

Minutes of the Ward County Planning Commission
August 20, 2015

The meeting was called to order at 7:00PM by Chairman Tuttle. Present were Commissioners Kopp, Livingston, Schuler and Weppler. Also present were County Planning and Zoning Administrator Amber Turnquest, Highway Engineer Dana Larsen, States Attorney Roza Larson, and Misty Hester, Secretary.

Moved by Commissioner Weppler, seconded by Commissioner Schuler, to approve the Planning Commission Meeting Minutes from the July 18, 2015. Roll Call: All Voted yes; Motion carried.

Application for a final plat approval by **Troy Johnson** for the following described property:

Lost Creek 2nd Addition, Being an Unplatted Portion of the NW ¼ Lying East of
US Highway 52 & West of Ward County Road 19 Less Outlots 8-11, 17-19 & Lost
Creek Addition, Section 24-154-82, Sundre Township

The application is for a five lot subdivision ranging in size between 2.21- 5.32 acres. The Sundre Township Board has recommended approval. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the property is (a) developed or subdivided or (b) if an application is made for a building permit; and that any development as a result of this plat should not obstruct watercourses or divert surface water flows. This is the second reading done on this.

A discussion began with Highway Engineer Dana Larsen. Ackerman has already submitted a set of plans for preliminary review for the road. It (the plat recording) would be held until the road is constructed or until the developer submits the bond for the costs of the construction.

Moved by Commissioner Schuler, seconded by Commissioner Weppler, to approve contingent upon Township & Water Board approval and the road construction stipulations to the Highway Dept. standards. Roll call: All voted yes; Motion carried.

Application for a final plat approval by **Deborah Zaun** for the following described property:

Lakeview Third Addition to Rice Lake, Ward County, ND, Lots 3& 4, Lakeview
Addition to Rice Lake, Ward County, ND, Section 10-152-85, Rice Lake Township

The application is for a 0.60 acre, one lot subdivision. The purpose is to combine two lots into a single lot. The Rice Lake Township Board has recommended approval. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the property is (a) developed or subdivided or (b) if an application is made for a building permit; and that any development as a result of this plat should not obstruct watercourses or divert surface water flows.

Commissioner Wepler motioned to approve based on stipulations by the Ward County Water Resource Board, seconded by Commissioner Livingston. Roll call: All voted yes; Motion carried.

Application for plat approval by **Robert Pritchett** for the following described property:

Outlot 7 Being Outlots 2, 5 and Portion of Outlot 6 and Vacated Portions of Statutory Right of Way & Vacated Right of Way Easement, Section 11-152-85, Rice Lake Township

This application is for a 0.69 acre outlot. The purpose is increase the size of the lot, move the existing right of way easement northward, and vacate the existing right of way easement. The Rice Lake Township Board has recommended approval. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the property is (a) developed or subdivided or (b) if an application is made for a building permit; and that any development as a result of this plat should not obstruct watercourses or divert surface water flows.

A brief discussion followed regarding not having a variance since there would not be a building on this property, but putting it on another lot. It was also motioned prior in the preliminary approval that a reasonable access road would need to be provided to existing cabins.

Moved by Commissioner Wepler, seconded by Commissioner Schuler, to approve based on stipulations by the Ward County Water Resource Board. Roll call: All voted yes; Motion carried.

Application for plat approval by **Delores and Walter Norgard** for the following described property:

Outlot 1, A tract of land lying in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19-157-86, Carpio Township

This application is for 4.841 acre outlot. The purpose is separate a house from the surrounding farmland. The Carpio Township Board has not yet responded. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the property is (a) developed or subdivided or (b) if an application is made for a building permit; and that any development as a result of this plat should not obstruct watercourses or divert surface water flows.

Moved by Commissioner Schuler, seconded by Commissioner Wepler, to approve contingent on the approval by the Carpio Township Board and the stipulations given by the Ward County Water Resource Board. Roll call: All voted yes; Motion carried.

Application for plat approval by **Norman Sollid** on behalf of Casey, Taylor, and Tanner Olsen.

Lot B of Outlot 1 of SE $\frac{1}{4}$, Section 30-153-81, Sawyer Township

This application is for 2 acre outlot. The Sawyer Township Board has responded. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the property is (a) developed or subdivided or (b) if an application is made for a building permit; and that any development as a result of this plat should not obstruct watercourses or divert surface water flows.

