

# TRANSFER OF BUILDING ELIGIBILITY APPLICATION PACKET

Before a residence may be constructed in the unincorporated portions of Minnehaha County a residential building eligibility must be available for the property. Transfers of building eligibilities in the unincorporated area may be approved by the Minnehaha County Planning Commission (or Joint Minnehaha County and Sioux Falls/Dell Rapids Planning Commission) through a conditional use permit procedure. The properties between which the eligibility is to be transferred must be both contiguous and under the same ownership.

The Planning Commission typically meets the fourth Monday of each month at 7:00 p.m. (except December and holidays). The meetings are held in the Minnehaha County Administration Building located at 415 N. Dakota Avenue in Sioux Falls.

### APPLICATION REQUIREMENTS

The application deadline for submitting a conditional use permit application is 3-1/2 weeks before the meeting date. The full application packet must include the following:

- A completed application form (attached) indicating the specific properties from which the eligibility is to be transferred and that to which it is being moved.
- A completed Transfer of Building Eligibility Questionnaire (attached),
- A written narrative indicating where the petitioner proposes to place the homes, and
- The required \$250 non-refundable application fee for the permit.

The applicant will be required to provide a deposit for a notification sign which must be posted on the subject property for one week before the

Planning Commission meeting. The deposit will be returned when the sign is returned in good condition and in a timely manner. They are also required to send a notice to the owners of all properties within 500 feet of the property listed on the application form. These letters must be mailed at least one week prior to the meeting. The Planning Department will provide the appropriate forms for the mailing and a list of the names and addresses of the surrounding property owners. The petitioner must sign an affidavit confirming that the mailing has been completed and file the affidavit with the Planning Department at least five working days before the meeting.

A reminder of the hearing date and time, along with the staff report on the item, will be mailed to the applicant prior to the meeting. Either the applicant or their representative must attend the Planning Commission meeting.

### APPROVAL PROCESS

At the meeting, the Planning Commission will hear background information from staff and take testimony on the application from both proponents and opponents. The commission will then take action to approve the permit with conditions or deny the application.

The decision of the Planning Commission will become effective five working days following the meeting unless a written appeal of the decision is filed with the County Planning Department within the five working days. Appeals require that the item be heard by the Minnehaha County Commission which is typically on the third Tuesday of the following month.



Administration Building, 3<sup>rd</sup> Floor  
415 N. Dakota Avenue, Sioux Falls, SD 57104

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## Minnehaha County Planning & Zoning

### TRANSFER OF BUILDING ELIGIBILITY APPLICATION CHECKLIST

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- Complete application form.
- Complete transfer of building eligibility questionnaire.
- Written narrative describing all aspects of the proposed use. Be sure to describe the proposed location(s) for the home(s).
- \$250 permit application fee.
- \$50 deposit fee for required sign.



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**Minnehaha County Planning & Zoning**

**TRANSFER OF BUILDING ELIGIBILITY APPLICATION FORM**

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

I/We, the undersigned, do hereby petition for approval of a conditional use permit on the following described property and authorize representatives of Minnehaha County to enter the property for inspection purposes.

**Legal Description of Property:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Address or General Location:** \_\_\_\_\_

**Zoning District:** \_\_\_\_\_

**Proposed:** Location of sending parcel(s): (From, include Map ID#) \_\_\_\_\_  
\_\_\_\_\_

Location of receiving parcel(s): (To, include Map ID#) \_\_\_\_\_  
\_\_\_\_\_

**Applicant:** (print) \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Daytime Phone:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Email Address:** (not required) \_\_\_\_\_

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**Owner:** (print) \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Daytime Phone:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

<i>Office Use only</i>
Checked By: _____
Given Signs: _____
Site Plan: _____
Add'l Reports: _____
PC Date: _____
CC Date: _____
<i>Jurisdiction:</i>
_____ County
_____ Sioux Falls
_____ Dell Rapids

FILING FEE IS NON-REFUNDABLE



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## Minnehaha County Planning & Zoning

### TRANSFER OF BUILDING ELIGIBILITY APPLICATION CHECKLIST

In reviewing an application for the transfer of a building eligibility, the Planning Commission considers the impact this action will have on established farming operations, the preservation of prime farm land, the potential number of driveways, and possible future transfer requests in the area.

To aid the Commission in their review, the following questionnaire must be completed and returned with the conditional use permit application.

<i>Office Use only</i>
Petition #: _____
Date: _____
Name: _____
From MPID: _____
To MPID: _____

List the reasons the new building site(s) is a better location for a dwelling than the current location.

How does the current location compare in terms of agricultural use (i.e. crop/pasture) and production capability to the land where the transfer is proposed?

How long have you owned the property? Have you informed your neighbors about the proposed eligibility transfer?

Will the transfer have a positive or negative impact on agricultural operations? Are there any concentrated animal feeding operations (feedlots) located within one mile of the building site? If yes, identify location and type.

Will shared driveways be used to reduce the number of road access points and has the appropriate government agency been contacted concerning access to the roadway?

Do you have other building eligibilities that could be transferred? If yes, how many and what are your plans for those eligibilities?



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