

PLANNING AND ZONING AGENDA
TUESDAY, SEPTEMBER 8, 2020
CITY HALL - 7:00 P.M.

1) ROLL CALL

Mark Anderson, Tim Graham, Brad Miles, Steve Nolte, Stephanie Olson-Voth, Tony Randall

2) APPROVAL OF THE AGENDA

3) APPROVAL OF MINUTES for:

- August 25, 2020 Meeting

4) PUBLIC COMMENTS

Action can not be taken on items discussed unless specifically listed elsewhere on the agenda

5) HEARINGS/PETITIONS/APPLICATIONS

- 7:05 Hearing – Rezone Lot 7 & 8 of Block 4 Hartford City Proper

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

- 7:10 Hearing – Variance for greater Driveway Width – 1103 N Vandemark Ave

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

- 7:20 Hearing – Amendments to the City’s Zoning Regulations (Review Draft Ordinance 694-Location of Churches & 695-Pools as Accessory Structures)
- 7:30 Hearing – Annexation and Zoning of Lot 3 Swenson Addition

6) NEW BUSINESS

- Review Plat of Tract 1 and Tract 2 of Anderson’s Addition

7) UPDATES

- Building Inspector Update – Paul Clarke
- City Administrator Updates – Teresa Sidel

8) ADJOURNMENT

Next Planning & Zoning Meeting: Tuesday, September 29, 2020

Planning and Zoning Meeting – Regular Meeting August 25, 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: Tim Graham, Stephanie Olson-Voth, Eric Bartmann, and Steve Nolte. Mark Anderson and Brad Miles were absent with notice. City Administrator Teresa Sidel and Building Inspector Paul Clarke were also present. There were 2 in attendance from the public.

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

Approve Minutes of August 11, 2020 Regular Meeting: The August 11, 2020 meeting minutes were reviewed. A motion was made by Bartmann, second by Nolte to approve the August 11, 2020 regular meeting minutes – all voted yes, motion carried.

Hearings/Petitions/Applications

- **7:05 Rezone Hearing:** Western Meadows LLC has submitted a rezone application for a portion of land lying in the NE corner of Opal Lane and Trojan Avenue. The property is currently zoned community commercial and the developers are asking for it to be rezoned to residential. This is a less intensive zoning use. The lots to the west and south are currently zoned residential and have already been developed with housing. The property to the east is undeveloped yet. The Board reviewed a copy of the city's current zoning map, along with the proposed plat map for this area. No comments were received from the public. A motion was made by Bartmann, second by Nolte to approve the rezone of Lot 5 & 6 of Western Meadows Addition – 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 23 open single-family homes and 1 twin home in various stages of construction. An update on commercial properties was also given to the Board.
- **City Administrator Update:** The 9th Street Project is going well - all underground has been completed and prep work for curb and gutter is done. Concrete work should commence towards the end of the week. The Opal Lane/Ruud Trail Intersection project is also underway – a temporary road has been established and underground utility work has started.

Certificate of Appreciation: Board member Eric Bartmann, is moving out of city limits and has resigned his position with the Board. Mr. Bartmann has been a Planning and Zoning member for the past 3 years and 8 months. The city appreciates his service to his community!

Adjournment: A motion was made by Olson-Voth, second by Graham to adjourn at 7:15p.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 CHANGE OR AMENDMENT
HARTFORD, SOUTH DAKOTA

APPLICATION NUMBER: 2020-8-13 FEE: \$20.00: check# City-waived or cash
APPLICANT: City of Hartford APPLICANT ADDRESS: 125 N main Ave, Hartford, SD 57033
Phone Number: 605-528-6187 Email Address: cityhall@hartfordsd.us
LEGAL DESCRIPTION: Lot 7+8, Block 4, Hartford City Proper

PROPERTY ADDRESS: Not Addressed
If Change of Zone: PETITION TO REZONE FROM CC DISTRICT TO CB DISTRICT

REASON FOR REQUESTED CHANGE OF ZONE OR ZONE AMENDMENT: The City of Hartford owns lots 2-8, Block 4 of Hartford City Proper. The 2 North Lots (Lots 7+8) are zoned CC and all the rest are zoned CB. The city would like all lots zoned the same and it makes sense to have them all CB since they are all Downtown
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.

[Signature] City Adm 8-13-20
Signature of Applicant Date
[Signature] 8-13-20
Signature of Property Owner (if different from petitioner) Date
[Signature] 8-13-20
Authorized Zoning Official Date

For Office Use Only:

Date of Public Hearing held by Planning and Zoning: 9-8-20 Time: 7:05

Recommendation to approve or disapprove change of zone by Planning and Zoning Board.

(Signature of Planning and Zoning President)

Date of Public Hearing held by the City Council: 9-15-20 Time: 7:05
Granted Denied

(Signature of Mayor)

Notice sent to Official Newspaper for P&Z & CC Hearing (Not less than 10 days Prior to Hearing):
Notice posted on Property for P&Z Hearing (10 days prior to Hearing):
Public Hearing by Planning and Zoning:
Notice posted on Property for CC Hearing (10 days prior to Hearing):
First Reading & Public Hearing by City Council:
Second Reading and Adoption:
Publication Date:
Effective Date:

PUBLIC NOTICE

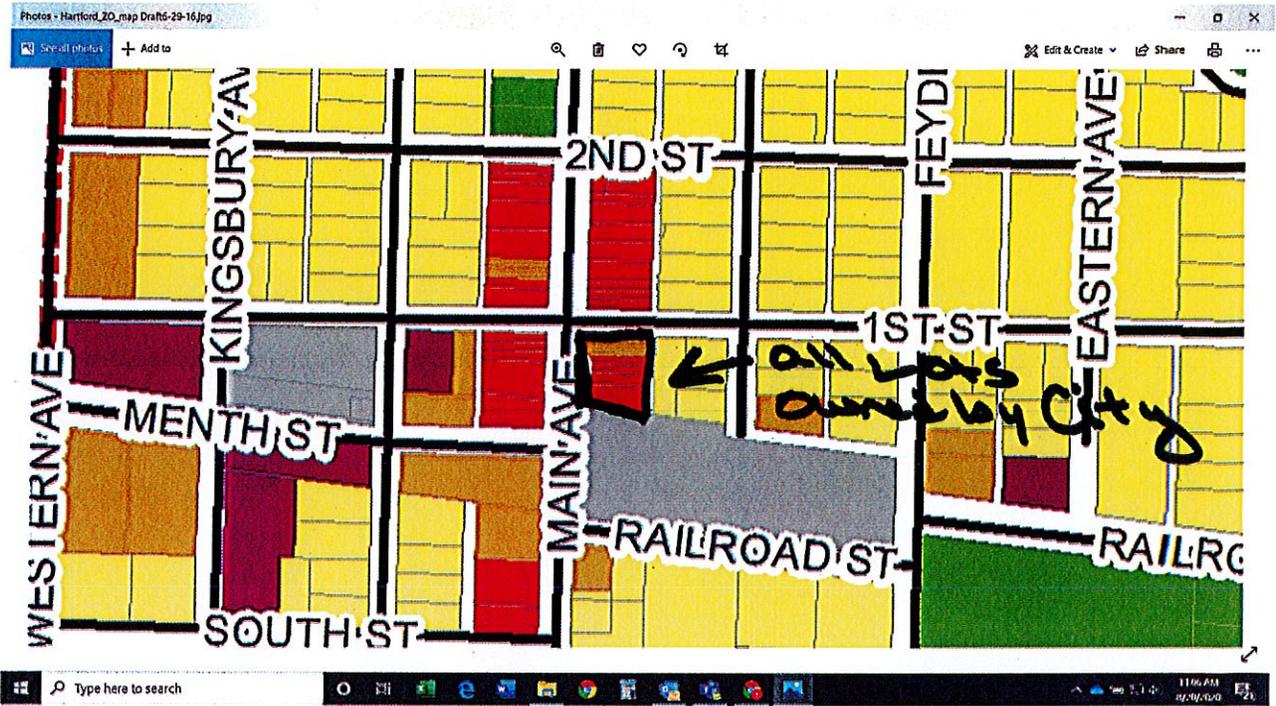
The Hartford Planning and Zoning Commission will conduct a public hearing at 7:05p.m. on September 8, 2020 at Hartford City Hall to review and make a recommendation to the Hartford City Council in regards to a zoning change application submitted by the City of Hartford for Lot 7 & 8, Block 4 of Hartford City Property. The request is to change the current zoning from Community Commercial (CC) to Central Business (CB). The Hartford City Council will conduct a public hearing at 7:05 p.m. on September 15, 2020 at Hartford City Hall to either approve or deny the zoning change. All interested parties may appear and be heard.

Dated this 28th day of August, 2020.

Teresa Sidel
City Administrator

City of Hartford

Zoning Map



**APPLICATION FOR ZONING VARIANCE
HARTFORD, SOUTH DAKOTA**

APPLICATION NUMBER: 2020-20-20 FEE \$20.00: #1274 check# or cash
APPLICANT: Scott and Maura Park APPLICANT ADDRESS: 503 N Oaks Ave, Hartford
PHONE NUMBER: 605.359.6926 EMAIL ADDRESS: tuberoak10@gmail.com
LEGAL DESCRIPTION: Lot 3, Blk 2 of Krapps Landing Addition to City of Hartford, Minnehaha County, SD
VARIANCE ADDRESS: 1103 N. Vandermark Ave
ZONING DISTRICT: R Single Family
DESCRIPTION OF VARIANCE REQUEST: Leave existing concrete poured for driveway. Forty four (44 feet) driveway approach including the driveway flare of 3 feet each side for a total flare of 6 feet.

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.

