

# CITY OF WATFORD CITY

P.O. BOX 494

WATFORD CITY, NORTH DAKOTA 58854

## AGENDA

February Monday 24, 2014

## PLANNING COMMISSION

Civic Center @ 6:00 P.M.

### Call to Order Public Hearing

1. Public Hearing to hear comment on a Simple Lot Split submitted by the City of Watford City for property located in the NW ¼ of Section 16, T150N, R98W, 3.51 acres, McKenzie County, North Dakota. For the purpose of making one parcel into two.
2. Public hearing to hear comment on a Simple Lot Split submitted by Paul and Sandi Wisness for property located at 205 3<sup>rd</sup> St NE in Section 19, T150N, R98W, Lots 7-10 of Block 8, McKenzie County, North Dakota. For the purpose of combining 4 lots into one.
3. Public hearing to hear comment on a Conditional Use Permit Application submitted by O'Day Equipment for property located at 1104 Main St South. For the purpose of installing an above ground double walled fuel storage tank and fuel management equipment.
4. Public hearing to hear comment on Zone Change Application submitted by Watford City Town Center, LLC, for property located at 902 11<sup>th</sup> Ave SW, Section 24, T150N, R99W, 120 acres, McKenzie County, ND. Application will re-zone AG property to R1, R2, R3, R4, C1, C2, CF and IP.
5. Public hearing to hear comment on a Conditional Use Permit Application submitted by Colt Floyd for property located at 2502 17<sup>th</sup> Ave NE. For the purpose of providing Temporary Employee Housing.
6. Public hearing to hear comment on a Conditional Use Permit Renewal application submitted by Luke Taylor on property located at 1204 4<sup>th</sup> Ave NE, Sect 17, T150N, R 98W, 3.00 Acres, McKenzie County, ND. For the purpose to allow Temporary Workforce Housing at the above described property.
7. Public hearing to hear comment on a Conditional Use Permit Renewal application submitted by Darwin Krabbenhoft on property located at 501 10<sup>th</sup> St SE, Lot 11 Blk 1, McKenzie County, ND. For the purpose to allow Temporary Workforce Housing at the above described property.
8. Public hearing to hear comment on a Conditional Use Permit Renewal application submitted by McKenzie County Public School District #1 on property located at 300 3<sup>rd</sup> St SE, Lot 11, Block 2 Plus Street, McKenzie County, ND. For the consideration of renewing a conditional use permit to allow Temporary Employee Housing.
9. Public hearing hear comment on a Conditional Use Permit Renewal application submitted by Doug Kesler on property located at 1402 South Main St, Section 30, T150, R98, IT 805-PT Lots 1 & 2 .92 acres, McKenzie County, ND. For the consideration of renewing a RV Park within Commercial Zone.
10. Public hearing to hear comment on a Conditional Use Permit Renewal application submitted by Western Area Water Supply/Jaret Wirtz, on property located at 608 4<sup>th</sup> Ave NW Section 13, T150N, and R99W, IT 179 PT SWSE Water Tanks. For consideration of renewing a conditional use permit for a free standing, 60 ft. tower

for telemetry.

**Call to Order Regular Meeting**

**Minutes of January 27, 2013 Meeting**

**Unfinished Business:**

1. Simple Lot Split- City of Watford City
2. Simple Lot Split- Paul & Sandi Wisness
3. Conditional Use Permit- O'Day Equipment
4. Zone Change- Watford City Town Center, LLC
5. Conditional Use Application- Colt Floyd
6. Conditional Use Renewal application – Luke Taylor
7. Conditional Use Permit Renewal application- Darwin Krabbenhoft
8. Conditional Use Permit Renewal application- McKenzie County Public School District #1
9. Conditional Use Permit Renewal application- Doug Kesler
10. Conditional Use Permit Renewal application- Western Area Water Supply/Jaret Wirtz

**New Business:**

1. Appoint a new Planning Commission Vice President

**Review Building Permits**

2792	Jan	Tammy Meuchel	313 N Main St	-	Interior Remodel	\$8,850.00	1/23/14	\$160.90	#6571
2793	Jan	Brady Lund	City Airport	82-73-16000	New Aircraft Hanger	\$68,000.00	1/23/14	\$760.00	#1182
2794	Feb	CKW Properties	109 6th Ave SE STE 100	82-72-00100	Taco Johns Interior	\$350,000.00	2/3/14	\$1,375.00	#9079

**Adjournment**

Melissa Sandry  
Secretary/Planning Assistant

**\*\*\*If you are not able to attend a Planning Commission meeting, please notify Melissa prior to the meeting\*\*\***

# Minutes

**PLANNING COMMISSION MINUTES**  
**WATFORD CITY, ND**  
**January 27, 2014**

The regular monthly meeting of the Watford City Planning Commission was held on January 27, 2014 at 6:00 p.m. at the Civic Center. In attendance: Chairman: Glen Beard. Board members: Phil Riley, Jesse Lawrence, Cory Johnson, Terry Wolff and Sonja Johnson. Also present City Attorney Wyatt Voll, City Planner Curt Moen, Seth Sampson, Mili Williams, Steve Williams and Melissa Sandry. Excused absence: Rick Holm.

Public Hearing called to order at 6:00 pm:

Public hearing to hear comment on a Final Amended Subdivision Plat Application submitted by Valley View/ The Highlands at Watford City for property located in Section 13, T150N, R99W, 42.66 acres, McKenzie County, ND.

Public hearing to hear comment on a Conditional Use Renewal Permit application submitted by Don Moberg on property located at 101 4<sup>th</sup> Ave SE, Lot 1 Blk 1 -Dahls Addition to Watford City for consideration of an application for a Conditional Use Renewal Permit to operate a Home Occupation at the above described property.

Public hearing to hear comment on a Conditional Use Renewal Permit Application submitted by Joseph and Margaret Girard Family Trust/US Forest Service, on property located at 1901 S. Main St., 4.9 acres, for consideration of a conditional use renewal permit for employee housing.

Public hearing to hear comment on a Conditional Use Renewal application submitted by JDM Development Group, LLC. / Michael Jelsing for property located at 324 3<sup>rd</sup> St NW, for consideration of a conditional use renewal permit to allow a temporary in home dental office.

Public hearing to hear comment on a Conditional Use Renewal Permit application submitted by Pilot Travel Centers, LLC on property located 1009 11<sup>th</sup> St SW, for consideration of a renewal application for a Conditional Use Permit allow for a 12,000 gallon above ground storage tank at the above described property.

Public hearing to hear comment on a Conditional Use Renewal Permit application submitted by SkyPath Wireless Network, LLC on property located in Section 25, T150N, R99W, McKenzie County, 2.43 Acres, for consideration of an application for a Conditional Use Renewal Permit to allow for installation of a new wireless communication tower at the above described property.

Public hearing hear comment on a Conditional Use Renewal Permit application submitted by SSID, LLC. / Robert Trupe for property located at 1005 S. Main St, for consideration of conditional use renewal permit for owner & management housing.

Public hearing to hear comment on a Conditional Use Renewal Permit application submitted by Verizon Wireless on property located at Beginning on the north line of Section 24, 612.8 feet West of the northeast corner of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section 24, Township 150 North, Range 99 West of the Fifth Principal Meridian, McKenzie County; then South 230 feet; thence West 210 feet; then North 230 feet; then East along the said



North line 210 feet to the point of beginning. (4<sup>th</sup> Ave NW across from city water tanks), for consideration of an application for Renewal of a Conditional Use Permit to allow for operation of a wireless communication site located at the described property.

After discussion Chairman Glen Beard closed the Public Hearing at 6:12 p.m.

The minutes for the meeting held on December 30, 2013 were reviewed. T. Wolff moved to approve minutes as presented, seconded by J. Lawrence. All ayes; motion carried.

### **UNFINISHED BUSINESS:**

**Final Amended Plat-** Moved by T. Wolff to recommend approval to City Council for a Final Amended Subdivision Plat Application submitted by Valley View/ The Highlands at Watford City for property located in Section 13, T150N, R99W, 42.66 acres, McKenzie County, ND. The Amended Plat reflects the Zone Change that was approved previously. Seconded by J. Lawrence, and carried by the following roll call vote: ayes; J. Lawrence, C. Johnson, P. Riely, T. Wolff, and S. Johnson. Nays: None. Motion Carried.

**Conditional Use Renewal-** Moved by C. Johnson to recommend approval to City Council for a Conditional Use Permit annual review issued to Don Moberg on property located at 101 4<sup>th</sup> Ave SE, Lot 1 Blk 1 -Dahls Addition to Watford City for consideration of an application for a Conditional Use Renewal Permit to operate a Home Occupation at the above described property. Seconded by P. Riely, and carried by the following roll call vote: ayes; J. Lawrence, C. Johnson, P. Riely, T. Wolff, and S. Johnson. Nays: None. Motion Carried.

**Conditional Use Renewal-** Moved by T. Wolff to recommend approval to City Council for a Conditional Use Permit annual review issued to Joseph and Margaret Girard Family Trust/US Forest Service, on property located at 1901 S. Main St., 4.9 acres, for consideration of a conditional use renewal permit for employee housing. Seconded by S. Johnson and carried by the following roll call vote: ayes; J. Lawrence, C. Johnson, P. Riely, T. Wolff, and S. Johnson. Nays: None. Motion Carried.

**Conditional Use Renewal-** Moved by J. Lawrence to recommend approval to City Council for a Conditional Use Permit annual review issued to JDM Development Group, LLC. / Michael Jelsing for property located at 324 3<sup>rd</sup> St NW, for consideration of a conditional use renewal permit to allow a temporary in home dental office. Approval is contingent upon that the conditional use becomes invalid when the business moves into the new location, or in one year, whichever one comes first. Seconded by C. Johnson and carried by the following roll call vote: ayes; J. Lawrence, C. Johnson, P. Riely, T. Wolff, and S. Johnson. Nays: None. Motion Carried.

**Conditional Use Renewal-** Moved by P. Riely to recommend approval to City Council for a Conditional Use Permit annual review issued to Pilot Travel Centers, LLC on property located 1009 11<sup>th</sup> St SW, for consideration of a renewal application for a Conditional Use Permit allow for a 12,000 gallon above ground storage tank at the above described property. Seconded by S. Johnson and carried by the following roll call vote: ayes; J. Lawrence, C. Johnson, P. Riely, T. Wolff, and S. Johnson. Nays: None. Motion Carried.

**Conditional Use Renewal-** Moved by J. Lawrence to recommend approval to City Council for a Conditional Use Permit annual review issued to SkyPath Wireless Network, LLC on property located in Section 25, T150N, R99W, McKenzie County, 2.43 Acres, for consideration of an application for a Conditional Use Renewal Permit to allow for installation of a new wireless communication tower at the above described property. Seconded by T. Wolff and carried by the following roll call vote: ayes; J. Lawrence, C. Johnson, P. Riely, T. Wolff, and S. Johnson. Nays: None. Motion Carried.

**Conditional Use Renewal-** Moved by C. Johnson to recommend approval to City Council for a Conditional Use Permit annual review issued to SSID, LLC. / Robert Trupe for property located at 1005 S. Main St, for consideration of conditional use renewal permit for owner & management housing. Seconded by P. Riely and carried by the following roll call vote: ayes; J. Lawrence, C. Johnson, P. Riely, T. Wolff, and S. Johnson. Nays: None. Motion Carried.

**Conditional Use Renewal-** Moved by P. Riely to recommend approval to City Council for a Conditional Use Permit annual review issued to Verizon Wireless on property located at Beginning on the north line of Section 24, 612.8 feet West of the northeast corner of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section 24, Township 150 North, Range 99 West of the Fifth Principal Meridian, McKenzie County; then South 230 feet; thence West 210 feet; then North 230 feet; then East along the said North line 210 feet to the point of beginning. (4<sup>th</sup> Ave NW across from city water tanks), for consideration of an application for Renewal of a Conditional Use Permit to allow for operation of a wireless communication site located at the described property. Seconded by J. Lawrence and carried by the following roll call vote: ayes; J. Lawrence, C. Johnson, P. Riely, T. Wolff, and S. Johnson. Nays: None. Motion Carried.

### **NEW BUSINESS**

1. Year End Building Recap- for informal purposes only.

### **BUILDING PERMITS:**

Building Permits reviewed and approved.

### **ADJOURNMENT:**

C. Johnson moved to adjourn, J. Lawrence seconded the motion. All ayes, Motion carried. No further business, the meeting adjourned at 6:18 pm.

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Glen Beard  
Chairman

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Melissa Sandry  
Planning Assistant

1.

# LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: 1/31/14	APPLICATION NUMBER: SLS-01-2014
<input checked="" type="checkbox"/> ZONE CHANGE- \$200.00 fee	PROCESSES BY: MS	MEETING DATES: P&Z: 2/24 CC: 3/3/14
<input checked="" type="checkbox"/> CONDITIONAL USE PERMIT- \$350.00 fee plus publishing cost	FEE: 0	ADVERTISE DATE: 2/12 & 2/19
<input checked="" type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: 0	PROPERTY OWNERS NOTIFIED:
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: 16/T150N/R98W	
<input checked="" type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS:	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: David and Jan Rolfson 124 Ave NW Watford City, ND 58854

APPLICANT: City of Watford City 213 2<sup>nd</sup> St. NE Watford City, ND 58854

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: AE2S, Attn: Steve Rude, PLS

ADDRESS: PO Box 2023

CITY: Dickinson STATE: ND ZIP CODE: 58602

TELEPHONE: 701-225-9636

EMAIL: steve.rude@ae2s.com

ASSESSOR'S PARCEL NUMBER(S): 20-00-1100-11100

LEGAL DESCRIPTION: NW1/4, Sec 16 T150N R98W, except IT 1218.

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 17<sup>th</sup> Ave NE and ND State Hwy 1806

GROSS/NET ACREAGE: 3.51 PRESENT ZONE CLASSIFICATION: Agricultural

DESIRED ZONE CLASSIFICATION: no change CURRENT LAST USE Agricultural

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

Owner intends to split a single parcel into two parcels for the purpose of transferring the parcel that will contain the east water tower to the City of Watford City.

DESCRIBE THE SOURCE OF WATER/SEWER: Watford City utilities

Do you have a will serve letter ☒ YES



**Land Use Applications Cannot be Accepted over the Front Counter**  
**Please Call (701) 444-2533 to schedule an appointment**

(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.

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Print of Type Owner Name

**NOTARY**

State of \_\_\_\_\_

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

This instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_  
Date Name of Person

\_\_\_\_\_  
Signature of Notarial Officer

**Documents Required for Submitting Land Use Applications**

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	Straight-line Drawing	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	4	1 <sup>9</sup>		1 <sup>11</sup>	4 <sup>12</sup>	1 <sup>13</sup>	1 <sup>14</sup>	\$350.00
Zone Change	1	1	4	1 <sup>9</sup>	1 <sup>8</sup>	1 <sup>11</sup>	4 <sup>12</sup>		1 <sup>14</sup>	\$200.00
Variance	1	1	4			1 <sup>11</sup>				\$200.00
Vacation and Abandonment	1		4	1 <sup>9</sup>	1 <sup>8</sup>	1 <sup>11</sup>				Refer to Fee Schedule
Street Name Change*	1					1 <sup>11</sup>				Refer to Fee Schedule

Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications

\*Plus all sign costs

**Procedures for Filing Land Use Applications:**

- A. After assembling the required materials as outlined above, schedule an appointment by calling the Watford City Planning Department at (701) 444-2533. Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). Only completed applications shall be accepted for filing.
- B. Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Commission'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.
- E. 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 30<sup>th</sup> calendar day.
- F. The Planning Commission 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.
- G. Site Development Plan Application is required on all Conditional Use Applications.

