

## **Planning and Zoning Meeting – Regular Meeting November 9, 2021**

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: Tim Graham, Stacey Kutil, Michelle Kilbourn, Steve Nolte, and Brad Miles. Mark Anderson was absent with notice. City Administrator Teresa Sidel and Building Inspector Paul Clarke were also present, along with Chamber and Economic Development Director Amy M. Farr. There were 4 people from the public present.

**Approve Agenda:** Chairman Randall requested one change to the agenda - move the Building Inspector Update under Public Comments (4B). A motion was made by Nolte, second by Kilbourn to approve the agenda with the requested change – all voted yes, motion carried.

**Approval of the Minutes:** The October 26, 2021, meeting minutes were reviewed. A motion was made by Miles, second by Kutil to approve the October 26, 2021, meeting minutes – all voted yes, motion carried.

### **Public Comments:**

- There were no public comments on non-agenda items.
- **Building Inspector Update:** Building Inspector Paul Clarke provided an update to the Board on various building projects throughout the city. There are currently 20 open single-family homes in various stages of construction, along with one twin home. Open 2019 and 2020 permits are being reviewed for status check. Clarke noted that the ICC publishes a Cannabis Code Book for those establishments, so a book has been ordered for Hartford. There are also several commercial permits still under construction.

### **Hearings/Petitions/Applications:**

- **7:05 Rezone Hearing:** MASH Properties, LLC is currently in the process for purchasing Lot 10 (South of Hwy 38) of Smith & Grover's Addition from Heart-Fjord Investments, Inc, along with 12,250 SF of Lot 7, Block 1 of Sunnyside Addition. They are wanting to erect a small ice cream shop on this land. Currently it is zoned residential but is an empty lot and has never been developed. One of the issues of developing Lot 10 as a residential lot is that it is land lock since the SD DOT does not like to grant access off of Hwy 38 through town to residential lots. If this were to be rezoned as a commercial lot, access could be obtained and the land could be developable. Pete Cypher who lives at 304 Mary Lane was in attendance and showed support for the project. Mr. Cypher only wanted to ensure that a buffer of some kind would be erected to shield his residential property from the commercial property. It was noted that the developer's plan does indicate a fencing along all residential properties. A motion was made by Nolte, second by Kilbourn to recommend to the city council to approval of rezoning of Lot 10 S of Hwy 38 (Ex Sunnyside Est) of Smith & Grover's Addition & the NE portion of Lot 7, Block 1 (consisting of 12,250 SF) of Sunnyside Addition from Residential to community Commercial – all voted yes, motion carried.

### **New Business:**

- **Discuss Minimum Square Footage for Accessory Buildings:** The Board held discussion on possibly exempting certain structure due to their small size from the city's requirements for accessory buildings. Currently there is no minimum square footage stated in our regulations for an accessory building so all accessory structures are subject to the regulations and require either a placement permit or a building permit. The Board realizes that due to their small size, some structures are more like storage cabinets rather than buildings and feel that a permit may not be needed. Some discussion was held by the Board and all members agreed to consider this some more and further discussion will be at the Board's next meeting on November 30<sup>th</sup>.

### **Updates:**

- **City Administrator Updates:**
  - The October code enforcement report was provided to the Board for review. Interviews were conducted with 4 applicants this past week for the FT building inspector/code enforcer. No further action has been decided yet.
  - WWTF – The city approved a resolution to apply for SRF loan funds for our future WWTF. This application covers the full cost of the project (16.5 million), but any principal forgiveness or

grants that the city receives will reduce the amount of the loan. Our next step will be to move forward with design work in 2022.

- Western Ave Industrial Sewer Main – The plans for the Western Avenue Sewer Project have been completed. The city council will consider at their next meeting on 11/16 to bid out this project.
- Cannabis Establishments – So far, the city has not received any applications for cannabis establishments.
- Trailer Park Update – We had 4 mobile homes that are not within the rear setback requirements and are not grandfathered-in. Two of the four trailers are going through the eviction process and once the park owner gets possession of those trailers, they will be moved – we are allowing them to complete this legal process. The other 2 trailers have been moved into compliance.

**Adjournment:** A motion was made by Graham, second by Kutil to adjourn at 7:30p.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.

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Teresa Sidel, City Administrator