Scott Park
Signature of Applicant

8-20-2020
Date

Lauren D.D.
Authorized Zoning Official

8-20-2020
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: 9-8-20 Time: 7:10
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): _____
Notice posted on Property for P&Z Hearing (10 days prior to Hearing): _____
Public Hearing by Board of Adjustment: _____

PUBLIC NOTICE

The Hartford Planning and Zoning Board, acting as the Board of Adjustment, will conduct a public hearing at 7:10 p.m. on Tuesday, September 8, 2020 at Hartford City Hall to review a variance application submitted by Scott and Maura Park for Lot 3, Block 1 of Knapp's Landing Addition. The request is for an 8 foot driveway variance that would allow a 44 foot driveway instead of a 36 foot driveway. All interested parties may appear and be heard.

Dated this 28th day of August 2020.

Teresa Sidel
City Administrator

17.04 Variances

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

ORDINANCE NO. 687

AMEND ZONING REGULATION #627
OFF-STREET PARKING REGULATIONS

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 12, SECTION 12.04 (A) & (B) – OFF-STREET PARKING.

BE IT ORDAINED BY THE CITY OF HARTFORD, SD:

That Ordinance 627, Chapter 12, Section 12.04 (A) & (B) – Off-Street Parking shall be amended as follows:

12.04 Off-Street Parking

- A. Definitions – For the purpose of this Section, the following terms are hereby defined
1. Vehicle: Any vehicle which is designed to travel along the ground or in the water and shall include but not be limited to automobiles, vans, buses, motorbikes, trucks, trailers, go carts, golf carts, boats, ATV's, snowmobiles, and campers.
 2. Hard Surface Pad: Asphalt, Concrete or Concrete Pavers that meet or exceed the gross area of the motor vehicle that is parked upon it. An appropriate base course consisting of clean graded sand, gravel or crushed stone shall be compacted to assure uniform support of the slab. All pavers will be laid as to not allow vegetation growth underneath the motor vehicle.
 3. Required Parking Spaces: The required number of parking spaces per Hartford Zoning Ordinance 627, Section 12.04 (C).
 4. Driveway Approaches: An area, Between the curb or pavement edge of a public street and the private property line intended to provide access for vehicles from a public street to a driveway on private property.
 5. Driveway Aisles: An access road leading from a public street to one or more structures or buildings upon private property.
 6. New Driveway: A driveway aisle that has never existed before in a particular place.
 7. Existing Driveway: A driveway aisle that is now in existence or being used at the present time.
 8. Existing Sidewalk: A sidewalk that is now in existence or being used at the present time.
- B. General Conditions – Applied to all Vehicles

1. No parking spaces are permitted in the required front yard in an R or MH District except for portions of the front yard necessary for hard surfaced driveways or as otherwise provided in this Ordinance. Parking is permitted in a side yard or rear yard in an R District upon hard surface pads.
2. Driveway(s) shall not exceed thirty-six (36) feet in width at the property line. An exception for 40' feet driveways at the property line shall be allowed for businesses expecting semi-truck traffic. The design of the driveway flare, within the driveway approach, is optional but cannot exceed 6 feet over the width at the property line. All new driveways must include a poured sidewalk. Repairs or replacement of existing driveways are exempt from including a poured sidewalk within the driveway, unless the property already has an existing sidewalk on either side that abuts the driveway.
3. Access approaches shall be prohibited on arterial and collector streets from the rear yard of a reverse frontage lot in a residential area.
4. All parking areas in the side and rear yard shall have a hard surfaced pad.
5. All access aisles driveways must be concrete or asphalt, no concrete pavers are allowed. An access aisle to a side yard accessory building or parking pad is required. An access aisle to a rear yard accessory building or parking pad is optional.
6. The parking requirements in this section shall not be applicable to property in the CB Central Business District, except for residential uses which are authorized by a conditional use permit.
7. Unless a conditional use permit is received from the Planning and Zoning Board, all Commercial and Industrial Zoned Property must have either concrete or asphalt surfaces, no concrete pavers, on all required parking spaces and all driveway approaches and driveway aisles from the public street to the front of each building with vehicle or pedestrian access. All other parking or maneuvering surfaces may be concrete, crushed concrete, asphalt or crushed asphalt. No parking upon grass or dirt surfaces.
8. The parking of commercial vehicles is permitted in a NRC or R Zoning District, subject to a limit of two commercial vehicles per dwelling unit and the following limitations:
 - a. No solid waste collection vehicle, tractor and/or trailer of a tractor-trailer truck, dump truck, cement-mixer truck, wrecker with a gross weight of 18,000 pounds or more or similar such vehicles or equipment shall be parked in any residential district.
 - b. Any commercial vehicle parked in a NRC or R Zoning District shall be owned and/or operated only by the occupant of the dwelling unit at which it is parked.

- c. A conditional use permit will be required for the parking of more than two commercial vehicles per dwelling unit.

- 9. The Zoning Administrator may approve a temporary parking permit, not to exceed 30 days, for special circumstances. An application must be submitted to the Business Office for review and approved by the Zoning Administrator. The applicant must comply with all rules and regulations set forth by the Zoning Administrator.

Adopted this 7th day of July, 2020.

Jeremy Menning, Mayor

ATTEST:

Karen Wilber, Finance Officer

Seal

First Reading: June 16, 2020
Second Reading & Adoption: July 7, 2020
Publication: July 17, 2020
Effective Date: August 6, 2020

APPLICATION FOR ZONING VARIANCE
HARTFORD, SOUTH DAKOTA

APPLICATION NUMBER: 2005.9.6 FEE \$20.00 \$ 20.00 check# paid ck# 3438 or cash

APPLICANT: Matthew Brandt APPLICANT ADDRESS: 501 Erin Circle

LEGAL DESCRIPTION: Lot 15, Block 2, Kelly Point Addition

VARIANCE ADDRESS: 501 Erin Circle

ZONING DISTRICT: R1 Single Family

DESCRIPTION OF VARIANCE REQUEST: Request 47' driveway width at property line instead of required 36' at property line.

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.

Matthew Brandt
Signature of Applicant

9-7-05
Date

Donna Lueth
Authorized Zoning Official

9-7-05
Date

The Board of Adjustment (consisting of all members of the Hartford City Council) shall hear and decide all appeals. A variance shall not be allowed to vary the use regulations. Section 16.04, Ordinance #485, printed on back of this form.

✓ Publish notice Sept. 15 2005

Date of Public Hearing held by Planning and Zoning: 9-27-05 Time: 7:05 PM

Recommendation to approve or disapprove variance request by Planning and Zoning.

Dea Muncie
(signature of Planning and Zoning President)

Date of Public Hearing held by the Board of Adjustment: 10-4-05 Time: 7:10 PM

Granted Denied (2/3 members necessary to approve any appeal)

Cecile Binkard
(signature of Chairman, Board of Adjustment)

If not granted, state reasons: _____

Sign posted on site: [redacted] 9/8/05 (date)

Notice mailed to Brandts 9/8/05 (date)
Sign nominated. 10-4-05

HARTFORD PLANNING & ZONING MINUTES
MEETING HELD TUESDAY, SEPTEMBER 27, 2005

ROLL CALL: President Munce called the meeting to order at 7:00 p.m. with the following present for roll call: Munce, Smith, Bender and Schulte. Excused: Ringling and Goetsch. Unexcused: Twedt. Also present: Mayor Binkerd.

Motion by Smith, second by Schulte, to send a letter to Mike Twedt to find out if he is still interested in serving as a Planning and Zoning Board Member, due to the fact that he has only attended 4 meetings so far this year. Carried with a yes vote by all.

APPROVAL OF MINUTES: Motion by Bender, second by Smith, to approve the minutes for 9/13/05. Carried with a yes vote by all.

PUBLIC HEARING: At 7:05 p.m., a public hearing was held to review a request submitted by Matt Brandt at 501 Erin Circle, legal of Lot 15, Block 2, Kelly Point Addition, for an 11' variance on driveway width to allow a 47' width at property line instead of the required 36' driveway width at property line. Matt Brandt was present stating that the driveway is already poured, it was easier to park his camper, and he was unaware of regulation. Motion by Smith, second by Schulte, to deny said 11' variance request for driveway width at property line due to no hardship to expand driveway at property line. Carried with a yes vote by all.

PRELIMINARY SKETCH REVIEW: The Board reviewed a preliminary sketch lay-out of North Ridge Development. A Sketch Plan Review by Jon Brown, City Engineer, was also reviewed. Terry Hagen, developer, was present. Proposed North Ridge Development will be located in the north/east part of the city with a possible 96 residential lots and a portion of a golf course. Hagen was informed to work with the City Engineer and City Administrator on the comments in the Sketch Plan Review letter. Hagen requested to be on the next agenda to continue discussion on the plans. No action on plans.

REZONING ISSUE: Motion by Munce, second by Schulte, to recommend to the City Council to send a letter, due to annexation of their property into the city and to conform to city regulations, to Gerald & Laurie Cressman that they need to rezone their property to reflect the business of Cressman Enterprises for the repair and building of car engines. Munce-yes; Bender-yes; Schulte-yes; Smith-no; motion carried.

OLD BUSINESS: The Planning and Zoning members are to notify Lueth if they plan to attend the P&Z Conference in October. The Comprehensive Plan will be reviewed at the October 11 meeting. Bender exited meeting at 7:52 p.m.

NEW BUSINESS: The Board reviewed packets of information that were mailed out to all Licensed Residential Contractors. Mailed packets contained a copy of the complete Hartford Zoning Ordinances, with a sheet detailing the noted changes; a reminder sheet with information on Excavation Permits, Driveway Widths, Driveway Approaches; and other information.

MOTION TO ADJOURN: Motion by Schulte, second by Smith, to adjourn at 8:00 p.m. Carried with a yes vote by all.

MINUTES RECORDED BY: Donna Lueth.

