

PLANNING AND ZONING AGENDA
TUESDAY, MAY 12, 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:
 - April 28, 2020 Meeting

- 4) HEARINGS/PETITIONS/APPLICATIONS

*****Adjourn as Planning and Zoning Board & reconvene as Board of Adjustment**

- 7:05 Hearing – Variance for Rear Yard Setback - 206 S Main Ave

- 7:15 Hearing – Variance for Accessory Building Setback– 501 N Eastern Ave

*****Adjourn as Board of Adjustment & reconvene as Planning and Zoning Board**

- 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, May 26, 2020

Planning and Zoning Meeting – Regular Meeting April 28, 2020

Chairman Tony Randall called the meeting to order at 7:00 p.m. via teleconference with the following planning and zoning members connected: Mark Anderson, Tim Graham, Brad Miles, Stephanie Olson-Voth, with Eric Bartmann arriving at 7:06pm. City Administrator Teresa Sidel, Building Inspector Paul Clarke and Code Enforcer Bryan Voth also participated. There was one member of the public present.

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

Approval of the Minutes: The March 31, 2020 meeting minutes were reviewed. A motion was made by Anderson, second by Miles to approve the March 31, 2020 regular meeting minutes – all voted yes, motion carried

New Business:

- **Request for Temporary Off-Street Parking at 511 N Main Ave:** Ben Parker of 511 N Main Avenue has requested a temporary parking pass to allow him to park his camper in the grass in his back yard for up to 8 weeks during a home remodel. They would be using the camper for temporary living quarters – sleeping, cooking, eating during the remodel. They have a steep driveway and leveling the camper in the driveway would be difficult. All off-street parking on private property is addressed in the city’s zoning regulations for Off-Street Parking but temporary parking is not addressed in the ordinance. The Board reviewed the request with Mr. Parker. Concerns about complaints from other citizens was discussed - Mr. Parker did receive written permission from all adjoining neighbors and stated that once the remodel was completed, the camper will be moved. Because of the unique circumstances, the consensus of the Board was to allow the temporary parking under the following conditions: 1) Backyard parking will only be allowed for up to 8 weeks; 2) Parking will only be allowed in the backyard; 3) All Vegetation will be restored to prior conditions. The Board will be reviewing the city’s Off-Street Parking Ordinance and discuss future revisions to address temporary parking.

Updates:

- **Building Inspector Update:** Building Inspector Paul Clarke updated the Board on open permits for residential and commercial projects. An update was also provided on the removal progress of the condemned trailer in the Northside Mobile Home Park.
- **Code Enforcer Update:** Code Enforcer Bryan Voth was present to update the Board on the ordinance change for vegetation on undeveloped properties. He also reminded the Board that the city’s on-street parking timeframe has changed from 3 days to 7 day, April 15th through October 15th. Currently, he is monitoring the new fence permits that are being issued and working with junk violations on a couple of properties in town. Mr. Voth also informed the Board that the Knox Box lock box system is not in place yet, Bryon Shumaker is still working with the Know Box company to get this in place.
- **City Administrator Update:**
 - **Permits:** Building permits has picked up the last couple of weeks with a lot of permits for fences, sheds, decks and some flatwork.
 - **City updates:** The city has hired a new Chamber and Economic Development Director. His name is Gabe Steinmeyer and he is set to begin May 4th if he can secure housing and his move by then. The city also has a new full-time public works assistant, Alan Brown. He started his duties with the city on April 13th. For now, the council has postponed opening the pool until July and postponed the Park Rec program until July - both items will be discussed again in June.
 - **Projects:** No changes in the 9th Street project or the Western Avenue sewer project at this time – both are moving ahead. The city is also moving forward with a reconstruction of the intersection at Opal Lane and Ruud Lane. This intersection was not properly placed and has deteriorated so the city placed funds in our budget to reconstruct this year – it will probably bid out next month.
 - **Upcoming Meeting:** On May 12th there are 2 variance hearings scheduled.

Adjournment: A motion was made by Graham, second by Miles to adjourn at 7:35 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.

Teresa Sidel, City Administrator

17.04 Variances

The Board of Adjustment shall have the jurisdiction to hear and decide upon petitions for variances to vary the strict application of the height, area, setback, yard, parking or density requirements as will not be contrary to the public interest. For purposes of these regulations, public interest shall include the interests of the public at large within the City, not just neighboring property owners. At all times, the burden shall be on the applicant to prove the need for a variance. The following issues are to be considered, each and all of them, as determining factors in whether or not the issuance of a variance is justified:

