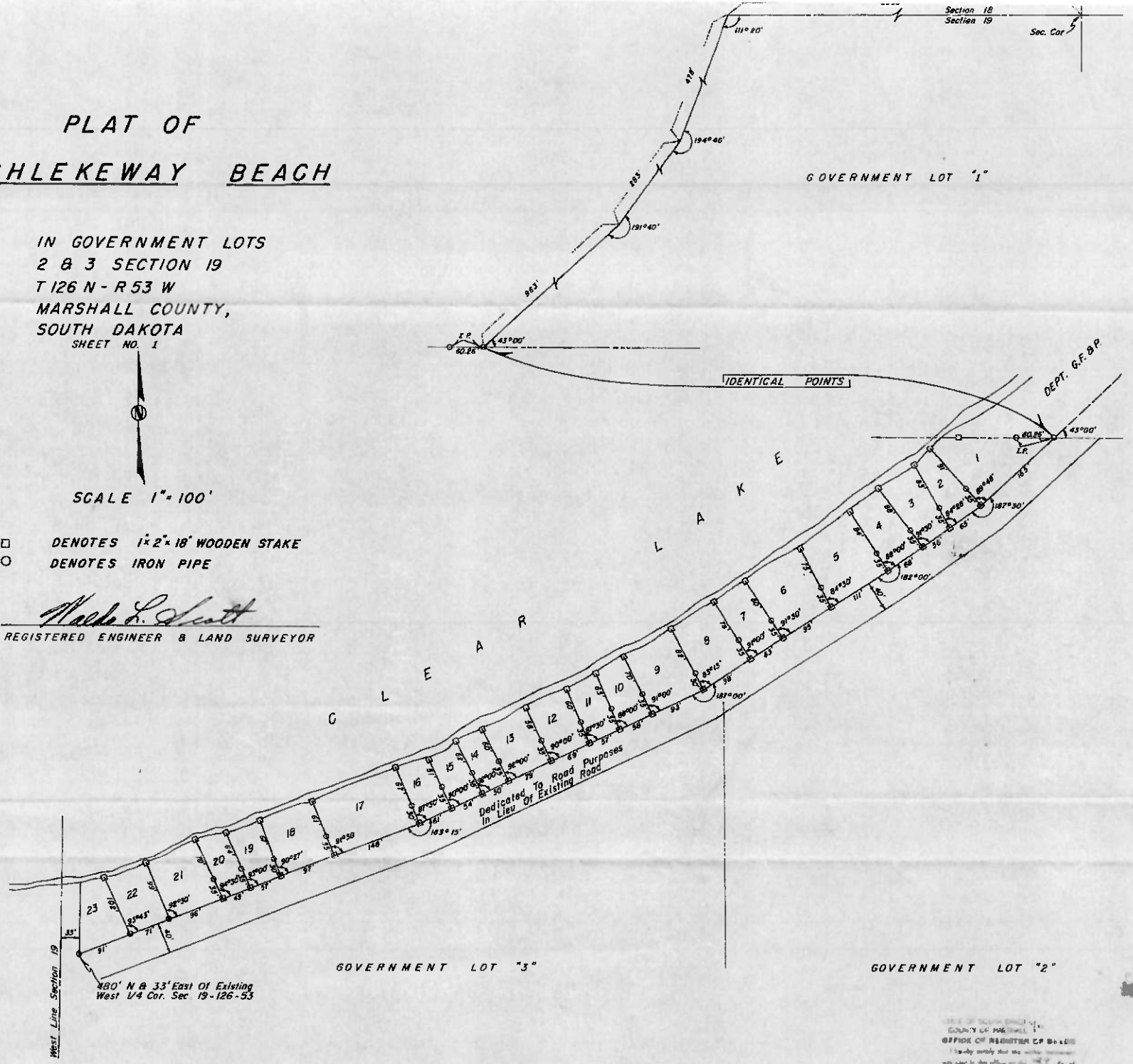
IN GOVERNMENT LOTS
2 & 3 SECTION 19
T 126 N - R 53 W
MARSHALL COUNTY,
SOUTH DAKOTA

SHEET NO. 1

SCALE 1" = 100'

□ DENOTES 1" x 2" x 18" WOODEN STAKE
○ DENOTES IRON PIPE

Wade L. Scott
REGISTERED ENGINEER & LAND SURVEYOR



COUNTY OF MARSHALL }
OFFICE OF REGISTER OF DEEDS

PLAT OF:

Lots 24 thru 42; Lots 1A thru 42A; Lots1B, 14B, 15B, 16B, 16C and 24B; of SCHLEKEWAY BEACH in Government Lots 2 and 3, Section 19, T126N, R53W of the 5th P.M., Marshall County, South Dakota

