

**PLANNING AND ZONING AGENDA**  
**TUESDAY, MARCH 10, 2020**  
**CITY HALL - 7:00 P.M.**

- 1) ROLL CALL  
Mark Anderson, Eric Bartmann, Tim Graham, Brad Miles, Stephanie Olson-Voth,  
Tony Randall
  
- 2) APPROVAL OF THE AGENDA
  
- 3) APPROVAL OF MINUTES for:
  - February 25, 2020 Meeting
  
- 4) HEARINGS/PETITIONS/APPLICATIONS
  - 7:05 Hearing – Vacate South Portion on Block 8 Drakes Addition
  - 7:10 Hearing – Vacate ROW for “old” Mickelson Road
  - Review Plat for Lot 1 of Haines Addition
  
- 5) OLD BUSINESS
  
- 6) NEW BUSINESS
  
- 7) UPDATES
  - Building Inspector Update – Paul Clarke
  - City Administrator Updates – Teresa Sidel
  
- 8) ADJOURNMENT

**Next Planning & Zoning Meeting: Tuesday, March 31, 2020**

## March 10, 2019 P&Z Notes

### Hearings/Petitions/Applications:

- **7:05 Vacate Hearing:** The city has received a vacate petition circulated by Sioux Valley Energy to vacate the south 161.54 feet of the 15 foot wide alley running north and south between E 1<sup>st</sup> Street and E Railroad Street in Block 8 of Drake's Addition to the City of Hartford. This would be the alley portion that runs primarily between their facility along Railroad Street and Goldenwest's facility. Sioux Valley Energy and Goldenwest do have easements within this area so we can vacate this portion of the alley but all existing easements will stay upon the property. All abutting property owners have signed the petition and agreed to the vacate of this portion of the alley. If approved by the city council, the property will be split between adjoining property owners.
- **7:10 Vacate Hearing:** The city also has a signed vacate petition to vacate the "old" portion of Mickelson Road that will no longer be used since we re-aligned the road. It encompasses from Highway 38 west about 413 feet (just to the east of the old bridge). There is only one easement upon this property that Goldenwest has so we will vacate the ROW but keep existing easement. Once the vacate is approved by the city, this too will go to the adjoining property owner, which is Sam Assam on both sides.
- **Review Plat for Lot 1 of Haines Addition:** The city did receive a plat from Wyatt Hanies for an area outside of city limits but within our platting jurisdiction. Mr. Hanies owns property to the north of Exit 390, along 466th Ave (see enclosed map). He would like to plat off a portion of his property to erect a home on it – by looking at the plat and area map, it looks like the area to be platted would be in the middle to his property off of 466th Ave in the existing shelter belt. He is asking for plat approval and an exemption from signing a pre-annexation agreement. Section 4.1.4 of the city's subdivision regulations, which were adopted in May of 2018, does state that no plat within the city's unincorporated jurisdiction shall be approved unless the subdivider has filed a petition for annexation or executed an agreement to annex with the city council. Our pre-annex agreements states that once the land is contiguous with the city, the landowner will voluntarily annex into the city if requested (see enclosed copy). The city must be touching the platted area before this comes into play and it is all contingent on the city requesting annexation – just because we touch the property, the city may not require annexation. The city currently borders several homes (Colton Road for example) that we have not required or ever asked to annex. The city has never forced an annexation and we have only asked one property to voluntarily annex because the city had grown completely around it and it was causing a "donut hole" within the city – this was the Matthies property. I believe the city's intent with pre-annexation agreements is to avoid future issues with donuts holes or issues of getting infrastructure to another property that may be on the opposite side of a particular property. We are a growing city and we want to be proactive with planning for that growth. Mr. Haines did send a written request to the city for the pre-annexation waiver highlighting some of his concerns and reasons for the request. The Planning and Zoning Board must review the plat and make a recommendation to the City Council – you can approve the plat and require the pre-annexation agreement per city regulations, you can approve the plat with recommendation to waive the pre-annexation agreement or you can deny the plat. It will then go to the City Council for a final decision.

### Updates:

#### Code Enforcer/Building Inspector Updates:

- Paul Clarke will be present to provide an update to the Board on building permits. A copy of his February report is in the packet for your review.

#### City Administrator Updates:

- **P&Z Vacancy:** We still have one vacancy on the Board. The Mayor is hoping to appoint someone shortly.
- **Code Enforcement Report:** Enclosed in your packet is Bryan Voth's February code enforcement report for your review. Bryan will be at the 1<sup>st</sup> meeting in March to touch base again with the Board.

- MPO Long Range Transportation Plan: Thank you to Tony, Mark and Stephanie for taking part in the city stakeholder meeting to review the city's long range transportation plan and needs – your input was appreciated and definitely helped the discussion. There are 3 open houses planned for the public at Tea, Hartford and Brandon. The Hartford open house will be on March 25<sup>th</sup> from 5:00 to 6:30 at the Hartford Fire Station – please mark your calendars and attend if possible.
- Follow-up on Jarding Plat: I looked back in our records and the property that is being rezoned was originally identified on their concept plan as three single family lots, so the rezone and plat fits the original developers plans. I also talked with Craig and the city engineer about access for emergency vehicles since this is a dead end. There seems to be no concerns about this since the actual road goes almost 120 feet further north than the Jarding property line and Craig said that they are plowing it to the end. A copy of the plat submitted is in your packet for reference, but this plat will be reviewed and approved administratively.
- Upcoming Agenda Item: As part of the Mickelson Road project, the city agreed to de-annex the Stumpe ground that is adjacent to our current lagoons. This de-annexation request will come before the P&Z Board on March 31<sup>st</sup>.

**Stop by City hall or call if you have any Question: 528-6187**

## **Planning and Zoning Meeting – Regular Meeting February 25, 2020**

Chairman Tony Randall called the meeting to order at 7:00 p.m. at Hartford City Hall with the following planning and zoning members present: Mark Anderson, Tim Graham, Stephanie Olson-Voth, and Eric Bartmann. Brad Miles was absent with notice. City Administrator Teresa Sidel and Building Inspector Paul Clarke were also present.

**Approve Agenda:** A motion was made by Anderson, second by Olson-Voth to approve the agenda as set – all voted yes, motion carried.

**Approval of the Minutes:** The January 14, 2020 meeting minutes and the January 28, 2020 meeting minutes were reviewed. A motion was made by Olson-Voth, second by Graham to approve the January 14, 2020 regular meeting minutes – all voted yes, motion carried. A motion was made by Bartmann, second by Olson-Voth to approve the January 28, 2020 meeting minutes – Randall abstained with all others voting yes, motion carried.

### **Hearings/Petitions/Applications**

- **7:05 Rezone Hearing for Jarding Development:** The Planning and Zoning Board, acting as the Board of Adjustments, reviewed a rezone application submitted by John Jarding of Jarding Development. The developer would like to rezone their parcel of property along Mickelson Road that is just to the east of Connie Circle. When this property was originally annexed into the city in 2016 this east portion of their property was zoning Community Commercial. They have now decided to use it for single family dwellings so it will need to be rezoned to Residential. The rezone request is to change the zoning from Community Commercial to Residential, which will tie into the existing use of the area. A motion was made by Bartmann, second by Anderson to approve the rezone of the E986.2 SE ¼ Lying S or RY (EX Lot H-2 & Kelly Point 2<sup>nd</sup> Addition) in Section 27, Township 102, Range 51, of Hartford City unplatted, Minnehaha County, South Dakota from zoning classification of Community Commercial (CC) to Residential (R) – all voted yes, motion carried.

