

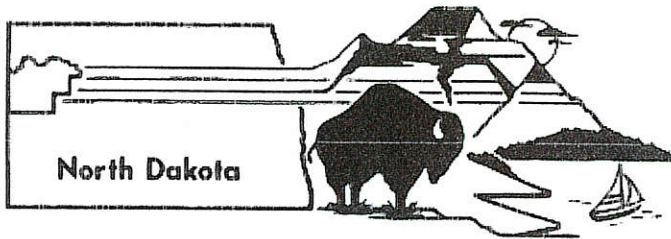
6.

Conditional Use Permit Application

Submitted by Brent Kabat of Buell Consulting, Inc.

On behalf of Verizon Wireless

1809 Main St S



LAND USE APPLICATION

City of Watford City Planning Department

GRAY AREA FOR STAFF USE ONLY

ZONE CHANGE	STAFF: MN	P&Z: 4-27-15 CC: 5-4-15
CONDITIONAL USE	FEE: \$525	ADVERTISE DATE: 4-15 + 4-22
VARIANCE	RECEIPT #:	PROPERTY OWNERS NOTIFIED:
STREET NAME	SECTION/TOWNSHIP/RANGE:	

FINAL ACTION MEMORANDUM MAILED:

DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Patrick G. and Sally M. Golberg

APPLICANT: Verizon Wireless, by Brent Kabat, Buell Consulting, Inc. on behalf of Verizon Wireless

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Buell Consulting, Inc. ATTN: Brent Kabat

ADDRESS: 1360 Energy Park Drive, Suite 210

CITY: Saint Paul STATE: MN ZIP CODE: 55108

TELEPHONE: (651) 789-8705 EMAIL: bkabat@buellconsulting.com

ASSESSOR'S PARCEL NUMBER(S): 11-00-10670

LEGAL DESCRIPTION: Please refer to enclosed Warranty Deed for complete legal description.

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 1809 Main St. South, Watford City, ND 58854

GROSS/NET ACREAGE: 45.97 Acres PRESENT ZONE CLASSIFICATION: Agricultural

DESIRED ZONE CLASSIFICATION: N/A CURRENT LAST USE: N/A

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS (USE ADDITIONAL PAGES IF NEEDED)

The applicant requests a Conditional Use Permit for a wireless telecommunications transmission facility. The proposed facility will include an 80' tall monopole communications tower and an equipment shelter (measuring 29' 5-1/2" L x 11'6" W x (approx) 10' T) adjacent to the base of the tower. The facility will also include a temporary "small cell on wheels" (SCOW) trailer which will provide temporary wireless communications service and shall be operational until the construction of the 80' monopole is complete and its antennas are operational and on-the-air. At the time the construction of the monopole is complete and its antennas are on-the-air, the SCOW will be removed from the subject property. Please refer to the enclosed justification letter/zoning narrative and construction drawings for more detailed information.

DESCRIBE THE SOURCE OF WATER/SEWER: N/A

Do you have a will serve letter YES NO

LAND USE APPLICATION pg. 2

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the *Watford City Planning Department and its designee*, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

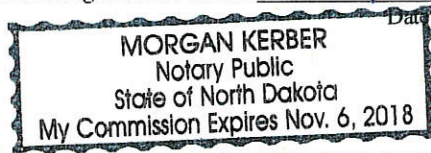
Patrick S. Solberg
Property Owner Signature

Patrick G. Golberg
Print of Type Owner Name

NOTARY

State of North Dakota
County of Mckenzie

This instrument was acknowledged before me on 04/06/2015 by Patrick G Golberg
Date Name of Person

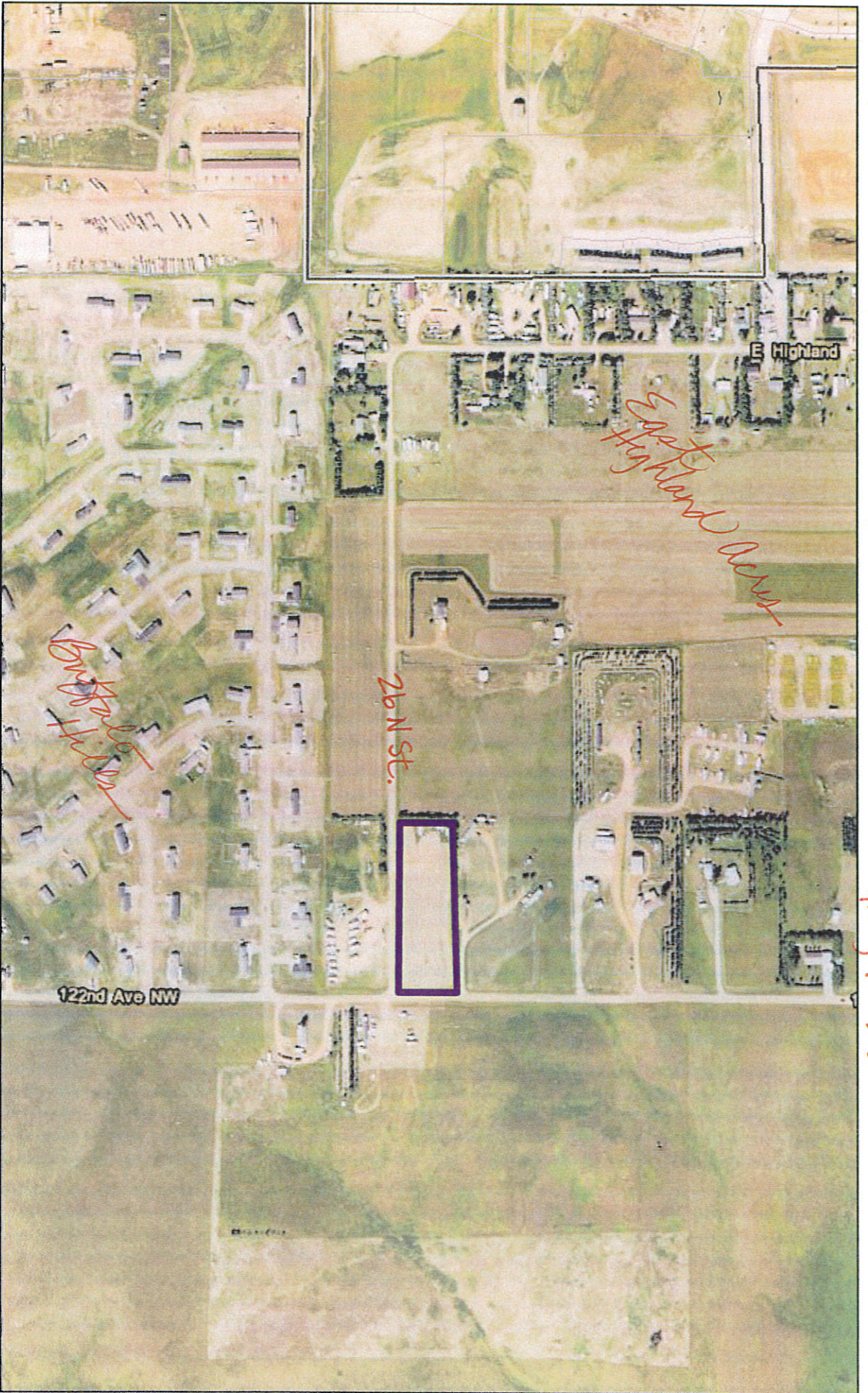


Morgan Kerber
Signature of Notarial Officer

Required Documents for Land Use Application

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	*.pdf/*.dwg	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	1	1 ⁹	1 ⁸	1 ¹¹	1 ¹²	1	1 ¹⁴	\$525 + publishing costs
Zone Change	1	1	1	1 ⁹	1 ⁸	1 ¹¹	1 ¹²	1	1 ¹⁴	\$300
Variance	1	1	1		1 ⁸	1 ¹¹		1		\$300
Street Name Change*	1	1	1			1 ¹¹		1		Refer to Fee Schedule

- ❖ Site Development Plan Application is required on all Conditional Use Applications.
- ❖ Only completed applications shall be accepted for filing.
- ❖ Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS HIGHLY SUGGESTED, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- ❖ Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- ❖ A letter indicating Watford City City Council's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- ❖ Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30th calendar day.
- ❖ The Planning Commission and City Council has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.



HWY NO 23

April 20, 2015

World Transportation

Extra-Territorial Area (ETA)

Parcels Data from McKenzie County

Place Names

Lot Lines

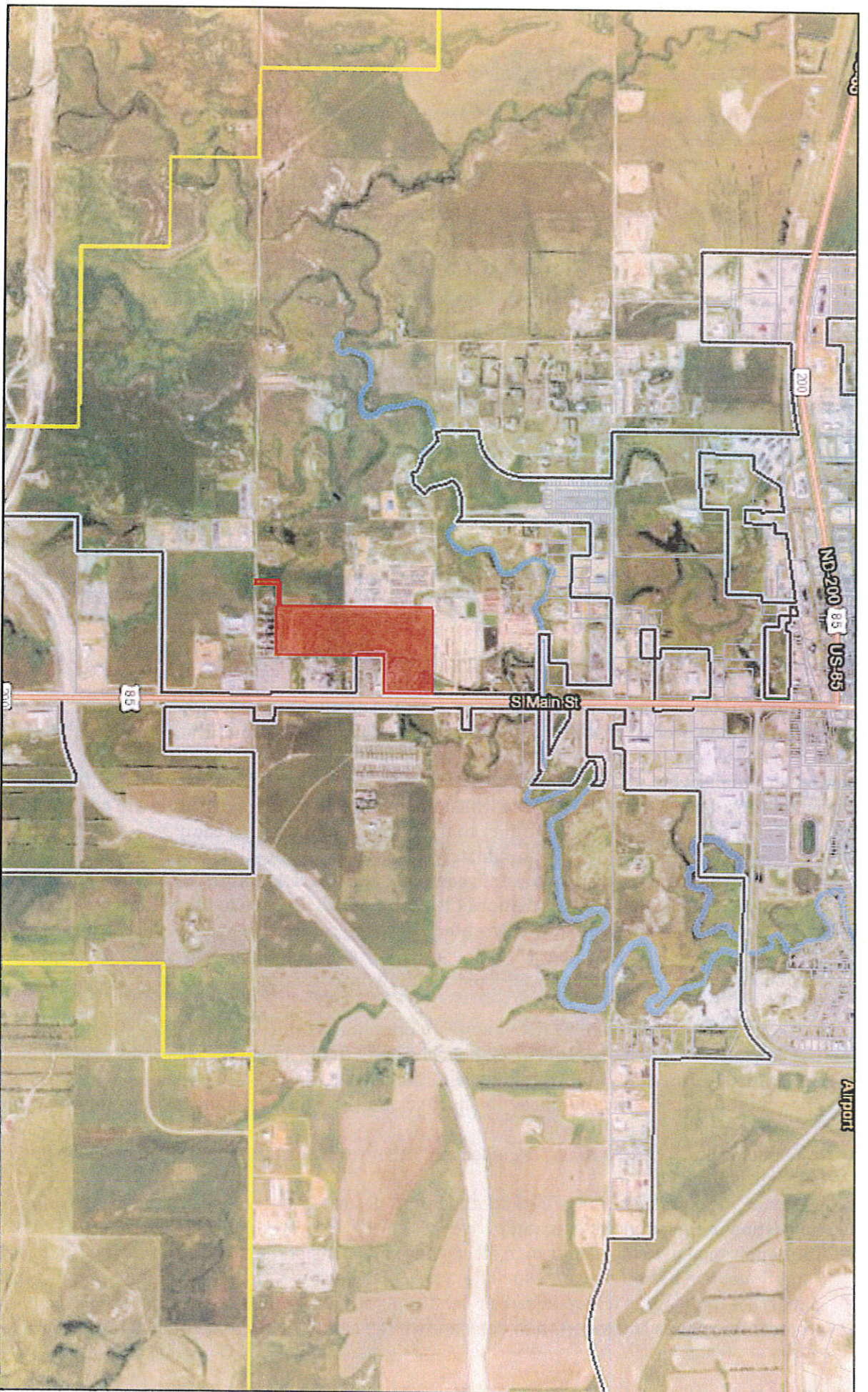
City Limits

Cherry Creek



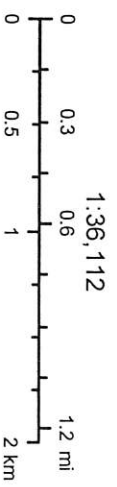
GIS: Wafford City, AE2S
Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors

Conditional Use Permit: Verizon Wireless

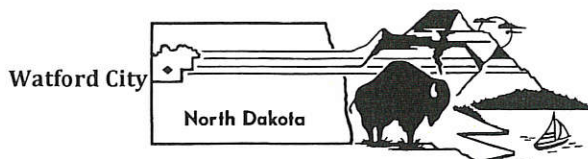


April 15, 2015

- World Transportation
- Watford City Limits
- Lot Lines
- Cherry Creek
- Exterritorial Area (ETA)
- Parcels Data from McKenzie County



GIS, Watford City, AE2S
Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap



City of Watford City

213 2nd St. NE / PO Box 494
Watford City, ND 58854
Ph. 701-444-2533
Fax 701-444-3004
Celebrating 100 Years - 2014
watford.mckenziecounty.net

April 20, 2015

STAFF REPORT CU-02-2015

Conditional Use

Applicant

Verizon Wireless
Buell Consulting, INC.
1360 Energy Park Drive, Suite 210
Saint Paul, MN 55108

Property Owner

Patrick & Sally Golberg

Property Address: 1809 Main St. South, 45.97 acres, Parcel # 11-00-10670

Conditional Use Requested: Transmission facility/tower on AG zoned land.

Zone: 45.97 acres zoned AG.

Reference: Watford City City Code Sec. XV – Article IX, AG Agriculture District, Conditional Uses

Discussion: The applicant and property owner filed an application for a conditional use permit on AG Agriculture zoned property. Application is for 80' tall monopole communications tower with an equipment shelter to house base station equipment adjacent to the base of the tower. Prior to construction of the monopole and placement of equipment shelter as temporary "small Cell on Wheels" SCOW trailer will be placed on site adjacent to the land space which the monopole tower and shelter will later be located. The SCOW facility consist of an enclosed trailer that house communications equipment and three antenna booms extending to the height of approximately 15-20" above ground. The temporary trailer will remain in use until construction of monopole tower is complete and operational.

Article XXV, Section 1 of the Watford City Zoning Ordinance reads as follows regarding 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.

The City of Watford City mailed the adjoining property owners a notice regarding the application. None of the noticed property owners contacted the city.

In granting a conditional use, the Planning Commission must satisfy itself from the evidence heard before it that the granting of the conditional use will not: adversely affect the health, safety, and welfare of the public; detract from the neighborhood; adversely affect future development; or cause traffic congestion. The Planning Commission may impose requirements upon the applicant to ensure that the proposed Conditional Use does not create a nuisance, is harmonious with adjacent development, and does not detract from property values. A Conditional Use Permit is only valid so long as the approved use is operated per the terms of the permit, i.e., if the use were changed from Temporary Workforce Housing to Manufacturing Operation, the permit would no longer be valid. A Conditional Use Permit should be specific as to: days/hours of operation, storage of appurtenant equipment, and provisions for parking, loading, and site improvements, and the type(s) of business(es) that can be operated under the terms of the permit. The Conditional Use Permit should be specific as to length of term. A Conditional Use Permit should be reviewed annually. After the use is established, the term of renewal can be increased or decreased as deemed appropriate.

