

The Beulah Planning and Zoning meeting of September 27, 2021 was called to order at 5:05 pm by Jerry Reichenberg at Beulah City Hall.

Present: Jerry Reichenberg, Roger Gazur, Brock Seibel, Dustin Buchmann, Gary Miller

Absent: Chris Renner, Gerald Bieber, Dale Schwalbe

Also Present: Beaver Brinkman, Heidi Hamelton, Scott Solem

Gazur entered a motion to approve the September 13, 2021 Planning & Zoning Meeting minutes as presented. Seibel seconded. Motion carried.

### **MDU Annexation Hearing**

Solem presented the petition to annex a parcel of land 1.38 acres on the south side of 7<sup>th</sup> Avenue NE and east of the Lignite Addition and reviewed the annexation process with the commission. Gazur entered a motion for the P&Z Commission to recommend the annexation and rezoning of this parcel for MDU to City Council. Seibel seconded. Roll call vote found all in favor; motion carried. Gazur motioned to close the annexation hearing. Seibel seconded. Motion carried.

Solem left the meeting.

Miller joined the meeting at 5:13 pm.

### **OLD BUSINESS**

#### **Bornsen Home Update**

It was previously understood that with the property owner not accepting the offer from the City of Beulah, the next step would be for the City Attorney to draft a request for a court order to move forward with the demolition. After more discussion with the City Attorney and some new information from FEMA, that does not appear to be the case. Brinkman will continue to pursue the best way to proceed with removal and/or of this home.

#### **Foundation Detail Update**

No updates. Hamelton will follow up with Interstate Engineering.

Gazur requested a discussion about installing bathrooms on monolithic slabs. He has been unable to locate anyone that can direct him to a specific place in the IBC or IRC that prohibits this practice, and what the plumbing code provides seems to be a reach. Despite this, it is standard practice to disallow this type of installation in most jurisdictions, including Beulah, and frost footings have been required. This usually adds a substantial cost to the project for the property owner. The City of Beulah does not have this requirement stated in the Zoning Ordinance, but it has been enforced by the Building Official at their discretion in the past. Hamelton will do some research and present at the next P&Z meeting.

#### **P&Z Ordinance and Zoning Map Revisions List**

The lots bordering 11<sup>th</sup> Street NE to the north will be rezoned to C4 instead of C3 to better complement the adjoining residential neighborhoods. Hamelton will present a complete list for review at the next P&Z Meeting for council approval.

**P&Z Ordinance Enforcement draft review**

Draft was reviewed and discussed. Members would like this reviewed with Chief Senn and the City Attorney to make sure language and process is appropriate. Revision of the building permit fee schedule was discussed, including fines for working without a permit.

**NEW BUSINESS**

**108 1<sup>st</sup> Ave SW – Pitched roof over flat roof project**

Hamelton presented background information, along with copies of a building permit application and some truss drawings that were provided by one of the people working on the project. This project is almost complete, and the permit has yet to be approved and issued. The commission discussed specifics and possible courses of action, including possible fines for working without a permit. Hamelton will contact the property owner to cease construction in the morning and determine the next steps.

**Concordia Lutheran Church – Parkway Drive Vacation and Zone Change**

It was discovered that Parkway Drive is still considered an active through street on the Zoning Map, yet the property has been a part of the Concordia Lutheran Church for quite some time. After some discussion, the P&Z Commission would like to offer the property for sale to the church rather than vacating it. Hamelton will look into that option and present it to the church board. Also, Blk 2 Fischer’s 1<sup>st</sup> Addition, where the main church building is located, is zoned POC, while the adjacent property, which is listed in the same parcel number, is zoned R1. This needs to be fixed, and will be added to the Zoning Map Revisions List and prepared for submittal. Hammerschmidt’s property in the SE corner of Blk 1 Fischer’s 1<sup>st</sup> will also be added to the list to change the zoning from POC to R1.

**Zoning Map Amendment Application draft**

Draft presented for review and discussion.

**Permit List Review**

List presented for review. Highlighted permits on the list have not been issued yet. Gazur entered a motion to approve 7851 and 7871 through 7883. Seibel seconded. Motion carried.

Gazur entered a motion to adjourn. Seibel seconded. Motion carried. Meeting adjourned at 6:30 PM.

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Chairman

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Secretary