

The Special Beulah Planning and Zoning meeting of April 13, 2021 was called to order at 5:00 pm by Jerry Reichenberg at Beulah City Hall.

Present: Jerry Reichenberg, Roger Gazur, Dale Schwalbe, Chris Renner, Gerald Bieber, Brock Seibel, Gary Miller

Absent: Dustin Buchmann

Also Present: Beaver Brinkman, Scott Buchmann, Jesse Barbot, Tyler Rooks

Agenda Items as Noted on the Meeting Notice

Tyler & Tatiana Rooks – ADA Bathroom Exception

The Rooks are proposing adding a hair salon to a building that already had five (5) different businesses located in it. The question is whether the proposed improvements for the salon will require making the bathroom ADA compliant. Brinkman noted that it was his understanding that ADA does provide for local governments to approve exceptions to the federal requirements. Gazur questioned the city's authority to provide exceptions. Gazur moved that an exception be granted to the Rooks in writing contingent upon [Brinkman] finding the legal basis that allows a local government to do so; seconded by Siebel. Motion carried.

Jesse & Kristina Barbot – Building Permit and Variance Request

The Barbots are considering purchasing a residential property at which to locate a massage therapy business. The property as noted on the permit application is located at 200 2nd St NW. That property is currently zoned as residential. Properties surrounding the address are zoned as commercial. Residential zoning ordinances only provide for mixed usage where the business is the secondary usage.

Timing concerns and the measures required for re-zoning were discussed. To initiate the process, Gazur moved to proceed with the rezoning of 200 2nd St NE [sic], Beulah, ND from residential to commercial with the actual zoning district to be determined by City Council; seconded by Renner. Motion carried.

[It was determined subsequent to the April 13 meeting that there was discrepancy in the address provided by the Barbots on their application which resulted in the committee considering the wrong location in its discussion. The discrepancy was identified prior to the committee's recommendation being presented to Council.]

Mercer County Planning and Zoning

Bieber did not have anything to report from the Mercer County P & Z meeting. Brinkman questioned the county's continuing to push through an ordinance on wind farms when the state is also addressing the issue.

Bornsen Home Update:

Brinkman reported that he is still waiting on the appraisals for FEMA.

Old Nursing Home Update

Brinkman reported that the city has approved the abatement. He will be drafting a contract for Environment Protective Services to sign with the city. There was discussion about how the problem came back to the city to address. It was estimated that the site equaled about four (4) lots.

11th Street Zoning

Gazur made the recommendation that the committee approve a formal written opinion on the 11th Street zoning to provide to Council. Gazur had sent out a draft of a proposed opinion statement for committee members to review. Renner moved for the committee to send the recommendation prepared by Gazur to City Council for the re-zoning the 11th Street property from R4 to R1; seconded by Gazur. Roll call vote found Renner, Gazur, Schwalbe, Bieber and Seibel in favor. Motion approved.

Justin Feil – Industrial Park Property

Justin Feil is planning to purchase property in Industrial Park and then build a pole building on the site. Brinkman provided the committee with copies of the building permit application and a site plan for the property. Feil is hoping to get an understanding of what can be built along with what will be required set-backs. The proposed structure will be a 48' x 64' x 16' or 50' x 60' x 14' pole building with a thickened edge and no footings. There will be a bathroom installed. Gazur questioned the project cost as set out under the application. The committee asked Feil to come back once he has a more confirmed building plan.

Fence Ordinance

Tabled

Foundation Detail Update

Waiting on information from Charlie Hankins, City Engineer

C of O Permit 6647

Tabled

Keller Drive

It has been determined that the city owned property does not present a liability issue if the city should try to sell it. The storage area's purpose and upkeep issues were discussed.

Street Parking/ Garden Mill

A concern has been raised regarding the increase of parking in the residential neighborhood where the Garden Mill is located once it opens for business in the spring. It was generally determined that there is nothing under city ordinances that is able to address the concern.

R1 Zoning

The need to update the zoning ordinance to provide for future sales was discussed. Currently, R1 zoning requires a primary structure for any accessory structure to be constructed on a lot.

Resolutions vs Ordinances

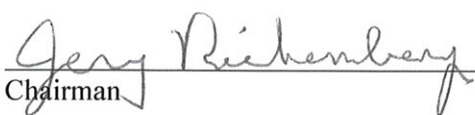
Waiting on a response from the League of Cities. Tabled.


Ben Lenzen Project

Need additional information to go forward.

Gazur made a motion seconded by Bieber to adjourn the meeting, Motion carried.

The meeting was adjourned at 6:30 pm.


Chairman


Secretary