

PLANNING AND ZONING AGENDA
TUESDAY, JULY 30, 2019
CITY HALL - 7:00 P.M.

- 1) ROLL CALL
Mark Anderson, Eric Bartmann, Matt Cain, Brad Miles, Stephanie Olson-Voth,
Tony Randall

- 2) APPROVAL OF THE AGENDA

- 3) APPROVAL OF MINUTES for:
 - July 9, 2019 meeting

- 4) PUBLIC COMMENTS
Action can not be taken on items discussed unless specifically listed elsewhere on the agenda

- 5) HEARINGS/PETITIONS/APPLICATIONS

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

7:05 Variance Hearing - Request is to allow smaller lots sizes for twin homes
within the Knapp's Landing Development

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

- 6) OLD BUSINESS

- 7) NEW BUSINESS
 - Review Zoning Regulations/Lot Sizes in Residential Districts

- 8) UPDATES
 - Building Inspector Updates – Paul Clarke
 - City Administrator Updates – Teresa Sidel

- 9) ADJOURNMENT

Next Planning & Zoning Meeting: Tuesday, July 30, 2019

Planning and Zoning Meeting – Regular Meeting July 9, 2019

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: Eric Bartmann, Mark Anderson, and Brad Miles. Stephanie Olson-Voth and Matt Cain were 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 Bartmann to approve the agenda as set – all voted yes, motion carried.

Approve Minutes of June 11, 2019 Regular Meeting: The June 11, 2019 meeting minutes were reviewed. A motion was made by Miles, second by Bartmann to approve the June 11, 2019 regular meeting minutes – all voted yes, motion carried.

Public Comments: None

New Business:

- **Resolution 2019-5:** On June 24, 2019, the Hartford Planning and Zoning Board and the Minnehaha Planning Board met jointly to approve the City's Comprehensive Plan. This was the first step in gaining joint jurisdiction. Resolution 2019-5 is a recommendation from the Hartford Planning and Zoning Board to the Hartford City Council for adoption of the city's comprehensive plan for joint jurisdiction. A motion was made by Bartmann, second by Miles to approve Resolution 2019-5, a recommendation of the Hartford Planning Commission – all voted yes, motion carried. The County Commission and the Hartford City Council will meet jointly on August 27th for final approval.

Updates:

- **Building Inspector Update:** Building Inspector Paul Clarke was present to provide a report to the Board. Currently there are 10 open single-family homes and 4 twin homes in various stages of construction. An update was also given on current commercial permits. Discuss was held regarding occupancy and timeline of the James Hofer Commercial Building.
- **City Administrator Update:** City Administrator Sidel informed the Board that County CUP 19-22 was approved by the county with no restrictions on tarping. The Board was updated on the Mickelson Road Project and the Vandemark project – both are seeing progress with the drier weather. The Board was also given an update on two nuisance properties within the city.

Adjournment: A motion was made by Bartmann, second by Anderson to adjourn at 7:15 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

APPLICATION FOR ZONING VARIANCE
HARTFORD, SOUTH DAKOTA

APPLICATION NUMBER: 2019-7-8 FEE \$20.00: X 3564 check# or cash

APPLICANT: Kraupp's Handy APPLICANT ADDRESS: 25425-458th Ave

PHONE NUMBER: 605-351-3672 EMAIL ADDRESS: donaldsievending@Yahoo.com Humboldt SD

LEGAL DESCRIPTION: _____

VARIANCE ADDRESS: _____

ZONING DISTRICT: R

DESCRIPTION OF VARIANCE REQUEST: Allow twin homes on smaller lots

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

7-8-19
Date

[Signature]
Authorized Zoning Official

7-8-19
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: July 30 Time: 7:05 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): July 18, 2019
Notice posted on Property for P&Z Hearing (10 days prior to Hearing): July 18, 2019
Public Hearing by Board of Adjustment: July 30, 2019

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, July 30, 2019 at Hartford City Hall to review a variance application submitted by Don Sieverding on behalf of Knapp's Landing Development. The request is to allow a smaller lot size for twin homes. All interested parties may appear and be heard.

Dated this 18th day of July, 2019.

