

The Beulah Planning and Zoning meeting of February 28, 2022 was called to order at 4:58 pm by Jerry Reichenberg at Beulah City Hall.

Present: Jerry Reichenberg, Dale Schwalbe, Gary Miller, Dustin Buchmann, Chris Renner, Brock Seibel, Roger Gazur

Absent; Gerald Bieber, Heidi Hamelton, P&Z Secretary

Also Present: Beaver Brinkman, Economic Development;

Gazur entered a motion to approve the February 14, 2022 P&Z meeting minutes as presented. Renner seconded. Motion carried.

OLD BUSINESS

Foundation Detail Update

No update

P&Z Ordinance Enforcement revision review

No Update

Pitched Roof Project

The engineering analysis performed by CW Engineering was distributed and reviewed. A permit would have to be issued in order for them to implement the fixes recommended by the engineering firm. Brinkman mentioned that inspections would have to be performed as the work is being completed for each fix so that the repair is visible, and this will be added to the permit. Hamelton will be the coordinator for this project. Motion to issue a building permit for this project was entered by Gazur. Seconded by Schwalbe. Motion carried.

Contractor Registry/Permit Fees

The drafts were distributed and discussed. Opinions stated are as follows: Fees that are designed to recover costs incurred by the city staff preparing the permits are legitimate; anything that has a permanent foundation should have an inspection; excavation permits/fees should only apply to projects related to water and/or sewer project in the boulevard; if an inspection is required for demolition, it should be specified what the inspection is for (i.e. asbestos); fines for infractions/violations should be run by legal and would possibly require a change to the text of the zoning ordinance; charging \$50 for a permit change seems excessive for residential projects.

Inquiry to Attorney General regarding revisions to the Zoning Ordinance.

Revised questions were distributed and discussed. Reference to another AG Opinion was included in the text of the questions. Gazur summarized a discussion that was had between himself and Hamelton, where she stated that her preference would be to allow the City Attorney one more meeting cycle to either attend a meeting or set up a meeting with P&Z as requested by the City Council. If this does not happen, then P&Z would present to City Council with their request since

it was previously tabled. Miller stated this would be the March 23 City Council meeting, and he hopes all of the P&Z Board members would attend.

Interstate Engineering revision of district zoning map

Hamelton received Interstate Engineering's most up-to-date map last week. There are some discrepancies between this map and the maps the city is currently using that need to be researched. Updating the zoning districts is currently higher priority than having the roadways identified and this will be relayed to Interstate Engineering.

Lake View Services ET Concrete Crushing Operation

Discussion opened regarding the role of the county with the second ½ mile, how the county currently has it zoned, and how the county's zoning affects the second ½ mile jurisdiction. Gazur shared his thoughts he had sent to Hamelton by email with the commission. Per Beulah Ordinance 414 Extraterritorial Zone Jurisdiction, the zoning ordinances and subdivision regulations in the City of Beulah shall apply to all unincorporated territory within one mile of the corporate limits as authorized by the North Dakota Century Code: this means we have zoning jurisdiction over this one mile. Gazur also researched the authority of the mayor in the council form of government, and he is considered the executive authority of the city. Unless it's immoral, illegal, or unethical, the mayor would have the power and authority to make the decision in this case. Gazur also researched other ND cities and how they handle extraterritorial zoning and shared his findings, which show more than one way to do it. This second ½ mile territory was included in the city's comprehensive plan. It would be beneficial to have an agreement in place with the county as to how zoning issues should be handled. Beulah's Zoning Ordinance in 3.9A and 3.9B does not apply to this specific type of operation, and this use is not addressed in the current use table, so a Conditional Use Permit is not applicable. Production Facility seems to be the closest fit in the use table. The suggestion was presented to issue LVS a building permit as a production facility and not worry about the zoning classification at this point. The permit would also need to address dust control. Our current zoning ordinance does not have any extraterritorial guidance at this time but should be addressed in the near future. Gazur entered a motion to issue Lake View Services a building permit for LVS to operate as a Production Facility with one mobile crusher. Schwalbe seconded. Roll call vote found 5 in favor, 1 present. Motion carried.

Old Nursing Home

There are currently 3 bids: two are for complete demo, one is for ½ the first year and ½ the second year. Brinkman has a meeting scheduled with the Library Board and plans to propose demolishing everything but the new part and using that part for a library and daycare. There are significant grants available for this type of facility. Doing the demolition in stages would fit better with the dilapidated buildings budget. There is quite a bit of valuable salvageable material still in the building.

Worm Casting Business

Brinkman gave them an extension on the purchase agreement.

NEW BUSINESS

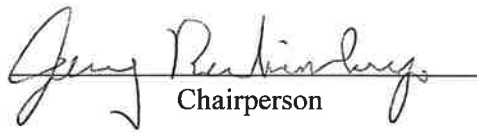
New Building Permit

Gary Bovkoon turned in an application to build a detached, open-sided carport with no foundation. There is a city ordinance that addresses parking requirements and the need for an approved foundation. The parcel is in the floodplain, but with no side walls, water displacement is not an issue. Hamelton will clarify questions at the next meeting.

Building Permit List Review

There are no building permits to review.

Gazur made a motion to adjourn at 5:58 PM. Buchmann seconded. Motion carried, meeting adjourned.


Chairperson


Secretary