Lots 1A-42A and 1B,14B,15B, & 16B, locate a 40' Section of land dedicated for Road Purposes in Schlekeway Beach, Filed June 29th, 1954 in Book 2 of Plats Page 162-163, that was vacated by Red Iron Twp. and filed May 20th 2007, Book PPM pages 448-460

Surveyor Note:
Back Lots are not intended to be extensions of existing Lot Lines

SDGFP Area
Clear Lake Public Water Access

CLEAR LAKE
SCHLEKEWAY BEACH
SECTION 19

Area deemed Section Line R.O.W. on Orig. Plat of Schkwy. Beach, vacated by Red Iron Twp. Dec. 2000 Book LLM 765-768 (4105 SQFT)

GOV'T LOT 1
GOV'T LOT 2
GOV'T LOT 3
GOV'T LOT 4

GOV'T LOT 2
30.57 acres remain unplatted

GOV'T LOT 3
10.34 acres remain unplatted

16C

40' ROADWAY

SOUTH CLEAR LAKE ADDITION

T O W N S H I P R O A D

SCALE: 1" = 160'
■ = IRON MONUMENT RECOVERED
● = IRON MONUMENT SET

*** AREA OF LOTS ***

LOT #	SQ. FOOTAGE	LOT #	SQ. FOOTAGE	LOT #	SQ. FOOTAGE	LOT #	SQ. FOOTAGE	LOT #	SQ. FOOTAGE
1A	3520	13A	1580	23A	2519	35A	1873	29	13,500
1B	4034	14A	1000	24A	2594	36A	1778	30	18,450
2A	1300	14B	1000	24B	4687	37A	1240	31	11,850
3A	1120	15A	1080	25A	1420	38A	1900	32	10,350
4A	1160	15B	1080	26A	1920	39A	2220	33	8,550
5A	2220	16A	1693	27A	980	40A	1360	34	8,700
6A	1900	16B	1715	28A	1280	41A	1120	35	14,935
7A	1240	16C	29,183	29A	1800	42A	1300	36	13,983
8A	1735	17A	2460	30A	2460	24	11,666	37	9,300
9A	1660	18A	1800	31A	1580	25	10,650	38	14,250
10A	1160	19A	1280	32A	1380	26	14,400	39	16,650
11A	1140	20A	980	33A	1140	27	7,350	40	10,773
12A	1380	21A	1920	34A	1160	28	9,600	41	8,579
		22A	1420					42	10,079

40' Roadway contains 1.35 acres of gov't lot 2, and 1.16 acres of gov't lot 3

Road contains 1.63 acres of gov't lot 3 | Road contains 3.98 acres of gov't lot 2

1111.61' QUARTER SECTION LINE S 89d29'32" W 1315.52'

HOLTON ENGINEERING, INC.