### **Updates:**

- **Building Inspector Update:** Building Inspector Paul Clarke was present to provide a report to the Board. Currently there are 7 open single-family homes in various stages of construction – all twin homes have been finalized. Clarke continues to monitor the progress of the Hartford Building Center project. An update on the mobile home in Lot 6B of the Northside Mobile Home Park was also given to the Board
- **City Administrator Update:**
  - **Vacancies:** The City of Hartford is currently advertising for a full-time Chamber & Economic Development Director and a full-time Public Works Assistant. A vacancy still exists on the Planning and Zoning Board that will need to be filled by appointment from the Mayor.
  - **Code Enforcement Report:** The Board was provided the January code enforcement report.
  - **MPO Long-Range Transportation Plan:** The city of Hartford is participating on an update to the areas long-range transportation plan (LRTP). This plan is federally mandated and must be updated every five years in order to receive federal funding or aid on municipal projects. There will be a public input meeting on March 25<sup>th</sup> from 5:00 to 6:30 at the Hartford Fire Station. The Board was also invited to a stakeholders meeting regarding the LRTP on February 28<sup>th</sup> at 8:30am at city hall.
  - **Community Summit:** The City is still planning to hold a community summit (information meeting) this year but it is being postponed until later this summer or fall to allow adequate time to prepare and plan.
  - **Joint Jurisdiction:** The P&Z Board was asked for their input on continuing the pursuit of joint jurisdiction with the county. It was noted that the attendance at the second public input meeting was considerably less than the first meeting but there were still concerns from the public as what the benefit of joint jurisdiction would be to the residents within the proposed area. The Board also questioned the support from the county.
  - **Upcoming Agenda Items:** The Board was given a brief update on 2 upcoming agenda items to vacate right-of-way within the city.

**Adjournment:** A motion was made by Bartmann, second by Anderson to adjourn at 7:45 p.m. – all voted yes, motion carried.

Minutes recorded by City Administrator, Teresa Sidel.

I, the undersigned, Teresa Sidel, City Administrator, in and for the City of Hartford, South Dakota, do hereby certify that the above and foregoing is a true and correct copy of the minutes which is on file at Hartford City Hall.

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Teresa Sidel, City Administrator

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Hartford Planning and Zoning Commission will hold a public hearing on March 10, 2020 at 7:05 p.m. in City Hall to consider a petition for vacating the south 161.54 feet of the 15-foot wide alley running north and south between E 1<sup>st</sup> Street and E Railroad Street in Drake's Addition to the City of Hartford, Minnehaha County, South Dakota, as shown on Exhibit A, which is on file at the city finance office. The Hartford City Council will consider the request on March 17, 2020 at 7:05. All interested persons may appear and be heard.

Dated this 27th day of February 2020.

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Teresa Sidel, City Administrator

**Petition for Vacating Street or Alley Right-of-Way  
within the City of Hartford**

Petition to Vacate:

The south 161.54 feet of the 15-foot wide alley running north and south between E 1<sup>st</sup> Street and E Railroad Street in Block 8 of Drake's Addition to the City of Hartford, Minnehaha County, South Dakota. (Exhibit A)

To the Hartford City Council:

The owners of real property in the City of Hartford, SD, petition the Council to vacate the portion of the alley described above, because it no longer serves any useful public purpose.

An exhibit of the alley proposed to be vacated is attached and made a part of this petition. (See exhibit A).

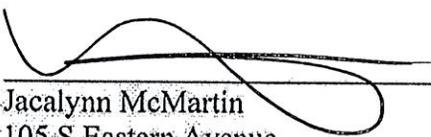
We request that you have this petition filed, set a hearing date and give notice of the time and place of the hearing as required by law. After hearing, we request that you vacate the street by resolution as provided by law.

**LOT 6 BLK 8 DRAKES ADDN TO CITY OF HARTFORD (107 S Eastern Ave) -  
Record #23501**

  
\_\_\_\_\_  
Sioux Valley - Southwestern  
PO Box 216  
Colman, SD 57017

12/13/19  
Date

**LOT 7 BLK 8 DRAKES ADDN TO CITY OF HARTFORD (105 S Eastern Ave) -  
Record #23502**

  
\_\_\_\_\_  
Jacalynn McMartin  
105 S Eastern Avenue  
Hartford, SD 57033

12/13/19  
Date

**S58' LOT 4 BLK 8 DRAKES ADDN TO CITY OF HARTFORD (unaddressed) -  
Record #23499**

Marty Huether 1/6/2020  
Union Telephone Co. Date  
PO Box 151  
Hartford, SD 57033

**LOT 5 BLK 8 DRAKES ADDN TO CITY OF HARTFORD (106 S Feyder) - Record  
#23500**

Marty Huether 1/6/2020  
Union Telephone Co. Date  
PO Box 151  
Hartford, SD 57033

I, Jan Buchholz, (circulating petitioner) have read  
the above "Petition to Vacate" and know its contents. It is true to the best of my  
knowledge.

47092 SD Hwy 34  
(Address) Colman SD 57017

[Signature]  
(Petitioner-Signature)

Jan.Buchholz@SiouxValleyEnergy.com 605-940-2053  
(Email Address) (Telephone Number)

State of South Dakota  
County of Moody



Lori George  
3-20-24

Subscribed and sworn to before me this 28<sup>th</sup> day of January, 2020

(seal)



Lori George

Notary Public – South Dakota

3-20-24

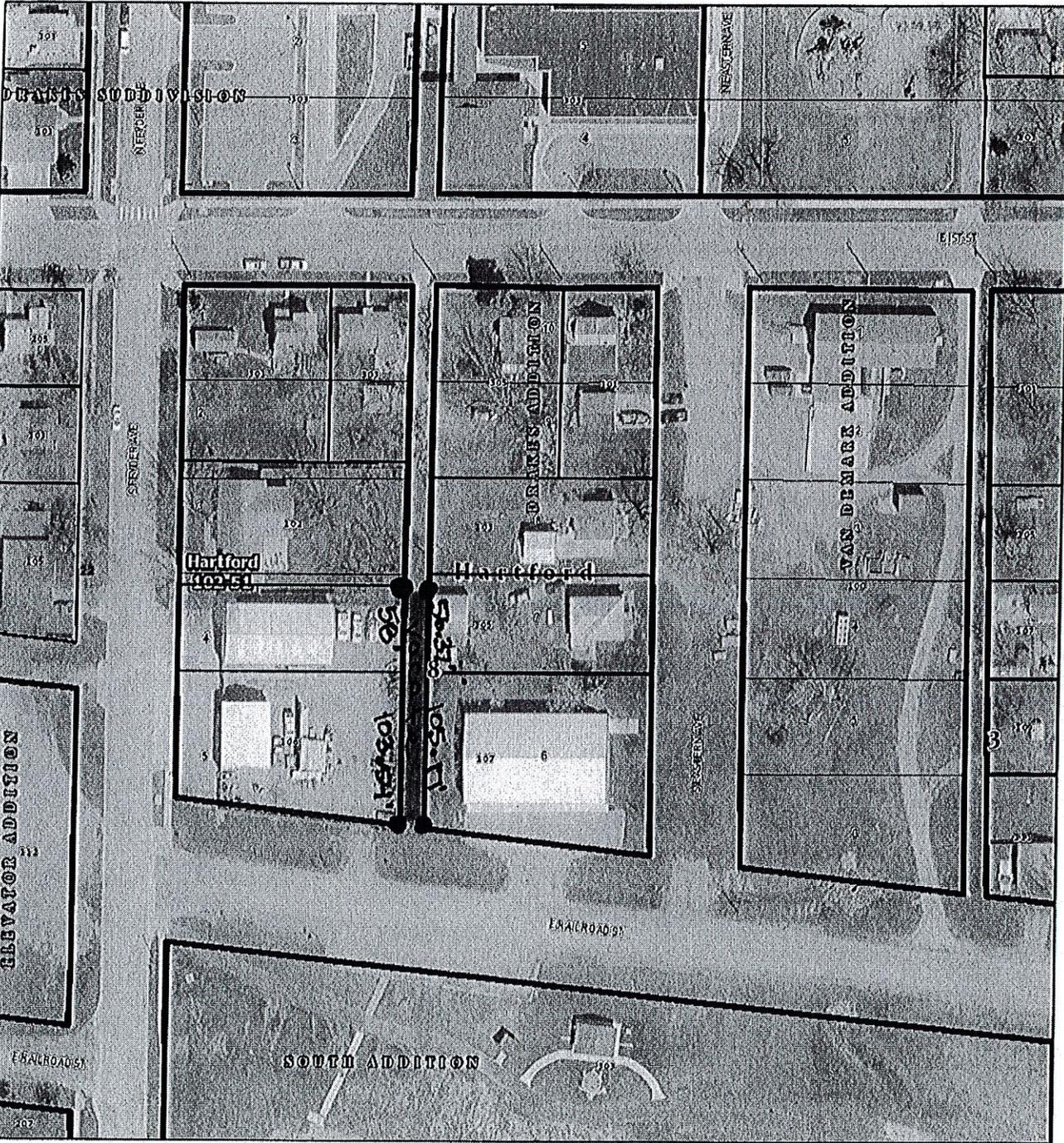
Existing Easements:

Properties are subject to existing easements, restrictions, reservations or highways of record. The easement must be filed prior to the vacation of the alley. The City reserves the right to request an easement prior to the vacation of an alley.

