

PLANNING AND ZONING COMMISSION MEETING AGENDA

Monday March 26, 2018

6:00 PM City Hall, Heritage Room

- **CALL TO ORDER PUBLIC HEARING**

1. Public Hearing to hear comment on Amended Land Use Application for Conditional Use Permit submitted by Knife River- North Central for property owned by Warren Hovland located 401 14th St SW. Application is submitted for consideration of amending the time frame set within the original Conditional Use Permit to allow crushing concrete and asphalt.
2. Public Hearing to hear comment on the termination of Land Use Application for Conditional Use Permit originally submitted by Robert McCree on behalf of Alissa Christensen for property located 318 26th Ave NE to operate a home occupation for child care.
3. Public Hearing to hear comment on Division of Land Application for Map of Reversion submitted by Brosz Engineering, Inc. on behalf of Robert D. Nelson Living Trust for property located IT#743, #744, #748, and #1614 in government lots 3 & 4 in Section 7, Township 150 North, Range 98 West, 31.01 acres, Watford City, McKenzie County, North Dakota. Application is submitted for consideration of combining multiple Irregular Tracts (IT) into two lots: Lot 1= 20.00 acres, Lot 2= 11.01 acres.

- **CLOSE PUBLIC HEARING**

- **CALL TO ORDER REGULAR MEETING**

- **APPROVE MINUTES**

February 26, 2018

- **OLD BUSINESS**

- **NEW BUSINESS**

Medical Marijuana Ordinance

- **REVIEW PERMITS**

March Records

- **ADJOURNMENT**

1.

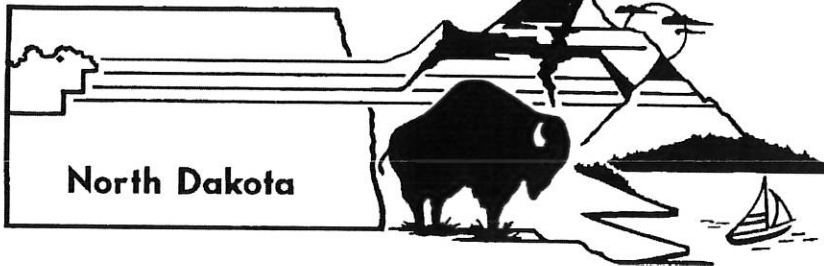
Conditional Use Permit

Amendment to current CUP

Knife River-North Central/ Warren Hovland

401 14th St. SW

Crushing Asphalt and Concrete



North Dakota

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

Land Use Application: Conditional Use Permit

\$525 + publishing costs

Applicant Information

Name: KNIFE RIVER - NORTH CENTRAL
Mailing Address: 3303 ROCK ISLAND PLACE, BISMARCK ND 58504
Phone Number: 701.319.0418 Email Address: CHRIS.KAUTZ@KNIFERIVER.COM

Property Information Current Zoning: INDUSTRIAL

Detail Summary of Request: APPROXIMATELY 2 WEEKS OF CRUSHING ASPHALT AND CONCRETE RUBBLE FOR BENEFICIAL REUSE

Assessor Parcel Number(s): 827307750
Sec. 23 Twn. 150 Rg. 99w Legal Description: ANNEXED PORTION OF E 1/2 SE 1/4

Acreage: 36.53 Address of Parcel: 401 14TH ST SW

Landowner(s) Name: WARREN HOVLAND

Mailing Address: 909 12TH ST SE, WATFORD CITY, ND 58854

Phone Number: 701.570.2357 Email Address: WARREN@ONEWAYSERVICEINC.COM

Required Documents – Refer to Application Matrix to ensure all required documents are submitted.

- Attached Exhibit(s) - Drawn, Stamped & Signed by licensed ND Professional Engineer or Land Surveyor
- Site Development Plan Application – required for all conditional use permit applications.
- Deed(s)
- PDF and or DWG provided with application
- Title Report < 60 days
- Copies: (1) 11 x 17 paper

Compliance with Land Use Application-Conditional Use Permit Requirements:

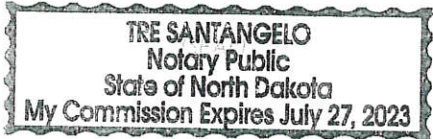
(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code; that the information on the plans and drawings attached hereto, and all 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

Landowner(s) Signature(s): [Signature] Date: 2/27/18

Landowner(s) Signature(s): _____ Date: _____

I, Tre Santangelo, a **Notary Public** of the County and State aforesaid, hereby certify that Warren Horland 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 27 day of February, 2018.



Tre Santangelo
Notary Public

My Commission expires: 07 / 27 / 2023

State of: North Dakota

County of: McKenzie

Surveyor / Engineer Information:

Name: _____
Company: _____
License: _____
Address: _____
City: _____
State & Zip: _____
Phone: _____
Email: _____

(SEAL)

OFFICE USE ONLY - Required Approvals/Signatures/Dates

Planning & Zoning: _____
City Council: _____
Advertise Date(s): _____
Property Owners Noticed: _____

Agenda Date: 3-26-18

Final Action Letter Sent: ___/___/___
staff initials: _____

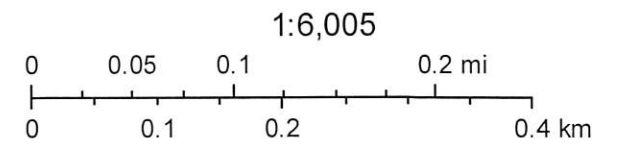
Payment: Cash _____ Credit/Debit Card _____ Check # Amount: \$ 525⁰⁰
Receipt # Invoice # _____ #34034287

Sent to Recorders – Date: _____ for Preliminary Review
Sent to Recorders – Date: _____ for Recording



March 21, 2018

- StreetCenterlines
- Place Names
- Watford City Limits
- Extra-Territorial Area (ETA)
- Cherry Creek
- Parcels from McKenzie County



GIS, Watford City, AE2S

Legend



Co Road 35

14th St SW

1000 ft

Lincoln St

Grant Ave

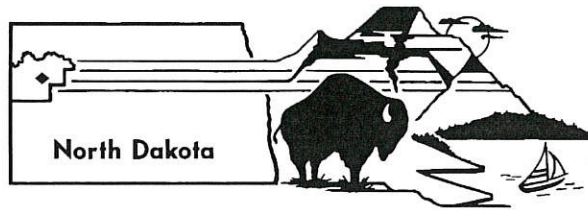
2nd Ave SW

Approximate Crusher Location

Knife River Company
Watford City
Ready Mix Concrete and Asphalt Plant



Watford City



City of Watford City

213 2nd St., NE / PO Box 494

Watford City, ND 58854

Ph. 701- 444- 2533

Fax 701- 444- 3004

cityofwatfordcity.com

March 26, 2018

STAFF REPORT **CUP Conditional Use Permit**

APPLICANT:

Knife River –North Central
Attn: Luci Snowden
3303 Rock Island Place
Bismarck, ND 58504

PROPERTY OWNERS:

Warren Hovland
One Way Service, Inc.
909 12th St SE
Watford City, ND 58854

PROPERTY LOCATION:

Parcel # 82-73-07750, Annexed portion of E ½ SE ¼ Section 23, Township 150 North, Range 99 West, 401 14th St SW, Watford City, McKenzie County, North Dakota.

REQUEST:

Application has been submitted for an Amendment to current Conditional Use Permit for the consideration of allowing crushing of asphalt and concrete.

ZONING:

HI: Heavy Industrial

CURRENT USE:

Industrial

REFERENCES:

Watford City Municipal Code of Ordinances Chapter XV Zoning Ordinances, Article XIX (A) Heavy Industrial, Section E: Uses Subject to a Conditional Use Permit- *Rock Crushing and Stripping*.

DISCUSSION:

This property currently has two other Conditional Use Permits. They have previously been permitted for the operation of a ready-mix concrete and asphalt batch plants. In the past few years, during winter months while construction has slowed, Knife River would typically load waste concrete and asphalt rubble into semi-trailers and transport the materials out of town to be crushed. After crushing, the concrete and asphalt would then be transported back to this property to essentially be recycled/reused. In an effort to save costs and time, Knife River has a Conditional Use Permit to bring equipment on-site to crush the waste concrete and asphalt. The current Conditional Use Permit is approved for them to only crush concrete and or asphalt during winter months for a two week time frame. Knife River is requesting to amend the existing Conditional Use Permit to allow them to crush at any time of year dependent upon equipment availability and this time frame will change annually. Once the actual crushing operations have started, the process is estimated to only take approximately two weeks. With this time-frame in mind, The Commission should consider this to be equivalent to the current Conditional Use Permit due to the fact it still will only be a two week period of crushing concrete and asphalt materials. The approval of the Amended Conditional Use Permit could still be set for a period of one (1) year of actual crushing operations. By giving this Conditional Use Permit approval for one year, next year in March, Knife River will be able to have the option to have this Permit reviewed/renewed and possibly resume crushing any time during the year.

The City Planning Department would like to recommend that the site be improved to Industrial Standards since uses are not temporary, they have been in operation since 2015. The Requirement for approval of this amendment to their existing Crushing Permit will require improvement to the property following our Heavy Industrial Zoning Ordinance. This would include the property frontage being paved with a hard surface being it concrete or asphalt as well as the drive aisle and parking. If they do not comply with our City Ordinance the amendment will not be recommended for approval. These requirements will bring the property into full compliance with our Ordinance.

The City Planning Department would recommend Denial for this amendment due to the fact we have had contact with Knife River requesting these improvements. At this time we have not heard back from them as to if they want to move forward with the improvements or if they are going to abandon their original request for their current Conditional Use Crushing Permit.

While crushing operations are taking place, The City of Watford City will have zero tolerance for fugitive dust, material track-out, and noise disruptions outside of the hours of 7:00 AM – 9:00 PM. Any such violations may result in the implementation of fines as specified with City Ordinances as well as jeopardize the Conditional Use Permit which The City holds the right to revoke. Watford City's Code Enforcement Officer(s) will be monitoring this property to ensure compliance with City Ordinances. The City Ordinances pertaining to this Conditional Use Permit are not limited to, but include the following:

- *Chapter IV: Public Health, Welfare, and Safety, Article 16- Lot Maintenance, Section 4-1602: Fugitive Dust*
- *Chapter IV: Public Health, Welfare, and Safety, Article 16- Lot Maintenance, Section 4-1601: Material Track Out.*
- *Chapter IV: Public Health, Welfare, and Safety, Article 13- Radio Interference and Noise Control, Section 4-1302: Loud Disturbing, Unnecessary Noises Prohibited; Following Exceptions #8 and #18.*

The City of Watford City mailed the property owners holding an interest in the property, as well as the adjacent property owners, a notice regarding the Land Use Application received for Conditional Use Permit. At the time of this report, none of the above mentioned noticed property owners have contacted The City regarding this Application.

