

**CITY OF WATFORD CITY**  
P.O. BOX 494 WATFORD CITY, NORTH DAKOTA 58854

**PLANNING AND ZONING COMMISSION  
MEETING AGENDA  
Wednesday, July 26th, 2023  
6:00 PM City Hall, Heritage Room**

- **CALL TO ORDER REGULAR MEETING**
- **APPROVE AGENDA**
- **APPROVE MINUTES**  
June 26, 2023 - Meeting
- **CALL TO ORDER PUBLIC HEARING**

The Public Hearing will be held for comments on the following:

1. Division of Land Application - Minor Plat: Simple Lot Split, submitted by Marco Pelton, for property located at 13 Poplar St (PID 82-71-01100). The application has been submitted to split the lot into two distinct parcels, a northern parcel of 0.496 acres and a southern parcel of 1.293 acres. The purpose of the split is to allow for the sale of the northern parcel with an existing garage structure.
2. Division of Land Application - Minor Plat: Simple Lot Split, submitted by Lee & Bobby Traub, for property located at 804 17<sup>th</sup> Ave SW (PID 11-00-10550). The application has been submitted to split the 36.68-acre lot into two discrete parcels, with one parcel of 8.51 acres and a second parcel of 28.17 acres.
3. Land Use Application for a Conditional Use Permit (CUP) submitted by Bakken Village, LLC, for a portion of the building located at 104 Prospect St SE (PID 82-23-03200), Watford City, North Dakota. An application has been submitted to accommodate a daycare facility: Group or Center License in a C-B (Central Business District) zone.

- **CLOSE PUBLIC HEARING**
- **CONTINUE REGULAR MEETING**
- **PERMIT RECORDS**  
June 2023-July 2023 Permits
- **OLD BUSINESS**
- **NEW BUSINESS**
- **ADJOURNMENT**

# Minutes

*June 26<sup>th</sup> 2023*



**PLANNING AND ZONING COMMISSION  
MEETING MINUTES  
Monday, June 26th, 2023**

The Watford City Planning & Zoning Commission meeting was held on Monday, June 26th, 2023, at City Hall in the Heritage Room. In attendance: Chairman Jesse Lawrence, Vice Chairman Marco Pelton, and Commission Members Troy Knutson and Jacob Jellesed. Commission Member Warren Hovland attended via phone. Commission members Ross Sundeen, Sam Huebner, and Lance Renville were unable to attend. Also in attendance: City Planner Jake Walters, Planning Administrative Assistant Kayla Grace, City Building Inspector Steve Williams, and City Attorney Wyatt Voll.

With the above-mentioned present, the regular meeting hearing was called to order at 6:03 P.M. by Chairman Lawrence.

1. Call for new or old business.
2. Call to approve agenda.

*Agenda was reviewed as presented. There were no comments or changes.*

**MOTION: Pelton SECOND: Knutson**  
**VOICE VOTE:**  
**AYES: all in favor**  
**NAYS: none**

1. Call to approve May 30, 2023, Meeting Minutes.

*Minutes were reviewed as presented. There were no comments or changes.*

**MOTION: Jellesed SECOND: Pelton**  
**VOICE VOTE:**  
**AYES: all in favor**  
**NAYS: none**

Under consideration were the following Agenda items:

**1.Land Use Application – Change of Zone from A-2 to R-4: 304 17<sup>th</sup> Ave NE, submitted by Manuel Gomez Alonso & Gladys Perez JT**

*Walters discussed the reason for the application and the zone change process. The owner wishes to establish current zoning in case of future sale or insurance needs and wants to avoid any confusion stemming from “legal non-conforming” status. At present, the property owner has no plans to expand or alter the existing structures.*

*City Attorney Voll inquired as to why an R-4 (High-density Residential) zone was requested instead of an R-3 zone (Medium-density Residential), noting that R-3 would allow for up to six units but would not allow for future development into a more dense or intensive apartment project. Walters agreed that changing the recommendation to R-3 from R-4 would still meet the intent and needs of the applicant\*\* should it be recommended. Voll stated he would be more comfortable with the recommendation of the R-3 zone. Vice Chairman Pelton asked if the Commission could move to approve the zone change with the revised district applied. Voll explained that because R-3 is considered “down zoning” from the original R-4 recommendation that it was allowable.*

*There was brief discussion amongst members regarding the use of the property currently and in the future, eventually settling on supporting the change to R-3.*

*There was no further discussion.*

*\*\* [ Walters followed up with the applicant the following morning and was assured that the recommended R-3 zoning district meets the needs to the owner and that the recommended change is acceptable should City Council grant approval. ]*

**MOTION: Pelton SECOND: Knutson to recommend Approval from A-2 to R-3**

There were no recommended conditions. Walters will contact property owner regarding the change in recommendation from R-3 from the original R-4.

**ROLL CALL VOTE:**

**AYES: Pelton, Knutson, Lawrence, Hovland, Jellested**

**NAYS: none**

**MOTION: CARRIED**

**CLOSE PUBLIC HEARING: 6:08 P.M. by Chairman Lawrence**

**CONTINUATION OF REGULAR MEETING:**

**PERMIT RECORDS:**

*Permit records were reviewed as presented. Building Inspector Steve Williams stated that a Holiday Gas Station could be breaking ground soon out at The Crossings. Additionally, Williams noted that there are two Dollar Generals in the beginning processes of site prep. One Dollar General location is out by Hunters Run and the second location on S Main at the old Farmer's Union bulk fuel storage yard. Williams also made mention that there were quite a few fence permits being issued but that no applications for new homes have been received this year.*

**NEW BUSINESS:**

*City Planner Jake Walters discussed needing to reschedule the July P&Z meeting to either Wednesday, July 26<sup>th</sup> or Thursday, July 27<sup>th</sup>, as he will be out of the office July 31<sup>st</sup>. It was noted that Thursday would potentially be a conflict for a few commission members and that Wednesday would be a better date. It was decided to move the July P&Z meeting previously scheduled for Monday, July 31<sup>st</sup> to Wednesday, July 26<sup>th</sup>.*

**OLD BUSINESS:**

*There was no old business.*

**ADJOURNMENT:** 6:12 P.M.      **MOTION:** Pelton

The next regularly scheduled Planning and Zoning Commission Meeting will be held on  
Wednesday, July 26<sup>th</sup>, 2023, at 6:00 PM

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Jesse Lawrence, Chairman

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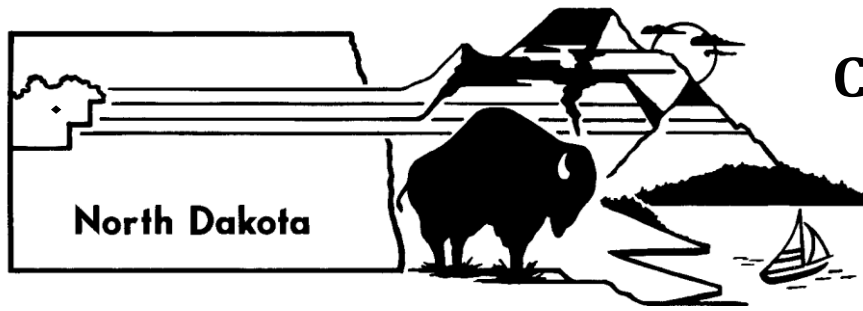
Jake Walters, City Planner

1.

# Division of Land Application

*Minor Plat – Simple Lot Split*

13 Poplar Street (PID 82-71-01100)



## City of Watford City

213 2<sup>nd</sup> St. NE / PO Box 494  
Watford City, ND 58854  
Ph. 701-444-2533  
Fax 701-444-3004  
*Celebrating 100 Years - 2014*  
cityofwatfordcity.com

July 17, 2023

### **STAFF REPORT**

**Division of Land Application: Minor Plat (Simple Lot Split)  
13 Poplar St (PID 82-71-01100)**

#### **APPLICANT:**

Marco Pelton  
512 6<sup>th</sup> St SE  
Watford City, ND 58854

#### **PROPERTY OWNERS:**

Geo R Pierce, Inc  
PO BOX 80707  
Billings, MT 59108

#### **PROPERTY LOCATION:**

Poplar St. Watford City, ND (PID 82-71-0100)

#### **REQUEST:**

Applicant is requesting to divide the 1.789-acre lot into two new lots, a northern lot of 0.496 acres containing an existing garage structure and a southern 1.293-acre lot which is currently vacant.

#### **CURRENT ZONING:**

M-H (Mobile Home Park District)

#### **CURRENT USE:**

Vacant pads and an existing garage structure.

**SITE DEVELOPMENT:**

Access: *The property is accessible from Poplar St. and 6<sup>th</sup> St NE*  
Sewer: *The property has access to City sanitary sewer.*  
Water: *The property has access to City water.*

**SURROUNDING LAND USE:**

North: Zoning – R-1 (Single Family Dwelling District)  
Use – Single-Family Homes

East: Zoning – C-1 (General Commercial District)  
Use – Pro Auto Body, Checkers, Tiger Well Service, similar

South: Zoning – R-1 (Single Family Dwelling District)  
Use – Single-Family Homes

West: M-H (Mobile Home Park District) & R-1 (Single Family Dwelling District)  
Use – Single-Family Homes

**REFERENCES:**

ARTICLE XXX - SUBDIVISION REGULATIONS

SECTION 4. – DEFINITIONS

...

13. MINOR PLAT: A less intensive subdivision process reserved for the purpose of platting a simple lot split, boundary line adjustment, or map of reversion in which shall only be allowable when street improvements, water or sewer line improvements, or other public improvements are not required.

SECTION 13. - MINOR PLATS

A minor plat for the purpose of a simple lot split, boundary line adjustment, or map of reversion shall be allowed when street improvements, water or sewer line improvements or other public improvements are not required. A Simple Lot Split shall create no more than four (4) lots. ...

**DISCUSSION:**

The applicant and owner are looking to divide the existing lot into two separate parcels. The purpose of the lot split is to allow for the sale of the northern parcel to the applicant.

The current lot size is 1.789 acres. The Simple Lot Split would divide the lot into two discrete parcels, a northern parcel consisting of 0.496 acres with an existing garage structure and a southern parcel which would consist of 1.293 acres.



**RECOMMENDATION:**

It is the recommendation of City Planning Department staff to **APPROVE** the Division of Land Application.