Hartford City Council Minutes – October 4, 2005

Mayor Binkerd called the meeting to order at 7 pm with the following present: Otheim, Swier, Cunningham, Liesinger, Thaler and Kane. Motion by Liesinger, second by Cunningham to approve the minutes from 9-20-05. Kane abstained, all others yes, motion carried. Motion by Liesinger, second by Thaler to approve the water tower bid recommendation to the agenda. All voted yes, motion carried. Chuck Meyer, representing the Masonic Lodge requested a one-year extension to complete the building improvements. Motion by Cunningham, second by Liesinger to grant an extension until October 24, 2006. All voted yes, motion carried.

Reports: A report from Deputy Maciejewski was included in the packets showing twelve vehicles are on the latest junk vehicle list. Maciejewski has made contact to have the situations abated. Ray Schulte provided the fire department report. They have responded to around 120 calls this year. No HADC report was received. Information was included showing the proposed layout of North Ridge Addition. No action taken.

Hearings and Ordinances: At 7:10 a variance hearing was held for Matt Brandt at 501 Erin Circle for a 47' driveway width instead of the required 36' width. Motion by Thaler to grant variance and impose a \$100 fine for being in violation of the ordinance. Thaler rescinded the motion. Motion by Thaler, second by Cunningham to grant the variance for a 47' driveway width. All voted yes, motion carried.

Water and Sewer: Motion by Liesinger, second by Thaler to award the water tower bid to Pittsburg Tanks for \$628,500 contingent upon state and other local government approval. All voted yes, motion carried.

Parks and Pool: A meeting will be held on Monday, October 17th to meet with David Loveland, a University of Nebraska student pursuing a Masters Degree in Community and Regional Planning. His project will be a master park planning document for Hartford to utilize in future planning.

Streets: Motion by Thaler, second by Kane to table the pay request # 4 and final to D+G Concrete until the contractor's subs can approve the quantities. All voted yes, motion carried.

New Business: Barb Angerhofer, representing the Minnehaha County Ambulance District discussed plans to create an ambulance district. The district plans to tax property in the district at 60 cents per thousand and generate \$1.3 million county wide to provide the service. Metro Ambulance would receive \$754,199, Humbolt Ambulance would receive \$202,490, Dell Rapids Ambulance \$278,709, and Garretson Ambulance \$117,878. Motion by Thaler, second by Swier to have the group return to the November 1st meeting to discuss the proposal further. Liesinger voted no, all others yes, motion carried. Motion by Thaler, second by Liesinger to approve payment for a luncheon ticket for Donna Lueth to attend the Governors Luncheon during the SD Municipal Conference. All voted yes, motion carried.

Adjourn: Motion by Liesinger, second by Thaler to enter executive session for personnel matters at 8:10. All voted yes, motion carried. Motion by Thaler second by Liesinger to exit executive session at 8:37 pm. All voted yes, motion carried. Motion by Thaler, second by Liesinger to set up a special meeting for council members, mayor, and city staff in supervisory positions for drug and alcohol awareness training. All voted yes, motion carried. Motion by Liesinger, second by Swier to adjourn at 8:38. All voted yes, motion carried.

Minutes recorded by Roland VanDerWerff

CITY COPY

APPLICATION FOR ZONING VARIANCE
HARTFORD, SOUTH DAKOTA

APPLICATION NUMBER: 2005- FEE \$20.00 #3425 paid (check#) or cash

APPLICANT: Patricia & John Looby APPLICANT ADDRESS: _____

LEGAL DESCRIPTION: Lot 23 Block 2 Kelly Pt Add

VARIANCE ADDRESS: 406 Erin Circle

ZONING DISTRICT: R-1

DESCRIPTION OF VARIANCE REQUEST: Requesting 48' wide driveway instead of required 36' wide driveway at property line.

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.

Patricia G. Looby
Signature of Applicant

8-29-05
Date

Donna Lueth
Authorized Zoning Official

8-29-05
Date

The Board of Adjustment (consisting of all members of the Hartford City Council) shall hear and decide all appeals. A variance shall not be allowed to vary the use regulations. Section 16.04, Ordinance #485, printed on back of this form.

Published Aug. 1, 2005

Date of Public Hearing held by Planning and Zoning: 9/13/05 Time: 7:05 PM
Recommendation to approve or disapprove variance request by Planning and Zoning.

[Signature]
(signature of Planning and Zoning President)

Date of Public Hearing held by the Board of Adjustment: 9/20/05 Time: 7:25 PM
Granted _____ Denied (2/3 members necessary to approve any appeal)

[Signature]
(signature of Chairman, Board of Adjustment)

If not granted, state reasons: P. & Z. Recommendation.

Sign posted on site: Posted 8/30/05 (date)

Removed 9/21/05
Copy to Louisa 9/21/05

HARTFORD PLANNING & ZONING MINUTES
MEETING HELD MONDAY, SEPTEMBER 13TH, 2005

ROLL CALL: President Munce called the meeting to order at 7:00 p.m. with the following present for roll call: Munce, Ringling, Bender, and Schulte. Twedt unexcused absent. Goetsch arrived at 7: 05 p.m. and Smith arrived at 7:08 p.m. Mayor Binkerd was present.

APPROVAL OF MINUTES: Motion by Bender, second by Ringling, to approve the minutes for the 8/30/05 meeting. Carried with a yes vote by all.

PUBLIC HEARING: A public hearing was held at 7:05 p.m. to review a variance application submitted by John & Patricia Looby at legal description of Lot 23, Block 2, Kelly Point Addition, physical address of 406 Erin Circle. Request for variance is to construct a 48' wide driveway instead of the required 36' width at property line driveway. Request is for an extra 12' width on driveway. Motion by Schulte, second by Goetsch to not recommend approval of variance. Smith-no. Carried with a yes vote by all others. Scott Ely, 504 Patrick Avenue, was present and voiced concerns against the request.

OLD BUSINESS: Gerald Cressman, 101 W. Mickelson Road, was present to discuss rezoning issues with his property. He currently is operating the business of Cressman Enterprises with the repair and building of car engines. The property is zoned Agricultural and he would need to rezone to GB (General Business) to comply with the city regulations. No action.

NEW BUSINESS: Mary Englund was on agenda to discuss trailers in R-1 Single-Family Residential District. Mary Englund was not present, no action was taken.

MOTION TO ADJOURN: Motion by Bender, second by Smith to adjourn at 8:05 p.m. Carried with a yes vote by all.

MINUTES RECORDED BY: Rhonda Kuchta

Hartford City Council Minutes – September 20, 2005

Mayor Binkerd called the meeting to order at 7 pm with the following present: Otheim, Swier, Cunningham, Liesinger, and Thaler. Kane was absent with notice. Motion by Swier, second by Otheim to approve the minutes from 9-6-05 with the correction that executive session was for legal matters and not personnel matters. Liesinger abstained, all others yes, motion carried. Motion by Liesinger, second by Otheim to approve the bills submitted for payment. All voted yes, motion carried. Motion by Liesinger, second by Thaler to add executive session for personnel matters and Banners for the Jamboree Committee. All voted yes, motion carried. Motion by Liesinger, second by Cunningham to have Mayor Binkerd send a support letter to SECOG. All voted yes, motion carried. Shannon Rue of the West Central Boosters Club asked the council for permission to paint West Central Trojan logos on sidewalks and driveway approaches. Motion by Swier, second by Liesinger to grant approval. All voted yes, motion carried.

Reports: Bob Bender gave the Planning and Zoning Report. He indicated that P+Z is recommending denial of the variance request for a 48' driveway by John and Patricia Looby at 406 Erin Circle. They are also working with Gerald and Laurie Cressman to properly zone the property due to noise issues and the operation of an engine business. Planning and Zoning also discussed a request by Mary Englund to replace a manufactured home in an R1 district. P+Z discussed that this was not allowed under the current ordinances. Public Works Supt Wagner discussed the automatic dialer at the WWTF. Motion by Liesinger, second by Swier to purchase a new unit for around \$3,000. All voted yes, motion carried. Motion by Liesinger, second by Cunningham to declare the red Ford pickup surplus and take bids. Thaler voted no, all others yes, motion carried. Motion by Swier, second by Thaler to advertise for seasonal part time snow removal personnel at \$11 per hour. All voted yes, motion carried. VanDerWerff discussed the financing of the water tower and supply line projects. Street plans for 2006 were discussed. Recommendation to send Jamboree committee a letter regarding timing and parade route.

Hearings and Ordinances: At 7:25 a variance hearing was held for John and Patricia Looby to have a 48' driveway width or 12' wider than the city ordinance. Motion by Thaler, second by Otheim to deny the variance. Liesinger voted no, all others yes, motion carried. At 7:30 a hearing was held to consider Resolution 2005.16, a resolution approving the assessment roll for 6th, 7th, and 8th Streets. Motion by Liesinger, second by Thaler to approve Resolution 2005.16. All voted yes, motion carried. Motion by Liesinger, second by Thaler to approve second reading and adoption of Ordinance 490, annual appropriations ordinance. All voted yes, motion carried.

Water and Sewer: City Engineer, Jon Brown discussed the bids received on the water tower. The low bid for a new tower was \$798,500 and moving the Sioux Falls tower to Hartford and repainting was \$628,500. He will continue to investigate the details of moving the SF tower to Hartford. A recommendation letter will be presented to the council at a later date. The bid must be awarded within 30 days of the opening of the bids. Other water projects including the 2006 street construction and HADC development were discussed. VanDerWerff will attend the 9-22 HADC land committee meeting to discuss possible options. Motion by Liesinger, second by Otheim to send a request to DENR asking for approval to use some of the funds for 2006 projects. All voted yes, motion carried.

Streets: Motion by Liesinger, second by Otheim to approve change order # 3 to D+G concrete for \$560. All voted yes, motion carried. Brown reported the street project is done and a final inspection is scheduled for Thursday morning, September 22nd. Eastern Avenue between 5th and 6th was discussed. No action taken.