Watford City Planning Department  
213 2<sup>nd</sup> St NE

Watford City, ND 58854

Phone: (701)444-2533 Fax: (701)444-3004 Website: [www.4eyes.net](http://www.4eyes.net)

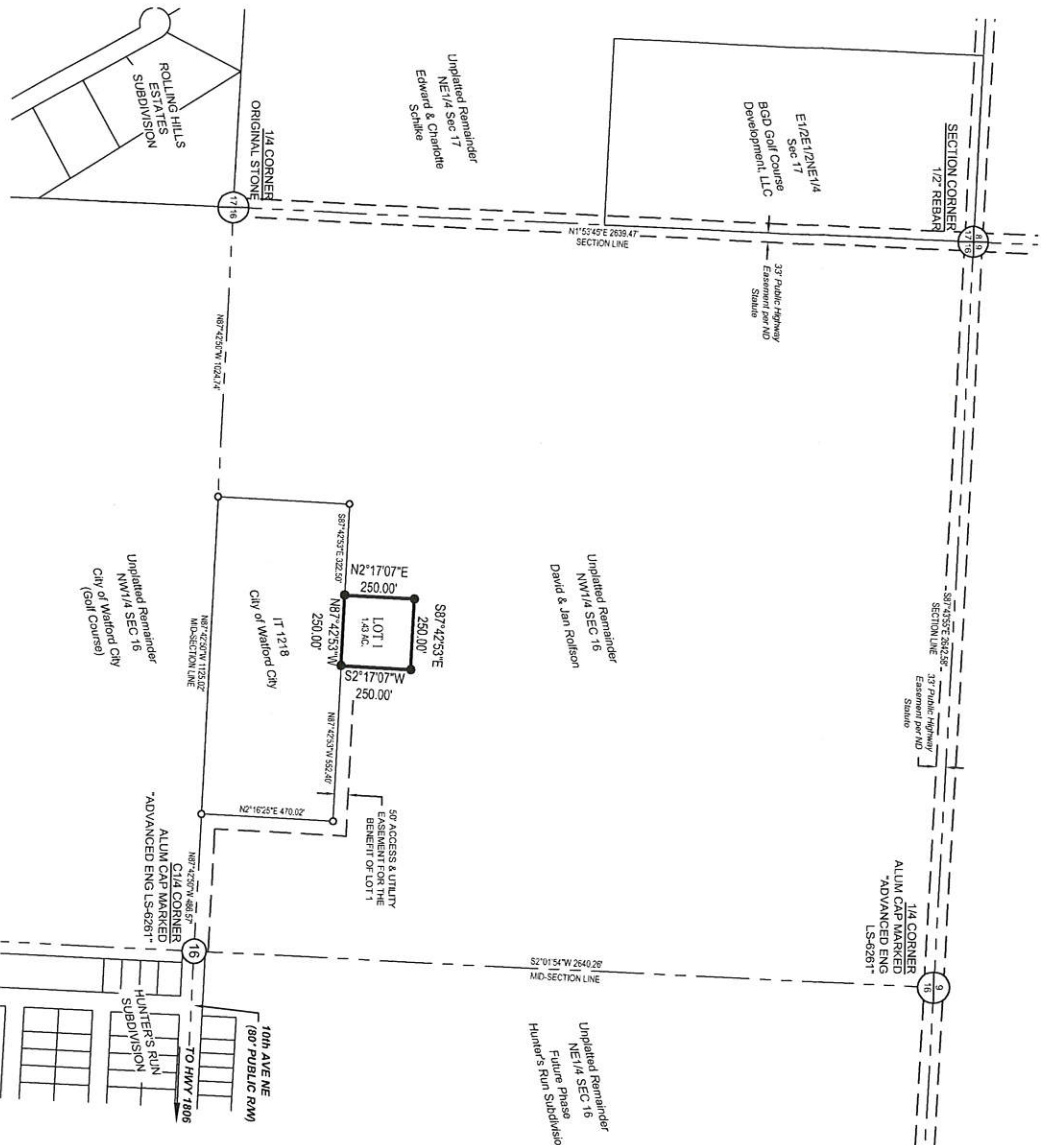


Google earth





PLAT of  
**EAST TOWER SUBDIVISION**  
In the NW1/4 Section 16, T150N, R98W, 5th PM, Watford city,  
McKenzie County, North Dakota



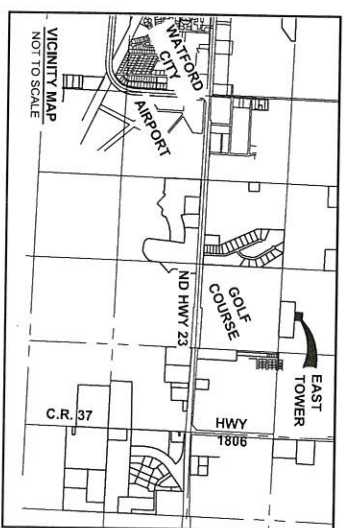
100 0 50 100  
( IN FEET )

**LEGEND**

- FOUND REBAR w/ ORANGE CAP
- MARKED "EMERSON 750P"
- SET REBAR w/ RED CAP
- MARKED "UNMARKED END"

**OWNER**  
DAVID A. ROLFSON  
3121 324th AVE NW  
WATFORD CITY, ND 58054

**PURPOSE**  
THE PURPOSE OF THIS PLAT IS TO CREATE A SINGLE PARCEL FOR TRANSFER TO THE CITY OF WATFORD CITY



**CERTIFICATE OF CONSENT and DEDICATION**

We, the undersigned, being sole owners of the land platted herein, hereby consent to the execution of this plat. We also hereby grant the 50-foot-wide access easement shown hereon to run with the land for the benefit and use of Lot 1. We further agree to not vacate any portion of this plat without the consent of the City of Watford City.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

David A. Rolfson \_\_\_\_\_ Jan A. Rolfson \_\_\_\_\_  
STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss  
Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2013, before me personally appeared David A. Rolfson and Jan A. Rolfson, known to me to be the persons described in the within instrument, and who acknowledged to me that they executed the same.

**CERTIFICATE OF SURVEYOR**

I, Steven Rude, a Professional Land Surveyor in the State of North Dakota, hereby certify that this survey was conducted by me or under my direct supervision, that this plat is a correct representation of said survey, and that the monuments shown are of the nature and occupy the locations shown hereon.

**CERTIFICATE OF CITY COUNCIL**

The City Council of Watford City, ND, has reviewed the within instrument and has approved the grounds as shown hereon as an amendment to the master plan of Watford City. This action of the Council was taken by resolution approved the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Brent Sanford, Mayor \_\_\_\_\_ Aileen, Penil Peterson, Auditor \_\_\_\_\_  
STATE OF NORTH DAKOTA )  
COUNTY OF MCKENZIE ) ss  
Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, before me personally appeared Brent Sanford and Penil Peterson, known to me to be the persons described in the within instrument, and acknowledged to me that they executed the same.

**CERTIFICATE OF PLANNING & ZONING COMMISSION**

This plat is hereby approved by the Planning & Zoning Commission of Watford City, North Dakota, on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, before me personally appeared Glen Board, known to me to be the person described in the within instrument, and acknowledged to me that he executed the same.

Notary Public for the State of North Dakota  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

**CERTIFICATE OF UTILITY PROVIDER-MDU**

We, the undersigned utility providers, do hereby approve of the utility easements shown hereon.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Printed Name \_\_\_\_\_ Title \_\_\_\_\_  
STATE OF NORTH DAKOTA )  
COUNTY OF MCKENZIE ) ss  
Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, before me personally appeared \_\_\_\_\_, known to me to be the person described in the within instrument, and acknowledged to me that he/she executed the same.

**CERTIFICATE OF UTILITY PROVIDER-RTG**

We, the undersigned utility providers, do hereby approve of the utility easements shown hereon.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Printed Name \_\_\_\_\_ Title \_\_\_\_\_  
STATE OF NORTH DAKOTA )  
COUNTY OF MCKENZIE ) ss  
Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, before me personally appeared \_\_\_\_\_, known to me to be the person described in the within instrument, and acknowledged to me that he/she executed the same.

**CERTIFICATE OF UTILITY PROVIDER-MEC**

We, the undersigned utility providers, do hereby approve of the utility easements shown hereon.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Printed Name \_\_\_\_\_ Title \_\_\_\_\_  
STATE OF NORTH DAKOTA )  
COUNTY OF MCKENZIE ) ss  
Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, before me personally appeared \_\_\_\_\_, known to me to be the person described in the within instrument, and acknowledged to me that he/she executed the same.

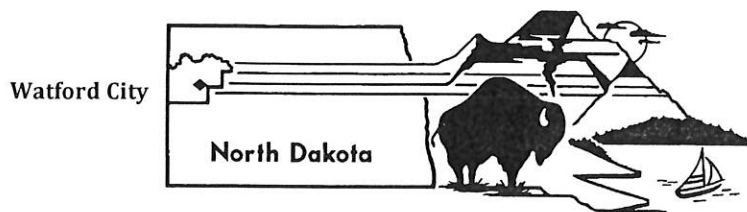
**CERTIFICATE OF COUNTY AUDITOR**

I, Linda Sabinovic, Auditor of McKenzie County, hereby certify that current taxes, delinquent taxes, delinquent special assessments or installments of special assessments, or tax estimates for the property shown hereon are unpaid in the amount of \$ \_\_\_\_\_ plus penalty and interest.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**CERTIFICATE OF RECORDER**

STATE OF NORTH DAKOTA )  
COUNTY OF MCKENZIE ) ss  
Filed for record in the office of the Recorder of McKenzie County, North Dakota, at \_\_\_\_\_ o'clock AM / PM this \_\_\_\_\_ day of \_\_\_\_\_, 2014, and assigned Document No. \_\_\_\_\_



**City of Watford City**  
Brent Sanford, Mayor  
213 2<sup>nd</sup> St., NE  
PO Box 494  
Watford City, ND 58854  
Ph. 701- 444- 2533  
Fax 701- 444- 3004  
[www.mckenziecounty.net](http://www.mckenziecounty.net)

February 19, 2014

**STAFF REPORT**  
**SLP-01-2014 Simple Lot Split**

Applicant  
City of Watford City  
213 2<sup>nd</sup> St SE  
Watford City, ND 58854

Property Owners  
City of Watford City

Property Address: 17<sup>th</sup> Ave NE and ND State Highway 1806

Simple Lot Split Requested: Owner intends to split a single parcel into two parcels for the purpose of transferring the parcel that will contain the East Water Tower to the City of Watford City.

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 split is to split a parcel originally owned by the Rolfson's to place a water tower on the newly created parcel now owned by the city to serve the eastern portion of Watford City development. The proposed lot will contain 3.51 acres.

-The existing property is currently a bare lot, zoned agricultural.

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, Watford City,
	Use -	Agricultural District
South:	Zoning -	CF, Watford City,
	Use -	Community Facility, Watford City Golf Course
North:	Zoning -	AG, Watford City,
	Uses -	Agricultural District
East:	Zoning -	R-1, Watford City, McKenzie County
	Uses -	Single Family Dwelling District Hunters Run



Site Development

Access: 17<sup>th</sup> Ave NE

Sewer& Water: Currently no existing utilities out there, but water will obviously be a future utility on property.

**Recommendation:**

It is recommended by the Planning Department for *approval* of the requested simple lot split.

Contact:

Seth Sampson

ssampson@nd.gov

2.

# 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>2/5/14</u>	APPLICATION NUMBER: <u>SLS 00-2014</u>
SUBDIVISION PRELIMINARY MAP	PROCESSED BY: <u>MS</u>	PLANNING AND ZONING: <u>2/24/14</u>
SUBDIVISION FINAL MAP	FEE: <u>675.00</u>	CITY COUNCIL: <u>3/3/14</u>
SIMPLE LOT SPLIT	RECEIPT #: <u>924085</u>	SECTION / TOWNSHIP / RANGE: <u>19 / 150N / 98W</u>
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: Paul and Sandi Wisness  
 APPLICANT: Paul & Sandi Wisness

CORRESPONDENCE FOR THIS APPLICATION SHOULD BE ADDRESSED TO:

NAME: Paul and Sandi Wisness  
 PHONE: 701-675-2232  
 ADDRESS: 3862 Hwy 23  
 CITY: Keene STATE: ND ZIP CODE: 58847  
 EMAIL: pswisness@icloud.com

ASSESSOR'S PARCEL NUMBER(S): Lots 7, 8, 9, & 10 of Block 8 of the original townsite  
 LEGAL DESCRIPTION: 82-01-14200, 82-01-14100, 82-01-14000 209 3rd St  
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: 2nd Ave & 3rd St, NE 201 is on the old house To be demolished  
 GROSS/NET ACREAGE: .8 acres NUMBER OF LOTS: 4 ZONING: CB  
 DESCRIBE THE METHOD OF PROVIDING WATER & SEWER: provided by 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.

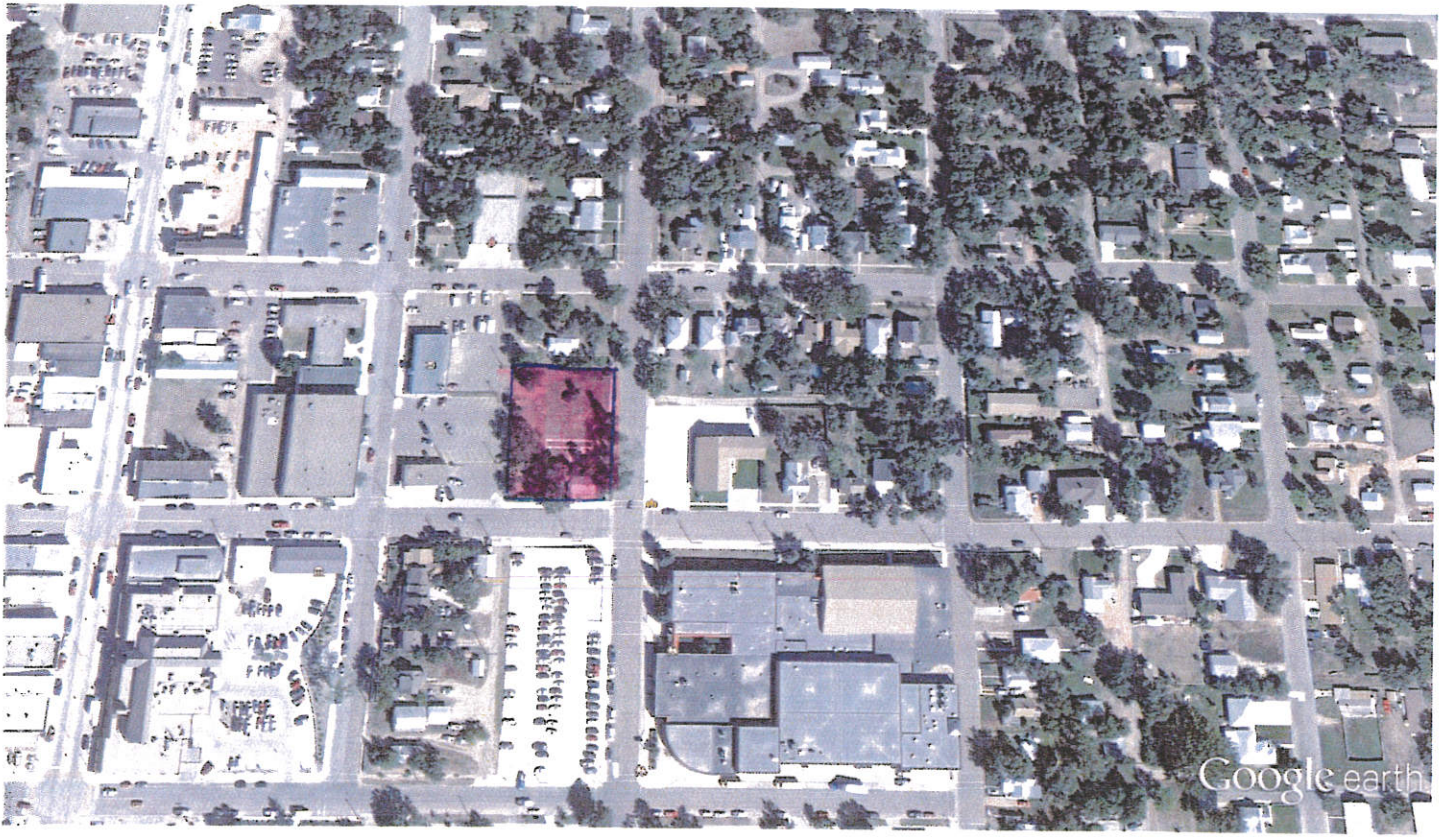
(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under WATFORD CITY CODE; that the information on the plans and drawings attached hereto, and all 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 City of Watford City authorized employees 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): Paul Wisness  
 Property Owner (Print): Paul Wisness and Sandi Wisness  
 Property Owner (Signature): Sandi Wisness

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

NAME: \_\_\_\_\_ LICENSE NO: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
 PHONE: \_\_\_\_\_  
 FAX/Email: \_\_\_\_\_





Google earth

Google earth

feet  
meters





# PLAT OF WISNESS ADDITION

A REPLAT OF LOTS 7, 9 AND 10 OF BLOCK 8 OF THE WATFORD CITY ORIGINAL TOWNSITE,  
A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19,  
TOWNSHIP 150 NORTH, RANGE 98 WEST OF THE FIFTH PRINCIPAL MERIDIAN,  
MCKENZIE COUNTY, NORTH DAKOTA.

## DESCRIPTION

A PORTION OF BLOCK 8 OF THE WATFORD CITY ORIGINAL TOWNSITE, IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 150 NORTH, RANGE 98 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 7, BLOCK 8 OF THE ORIGINAL TOWNSITE OF WATFORD CITY; THENCE ALONG THE SOUTH LINE OF LOT 7 OF SAID BLOCK 8 ON AN AZIMUTH OF 270°00'48" A DISTANCE OF 139.96 FEET TO THE SOUTHWEST CORNER OF LOT 7 OF SAID BLOCK 8; THENCE ALONG THE WEST COMMON LINE OF LOT 7, LOT 8, LOT 9 AND LOT 10 OF SAID BLOCK 8 ON AN AZIMUTH OF 090°00'56" A DISTANCE OF 200.00 FEET TO THE NORTHWEST CORNER OF LOT 10 OF SAID BLOCK 8; THENCE ALONG THE NORTH LINE OF LOT 10 OF SAID BLOCK 8 ON AN AZIMUTH OF 090°00'56" A DISTANCE OF 139.97 FEET TO THE NORTHEAST CORNER OF SAID LOT 10 SAID POINT ALSO BEING ON THE WEST RIGHT OF WAY LINE OF THIRD STREET N.E.; THENCE ALONG SAID WEST RIGHT OF WAY LINE OF THIRD STREET N.E. AND THE EAST COMMON LINE OF LOT 10, LOT 9, LOT 8 AND LOT 7 OF SAID BLOCK 8 ON AN AZIMUTH OF 180°06'52" A DISTANCE OF 200.11 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 28008 S.F. OR 0.643 ACRES.

## OWNERS CERTIFICATE AND DEDICATION

I, THE UNDERSIGNED, BEING THE SOLE OWNERS OF THE LAND PLATTED HEREON, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT, AND DO DEDICATE ALL THE STREETS, ALLEYS, PARKS, AND PUBLIC GROUNDS AS SHOWN HEREON, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATER LINES, SIDEWALKS, AND OTHER IMPROVEMENTS ON OR UNDER SUCH STREETS, ALLEYS, OR OTHER PUBLIC GROUNDS, WHETHER SUCH IMPROVEMENTS ARE SHOWN HEREON OR NOT, TO PUBLIC USE FOREVER. WE ALSO DEDICATE EASEMENTS TO RUN WITH THE LANDS FOR WATER, SEWER, GAS, ELECTRICITY, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OF SERVICES UNDER, ON, OR OVER THESE CERTAIN STRIPS OF LAND AS DESIGNATED.

