

The Beulah Planning and Zoning Meeting of July 11, 2022 was called to order at 5:00 pm by Dale Schwalbe at the Beulah City Hall.

Present: Dale Schwalbe, Roger Gazur, Gerald Bieber, Gary Miller, Brock Seibel, Chris Renner, Dustin Buchmann

Absent:

Also Present: Heidi Hamelton, Assessor; Beaver Brinkman, Economic Development; Wes Gunsch, Ryan Ahlschlager, John Phillips, Kelvin Holzer, Andrew Gunderson, Adam Baker, Mayor Gooss

Gazur entered a motion to approve June 13, 2022 P&Z Meeting minutes and Special meeting minutes from June 16, 2022 and June 20, 2022. Seibel seconded. Motion carried.

PUBLIC INPUT

Adam Baker presented his opposition to the idea of a dog kennel being constructed in Lot 1 Block 2 of New Energy Second Addition as proposed by Chelsea Stockwell. He is concerned about noise from barking dogs and would rather see that property developed as residential. He is not opposed to the idea, just the location. It was explained that New Energy Second Addition has been recently rezoned C4, Neighborhood Commercial. Baker is also upset that surrounding neighborhoods were not canvassed for their opinions before the project was given support by both P&Z and City Council. Hamelton explained that at this point it is just a concept, a building permit application has not been submitted. She has contacted multiple cities regarding kennels that are located in residential zones, and the results were presented in a memo to the P&Z Commission. This memo is available as public record to anyone that would like a copy.

Wes Gunsch presented his opposition to the idea of a dog kennel being constructed in Lot 1 Block 2 of New Energy Second Addition as proposed by Chelsea Stockwell. He is also concerned about noise from barking dogs. Gunsch is upset that surrounding neighborhoods were not canvassed for their opinions before the project was given support by both P&Z and City Council.

John Phillips presented his opposition to the idea of a dog kennel being constructed in Lot 1 Block 2 of New Energy Second Addition as proposed by Chelsea Stockwell. He is concerned about noise from barking dogs and would rather see that property developed as residential. He is not opposed to the idea, just the location. It was again explained that New Energy Second Addition has been recently rezoned C4, Neighborhood Commercial. Hamelton also explained that at this point it is just a concept, a building permit application has not been submitted.

Mayor Gooss questioned if the rezoning process included the opportunity for public input. It was clarified that two hearings are required that allow public input. Notification of neighboring property owners within three hundred feet of all property lines is also a requirement.

The storage units that are being built by Kelly Kessler on the north half of Lot 2 Block 2 of New Energy Second Addition were also discussed. This property was recently rezoned to C4,

Neighborhood Commercial, but Self-Service Storage is not allowed according to the current use table in the Zoning Ordinance. It was explained that there is not currently a valid procedure for amending the text of the Zoning Ordinance, and this has been a topic of discussion and contention between the P&Z Commission and the City Attorney's Office for over a year. The recent request for an opinion from the Attorney General is meant to address this disagreement.

Mayor Gooss voiced his personal opinion that he does not agree with the proposed location of the dog kennel, and that he personally believes that area should still be residential.

The question of what the concern is about the storage unit project was posed to the public attendees. Mayor Gooss believes there needs to be more of a cohesive plan for the city. Hamelton clarified that P&Z does not support spot zoning as a practice. She explained that zone C4 is Neighborhood Commercial and is meant for businesses that cater to the needs of the neighborhood.

Concerns were raised about difficulty finding out what city properties are available for sale. Brinkman shared that the local realtors are all aware of what city properties are available and who to contact.

Gazur pointed out that there is an ordinance that lays out the process for selling city property and Planning & Zoning has nothing to do with property sales.

Public input ended at 5:57 pm.

OLD BUSINESS

Foundation Detail Update

No update.

Attorney General Inquiry

The request has been resubmitted with the additional requested information. The submittal was shared with P&Z by email.

P&Z Ordinance Enforcement Revision Review

No update.

Interstate Engineering revision of district zoning map

The project is nearing completion.

Truth Community Church Grading/Storm Drainage Issue

No new progress to report.

Zoning Ordinance Text Amendments

Gazur would like the opportunity to run through the items one-on-one with Hamelton to make some minor revisions. It was also mentioned that running the amendments past the city staff

before finalizing and submitting. Gazur requested to table this agenda item until he is able to meet with Hamelton.

NEW BUSINESS

Extraterritorial Zone

Brinkman gave some background on the need for a policy to be drafted on zoning within the Extraterritorial Zone. He is requesting that Gerald present the possibility of a meeting with the Mercer County Planning & Zoning Commission to share ideas and thoughts on formulation of a policy for the second half-mile of the ET Zone. Gazur suggested P&Z visiting Watford City to visit with them about the pros and cons of how their ET plan is working.

Variance Applications

Hamelton presented two new fence variance applications that will be coming before P&Z at the July 25 meeting. Notices have been sent to all neighbors within three hundred feet of the subject properties.

League of Cities

Planning & Zoning only has enough budgeted to send one commission member to the League of Cities Conference in September. The members will deliberate and decide at the next meeting if they would like to send someone. Gazur suggested requesting money in the budget for next year to send three P&Z members.

The members discussed a possible concern with a building permit that had been previously issued to Ben Lenzen for a property on Main Street.

Motion to adjourn by Gazur. Seibel seconded. Motion carried. Meeting adjourned at 6:42 PM.



Chairperson



Secretary

