

Minutes of the Ward County Planning Commission

December 16, 2021

The meeting of the Ward County Planning Commission was called to order at 7:03 PM by Chairman Heller with Commissioners Anderson, Evans, Fjeldahl, Hendrickson, Kibler, Livingston, Podrygula, and Schumaker present. Also present were Planning & Zoning Administrator Doug Diedrichsen, State's Attorney Roza Larson, Highway Engineer Dana Larsen, Comm. John Pietsch, and Secretary Lynae Schroeder.

Moved by Comm. Kibler, seconded by Comm. Evans to approve the Planning and Zoning Commission Meeting minutes from November 18, 2021. Roll call; all voted yes; motion carried.

Austin Hanson submitted an application for a variance for the following described property: Proposed Outlot 1 lying in the NW4NW4 27-154-85. The applicant is proposing to parcel Outlot 1, proposed outlot 1 is 10.00 acres but it does not meet the requirement for access. This outlot is for future residential purposes. Ward County zoning applies with the township recommendation and public hearing/comment pending. Public Hearing Date 1/20/22. Staff recommends careful review based on findings of fact, recommendations from the Water Board, County Highway Department, and the pending recommendation from the township.

A discussion was held on this variance request and the desire to make it a better request. Several options were discussed to include shortening the 10-acre parcel by a few feet on the north or one side and create a flag lot making it legally attached, recording an easement over the existing driveway and not through the slough, or platting the parcel (if platting across the slough entirely on the Hanson land, it becomes a conforming lot and a variance would not be needed).

Moved by Comm. Hendrickson, seconded by Comm. Podrygula to deny the application for variance as presented. Roll call; all voted yes except for Comm. Anderson, Evans, and Fjeldahl who voted no; motion carried.

Kirk Vollmer submitted a plat application for the following described property: Proposed Outlots 10 & 11 lying in the NW4NW4SW4 35-155-81. The applicant is proposing to parcel two Outlots, proposed outlot 10 is 7.35 acres, proposed outlot 11 is 2.88 acres. These outlots are for future residential purposes. Surrey Township zoning applies with the township recommending approval.

A discussion was held on the 33-foot right-of-way, conforming lots, and suspension of right-of-way dedication.

Moved by Comm. Kibler, seconded by Comm. Anderson to approve the plat application for Kirk Vollmer based on findings of fact, recommendations from the Water Board, County Highway Department, the recommendation of approval from the township, and staff recommendations. Roll call; all voted yes; motion carried.

Bret Erickson submitted a plat application for the following described property: Proposed Outlot 5 lying in the SE4SE4 11-157-86. The applicant is proposing to parcel Outlot 5, which is 4.99 acres, for residential/agricultural purposes. Ward County zoning applies with the township recommending approval.

Moved by Comm. Evans, seconded by Comm. Kibler to approve the plat application for Bret Erickson based on findings of fact, recommendations from the Water Board, County Highway Department, approval from township, and staff recommendations. Roll call; all voted yes; motion carried.

James and Pamela Mostad submitted a plat application for the following described property: Proposed Outlot 30 lying in the NE4SE4 10-154-82. The applicant is proposing to parcel Outlot 30, proposed outlot 30 is 44.12 acres. This outlot is for future agricultural purposes. Ward County zoning applies with the township recommending approval.

Moved by Comm. Fjeldahl, seconded by Comm. Evans to approve the plat application for James and Pamela Mostad based on findings of fact, recommendations from the Water Board, County Highway Department, recommendation of approval from the township, and staff recommendation. Roll call; all voted yes; motion carried.

Richard Solberg submitted a plat application for the following described property: Proposed Outlot 3 lying in the SE4SE4 26-156-82. The applicant is proposing to parcel Outlot 3, proposed outlot 3 is 17.80 acres. This outlot is for future residential purposes. Ward County zoning applies with the township recommending approval.

Discussion on dedication of right of way when not required.