- A. An unnecessary hardship must be established by the applicant who applies for the variance. For purposes of this Chapter, an unnecessary hardship is a situation where, in the absence of a variance, an owner can make no feasible or reasonable use of the property. Convenience, loss of profit, financial limitations, or self-imposed hardship shall not be considered as grounds for approving a variance by the Board of Adjustment.
- B. Literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.
- C. The variance requested is the minimum variance that will alleviate the hardship.
- D. Granting of the variance will comply with the general purpose and intent of this ordinance, and will not be offensive to adjacent areas or to the public welfare.
- E. No nonconforming use or structure in the same district and no permitted or nonconforming use or structure in other districts shall be considered grounds for the issuance of a variance.
- F. Exceptional and extraordinary circumstances apply to the property that do not apply to other properties in the same zone or vicinity and that result from lot size or shape, topography or other circumstances which are not of the applicant's making.
- G. In order to preserve the intent of these Zoning Regulations and to protect the public interest, the Board of Adjustment may attach conditions to a Variance. A Variance shall remain valid only as long as the property owner complies with any terms and conditions of the Variance, as attached by the Board of Adjustment.
- H. An Application for a Variance, available from the Zoning Administrator of the City of Hartford, shall be completed by the landowner requesting the Variance. Completed applications shall be returned to the Zoning Administrator for review. To be considered completed, the application shall contain the following information:
 - 1. Legal description of the land on which such variance is requested, together with local street address;
 - 2. Name and address of each owner of the property;
 - 3. Name, address, phone number and signature of the applicant;
 - 4. Zoning district classification under which the property is regulated at the time of such application;
 - 5. Description of the variance sought from the Zoning Regulations;
 - 6. Be accompanied with a site plan, unless waived by the Zoning Administrator.
- I. The Zoning Administrator shall review the application, and shall make a recommendation to the Board of Adjustment to either approve or not approve said application. The Zoning Administrator's recommendation shall include a summary of the application, and the reasons and justification for either approval or disapproval of the application.
- J. The Zoning Administrator shall set the date, time and place for a public hearing to be held by the Board of Adjustment. The Zoning Administrator shall notify the landowner by mail, and shall post notices of the public hearing at the City Office and on the property affected by the proposed Variance no less than ten (10) days prior to the scheduled public hearing. No less than ten (10) days before the public hearing, the Zoning Administrator shall publish notice of the public hearing in a legal newspaper of the city.
- K. The public hearing shall be held. The applicant may appear in person, or by agent or attorney. Minutes of the public hearing shall be recorded and kept in the records of the Board of Adjustment. Written findings certifying compliance with the specific rules governing the action considered at the public hearing shall be completed by the Board. The concurring vote of two-thirds (2/3) of the members of the Board of Adjustment shall be necessary to approve any variance or arrive at any determination.

APPLICATION FOR ZONING VARIANCE
HARTFORD, SOUTH DAKOTA

APPLICATION NUMBER: 2020-4-23 FEE \$20.00: 1889 check# or cash
APPLICANT: Robert Dobbs APPLICANT ADDRESS: 206 S. Main
PHONE NUMBER: 321-6516 EMAIL ADDRESS: rtdobbs@hotmail.com
LEGAL DESCRIPTION: Lot N Munds Subd Lot 2 Block 3
South addn to City
VARIANCE ADDRESS: 206 S. Main
ZONING DISTRICT: Res

DESCRIPTION OF VARIANCE REQUEST: Extend Garage 35' to east.
The adjoining lot is part of Property. Was separated due
to Flood Plain. Garage addition would NOT Exceed lot line

I (we) hereby certify that the information given is correct and true and furthermore, I (we) agree to comply with any and all conditions concerning approval of this application and other zoning requirements of the City of Hartford. I (we) understand that if granted, the variance is subject to easements, restrictions and covenants of record.

[Signature]
Signature of Applicant

4-17-20
Date

[Signature]
Authorized Zoning Official

4-23-20
Date

FOR OFFICE USE ONLY:

The Board of Adjustment (consisting of all members of the Planning and Zoning Board) shall hear and decide all appeals. A variance shall not be allowed to vary the use regulations.

Date of Public Hearing held by the Board of Adjustment: May 12 Time: 7:05
Granted _____ Denied _____ (2/3 members necessary to approve any appeal)

(signature of Chairman, Board of Adjustment)

If not granted, state reasons: _____

Notice published in Official Newspaper for P&Z Hearing (Not less than 10 days Prior to Hearing): _____
Notice posted on Property for P&Z Hearing (10 days prior to Hearing): _____
Public Hearing by Board of Adjustment: _____