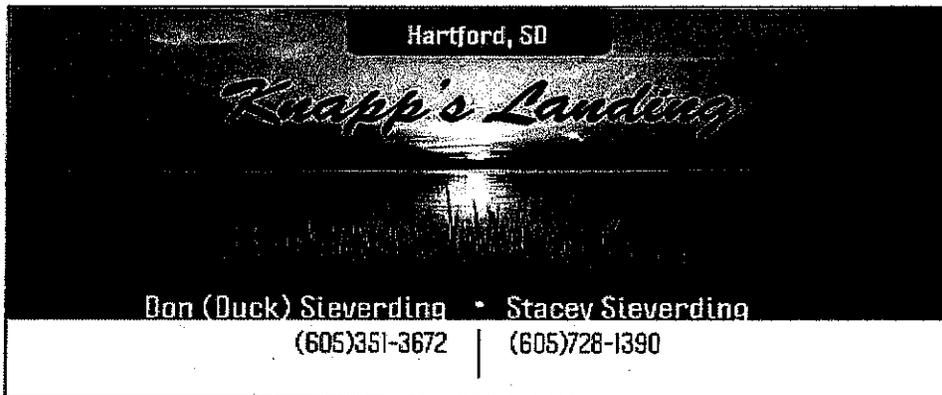
A handwritten signature in black ink, appearing to read "Teresa Sidel", is written over a horizontal line.

Teresa Sidel
City Administrator

Variations:

The Board of Adjustment shall have the jurisdiction to hear and decide upon petitions for variations 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 Authorized Official of the City of Hartford, shall be completed by the landowner requesting the Variance. Completed applications shall be returned to the Authorized Official 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 Authorized Official.
- I. The Authorized Official shall review the application, and shall make a recommendation to the Board of Adjustment to either approve or not approve said application. The Authorized Official's recommendation shall include a summary of the application, and the reasons and justification for either approval or disapproval of the application.
- J. The Authorized Official shall set the date, time and place for a public hearing to be held by the Board of Adjustment. The Authorized Official 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 Authorized Official 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.



Surrounding Community Comparison

<u>Community</u>	<u>Single Family Attached</u>	<u>Minimum Lot Width</u>
Hartford	7,000 sq ft	45 ft
Brandon	5,000 sq ft	40 ft
Canton	3,750 sq ft	25 ft
Lennox	3,000 sq ft	20 ft
	(3,000 sq ft in R2 Districts but 6,000 sq ft in R1 Districts)	
Tea	2,400 sq ft	20 ft
	(2,400 sq ft in R2 Districts but 7,500 sq ft in R1 Districts)	
Harrisburg	2,000 sq ft	20 ft
	(2,000 sq ft in R2 & R3 Districts but 6,500 sq ft in R1 Districts)	
Sioux Falls	no requirements	no minimum

Knapp's Landing Single Family Attached	
Smallest Lot	10,407 sq ft
Largest Lot	16,067 sq ft
Average	12,198 sq ft