Surrounding Land Use Inventory:

West: Zoning -	AG, McKenzie County
Use -	Single Wide Housing development, permitted by County.
South: Zoning -	AG, McKenzie County
Use -	Farm/Residence
North: Zoning -	AG, McKenzie County
Uses -	Trailer Park/Single Wide Housing, permitted by County
East: Zoning -	AG & C1, McKenzie County
Uses -	Mobile Home Park and limited Commercial zoned property

Site Development:

Access:	The property is accessible off Hwy 85 South then private drive to site
Sewer:	There are no existing city sanitary sewer mains within the property.
Water:	There are no existing city water mains within the property.
Analysis:	The proposed conditional use permit will allow the applicant to place a transmission facility for Verizon Wireless providing temporary service while construction of permanent facility with 80' monopole communication tower and equipment shelter are constructed. Site surface will be covered with Class 5 gravel, tower will be protected by six (6) foot chain link fence topped with three (3) strands of barbed wired for a total height of seven (7) feet. Traffic to site will be minimal, monthly visited for routine maintenance.

Recommendation:

The proposed CUP application is an acceptable conditional use of AG Agriculture. Application received with detailed site plan. **The conditional use permit is to be reviewed every 6 months and site inspections as city officials deem necessary for compliance.**

Staff recommends **approval** of the conditional use subject to the following conditions:

1. Review and Approval of submitted Site Development Plan by Planning & Engineering Dept.
2. Conditional Use Permit shall be for a term of one year and reviewed every 6 months thereafter.

Contact:

Mildred Williams, Assistant City Planner miwilliams@nd.gov



Buell Consulting, Inc.
1360 Energy Park Drive, Suite 210
Saint Paul, Minnesota 55108
(651) 361-8110
www.buellconsulting.com

Site Acquisition
Permitting
Established 1991

April 6, 2015

(via FedEx)

Mr. Curtis Moen, City Planner,
Mr. Seth Sampson, Assistant City Planner
Watford City Planning and Zoning Department
City of Watford City
213 2nd St. NE
Watford City, ND 58854

RE: Application for Conditional Use Permit – Wireless Telecommunications Transmission Facility
(Verizon Site Reference “ND04 Clampetts”)

Dear Mr. Moen and Mr. Sampson,

Please accept this letter and the enclosed materials as the formal Conditional Use Permit (CUP) application for a proposed Verizon Wireless telecommunications Transmission Facility in the City of Watford City, North Dakota. The Transmission Facility will be constructed approximately one-quarter of one mile west of South Main Street on the westernmost portion of the property of Mr. and Mrs. Patrick Golberg, at 1809 South Main Street, Watford City, North Dakota, parcel ID #11-00-10670.

The proposed facility is to consist of an 80’ tall monopole communications tower with an equipment shelter to house base station equipment adjacent to the base of the tower. Prior to the construction of the monopole and placement of its associated equipment shelter, a temporary “Small Cell on Wheels” (SCOW) trailer will be placed on site adjacent to the land space on which the monopole tower and equipment shelter will later be located. The SCOW facility consists of an enclosed trailer that houses communications equipment and three antenna booms extending to a height of approximately 15-20’ above ground (please refer to the enclosed “SCOW Example Photo” for a representative example of a temporary SCOW installation). The SCOW will be used as a platform for Verizon to use to temporarily improve its local wireless communications signal, and will remain in use until the construction of the proposed monopole tower is complete and its communications antennas are operational and “on the air.” At the time the construction of the monopole tower is complete and it is ready to use, the SCOW will be removed from the subject property.

In general, the proposed Verizon Wireless communication Transmission Facility adheres to, and is consistent with the Zoning Ordinance (the “Ordinance”) of the City of Watford City, North Dakota. Pursuant to the Ordinance, the proposed Transmission Facility satisfies the Ordinance as follows, and also establishes aspects below which are not required in the Ordinance:



Buell Consulting, Inc.
1360 Energy Park Drive, Suite 210
Saint Paul, Minnesota 55108
(651) 361-8110
www.buellconsulting.com

*Site Acquisition
Permitting
Established 1991*

- The proposed wireless communications Transmission Facility is to be constructed in a Agricultural zoning district, a district in which a Transmission Facility may be allowed as a conditional use.
- The proposed monopole communications tower has been designed to accommodate two additional future users' communications equipment, as exhibited on page T-1 of the enclosed construction drawings. The advantage of the 80' tall tower over a shorter tower is the 80' tower's ability to accommodate the comparable antenna arrays of two additional users at reasonable heights above ground to meet an additional user's needs. The ability of this tower to support additional future communications antennas serves to provide an opportunity for other communications users to collocate their equipment on this tower without the need to construct additional freestanding towers to accommodate those users' needs.
- With reference to the Article XXII – Supplementary Regulations of the Watford City Zoning Ordinance, the proposed tower height of 80' is below the 150' maximum allowable height of other towers and structures within the City.
- Previous concerns expressed by the Watford City City Council towards aesthetics along the main highway corridors entering Watford City have been taken into consideration with respect to this site's location. The proposed tower shall be located approximately one-quarter of one mile west of South Main Street, greatly limiting the tower's visibility as compared to other locations closer to this main thoroughfare.
- The proposed wireless communications tower shall be protected from unauthorized climbing by a six (6) foot tall chain link fence topped with three (3) strands of barbed wire, canted outward, to a total height of seven (7) feet above ground
- The ground surface within and immediately surrounding the fenced in area of the proposed wireless communications facility shall be constructed of or covered with Class 5 Gravel, and the facility shall be maintained to ensure a neat and orderly appearance. The site will not require the addition of a new road approach or driveway into the subject property; rather, it will be placed along the east side of the owner's existing private gravel drive that extends southwards along the west side of the parent property.
- After construction of the proposed wireless communications facility is complete, the overall volume of traffic specific to the facility will be limited to approximately one or two vehicles per month for routine maintenance; as such, a Traffic Impact Analysis has not been included.
- For any additional information that may be required as pursuant to the application for a Conditional Use Permit for a wireless communications Transmission Facility, please refer to the enclosed Watford City, North Dakota Land Use Application, Site Development Plan



Buell Consulting, Inc.
1360 Energy Park Drive, Suite 210
Saint Paul, Minnesota 55108
(651) 361-8110
www.buellconsulting.com

*Site Acquisition
Permitting
Established 1991*

Application, Construction Drawings, FEMA Elevation Certificate, SCOW Example Photo, and Warranty Deed for ownership information and a complete legal description of the subject property.

On behalf of the applicant, Verizon Wireless, Brent Kabat respectfully requests that the City of Watford City approve this request for a Conditional Use Permit.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Brent Kabat', with a long horizontal flourish extending to the right.

Brent Kabat
Site Development Agent
Buell Consulting, Inc., *on behalf of Verizon Wireless*

(Enclosures)

April 6, 2015

Verizon Site Reference "ND04 Clampetts" – Small Cell on Wheels (SCOW) Example Photo



Temporary "Small Cell on Wheels" (SCOW) Trailer

(Actual SCOW to be utilized may vary slightly from photograph example; the above photo is for representative purposes only)

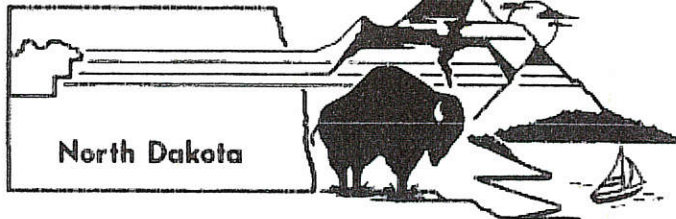
7.

Conditional Use Permit Application

Submitted by Brent Kabat of Buell Consulting, Inc.

On behalf of Verizon Wireless

12209 26 N St



LAND USE APPLICATION

City of Watford City Planning Department

GRAY AREA FOR STAFF USE ONLY

ZONE CHANGE	STAFF: MW	P&Z: 4-27-15 CC: 5-4-15
CONDITIONAL USE	FEE: \$575.00	ADVERTISE DATE: 4-15 & 4-22-15
VARIANCE	RECEIPT #:	PROPERTY OWNERS NOTIFIED:
STREET NAME	SECTION/TOWNSHIP/RANGE:	

FINAL ACTION MEMORANDUM MAILED:

DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Mark Bruckelmeyer, James Beld, and Doug Wendling (D/B/A "DMJ, LLC")

APPLICANT: Verizon Wireless, by Brent Kabat, Buell Consulting, Inc. on behalf of Verizon Wireless

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Buell Consulting, Inc. ATTN: Brent Kabat

ADDRESS: 1360 Energy Park Drive, Suite 210

CITY: Saint Paul **STATE:** MN **ZIP CODE:** 55108

TELEPHONE: (651) 789-8705 **EMAIL:** bkabat@buellconsulting.com

ASSESSOR'S PARCEL NUMBER(S): 20-00-15620

LEGAL DESCRIPTION: Please see enclosed Warranty Deed for complete legal description.

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 12209 26 N St. NW, Watford City, ND 58854

GROSS/NET ACREAGE: 3.0 acres **PRESENT ZONE CLASSIFICATION:** Commercial

DESIRED ZONE CLASSIFICATION: N/A **CURRENT LAST USE:** N/A

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS (USE ADDITIONAL PAGES IF NEEDED)

The applicant requests a Conditional Use Permit for a wireless telecommunications transmission facility. The proposed facility will include an 80' tall monopole communications tower and an equipment shelter (measuring 29' 5-1/2" L x 11'6" W x (approx) 10' T) adjacent to the base of the tower. The facility will also include a temporary "small cell on wheels" (SCOW) trailer which will provide temporary wireless communications service and shall be operational until the construction of the 80' monopole is complete and its antennas are operational and on-the-air. At the time the construction of the monopole is complete and its antennas are on-the-air, the SCOW will be removed from the subject property. Please refer to the enclosed justification letter/zoning narrative and construction drawings for more detailed information.

DESCRIBE THE SOURCE OF WATER/SEWER: N/A

Do you have a will serve letter YES NO

LAND USE APPLICATION pg. 2

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the *Watford City Planning Department and its designee*, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

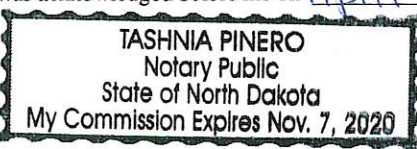
Mark Bruckelmyer
Property Owner Signature

MARK BRUCKELMYER
Print of Type Owner Name

NOTARY

State of NORTH DAKOTA
County of McKenzie

This instrument was acknowledged before me on April 7, 2015 by Mark Bruckelmyer
Date Name of Person



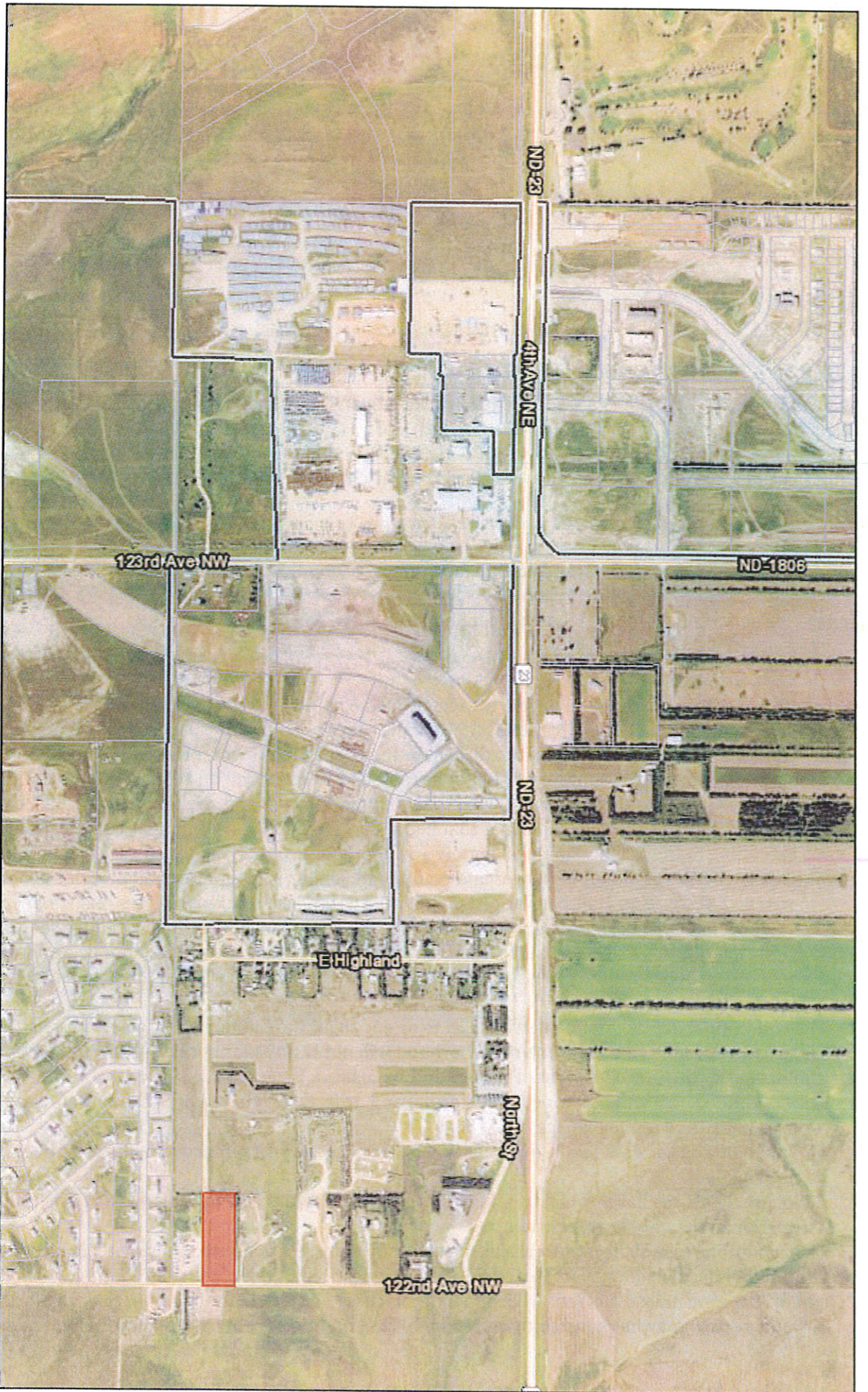
Tashnia Pinero
Signature of Notarial Officer

Required Documents for Land Use Application

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	*.pdf/*.dwg	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	1	1 ⁹	1 ⁸	1 ¹¹	1 ¹²	1	1 ¹⁴	\$525 + publishing costs
Zone Change	1	1	1	1 ⁹	1 ⁸	1 ¹¹	1 ¹²	1	1 ¹⁴	\$300
Variance	1	1	1		1 ⁸	1 ¹¹		1		\$300
Street Name Change*	1	1	1			1 ¹¹		1		Refer to Fee Schedule

- ❖ Site Development Plan Application is required on all Conditional Use Applications.
- ❖ Only completed applications shall be accepted for filing.
- ❖ Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS HIGHLY SUGGESTED, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- ❖ Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- ❖ A letter indicating Watford City City Council's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- ❖ Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30th calendar day.
- ❖ The Planning Commission and City Council has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.

Conditional Use Permit: Verizon Wireless



April 15, 2015

World Transportation

Watford City Limits

Ext Territorial Area (ETA)

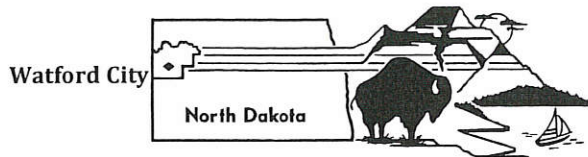
Lot Lines

Cherry Creek

Parcels Data from McKenzie County



GIS, Watford City, AE2S
Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap c



City of Watford City

213 2nd St. NE / PO Box 494

Watford City, ND 58854

Ph. 701-444-2533

Fax 701-444-3004

Celebrating 100 Years - 2014

watford.mckenziecounty.net

April 17, 2015

STAFF REPORT

CU-03-2015

Conditional Use

Applicant

Verizon Wireless

Buell Consulting, INC.

1360 Energy Park Drive, Suite 210

Saint Paul, MN 55108

Property Owner

Mark Bruckelmeyer, James Beld and Doug Wendling

D/B/A DMJ, LLC.