SITE DEVELOPMENT:

Access: The property is accessed from 14th St SW off of 2nd Ave SW (a.k.a Hwy 85 Business)

Sewer: City Sanitary Sewer Services are available within this area.

Water: City Water Services are available within this area.

SURROUNDING LAND USE:

North: Zoning – C1: General Commercial
Use - Commercial Businesses

East: Zoning – AG: Agriculture
Use - McKenzie County Shop building and undeveloped land

South: Zoning – AG: Agriculture & C1: General Commercial
Use - RTC Building, Church, and undeveloped land.

West: Zoning – AG: Agriculture
Use - Undeveloped

RECOMMENDATION:

It is the recommendation of City Planning Department Staff to DENY the Land Use Application for Conditional Use Permit for the purpose of crushing asphalt and concrete.

PLANNING DEPARTMENT STAFF CONTACT:

Becky Smith
basmith@nd.gov
(701)444-8402

LaRissa Bertram
lbertram@nd.gov
(701)444-8406



3303 Rock Island Place
Bismarck, ND 58504
(701) 223-5480
(701) 223-5557 FAX

February 9, 2018

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

RE: Land Use Application – Conditional Use Permit

Enclosed please find a land use application for a conditional use permit to operate a concrete and asphalt rubble crusher at Knife River's ready mix concrete and asphalt plant located at 401 14th St SW.

The crusher set up will run for approximately 2 weeks to process the rubble for beneficial reuse. The crusher is expected to operate during daylight hours. Crusher operation timeframe is dependent upon equipment availability and is anticipated to change annually.

Dust will be minimized using methods such as curtains on the crushing unit but by allowing crusher operations during warmer months, rather than restricting to January through March, Knife River has more suppression methods available, such as water misting.

If you have any questions or require more information, please contact me at 701-530-1302 or luci.snowden@kniferiver.com.

Sincerely,

Luci Snowden
Environmental Manager
Knife River Corporation - North Central
North Dakota Division

ORIGINAL From December 26, 2017 Agenda



North Dakota

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

Land Use Application: *Conditional Use Permit*

\$525 + publishing costs

Applicant Information

Name: KNIFE RIVER - NORTH CENTRAL
Mailing Address: 3303 ROCK ISLAND PLACE, BISMARCK ND 58504
Phone Number: 7013190418 Email Address: CHRIS.KAUTZ@KNIFERIVER.COM

Property Information Current Zoning: INDUSTRIAL

Detail Summary of Request: APPROXIMATELY 2 WEEKS OF CRUSHING ASPHALT AND CONCRETE RUBBLE FOR BENEFICIAL REUSE

Assessor Parcel Number(s): 827307750
Sec. 23 Twn. 150 Rg. 99w Legal Description: ANNEXED PORTION OF E 1/2 SE 1/4

Acreage: 36.53 Address of Parcel: 401 14TH ST SW

Landowner(s) Name: WARREN HOVLAND

Mailing Address: 909 12TH ST SE, WATFORD CITY, ND 58854

Phone Number: 701.570.2357 Email Address: WARREN@ONEWAYSERVICEINC.COM

- Required Documents** – Refer to Application Matrix to ensure all required documents are submitted.
- Attached Exhibit(s) - Drawn, Stamped & Signed by licensed ND Professional Engineer or Land Surveyor
 - Site Development Plan Application – required for all conditional use permit applications.
 - Deed(s)
 - PDF and or DWG provided with application
 - Title Report < 60 days
 - Copies: (1) 11 x 17 paper

Compliance with Land Use Application-Conditional Use Permit Requirements:

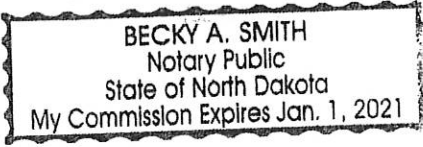
(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code; that the information on the plans and drawings attached hereto, and all 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

Landowner(s) Signature(s): [Signature] Date: 12/6/17

Landowner(s) Signature(s): _____ Date: _____

I, Becky A. Smith, a Notary Public of the County and State aforesaid, hereby certify that Warren Howland 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 10th day of December, 2017.



Becky A. Smith
Notary Public

My Commission expires: 1/1/21

State of: North Dakota
County of: McKenzie

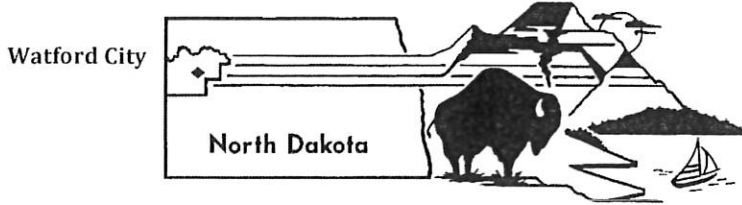
Surveyor / Engineer Information:

Name: _____
Company: _____
License: _____
Address: _____
City: _____
State & Zip: _____
Phone: _____
Email: _____

OFFICE USE ONLY - Required Approvals/Signatures/Dates

Agenda Date: December 26, 2017
Final Action Letter Sent: / /
staff initials:
Planning & Zoning: Tuesday December 26
City Council: Tuesday January 2, 2018
Advertise Date(s): 12-13-17 & 12-20-17
Property Owners Noticed: ✓ Larissa
Payment: Cash Credit/Debit Card Check # ✓ Amount: \$ 500.00
Receipt # INVOICE # 331 # 34033007

Sent to Recorders – Date: _____ for Preliminary Review
Sent to Recorders – Date: _____ for Recording



City of Watford City
213 2nd St., NE / PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
cityofwatfordcity.com

December 20, 2017

STAFF REPORT
CUP 17-2017 Conditional Use Permit

APPLICANT:

Knife River –North Central
Attn: Luci Snowden
3303 Rock Island Place
Bismarck, ND 58504

PROPERTY OWNERS:

Warren Hovland
One Way Service, Inc.
909 12th St SE
Watford City, ND 58854

PROPERTY LOCATION:

Parcel # 82-73-07750, Annexed portion of E ½ SE ¼ Section 23, Township 150 North, Range 99 West, 401 14th St SW, Watford City, McKenzie County, North Dakota.

REQUEST:

Application has been submitted for a Conditional Use Permit for the consideration of allowing crushing of asphalt and concrete.

ZONING:

HI: Heavy Industrial

CURRENT USE:

Industrial

REFERENCES:

Watford City Municipal Code of Ordinances Chapter XV Zoning Ordinances, Article XIX (A) Heavy Industrial, Section E: Uses Subject to a Conditional Use Permit- *Rock Crushing and Stripping*.

DISCUSSION:

This property currently has two other Conditional Use Permits. They have previously been permitted for the operation of a ready-mix concrete and asphalt batch plants. In the past few years, during winter months while construction has slowed, Knife River would typically load waste concrete and asphalt rubble into semi-trailers and transport the materials out of town to be crushed. After crushing, the concrete and asphalt would then be transported back to this property to essentially be recycled/reused. In an effort to save costs and time, Knife River is requesting a Conditional Use Permit to bring equipment on-site to crush the waste concrete and asphalt. Knife River expects that the crushing process will only take place within the next few winter months and once the actual crushing operations have started, the process is estimated to only take approximately two weeks. With this time-frame in mind, The Commission should consider a shortened length of time for which the permit will be active. The approval of this Conditional Use Permit could still be set for a period of one (1) year but the actual crushing operations should be given specified conditions in order to limit the crushing to only occur during winter months. By giving this Conditional Use Permit approval for one year, next year in December, Knife River will be able to have the option to have this Permit reviewed/renewed and possibly resume crushing next winter.

While crushing operations are taking place, The City of Watford City will have zero tolerance for fugitive dust, material track-out, and noise disruptions outside of the hours of 7:00 AM – 9:00 PM. Any such violations may result in the implementation of fines as specified with City Ordinances as well as jeopardize the Conditional Use Permit in which The City holds the right to revoke even upon the first offense. Watford City's Code Enforcement Officer(s) will be monitoring this property to ensure compliance of City Ordinances. The City Ordinances pertaining to this type of Conditional Use Permit are not limited to, but especially include the following:

- *Chapter IV: Public Health, Welfare, and Safety, Article 16- Lot Maintenance, Section 4-1602: Fugitive Dust*
- *Chapter IV: Public Health, Welfare, and Safety, Article 16- Lot Maintenance, Section 4-1601: Material Track Out.*
- *Chapter IV: Public Health, Welfare, and Safety, Article 13- Radio Interference and Noise Control, Section 4-1302: Loud Disturbing, Unnecessary Noises Prohibited; Following Exceptions #8 and #18.*

The City of Watford City mailed the property owners whom hold an interest in the property, as well as the adjacent property owners, a notice regarding the Land Use Application received for Conditional Use Permit. At the time of this report, none of the above mentioned noticed property owners have contacted The City regarding this Application.

SITE DEVELOPMENT:

Access: The property is accessed from 14th St SW off of 2nd Ave SW (a.k.a Hwy 85 Business)

Sewer: City Sanitary Sewer Services are available within this area.

Water: City Water Services are available within this area.

SURROUNDING LAND USE:

North: Zoning – C1: General Commercial
Use - Commercial Businesses

East: Zoning – AG: Agriculture
Use - McKenzie County Shop building and undeveloped land

South: Zoning – AG: Agriculture & C1: General Commercial
Use - RTC Building, Church, and undeveloped land.