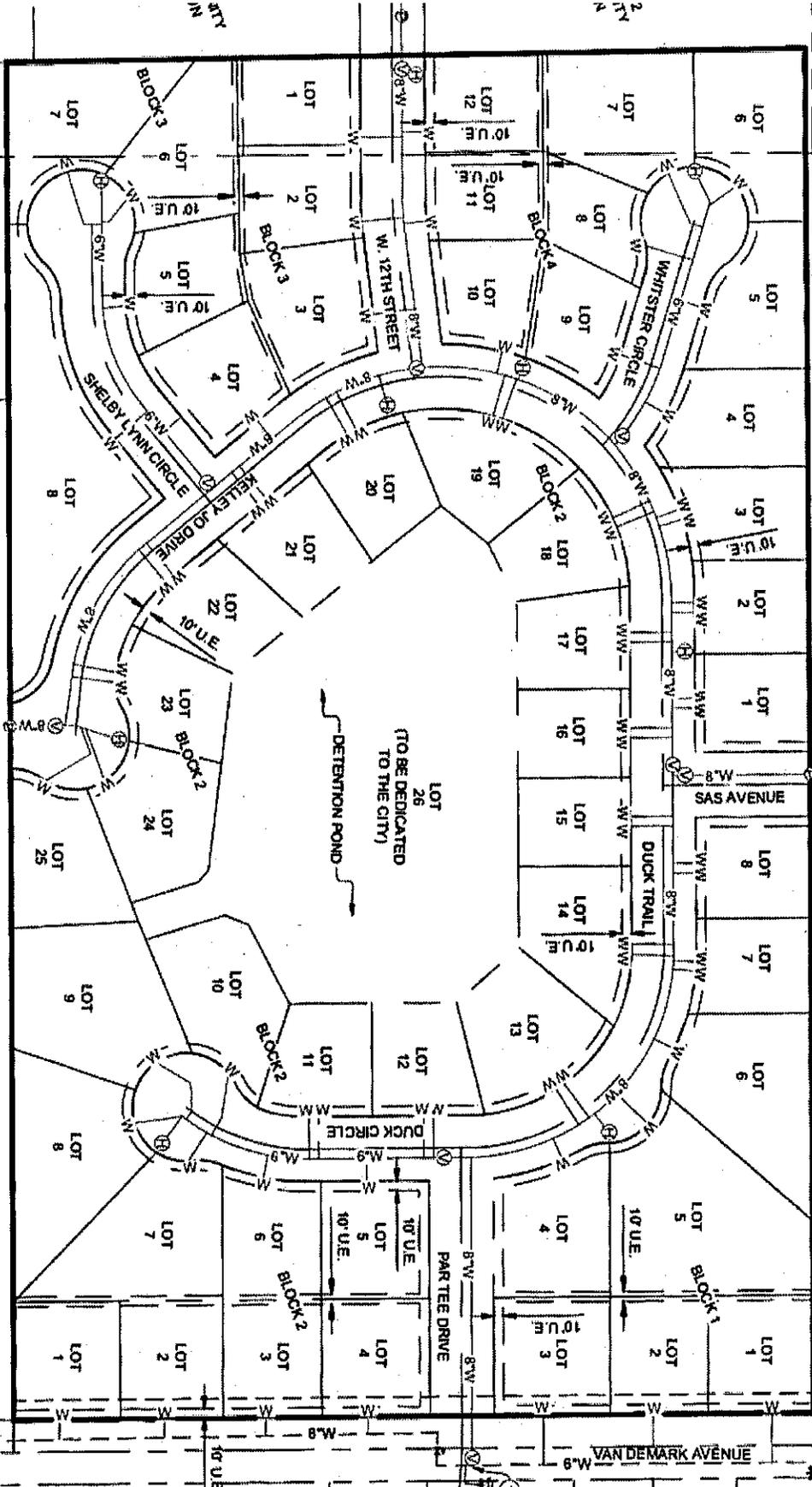
Twinhome Lot					
PHASE 1					
Block	Lot	SqFt +/-	Price	Purchaser	
Block 1	Lot 1	12,831			
	Lot 2	12,000			
	Lot 3	14,160			
	Lot 4	16,384			
	Lot 5	32,873			
	Lot 6	20,685			
	Lot 7	11,272			
	Lot 8	12,343			
Block 2	Lot 1	13,054			
	Lot 2	12,600			
	Lot 3	12,069			
	Lot 4	13,200			
	Lot 5	13,199			
	Lot 6	12,563			
	Lot 7	20,663			
	Lot 8	22,042			
	Lot 9	23,209			
	Lot 10	15,921			
	Lot 11	11,374			
	Lot 12	11,980			
	Lot 13	16,078			
	Lot 14	13,923			
	Lot 15	10,407			
PHASE 2					
Block	Lot	SqFt +/-	Price	Purchaser	
Block 2	Lot 16	10,407			
	Lot 17	11,142			
	Lot 18	13,657			
	Lot 19	13,268			
	Lot 20	12,019			
	Lot 21	11,652			
	Lot 22	12,148			
	Lot 23	12,545			
	Lot 24	15,249			
	Lot 25	15,068			
	Block 4	Lot 1	12,344		
		Lot 2	10,827		
Lot 3		12,232			
Lot 4		14,717			
Lot 5		14,540			
Lot 6		17,563			
Lot 7		19,127			
Lot 8		9,801			
Lot 9		11,700			
Lot 10		11,202			
Lot 11		10,747			
Lot 12		11,918			
Block 3	Lot 1	11,193			
	Lot 2	12,785			
	Lot 3	15,370			
	Lot 4	13,323			
	Lot 5	12,825			
	Lot 6	16,187			
	Lot 7	18,270			
	Lot 8	36,281			

1/16 SECTION LINE

NE 1/4 OF THE SW 1/4 OF
SEC. 15, T.102N., R.15W.