Old Business: Mary Cunningham informed the council that the lot the city is transferring to the HADC may require Quiet Title Action in order to receive a warranty deed. Imagination Station Daycare is buying the lot from the HADC for \$750 and it will cost them an additional \$750 to \$2,000 to have a quiet title action done so that they can get a Warranty Deed. Motion by

Liesinger, second by Thaler to transfer the lot to the HADC via Quit Claim Deed. The HADC can then transfer the lot to the buyers for \$750 via Quit Claim Deed and the new owner can pay for Quiet Title Action if so desired. Cunningham abstained, all others yes, motion carried.

New Business: Concensus to have the city attorney attend all council meetings.

Adjourn: Motion by Liesinger, second by Thaler to enter executive session for personnel matters at 8:38pm. All voted yes, motion carried. Motion by Liesinger, second by Thaler to exit executive session at 9:05 pm. All voted yes, motion carried. Motion by Thaler, second by Liesinger to research options for a building inspector. All voted yes, motion carried. Motion by Liesinger, second by Swier to adjourn at 9:06. All voted yes, motion carried.

Minutes recorded by Roland VanDerWerff

APPLICATION FOR ZONING VARIANCE
HARTFORD, SOUTH DAKOTA

APPLICATION NUMBER: 2008-4-16 FEE \$20.00 check# or cash
APPLICANT: Mark Brenneman APPLICANT ADDRESS: 404 Erin Circle
LEGAL DESCRIPTION: _____

VARIANCE ADDRESS: 404 Erin Circle
ZONING DISTRICT: R1

DESCRIPTION OF VARIANCE REQUEST: Allow Additional 12' Driveway width. To Allow Backing in of camper and neighboring property.

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] 4-16-08.
Signature of Applicant Date
[Signature] 4-16-08
Authorized Zoning Official Date

The Board of Adjustment (consisting of all members of the Hartford City Council) shall hear and decide all appeals. A variance shall not be allowed to vary the use regulations. Section 16.04, Ordinance #485, printed on back of this form.

Date of Public Hearing held by Planning and Zoning: May 13 Time: 7:20
Recommendation to approve or disapprove variance request by Planning and Zoning.
[Signature]
(signature of Planning and Zoning President)

Date of Public Hearing held by the Board of Adjustment: May 20 Time: 7:20
Granted Denied (2/3 members necessary to approve any appeal)
[Signature]
(signature of Chairman, Board of Adjustment)
If not granted, state reasons: _____

Sign posted on site: 4-25-08 (date)

Hartford Planning and Zoning Minutes – Regular Meeting May 13, 2008

Chairman Munce called the meeting to order at 7:00 pm with the following members present: Smith, Bender, Kuehl, Cunningham Ringling and Mitchell. A motion was made by Kuehl, second by Cunningham, to approve the minutes of the April 8, 2008 meeting with the following correction: the meeting was called to order at 7:30pm not 7:00pm as noted in the minutes - all voted yes, motion carried. President Dean Munce welcomed Mayor Buss and Councilpersons Amundson, Kane, Zimmer and Cunningham.

Building Permit Extensions: Michelle Riddings requested an extension on building permit 2007-9 and Weston Lien requested an extension on building permit 2006-6. A motion was made by Bender, second by Kuehl, to grant both Riddings and Lien an extension until December 31, 2008 on their building permits – all voted yes, motion carried.

Hearings/Petitions/Applications:

The Board held a 7:05pm variance hearing for a 40' on-premise sign and 684' square feet of signage at 1021 Diamond Circle (Ten Pin Alley). Jenny Goldammer was present to request that the sign for Ten Pin Alley be 40' tall so it may be seen from the interstate and to allow 684' square feet of signage on the sign to allow for several advertisements. A motion was made by Smith, second by Kuehl, to recommend the sign variance at 1021 Diamond Circle – all voted yes, motion carried.

The Board held a 7:20 variance hearing for a 48' driveway width at 404 Erin Circle. Mark Brenneman asked the planning and zoning to allow is driveway width to be an addition 12' at the sidewalk which would make his driveway 48' and allow him better access to his camper pad. A motion was made by Cunningham, second by Bender, to recommend a 48' driveway at 404 Erin Circle to extend to the sidewalk –all voted yes, motion carried

New Business:

Review Plat for Terry McMahon: Terry McMahon presented to the planning and zoning his plat for Little Robin Addition. A motion was made by Kuehl, second by Mitchell, to approve the plat for Little Robin Addition – all voted yes, motion carried.

Review of Building Permit information for two 6 plexes for Terry McMahon: The planning and zoning board reviewed and discussed the plans for Terry McMahon's 6 plexes. A motion was made by Kuehl, second by Ringling, to table this item until the May 27, 2008 Planning and Zoning meeting so the board will have more time to review this item – all voted yes, motion carried.

Toby Brown of SECOG: Toby Brown with SECOG (Southeastern Council of Governments) was on hand to discuss with the planning and zoning board and members of the city council his overview on how the city could utilize the planning and zoning board to its full capacity and effectiveness. Mr. Brown discussed such items as allowing conditional use permits and authorizing the planning and zoning board to be the Board of Adjustments for Hartford. SECOG would work with the city to improve our ordinances and procedures. Planning and zoning, along with the council, discussed different issues with Mr. Brown and each other.

Report to Council

City Administrator, Roland VanDerWerff, informed the council that Minnehaha might have a generator for surplus that the City could receive. A motion was made by Kane, second by Zimmer, to agree to make a 60KW portable generator available for disasters or emergencies for the county emergency management team and accept the generator if it is declared surplus and transferred to the city – Cunningham, Kane, Zimmer and Amundson voted yes, motion carried.

VanDerWerff also reported that the West Central's senior government class is working on a proposal to allow bottle water in the classrooms and a proposal on a new recreational facility or area. The class will present the proposals to their instructor on May 20th and has asked for someone with the city government to also come and critic them – Bob Bender volunteere to hear their presentation on May 20th. The class will also give a short presentation to the city council on May 20th for their review.

Adjournment: A motion was made by Kuehl, second by Mitchell, to adjourn at 8:56pm -all voted yes, motion carried

Minutes recorded by Teresa Sidel

City Council Meeting – Regular Meeting June 3, 2008

Mayor Laura Buss called the meeting to order at 7:00 p.m. at the Hartford City Hall with the following city council members present: Ken Amundson, Paul Zimmer, Mike Kane, Phil Cunningham, Bob Deelstra and Mike Swier. A motion was made by Swier, second by Zimmer, to approve the minutes of the May 20, 2008 meeting – all voted yes, motion carried.

Additions to the Agenda: A motion was made by Zimmer, second by Amundson to add the discussion of water aerobics under parks and pool - all voted yes, motion carried.

Correspondence: The City received a letter from Rollyn Samp, attorney for Roger Haugo, regarding Ordinance 525. It was the consensus of the Hartford City Council to have the City Attorney contact Mr. Samp and discuss the ordinance.

Fire Department Report: Fire Chief Kelly Boysen gave the city council an update on the fire department. The department had 13 calls in May with 4 fire calls and 9 EMS calls. Barb Thaler put on a CPR & 1st Aid certification class for the lifeguards and pool managers on May 12th. She will be conducting rescue drills at the city pool throughout the summer. Thaler also put on a CPR & 1st Aid certification class for the general public on May 29th with 9 participants. The department conducted a mock bus accident on June 2nd with 30 participants. Department employees will begin submitting blood titers for hepatitis shot. On May 20th, the fire department held a special meeting to discuss the purchase of a new truck. The department voted to purchase a new fire truck and voted to sell Engine #3.

Finance Officer Report: The finance officer reported that the City's 2007 audit has been accepted by the Department of Legislative Audit and is now complete. Human Resource/Finance Officer School is June 10-13th. The finance officer is busy doing end-of month reports and closing the May books.

Public Works Superintendent Report:

Streets: The city crew is planning to start mag watering the streets the week of June 9th. The City received 60KW portable generator from Minnehaha County. Mosquito larvacide has been put out and traps are being checked to determine the need for spraying.

Water & Sewer: Flows at the main lift station are being monitored. The crew is doing a lot of water/sewer locates and cleaning sewer inlets.

Park & Pool: The pool is open and running. The ball field lights are fixed. The city is installing a water line and replacing the wire to the old bathroom. The old hydrant in the park is being replaced and the crew is building a water station with an auto shutoff spigot and a hose bib. Before the new playground equipment arrives, the city plans to install drain tile in the wet area of the park.

City Administrator Report: City Administrator, Roland VanDerWerff, reported that the Safe Routes to School Application is ready and the City is requesting \$539,000.00. The council discussed sending out a survey to the citizens. The USD government research bureau would be willing to conduct the survey for approximately \$4000.00. Turnaround for the survey would be around 60 days. VanDerWerff also reported that the City of Sioux Falls will be holding their annual surplus auction in October.

Ordinances and Hearings:

7:05 Variance Hearing: The owners of Ten Pin Alley has requested a variance for a 40' on-premise sign and 684' square feet of signage at 1021 Diamond Circle. This would allow the sign to be seen from the interstate. A motion was made by Swier, second by Kane, to grant Ten Pin Alley their variance request – all voted yes, motion carried

Little Robin Addition: A motion was made by Kane, second by Zimmer, to approve the plat for Lot 1 and 2 of Little Robin Addition – all voted yes, motion carried.

7:20 Variance Hearing: Mark Brenneman has requested a 48' driveway variance at 404 Erin Circle. This would allow an additional 12' of driveway at the sidewalk to allow him better access to his camper pad. A motion was made by Zimmer, second by Deelstra, to approve Mark Brenneman's variance request – all voted yes, motion carried.

