

## Minutes of the Ward County Planning Commission

March 17, 2022

The meeting of the Ward County Planning Commission was called to order at 7:00 PM by Chairman Heller with Commissioners Evans, Fjeldahl, Kibler, Livingston, Podrygula, and Schumaker present. Also present were Planning & Zoning Administrator Doug Diedrichsen, Highway Engineer Dana Larsen, State's Attorney Roza Larson, Blake Krabseth from Watne Realtors, Rob Berard from Ackerman Surveying, Kevin and Lori Hochhalter, and Secretary Lynae Schroeder.

Moved by Comm. Evans, seconded by Comm. Podrygula to approve the Planning and Zoning Commission Meeting minutes from February 17, 2022. Roll call; all voted yes; motion carried.

Comm. Hendrickson entered the meeting at 7:02 PM.

Lori and Kevin Hochhalter submitted an application for a variance for the following described property: Petersen's 2<sup>nd</sup> Subdivision Lot 1 Rice Lake A .12. The applicant is requesting a variance for the front yard setback off the west property line for a home to be constructed on to the property. The owner is requesting to build 0 ft. from the property line with an 18 ft. setback requirement. This would be 18 ft. of setback relief.

A discussion was held to include setback requirements and size of the lot.

Kevin Hochhalter, owner of the property, spoke regarding intended use and the possibility of accommodating another smaller trailer on the lot in the future. Lori Hochhalter also spoke regarding the drawing presented and explained the reasoning for the proposed layout.

Moved by Comm. Hendrickson, seconded by Comm. Evans to deny the application for variance. Roll call; Hendrickson, Evans, Fjeldahl, Kibler, Podrygula, and Schumaker voted yes; Livingston and Heller voted no; motion carried.

Bryantt Metals, LLC submitted an application for a Special Use Permit for the following described property: 111261 Hwy 52 West, Burlington, ND 58722. The applicant is requesting renewal of a special use permit for a non-conforming commercial use on a "rural" zoned property. The owner is requesting to continue to use the property as a commercial site dealing with metals and metal recycling. Initial SUP issued August of 2012 and the business has been operating as stated in the SUP since then.

Moved by Comm. Kibler, seconded by Comm. Hendrickson to approve the application for a Special Use Permit for Bryantt Metals, LLC unless the use changes. Roll call; all voted yes; motion carried.

Anton Mickelson submitted an application for a variance for the following described property: 901 156<sup>th</sup> Ave NE, Glenburn, ND 58740. The applicant is requesting a variance for the requirements for driveway width. The owner is requesting plat a 20' wide driveway with a 40' width requirement. This would be 20 ft. of width relief.

A discussion was held on this being a unique, preexisting circumstance and also the possibility of doing a maintenance and draining easement on second reading to allow for the ability for maintenance on the road.

Moved by Comm. Hendrickson, seconded by Comm. Kibler to approve the application for a variance for Anton Mickelson as presented. Roll call; all voted yes; motion carried.

Juniper Properties LLLP submitted an application for a plat for the following described property: Proposed Outlot 1 lying in the NW4NW4 27-154-85. The applicant is proposing to parcel an outlot, proposed Outlot 1 is 152.40 acres. This outlot is for future agricultural purposes. Mandan Township zoning applies with the township recommendation pending.

A discussion was held on outlot platting and the issue of remnants and access.

Moved by Comm. Hendrickson, seconded by Comm. Fjeldahl to send the Juniper Properties LLLP application back to the applicant/surveyor and have the 33-ft statutory right-of-way placed on the plat along with cleaning up the remnant pieces so there is access to them. Roll call; all voted yes; motion carried.

Juniper Properties LLLP submitted an application for a plat for the following described property: Proposed Outlot 2 being a portion of N2 2-154-86. The applicant is proposing to parcel an outlot, proposed Outlot 2 is 218.22 acres. This outlot is for future agricultural purposes. Tolgen Township zoning applies with the township recommending approval.

Moved by Comm. Hendrickson, seconded by Comm. Fjeldahl to approve the plat application for Juniper Properties LLLP once the 33-ft statutory right-of-way within the outlot is plotted. Roll call; all voted yes; motion carried.

Clint and Sara Neshem submitted an application for a plat for the following described property: Proposed Outlot 2 being a portion of NE4NE4 30-154-84. The applicant is proposing to parcel an outlot, proposed Outlot 2 is 9.83 acres. This outlot is for future residential purposes. Burt Township zoning applies with the township recommending approval.

Moved by Comm. Schumaker, seconded by Comm. Kibler to approve the plat application from Clint and Sara Neshem as presented. Roll call; all voted yes; motion carried.

Blake Krabseth submitted an application for a plat for the following described property: Proposed Subdivision Lot 1, 2, 3 & 4 Dakota Valley 2nd Addition being all of Lot 5 Dakota Valley Addition. The applicant is proposing to parcel Lots 1, 2, 3 & 4 Dakota Valley 2nd Addition being all of Lot 5 Dakota Valley Addition. This subdivision is for future residential purposes. Ward County zoning applies with the township recommendation pending.

A discussion was held regarding field access and requirements that have been met as well as addressing drain field issues.

Moved by Comm. Kibler, seconded by Comm. Hendrickson to approve the plat application from Blake Krabseth as presented. Roll call; all voted yes; motion carried.

The Zoning Ordinance Amendment 2022-1 was passed by the Ward County Commissioners on March 15, 2022.

Discussion on the Zoning Ordinance draft and seeking direction on what issues to address next. Meetings in outlying communities will be scheduled after the first reading on the draft has been done. Dana Larsen, Highway Engineer, held a discussion on a type of map the commission would like (digital or paper) and how in depth the map needs to be. It was decided a combination of both may be helpful.

Discussion on language to be put into ordinance to address remnant parcels as well as note that remnants cannot be less than 2.0 acres. Also interest in having specific zoning information pop up on the website for each separate zone. Mr. Larsen stated that other items can be added as well and to contact him with any further ideas.

Discussion on placing the Fencing Ordinance in the design standards section of the Zoning Ordinance as well as setback language. Definitions in the Zoning Ordinance need to be defined and/or cross referenced and addressed. Since there is interest in reviewing the conditional usage categories, Mr. Diedrichsen will bring back the allowed vs. conditional use chart.

There being no further business, the meeting was adjourned at 8:59 PM.

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Chairperson, Ward County Planning Commission

Attest:

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Ward County Auditor, Secretary