12209 26 N St. NW

Watford City, ND 58854

Property Address: 12209 26 N St. NW, 3.0 acres, Parcel # 20-00-15620

Conditional Use Requested: Transmission facility/tower on AG zoned land.

Zone: 3.0 acres zoned AG, previously in McKenzie County jurisdiction.

Reference: Watford City City Code Sec. XV – Article IX, AG Agriculture District, Conditional Uses

Discussion: The applicant and property owner filed an application for a conditional use permit on AG Agriculture zoned property. Application is for 80' tall monopole communications tower with an equipment shelter to house base station equipment adjacent to the base of the tower. Prior to construction of the monopole and placement of equipment shelter as temporary "small Cell on Wheels" SCOW trailer will be placed on site adjacent to the land space which the monopole tower and shelter will later be located. The SCOW facility consist of an enclosed trailer that house communications equipment and three antenna booms extending to the height of approximately 15-20" above ground. The temporary trailer will remain in use until construction of monopole tower and equipment shelter is complete and operational.

Article XXV, Section 1 of the Watford City Zoning Ordinance reads as follows regarding 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.

The City of Watford City mailed the adjoining property owners a notice regarding the application. None of the noticed property owners contacted the city.

In granting a conditional use, the Planning Commission must satisfy itself from the evidence heard before it that the granting of the conditional use will not: adversely affect the health, safety, and welfare of the public; detract from the neighborhood; adversely affect future development; or cause traffic congestion. The Planning Commission may impose requirements upon the applicant to ensure that the proposed Conditional Use does not create a nuisance, is harmonious with adjacent development, and does not detract from property values. A Conditional Use Permit is only valid so long as the approved use is operated per the terms of the permit, i.e., if the use were changed from Temporary Workforce Housing to Manufacturing Operation, the permit would no longer be valid. A Conditional Use Permit should be specific as to: days/hours of operation, storage of appurtenant equipment, and provisions for parking, loading, and site improvements, and the type(s) of business(es) that can be operated under the terms of the permit. The Conditional Use Permit should be specific as to length of term. A Conditional Use Permit should be reviewed annually. After the use is established, the term of renewal can be increased or decreased as deemed appropriate.

Surrounding Land Use Inventory:

West: Zoning -	AG, McKenzie County
Use -	Farm/Residence
South: Zoning -	AG, McKenzie County
Use -	RV Camp and Buffalo Hills Subdivision
North: Zoning -	AG, McKenzie County
Uses -	Farm/Residence-Single Family Homes
East: Zoning -	AG, McKenzie County
Uses -	Farm/Residence

Site Development:

Access: The property is accessible ND 23 turn south onto 122nd Ave NW site is on corner of 122nd and 26 N St NW.

Sewer: There are no existing city sanitary sewer mains within the property.

Water: There are no existing city water mains within the property.

Analysis: The proposed conditional use permit will allow the applicant to place a transmission facility for Verizon Wireless providing temporary service while construction of permanent facility with 80' monopole communication tower and equipment shelter are constructed. Site surface will be covered with Class 5 gravel, tower will be protected by six (6) foot chain link fence topped with three (3) strands of barbed wired for a total height of seven (7) feet. Traffic to site will be minimal, monthly visited for routine maintenance.

Recommendation:

The proposed CUP application is an acceptable conditional use of AG Agriculture. Application received with detailed site plan. **The conditional use permit is to be reviewed every 6 months and site inspections as city officials deem necessary for compliance.**

Staff recommends **approval** of the conditional use subject to the following conditions:

1. Review and Approval of submitted Site Development Plan by Planning & Engineering Dept.
2. Conditional Use Permit shall be for a term of one year and reviewed every 6 months thereafter.

Contact:

Mildred Williams, Assistant City Planner miwilliams@nd.gov



Buell Consulting, Inc.
1360 Energy Park Drive, Suite 210
Saint Paul, Minnesota 55108
(651) 361-8110
www.buellconsulting.com

Site Acquisition
Permitting
Established 1991

April 6, 2015

(via FedEx)

Mr. Curtis Moen, City Planner,
Mr. Seth Sampson, Assistant City Planner
Watford City Planning and Zoning Department
City of Watford City
213 2nd St. NE
Watford City, ND 58854

RE: Application for Conditional Use Permit – Wireless Telecommunications Transmission Facility
(Verizon Site Reference “ND04 Driver”)

Dear Mr. Moen and Mr. Sampson,

Please accept this letter and the enclosed materials as the formal Conditional Use Permit (CUP) application for a proposed Verizon Wireless telecommunications Transmission Facility in the City of Watford City, North Dakota. The Transmission Facility will be constructed approximately four-tenths of one mile south of Highway 23 on the property of Mark Bruckelmyer, James Beld, and Doug Wendling (d/b/a “DMJ, LLC”) at 12209 26N Street Northwest, Watford City, North Dakota, parcel ID #20-00-1562.

The proposed facility is to consist of an 80’ tall monopole communications tower with an equipment shelter to house base station equipment adjacent to the base of the tower. Prior to the construction of the monopole and placement of its associated equipment shelter, a temporary “Small Cell on Wheels” (SCOW) trailer will be placed on site adjacent to the land space on which the monopole tower and equipment shelter will later be located. The SCOW facility consists of an enclosed trailer that houses communications equipment and three antenna booms extending to an approximate height of 15-20’ above ground (please refer to the enclosed “SCOW Example Photo” for a representative example of a temporary SCOW installation). The SCOW will be used as a platform for Verizon to use to temporarily improve its local wireless communications signal, and will remain in use until the construction of the proposed monopole tower is complete and its communications antennas are operational and “on the air.” At the time the construction of the monopole tower is complete and it is ready to use, the SCOW will be removed from the subject property.

In general, the proposed Verizon Wireless communication Transmission Facility adheres to, and is consistent with the Zoning Ordinance (the “Ordinance”) of the City of Watford City, North Dakota. Pursuant to the Ordinance, the proposed Transmission Facility satisfies the Ordinance as follows, and also establishes aspects below which are not required in the Ordinance:



Buell Consulting, Inc.
1360 Energy Park Drive, Suite 210
Saint Paul, Minnesota 55108
(651) 361-8110
www.buellconsulting.com

*Site Acquisition
Permitting
Established 1991*

- The proposed wireless communications Transmission Facility is to be constructed in a Commercial zoning district, a district in which a Transmission Facility may be allowed as a conditional use.
- The proposed monopole communications tower has been designed to accommodate two additional future users' communications equipment, as exhibited on page T-1 of the enclosed construction drawings. The advantage of the 80' tall tower over a shorter tower is the 80' tower's ability to accommodate the comparable antenna arrays of two additional users at reasonable heights above ground to meet an additional user's needs. The ability of this tower to support additional future communications antennas serves to provide an opportunity for other communications users to collocate their equipment on this tower without the need to construct additional freestanding towers to accommodate those users' needs.
- With reference to the Article XXII – Supplementary Regulations of the Watford City Zoning Ordinance, the proposed tower height of 80' is below the 150' maximum allowable height of other towers and structures within the City.
- Previous concerns expressed by the Watford City City Council towards aesthetics along the main highway corridors entering Watford City have been taken into consideration with respect to this site's location. The proposed tower shall be located greater than four-tenths of one mile south of Highway 23, greatly limiting the tower's visibility as compared to other locations closer to the Highway.
- The proposed wireless communications tower shall be protected from unauthorized climbing by a six (6) foot tall chain link fence topped with three (3) strands of barbed wire, canted outward, to a total height of seven (7) feet above ground
- The ground surface within and immediately surrounding the fenced in area of the proposed wireless communications facility shall be constructed of or covered with Class 5 Gravel, and the facility shall be maintained to ensure a neat and orderly appearance. The site will not require the addition of a new road approach or driveway into the subject property; rather, it will be placed along the east side of the owner's existing private gravel drive that extends southwards along the west side of the parent property.
- After construction of the proposed wireless communications facility is complete, the overall volume of traffic specific to the facility will be limited to approximately one or two vehicles per month for routine maintenance; as such, a Traffic Impact Analysis has not been included.
- A FEMA Elevation Certificate has not been prepared for this location as no FEMA Flood Insurance Rate Map has been prepared that includes the subject property or the surrounding vicinity. The subject property is situated near the top of a ridge that runs from the northwest to the



Buell Consulting, Inc.
1360 Energy Park Drive, Suite 210
Saint Paul, Minnesota 55108
(651) 361-8110
www.buellconsulting.com

*Site Acquisition
Permitting
Established 1991*

southeast with an approximate ground elevation of 2137' above mean sea level and presents a very minimal flood risk.

- For any additional information that may be required as pursuant to the application for a Conditional Use Permit for a wireless communications Transmission Facility, please refer to the enclosed Watford City, North Dakota, Land Use Application, Site Development Plan Application, Construction Drawings, SCOW example phot, and Warranty Deed for ownership information and a complete legal description of the subject property.

On behalf of the applicant, Verizon Wireless, Brent Kabat respectfully requests that the City of Watford City approve this request for a Conditional Use Permit.

Sincerely,

A handwritten signature in blue ink, appearing to read 'B. Kabat', with a stylized flourish extending to the right.

Brent Kabat
Site Development Agent
Buell Consulting, Inc., *on behalf of Verizon Wireless*

(Enclosures)

April 6, 2015

Verizon Site Reference "ND04 Driver" – Small Cell on Wheels (SCOW) Example Photo



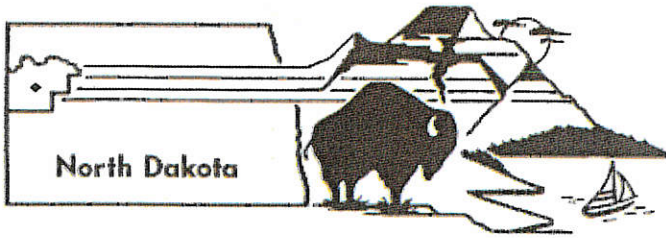
Temporary "Small Cell on Wheels" (SCOW) Trailer

(Actual SCOW to be utilized may vary slightly from photograph example; the above photo is for representative purposes only)

8.

Simple Lot Split Application

Submitted by Adam Berger Development, LLC.
For Diane Gariety & Pamela Scott



Division of Land APPLICATION
City of Watford City Planning Department

GRAY AREA FOR STAFF USE ONLY

Subdivision Preliminary Plat			S/S 12-2015
Subdivision Final Plat		P&Z:	4.27.15
Amend Final Plat	FEE:	CC:	5.4.15
<u>Simple Lot Split</u>	RECEIPT #:	ADVERTISE DATE:	4.15 + 4.22
Other:	SECTION / TOWNSHIP / RANGE:		

FINAL ACTION MEMORANDUM MAILED:

DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Diane Gariety & Pamela Scott
 APPLICANT: Adam Berger Development LLC

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Adam Berger
 ADDRESS: 171 S Ivy Street
 CITY: Denver STATE: CO ZIP CODE: 80224
 TELEPHONE: 720-568-0033 EMAIL: adam@adamberger.com

ASSESSOR'S PARCEL NUMBER(S): _____

LEGAL DESCRIPTION: See Exhibit A attached

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 8th Street NW & 7th Avenue NW

GROSS/NET ACREAGE: 4.995 Gross Acres PRESENT ZONE CLASSIFICATION: Institutional

SOURCE OF Water / Sewer: City of Watford City

WAIVERS OR VARIANCES REQUIRED TO SUPPORT THIS APPLICATION? N/A

If YES, attach a justification letter describing such waivers or variances. Waivers and Variances should be discussed with Planning Department Staff prior to filing any application.

create parent parcel show the child + add cuts.

PROPERTY OWNER

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code, that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Watford City Planning Department and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

[Handwritten Signature]
Property Owner Signature

Diane R. Garity
Print Owner Name

Property Owner Signature

Print Owner Name

NOTARY

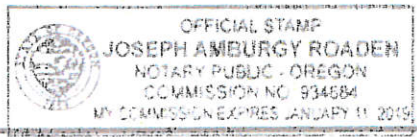
State of OREGON

County of MULTNOMAH

This instrument was acknowledged before me on 4/6/15 Date

by DIANE R. GARTY Name of Person(s)

[Handwritten Signature]
Signature of Notary



SURVEYOR / ENGINEER

Name _____ License _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email _____

PROPERTY OWNER

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Watford City Planning Department and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

Pamela R. Scott
Property Owner Signature

Pamela R. Scott
Print Owner Name

Property Owner Signature

Print Owner Name

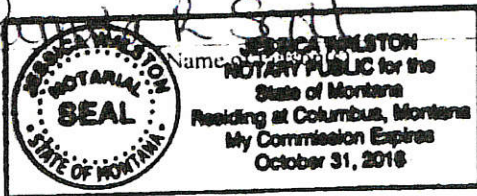
NOTARY

State of Montana

County of Stillwater

This instrument was acknowledged before me on 4/7/15 by Pamela R. Scott
Date Name

Jessica Walston
Signature of Notary



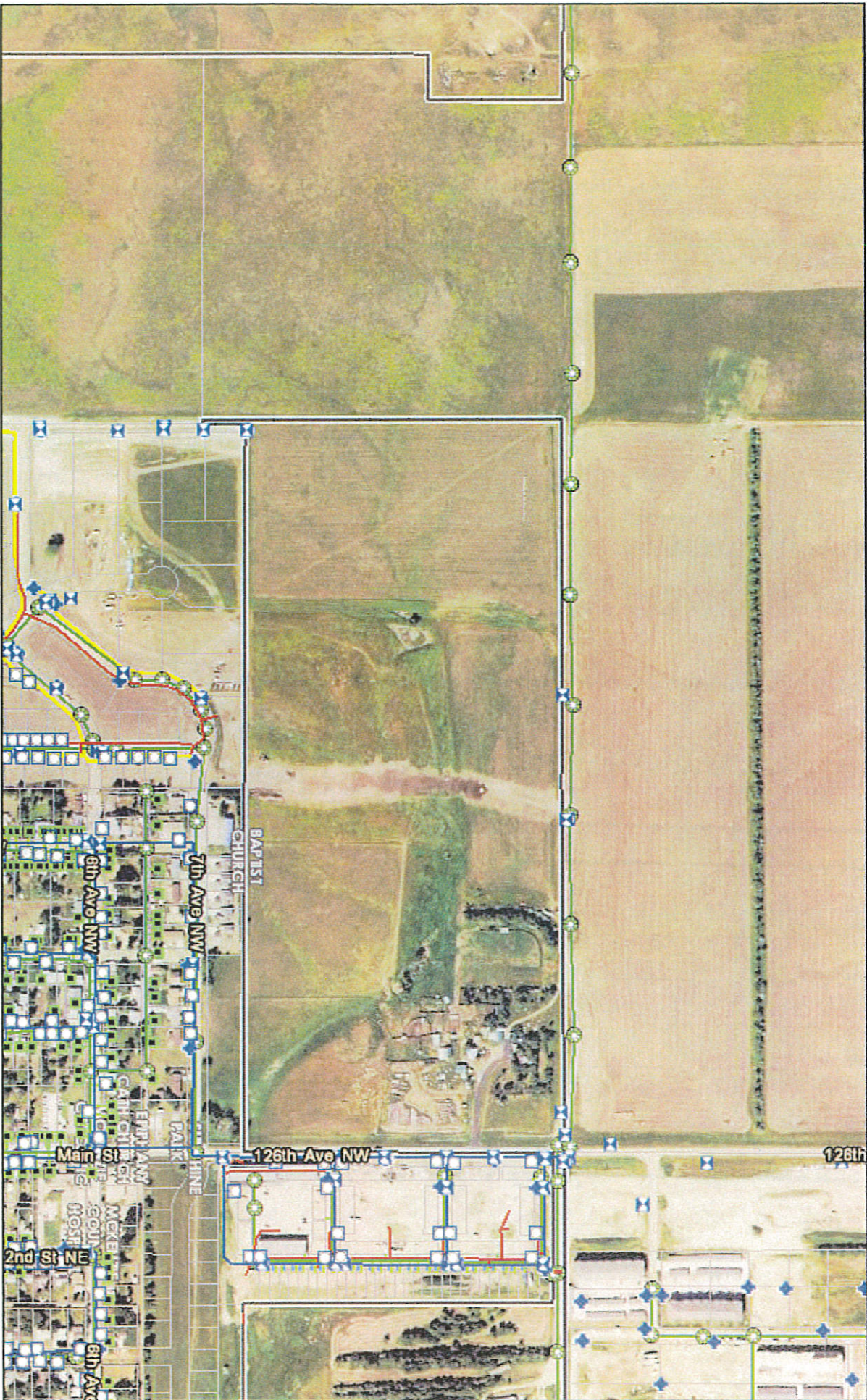
SURVEYOR / ENGINEER

Name: _____ License: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

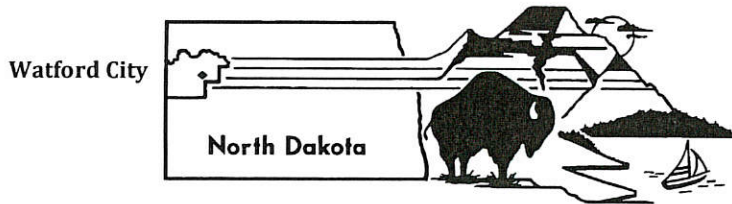


April 23, 2015

- World Transportation
- Utilities
- Sanitary Sewer Main
- Storm Manhole
- Inlet
- Double Inlet
- Triple Inlet
- Storm Main
- Water Point
- Sanitary Sewer Point



