



# 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 Sioux Falls 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 Sioux Falls 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 Sioux Falls City Council. The County Commission and City Council will meet jointly on the request on the third Monday of the following month. In approving a development variance, the County Commission and City Council 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:	<b>\$250.00</b>
Receipt No.:	_____

**FILING FEE IS NON-REFUNDABLE**