

SUBDIVISION ORDINANCE VARIANCE APPLICATION PACKET

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 written 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.



Administration Building, 3rd Floor
415 N. Dakota Avenue, Sioux Falls, SD 57104

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**SUBDIVISION ORDINANCE VARIANCE
APPLICATION CHECKLIST**

- Complete application form.
- Written narrative describing the need and full justification for the proposed variance.
- \$250 Non-refundable application fee.



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Minnehaha County Planning & Zoning

SUBDIVISION ORDINANCE VARIANCE APPLICATION FORM

Application #:	_____
Date:	_____
Filing Fee:	\$250 _____
Receipt #	_____

FILING FEE IS NON-REFUNDABLE

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.

Variance Appeal of Administrative Decision

Legal Description of Property: _____

Section of Ordinance to be Varied or Appealed: _____

Proposed Minimum Standard to alleviate the Hardship: _____

Reason for Variance or Appeal: (attach additional forms and maps as needed) _____

Applicant: (print) _____

Signature: _____ **Date:** _____

Phone Number: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Email Address: _____

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Owner: (print) _____

Signature: _____ **Date:** _____

Phone Number: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

<i>Office Use only</i>	
Jurisdiction:	_____ Minnehaha County
	_____ Sioux Falls Joint
	_____ Dell Rapids Joint
Date of Hearing:	_____



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