



Minnehaha County Permits

SUBDIVISION ORDINANCE VARIANCE

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 approval of variances to the subdivision regulations within the Dell Rapids joint area 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, and
- The general intent and spirit of the ordinance is still observed.

In order to petition for a variance, the applicant must complete an application form (attached), 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 jointly by the Minnehaha County and Dell Rapids Planning Commissions. The Planning Commissions typically meet on the fourth Monday of each month (except December and holidays). The application deadline for the meeting is 3-1/2 weeks prior to the date of the meeting. After hearing testimony at the meeting, the Planning Commissions will vote to either recommend approval or denial of the variance request. The Commissions may also recommend binding conditions or stipulations on any variance.

The Planning Commissions' decisions serve as a recommendation to the Minnehaha County Commission and the Dell Rapids City Commission. The County and City Commissions will meet jointly on the request on the third Tuesday of the following month. In approving a development variance, the County and City Commissions may also place binding conditions on the variance.

**SUBDIVISION ORDINANCE VARIANCE
APPLICATION CHECKLIST**

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



SUBDIVISION ORDINANCE VARIANCE APPLICATION

Minnehaha County Planning Department, 415 N. Dakota Avenue, Sioux Falls, SD 57104, (605)367-4204

I/We, the undersigned, do hereby request action by the Board of Adjustment for the following item and authorize representatives of Minnehaha County to enter the property now and in the future for inspection purposes.

_____ Appeal of Administrative Decision
_____ Variance

Legal Description:

Reason for appeal or variance:

Petitioner (Print): _____

Signature: _____

Date: _____ Daytime Phone: _____

Address: _____

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

Email: _____

_____ Minnehaha County

_____ Sioux Falls Joint

_____ Dell Rapids Joint

Petitioner (Print): _____

Signature: _____

Date: _____ Daytime Phone: _____

Address: _____

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

Petition No.:	_____
Date:	_____
Filing Fee:	\$250.00
Receipt No.:	_____

FILING FEE IS NON-REFUNDABLE