GIS: Walford City, AECS
 Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors



City of Watford City

213 2nd St. NE / PO Box 494
Watford City, ND 58854
Ph. 701-444-2533
Fax 701-444-3004
Celebrating 100 Years - 2014
watford.mckenziecounty.net

April 23, 2015

STAFF REPORT **SLS-12-2015 Simple Lot Split**

Applicant

Adam Berger Development LLC
171 S. Ivy Street
Denver, CO 80224

Property Owners

Diane Gariety & Pamela Scott

Property Address: 8th St NW & 7th Ave NW, 4.995 gross acres

Simple Lot Split Requested: Owner intends to split large parcel into two; parcel 1 is to be developed by LDS Church, the remainder will remain a part of "The Homestead" subdivision.

Reference: Watford City City Code Sec. XV – Article XXX, Section 13 Simple Lot Split

Discussion: Article XXX, Section 13 of the Watford City Code of Ordinance states that "A simple lot split shall be allowed when street improvements, water or sewer line improvements or other public improvements are not required, and no more than four (4) lots are created. Upon approval by the City Council, a simple lot split may be recorded. Notwithstanding the foregoing, all lot design standards and zoning requirements are required to be met."

-The purpose of this proposed SLS is to split a large parcel of land into 3 lots, lot 1 being the ground for proposed future LDS Church, the remained lots will be developed as part of "The Homestead" Subdivision. Lot 1 will be 4.955 acres, Lot 2 34.592 acres, Lot 3 39.15 acres.

A simple lot split allows the Homestead developer to sell a portion of land and allow for development not inclusive to "The Homestead" development schedule. The church can take ownership of the property and proceed with process to build a church.

The City of Watford City mailed the property owners that hold an interest in the property and the adjoining property owners a notice regarding the Simple Lot Split request. None of the noticed property owners contacted the city regarding the application.

Surrounding Land Use Inventory:

West:	Zoning -	Ag, McKenzie County
	Use -	Agricultural
South:	Zoning -	R1, R2, R3, Watford City
	Use -	Mixed Use Residential
North:	Zoning -	Ag, McKenzie County
	Uses -	Agricultural
East:	Zoning -	R1, Watford City
	Uses -	Single Family Residential

Site Development

- Access: The property is accessible from 17th Ave and Main Street N*
- Sewer: There is no city sanitary sewer main **within** this property, there is a sewer line accessible to the property, it runs parallel to The Homestead Subdivision 10th Ave NW.*
- Water: There are currently no city water mains within the property, water valves are noted along 10TH Ave NW.*

Recommendation:

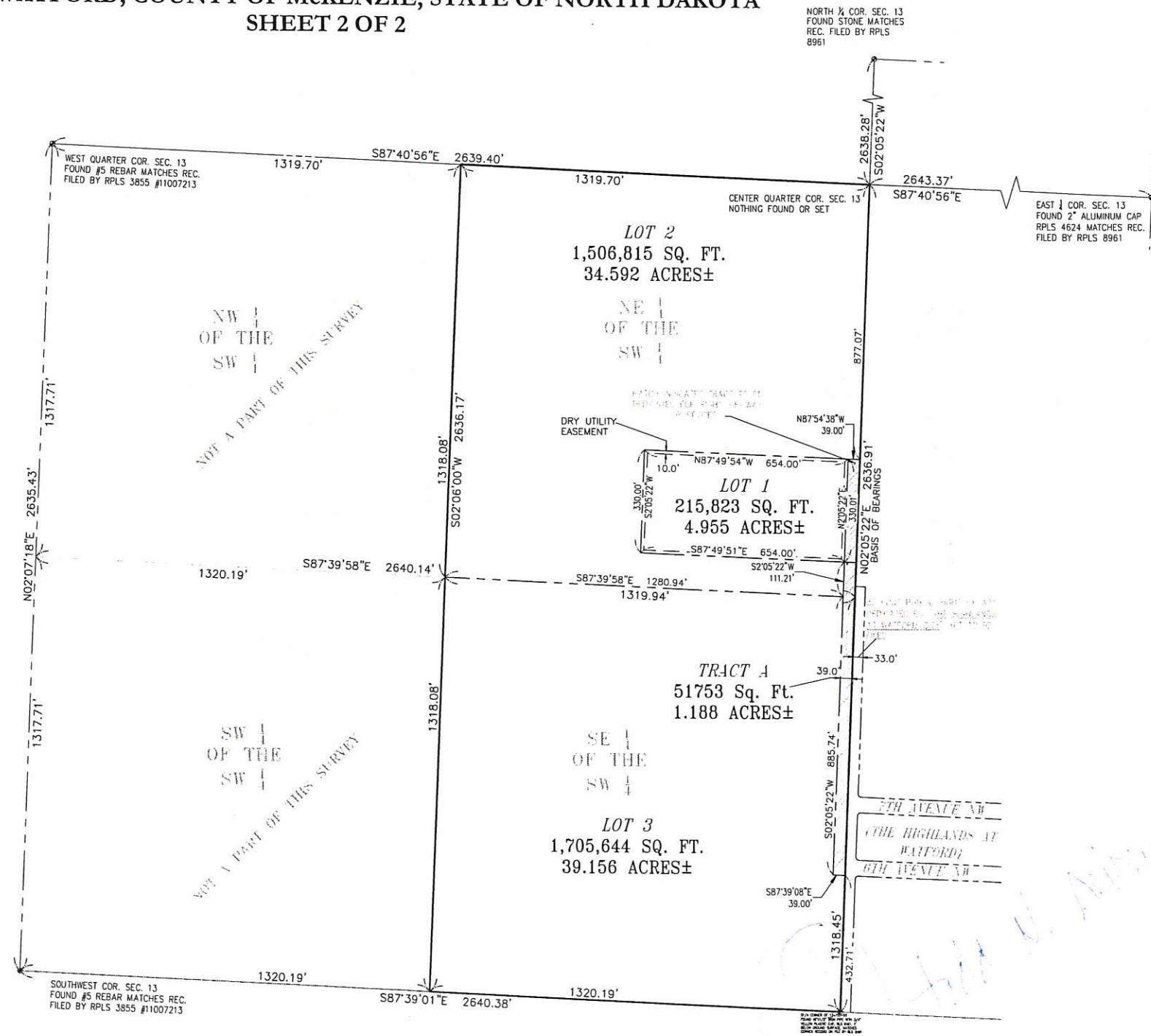
It is recommended by the Planning Department for **approval** of the requested simple lot split contingent on the following conditions:

1. Verification of South $\frac{1}{4}$ shown on the plat-discrepancy of the exact location of monument. Developer & Engineer for development along with City Engineers shall work to correct issue prior to recordation of plat.
2. Development must submit Site Development Plan Application to the Planning Dept. for approval, after approval building permits may be applied for.
3. Development on the lot can proceed without The Homestead's Development Agreement (DA) and Subdivision Improvement, Maintenance and Warranty Agreement (SIA) finalized if willing to extend and widen 8th Street to serve the LDS lot and provide the necessary utilities. The Church will not be eligible for a final Certificate of Occupancy until the road and utility improvements are complete.

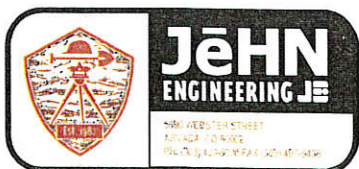
Contact:

Mildred Williams
Assistant City Planner
miwilliams@nd.gov

FINAL PLAT
LDS CHURCH AT WATFORD CITY SUBDIVISION
 LOCATED IN SOUTHWEST QUARTER OF SECTION 13,
 TOWNSHIP 150 NORTH, RANGE 99 WEST 5TH P.M.
 CITY OF WATFORD, COUNTY OF MCKENZIE, STATE OF NORTH DAKOTA
 SHEET 2 OF 2



John H. Alford



FINAL PLAT
LDS CHURCH AT WATFORD CITY SUBDIVISION
 LOCATED IN SOUTHWEST QUARTER OF SECTION 13,
 TOWNSHIP 150 NORTH, RANGE 99 WEST 5TH P.M.
 CITY OF WATFORD, COUNTY OF MCKENZIE, STATE OF NORTH DAKOTA
 SHEET 1 OF 2

LEGAL DESCRIPTION:

THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 13,
 TOWNSHIP 150 NORTH, RANGE 99 WEST OF THE 5TH PRINCIPLE MERIDIAN,
 CITY OF WATFORD, COUNTY OF MCKENZIE, STATE OF NORTH DAKOTA.

OWNERS CERTIFICATE:

WE, THE UNDERSIGNED, BEING SOLE OWNERS AND MORTGAGE HOLDERS 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. DATED
 THIS _____ DAY OF _____, 20____

OWNER SIGNATURE _____

OWNER SIGNATURE _____

STATE OF _____)
) SS
 COUNTY OF _____)

ON THIS _____ DAY OF _____, 20____,
 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA,
 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 _____
 RESIDING AT _____
 MY COMMISSION EXPIRES _____

STATE OF _____)
) SS
 COUNTY OF _____)

ON THIS _____ DAY OF _____, 20____,
 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA,
 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 _____
 RESIDING AT _____
 MY COMMISSION EXPIRES _____

PLANNING AND ZONING COMMISSION APPROVAL:

THIS PLAT IN THE CITY OF WATFORD CITY IS HEREBY APPROVED THIS _____ DAY OF _____,
 20____ 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.

DATE: _____

GLEN BEARD, CHAIRMAN

STATE OF NORTH DAKOTA)
) SS
 COUNTY OF MCKENZIE)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY
 PUBLIC FOR THE STATE OF NORTH DAKOTA, 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 NORTH DAKOTA
 RESIDING AT _____
 MY COMMISSION EXPIRES _____

WATFORD CITY APPROVAL:

THE CITY OF WATFORD CITY, NORTH DAKOTA, HAS APPROVED THE ATTACHED PLAT AS
 SHOWN HERON, 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 PORTION 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 NOT ACCEPTED AT THIS TIME WITH
 THE OFFER TO REMAIN OPEN.

DATE: _____ DATE: _____

BRENT SANFORD, MAYOR PENI PETERSON, CITY AUDITOR

STATE OF NORTH DAKOTA)
) SS
 COUNTY OF MCKENZIE)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY
 PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, BRENT SANFORD,
 MAYOR AND PENI PETERSON, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS 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 _____

MCKENZIE ELECTRIC COOPERATIVE, INC.:

WE THE UNDERSIGNED UTILITY DOES HEREBY APPROVE OF THE UTILITY EASEMENTS AS
 SHOWN ON THE PLAT AS PRESENTED.

DATED THIS _____ DAY OF _____, 20____

MCKENZIE ELECTRIC COOPERATIVE, INC., AUTHORIZED AGENT
 PRINTED NAME _____

STATE OF NORTH DAKOTA)
) SS
 COUNTY OF MCKENZIE)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A
 NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, 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 NORTH DAKOTA
 RESIDING AT _____
 MY COMMISSION EXPIRES _____

RESERVATION TELEPHONE COOPERATIVE:

WE THE UNDERSIGNED UTILITY DOES HEREBY APPROVE OF THE UTILITY EASEMENTS AS
 SHOWN ON THE PLAT AS PRESENTED.

DATED THIS _____ DAY OF _____, 20____

RESERVATION TELEPHONE COOPERATIVE, AUTHORIZED AGENT
 PRINTED NAME _____

STATE OF NORTH DAKOTA)
) SS
 COUNTY OF MCKENZIE)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A
 NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, 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 NORTH DAKOTA
 RESIDING AT _____
 MY COMMISSION EXPIRES _____

MONTANA-DAKOTA UTILITIES COMPANY:

WE THE UNDERSIGNED UTILITY DOES HEREBY APPROVE OF THE UTILITY EASEMENTS AS
 SHOWN ON THE PLAT AS PRESENTED.

DATED THIS _____ DAY OF _____, 20____

MONTANA-DAKOTA UTILITIES COMPANY, AUTHORIZED AGENT
 PRINTED NAME _____

STATE OF NORTH DAKOTA)
) SS
 COUNTY OF MCKENZIE)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A
 NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, 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.

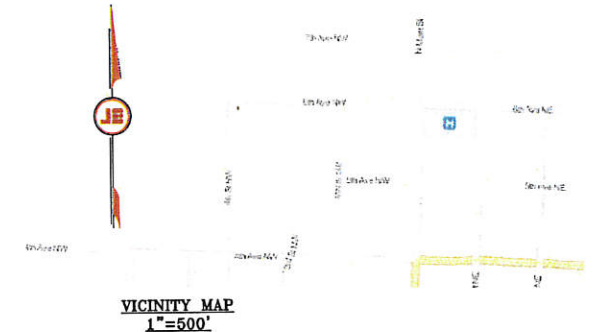
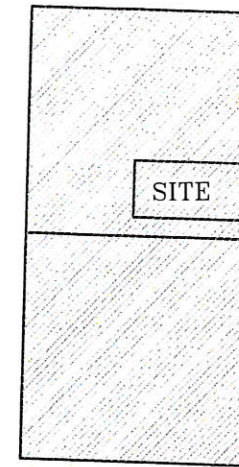
(NOTARIAL SEAL)

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

SURVEYORS CERTIFICATE:

I, ROBERT HENNESSY BEING A REGISTERED NORTH DAKOTA LAND SURVEYOR, DO HEREBY
 CERTIFY THAT I HAVE SURVEYED AND MAPPED THE PROPERTY SHOWN HEREIN AND THE
 WITHIN MAP IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SURVEYED, AND
 THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE NORTH DAKOTA CENTURY
 CODE AND THE CITY OF WATFORD CITY SUBDIVISION ORDINANCES TO THE BEST OF MY
 KNOWLEDGE AND BELIEF.

ROBERT HENNESSY, PLS 9241
 FOR AND ON THE BEHALF OF
 JEHN ENGINEERING, INC.



SURVEYORS CERTIFICATE:

I, ROBERT HENNESSY BEING A REGISTERED NORTH DAKOTA LAND SURVEYOR, DO HEREBY
 CERTIFY THAT I HAVE SURVEYED AND MAPPED THE PROPERTY SHOWN HEREIN AND THE
 WITHIN MAP IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SURVEYED, AND
 THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE NORTH DAKOTA CENTURY
 CODE AND THE CITY OF WATFORD CITY SUBDIVISION ORDINANCES TO THE BEST OF MY
 KNOWLEDGE AND BELIEF.

