

The Beulah Planning and Zoning meeting of September 3, 2020 was called to order at 5:00 pm by Jerry Reichenberg at Beulah City Hall.

Present: Jerry Reichenberg, Chris Renner, Gerald Bieber, Dustin Buchmann

Absent: Dale Schwalbe, Roger Gazur

Also Present: Beaver Brinkman, Gary Miller, Jamey Backus

Renner moved approval of the June 25, 2020; meeting minutes; seconded by Bieber. Motion carried. Renner moved approval of the August 20, 2020 meeting minutes; Buchmann seconded. Motion carried.

## **OLD BUSINESS**

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

Bieber reported that the County Commission recently set out guidelines for wind farm construction in Mercer County.

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

Brinkman will be asking City Council for expenditure of \$3,200 for abatement of 305 West Main St. Brinkman will contact Solem Law to see about initiating the condemnation process on the 424 E. Main St. property. It was noted that the goal is to complete the demolition by the end of the year and to try to coordinate these with other scheduled demolition projects.

### **Update on The Meat Shop**

Brinkman reported that FEMA will need to make corrections to the flood way boundary. It is anticipated that any corrective action will take up to two years to finish.

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

The request for a setback variance will be presented to City Council on Monday.

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

The property is located in the One Mile Extra-Territorial zone. Work has been started due to the contactor's availability. Code requires a setback of 25 ft. The 12 ft. setback variance will require approval from neighbors. Renner moved to approve making a recommendation for the 12 ft. variance to City Council; second by Buchmann. Motion carried.

### **Roger Gazur Spray Booth**

The code requirement under which the fire suppression system as set out does not give any exemptions based upon commercial versus personal usage. Brinkman reported that they are looking into the intent of the provision to see if that provides any direction. The matter was tabled until more information regarding the code's intent is received.

### **Mark Lauer – Working Without a Permit**

Brinkman has made several attempts to contact Lauer but has been unable to connect with him. The next steps will be to begin fining Lauer \$10 per each day that he is out of compliance. The P&Z Commission confirmed its support to Brinkman in how he decides to pursue the matter.

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

Brinkman confirmed that property owners are allowed to undertake the demolition of their own property. Disposal requirements were set out in the building permit.

**NEW BUSINESS****Photo Studio in Residential Setting**

Brinkman has been contacted by a person that is interested in purchasing a city owned lot for the purpose of building a residence that would also include a photography studio. The lot is zoned as residential which prohibits art studios. The distinction between an art studio and photography studio was discussed. Amending the zoning code or seeking a variance was discussed as options.

**Bryton Rochau Fence permit request**

Brinkman reported that he has approved a fence for Bryton Rochau. The zoning is C-2 so height restrictions are not factor.

**Fanatics - Lee Bersch**

Brinkman reported that he has been attempting to work with Lee Bersch on resolving issues regarding the lack of working fire suppression equipment at Fanatics. The State Health Dept., State Fire Marshal and the City Fire Marshal are involved and are close to shutting Fanatic's down due to non-compliance with state mandates. The proposal is that Fanatics will be provided a set number of days to correct the problem or faces having the City of Beulah revoke its liquor license.

**Beulah JDA Permit USDA Building**

Brinkman disclosed that he is serving dual roles on the USDA Building project being undertaken by Beulah JDA. He has been the primary contact on the project and is the person who has submitted a building permit application.

**Temporary Certificate of Occupancy – CCCHC**

The P & Z Commission agreed that this needs to be cleaned-up and completed.

**Temporary Certificate of Occupancy – Wellness Center**

The P & Z Commission agreed that this needs to be cleaned-up and completed.

**Work With Out Permits - Updated**

Discussion included the need to work with the Police Department and Public Works in identifying those that are not in compliance with permit requirements. There was also discussion regarding contractors being responsible in obtaining the necessary permits rather than the property owners.

**ZONING AND PLANNING AMENDMENTS****Lot Coverage**

The proposal is to adopt a 30-30-40 requirement.

**Amend R5 to R1**

The proposal will be taken to City Council.

**Amend Current Zoning Map to Depict Zones as R vs RD**

The proposal will be taken to City Council.

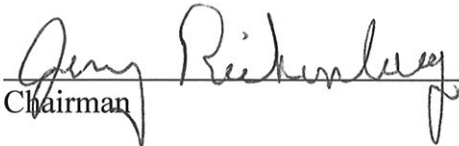
**Marijuana Ordinance Recommendation**

It is proposed that zoning requirements be similar to those that are required for liquor stores. Bieber moved that the P & Z Commission propose to City Council adoption of zoning requirements for medical marijuana dispensaries that are similar for liquor stores factoring in other state requirements; Renner seconded. Motion carried.

**Permits: 7686 thru 7702 (See Attached Addendum A)**

Renner made a motion seconded by Bieber to approve Building Permit Numbers 7686 thru 7702 with the exception of Permits 7686 7699; Motion carried.

It was moved and seconded to adjourn the meeting, Motion carried.

  
Chairman

  
Secretary

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 Jocelyn Simpfenderfer pending	2032	Hwy 49 S	Remove & replace asphalt shingles
7691	recording of deed	1310	2nd Ave NW	Install Mailbox
7692	Nathan & Kristen Richter	316	1st St NW	Install fence
7693	David & Shannon Gar	109	2nd St NW	Construct Garage
7694	Mitch Grochow pending recording of deed	219	Sheila Dr	Install Mailbox
7695	Charles Porter & Rachael Ramsden	421	W Main ST	Install Mailbox
7696	Gary Weigum Etal c/o Celestine Hafner	701	1st St NW	Remove and Replace Shingles
7697	David & Tonia Knudsen	900	1st Ave NW	Remove and Replace Shingles on house and garage
7698	Beulah Middle School	204	5th St NW	Locate Conex storage unit - temporary
7699	Mark Lauer	604	Hwy 49 N	Replace Asphalt roof w/metal roof - work done w/o p
7700	Beulah JDA	1400	Hwy 49 n	Remodel of USDA Building
7701	Lucky & Lisa Buchmann	601	10th Ave NE	Privacy Fence
7702	Debora Creel	107	10th St NW	Replace Existing Deck