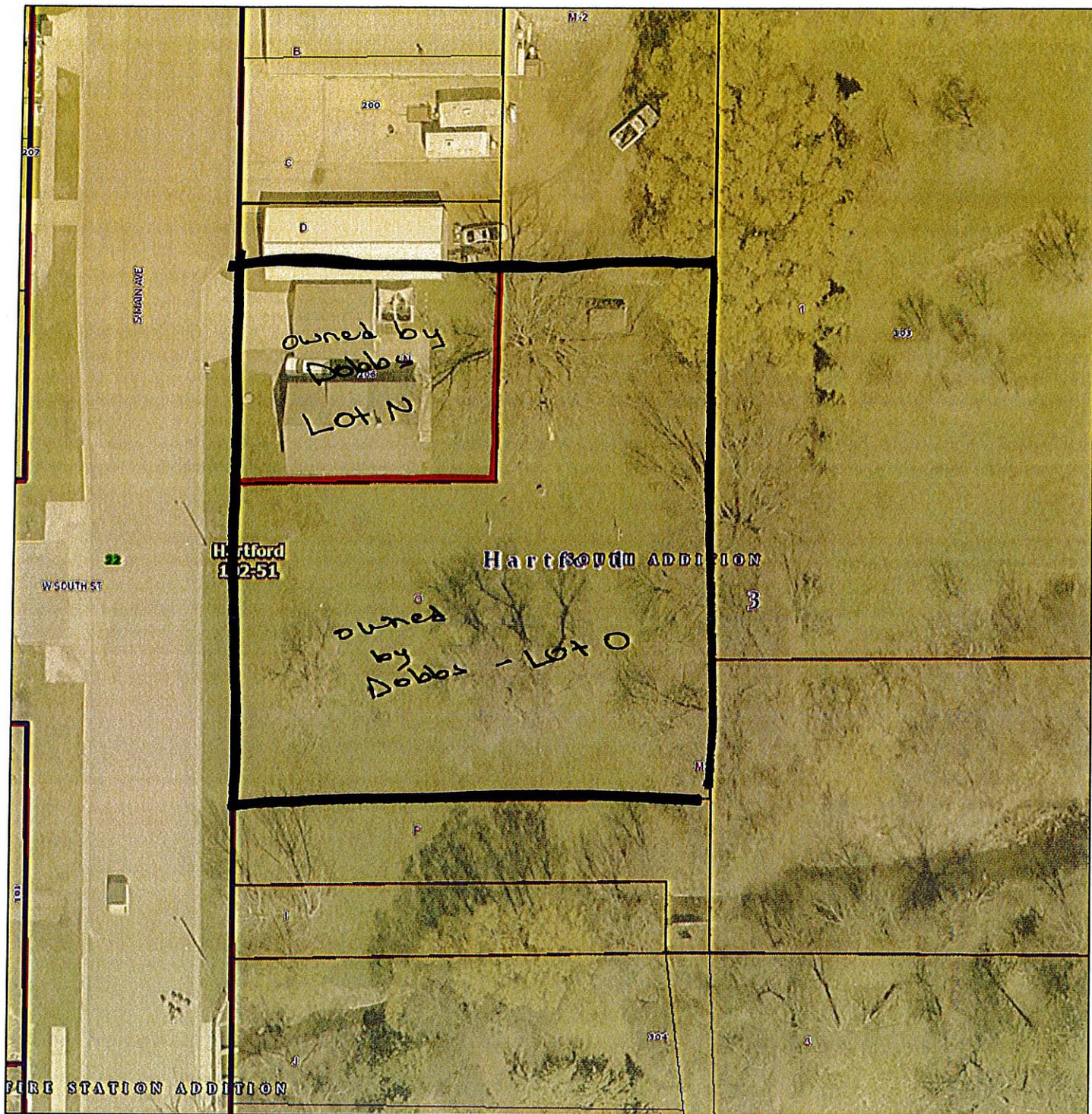
PUBLIC NOTICE

The Hartford Planning and Zoning Board, acting as the Board of Adjustment, will conduct a public hearing at 7:05 p.m. on Tuesday, May 12, 2020 at Hartford City Hall to review a variance application submitted by Robert Dobbs for Lot N of Mundts Subdivision of Lot, Block 3 of South Addition. The request is to reduce the rear yard setback to 19 feet instead of 25 feet. All interested parties may appear and be heard.

Dated this 30 day of April 2020.