ROBERT HENNESSY, PLS 9241
 FOR AND ON THE BEHALF OF
 JEHN ENGINEERING, INC.

AUDITOR'S CERTIFICATE OF TAXES:

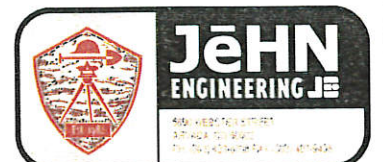
TAXES, DELINQUENT TAXES, DELINQUENT SPECIAL ASSESSMENT OR INSTALLMENTS OF
 SPECIAL ASSESSMENTS OR TAX ESTIMATES FOR THE PROPERTY DESCRIBED ON THE
 ATTACHED INSTRUMENT ARE UNPAID IN THE AMOUNT OF \$ _____ PLUS PENALTY AND
 INTEREST. CERTIFIED THIS _____ DAY OF _____, 20____

LINDA SVIHOVEC, 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 _____, 20____ AND WAS RECORDED AS DOCUMENT
 NUMBER _____

ANN M. JOHNSRUD, MCKENZIE COUNTY RECORDER



Final Plat Application

Homestead Park

DIVISION OF LAND / PLANNING APPLICATION

CITY OF WATFORD CITY

PO Box 494 / 213 2nd St NE Watford City, ND 58854

APPLICATION TYPE	DATE FILED: <u>4.8.15</u>	APPLICATION NUMBER:
SUBDIVISION PRELIMINARY MAP	PROCESSED BY: <u>MW</u>	PLANNING AND ZONING: <u>4-27-15</u>
SUBDIVISION FINAL MAP	FEE:	CITY COUNCIL: <u>5-4-15</u>
SIMPLE LOT SPLIT	RECEIPT #:	SECTION / TOWNSHIP / RANGE:
LARGE PARCEL MAP PRELIMINARY	RELATED CASE FILES:	FINAL ACTION LETTER ISSUED DATE:

- LARGE PARCEL MAP FINAL
- PARCEL MAP SUBSEQUENT
- PARCEL MAP NON-SUBSEQUENT
- FAMILY CEMETERY DESIGNATION
- AGRICULTURAL EXEMPTION

PROPERTY OWNER Diane Gariety & Pamela Scott
 APPLICANT Adam Berger Development LLC
 CORRESPONDENCE FOR THIS APPLICATION SHOULD BE ADDRESSED TO:
 NAME Adam Berger
 PHONE 720-568-0033
 ADDRESS 171 S Ivy Street
 CITY Denver STATE CO ZIP CODE 80224
 EMAIL adam@adamberger.com

ASSESSOR'S PARCEL NUMBER(S): _____
 LEGAL DESCRIPTION A portion of unplatted land located in Section 13 T150N R99W 5th PM McKenzie County, ND
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: 17th Avenue NW and 14th Street NW
 GROSS/NET ACREAGE: 19.961 Gross NUMBER OF LOTS: 1 ZONING: Park & Open Space
 DESCRIBE THE METHOD OF PROVIDING WATER & SEWER: City of Watford City
 ARE ANY WAIVERS OR VARIANCES REQUIRED TO SUPPORT THIS APPLICATION? No

(IF YES, ATTACH A JUSTIFICATION LETTER DESCRIBING SUCH WAIVERS OR VARIANCES) WAIVERS AND VARIANCES SHOULD BE DISCUSSED WITH PLANNING DEPARTMENT'S STAFF PRIOR TO FILING ANY REQUIRED APPLICATION

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under WATFORD CITY CODE, that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the _____ and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

Property Owner (Signature) Diane R. Gariety
 Property Owner (Print) Diane R. Gariety
 Property Owner (Signature) _____

SURVEYOR / ENGINEER INFORMATION (Place Surveyor Stamp in Open Area)

NAME _____ LICENSE NO _____
 ADDRESS _____
 CITY _____ STATE _____ ZIP _____
 PHONE _____
 FAX/E-mail _____

DIVISION OF LAND / PLANNING APPLICATION

CITY OF WATFORD CITY

PO Box 494 213 2nd St NE Watford City ND 5884

APPLICATION TYPE	DATE FILED:	APPLICATION NUMBER:
SUBDIVISION PRELIMINARY MAP	PROCESSED BY:	PLANNING AND ZONING:
SUBDIVISION FINAL MAP	FEE:	CITY COUNCIL:
SIMPLE LOT SPLIT	RECEIPT #:	SECTION TOWNSHIP RANGE:
LARGE PARCEL MAP PRELIMINARY	RELATED CASE FILES:	FINAL ACTION LETTER ISSUED DATE:

LARGE PARCEL MAP FINAL
PARCEL MAP SUBSEQUENT
PARCEL MAP NON-SUBSEQUENT
FAMILY CEMETERY DESIGNATION
AGRICULTURAL EXEMPTION

PROPERTY OWNER Diane Gariety & Pamela Scott
 APPLICANT Adam Berger Development LLC
 CORRESPONDENCE FOR THIS APPLICATION SHOULD BE ADDRESSED TO:
 NAME Adam Berger
 PHONE 720-568-0033
 ADDRESS 171 S Ivy Street
 CITY Denver STATE CO ZIP CODE 80224
 EMAIL adam@adamberger.com

ASSESSOR'S PARCEL NUMBER(S) _____

LEGAL DESCRIPTION: A portion of unplatted land located in Section 13 T 150N R99W 5th PM McKenzie County ND

PROPERTY ADDRESS AND NEAREST CROSS STREETS 17th Avenue NW and 14th Street NW

GROSS/NET ACREAGE 19.961 Gross NUMBER OF LOTS 1 ZONING Park & Open Space

DESCRIBE THE METHOD OF PROVIDING WATER & SEWER City of Watford City

ARE ANY WAIVERS OR VARIANCES REQUIRED TO SUPPORT THIS APPLICATION? No

(IF YES, ATTACH A JUSTIFICATION LETTER DESCRIBING SUCH WAIVERS OR VARIANCES) WAIVERS AND VARIANCES SHOULD BE DISCUSSED WITH PLANNING DEPARTMENTS STAFF PRIOR TO FILING ANY REQUIRED APPLICATION

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under WATFORD CITY CODE, that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted (I, We) also authorize the _____ and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application

Property Owner (Signature) Pamela Scott

Property Owner (Print) Pamela Scott

Property Owner (Signature) _____

SURVEYOR / ENGINEER INFORMATION (Place Surveyor Stamp in Open Area)

NAME _____ LICENSE NO _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

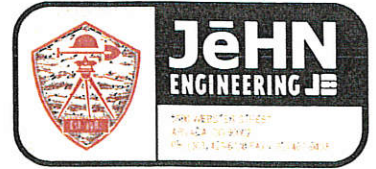
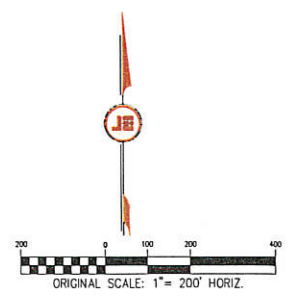
PHONE _____

FAX/Email _____

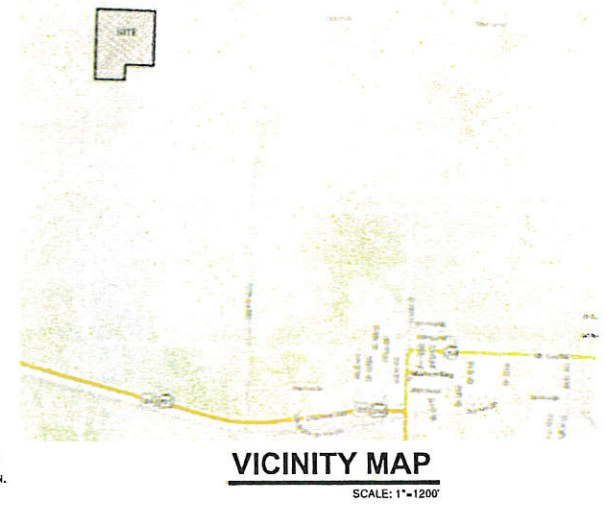
HOMESTEAD SUBDIVISION WEST
 LOCATED IN SECTION 13, TOWNSHIP 150 NORTH, RANGE 99 WEST 5TH P.M.
 COUNTY OF MCKENZIE, STATE OF NORTH DAKOTA
 LOTS 11 - 24
 PAGE 2 OF 3



SEE PAGE 3



FINAL PLAT
HOMESTEAD PARK SUBDIVISION
 LOCATED IN NORTHWEST QUARTER OF SECTION 13,
 TOWNSHIP 150 NORTH, RANGE 99 WEST 5TH P.M.
 CITY OF WATFORD, COUNTY OF MCKENZIE,
 STATE OF NORTH DAKOTA
SHEET 1 OF 2



LEGAL DESCRIPTION PARENT PARCEL:
 LEGAL TO BE INSERTED HERE

LEGAL DESCRIPTION DEDICATION PARCEL:
 LEGAL TO BE INSERTED HERE

OWNERS CERTIFICATE:

WE, THE UNDERSIGNED, BEING SOLE OWNERS AND MORTGAGE HOLDERS 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. DATED THIS _____ DAY OF _____, 20____.

 OWNER SIGNATURE

 OWNER SIGNATURE

STATE OF _____)
) SS
 COUNTY OF _____)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, _____, KNOWN TO ME TO BE THE PERSON (S) WHO EXECUTED THE CERTIFICATE. IN WITNESS WHEREOF, I HAVE HERETO 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 _____
 RESIDING AT _____
 MY COMMISSION EXPIRES _____

STATE OF _____)
) SS
 COUNTY OF _____)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, _____, KNOWN TO ME TO BE THE PERSON (S) WHO EXECUTED THE CERTIFICATE. IN WITNESS WHEREOF, I HAVE HERETO 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 _____
 RESIDING AT _____
 MY COMMISSION EXPIRES _____

PLANNING AND ZONING COMMISSION APPROVAL:

THIS PLAT IN THE CITY OF WATFORD CITY IS HEREBY APPROVED THIS _____ DAY OF _____, 20____ 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.

 DATE: _____
 GLEN BEARD, CHAIRMAN

STATE OF NORTH DAKOTA)
) SS
 COUNTY OF MCKENZIE)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, _____, KNOWN TO ME TO BE THE PERSON (S) WHO EXECUTED THE CERTIFICATE. IN WITNESS WHEREOF, I HAVE HERETO 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 _____

WATFORD CITY APPROVAL:

THE CITY OF WATFORD CITY, NORTH DAKOTA, HAS APPROVED THE ATTACHED PLAT AS SHOWN HEREON, 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 PORTION 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 NOT ACCEPTED AT THIS TIME WITH THE OFFER TO REMAIN OPEN.

DATE: _____ DATE: _____
 BRENT SANFORD, MAYOR PENI PETERSON, CITY AUDITOR

STATE OF NORTH DAKOTA)
) SS
 COUNTY OF MCKENZIE)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, BRENT SANFORD, MAYOR AND PENI PETERSON, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE CERTIFICATE. IN WITNESS WHEREOF, I HAVE HERETO 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 _____

MCKENZIE ELECTRIC COOPERATIVE, INC.:

WE THE UNDERSIGNED UTILITY DOES HEREBY APPROVE OF THE UTILITY EASEMENTS AS SHOWN ON THE PLAT AS PRESENTED.

DATED THIS _____ DAY OF _____, 20____.

MCKENZIE ELECTRIC COOPERATIVE, INC., AUTHORIZED AGENT
 PRINTED NAME _____

STATE OF NORTH DAKOTA)
) SS
 COUNTY OF MCKENZIE)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, _____, KNOWN TO ME TO BE THE PERSON (S) WHO EXECUTED THE CERTIFICATE. IN WITNESS WHEREOF, I HAVE HERETO 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 _____

RESERVATION TELEPHONE COOPERATIVE:

WE THE UNDERSIGNED UTILITY DOES HEREBY APPROVE OF THE UTILITY EASEMENTS AS SHOWN ON THE PLAT AS PRESENTED.

DATED THIS _____ DAY OF _____, 20____.

RESERVATION TELEPHONE COOPERATIVE, AUTHORIZED AGENT
 PRINTED NAME _____

STATE OF NORTH DAKOTA)
) SS
 COUNTY OF MCKENZIE)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, _____, KNOWN TO ME TO BE THE PERSON (S) WHO EXECUTED THE CERTIFICATE. IN WITNESS WHEREOF, I HAVE HERETO 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 _____

MONTANA-DAKOTA UTILITIES COMPANY:

WE THE UNDERSIGNED UTILITY DOES HEREBY APPROVE OF THE UTILITY EASEMENTS AS SHOWN ON THE PLAT AS PRESENTED.

DATED THIS _____ DAY OF _____, 20____.

MONTANA-DAKOTA UTILITIES COMPANY, AUTHORIZED AGENT
 PRINTED NAME _____

STATE OF NORTH DAKOTA)
) SS
 COUNTY OF MCKENZIE)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, _____, KNOWN TO ME TO BE THE PERSON (S) WHO EXECUTED THE CERTIFICATE. IN WITNESS WHEREOF, I HAVE HERETO 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 _____

SURVEYORS CERTIFICATE:

I, ROBERT HENNESSY BEING A REGISTERED NORTH DAKOTA LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE PROPERTY SHOWN HEREIN AND THE WITHIN MAP IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SURVEYED, AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE NORTH DAKOTA CENTURY CODE AND THE CITY OF WATFORD CITY SUBDIVISION ORDINANCES TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ROBERT HENNESSY, PLS 9241
 FOR AND ON THE BEHALF OF
 JEHN ENGINEERING, INC.

SURVEYORS CERTIFICATE:

I, ROBERT HENNESSY BEING A REGISTERED NORTH DAKOTA LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE PROPERTY SHOWN HEREIN AND THE WITHIN MAP IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SURVEYED, AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE NORTH DAKOTA CENTURY CODE AND THE CITY OF WATFORD CITY SUBDIVISION ORDINANCES TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ROBERT HENNESSY, PLS 9241
 FOR AND ON THE BEHALF OF
 JEHN ENGINEERING, INC.

AUDITOR'S CERTIFICATE OF TAXES:

TAXES, DELINQUENT TAXES, DELINQUENT SPECIAL ASSESSMENT OR INSTALLMENTS 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 THIS _____ DAY OF _____, 20____.

LINDA SVHROVEC, 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 _____, 20____ AND WAS RECORDED AS DOCUMENT NUMBER _____.

