

Planning and Zoning Meeting – Regular Meeting September 25, 2018

Chairman Tony Randall called the meeting to order at 7:00 p.m. at Hartford City Hall with the following planning and zoning members present: John McMahon, Mark Anderson, Eric Bartmann, Matt Cain and Bob Bender. Stephanie Olson-Voth was absent with notice. City Administrator Teresa Sidel and Building Inspector Paul Clarke were also present.

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

Approve Minutes: The August 28, 2018 meeting minutes were reviewed. A motion was made by Bartmann, second by Anderson to approve the August 28, 2018 regular meeting minutes – Cain abstained with all others voting yes, motion carried.

Hearings, Petitions, Applications:

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

- **7:05 Variance Hearing:** Brian Kappenman has submitted a variance request for Lot 7, Block 5 of South Main Addition. He has erected a two-family dwelling on this lot and he would like to sell each unit separately. According to city regulations, he needs to divide the lot down the common wall and replat into 2 separate lots since they will be under separate ownership. The replat was submitted to the city and reviewed by the city engineer. The east lot has the minimum lot area of 7000 square feet as required but the west lot is under this 7000 square feet requirement. All plats are reviewed by the city engineer. The city engineer noted that a variance would need to be secured in order to replat the property since the west lot is under 7000 square feet. Since this is a corner lot, the structure needed to be shifted to the west in order to meet the required setbacks, thus resulting in a smaller west lot. The developer addressed questions from the Board and noted that he was unaware of the lot area regulation. He also noted that the twin home lots just to the west of this property were also under the 7000 square foot requirement, but that plat was approved by the city engineer. The Board agreed that the twin home to the west was approved by the city engineer by mistake. The Board did express concerns with continuing to allow variance for this development and noted that they would not be in favor of future variance – it is ultimately the developer's responsibility to be educated on all city rules and regulations. A motion was made by McMahon, second by Cain to approve variance request 2018-8-28 for Lot 7A, Block 5 of South Main Addition in compliance with Ordinance 627, Section 17.04B, which states that 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 and Section 17.04D, which states that 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 – Bender voted not, with all others voting yes, motion carried.

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

Updates:

- **Building Inspector Update:** Paul Clarke was present to give the Board an update on open building permits within the city. Currently there are 13 open single-family homes in various stages of construction, along with 3 twin homes. Clarke performed rough-in inspections on 2 commercial properties and inside work continues on the Brewery. Clarke also has a several miscellaneous permits for fences, sheds, shingles, decks, etc. that are being constructed within the city.
- **City Administrator Update:**
 - It was noted that a public hearing is scheduled for 10/9 to review the proposed amendments to the city's zoning regulations already approved by the Board. Sidel also asked the Board to consider revisions to the city's off-street parking regulations regarding hard surfacing and driveway widths. After discussion by the Board, it was the consensus to have City Administrator Sidel do some research and present proposed changes to the board on 10/9 that can be reviewed by the Board.
 - Sidel noted that she is gathering building permit fee information from other communities and hopes to provide a comparison to the Board at their next meeting to review and discuss.
 - Sidel also gave the Board an update on the various city projects.

- **Adjournment:** A motion was made by Bartmann, second by Cain to adjourn at 7:51p.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