If petitioner would like to request removal of existing easements, please check below:

I would like the City of Hartford to remove the easements from the proposed vacated right-of-way with the resolution. (If checked – all utility companies must be contacted concerning the proposed right-of-way vacation and any conflicts must be resolved by the petitioner prior to approval of the resolution.)

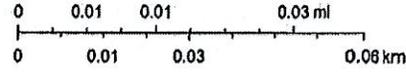
# Exhibit A



12/9/2019, 2:08:33 PM

- County Tract County Parcels
- County Lot Parcels
- County Block Standard Tax Parcel
- County Additions Condo or Suite
- County Tax Lines Municipalities
- PLAT Section
- - - TAXLOT Townships

1:1,128



Sources: Esri, HERE, Garmin, Intermap, Incent P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, City of

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Hartford Planning and Zoning Commission will hold a public hearing on March 10, 2020 at 7:10 p.m. in City Hall to consider a petition for vacating a strip of statutory right-of-way in the N1/2 NW1/4 of Section 26 and the S1/2 SW1/4 of Section 23 Township 102 North Range 51 West of the 5th P.M. Minnehaha County South Dakota as shown on Exhibit A, which is on file at the city finance office. The Hartford City Council will consider the request on March 17, 2020 at 7:10. All interested persons may appear and be heard.

Dated this 27th day of February 2020.

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Teresa Sidel, City Administrator

**Petition for Vacating Street or Alley Right-of-Way**  
**within the City of Hartford**

Petition to Vacate:

A strip of statutory right-of-way in the N1/2 NW1/4 of Section 26 and the S1/2 SW1/4 of Section 23 Township 102 North Range 51 West of the 5<sup>th</sup> P.M. Minnehaha County South Dakota as shown on Exhibit A

To the Hartford City Council:

The owners of real property in the City of Hartford, SD, petition the Council to vacate the right-of-way described above, because it no longer serves any useful public purpose.

An exhibit of the right-of-way proposed to be vacated is attached and made a part of this petition. (See Exhibit A).

We request that you have this petition filed, set a hearing date and give notice of the time and place of the hearing as required by law. After hearing, we request that you vacate the right-of-way by resolution as provided by law.

**TRACT 1 (EX H-4) VANDERWERFF ADDN SW1/4 SW1/4 & THAT PART OF**  
**THE SE1/4 SW1/4 LYING S & W OF LOT H-1 23 102 51 HARTFORD CITY**  
**UNPLATTED - Record #76759**

*Turtle Creek Highlands, Inc.*

By: *Samuel A. Gunn, Pres*  
TURTLE CREEK HIGHLANDS INC  
530 S PHILLIPS AVE  
SIOUX FALLS, SD 57104

*02/10/2020*  
Date

**SW1/4 NE1/4 (EX H-1) & NW1/4 NE1/4 S OF HWY & NE1/4 NW1/4 S OF RY (EX**  
**1-A & EX TR 1 MICKELSON ROAD ADDN & EX TURTLE CREEK**  
**HIGHLANDS ADDN) & E330 NW1/4 NW1/4 (EX H-3 & EX TURTLE CREEK**  
**HIGHLANDS ADDN) & CNW ROW WITHIN NW1/4 & NE1/4 26 102 51**  
**HARTFORD CITY UNPLATTED - Record #86557**

*Turtle Creek Highlands, Inc*

By: *Samuel A. Gunn, Pres*  
TURTLE CREEK HIGHLANDS INC  
530 S PHILLIPS AVE  
SIOUX FALLS, SD 57104

*02/10/2020*  
Date

I, Sam Assam, have read the above "Petition to Vacate" and know its contents. It is true to the best of my knowledge.

Turtle Creek Highlands, Inc  
530 S. Phillips Ave  
Sioux Falls, SD 57104

(Address)

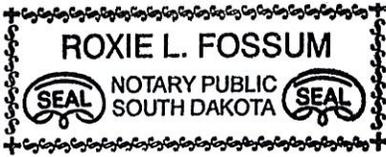
*Sam Assam*  
(Petitioner-Signature)

Sam@qsamcompanies.com  
(Email Address)

605-334-8040  
(Telephone Number)

State of South Dakota  
County of Minnehaha

Subscribed and sworn to before me  
this 10<sup>th</sup> day of February, 2020



*Roxie L Fossum*  
Notary Public - South Dakota  
My Commission Expires 11-10-2021

Existing Easements:

Properties are subject to existing easements, restrictions, reservations or highways of record. The easement must be filed prior to the vacation of the alley. The City reserves the right to request an easement prior to the vacation of an alley.

If petitioner would like to request removal of existing easements, please check below:

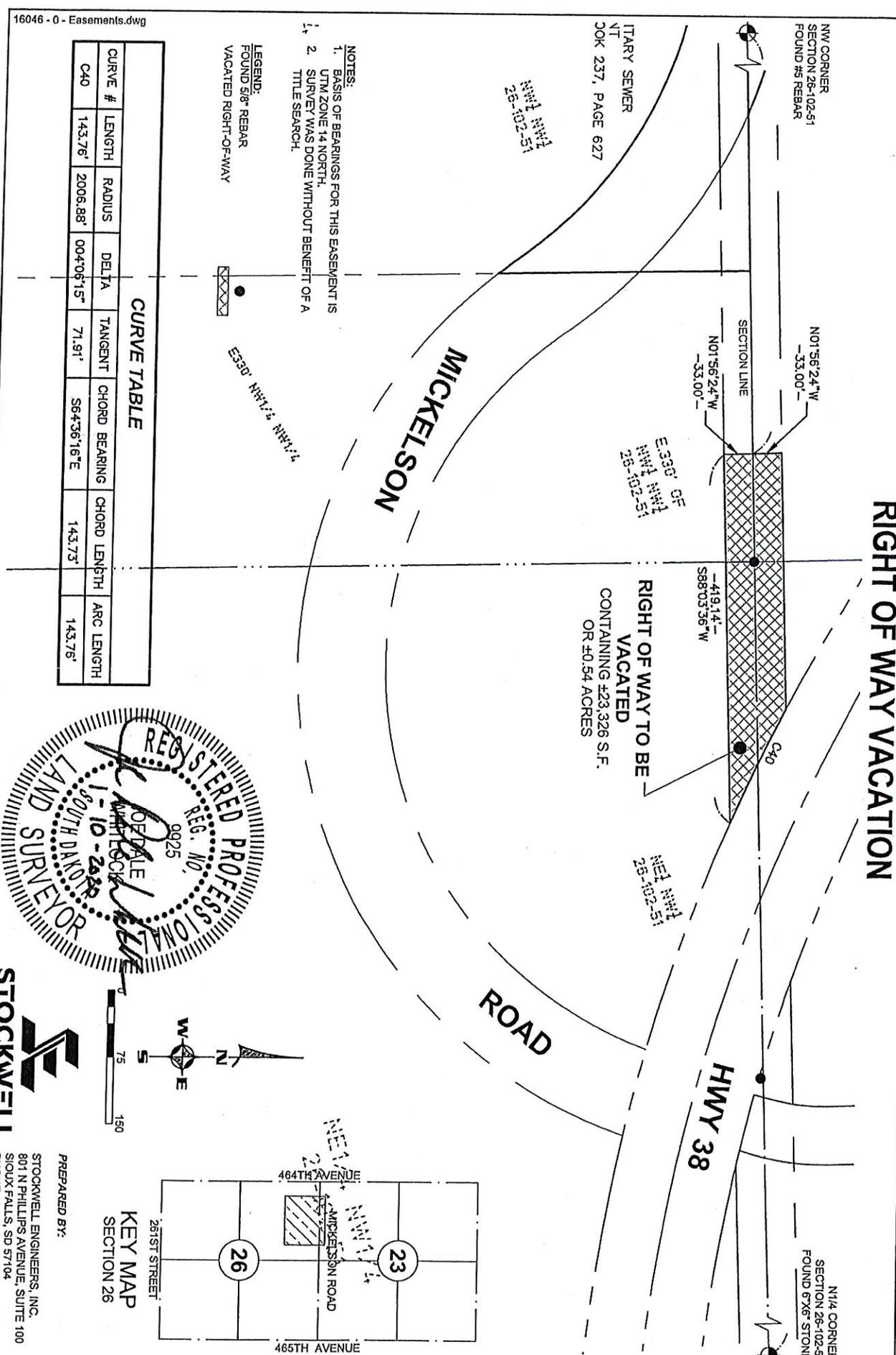


I would like the City of Hartford to remove the easements from the proposed vacated right-of-way with the resolution. (If checked - all utility companies must be contacted concerning the proposed right-of-way vacation and any conflicts must be resolved by the petitioner prior to approval of the resolution.)

# EXHIBIT A

## RIGHT OF WAY VACATION

SHOWING A STRIP OF STATUTORY RIGHT OF WAY TO BE PERMANENTLY VACATED IN THE N<sub>2</sub> NW<sub>4</sub> OF SECTION 26 AND THE S<sub>2</sub> SW<sub>4</sub> SECTION 23, TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE 5TH P.M., MINNEHAHA COUNTY, SOUTH DAKOTA.



UTILITY SEWER  
 20K 237, PAGE 627

NW CORNER  
 SECTION 26-102-51  
 FOUND #5 REBAR

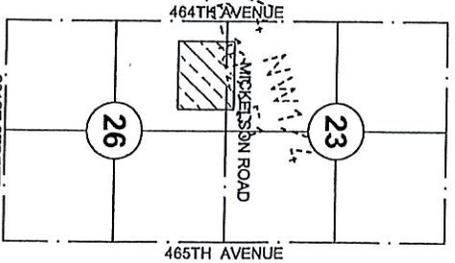
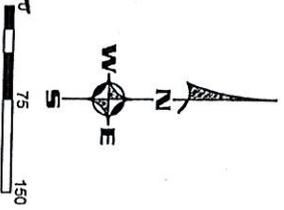
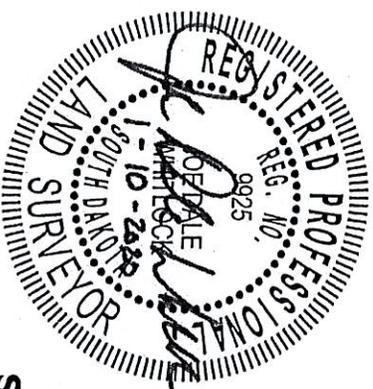
N14 CORNER  
 SECTION 26-102-51  
 FOUND 6X6 STONE

RIGHT OF WAY TO BE  
 VACATED  
 CONTAINING 23,326 S.F.  
 OR 0.54 ACRES

- NOTES:
1. BASIS OF BEARINGS FOR THIS EASEMENT IS UTM ZONE 14 NORTH.
  2. SURVEY WAS DONE WITHOUT BENEFIT OF A TITLE SEARCH.

LEGEND:  
 FOUND 5/8" REBAR  
 VACATED RIGHT-OF-WAY

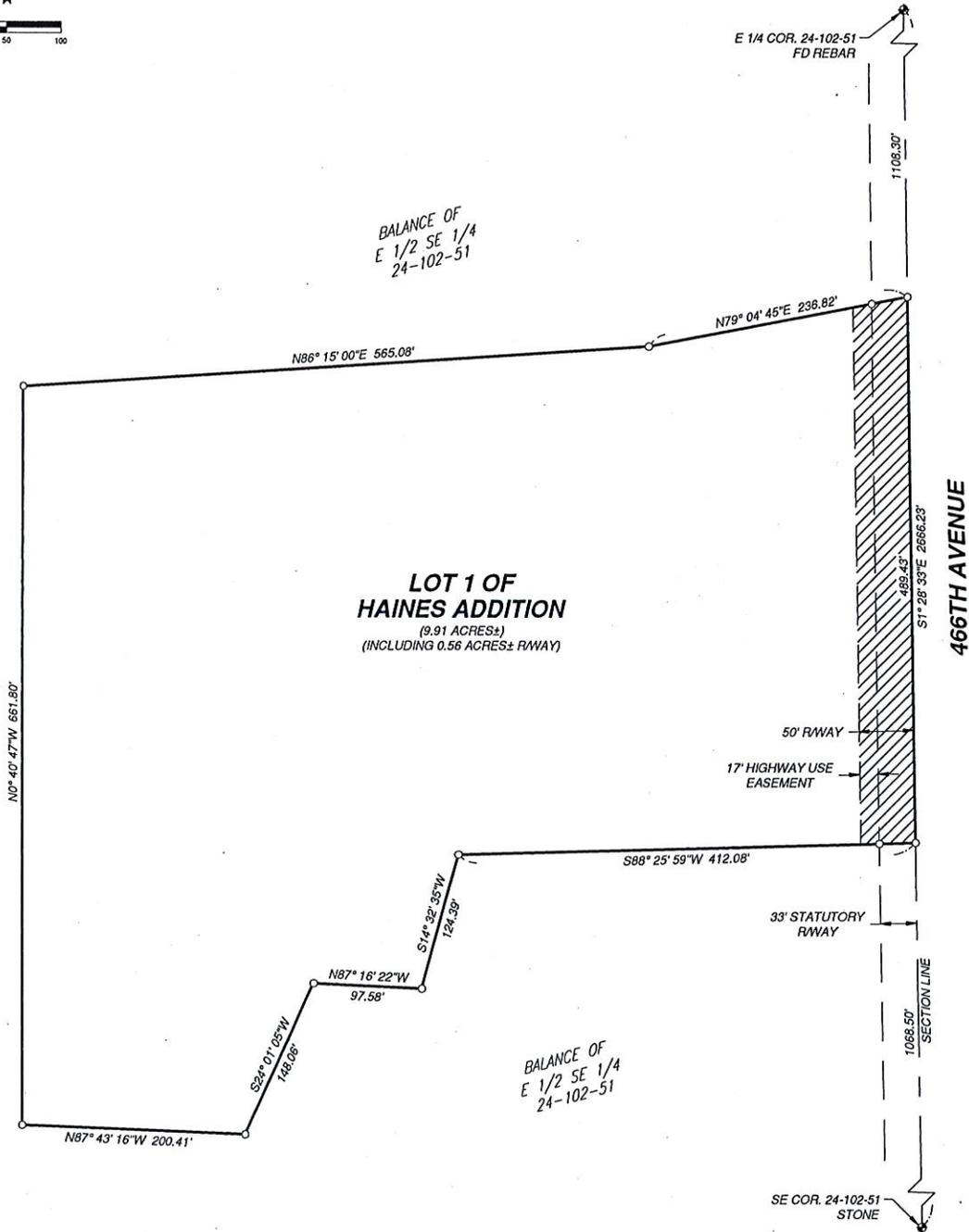
CURVE TABLE							
CURVE #	LENGTH	RADIUS	DELTA	TANGENT	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C40	143.76'	2006.88'	004°06'15"	71.91'	S64°56'16"E	143.73'	143.76'



PREPARED BY:  
**STOCKWELL ENGINEERS, INC.**  
 801 N. PHILLIPS AVENUE, SUITE 100  
 SIOUX FALLS, SD 57104  
 PHONE: 605-338-6688

# LOT 1 OF HAINES ADDITION

AN ADDITION IN THE EAST HALF OF THE SOUTHEAST QUARTER (E 1/2 SE 1/4) OF SECTION 24,  
 TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE 5TH. P.M., MINNEHAHA COUNTY, SOUTH DAKOTA



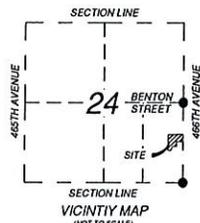
**LOT 1 OF HAINES ADDITION**  
 (9.91 ACRES±)  
 (INCLUDING 0.56 ACRES± RWAY)

### LEGEND

- PROPOSED PROPERTY LINE
- - - EXISTING SECTION LINE
- - - EXISTING 1/4 - 1/16TH LINE
- - - EXISTING RWAY LINE
- FOUND MONUMENT AS NOTED
- SET NO.5 REBAR WCAP RLS NO. 12467
- RWAY RIGHT-OF-WAY

### SURVEYOR'S NOTES:

1. BASIS OF BEARING IS UTM 14 NORTH.
2. ALL DISTANCES ARE GROUND DISTANCES.
3. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.



