



Pennington County Planning & Zoning Pennington County, South Dakota

LOT LINE ADJUSTMENT PLAT PACKET

A Lot Line Adjustment Plat is an exception to the general rule for the subdivision of land. The Lot Line Adjustment Plat must be approved by the Pennington County Planning Commission.

APPLICATION REQUIREMENTS

Lot Line Adjustment Plats must be submitted according to the requirements in Section 303 of the Subdivision Regulations Ordinance. A list of required elements is located on the next page: Lot Line Adjustment Plat Application Checklist. The County Zoning Ordinance may have lot requirements depending on the zoning district. Lot requirements generally relate to minimum size and street frontage of a proposed lot.

CONSIDERATIONS

A Lot Line Adjustment Plat is allowed when there are five lots or less that not only abut an existing road but also do not: 1.) affect the remainder of the parcel or adjoining property adversely by compromising access; 2.) change any plans that have been prepared for the placement of any other utilities in the subdivision; 3.) conflict with any provision or portion of the comprehensive plan, official map, zoning ordinance, or these regulations; 4.) create a lot or tract eligible for any public or private improvements other than sidewalks; 5.) landlock or otherwise impair ingress or egress to or from the rear side of the subject tract or any adjacent property; 6.) require the dedication of right-of-way; 7.) require the construction of new roads; 8.) require the creation of access easements; **AND** the vacation of existed platted line is done to: 1.) reconfigure the existing recorded plat; or 2.) change the number of recorded lots in the subdivision where the perimeter is not altered.

APPROVAL PROCESS

The application form and required materials for a Lot Line Adjustment Plat must be submitted to the Pennington County Planning and Zoning Department. Planning staff will review and present the Lot Line Adjustment Plat to the Planning Commission for approval. A complete application shall include the application form (attached), all materials required by the Subdivision Regulations Ordinance, and the non-refundable application fee.

ADDITIONAL CONSIDERATIONS

The approval of a Lot Line Adjustment Plat shall be effective for a period of one year. If the Lot Line Adjustment is not filed with the Register of Deeds within one year, it will expire and the developer will be required to resubmit a new Lot Line Adjustment Plat for approval.



Pennington County Planning & Zoning
Pennington County, South Dakota

LOT LINE ADJUSTMENT PLAT APPLICATION CHECKLIST

- Pre-Meeting Date with Planning Staff is scheduled on: _____.

 - Completed Application Form

 - Three (3) copies of the Lot Line Adjustment Plat, including a .pdf copy of the plan, to the Planning Department with the following information:
 - The name of the proposed subdivision and location by quarter section, section, township and range. Subdivision names shall not duplicate, be the same spelling, or alike in pronunciation with any existing subdivision located in the same section, unless it is an extension of or adjoining an existing subdivision. All subdivision names shall be subject to approval by the Register of Deeds.
 - The names of all adjacent subdivisions and their platting pattern.
 - The correct legal description. Notations stating acreage, scale, and north arrow.
 - The owner, developer, and surveyor's names and telephone numbers.
 - Vicinity map, showing locations of the Minor Plat and surrounding property for at least ½-mile in every direction.
 - Exterior boundaries of the proposed subdivision and the total acreage encompassed thereby.
 - The location and width of all existing road rights-of-way, existing structures, easements, railroad rights-of-way, streams and water courses, lakes, wetlands, and other similar significant features.
 - The boundary lines of flood hazard areas.
 - Existing contours at vertical intervals not greater than five feet. A lesser interval may be required in those cases where the character or topography of the land is difficult to determine.
 - A systematic lot and block numbering pattern, lot lines and road names.
 - The dimensions and acreage of all lots.
 - The location of all existing roads abutting or serving the proposed subdivision.
 - An estimate of vehicular traffic to be created by full development of the subdivision (ITE Common Trip Generation Rates), if applicable.
 - Certificates of approval for endorsement by the Planning Commission.