ANN M. JOHNSRUD, MCKENZIE COUNTY RECORDER

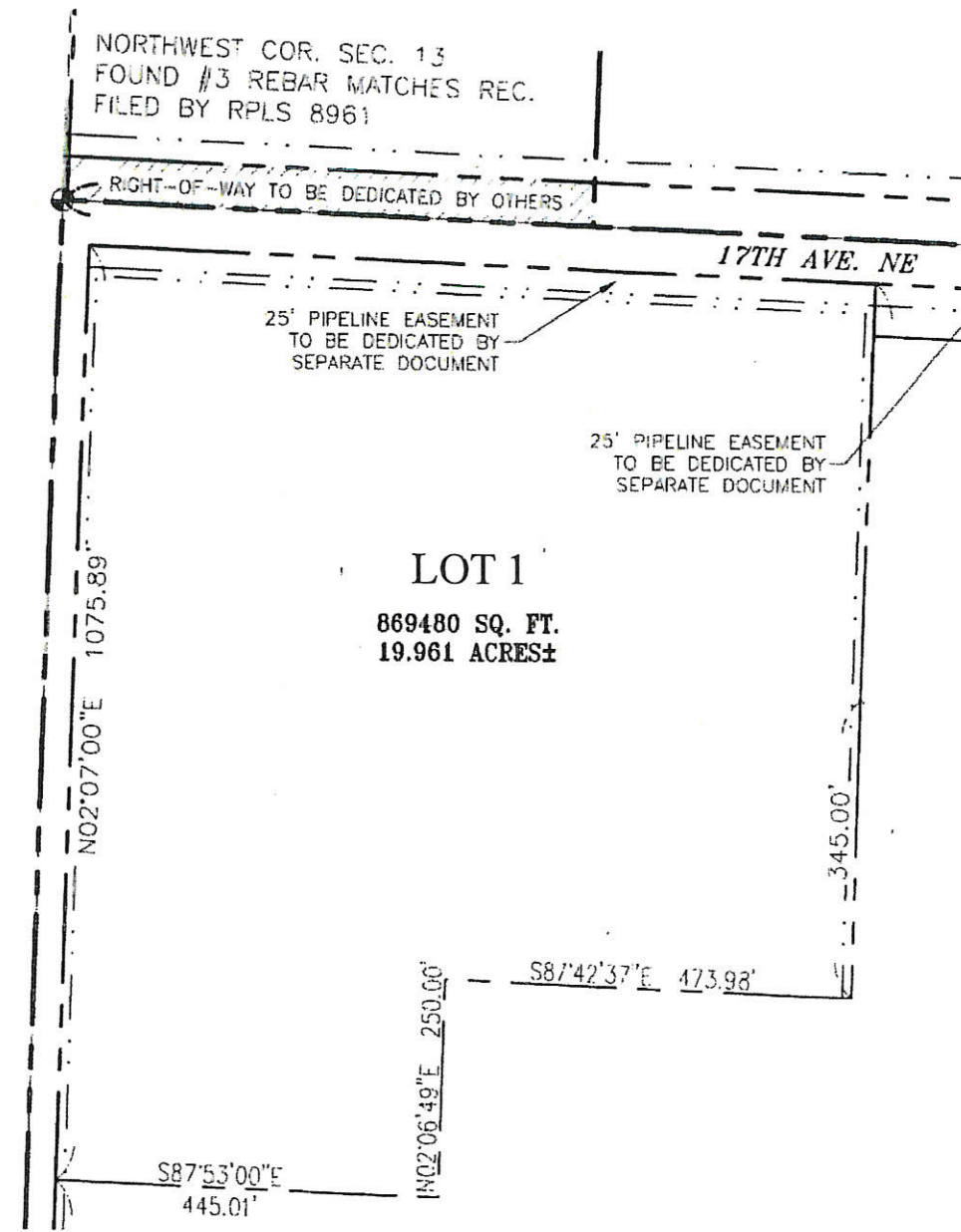


HOMESTEAD PARK PLAT

LOCATED IN SECTION 13, TOWNSHIP 150 NORTH, RANGE 99 WEST 5TH P.M.
COUNTY OF MCKENZIE, STATE OF NORTH DAKOTA

DRAFT

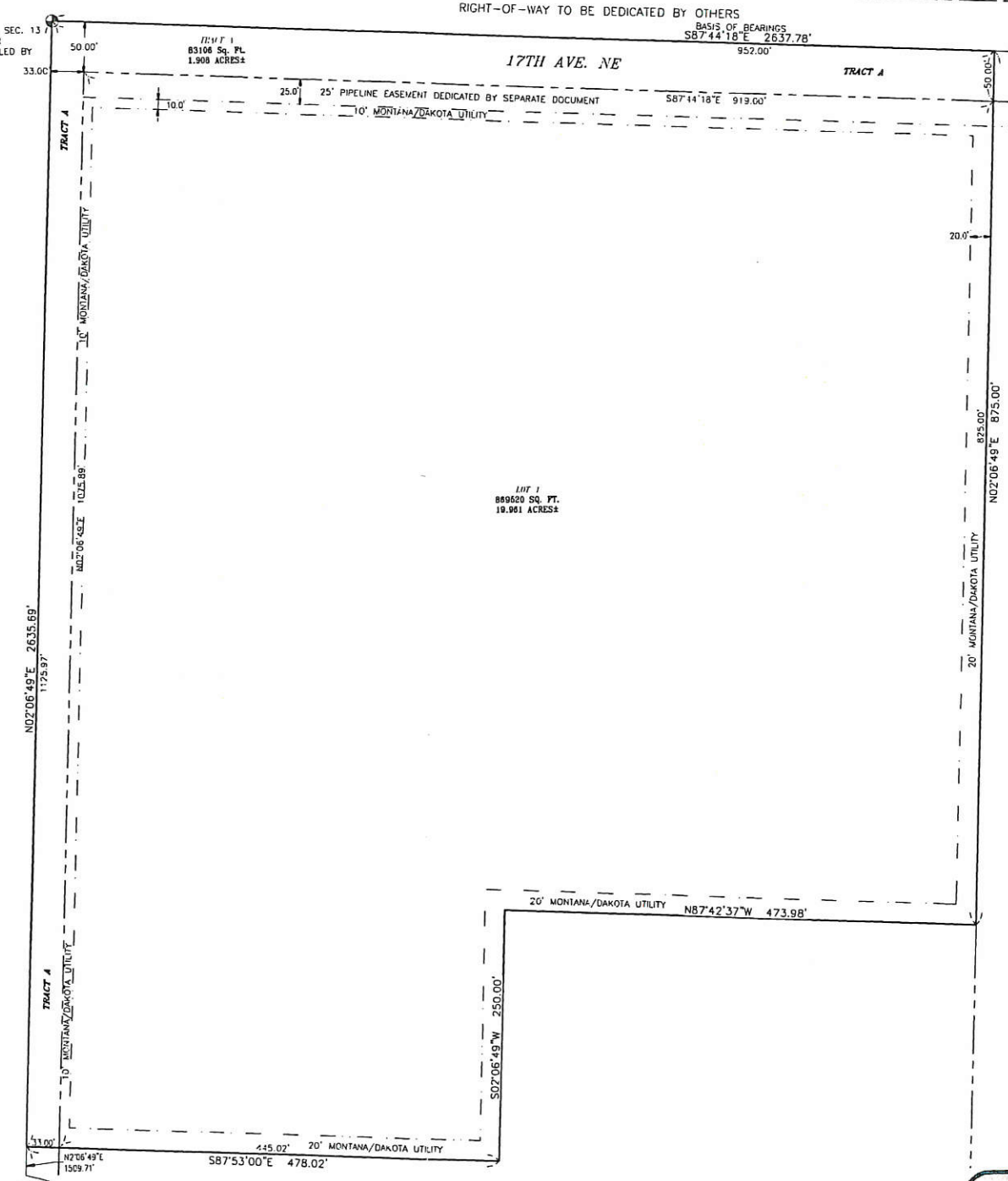
ADAM BERGER DEVELOPMENT, LLC



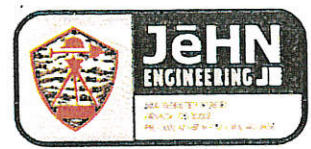
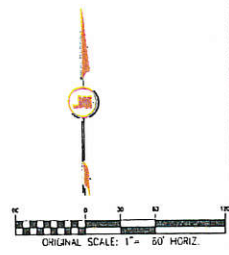
FINAL PLAT
HOMESTEAD PARK SUBDIVISION
 LOCATED IN NORTHWEST QUARTER OF SECTION 13,
 TOWNSHIP 150 NORTH, RANGE 99 WEST 5TH P.M.
 CITY OF WATFORD, COUNTY OF MCKENZIE,
 STATE OF NORTH DAKOTA
 SHEET 2 OF 2

NORTHWEST COR. SEC. 13
 FOUND #3 REBAR
 MATCHES REC. FILED BY
 RPLS 8961

NORTH E. COR. SEC. 13
 FOUND STONE MATCHES
 REC. FILED BY RPLS 8961

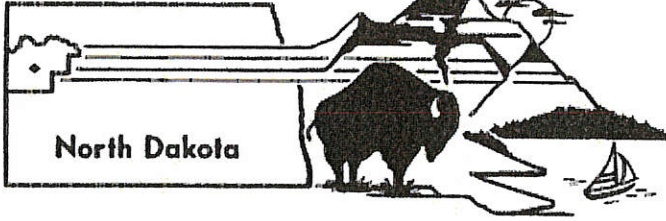


WEST X COR. SEC. 13
 FOUND #5 REBAR WITH
 3" ALUMINUM CAP
 MATCHES REC. FILED BY
 RPLS 3855 #11007216



Final Plat Application

Stepping Stone



Division of Land APPLICATION

City of Watford City Planning Department

GRAY AREA FOR STAFF USE ONLY

Subdivision Preliminary Plat		P&Z: 3-30-15
<u>Subdivision Final Plat</u>	FEES: \$15 @ lot	CC: 4-6-15
Simple Lot Split	RECEIPT #: 154552 CHK # 1002	ADVERTISE DATE: 3-18-15 + 3-25-15
Other:	SECTION / TOWNSHIP / RANGE: NW 1/4 16 150N 98W	

FINAL ACTION MEMORANDUM MAILED:

DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: David & Jan Rolfson JT

APPLICANT: Stepping Stone Inc

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Stepping Stone Inc

ADDRESS: 1209 15th Ave SW

CITY: Watford City STATE: ND ZIP CODE: 58854

TELEPHONE: 760-401-1389 EMAIL: paul@blackgolddev.com

ASSESSOR'S PARCEL NUMBER(S): 20-24-00100

LEGAL DESCRIPTION: A tract of land being part of Lot 3 of Rolfson subdivision located in the NW 1/4 of Section 16, Township 150 North, Range 98 West of the 5th Principal Meridian, Watford City, McKenzie County, North Dakota

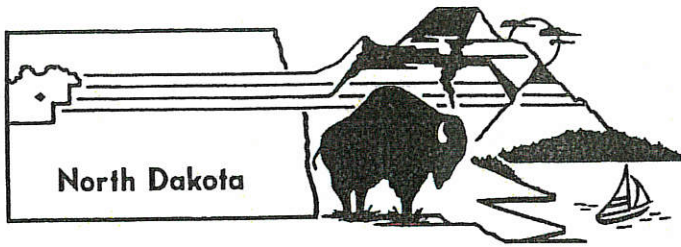
PROPERTY ADDRESS AND NEAREST CROSS STREETS: 17th Ave NE & Hwy 1806

GROSS/NET ACREAGE: 9.47 Ac PRESENT ZONE CLASSIFICATION: A6

SOURCE OF Water / Sewer: City of Watford City

WAIVERS OR VARIANCES REQUIRED TO SUPPORT THIS APPLICATION? _____

If YES, attach a justification letter describing such waivers or variances. Waivers and Variances should be discussed with Planning Department Staff prior to filing any application



AFFIDAVIT Division of Land APPLICATION

City of Watford City Planning Department

AP#: (assessor parcel number) 20-24-00100

Application/Owner: David & Jan Rolfsen

In the State of North Dakota, County of McKenzie,

I/We _____

I/We will make provisions to ensure compliance with the disclosure and recording requirements of McKenzie County / Watford City including but not limited to tax debt related to the applicable map application type as follows:

(Check Appropriate Map Type)

Subdivision of Land Preliminary Map

Subdivision of Land Final Map

Simple Lot Split

Parcel Map

David H. Rolfsen
(Signature)

David H. Rolfsen
(Printed name & title)

Jan A. Rolfsen
(Signature)

Jan A. Rolfsen
(Printed name & title)

I, _____, a Notary Public of the County and State aforesaid, hereby certify that _____ personally known to me to be the affiant in the foregoing affidavit, personally appeared before me this day and having been by me duly sworn deposes and says that the facts set forth in the above affidavit are true and correct.

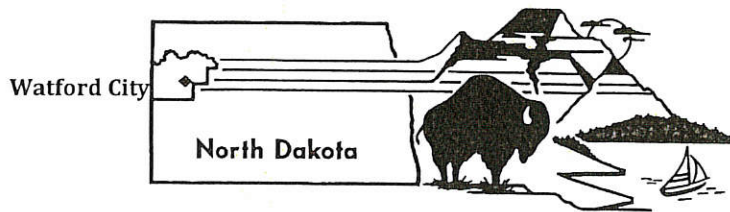
Witness my hand and official seal this the _____ day of _____, _____.

(SEAL)

Notary Public

My Commission expires:
____ / ____ / ____

State of: _____
County of: _____



City of Watford City
Brent Sanford, Mayor
213 2nd St., NE / PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
watford.mckenziecounty.net

March 26, 2015

STAFF REPORT
Final Map-9-2015 (Stepping Stone)

Applicant

Stepping Stone Inc
1209 15th Ave NW
Watford City, ND 58854

Property Owners

David and Jan Rolfson

Property Address: 17th Ave NE

Subdivision Final Map: Stepping Stone

Located: Southwest quarter of Sect 21, Township 150N, Range 98W

Discussion: The Stepping Stone subdivision is currently zoned as AG. 17th Ave runs along its northern property line. The plat consists of two parcels spanning across 9.47 acres. The two new lots are a replat of Rolfson Subdivisions Lot 3.

-The site is in the City of Watford City, ETA and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission.

Surrounding Land Use Inventory:

West: Zoning -	AG, Watford City
Use -	Agriculture
South: Zoning -	AG, Watford City
Use -	Agricultural
North: Zoning -	AG, McKenzie County
Uses -	Agriculture
East: Zoning -	R2, Watford City
Uses -	Medium Density Residential

Site Development

Access: *The property is accessible from 17th Ave NE*

Sewer: *There are currently no sewer to the property.*

Water: *There are currently no city water mains within the property.*

Recommendation:

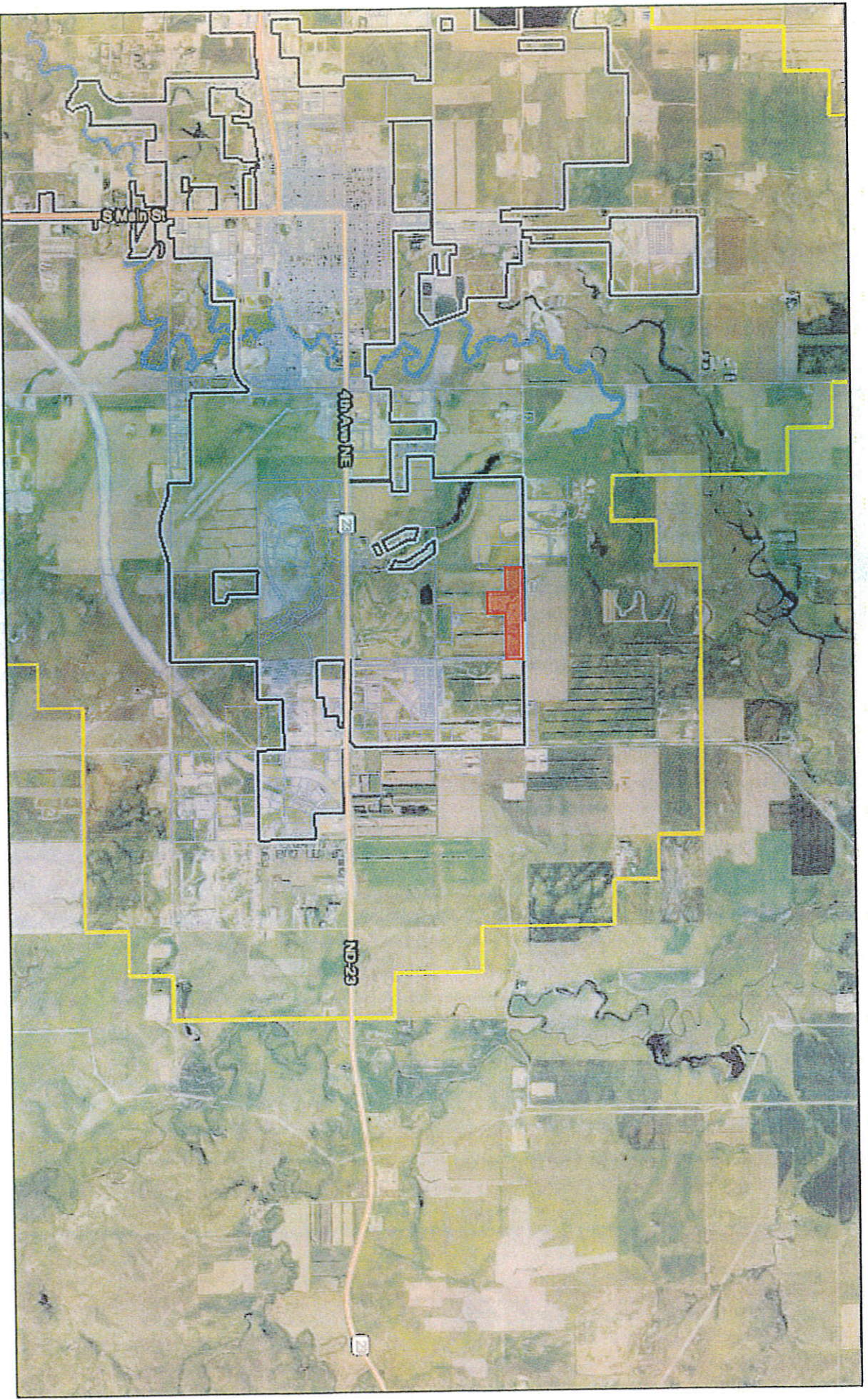
It is recommended that the Watford City Planning Commission **approve** the Stepping Stone Subdivision Final Map amendment contingent upon:

1. The Stepping Stone development agreement is finalized before final map recordation.
2. SIA is finalized and approved before final map recordation by the Watford City planning department.