Recommended Conditions of Approval:

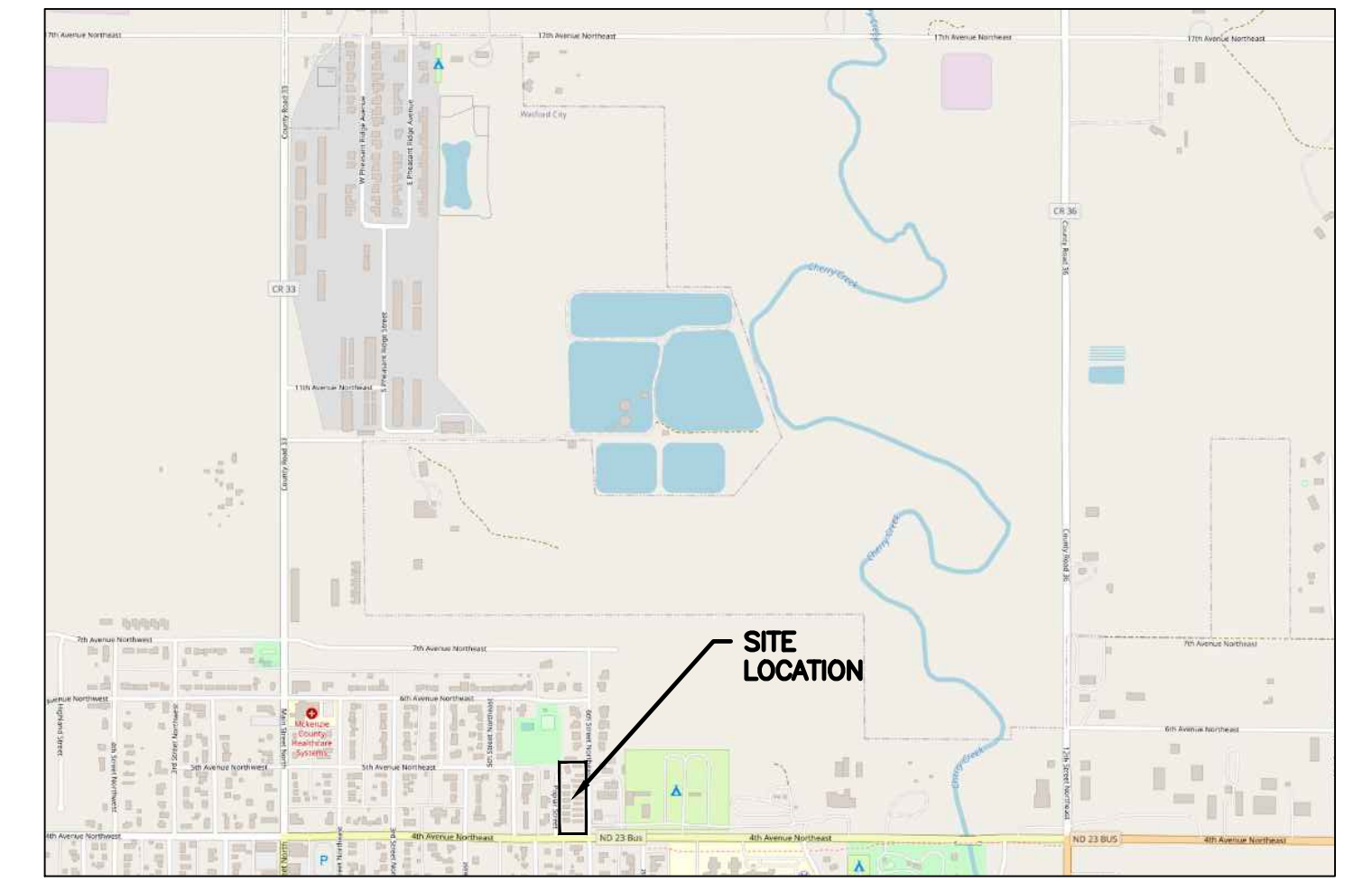
1. Contingent upon receiving sufficient proof of ownership documentation.

**PLANNING DEPARTMENT STAFF CONTACTS:**

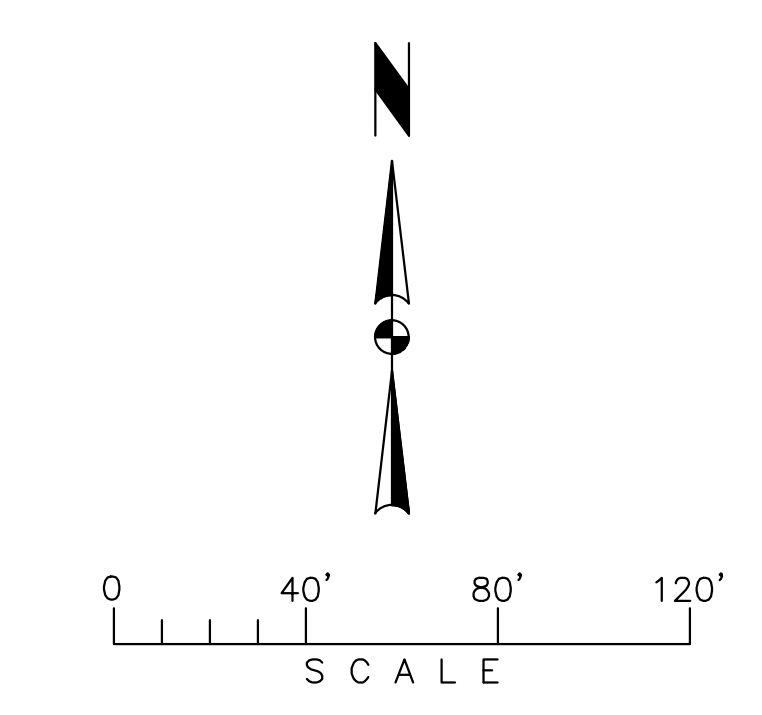
Jake Walters  
jwalters@nd.gov  
(701) 444-8402

Kayla Grace  
kagrace@nd.gov  
(701) 444-8406

A REPLAT OF  
**LOT 1, BLOCK 1, STEVENS ADDITION, DOCUMENT #341699**  
 A TRACT OF LAND LOCATED IN THE SE1/4 SW1/4 OF SECTION 18,  
 T150N, R98W, 5TH P.M., CITY OF WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA  
 LAND OWNER: GEO R PIERCE, INC.



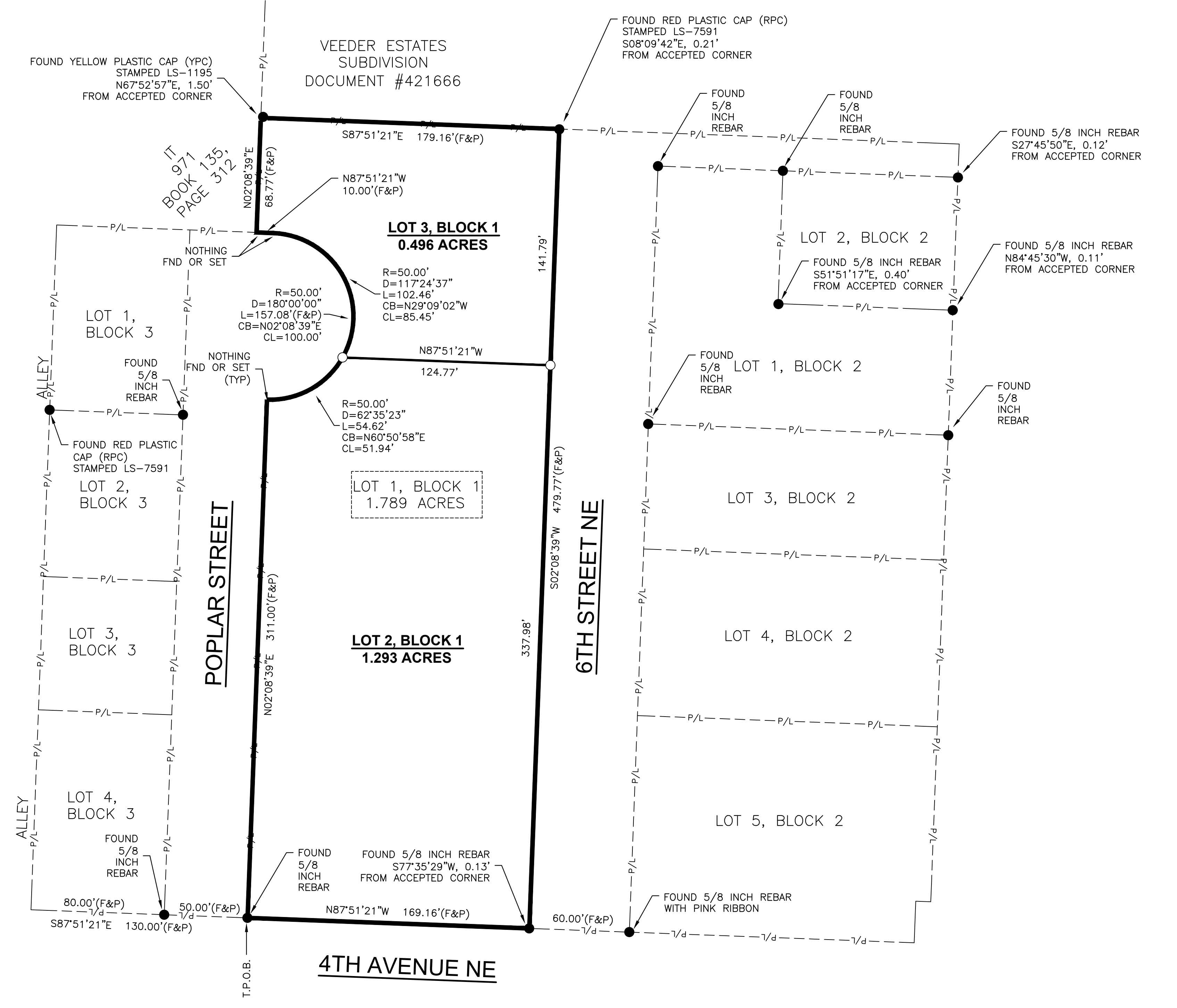
VICINITY MAP



**LEGEND**

NEW	DESCRIPTION
	REPLAT LOT BOUNDARY
	INTERNAL LOT LINE BOUNDARY
	SET PROPERTY PIN -5/8" REBAR / "LS-29538" YELLOW PLASTIC CAP (YPC)
EXISTING	DESCRIPTION
	PROPERTY LINE
	PROPERTY PIN
	ABOLISHED LOTS
(F)	FIELD MEASUREMENT DISTANCE
(P)	PLAT RECORD DISTANCE
T.P.O.B.	TRUE POINT OF BEGINNING

2ND  
ADDITION  
TO  
HOLM  
ADDITION



BASIS OF BEARING: GRID NORTH, NORTH DAKOTA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, 3301  
 PURPOSE OF SURVEY: TO SUBDIVIDE LOT 1, BLOCK 1, INTO TWO NEW LOTS.