West: Zoning – AG: Agriculture
Use - Undeveloped

RECOMMENDATION:

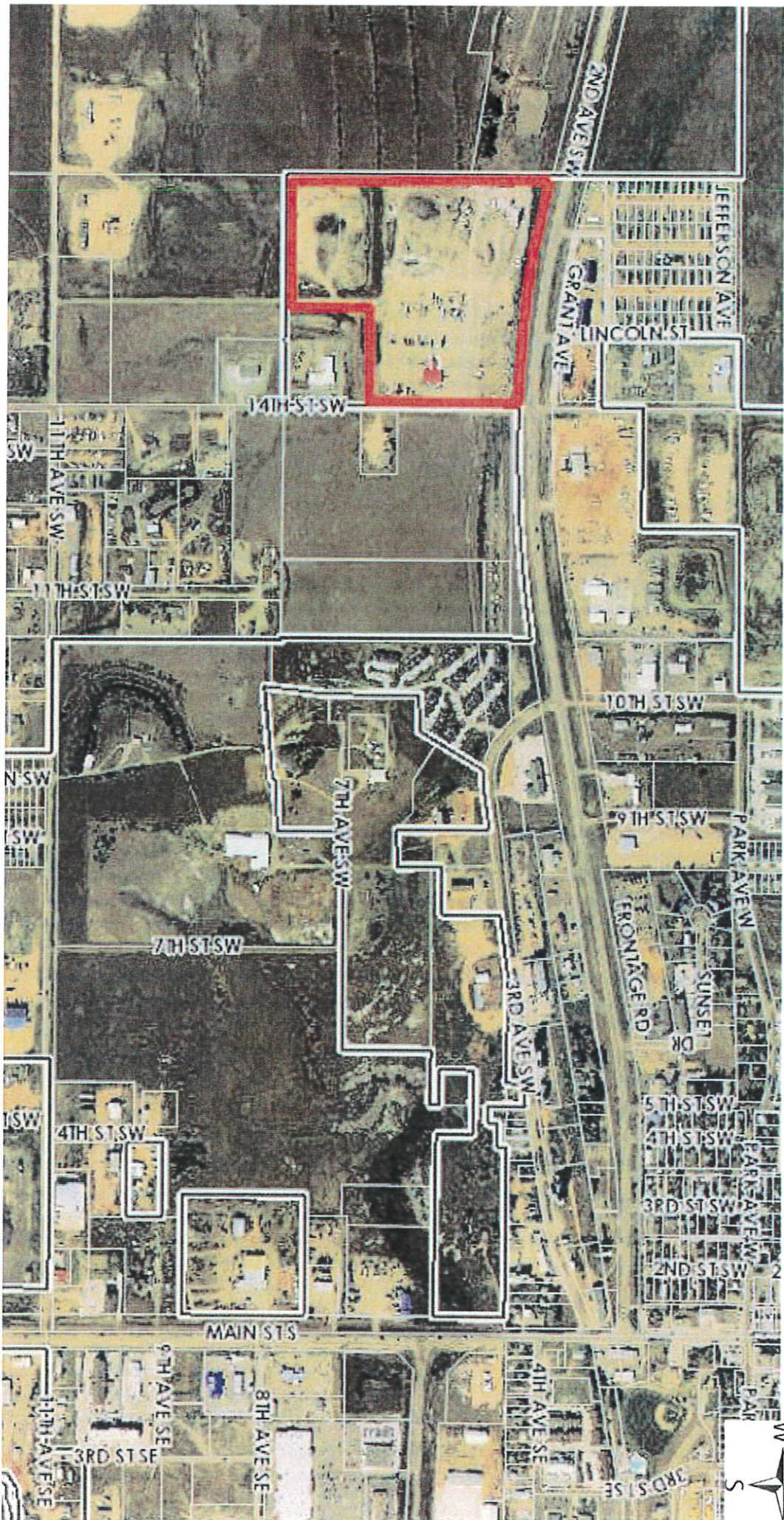
It is the recommendation of City Planning Department Staff to Approve the Land Use Application for Conditional Use Permit for the purpose of crushing asphalt and concrete.

Approval will be contingent upon the following items:

1. The Conditional Use Permit shall be for a term of one (1) year. The Permit will be reviewed again in December 2018 and may be subject to additional requirements.
2. The Conditional Use Permit shall only be active for a specified time period. Crushing operations may only occur during the winter months consisting of January through March 31, 2018. Crushing operations must be concluded by, or before, March 31, 2018. Additionally, all related equipment must be removed from the property or properly stored for inactivity.
3. All City Ordinances and regulations must be followed especially, but not limited to, the following: fugitive dust, material track-out, and noise disturbances. The specific fines set within the Ordinance will be imposed for any and all occurrences of any such violations. Violations may also lead to revocation of this Conditional Use Permit.

PLANNING DEPARTMENT STAFF CONTACT:

Becky Smith
basmith@nd.gov
(701)444-8402



Approximate Crusher Location

Knife River Company
Watford City
Ready Mix Concrete and Asphalt Plant

Legend

Co Road 35

14th St SW

Lincoln St

Grant Ave

2nd Ave SW

1000 ft



Google earth

© 2017 Google



3303 Rock Island Place
Bismarck, ND 58504
(701) 223-5480
(701) 223-5557 FAX

December 6, 2017

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

RE: Land Use Application – Conditional Use Permit

Enclosed please find a land use application for a conditional use permit to operate a concrete and asphalt rubble crusher at Knife River's ready mix concrete and asphalt plant located at 401 14th St SW. The crusher set up will run for approximately 2 weeks to process the rubble for beneficial reuse. The crusher is expected to operate during daylight hours. Dust will be minimized using methods such as curtains on the crushing unit.

If you have any questions or require more information, please contact me at 701-530-1302 or luci.snowden@kniferiver.com.

Sincerely,

Luci Snowden
Environmental Manager
Knife River Corporation - North Central
North Dakota Division

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Watford City Planning and Zoning Commission will hold a Public Hearing on **TUESDAY DECEMBER 26, 2017** at **6:00 PM** in the Heritage Room of City Hall to hear comment on Land Use Application for Conditional Use Permit submitted by Knife River- North Central for property owned by Warren Hovland, One Way Service Inc. The property is located PID: 82-73-07750, in the E ½ of the SE ¼ of Section 23, Township 150N, Range 99W, 401 14th St SW, Watford City, McKenzie County, North Dakota. The application is submitted for the purpose of crushing asphalt and concrete.

The Application is available for public viewing and copying at City Hall in the Planning Department Monday-Friday 8:00AM-5:00PM.

Dated this 6th day of December 2017

Becky A. Smith
Assistant Planner

Run: 2 times
Published: McKenzie County Famer 12/13/17 and 12/20/17

Mailed to:
Warren Hovland
909 12th St. SE
Watford City ND 58854

Mckenzie Co.
201 5th St. SW Suite 543
Watford City ND 58854

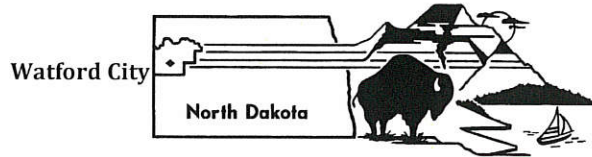
RTC
P.O. Box 68
Parshall ND 58770

LSS Houseing Watford City II LLC
P.O. Box 2148
Fargo ND 58107

Cary & Darlene Garmann
P.O. Box 53
Watford City ND 58854

Living Faith Lutheran Church
P.O. Box 993
Watford City ND 58854

BadLands Development
3711 4th Ave. NE
Watford city ND 58854



City of Watford City

213 2nd St. NE | PO Box 494

Watford City, ND 58854

Phone (701)444-2533

Fax (701)444-3004

www.cityofwatfordcity.com

January 9, 2018

Knife River- North Central
Attn: Luci Snowden
3303 Rock Island Place
Bismarck, ND 58504

Warren Hovland
One way Service, Inc.
909 12th St. SE
Watford City, ND 58854

RE: Conditional Use Permit

Please accept this letter as final action notification for the Land Use Application for Conditional Use Permit filed for Knife River- North Central / Warren Hovland for property located at Parcel# 82-73-07750, Annexed portion of E ½ SE ¼ Section 23, Township 150 North, Range 99 West, 401 14th St SW, Watford City, McKenzie County, North Dakota.

The Conditional Use Permit was **APPROVED** by City Council on January 2nd, 2018 to allow the crushing of asphalt and concrete.

Approval of the Conditional Use Permit is contingent upon the following conditions as set forth within the Planning Department Staff Report:

1. The Conditional Use Permit shall be for a term of one (1) year. The Permit will be reviewed again in December 2018 and may be subject to additional requirements.
2. The Conditional Use Permit shall only be active for a specified time period. Crushing operations may only occur during the winter months consisting of January through March 31, 2018. Crushing operations must be concluded by, or before, March 31, 2018. Additionally, all related equipment must be removed from the property or properly stored for inactivity.
3. All City Ordinances and regulations must be followed especially, but not limited to, the following: fugitive dust, material track-out, and noise disturbances. The specific fines set within the Ordinance will be imposed for any and all occurrences of any such violations. Violations may also lead to revocation of this Conditional Use Permit.

If you have any questions or need additional information please feel free to contact myself or Assistant Planner Becky Smith at (701)444-8402 or by email at basmith@nd.gov

Sincerely,

LaRissa Bertram
Assistant Planner
(701)444-8406
lbertram@nd.gov

FINAL ACTION

Public Hearing to hear comment on Land Use Application for Conditional Use Permit submitted by Knife River-North Central for property owned by Warren Hovland, One Way Service Inc. located 401 14th St SW. Conditional Use Permit for crushing asphalt and concrete.

PLANNING & ZONING COMMISSION:

Chairman Glen Beard & Rick Holm raised concerns of dust which might be produced during crushing. They referenced other crushing projects around town and questioned City Building Official/Code Enforcement, Steven Williams about complaints. Steve said none had been received and Assistant Planner, Becky Smith, mentioned that the Staff Report states that as a condition of approval, all City Ordinances and regulations will need to be followed and any violations could result in the CUP to be revoked. Becky also mentioned that Knife River expects the crushing to only take place over a two week time period this winter. The CUP will be for a term of 1 year so that it can be renewed but the actual crushing will be limited to winter months only.

MOTION by R. Holm, SECOND by G. Schuetze to recommend APPROVAL to City Council of the Land Use Application for Conditional Use Permit for crushing asphalt and concrete. Approval is contingent upon the following recommendations as stated within Planning Department Staff Report:

- a. The Conditional Use Permit shall be for a term of one (1) year. The Permit will be reviewed again in December 2018 and may be subject to additional requirements.
- b. The Conditional Use Permit shall be only be active for a specified time period. Crushing operations may only occur during the winter months consisting of January through March 31, 2018. Additionally, all related equipment must be removed from the property or properly stored for inactivity.
- c. All City Ordinances and regulations must be followed especially, but not limited to, the following: fugitive dust, material track-out, and noise disturbances. The specified fines set within the Ordinances will be imposed for any and all occurrences of any such violations. Violations may also lead to revocation of this Conditional Use Permit.

Roll Call Vote:

Ayes: G. Beard, R. Holm, J. Lawrence, G. Schuetze, J. Taylor

Nays: None.

MOTION Carried.

CITY COUNCIL:

Minutes of the regular City Council meeting held on January 2, 2018 at 6:00 p.m. at City Hall. Present were Mayor Justin Voll and Council Members Phil Riely, Steve Sanford, Bethany Devlin, Kenny Liebel, and Aaron Gravos. Absent was Council Member Matt Beard. Also present was City Planner Curt Moen, City Auditor Peni Peterson and Attorney Wyatt Voll.

Council Member Liebel moved to approve the Land Use Application – Conditional Use Permit (Annual Review) for Knife River to continue allowing the crushing of asphalt and concrete, with the conditions as stated in the Planning and Zoning Staff Report. Motion seconded by Council Member Gravos and carried by the following roll call vote: Sanford, Riely, Gravos, Devlin, and Liebel; nays: none.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Watford City Planning and Zoning Commission will hold a Public Hearing on **Monday March 26, 2018 at 6:00 PM** in the Heritage Room of City Hall to hear comment on Amended Land Use Application for an Conditional Use Permit submitted by Knife River- North Central for property owned by Warren Hovland, One Way Service Inc. The property is located PID: 82-73-07750, in the E ½ of the SE ¼ of Section 23, Township 150N, Range 99W, 401 14th St SW, Watford City, McKenzie County, North Dakota. The application is submitted for the consideration of amending the time frame set within the original Conditional Use Permit to allow crushing asphalt and concrete.