7:30 Malt Beverage Licenses Hearing: A motion was made by Kane, second by Zimmer, to approve the renewal of malt beverage off sale licenses for Olson Oil Co and Hartford Supermarket; and to approve the renewal of malt beverage on/off sale licenses for Sports Edition Inc., L&H Pizza Ranch, Davis Jones Enterprises, Sundermann Holdings Inc, HOC Properties II Inc, American Legion Post #118, Windfall Casino, and Ten Pin Alley – all voted yes, motion carried.

Parks and Pools:

Water Aerobics: Councilperson Zimmer asked the council to discuss adding additional days for water aerobics at the pool. It was the consensus of the council to leave the decision regarding days and time of the water aerobics program to the pool manager.

Park Walking Path: Mitch Mergen, with Stockwell engineers gave the council a preliminary draft of the proposed walking path around and in the park. This path was discussed and reviewed by the council.

Old Business:

Bike Trail Repairs: Representatives with Stockwell Engineers, Zacharias Construction and the City of Hartford all met to discuss the cracks in the new bike trail along Mickelson Avenue that was installed in 2007. The contractor has proposed an agreement, which states that they will replace all 400 feet of the defective trail if the city agrees to pay for 200 feet at the contract price. Zacharias Construction will not charge the city for any additional charges for removals or to restore seeding and black dirt. A motion was made by Deelstra, second by Swier, to accept the proposed offer from Zacharias Construction to replace the defective bike trail along Mickelson – all voted yes, motion carried

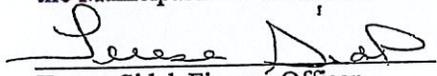
New Business:

The SDML is offering two workshops for elected officials to receive helpful information. The SE SDML will hold an Elected Officials Workshop in Brandon on June 24th at 6pm and the SDML Newly Elected Officials Workshop will be held in Pierre on July 11th.

Adjourn: A motion was made by Deelstra, second by Kane, to adjourn at 8:15pm – all voted yes, motion carried.

Minutes recorded by Finance Officer, Teresa Sidel

I, the undersigned, Teresa Sidel, Municipal Finance Officer 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 the Municipal Finance Office.


Teresa Sidel, Finance Officer



NOTICE OF PUBLIC HEARING

Pursuant to SDCL 11-4-12, notice is hereby given that the Hartford Planning Commission will hold a Public Hearing on September 8, 2020, regarding adoption of the amendments to the Hartford Zoning Regulations. A copy of the proposed Zoning Amendments is available for public review at the Hartford City Hall during regular business hours.

This Planning Commission public hearing will be held at the following time, date and location:

7:20 P.M.
September 8, 2020
Hartford City Hall (125 N. Main Avenue)

The purpose of this hearing is to explain the proposed amendments to the Hartford Zoning Regulations to interested persons, to answer questions regarding this item, and to hear public comment on this item. The Planning Commission invites all interested persons to attend and offer their comments. Those interested persons not able to attend are invited and encouraged to send written comments, prior to the hearing, to the Hartford City Administrator, 125 N Main Avenue, Hartford, SD 57033.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this hearing, please contact the Business Office at (605) 528-6187. Anyone who is deaf, hard-of-hearing or speech-disabled may utilize Relay South Dakota at (800) 877-1113 (TTY/Voice). Notification 48 hours prior to the hearing will enable the City to make reasonable arrangements to ensure accessibility to this hearing.

Teresa Sidel
City Administrator

ORDINANCE NO. 694

AN ORDINANCE OF THE CITY OF HARTFORD, SD, AMENDING THE 2016 REVISED HARTFORD ZONING REGULATIONS BY AMENDING CHAPTER 3, NRC: NATURAL RESOURCE CONSERVATION DISTRICT; CHAPTER 4, R: RESIDENTIAL DISTRICT; CHAPTER 5, MH: MANUFACTURED HOUSING RESIDENTIAL; CHAPTER 6, NC: NEIGHBORHOOD COMMERCIAL DISTRICT; CHAPTER 7, CC: COMMUNITY COMMERCIAL DISTRICT; CHAPTER 8, RC: REGIONAL COMMERCIAL DISTRICT; CHAPTER 9, CB: CENTRAL BUSINESS DISTRICT; CHAPTER 10, LI: LIGHT INDUSTRIAL DISTRICT; CHAPTER 11, HI: HEAVY INDUSTRIAL DISTRICT; AND CHAPTER 20, DEFINITIONS.

BE IT ORDAINED BY THE CITY OF HARTFORD, SD:

Section 1. That Chapter 3.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:

Place of Worship	12.02, 12.04, 12.11 All parking lots being eight feet from all residential properties. One of the principle frontages shall abut upon an arterial or collector street. One free standing sign as allowed within 12.06
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Section 2. That Chapter 4.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to remove the following:

Church	12.02, 12.04, 12.11 All parking lots being eight feet from all residential properties. One of the principle frontages shall abut upon an arterial or collector street. One free standing sign as allowed within 12.06.
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Section 3. That Chapter 4.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:

Place of Worship	12.02, 12.04, 12.11 All parking lots being eight feet from all residential properties. One of the principle frontages shall abut upon an arterial or collector street. One free standing sign as allowed within 12.06
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Section 4. That Chapter 5.02 of the 2016 Revised Hartford Zoning Regulations is hereby amended to remove the following:

Churches	12.02, 12.04, 12.11, 19.01 One of the principle frontages shall abut upon an arterial or collector street. One freestanding sign as allowed within 12.06.
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Section 5. That Chapter 5.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:

Place of Worship	12.02, 12.04, 12.11 All parking lots being eight feet from all residential properties. One of the principle frontages shall abut upon an arterial or collector street. One free standing sign as allowed within 12.06
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Section 6. That Chapter 6.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:

Place of Worship	12.02, 12.04, 12.06, 12.11
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Section 7. That Chapter 7.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:

Place of Worship	12.02, 12.04, 12.06, 12.11
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Section 8. That Chapter 8.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:

Place of Worship	12.02, 12.04, 12.06, 12.11
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Section 9. That Chapter 9.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:

Place of Worship	12.02, 12.04, 12.06, 12.11
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Section 10. That Chapter 10.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:

Place of Worship	12.02, 12.04, 12.06, 12.11
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Section 11. That Chapter 11.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:

Place of Worship	12.02, 12.04, 12.06, 12.11
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Section 12. That the following entries in Chapter 20.02 of the 2016 Revised Hartford Zoning Regulations are hereby amended to read as follows:

CHURCH – See (Place of Worship).

PLACE OF WORSHIP – A premises used for the regular assemblage of people for the purpose of worship, ceremonies, rituals, or education relating to a particular form of religious belief. Places of worship include, but are not limited to, churches, chapels, mosques, synagogues, and temples.

Adopted this 6th day of October 2020

Jeremy Menning
Mayor, City of Hartford

ATTEST:

Karen Wilber
Finance Officer, City of Hartford

Seal

First Reading: September 15, 2020
Second Reading & Adoption: October 6, 2020
Publication: October 16, 2020
Effective Date: November 5, 2020

ORDINANCE NO. 695

AMEND ZONING REGULATION #627 – ACCESSORY BUILDINGS

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 12, SECTION 12.03 – ACCESSORY BUILDINGS AND USES.

BE IT ORDAINED BY THE CITY OF HARTFORD, SD:

That Ordinance 627, Chapter 12, Section 12.03 – Accessory Buildings and Uses shall be amended as follows:

12.03 Accessory Buildings, Structures and Uses

A. In General.

1. No accessory building or structure or use shall be constructed or developed on a lot prior to construction of the principal building.
2. Any building or structure placed within an easement that impedes the access or intended use of that easement may be removed by the City or the City's representative at the owner's expense.
3. No accessory building or structure may be placed within drainageways and/or on drainage easements.
4. Accessory buildings and structures may not be used for dwelling purposes.
5. A placement permit is required for accessory buildings or structure under 120 square feet and a building permit is required for accessory buildings or structure over 120 square feet.

B. Accessory Buildings and Structures.

1. Except in NRC: Natural Resource Conservation District, no accessory buildings or structure shall be erected or located within any front yard or any required yard, other than the rear yard.
2. Accessory buildings or structures, including, but not limited to, garages, shall not exceed fifteen (15) feet in height as measured from the mean ground level to the highest point of the roof.
3. Accessory buildings or structures 120 square feet or under must be 5 feet or more from all property lines and accessory buildings or structures over 120 square feet must be 10

feet or more from all property lines.

4. The distance between all buildings must be at least 5 feet.
5. Only two accessory buildings shall be permitted per lot.
6. No individual accessory building or structure shall exceed a maximum of 1,000 square feet or 30% of the rear yard, whichever is less.
7. If two accessory buildings are constructed, one must be no larger than 150 square feet.
8. The roofing and siding materials of accessory buildings larger than 150 square feet, except greenhouses, must be of like kind to the principal structure.
9. Any accessory building which is entered directly from an alley shall not be closer than 15 feet to the property line abutting the alley.
10. Accessory buildings or structures not meeting these requirements shall be allowed only as a conditional use.

Adopted this 6th day of October 2020.

Jeremy Menning, Mayor

ATTEST:

Karen Wilber, Finance Officer

Seal

First Reading: September 15, 2020
Second Reading & Adoption: October 6, 2020
Publication: October 16, 2020
Effective Date: November 5, 2020

PETITION FOR SUPPORT OF ANNEXATION

The landowner of the following described property has asked for annexation within the city boundary of the City of Hartford, Minnehaha County, South Dakota.

Legal Description of land to be annexed:

To be Platted: Lot 3 of Swenson Addition of the City of Hartford, Minnehaha County, SD.

This petition is signed by the City Administrator on behalf of the City of Hartford who is the owner of not less than $\frac{3}{4}$ of the value of the territory to be annexed.