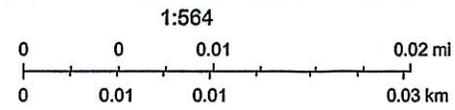
Teresa Sidel
City Administrator

Rob Dobb Land



4/23/2020, 10:05:18 AM

- 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



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

S MAIN AVE

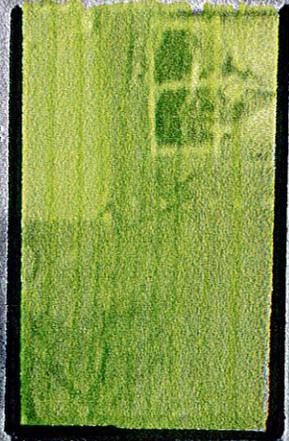
22

Hartford
102-51

206

N

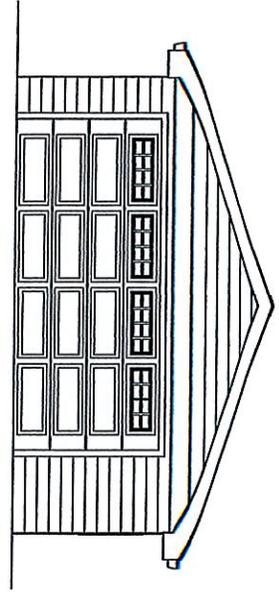
MORNING ADDITION



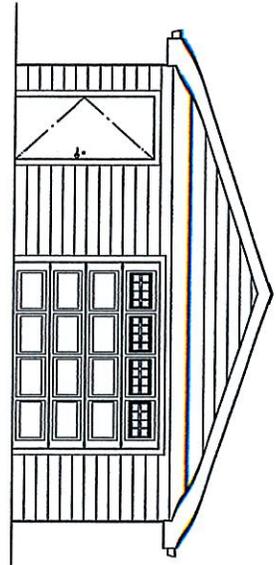
Map

1/2 Foot

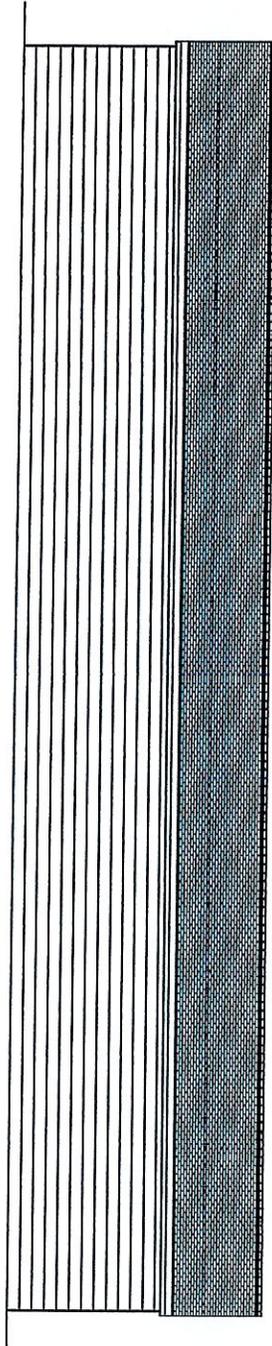
The property is currently separated into 2 lots due to modifications in property lots to accommodate a trade with the City for property they desired which runs along the creek. Originally the property existed of 5 lots. These were merged into the current 2 which also addresses flood plain designations. However it is all one property.



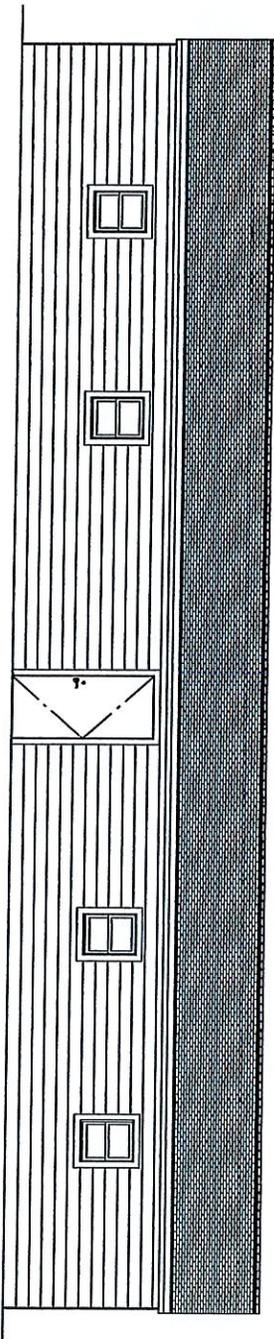
Exterior Elevation Front



Exterior Elevation Back



Exterior Elevation Left



Exterior Elevation Right

SCALE:

4/19/2020

Project Description:

Rob Dobbs
22x35 Garage Addition

DRAWINGS PROVIDED BY:



THESE DRAWINGS ARE THE PROPRIETY WORK PRODUCT AND PROPERTY OF HBC INC. (HARTFORD, SD), DEVELOPED FOR EXCLUSIVE USE BY HBC INC. AND ITS AUTHORIZED REPRESENTATIVES. USE OF THESE DRAWINGS AND THE CONCEPTS CONTAINED HEREIN WITHOUT EXPRESS WRITTEN CONSENT OF HBC INC. IS PROHIBITED AND MAY SUBJECT YOU TO A CLAIM FOR DAMAGES FROM HBC INC.

13

ADJUSTMENTS TO YARD REGULATIONS

13.01 Adjustment to Front Yard Requirements

A front yard may be adjusted to an average of the adjacent structures front yards where existing adjacent structures have a front yard less than required.

13.02 Adjustment to Side Yard Requirements

Buildings constructed prior to the effective date of this Ordinance with side yard setbacks of less than required by this Ordinance, may have additions erected in line with the existing building and provided further that said addition will be erected no closer to the lot line than the existing building.

13.03 Projection From Buildings

Every part of any required yard shall be open to the sky and unobstructed except:

- A. Eaves may project into a front, side, or rear yard;
- B. Ordinary projection of sills, belt courses, cornices, vertical solar screen, ornamental features which may project twelve (12) inches;
- C. Air conditioner may project into a required side or rear yard setback;
- D. An open, unenclosed porch may project into a required front yard for a distance not exceeding ten (10) feet. Balconies and paved terraces may project six (6) feet into a required front yard for a distance not exceeding six (6) feet. An enclosed vestibule containing not more than 40 square feet may project into a required front yard for a distance not to exceed four (4) feet; and
- E. Terraces, uncovered porches, platforms, decks, and ornamental features which do not extend above the level of ground (first) floor may project into a required yard, provided these projections be distances at least two (2) feet from the adjacent side or rear lot line.