AREA OF LOTS = 1.789 ACRES  
 AREA OF DEDICATED R/W = 0.000 ACRES  
 TOTAL AREA = 1.789 ACRES

	DRAWN BY: MAB	DATE: 06-01-2023	QUALITY CHECK: X
	SURVEYED BY: MAB	JOB NO. W23-005	FIELDBOOK: X
GREAT FALLS-BOZEMAN-KALISPELL-SHELBY			MONTANA
SPOKANE			WASHINGTON
LEWISTON			IDAHO
WATFORD CITY			NORTH DAKOTA

A REPLAT OF  
**LOT 1, BLOCK 1, STEVENS ADDITION, DOCUMENT #341699**  
 A TRACT OF LAND LOCATED IN THE SE1/4 SW1/4 OF SECTION 18,  
 T150N, R98W, 5TH P.M., CITY OF WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA  
 LAND OWNER: GEO R PIERCE, INC.

REPLAT BOUNDARY DESCRIPTION

A tract of land being Lot 1, Block 1 of the Stevens Addition, Document No. 341699, located in the Southeast quarter of the Southwest quarter of Section 18, Township 150 North, Range 98 West, Fifth Principal Meridian, City of Watford City, McKenzie County, North Dakota, and being more particularly described as follows: Beginning at the Southwest corner of Lot 4, Block 3 of said subdivision also being the Southwest corner of said subdivision; thence South 87°51'21" East a distance of 130.00 along the Southerly boundary line of said subdivision to the Southwest corner of Lot 1, Block 1 and the Point of Beginning; thence North 02°08'39" East a distance of 311.00' along the Easterly rights-of-way of Poplar Street; thence along said Easterly rights-of-way line on a non-tangent curve to the left, having a Radius of 50.00 feet, a Delta of 180°00'00", an Arc Length of 157.08', a Chord Bearing of North 02°08'39" East, and a Chord Length of 100.00'; thence North 87°51'21" West a distance of 10.00' along said Easterly rights-of-way line; thence North 02°08'39" East a distance of 68.77' to the Northwest corner of said Lot; thence South 87°51'21" East a distance of 179.16' to the Northeast corner of said Lot; thence South 02°08'39" West a distance of 479.77' along the Westerly rights-of-way of Sixth Street NE to the Southeast corner of said Lot; thence North 87°51'21" West a distance of 169.16' along the Northerly rights-of-way of Fourth Avenue NE to the Point of Beginning and containing 1.789 acres.

OWNER(S) CERTIFICATE

I, (We) the undersigned, being sole owner(s) and mortgage holder(s) of the land platted herein, do hereby consent to the execution of this plat and agree to not vacate any portion of this plat without the consent of The City of Watford City. I (We), here by dedicate easements to run with the land for water, sewer, gas, electric, telephone, or other public utility lines or services under, on, or over the land dedicated hereon as "Utility Easements" whether shown or existing.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
 GEO R PIERCE, INC

Printed Name \_\_\_\_\_

Title \_\_\_\_\_

State of Montana )

ss

County of \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public for the State of Montana, personally appeared, \_\_\_\_\_, known to me to be the person(s) who executed the certificate. in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.

(notarial seal)

\_\_\_\_\_  
 Notary Public for the State of Montana

Residing at \_\_\_\_\_

My commission expires \_\_\_\_\_

CERTIFICATE OF MCKENZIE COUNTY RECORDER

I hereby certify that the above instrument was filed in the Office of the McKenzie County Recorder in The State of North Dakota at \_\_\_\_\_ o'clock A.M. / P.M. on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, and was recorded as document number \_\_\_\_\_.

\_\_\_\_\_  
 Katie Paulson, McKenzie County Recorder

PLANNING AND ZONING COMMISSION APPROVAL

This plat in the City of Watford City is hereby approved in accordance with the laws of the State of North Dakota, ordinances of the City of Watford City North Dakota, and regulations of the Planning and Zoning Commission of the City of Watford City, North Dakota.

\_\_\_\_\_  
 Jesse Lawrence, Chairman Date: \_\_\_\_\_

State of North Dakota )

ss

County of McKenzie )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public for the State of North Dakota, personally appeared, Jesse Lawrence, Chairman, known to me to be the person(s) who executed the certificate. in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.

(notarial seal)

\_\_\_\_\_  
 Notary Public for the State of North Dakota

Residing at \_\_\_\_\_

My commission expires \_\_\_\_\_

AUDITOR'S CERTIFICATE OF TAXES

Taxes, delinquent taxes, delinquent special assessment or installment of special assessments or tax estimates for the property described on the attached instrument are unpaid in the amount of \$ \_\_\_\_\_ plus penalty and interest. Certified on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
 Erica Johnsrud, McKenzie County Auditor

WATFORD CITY APPROVAL

The City of Watford City, North Dakota has approved the attached plat as shown herein, and lying within the jurisdiction of The City of Watford City, has approved the streets, alleys, and other public ways and ground of the attached plat, shown here as an amendment to the comprehensive street and highway plan and other appropriate portions of the comprehensive plan of The City of Watford City, North Dakota. All streets, alleys, and other public ways and ground of the attached plat are dedicated, but not accepted at this time with the offer to remain open.

\_\_\_\_\_  
 Philip K. Riely, Mayor Date: \_\_\_\_\_

\_\_\_\_\_  
 Peni Peterson, City Auditor Date: \_\_\_\_\_

State of North Dakota )

ss

County of McKenzie )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a notary public for The State of North Dakota, personally appeared, Philip K. Riely, Mayor and Peni Peterson, City Auditor, known to me to be the person(s) who executed the certificate in witness where of, I have hereunto set my hand and affixed my official seal the day and year in the certificate first written above.

(notarial seal)

\_\_\_\_\_  
 Notary Public for the State of North Dakota

Residing at \_\_\_\_\_

My commission expires \_\_\_\_\_

SURVEYOR'S CERTIFICATE

I, Matthew A. Beard, Registered Land Surveyor, do hereby certify that the survey plat shown hereon was completed by me or under my direct supervision and that this plat is the correct representation of the survey shown hereon, and that the monuments are placed as shown, and that I am a duly Registered Land Surveyor under the laws of the State of North Dakota.

\_\_\_\_\_  
 Surveyor's Signature Registered Land Surveyor #LS-29538 Survey date & stamp :

State of North Dakota )

ss

County of McKenzie )

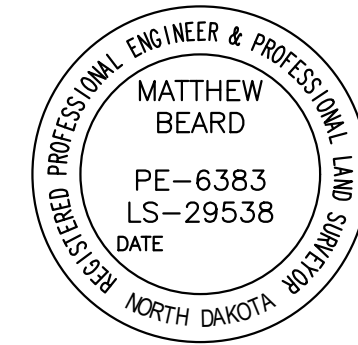
On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public for the State of North Dakota, personally appeared, Matthew A. Beard, known to me to be the person(s) who executed the certificate. in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.

(notarial seal)

\_\_\_\_\_  
 Notary Public for the State of North Dakota

Residing at \_\_\_\_\_

My commission expires \_\_\_\_\_





**Legend**

Parcel

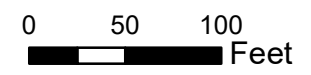
**Existing Zoning**

- AG
- C-1
- CF
- M-H
- R-1

FOR INFORMATIONAL PURPOSES ONLY

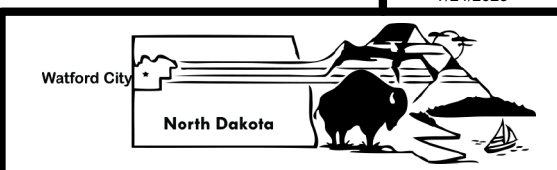
**Planning Department - GIS**  
Watford City, North Dakota

Existing Zoning Exhibit



DRAFTED  
Jake Walters

DATE  
7/24/2023



Note: Any reliance upon this map is at user's own risk. Watford City does not warrant the map or its features are either spatially or temporally accurate or fit for a particular use.



THE CITY OF WATFORD CITY  
213 2<sup>ND</sup> ST NE / PO BOX 494  
WATFORD CITY, NORTH DAKOTA

# DIVISION OF LAND APPLICATION

## MINOR PLAT

### REQUIREMENTS

**APPLICATION FEE:**  
\$675.00

All applications must be legible, printed in ink or typed, and suitable for reproduction. *Original application with original signature is required.* A *Minor Plat Map* shall be allowed for the following circumstances to adjust lot lines which may be contiguous, adjacent, interior lots of previously platted parcels; to revert property back to acreage or to a configuration which may combine parcels as they may have been previously mapped; to create no more than four (4) lots; and street improvements, utility or other public improvements, public easements, or right of ways, whether public or private are not required or created. This parcel map will also not require the creation of new or enlarged parks, playgrounds, or open spaces. All lot design standards and zoning requirements are required to be met. Parcels must conform to the minimum lot area and width and not involve lots which have more than one zoning classification. A *Minor Plat Map* is not intended to be used as one in a series as to circumvent the Subdivision process. Along with this application, please submit the following: N.D. Professionally Engineered/Surveyed map of parcels in both .PDF format and 11"x17" size paper for review, a brief justification letter explaining the request/reasoning for the *Minor Plat* and a current copy of a title report/title commitment for the property. Once approved by City Council, the *Minor Plat* shall be considered approved for a period of 12 months during which time, a 24" x 36" size mylar plat will need to be submitted to the City for signatures and recordation. For specific details regarding this process, please refer to the *City of Watford City Municipal Code of Ordinances: CHAPTER XV ARTICLE XXX: SUBDIVISION REGULATIONS.*

<input checked="" type="checkbox"/> Simple Lot Split	<input type="checkbox"/> Reversionary Parcel Map	<input type="checkbox"/> Boundary Line Adjustment
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### PROPERTY OWNER INFORMATION

OWNER NAME(S): GEO R PIERCE INC.	PHONE NUMBER: 4062125682	EMAIL: russellpierce@pierce.biz
MAILING ADDRESS: PO BOX 80707, BILLINGS, MT 59108-0707		

### APPLICANT INFORMATION

Same as Owner

APPLICANT NAME: MARCO PELTON	PHONE NUMBER: 701-580-3021	EMAIL: mpelton@tractorandequipment.com
MAILING ADDRESS: 512 6th Street SE, Watford City, ND 58854		

### DEVELOPER INFORMATION

DEVELOPER NAME: MARCO PELTON	PHONE NUMBER: 701-580-3021	EMAIL: mpelton@tractorandequipment.com
MAILING ADDRESS: 512 6th Street SE, Watford City, ND 58854		

### PROPERTY INFORMATION

PROPERTY ADDRESS: 13 POPLAR STREET	CURRENT ZONING:	
LEGAL DESCRIPTION: (SECTION, TOWNSHIP, RANGE) LOT 1, BLOCK 1, STEVENS ADDITION TO WATFORD CITY		
EXISTING ACREAGE/SQ.FT.: 77,918.5 SQ FT	NEW ACREAGE/SQ.FT.: 77,918.5 SQ FT	PROPOSED # OF LOTS/BLOCKS: TWO
CURRENT USE OF PROPERTY: RESIDENTIAL	PROPOSED USE OF PROPERTY: RESIDENTIAL	

### DESCRIPTION

Please give a brief description of the proposed Minor Plat.