I state that there are no registered voters residing in the territory sought to be annexed.

Landowner:

City of Hartford

By: 
City Administrator, Teresa Sidel

Date: Aug 21, 2020

A Map of the proposed annexed area is to be attached to this form.

PUBLIC NOTICE

The Hartford Planning and Zoning Commission will review an annexation and rezoning application submitted by the City of Hartford for Lot 3 of Swenson Addition on September 8, 2020 at 7:30 p.m. Lot 3 is proposed to be rezoned from county zoning of A-1 to city zoning of LI (Light Industrial). The Hartford City Council will review said annexation and zoning applications at 7:20 p.m. on September 15, 2020 at Hartford City Hall to either approve or disapprove the described request. All interested parties may appear and be heard.

Dated this 28th day of August 2020.

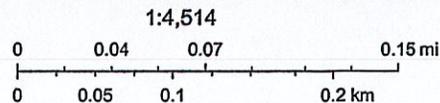
Teresa Sidel
City Administrator

Lot 3 Swenson Addition



9/4/2020, 2:26:44 PM

- County Tract County Parcels
- County Lot Parcels
- County Block Standard Tax Parcel
- County Additions Condo or Suite
- County Tax Lines Municipalities
- PLAT Section
- - TAXLOT Townships



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, City of

September 4, 2020



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

12_20033 | SEI No.
Plat for Review | Encl
Joel Boy, Midwest Land Surveying | Cc

Re: Anderson's Addition
Tract 1 & 2
Plat Review

Dear Mrs. Sidel:

Stockwell Engineers, Inc. has reviewed the enclosed plat for the abovementioned project. We reviewed the plat as a minor plat in conformance with the city's subdivision regulations. The plat is outside the city's limits but within platting jurisdiction. It is our understanding the plat is meant to serve the purposes of transferring ownership. No improvements to public infrastructure are planned at this time. The following are our comments.

General Comments

1. Subdivision Regulation 3.2.1.L requires a site plan be submitted with the plat illustrating existing building outlines to verify setbacks. We recommend the subdivider submit a site plan to comply.
2. Subdivision Regulation 4.1.4 requires that an executed annexation agreement accompany the plat.
3. 465th Avenue is a section line roadway and is anticipated to serve as a minor arterial roadway in the future. Design Standard 8.5.1 requires the minimum ROW to be 100-ft centered along the section line. We recommend revising the ROW from 33-ft to 50-ft to comply.

We trust these comments will aid in the review of this project. We recommend the subdivider address our comments in writing and revise the submittals appropriately. If there are questions regarding our correspondence, please contact our office.

Respectfully submitted,

STOCKWELL ENGINEERS, INC.


Mitchell Mergen, PE
Representing City Engineer

Disclaimer: Stockwell Engineer's, Inc. review is for general conformance with city standards. Comments are provided as a courtesy to aid the developer in preparing submittals. The responsibility to comply with state and local ordinances shall remain with the developer and its representatives. Copies of the city's subdivision regulations, design standards and local ordinances are available at city hall for the developer to reference.

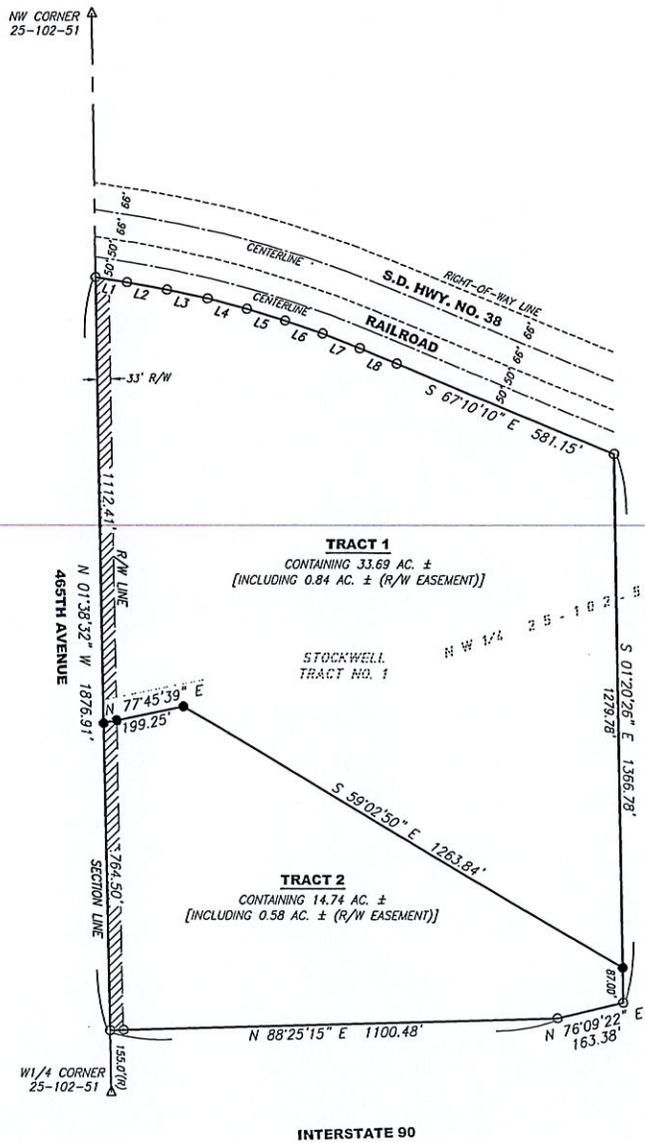
ENGINEERING / LANDSCAPE ARCHITECTURE / SURVEYING

801 N. Phillips Ave. Suite 100, Sioux Falls, SD 57104

stockwellengineers.com / 605.338.6668

PLAT OF TRACT 1 AND TRACT 2 OF ANDERSON'S ADDITION

AN ADDITION IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE 5TH PRINCIPAL MERIDIAN, MINNEHAHA COUNTY, SOUTH DAKOTA.



LINE	BEARING	DISTANCE
L1	S 81°02'42" E	78.27'
L2	S 79°11'29" E	99.73'
L3	S 77°13'36" E	100.04'
L4	S 75°03'59" E	100.10'
L5	S 72°57'35" E	99.87'
L6	S 71°04'58" E	99.87'
L7	S 68°41'23" E	99.88'
L8	S 67°35'10" E	99.87'

LEGEND:

- SET 5/8" REBAR W/CAP #10141
- FD. MONUMENT
- AC. ACRES
- S.F. SQUARE FEET
- U.E. UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- N.T.S. NOT TO SCALE
- PREVIOUSLY PLATTED LINE
- - - - - EASEMENT LINE

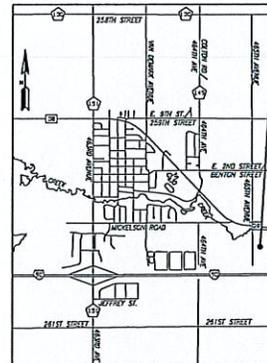
NOTES:
BASIS OF BEARINGS ARE UTM ZONE 14
THIS PLAT WAS PREPARED WITHOUT THE
BENEFIT OF A TITLE COMMITMENT.

EASEMENTS OF RECORD WERE NOT
RESEARCHED AND ARE NOT SHOWN
ON THE PLAT.



PREPARED BY:

Midwest
Land Surveying, Inc.
Land Surveying and GPS Consulting
211 E. 14th Street Suite 100
Sioux Falls, South Dakota 57104
Phone: (605) 339-8901 FAX: (605) 274-8951



VICINITY MAP N.T.S.
CITY OF HARTFORD

SITE

PLAT OF TRACT 1 AND TRACT 2 OF ANDERSON'S ADDITION

AN ADDITION IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE 5TH PRINCIPAL MERIDIAN, MINNEHAHA COUNTY, SOUTH DAKOTA.