The Application is available for public viewing and copying at City Hall in the Planning Department Monday-Friday 8:00AM-5:00PM.

Dated this 9th day of March, 2018



LaRissa Bertram
Assistant City Planner

Run: 2 times

Published: McKenzie County Famer 03/14/2018 and 03/21/2018

Mailed to:

Warren Hovland
909 12th St. SE
Watford City ND 58854

Mckenzie Co.
201 5th St. SW Suite 543
Watford City ND 58854

RTC
P.O. Box 68
Parshall ND 58770

LSS Houseing Watford City II LLC
P.O. Box 2148
Fargo ND 58107

Cary & Darlene Garmann
P.O. Box 53
Watford City ND 58854

Living Faith Lutheran Church
P.O. Box 993
Watford City ND 58854

BadLands Development
3711 4th Ave. NE
Watford city ND 58854

2.

Conditional Use Permit

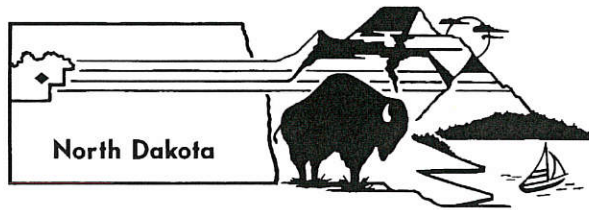
Termination

Robert McCree and Alyssa Christenson

318 26th Ave. NE

In Home Occupation for Child Care

Watford City



City of Watford City

213 2nd St., NE / PO Box 494

Watford City, ND 58854

Ph. 701- 444- 2533

Fax 701- 444- 3004

cityofwatfordcity.com

March 19, 2018

STAFF REPORT **CUP Conditional Use Permit**

APPLICANT:

Alissa Christensen
318 26th Ave NE
Watford City, ND 58854

PROPERTY OWNER:

Robert McCree
318 26th Ave NE
Watford City, ND 58854

PROPERTY LOCATION:

318 26th Ave NE, Lot 10 Block 7 Dakota Ridge Subdivision, Section 7, T150N, R98W

REQUEST:

Home Occupation for child care

ZONING:

R-1, Single Family Dwelling District

CURRENT USE:

Single Family Home

REFERENCES:

Watford City Code Chapter XV – Article X, Single Family Dwelling District, and Article XXV, Conditional Uses

DISCUSSION:

According to McKenzie County Social Services licensing records, updated on March 3, 2018 Ms. Christenson's existing Conditional Use Permit for Home Occupation In Home Childcare was no longer needed due to the fact that the business has moved to a different location, outside of city limits therefore no longer needing the Conditional Use Permit located as the property addressed at 318 26th Ave. NE Watford City ND.

SITE DEVELOPMENT:

Access: Home is located in Dakota Ridge Subdivision, off 26th Ave NE, which is newly improved street with curb and gutter.

Sewer: City services available and connected to property. .

Water: City services available and connected to property.

SURROUNDING LAND USE:

R-1, Single Family Dwelling District

RECOMMENDATION:

It is the recommendation of City Planning Department Staff to TERMINATE the Conditional Use Permit for the purpose of Home Occupation for child care, due to her operation moving outside of city limits and no longer needing the original establishment for business.

PLANNING DEPARTMENT STAFF CONTACT:

Becky Smith
basmith@nd.gov
(701)444-8402

LaRissa Bertram
lbertram@nd.gov
(701) 444-8406



McKenzie County Licensed Childcares

7 hrs · 🌐

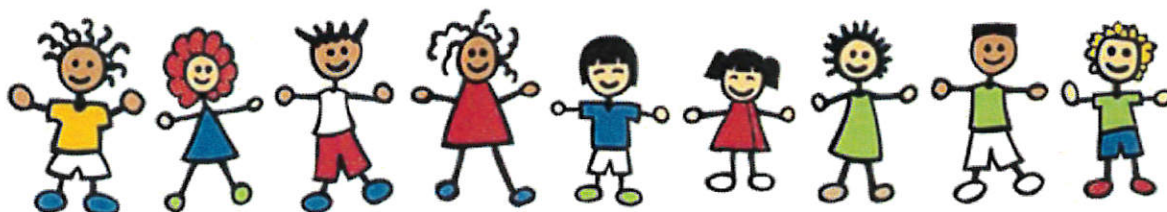


Here is an updated Licensed Daycare List as of 3/8/2018

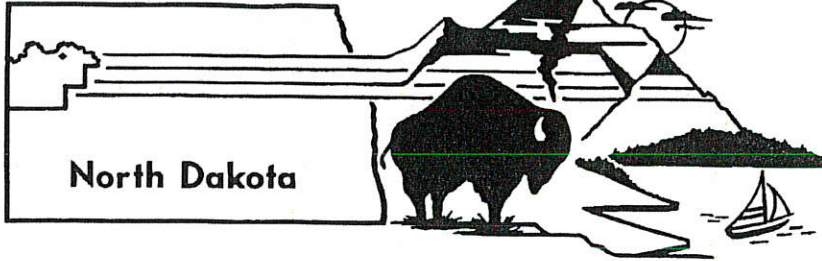
If you or anyone you know is interested in the process of being Self-Declared or Licensed, please email

hwhitaker@co.mckenzie.nd.us 😊

McKenzie County Licensed Centers And In - Home Day Cares



Center Name / Provider	Address	Contact Number	License Number
Centers			
Wolf Pup Day Care Tessa Moberg	325 3 rd St. SE, Watford City	(701) 842-3075	27-81-0825-C
Group In-home Care			
Bright Minds, LLC Nicole Holen	309 Montana Ave, Alexander	(701) 770-6387	27-81-0841-H
Little Footprints Daycare Alissa Christensen	3227 1255 th Y Ave NW	(701) 580-9191	27-81-0844-G
Family In-home Care			
Janice's Kids Janice Clifford	100 4 th St. NE, Watford City	(701) 842-4328	27-81-0787-F
Shining Stars Day Care Janiel Pickering	312 Madison St., Arnegard	(701) 570-7963	27-81-0833-F
Self-Declared			
Faith Oakland	15554 31 st NE, Cartwright	(406) 480-1476	27-81-0839-S



North Dakota

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

Land Use Application: Conditional Use Permit

\$525 + publishing costs

Applicant Information

Name: Robert A McCreec
Mailing Address: PO Box 2648 Watford City, ND 58854
Phone Number: 701-580-2529 Email Address: rob@watfordaeroService.com

Property Information Current Zoning: R1

Detail Summary of Request: Approval for my inhome Licensed Day Care. (Alissa Christensen 701-580-9191 alissamann2010@gmail)

Assessor Parcel Number(s): 82-32-07100

Sec. 7 Twn. 150N Rg. 98W Legal Description: Lot - 10 BLK - 007
Dakota Ridge Subdivision 1st Addition

Acreage: .22 Address of Parcel: 318 26th Ave NE

Landowner(s) Name: Robert A McCreec

Mailing Address: PO Box 2648, Watford City, ND 58854

Phone Number: 701-580-2529 Email Address: rob@watfordaeroService.com

Required Documents - Refer to Application Matrix to ensure all required documents are submitted.

- Attached Exhibit(s) - Drawn, Stamped & Signed by licensed ND Professional Engineer or Land Surveyor
- Site Development Plan Application - required for all conditional use permit applications.
- Deed(s)
- PDF and or DWG provided with application
- Title Report < 60 days
- Copies: (1) 11 x 17 paper

Compliance with Land Use Application-Conditional Use Permit Requirements:

(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

Landowner(s) Signature(s): [Signature] Date: 9/22/17

Landowner(s) Signature(s): _____ Date: _____

I, Becky A. Smith, a Notary Public of the County and State aforesaid, hereby certify that Robert McCree 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 27th day of September, 2017.

(SEAL)

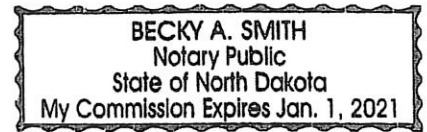
Becky A. Smith
Notary Public

My Commission expires: 1/1/2021

State of: North Dakota
County of: McKenzie

Surveyor / Engineer Information:

Name: _____
Company: _____
License: _____
Address: _____
City: _____
State & Zip: _____
Phone: _____
Email: _____



(SEAL)

OFFICE USE ONLY - Required Approvals/Signatures/Dates

Planning & Zoning: _____
City Council: _____
Advertise Date(s): _____
Property Owners Noticed: _____

Agenda Date: October 30, 2017

Final Action Letter Sent: ___/___/___
staff initials: _____

Payment: Cash ___ Credit/Debit Card ___ Check # 1410 Amount: \$ 525.00
Receipt # _____ INVOICE # 3212 9-27-17

Sent to Recorders – Date: _____ for Preliminary Review
Sent to Recorders – Date: _____ for Recording

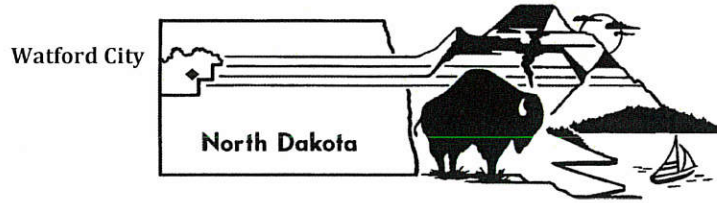
9/21/17

City of Watford City,

Hello, my name is Alissa Christensen, I live at 318 26th Ave NE, and I am requesting your approval to have an in-home family daycare at this residence. I am licensed through the state of North Dakota to have up to 7 children under the age of 5 and 2 school aged children.

Thank you,

Alissa Christensen



City of Watford City
213 2nd St., NE / P.O. Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
cityofwatfordcity.com

October 17, 2017

STAFF REPORT
CU-15-2017 Conditional Use Permit Application

Applicant

Alissa Christensen
318 26th Ave NE
Watford City, ND 58854

Property Owner

Robert McCree

Property Address: 318 26th Ave NE, Lot 10 Block 7 Dakota Ridge Subdivision, Section 7, T150N, R98W

Zone: R-1, Single Family Dwelling District

Conditional Use Requested: Home Occupation for child care

Reference: Watford City Code Chapter XV – Article X, Single Family Dwelling District, and Article XXV, Conditional Uses

Discussion: Mr. McCree made application for Alissa Christensen to operate a home occupations – child care in their home. Ms. Christensen is licensed as Family Daycare with McKenzie County Social Services.

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 annual review of CUP application. None of the noticed property owners contacted the city regarding the application.

The commission should carefully consider all of the possible implications associated with approving this Conditional Use. Chapter XV, Article XX of the City of Watford City ordinances require that "All required off-street parking areas, including access drives, shall be improved with asphalt, concrete or similar dust-free surface and all parking spaces shall be clearly marked."