Contact:

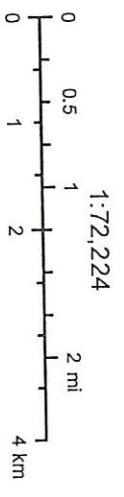
Seth Sampson, Assistant City Planner

Stepping Stone, Inc.



March 26, 2015

- World Transportation
- Wattford City Limits
- Extra-Territorial Area (ETA)
- Lot Lines
- Cherry Creek
- Parcels Data from McKenzie County



GIS: Wattford City AE2S
Est. HERE DeLorme, MapmyIndia, © OpenStreetMap contributors

PLAT OF LOT 6 AND LOT 7 OF ROLFSON SUBDIVISION AND DEDICATED PUBLIC RIGHT-OF-WAY,
A REPLAT OF LOT 3 OF ROLFSON SUBDIVISION,
LOCATED IN THE NW1/4 OF SECTION 16, TOWNSHIP 150 NORTH, RANGE 98 WEST OF THE 5TH PRINCIPAL MERIDIAN,
CITY OF WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA.
DRAFT 3-16-15
DEDICATED PUBLIC RIGHT-OF-WAY
1.29 ACRES +-
LOT 6
8.18 ACRES +-
LOT 7
21.09 ACRES ±

LEGAL DESCRIPTION OF EXTERIOR BOUNDARY (Meters and Bounds):

A Parcel of Land Including Lot 3 of Rolfson Subdivision, Located in the NW1/4 of Section 16, Township 150 North, Range 98 West of the 5th Principal Meridian, City of Watford City, McKenzie County, North Dakota.

More Particularly Described as:

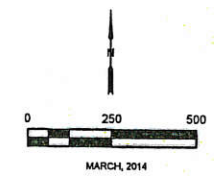
Commencing At The NW Corner Of Said Section 16, Being The TRUE POINT OF BEGINNING; Thence S 87°43'45" E Along the North Section Line of Said Section 16 and Contiguous with the North Line of Said Lot 3 of Rolfson Subdivision A Distance Of 2642.43 Feet; Thence Continuing Along the Lot Line of Said Lot 3 S 02°01'24" W A Distance Of 75.00 Feet; Thence Continuing Along the Lot Line of Said Lot 3 and Lot 3 N 87°43'53" W A Distance of 950.03 Feet; Thence Continuing Along the Lot Line of Said Lot 3 S 02°02'04" W A Distance of 474.82 Feet; Thence Continuing Along the Lot Line of Said Lot 3 N 87°43'19" W A Distance of 341.22 Feet; Thence Continuing Along the Lot Line of Said Lot 3 S 01°53'58" W A Distance of 550.04 Feet; Thence Continuing Along the Lot Line of Said Lot 3 N 87°43'54" W A Distance of 599.94 Feet; Thence Continuing Along the Lot Line of Said Lot 3 N 01°54'43" E A Distance of 549.89 Feet; Thence Continuing Along the Lot Line of Said Lot 3 N 87°43'23" W A Distance of 750.11 Feet to a Point on the West Line of Lot 3 of Rolfson Subdivision and the West Section Line of Said Section 16; Thence N 01°54'11" E Along the Said West Line of Lot 3 of Rolfson Subdivision and the West Section Line of Said Section 16 A Distance Of 549.91 Feet to the Point of Beginning, Having An Area Of 30.56 Acres More Or Less.

COURSE TABLE

LINE	BEARING	DISTANCE
L1	N 01°54'11" E	75.00'
L2	S 02°01'24" W	75.00'
L3	S 02°02'04" W	75.00'

LEGEND

- FOUND 5/8" REBAR WITH CAP LS 7156
- FOUND 5/8" REBAR
- SET 5/8" REBAR WITH CAP LS 9913
- △ FOUND 5/8" REBAR 33" WITNESS CORNER



SURVEYOR'S NOTES:

1. ALL PARCELS ARE SUBJECT TO OIL WELL SETBACK REQUIREMENTS.
2. ALL EASEMENTS OF RECORD AND TITLE EXCEPTIONS MAY NOT BE DEPICTED ON THIS PLAT.
3. LOT 7 IS SUBJECT TO EASEMENT DOC# 462816.

SECTION 16
TOWNSHIP 150 NORTH
RANGE 98 WEST

AUDITOR'S CERTIFICATE OF TAXES

TAXES, DELINQUENT TAXES, DELINQUENT SPECIAL ASSESSMENT OR INSTALLMENTS 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 THIS _____ DAY OF _____, 20__

LINDA SVHOVEC, 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 _____, 20__ AND WAS RECORDED AS DOCUMENT NUMBER _____

ANN M. JOHNSRUD, MCKENZIE COUNTY RECORDER

SURVEYOR'S CERTIFICATE

I, RANDY L. DEIBERT, 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.

DATE _____

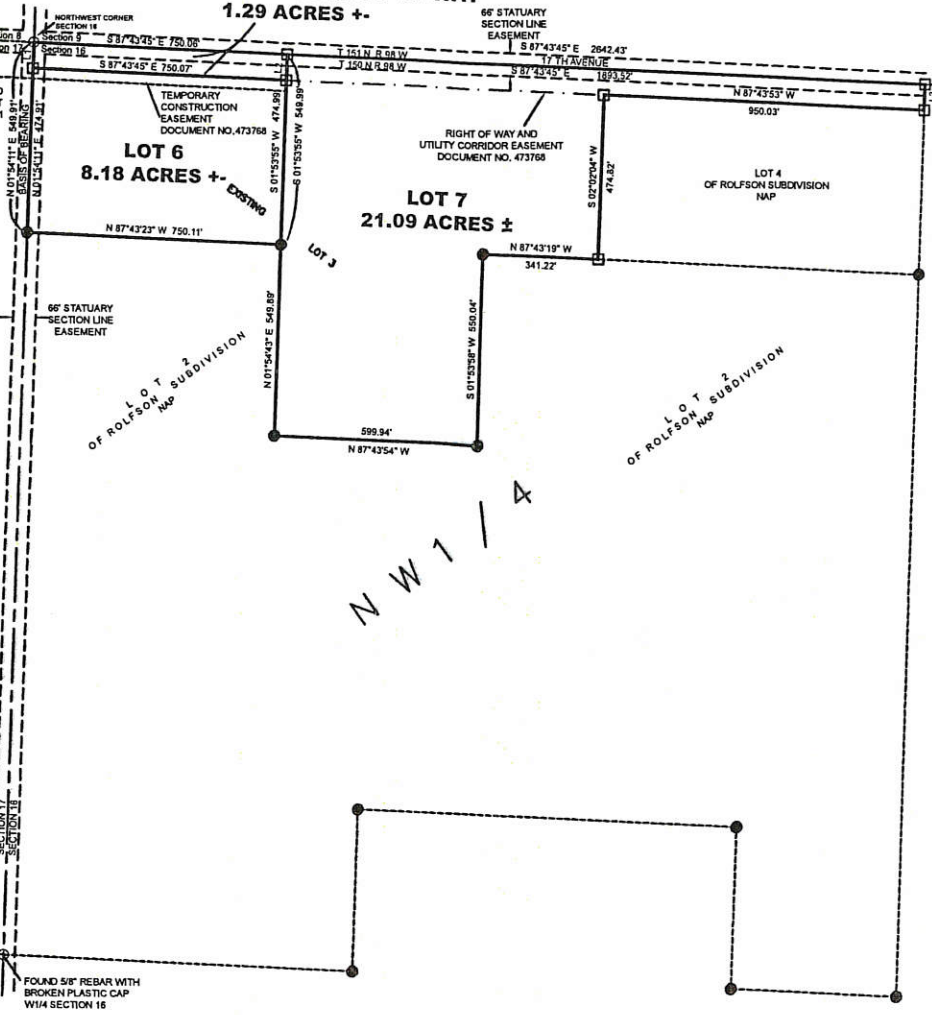
REGISTERED PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 8913

STATE OF _____ DAKOTA)
COUNTY OF _____)

ON THIS _____ DAY OF _____, 20__, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF _____ DAKOTA, PERSONALLY APPEARED, _____ KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE, IN WITNESS WHEREOF, I HAVE HERETO 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 _____

MY COMMISSION EXPIRES _____



WATFORD CITY APPROVAL

THE CITY OF WATFORD CITY, NORTH DAKOTA, HAS APPROVED THE ATTACHED PLAT AS SHOWN HEREON, 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 PORTION 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 NOT ACCEPTED AT THIS TIME WITH THE OFFER TO REMAIN OPEN

SANFORD, MAYOR DATE: _____ PENI PETERSON, CITY AUDITOR DATE: _____ BRENT

STATE OF NORTH DAKOTA)
) SS
COUNTY OF MCKENZIE)
ON THIS _____ DAY OF _____, 20__, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, Brent Sanford, Mayor and Peni Peterson, City Auditor, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE, IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST ABOVE WRITTEN.

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

PLANNING AND ZONING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WATFORD CITY IS HEREBY APPROVED THIS _____ DAY OF _____, 20__ 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.

DATE: _____ OLEN BEARD, CHAIRMAN

STATE OF NORTH DAKOTA)
) SS
COUNTY OF MCKENZIE)

ON THIS _____ DAY OF _____, 20__, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, _____ KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE, IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC, MCKENZIE COUNTY, SOUTH DAKOTA
MY COMMISSION EXPIRES _____

OWNER(S) CERTIFICATE

I/WE, THE UNDERSIGNED, BEING THE SOLE OWNER(S), AND/OR MORTGAGE HOLDER(S) OF THE LAND PLATTED HEREON, DO HEREBY CONSENT TO THE EXECUTION OF SAID PLAT, AND DO AGREE NOT TO VACATE ANY PORTION OF THIS PLAT WITHOUT THE CONSENT OF THE CITY OF WATFORD CITY, DATED THIS _____ DAY OF _____, 20__.

Printed Name _____
Signature _____
STATE OF NORTH DAKOTA)
COUNTY OF _____) SS

ON THIS _____ DAY OF _____, 2015, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE, IN WITNESS WHEREOF, I HAVE SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR OF THE CERTIFICATE FIRST ABOVE WRITTEN.

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

RESERVATION TELEPHONE COOPERATIVE
WE THE UNDERSIGNED UTILITY DOES HEREBY APPROVE OF THE UTILITY EASEMENTS AS SHOWN ON THE PLAT AS PRESENTED.
DATED THIS _____ DAY OF _____, 20__

Reservation Telephone Cooperative, Authorized Agent

PRINTED NAME _____

STATE OF NORTH DAKOTA)
) SS

COUNTY OF MCKENZIE)
ON THIS _____ DAY OF _____, 20__, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, _____ KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE, IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST ABOVE WRITTEN.

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

MONTANA-DAKOTA UTILITIES COMPANY

WE THE UNDERSIGNED UTILITY DOES HEREBY APPROVE OF THE UTILITY EASEMENTS AS SHOWN ON THE PLAT AS PRESENTED.
DATED THIS _____ DAY OF _____, 20__

Montana-Dakota Utilities Company, Authorized Agent

PRINTED NAME _____

STATE OF NORTH DAKOTA)
) SS

COUNTY OF MCKENZIE)
ON THIS _____ DAY OF _____, 20__, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, _____ KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE, IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST ABOVE WRITTEN.

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

MCKENZIE ELECTRIC COOPERATIVE, INC.

WE THE UNDERSIGNED UTILITY DOES HEREBY APPROVE OF THE UTILITY EASEMENTS AS SHOWN ON THE PLAT AS PRESENTED.
DATED THIS _____ DAY OF _____, 20__

McKenzie Electric Cooperative, Inc. Authorized Agent

PRINTED NAME _____

STATE OF NORTH DAKOTA)
) SS

COUNTY OF MCKENZIE)
ON THIS _____ DAY OF _____, 20__, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, _____ KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE, IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST ABOVE WRITTEN.

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

Minutes

PLANNING & ZONING COMMISSION MEETING MINUTES

March 30, 2015

The regular monthly meeting of the Watford City Planning & Zoning Commission was held on Monday March 30, 2015 at 6:00 p.m. at City Hall in the Heritage Room. In attendance: Chairman Glen Beard, Board members: Rick Holm, Jesse Lawrence, Sonja Johnson and Cory Johnson. Also present: City Attorney Wyatt Voll, Assistant City Planner Seth Sampson and Planning Assistant Becky O'Neill. Absent: City Planner Curtis Moen, City Building Inspector Steven Williams, Assistant City Planner Mildred Williams, and Board Members William Carlson and Shane Homiston who will be officially replacing Phil Riely.

With the above mentioned present, the Public Hearing was called to order at 6:03 p.m. by Chairman Glen Beard.