PAUL WISNESS

STATE OF NORTH DAKOTA )  
COUNTY OF ) SS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014, APPEARED BEFORE ME, PAUL WISNESS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE CERTIFICATE AND DID ACKNOWLEDGE TO ME THAT HE EXECUTED THE SAME AS HIS OWN FREE ACT AND DEED.

\_\_\_\_\_ COUNTY, NORTH DAKOTA  
MY COMMISSION EXPIRES \_\_\_\_\_

## SURVEYOR'S CERTIFICATE

I, QUENTIN OBRIGEWITSCH, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE ANNEXED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION, AND THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

STATE OF NORTH DAKOTA )  
COUNTY OF ) SS

QUENTIN OBRIGEWITSCH  
REGISTERED PROFESSIONAL LAND SURVEYOR  
N.D. REGISTRATION NO. 5999



ON THIS 21<sup>st</sup> DAY OF February, 2014, BEFORE ME PERSONALLY APPEARED QUENTIN OBRIGEWITSCH, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE WITHIN CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

KENNETH A. METCALF  
Notary Public  
State of North Dakota  
My Commission Expires Mar. 5, 2018

\_\_\_\_\_  
Notary Public  
COUNTY, NORTH DAKOTA  
MY COMMISSION EXPIRES \_\_\_\_\_

## APPROVAL OF CITY PLANNING COMMISSION

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.

GLEN BEARD, CHAIRMAN

STATE OF NORTH DAKOTA )  
COUNTY OF ) SS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED GLEN BEARD, CHAIRMAN OF THE WATFORD CITY PLANNING AND ZONING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WATFORD CITY PLANNING AND ZONING COMMISSION.

NOTARY PUBLIC, MCKENZIE COUNTY, NORTH DAKOTA  
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.

BRENT SANFORD, MAYOR DATE: \_\_\_\_\_ PENI PETERSON, CITY AUDITOR DATE: \_\_\_\_\_

STATE OF NORTH DAKOTA )  
COUNTY OF ) SS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BRENT SANFORD, MAYOR, AND PENI PETERSON, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WATFORD CITY PLANNING AND ZONING COMMISSION.

NOTARY PUBLIC, MCKENZIE COUNTY, NORTH DAKOTA  
MY COMMISSION EXPIRES: \_\_\_\_\_

## MONTANA DAKOTA UTILITIES APPROVAL

WE THE UNDERSIGNED UTILITY DOES HEREBY APPROVE OF THE UTILITY EASEMENTS AS SHOWN ON THE PLAT AS PRESENTED. DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_

MONTANA DAKOTA UTILITIES  
PRINTED NAME \_\_\_\_\_

STATE OF NORTH DAKOTA )  
COUNTY OF ) SS

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 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.

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

## CERTIFICATE OF MCKENZIE COUNTY RECORDER

I HEREBY CERTIFY THAT THE ABOVE INSTRUMENT WAS FILED IN THE OFFICE OF THE MCKENZIE COUNTY RECORDER IN THE STATE OF NORTH DAKOTA AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_ AND WAS RECORDED AS DOCUMENT NUMBER \_\_\_\_\_

ANN M. JOHNSRUD, MCKENZIE COUNTY RECORDER

## 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 SVIHOVEK, MCKENZIE COUNTY AUDITOR

## PLAT INFORMATION

NUMBER OF LOTS: 1  
ACREAGE - 0.643 ACRES  
TOTAL

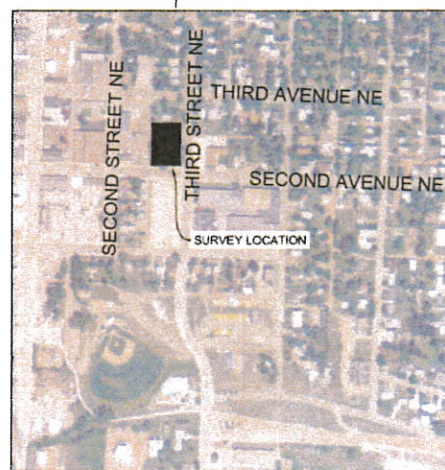
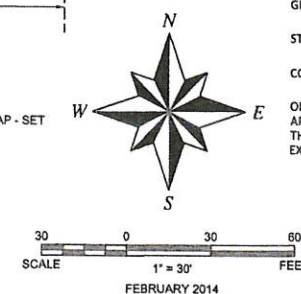
BASIS OF BEARING - LOCAL  
SITE  
TOPOGRAPHIC DATUM -  
LOCAL SITE

## NOTES

- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENTS, AND EVIDENCE FOUND DURING FIELD SURVEY.

## PLAT LEGEND

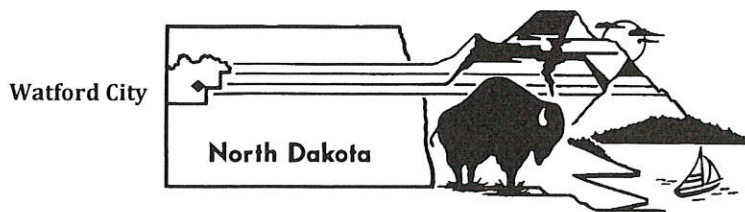
REBAR - FOUND  
1" IRON PIPE - FOUND  
3/4" IRON PIPE - FOUND  
REBAR & LS 8809 ALUMINUM CAP - SET  
SET 'X' IN CONCRETE  
CALCULATED POINT  
EXISTING PROPERTY LINE  
PROPOSED BOUNDARY LINE  
LOT NUMBERS



VICINITY MAP  
NOT TO SCALE







**City of Watford City**  
**Brent Sanford, Mayor**  
213 2<sup>nd</sup> St., NE  
PO Box 494  
Watford City, ND 58854  
Ph. 701- 444- 2533  
Fax 701- 444- 3004  
[www.mckenziecounty.net](http://www.mckenziecounty.net)

February 18, 2014

**STAFF REPORT**  
**SLP-02-2014 Simple Lot Split**

Applicant

Paul and Sandi Wisness  
3862 Hwy 23  
Keene, ND 58847

Property Owners

SAME

Property Address: Lots 7, 8, 9, & 10 of Block 8 of the original town site of Watford City, North Dakota, 209 3<sup>rd</sup> St NE, Parcel # 82-01-14200, 82-01-14100, 82-01-14000.

Simple Lot Split Requested: Owner intends to combine 4 lots into one to build single family home.

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 division is to separate street right-of-way from the residential area to accommodate future land transfers and property management. Proposed Lot 12 encompasses the existing apartment builds. Proposed Lot 11 will be transferred to the owner's association.

-No public improvements or dedications are proposed with this transaction.

-The existing property is currently a bare lots, zoned Central Business District.

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 -	CB, Watford City, McKenzie County
	Use -	Central Business District; Post Office, City Hall, MDU
South:	Zoning -	R-3 & CF, Watford City, McKenzie County
	Use -	Medium Density Residential District and Community Facilities; WC High School
North:	Zoning -	R-1, Watford City, McKenzie County
	Uses -	Single Family Dwelling District; SF Homes
East:	Zoning -	R-1, Watford City, McKenzie County
	Uses -	Single Family Dwelling District; SF Homes, Church

Site Development

*Access:* Access to Lots 7-10 off Third Street NE

*Sewer& Water:* Lots 7-10 will be serviced by existing utilities.

**Recommendation:**

It is recommended by Staff approval of this Simple Lot Split submitted by Paul and Sandi Wisness, the proposed SLS is to combine lots 7-10 of Block 8. Paul and Sandi Wisness have not made a formal proposal of intent to build on the combined lots. The combined lots are under Commercial Business District Zoning, any and all improvements must be in accordance with City Zoning Ordinances and Development Standards. The proposed SLS Plat clearly defines the ROW dedication; no new dedications or public improvements are proposed with this application for Simple Lot Split of Lot 7-10 Block 8 of the Original Townsite of Watford City.

Contact:

Mildred Williams

Assistant City Planner, [miwilliams@nd.gov](mailto:miwilliams@nd.gov)

City of Watford City, North Dakota

3.



# LAND USE APPLICATION pg. 1 of 2

Watford City Planning Department

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: 2-5-14	APPLICATION NUMBER: CU-8-2014
ZONE CHANGE	PROCESSES BY: MS	MEETING DATES: P&Z: 2/24 CC: 3/3
CONDITIONAL USE PERMIT	FEE: 525.00	ADVERTISE DATE: 2/12 to 2/19
VARIANCE	RECEIPT #: 114	PROPERTY OWNERS NOTIFIED:
VACATION & ABANDONMENT	SECTION/TOWNSHIP/RANGE: S30 / T150N / R98W	
STREET NAME	RELATED CASE #:	
	FINAL ACTION MEMORANDUM MAILED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: McKenzie County

APPLICANT: O'Day Equipment

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: O'Day Equipment - Craig

ADDRESS: 635 1/2 St SE

CITY: Minot

STATE: ND

ZIP CODE: 58701

TELEPHONE: 701-818-4246

EMAIL: Craig.gibson@odayequipment.com

ASSESSOR'S PARCEL NUMBER(S): 20-00-20310

LEGAL DESCRIPTION: Section 30 township 150 North Range 98 west

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 1104 main St South

GROSS/NET ACREAGE: 9.79

PRESENT ZONE CLASSIFICATION: Ag

DESIRED ZONE CLASSIFICATION: Ag

CURRENT LAST USE: Ag

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

Installing above ground Double wall fuel storage tank & fuel management equipment. The tank is a double wall ul listed 142 5000 gallon tank- The fuel will be gasoline.

DESCRIBE THE SOURCE OF WATER/SEWER: \_\_\_\_\_ Do you have a will serve letter ☐ YES ☐ NO

Watford City Planning Department

213 2nd St NE / PO Box 494

Watford City, ND 58854

Phone: (701)444-2533 Fax: (701)444-3004 Website: www.mckenziecounty.net

# LAND USE APPLICATION pg. 2

Watford City Planning Department

(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.

Suhail Kanwar  
Property Owner Signature

SUHAIL KANWAR  
Print of Type Owner Name

## NOTARY

State of North Dakota  
County of McKenzie

This instrument was acknowledged before me on February 7, 2014 by Suhail Kanwar  
Date Name of Person

**MELISSA SANDRY**  
Notary Public  
State of North Dakota  
My Commission Expires Oct. 16, 2019

Melissa Sandry  
Signature of Notarial Officer

## Documents Required for Submitting Land Use Applications

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	PDF when applicable	Supplemental Info.	Application Fees
Conditional Use Permit	1 <sup>G</sup>	1	1	1 <sup>9</sup>		1 <sup>11</sup>	1 <sup>12</sup>	1	1 <sup>14</sup>	\$525 + publishing costs
Zone Change	1	1	1	1 <sup>9</sup>	1 <sup>8</sup>	1 <sup>11</sup>	1 <sup>12</sup>	1	1 <sup>14</sup>	\$300
Variance	1	1	1			1 <sup>11</sup>		1		\$300
Vacation and Abandonment	1		1	1 <sup>9</sup>	1 <sup>8</sup>	1 <sup>11</sup>		1		Refer to Fee Schedule
Street Name Change*	1					1 <sup>11</sup>		1		Refer to Fee Schedule

Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications  
\*Plus all sign costs

### Procedures for Filing Land Use Applications:

- A. After assembling the required materials as outlined above, only completed applications shall be accepted for filing.
- B. Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Commission'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.
- E. 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 30<sup>th</sup> calendar day.
- F. The Planning Commission 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.
- G. Site Development Plan Application is required on all Conditional Use Applications.

Watford City Planning Department  
213 2<sup>nd</sup> St NE / PO Box 494  
Watford City, ND 58854

Phone: (701)444-2533 Fax: (701)444-3004 Website: [www.mckenziecounty.net](http://www.mckenziecounty.net)



feet  
km

Unit	Length
feet	4000
km	1







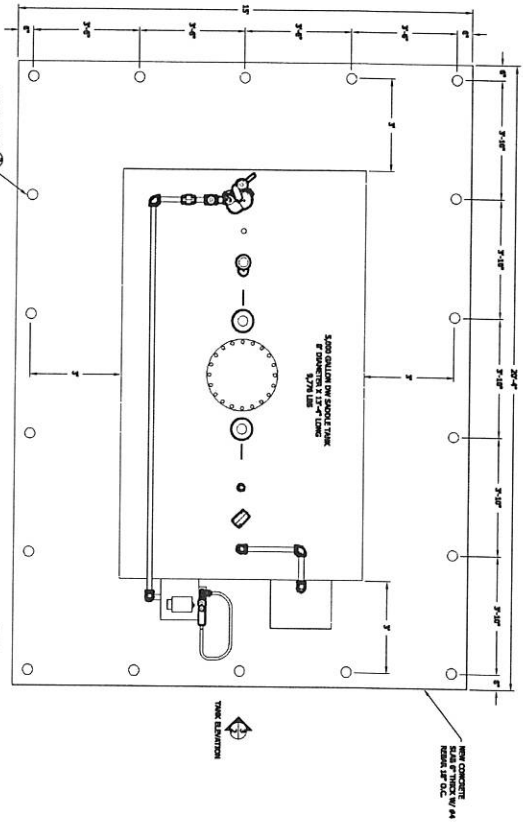
**PROPRIETARY NOTICE**

THIS DRAWING CONTAINS INFORMATION PROPRIETARY TO O'DAY EQUIPMENT, LLC. AND REPRODUCTION OR OTHER USE OF THIS INFORMATION IS PROHIBITED UNLESS EXPRESSLY APPROVED OR REQUESTED BY O'DAY EQUIPMENT, LLC

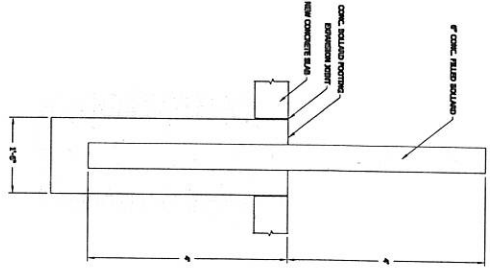
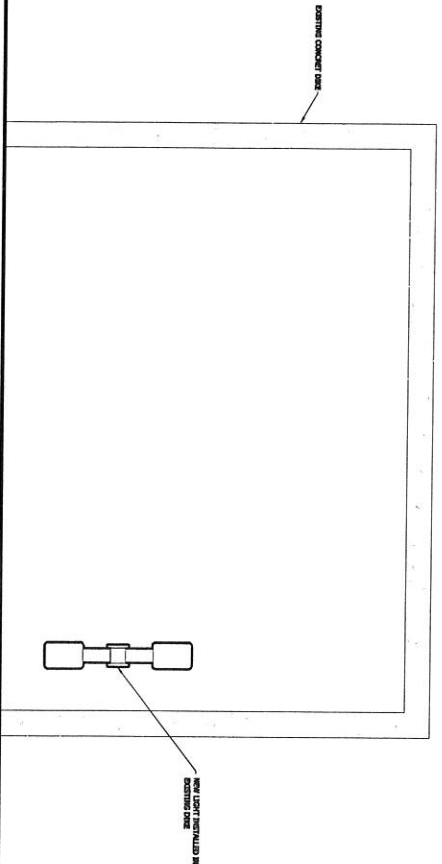


1301 40th Street NW Fargo, ND 58102		635 31st Street SE Minot, ND 58701		4981 Lightning Drive Duluth, MN 55811		Customer WATFORD CITY COUNTY BUILDING 1104 MAIN STREET SOUTH WATFORD CITY, ND 58854		Job Location WATFORD CITY, ND	
Prints Issued	Date	Date	Drawn By:	Date	Item / Details	Job Number	Drawing Number	Sheet Number	Date
Approval			D. LEIN	02-13-14	SITE LAYOUT	101420	61	1 OF 7	Revised
Records			Checked By:						
Fax			Crain						