Application is to Split an existing 1.789 acre mostly vacant lot into two new lots, the south lot being 1.293 acres and the north lot being 0.496 acres and containing one existing garage building.

<b>SUBMITTAL REQUIREMENTS</b>	<b>APPLICANT CHECKLIST</b>	<b>CITY STAFF REVIEW</b>
Completed and signed Minor Plat Application.		
Payment for Minor Plat Application fee.		
Justification Letter.		
Title Report/Title Commitment.		
Legal Description.		
Minor Plat.		

**APPLICANT SIGNATURE:**  
*As the applicant, I certify that all City Ordinances will be complied with and that the information given within this application as well as the plans and maps submitted are in all respects true and correct to the best of my knowledge and belief.*

APPLICANT SIGNATURE: Marco Pelton Aaron Pelton 06/15/2023 DATE:         /        /        

APPLICANT PRINT NAME: Marco Pelton Aaron Pelton APPLICANT TITLE: Buyer

**PROPERTY OWNER(S) AFFIDAVIT**  
*I/We, the undersigned, swear that I am / we are, the owner(s) and/or Mortgage holders of the property described within this application. I/We will make provisions to ensure compliance with the disclosure and recording requirements of McKenzie County and the City of Watford City. I/We certify that all information contained within this application are in all respects true and correct to the best of my/our knowledge and belief. I/We also hereby authorize City of Watford City Staff and/or its designee to access my property or premise for the purpose of gathering and verifying information in relation to this application and submitted plans.*

PROPERTY OWNER SIGNATURE: *Russell Pierce* DATE: 6/14/2023

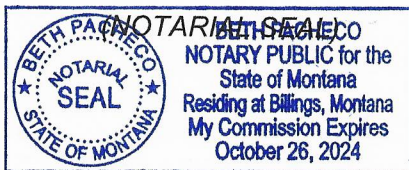
PROPERTY OWNER SIGNATURE: \_\_\_\_\_ DATE:         /        /        

**PROPERTY OWNER NOTARY**

On this 14<sup>th</sup> day of June, 2023 before me, the undersigned, a notary public for the state of Montana, personally appeared, Russell Pierce known to me to be the person(s) who executed the certificate in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first written above.

Beth Pacheco  
 Notary Public

Notary Public for the state of MT  
 Residing at Billings  
 My Commission Expires 10/26/2024



2.

# Division of Land Application

*Minor Plat – Simple Lot Split*

804 17<sup>th</sup> Ave SW (PID 11-00-10550)



## City of Watford City

213 2<sup>nd</sup> St. NE / PO Box 494  
Watford City, ND 58854  
Ph. 701-444-2533  
Fax 701-444-3004  
*Celebrating 100 Years - 2014*  
cityofwatfordcity.com

July 17, 2023

### STAFF REPORT

**Division of Land Application: Minor Plat (Simple Lot Split)  
804 17<sup>th</sup> Ave SW (PID 11-00-10550)**

#### **APPLICANT & PROPERTY OWNERS:**

Lee & Bobby Traub  
PO Box 626  
Watford City, ND 58854

#### **PROPERTY LOCATION:**

804 17<sup>TH</sup> Ave SW (ETA) (PID 11-00-10550)

#### **REQUEST:**

The owner/applicant is requesting to divide the 36.68-acre lot into two new lots, allowing for the sale of the western parcel which contains an existing residential structure. The submitted application would split the 36.68-acre lot into two discrete parcels, with one parcel of 8.51 acres and a second parcel of 28.17 acres.

#### **CURRENT ZONING:**

AG (Agricultural District)

#### **CURRENT USE:**

Residential

#### **SITE DEVELOPMENT:**

Access: *The property is accessible from 17<sup>th</sup> Ave SW.*  
Sewer: *The property does not have access to City sanitary sewer.*  
Water: *The property does not have access to City water.*

#### **SURROUNDING LAND USE:**

North: Zoning – C-1 (General Commercial District) & R-2 (Two-Family Dwelling District)  
Use – undeveloped



East:           Zoning – AG  
                  Use – residential

South:          Zoning – AG  
                  Use – undeveloped

West:           Zoning – AG  
                  Use – undeveloped

**REFERENCES:**

ARTICLE XXX - SUBDIVISION REGULATIONS

SECTION 4. – DEFINITIONS

...

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SECTION 13. - MINOR PLATS

A minor plat for the purpose of a simple lot split, boundary line adjustment, or map of reversion shall be allowed when street improvements, water or sewer line improvements or other public improvements are not required. A Simple Lot Split shall create no more than four (4) lots. ...

**DISCUSSION:**

The applicant is looking to divide the existing 36.68-acre lot into two separate parcels by creating a western parcel of 8.51 acres and an eastern parcel of 28.17 acres. The purpose of this lot split is to allow for the sale of the 8.51-acre western parcel which contains an existing residential structure.

**RECOMMENDATION:**

It is the recommendation of City Planning Department staff to **APPROVE** the Division of Land Application.

Recommended Conditions of Approval:

1. Contingent upon receiving sufficient proof of ownership documentation.

**PLANNING DEPARTMENT STAFF CONTACTS:**

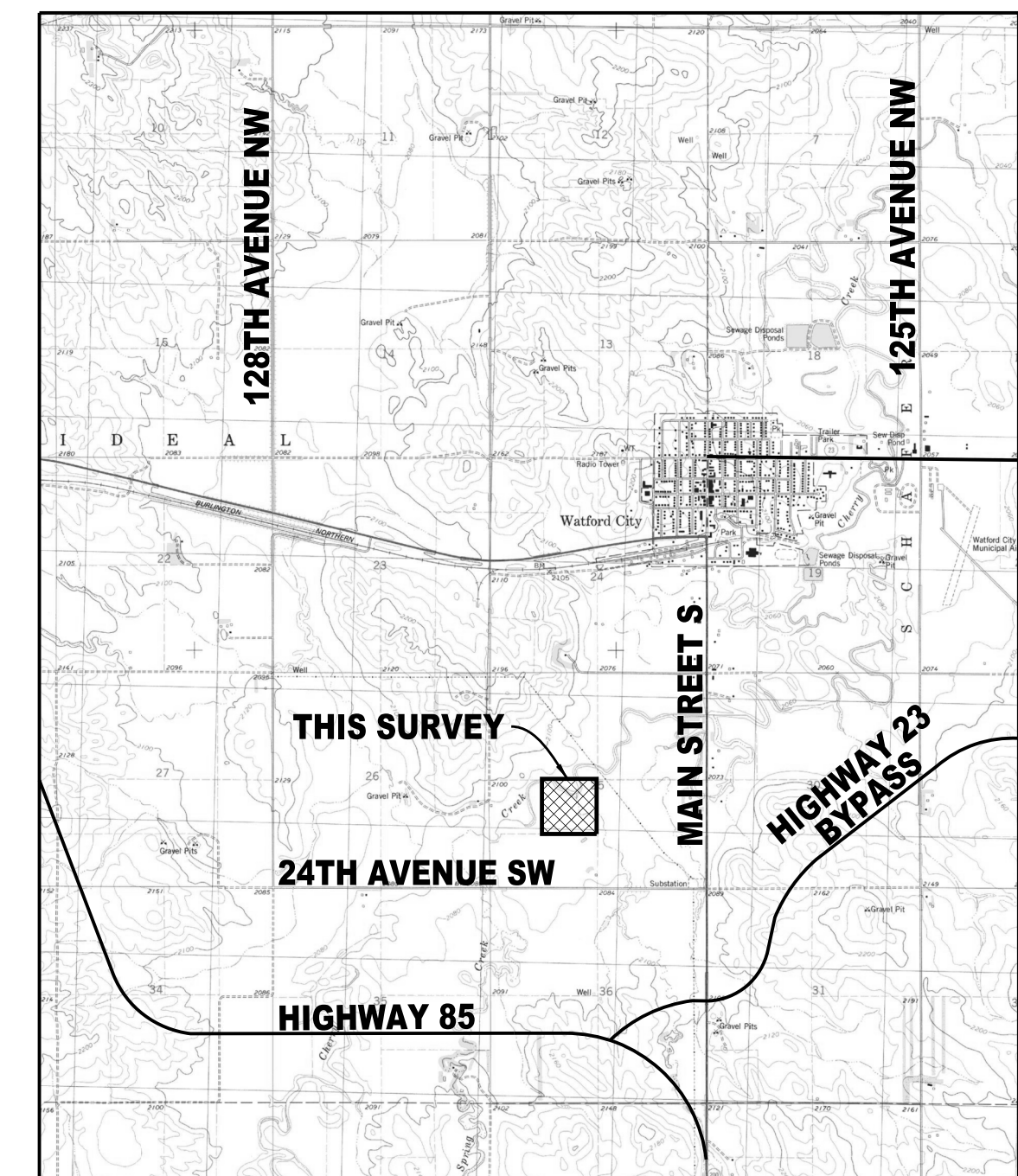
Jake Walters  
jwalters@nd.gov  
(701) 444-8402

Kayla Grace  
kagrace@nd.gov  
(701) 444-8406

# PLAT OF THE TRAUB SUBDIVISION

IT #1279

AS LOCATED IN THE NE1/4SW1/4 & SE1/4NW1/4 OF SECTION 25 - TOWNSHIP 150 NORTH - RANGE 99 WEST - 5TH P.M.  
CITY OF WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA

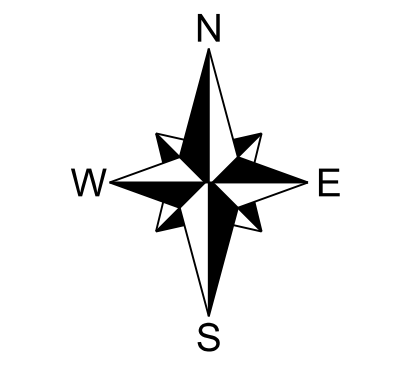


VICINITY MAP  
NOT TO SCALE

30' ACCESS EASEMENT CENTERLINE	
1 - 2	S89°17'50"E 444.06'
2 - 3	CURVE #1
3 - 4	N1°42'08"E 196.35'
4 - 5	N1°01'07"W 100.13'
4 - 5	N2°48'03"W 142.04'
5 - 6	CURVE #2

CURVE #1	
CH. BEARING =	N 46°12'06" E
CH. LENGTH =	140.18
R =	100.00'
L =	155.33'
CURVE #2	
CH. BEARING =	N 20°20'46" E
CH. LENGTH =	51.10'
R =	663.00'
L =	52.52'

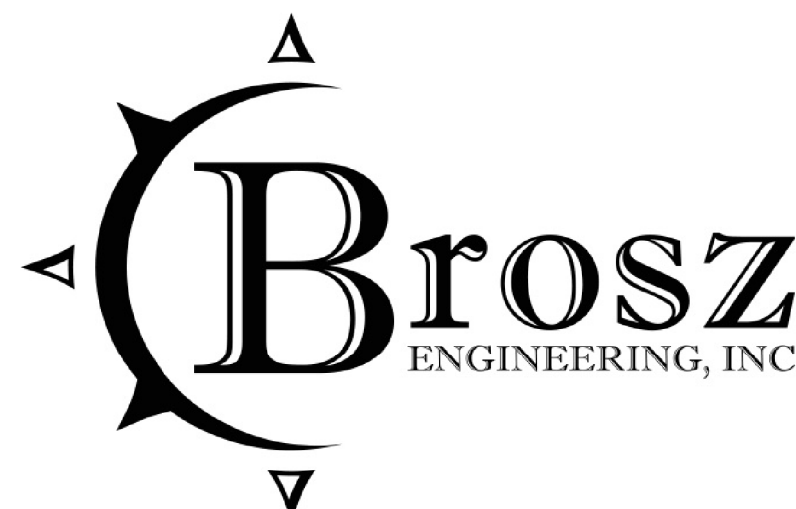


SCALE 1" = 200'

- △ = REBAR / CAP FOUND
- ▲ = REBAR FOUND
- = REBAR / CAP SET
- X = COMPUTED

BASIS OF BEARING: N.D. STATE PLANE - NORTH ZONE  
GROUND DISTANCES SHOWN - C/F: 0.9998485

- = SURVEY BOUNDARY LINE
- = SECTION LINE
- = QUARTER LINE
- = EXISTING LOT LINE
- = NEW LOT LINE
- - - = NEW EASEMENT LINE



# PLAT OF THE TRAUB SUBDIVISION

IT #1279

AS LOCATED IN THE NE1/4SW1/4 & SE1/4NW1/4 OF SECTION 25 - TOWNSHIP 150 NORTH - RANGE 99 WEST - 5TH P.M.  
CITY OF WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA

### OWNER'S CERTIFICATE

I, (WE) THE UNDERSIGNED, BEING THE SOLE OWNER(S) AND MORTGAGE HOLDER(S) OF THE LAND PLATTED HEREIN, DO HEREBY CONSENT TO THE EXECUTION OF THIS PLAT AND AGREE TO NOT VACATE ANY PORTION OF THIS PLAT WITHOUT THE CONSENT OF THE CITY OF WATFORD CITY. I (WE) DEDICATE EASEMENTS TO RUN WITH THE LAND FOR WATER, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON, OR OVER THE LAND DEDICATED HEREON AS "UTILITY EASEMENTS" WHETHER SHOWN OR EXISTING.  
DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023

\_\_\_\_\_  
LEE G. TRAUB  
\_\_\_\_\_  
DATE

\_\_\_\_\_  
BOBBY J. TRAUB  
\_\_\_\_\_  
DATE

STATE OF NORTH DAKOTA  
COUNTY OF MCKENZIE

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, LEE G. TRAUB AND BOBBY J. TRAUB, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA  
RESIDING AT \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

### SURVEYOR'S CERTIFICATE

I, DUSTIN JORDAN, REGISTERED LAND SURVEYOR NO. 10478, IN THE STATE OF NORTH DAKOTA ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF, DO HEREBY CERTIFY THAT AT THE REQUEST OF SAID OWNER(S), THE SURVEY REPRESENTED BY THIS DRAWING IS IN ALL RESPECTS CORRECT, AND WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, ON THE GROUND, TO THE NORMAL STANDARD CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN THE STATE OF NORTH DAKOTA. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD AS PERFORMED BY MYSELF OR BY BROSZ ENGINEERING.

\_\_\_\_\_  
DUSTIN JORDAN  
REGISTERED LAND SURVEYOR NO. 10478  
\_\_\_\_\_  
DATE

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, DUSTIN JORDAN, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

NOTARY PUBLIC FOR THE STATE OF \_\_\_\_\_  
RESIDING AT \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

### PROPERTY DESCRIPTION

OLD: IT #1279 AS LOCATED IN THE NE1/4SW1/4 & SE1/4NW1/4 OF SECTION 25, T150N, R99W, 5TH P.M., CITY OF WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA.

NEW: LOTS 1 & 2 OF TRAUB SUBDIVISION, CITY OF WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA.

### PLANNING AND ZONING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WATFORD CITY IS HEREBY APPROVED IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF WATFORD CITY NORTH DAKOTA, AND REGULATIONS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF WATFORD CITY, NORTH DAKOTA.

\_\_\_\_\_  
JESSE LAWRENCE, CHAIRMAN  
\_\_\_\_\_  
DATE

STATE OF NORTH DAKOTA  
COUNTY OF MCKENZIE

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, JESSE LAWRENCE, CHAIRMAN, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA  
RESIDING AT \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

### WATFORD CITY APPROVAL

THE CITY OF WATFORD CITY, NORTH DAKOTA HAS APPROVED THE ATTACHED PLAT AS SHOWN HEREIN, AND LYING WITHIN THE JURISDICTION OF THE CITY OF WATFORD CITY, HAS APPROVED THE STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND GROUNDS OF THE ATTACHED PLAT, SHOWN HERE AS AN AMENDMENT TO THE COMPREHENSIVE STREET AND HIGHWAY PLAN AND OTHER APPROPRIATE PORTIONS OF THE COMPREHENSIVE PLAN OF THE CITY OF WATFORD CITY, NORTH DAKOTA. ALL STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND GROUNDS OF THE ATTACHED PLAT ARE DEDICATED, BUT NOT ACCEPTED AT THIS TIME WITH THE OFFER TO REMAIN OPEN.

\_\_\_\_\_  
PHILIP RIELY, MAYOR  
\_\_\_\_\_  
DATE

\_\_\_\_\_  
PENI PETERSON, CITY AUDITOR  
\_\_\_\_\_  
DATE

STATE OF NORTH DAKOTA  
COUNTY OF MCKENZIE

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, PHILIP RIELY, MAYOR AND PENI PETERSON, CITY AUDITOR, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA  
RESIDING AT \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

### AUDITOR'S CERTIFICATE OF TAXES

TAXES, DELINQUENT TAXES, DELINQUENT SPECIAL ASSESSMENT OR INSTALLMENT OF SPECIAL ASSESSMENT OR TAX ESTIMATES FOR THE PROPERTY DESCRIBED ON THE ATTACHED INSTRUMENT ARE UNPAID IN THE AMOUNT OF \$ \_\_\_\_\_ PLUS PENALTY AND INTEREST.

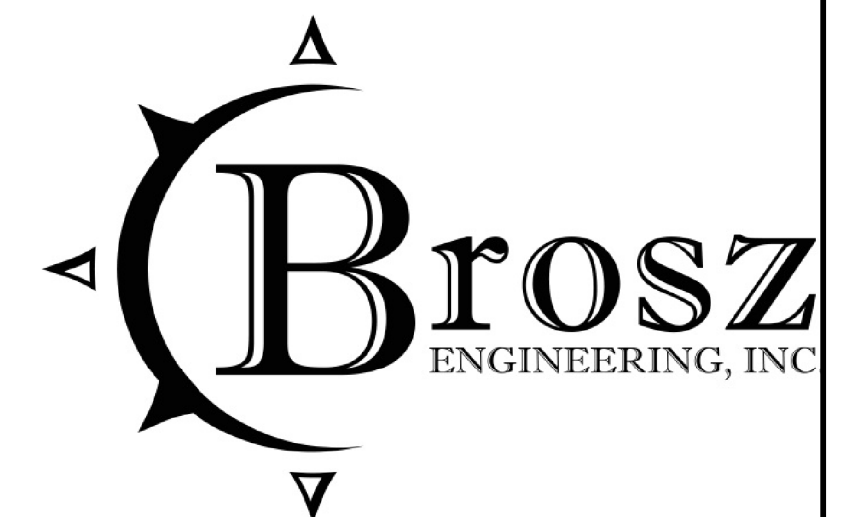
CERTIFIED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

