

Minutes of the Ward County Planning Commission

June 20, 2013

The meeting was called to order at 7:00PM by Commissioner Connole. Present were Commissioners Connole, Fegley, Kopp, Livingston, and Wepler. Also present were County Engineer, Dana Larsen; County Planning and Zoning Administrator, Amber Turnquest; Ward County State's Attorney, Roza Larson; and Lora Johnson, Secretary.

Motion by Commissioner Wepler and seconded by Commissioner Livingston to approve the minutes of the May 16, 2013, meeting. Roll Call: all voted yes; motion carried.

Moved by Commissioner Livingston, seconded by Commissioner Wepler to approve plat application by Chandler Vollmer for the following described property:

Outlot 7 of SE 1/4 NE 1/4, Section 27-155-81, Surrey Township

Application is for a 5.71 acre lot that the applicant is looking to purchase. The Surrey Township Board has recommended approval. Roll Call: all voted yes; motion carried.

Moved by Commissioner Wepler, seconded by Commissioner Fegley to approve plat application by Norm Sollid on behalf of Edward and Beatrice Aberle for the following described property:

Outlot 1 of SW 1/4 SE 1/4, Section 33-155-81, Surrey Township

The application is for a 3 acre lot. The Surrey Township Board has recommended approval. Roll Call: all voted yes; motion carried.

Moved by Commissioner Wepler, seconded by Commissioner Kopp to approve plat application by George and Doris Beck contingent on any future owner caring for their road and access remaining on the SE corner of the lot:

Outlot 6 of SE 1/4 NW 1/4, Section 2-153-81, Sawyer Township

The application is for 14.45 acre lot. The Sawyer Township Board recommended approval. Roll Call: all voted yes; motion carried.

Moved by Commissioner Fegley, seconded by Commissioner Wepler to approve plat application by Francis Hennessy for the following described property:

Outlot 3 of SW 1/4, Section 8-155-85, Des Lacs Township

The application is for 36.28 acre lot. The applicant is increasing the size of what was Outlot 1. The Des Lacs Township Board has recommended approval. Roll Call: all voted yes; motion carried.

Moved by Commissioner Wepler, seconded by Commissioner Fegley to approve plat application by Ashley and Matthew Leavitt contingent on the entire north side of the outlots being built to township and county specifications and plat shows additional 26 feet for road way at the owner's expense for the following described property:

Outlots 3 & 4, Being a Portion of Outlot 2 of SW 1/4 NW 1/4, Section 9-156-84, Kirkelie Township

The application is for a 4.81 and 2 acre lot respectively. The Kirkelie Township Board has recommended approval with contingencies. Roll Call: all voted yes; motion carried.

Moved by Commissioner Kopp, seconded by Commissioner Fegley to approve plat application by North Dakota 3, LLC for the following described property:

Outlot 2 Being a Plat of Outlot 1 and the Unplatted Portion of the SW 1/4 SW 1/4,
Section 15-152-87, Orlien Township

The application is for an 18 acre lot to increase the size of what was formerly Outlot 1. The applicant is purchasing the property. The Orlien Township Board has not yet responded. Roll Call: all voted yes; motion carried.

Moved by Commissioner Weppler, seconded by Commissioner Fegley to approve plat application by William Johnson for the following described property:

Outlot 1 of NE 1/4 NW 1/4, Section 34-159-88, Baden Township

The application is for a 5.45 acre lot. The Baden Township Board has recommended approval with some reservations. Roll Call: Commissioner Livingston voted no; Commissioners Connole, Fegley, Kopp, and Weppler voted yes; motion carried.

Moved by Commissioner Fegley, seconded by Commissioner Weppler to approve plat application with staff recommendation that it be considered an unbuildable lot unless a variance is applied for and granted as the lot is less than two acres size as outlined in Article 24, Section 4(D) (1) of the Ward County Zoning Resolution 6 by William Johnson for the following described property:

Outlot 2 of NW 1/4 NE 1/4, Section 34-159-88, Baden Township

The application is for a 1.76 acre lot. The Baden Township Board has recommended approval with some reservations. Roll Call: Commissioner Livingston voted no; Commissioners Connole, Fegley, Kopp, and Weppler voted yes; motion carried.

Moved by Commissioner Weppler, seconded by Commissioner Fegley to approve plat application by William Johnson for the following described property:

Outlot 3 of SW 1/4 NE 1/4 SE 1/4 NE 1/4, Section 34-159-88, Baden Township

The application is for a 30.44 acre lot. The Baden Township Board has recommended approval with some reservations. Roll Call: Commissioner Livingston voted no; Commissioners Connole, Fegley, Kopp, and Weppler voted yes; motion carried.

