

SUBDIVISION ORDINANCE VARIANCE APPLICATION PACKET

General Information

A development variance is a one-time departure from the provisions of a subdivision ordinance relating to dimensions within the subdivision such as lot size, lot or block arrangement, or road right-of-way dimensions. The variance cannot involve any land use of the property.

South Dakota Codified Law and the subdivision ordinance authorize the county to approve variances to the subdivision regulations provided that:

- The variance will not be contrary to the public welfare and interests.
- When, due to unusual conditions, a strict enforcement of the provisions of the ordinance will result in unnecessary difficulties or hardship.
- The general intent and spirit of the ordinance is still observed.

Approval Process

In order to petition for a variance, the applicant must complete an application form, pay the required \$250 non-refundable application fee, and provide a typed description of the reasons and necessity for the variance request.

The variance request is first heard by the Planning Commission. The Planning Commission typically

meets on the fourth Monday of each month (except December and holidays). The application deadline for the meeting is 4-1/2 weeks prior to the date of the meeting. After hearing testimony at the meeting, the Planning Commission will vote to either recommend approval or denial of the variance request. The Planning Commission may also recommend binding conditions or stipulations on any variance.

The Planning Commission's decision serves as a recommendation to the County Commission. The County Commission will meet on the request on the third Tuesday of the following month. In approving a development variance, the County Commission may also place binding conditions on the variance.

The Planning Commission and County Commission meetings are held in the Minnehaha County Administration Building at 415 North Dakota Avenue in Sioux Falls.

Contact Information

Please contact the Minnehaha County Planning Department at 605-367-4204 with any questions. All applications may be submitted to our office on the Third Floor of the County Administration Building, 415 N Dakota Avenue, Sioux Falls, SD 57104.



SUBDIVISION ORDINANCE VARIANCE APPLICATION

I/We, the undersigned, do hereby petition for the following on the described property listed below and authorize representatives of Minnehaha County to enter the property now and in the future for inspection purposes.

Property Information – Please Fill Out Each of the Following Items

Legal Description: _____

Parcel Size: _____ Parcel ID Numbers: _____

Section to by Varied or Appealed: _____

Proposed Minimum Standard: _____

Reason for Variance or Appeal: _____

Petitioner/Owner Information - Please Fill Out Each of the Following Items

Petitioner Name: _____ Owner Name: _____

Signature: _____ Signature: _____

Date: _____ Date: _____

Phone: _____ Phone: _____

Address: _____ Address: _____

City, State, Zip Code: _____ City, State, Zip Code: _____

Email: _____ Email: _____

Office Use Only - Please Do Not Fill Out This Section

Petition Number: _____ Jurisdiction: _____

Date: _____ Checked By: _____

Receipt Number: _____ Planning Commission Date: _____