 - See attached Certificates Required For Plat

 - Permit Application Fee
Application fee - \$350.00, plus \$25.00 per lot.
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Pennington County Planning & Zoning Pennington County, South Dakota

Tax ID: _____ Submittal Date _____

LOT LINE ADJUSTMENT APPLICATION

PC Mtg. _____

1.	Proposed Plat Name, Legal Description and Lot Size(s):			
Applicant Name and Address:		Applicant Phone No:		Applicant E-mail:
Surveyor Name and Address:		Business Phone No.:		Business E-mail:
Current Legal description of property:				
Current Zoning of property:		Use:		Acreage:
Property Owner:		Address:		Phone No.:
Requested Use:	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial
Surrounding Zoning:	North: _____	South: _____	East: _____	West: _____

2. THE OWNER, APPLICANT, OR AUTHORIZED AGENT, ACKNOWLEDGES: That he/she has read and received a copy of the instruction sheet and this application form concerning the filing and hearing of this matter; that he/she authorizes the Pennington County Planning Department staff and designees to enter onto and inspect the above-described property, and that he/she has been advised of the fee requirements. FILING FEE IS NON-REFUNDABLE.

Signature of APPLICANT or AGENT:
(requires owner authorization)

Signature of LANDOWNER:

DATE: _____

DATE: _____

Subscribed and sworn to before me this _____
day of _____, 20_____.

Subscribed and sworn to before me this _____
day of _____, 20_____.

Notary Public for the State of South Dakota
My Commission Expires: _____

Notary Public for the State of South Dakota
My Commission Expires: _____

REQUIRED CERTIFICATES

A. County Planning Commission Approval.

Approval of the (Minor Plat or Lot Line Adjustment Plat) of (Subdivision Name) Addition is hereby granted by the Pennington County Planning Commission on this _____ day of _____, 20 ____.

Chair, County Planning Commission
Pennington County, South Dakota

B. Owner's Certificate.

We do hereby certify that we are the owners of all land included in the above plat and that said plat has been made at our request and in accordance with our instructions for the purposes (indicated herein), and that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.

1. Dedication of Land for Public Use.

We hereby dedicate to the public for public use forever, the streets, roads, alleys and parks and public grounds, if any, as shown on said plat, including all sewers, culverts, bridges, water distribution lines, sidewalks and other improvements on or under the roads, alleys, parks and public grounds, whether such improvements are shown or not. We also hereby grant easements to run with the land for water, drainage, sewer, gas, electric, telephone or other public utility lines or services under, on or over those strips of land designated hereon as easements.

2. Owner's certificate for Private Maintenance of Facilities.

I (We) do hereby certify that ownership and maintenance of streets, roads, and alleys, parks and other open space, drainage ways and detention areas and natural or established watercourses, if any, as shown on said plat, and any improvements thereto, shall be provided by the (Name) Homeowner's Association except those areas, improvements, or facilities with respect to which an offer of dedication to the public has been accepted by the appropriate public authority. We also hereby grant easements to run with the land for water, drainage, sewer, gas, electric, telephone or other public utility lines or services under, on or over those strips of land designated hereon as easements.

If private roadways are shown, include:

I (We) further grant and certify that the roadway(s) shown as (Names or private roads) are private roadways which are hereby reserved as a permanent unobstructed access. Said roadways are for vehicular and pedestrian travel for the purpose of access to the abutting property. It is understood that the Owner, their lessees and

assignees have the responsibility with respect to maintaining said private roadway. Said grant is to run with the land. As no dedication to the public is being made of said private roadways, the Owners, their lessees and assignees, of the property platted as (Name of subdivision) , shall at their own cost and expense keep and preserve said private roadways at all times in a good condition of repair and maintenance, and clear of snow and other obstructions and neither erect nor permit erection of any improvements of any kind within said private roadways which might interfere in any way with the proper maintenance, use, repair, reconstruction and patrolling of said private roadways. This shall remain in effect until a public entity accepts the roadways as a public dedication.