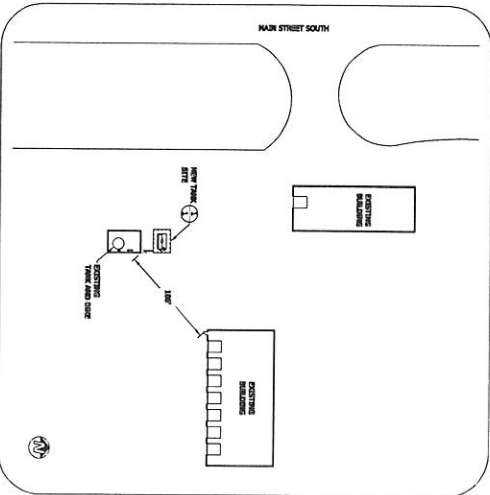




1 SITE INSTALLATION LAYOUT  
SCALE: NONE



2 GUARD BOLLARD DETAIL  
SCALE: NONE



AREA OF DETAIL

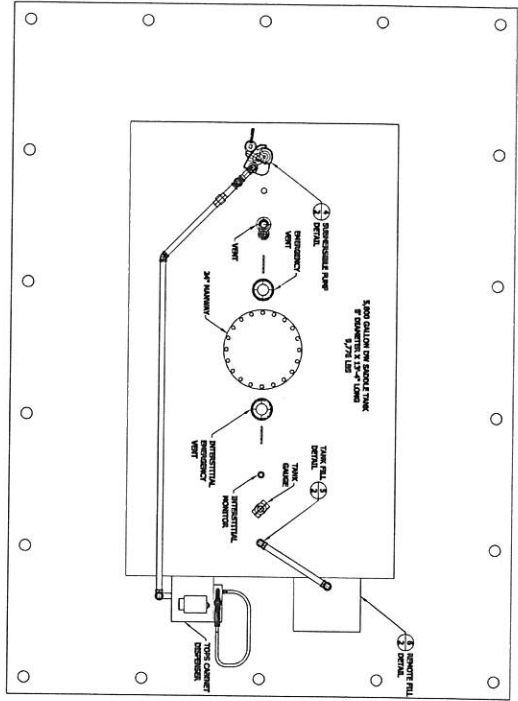
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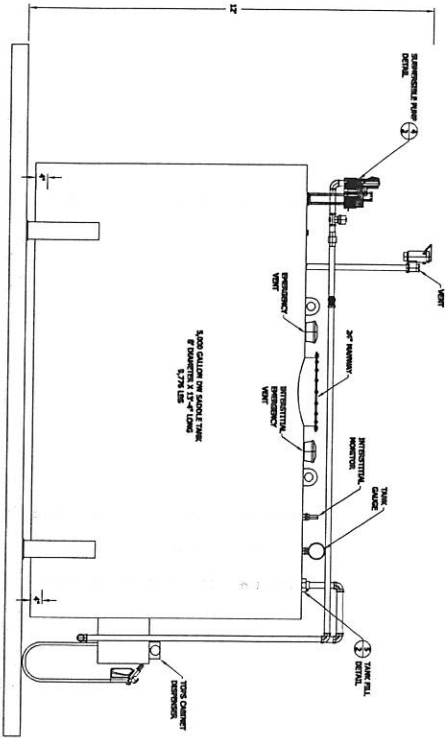
1301 40th Street NW Perth, ND 58102	632 21st Street SE Minot, ND 58701	4981 Lightning Drive Duluth, MN 55811
Revised Issued Date	Drawn 02-13-14	Checked By: D. LARSEN
Approval	Drawn By: D. LARSEN	Checked By: D. LARSEN
Revised	Drawn By: D. LARSEN	Checked By: D. LARSEN
Per:	Drawn By: D. LARSEN	Checked By: D. LARSEN

Customer	WATFORD CITY COUNTY BUILDING
Job Number	1014236
Drawing Number	41
Sheet Number	1 OF 3

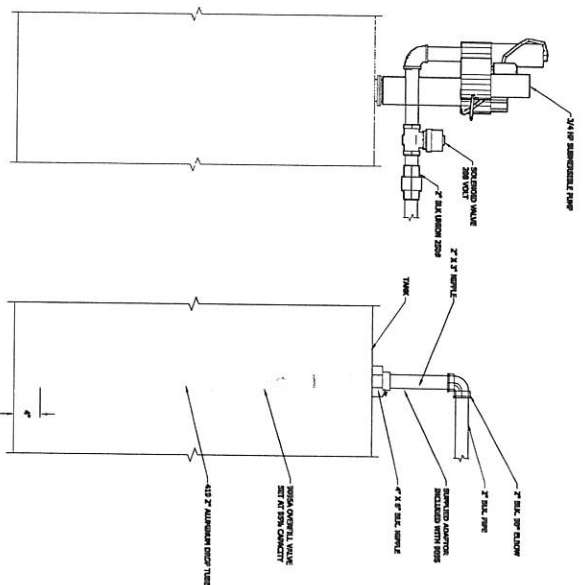
Job Location	WATFORD CITY, ND
Date	02/13/14
Drawn By	D. LARSEN
Checked By	D. LARSEN



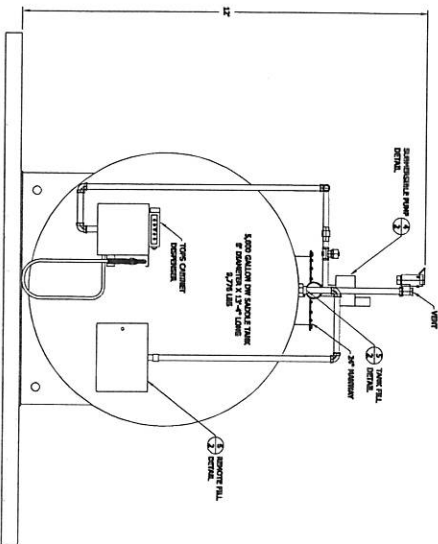
1 TANK LAYOUT  
2 SCALE: NONE



2 TANK ELEVATION  
2 SCALE: NONE



4 SUB PUMP DETAIL  
2 SCALE: NONE



5 TANK FILL DETAIL  
2 SCALE: NONE

3 TANK ELEVATION  
2 SCALE: NONE

THIS DRAWING CONTAINS INFORMATION PROPRIETARY TO O'DAY EQUIPMENT, LLC. AND REPRODUCTION OR OTHER USE WITHOUT THE WRITTEN PERMISSION OF O'DAY EQUIPMENT, LLC IS EXPRESSLY PROHIBITED. APPROVED BY REQUESTED BY O'DAY EQUIPMENT, LLC.

PROPRIETARY NOTICE



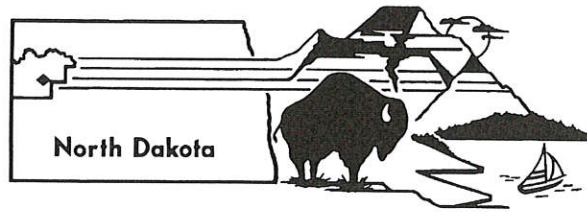
Customer	WATFORD CITY COUNTY HILLTOPPING
Address	1191 MAIN STREET SOUTH
City	WATFORD CITY, ND 58054
State	ND
Zip	58054
Phone	701-838-1111
Fax	701-838-1112
Web	www.odayequipment.com
Drawn By	10/11/11
Checked By	10/11/11
Approved By	10/11/11
Scale	1\"/>

Location	WATFORD CITY, ND
Date	
Revisions	

Drawing Number	41
Sheet Number	1 of 1



Watford City



## City of Watford City

Brent Sanford, Mayor

213 2<sup>nd</sup> St., NE

PO Box 494

Watford City, ND 58854

Ph. 701- 444- 2533

Fax 701- 444- 3004

[www.mckenziecounty.net](http://www.mckenziecounty.net)

February 19, 2014

### STAFF REPORT

Annual RENEWAL of original #CU-08-2014

### **CU-08-2014 (originally CU-08-2014) Conditional Use Annual RENEWAL**

Applicant

O'Day Equipment  
635 31<sup>st</sup> St SE  
Minot, ND 58701

Property Owners

McKenzie County

Property Address: 1104 Main street South, Section 30, Township 150 North Range 98 West

Conditional Use Requested: They are installing an above ground, double wall fuel storage tank and fuel management equipment. The tank is a double wall uL listed 142 5,000 gallon tank. The fuel stored inside is gasoline.

Reference: Watford City City Code Sec. XV – Article XXV, Conditional Uses

Discussion:

The property is located at 1104 Main Street South just off Highway 85. The property contains 9.79 acres. There are no roads but utilities do supply the subject property. The site is in the newly created Extra Territorial Area (ETA) and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission. The intent of the ETA is to regulate growth and development within one mile of the City but to not be restrictive in nature.

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 effects 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 property owners that hold an interest in the property and the adjoining property owners a notice regarding the city's zone change request. None of the noticed property owners contacted the city regarding the application.

*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.*

Site Development:

**Access:** The property is accessible from Highway 85 and 11<sup>th</sup> Ave SE.

**Sewer:** There are existing city sanitary sewer mains within the property.

**Water:** There are existing city water mains within the property. The property will be serviced by either rural water or private well.

**Analysis:** The proposed construction of this gas storage tank is intended for the use of refueling county trucks on a day to day basis. Because this is a hazardous, flammable product, City Fire inspection will take place to ensure its safety.

Recommendation:

Staff recommends **approval** of the conditional use subject to and in accordance with previous year conditions:

1. The site will be inspected by city fire and building inspector prior to approval of permit.
2. The conditional use permit is based on the acreage shown on the submitted site plan and shall not be expanded nor the intensity increased unless by conditional use permit.
3. A dust palliative should be required to be applied to parking areas from May through October.
4. Parking areas shall be surfaced with a minimum of 6" of crushed aggregate.
5. Conditional Use Permit will expire after 6 months if no action is taken.
6. Conditional Use Permit shall be reevaluated after 1 year.

Contact:

Seth Sampson

[ssampson@nd.gov](mailto:ssampson@nd.gov)

4.



# LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE: <u>244-00</u>	DATE FILED:	APPLICATION NUMBER: <u>2C-01-2014</u>
<input checked="" type="checkbox"/> ZONE CHANGE - \$200.00 fee	PROCESSES BY: <u>MS</u>	MEETING DATES: P&Z: <u>2/24</u> CC: <u>3/3</u>
<input type="checkbox"/> CONDITIONAL USE PERMIT - \$350.00 fee plus publishing cost	FEE: <u>300.00</u>	ADVERTISE DATE: <u>2/12 &amp; 2/19</u>
<input type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: <u>PD</u>	PROPERTY OWNERS NOTIFIED: <u>yes</u>
<input type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE:	
<input type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS:	
<input type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Dan and Ginger Fladeland

APPLICANT: Watford City Town Center, LLC

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Watford City Town Center, LLC, Attn: Dianna Guadagnino

ADDRESS: 409 3rd Street NW

CITY: Watford City

STATE: North Dakota

ZIP CODE: 58854

TELEPHONE: (701) 609-6011

EMAIL: dianna@basinrock.com

ASSESSOR'S PARCEL NUMBER(S): 11-00-08600

LEGAL DESCRIPTION: See Attached

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 902 11th Avenue SW, Watford City, North Dakota 58854

GROSS/NET ACREAGE: 120 Acres, more or less PRESENT ZONE CLASSIFICATION: Ag

DESIRED ZONE: TR A - C - 2 Comm./Service & I-P Industrial CURRENT LAST USE: Ag

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS

TR A I-P, R-1, R-2, R-3, R-4, C-1, C-2, C-F

TR B I-P, R-1, R-2, R-3, R-4, C-1, C-2, C-F

DESCRIBE THE SOURCE OF WATER/SEWER Private

**Land Use Applications Cannot be Accepted over the Front Counter**  
Please Call (701) 444-2533 to schedule an appointment

(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.

Dan Fladmark

Property Owner Signature  
Owner Name

Print of Type

**NOTARY**

State of North Dakota  
County of Mckenzie County  
This instrument was acknowledged before me on November 13, 2013 by Dan Fladmark

Person

Melissa Sandry

Date MELISSA SANDRY Name of  
Notary Public  
State of North Dakota  
My Commission Expires Oct. 16, 2019

Signature of Notarial Officer

**Documents Required for Submitting Land Use Applications**

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	Straight-Line Drawing	Supplemental Info	Appl. Fee
Conditional Use Permit	1	1	4	1 <sup>a</sup>		1 <sup>b</sup>	4 <sup>b</sup>	1 <sup>b</sup>	1 <sup>b</sup>	\$350.00
Zone Change	1	1	4	1 <sup>a</sup>	1 <sup>a</sup>	1 <sup>b</sup>	4 <sup>b</sup>		1 <sup>b</sup>	\$200.00
Variance	1	1	4			1 <sup>b</sup>				\$200.00
Vacation and Abandonment	1		4	1 <sup>a</sup>	1 <sup>a</sup>	1 <sup>b</sup>				Refer to Fee Schedule
Street Name Change <sup>a</sup>	1					1 <sup>b</sup>				Refer to Fee Schedule

Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications

<sup>a</sup>Plus all sign costs

**Procedures for Filing Land Use Applications:**

A. After assembling the required materials as outlined above, schedule an appointment by calling the Watford City Planning Department at (701) 444-2533. Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). Only completed applications shall be accepted for filing.

B. Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.

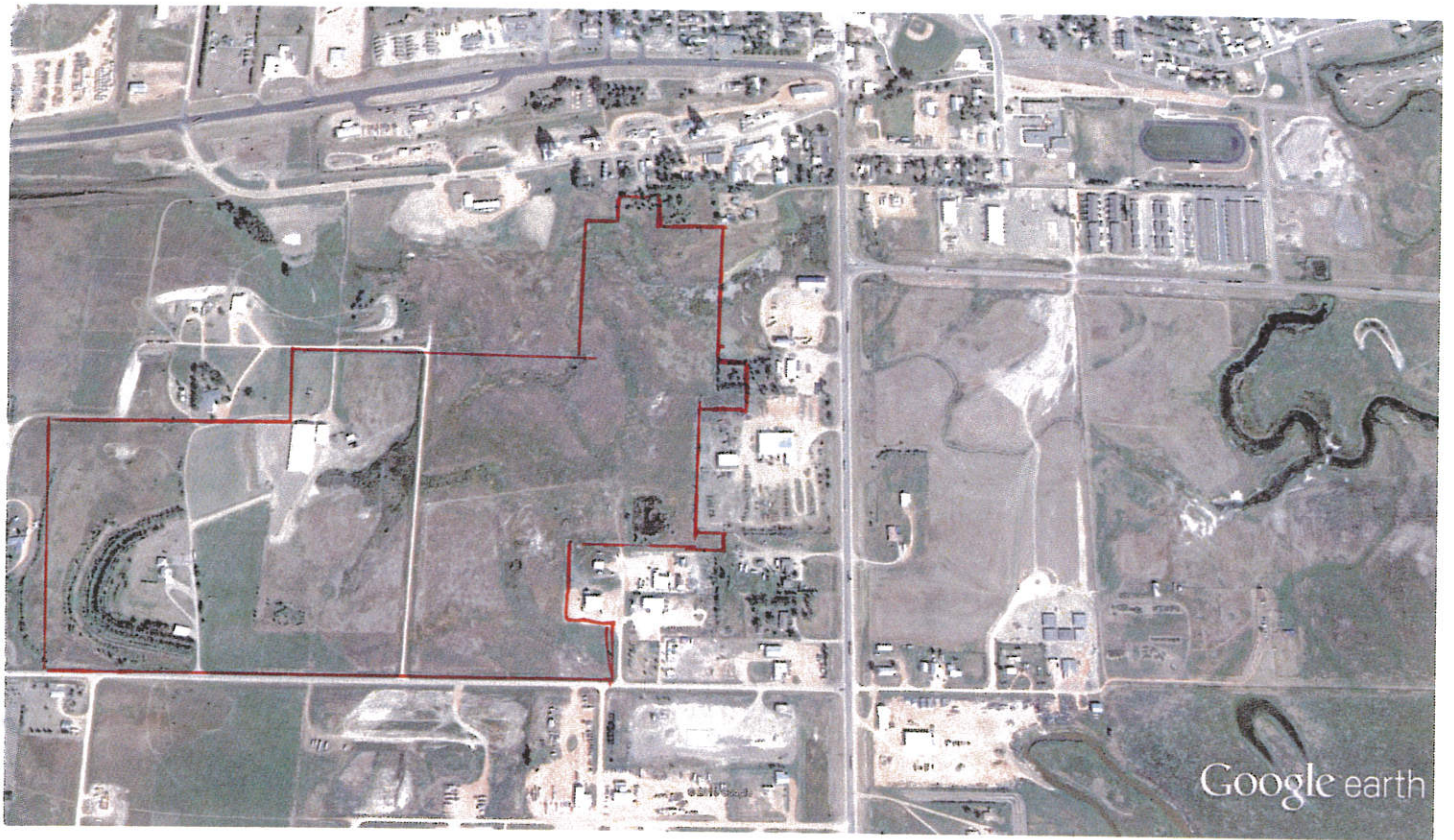
C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.

