

Planning and Zoning Meeting – Regular Meeting September 30, 2025

Planning & Zoning Vice-Chairman Brad Miles called the meeting to order at 7:00pm at Hartford City Hall with the following planning and zoning members present: Mark Anderson, Stacey Kutil, Tim Graham, and Keely Espinoza. Tony Randall and Troy Jackson were absent with notice. City Administrator Teresa Sidel, Building Inspector and Code Enforcer Kyle Christensen, and Building Inspector Paul Clarke were also present. There were 6 people present from the public.

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

Approval of the Minutes: The September 9, 2025, regular meeting minutes were reviewed. A motion was made by Espinoza, second by Kutil to approve the September 9, 2025, meeting minutes – all voted yes, motion carried.

Public Comments on Non-Agenda Items: None

Hearings/Petitions/Applications:

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

- **7:05 Variance Hearing: Variance request to the City’s off-street parking regulation for 702 E 2nd Street – Parcel #23813:** The City has received a variance request from the West Central School District. The school is working on a parking lot improvement project to add additional capacity for the district’s growing student population, improve worn surfaces, and help with poor drainage. The new parking layout would allow for added safety and functionality to maintain standard aisle widths and improve traffic flow. The school property is zoned Residential and parking is not allowed in any front yard setback area except for portions of the front yard necessary for hard surfaced driveways. The school’s current parking lot is in their 2nd front yard and has a setback area of 20’. The current parking lot already encroaches into this 20’ setback area along Hwy 38 by 12’8” to 13’6”. The school would like to extend the parking lot to the SE (toward the soccer fields) by adding 7 additional parking spaces along Hwy 38. They would also like to move all the current parking spaces along Hwy 38 closer to the highway, along with these additional spaces, changing the encroachment into the setback area from 11’5” to 11’7”. City staff and engineers have reviewed the proposed plan and do not believe there will be any negative impact by allowing this additional encroachment into the setback area, plus it will help with overall safety. Dr. Eric Knight with the West Central School District was present to address any questions from the Board. A motion was made by Kutil, second by Anderson to approve the variance request submitted by the West Central School District under variance criteria F - exceptional and extraordinary circumstances apply to this property that do not apply to other properties within the same residential zone – all voted yes, motion carried.

- **7:10 Appeal Hearing: Appeal is in response to a code enforcement letter that was dated Sept 4, 2025, concerning the property at 701 N Vandemark Ave – parcel #23708:** The City received an appeal letter from the residents at 701 N Vandemark Ave. Responding to complaints received regarding the property at 701 N Vandemark, the city’s code enforcer inspected this property on September 2, 2025. Violations found were parking on grass, failure to maintain an existing gravel driveway, and possible living within a vehicle. These findings were sent to the renter of 701 N Vandemark Ave on September 4, 2025, with a copy sent to the property owners. On September 15, 2025, the city received an appeal letter from the renter(s) of the property stating that they disagree with the code enforcers findings. The renters, Amanda Parker and Greg Thomas, along with the property owners, Robert and Teresa Matthies, were present to address the Board. After discussion with the renters, owner and the code enforcer, the Board concluded the following findings:
 1. Living within a vehicle: The renters have advised that the use of a vehicle as a dwelling on a residential lot is not allowed and they have stated that the van in question is not being used as a residence.
 2. Maintenance of existing driveway: City ordinance allows gravel driveways to stay in place as long as the driveway is maintained as such – including periodic maintenance with additional gravel and grass/week control. The code enforcer has noted that the driveway has been addressed and has come into compliance.
 3. Parking on Grass: City ordinance does not allow for parking on grass within the city. The code enforcer has observed vehicles parked in the grass upon initial inspection and then again on reinspection on Sept 30, 2025. The renter has noted that the only place they have to park is in the u-shape driveway or on the street, which would require the moving of vehicles on a regular basis. They also have concerns about emergency access being blocked if the extra vehicles were parked in the driveway. Discussion was held between all parties. It was determined that there was an additional gravel parking area at the SW corner that was originally placed for a detached garage that was never fully erected. Currently this area has an older shed upon it. The renters and owners said that this shed can be moved or torn down, allowing for parking in that gravel area. The Board agreed to allow that gravel area to be used for extra parking if the owners maintain the gravel. The owners have agreed to bring in additional gravel to bring it up to its original status within 30 days, thus allowing the renters to come into compliance with the city’s off-street parking regulations. A motion was made by Anderson, second by Graham, to allow the renters and owners of 701 N Vandemark 30 days to bring the gravel parking area in the SW corner of the lot into compliance by bringing in extra gravel – thus allowing the vehicles to be moved from the grass to the extra parking area – all

voted yes, motion carried. The property will be checked again on 10/30/25 for compliance.