APPLICATION FOR ZONING VARIANCE
HARTFORD, SOUTH DAKOTA

APPLICATION NUMBER: 2020-4-25 FEE \$20.00: Ck 9086 check# or cash

APPLICANT: Brett Jensen _____ APPLICANT ADDRESS: 501 N Easter Ave. _____

PHONE NUMBER: 605-759-6582 _____ EMAIL ADDRESS: brett@midwestfire.com _____

LEGAL DESCRIPTION: Lot 4, Block 2 Maras Addition

VARIANCE ADDRESS: 501 N Eastern Ave _____

ZONING DISTRICT: R

DESCRIPTION OF VARIANCE REQUEST: I would like to request a property line variance on the west side (back property line) of 501 N Eastern Ave. (Home residence) At the time property was being built in 2016, the setbacks were different from that of today. The original intensions during construction were to allow enough room for a storage shed for future use of storing a mobile housing unit (camper). With the current change in setbacks, it does not allow enough room to facilitate this need. I would like to apply for a 4' variance allowing the distance from the outbuilding to the rear property line being that of 6'. This will allow enough space inside the facility to extend the sides and be able to walk around the unit.

I (we) hereby certify that the information given is correct and true and furthermore, I (we) agree to comply with any and all conditions concerning approval of this application and other zoning requirements of the City of Hartford. I (we) understand that if granted, the variance is subject to easements, restrictions and covenants of record.

Brett Jensen
Signature of Applicant

4/24/20
Date

Seena D. D.
Authorized Zoning Official

4-24-20
Date

FOR OFFICE USE ONLY:

The Board of Adjustment (consisting of all members of the Planning and Zoning Board) shall hear and decide all appeals. A variance shall not be allowed to vary the use regulations.

Date of Public Hearing held by the Board of Adjustment: May 12, 20 Time: 7:15 pm
Granted _____ Denied _____ (2/3 members necessary to approve any appeal)

(signature of Chairman, Board of Adjustment)

If not granted, state reasons: _____

Notice published in Official Newspaper for P&Z Hearing (Not less than 10 days Prior to Hearing): _____
Notice posted on Property for P&Z Hearing (10 days prior to Hearing): _____
Public Hearing by Board of Adjustment: _____

