

Planning and Zoning Meeting – Regular Meeting September 8, 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: Mark Anderson, Tim Graham, Stephanie Olson-Voth, Brad Miles, and Steve Nolte. City Administrator Teresa Sidel and Building Inspector Paul Clarke were also present. There were 3 in attendance from the public.

Approve Agenda: A motion was made by Miles, second by Nolte to approve the agenda as set – all voted yes, motion carried.

Approve Minutes of August 25, 2020 Regular Meeting: The August 25, 2020 meeting minutes were reviewed. A motion was made by Nolte, second by Olson-Voth to approve the August 25, 2020 regular meeting minutes – Anderson abstained, with all others voting yes, motion carried.

Hearings/Petitions/Applications

- **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. The request of the City is to rezone lot 7 & 8 from Community Commercial to Central Business. There were no comments from the public. A motion was made by Olson-Voth, second by Graham to approve the rezone of Lot 7 & 8, Block 4 of Hartford City Proper – all voted yes, motion carried.

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

- **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. Mr. and Mrs. Parks, along with their contractor, were present to discuss with the Board. Mr. Parks indicated that he was unaware of the 36 feet width restriction within the boulevard area until after the driveway was poured. Discussion centered around the current ordinance and why the boulevard area is needed for a permeable surface for snow storage. The Board also discussed the possibility of allowing the driveway width to be wider between the property line and the sidewalk but then only 36 feet from the sidewalk to the street. The Board agreed that a change in our zoning regulations regarding driveway widths would require more discussion by the P&Z Board and the City Council. A motion was made by Anderson, second by Nolte, to deny the variance. An amended motion was made by Randall, second by Anderson to give the homeowner until April 1, 2021 to correct the driveway width and comply with city ordinance that is in effect on April 1, 2021 – all voted yes, motion carried. A vote to approve the variance denial as amended was taken – all voted yes, motion carried.

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

- **7:20 Hearing to Review Amendments to the City's Zoning Regulations:**
 - **Draft Ordinance #694:** Ordinance 694 would amend our zoning regulations to allow Places of Worship (churches) as permitted uses in all zoning districts as previously discussed by the P&Z Board. It 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. A motion was made by Anderson, second by Graham to approve draft Ordinance #694 and recommend approval to the city council – all voted yes, motion carried.
 - **Draft 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 look at amending our accessory building section to include

pools as an accessory use. After review and discussion by the Board, it was the consensus to only regulate in-ground pools and adjust our zoning regulations to require permits. A motion was made by Miles, second by Graham to not approve or move forward with draft ordinance #695 – all voted yes, motion carried.

- **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. A motion was made by Miles, second by Olson-Voth to approve the annexation and rezoning of Lot 3 of Swenson Addition to Light Industrial – all voted yes, motion carried.

New Business:

- **Review Plat of Tract 1 and Tract 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. Midwest Land Surveying emailed the proposed plat for Tract 1 and 2 of Anderson's Addition. City engineers comments include: 1) Illustrate existing buildings to verify setbacks, 2) Increase the ROW on 465th Ave and 3) Sign a pre-annexation agreement, which would require annexation if the city asks since we touch this property – these comments has note been addressed yet. A motion was made by Miles, second by Anderson to approve the plat for Tract 1 and Tract 2 of Anderson's Addition, contingent that all engineers' comments are complied with – 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:** An updated was given to the Board on the 9th Street Project, the Ruud and Opal Intersection Project and the WWTF Project. An update on variance grants that have been submitted and received was also given to the Board.

Adjournment: A motion was made by Nolte, second by Miles to adjourn at 8:30p.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