1/16 SECTION LINE

- WATER MAIN PLAN NOTES**
- ① CONNECT TO EXISTING WATER MAIN
 - ② INSTALL FIRE HYDRANT AND WATER VALVE
 - ③ INSTALL WATER VALVE (MAIN LINE)
 - ④ INSTALL PLUG
 - W INSTALL 1" WATER SERVICE (TYP)



1/4 SECTION LINE

ORDINANCE NO. 665

AMEND ZONING REGULATION #627
CHAPTER 4 - RESIDENTIAL DISTRICT

AN ORDINANCE OF THE CITY OF HARTFORD, SD, AMENDING ORDINANCE 627, THE 2016 REVISED ZONING ORDINANCE OF THE CITY OF HARTFORD, SD, BY AMENDING CHAPTER 4, SECTION 4.03 – LOT AND YARD REGULATIONS.

BE IT ORDAINED BY THE CITY OF HARTFORD, SD:

That Ordinance 627, Chapter 4, Section 4.03 – Lot and Yard Regulations shall be amended as follows:

4.03 Lot and Yard Regulations

All measurements shall be taken from the lot line to the building line (see definitions). Lot coverage shall not exceed 50% in R Districts.

	Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard	Maximum Height
Single-Family detached dwelling (Z-Lots Only) #1	7,500 sq. ft.	55 feet	25 feet see #2, #3	5 feet see #4	25 feet/15 feet – corner lots	35 feet
Single-family detached dwelling	7,500 sq. ft.	66 feet	25 feet see #2, #3	7 feet see #4	25 feet/15 feet - corner lots	35 feet
Two-family dwelling	14,000 sq. ft. Zero lot line split: 7,000 sq. ft.	90 feet	25 feet see #2, #3	0' on party wall side and 7' on nonparty wall side see #4	25 feet/15 feet - corner lots	35 feet
Multiple-family dwellings (3 or more dwelling units)	7,500 sq. ft. plus 800 sq. ft. per dwelling unit	100 feet	25 feet see #2, #3	15 feet see #4	25 feet/15 feet - corner lots	45 feet
All other uses	5,000 sq. ft.	75 feet	25 feet see #2, #3	7 feet see #4	25 feet / 15 feet - corner lots	35 feet

May 15, 2018



Mrs. Teresa Sidel
City of Hartford
cityhall@hartfordsd.us

12_17021 | SEI No.
Engineering Submittals | Encl
Chris Jibben, JSA Engineers | Cc

Re: Knapp's Landing Addition
Engineering Submittals Review

Dear Mrs. Sidel:

Stockwell Engineers, Inc. has reviewed the enclosed engineering submittals for the abovementioned project, received May 15, 2018. The developer addressed our previous comments to our satisfaction. We have no further comments.

Please note, our review is for general conformance with city standards. Comments are provided as a courtesy to aid the developer in preparing their submittals. The responsibility to comply with state and local ordinances shall remain with the developer and their 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

Minimum Lot Size Requirements for Residential Lots

Hartford

Single Family	7,500 square feet
2 Family	14,000 square feet total - 7,000 square feet per unit
Multi-Family	7,500 square feet plus 800 square feet per unit

Lennox

Single Family	7,000 square feet
2 Family	12,000 square feet total - 6,000 square feet per unit
Multi-Family	3,000 square feet per unit

Harrisburg

Single Family	6,500 square feet
2 Family	13,000 square feet total - 6,500 square feet per unit
Multi-Family	3,000 square feet per unit

Tea

Single Family	7,500 square feet
2 Family	7,500 square feet
Multi-Family (3-8 units)	7,500 square feet
(9-12 units)	20,000 square feet
(over 12)	30,000 square feet

Dell Rapids

Single Family	7,500 square feet
2 Family	10,000 square feet - 5,000 square feet per unit
Multi-Family	10,000 square feet