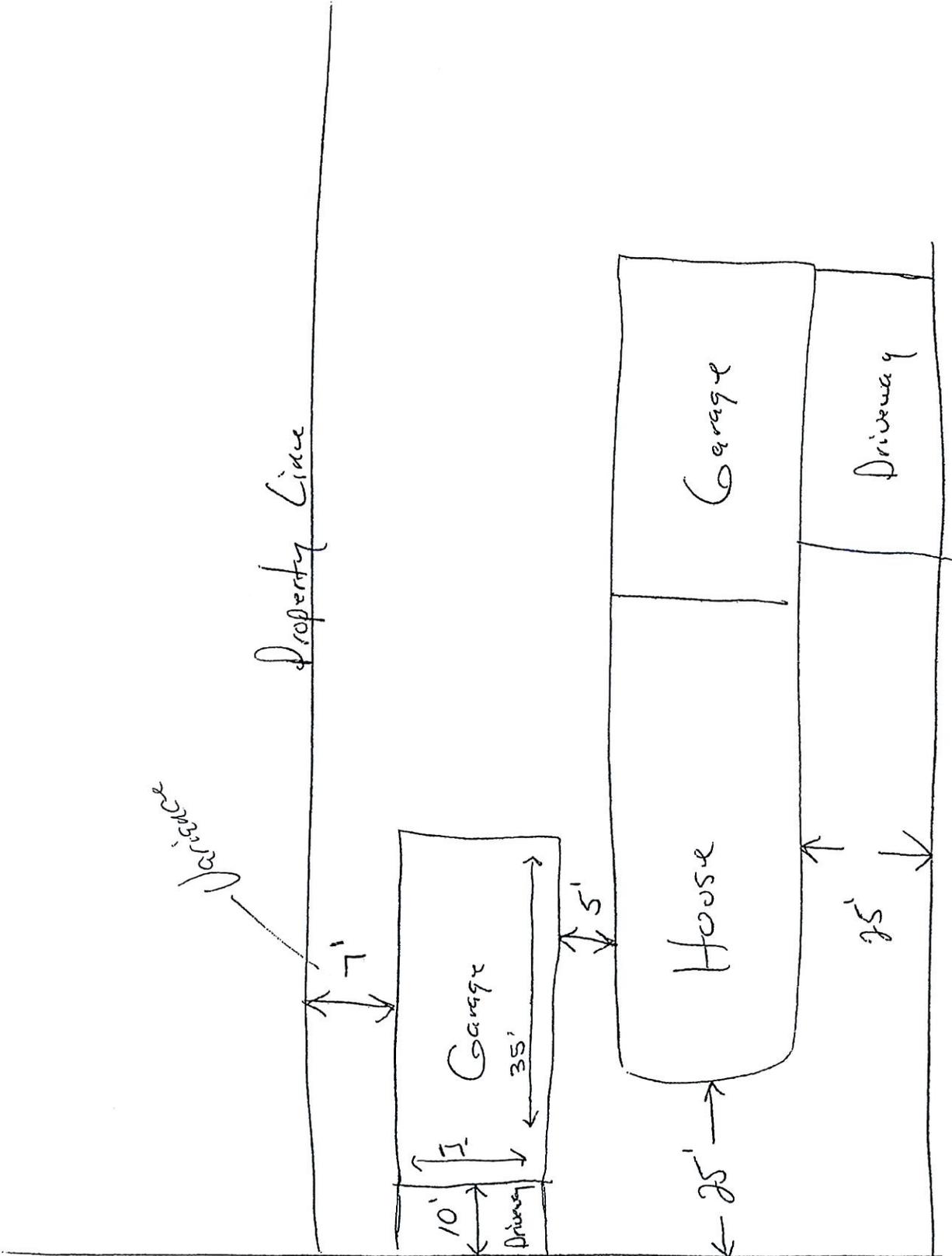
PUBLIC NOTICE

The Hartford Planning and Zoning Board, acting as the Board of Adjustment, will conduct a public hearing at 7:15 p.m. on Tuesday, May 12, 2020 at Hartford City Hall to review a variance application submitted by Brett Jensen for Lot 4, Block 2 of Maras Addition. The request is to reduce the 10 foot setback for an accessory building to 6 foot. All interested parties may appear and be heard.

Dated this 30 day of April 2020.

Teresa Sidel
City Administrator

Street
= 21.5'
(5 5 5)



2

Street
(Eastern Ave)

Ordinance #627 w/ Amended Ordinance #656 – Section 12.03

12.03 Accessory Buildings and Uses

A. In General.

1. No accessory structure or use shall be constructed or developed on a lot prior to construction of the principal building.
2. Any structure placed within an easement that impedes the access or intended use of that easement may be removed by the City or the City's representative at the owner's expense.
3. No accessory building may be placed within drainageways and/or on drainage easements.
4. Accessory buildings may not be used for dwelling purposes.
5. A placement permit is required for accessory buildings under 120 square feet and a building permit is required for accessory buildings over 120 square feet.

B. Accessory Buildings.

1. Except in NRC: Natural Resource Conservation District, no accessory buildings shall be erected or located within any front yard or any required yard, other than the rear yard.
2. Accessory buildings, including, but not limited to, garages, shall not exceed fifteen (15) feet in height as measured from the mean ground level to the highest point of the roof.
3. Accessory buildings 120 square feet or under must be 5 feet or more from all property lines and accessory buildings over 120 square feet must be 10 feet or more from all property lines.
4. The distance between all buildings must be at least 5 feet.
5. Only two accessory buildings shall be permitted per lot.
6. No individual accessory building shall exceed a maximum of 1,000 square feet or 30% of the rear yard, whichever is less.
7. If two accessory buildings are constructed, one must be no larger than 150 square feet.
8. The roofing and siding materials of accessory buildings larger than 150 square feet, except greenhouses, must be of like kind to the principal structure.
9. Any accessory building which is entered directly from an alley shall not be closer than 15 feet to the property line abutting the alley.
10. Accessory buildings not meeting these requirements shall be allowed only as a conditional use.

Building Inspection Log - April 2020

<u>Date</u>	<u>Address</u>	<u>Permit #</u>	<u>Type</u>	<u>Status</u>	<u>Comments</u>
4/1/2020	1103 N. Vandemark ave	2020-20	bl'd	Status	reviewed soil conditions for new house
4/1/2020	1004 Duke Circle	2020-9	bl'd	Status	reviewed soil conditions for new house
4/2/2020	1001 N. Oaks ave	2019-96	bl'd	framing	approved rough framing
4/4/2020	406 Mary Lane	2020-3	bl'd	framing	lower level close in inspection
4/4/2020	103 E. Opal Lane	2019-37	bl'd	Status	sidewalk work completed for new house
4/4/2020	614 Sherwood Circle	2019-81	bl'd	Status	driveway and sidewalk work in progress
4/4/2020	503 S. Colton road	2020-18	bl'd	Status	checked on soil conditions for new house
4/6/2020	503 S. Colton road	2020-18	bl'd	Status	approved footings
4/7/2020	804 Par Tee Drive	2020-21	bl'd	final	closed out lower level remodel
4/7/2020	503 N. Vandemark ave	2020-22	bl'd	footing	approved rear deck footing
4/7/2020	107 N. Vandemark Ave	2019-43	bl'd	Status	continuing to work on final check list items
4/7/2020	501 S. Eastern ave		flat	Status	driveway pad not done yet
4/7/2020	1001 S. Western ave		flat	Status	commercial parking lot work continuing
4/8/2020	100 E. 9th St Lot 6 B		CE	Status	mobile home update
4/9/2020	511 Par Tee Drive	2020-8	bl'd	Status	residing job 50% done
4/11/2020	511 N. Mundt ave	2020-14	bl'd	Status	garage addition-land staked out
4/11/2020	100 W. 6th street	2020-13	bl'd	Status	checked on progress on garage reroof job
4/11/2020	500 S. Feyder ave	2020-15	bl'd	Status	major remodeling job underway
4/11/2020	200 Elm Road	2020-23	bl'd	Status	checked on new shed project
4/11/2020	302 Emma Drive	2019-101	bl'd	Status	checked on 4 season room project
4/11/2020	103 w. 6th street	2019-103	bl'd	Status	major remodeling job on going
4/13/2020	507 Connie Circle	2020-19	bl'd	footing	approved new house footing
4/14/2020	1001 N. Oaks ave	2019-96	bl'd	framing	approved HBC foyer area
4/14/2020	204 W. 4th st	2019-74	bl'd	framing	approved lower level framing and new stairway
4/15/2020	103 E. Opal Lane	2019-37	CE	Status	complaint about junk left on const. site
4/16/2020	703 Sherwood ave	2020-27	bl'd	Status	checked on soil conditions for new house
4/16/2020	100 E. 9th St Lot 6 B		CE	Status	checked on status of abandoned mobile home
4/18/2020	501 S. Eastern ave		flat	Status	prep-excavation work set for parking pad
4/18/2020	100 S. Vandemark ave	2019-79	bl'd	Status	front deck 95% done needs some guardrails