Under consideration were the following:

1. Public Hearing to hear comment on amending City of Watford City Code of Ordinance>> Chapter XV-Zoning Ordinance Watford City, North Dakota>> Article XIV-R4 High Density Residential>>Section 5 Height Regulations.
This ordinance will add a Height Variance to the R-4 zoning district, same as existing height regulations added in other zones.
MOTION by C. Johnson, SECOND by R. Holm to recommend Approval to City Council of the Ordinance Amendment for Height Regulations.
Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.
MOTION Carried.
2. Public Hearing to hear comment on amending City of Watford City Code of Ordinance>> Chapter XV-Zoning Ordinance Watford City, North Dakota>> Article XIV-R4 High Density Residential>>Section 6 Yard Regulations.
Discussion: The ratio of height vs. setback requirements. The ratio is not clearly stated with this ordinance. It is not listed under the R-4 Zoning district. The ratio is actually only listed on MuniCode in the Variance section. Recommendation is to include clarification of ratio.
MOTION by R. Holm, SECOND by J. Lawrence to recommend Approval to City Council of the Ordinance Amendment with the following recommendation:
 - a. **The Ratio of height vs. setback requirements be added to this R-4 zoning section.**
For every 10 feet of height, 3 feet of setback will be required. (10:3)**Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.**
MOTION Carried.
3. Public hearing to hear comment on Simple Lot Split Application submitted by submitted by T. Jason Vedadi for Hunter's Run on property located Lot 136, 9.883 acres of Hunter's Run Subdivision, SE1/4 Section 16, T150N, R98W, Watford City, McKenzie County, ND. For the purpose of creating two parcels from one parcel of land (lot 136), to facilitate development of commercial businesses. Lot 160 =5.789 acres, Lot 161 =4.094
Discussion from the Commission: The map does not show a labeled access road to the property. Assistant City Planner, Seth Sampson commented that they do have an Access Agreement however for some reason it is just not shown.
MOTION by J. Lawrence, SECOND by C. Johnson to recommend Approval to City Council of the Simple Lot Split Application with the following conditions set forth in the printed staff report:
 - a. **Any further development must first have building and site plan submitted to the Planning Department for further approval.**
 - b. **Development Agreement (DA) and Subdivision Improvement, Maintenance, and Warranty Agreement (SIA) are in place before development of this lot can begin.****Also to include the following additional recommendations by Planning Staff:**
 - c. **The Access Agreement must be shown on the map.****Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.**
MOTION Carried.
4. Public hearing to hear comment on Variance Application submitted by Shangcheng Development / Daniel Kuo on property located NE1/4 SE1/4 Section 14, T150, R99W, 8.1 acres, Watford City, McKenzie County, ND. Application requests 15 ft. in lieu of permitted 25 ft. setback for proposed buildings #2 & #3. Variance of 10 feet. (Emerald Ridge)
Comments from Assistant City Planner, Seth Sampson: it was written in the staff report to approve this request as presented however after further review by City Planner Curtis Moen, it is now recommended to only give Approval of the variance to Building #2 and to Deny Building #3. This reasoning being that Building #2 is located near Emerald Ridge Road which the City had required to be widened from 60' to 80'. Curt feels that because of this change, it has created a hardship and meets the requirements for the variance. For Building #3 this will be located near 15th Street and Curt sees this to be a self-imposed hardship and does not see the reason why this building would meet the requirements for the variance request.

MOTION by J. Lawrence, SECOND by S. Johnson to recommend Denial of Building #3 and to recommend Approval of Building #2 to City Council of the Variance Application with the following approval conditions for building #2 set forth in the staff report:

- a. The requested variance will not impede any vehicle site lines for approaching traffic.
- b. Engineered drawings for the entryway will be submitted to the building department for review.

Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.

MOTION Carried.

5. Public Hearing to hear comment on Variance Application submitted by BLH LLC/Paul Dries on property located Lot 9 Block 1 The Crossings Subdivision, Section 22, T150N, R98W 1.95 acres, Watford City, McKenzie County, ND. (104 Prospect Street) Application requests variance of maximum height allowed in Central Business District. Proposed building is 15 ft. above allowed height.

Comments: The Height Variance in CB Zoning District is already in place. The total height will be 65' at highest point and the new ladder fire truck should still be able to access building at this height. This building will be using an existing foundation which was poured according to another set of building plans. The building plans have since changed but will still be able to use the existing foundation. Recommended that all building codes, construction plan updates, and existing foundation be verified by City Building Inspector, Steven Williams prior to final approval of variance.

MOTION by C. Johnson, SECOND by J. Lawrence to recommend Approval of the Variance Application with the following conditions set forth as printed in the staff report:

- a. The building height requirements shall also meet the state building code requirements.
- b. The type of material used for building construction must be adequate for variance requested height according to state code requirements.

Also to include the following additional recommendations:

- c. Updated structural plans be submitted to City Building Inspector.
- d. Building codes, existing foundation, and plans be verified by City Building Inspector.

Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.

MOTION Carried.

6. Public Hearing to hear comment on Variance Application submitted by Roers Investments, Kent Roers on property located Lot 2 & 3 Block 1 the Crossings Subdivision, Section 22, T150N, R98W 17.81 acres, Watford City, McKenzie County, ND. (Frontier Avenue of the Crossings). Application requests variance of maximum height allowed in R4 H Density Residential District. Proposed building is 5 ft. above allowed height.

The variance request will be to accommodate for adding parking garages under the building and the peak design of the roof. City Staff report would recommend Approval of this application however, according to City Attorney Wyatt Voll, a formal recommendation from the Commission cannot be made until the Height Variance Ordinance for R-4 Zoning District is approved by City Council.

NO MOTION.

7. Public Hearing to hear comment on Preliminary Plat Application submitted by Stepping Stone for David & Jan Rolfson on property located NW ¼ Section 16, T150N, R98W, 9.47 acres, Watford City, McKenzie County, ND.

MOTION by R. Holm, SECOND by S. Johnson to recommend Approval to City Council of the Preliminary Plat Application contingent with the following conditions as set forth in the staff report:

- a. The Stepping Stone Development Agreement (DA) is finalized before final map recordation.
- b. Subdivision Improvement, Maintenance, and Warranty Agreement (SIA) is finalized and approved by Watford City Planning Department before final map recordation.

Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.

MOTION Carried.

8. Public Hearing to hear comment on Simple Lot Split Application submitted by McKenzie County Healthcare Systems for property located NW1/4 Section 18, R150, R98W, portion of IT# 2361, 2.42 acres, Watford City, McKenzie County, ND.

MOTION by J. Lawrence, SECOND by C. Johnson to recommend Approval to City Council of the Simple Lot Split contingent with the following conditions set forth in the staff report:

- a. Any further development must first have building and site plan submitted to the Planning Department for further approval.
- b. The Subdivision Improvement, Maintenance, and Warranty Agreement (SIA) and Development Agreement (DA) are in place before development of this lot can begin.

Also to include the following additional recommendations by Planning Staff:

- c. An additional signature block for Greg Simonson be added to the plat.

Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.

MOTION Carried.

9. Public Hearing to hear comment on Variance Application submitted by MondayOne, LLC and Mohave Engineering on property located Lot 1 of MondayOne Townhomes Subdivision, Section 18, T150N, R98W 1.79 acres, Watford City, McKenzie County, ND. (Northwood Townhomes) Application requests set back from the boundary on west side to be 20 ft. instead of 25 ft. **Application Pulled.**
NO MOTION.
10. Public Hearing to hear comment on Simple Lot Split submitted by Stenehjem Development, LLC for property located Fox Hills Village Lot 2 Block 2, Watford City, NE ¼ Section 20, T150N, R98W McKenzie County, ND. 3 lots from 1 parcel. **MOTION by C. Johnson, SECOND by R. Holm to recommend Approval to City Council of the Simple Lot Split contingent with the following conditions set forth in the staff report:**
- Any further development must first have building and site plan submitted to the Planning Department for further approval.
 - Development Agreement (DA) and Subdivision Improvement, Maintenance, and Warranty Agreement (SIA) are in place before these lots are developed on.
 - Lot 5 must have access provided and shown on the final plat.
- Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.
MOTION Carried.
11. Public Hearing to hear comment on Simple Lot Split submitted by Stenehjem Holdings, LLC for property located Fox Hills Village Lot 4 Block 4, NE ¼ Section 20, T150N, R98W, Watford City, McKenzie County, ND. 2 lots from 1 parcel. **MOTION by R. Holm, SECOND by J. Lawrence to recommend Approval to City Council of the Simple Lot Split contingent with the following conditions set forth in the staff report:**
- Any further development must first have building and site plan submitted to the Planning Department for further approval.
 - Development Agreement (DA) and Subdivision Improvement, Maintenance, and Warranty Agreement (SIA) are in place before these lots are developed on.
- Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.
MOTION Carried.
12. Public Hearing to hear comment on Simple Lot Split submitted by Stenehjem Holdings, LLC for property located Fox Hills Village Lot 14 Block 3 NE ¼ Section 20, T150N, R98W, Watford City, McKenzie County, ND 2 lots from 1 parcel.
Comments: The larger parcels were first created but now with the lot splits, these lots will allow for more specific land purchasers to accommodate for different projects. At the time the large parcels were created, it was not known who would be buying the lots or for what type of building they would be used for. There will be an approach off Fox Hills and working on controlled access points.
MOTION by C. Johnson, SECOND by R. Holm to recommend Approval to City Council of the Simple Lot Split contingent with the following conditions set forth in the staff report:
- Any further development must first have building and site plan submitted to the Planning Department for further approval.
 - Development Agreement (DA) and Subdivision Improvement, Maintenance, and Warranty Agreement (SIA) are in place before these lots are developed on.
- Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.
MOTION Carried.
13. Public Hearing to hear comment on Zone Change Application submitted by Stenehjem Holdings, LLC for property located Fox Hills Village, Lot 15 Block 3, NE ¼ Section 20, T150N, 98W, Watford City, McKenzie County, ND. 2.77 acres. Application requests zone change of R3 Medium Density Residential with RT Overlay to C1 Commercial Service, 2.77 acres.
Comments: The SID gave the storm drain easement right near the middle of this lot making it a sensible place to split. Zoning adjacent to property is already C1 Commercial.
MOTION by J. Lawrence, SECOND by R. Holm to recommend Approval to City Council of the Simple Lot Split contingent with the following conditions set forth in the staff report:
- The developer must submit generalized building plans for any development on the property.
 - Site Plan be submitted before any development is started on this property.
 - Zone Change will only be in place one year if no further development is done within this time, the property will return back to its original zoning.
- Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.
MOTION Carried.

14. Public Hearing to hear comment on Lot Line Adjustment per Simple Lot Split Application submitted by MondayOne, LLC and Mohave Engineering for property located MondayOne Townhome Subdivision, NW1/4 Section 18, T150, R98W, 1.79 acres, Watford City, McKenzie County, ND.
MOTION by R. Holm, SECOND by S. Johnson to recommend Approval to City Council of the Lot Line Adjustment per Simple Lot Split Application contingent with the following conditions set forth in the staff report:
- Any further development must first have building and site plan submitted to the Planning Department for further approval.
 - Development Agreement (DA) and Subdivision Improvement, Maintenance and Warranty Agreement (SIA) are in place before these lots are developed on.
- Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.
MOTION Carried.
15. Public Hearing to hear comment on Simple Lot Split submitted by Jason Gillen of Watford City Town Center, LLC for property located 902 11th Ave Watford City, ND, 12.36 acres, Westgate Town Center Subdivision. 2 parcels from 1 parcel.
Comments: This is the 4th Simple Lot Split for this property: last split allowed without going through the Subdivision process. The odd-shaped lots relate to the access roads, wetlands locations, and buildable area. 11th will be expanded.
MOTION by C. Johnson, SECOND by S. Johnson to recommend Approval to City Council of the Simple Lot Split Application contingent with the following conditions set forth in the staff report:
- Any further development must first have building and site plan submitted to the Planning Department for approval.
 - No further lot splits will be accepted from this property without first going through the Subdivision process.
- Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.
MOTION Carried.
16. Public Hearing to hear comment on Subdivision Preliminary Plat submitted by Matrixx Equities Watford, LLC. for Edward & Charlotte Schilke on property located SW1/4 of Section 21, T150N, R98W, 138+/- acres, 17 lots, Watford City, McKenzie County, ND.
MOTION by J. Lawrence, SECOND by R. Holm to recommend Approval to City Council of the Preliminary Plat Application contingent with the following conditions set forth in the staff report:
- The Fox Ridge Development Agreement (DA) is finalized before final map recordation.
 - The Subdivision Improvement, Maintenance and Warranty Agreement (SIA) is finalized and approved by the Watford City Planning Department before final map recordation.
 - The name of "Fox Ridge Subdivision" is approved by the McKenzie County Recorder before recordation.
 - \$500,000 Sewer Agreement is finalized prior to recordation.
- Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.
MOTION Carried.

Closed Public Hearing at 6:50 PM.

Call to Order Regular Meeting at 6:50 PM.

Minutes:

The Minutes of January 26, 2015 Regular Meeting were presented.

No comments.

MOTION by R. Holm, SECOND by C. Johnson to Approve Minutes as presented.

Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.

MOTION Carried.

Final Plat - Rolfson/Stepping Stone, Paul Ficara

MOTION by J. Lawrence, SECOND by C. Johnson to recommend approval to City Council of the Final Plat Application contingent with the following conditions set forth in the staff report:

- The Stepping Stone Development Agreement (DA) is finalized before final map recordation.
- Subdivision Improvement, Maintenance and Warranty Agreement (SIA) is finalized and approved by the Watford City Planning Department before final map recordation.

Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.

MOTION Carried.

Final Plat – Peace & Justice Addition

MOTION by R. Holm, SECOND by S. Johnson to recommend approval to City Council of the Final Plat Application contingent with the following conditions set forth in the staff report:

- a. **The Peace and Justice Addition Development Agreement (DA) is finalized before final map recordation.**
- b. **Subdivision Improvement, Maintenance and Warranty Agreement (SIA) is finalized and approved by the Watford City Planning Department before final map recordation.**
- c. **The name of “Peace and Justice Subdivision” is approved by the McKenzie County Recorder before recordation.**
- d. **A signature space for NDDOT Certification is added to the plat.**
- e. **The correct Final Plat must be submitted before final recordation.**

Roll Call vote: Ayes; R. Holm, J. Lawrence, G. Beard, C. Johnson, S. Johnson. Nays; None.

MOTION Carried.

New Business:

1. *Chairman Glen Beard raised discussion: Situation of the EMS exiting at the Jordhal Twinhomes. Are easements recorded on the plat? Residents are parking across lawns, in streets, and blocking the ally. City Attorney Wyatt Voll commented that the easements are dedicated but this sounds like more of a Police Department Issue than Planning. No further discussion.*

Review Building Permits: Building permits were reviewed as presented.

No comments from Commission.

Adjournment at 6:55 PM

MOTION by R. Holm, SECOND by C. Johnson.

The next regularly scheduled Planning & Zoning Commission meeting will be April 27, 2015 at 6:00 p.m.

**Glen Beard
Chairman**

**Becky O’Neill
Planning Assistant**

Permits

**YEAR TO DATE
PERMIT TOTALS**

2014	
MONTH	# ISSUED
January	32
February	4
March	15
April	58
May	17
June	58
July	44
August	69
September	47
October	112
November	30
December	25

YEAR TOTAL	511
YEAR TO DATE	109

2015	
MONTH	# ISSUED
January	13
February	9
March	17
April	36
May	
June	
July	
August	
September	
October	
November	
December	

YEAR TO DATE	75
---------------------	-----------

2014	
MONTH	VALUE
January	\$ 11,496,850.00
February	\$ 356,500.00
March	\$ 571,600.00
April	\$ 31,273,167.16
May	\$ 1,786,980.00
June	\$ 6,908,100.00
July	\$ 36,790,552.15
August	\$ 17,672,259.00
September	\$ 57,892,817.00
October	\$ 38,350,860.25
November	\$ 11,666,600.00
December	\$ 28,226,284.01

YEAR TOTAL	\$ 242,992,569.57
YEAR TO DATE	\$ 43,698,117.16

2015	
MONTH	VALUE
January	\$ 560,000.00
February	\$ 14,071,200.00
March	\$ 6,851,622.00
April	\$ 4,705,889.00
May	
June	
July	
August	
September	
October	
November	
December	

YEAR TO DATE	\$ 26,188,711.00
---------------------	-------------------------

**YEAR TO DATE
PERMIT TOTALS**

2014 TOTAL RESIDENTIAL PERMITS			
TYPE	# UNITS	# BUILDINGS	TOTAL VALUE
Single Family Home	47	47	\$ 14,127,000.00
Duplex	178	89	\$ 20,786,000.00
Apt. 3-4 units	72	18	\$ 4,960,000.00
Apt. 5 + units	1,363	60	\$ 121,448,774.50
YEAR TOTAL	1,660	214	\$ 161,321,774.50

2015 TOTAL RESIDENTIAL PERMITS			
TYPE	# UNITS	# BUILDINGS	TOTAL VALUE
Single Family Home	29	29	\$ 5,080,000.00
Duplex	0	0	\$ -
Apt. 3-4 units	0	0	\$ -
Apt. 5 + units	10	2	\$ 611,500.00
YEAR TO DATE	39	31	\$ 5,691,500.00