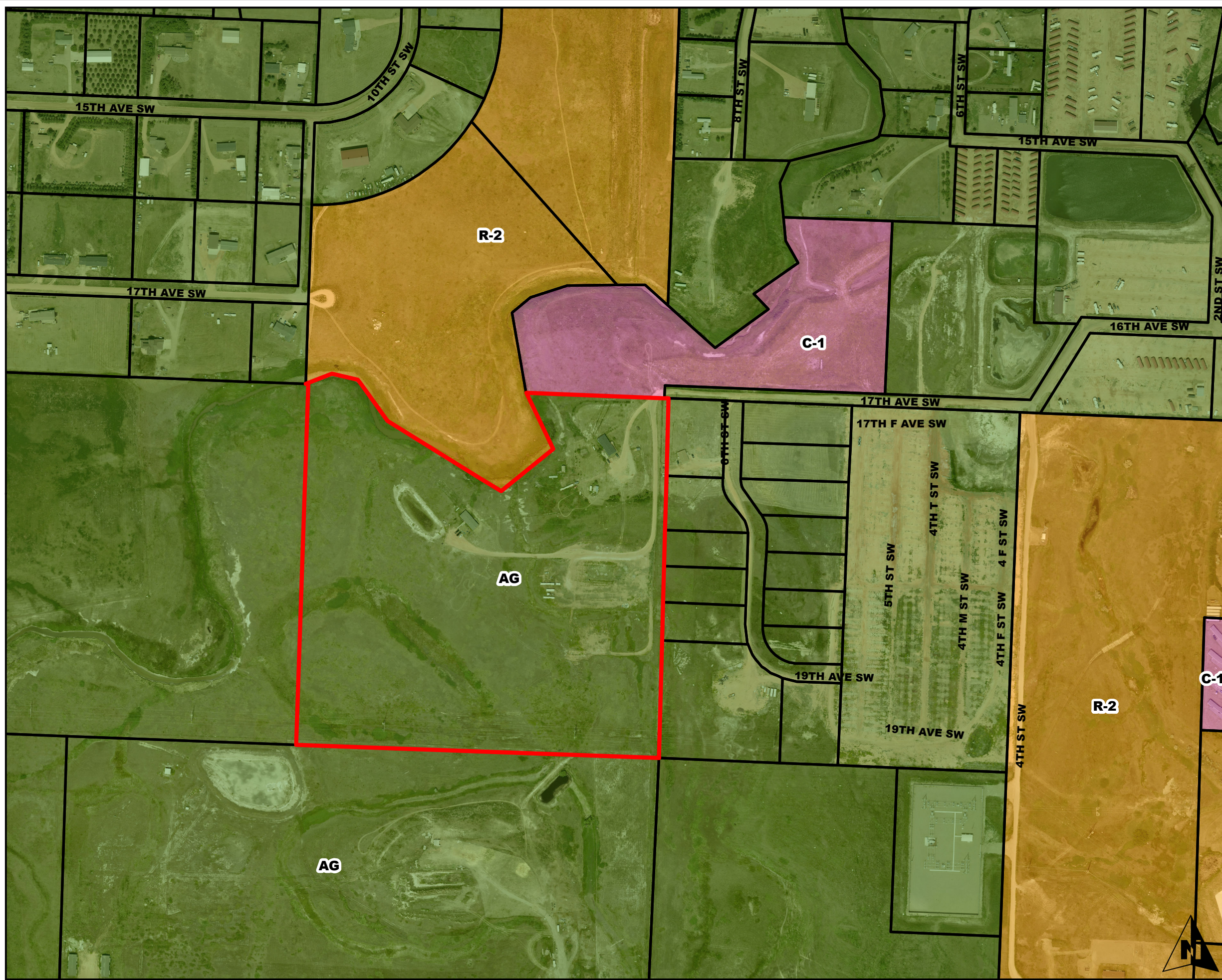
\_\_\_\_\_  
ERICA JOHNSRUD, MCKENZIE COUNTY AUDITOR

### CERTIFICATE OF MCKENZIE COUNTY RECORDER

I HEREBY CERTIFY THAT THE ABOVE INSTRUMENT WAS FILED IN THE OFFICE OF THE MCKENZIE COUNTY RECORDER IN THE STATE OF NORTH DAKOTA AT \_\_\_\_\_ O'CLOCK A.M. / P.M. ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2023 AND WAS RECORDED AS DOCUMENT NO. \_\_\_\_\_.

\_\_\_\_\_  
KATIE PAULSON, MCKENZIE COUNTY RECORDER





- Legend**
- Subject Parcel
  - General Parcel
- Existing Zoning**
- AG
  - C-1
  - R-2

FOR INFORMATIONAL PURPOSES ONLY

# Planning Department - GIS

Watford City, North Dakota

Existing Zoning Exhibit

DRAFTED  
Jake Walters

DATE  
7/24/2023



Note: Any reliance upon this map is at user's own risk. Watford City does not warrant the map or its features are either spatially or temporally accurate or fit for a particular use.

23-06-30 - Traub Minor  
Plat - Simple Lot Split

PROJECT # \_\_\_\_\_



THE CITY OF WATFORD CITY  
213 2<sup>ND</sup> ST NE / PO BOX 494  
WATFORD CITY, NORTH DAKOTA

# DIVISION OF LAND APPLICATION

## MINOR PLAT

### REQUIREMENTS

APPLICATION FEE:  
\$675.00

All applications must be legible, printed in ink or typed, and suitable for reproduction. *Original application with original signature is required.* A *Minor Plat Map* shall be allowed for the following circumstances to adjust lot lines which may be contiguous, adjacent, interior lots of previously platted parcels; to revert property back to acreage or to a configuration which may combine parcels as they may have been previously mapped; to create no more than four (4) lots; and street improvements, utility or other public improvements, public easements, or right of ways, whether public or private are not required or created. This parcel map will also not require the creation of new or enlarged parks, playgrounds, or open spaces. All lot design standards and zoning requirements are required to be met. Parcels must conform to the minimum lot area and width and not involve lots which have more than one zoning classification. A *Minor Plat Map* is not intended to be used as one in a series as to circumvent the Subdivision process. Along with this application, please submit the following: N.D. Professionally Engineered/Surveyed map of parcels in both .PDF format and 11"x17" size paper for review, a brief justification letter explaining the request/reasoning for the *Minor Plat* and a current copy of a title report/title commitment for the property. Once approved by City Council, the *Minor Plat* shall be considered approved for a period of 12 months during which time, a 24" x 36" size mylar plat will need to be submitted to the City for signatures and recordation. For specific details regarding this process, please refer to the *City of Watford City Municipal Code of Ordinances: CHAPTER XV ARTICLE XXX: SUBDIVISION REGULATIONS.*

<input checked="" type="checkbox"/> Simple Lot Split	<input type="checkbox"/> Reversionary Parcel Map	<input type="checkbox"/> Boundary Line Adjustment
--	--	---

### PROPERTY OWNER INFORMATION

OWNER NAME(S): <i>Lee or Bobby Traub</i>	PHONE NUMBER: <i>701-300-4975</i>	EMAIL: <i>bobbytraub@icloud.com</i>
MAILING ADDRESS: <i>P.O. Box 626 Watford City, ND. 58854</i>		

### APPLICANT INFORMATION

Same as Owner

APPLICANT NAME:	PHONE NUMBER:	EMAIL:
MAILING ADDRESS:		

### DEVELOPER INFORMATION

DEVELOPER NAME:	PHONE NUMBER:	EMAIL:
MAILING ADDRESS:		

### PROPERTY INFORMATION

PROPERTY ADDRESS: <i>804 17th Ave SW (PID 11-00-10550)</i>	CURRENT ZONING: <i>AG</i>	
LEGAL DESCRIPTION: (SECTION, TOWNSHIP, RANGE) <i>25, 150, 99</i>		
EXISTING ACREAGE/SQ. FT.: <i>36.68 Acres</i>	NEW ACREAGE/SQ. FT.: <i>8.51 Acre lot &amp; 28.17 Acre lot</i>	PROPOSED # OF LOTS/BLOCKS: <i>2 lots</i>
CURRENT USE OF PROPERTY: <i>Residential</i>	PROPOSED USE OF PROPERTY: <i>Residential</i>	

### DESCRIPTION

Please give a brief description of the proposed Minor Plat.

*We would like to subdivide our property into 2 lots Lot 1 being 8.51 acres & Lot 2 being 28.17 acres*

<b>SUBMITTAL REQUIREMENTS</b>	<b>APPLICANT CHECKLIST</b>	<b>CITY STAFF REVIEW</b>
Completed and signed Minor Plat Application.		
Payment for Minor Plat Application fee.		
Justification Letter.		
Title Report/Title Commitment.		
Legal Description.		
Minor Plat.		

**APPLICANT SIGNATURE:** (Same as Owners)  
*As the applicant, I certify that all City Ordinances will be complied with and that the information given within this application as well as the plans and maps submitted are in all respects true and correct to the best of my knowledge and belief.*

APPLICANT SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_

APPLICANT PRINT NAME: \_\_\_\_\_ APPLICANT TITLE: \_\_\_\_\_

**PROPERTY OWNER(S) AFFIDAVIT**  
*I/We, the undersigned, swear that I am / we are, the owner(s) and/or Mortgage holders of the property described within this application. I/We will make provisions to ensure compliance with the disclosure and recording requirements of McKenzie County and the City of Watford City. I/We certify that all information contained within this application are in all respects true and correct to the best of my/our knowledge and belief. I/We also hereby authorize City of Watford City Staff and/or its designee to access my property or premise for the purpose of gathering and verifying information in relation to this application and submitted plans.*

PROPERTY OWNER SIGNATURE: Lee Traub DATE: 6 / 29 / 23

PROPERTY OWNER SIGNATURE: Bobby Traub DATE: 6 / 29 / 23

**PROPERTY OWNER NOTARY**

On this 29<sup>th</sup> day of June, 2023 before me, the undersigned, a notary public for the state of North Dakota, personally appeared, Lee Traub & Bobby Traub known to me to be the person(s) who executed the certificate in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first written above.

[Signature]  
Notary Public

Notary Public for the state of ND  
Residing at Watford City  
My Commission Expires 8/29/26

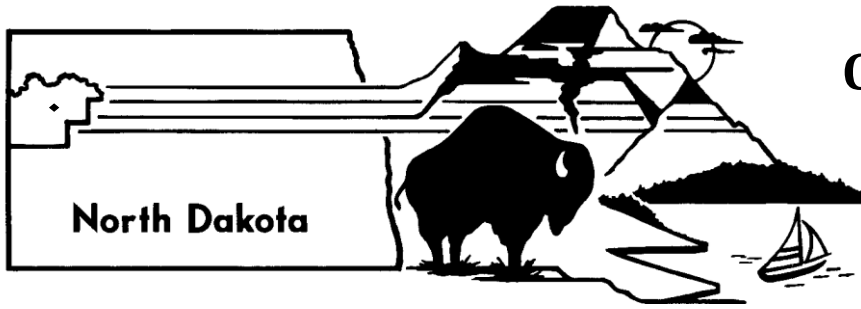
(NOTARIAL SEAL)  
**JACOB WALTERS**  
Notary Public  
State of North Dakota  
My Commission Expires Aug. 29, 2026

3.