A brief discussion followed. The property doesn't currently have a publicly maintained road. Highway Engineer Dana Larsen Commissioner Weppler would approve based on the stipulation that it would not be recorded until the road improvements were made and acknowledging the stipulations given by the Ward County Water Resource Board. Moved by Commissioner Weppler, seconded by Commissioner Livingston. Roll call: All voted yes, Motion carried.

Application for plat approval by **Maria LoBosco on behalf of Mark Allen, Collen and Russell Birdsall**, for the following described property:

Outlot 1 of NE $\frac{1}{4}$, Section 16-156-87, Passport Township

This application is for 0.437 acre outlot to be used for railroad right of way. The Passport Township Board has recommended approval. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the property is (a) developed or subdivided or (b) if an application is made for a building permit; and that any development as a result of this plat should not obstruct watercourses or divert surface water flows.

Moved by Commissioner Kopp, seconded by Commissioner Weppler, to approve based on stipulations by the Ward County Water Resource Board. Roll call: All voted yes; Motion carried.

Application for plat approval by **Jason Mayfield** for the following described property:

Outlots 3 and 4 of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8-155-81, Surrey Township

This application is for two 6.68 acre outlots. The Surrey Township Board has not yet responded. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the property is (a) developed or subdivided or (b) if an application is made for a building permit; and that any development as a result of this plat should not obstruct watercourses or divert surface water flows.

Moved by Commissioner Weppler, seconded by Commissioner Livingston, to table until the township submits a plan in writing. Roll call: All voted yes; Motion carried.

A public hearing for plat approval and variance by **Homer Nesson** was then opened by Commissioner Weppler, seconded by Commissioner Schuler for the following property:

Outlot 27 Being a Portion of Government Lot 2, Section 10-152-85, Rice Lake
Township

The application is for a 0.94 acre outlot. The Rice Lake Township Board has recommended approval. The Ward County Water Resource Board returned the plat without objection, but with the recommendation that a storm water management plan may be required if the property is (a) developed or subdivided or (b) if an application is made for a building permit; and that any development as a result of this plat should not obstruct watercourses or divert surface water flows. The variance application is to have an outlot less than the two acres as required by the ordinance. The property will be used as a borrow pit.

Hearing was opened. Discussion began with Tammy Ulberg, Lot 7 RL Addition 2, stating her concerns regarding the construction people driving through her yard to get between the borrow pit and their property because of lack of road access. Her concerns involve over-loads of equipment, safety to children, her property being damaged, and lack of assistance when calling the sheriff's office. She's not petitioning against Homer, but requesting that someone oversee the activity. Homer Nesson, 14900 247th Ave SW, Douglas ND, began by explaining that he's never had to come through a legal process in the past to sell a plat of land. It was then explained to him it's because this is an unplatted portion of land and in prior years, they were actual plats. Discussions proceeded. Tanya Anderson, 2014 Ave A SW; Minot ND, also has a cabin at Rice Lake and appeared to state her concerns which reflect Tammy's concerns. It was realized through discussion that when outlot 2 was platted, the area Homer is trying to sell was essentially created because of other existing land plats that were on the other sides. A letter written by Leo Schmultz was also presented and read by County Planning and Zoning Administrator Amber Turnquest. After a brief discussion, it was moved by Commissioner Weppler, seconded by Commissioner Livingston to close the public hearing at 7:50.

Moved by Commissioner Livingston, seconded by Commissioner Kopp, to approve. Roll call: all voted yes; Motion carried.

Proposal for a **Zoning Ordinance Change** to incorporate "Resolution Establishing Zoning District #1", Resolution Establishing Zoning District No. 2", "Ward County Zoning Resolution No. 6", and "Ward County Floodplain Zoning Ordinance" into a single document titled "Ward County Zoning Ordinance".

Changes made to the document

- Added title "Ward County Zoning Ordinance"
- Added four chapters to correspond with the four documents to be combined.
- Page numbers changed to reflect the structure of the new document

Full text of proposed changed can be found:

<http://nd-wardcounty.civicplus.com/DocumentCenter/View/1795>

After a brief discussion, it was moved by Commissioner Weppler to approve, seconded by Commissioner Livingston.

Other Business:

The Ward County Planning Commission is one member short and it has been advertised with no results. A suggestion to put it on the Public Service Announcement system was made. If anyone has ideas or knows of someone, please get in contact with Devra Smestad, Ward County Auditor.

There being no further business, the meeting was adjourned by Commissioner Tuttle at 8:12 PM.

Chairperson, Ward County Planning Commission

Attest:

Deputy Ward County Auditor, Secretary