

The Beulah Planning and Zoning meeting of March 14, 2022 was called to order at 5:00 pm by Jerry Reichenberg at the Beulah Civic Center.

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

Absent; Gerald Bieber, Gary Miller

Also Present: Beaver Brinkman, Economic Development; Heidi Hamelton, Assessor, Julie Lenzen

Gazur entered a motion to approve the February 28, 2022 P&Z meeting minutes as presented. Schwalbe seconded. Motion carried.

PUBLIC PRESENTATION

Brinkman opened with a comment that both Chelsea Stockwell and Ben/Julie Lenzen are interested in the same property, and that because she was the first interested party, P&Z would have to make the decision to approve or deny her project proposal before a decision could be made as to the Lenzen's proposed project. Chelsea Stockwell will present at the next meeting when her plans are ready. Keller Drive is not currently a good option for Chelsea as there is no working sewer or water at that location. Some other possible locations were discussed briefly.

Julie Lenzen stated that Ben is interested in purchasing a piece of property from the City on the south side of 16th Street NE for storage buildings. One would be for personal use, and one would be to rent out.

Julie also discussed that Ben would soon continue to remove items from the house they own on West Main Street, and she asked if they would need an extension on their permit. Hamelton stated she would have to look and see what was issued.

OLD BUSINESS

Foundation Detail Update

No update

P&Z Ordinance Enforcement revision review

No Update

Pitched Roof Project

A building permit was issued and distributed for review. The contractor has been notified that he will be required to request inspections after each of the three fixes was done, but before they are covered up. The Building Inspector was also notified.

Contractor Registry/Permit Fees

Hamelton distributed a revised version of the proposed permit fee schedule, and it was discussed. Per the Zoning Ordinance, the property owner is responsible for pulling building permits. Consequently, if any fines would need to be administered for noncompliance, those fines would go to the property owner. There is currently nobody that can inspect propane and gas lines for the City of Beulah, and Brinkman is working with the State Plumbing Inspector to see if that is something his department could possibly help with. Cenex will inspect residential propane lines, but not commercial lines. Contractors that are repeat offenders would not be able to be fined for noncompliance, but they could be tracked and reported, as necessary.

Gazur made a motion to accept the permit fee schedule as presented. Buchmann seconded. Motion carried.

Inquiry to Attorney General regarding revisions to the Zoning Ordinance.

The City Attorney contacted Hamelton and asked to schedule a meeting. It was discussed that the whole board should be present for the meeting, even if it needs to be called as a special meeting. Hamelton will set up a special meeting and send out the notice.

Interstate Engineering revision of district zoning map

A copy of the map that was received from Interstate Engineering was shared with the board. There are some discrepancies between this map and the maps that are currently being used by the city. Hamelton will continue to reconcile the maps to produce a list of changes that need to be made so it can be accurately updated.

Lake View Services ET Concrete Crushing Operation

Hamelton received an email from the owner of Lake View Services detailing the business intentions and operations at the Hwy 200 location. A use permit was issued for Lake View Services to use one mobile crusher, they need to follow all city, county, state, and federal ordinances, and the use permit will need to be renewed annually.

Concern was raised that there is local perception of inconsistency with ordinance enforcement and interpretation. When the Zoning Ordinance text is revised, guidelines for situations like this need to be included. It is impossible to have an ordinance for every situation that may arise, but the P&Z Board and Building Official need a way to make executive decisions regarding the Extraterritorial Zone quickly and in the best interest of the community. The current Zoning Ordinance text does not address extraterritorial zoning, nor does it address crushing operations.

The board discussed the city's responsibilities related to having jurisdiction over the 1-mile extraterritorial area.

Civic Center Restroom Remodel

The proposed family bathroom will be ADA compliant when it is completed.

Bovkoon Carport Permit Application

The property owner was notified of the requirement for a foundation under the carport, and he will put the project on hold and determine what his next steps will be.

NEW BUSINESS

Truth Community Church Grading Issue

Brinkman and Hamelton have been contacted by two property owners adjacent to Truth Community Church regarding increased water runoff and collection on their property since completion of the parking project. The grading was increased quite a bit in the course of this project. There has also been issues with piling snow on the corner. This was discussed some with the contractor, but a meeting with the property owner has not been set up yet. Drainage on sloped property appears to be an issue on many properties within the city.

Application to Amend the District Zoning Map

Hamelton and Brinkman distributed their Application for Amendment to the District Zoning Map. The question was raised about whether replats are considered amendments to the District Zoning Map. It was discussed that the reasoning or rationale for replating these areas should be stated clearly enough to make sense for anyone doing research in the future. Item number four in the application addresses creating two new zoning districts, ET1 and ET2. It was determined that the Extraterritorial Ordinance would need to be written before the zoning districts could be created, so this will be removed from the application. It was also brought up that on the replat drawing the original plat lot lines, descriptions, numbering, etc. needs to be present.

Building Permit List Review

Permit 7906, the first permit on the list, is a pending sign permit for Lignite Tire. Hamelton explained a miscommunication and error that was made when the permit was first applied for and approved. The original building permit application was for two new sign cabinets and one new sign pole. This permit was approved and issued, and the need for a variance was missed at that time. The property owner then asked to revise the permit to only include replacement of the current sign cabinet, which would no longer require a variance. The change was made to the permit as requested. Hamelton was then contacted by Bismarck Sign Company on behalf of the property owners, requesting to once again change the building permit to allow for a new sign pole and cabinet to be placed on the hill west of the Lignite Tire building. At this time, Hamelton caught the fact that the sign would need a variance, and the process was explained to Bismarck Sign Company, who then relayed the information to the property owners. The variance was requested and approved by P&Z with the requirement to get approval signatures from any property owners within 300 feet of their property. This is the requirement that was miscommunicated, as the property owners believed they were good to go with the permit they had been issued. Due to rapidly increasing prices, the property owner approached Hamelton and expressed confusion and frustration with how the permitting process was proceeding. They are wanting to confirm that they are approved to place the sign, that they can go ahead and order it, and obtain signatures as soon as possible. The board agreed that they are still required to follow city ordinances, and approval

signatures are required to complete the variance process. This will be relayed to the property owner.

Gazur made a motion to approve building permit #7917. Schwalbe seconded. Motion carried.

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


Chairperson


Secretary