

Planning and Zoning Meeting – Regular Meeting October 8, 2024

Planning & Zoning Chairman Tony Randall called the meeting to order at 7:00pm at Hartford City Hall with the following planning and zoning members present: Mark Anderson, Tim Graham, Michelle Kilbourn, Troy Jackson, and Brad Miles. Stacey Kutil was absent with notice. City Administrator Teresa Sidel, Building Inspector/Code Enforcer Kyle Christensen, and Building Inspector Paul Clarke were also present. There were 3 people from the public present.

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

Approval of the Minutes: The August 27, 2024, regular meeting minutes were reviewed. A motion was made by Anderson, second by Kilbourn to approve the August 27, 2024, regular meeting minutes – all voted yes, motion carried.

Public Comments:

- Levi Binkerd was present to address the Board. Currently the property at 200 N Main Ave is under a condemnation order by the city for several code and health violations. Mr. Binkerd would like to bring the structure up to code and so the condemnation can be lifted, and the property can be habitable again. The Planning and Zoning Board has agreed to hold off on any action on the condemnation until December 2024 in order to give Mr. Binkerd time to make the necessary code improvements. In order to make the needed improvements, Mr. Binkerd is trying to secure a loan on the property. Unfortunately, he is having trouble getting a bank loan with the condemnation in place. Discussion was held but no action can be taken by the Board on non-agenda items. The Board asked Sidel to talk with Mr. Binkerd's bank to see if there is anything the city can do to facilitate the loan.

Hearings/Petitions/Applications:

- **7:05 Public Hearing-Conditional Use Application for 307 S Western Ave:** Darrell Spielmann of 307 S Western Avenue has submitted a conditional use application to the city asking for the placement of a 3rd accessory upon his property. Mr. Spielmann has 19.25 acres on the west side of Western Avenue South Street and Jennifer Drive. This property is located within city limits, so it is subject to the city's regulations for accessory buildings. The building would be 40'x20' and be placed to the west of his existing trees in his rear yard, well within setback limits. It will not be within any easement areas or within the floodplain. The height of the building would be under the 15ft height requirement. Mr. Spielmann plans to move in an existing building and then reshingle and reside it. The building and placement would meet all the city's regulations for an accessory building except for 12.03B (5). This regulation only allows 2 accessory building per lot – there are currently 2 accessory buildings upon this lot that are grandfathered-in. Placement of this building would make 3 accessory buildings. Due to the large size of the lot, placement behind the tree line, and being far from any setbacks or encroachments, staff is recommending approval. The Board had no concerns with this request. A motion was made by Graham, second by Anderson, to approve conditional use application 2024-9-24 submitted by Darrell Spielmann – all voted yes, motion carried.

Updates:

- **Building Inspector Update:** Building Inspector Paul Clarke provided his August and September building permit reports, along with an update on open building permits within the city. There are currently 13 single family homes under construction. Clarke also gave a recap of current commercial permits that are still open or being addressed, including the Blue Tide car wash, WWTF, WC school project, and the church along Diamond Circle. It was noted that the church has not been granted occupancy due to issues with the state plumbing inspection. Clarke was asked to address a zoning issue along W Opal Lane.
- **Building Inspector/Code Enforcer Update:** Kyle Christensen provided his August and September code enforcement reports to the Board along with an update. Violations that he has addressed include – tall grass/weeds, limbs over sidewalks, junk/rubbish, parking violations, pet issues, dump site violation, and inoperable vehicles. He also provided the Board with an update on the cleanup efforts at 200 N Main Ave and 707 N Oaks Ave.
- **City Administrator Update:**
 - **Project Updates**
 - 6th/Mundt Street Project – All punchlist items are done and the project has been closed out.
 - Hwy 38 Project – The bid was awarded to Siteworks, Inc. Construction will begin on 10/14.
 - WRRF – Work continues on the Aeromod structure and operations building. Utilities are also being placed. Siteworks is working on completing the installation of the gravity line. Mickelson Road is planned to be re-opened on 10/11.
 - 12th/Oaks Project – Gravel has been placed for the roadway and work is being done on installation of the curb & gutter. Once this is in place, the intersection and roadway will be completed.
 - **TAP Grant:** The city has submitted an application for a TAP grant for a recreation path along Mickelson Road from Patrick Ave to Turtle Creek Drive, allowing a non-pedestrian connection for this neighborhood.
 - **AV Upgrades:** The city is moving forward with AV upgrades to the city council chambers.

- **Pickleball Courts:** The city held a ribbon cutting on October 1st to officially open the new pickleball courts at Lyon Park.
- **Legislative Forum:** A legislative forum is being planned for October 25th at the WC High School. There will be representatives for the Pro and Con for the following ballot questions: Constitutional Amendment G, Constitutional Amendment H, Initiated Measure 28, Initiated Measure 29, and Referred Law 21. The goal is to present both sides of these issues to the votes so they can make informed decisions on election day.
- **Minnehaha County Transfer of Building Eligibility:** Mike Grace of 25744 463rd Ave has submitted an application to Minnehaha County requesting the transfer of a building eligibility from property at 25711 463rd Ave to his property at 25744 463rd Ave. Since these properties are within the city's growth area, the county is asking for city input on this application. The Board had no issues or concerns with this application, staff will convey this to the county.

Adjournment: A motion was made by Kilbourn, second by Graham to adjourn at 7:35pm – 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