<p style="text-align: center;">SURVEYOR'S CERTIFICATE</p> <p>I, <u>Jeffery C. Schievelbein</u>, of <u>Midwest Land Surveying, Inc.</u>, a Registered Land Surveyor in the State of South Dakota, do hereby state that I did, on or before this date, survey <u>Stockwell Tract No. 1 in the Northwest Quarter of Section 25, Township 102 North, Range 51 West of the 5th Principal Meridian, Minnehaha County, South Dakota, and re-platted the same into Tract 1 and Tract 2 of Anderson's Addition, an Addition in the Northwest Quarter of Section 25, Township 102 North, Range 51 West of the 5th Principal Meridian, Minnehaha County, South Dakota, as shown on the foregoing PLAT.</u></p> <p>The same shall be known and described as <u>TRACT 1 AND TRACT 2 OF ANDERSON'S ADDITION AN ADDITION IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE 5TH PRINCIPAL MERIDIAN, MINNEHAHA COUNTY, SOUTH DAKOTA.</u></p> <p>Dated this _____ Day of _____, 20 ____.</p> <p>I further certify that the above PLAT correctly represents the same, is true and correct and that it was made at the request of the owners.</p> <div style="text-align: center;">  </div> <p>Jeffery C. Schievelbein, Registered Land Surveyor No. 10141</p>	<p style="text-align: center;">CITY ENGINEER'S CERTIFICATE</p> <p>I, _____, City Engineer of the City of Hartford, South Dakota, do hereby certify that this plat has been reviewed by me or my authorized agent and that this plat is recommended for approval.</p> <p>Signed on this _____ day of _____, 20 ____.</p> <p>_____ City Engineer City of Hartford, South Dakota</p> <p style="text-align: center;">CITY COUNCIL RESOLUTION</p> <p>Whereas this Plat has been examined by the City Council of Hartford and it appears to the City Council that the system of streets set forth therein conforms to the system of streets of the existing Plats of the City, that all provisions of the City's subdivision regulations have been complied with, that all taxes and special assessments upon the tract or subdivision have been fully paid, and that such plot and the survey thereof have been executed according to law.</p> <p>Now therefore, be it resolved by the City Council of Hartford, South Dakota that said Plat is hereby approved, and the City Finance Officer is hereby directed to endorse on said Plat a copy of this resolution and certify the same thereon.</p> <p>Approved this _____ Day of _____, 20 ____.</p> <p>_____ Mayor City of Hartford, South Dakota</p>
<p style="text-align: center;">OWNER'S CERTIFICATE</p> <p>We, the undersigned, do hereby certify that we are the owners of all land included in the above plat and that said plat has been made at our request and in accordance with our instructions for the purposes of transfer, and that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.</p> <p>We hereby dedicate to the public for public use forever, the streets, roads, alleys, parks and public grounds, if any, as shown on said plat. Including all sewers, culverts, bridges, water distribution lines, sidewalks and other improvements on or under the streets, roads, alleys, parks and public grounds whether such improvements are shown or not. We also hereby grant easements to run with the land for water, drainage, sewer, gas, electric, telephone, cable television, or other public utility lines or services, under, on or over those strips of land designated hereon as easements for the purposes of constructing, maintaining, repairing, and improving said facilities. The owner, their lessees and assignees shall, at their own expense, keep the easement area in good repair and clear of obstructions. No improvements of any kind may be erected within an easement which might interfere in any way with the proper maintenance, use, repair, reconstruction, and patrolling of the easement. This covenant shall run with the land.</p> <p>We hereby waive any rights of protest to any special assessment program which may be initiated for the purpose of installation of improvements required by the Subdivision Ordinance of the City of Hartford.</p> <p>We do hereby certify that this replat will not place any existing lot or building in violation of any applicable ordinance, code, regulation, or law including but not limited to zoning, building, subdivision, and flood prevention.</p> <p>We further certify that this replating of said described Tract 1 and Tract 2 of Anderson's Addition does hereby vacate the following plating:</p> <p><u>Stockwell Tract No. 1 in the Northwest Quarter of Section 25, Township 102 North, Range 51 West of the 5th Principal Meridian, Minnehaha County, South Dakota, on file at the office of the Register of Deeds in Book 28 of plats, Page 13, said plat, hereby vacated, being situated within described Anderson's Addition as surveyed.</u></p> <p>Dated this _____ Day of _____, 20 ____.</p> <p>_____ Daren R. Anderson</p> <p>_____ Kim C. Anderson</p> <p>State of _____ County of _____</p> <p>On this the _____ day of _____, 20 ____ before me, the undersigned officer, personally appeared <u>Daren R. Anderson and Kim C. Anderson</u>, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.</p> <p>In witness whereof I hereunto set my hand and official seal.</p> <p>_____ Notary Public - State of _____ My Commission Expires: _____</p>	<p style="text-align: center;">FINANCE OFFICER'S CERTIFICATE</p> <p>I, _____, the duly appointed, qualified and acting Finance Officer of the City of Hartford, South Dakota, hereby certify that the certificate of approval is true and correct including the signature thereon, and that any special assessments which are liens upon the land shown in the above plat, as shown by the records in my office on this _____ day of _____, 20 ____ have been paid in full.</p> <p>_____ City Finance Officer City of Hartford, South Dakota</p> <p style="text-align: center;">COUNTY PLANNING DIRECTOR'S CERTIFICATE</p> <p>I, the Planning Director of Minnehaha County, do hereby certify that this plat has been reviewed by me or my authorized agent and has been approved.</p> <p>Approved this _____ day of _____, 20 ____.</p> <p>_____ PLANNING DIRECTOR Minnehaha County, South Dakota</p> <p style="text-align: center;">COUNTY AUDITOR CERTIFICATE</p> <p>I, <u>Bob Litz</u>, do hereby certify that the above certificate of approval is true and correct including the signature thereon.</p> <p>Dated this _____ Day of _____, 20 ____.</p> <p>_____ COUNTY AUDITOR Minnehaha County, South Dakota</p> <p style="text-align: center;">TREASURER</p> <p>I, the Treasurer of Minnehaha County, South Dakota, do hereby certify that all taxes which are liens upon any land shown in the above plat, as shown by the records of my office have been paid in full.</p> <p>Dated this _____ Day of _____, 20 ____.</p> <p>_____ TREASURER Minnehaha County, South Dakota</p> <p style="text-align: center;">DIRECTOR OF EQUALIZATION</p> <p>I, the Director of Equalization of Minnehaha County, South Dakota, do hereby certify that a copy of the above and foregoing described plat has been filed in my office.</p> <p>Dated this _____ Day of _____, 20 ____.</p> <p>_____ DIRECTOR OF EQUALIZATION Minnehaha County, South Dakota</p>
<p style="text-align: center;">CERTIFICATE OF HIGHWAY AUTHORITY</p> <p>ACCESS TO SD. HIGHWAY 38 IS (<input type="checkbox"/> APPROVED / <input type="checkbox"/> NOT APPROVED. THIS ACCESS APPROVAL DOES NOT REPLACE THE NEED FOR ANY PERMITS REQUIRED BY LAW TO ESTABLISH THE PRECISE ACCESS LOCATION, INCLUDING PERMIT REQUIREMENTS SET FORTH IN ADMINISTRATIVE RULE OF SOUTH DAKOTA 70:09-01:02</p> <p>HIGHWAY AUTHORITY _____</p> <p>TITLE: _____</p>	<p style="text-align: center;">REGISTER OF DEEDS</p> <p>Filed for record this _____ day of _____, 20 ____ at _____ o'clock, _____ m., and recorded in Book _____ of Plats on Page _____.</p> <p>_____ REGISTER OF DEEDS Minnehaha County, South Dakota</p>
<p style="text-align: center;">CITY PLANNING COMMISSION CERTIFICATE</p> <p>Be it resolved by the Planning Commission of the City of Hartford, South Dakota that this Plat be approved and that the same be presented to the City Council with the recommendation to adopt said plat.</p> <p>Approved this _____ Day of _____, 20 ____.</p> <p>_____ Chairman City of Hartford Planning Commission</p>	<p style="text-align: right;">2 OF 2</p>

Building Inspection Log - August 2020

<u>Date</u>	<u>Address</u>	<u>Permit #</u>	<u>Type</u>	<u>Status</u>	<u>Comments</u>
8/2/2020	307 N. Oaks ave	2020-96	bld	final	closed out deck project
8/2/2020	407 S. Main ave		flat	final	closed concrete patio project
8/2/2020	903 N. Oaks av	2020-67	bld	final	closed out sign permit
8/2/2020	307 N. Oaks ave	2020-97	bld	final	closed out front deck job
8/2/2020	207 N. Main ave	2020-77	bld	framing	inspected new ext. door header
8/2/2020	201 N. Vandemark	2020-86	bld	final	closed out reroof job
8/2/2020	622 Sherwood Cir	2020-66	bld	Status	new house rough framing in progress
8/2/2020	1005 Duck Cir	2020-76	bld	Status	new house rough framing in progress
8/2/2020	1004 Duck Cir	2020-9	bld	Status	new house rough framing in progress
8/2/2020	604 Sherwood Cir	2020-102	bld	Status	new house site excavation done
8/2/2020	507 N. Mundt	2020-49	bld	Status	front deck in progress
8/2/2020	605 N. Mundt	2020-100	bld	Status	no work begun on deck project
8/2/2020	812 Trojan ave	2020-81	bld	Status	footings and foundation walls set for new house
8/2/2020	816 Trojan ave	2020-80	bld	Status	footings and foundation walls set for new house
8/3/2020	604 Sherwood Cir	2020-102	bld	footing	approved new house footing
8/4/2020	400 Mary Lane	2020-4	bld	Status	checked on basement job
8/4/2020	802 Par Tee	2020-95	bld	final	closed out deck project
8/4/2020	800 E. 2nd street	2020-36	bld	final	closed out front deck job
8/4/2020	1005 Duck Cir	2020-76	bld	footing	approved rear yard porch footings
8/4/2020	901 Pineview Cr	2020-50	bld	final	closed out shed permit
8/4/2020	100 E. 9th Lot # 34	2020-83	bld	Status	checked on carport
8/4/2020	804 Trojan Ave	2020-73	bld	Status	rough framing in progress
8/5/2020	101 W. 4th street	2020-57	bld	framing	new attached garage framing approved
8/7/2020	514 Crystal Drive	2018-82	bld	final	closed out residing job
8/7/2020	701 Par Tee	2020-31	bld	final	closed out deck remodel
8/7/2020	1004 Duck Cir	2020-9	bld	framing	approved new house framing
8/7/2020	1103 N. Vandemark	2020-20	bld	footing	approved new house porch footings
8/7/2020	510 N. Main ave		CE	final	closed out complaint
8/7/2020	105 Calvin Drive	2020-16	bld	framing	approved East side twin home unit
8/10/2020	206 S. Main ave	2020-74	bld	footing	approved garage addition
8/11/2020	303 W. 2nd st	2020-58	bld	Status	met with School rep. on ADA ramp landing
8/11/2020	507 Ironwood	2020-72	bld	footing	approved rear yard deck footings
8/12/2020	107 S. Kelly ave	2020-103	bld	final	closed out rear deck permit
8/14/2020	107 S. Eastern ave	2020-2	bld	final	closed out comm. Remodel
8/15/2020	1070 Ruud Lane	2017-125	bld	Status	checked on new commercial building
8/15/2020	200 E. 5th street		flat	Status	met with GC about new city sidewalk project
8/15/2020	403 E. 6th street		flat	final	closed out permit
8/15/2020	206 Mary Lane		flat	Status	equipment on site, no excavation work yet
8/15/2020	208 Elm Road		flat	Status	excavation work done
8/15/2020	202 E. 3rd street		flat	Status	excavation work done