PREPARED BY:



3241 E. BISON TRAIL  
 SIOUX FALLS, SD 57108  
 PHONE: 605-271-5527  
 EMAIL: [infrastructure@redg.com](mailto:infrastructure@redg.com)

### LOT 1 OF HAINES ADDITION

AN ADDITION IN THE EAST HALF OF THE SOUTHEAST QUARTER  
 (E 1/2 SE 1/4) OF SECTION 24, TOWNSHIP 102 NORTH, RANGE 51  
 WEST OF THE 5TH. P.M., MINNEHAHA COUNTY, SOUTH DAKOTA

PROJECT NO: 19173  
 DATE: 03/04/2020  
 DRAWN BY: BMK  
 CHECKED BY: BMK  
 SHEET NO: 1 OF 3

# LOT 1 OF HAINES ADDITION

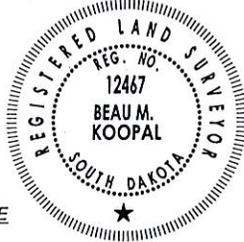
AN ADDITION IN THE EAST HALF OF THE SOUTHEAST QUARTER (E 1/2 SE 1/4) OF SECTION 24,  
TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE 5TH. P.M., MINNEHAHA COUNTY, SOUTH DAKOTA

### SURVEYOR'S CERTIFICATE

I, BEAU M. KOOPAL, A REGISTERED LAND SURVEYOR OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT I DID ON OR BEFORE OCTOBER 17, 2019, SURVEY THE EAST HALF OF THE SOUTHEAST QUARTER (E 1/2 SE 1/4) OF SECTION 24, TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE 5TH P.M., MINNEHAHA COUNTY, SOUTH DAKOTA, AND PLATTED A PORTION INTO THAT PARCEL OF LAND DESCRIBED AS LOT 1 OF HAINES ADDITION, AN ADDITION IN THE EAST HALF OF THE SOUTHEAST QUARTER (E 1/2 SE 1/4) OF SECTION 24, TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE 5TH P.M., MINNEHAHA COUNTY, SOUTH DAKOTA, CONTAINING 9.91 ACRES, MORE OR LESS.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020

BEAU M. KOOPAL  
REGISTERED LAND SURVEYOR NO. 12467



### OWNER'S CERTIFICATE OF COMPLIANCE

WE DO HEREBY CERTIFY THAT WE ARE THE OWNER/S 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 OF PLATTING, AND THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND EROSION AND SEDIMENT CONTROL REGULATIONS.

### DEDICATION OF LAND FOR PUBLIC USE

WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER THE STREETS, ROADS AND 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 STREETS, 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 SERVICE UNDER, ON OR OVER THOSE STRIPS OF LAND DESIGNATED HEREON AS EASEMENTS FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, REPAIRING, AND IMPROVING SAID FACILITIES. THE OWNER, THEIR LESSEES AND ASSIGNEES SHALL, AT THEIR OWN EXPENSE, KEEP THE EASEMENT AREA IN GOOD REPAIR AND CLEAR OF OBSTRUCTIONS. NO IMPROVEMENTS OF ANY KIND MAY BE ERRECTED WITHIN AN EASEMENT WHICH MIGHT INTERFERE IN ANY WAY WITH THE PROPER MAINTENANCE, USE, REPAIR, RECONSTRUCTION, AND PATROLLING OF THE EASEMENT. THIS COVENANT SHALL RUN WITH THE LAND.

WE HEREBY CERTIFY THAT THIS PLAT WILL NOT PLACE ANY EXISTING LOT OR BUILDING IN VIOLATION OF ANY APPLICABLE ORDINANCE, CODE, REGULATION, OR LAW, INCLUDING BUT NOT LIMITED TO ZONING, BUILDING, SUBDIVISION, AND FLOOD PREVENTION.

WE HEREBY WAIVE ANY RIGHTS OF PROTEST TO ANY SPECIAL ASSESSMENT PROGRAM WHICH MAY BE INITIATED FOR THE PURPOSE OF INSTALLATION OF IMPROVEMENTS REQUIRED BY THE CITY OF HARTFORD SUBDIVISION REGULATIONS.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

WYATT HAINES  
OWNER

RANDI HAINES  
OWNER

STATE OF: \_\_\_\_\_ )  
COUNTY OF: \_\_\_\_\_ ) :SS

ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020, BEFORE ME, THE UNDERSIGNED OFFICER, APPEARED \_\_\_\_\_ KNOWN TO BE THE PERSON/S 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 \_\_\_\_\_, 2020

NOTARY PUBLIC, MINNEHAHA COUNTY, SOUTH DAKOTA

MY COMMISSION EXPIRES: \_\_\_\_\_

### CITY ENGINEER APPROVAL

WE, \_\_\_\_\_, CITY ENGINEER OF THE CITY OF HARTFORD, DO HEREBY CERTIFY THAT WE DID DULY REVIEW AND RECOMMEND APPROVAL OF THIS PRELIMINARY PLAN ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

CITY ENGINEER  
CITY OF HARTFORD, SOUTH DAKOTA

### CITY PLANNING COMMISSION

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF HARTFORD, SOUTH DAKOTA THAT THIS PLAT BE APPROVED AND THAT THE SAME BE PRESENTED TO THE CITY COUNCIL WITH THE RECOMMENDATION TO ADOPT SAID PLAT.

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

CHAIRMAN  
CITY OF HARTFORD PLANNING COMMISSION

### CITY COUNCIL RESOLUTION

WHEREAS THIS PLAT HAS BEEN EXAMINED BY THE CITY COUNCIL OF HARTFORD AND IT APPEARS TO THE CITY COUNCIL THAT THE SYSTEM OF STREETS SET FORTH THEREIN CONFORMS TO THE SYSTEM OF STREETS OF THE EXISTING PLATS OF THE CITY, THAT ALL PROVISIONS OF THE CITY'S SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH, THAT ALL TAXES AND SPECIAL ASSESSMENTS UPON THE TRACT OR SUBDIVISION HAVE BEEN FULLY PAID, AND THAT SUCH PLAT AND THE SURVEY THEREOF HAVE BEEN EXECUTED ACCORDING TO LAW.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HARTFORD, SOUTH DAKOTA THAT SAID PLAT IS HEREBY APPROVED, AND THE CITY FINANCE OFFICER IS HEREBY DIRECTED TO ENDORSE ON SAID PLAT A COPY OF THIS RESOLUTION AND CERTIFY THE SAME THEREON.

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

MAYOR  
CITY OF HARTFORD, SOUTH DAKOTA

### FINANCE OFFICER'S CERTIFICATE

I, \_\_\_\_\_, THE DULY APPOINTED, QUALIFIED, AND ACTING FINANCE OFFICER OF THE CITY OF HARTFORD, SOUTH DAKOTA, HEREBY CERTIFY THAT THE CERTIFICATE OF APPROVAL ARE TRUE AND CORRECT INCLUDING THE SIGNATURE THEREON, AND THAT ANY SPECIAL ASSESSMENTS WHICH ARE LIENS UPON THE LAND SHOWN IN THE ABOVE PLAT, AS SHOWN BY THE RECORDS IN MY OFFICE, ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020, HAVE BEEN PAID IN FULL.