Brandon

Single Family	7,500 square feet
2 Family	10,000 square feet or 5,000 square feet per unit
Multi-Family	3,000 per unit

Sioux Falls

Not Comparable - Too many different zoning districts

July 30, 2019 – City Administrator Notes

Variance Hearing

- Don and Stacey Sieverding, developers for Knapp's Landing, have submitted a variance request to allow smaller lot sizes for twin homes. Currently our regulations state that two-family dwellings need to have a minimum lot area of 14,000 sq ft with 7,000 sq ft per lot (Ord 665). Knapp's Landing has 18 lots that they have identified as twin home lots that fall below this square footage requirement. The preliminary plans that were presented and approved did not include square footages and did not identify any twin lots but the construction plans that they submitted to our engineer did have 2 water lines stubbed to these lots. Our engineer did not make any comments regarding the square footage for these lots and they were approved "as-is". Please note – it is still the developer's responsibility or their engineer's responsibility to ensure that all city regulations are met and I think their engineer just missed this lot size requirement. Currently, they only have one lot actually platted so the remaining lots could be reconfigured before platting.

Sieverdings are asking the Board to allow the smaller lot sizes -noting that we currently have the largest requirement in the area – which is correct. They have provided a copy of surrounding community comparisons, a copy of the lots they have available (with the 18 twin lots highlighted) and a copy of the water line stub out from their construction plans. I added some information to the "Surrounding Community Comparison" – the information in red is my addition. The square footage that they have for Lennox, Tea and Harrisburg is not a true comparison since the square footage in black is the requirement for R2 & R3 (multifamily) zoned districts. Hartford just has one district for residential zoning (R) and the lot size depends on the number of units that are being construction. Lennox, Tea and Harrisburg have multiple districts for residential zoning (R1), (R2) and (R3). Their R1 is comparable to our twin home zoning because it is mixed with single family housing. Even when you compare the R1 District against Hartford, we are still the largest square footage.

As I look at this, I do not believe they meet the requirements for a variance, but these lots are large, and a twin home could be placed on them. Since we do have the largest lot area requirement for twin homes, the Board may want to entertain changing our zoning regulations to allow a smaller square footage for twin homes. I have placed this as an agenda item under new business if the Board wants to have more discussion about this.

New Business:

- Review Zoning Regulations/Lot Sizes in Residential Districts: With the variance hearing that is coming before the Board, I thought the Board may want to have some discussion about the lot size requirements we have for residential districts. We looked at this about a year ago and at that time the Board took no action to charge. I have included in your packet the same comparative information that was provided to the Board at that time for your reference. Besides Tea, we do require the most square footage in the area for R1 zoned Districts.

Updates:

Code Enforcer/Building Inspector Updates:

- Paul should be present to provide a report for the Board.

City Administrator Updates:

- Meeting Notice: If you will be unable to attend a meeting, please give me notice as soon as possible so I can assure a quorum, especially if we have a planned hearing.
- P&Z Appointment: The Mayor has mentioned that he hopes to have an appointment for the open P&Z Board position by their August 6th meeting.
- Council Appointment: The Mayor does plan to appoint Brittany Glanzer into the open Ward 2 councilperson seat. With approval by the council, Brittany will take her oath of office on August 20th.
- Project Updates:
 - Mickelson Road: The deadline for the Mickelson Road Project is set for August 15th. Hopefully the weather will cooperate. The curb, gutter and street surface are all that remains to finish.
 - Sports Complex Grading: The new seed at the newly graded sports complex is not coming up. There are numerous weeds and the seed is not germinating properly. Our engineers meet with the contractor and we believe we got a batch of bad seed. They are working on a plan to correct but at this point it sounds like the plan to roundup everything that was newly seeded and go back in and reseed.

- Vandemark Avenue: The weather has been a little better and they are starting to get some more work done on this project. Most of the utility work is completed at the Vandemark and 9th Street intersection so work on the street will begin shortly.
- Sewer along Western Avenue: Our engineers are still working on plans to run sewer from Oaks and Main up along Western Avenue to Central States. This will allow sewer for the sports complex and the industrial land to the north. If we receive state funding, this project will not be scheduled until next spring.

Call if you have any Question: 528-6187