

Planning and Zoning Meeting – Regular Meeting October 30, 2017

Vice 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: Bob Bender, Matt Cain, Eric Bartmann, Stephanie Olson-Voth and John McMahon. Rick Freemark was absent with notice. City Administrator Teresa Sidel, Public Works Superintendent Craig Wagner, Chamber and Economic Director Jesse Fonkert, Building Inspector Paul Clarke and City Engineer Mitch Mergen were also present.

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

Approve Minutes of October 10, 2017 Regular Meeting: The October 10, 2017 meeting minutes were reviewed. A motion was made by Bartmann, second by Olson-Voth to approve the October 10, 2017 regular meeting minutes – all voted yes, motion carried.

Hearings/Petitions/Applications:

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

- **7:10 Variance Hearing:** Dawn Shoenfelder with The Goat Bar and Grill has submitted a variance application for 116 W Hwy 38, Suite A, B & C. The Goat Bar and Grill would like to erect an addition onto the north side of their building in order to extend their kitchen facilities. Current city regulations state that the side yard setback for commercial property is 15 feet. The addition that they would like to place would go straight back from the current building which is only at a 11 foot, 8 inch setback, thus requiring the variance. The city does have a caveat in our existing ordinance which does allow the Board to approve additions that are erected in line with the existing building provided that it is no closer than the existing building. Jeff and Dawn Shoenfelder were present to address questions from the Board. A motion was made by Bartmann, second by Cain to approve variance 2017-10-5 for The Goat Bar and Grill to allow a 11 foot, 8 inch side yard setback for a north building addition per City Ordinance 627, Section 13.02 – all vote yes, motion carried.
- **7:15 Variance Hearing:** Brian Kapperman has submitted a request for a rear yard setback variance of 6 inches – allowing for a 24.5' rear yard setback. Mr. Kapperman erected a twin home at 106 Calvin Drive. This lot was originally platted by H. William Kruger. Since a twin home is built and each unit will be sold separately, the original lot needed to be replatted into two separate lots with the common wall separating them. The new plat, which separates the two units, is slightly off from the originally plat and is showing the front setback as greater than the site plan that was submitted and the rear setback is slightly shorter than the site plan that was submitted. The new plat shows a rear yard setback of 24.5 feet instead of the 25 feet rear setback that is required. The developer indicated that this was a surveyor error and is asking for a rear yard variance of 6 inches. Mr. Kapperman was not present to address questions from the Board. Board held discussion amongst themselves. A motion was made by McMahon, second by Bender to approve variance 2017-10-16 for Brian Kapperman to allow a 6 inch rear yard variance and allow a 24.5 foot rear yard setback – Bartmann and Randall voted no, with all others voting yes, motion carried.

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

Old Business:

- **Review Draft of Proposed Sub-Division Regulations and Construction Agreement:** The Board was given a draft of a proposed sub-division regulation and construction agreement. The draft was composed by Stockwell Engineers and modeled after Harrisburg's new regulations. Mitch Mergen with Stockwell Engineers was present to go through each section with the Board. The proposed regulations will outline the sub-division process that each developer will have to follow. It incorporates grading and construction permits, along with additional assurances to the city such as construction agreements, maintenance agreements, public space contributions and annexation agreements. The Board was asked to review the document thoroughly and provide any additional comments to the City Administrator so they can be discussed by the Board at the next meeting. Along with updates to our sub-

division regulations, the city will be updating our design standards in the near future. An updated draft will be provided to the Board at their next meeting.

New Business:

- **Review/Approve Preliminary Plans for Western Oaks Estates:** Preliminary plans for Western Oaks Estates was received by the city. The plans were reviewed by the city engineer and several items needed to be addressed before acceptance from the city. To date, those comments have not been addressed by the developer and his engineer. A motion was made by Bender, second by Olson-Voth to table this agenda item until the next Planning and Zoning Meet – all voted yes, motion carried.

Updates:

- **Code Enforcement/Building Inspector Update:** Building Inspector Paul Clarke was present to address the Board. Clarke noted that there are currently 9 single-family homes under construction within the city and 2 twin homes. The storage facility in the Western Meadows Addition is near completion and there are various minor building projects being completed throughout the city.
- **City Administrator Update:** City Administrator Teresa Sidel gave the Board an update on the Mickelson Road Project. The Board was also given an update on the County conditional use permit #17-78.

Adjournment: A motion was made by McMahon, second by Bartmann to adjourn at 9:15 p.m. – all voted yes, motion carried.

Minutes recorded by City Administrator, Teresa Sidel.

I, the undersigned, Teresa Sidel, City Administrator, in and for the City of Hartford, South Dakota, do hereby certify that the above and foregoing is a true and correct copy of the minutes which is on file at Hartford City Hall.

Teresa Sidel, City Administrator