

The Beulah Planning and Zoning meeting of August 20, 2020 was called to order at 5:00 pm by Jerry Reichenberg at Beulah City Hall.

Present: Jerry Reichenberg, Dale Schwalbe, Roger Gazur, Gerald Bieber, Dustin Buchmann

Absent: Chris Renner

Also Present: Beaver Brinkman, Gary Miller, Carl Blackhurst, Nathan Richter

It was agreed that "Approve the Agenda" should be removed as an agenda item.

Gazur moved approval of the August 5, 2020 meeting minutes; Schwalbe seconded. Motion carried.

## **OLD BUSINESS**

### **Mercer County Zoning Meeting Update**

Gerald reported that Capital Energies was discussed.

### **Dilapidated Buildings (In progress)**

Brinkman has requested an abatement estimate from Total Control to tear down the structure at 305 West Main St. Concerns were also expressed regarding the Spier property located on East Main St. Brinkman has not yet spoken with Paul Gilbertson about his property located at 424 E. Main St. It is hoped that Public Works will agree to undertake the demolition in coordination with Gilbertson.

## **NEW BUSINESS**

### **Request for Temporary Use of Conex Storage Unit – Beulah Middle School**

Carl Blackhurst is requesting authorization to locate a Conex storage unit on the west side of the Beulah Middle School. Its placement would be temporary to allow storage of football equipment while the High School is undergoing renovations. It is anticipated that the Conex unit will be there for no more than two months. Gazur moved approval for the Beulah Middle School to temporarily locate a Conex storage unit at BMS and giving Brinkman the authority to determine the duration of its placement; Schwalbe seconded; Motion carried. A permit will be drafted to set out the expectations and understandings regarding the authorization.

### **Nathan Richter – Fence Permit (Permit #7692)**

Nathan Richter is planning to put up a fence at his property located at 315 1<sup>st</sup> St NW. The fence would have a 3ft setback from the sidewalk and would be 6ft high. The proposed setback and height would require a variance from City Council. Gazur expressed concerns regarding the setback variance. Gazur moved approval of making a recommendation of the 3 ft. setback and 6 ft. height for the variances; seconded by Bieber. The motion carried with Gazur opposing. The variance request will be presented to City Council.

### **Willard Lloyd – Request for Removable Fence**

Brinkman presented a proposal made by Willard Lloyd to set up an 18" removable fence on the front of his property toward the street. This is informational only to determine if there are any concerns or objections.

### **Jamey Backus – Permit Request for Construction of Shop (Permit #7686)**

Jamey Backus has requested a building permit to construct a shop building on his property located at 705 Hwy 49 N. It appears that the property is located within the One Mile Extra-Territorial however many questions exist as to zoning, the lot size, and what if any approval is required from the county.

Brinkman will follow-up to determine what is required for the location in consideration of the scope of the project.

**Bryce & Breann Zeller – Demo Permit (Permit #7687)**

A permit has been written for the demolition of the structure at 504 Central Ave South. It was agreed that property owners are allowed to undertake the demolition of their own property. Disposal of the materials is restricted however and requirements are to be noted on the permit.

**Response to Ken Miller**

Brinkman presented the letter he has drafted to respond to Ken Miller's concerns regarding the issuance of a past permit. He asked the committee for its input. It was recommended that one sentence be deleted. Gazur moved to approve the letter to Ken Miller less the one sentence; Schwalbe seconded. Motion carried.

**Lucky Buchmann - Permit re: Relocating Trailer Home Retracted**

Brinkman reported that Lucky Buchmann has withdrawn his application for the relocating of the trailer home.

**Lucky Buchmann- Privacy Permit Requested**

Brinkman noted that Lucky will be coming forward with a permit application for a fence for his property located in the Lignite Addition. Brinkman has not yet reviewed the details of the proposal.

**Larry Steffen – Replacement of Storm Damaged Fence (Permit #7688)**

Brinkman reported that a permit has been issued to Larry Steffen to install a fence on his property line. The fence will be replacing a neighbor's fence that blew down onto Steffen's property and the neighbor has failed to address the situation.

**James Zacher Permit Request (Permit #7689)**

James Zacher plans to build an addition to his garage. The plans look in order and will not require a variance.

**Roger Gazur Permit Request**

Gazur noted upfront that he will remove himself from any decision making role on the matter. The issue concerns his plan to bring in paint booth as part of the renovations he is undertaking at the former MJM building on Hwy 49 S. NFP33 requires an automated fire suppression be installed for a paint booth however Gazur argued that is for commercial properties only and does not cover those who would use it on a "hobby" basis. Concerns regarding insurance and future ownership of the property were expressed. Brinkman will follow-up with the State Fire Marshall to obtain more information.

