

## **Hartford Planning and Zoning Minutes - Regular Meeting June 25, 2013**

Chairman Munce called the meeting to order at 7:04 p.m. with the following members present: Bender, Mitchell, Cunningham, Campbell, Ham and Wegleitner. City Administrator Teresa Sidel and City Code Enforcer/Building Inspector Paul Clarke were also present.

**Approval of the Agenda:** A motion was made by Bender, second by Cunningham to approve the June 25, 2013 agenda with the following change: Under Visitor Recognition, change “Discussion of 109 N Feyder” to “Discussion of 209 N Feyder” –all voted yes, motion carried.

**Approval of the Minutes:** The Board reviewed the June 11, 2013 regular meeting minutes. A motion was made by Cunningham, second by Ham to approve the June 11, 2013 minutes – Campbell abstained with all others voting yes, motion carried.

**Visitor Recognition:** Todd Yttreness, the new owner of 209 N Feyder asked to address the Board regarding setbacks and usage of his land at 209 N Feyder. Mr. Yttreness was called out of town on business so he has requested that the Board table this discussion until their next meeting. A motion was made by Bender, second by Mitchell, to table discussion of 209 N Feyder until the Board’s July 9, 2013 meeting – all voted yes, motion carried.

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

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

**\*7:05pm Variance Hearing – Venice Becker:** Venice Becker owns the property at 301 E 5<sup>th</sup> Street. He is proposing to erect an 8-plex apartment building with detached garages. In order to place a multi-family dwelling, a conditional use permit must be secured from the city. It is the consensus of the Board to postpone any variance application upon this property until a conditional use permit is secured. A motion was made by Ham, second by Cunningham to table the setback variance hearing for 301 E 5<sup>th</sup> Street until July 9, 2013 following the conditional use hearing for this property– all voted yes, motion carried.

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

**\*7:15 Public Hearing – Conditional Use Permit for Lot 6, Block 3 of Cresswood Addition:** Laurie Cressman has submitted to the City a conditional use application for Lot 6, Block 3 of Cresswood Addition for the erection of a 4 plex. Mr. Mike Verley is purchasing this property and building the 4 plex unit. Mr. Verley was present to discuss the building with the Board and address their questions and concerns. Stockwell Engineers have reviewed the site plan and provided comments for the Board. Items such as type of structure, garbage receptacles, signage and engineer comments were discussed. A motion was made by Bender, second by Wegleitner to approve a conditional use permit for Lot 6, Block 3 of Cresswood Addition for the erection of a 4 plex contingent upon engineer comments and approval – all voted yes, motion carried.

### **Old Business:**

**\*Review of 2012 IBC Residential, Commercial and Property Maintenance Codes:** The Board has reviewed both the 2012 residential and commercial IBC codes, along with the 2012 Property Maintenance Code. Changes from the city’s current 2006 to the 2012 code have been discussed. City Administrator Sidel, discussed with the Board a proposed revision to the property maintenance code that would address vegetation in right-of-way areas. Current city regulations do not address who is responsible for maintenance of vegetation within right-of-ways throughout the city. Most property owners that have land that abuts a right-of-way do control the vegetation by either spraying or mowing but some right-of-way areas are not maintained and this task and expense then falls upon the city – even along state and county highways. The City of Sioux Falls, along with several other towns, has added regulation that mandates this maintenance be the responsibility of abutting property owners. A motion was made by Bender, second by Mitchell to recommend amending the property maintenance code to the city council to address right-of-way maintenance and specify this maintenance responsibility to the abutting property owners – all voted yes, motion carried.

**New Business & Updates:**

**\*Review of 2012 IBC Existing Building Code:** The City of Hartford has never adopted the IBC Existing Building Code but under recommendation from the city's building inspector, Paul Clarke, the Board is discussing adoption of this code. Clarke noted that our current IBC Residential and Commercial Codes address new construction but the Existing Building Code deals with older structures that are being refurbished or remodeled. Clarke noted that adoption of this code will allow building inspectors to adapt an older structure to today's standards and bring the building up to current codes as best as possible for a safer building. A motion was made by Mitchell, second by Campbell to have the city administrator draft an ordinance for review by the Board to adopt the 2012 Existing Building Code – all voted yes, motion carried.

**Adjournment:** A motion was made by Mitchell, second by Cunningham to adjourn at 7:44 pm - all voted yes, motion carried.

Minutes recorded by City Administrator Teresa Sidel