If access easements are shown, include:

I (We) further grant and certify that the access easement is hereby created as a perpetual common unobstructed access in favor of the lots abutting on it. The easement is for vehicular and pedestrian travel for the purpose of access to the abutting property. The owner, their lessees and assignees shall maintain the easement area. They shall, at their own expense, keep the easement area in good repair and maintenance and clear of snow and other obstructions. No improvements of any kind may be erected within the easement area which might interfere in any way with the proper maintenance, use, repair, reconstruction and patrolling of the access easement. This covenant shall run with the land.

State of South Dakota
County of Pennington

On this ____ day of _____, 20____, before me, the undersigned officer, appeared (name), known to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same for the purposes therein contained.

In witness thereof, I have hereunto set my hand and official seal this ____ day of _____, 20____.

My commission expires:
Notary Public, Pennington County, South Dakota

C. Surveyor's Certificate.

I, (Name), a Registered Land Surveyor of the State of South Dakota do hereby certify that I did on or before (Date), survey that parcel of land described as (Legal Description).

Dated this _____ day of _____, 20____.

Registered Land Surveyor (SEAL)

- D. County Auditor Certificate. *This certificate shall be placed above the Register of Deeds Certificate on the mylar.*

I do hereby certify that the above certificate(s) of approval are true and correct including the signature thereon.

Dated this ____ day of _____, 20____.

County Auditor
Pennington County, South Dakota

- E. County Planning Director Certificate.

I, Planning Director, of Pennington County, do hereby certify that this plat has been reviewed by me or my authorized agent and has been approved.

Approved this ____ day of _____, 20____.

Planning Director
Pennington County, South Dakota

- F. Director of Equalization Certificate.

I, Director of Equalization of Pennington County, South Dakota, do hereby certify that a copy of the above plat has been filed at my office.

Director of Equalization
Pennington County, South Dakota

- G. County Treasurer Certificate.

I, Treasurer of Pennington County, South Dakota, do hereby certify that all taxes which are liens upon any land included in the above (and the foregoing) plats, as shown by the records of my office, have been fully paid.

Dated this ____ day of _____, 20____.

Treasurer
Pennington County, South Dakota

H. Street Authority Certificate.

The location of the proposed property lines abutting the County or State Highway, the County Road, and/or the Road District Road, as shown hereon, is hereby approved. Any change in the location of the proposed access shall require additional approval.

Highway Superintendent and/or (enter district)
Road District Authorized Representative

1. Township Acceptance of Road Dedication, if applicable

I hereby certify that the Board of Supervisors of _____ Township, at an official meeting conducted on the ____ day of _____, 20 ____, accepted the roads indicated on the plat of (Name of subdivision).

Clerk, _____ Township
Pennington County, South Dakota

2. South Dakota Department of Transportation, if applicable

The location of the existing access to the Highway or Street as shown herein is hereby approved. The access approval does not replace the need for any permits required by law, including Administrative Rule of South Dakota 70:09:01:02.

Dated this _____ day of _____, 20 __.

SD DOT Authority

3. Access through federal lands (i.e. United States Forest Service).

The location of the existing access as shown herein is hereby approved as provided in (document number or other identifier of approval by the federal authority).

I. Floodplain Statement, where applicable.

Floodplain Statement

The 100-year floodplain, as shown hereon, is based on the elevations identified on Flood Insurance Rate Map Number _____, Effective Date _____, or as graphically depicted on said map in unstudied areas. The floodplain information shown hereon serves as constructive notice that certain flood hazards exist on portions of the subject property. The location of the floodplain, as shown hereon, may be subject to change.

J. Water Protection Statement.

Pursuant to SDCL § 11-3-8.1 and 11-3-8.2, the developer of the property described within this plat shall be responsible for protecting any waters of the State, including groundwater, located adjacent to, or within such platted area from pollution; from sewage; from such subdivision; and shall in prosecution of such protections conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same.

K. Register of Deeds Certificate. *This Certificate shall be placed last on the mylar.*

Filed for record this _____ day of _____, 20____, at ____ o'clock ____ . m., and recorded in (*Document Number*) by _____ for a fee of \$_____.

Register of Deeds
Pennington County, South Dakota