8/15/2020	107 N. Feyder Ave		flat	final	closed out permit
8/15/2020	103 N. Feyder		flat	final	closed out permit
8/15/2020	110 N. Kelly Ave		flat	final	closed out permt
8/15/2020	507 N. Mundt	2020-49	bld	Status	checked on front deck progress
8/15/2020	101 W. 4th street	2020-57	bld	Status	Gov House-New front stoop built
8/15/2020	300 Kia Drive		bld	Status	checked on new proposed deck project no permits
8/15/2020	507 Jamison Cr	2020-39	bld	Status	checked on new house progress
8/15/2020	506 Jamison Circle	2020-46	bld	Status	checked on new house progress
8/15/2020	507 Connie Circle	2020-19	bld	Status	checked on new house progress
8/17/2020	605 N. Mundt	2020-100	bld	Status	checked on front deck progress
8/17/2020	751 Shamrock dr	2020-10	bld	Status	new house interior work progressing
8/18/2020	500 S. Feyder	2020-15	bld	framing	approved new garage rough framing
8/18/2020	302 N. Mundt	2020-44	bld	footing	new deck
8/18/2020	506 Jamison Circle	2020-46	bld	framing	approved new house rough framing
8/21/2020	300 Kia Drive		bld	Status	discussed new deck project with owner
8/21/2020	306 Ramona Drive	2020-32	bld	pre final	reviewed deck and 3 season room
8/21/2020	816 Trojan ave	2020-80	bld	Status	rough framing in progress
8/21/2020	604 Sherwood Cir	2020-102	bld	Status	footings and foundation walls set for new house
8/21/2020	206 S. Main ave	2020-74	bld	Status	flatwork poured for new garage addition
8/21/2020	1103 N. Vandemark	2020-98	bld	Status	lawn shed framing in progress
8/21/2020	804 Trojan Ave	2020-73	bld	Status	rough framing in progress
8/21/2020	705 E. 2nd street	2020-75	bld	Status	remodeling job in progress
8/21/2020	701 S. Western ave	2020-106	bld	Status	checked soils conditions
8/24/2020	507 Jamison Cr	2020-39	bld	framing	new house framing approved
8/24/2020	605 N. Mundt	2020-100	bld	footing	new front deck pier footings
8/24/2020	900 Trojan ave	2020-108	bld	footing	approved new house footing
8/25/2020	701 S. Western ave	2020-106	bld	footing	new store footings
8/26/2020	400 E. 3rd street	2020-71	bld	pre final	review deck project
8/27/2020	1102 Duck Trail	2020-59	bld	footing	approved porch footings for new house
8/28/2020	501 N. Sagehorn Drive	2020-112	bld	footing	approved garage addition footing set up
8/29/2020	200 E. 5th street		flat	final	closed out concrete work
8/29/2020	202 E. 3rd street		flat	final	closed out concrete work
8/29/2020	208 Elm Road		flat	final	closed out concrete work
8/29/2020	206 Mary Lane		flat	Status	work in progress
8/29/2020	802 Par Tee	2020-110	bld	final	closed out residing job
8/29/2020	512 Crystal	2020-104	bld	final	closed out reroof job
8/29/2020	1103 N. Vandemark	2020-98	bld	Status	lawn shed framing -needs siding
8/29/2020	407 N. Mundt ave	2020-92	bld	Status	reside job not started
8/29/2020	101 W. 4th street	2020-57	bld	Status	flatwork poured for new house set up
8/31/2020	904 Trojan ave	2020-107	bld	footing	approved new house footing

September 8, 2020 P&Z Notes

Hearings:

- **7:05 - Rezone Hearing:** The City of Hartford owns lots 2-8 of Block 4 of Hartford City Proper. These lots are along Main Avenue directly north of the Hartford Elevator. The 2 north lots (Lot 7 & 8) are zoned community commercial and the remaining lots are zoned central business. The city would like to see all these lots zoned the same. Since they are within the downtown area, it makes sense to rezone the north 2 lots to central business. A copy of the city's current zoning map is in your packet for reference.
- **7:10 - Variance Hearing:** Bob Sieverding of Sieverding Construction is building a home for Scott Park at 1103 N Vandemark Ave. The driveway, which is already poured, is 44 feet wide all the way to the street. Although the driveway can be 44 feet on the property, the maximum width allowed in the city's boulevard area is 36 feet per Ordinance #687. The city was not aware of this mistake until Bob Sieverding called Craig to discuss and then Craig said he needed to talk to me about a variance. I have included Section 17.04 of the city's zoning regulations, which layout the factors to consider for variances – I do not believe this situation meets any of the variance conditions. Mr. Sieverding has pulled 5 building permits for new homes with the city since 2012 (1 just last year and 2 this year) and we have had this same 36 foot driveway width maximum in place since 2005. Our regulations are on the city website, along with the contractor's packet of information. I have looked through the city's records and could find 3 variance applications for expanded driveway widths – 2 in 2005 and 1 in 2008. In 2005 the P&Z Board denied a variance for 501 Erin Circle, but it was then approved by the Board of Adjustments (which was the city council at that time). Also, in 2005 the P&Z board denied a variance for 406 Erin Circle, which was also denied by the Board of Adjustments. Then in 2008 the P&Z Board and Board of Adjustments both approved a driveway width variance for 404 Erin Circle. Copies of the past variances and minutes are included in your packet for reference but there isn't much detail as to why the variances were granted or denied. I did have another homeowner that is building in the Knapp's development call me last week to verify the maximum driveway width in the boulevard because he wanted to go 39 feet wide and I told him the regulations were 36 feet wide, so he adjusted his driveway to our regulations – please keep in mind any precedence you may set with granting this variance.
- **7:20 - Zoning Regulation Amendments Hearing:**
 - **Ordinance #694:** Ordinance 694 would amend our zoning regulations to allow Places of Worship (churches) as permitted uses in all zoning districts as discussed by our Board last month. So, this ordinance would remove the wording of "churches" in residential and manufactured housing residential sections and add "Place of Worship" in all zoning districts as permitted used. Place of worship would include any premise used for the assembly of people for a religious belief, not just those buildings specifically designed for it.
 - **Ordinance #695:** Ordinance 695 would amend section 12.03 Accessory buildings and uses of our zoning regulations. The Board has had several discussions regarding pool regulations and the last consensus of the Board was to amend our accessory building section to include pools as an accessory use. I believe a "pool" would be considered an accessory use since our definition is: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure. If we consider a pool an accessory structure, then I made some wording changes in section 12.03 to include regulations for accessory structures and not just accessory buildings – those changes are shown in red. Please note that the wording of B3 does not include the wording of structures since I think it is the city's intention to count just buildings towards the 2 building limit and the wording in B7 was restricted to just buildings as well for the same reason.
- **7:30 – Annexation and Zoning Hearing:** The City owns Lot 3 of Swenson Addition (the 5 acres just east of Central States Manufacturing). Currently this land is not in city limits. The city didn't annex this property when purchased because there are 2 housing eligibilities on the land and once annexed, those eligibilities are lost. The HADF and City has had some discussions about foregoing those eligibilities and just annexing the land and getting it zoned so it can be easily marketed to interested commercial buyers. The land would be more appealing to potential buyers if they don't have to go through the annexation and zoning process. The city is asking for this property to be approved for annexation and to be zoned as light industrial. Lot 2 (to the west) and Lot 4 (to the south) are already zoned light industrial.

New Business:

- **Review Plat of Tract 1 and 2 of Anderson's Addition:** The city currently has platting jurisdiction with Minnehaha County. This means that all plats (or replats) that are within the city's growth area must first be approved by the City of Hartford before they can be presented to the County for approval – it must go before the P&Z Board and City Council both for approval. Joel Boy with Midwest Land Surveying emailed the enclosed plat for city review to me on Friday morning and asked for this to be reviewed as soon as possible. I asked Mitch review and enclosed are his comments on the plat. As of packet time, this is all have received regarding this property – hope to have our engineer's comments addressed before our meeting on Tuesday so this can move forward. If not, we will table this agenda item until our next meeting. Basically, they need to illustrate existing buildings to verify setbacks, increase the ROW on 465th Ave and sign a pre-annexation agreement, which would require annexation if the city asks since we touch this property.

Updates:

Building Inspector Updates:

- Paul Clarke will be present to provide an update to the Board on building permits and projects. His August report is enclosed for your reference.

City Administrator Updates:

- Projects:
 - 9th Street Project: The 9th Street Project is going well and is on schedule. Curb and gutter is now in place and the remaining concrete will be placed shortly. Then asphalt will be placed. The project is about 45% complete.
 - Ruud & Opal Project: Work continues this project. The underground work was delayed due to private utility conflicts. Those utilities are now relocated, and our contractors are working once again. Once the underground work has been completed, crews will prepare for the subgrading and resurfacing. Our engineers did note that there were more deficiencies in the bottom lift than expected so additional work may be needed.
 - Future WWTF: The city has acquired land to place a future wastewater facility at Exit 390 along I90. We have also sent out a Request for Qualification (RFQ) to engineering firms within the region. With a project of this scope and cost, our hope is to acquire the best engineering firm for the project that will be in the best interest of the city and it's taxpayers.
 - Submitted Grants: We have submitted a grant application for Phase 6 of the bike trail that will run from Main to Feyder Avenue. We have submitted an ED grant for the extension of sewer up Western Avenue. We submitted a grant for a storm shelter/concession stand/restroom building at the sports complex and we submitted a grant for trees at the sport complex.
 - Received Grants: The city received a grant for a backup generator for the Mickelson Road lift station. We received a grant from Wellmark to refurbish some playground equipment at Turtle Creek Park and we received a grant to help pay for the required inspections on our street culverts.

Call if you have any Question: 528-6187