4/18/2020	503 N. Vandemark ave	2020-72	bld	framing	approved rough framing for new patio door
4/18/2020	1103 N. Vandemark ave	2020-20	bld	footing	approved new house footing
4/18/2020	511 Par Tee Drive	2020-8	bld	final	closed out residing job
4/18/2020	751 Shamrock Drive	2020-10	bld	Status	rough framing beginning for new house
4/18/2020	503 S. Colton road	2020-18	bld	Status	footings and foundation walls set-new house
4/18/2020	507 Connie Circle	2020-19	bld	Status	foundation walls set for new house
4/20/2020	712/716 Trojan ave	2020-12	bld	Status	checked on new house framing and fence issue
4/21/2020	1004 Duke Circle	2020-9	bld	footing	approved new house footing
4/21/2020	205 N. Oaks ave	2019-39	bld	final	closed out reroofing job
4/21/2020	511 N. Mundt ave	2020-14	bld	Status	checked on footings set up for garage
4/21/2020	107 Kalvin	2020-18	bld	Status	rough framin beginning for twin home
4/21/2020	400 Mary Lane	2020-4	bld	Status	lower level finish work in progress
4/24/2020	502 Sagehorn drive	2020-6	bld	final	closed out bath remodel job
4/25/2020	701 Par Tee Drive		bld	Status	working with owner a deck projecct
4/25/2020	503 N. Vandemark ave	2020-22	bld	prefinal	reviewed deck patio door project
4/25/2020	401 N. Oaks ave	2019-93	bld	prefinal	reviewed major remodel job
4/25/2020	709 N. Main ave	2019-54	bld	footing	approved front yard deck footings
4/25/2020	703 Sherwood ave	2020-27	bld	footing	approved new house footing
4/27/2020	808 Trojan ave	2019-95	bld	framing	approved new house framing
4/28/2020	805 Trojan ave	2019-72	bld	final	closed out new house
4/28/2020	701 Par Tee Drive		bld	Status	worked with HO about deck project

May 12, 2020 P&Z Notes

Variance Hearings:

- **7:05 Hearing – 206 S Main Ave:** Rob Dobbs of 206 S. Main Ave has submitted a variance application to the city. Mr. Dobbs owns Lot N and Lot O as shown on the map provided in your packet. Originally these lots were divided into 5 lots but a few years ago the city negotiate with Mr. Dobbs to exchange a strip of city ground to the east in return for a strip of his ground to the south that the city plans to use for a future bike trail along the creek. When this exchange happened, the city engineers replatted Mr. Dobbs property into 2 lots – Lot N, which encompasses his house and garage and Lot O which is the remaining ground around it. Instead of making the property one lot, the house and garage was platted separately to allow Mr. Dobbs to get the structures out of the floodplain and remove the requirement for flood insurance. So, he owns both Lot N and O but technically there is a property line around Lot N. He would like to enlarge his existing garage by placing a 22' x 35' addition on to the east of the current structure and making it deeper. He plans to go the same width as the current structure and follow the same side yard setback - Section 13.02 of the city's zoning regulations allows additions to a building that currently do not meet side yard setbacks as long as the addition is erected in line with the exiting building and provided further that said addition will be erected no closer to the lot line than the existing building. This regulation allows him to follow the same side yard setback as the current building so his side yard setback is okay. The only setback issue is that he wants to go 35 feet to the east to make it deeper. This would give only 19 feet to the lot line around Lot N and would only provide 19 feet of a rear yard setback. Although Mr. Dobbs owns both parcels and would not come close to infringing on other properties with this addition, a variance from the Board would be required to allow him to build this addition. I can only see him as possibly qualifying for a variance under Section 17.04D (not offensive to neighboring property owner since he owns the entire property and both lots) but no other condition.
- **7:15 Hearing – 501 N Eastern Ave:** Brett Jensen of 501 N Eastern Ave would like to erect a detached accessory building in his rear yard and is asking for a setback variance along his rear property line. He would like to build a 17'x35' accessory building, our regulations for accessory buildings states that any structure over 120 square feet must be set back 10 feet from all property lines. He plans to set the structure 10 feet off his property line along 5th Street so he meets the setback requirement along 5th Street but his setback to the west would only be 7 feet. The width of Mr. Jensen's property is slightly over 81 feet (81.5' to be exact). His house is set back 25', the house is 27'4" wide so that leaves Mr. Jensen with just over 29 feet to work with in his back yard. If he places the accessory building 5 feet from the house (per city regulations and fire code) and erects a building that is 17 feet wide, this only leaves him with just over a 7 foot setback from his rear property line. I have included a copy of the city's accessory building ordinance for your reference, along with a copy of our variance regulations. I do not see this property meeting the conditions for a variance.

