

Planning and Zoning Meeting – Regular Meeting May 12, 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, Eric Bartmann and Brad Miles. Stephanie Olson-Voth attended via teleconference. City Administrator Teresa Sidel and Building Inspector Paul Clarke were also present. There were 3 people from the public in attendance.

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

Approve Minutes of April 28, 2020 Regular Meeting: The April 28, 2020 meeting minutes were reviewed. A motion was made by Bartmann, second by Miles to approve the April 28, 2020 regular meeting minutes – all voted yes, motion carried.

Hearings/Petitions/Applications

A motion was made by Graham, second by Bartmann, to adjourn as the Planning and Zoning Board and reconvene as the Board of Adjustments – all voted yes, motion carried.

- **7:05 Variance Hearing:** Rob Dobbs of 206 S. Main Ave has submitted a variance application to the city. Mr. Dobbs owns Lot N and Lot O in Mundt's subdivision of Lot 2, Block 3 of South Addition. Lot N encompasses the house and garage and was platted separately from Lot O in order to get the structure out of the floodplain. Mr. Dobbs 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, but going 35 feet deep to the east will put the structure too close to the rear property line of Lot N. Mr. Dobbs originally believed that the addition would only give him 19 feet to the rear property line of Lot N instead of the required 25 feet. During the hearing, Mr. Dobbs indicated that he is now unsure where the exact property line is and was not able to provide the Board with an accurate variance request. After review from the Board, it was suggested that in lieu of a variance Mr. Dobbs should pursue replatting the east property line of Lot N since he owns both lots. This would allow the footage required for his rear setback. The property owner agreed to look into this option. A motion was made by Bartmann, second by Graham to deny the setback variance request for 206 S Main Ave – all voted yes, motion carried.
- **7:15 Variance Hearing:** 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 but our regulations for accessory buildings states that any structure over 120 square feet must be set back 10 feet from all property lines. Mr. Jensen's back yard is slightly over 29 feet wide. 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 verses a 10 foot setback as required per city regulations. Charles Meyer of 300 E 5th Street lives just to the west of Mr. Jensen's property. Mr. Meyer had questions about easements and access for utilities – this lot does not have any easements along the rear property line. Mr. Meyer also stated that if the Board granted this variance, that he would expect the same variance be given to his property. The property owner, Mr. Jensen, was also present and he indicated to the Board that when he built his home 3 years ago, he always intended to place a 17' wide accessory building in the rear yard but the setback requirements at that time were only 5 feet – he was unaware of the change in the city's setback regulations. The Board explained the new setback regulations and the reasoning for the change. It was the consensus of the Board that this variance request did not meet the hardship conditions for a variance. A motion was made by Bartmann, second by Olson-Voth to deny the setback variance request for 501 N Eastern Ave – all voted yes, motion carried.

A motion was made by Miles, second by Anderson, to adjourn as the Board of Adjustments and reconvene as the Planning and Zoning Board – 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 13 open single-family homes and 1 twin homes in various stages of construction. Mr. Clarke continues to monitor the condemned mobile home in the Northside Mobile Home Park – the

property owner is working with legal counsel to get this structure removed. The Hartford Building Center continues to work on their addition project and a prefinal inspection will be conducted shortly.

- **City Administrator Update:** The Board was provided the April code enforcement report and updates were provide on the follow:
 - **Appointments:** The Mayor is talking with an individual that might be interested in filling the open P&Z Board position. The city council will also have an open position in Ward 2 at the end of May.
 - **City updates:** The Board was given an update of city policies regarding the COVID pandemic, which will be review by the city council at each meeting. Currently city bike trails, parks and restrooms are open. The pool is closed for now, the park rec program has been moved to July and city buildings are still closed to public traffic at this time.
 - **Projects:** The 9th Street project has been bid and awarded. The Western Avenue sewer project is moving forward as well, but the city is looking into additional grants for funding of this project. The reconstruction of the intersection at Opal Lane and Ruud Lane is being advertised for bids, with bid opening on May 27th.
 - **Grants:** The city applied for 3 Hazard Mitigation Grants through FEMA – 1 for a storm shelter/RR/Concession Stand building out at the Sports Complex and 2 for backup generators for our lift stations. The sports complex building and 1 generator was approved by the state but is still pending FEMA approval, which is excepted later this year. The city is also working with the Hartford Area Bike/Rec Trails Committee on applying for a TAP grant to aid in the construction of another bike trail between Feyder Ave and Main Ave. The city has also received a grant to help with the inspection costs of our box culverts along Western Ave, Main Ave, Feyder Ave and Mickelson Road.
 - **Lock Box System:** Fire Chief Bryon Shumaker is still working with Knox Box to get the ordering system setup for Hartford. Once this is completed, the city will notify affected property owners.

Adjournment: A motion was made by Bartmann, second by Miles to adjourn at 7:45p.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