D. A letter indicating the Commission'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.

E. 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 30<sup>th</sup> calendar day.

F. The Planning Commission 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





Google earth

feet  
km



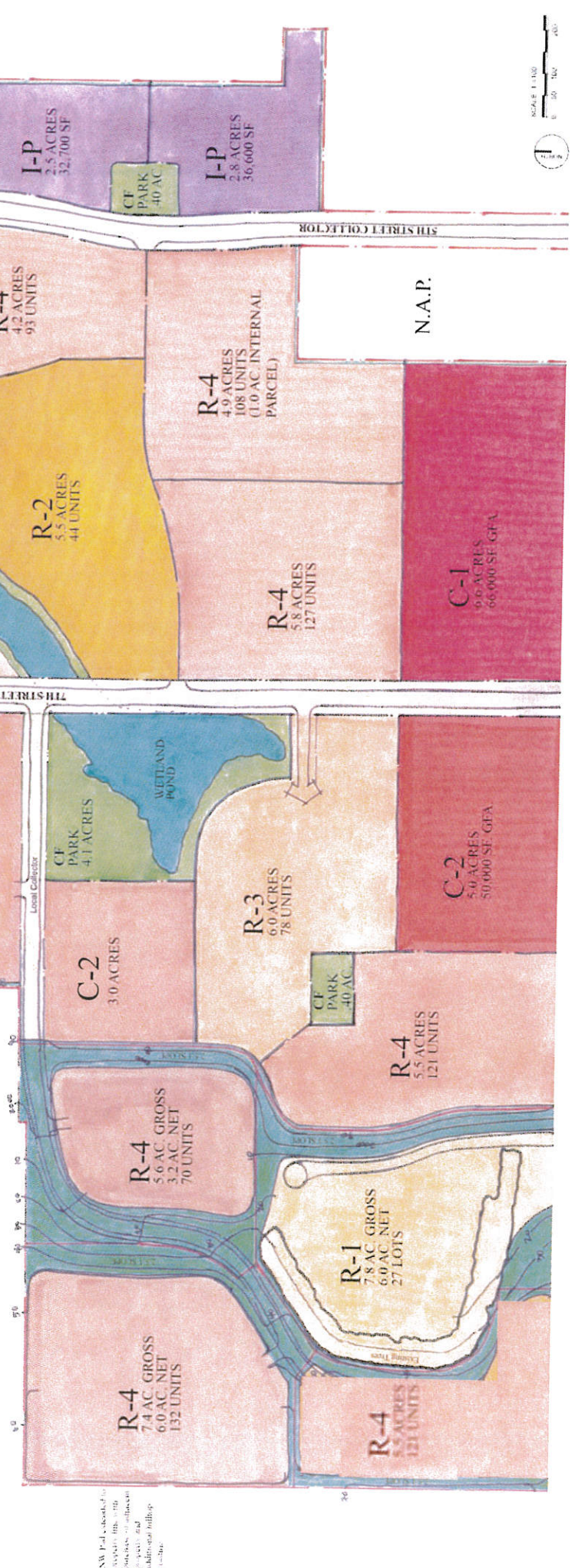


# Watford City Town Center Conceptual Land Use Plan Statistical Summary - Alternative Nine

Phase One - West Side (Including 7th Street to west)				
ZONING	GROSS ACRES	NET ACRES	UNITS	FLOOR AREA
R-1	7.8 ac. Gross	6.0 ac. Net	27 Lots	26,000 SF/Lot
R-2	4.4 ac. Gross	3.0 ac. Net	24 Units	18,000 SF/Unit
R-3	6.0 ac. Gross	6.0 ac. Net	78 Units	14,000 SF/Unit
R-4 Hillside	11.0 ac. Gross	9.2 ac. Net	202 Units	900 SF/Unit
R-4	14.1 ac. Gross	14.1 ac. Net	310 Units	900 SF/Unit
<b>Phase One Residential Subtotal</b>	<b>45.3 ac. Gross</b>	<b>38.3 ac. Net</b>	<b>641 Units</b>	<b>683,400 SF</b>
C-2	5.0 ac. Gross	5.0 ac. Net	(10,000 SF/acre)	50,000 SF
CF Park	4.5 ac. Gross			
Road ROW	5.0 ac. Gross			
<b>Subtotal</b>	<b>59.8 ac. Gross</b>	<b>43.3 ac. Net</b>		<b>733,400 SF</b>

Phase Two - East Side (East of 7th Street)				
ZONING	GROSS ACRES	NET ACRES	UNITS	FLOOR AREA
R-2	5.5 ac. Gross	5.5 ac. Net	44 Units	18,000 SF/Unit
R-3	2.0 ac. Gross	2.0 ac. Net	26 Units	14,000 SF/Unit
R-4	19.9 ac. Gross	19.9 ac. Net	438 Units	900 SF/Unit
<b>Phase Two Residential Subtotal</b>	<b>27.4 ac. Gross</b>	<b>27.4 ac. Net</b>	<b>508 Units</b>	<b>509,800 SF</b>
C-1	6.6 ac. Gross	6.6 ac. Net	(10,000 SF/acre)	66,000 SF
I-P Bus Park	8.8 ac. Gross	8.8 ac. Net	(13,000 SF/acre)	114,400 SF
CF Park	6.0 ac. Gross			
Road ROW	6.6 ac. Gross			
Vacant	1.6 ac. Gross			
<b>Subtotal</b>	<b>58.2 ac. Gross</b>	<b>42.8 ac. Net</b>		<b>690,800 SF</b>

<b>Grand Total</b>	<b>118.0 Acres Gross</b>	<b>86.1 ac. Net</b>	<b>1149 Units</b>	<b>1,424,200 SF</b>
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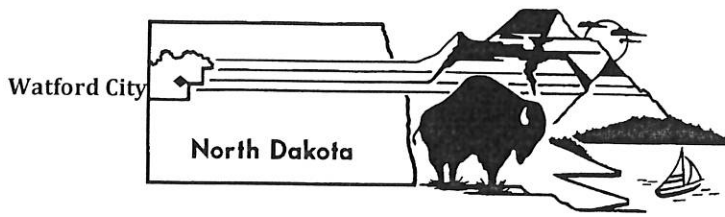
### Phase One - West Side (Including 7th Street to West)

Zoning	Gross Acres	Net Usable Acres	Loss	% of Loss	Dwelling Units	Gross sq ft	Net Sq Ft	Lot in Sq Ft	Home Size
R-1	4.5 acres Gross	3.2	1.3	29%	15	196020	139392	8500	2600
R-2	7.2 acres Gross	4.5	2.7	38%	36	313632	196020	4688	1800
R-3	6.0 acres Gross	6.0	0	0%	78	261360	261360	43560	1400
R-4 Hillside	13.5 acres Gross	9.2	4.3	32%	202	588060	400752	43560	1000
R-4	14.1 acres Gross	14.1	0	0%	310	614196	614196	43560	1000
Phase One Residential Subtotal	45.3 acres Gross	37	8.3	18%	642	1973268	1611720	NA	NA
C-2	5.0 acres Gross	5.0	0.0	0%	NA	217800	217800	43560	10,000
Phase One Commercial Subtotal	5.0 acres Gross	5.0	0.0	0%	NA	217800	217800	NA	10000
CF - Park Road ROW	4.5 acres Gross	0.0	4.5	100%	0	196020	0	43560	NA
Phase One Public Space Subtotal	5.0 acres Gross	0.0	5.0	100%	0	217800	0	43560	NA
Phase One Public Space Subtotal	9.5 acres Gross	0.0	9.5	100%	0	413820	0	NA	NA
PHASE ONE WEST TOTAL	59.8 acres Gross	42.0	17.8	30%	642	2,604,888	1,829,520	NA	NA

### Phase Two - East Side (East of 7th Street)

Zoning	Gross Acres	Net Acres	Loss	% of Loss	Dwelling Units	Gross sq ft	Net Sq Ft	Lot in Sq Ft	Home Size
R-2	5.5 acres Gross	5.5	0.0	0%	44	239580	239580	4688	1800
R-3	2.0 acres Gross	2.0	0.0	0%	26	87120	87120	43560	1400
R-4	19.9 acres Gross	19.9	0.0	0%	438	866844	866844	43560	1000
Phase Two Residential Subtotal	27.4 acres Gross	27.4	0.0	0%	508	1193544	1193544	NA	NA
C-1	6.6 acres Gross	6.6	0.0	0%	NA	287496	287496	43560	10000
Phase Two Commercial Subtotal	6.6 acres Gross	6.6	0.0	0%	NA	287496	287496	NA	10000
I-P - Bus Park	8.8 acres Gross	8.8	0.0	0%	NA	383328	383328	43560	13000
CF - Park (Includes Wetland Corridor Road ROW	6.0 acres Gross	0	6.0	100%	0	261360	0	NA	NA
Vacant	6.8 acres Gross	0	6.8	100%	0	296208	0	NA	NA
Internal Parcel	1.6 acres Gross	0	1.6	100%	0	69696	0	NA	NA
Phase Two Public Space Subtotal	1.0 acres Gross	0	1.0	100%	0	43560	0	NA	NA
Phase Two Public Space Subtotal	24.2 acres Gross	8.8	15.4	64%	NA	1054152	383328	NA	NA
PHASE TWO EAST TOTAL	58.2 acres Gross	42.8	15.4	26%	507.8	2,535,192	1,864,368	NA	NA
PHASE 1 & 2 TOTAL	118.0	84.8	33.2	28%	1149	3,166,812	2,805,264	NA	NA





**City of Watford City**  
Brent Sanford, Mayor  
213 2<sup>nd</sup> St., NE  
PO Box 494  
Watford City, ND 58854  
Ph. 701- 444- 2533  
Fax 701- 444- 3004  
[www.mckenziecounty.net](http://www.mckenziecounty.net)

February 20, 2014

**STAFF REPORT**  
**ZC-01-2014 ZONE CHANGE**

Applicant  
Watford City Town Center LLC  
Dianna Guadagnino  
409 3<sup>rd</sup> St NW  
Watford City, ND 58854

Property Owners  
Dan and Ginger Fladeland

Property Address: 902 11<sup>th</sup> Ave SW

Zone Change Requested: A request to change the zoning of the above-referenced lot from AG to  
TRACT A- IP, R1, R2, R3, R4, C1, C2,  
TRACT B- IP, R1, R2, R3, R4, C1, C2,

Reference: Watford City City Code Sec. XV – Article XXVI, Amendments

Discussion: Article XXVI, Section 1 of the Watford City Zoning Ordinance states that “A proposal for an amendment or a change in zoning may be initiated by the City Council, by the Planning Commission, or upon application of the owner of the property affected.”

-The property is located at 902 11<sup>th</sup> Ave SW on Parcel # 11-00-08600. The Entire site contains 86.1 total acres. Tract A contains 43.3 acres and Tract B contains 42.8 acres.

-The existing property is currently zoned as AG(agricultural). The applicant is asking for multiple zones to be changed from the original AG to allow for a mix of residential zoning for both single family residential as well as medium to higher densities. Tract A is also asking for a portion to be zoned for C2 commercial. Tract B is asking for higher to mid density residential zoning as well as a small portion of C1 commercial and 8.8 acres of IP industrial zoning towards the highway 85 bypass route.

-The site has access to city water and sewer service and is accessed from 11<sup>th</sup> Ave SW.

-The site is in the newly created Extra Territorial Area (ETA) and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission. The intent of the ETA is to regulate growth and development within one mile of the City but to not be restrictive in nature. Annexation application has been received and will be on City Council agenda January 6, 2014.



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 city's zone change request.

In granting a zone change, the Planning Commission must satisfy itself, from the evidence heard before it that the granting of the zone change is in the best long-term interests of the City of Watford City and the other affected properties.

The Planning Commission shall also find that the zone change, if granted, is in harmony with the intended spirit and purpose of the zoning ordinance and does not constitute "spot zoning" so as to allow a use that would otherwise not be permitted.

Under no circumstances shall the Planning Commission recommend a zone change not permissible under the terms of this ordinance.

Surrounding Land Use Inventory:

West: Zoning -	R4, Watford City
Use -	High Density Residential
South: Zoning -	I, Watford City
Use -	Industrial
North: Zoning -	C1, Watford City
Uses -	Commercial
East: Zoning -	C1, Watford City
Uses -	Commercial

**Comprehensive Zoning Plan and Zoning Comparison:**

***At this time, the city does not have a detailed Comprehensive Zoning Plan that can be used as a basis for this decision. Therefore, each request for a zoning amendment must be based solely on the judgment of the commission. The commission must exercise prudence when evaluating this request. All of the possible uses that could occur on this property and the possible effect on surrounding properties must be considered when evaluating whether this zone change should be approved. The "C-1, C-2" (commercial/services) Districts, R1, R2, R3, R4 (single family, medium and high density residential) districts are intended for residential use of both higher, medium, and single family developments to be built. IP (industrial park) district is intended for the use of large industrial parks designed for heavy traffic from trucks and shipping vehicles.***

Site Development

Access:	The property is accessible from 11 <sup>th</sup> Ave SW; in the future it will also be accessible by possibly extending 7 <sup>th</sup> Street for a North South corridor.
Sewer:	The internal subdivision layout consists of city streets, water mains, sanitary sewer mains, storm draining
Water:	City water mains are accessible to the property.

*Analysis: The proposed zoning will allow the developer to mix an array of all residential densities as well as adding a commercial aspect. An Industrial Park aspect will be a possibility in Tract B also.*

Recommendation:

It is recommended that the Watford City Planning Commission approve a Zone Change Application submitted by Watford City Town Center LLC, with the following conditions.

-If no action is taken on the development property within a year from these zone changes taking place, all the property will return to its original zoned usage.

Contact:

Seth Sampson  
ssampson@nd.gov

5.



# LAND USE APPLICATION pg. 1 of 2

Watford City Planning Department

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: 2/6/14	APPLICATION NUMBER: CU 14-2014
ZONE CHANGE	PROCESSES BY: MS	MEETING DATES: P&Z: 2/24 CC: 3/3
CONDITIONAL USE PERMIT	FEE: \$2500	ADVERTISE DATE: 2/12 & 2/19
VARIANCE	RECEIPT #:	PROPERTY OWNERS NOTIFIED: Yes
VACATION & ABANDONMENT	SECTION/TOWNSHIP/RANGE: Sec 8 / T150N / R98W	
STREET NAME	RELATED CASE #:	
	FINAL ACTION MEMORANDUM MAILED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Ace in the Hole Construction

APPLICANT: Colt Floyd

605-645-1005

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Ace in the Hole Construction

ADDRESS: PO Box 644

CITY: Buffalo

STATE: SD

ZIP CODE: 57720

TELEPHONE: 605-375-3904

EMAIL: crfloyd@splains.com

ASSESSOR'S PARCEL NUMBER(S):

LEGAL DESCRIPTION: E 1/2 SW 1/4 SE 1/4 Sect. 8 T. 150 R. 98

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 2502 17th Ave NE

GROSS/NET ACREAGE: 10 acres

PRESENT ZONE CLASSIFICATION: C1 - gen commercial street

DESIRED ZONE CLASSIFICATION:

CURRENT LAST USE:

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

more trailer house hookups

DESCRIBE THE SOURCE OF WATER/SEWER: own well & septic

Do you have a will serve letter ☒ YES ☐ NO

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

Phone: (701)444-2533 Fax: (701)444-3004 Website: www.mckenziecounty.net



# LAND USE APPLICATION pg. 2

Watford City Planning Department

(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.

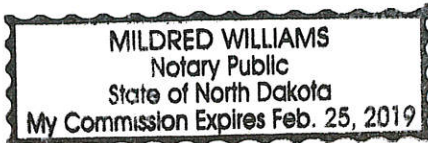
  
Property Owner Signature


  
Print of Type Owner Name

## NOTARY

State of North Dakota  
County of Mckenzie

This instrument was acknowledged before me on 2/13/14 by Cott Floyd  
Date Name of Person



  
Signature of Notarial Officer

## Documents Required for Submitting Land Use Applications

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	PDF when applicable	Supplemental Info.	Application Fees
Conditional Use Permit	1 <sup>G</sup>	1	1	1 <sup>9</sup>		1 <sup>11</sup>	1 <sup>12</sup>	1	1 <sup>14</sup>	\$525 + publishing costs
Zone Change	1	1	1	1 <sup>9</sup>	1 <sup>8</sup>	1 <sup>11</sup>	1 <sup>12</sup>	1	1 <sup>14</sup>	\$300
Variance	1	1	1			1 <sup>11</sup>		1		\$300
Vacation and Abandonment	1		1	1 <sup>9</sup>	1 <sup>8</sup>	1 <sup>11</sup>		1		Refer to Fee Schedule
Street Name Change*	1					1 <sup>11</sup>		1		Refer to Fee Schedule

Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications

\*Plus all sign costs

### Procedures for Filing Land Use Applications:

- After assembling the required materials as outlined above, 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 MANDATORY, 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 the Commission'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 30<sup>th</sup> calendar day.
- The Planning Commission 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.
- Site Development Plan Application is required on all Conditional Use Applications.

Watford City Planning Department

213 2<sup>nd</sup> St NE / PO Box 494

Watford City, ND 58854

Phone: (701)444-2533 Fax: (701)444-3004 Website: [www.mckenziecounty.net](http://www.mckenziecounty.net)

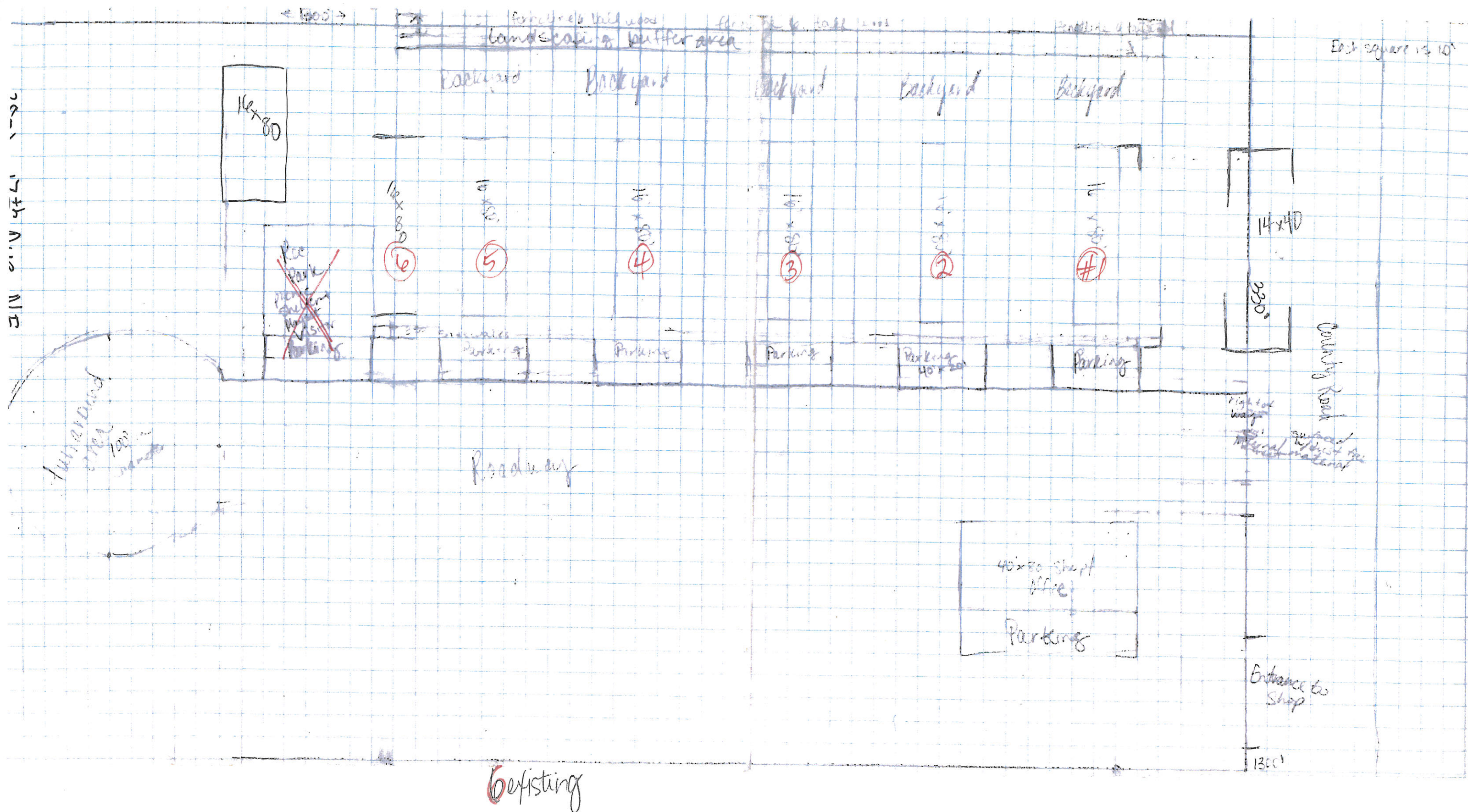




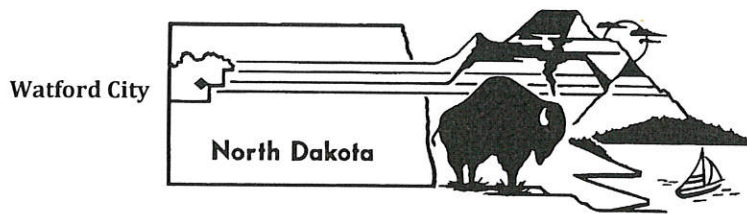
Google earth











**City of Watford City**  
Brent Sanford, Mayor  
213 2<sup>nd</sup> St., NE  
PO Box 494  
Watford City, ND 58854  
Ph. 701- 444- 2533  
Fax 701- 444- 3004  
[www.mckenziecounty.net](http://www.mckenziecounty.net)