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

- **7:15 Annexation Hearing: Review Annexation request submitted by the City of Hartford for ROW along the Colton road and E 2nd Street:** The city has been working with the Windsor Development for improvement to the land at the NE corner of Hwy 38 and the Colton Road. The Developer has been working with the city to set up a tax increment financing district (TIF). In order for the TIF to pay for improvement to 2nd street between the Colton Road east to the end of their development, the city needs to annex this area into city limits. The annexation also includes the east ½ of the Colton Road between 2nd Street and Highway 38. If this portion of the road was not annexed, then the county controls all access points and their criteria for development is more stringent. Since this development is within the city, the county suggested that the city annex the east ½ half of the Colton Road, so the city could have jurisdiction and then we can work with the developer on access points. So, this annexation would bring in the E ½ of the Colton Road so we can control access points to the development and also brings in platted H-2 and H-3 lots along 2nd street so improvements can be made within the proposed TIF District to E 2nd Street. A motion was made by Anderson, second by Espinoza, to recommend approval of the annexation request set forth in resolution 2025-9 – all voted yes, motion carried.

Old Business:

- **Conditional Use Hearing: Conditional Use Application for 26073 466th Ave – Parcel #93372 – Municipal Wastewater Treatment Facility:** This hearing would be for a conditional use for the city's municipal wastewater treatment facility. A site plan was reviewed showing the placement of the plant, operations building and additional facilities. This plant was designed by the city engineer and conforms to our city standards. All facilities are well within setback requirements. The access road has been hard surfaced with ample lighting for safety. The entire plant will have fencing around it – we are utilizing the existing fencing on the north and west and we will be adding additional fencing on the east and south end of the plant. At this point we are talking about a 4' wire fence – we have not identified the specific type of fence as of now. There will also be a secured gate by the entrance to the plant and at the beginning of the access road – both these gates will look like cattle gates and will be locked for controlled access. There is ample hard surface parking on the east side of the building. Lighting around the building has also been installed for added security and security camera will be placed. All waste material and garbage will be contained within the operations building – there will not be any outside garbage receptacles. After Board review, it was suggested to place additional signage for security. A motion was made by Anderson, second by Kutil, to approve conditional use application 20258-25 as presented with additional of signage for no trespassing and cameras on premise – all voted yes, motion carried.

Updates:

- **Building Inspector Update:** Building Inspector Paul Clarke was present to update the Board on open permits and address any questions. There are currently 11 open single-family permits and one twin home open permit. Clarke also provided an update on several commercial projects under construction.
- **Building Inspector/Code Enforcer Update:** Kyle Christensen provided an update for the Board as well. Items addressed this past month include rubbish/junk in yards, tall grass/weeds, no pet licenses, and animals running at large.
- **City Administrator Update:**
 - **Project Updates**
 - Western Ave Expansion: Construction on the west ½ of Diamond Trail and Western is almost completed. The contractor expects to move to the east side of the intersection and have the west side open by Friday, 10/10.
 - WRRF –The city is treating wastewater through the new plant and all is working well. Final touches on the plant, operations building, and site are being completed. A ribbon cutting for the facility will be Friday, 10/3 at 10:30am.
 - Swenson Parking Lot – Work continues on this project. Grading has been completed and crushed asphalt is being placed.
 - TA Grant – ISG continues to work with the state on the work order so we can move forward with this project. Construction may not begin until next spring.
 - Kelly Ave Drainage Study – Final report was present to the city council on 9/16. Current drainage conditions and 3 possible alternatives for improvements were reviewed. No action was taken by the council to allow time to review and discuss further.
 - City-wide water model – ISG and AE2S has begun work on a water model for the city that will help with future planning.
 - Other Projects: All on-going developments have been provided with an updated punch list to be completed from the city.
 - **Other Updates:**

- The city has filled the Wastewater Plant Specialist position but is still seeking a full-time public works assistant.
- Proposed TIFs – The city continues to work with the Windsor Group on their revised TIF boundaries. We anticipate having an updated plan with the new boundaries by the end of October to present to the Board. We are also waiting on an updated TIF plan from Turtle Creek Highlands.

Adjournment: A motion was made by Kutil, second by Graham to adjourn at 8:04pm – 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 are on file at Hartford City Hall.

Teresa Sidel, City Administrator