# Land Use Application

## *Conditional Use Permit*

Daycare Facility: Group or Center License in C-B Zoning District



## City of Watford City

213 2<sup>nd</sup> St. NE / PO Box 494  
Watford City, ND 58854  
Ph. 701-444-2533  
Fax 701-444-3004  
*Celebrating 100 Years - 2014*  
cityofwatfordcity.com

July 18, 2023

### **STAFF REPORT**

### **Conditional Use Permit: New Application – Daycare Facility: Group or Center License**

#### **APPLICANT:**

Language Explorers Academy LLC  
104 Prospect St. Suite 113  
Watford City, ND 58854

#### **PROPERTY OWNERS:**

Bakken Village LLC  
PO Box 22553  
Louisville, Kentucky 40252

#### **PROPERTY LOCATION:**

104 Prospect St. Suite 113 – The Crossings (PID 82-23-03200)

#### **REQUEST:**

The application has been submitted to consider a daycare facility: group or center license within a C-B (Central Business District) zoned parcel.

#### **ZONING:**

C-B (Central Business District)

#### **CURRENT USE:**

Vacant commercial tenant space

#### **REFERENCES:**

Watford City Municipal Code of Ordinances Chapter XV Zoning Ordinances, Article XVIII- Central Business District, Section 3 - Conditional Uses: 3. Daycare facilities; Group or Center license.



Watford City Municipal Code of Ordinances Chapter XV Zoning Ordinances, Article XXV, Conditional Uses, Section 1 - Requirements for Conditional Uses

*A conditional Use Permit may be granted following compliance with the procedure set forth in this section if the conditional use is one set forth in the District Regulations, provided that no application for a conditional use shall be granted unless all of the following conditions are found to be present:*

- 1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare;*
- 2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;*
- 3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;*
- 4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;*
- 5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and*
- 6. The conditional use shall conform to all special provisions of the district in which it is located. The Conditional Use Permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental affects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.*

**SITE DEVELOPMENT:**

Access: The property is accessible from Prospect St NE.

Sewer: The property has access to City sanitary sewer service.

Water: The property has access to City water service.

**SURROUNDING LAND USE:**

North: Zoning – C-B (Central Business District)  
Use - undeveloped

East: Zoning – C-1 (General Commercial District)  
Use – commercial office building

South: Zoning – C-1 (General Commercial District)  
Use – undeveloped

West: Zoning – C-B (Central Business District)  
Use - Conoco Phillips

**DISCUSSION:**

The C-B Zoning District dictates that larger daycare facilities, like the licensed center proposed, requires a conditional use permit to operate. The applicants are in the process of obtaining at-risk permits to renovate the space to bring it into compliance for use as a daycare facility.

City staff is confident that any increase in vehicle and foot traffic, parking requirements, future state-required playground areas, or similar can be addressed. Building ownership is in favor of the CUP and the applicants having been working closely with Building and Planning personnel throughout the tenant improvement process.

**RECOMMENDATION:**

It is the recommendation of City Planning Department staff to **APPROVE** the Land Use Application for Conditional Use Permit for Home Occupation.

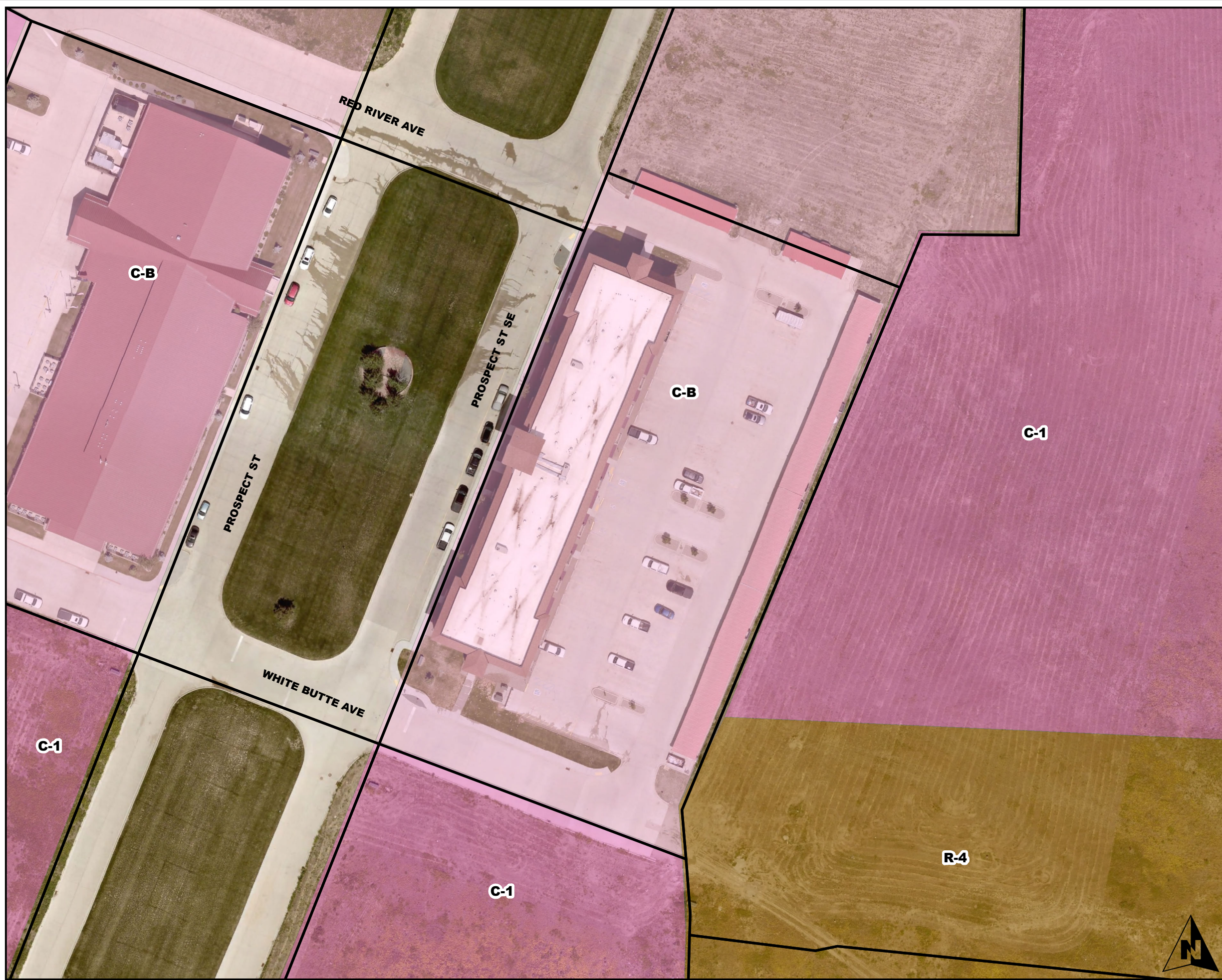
Approval will be contingent upon the following items:

1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare of community.
2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;
3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;
5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets;
6. The conditional use shall conform to all special provisions of the district in which it is located;
7. The Conditional Use Permit shall be approved, with no fixed review period(s), unless any of the following were to occur:
  - a. staff receives a substantive complaint about the business from a surrounding property owner;
  - b. there is a significant change in intensity of the business traffic generated;
  - c. change in ownership or licensure of the daycare occurs; or
  - d. staff determines review is required due to changes in ordinance(s) or applicable standards.

**PLANNING DEPARTMENT STAFF CONTACTS:**

Jake Walters  
jwalters@nd.gov  
(701) 444-8402

Kayla Grace  
kagrace@nd.gov  
(701) 444-8406



**Legend**

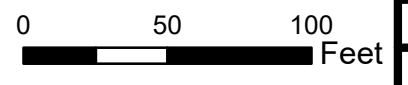
- General Parcel
- Existing Zoning**
- C-1
- C-B
- R-4

FOR INFORMATIONAL  
PURPOSES ONLY

# Planning Department - GIS

Watford City, North Dakota

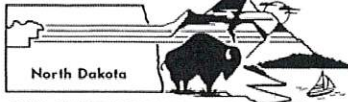
Existing Zoning  
Exhibit



DRAFTED  
Jake Walters  
DATE  
7/24/2023



Note: Any reliance upon this map is at user's own risk. Watford City does not warrant the map or its features are either spatially or temporally accurate or fit for a particular use.



THE CITY OF WATFORD CITY  
213 2<sup>ND</sup> ST NE / PO BOX 494  
WATFORD CITY, NORTH DAKOTA

## LAND USE APPLICATION CONDITIONAL USE PERMIT

### REQUIREMENTS

APPLICATION FEE: \$525.00

All applications must be legible, printed in ink or typed, and suitable for reproduction. Applications may be submitted electronically, however, the original application with original signatures must also be submitted. A Conditional Use Permit Application may be submitted in order to consider a particular use of property not permitted as a use by right within the property's current zoning district. A Conditional Use Permit may be granted for the property and not to a particular person or firm. Along with this application, please submit the following: N.D. Professionally Engineered/ Surveyed Site Development Plan of the property in both .PDF format and 11"x17" size paper for review, and a brief justification letter explaining the request for Conditional Use Permit. For specific details, please refer to the City of Watford City Municipal Code of Ordinances: **CHAPTER XV ARTICLE XXV: CONDITIONAL USES, SECTION 1-6.**

### PROPERTY OWNER INFORMATION

OWNER NAME(S): Bakken Village LLC	PHONE NUMBER:	EMAIL:
MAILING ADDRESS: PO Box 22553 Louisville, Kentucky 40252		

### APPLICANT INFORMATION

Same as Owner

APPLICANT NAME: Language Explorers Academy LLC	PHONE NUMBER: 970-388-4719	EMAIL: lea.wend@gmail.com
MAILING ADDRESS: 104 Prospect St. Suite 113 Watford City, ND 58854		

### DEVELOPER INFORMATION

DEVELOPER NAME:	PHONE NUMBER:	EMAIL:
MAILING ADDRESS:		

### PROPERTY INFORMATION

PROPERTY ADDRESS: 104 Prospect St. Suite 113	ZONING DISTRICT: C-B
PARCEL NUMBER(s): 82-23-03200	LEGAL DESCRIPTION: (SECTION, TOWNSHIP, RANGE)
CURRENT USE OF PROPERTY: Vacant commercial space	PROPOSED USE OF PROPERTY: childcare facility group/center

### DESCRIPTION

Please give a brief description of the proposed Conditional Use.

CUP for childcare facility within the C-B district

### APPLICANT SIGNATURE: (IF DIFFERENT THAN OWNER)

As the applicant, I certify that all City Ordinances will be complied with and that the information given within this application as well as the plans submitted are in all respects true and correct to the best of my knowledge and belief.