February 19, 2014

**STAFF REPORT**  
**CU-14-2014 Conditional Use Permit Application**

**Applicant**

Colt Floyd  
Ace in the Hole Construction  
PO Box 646  
Buffalo SD 57720

**Property Owners**

Same

**Property Address:** 2502 17<sup>th</sup> Ave NE, E.1/2, SW.1/4, SE.1/4 Sect. 8 T.150 R.98, 10 acres

**Conditional Use Requested:** Conditional Use to permit additional Employee Housing.

**Zone:** C1, General Commercial District

**Reference:** Watford City City Code Sec. XV – Article XXV, Conditional Uses

**Discussion:** The application is for additional Employee Housing. Currently the permit is for 6 mobile homes (HUD sticker, manufactured and inspected). Applicant is requesting two (2) additional units.

The property is located 2502 17<sup>th</sup> Ave NE, Section 8, T150, R98. The subject property contains 10± acres.

The site is in the newly created Extra Territorial Area (ETA) and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission. The intent of the ETA is to regulate growth and development within one mile of the City but to not be restrictive in nature.

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 effects 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 property owners that hold an interest in the property and the adjoining property owners a notice regarding the employee housing request. None of the noticed property owners contacted the city regarding the application.

The commission should carefully consider all of the possible implications associated with renewing approval 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." At the CU permit's annual review, if it is determined that there is a long-term need, the P&Z commission can recommend to the city council that the permittee pave the parking areas. However, the P&Z Commission cannot waive the requirement to provide paved parking and driving surfaces. They can only make a recommendation to the City Council to do so. Should the use become long-term the requirement to pave should be implemented. In the interim, a dust palliative such as magnesium chloride can be applied.

#### **Surrounding Land Use Inventory:**

West: Zoning -	I, McKenzie County
Use -	Industrial
South: Zoning -	R2 & R4, McKenzie County
Use -	Medium/High Density Dwelling
North: Zoning -	A-2, McKenzie County
Uses -	Agricultural
East: Zoning -	A-2, McKenzie County
Uses -	Agricultural

#### **Site Development:**

<b><u>Access:</u></b>	The property is accessible from 17 <sup>th</sup> Ave. NW which is unpaved.
<b><u>Sewer:</u></b>	There are no existing city sanitary sewer mains within the property. The property will be serviced by an individual sewage disposal system.
<b><u>Water:</u></b>	There are no existing city water mains within the property. The property will be serviced by either rural water or private well.
<b><u>Analysis:</u></b>	The request for employee housing provides the owner with the ability to retain his workforce by providing adequate housing.



**Recommendation:**

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

1. The conditional use permit will allow only factory manufactured campers and DOT approved recreational vehicles or Housing and Urban Development (HUD) approved manufactured housing are permitted. No non-factory housing shall be permitted.
2. The conditional use permit is based on the number of spaces shown on the submitted site plan (6 homes) and shall be expanded by (2) two.
3. The conditional use permit shall be specific as to number of parking spaces to be provided. A minimum of 2 off-street parking spaces per site shall be provided.
4. A dust palliative should be required to be applied to parking areas from May through October.
5. Parking areas shall be surfaced with a minimum of 6" of crushed aggregate, not scoria. Scoria may be used as a base course for the final surfacing.
6. Conditional Use Permit will expire after 6 months if no action is taken.
7. Conditional Use Permit shall be reevaluated after 1 year.

**Contact:**

Mildred Williams  
Assistant City Planner  
City of Watford City, ND  
[miwilliams@nd.gov](mailto:miwilliams@nd.gov)

6.

7.



CONDITIONAL USE PERMIT

1. Name and Address of Applicant:

DARWIN KRABBENHOFF  
509 - 10th St SE  
Watford City ND

2. Description of Site for Conditional Use Permit:  
(Legal Description and Street Address)

lots 11 & 12 - 10th St. - Cherry Creek addition

3. Present Zoning District of Site:

R-2M mobile Home 2 Family

4. Names and Addresses of Adjacent Property Owners:

Ray Marken - PO Box 656  
Ray & Billy Marken - PO Box 251  
An Thoria Volske - 308 Bolken Dr.  
Dick - Richard Baney - PO Box 211

5. Conditional Use Applied for:

office, Training Room, Home Occupation,

Attached hereto is a preliminary map showing the boundary lines and the contemplated location of structures which would be developed on this site. Also shown on the preliminary map is the location of the existing structures on adjacent property.

Also attached hereto is a diagram or statement describing the parking plan for the proposed structure showing off street parking areas and/or loading areas.

Darwin Krabbenhoff  
APPLICANT:  
By: Darwin Krabbenhoff

DATE: 12-3-07

Application to be forwarded to the City Building Inspector.

\$10.00 Fee:      Paid X      Check #3138      Cash           

Patricia Skoglund  
City Auditor

Planning Commission Recommendation: Approved. 12-17-07

City Council Action: Approved with requirement that the  
business - triple AAA Safety - be evaluated after one year.  
Patricia Skoglund, City Auditor 1-7-2008



Google earth

feet  
meters

2000  
600





509 10<sup>th</sup> St., SE, view looking east



509 10<sup>th</sup> St., SE, view looking west

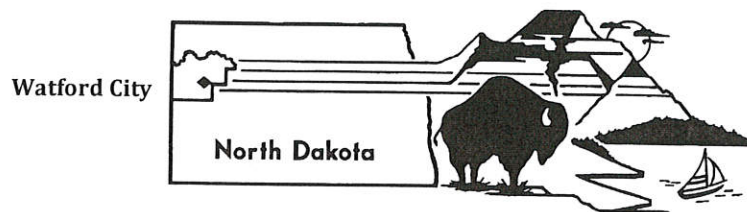


509 10<sup>th</sup> St., SE, view looking north



509 10<sup>th</sup> St., SE, view looking south





**City of Watford City**  
Brent Sanford, Mayor  
213 2<sup>nd</sup> St., NE  
PO Box 494  
Watford City, ND 58854  
Ph. 701- 444- 2533  
Fax 701- 444- 3004  
[www.mckenziecounty.net](http://www.mckenziecounty.net)

February 19, 2014

## **STAFF REPORT**

CU- Conditional Use

<u>Applicant</u>	<u>Property Owner</u>
Darwin Krabbenhoft 308 2 <sup>nd</sup> St., NW Watford City	Same

Property Address: 509 10<sup>th</sup> St., SE  
Lots 11 & 12, Block 1, Cherry Creek Second Addition

### Conditional Use Requested:

A conditional use to permit Temporary Workforce Housing for an employee of Triple AAA Safety

Zone: R-2M, Mobile Home, Two-family Residential District

Reference: Watford City City Code Sec. XV – Article XXV, Conditional Uses

Discussion: The applicant filed a request to expand the number of Temporary Workforce Housing units from 1 to 2.

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 applicant currently operates a safety training business on his residential property under a Conditional Use granted to him in December 2007 (CU-01-2007). There have not been any complaints regarding Mr. Krabbenhoft's conditional use since the conditional use was granted nor has there been any complaints from the addition of the Temporary Workforce Housing unit that was approved in October 2010. The applicant is only asking for the placement of one additional camper unit.

The City of Watford City mailed the adjoining property owners a notice regarding Mr. Krabbenhoft's Conditional Use application. None of the noticed property owners contacted the city regarding the application.

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 Conditional Use must also provide for utilities and drainage. 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 retail sales or cabinet making, 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.

The city recently enacted an ordinance to deal with substandard housing units moving into town. The ordinance is copied below:

#### 4-1712 - Temporary Workforce Housing

*Temporary workforce housing, for purposes of this Chapter, is housing in a mobile home placed in the city or its extraterritorial limits to house employees/workers who reside elsewhere.*

*Mobile homes under this Section shall meet the requirements as stated above and shall in no instance house more occupants at any one time such that there is not at least 70 square feet of habitable space per occupant. Smoke alarms shall be*

*installed in all mobile homes under this Section in conformance with Section R313 of the 2006 International Residence Code, and subsequent amendments thereto. In no instance shall there be less than one smoke alarm per unit. Smoke alarms can be either wired or battery operated. Each mobile home under this section shall have at least one operable gas alarm and one operable carbon monoxide alarm, both of which may be wired or battery operated.*

*Habitable space as stated in this Chapter is a space in a building for living, sleeping, dining or cooking. By way of example and not limitation, bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces*

City code states 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." The commission and council should decide whether this requirement may constitute a financial hardship for what could be a very temporary use for a very small area.

Recommendation: The proposed use does not appear as though it would detract from the neighborhood as it is currently developed, especially due to the great number of temporary housing units currently located in the immediate vicinity. Staff recommends **approval** of the conditional use subject to the following conditions:

1. The conditional use permit should specifically state that only conventional, factory manufactured campers and recreational vehicles are permitted.
2. No skid shacks should be permitted.
3. The conditional use should be specific as to the total number of units permitted to be installed. The total number of units approved is 2.
4. Conditional Use Permit shall be for a term of one year and reviewed annually thereafter.
5. Vehicle parking areas shall be surfaced with a minimum of 6" of crushed aggregate, not scoria. Scoria may be used as a base course for the final surfacing.
6. Conditional Use Permit will expire after 6 months if no action is taken.

The property was reviewed for compliance and no issues were found to be of concern

Contact:

Steven Williams  
City Building Official/Code Enforcement  
City of Watford City  
(701) 444-2533

8.



# LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: <u>7-11-12</u>	APPLICATION NUMBER: <u>CU-12-2012</u>
<input checked="" type="checkbox"/> ZONE CHANGE- \$200.00 fee	PROCESSES BY: <u>Pop</u>	MEETING DATES: P&Z: <u>2/12</u> CC: <u>3/13</u>
<input checked="" type="checkbox"/> CONDITIONAL USE PERMIT- \$350.00 fee plus publishing cost	FEE: <u>(Bill)</u>	ADVERTISE DATE: <u>2/12 + 2/19</u>
<input checked="" type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #:	PROPERTY OWNERS NOTIFIED: <u>YES</u>
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE:	
<input checked="" type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS:	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: McKenzie County Public School District #1

APPLICANT: McKenzie County Public School District #1

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Steven Hoken - McKenzie County Public School District #1

ADDRESS: P.O. Box 589

CITY: Watford City STATE: ND ZIP CODE: \_\_\_\_\_

TELEPHONE: (701) 444-3626 EMAIL: shoken@watford-city.k12.nd.us

ASSESSOR'S PARCEL NUMBER(S): \_\_\_\_\_

LEGAL DESCRIPTION: Lot 11, B1K 2 plus street, Lot 14 B1K 1 plus street, Includes I & S

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 350 3rd Street SE 445/1450

GROSS/NET ACREAGE: \_\_\_\_\_ PRESENT ZONE CLASSIFICATION: R-2M

DESIRED ZONE CLASSIFICATION: \_\_\_\_\_ CURRENT LAST USE: Playground / Practice Field

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

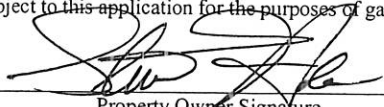
The school district would like to use school district property for the purpose of employee housing on a temporary basis to allow other "permanent" options to be developed and constructed over the next several months. The district would arrange for the services to be provided to the site.

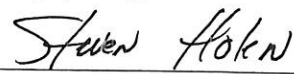
8-14x64 Mobile homes

DESCRIBE THE SOURCE OF WATER/SEWER: Extension of current city services Do you have a will serve letter ☐ YES ☐ NO

**Land Use Applications Cannot be Accepted over the Front Counter**  
Please Call (701) 444-2533 to schedule an appointment

(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.

  
Property Owner Signature

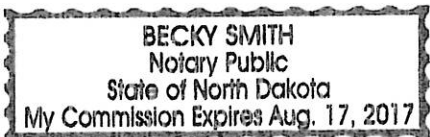
  
Print of Type Owner Name

**NOTARY**

State of North Dakota

County of McKenzie

This instrument was acknowledged before me on July 11, 2012 by Steve Holen  
Date Name of Person



  
Signature of Notarial Officer

**Documents Required for Submitting Land Use Applications**

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	Straight-line Drawing	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	4	1 <sup>9</sup>		1 <sup>11</sup>	4 <sup>12</sup>	1 <sup>13</sup>	1 <sup>14</sup>	\$350.00
Zone Change	1	1	4	1 <sup>9</sup>	1 <sup>8</sup>	1 <sup>11</sup>	4 <sup>12</sup>		1 <sup>14</sup>	\$200.00
Variance	1	1	4			1 <sup>11</sup>				\$200.00
Vacation and Abandonment	1		4	1 <sup>9</sup>	1 <sup>8</sup>	1 <sup>11</sup>				Refer to Fee Schedule
Street Name Change*	1					1 <sup>11</sup>				Refer to Fee Schedule

Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications

\*Plus all sign costs

**Procedures for Filing Land Use Applications:**

- After assembling the required materials as outlined above, schedule an appointment by calling the Watford City Planning Department at (701) 444-2533. Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). 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 MANDATORY, 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 the Commission'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 30<sup>th</sup> calendar day.
- The Planning Commission 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.
- Site Development Plan Application is required on all Conditional Use Applications.

Watford City Planning Department  
213 2<sup>nd</sup> St NE

Watford City, ND 58854

Phone: (701)444-2533 Fax: (701)444-3004 Website: [www.4eyes.net](http://www.4eyes.net)







Google earth





1 Staging Plan  
2002



Scale: 1" = 40'

REVISIONS	DATE
OVERALL SITE LAYOUT	07/13/13
OVERALL SITE LAYOUT	07/18/13
TEMP. HOUSING LAYOUT	07/23/13
DRAWN BY: AMT	CHECKED BY: BRB

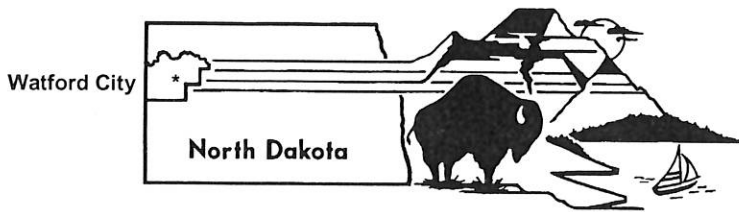
## Watford City Elementary School

Watford, ND



Central America Inc.  
Construction Engineers  
200 North 60th Street  
Grand Forks, ND 58038  
Ph: (701) 746-4172  
Fax: (701) 772-1008  
www.constructionengineers.com





**City of Watford City**  
213 2<sup>nd</sup> St., NE  
PO Box 494  
Watford City, ND 58854  
Ph. 701- 444- 2533  
Fax 701- 444- 3004

February 24, 2014

## **STAFF REPORT**

CU-12 -2014

Conditional Use Renewal-- AMENDED

Applicant

McKenzie County School Dist 1  
PO Box 589  
Watford City, ND 58854

Property Owners

Same

Property Address: 300 3<sup>rd</sup> St SE

Conditional Use Requested:

Employee Housing

Reference: Watford City City Code Sec. XV – Article XXV, Conditional Uses

Discussion: This Conditional Use Permit Application is for the placement of eight (8) 14'x64' mobile homes and one (1) RV. These units will be placed on school property adjacent to the elementary school and the proposed school addition ( see aerial photo). The eight (8) MH units will be used for temporary housing for new teachers. The one (1) RV unit will be used for temporary housing for the project manager of the proposed school addition. The temporary housing site will be fenced off from the school and the new construction area.

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 city's zone change request. 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.

