

# PROCEDURE FOR REZONING

## Procedure for Rezoning:

1. The owner or his/her agent petitions to have their property rezoned (Appendix J).
2. The Spink County Planning and Zoning Commission must hold a public hearing on the rezoning request. The Spink County Planning and Zoning Administrator gives notice in the newspaper one time ten (10) days before a hearing of the Planning and Zoning Board.
3. \*The requesting landowner is responsible for notifying ALL abutting landowners by certified mail at least one (1) week prior to the Public Hearing, and that the requesting landowner will provide proof of such notification to the Spink County Planning and Zoning Administrator no later than seven (7) days prior to the Public Meeting. If the requesting landowner fails to provide such proof, the Spink County Planning and Zoning Commission will not hear the rezoning request.
4. The Planning and Zoning Administrator may use a drone to take pictures of the area the requested Rezoning is at.
5. Spink County Planning and Zoning Commission hearing is held; they recommend either approval or denial of the rezoning to the County Commissioners.
6. Notice is given by the County Auditor in the newspaper one time, ten (10) days prior to the hearing by the County Commissioners.
7. Commissioners hold a hearing and take action. ***If approved by the County Commissioners, it becomes effective twenty (20) days after a summary of the action is published in the County's newspapers.***
8. The Spink County Planning and Zoning Administrator files the copy of the minutes with the Register of Deeds.
9. Any changes to zoning district boundaries must be made in accordance with 4.02, Zoning Map Changes.
10. Paper work due in office by: \_\_\_\_\_  
(This is to ensure that #2 on the above list can be fulfilled).

Next Planning and Zoning Meeting: \_\_\_\_\_

County Commissioners Meeting \_\_\_\_\_

Date of Publication \_\_\_\_\_

Date of Effect \_\_\_\_\_

*\*It is advisable for the notice to list BOTH the Planning Commission meeting date and the required County Commission meeting dates. This way, if there is any opposition, it will surface at the Planning Commission level and may affect their (Planning Commission) recommendation to the full board of County Commissioners.*

*It is also to be noted that the party responsible for getting a plat prepared (whether by an engineer or other service), is responsible for turning the appropriate plat documents over to the County to be filed.*

Hearing Date \_\_\_\_\_  
Hearing Time \_\_\_\_\_

# PETITION FOR REZONING

FEE: \$100.00

SPINK COUNTY  
STATE OF SOUTH DAKOTA  
BP # \_\_\_\_\_  
PHONE # \_\_\_\_\_

DATE \_\_\_\_\_  
RECEIPT NO. \_\_\_\_\_

ADDRESS \_\_\_\_\_

TO: Spink County Planning and Zoning Board and Board of Commissioners

\_\_\_\_\_ (name) is requesting a change in Zoning  
from the Spink County Zoning Ordinances for the listed property (legal description):

\_\_\_\_\_  
from \_\_\_\_\_ to \_\_\_\_\_

Reason for rezoning \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**\*\*\*I hereby acknowledge that it is my responsibility to notify all abutting landowners by certified mail at least one (1) week prior to the Public Hearing, and that I will provide proof of such notification to Spink County Zoning Administrator no later than seven (7) days prior to Public Meeting.**

**\*\*\*A drone may be used to take picture of the site of the Rezoning.**

**\*\*\*No work may be started or completed without the approval of this Rezoning by the Spink County Planning and Zoning Board. Violation of this condition is punishable under Title 17.23. Violation thereof shall be a misdemeanor and may be punishable by a fine of up to \$200 for each and every day that the violator fails to comply.**

**Owner's Signature** \_\_\_\_\_

~~~~~OFFICE USE ONLY~~~~~

Inspection Report \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_ Inspected by \_\_\_\_\_

Planning Commission Recommendation \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

County Commission Action \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

Effective Date \_\_\_\_\_ (In accordance with #7 on Appendix P)