APPLICANT SIGNATURE: 	DATE: 7, 24, 2023
APPLICANT PRINT NAME: Patricia Thomack	APPLICANT TITLE: CO-OWNER

**PROPERTY OWNER(S) AFFIDAVIT**

I/We, the undersigned, swear that I am / we are, the owner(s) and/or Mortgage holders of the property described within this application. I/We will make provisions to ensure compliance with the disclosure and recording requirements of McKenzie County and the City of Watford City. I/We certify that all information contained within this application are in all respects true and correct to the best of my/our knowledge and belief. I/We also hereby authorize City of Watford City Staff and/or its designee to access my property or premise for the purpose of gathering and verifying information in relation to this application and submitted plans.

PROPERTY OWNER SIGNATURE:  
Vicki A. Smith

DATE:  
07 / 11 / 2023

PROPERTY OWNER SIGNATURE:  
\_\_\_\_\_

DATE:  
\_\_\_\_/\_\_\_\_/\_\_\_\_

**PROPERTY OWNER NOTARY**

On this 11 day of July, 2023 before me, the undersigned, a notary public for the state of North Dakota, personally appeared, Vicki A. Smith known to me to be the person(s) who executed the certificate in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first written above.

[Signature]  
\_\_\_\_\_  
Notary Public

(NOTARIAL SEAL)

Notary Public for the state of North Dakota  
Residing at Watford City, ND  
My Commission Expires 8/29/26

JACOB WALTERS  
Notary Public  
State of North Dakota  
My Commission Expires Aug. 29, 2026

**▼ OFFICE USE ONLY ▼**

- .PDF & LEDGER SIZE REVIEW COPY OF SITE PLAN
- VICINITY MAP
- LEGAL DESCRIPTION
- JUSTIFICATION LETTER
- ORIGINAL SURVEYOR STAMP & SIGNATURE ON PLAN

**LEGAL NOTICE DATES:**

\_\_\_\_/\_\_\_\_/\_\_\_\_  
\_\_\_\_/\_\_\_\_/\_\_\_\_

**MEETING DATES:**

PLANNING COMMISSION: \_\_\_\_/\_\_\_\_/\_\_\_\_

CITY COUNCIL: \_\_\_\_/\_\_\_\_/\_\_\_\_

MAILED ADJACENT PROPERTY OWNER NOTICES

**INVOICE:**

INVOICE NUMBER: \_\_\_\_\_

DATE CREATED: \_\_\_\_/\_\_\_\_/\_\_\_\_ BY: \_\_\_\_\_

**PAYMENT: \$525.00**

DATE RECEIVED: \_\_\_\_/\_\_\_\_/\_\_\_\_ AMOUNT: \$ \_\_\_\_\_

CARD  CASH  CHECK # \_\_\_\_\_

# Permit Records

*June-July*

5544	FENCE	6/22/2023	Sarah and Ray Billing	Armando Laas	104 6th St NE	Lot 3, Blk 3	Wold's Addition to Watford City	82-77-01800	4ft high fence in backyard from welded wire and round posts	\$ -	\$ 25.00	5820		
5545	FENCE	6/22/2023	Charlotte Willis	Fencing Constuction Great Wall LLC	909 11th St SW	NA	IT 2064	11-00-09825	6' black, chainlink fence	\$ -	\$ 25.00	5821		
5546	FENCE	6/23/2023	Jacob Bates	Self	1116 Tara Ln SW	Lot 49, Blk 2	Tara Estates	82-64-02049	6' wood fence	\$ -	\$ 25.00	5822		
5547	RESIDENTIAL BUILDING	6/23/2023	Chad Garmann	Self	2893 Hwy 1806 W		Pleasant Acres	20-00-07325	19x21 concrete pad & storage building	\$ 10,000.00	\$ 88.50	5823		
5548	FENCE	6/26/2023	Raymond Jr and Billie Jo Morken	KD Custom	1039 2nd Ave SE, 1041 2nd A SE, 1043 2nd Ave SE	Lot 18-20, Blk 2	2nd Addition-Cherry Creek to Watford City	82-20-21800, 82-20-21900, 82-20-22000	3ft & 6ft fence	\$ -	\$ 25.00	5824		
5549	SIGN	6/27/2023	Watford Center, LLC	Mid-State Signs, LLC	222 11th Ave SW		unplatted Watford City	82-73-09300	5' x 10' Alumacor non-lit sign with applied vinyl print and overlaminiate	\$ -	\$ 100.00	5825		
5550	RESIDENTIAL BUILDING	6/27/2023	Joanne Garmann	Williston Roofing Company, LLC	1111 11th Ave SW	Lot 2, Blk 0	Garmann Subdivision	11-24-00200	reroof	\$ 25,000.00	\$ 193.50	5826		
5551	RESIDENTIAL BUILDING	6/27/2023	Brad Cluchi	Williston Roofing Company, LLC	217 3rd St NW	Lot 2, Blk 0	1st Addition, Watford	82-02-00800	reroof	\$ 6,000.00	\$ 60.50	5826		
5552	COMMERCIAL BUILDING	6/28/2023	Ryan Hansen	N/A	601 Main St S		unplatted Watford City	82-73-16050	adding 1 hour rated fire door, closing in hallway with wall, 3 lit exit signs, 1 CO2 detector	\$ 1,500.00	\$ 38.50	5827		
5553	FENCE	6/29/2023	Tanner Henderson	Fencing Constuction Great Wall LLC	2005 Granite Rd	Lot 39, Blk 1	Stepping Stone	83-25-13900	wooden post with black welded metal fabric and 2 gates from corner of house on both sides around backyard	\$ -	\$ 25.00	5828		
5554	FENCE	6/29/2023	Charles Winder	Fencing Constuction Great Wall LLC	2621 Terrace View Dr	Lot 2, Blk -	Buffalo Hills First Addition	20-04-00200	chain link fence 5ft from back of house to backyard with walk in gate	\$ -	\$ 25.00	5829		
5555	RESIDENTIAL BUILDING	7/7/2023	Noel Kutil	Self	1124 Tara Ln SW	Lot 48, Blk 2	Tara Estates	82-64-02048	21X20X10 deck, 6' off the ground, I-shaped	\$ 7,000.00	\$ 67.50	5834		
5556	COMMERCIAL BUILDING	in review	WCA Enterprises LLC (Gregory Almquist)	Almquist Welding & Feb	1420 11th Ave SE				extending existing shop by 20' on west and east sides for total square footage of 62,400	\$ 225,000.00	\$ 1,279.25	5835		
5557	RESIDENTIAL BUILDING	7/11/2023	Miles Wollan	Steve Dube Construction	700 Park Ave E	Lot 3, Blk 1	5th Addition-Wolds to Watford City	82-82-00300	reroof house & garage	\$ 23,475.00	\$ 182.83	5836		
5558	COMMERCIAL BUILDING	in review	Bakken Village LLC		104 Prospect St Suite 113	Lot 9, Blk 1	The Crossings	82-23-03200		\$ 25,000.00	\$ 270.90	5837		
5559	RESIDENTIAL BUILDING	7/11/2023	Jared & Karlee Bailey	The Woodshop	1213 10th St SW	Lot 4, Blk 1	Terrace Subdivision in Ideal TWP	11-20-00200	new 40x56 garage	\$ 110,000.00	\$ 540.00	5838		
5560	CONSTRUCT/REPAIR	7/14/2023	Gene Becker	Self	612 3rd Ave SW		IT 1708	82-73-15070	changing access and installing a 18" culvert	\$ 2,000.00	\$ 32.50	5839		
5561	WATER SEWER ACCESS	7/14/2023	Colby 2022, LLC - Tyler Oliver	Copeland Development & Construction	504 Main St S		2nd Annexation 150-98 WC	82-15-23000	new 1" poly CL 200 WS line with live tap		\$ 925.94	5840		
5562	COMMERCIAL BUILDING	7/18/2023	Watford City Assembly of God	Tecta America Dakotas	2117 Main St S		unplatted Watford City	11-00-10900	remove existing roof. All one later 1/2" insulation & 60 mil EPDM roof system and new metal fascia	\$ 55,635.00	\$ 477.58	5841		
5563	CONSTRUCT/REPAIR	7/19/2023	Ed Schilke	J&DG Concrete LLC	304 7th St NE	Lot 3, Blk 4	1st Addition-Wolds	82-78-02200	Fix gutter and driveway apron	\$ 10,200.00	\$ 89.90	5842		

2022	
Month	# of Permits Issued
January	7
February	9
March	14
April	33
May	29
June	42
July	23
August	37
September	24
October	30
November	13
December	6
<b>2022 TOTAL</b>	<b>267</b>

2022	
Month	Value
January	\$ 379,000.00
February	\$ 42,500.00
March	\$ 505,002.10
April	\$ 1,912,410.00
May	\$ 199,639.62
June	\$ 746,840.00
July	\$ 607,158.74
August	\$ 604,697.89
September	\$ 260,173.25
October	\$ 2,871,987.42
November	\$ 927,538.60
December	\$ 1,038,802.55
<b>2022 TOTAL</b>	<b>\$ 10,095,750.17</b>

2022 Residential Permits			
Type	# of Units	# of Buildings	Value
Single Family Home	6	6	\$ 2,292,630.00
Duplex	4	2	\$ 608,000.00
Apartment 3-4 Units	0	0	\$ -
Apartment 5+ Units	0	0	\$ -
<b>2022 TOTAL</b>	<b>10</b>	<b>8</b>	<b>\$ 2,900,630.00</b>

2023		
Month	# of Permits Issued	Comparison
January	16	229%
February	8	89%
March	18	129%
April	14	42%
May	34	117%
June	26	62%
July	19	83%
August		
September		
October		
November		
December		
<b>2023 YTD</b>	<b>135</b>	<b>51%</b>

2023		
Month	Value	Comparison
January	\$ 491,582.95	130%
February	\$ 11,338,344.00	26678%
March	\$ 14,254,248.00	2823%
April	\$ 249,348.22	13%
May	\$ 385,659.00	193%
June	\$ 195,460.00	26%
July	\$ 500,810.00	82%
August		
September		
October		
November		
December		
<b>2023 YTD</b>	<b>\$ 27,415,452.17</b>	<b>272%</b>

2023 Residential Permits				
Type	# of Units	# of Buildings	Value	Comparison
Single Family Home	0	0	0	0%
Duplex	0	0	0	0%
Apartment 3-4 Units	0	0	0	0%
Apartment 5+ Units	0	0	0	0%
<b>2023 TOTAL YTD</b>	<b>0</b>	<b>0</b>	<b>\$ -</b>	<b>0%</b>