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 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:** The property is accessible from 7<sup>th</sup> St. SE which is paved. City water and sewer is available to property

#### Recommendation:

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

1. Conditional Use Permit will expire after 6 months if no action is taken.
2. Conditional Use Permit shall be reevaluated after 1 year.
3. Dust control standards must be in place for the site.
4. Temporary roads must be constructed to county standards using a 6" base and wide enough for emergency vehicles.
5. Mobile home spacing to meet all state requirements.
6. Each unit to have "off street" parking

Renewal 2014: The Staff recommends approval with the following conditions:

The application be amended from eight (8) MH units, to nine (9) MH units as the project manager unit is no longer needed and could be converted to additional employee housing. It is also recommended that the conditional use permit be extended through all of 2015 with no further renewal needed until such time.

#### Contact:

Steven Williams  
Building Inspector/Code Enforcement Officer  
City of Watford City  
(701) 444-2533

9.

# LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: 11/29/12	APPLICATION NUMBER: CU-10-2014
<input checked="" type="checkbox"/> ZONE CHANGE - \$200.00 fee	PROCESSES BY: MLU	MEETING DATES: P&Z: 12/27 CC: 1/7/13
<input checked="" type="checkbox"/> CONDITIONAL USE PERMIT - \$350.00 fee plus publishing cost	FEE: 350.-	ADVERTISE DATE: 12/12/12
<input checked="" type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: CW# 7232	PROPERTY OWNERS NOTIFIED:
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: Sect 30 T150 R98	
<input checked="" type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS: 2C 34-2012	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER:

APPLICANT:

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME:

ADDRESS:

CITY:

STATE:

ZIP CODE:

TELEPHONE:

EMAIL:

ASSESSOR'S PARCEL NUMBER(S):

LEGAL DESCRIPTION:

PROPERTY ADDRESS AND NEAREST CROSS STREETS:

GROSS/NET ACREAGE:

PRESENT ZONE CLASSIFICATION:

DESIRED ZONE CLASSIFICATION:

CURRENT LAST USE:

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

DESCRIBE THE SOURCE OF WATER/SEWER:

Do you have a will serve letter ☐ YES ☐ NO



## Justification Letter

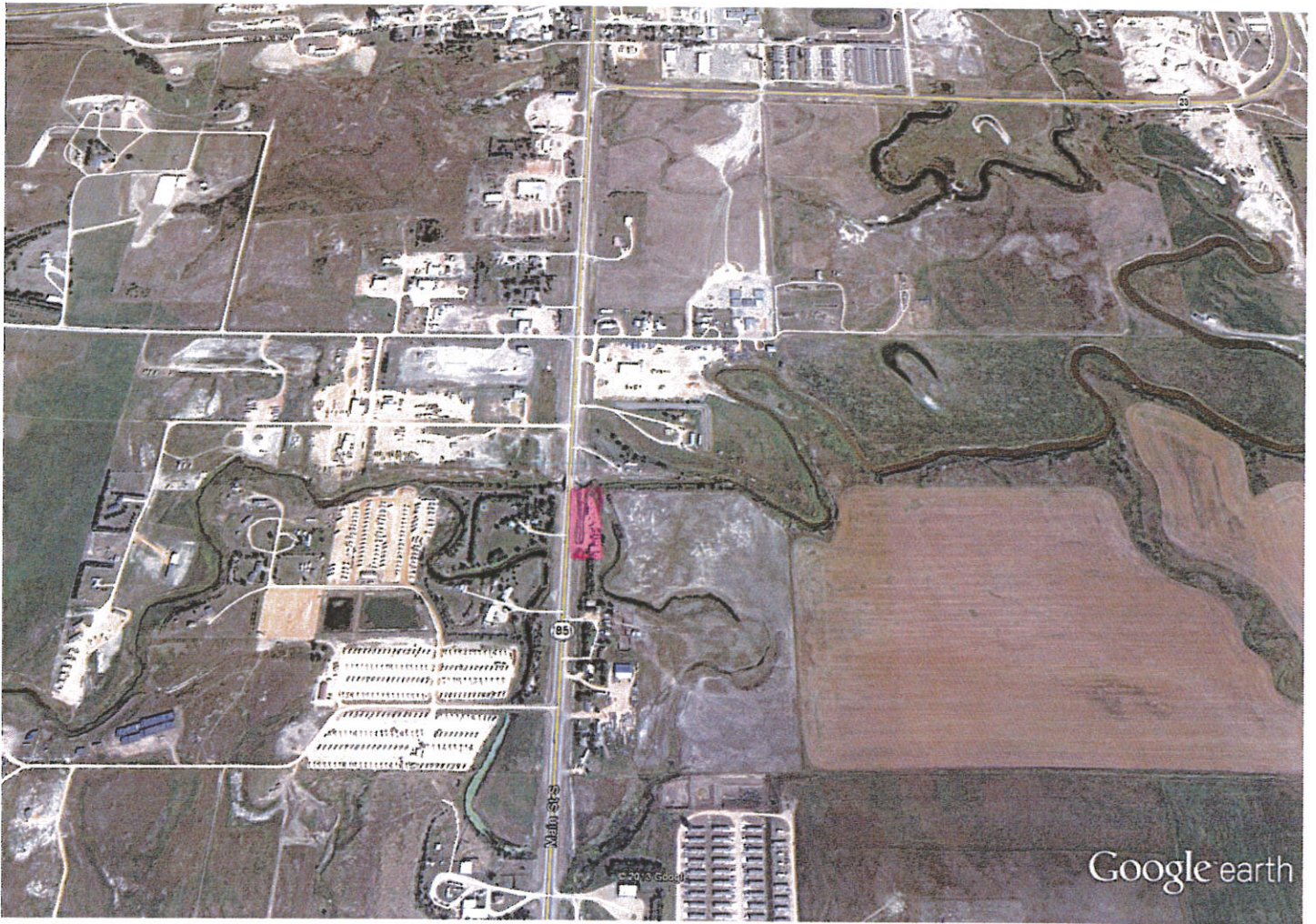
Planning board members,

The property is currently being used by me as a shop for my plumbing business since I purchased it in May 2011.

There were already RV spots being rented here when I took it over and I have continued that use.

In the next year I intend to put a permanent structure and be rid of the RV usage.

Respectfully submitted,  
Doug Kesler





feet

3000

meters

900

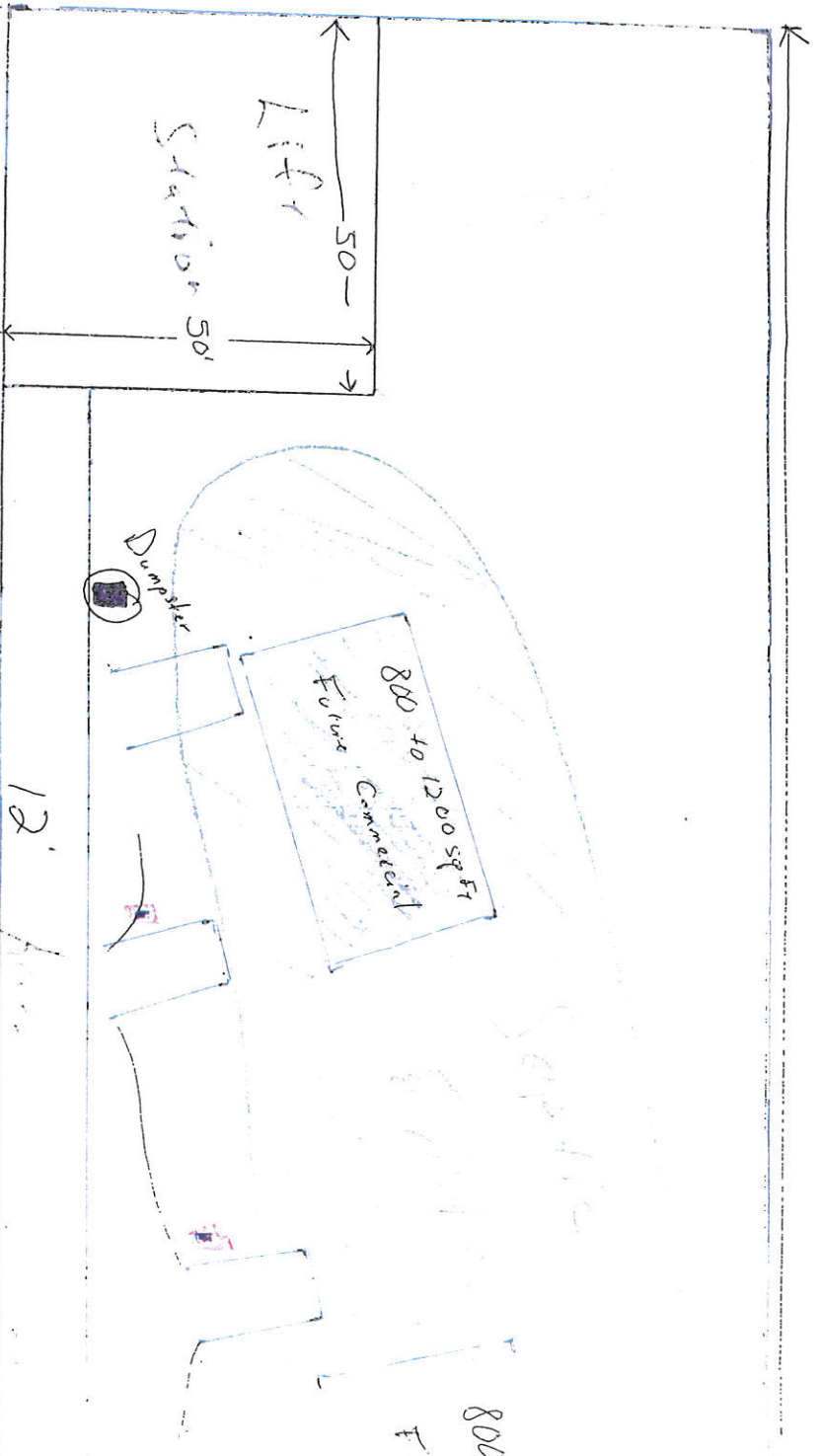


Property to  
North is John Walker  
Ad Zone

Cherry  
Creek

MDU Brgs

Property to  
West is Michael Anderson



PTC Communication



400 Amp Service From Mainline Electric

Properties to

South and east is Laurie Feldmeyer

Ag Zone

Septic

Future

Cold Storage

Current electric, water & sewer.

High Station

Public Sewer

Bus Stop

Public Water

Existing Slab

Plumbing, Htg, Office + Shop

800 to 1200 sq ft Future Commercial

800 to 1200 sq ft Future Commercial

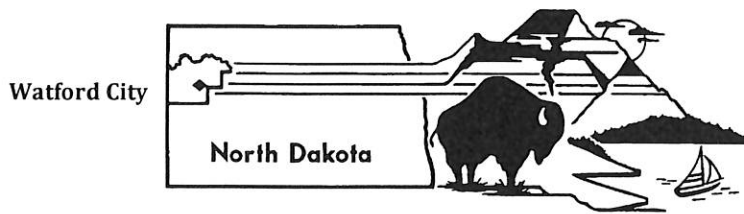
30'

100'

100' Hwy 85 R.O.W

Property to west is Michael Durham Ag Zone

85



**City of Watford City**  
Brent Sanford, Mayor  
213 2<sup>nd</sup> St., NE  
PO Box 494  
Watford City, ND 58854  
Ph. 701- 444- 2533  
Fax 701- 444- 3004  
[www.mckenziecounty.net](http://www.mckenziecounty.net)

February 11, 2014

**STAFF REPORT**  
**Annual RENEWAL of original #CU-10-2014**

Applicant  
Doug Kesler.  
4200 Carmell Pl  
West Fargo, ND 58078

Property Owners  
Doug Kesler

Property Address: 1402 Main Street South

Conditional Use Requested: RV Park that is within our C-1 district

Reference: Watford City City Code Sec. XV – Article XXV, Conditional Uses

Discussion: The property is currently being used by Doug Kesler as a shop for his plumbing business since May 2011. There were already RV spots being rented when he bought the property and he has continued this use. Doug intends to place a more permanent structure to replace the RV's in the near future.

The property is located on IT 805-PT on lots 1 and 2. The subject property contains .92 acres. There are no roads or utilities within the subject property. The site is in the newly created Extra Territorial Area (ETA) and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission. The intent of the ETA is to regulate growth and development within one mile of the City but to not be restrictive in nature.

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 effects 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 property owners that hold an interest in the property and the adjoining property owners a notice regarding the city's zone change request. None of the noticed property owners contacted the city regarding the application.

*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.*

**Site Development:**

**Access:** The property is accessible from Main Street South

**Sewer:** There are existing city sanitary sewer mains within the property.

**Water:** There are existing city water mains within the property. The property will be serviced by either rural water or private well.

**Analysis:** The proposed zoning of C-1 provides the developer with the flexibility to construct a commercial "shop" to be constructed in place of these RVs.

**Recommendation:**

Staff recommends **approval** of the conditional use subject to and in accordance with previous year conditions:

1. The conditional use permit will only allow these RVs to stay until the owner decides to develop the land used for RVs into a commercial shop. The conditional use permit is based on the acreage shown on the submitted site plan and shall not be expanded nor the intensity increased unless by conditional use permit.
2. Conditional Use Permit shall be reevaluated after 1 year.

**Contact:**

Seth Sampson  
Assistant City Planner  
ssampson@nd.gov



10.

# LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

CL-09-2014

APPLICATION TYPE:	DATE FILED: 11/7/12	APPLICATION NUMBER: CL-15-2012
<input checked="" type="checkbox"/> ZONE CHANGE- \$200.00 fee	PROCESSES BY:	MEETING DATES: P&Z: 11/26 CC: 12/3
<input checked="" type="checkbox"/> CONDITIONAL USE PERMIT- \$350.00 fee plus publishing cost	FEE:	ADVERTISE DATE: 11/14
<input checked="" type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #:	PROPERTY OWNERS NOTIFIED:
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: S13, T150N, R99W	
<input checked="" type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS: CL-14-2012	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Watford City

APPLICANT: Western Area Water Supply Authority, Jaret Wirtz

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: AE2S

ADDRESS: 2321 2<sup>nd</sup> Ave W Ste 5

CITY: Williston STATE: ND ZIP CODE: 58801

TELEPHONE: 701-774-3080 EMAIL: Matt.Odegard@AE2S

ASSESSOR'S PARCEL NUMBER(S):

LEGAL DESCRIPTION: 17 179 PTS WSE Water Tanks Section 13, T150N, R99W

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 4<sup>th</sup> Ave NW 6084th Ave NW

GROSS/NET ACREAGE: 1 PRESENT ZONE CLASSIFICATION: R-1

DESIRED ZONE CLASSIFICATION: CURRENT LAST USE: Watford City Reservoir

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

The application is being submitted for a free-standing, 60 foot tall tower for telemetry. The proposed facility will be located at a site being used as a water depot. Previous applications have been submitted for the water depot. Technical questions can be directed to Matt Odegard, of AE2S, at 701-746-8087.

DESCRIBE THE SOURCE OF WATER/SEWER: Western Area Water Supply Project Do you have a will serve letter ☐ YES ☒ NO



**Land Use Applications Cannot be Accepted over the Front Counter**  
**Please Call (701) 444-2533 to schedule an appointment**

(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.

\_\_\_\_\_  
 Property Owner Signature

\_\_\_\_\_  
 Print of Type Owner Name

**NOTARY**

State of North Dakota

County of Williams

This instrument was acknowledged before me on 11.8.12  
 Date

by Kim Schilke  
 Name of Person

**MELINDA RASMUSSEN**  
 NOTARY PUBLIC  
 STATE OF NORTH DAKOTA  
 My Commission Expires: Feb. 25, 2017

Melinda Rasmussen  
 Signature of Notarial Officer

**Documents Required for Submitting Land Use Applications**

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	Straight-line Drawing	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	4	1 <sup>9</sup>		1 <sup>11</sup>	4 <sup>12</sup>	1 <sup>13</sup>	1 <sup>14</sup>	\$350.00
Zone Change	1	1	4	1 <sup>9</sup>	1 <sup>8</sup>	1 <sup>11</sup>	4 <sup>12</sup>		1 <sup>14</sup>	\$200.00
Variance	1	1	4			1 <sup>11</sup>				\$200.00
Vacation and Abandonment	1		4	1 <sup>9</sup>	1 <sup>8</sup>	1 <sup>11</sup>				Refer to Fee Schedule
Street Name Change*	1					1 <sup>11</sup>				Refer to Fee Schedule

Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications  
 \*Plus all sign costs

**Procedures for Filing Land Use Applications:**

- After assembling the required materials as outlined above, schedule an appointment by calling the Watford City Planning Department at (701) 444-2533. Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). 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 MANDATORY, 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 the Commission'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 30<sup>th</sup> calendar day.
- The Planning Commission 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.
- Site Development Plan Application is required on all Conditional Use Applications.