CITY FINANCE OFFICER  
HARTFORD, SOUTH DAKOTA

### COUNTY TREASURER'S CERTIFICATE

I, TREASURER OF MINNEHAHA 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 \_\_\_\_\_, 2020

COUNTY TREASURER  
MINNEHAHA COUNTY, SOUTH DAKOTA

### DIRECTOR OF EQUALIZATION

I, DIRECTOR OF EQUALIZATION OF MINNEHAHA COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT A COPY OF THE ABOVE PLAT HAS BEEN FILED AT MY OFFICE.

DIRECTOR OF EQUALIZATION  
MINNEHAHA COUNTY, SOUTH DAKOTA

PREPARED BY:



3241 E. BISON TRAIL  
SIOUX FALLS, SD 57108  
PHONE: 605-271-5527  
EMAIL: infrastructure@redg.com

### LOT 1 OF HAINES ADDITION

AN ADDITION IN THE EAST HALF OF THE SOUTHEAST QUARTER (E 1/2 SE 1/4) OF SECTION 24, TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE 5TH. P.M., MINNEHAHA COUNTY, SOUTH DAKOTA

PROJECT NO: 19173  
DATE: 03/04/2020  
DRAWN BY: BMK  
CHECKED BY: BMK  
SHEET NO: 2 OF 3

## LOT 1 OF HAINES ADDITION

AN ADDITION IN THE EAST HALF OF THE SOUTHEAST QUARTER (E 1/2 SE 1/4) OF SECTION 24,  
TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE 5TH. P.M., MINNEHAHA COUNTY, SOUTH DAKOTA

### ROAD AUTHORITY CERTIFICATE

I, \_\_\_\_\_ OF THE \_\_\_\_\_  
(NAME) (TITLE) (AGENCY)

DO HEREBY CERTIFY THAT THIS PLAT AND ACCESS LOCATION HAS BEEN REVIEWED  
BY ME OR MY AUTHORIZED AGENT AND THAT THIS PLAT IS RECOMMENDED FOR  
APPROVAL.

### REGISTER OF DEEDS

FILED FOR RECORD THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020, AT \_\_\_\_\_

O'CLOCK \_\_M., AND RECORDED IN BOOK \_\_\_\_\_ OF PLATS ON PAGE \_\_\_\_\_

REGISTER OF DEEDS  
MINNEHAHA COUNTY, SOUTH DAKOTA

PREPARED BY:

**infrastructure**  
design group, inc.

3241 E. BISON TRAIL  
SIOUX FALLS, SD 57108  
PHONE: 605-271-5527  
EMAIL: infrastructure@redg.com

### LOT 1 OF HAINES ADDITION

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(E 1/2 SE 1/4) OF SECTION 24, TOWNSHIP 102 NORTH, RANGE 51  
WEST OF THE 5TH. P.M., MINNEHAHA COUNTY, SOUTH DAKOTA

PROJECT NO: 19173

DATE: 03/04/2020

DRAWN BY: BMK

CHECKED BY: BMK

SHEET NO: 3 OF 3

February 25, 2020

To the Harford City Council,

We would like to thank you for taking the time to hear our request for a plat. My wife, Randi, and I have five children ages 9, 7, 5, 3, and 1. We purchased the Hahn farmstead, at 25981 466<sup>th</sup> Ave, in April of 2018 with the intention of building our permanent residence. Since April 2018 we engaged a local Hartford contractor to help with planning and construction, in addition to investing heavily in equipment, cleanup, tile, roadways, tree removal, engineering, remapping the flood plain and rural water. We also worked with our neighbor to continue to rent him the property at low values relative to other neighbors and we worked with another neighbor to allow them to place their drain tile through our property at no cost. Our goal is to be good, contributing members of our community.

Our request is to have +/- 9.9 acres carved out of our existing +/- 80 acre parcel to build our permanent residence. We are also requesting we be exempted from having to sign the pre-annexation agreement. ~~We have been told the pre-annexation agreement, which came into~~ existence after we acquired our property, is intended for multi-home subdivisions to avoid a "doughnut hole" from a city planning standpoint. We are making substantial investments in infrastructure, such as water and septic, which should last us decades. Our fear is the investments we are making today could all be negated, only to have to pay substantial dollars to connect to city services when it is not necessary for our family.

We look forward to the discussion and appreciate the Council's time.

With best regards,



Wyatt Haines

November 5, 2019

Mrs. Teresa Sidel  
City of Hartford  
[cityhall@hartfordsd.us](mailto:cityhall@hartfordsd.us)

Re: Haines Add, Lot 1  
Plat Review



12\_19021 | SEI No.  
Plat for Review | Encl  
Beau Koopal | Cc

Dear Mrs. Sidel:

Stockwell Engineers, Inc. reviewed the enclosed plat for the abovementioned project. The developer addressed our previous comments to our satisfaction. We have no further comments and recommend the surveyor certify the plat and deliver final copies to city hall, accompanied by an executed annexation agreement, for approval.

Please note, our review is for general conformance with city standards. Comments are provided as a courtesy to aid the developer in preparing submittals. The responsibility to comply with state and local ordinances shall remain with the developer and his or her representatives. Copies of the city's subdivision regulations, design standards and local ordinances are available at city hall for the developer's reference. If there are any questions regarding our correspondence, please contact our office.