Moved by Commissioner Fegley, seconded by Commissioner Kopp to approve plat application by William Johnson for the following described property:

Outlot 4 of NE 1/4 SE 1/4, Section 34-159-88, Baden Township

The application is for an 8.71 acre lot. The Baden Township Board has recommended approval with some reservations. Roll Call: Commissioner Livingston voted no; Commissioners Connole, Fegley, Kopp, and Weppler voted yes; motion carried.

Moved by Commissioner Livingston, seconded by Commissioner Weppler to approve plat application by William Johnson for the following described property:

Outlot 5 of SE 1/4 SE 1/4, Section 34-159-88, Baden Township

The application is for a 17.85 acre lot. The Baden Township has recommended approval with reservations. Roll Call: Commissioner Kopp voted no; Commissioners Connole, Fegley, Livingston, and Weppler voted yes; motion carried.

Moved by Commissioner Weppler, seconded by Commissioner Fegley to approve final plat application by Melvin Haider for the following described properties:

Pleasant View Subdivision, NW 1/4 NW 1/4, Section 34-156-84, Kirkelie Township

The application is for a subdivision containing three lots of 2.04, 2.04 and 5 acres. The Kirkelie Township Board as recommended approval of this plat. Roll Call: all voted yes; motion carried.

Public Hearing called to order by Commissioner Connole, to discuss approval of a special use permit application by Roger Johnson for the following described property:

Outlot 2 SE 1/4, Section 28-156-84, Kirkelie Township

The special use permit application is to allow a mechanic shop/filling station on the property. Mr. Johnson spoke in favor of his application, stating that there would be no loaded trucks on the road and that he would be willing to put that in writing. Pat Muus; Melvin Haider; Bill Staskywicz; Derrill Fick, Chairman of Kirkelie Township; David Herzig; and Jared Lockthowe spoke in opposition of the permit. Larry Thornton spoke in support of the permit.

Commissioner Weppler commented that the township road does not support that type of traffic, and Commissioner Fegley commended that it was a commercial operation in the wrong place.

Public Hearing called to close by Commissioner Livingston, seconded by Commissioner Weppler. Moved by Commissioner Kopp, seconded by Commissioner Weppler, to deny special use permit application. Roll Call: All voted yes; motion carried.

Public Hearing called to order by Commissioner Connole, to discuss approval of a zoning change application by Terry and Jodi Striefel for the following described property:

Outlot 7 of NE 1/4, Section 30-156-82, McKinley Township

The zoning change application is to change the 2.8 acre parcel from the current zoning of Agriculture (A1) to Neighborhood Commercial (C2).

Al Hanson presented a petition signed by 18 neighbors in opposition to the zone change. Leo Schmidt, a township supervisor also spoke in opposition to the zone change because no neighbors had been approached, the roads would be destroyed and it was not in keeping with the surrounding area.

Commissioner Connole stated that spot zoning did not make for good policy.

Public Hearing called to close by Commissioner Kopp, seconded by Commissioner Fegley. Moved by Commissioner Livingston, seconded by Commissioner Fegley to deny zone change application. Roll Call: all voted yes; motion carried.

Public Hearing called to order by Commissioner Connole to discuss second reading of the Ward County Zoning Ordinance and introduction of the proposed Ward County Zoning Map. County Planning and Zoning Administer, Amber Turnquest and County Engineer, Dana Larsen appeared to present changes and updates. Public Hearing called to close by Commissioner Weppler, seconded by Commissioner Livingston.

Motion by Commissioner Livingston, seconded by Commissioner Weppler to have Amber Turnquest and Dana Larsen continue in the same direction with the following action before next Planning Commission Meeting in July:

- 1) Provide additional information as to the derivatives used in the design of the Ward County Zoning Map,
- 2) Expand public hearing notice to give public better understanding as to what is being discussed and impact to current zoning structure,
- 3) Update Ward County website with newest version of the Ward County Zoning Ordinance document,
- 4) Research possibility of getting the Zoning Map posted to the website with disclaimer that it is not been finalized and changes are pending. Roll Call: All voted yes; motion carried.

Turnquest also shared the new NFIP (National Flood Insurance Program) Regulations for general information.

There being no further business, the meeting was adjourned by Commissioner Connole at 9:50 PM.

Chairperson, Ward County Planning Commission

Attest:

Deputy Ward County Auditor, Secretary