

## Minutes of the Ward County Planning Commission

May 17, 2018

The meeting was called to order at 7:06 p.m. by Chairman Kossan. Present were Commissioners Hanson, Livingston, Sipma, Wepler. Also present were Planning & Zoning Administrator Nancy Simpson, County Highway Department Engineer Dana Larsen, County Highway Assistant Engineer Travis Schmit, Assistant State's Attorney Robert Vallie, Building Inspector Leo Schmidt and Sarah Walker Secretary.

Moved by Comm. Wepler, seconded by Comm. Hanson, to approve the Planning Commission Meeting Minutes from April 19, 2018. Roll call: all voted yes; motion carried.

### **Public Hearings:**

1. Moved by Comm. Wepler, seconded by Comm. Sipma, to open the public hearing at 7:09 p.m. Roll call: all voted yes; motion carried.

This is the public hearing for the recommended amendments to Zoning Resolution No. 6 to regulate the locations of medical marijuana facilities. If approved, the recommendation will be sent to the Board of County Commissioners for a first reading. No one appeared on behalf of the public.

Moved by Comm. Wepler, seconded by Comm. Sipma, to close the public hearing at 7:10 p.m. Roll call: all voted yes; motion carried.

Moved by Comm. Wepler, seconded by Comm. Sipma, to approve Zoning Resolution No. 6 to regulate the locations of medical marijuana facilities. Roll call: all voted yes; motion carried.

2. Moved by Comm. Wepler, seconded by Comm. Sipma, to open the public hearing at 7:11 p.m. Roll call: all voted yes; motion carried.

This is the public hearing for the recommended amendments to Zoning Resolution No. 6 to remove the fee schedule from the zoning ordinance. If approved, the recommendation will be sent to the Board of County Commissioners for a first reading. Leo Schmidt, Building Inspector, appeared with additional information based on some research he had conducted about other counties in North Dakota. The counties have a variety of ways to handle fees and permitting for wind towers. There was considerable discussion regarding how to move forward.

Moved by Comm. Wepler, seconded by Comm. Livingston, to close the public hearing at 7:29 p.m. Roll call: all voted yes; motion carried.

Moved by Comm. Sipma, seconded by Comm. Hanson, to approve Zoning Resolution No. 6 to remove the fee schedule from the zoning ordinance. Roll call: all voted yes; motion carried.

3. Moved by Comm. Wepler, seconded by Chairman Kossan, to open the public hearing at 7:30 p.m. Roll call: all voted yes; motion carried.

Application for a **variance** by JoAnne Rademacher for the following described property:

Proposed Outlot 2 lying in the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , 31-157-84, St. Mary's

The application is for a variance to Ward County Zoning Resolution No. 6 Article 24. F.1.c. pertaining to right of way dedication for an outlot. The reason for the variance is a hardship due to unique pre-existing conditions. 128th Avenue NW deviates from the section line on the southern bound and County Road 11

deviates from the section line on the western bound due to NDDOT regulations. Therefore, neither of the aforementioned roads follow the section line. Ms. Rademacher appeared and spoke on her own behalf. Dana Larsen also appeared and answered questions regarding the property.

Moved by Comm. Sipma, seconded by Chairman Kossan, to close the public hearing at 7:36 p.m. Roll call: all voted yes; motion carried.

Moved by Comm. Sipma, seconded by Comm. Hanson, to approve the variance application with conditions as outlined by the Water Board for JoAnne Rademacher. Roll call: all voted yes; motion carried.

**Regular Agenda:**

1. Application for a **plat** by Cunningham Family Partners for the following described property:

Proposed Outlot 14, NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  & SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , 10-151-86, Ryder

The plat application is for creating an outlot surrounding existing grain bins for the sale of the property. The Ryder Township has responded with a recommendation for approval and with no further comments. The Ward County Water Resource Board returned the plat without objection, and with the usual recommendation. Rob Berard from Ackerman Surveying appeared and spoke to the odd shape of the property.

Moved by Comm. Weppler, seconded by Comm. Sipma, to approve the plat application for Cunningham Family Partners contingent upon the required legal paperwork being completed. Roll call; all voted yes; motion carried.

2. Application for a **plat** by JoAnne Rademacher for the following described property:

Proposed Outlot 2 lying in the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , 31-157-84, St. Mary's

The plat application is for an outlot to be created to construct a single-family residence. The St. Mary's Township has verbally recommended approval. The Ward County Water Resource Board returned the plat without objection, and with the usual recommendation.

Moved by Comm. Sipma, seconded by Comm. Hanson, to approve the plat application with conditions as outlined by the Water Board for JoAnne Rademacher. Roll call; all voted yes; motion carried.

3. Application for a **plat** by Dennis Andreson for the following described property:

Proposed Outlot 4 SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , 12-154-81, New Prairie

The plat application is for outlot to be created to correct a remnant from the platting of outlots 2 & 3 that were platted in 2014. When outlots 2 & 3 were platted there was a remnant of less than 2 acres left. The New Prairie Township has responded with a recommendation for approval and with no further comments. The Ward County Water Resource Board returned the plat without objection, and with the usual recommendation.

Moved by Comm. Sipma, seconded by Chairman Kossan, to approve the plat application with conditions as outlined by the Water Board for Dennis Andreson. Roll call; all voted yes; motion carried.

4. Application for a **plat** by Rick or Denver Haugen for the following described property:

Proposed Outlot 12 being a portion of Outlot 10, 13-155-85, Des Lacs

The plat application is for an outlot to be created to move a home onto the new outlot. The Des Lacs Township has responded with a recommendation for approval and with no further comments. The Ward County Water Resource Board returned the plat without objection, and with the usual recommendation.

Moved by Comm. Sipma, seconded by Comm. Weppler, to approve the plat application with conditions as outlined by the Water Board for Rick or Denver Haugen. Roll call; all voted yes; motion carried.

5. Application for a **plat** by Brian Bonness for the following described property:

Proposed Outlot 1 of Gov't Lot 2 & SE ¼ NW ¼, 12-154-81, Eureka

The plat application is for creating an outlot surrounding an existing farmstead to be transferred to a relative. The New Prairie Township has responded with a recommendation for approval and with no further comments. The Ward County Water Resource Board returned the plat without objection, and with the usual recommendation.

Moved by Comm. Sipma, seconded by Comm. Weppler, to approve the plat application with conditions as outlined by the Water Board for Brian Bonness. Roll call; all voted yes; motion carried.

***Other Business:***

Second reading of amended bylaws – Staff made the requested corrections to the bylaws. After some discussion, it was discovered there are still some items to be corrected and clarified.

Moved by Comm. Weppler, seconded by Comm. Livingston, to approve the bylaws. Motion was tabled until the next meeting. Roll call; all voted yes; motion carried.

KLJ Update – an update was provided and several items have been completed or are in progress. KLJ is continuing to gather data and talking to initial stakeholders. Two public input meetings are scheduled for June 5 and 7. The infrastructure and road system needs analysis has been started and the growth and development framework has also begun.

Comm. Livingston was at a meeting and there was quite a bit of discussion about extra-territorial zoning. Will be something that needs to be introduced in the future. Also, Strata has found a site in Eureka township with approval from the township. This plat application will be coming to the Planning Commission at the next meeting.

There being no further business, the meeting was adjourned by Chairman Kossan at 8:17 p.m.

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Chairperson, Ward County Planning Commission

Attest:

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Ward County Auditor, Secretary