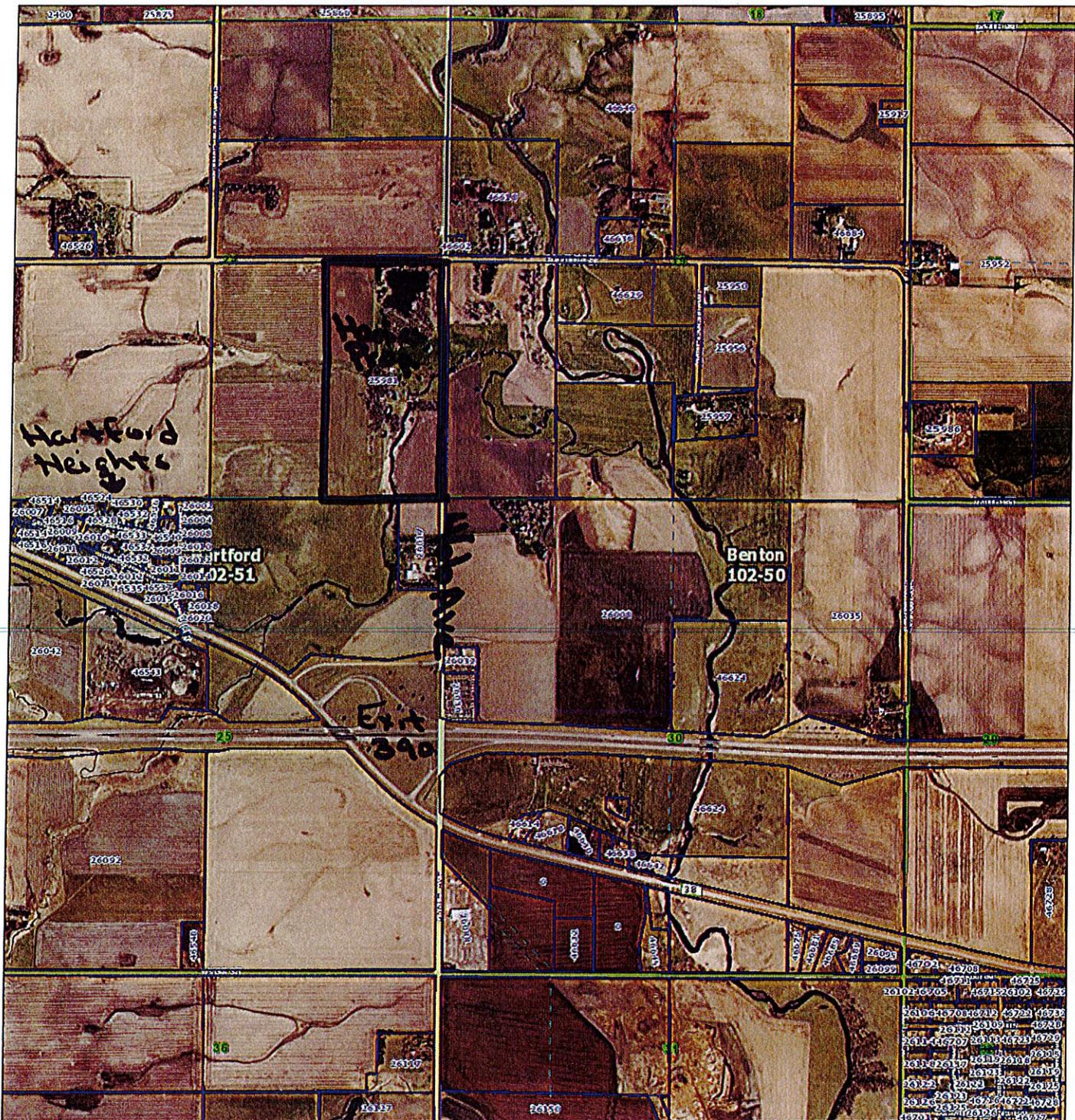
Respectfully submitted,

STOCKWELL ENGINEERS, INC.

A handwritten signature in black ink that reads 'Mitchell Mergen'.

Mitchell Mergen, PE  
Representing City Engineer

# Wyatt & Randi Hanies Property

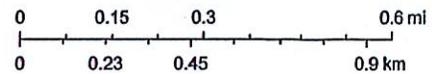


3/5/2020, 11:43:51 AM

County Tax Lines

- PLAT
- - TAXLOT
- ▭ County Parcels
- ▭ Municipalities
- ▭ Section
- ▭ Townships

1:18,056



Sources: Esri, HERE, Garmin, Intermap, Increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, City of

# Ord #653 – Subdivision Regulations

## Article 4: General Requirements

### 4.1 Assurances

**4.1.1 Subdivision Construction Agreement:** No Plat of any subdivision shall be approved until the Subdivider has executed a subdivision construction agreement as the responsible party to establish the responsibility and security for the construction and warranting of the public improvements required by these regulations in a satisfactory manner and within a period specified by the Authorized Official, such period not to exceed two years. Sample language of the subdivision construction agreement is included in Appendix A.

**4.1.2 Maintenance Agreements:** Where the subdivision contains sewers, sewage treatment plants, water supply systems, park areas, storm drainage systems, road systems, or other facilities or services which are necessary to or desirable for the area, and which are of common use or benefit and which are not accepted for maintenance by the City, provisions shall be made by maintenance agreement for the proper and continuous maintenance and supervision of such facilities. A final and signed copy of the agreement shall be attached to each and every Plat having a facility or service covered by such an agreement.

**4.1.3 Public Space Contributions:** The City recognizes the need for open space and recreational areas for the health and welfare of its citizens. Therefore, the City shall require a dedication of land for public use as parks, playgrounds, public open spaces, and/or trails prior to the approval of any Plat within the City's corporate limits. The minimum dedication of land shall be five percent of the entire land within the subdivision. Land to be dedicated shall be free of encumbrances such as floodways or restrictive easements. In lieu of the minimum dedication of land, the Authorized Official may require the Subdivider to contribute cash. The amount of the cash contribution shall be \$1000 per acre or fraction thereof being subdivided.

**4.1.4 Annexation:** No Plat within the City's unincorporated jurisdiction shall be approved unless the Subdivider has filed a petition for annexation or executed an agreement to annex with the City Council. In general, annexation agreements shall be written to require the property to annex voluntarily at the request of the City and at the time the subdivision becomes contiguous with the City's corporate limits. All infrastructure shall be improved to meet the City's Design Standards at the time of annexation. Landowners within said subdivision shall be responsible for the cost of improvements. Annexation agreements shall be recorded with the County Register of Deeds at the time of platting.

PREPARED BY:

City of Hartford

125 N Main Avenue

Hartford, SD 57033

605.528.6187

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**PRE-ANNEXATION AGREEMENT**

This Pre-Annexation Agreement (the "Agreement") is made and entered into by and between the City of Hartford (the "City") and the undersigned property owners (the "Owners"). The purpose of this Agreement is to set forth the terms and conditions for the voluntary annexation of the Subdivision (defined below) by the City of Hartford.

---

The City and the Owners understand that the City's growth will eventually result in the City's municipal boundary becoming adjacent to the boundary of the Subdivision and that the annexation of the Subdivision will then be possible.

For and in consideration of the annexation of the property described below and the mutual promises set forth herein, the parties agree as follows:

1. Pursuant to SDCL 9-4-1.1, the owners of the property within the Subdivision will submit a Petition for Voluntary Annexation (the "Petition") within sixty days of receipt of a request by the City for the annexation of the real property described below subject to the terms and conditions set forth herein.

Lot 4A and Lot 8A in Block 2 of Brower Addition an Addition in the Southwest Quarter of Section 27, Township 102 North, Range 51 West of the 5<sup>th</sup> Principal Meridian, Minnehaha County, South Dakota.

(the "Subdivision")

2. The Owners agree that when they submit a Petition for Voluntary Annexation to the City that all of the real property within the Subdivision will be included in and subject to the Petition.
3. Owners agree to connect to City water and sanitary sewer mains within one year of installation of City water and sanitary sewer mains at the Owners' sole expense.
4. Once annexed, the owner agrees not to submit a petition to De-Annex.



I, the undersigned, a notary public in and for the county and state aforesaid, do hereby certify that Jeremy Menning, personally known to me to be the Mayor of the City of Hartford, a municipal corporation, and Karen Wilber, personally known to me to be the City Finance Officer of said corporation and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Mayor and City Finance Officer, they signed and delivered the said instrument as Mayor and City Finance Officer of said municipality and caused the corporate seal of said municipality to be affixed thereto pursuant to authority given by the corporate authorities of the City of Hartford as their free and voluntary act and as the free and voluntary act and deed of said municipality for the uses and purposes therein set forth.

In Witness Whereof, I have hereunto set my hand and official seal.

(SEAL)

---

Notary Public, South Dakota  
My Commission Expires: \_\_\_\_\_

OWNER

\_\_\_\_\_  
\_\_\_\_\_

STATE of SOUTH DAKOTA     )  
  )SS  
COUNTY OF MINNEHAHA    )

On this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned officer, personally appeared Vance Peterson and Bev Peterson, who acknowledged himself and herself to be the property owners, and that he being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing.

In Witness Whereof, I have hereunto set my hand and official seal.

(SEAL)

