

**APPLICATION FOR 40' OHWM SPECIAL PERMIT  
TO ZONING REGULATIONS**

Date of Application: \_\_\_\_\_

Special Permit #: \_\_\_\_\_

To: Day County Planning & Zoning  
711 W 1<sup>st</sup> Street Ste 203  
Webster, SD 57274

Ph. 605.345.9502

Fax: 605.345.9503

E-mail: dschlotte@daycounty.org

A.) I/We, the undersigned property owner(s), do hereby petition the Day County Planning and Zoning Commission of Day County, South Dakota, to grant a Special Permit to the Day County Zoning Ordinances for the purpose of:

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B.) Section(s) of Zoning Ordinances to be exempt:

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C.) Special conditions and circumstances that exist which are peculiar to the land, structure, or buildings in the same district: that literal interpretation of the provisions of this regulation would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this regulation: that the special conditions and circumstances do not result from the actions of the applicant, and that granting the Special Permit requested will not confer on the applicant, and privilege that is denied by this regulation to other lands, or buildings in the same district.

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D.) Legal description of Property:

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E.) Signature(s) of any other interested parties, i.e. adjacent landowners, SD GF&P

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Yes  No GF&P Shoreline Modification Permit Required? \_\_\_\_\_

F.) Time and Date Set for  
Hearing before Day County

\_\_\_\_\_  
Person filing petition – print

\_\_\_\_\_  
Date

\_\_\_\_\_  
Person filing petition - sign

\_\_\_\_\_  
Time

\_\_\_\_\_  
Address

\_\_\_\_\_  
Approved

\_\_\_\_\_  
City

\_\_\_\_\_  
Rejected

\_\_\_\_\_  
State

\_\_\_\_\_  
Date

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Administrator Day County  
Planning & Zoning Commission

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Email Address

**A 40' OHWM Special Permit that is granted and not used within two (2) years will be considered invalid.**

## **SKETCH**

**Please attach a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes, drainage areas and utilities.**

## **GUIDELINES FOR APPLYING FOR A 40' OHWM SPECIAL PERMIT**

1. The application, along with a \$75.00 filing fee, made out to “Day County Treasurer” must be completed and returned to the Day County Planning and Zoning Director – 711 West 1<sup>st</sup> Street, Suite 203 – Webster, SD 57274 in order to be on the regularly scheduled monthly meeting. Day County Planning and Zoning Commission meets monthly at 9:15 a.m. in the Board Room of the Day County Courthouse.

- a) **Application** – Page 1, “**Purpose of**” - in this area, write down what you would like to a. construct, i.e. – garage, addition, pole shed, etc.
- b) **Section of Zoning Regulations to be exempt** – page 1, this area will be filled out by the zoning office according to what section of the ordinance pertains to your situation.
- c) **Special Conditions of Circumstances** – page 1, this is the area stating why you need the special permit. Explain what work you will be doing and the distance from the OHWM will you be.
- d) **Legal Description**, page 2 – is the legal description of the property you are asking for the special permit
- e) **Signatures of other interested parties**, page 2 – you may be required to obtain the signatures of any other interested parties, i.e. adjacent landowners of SD Game, Fish & Parks
- f) **Print & sign your name**, page 2 – along with address & phone number
- g) **Attach a site plan**, - on a separate piece of paper of the proposed area showing building size, lot lines, existing buildings, building plans (floor plans) water lines, electric lines of the special permit area, and any other information that may be helpful to the zoning officer.
- h) **Application fee** - \$75.00 made out to the “Day County Treasurer” to be sent along with the application.
- i) **Adjoining Landowners** – please list name and addresses of adjoining landowners as they will be notified by mail & public notice will be published in the designated newspapers of Day County, South Dakota with the date and time of hearing of the special permit request.
- j) **Plan to attend**, or have a representative on your behalf, attend the hearing to present your case to the board. You will receive notification from the zoning officer as to the date, time & place of the hearing.