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 of community.*
- 2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;*
- 3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;*
- 4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;*
- 5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; 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 effects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

Site Development:

Access: Home is located in Dakota Ridge Subdivision, off 26th Ave NE, which is newly improved street with curb and gutter.

Sewer: City services available and connected to property.

Water: City services available and connected to property.

Recommendation:

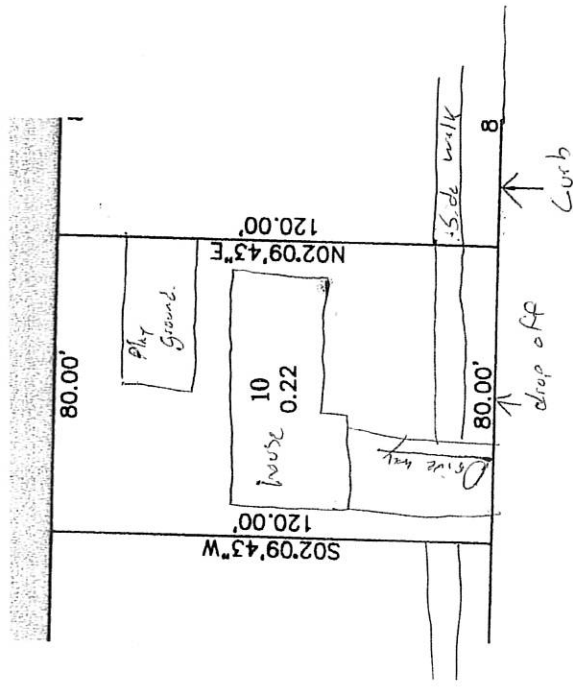
Staff recommends **approval** of the Conditional Use Permit to operate Home Occupation – Child Care in her home with the following requirements:

1. Conditional Use Permit shall be for a term of one year and reviewed every 12 months thereafter.
2. Ms. Christensen will maintain compliance with McKenzie County Social Services requirements of Family Child Care Homes as listed on ND. Dept. of Human Services Compliance Checklist. (attached)
3. Along with NDDHS compliance checklist Ms. Christensen will provide fenced monitored play area for children in her care. She will also provide safe pick-up/drop-off procedure to clients and City Staff.

Contact:

Mildred Williams
Principal Planner
miwilliams@nd.gov
701-444-8406





Road

3.

Division of Land application

Map of Reversion

Robert D. Nelson Living Trust

*Located IT#743, #744, #748, and #1614 and Lots 3 & 4 in Section 7 of
Township150 Range 98*

DIVISION OF LAND



SIMPLE LOT SPLIT

APPLICATION

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

APPLICATION FEE:
\$675.00

REQUIREMENTS: All applications must be legible, printed in ink or typed, and suitable for reproduction. *Original application with original signature is required.* A *simple lot split* (parcel map) 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. Along with this application, please submit the following: N.D. Professionally Engineered/Surveyed map of parcels in both .PDF format and 11"x17" size paper, a brief justification letter explaining the request/reasoning for simple lot split and a copy of property deed(s) and/or title report. Once approved, a 24" x 36" size mylar plat will need to be submitted for signatures and recordation. For specific details regarding Simple Lot Splits, please refer to the *City of Watford City Municipal Code of Ordinances: CHAPTER XV ARTICLE XXX SECTION 13.*

PROPERTY OWNER INFORMATION

OWNER NAME(S): <i>Robert D. Nelson Trust</i>	PHONE NUMBER: <i>570-1340</i>	EMAIL: <i>timstribc@yahoo.com</i>
MAILING ADDRESS: <i>PO Box 1097 Watford City, ND 58854</i>		

APPLICANT INFORMATION

Same as Owner

APPLICANT NAME: <i>Tim Nelson</i>	PHONE NUMBER: <i>same</i>	EMAIL: <i>same</i>
MAILING ADDRESS: <i>same</i>		

DEVELOPER INFORMATION

DEVELOPER NAME: <i>none / NA</i>	PHONE NUMBER:	EMAIL:
MAILING ADDRESS:		

PROPERTY INFORMATION

PROPERTY ADDRESS:		ZONING DISTRICT: <i>AG</i>	
PARCEL NUMBER:	SUBDIVISION:	LOT #	BLOCK #
LEGAL DESCRIPTION: (SECTION, TOWNSHIP, RANGE) <i>S7-T150-R98</i>		NEW LEGAL DESCRIPTION:	
EXISTING ACREAGE/SQ.FT.:		NEW ACREAGE/SQ.FT.:	
CURRENT USE OF PROPERTY: <i>AG / Residential</i>		PROPOSED USE OF PROPERTY: <i>AG / Residential</i>	

DESCRIPTION

Please give a brief description of the request for simple lot split.

Combine multiple IT's into 2 parcels for purpose of sale to estate grandchildren.

APPLICANT SIGNATURE: (IF DIFFERENT THAN OWNER)

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

APPLICANT SIGNATURE:

[Handwritten Signature]

DATE:

3 / 19 / 18

APPLICANT PRINT NAME:

Tim Nelson

APPLICANT TITLE:

PROPERTY OWNER(S) AFFIDAVIT

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

PROPERTY OWNER SIGNATURE:

[Handwritten Signature]

DATE:

3 / 19 / 18

PROPERTY OWNER SIGNATURE:

DATE:

1 / 1

PROPERTY OWNER NOTARY

On this 19th day of March, 2018 before me, the undersigned, a notary public for the state of North Dakota, personally appeared, Tim Nelson known to me to be the person(s) who executed the certificate in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first written above.

[Handwritten Signature]

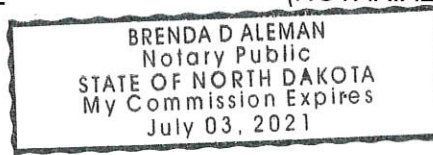
(NOTARIAL SEAL)

Notary Public

Notary Public for the state of North Dakota

Residing at Watford City, ND

My Commission Expires _____



▼ OFFICE USE ONLY ▼

- COPY OF PROPERTY DEED
- COPY OF TITLE REPORT
- COPY OF TITLE MEMORANDUM
- .PDF & LEDGER SIZE REVIEW COPY OF PLAT
- VICINITY MAP
- LEGAL DESCRIPTION
- ORIGINAL SURVEYOR STAMP & SIGNATURE
- JUSTIFICATION LETTER

LEGAL NOTICE DATES:

3,14,2018

3,21,2018

ADJACENT PROPERTY OWNER NOTICES MAILED

MEETING DATES:

PLANNING COMMISSION:

3,26,2018

CITY COUNCIL:

4,2,2018

INVOICE:

