

Planning and Zoning Meeting – Regular Meeting May 29, 2018

Vice Chairman John McMahon called the meeting to order at 7:00 p.m. at Hartford City Hall with the following planning and zoning members present: Mark Anderson, Stephanie Olson-Voth, Matt Cain and Bob Bender. Eric Bartmann was absent with notice and Tony Randall gave notice that he would be late. City Administrator Teresa Sidel and Building Inspector Paul Clarke were also present.

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

Approve Minutes: The May 8, 2018 meeting minutes were reviewed. A motion was made by Bender, second by Anderson to approve the May 8, 2018 regular meeting minutes – all voted yes, motion carried.

Hearings/Petitions/Applications:

- **7:05 Public Hearing – Application for Zoning Change for 303 W 3rd Street from Residential to Community Commercial:** Brad Glazier, representative for the property owner, submitted a zoning change application to the city for 303 W 3rd Street (Lot 1 & 2 of Gabbert's Addition). The application request is to change the current zoning from residential to community commercial. Mr. Glazier approached the Board and discussed the proposed use of the property and the reason for the request. Mr. Glazier indicated that if the property were rezoned, the owner would like to erect a storage unit that would be approximately 174'x70' and would have 13 units on each side. They believe this would present a good transition and buffer between residential to the north and east and the commercial property to the south. (Tony Randall arrived at 7:14pm)
Neighboring residents to the east, Kay Reed and JoAnn Ginsbach, approached the Board with their concerns regarding the planned use of storage units. The audience was reminded that this hearing is just regarding the change of zone and any further use for storage units would be a separate hearing if the rezone is allowed. Reed then expressed her desire to keep the property residential. Ryan Horn also approached the Board and discussed his concern with the rezone due to the fact that there are several homes that would be surrounding it on the north and east. Bryan Voth also expressed his concerns regarding the increase in traffic that a possible business could bring if rezoned and stated that he believes 3rd Street is not designed for commercial traffic. Mr. Glazier responded to some of the concerns stating that although the property is zoned residential, it currently is not and was not used as residential – it previously had a storage garage on it. He also stated that Western Avenue is a county highway and typically commercial growth is along major streets. He believes that with the commercial property to the south, residential would not be a good fit for a single-family home but maybe multifamily would work but that too would increase the traffic more. Kent and Melinda Liesinger asked some question about residential and commercial zoning and what could be built in each zoning area. A motion was made by Bender, second by McMahon to recommend to the city council the rezoning of Lot 1 & 2 of Gabbert's Addition to the city from residential to community commercial – Bender, McMahon and Cain voted yes, with Olson-Voth, Anderson and Randall voting no – due to a lack of majority vote, motion failed. The rezone will go before the city council on June 6, 2018.

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

- **7:05 Variance Hearing:** Jill Kueter and Ries Park have submitted a variance request to allow a rear yard setback of 2 feet from the alley at 209 N Oaks Ave (Lot 6, Block 6 of Oaks 2nd Addition). Mr. Park was present to address the Board regarding his request. Mr. Park has indicated that they would like to add on to the west side (back) of their existing detached garage. The addition they would like is 16'x 20'. Since this is a detached structure, it must follow the regulations for an accessory building. Accessory buildings must be 5 feet from all property lines. The North setback will follow the existing building line, which is allowed in Section 13.02 of our zoning regulations. The west setback would need to be 5 feet from the property line unless a variance is received from the Board to allow a 2-foot setback as requested. Mr. Park indicated that he will not be entering the structure from the alley but from his east drive. He also indicated that his rear lot would meet the city's 30% regulation with the proposed addition. The Board discussed the requirements for a variance and talked with Mr. Park about the possibility of vacating the alleyway or a

portion thereof in order to expand his property and remove the need for a variance. Seeing no hardship present as required in section 17.04 (A) of the city's zoning regulation, a motion was made by McMahon, second by Bender to deny variance request 2018-5-8 for 209 N Oaks Avenue – all voted yes, motion carried.

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

- **7:30 Public Hearing – Conditional Use Application for 209 N Oaks Ave:** Due to the Board's denial of the previous variance, the conditional use hearing for this property is not applicable. No hearing took place.

Updates:

- **Building Inspector Update:** Paul Clarke was present to give the Board an update on open building permits within the city. Currently there are 6 open single-family homes and 3 twin homes in various stages of construction. The city has issued several fence, shed, deck and reroofing permits now that the weather has been nicer. It was noted that a permit was just issued for the new downtown brewery. Clarke also has been following up on a few open code enforcement issues that he was addressing.
- **City Administrator Update:**
 - **City Staff:** The city is in the process of reviewing finance officer applications and will begin the interview process shortly.
 - **Projects:** Mickelson Road Project is going well and is on schedule. Bids were opened for the sports complex grading project and the council will review on June 6th. The city is currently advertising for the Vandemark Sewer Project and will hold bid opening on June 8th.
 - **City Projects:** City staff has been busy with water and electrical projects at the sports complex. They will begin the library project once agreements are in place between all the entities commercial.
- **Code Enforcer:** The city's new code enforcer, Bryan Voth, was present to introduce himself to the Board. His duties for the city began on Monday, May 21st.

Adjournment: A motion was made by Olson-Voth, second by Cain to adjourn at 8:25p.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