

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

546S0527

## SENATE BILL NO. 113

Introduced by: Senators Hunhoff (Jean), Begalka, Frerichs, Gray, Schlekeway, and Tieszen  
and Representatives Hunhoff (Bernie), Fargen, Moser, Novstrup (David),  
Rausch, and Street

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the notice  
2 requirements for changes in zoning requested by landowners.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 11-2-28.1 be amended to read as follows:

5 11-2-28.1. An individual landowner may petition the board to change the zoning of all or  
6 any part of the landowner's property. The petitioning landowner shall notify ~~all other~~ abutting  
7 and adjoining landowners by registered or certified mail of the petitioned zoning change at least  
8 ~~seven~~ ten days before the public hearing is held on the matter by the planning commission. The  
9 landowner shall use information provided by the county director of equalization to determine  
10 the abutting and adjoining land owners. Property is considered as abutting and adjoining even  
11 though it may be separated from the property of the petitioner by a public road or highway. If  
12 the affected property abuts, adjoins, or is within one mile of a county border, the county auditor  
13 on behalf of the individual landowner shall also notify, by registered or certified mail, the county  
14 auditor in the adjoining county of the petitioned zoning change at least ~~seven~~ ten days before



1 the public hearing is held on the matter by the planning commission.