**Update on The Meat Shop Proposal**

The discussions regarding the plans to build a slaughter house on the property are continuing. There is no formal written proposal at this time and City Council has not commented on the plan. The MAP drawing was incorrect which provides more space to the north and west sides. The FEMA/Floodway concerns are a factor and have not yet been resolved.

**Mark Lauer – Working Without a Permit**

The roof was completed without a permit. The best way to proceed on this specific violation was discussed. Brinkman was given the authority to address it as he determines best.

There was extensive discussion regarding **permit violations** and how to approach them. It was agreed that working without a permit is widespread and needs to be addressed. Issues of fairness and consequences which included setting fines were discussed. Brinkman will continue to work with the Mayor and other city officials in instituting a consistent response.

## **ZONING AND PLANNING AMENDMENTS**

### **Marijuana Ordinance Recommendation**

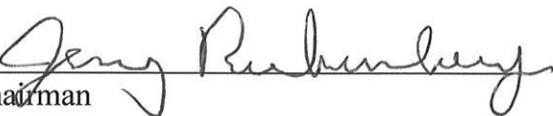
Gazur expressed his concerns in drafting an ordinance and determining the roles of City Council in relationship to those of the P & Z Commission. Gazur took the position that the P & Z Commission was limited to recommendations regarding location only. It was decided to table further discussion until the next meeting to give each member additional time to consider P & Z's role in relationship to City Council's.

### **Permits: 7666 thru 7692 (See Attached Addendum A)**

Gazur made a motion seconded by Schwalbe to approve Building Permit Numbers 7666 thru 7685 with Permits 7686 thru 7692 tabled for approval; Motion carried.

It was agreed that there will be two regularly scheduled meetings of the P & Z Committee starting in September and going forward until it is agreed otherwise. The meetings will be on the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of each month at City Hall and both meetings will begin at 5:00 pm. The next meeting will be on September 3.

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

  
Chairman

  
Secretary

7666	Allison Sadkowsky (Combs)	119	10th St NE	Remove and replace 10 ft x 20 ft deck - composite deck
7667	Andrew & Sarah Nesper	208	1st St SE	Install a disability wheelchair ramp
7668	Chris Hoffer	100	11th St NW	Construct a 14 ft x 60 ft concrete parking pad
7669	Peter Lanoue	210	19th St NE	Construct a wood fence
7670	Christopher Askay	818	2nd St NW	Remove and replace asphalt shingles
7671	Kelle Allard & Scott Hellman	312	West Main St	Remove and replace asphalt shingles
7672	Loren Daede	1030	Blackstone Lane	Add Sunroom, deck, steps, sidewalk and patio to exist
7673	Ray & Lorraine Sorge	120	2nd Ave NW	Install a 14ft x 24 ft garden shed
7674	Michael Carns	1525	1st Ave NE	Install 3 sides of fence 6 ft tall in backyard
7675	Joseph & Darcy Fouhy	1106	3rd Ave NW	Move location of mailbox
7676	Luck & Lisa Buchmann	601	10th Ave NE	Construct 12ft x 24ft shed on concrete slab
7677	James & Florence Plenis	405	1st Ave NW	Remove and replace three (3) doors
7678	Ernest & Caroline Riegel	517	Central Ave S	Remove and replace four (4) windows - vinyl
7679	James L Whittmaier	800	10th St NE	Remove and replace deck with composite decking
7680	Robert & Tressa Carter	613	3rd Ave NW	Remove and replace asphalt shingles
7681	Troy Knudsvig & Teresa Partida	600	19th St NE	Bathtub - Replace wall surround and shower pans
7682	Terry & Sharon Stoner	124	11th St NW	Bathtub - Replace wall surround and shower pans
7683	Ben & Julie Lenzen	707	Cypress Dr	Remove and replace asphalt shingles
7684	H Donald & Lenore Wetzel	206	9th St NW	Remove and replace asphalt shingles
7685	Mercer County Women's Resource	1500	7th St NE	Install 65 ft x 70 ft concrete driveway and parking area
7686	Jamey & Tracy Backus	705	Hwy 49 N	Construct 40 ft x 80 ft x 16 ft Shop Building
7687	Bryce & Breann Zeller	504	Central Ave S	Demo of Single Family Residence
7688	Larry & Lorie Steffen	201	11th St NW	Replace fence
7689	James & Sherry Zacher	1912	4th Ave NE	Garage Addition
7690	Delane & Sandra Bauer	2032	Hwy 49 S	Remove & replace asphalt shingles
7691	Jocelyn Simpfenderfer pending recording of deed	1310	2nd Ave NW	Install Mailbox
7692	Nathan & Kristen Richter	316	1st St NW	Install fence