INVOICE NUMBER: 3377

DATE CREATED: 3,20,18

BY: Ba

PAYMENT: \$675.00

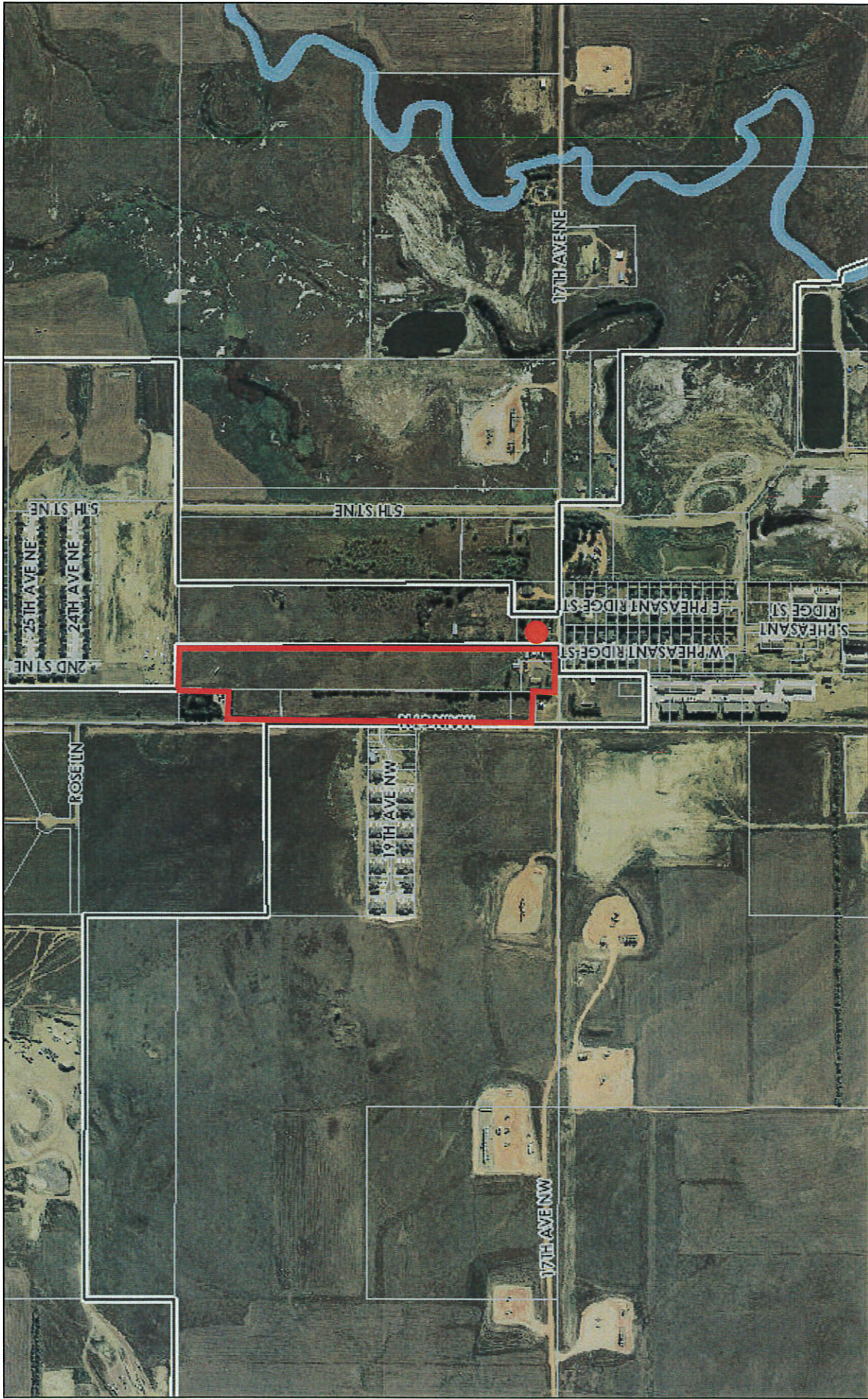
DATE RECEIVED: 3,20,18

BY: Ba

CARD

CASH

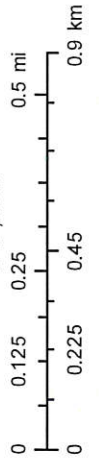
CHECK # 8200



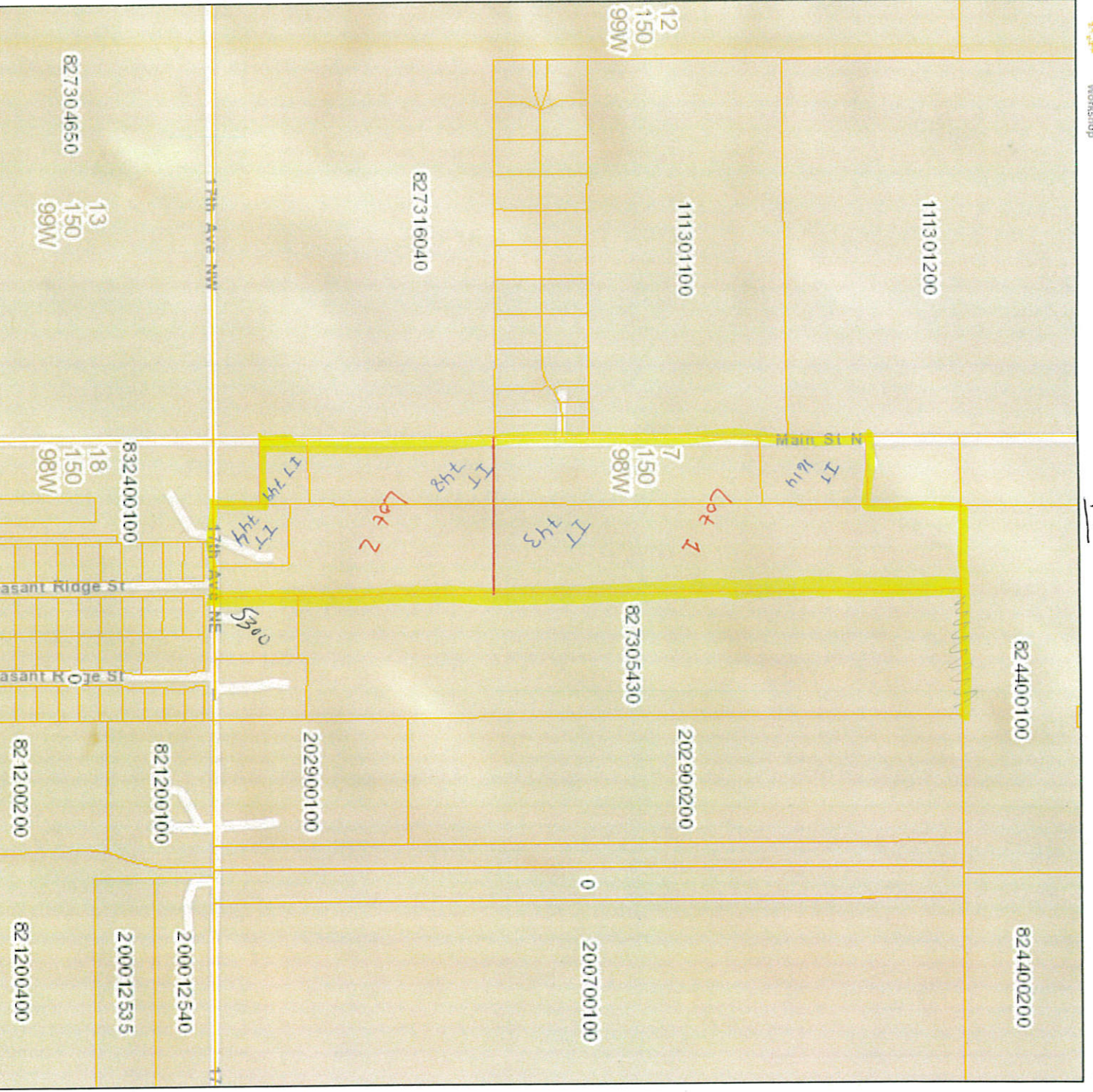
February 27, 2018

- StreetCenterlines
- Watford City Limits
- Extra-Territorial Area (ETA)
- Cherry Creek
- Parcels from McKenzie County

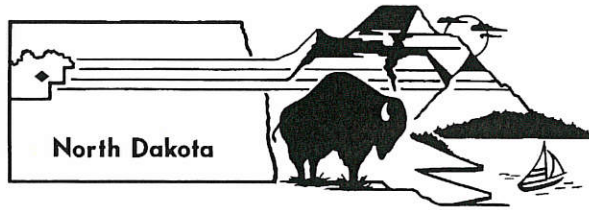
1:17,153



GIS, Watford City, AE2S



Watford City



City of Watford City

213 2nd St., NE / PO Box 494

Watford City, ND 58854

Ph. 701- 444- 2533

Fax 701- 444- 3004

cityofwatfordcity.com

March 26, 2018

STAFF REPORT

Division of Land- Reversionary Map

APPLICANT:

Tim Nelson (Trustee)
P.O. Box 1097
Watford City ND, 58854

PROPERTY OWNERS:

Robert D. Nelson Trust
P.O. Box 1097
Watford City ND, 58854

PROPERTY LOCATION:

Property Located in irregular tracts #743; #744; #748; #1614 in Government Lots 3 & 4 of section 7, Township 150 North, Range 98 West- 5th P.M. McKenzie County, North Dakota

REQUEST:

A Division of Land Application has been submitted for a Reversionary Map to combine four Irregular Tracts into 2 lots.

ZONING:

AG- Agricultural

CURRENT USE:

Undeveloped
House & Barns/ Old Vet Clinic Building

REFERENCES:

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

DISCUSSION:

A Division of Land Application has been submitted for a Reversionary Map to combine four Irregular Tracts into 2 lots. The newly developed lots will be recorded as lot 1 and 2 of the Nelson's Subdivision. The south lot will be sold and the North lot will remain within the Trust. The lots are currently zoned AG and run North and South of Main St. North. Once the lots are recorded they will create 2 lots the North being 20.00 acres, and the South being 11.01 acres.

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 City of Watford City mailed the property owners whom hold an interest in the property, as well as the adjacent property owners, a notice regarding the Land Use Application received for Conditional Use Permit. At the time of this report, none of the above mentioned noticed property owners have contacted The City regarding this Application.

SITE DEVELOPMENT:

- Access: The property is currently accessed off of 17th Ave. NE
- Sewer: City Sanitary Sewer Services are available within this area.
- Water: City Water Services are available within this area.

SURROUNDING LAND USE:

- North: Zoning – AG: Agriculture
Use - Undeveloped
- East: Zoning – R2: Two Family Dwelling
Use - Private Land
- South: Zoning – R4: High Density Residential
Use - RTC Building, Business District
- West: Zoning – C1 General Commercial, R3 Medium Density Residential
Use - Undeveloped/ Town Homes

RECOMMENDATION:

It is the recommendation of City Planning Department Staff to Approve the Land Use Application for Revisionary Map to allow the Robert D. Nelson Trust to combine the existing IT and Lots with the end result being two lots.

Approval will be contingent upon the following items:

1. Submitted Simple Lot Split Plat meets ALL requirements per the Watford City Ordinance, Chapter XV, Article XXX – Subdivision Regulations
2. Any future development must on this parcel require Site Development Plan Application along with Building Permit plans submitted to the Planning Department for further approval.

PLANNING DEPARTMENT STAFF CONTACT:

Becky Smith
basmith@nd.gov
(701)444-8402

LaRissa Bertram
lbertram@nd.gov
(701)444-8406

PLAT OF LOTS 1 & 2 OF
NELSON'S SUBDIVISION
 AS LOCATED IN
 IRREGULAR TRACTS #743, #744, #748 & #1614
 IN GOVERNMENT LOTS 3 & 4 OF SECTION 7
 TOWNSHIP 150 NORTH - RANGE 98 WEST - 5TH P.M.
 MCKENZIE COUNTY, NORTH DAKOTA

OWNER'S CERTIFICATE

I, ROBERT D. NELSON LIVING TRUST, BEING THE SOLE OWNER AND MORTGAGE HOLDER OF THE LAND PLATTED HEREIN, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT, AND DO DEDICATE THE ROAD EASEMENTS, ALLEYS, PARKS, AND PUBLIC GROUNDS AS SHOWN HEREON, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATER DISTRIBUTION LINES AND SIDEWALK GROUNDS WHETHER SUCH IMPROVEMENTS ARE SHOWN OR NOT, TO THE PUBLIC USE FOREVER.

I AGREE NOT TO VACATE ANY PORTION OF THIS PLAT WITHOUT THE CONSENT OF THE MCKENZIE COUNTY COMMISSION. I ALSO HEREBY DEDICATE EASEMENTS TO RUN WITH THE LAND FOR WATER, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON, OR OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENTS", WHETHER SHOWN OR EXISTING.

 trustee
 TIMOTHY W. NELSON, PERSONAL REPRESENTATIVE
 OF THE ROBERT D. NELSON LIVING TRUST
 DATE _____

STATE OF _____
 COUNTY OF _____

ON THIS _____ DAY OF _____, A.D. 2018 BEFORE ME A NOTARY PUBLIC FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, TIMOTHY W. NELSON, PERSONAL REPRESENTATIVE OF THE ROBERT D. NELSON LIVING TRUST, KNOWN TO ME TO BE THE PERSON DESCRIBED HEREIN, AND WHO EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC

 COUNTY, _____

SURVEYOR'S CERTIFICATE

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

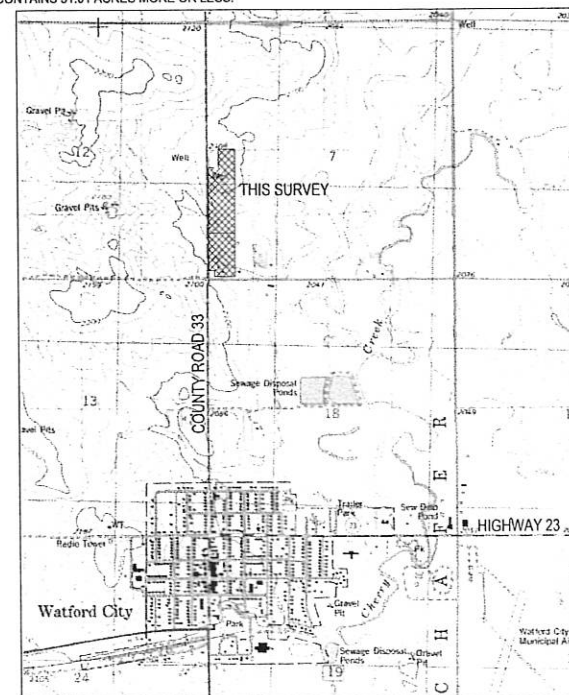
DUSTIN JORDAN, R.L.S. NO. 10478
 BROSZ ENGINEERING, INC.
 DATE _____

PROPERTY DESCRIPTION

A TRACT OF LAND LOCATED IN IRREGULAR TRACTS #743, #744, #748 & #1614 IN GOVERNMENT LOTS 3 & 4 OF SECTION 7, T150N, R98W, 5TH P.M., MCKENZIE COUNTY, NORTH DAKOTA.

