

Minutes of the Ward County Planning Commission

May 20, 2021

The meeting of the Ward County Planning Commission was called to order at 6:00 PM by Chairman Heller with Commissioners Anderson, Evans (via telephone), Fjeldahl, Hendrickson and Schumaker present. Also present were Planning & Zoning Administrator Doug Diedrichsen, State's Attorney Roza Larson, Assistant Highway Engineer Travis Schmidt and Secretary Tiffany Grosche.

Moved by Comm. Anderson, seconded by Comm. Hendrickson to approve the Planning and Zoning Commission meeting minutes from April 15, 2021. Roll call; all voted yes; motion carried.

Moved by Comm. Fjeldahl, seconded by Comm. Evans to approve opening the public hearing at 6:00 PM regarding a variance application for Clarence and Nichole Lundeen. Roll call; all voted yes; motion carried.

Application for a variance for the following described property: 487 N Rice Lake Road, Douglas; North Shore addition lot 15 Rice Lake.

The applicant is requesting a variance for the front yard setback off the property line for a garage to be constructed on the property. The owner is requesting to build 14 feet from the property line with an 18-foot setback requirement. This would be 4 feet of setback.

No one from the public came forward for or against the variance.

Moved by Comm. Hendrickson, seconded by Comm. Anderson to approve closing the public hearing at 6:03 PM. Roll call; all voted yes; motion carried.

Moved by Comm. Evans, seconded by Comm. Anderson to approve Clarence and Nichole Lundeen's request for a variance based on findings of fact and staff recommendations. Roll call; all voted yes; motion carried.

Moved by Comm. Hendrickson, seconded by Comm. Fjeldahl to approve opening the public hearing at 6:04 PM regarding a special use permit application for Randy Hanson.

Application for a Special Use Permit (1st Reading) for the following described property: 7201 139th St. SE Norwich, ND 58768.

The applicant is requesting special use permit for an accessory dwelling unit on the property. All residents belong to the same immediate family and is not intended or permitted for rental purposes.

No one from the public came forward for or against the special use permit.

Moved by Comm. Hendrickson, seconded by Comm. Fjeldahl to approve closing the public hearing at 6:05 PM. Roll call; all voted yes; motion carried.

Moved by Comm. Hendrickson, seconded by Comm. Schumaker to approve the special use permit on first reading based on findings of fact and staff recommendations. Roll call; all voted yes; motion carried.

Moved by Comm. Hendrickson, seconded by Comm. Anderson to approve opening the public hearing at 6:06 PM regarding a special use permit application for Jordan Rodgers.

Application for a Special Use Permit (1st Reading) for the following described property: NE4 9-151-82 Iota Flats.

The applicant is requesting special use permit for an accessory dwelling unit on the property. All residents belong to the same immediate family and is not intended or permitted for rental purposes.

No one from the public came forward for or against the special use permit.

Moved by Comm. Fjeldahl, seconded by Comm. Hendrickson to approve closing the public hearing at 6:08 PM. Roll call; all voted yes; motion carried.

Moved by Anderson, seconded by Comm. Hendrickson to approve the special use permit on first reading based on findings of fact and staff recommendations. Roll call; all voted yes; motion carried.

Philip Lowe submitted a subdivision plat application for the following described property: proposed lots 1 and 2; Tande Second Addition to Rice Lake. The applicant is proposing to parcel two subdivision lots. Proposed lot 1 is 13,812.43 Sq. ft. and proposed lot 2 is 14,012.83 Sq. ft. Ward County zoning applies with Rice Lake township recommending approval. The proposed lot meets the minimum zoning requirements for Rice Lake Recreational District.

Moved by Comm. Anderson, seconded by Comm. Schumaker to approve the subdivision plat application for Philip Lowe on second reading based on staff recommendations and findings of fact. Roll call; all voted yes; motion carried.

Luke Schaefer submitted a subdivision plat application for the following described property: proposed lot 2 Towery's Third Addition to Rice Lake.

The applicant is proposing to parcel a single subdivision lot. Proposed lot 1 is 51,379.75 Sq. ft. Ward County zoning applies with Rice Lake Township recommending approval. The proposed lot meets the minimum zoning requirements for Rice Lake Recreational District.

Moved by Comm. Evans, seconded by Comm. Hendrickson to approve the subdivision plat application for Luke Schaefer on first reading based on staff recommendations and findings of fact. Roll call; all voted yes; motion carried.

Cody Hanson submitted a plat for following described property: proposed Outlot 2 lying in the SE4NE4; 11-156-87. The applicant is proposing to parcel Outlot 2 a 2.00-acre parcel. The outlot is for future agricultural purposes. Passport Township zoning applies with the township recommendation pending at the time of the meeting. The proposed outlot meets minimum zoning requirements for Ward County.

