

The Beulah Planning and Zoning Meeting of March 13, 2023 was called to order at 5:03 pm by Dale Schwalbe at the Beulah City Hall.

Present: Dale Schwalbe, Chris Renner, Brock Seibel, Gerald Bieber, Ryan Tolosky, Gary Miller, Dustin Buchmann

Absent:

Also Present: Heidi Hamelton, Building Official; Beaver Brinkman, Economic Development; Roger Gazur

Tolosky entered a motion to approve the February 27, 2023 meeting minutes. Bieber seconded. Roll call vote found all in favor. Motion carried.

HEARING FOR VARIANCE APPLICATION

LJK Properties, LLC submitted a variance application for the landscape strip requirement for the storage unit being built under a conditional use permit in New Energy Second Addition. A letter from Thomas Rusch with Rusch Properties was received in opposition to the variance request. Mr. Rusch owns an apartment building to the east of the subject property. The variance requests an exemption from the landscape strip requirement due to the lack of water infrastructure on the property. The ordinance currently requires a landscape strip of 1 tree and 20 shrubs for every 50 lineal feet of property street-side, which would be 18 trees and 360 shrubs. Concern about possible snow buildup with trees and shrubs was discussed, along with whether the apartment building was required to install a buffer or landscape strip, and it was determined that they are not. The zoning ordinance also does not identify specific requirements for the type of trees and shrubs that need to be installed. The requirement for a landscape strip was missed at the time the project was permitted and was not an original feature in the submitted plans. The ability to request a variance for a buffer strip requirement was added to the zoning ordinance with the recent text amendments, which is why the property owner is submitting the variance application at this time. A variance cannot be approved for an economic hardship, which it appears this is. The criteria for a variance were shared with the commission. At this time, there are no other self-service storage units in town that have landscape or buffer strips, and it was discussed that the zoning ordinance may not have included this requirement when those buildings were installed. The definition of buffer strip from the zoning ordinance was read and discussed. A fence could be considered an acceptable alternative. The bluff on the south side of the property may be an adequate buffer on that property line. The P&Z Commission is not in the practice of project design, and this recommendation may cross that line. There is a fire hydrant in the boulevard and a gate valve available in the street to the west of the property. Eleventh Street was completed drifted with snow at the end of last year, and a fence or landscaping may contribute to that issue. The landscape strip was likely added to the zoning ordinance to improve aesthetics of this type of structure. The subject property is 500x340. Seibel made a motion to recommend denying the variance application with the caveat that the elevation on the south side of the property serves as an adequate buffer strip. Renner seconded the motion. Roll call vote found all in favor. Motion carried. Hamelton will present this recommendation to the City Council. Seibel made a motion to close the hearing. Buchmann seconded. Roll call vote found all in favor. Motion carried.

OLD BUSINESS

Code Revisions/Action Items

No new additions.

Ordinance 412 Revision Discussion

Seibel requested tabling this discussion until the next meeting so he can have more time for review and drafting.

Dilapidated Buildings Update

No updates have been received from the City Attorney's office. OPM inspection for the south apartment building on Parkway is scheduled for March 21st. There was a fire in town yesterday and this property may be added to the dilapidated building list. The property on Main Street will be contacted by Hamelton to obtain a plan for demolition. Brinkman shared that there may be funding opportunities to help with demolition of dilapidated buildings, including the old nursing home. The apartment building on 7th Street NW has had no movement on the garage that was destroyed by fire.

City Projects Update

Grant applications are being reviewed and funding opportunities being sought. The city sold 16 lots last week at the property auction. Main Street Project went to bid. Hamelton is putting the pieces together to have Beulah recognized as a Tree City USA for 2023, including applying for a grant to have some trees removed in the boulevard on Main Street and other city streets.

P&Z Consultant

The City Council approved Gazur's proposal to act as an uncompensated consultant to the P&Z Commission pending the City Attorney not finding any concerns.

Gazur requested Brinkman draft a memo detailing his conversation with the state electrical board regarding requirements for change of use from personal to commercial or vice versa.

NEW BUSINESS

Permit App for Temporary Storage Building

A permit application was submitted by Dana Rathjen to install an 800 SF hoop structure to store his RV. The ordinance requires this type of building to be permitted as a temporary structure, which would require an annual renewal application. Rathjen does not intend to place the structure on a poured slab; he would like to place it with the staking that comes with the building, which he describes as "twist-in". Gazur questioned if it could be permitted as a carport, but it would have to be properly secured to the ground with anchors. Seibel made a motion to get more information from the property owner including footings and design specifications. Renner seconded the motion. Roll call vote found all in favor. Motion carried.

Chicken Ordinance Draft

A copy of the rough draft of the ordinance prepared by the council-assigned committee was distributed and discussed. Planning & Zoning needs to determine recommendations for structure requirements (i.e., coop and run). Examples of DIY and homemade coops were shared, and concerns discussed. Due to the restrictive cost of utilizing the City Building Inspector for inspections, currently Interstate Engineering and a charge of \$100/hour, it was determined that whatever structure is allowed should be easily inspected by the City Building Official or Police Chief. Tolosky entered a motion to recommend adding a requirement for commercially available or pre-built (kit) coops. Seibel seconded. Roll call vote found all in favor. Motion carried.

Use Table Amendment – Self-Service Storage in C2

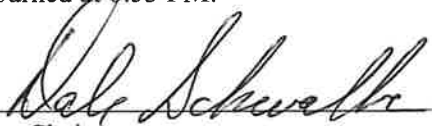
Hamelton would like to propose a text amendment to the zoning ordinance use table allowing Self-Service Storage in zone C2 as a Conditional Use. There are a handful of storage units that exist in C2 zoning that are currently non-conforming structures, and this amendment would bring these structures into conformance. The city also has one building permit application being submitted to place a self-service storage unit in C2. Renner entered a motion to approve adding this to the next zoning ordinance text amendment application. Bieber seconded the motion. Roll call vote found all in favor. Motion carried.

Planning Grant Opportunities

There are numerous grants available to help with the comprehensive land plan. The current strategic planning list will be emailed to the P&Z Commission members for review. This list will help the city prioritize projects and match funding opportunities to city needs.

There are no building permits for review.

Motion to adjourn by Bieber. Seibel seconded. Roll call vote found all in favor. Motion carried. Meeting adjourned at 6:53 PM.


Chairperson


Secretary