

ORDINANCE NO. 723

AN ORDINANCE OF THE CITY OF HARTFORD, SD, AMENDING THE 2016 REVISED HARTFORD ZONING REGULATIONS BY AMENDING CHAPTER 12, ADDITIONAL USE REGULATIONS.

BE IT ORDAINED BY THE CITY OF HARTFORD, SD THAT CHAPTER 12, SECTION 12.03 BE AMENDED TO READ:

12.03 Accessory Buildings and Uses

A. In General.

1. No accessory structure or use shall be constructed or developed on a lot prior to construction of the principal building.
2. Any 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 may be placed within drainageways and/or on drainage easements.
4. Accessory buildings may not be used for dwelling purposes.
5. A placement permit is required for accessory buildings under 120 square feet and a building permit is required for accessory buildings over 120 square feet. No permit is required for an accessory structure under 25 square feet and under 8 feet high.
6. Any accessory building issues that arise between neighbors become a civil issue between homeowners.
 - a. During a dispute, the City may only provide the original accessory building permit.

B. Accessory Buildings.

1. Except in NRC: Natural Resource Conservation District, no accessory building(s) shall be erected or located within any front yard. Accessory building(s) may be located in a side yard but not within the required setback area of the zoning district. Accessory building(s) may also be located within the rear yard but must meet the setbacks required per section 12.03B(3).
2. Accessory buildings, 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 120 square feet or under must be 5 feet or more from all property lines and accessory buildings 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 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 not meeting these requirements shall be allowed only as a conditional use.

C. Exemptions.

1. Any Accessory Structure under 25 square feet and under 8 feet high shall be exempt from the above regulations stated in Section 12.03 (B).

Adopted this 17th day of February 2022

Mayor or Council President

ATTEST:

Karen Wilber
Finance Officer, City of Hartford

P&Z Hearing: January 11, 2022

City Council Hearing and 1st Reading: January 18, 2022

City Council 2nd Reading and adoption: February 17, 2022

Publication Date: February 25, 2022

Effective Date: March 17, 2022