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 7; THENCE S 87° 46' 27" E, ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 157.95 FEET; THENCE N 02° 13' 33" E, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; THENCE N 02° 08' 53" E, ALONG THE EAST LINE OF IT #2607, A DISTANCE OF 124.97 FEET; THENCE N 87° 47' 20" W, ALONG THE NORTH LINE OF IT #2607, A DISTANCE OF 125.01 FEET TO THE WEST LINE OF IT #748; THENCE N 02° 07' 32" E, ALONG THE WEST LINE OF IT #748 & IT #1614, A DISTANCE OF 2102.94 FEET TO THE SOUTHWEST CORNER OF IT #899; THENCE S 87° 46' 50" E, ALONG THE SOUTH LINE OF IT #899, A DISTANCE OF 212.05 FEET TO THE SOUTHEAST CORNER OF IT #899; THENCE N 02° 07' 33" E, ALONG THE EAST LINE OF IT #899, A DISTANCE OF 376.00 FEET TO THE NORTH LINE OF THE SW1/4 OF SECTION 7; THENCE S 87° 46' 50" E, ALONG THE NORTH LINE OF IT #743 WHICH IS ALSO THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 343.37 FEET TO THE WEST LINE OF IT #772; THENCE S 02° 07' 32" W, ALONG THE WEST LINE OF IT #772 & IT #1014, A DISTANCE OF 2603.94 FEET TO THE SOUTHWEST CORNER OF IT #1014, WHICH IS ALSO A POINT ON THE SOUTH LINE OF IT #743; THENCE N 87° 46' 27" W, ALONG THE SOUTH LINE OF IT #743, IT #744 & IT #748, A DISTANCE OF 430.46 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 31.01 ACRES MORE OR LESS.



VICINITY MAP
 Not to Scale

PLANNING AND ZONING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WATFORD CITY IS HEREBY APPROVED THIS _____ DAY OF _____, 2018 IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, AND THE ORDINANCE OF THE CITY OF WATFORD CITY, NORTH DAKOTA, AND REGULATIONS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF WATFORD CITY, NORTH DAKOTA.

 GLEN BEARD, CHAIRMAN
 DATE _____

STATE OF NORTH DAKOTA
 COUNTY OF MCKENZIE

ON THIS _____ DAY OF _____, A.D. 2018, BEFORE ME A NOTARY PUBLIC FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, GLEN BEARD, CHAIRMAN, KNOWN TO ME TO BE THE PEOPLE DESCRIBED HEREIN, AND WHO EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC
 MCKENZIE COUNTY, NORTH DAKOTA

WATFORD CITY APPROVAL

THE ATTACHED PLAT AS SHOWN HEREON IS HEREBY APPROVED BY THE CITY OF WATFORD CITY, NORTH DAKOTA, AND ACCEPTED THIS _____ DAY OF _____, 2018 IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, AND THE ORDINANCE OF THE CITY OF WATFORD CITY.

WATFORD CITY DOES NOT ACCEPT RESPONSIBILITY FOR THE CONSTRUCTION, REPAIR, OR MAINTENANCE, INCLUDING SNOW REMOVAL UPON ANY STREETS, ROADS, ACCESS EASEMENTS, OR OTHER PUBLIC WAYS PERTAINING TO THIS SUBDIVISION. UNTIL SUCH TIME AS PETITIONED AND ACCEPTED BY THE WATFORD CITY COMMISSION.

 JUSTIN VOLL, MAYOR
 DATE _____

 PENI PETERSON, CITY AUDITOR
 DATE _____

STATE OF NORTH DAKOTA
 COUNTY OF MCKENZIE

ON THIS _____ DAY OF _____, A.D. 2018, BEFORE ME A NOTARY PUBLIC FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, JUSTIN VOLL, MAYOR AND PENI PETERSON, CITY AUDITOR, KNOWN TO ME TO BE THE PEOPLE DESCRIBED HEREIN, AND WHO EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC
 MCKENZIE COUNTY, NORTH DAKOTA

AUDITOR'S CERTIFICATE OF TAXES

I, ERICA JOHNSRUD, AUDITOR OF MCKENZIE COUNTY, DO HEREBY CERTIFY THAT CURRENT TAXES, DELINQUENT TAXES, OR DELINQUENT SPECIAL ASSESSMENTS 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.

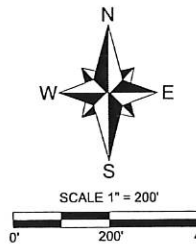
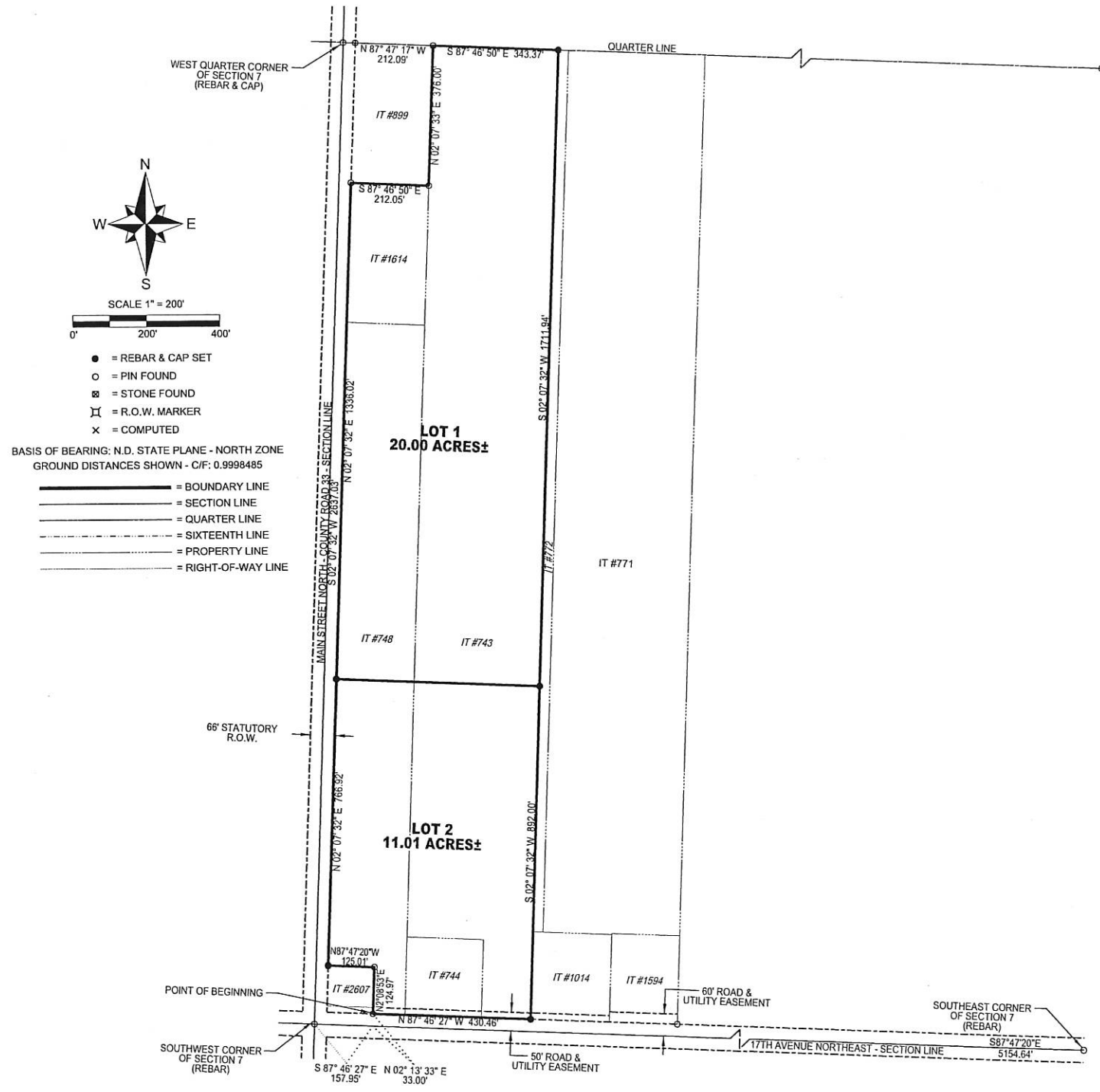
CERTIFIED THIS _____ DAY OF _____, 2018.

 ERICA JOHNSRUD, MCKENZIE COUNTY AUDITOR

CERTIFICATE OF MCKENZIE COUNTY RECORDER

THIS PLAT WAS FILED AND RECORDED IN THE OFFICE OF THE MCKENZIE COUNTY RECORDER IN THE STATE OF NORTH DAKOTA AT _____ O'CLOCK _____ M. ON THE _____ DAY OF _____, A.D., 2018 AND WAS RECORDED AS DOCUMENT NO. _____

 ANN JOHNSRUD, MCKENZIE COUNTY RECORDER



- = REBAR & CAP SET
 - = PIN FOUND
 - ⊗ = STONE FOUND
 - ⊥ = R.O.W. MARKER
 - x = COMPUTED
- BASIS OF BEARING: N.D. STATE PLANE - NORTH ZONE
 GROUND DISTANCES SHOWN - C/F: 0.9998485
- = BOUNDARY LINE
 - = SECTION LINE
 - = QUARTER LINE
 - = SIXTEENTH LINE
 - = PROPERTY LINE
 - = RIGHT-OF-WAY LINE

504 12th St. NE • Box 551
 Watford City, ND 58854
 Ph: 701.842.3526

Minutes

Februarys 26, 2018

PLANNING & ZONING COMMISSION
MEETING MINUTES
February 26, 2018

The regularly scheduled monthly meeting of the Watford City Planning & Zoning Commission was held on Monday February 26, 2018 at 6:00 p.m. in the Heritage Room at City Hall. In attendance: Chairman Glen Beard, Vice Chairman Gregg Schuetze, and Commission Members: Jesse Lawrence and Marco Pelton. Commission Member Jason Taylor was in attendance by phone. Also present: Assistant City Planners Becky Smith and LaRissa Bertram, City Attorney Wyatt Voll, and City Building Official Steven Williams. Absent: Thomas Dwyer, and Rick Holm

With the above mentioned present, the Public Hearing was called to order at 6:01 P.M. by Chairman Glen Beard.

Under consideration were the following:

1. Public hearing to hearing to hear comment on Land Use Application For Conditional Use Permit Submitted by LCC Telecom Services & Sprint Nextel. The Application has been submitted as an amendment to an existing Conditional Use Permit on this property. The existing Conditional Use Permit is in place for a Wireless telecommunications transmission facility and tower. LCC Telecom Services & Sprint Nextel are requesting to add additional equipment to the existing tower.

