

Minutes of the Ward County Planning Commission

February 18, 2021

The meeting of the Ward County Planning Commission was called to order at 6:02 p.m. by Chairman Koop with Commissioners Anderson, Evans, Fjeldahl, Livingston, Podrygula and Schumaker present. Also present were Planning & Zoning Administrator Doug Diedrichsen, Roza Larson, Comm. Pietsch, Travis Schmit and Secretary Sarah Walker.

Moved by Comm. Evans, seconded by Comm. Schumaker to approve the regular meeting minutes from January 21, 2021 and the special meeting minutes from February 4, 2021. Roll call: all voted yes; motion carried.

Moved by Comm. Evans, seconded by Comm. Podrygula to open the public hearing at 6:04 p.m. regarding a variance application for Shane Soltis for property located at:

118 Rice Lake Road S, Douglas

Nesson's Plat Lot 18 & W 70' of Outlot 1 of Lot 5, 10-152-85

Roll call: all voted yes; motion carried.

The applicant is requesting variance for the side yard setback off the east property line for a garage to be constructed on to the property. The owner is requesting to build 7 ft. from the property line with a 13 ft. setback requirement. This would be 6 ft. of setback relief.

There was discussion about Mr. Soltis' reasoning for the reduction in setback.

Moved by Comm. Evans, seconded by Comm. Podrygula to close the public hearing at 6:12 p.m. Roll call: all voted yes, motion carried.

Moved by Comm. Fjeldahl, seconded by Comm. Podrygula to approve the variance as requested. Roll call: all voted yes, motion carried.

1. Ryan's 2nd Subdivision to Rice Lake (1st reading preliminary)

Application for a subdivision plat for the following real described property:

Proposed Lot 1 Ryan's 2nd Subdivision to Rice Lake

The applicant is proposing to parcel a single subdivision lot. Proposed Lot 1 is 2.09 acres. Ward County zoning applies with Rice Lake township recommending approval. The proposed lot meets the minimum zoning requirements for Ward County.

Doug Diedrichsen pointed out that on the preliminary plat it shows that the west side of the section line is vacated statutory right-of-way. This actually constitutes a request to vacate the right-of-way as it is currently unvacated. There was objection to the simultaneous vacation of right-of-way portion as this is not how it is normally handled. The County Commission handles the vacation of right-of-way process. Per Mr. Diedrichsen, in reality this would be handled as two separate items. Mr. Diedrichsen explained the Auditor's Office would have to start the public hearing process in regard to the vacation and this would run concurrently with the approval of the subdivision request.

Moved by Comm. Fjeldahl to approve the preliminary plat with the removal of vacation of the right-of-way language, seconded by Comm. Podrygula. Roll call: all voted yes, motion carried.

2. St. Anthony's Cemetery (subdivision preliminary plat 1st reading)

Application for a subdivision plat for the following real described property:

Proposed Lot 1 of the replat of St. Anthony's Cemetery

The applicant is proposing a single subdivision lot. Lot 1 is 2.25 acres. This lot is an existing cemetery that requires a boundary adjustment. Carbondale Township zoning applies with the township recommending approval. The proposed lot meets minimum zoning requirements for Carbondale Township and Ward County.

Comm. Schumaker pointed out that the metes and bounds description doesn't match the drawing. Doug Diedrichsen will have the surveyor review it.

Moved by Comm. Evans, seconded by Comm. Podrygula to approve. Roll call: all voted yes, motion carried.

3. Dakota Valley Addition (2nd reading final plat)

Application for a Subdivision Plat for the following described property:

Proposed Dakota Valley Addition, 15-156-81

The applicant is proposing to parcel five lots. Proposed Lot 1 is 32.54 acres, proposed Lot 2 is 8.66 acres proposed Lot 3 is 9.07 acres, proposed Lot 4 is 18.70 acres, proposed Lot 5 is 81.12 acres. Ward County zoning applies with the township recommending approval. The proposed lots meet the minimum zoning requirements for Ward County.

4. Robin Novak

Application for a Plat for the following described property:

Proposed Outlot 5 lying in Government Lot 6, 6-153-83

The applicant is proposing to parcel Outlot 1. The proposed outlot is 10.00 acres. This outlot is for future residential purposes. Freedom Township zoning applies with the township recommendation pending. The proposed outlot meets minimum zoning requirements for Freedom Township and Ward County.

5. Tyler Mickelson

Application for a Plat for the following described property:

Proposed Outlot 1 SE4SE4, 15-157-82

The applicant is proposing to parcel Outlot 1. The proposed outlot is 6.71 acres. This outlot is for future residential purposes. Ward County zoning applies with the township recommending approval. The proposed outlot meets minimum zoning requirements for Ward County.

6. Sandra Grebin

Application for a Plat for the following described property:

Proposed Outlot 1 lying in unplatted portion of the NE4, 15-151-82

The applicant is proposing to parcel Outlot 1. The proposed outlot is 38.36 acres. This outlot is for future residential purposes. Ward County zoning applies with the township recommending approval. The proposed outlot meets minimum zoning requirements for Ward County.