Moved by Comm. Fjeldahl, seconded by Comm. Anderson to approve the plat application for Cody Hanson based on findings of fact and staff recommendations. Roll call; all voted yes; motion carried.

Tom Pullen submitted a plat application for the following described property: proposed Outlot 1 being a portion of NE4NW4; 33-159-88. The applicant is proposing to parcel Outlot 1 an 18.98-acre parcel. The outlot is for future residential purposes. Ward County zoning applies with Baden Township recommending approval. The proposed outlot meets minimum zoning for Ward County.

Moved by Comm. Hendrickson, seconded by Comm. Anderson to approve the plat application for Tom Pullen based on findings of fact and staff recommendations. Roll call; all voted yes; motion carried.

Eric Wald submitted a plat application for the following described property: proposed Outlot 2 being a portion of SE4SE4; 5-154-81. The applicant is proposing to parcel Outlot 2 an 8.57-acre parcel. The outlot is for residential purposes. Ward County zoning applies with New Prairie Township recommending approval. The proposed outlot meet minimum zoning requirements for Ward County.

Moved by Comm. Evans, seconded by Comm. Hendrickson to approve the plat application for Eric Wald based on findings of fact and staff recommendations. Roll call; all voted yes; motion carried.

Waylon Delzer submitted a plat application for the following described property: proposed Outlot 4 being portion of SE4; 23-151-83. The applicant is proposing to parcel outlot 4 a 2.46-acre parcel. The outlot is for future residential purposes. Ward County zoning applies with Rushville Township recommending approval. The proposed outlot meets minimum zoning requirements for Ward County.

Moved by Comm. Anderson, seconded by Comm. Fjeldahl to approve the plat application for Waylon Delzer based on findings of fact and staff recommendations. Roll call; all voted yes; motion carried.

Moved by Comm. Evans, seconded by Comm. Hendrickson to receive and file the new policy recommendation for Recorders Office Review of Plat prior to approval by County Commission. Roll call; all voted yes; motion carried.

Moved by Comm. Schumaker, seconded by Comm. Fjeldahl to receive and file a request for section line vacation from Dakota Boys and Girls Ranch.

The request was denied by the County Commission on May 18, 2021 based on the North Dakota century stating a section cannot be vacated if it is the only access to adjacent property. Mr. Diedrichsen informed the Planning and Zoning Commission the Tax Director, Auditor, Recorder, Chief Deputy Recorder, State's Attorney and himself are meeting Tuesday, May 25, 2021 to prepare a recommendation for the County Commission of policies and procedures for a property owner to request a section line vacation.

Roll call; all vote yes; motion carried.

Comm. Kibler arrived at 6:53 PM.

The Commission began a discussion regarding the updated draft of Ward County Zoning Ordinance re-write along with a map of the proposed zoning changed in Ward County. Mr. Diedrichsen stated the County Consultant Joel Quanbeck, KLJ, made all the requested changes to the updated draft.

One item the Commission spent time discussing was the permitted uses and conditional uses for Highway Commercial Districts.

Move by Comm. Evans, seconded by Comm. Hendrickson to approve removing the following uses from conditional to permitted for Highway Commercial Districts: warehousing/wholesale distribution center; motor vehicle, RV, watercraft sales and service; truck service center; auto service and repair station; heavy equipment sales, rental and service; manufactured home sales and service; nursery and landscape material sales; building material sales and storage; and Ag equipment sales and service facility. Roll call; all vote yes; motion carried.

Mr. Diedrichsen continued with informing the Commission his plan moving forward with the County Zoning Ordinance re-write. He stated he will prepare a memorandum of existing ordinance amendments for the Commission to review before approving incorporating them into the County Zoning Ordinances.

Mr. Diedrichsen stated the permitting section is vague and should be reviewed. The Commission began a discussion regarding what permits Agricultural districts are exempt from having to obtain.

Moved by Comm. Fjeldahl, seconded by Comm. Kibler to approve adding to Article 23, Agricultural District are exempt from building, moving, demolishing and excavating permits. Roll call; all voted yes; motion carried.

Comm. Fjeldahl questioned if the County Ordinances will reflect the setback standards in the current County Transportation Plan? Mr. Diedrichsen informed the Commission he will prepare a memorandum for the Commission outlining the setbacks in the Transportation Plan be road classifications.

Moved by Comm. Evans, seconded by Comm. Fjeldahl to hold a special meeting of the Ward County Planning and Zoning Commission to review the current ordinance articles on June 3, 2021 from 7:00 – 9:00 PM. Roll call; all voted yes; motion carried.

There being no further business, the meeting was adjourned at 8:39 PM

Chairperson, Ward County Planning Commission

Attest:

Ward County Auditor, Secretary