\_\_\_\_\_  
Notary Public, South Dakota  
My commission expires \_\_\_\_\_

SAMPLE

## Feb. 20 Building Inspection Report

<u>Date</u>	<u>Address</u>	<u>Permit #</u>	<u>Type</u>	<u>Status</u>	<u>Comments</u>
2/3/2020	102 S. Mundt ave	2017-34	bld	status	working with owner on outstanding items to be done for remodeling project
2/4/2020	627 Cressman Trail	2020-1	bld	framing	approved lower level framing
2/4/2020	103 W. 6th street	2019-103	bld	status	interior remodeling work continuing
2/4/2020	107 N Vandemark ave	2019-97	bld	final	closed out rear yard deck project
2/4/2020	702 E. 2nd street	2019-90	bld	status	new house tech school project on going
2/4/2020	200 Mary Lane	2019-55	bld	status	front deck remodeling on going
2/5/2020	209 N. Mundt	2019-94	bld	status	reroof in progress
2/5/2020	405 Mulligan Circle	2019-100	bld	Status	lawn shed in progress
2/8/2020	913 Trojan ave	2019-7	bld	final	closed out lower level permit
2/8/2020	107 E. Railroad	2020-2	bld	Status	check on commercial job
2/8/2020	106 S. Vandemark ave	2019-73	bld	final	closed out reroof job
2/8/2020	103 N. Kingsbury	2019-61	bld	Status	residing and window job 80% done
2/8/2020	808 Trojan	2019-88	bld	Status	new house rough framing beginning
2/10/2020	100 E. 9th st. Lot 6B		CE	Status	checked on condemed unit
2/10/2020	100 E. 9th st. Lot 5B	2018-98	bld	Status	checked on mobile home addition project
2/13/2020	801 W. 201 Street	2017-18	bld	final	closed out lower level permit
2/13/2020	103 Kalvin Drive	2019-46	bld	final	closed out twin home permit
2/13/2020	304 N Main ave	2018-101A	bld	final	closed out house addition and remodeling project
2/18/2020	1001 N. Oaks ave	2019-96	bld	footing	approved interior pier footings
2/18/2020	204 W. 4th street	2019-74	bld	status	move on Governors house now on site
2/18/2020	103 E. Opal Lane	2019-37	bld	Status	new house checklist being worked on.
2/18/2020	107 N.Vandemark	2018-43	bld	Status	new house checklist being worked on.
2/21/2020	706 Partee drive	2020-5	bld	framing	approved lower level framing
2/21/2020	107 S. Eastern ave	2020-2	bld	framing	approved commercial interior remodel
2/22/2020	909 Par Tee	2017-110	bld	final	closed out addition project
2/22/2020	1001 N. Oaks ave	2019-74	bld	Status	rough framing progressing
2/24/2020	1070 Ruud Lane	2017-125	bld	status	commercial bld updates
2/24/2020	100 S. Vandemark ave	2019-79	bld	Status	deck 60% done
2/25/2020	116 W. Opal Lane	2014-11	bld	final	closed out lower level permit
2/26/2020	100 S. Kelly Ave		bld	Status	checked on site for potential construction at home
2/28/2020	808 Trojan Avenue	2019-95	bld	Status	rough framing progressing
2/28/2020	805 Trojan ave	2019-72	bld	Status	finishing items for new house in progress

February 2020 Code Enforcement Report

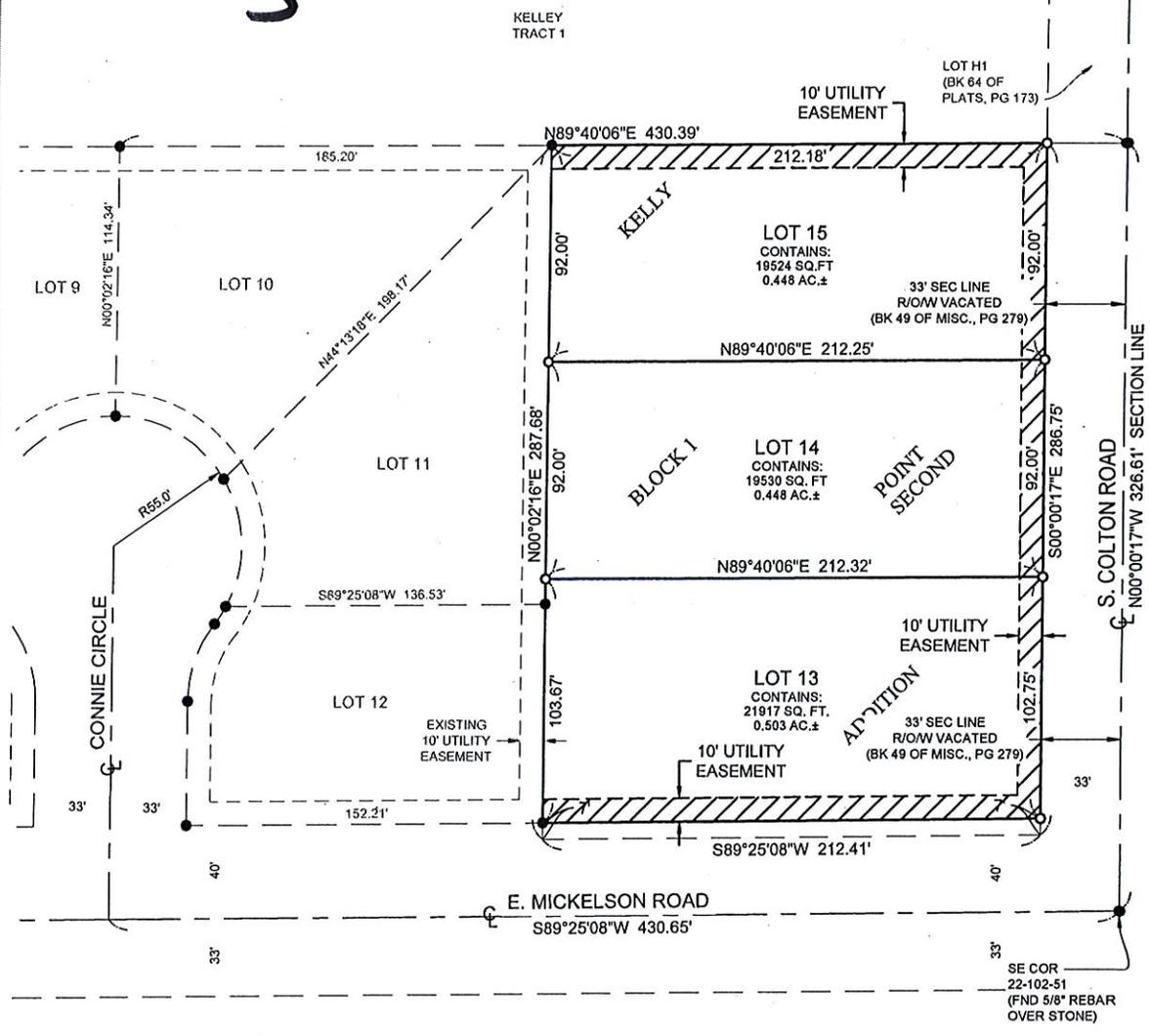
<u>ADDRESS</u>	<u>DATE</u>	<u>CODE TYPE</u>	<u>REASON</u>	<u>SOURCE</u>
205 N OAKS AVE	2/8/2020	MUNICIPAL	PARKING ON GRASS	S
302 W 6TH ST	2/8/2020	MUNICIPAL	SNOW ON SIDEWALK	S
108 N MUNDT AVE	2/11/2020	MUNICIPAL	SNOW ON SIDEWALK	S
105 E 2ND ST	2/11/2020	MUNICIPAL	SNOW ON SIDEWALK	S
702 CRESSMAN TRAIL	2/15/2020	MUNICIPAL	SNOW ON SIDEWALK	R
307 W OPAL LANE	2/15/2020	MUNICIPAL	SNOW ON SIDEWALK	R
309 W OPAL LANE	2/15/2020	MUNICIPAL	SNOW ON SIDEWALK	R
305 W OPAL LANE	2/15/2020	MUNICIPAL	SNOW ON SIDEWALK	R
523 KIA DRIVE	2/25/2020	MUNICIPAL	BLOCKING SIDEWALK	S

S=Staff

R=Resident

LOTS 13, 14 AND 15, BLOCK 1, KELLY POINT SECOND ADDITION TO THE CITY OF HARTFORD, MINNEHAHA COUNTY, SOUTH DAKOTA

Jarding Plat -

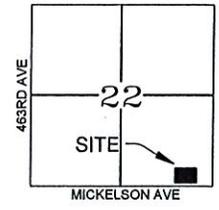
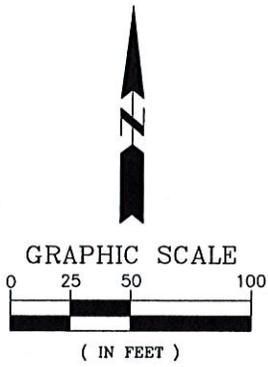


**Notes:**  
The bearing system for this plat is assumed.

This plat was prepared without the benefit of a title commitment.

**Legend**

- - Denotes 5/8 inch by 18 inch rebar set and marked by License No. 6250
- - Denotes found monument
- - Denotes 5/8 inch by 18 inch rebar Witness Corner set and marked by License No. 6250
- (R) - Record Distance
- (M) - Measured Distance



**VICINITY MAP**  
SECTION 22-102-51

Total Area Surveyed:  
1.399 Acres±