

Hartford Planning and Zoning Minutes - Regular Meeting June 28, 2016

Chairman Munce called the meeting to order at 7:00 p.m. with the following members present: Bender, Cain, Freemark, Finch, Wegleitner and McMahon. City Administrator Teresa Sidel and City Code Enforcer/Building Inspector Paul Clarke were also present.

Approval of the Agenda: A motion was made by Freemark, second by McMahon to approve the June 28, 2016 agenda as set – all voted yes, motion carried.

Approval of the Minutes: The minutes from the June 14, 2016 meeting were presented. A motion was made by Wegleitner, second by Bender to approve the June 14, 2016 meeting minutes – Cain abstained with all others voting yes, motion carried.

Hearings/Petitions/Applications:

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

- **7:05 Variance Hearing for 512 S Main Avenue (Lot 12, Blk 3 of South Main Addition):** Larry Kolterman has submitted a variance application asking for a 9 foot setback variance along the south property line of 512 S Main Avenue to allow a setback of 16 feet. Eric Willadsen with Willadsen Lund Engineering addressed the Board, along with property owner Larry Kolterman. Mr. Kolterman is constructing a new home upon this property. The site plan presented to the city for this corner lot shows a front yard setback of 27' off of Main Ave and a side yard setback of 25' from Mickelson Road – all in accordance with our requirements so a building permit was issued. After the foundation was poured, it was noticed that the property was mistakenly surveyed wrong and the basement was only placed 16 feet off of Mickelson Road and not the 25 feet as shown on the site plan and required by the city. Willadsen noted that this was a mistake on the engineer's part but he also pointed out that the structure is still 16 feet from the property line and 25 feet from the curb and only encroaches the right-of-way and not an adjoining property. The Board did ask if the 3rd stall of the garage could be removed, allowing an extra 5 feet of setback area – the owner did not want to size down the garage. Further discussion was held by the Board noting that this was a self-imposed hardship. A motion was made by McMahon, second by Finch to not approve the variance request – Cain and Wegleitner voted no, with Bender, McMahon, Munce, Finch and Freemark voting yes, motion carried. The variance request was denied with a 2/3 vote.
- **7:15 Variance Hearing for 203 S Kingsbury Ave (Lot 1, Blk 6 of South Addition):** Kevin Nothdurth has submitted a variance application for 203 S Kingsbury. He is proposing to erect a 240'x60' storage building on this site and would like to set the building at a 25 foot front setback as proposed in our amended zoning regulations instead of the current 40 foot setback. A copy of his proposed building plan was presented to the Board for their review and approval. A motion was made by Freemark, second by Cain to approve the variance request for a front yard setback of 25 feet off of Kingsbury – all voted yes, motion carried.

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

Old Business:

- **Review of Proposed 2016 Zoning Regulation Amendments:** The Board reviewed a draft of proposed amendments to Section 12.06 & 12.07 – On and off premise signs. After review by the Board, the proposed amendments will now includes wording for On-Premise signs zoned CC, RC, LI and HI, to allow taller signs (40 feet above the interstate road grade) within the Interstate corridor, which we will be defined as 1000 feet from the interstate median. It also changes off-premise signs to change GB (our old commercial district) to RC (our new regional commercial district) and adds regulations E-L as approved by the Board. It was the consensus of the Board to incorporate these changes into the proposed regulations and move forward with a public hearing on July 26, 2016.

Updates:

- **Code Enforcement/Building Inspector Update:** Paul Clarke gave the Board an update on building permits – the city currently has 9 new home permits, a certificate of occupancy was granted for a new four plex, Central States is moving forward with their commercial addition and the stop work order for 700

Freedom Place has been removed. Clarke continues to address various code enforcement issues within the city.

- **City Administrator Update:** The Board was updated on the following: An updated zoning map will go to a public hearing with our new zoning regulations, the city council has allowed the city engineers to update our sewer study and the engineers are also drafting preliminary plans for N Main Avenue and Mickelson Road. The Board was also given a quick update on upcoming agenda items.

Adjournment: A motion was made by Wegleitner, second by Cain to adjourn at 8:33 pm - all voted yes, motion carried.

Minutes recorded by City Administrator Teresa Sidel