Updates:

Building Inspector Updates:

- Paul Clarke will be present to provide an update to the Board on building permits. The April building permit report, along with his inspection report is in your packet for review.

City Administrator Updates:

- Code Enforcer Report: The April code enforcement report is in your packet for review.
- Appointments: The Mayor is still working on appointing someone for the open P&Z seat – hoping it will be soon. Also, Brittany Glanzer that currently sits on the council for Ward 2 will be moving at the end of the month so a new appointment for ward 2 will have to be found until the next city election, which will be June 23rd.
- City updates: The council is discussing and will be reviewing our policies about the COVID pandemic at each meeting. Currently the following is still in effect but each item will be reviewed again at the next council meeting: The city parks, bike trails and fields have been open and will continue to be open as long as CDC guidelines are followed, park restrooms

opened last Wednesday, the pool is still closed at this point, the city park rec program has been moved to the month of July, and city buildings are still closed to foot traffic but staff is working and handling all business still. I believe it is the city councils' intention to start opening things more and more, while still following CDC guidelines and protecting our citizens and staff members.

- Projects: No changes in the 9th Street project or the Western Avenue sewer project at this time – both are moving ahead. The city is also moving forward with a reconstruction of the intersection at Opal Lane and Ruud Lane. This intersection was not properly placed and has deteriorated so the city placed funds in our budget to reconstruct this year – it is currently being advertised for bids with bid opening planned for May 27th.
- Grants:
 - Hazard Mitigation Grants: The city has applied for 3 hazard mitigation grants this year – 1 for a backup generator at the lift station in the Assam development, 1 for a permanent backup generator at the main sewer lift station and 1 for a storm shelter/restroom/concession stand building at the sports complex. I was advised that applications for these funds outnumbered the amount of money available, but we got 2 of our 3 grant applications funded, pending FEMA approval (which will probably happen late this year). The storm shelter and Assam lift station were approved but the application for the main lift station generator is still on file and will be resubmitted during the next round of grants if funding is available. The generator for the Assam lift station was more of a priority than the main lift station because the main lift station has a warning system in place to alert us of any potential problems with power outages. We do have a portable generator to use if need be but the Assam lift station does not have any warning system so having a permanent generator hooked up to this will give some peace of mind if we lose power out there.
 - TAP Grant: A transportation alternative grant is being submitted by the city for phase 5 for the Bike/Rec Trail System. If awarded funding, this will be a 2021 project and will run along the creek from Turtle Creek Park west to Main Avenue.
 - Bridge Reinspection Program: The city also received funding from the state to help with the costs of conducting bridge inspections as required by the state. Although we do not have any standard bridges within the city, the culverts over Western, Main, Feyder and Mickelson do need inspections by the state and this grant will help cover those costs.
- WWTF: The city is making progress on the future wastewater treatment facility. As you know the life expectancy of our current lagoon system will expire within the next few years, so the city has started plans to locate a new facility (probably a mechanical plant) east of town. We have identified a site and are working to secure the location. Once secured, we will begin design plans.
- Lock Box Requirements: Fire Chief Bryon Shumaker is still working with Knox Box to get this set up on their end – once we get the go ahead from Knox Box, we have letters ready to send out to affected property owners.

Call if you have any Question: 528-6187

2020 APRIL CODE REPORT

<u>ADDRESS</u>	<u>DATE</u>	<u>CODE TYPE</u>	<u>REASON</u>	<u>SOURCE</u>
500 N SAGEHORN DR.	4/4/2020	MUNICIPAL	DUMPSTER PARKED ON STREET	S
307 RAMONA ST.	4/8/2020	MUNICIPAL	PARKED ON GRASS	R
204 N KINGSBURY AVE	4/8/2020	MUNICIPAL	JUNK IN YARD	S
204 N KINGSBURY AVE	4/8/2020	MUNICIPAL	INOPERABLE VEHICLE	S
200 N MAIN AVE.	4/11/2020	MUNICIPAL	JUNK IN YARD	S
100 E 9TH ST. LOT 35	4/14/2020	MUNICIPAL	PARKED ON GRASS	S
305 E 1ST ST.	4/16/2020	MUNICIPAL	PET RUNNING AT LARGE	R
204 N FEYDER AVE.	4/18/2020	MUNICIPAL	PARKED ON GRASS	S
404 CLOVER LEAF AVE.	4/18/2020	MUNICIPAL	TRAILER PARKED ON STREET	S
512 KIA DR.	4/23/2020	MUNICIPAL	DITCH NEEDS CLEANING	R
109 W OPAL LANE	4/30/2020	MUNICIPAL	NO GARBAGE SERVICE	R

S= STAFF

R= RESIDENT