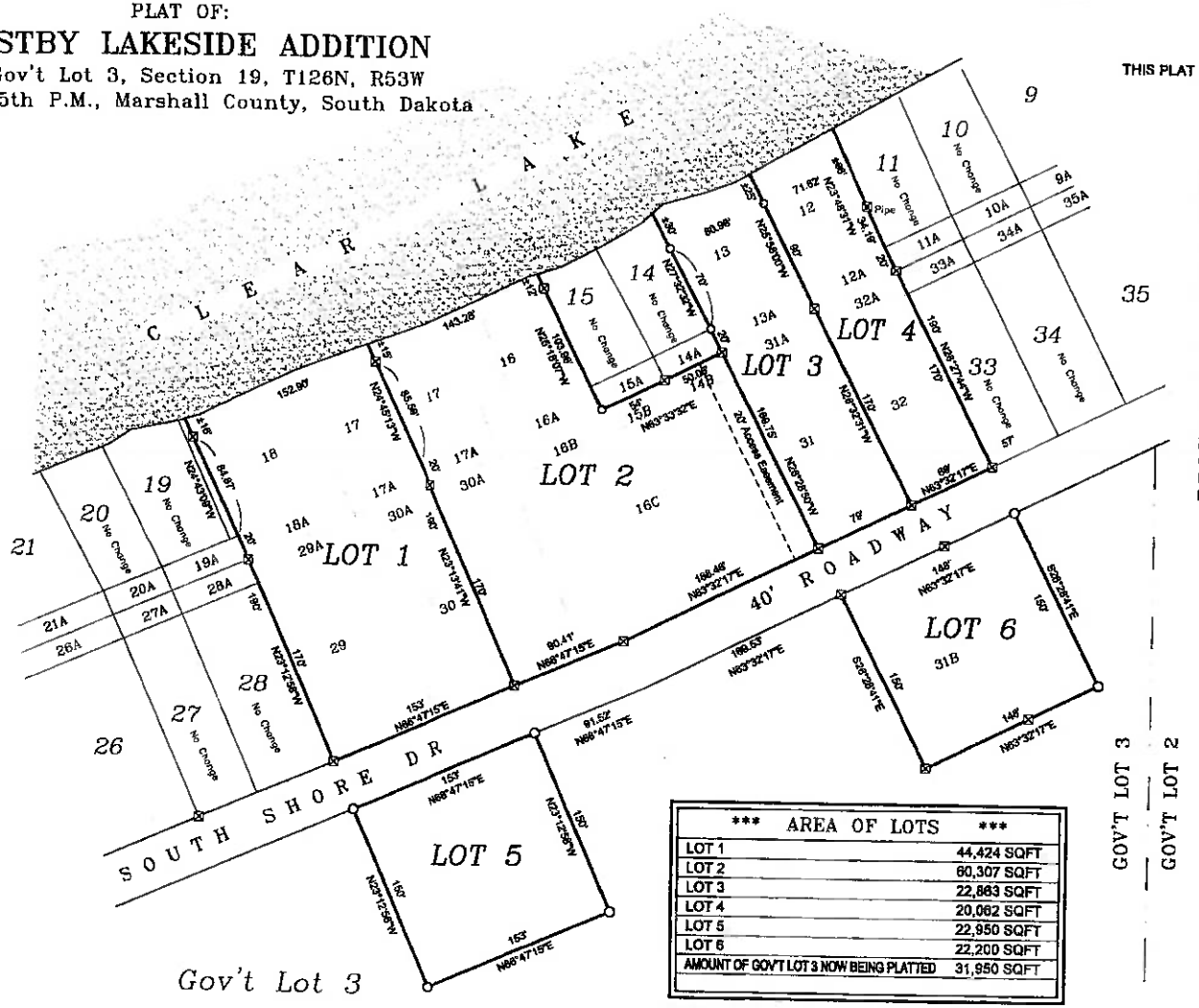
DRAWN: 03/08/07 | RJMisterek | REVISED 07/26/07 | 512 VETERANS AVE. SISSETON, SD PH. 1-605-698-3850 | 1912653-P240

4-110 Slide 133

PLAT OF:

WESTBY LAKESIDE ADDITION

in Gov't Lot 3, Section 19, T126N, R53W
of the 5th P.M., Marshall County, South Dakota



THIS PLAT SHALL VACATE:

LOT 12, 13, 16, 17, AND THE EAST 90' OF LOT 18, SCHLEKEWAY BEACH IN GOVERNMENT LOTS 2 AND 3, SECTION 19, T126N, R53W OF THE 5TH P.M., MARSHALL COUNTY, SOUTH DAKOTA AS FILED IN BOOK 2 OF PLATS PAGE 162-163 ON THE 29TH DAY OF JUNE 1942.

LOT 12A, 13A, 14B, 15B, 16A, 16B, 16C, 17A, 18A, 29, 29A, 30, 30A, 31, 31A, 32, 32A OF SCHLEKEWAY BEACH IN GOVERNMENT LOTS 2 AND 3, SECTION 19, T126N, R53W OF THE 5TH P.M., MARSHALL COUNTY, SOUTH DAKOTA AS FILED IN BOOK 4 OF PLATS PAGE 120 ON THE 31ST DAY OF JULY 2007.

LOT 31B OF SCHLEKEWAY BEACH IN GOVERNMENT 3, SECTION 19, T126N, R53W OF THE 5TH P.M., MARSHALL COUNTY, SOUTH DAKOTA AS FILED IN BOOK 6 OF PLATS PAGE 2 ON THE 20TH DAY OF NOVEMBER 2018.

*** AREA OF LOTS ***	
LOT 1	44,424 SQFT
LOT 2	60,307 SQFT
LOT 3	22,883 SQFT
LOT 4	20,062 SQFT
LOT 5	22,950 SQFT
LOT 6	22,200 SQFT
AMOUNT OF GOV'T LOT 3 NOW BEING PLATTED	31,950 SQFT

REGISTERED LAND SURVEYOR
REG. NO.
13482
LUNDEE M
STADTLER
SOUTH DAKOTA
11-4-21

LUNDEE M STADTLER RLS #13482

GPS NORTH

SCALE: 1" = 60'

O = CAPPED IRON PIN SET
⊠ = RECOVERED MONUMENT

THIS PLAT CREATES LOT 1-6 OF WESTBY LAKESIDE ADDITION

HOLTON ENGINEERING INC.

DRAWN: 11/4/21 | FIELD: 11/2021 | 512 VETERANS AVE. SISSETON, SD PH. 1-605-698-3850 | 1912653-P660

DRAFTED BY: Stadtler