Watford City Planning Department  
 213 2<sup>nd</sup> St NE  
 Watford City, ND 58854  
 Phone: (701)444-2533 Fax: (701)444-3004 Website: [www.4eyes.net](http://www.4eyes.net)

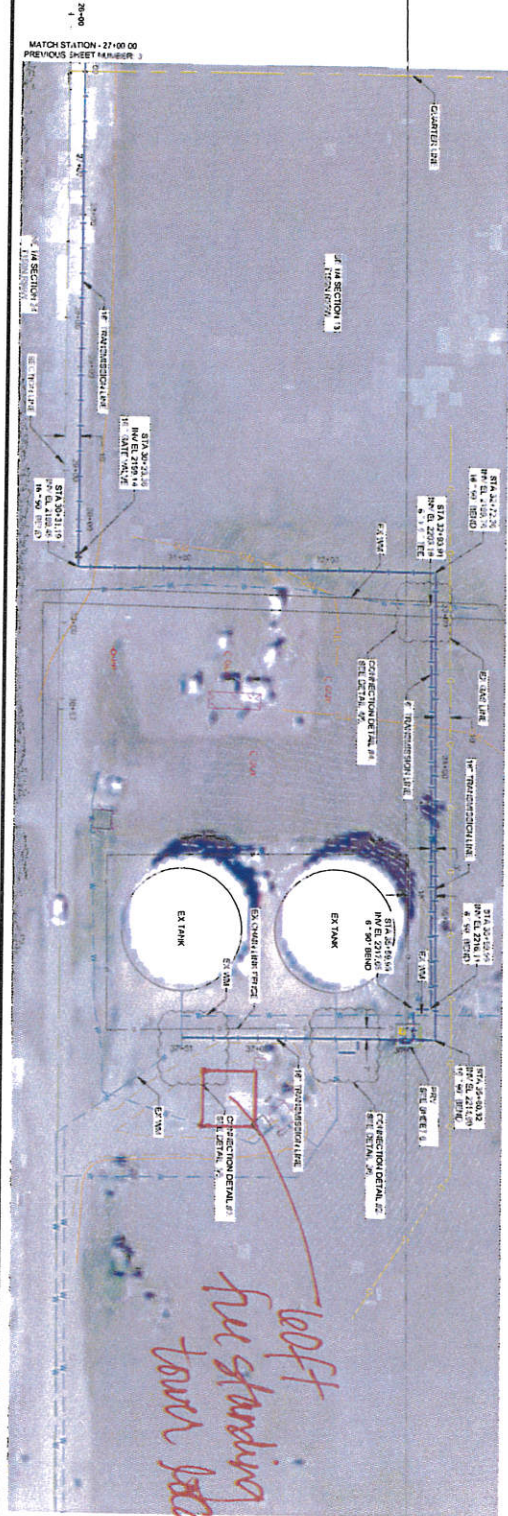
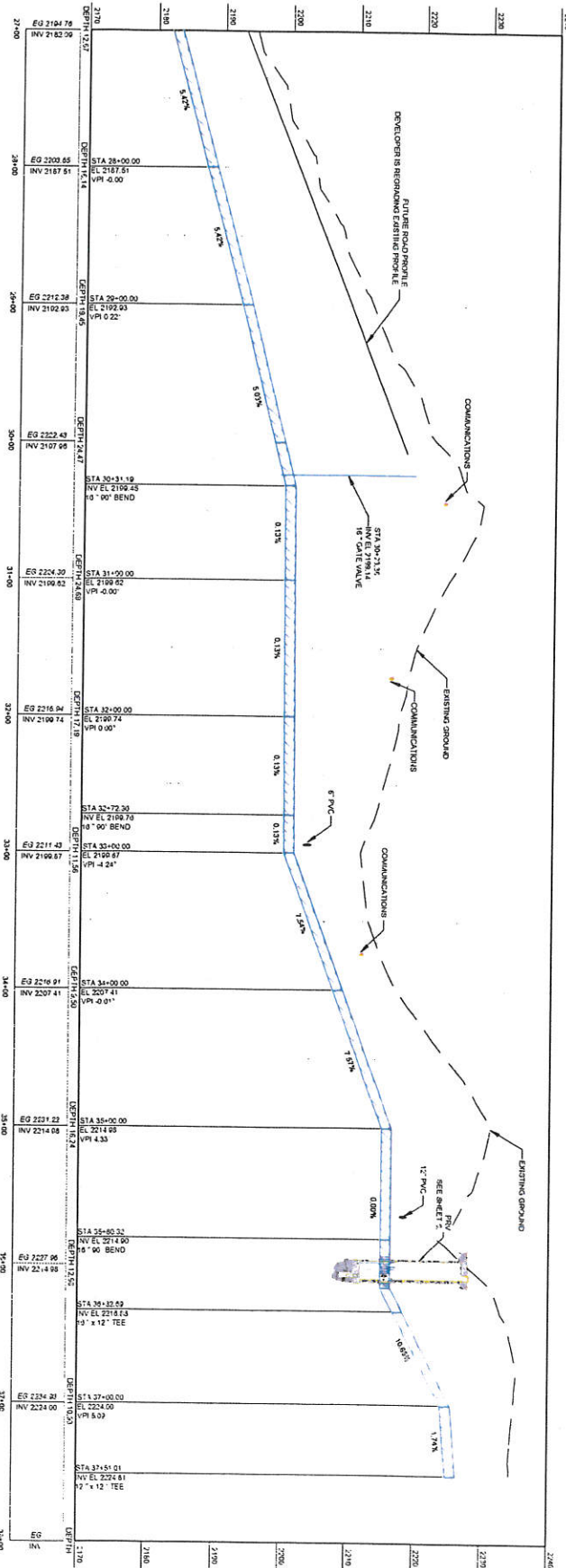






Advanced Engineering and Environmental Services, Inc. • 1815 Schaller St Ste 301 Bismarck, ND 58501 • (701-221-0530) (701-221-0531) • www.aees.com

FOR CONSTRUCTION



10' left  
 full standing  
 tower location



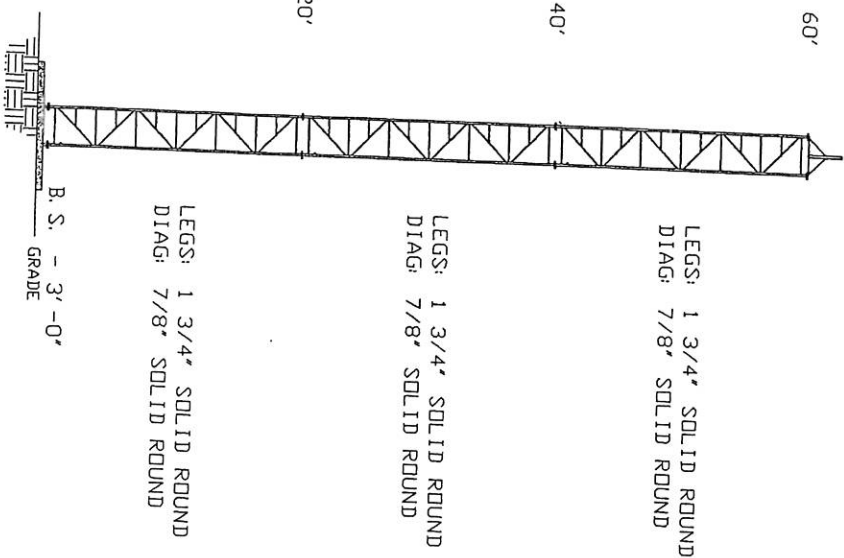
WESTERN AREA WATER SUPPLY PROJECT  
 PHASE II TRANSMISSION MAIN  
 WESTERN AREA WATER SUPPLY AUTHORITY

SHEET - (7)



DATE	REV	BY	APP

CONSTRUCTION	DATE	BY	APP
CONSTRUCTION	08/10/2012	RMH	
CONSTRUCTION	08/10/2012	CSH	
CONSTRUCTION	08/10/2012	CSH	
CONSTRUCTION	08/10/2012	CSH	



# **TOWER DESIGN LOADS:**

OPTION #1 - PROPOSED TOWER WITH

- PROPOSED ANTENNAS
- ANALYSIS PER TIA-222-G
- 90 MPH WIND & NO ICE
- 60 MPH WIND & 1/2\"/>

ELEV.

ITEM

RAD.

AZ.

LINE

60'	BCD-87010 OMNI	---	---	7/8"
60'	4' ANDREW DISH	YES	---	CAT 5
50'	BCD-87010 OMNI	---	---	7/8"
50'	3' EEL SIDE ARM	---	---	---
40'	3' YAGI	---	---	7/8"

## **SITE LOCATION:**

- NORTH EDGE OF WAIFORD CITY, ND
- LAT/LON: 47° 48' 17.15\"/>



## **NOTES:**

1. TOWER DESIGNED ACCORDING TO TIA-222-G.
2. ANTENNA LOADS FROM MANUFACTURING SPECIFICATIONS AND ANDREW'S BULLETIN 1015F.
3. WELDED CONNECTIONS SHALL CONFORM TO THE LATEST REVISION OF THE AMERICAN WELDING SOCIETY, A.W.S. D 11.
4. ALL TOWER MEMBERS SHALL BE HOT-DIP GALVANIZED AFTER FABRICATION. GALVANIZING SHALL CONFORM TO ASTM A123.
5. ALL BOLTS SHALL BE GALVANIZED ACCORDING TO THE STANDARD SPECIFICATION FOR ZINC COATING OF IRON AND STEEL HARDWARE, ASTM A153.
6. BOLTS
  - A. BOLTS IN TENSION ASTM A325
  - B. STEP BOLTS ASTM A307
7. ALL ITEMS MUST BE INVENTORIED AT THE TIME OF DELIVERY TO THE JOB SITE/STORAGE FACILITY. ANY SHORTAGES REPORTED AFTER THIS DELIVERY WILL BE THE RESPONSIBILITY OF THE CONTRACTOR/OWNER.

ANY PROBLEMS THAT OCCUR WITH SCHEDULING, TRANSPORTATION, DELIVERY, FOUNDATION INSTALLATION, ERECTION OR ANY ITEMS FURNISHED BY EET MUST BE REPORTED IMMEDIATELY TO ALLOW EET TIME TO TAKE CORRECTIVE MEASURES. EET WILL MAKE EVERY EFFORT TO REPAIR/REPLACE NECESSARY ITEMS IN AN EXPEDITED MANNER AND/OR WILL PURSUE CORRECTIVE MEASURES IN THE MOST ECONOMICAL WAY POSSIBLE AT OUR DISCRETION. HOWEVER, UNDER NO CIRCUMSTANCES WILL EET PAY FOR OR BE RESPONSIBLE FOR ANY DOWN TIME OR EXPENSES INCURRED DUE TO DOWN TIME.

SITE: WAIFORD CITY RESERVOIR, ND

60' EHRESMANN

STUB TOWER - 36\"/>

EHRESMANN ENGINEERING, INC.

CONSULTING ENGINEERS

4400 WEST 12<sup>TH</sup> STREET

YANKTON, SD 57478

(605) 665-7532

(605) 665-9780

DATE: 10/22/12

BY: CD

CHECKED:

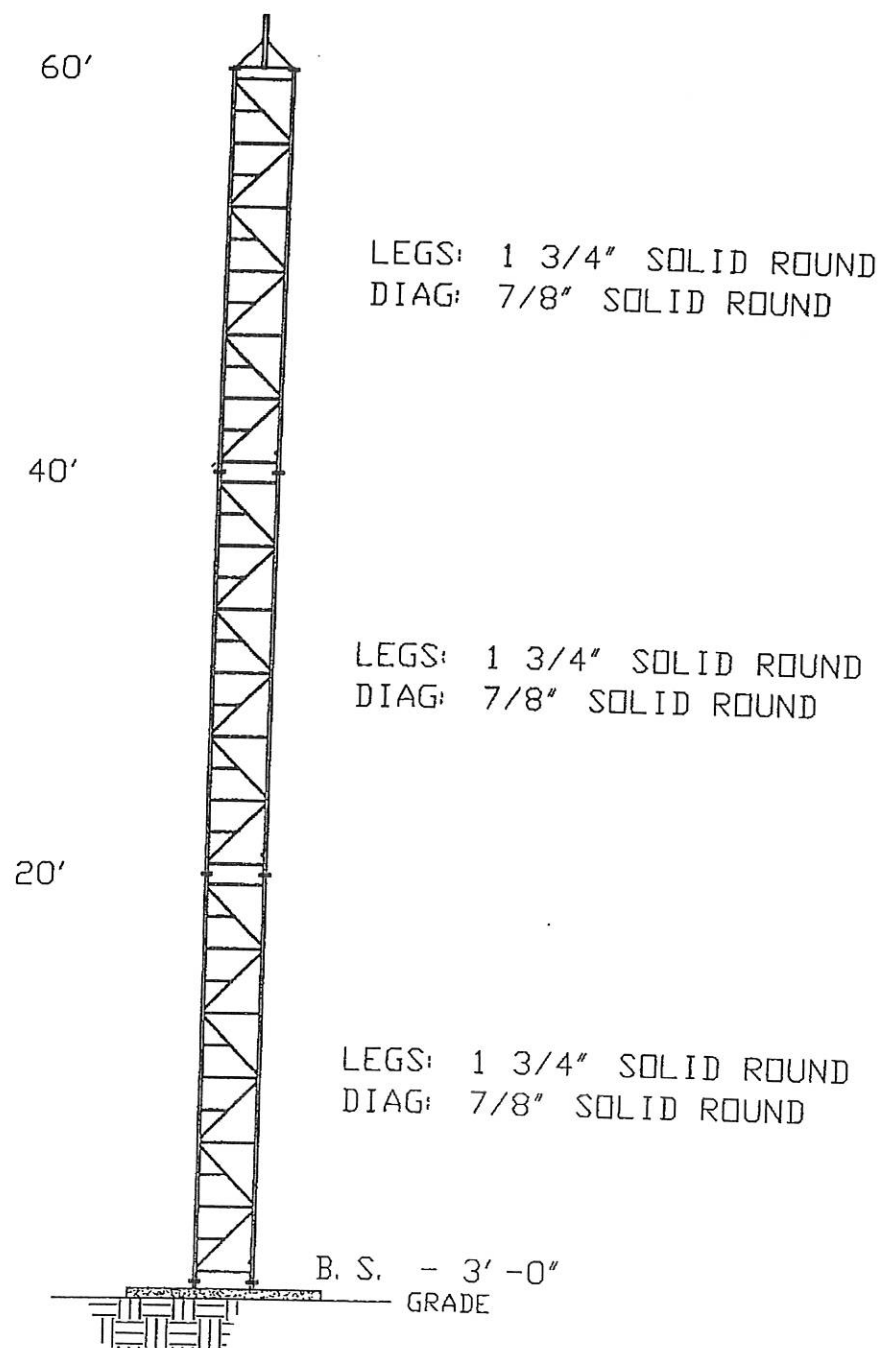
JD 86880

DWG. #

86880C01

SHT C01 OF





### TOWER DESIGN LOADS:

- OPTION #1 - PROPOSED TOWER WITH
- PROPOSED ANTENNAS
  - ANALYSIS PER TIA-222-G
  - 90 MPH WIND & NO ICE
  - 60 MPH WIND & 1/2" ICE
  - STRUCTURAL CLASS II
  - EXPOSURE CATEGORY C
  - TOPOGRAPHIC CATEGORY 1
  - ~~WILLIAMS~~ COUNTY  
McKenzie

ELEV.	ITEM	RAD.	AZ.	LINE
60'	BCD-87010 OMNI	---	---	7/8"
60'	4' ANDREW DISH	YES	---	CAT 5
50'	BCD-87010 OMNI	---	---	7/8"
50'	3' EEI SIDE ARM	---	---	---
40'	3' YAGI	---	---	7/8"

### SITE LOCATION:

- NORTH EDGE OF WATFORD CITY, ND
- LAT/LON: 47° 48' 17.15" N, 103° 17' 29.42" W

### NOTES:

1. TOWER DESIGNED ACCORDING TO TIA-222-G.
2. ANTENNA LOADS FROM MANUFACTURING SPECIFICATIONS AND ANDREWS BULLETIN 1015F.
3. WELDED CONNECTIONS SHALL CONFORM TO THE LATEST REVISION OF THE AMERICAN WELDING SOCIETY, A.W.S. D 1.1.
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SITE: WATFORD CITY RESERVOIR, ND

60' EHRESMANN STUB TOWER - 36" WELDED	
EHRESMANN ENGINEERING, INC. CONSULTING ENGINEERS 4400 WEST 31st. STREET YANKTON, SD 57078 (605) 665-7532 (605) 665-9780	DATE: 10/22/12
	BY: CD
	CHECKED:
J.D. 86880	DWG # 86880C01 SHT C01 OF

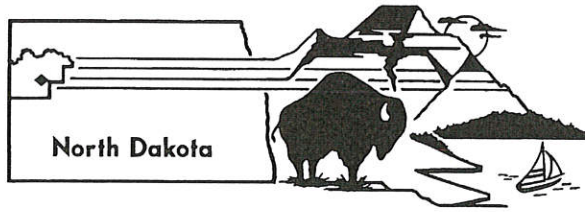




DATE	REVISION	APPROVED



Watford City



## City of Watford City

Brent Sanford, Mayor

213 2<sup>nd</sup> St., NE

PO Box 494

Watford City, ND 58854

Ph. 701- 444- 2533

Fax 701- 444- 3004

[www.mckenziecounty.net](http://www.mckenziecounty.net)

February 18, 2014

### STAFF REPORT

Annual RENEWAL of original #CU-15-2012

### **CU-09-2014 (originally CU-15-2012) Conditional Use Annual RENEWAL**

#### Applicant

AE2S

2321 2<sup>nd</sup> Ave W Ste. #5

Williston, ND 58801

#### Property Owner

Western Area Water Supply

PO box 2343

Williston, ND

#### Property Address:

608 4<sup>th</sup> Ave NW

Section 13, T150N, R99W, IT 179 PT SWSE Water Tanks

#### Conditional Use Requested:

Transmission Facility, 60 ft. free standing tower for telemetry

#### Zone:

A-2, Agricultural II District

#### Reference:

Watford City City Code Sec. XV – Article XVII, Conditional Uses, General Commercial District

#### Discussion:

The applicant filed the original application in 2012 to permit the placement of a transmission tower in the A-2 district. This application is due for annual review and renewal.

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;
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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.

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

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(s) 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.

**Recommendation:**

Staff recommends approval of this Conditional Use RENEWAL application subject to the following conditions:

1. Conditional Use Permit will expire after 6 months if no action is taken.
2. Conditional Use Permit shall be reevaluated after 1 year.

**Contact:**

Mildred Williams

Assistant City Planner, [miwilliams@nd.gov](mailto:miwilliams@nd.gov)

City of Watford City, North Dakota