

What is a Building Eligibility?

Minnehaha County has adopted a system of density zoning which restricts the total number of residences in the rural area. To implement this, a system was created where Building Eligibilities (BEs) were assigned to each quarter-quarter section and/or each lot-of-record (a parcel described or platted prior to July 10, 1979). A BE may also be possible through a conditional use permit if the parcel existed at the time of the density ordinance taking effect (Sept 27, 1988).

Why are restrictions placed on placement of rural residences?

Minnehaha County has a mix of agricultural and residential land uses. However, rural residences and agriculture do not always make good neighbors. Agricultural production implements many practices that can be considered objectionable including but not limited to: the use of chemicals, the application of animal wastes, and odd hours of operation. In addition, residential uses impact the rural area with additional traffic from on gravel roads, and increases in demand for utilities and wastewater treatment.



Strong Foundation. Strong Future.

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Planning Information Bulletin #118
Last Amended February, 2016

RESIDENTIAL BUILDING ELIGIBILITIES

**Minnehaha County
Planning & Zoning**

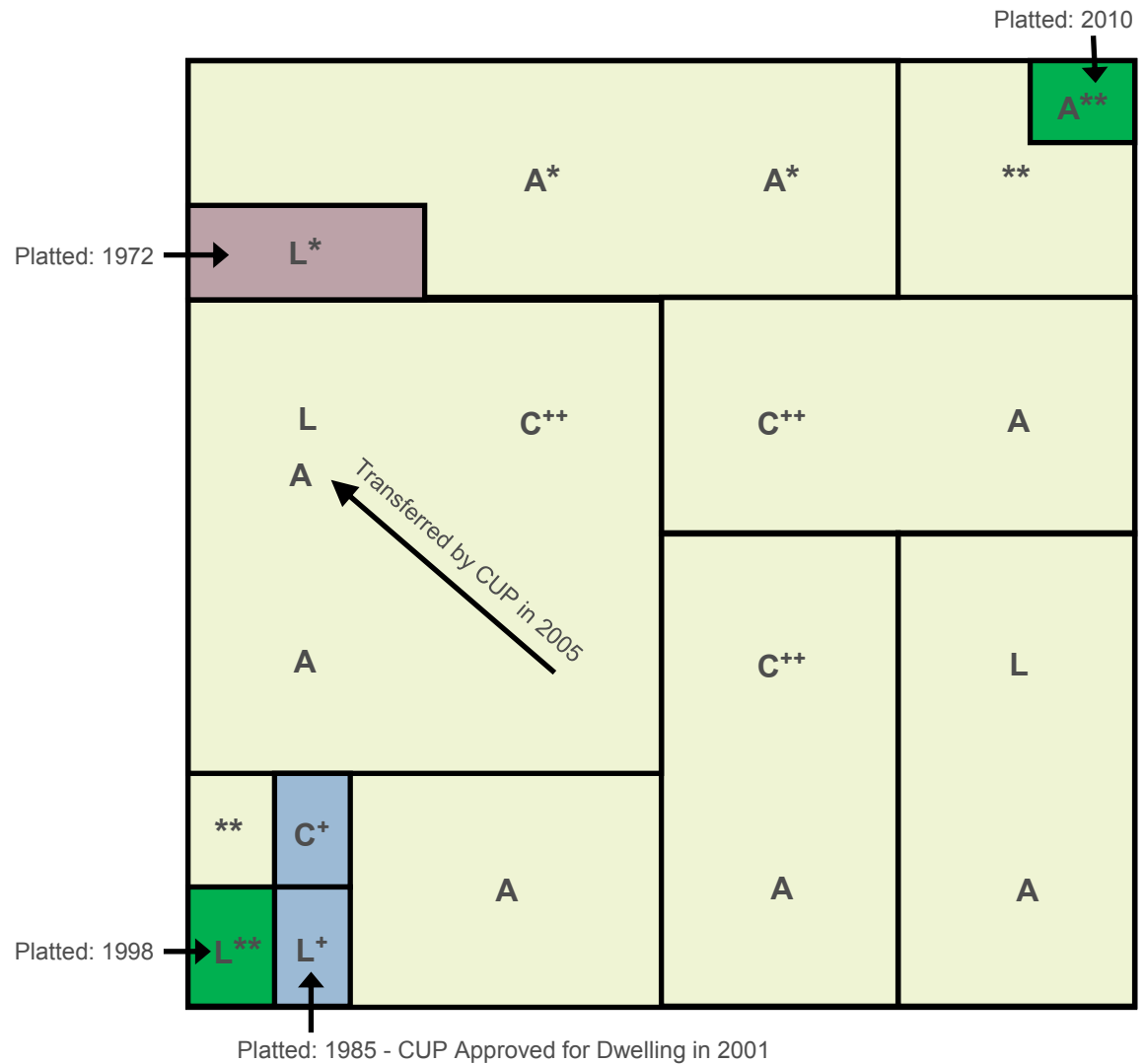


One BE per quarter-quarter section equates to roughly one BE per 40 acres or 16 BEs per complete section. The illustration on this page shows how this explanation is greatly simplified. This illustration includes only some of the possible scenarios of BE locations. Contact the Planning Office for any questions regarding specific situations.

BUILDING ELIGIBILITY ILLUSTRATION

ILLUSTRATION LEGEND & EXPLANATION

- A** - Available (Ready to build)
- L** - Looked (Dwelling is already built)
- C** - Conditional (A Conditional Use Permit is required before the Building Eligibility (BE) is Available)
- *** - The remaining Portion of the parcel after the plat included more than 80 acres but less than 120. Only one BE per 40 acres.
- **** - The BE was placed on the recent Plat; therefore the remaining original parcel is preserved as agricultural land with no BE.
- +** - Parcels were platted between lot of record data and the density ordinance adoption. The BEs are only available after a Conditional Use Permit is obtained.
- ++** - The BEs are land locked and are only available after a Conditional Use Permit to make available or to transfer to a new location.



Transfer of Building Eligibilities

Eligibilities may be transferred between adjoining parcels which are under the same ownership. This allows a land-owner to consolidate his building eligibilities and retain a system which is more conducive to the continued farming of the remaining land. Such transfers are accomplished through the conditional use permit procedure which includes a public hearing. BE transfers are encouraged to place the available BEs on less productive agricultural land that is also further away from potentially objectionable land uses such as confined animal feeding operations. See Publication # 104, Conditional Use Permit, for more information regarding this process.