Commission member Jason Taylor asked if we wanted to extend the CUP for 5 years. There was discussion amongst the table as to why we should or should not extend the CUP for 5 years. The board came to the conclusion that the CUP should still be reviewed after 1 year to make sure LCC Telecom Services/ Sprint Nextel and Kotana Communications would follow any existing or new conditions and make sure they were in compliance of the CUP. The discussion was then followed up by Chairman Glen Beard responding that we should approve the CUP for 1 year and if all conditions were met and followed within the first year we would then reconsider approval for a 5 year renewal period.

MOTION by J. Taylor, SECOND by J. Lawrence to recommend APPROVAL to City Council of the Land Use Application for Amended Conditional Use Permit for the addition of cellular equipment on an existing tower. Approval shall be contingent upon the following conditions as set forth within the Planning Department Staff Report:

1. *The Conditional Use Permit shall be for a term of one (1) year. The Permit will be reviewed again in February 2019 and may be subject to additional requirements.*

Roll Call Vote:

Ayes: G. Beard, J. Lawrence, G. Schuetze, J. Taylor, M. Pelton

Nays: None.

MOTION Carried.

CLOSE PUBLIC HEARING: 6:04 PM

CALL TO ORDER REGULAR MEETING: 6:04 PM

MINUTES: January 29, 2018

Reviewed minutes as presented, no further comments.

MOTION by J. Lawrence, SECOND by J. Taylor to APPROVE the January 29, 2018 Planning & Zoning Commission Meeting Minutes as presented.

Roll Call Vote:

Ayes: G. Beard, J. Lawrence, G. Schuetze, J. Taylor, M. Pelton

Nays: None.

MOTION Carried.

REVIEW PERMITS:

Permit Records reviewed as presented. No further comments.

MISCELLANEOUS BUSINESS:

- *The Planning Commission discussed appointing a Vice-Chairman of the Commission. After some discussion, Gregg Schuetze was named Vice Chairman.*

Roll Call Vote:

Ayes: G. Beard, J. Lawrence, G. Schuetze, J. Taylor, M. Pelton

- *Chairman Glen Beard raised concern about older areas of sidewalks have been neglected and would like to begin discussion for future plans of improvements. City Building Official, Steven Williams commented that there is typically not extra funding for such projects like replacing sidewalks. City Attorney, Wyatt Voll mentioned that we can try to apply for Grants to help with funding but funding will most likely not be available from the City's general Fund. Assistant City Planner, Becky Smith also mentioned she and Assistant City Planner, LaRissa Bertram will be taking Grant writing classes and will look at having access to available future grants. The commission also discussed dead-end sidewalks and road improvements such as west side Park Ave., 10th St west exit, 4th Ave. connecting to 8th, and 8th eventually connecting to location where the future school will be built.*

ADJOURNMENT: 6:14 PM

MOTION by J. Lawrence, SECOND by J. Taylor.

The next regularly scheduled Planning & Zoning Commission Meeting
will be held on Monday March 26, 2018 at 6:00 p.m.

Glen Beard
Planning & Zoning Commission Chairman

Becky Smith
Assistant City Planner

LaRissa Bertram
Assistant City Planner

Permits

January 2018 – March 2018

2018
Permit Records

Permit #	Type	Month	Issue Date	Property Owner	Contractor	Project Address	Lot / Block	Parcel # / Subdivision	Description of Work	Value	Permit Fee	Payment
4023	Building	January	1/3/2018	Hal Swearson	RTP Operations Inc	124 2nd St SW			Interior remodel: sheetrock upstairs & downstairs bedroom, kitchen cabinets, flooring, replace egress window, and paint exterior	\$ 15,000.00	\$ 247.00	Check #1376
3901	RENEWAL	January	1/5/2018	Jeff & Brenda Berquist	Self	205 3rd St NW			Repair roof, gutters, & siding on west side of garage & house due to weather damage (Weather Damage Permit)	\$ -	\$ -	Renewal fee waived per Steve W
4024	Building	January	1/8/2018	CJ Anderson	K&M Cabinetry	401 2nd St NW			Kitchen remodel- install new cabinetry	\$ 14,000.00	\$ 233.00	Check #12120
4025	Building	January	1/8/2018	Larry Lundeen	Self	325 3rd St NE			Kitchen Remodel, install new interior doors & baseboards	\$ 25,000.00	\$ 387.00	Check #750
3908	RENEW	January	1/10/2018	Steven & Valerie Williams	Self	309 4th Ave NE			Home Addition (added additional value for work on 2nd floor)	\$ 4,300.00	\$ 80.40	Check #1702
4026	Sign	January	1/10/2018	Lund Oil Inc	Rose City Sign	3408 4th Ave NE		Hunters Run	Install signage on canopy	\$ -	\$ 100.00	Check #13009
4027	Sign	January	1/24/2018	SUSO 3 Watford LP /Stella Nails & Spa	Cascade/Renovare	113 6th Ave SE Ste 5600			Install signage to exterior of building for nail salon	\$ -	\$ 100.00	Card
4028	Building	January	1/25/2018	Wolf Creek Development, LLC	Tomate Mexican Grill, Corp.	701 Main St. N			Tenant interior improvements	\$ 5,863.78	\$ 119.09	Card
4029	Moving	January	1/29/2018	Warren Hovland	One Way Service Inc	405 -A 10th St SE			Moving manufactured home onto property	\$ -	\$ 150.00	Check #2108
4030	Moving	January	1/29/2018	Warren Hovland	One Way Service Inc	405 -B 10th St SE			Moving manufactured home onto property	\$ -	\$ 150.00	Check #2108
4031	Moving	January	1/29/2018	Warren Hovland	One Way Service Inc	407 -A 10th St SE			Moving manufactured home onto property	\$ -	\$ 150.00	Check #2108
4032	Moving	January	1/29/2018	Warren Hovland	One Way Service Inc	407 -B 10th St SE			Moving manufactured home onto property	\$ -	\$ 150.00	Check #2108
4033	Building	January	1/31/2018	Jesse Wellen	Sanford Construction	613 Sunset Drive			Bathroom remodel	\$ 8,000.00	\$ 149.00	Card
4034	Building	February	2/6/2018	North States Fishing Tool Co., Inc.	Macgrady Construction	1004 4th St SW			Office and bathroom remodel	\$ 20,000.00	\$ 212.00	Check #028222
4035	Building	February	2/6/2018	Nevin Dahl	Self	721 2nd Ave NE			Replace windows, cabinets, exterior door, flooring	\$ 20,000.00	\$ 317.00	Check #1662 & 1022
4036	Excavation	February	2/9/2018	City of Watford City	Lupine Construction	214 42nd St SE			Repair curb stop	\$ 3,500.00	\$ 86.00	Card
4037	Excavation	February	2/9/2018	City of Watford City	Lupine Construction	124 Main St S			Repair curb stop	\$ 3,500.00	\$ 86.00	Card
4038	Excavation	February	2/9/2018	City of Watford City	Lupine Construction	125 4th Ave SE			Repair curb stop	\$ 3,500.00	\$ 86.00	Card
4039	Demolition	February	2/12/2018	Russell Archer	Josh Mandler Builders LLC	1504 4th Ave NE			Demo interior: walls & flooring	\$ -	\$ 25.00	Check #1047
3934	RENEW	February	2/20/2018	Ross and Tricia Sundeen	Sutton Homes	713 16th St NE			Siding, Windows, Shingles, 16x20 Shed, Paver Patio, Replace Pergula	\$ -	\$ 20.00	Check #2478
3924	RENEW	February	2/26/2018	Barry Schmahl	self	509 5th st NE			6' ft. fence	\$ -	\$ 20.00	Card
3945	RENEW	February	2/26/2018	Barry Schmahl	Self	509 5th st NE			Construct 28"28' Detached garage	\$ -	\$ 20.00	Card
3767	Building	February	2/27/2018	Auto Property Solutions LLC	Self	1202 30th Ave NW			New Modular Single Family Home: insulate & sheet rock garage, install garage doors, construct back deck, finish basement	\$ -	\$ 20.00	Card
4040	Building	March	3/1/2018	Brandon Raymond	Self	305 4th St NE			Interior remodel: sheetrock, kitchen cabinets, flooring	\$ 25,000.00	\$ 387.00	Card
4041	Excavation	March	3/2/2018	City of Watford City	Lupine Construction	4th Ave SE			Excavation to repair water valve box	\$ 2,500.00	\$ 72.00	Card
4042	Fence	March	3/7/2018	John Scott Dodge	Dakota Fence	105 5th St SE			Fence backyard	\$ -	\$ 25.00	Card
4043	Building	March	3/9/2018	City of Watford City & Badlands Cellular of ND	Vinco Inc.	280 11th Ave NE			Install 12 x 22 equipment shelter near base of City water tower and install six 8' panel antennas on top of water tower for wireless base station/macro site	\$ 142,293.00	\$ 1,289.90	Card
4044	Sign	March	3/14/2018	SS Properties	Self	ibd??		20-00-15385	Existing sign fastened to rig mat will be mounted to posts and poured in concrete	\$ -	\$ 100.00	Card

2017-2018
PERMIT REVIEW

March
03/23/2018

2017	
Month	# of Permits Issued
January	9
February	5
March	20
April	19
May	34
June	46
July	17
August	36
September	21
October	34
November	19
December	9

2017	269
MARCH YTD	34

2017	
Month	Value
January	\$ 25,400.00
February	\$ 25,000.00
March	\$ 128,770.00
April	\$ 331,740.91
May	\$ 2,441,145.00
June	\$ 3,746,176.06
July	\$ 95,552.00
August	\$ 2,879,158.50
September	\$ 94,825.25
October	\$ 12,181,098.00
November	\$ 185,320.00
December	\$ 2,704,572.54

2017	\$ 24,838,758.26
MARCH YTD	\$ 179,170.00

2017 Residential Permits			
Type	# of Units	# of Buildings	Value
Single Family Home	0	0	\$ -
Duplex	0	0	\$ -
Apartment 3-4 Units	0	0	\$ -
Apartment 5+ Units	103	3	\$ 10,800,000.00

2017 TOTAL	103	3	\$ 10,800,000.00
	Units	Buildings	Value

2018	
Month	# of Permits Issued
January	13
February	10
March	5
April	
May	
June	
July	
August	
September	
October	
November	
December	

2018 YTD	28
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2018	
Month	Value
January	\$ 72,163.78
February	\$ 50,500.00
March	\$ 169,793.00
April	
May	
June	
July	
August	
September	
October	
November	
December	

2018 YTD	\$ 292,456.78
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2018 Residential Permits			
Type	# of Units	# of Buildings	Value
Single Family Home	0	0	\$ -
Duplex	0	0	\$ -
Apartment 3-4 Units	0	0	\$ -
Apartment 5+ Units	0	0	\$ -

2018 YTD	0	0	\$ -
	Units	Buildings	Value
MARCH	0	0	\$ -
	Units	Buildings	Value

YTD: Year To Date