7. Joni Haner

Application for a Plat for the following described property:

Proposed Outlot 3 being all of Outlot 2 and a portion of Government Lot 2

The applicant is proposing to parcel Outlot 3. The proposed outlot is 8.12 acres. This outlot is for future residential purposes. Gasman Township zoning applies with the township recommending approval. The proposed outlot meets minimum zoning requirements for Gasman Township and Ward County.

8. Craig Cole

Application for a Plat for the following described property:

Proposed Outlot 1 Lying in N2NW4NW4 (N2 Government Lot 4)

The applicant is proposing to parcel Outlot 1. The proposed outlot is 3.98 acres. This outlot is for future residential purposes. Mandan Township zoning applies with the township recommending approval. The proposed outlot meets minimum zoning requirements for Mandan Township and Ward County.

Moved by Comm. Evans to approve items 3 through 8 pursuant to staff recommendation, seconded by Comm. Podrygula. Roll call: Comm. Fjeldahl and Comm. Livingston voted no, the remainder of those present voted yes; motion carried.

9. Receive and File

a. Houston Engineering Bridge Replacement, 51-156-40

b. Powering North Dakota

Moved by Comm. Evans to receive and file the above referenced items, seconded by Comm. Podrygula. Roll call: all voted yes; motion carried.

10. Ordinance Draft Presentation

Planning and Zoning Administrator presentation of update of the development plan matrix and draft plan discussion on dimensional standards for each zoning district.

a. Plan Matrix – Doug Diedrichsen shared an updated development plan matrix that includes input from Emergency Management, Weed Control and the Water Resource Board. Based on their input several items were added. If approved, the items are to be included in the Ward County Zoning Ordinance. There was considerable discussion about the additions to the matrix. There were questions about what is required to accomplish the integration of the

items into the document based on the scope of work to be provided by KLJ.

Moved by Comm. Evans to approve the matrix and include it in the Ward County Zoning Ordinance, seconded by Comm. Podrygula. Roll call: all voted yes; motion carried.

b. Section 3.04 – Low-Density Agricultural Production District

There was discussion about the lot size for this Section versus the lot size for Section 3.03. The distinction was made and it was recommended that the minimum lot size for Section 3.04 be 2 acres.

Moved by Comm. Evans to approve the minimum lot size for Section 3.04 of 2 acres, seconded by Comm. Podrygula. Roll call: all voted yes; motion carried.

Based on the discussion regarding the lot sizes for each district, it was recommended that the following language be stricken from the document anywhere it appears, “The targeted minimum lot size in this district is (as indicated, e.g. 5 acres, 2 acres), although special circumstances may warrant a smaller lot size”.

Moved by Comm. Evans to strike the language in the plan as indicated above, seconded by Comm. Podrygula. Roll call: all voted yes; motion carried.

The discussion moved to the minimum lot size for this Section. It was recommended the minimum lot width be 75 ft.

Moved by Comm. Evans to approve the minimum lot width for Section 3.04 of 75 ft., seconded by Comm. Podrygula. Roll call: all voted yes; motion carried.

c. Section 3.05 – Rural Residential District

After discussion, it was proposed that the minimum lot size be 2 acres and the minimum lot width be 75 ft.

Moved by Comm. Evans to approve the minimum lot size and width for Section 3.05 as indicated above, seconded by Comm. Podrygula. Roll call: all voted yes; motion carried.

d. Section 3.06 – Residential Transition District

Upon discussion, it was proposed that the minimum lot size be 1 acre and the minimum lot width be 75 ft. for this Section.

Moved by Comm. Evans to approve the minimum lot size and width for Section 3.06 as indicated above, seconded by Comm. Podrygula. Roll call: Comm. Schumaker voted no, the remainder of those present voted yes; motion carried.

e. Section 3.07 – Community Residential District

After discussion, it was proposed that minimum lot size be at least .5 acres and the minimum lot width be 75 ft. for this Section.

Moved by Comm. Evans to approve the minimum lot size and width for Section 3.07 as indicated above, seconded by Comm. Podrygula. Roll call: Comm. Livingston voted no, the remainder of those present

voted yes; motion carried.

f. Section 3.08 – Rice Lake Recreational District

Upon discussion, it was proposed that the minimum lot sizes be 50 ft. by 100 ft. with acreage to be determined.

Moved by Comm. Evans to approve the minimum lot size and width for Section 3.08 as indicated above, seconded by Comm. Podrygula. Roll call: all voted yes; motion carried.

There was also discussion about (d) of this section. It was discussed that the minimum side yard setback for primary buildings should be 5 ft. and the minimum side yard setback for accessory buildings smaller than the primary building be 5 ft.

Moved by Comm. Evans to approve the minimum setbacks for Section 3.08 (d) as indicated above, seconded by Comm. Podrygula. Roll call: all voted yes; motion carried.

11. Other Business

In order to move along the discussion of the Ward County Zoning Ordinance, it was suggested that the Commission have another meeting prior to the regularly scheduled meeting. The next meeting will be Thursday, March 4 at 6:00 p.m. in the Ward County Staff Lounge, Room 238.

There being no further business, the meeting was adjourned at 8:55 p.m.

Chairperson, Ward County Planning Commission

Attest:

Ward County Auditor, Secretary