

**The Beulah Planning and Zoning Meeting of September 12, 2022 was called to order at 5:01 pm by Dale Schwalbe at the Beulah City Hall.**

Present: Dale Schwalbe, Gerald Bieber, Gary Miller, Brock Seibel, Roger Gazur, Ryan Tolosky

Absent: Chris Renner, Dustin Buchmann

Also Present: Heidi Hamelton, Building Official; Beaver Brinkman, Economic Development Director; Bill Schmalfeldt, Beulah Beacon

Gazur entered a motion to approve August 22, 2022 meeting minutes. Seibel seconded. Motion carried.

**OLD BUSINESS**

**Murphy Garage Variance Application**

Hamelton has attempted to contact the applicant multiple times with no response. Gazur entered a motion to deny the variance application on the basis that the application is incomplete. Seibel seconded. Roll call vote found all in favor. Motion carried.

**Foundation Detail Update**

No update.

**Interstate Engineering revision of district zoning map**

The map that was created by Interstate Engineering was presented to the commission and discussed. The ET zone still needs to be identified. Adding a layer for the Comprehensive Land Use Plan was requested.

**Truth Community Church Grading/Storm Drainage Issue**

The diagonal parking spaces have been striped. There has not been any contact made with the property owner. The city ordinances do not specifically address water drainage onto adjacent property as being a violation, so there is still question as to how to proceed.

**Extraterritorial Zone**

Brinkman will be attending the Mercer County P&Z Meeting on Wednesday. He distributed a letter that will be presented at this meeting. The commission discussed the letter and their expectations of the county meeting. Gazur reiterated the need to meet with staff from another city, specifically Watford City, to discuss the dos and don'ts of implementing an extraterritorial zoning regulation. The Comprehensive Land Use Plan was also discussed.

**IBC/State Code Adoption by Beulah**

Hamelton will start working on a draft policy and would appreciate any input from the commission as to what should be included or excluded with the state code adoption. Gazur stated that if we adopt a code, we should have a way to complete inspection. Hamelton will bring what she has to the next meeting

**Addition to App to Amend Zoning Text**

Hamelton had distributed a proposed addition to the Text Amendment Application, but she no longer wishes to propose this change to the Zoning Ordinance. It was discussed. This item was rescinded.

Gazur questioned the status of the final inspection for the Beulah High School. Hamelton will look into it and report at the next meeting.

The WRT underground propane tank project is completed.

At the last City Council meeting, the council denied the request to add Animal Kennels as a conditional use with requirements to zone C4, Neighborhood Commercial.

The commission discussed how property maintenance code violations should be addressed and who handles complaints and enforcement. Currently, the Property Maintenance Code states the enforcement is handled by the Building Inspector and the City Attorney. This may be something that needs to be changed in the code to allow the Building Official enforcement authority since the city does not currently employ a Building Inspector. Miller will bring up the question at the next City Council meeting.

## **NEW BUSINESS**

### **Fees by Resolution of City Council**

A document outlining fees are set by resolution of City Council was distributed and discussed. There are currently quite a few fees that haven't been set, which means we can't charge for certain processes carried out by the city, including variances, conditional use permits, temporary permits, replats, etc. Gazur would like to see one resolution presented with all of the fees that are not currently defined. Hamelton and Brinkman will review the list and present it when ready.

### **New Projects**

The Beulah High School has submitted a building permit application to construct a new storage building. The application is currently pending due to some missing information from the contractor. Two permits have been issued for new buildings on the west end of Keller Drive. It has been re-verified that there is no water or sewer available on that end of Keller Drive.

### **Permit List Review**


Gazur entered a motion to approve the building permit list as presented. Seibel seconded. Motion carried.

### **Misc. Business**

The Lueck property to the east of Bronson's is in the process of changing ownership. The new buyers will continue with the plan to run a coffee shop out of the house. They plan to utilize the plans provided by the Lueck's and have been made aware that any changes to this plan needs to be approved by the Building Official first.

Motion to adjourn by Seibel. Gazur seconded. Motion carried. Meeting adjourned at 6:55 PM.

  
Chairperson

  
Secretary