Moved by Comm. Hendrickson, seconded by Comm. Evans to approve the plat application for Richard Solberg based on findings of fact, recommendations from the Water Board, County Highway Department, approval from township, and staff recommendations. Roll call; all voted yes; motion carried.

Nathan Smith submitted a plat application for the following described property: Proposed Outlot 2 lying in the SW4SW4 & SE4SW4 16-155-81. The applicant is proposing to parcel Outlot 2, proposed outlot 2 is 13.08 acres. This outlot is for future agricultural purposes. Surrey Township zoning applies with the township recommending approval.

Moved by Comm. Evans, seconded by Comm. Kibler to approve the plat application for Nathan Smith based on findings of fact, recommendations from the Water Board, County Highway Department, approval from township, and staff recommendations. Roll call; all voted yes; motion carried.

Nathan Smith submitted a plat application for the following described property: Proposed Outlot 3 lying in the SW & SE4 9-155-81. The applicant is proposing to parcel Outlot 3, proposed outlot 3 is 44.33 acres. This outlot is for future agricultural purposes. Surrey Township zoning applies with the township recommending approval.

Moved by Comm. Evans, seconded by Comm. Kibler to approve the plat application for Nathan Smith based on findings of fact, recommendations from the Water Board, County Highway Department, approval from township, and staff recommendations. Roll call; all voted yes; motion carried.

James Olson submitted a plat application for the following described property: Proposed Outlot 3 lying in the SE4NE4 & NE4SE4 3-156-84. The applicant is proposing to parcel Outlot 3, proposed outlot 3 is 4.00 acres. This outlot is for future residential purposes. Ward County zoning applies with the township recommending approval.

Moved by Comm. Hendrickson, seconded by Comm. Evans to approve the plat application for James Olson based on findings of fact, recommendations from the Water Board, County Highway Department, approval from township, and staff recommendations. Roll call; all voted yes; motion carried.

Second reading of Rules and Bylaws of the Ward County Planning Commission regarding reorganizing annually at the first meeting in April and the change to the notification area. This change reads now "If the applicant owns the adjacent property, notice shall be sent to neighboring landowners one mile from the subject property. In more dense areas, notice shall be sent to neighboring landowners at a minimum of 300 feet from the subject property." After a discussion the notification change area will now read "If the applicant owns the adjacent property, notice shall be sent to neighboring landowners within one mile from the boundary of the subject property."

Moved by Comm. Podrygula, seconded by Comm. Evans to approve second reading as presented above. Roll call; all voted yes; motion carried.

Discussion on rural industrial and highway commercial standards that pertain to underground sewer and underground utilities and developing a process for the county regarding purchasing an easement. Mr. Larsen will bring language regarding non-structures within the setback area to the next meeting. This will address if someone obtains a building permit to put a building up and will be installing items that would not be covered by the building setback (such as an underground sewer or some type of underground utility), that there be a process in place the county could work through to purchase an easement at that time. For instance, it would not prohibit the use of a septic system within a setback area, but there would be a stop gap in place to notify the county regarding this and start up negotiations as to this process. This will also cover non structures within the setback such as a light pole.

Discussion on outlot and outlot plats right of way dedication and subdivision regulations. The changes made to Section 6.04 Design Standards (f) were discussed at length. Drainage standards, conditions, and issues were discussed in outlots and subdivisions.

Mr. Diedrichsen recommends keeping the minimum road standards for townships and subdivision roads but change minimum road standards for outlot access roads, keeping all of the design standards but instead of requiring 80 feet, require 66 feet. There will be changes made by Mr. Larsen and Mr. Diedrichsen to access road designs for outlots and outlot plats as well as other changes discussed and brought back to the meeting in January, 2022.

There being no further business, the meeting was adjourned at 9:15 PM.

Chairperson, Ward County Planning Commission

Attest:

Ward County Auditor, Secretary