

Planning and Zoning Meeting – Regular Meeting August 14, 2018

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: John McMahon, Mark Anderson, Stephanie Olson-Voth, Eric Bartmann and Matt Cain. Bob Bender was absent with notice. City Administrator Teresa Sidel and Building Inspector Paul Clarke were also present.

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

Approve Minutes: The June 26, 2018 meeting minutes were reviewed. A motion was made by Cain, second by McMahon to approve the June 26, 2018 regular meeting minutes – all voted yes, motion carried.

Hearings, Petitions, Applications:

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

- **7:05 Variance Hearing:** Ashley Pesicka has applied to the Board for a sidewalk variance at 704 N Main Avenue. Currently, she is erecting a home at that address and she would like to forego the sidewalk requirement. Pesicka addressed the Board with safety concerns regarding the neighboring property's retaining wall, along with concerns with the placement of the sidewalk in conjunction with the existing drainage inlet and possible sloping of the sidewalk for the drainage. She also noted that there are no sidewalks along the 500, 600 or 700 block on the east side of Main Avenue. Discussion was held by the Board. A motion was made by Bartmann, second by Olson-Voth to grant a sidewalk variance for 704 N Main and forego the placement of a sidewalk along Main Avenue since there are no existing sidewalks along the east side of Main Avenue north of 5th Street – all voted yes, motion carried.

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

Old Business:

- **Discuss possible revisions to the city's Zoning Regulations:** The Board has been discussing possible changes to the city's zoning regulation, along with a change in procedure for hearing notifications. The following items were discussed:
 - **Public Notice:** Municipal and State law requires cities to post public notices regarding zoning hearings. Notices must be placed in the city's official newspaper and upon the property. Currently the city is posting paper notices upon the property that are hard to read. In order to make the posting on the property more noticeable, the city has purchased 18"x 24" re-usable signs from Pheasantland Industries. A sample of the sign was presented to the Board. The city will begin using these signs immediately for all future notices.
 - **Definition Changes:** The Board has discussed the changing of 3 definitions within our zoning regulation. These are the suggested changes: The definition for "Adult Oriented Business" was slightly changed to add wording regarding the amount of sales that would classify a business as adult oriented. The definition for a "Lot" was changed to allow more than one use per lot and more than one building per lot. This would allow multiple buildings, such as apartment complexes or multiple uses, such as strip mall be on one parcel or lot. The definition for "Parking Space" had wording added to clarify that access aisle or driveways cannot count towards required parking spaces. It was the consensus of the board to make these changes and have the City Administrator draft a sample ordinance amendment.
 - **Accessory Buildings:** The Board has also been reviewing the city's regulations on accessory buildings. Currently, the city regulations require that accessory buildings cannot be over 30% of the rear yard or over 1200 square feet, whichever is less. Regulations from surrounding communities were reviewed by the Board. After discussion, it was the consensus of the Board, to draft an amendment that would state: Maximum size of all accessory buildings is 1000 square feet or 30% of the rear yard; accessory buildings under 120 square feet must be 5 feet from all property lines; accessory buildings over 1200 square feet must be 10 feet from all property lines; only 2 accessory buildings per lot; and distance between all buildings must be 5 feet.

- **Change of Use Regulations:** City regulations state that all change of uses must be approved by the city but the procedure is not clearly defined. A proposed amendment to our zoning regulations would add Section 20, that would define the regulations and procedure for a change of use within the city. Basically, all change of uses that are permitted can be approved by the zoning official and all change of uses that are conditional must go through the P&Z Board for approval. The board is in favor of the proposed amendment.

New Business:

- **Minnehaha County CUP 18-38 for 46310 Jeffery St:** Minnehaha County has received a conditional use application from Dean Stockwell for 46310 Jeffery Street. The request is to allow a motor vehicle repair shop and sales. Due to the close proximity to Hartford, the county has requested input from the city. After review of the application, site plan and county staff report, the city Planning and Zoning Board agrees with staff recommendations and has no additional comments for the site.

Updates:

- **Building Inspector Update:** Paul Clarke was present to give the Board an update on open building permits within the city. Currently there are 13 open single-family homes and 4 twin homes in various stages of construction, along with several siding, fencing and deck projects. There are also some commercial permits under construction and possible plans for a new commercial building.
- **City Administrator Update:**
 - **City Projects:** Mickelson Road Project is going well and utility and street work continues. The grading project in Swenson Addition is also going well and excess dirt from that project will be placed along the city lots on South Street to help build the lots out of the floodplain. A preconstruction meeting for the Vandemark Sewer Project should be held within the next couple of weeks, with work anticipating to begin mid-September.
 - **County Update:** A CUP for a salvage yard within the I90 Business Park was denied by the county earlier this year. The business has still failed to vacate the property so the county is pursuing legal action through the state's attorney office.

Adjournment: A motion was made by McMahon, second by Anderson to adjourn at 8:17p.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