

DAVISON COUNTY PROCEDURES FOR FILING, PROCESSING AND RECORDING PLATS

A plat is a map, or representation on paper of a piece of land subdivided into lot(s), parcel(s), tract(s), or block(s), including streets, commons, and public grounds, if any, all drawn to scale. The original document must be drawn on mylar or drafting linen and may be 11"x17", 8.5"x14", or 15"x26". The first step is to have a registered surveyor survey the property and draw a plat. The plat must include a certified signature by a South Dakota registered land surveyor, including his/her seal certifying that the plat is correct and done in accordance with the wishes of the landowner(s). The owners, and possibly the sellers, must sign the Mylar with a fine tip sharpie or permanent ink. It is best to have the surveyor email the plat to the Register of Deeds and the Planning & Zoning office for review, to ensure all requirements are met before submitting to the approving authority. All Official and Notary seals must be permanent.

If the parcel is within the Mitchell city limits, the Mitchell City Planning Commission and City Council must approve the plat. This is evident by a dated signature of the chairman of the City Planning Commission and the Finance Officer of the City of Mitchell. For the Mitchell City Planning Commission to consider the plat, it shall be submitted to the City Planner no later than the Wednesday before the meeting. There is a \$100.00 application fee that needs to be paid before placing it on the City Planning Commission agenda. The Mitchell City Planning Commission meets on the 2nd and 4th Monday of each month at 12:00 noon. After the Mitchell City Planning Commission hears the plat, the City Council will consider the plat, they meet the 1st and 3rd Monday of each month at 6:00 P.M. Both meetings are held in City Hall Council Chambers located at 612 N Main St. Contact the Mitchell City Planning Office, located in City Hall, for further details @ (605) 995-8433.

The City of Mitchell *and* the county approve plats within the designated 3-mile area from the corporate limits of Mitchell. Any plats located outside city limits but within the Extra Territorial Jurisdiction are subject to the City of Mitchell zoning ordinance. The plat should be given to the City Planner, who will send it over to the County Planning and Zoning Administrator once signed by the city personnel. The County Planning and Zoning Administrator can be located on the first floor of the Davison County Courthouse and can be reached @ (605) 995-8615. The \$100.00 application fee for all plats within the designated 3-mile area is just paid to the County Planning and Zoning Administrator and needs to be paid before placing on the Mitchell City Planning Commission or Davison County Planning Commission agendas. The Davison County Planning Commission meets the first Tuesday of the month @ 7:00 P.M. from April- November and at 1:15 P.M. from December-March. The meetings are at the Davison County North Office located at 1420 N Main St. in the County Commission Chambers. The plat shall be presented for consideration 15 days before the monthly Planning Commission meeting. Once approved, the County Board of Commissioners will consider the plat at the next regularly scheduled Tuesday Commission meeting.

If the parcel is located outside the designated 3-mile area from the corporate limits of Mitchell, it need only be approved by the County Planning Commission and the County Commissioners. This is evident by the dated signature of the County Planning Commission Chairman and the County Commission Chairman, which is attested by the County Auditor.

The landowner(s), or an authorized agent, must also sign the plat. A notary public must witness their signature(s). The owner(s) is certifying that the plat was made at their request and under their direction to locate, plat, and convey the land. They also certify that the development of the land shall conform to all existing zoning, subdivision, erosion, sediment control regulations, and water protection pursuant to SDCL 11-3-8.1 and 11-3-8.2.

The plat must also be signed by a variety of others, such as the County Treasurer's Office, the County Director of Equalization, the Highway Superintendent or the Township Chairman, etc. These signatures will be collected by the Planning and Zoning Office and you will be notified when all signatures have been collected and the plat is ready to be filed with the Register of Deeds. The Register of Deeds will accept the plat for recording with a \$60 recording fee. The Register of Deeds retains the original document. Signed copies are available for a fee.

Any question regarding the jurisdiction of the land being platted should be directed to the County Zoning Administrator, Register of Deeds and/or the City Planner. The city or county reserves the right to request any person to take necessary actions in fulfilling their respective requirements.

Some state laws and county ordinances you should be aware of are:

11-3-12.1. - Approval of access to street or highway prerequisite to filing plat. The owner of any parcel of land proposing to develop such land for residential or commercial purposes shall obtain written approval of the proposed access to an abutting highway or street from the appropriate highway or street authority. The approval shall be obtained before the filing of the plat in accordance with this chapter and may not replace the need for any permits required by law.

Section 2:18 - Naming of Additions, Subdivisions, Tracts, and Roads (Davison County Zoning Ordinance)

Every addition, subdivision, or tract within Davison County and subject to this Zoning Ordinance shall be uniquely named. Such name shall not duplicate, be the same in spelling, or alike in pronunciation, with or to any existing addition, subdivision, or tract in Davison County; unless it is an extension of or adjoining to an existing addition or subdivision recorded in Davison County. Naming of Plat shall not include an initial along with a name. Such addition, subdivision, and tract names are subject to the approval of the Davison County Register of Deeds; whose decision shall be final. Plats which do not comply with this section and the general provisions of Section 13:05 (B) of this ordinance shall not be entitled to recording.

All new road names must be approved by the Register of Deeds, Local Emergency Planning Commission (LEPC), the Davison County Planning Commission, and the Davison County Commissioners.