

CITY OF WATFORD CITY

P.O. BOX 494

WATFORD CITY, NORTH DAKOTA 58854

AGENDA
July 27, 2015

PLANNING COMMISSION
Heritage Room in City Hall @ **6:00 P.M.**

- **Call to Order Public Hearing**

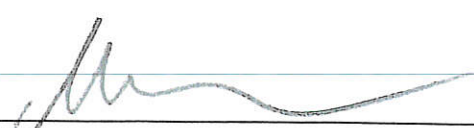
1. Public Hearing to hear comment on Variance Application submitted by Jim and Darby Hanson on property located 205 Park Ave W, Lot 18 Block 2 of Sax Addition, Watford City, McKenzie County, North Dakota. Application requests half distance of rear lot setback to allow for construction of garage.
2. Public Hearing to hear comment on Simple Lot Split Application submitted by Esquina Properties, Bret Mackay on property located 2101 4th Ave NE and Prairie Hills Road, Section 20, T150N, R98W, Watford City, McKenzie County, North Dakota. Application is for the purpose of creating two lots from original parcel.
3. Public Hearing to hear comment on Simple Lot Split Application submitted by TD&H Engineering for Triangle Electric, Donn Hoffelt on property located Section 29, T150N, R98W, Lot 2 GT Industrial Park, Schilke Drive & 24th Ave SE, 9.089 acres. Application is for the purpose of creating two lots from original parcel. Lot A: 6.549 acres, Lot B: 2.540 acres.
4. Public Hearing to hear comment on Zone Change Application submitted by Mark Fasting with Allied Engineering Services, Inc. for The City of Watford City on property located in the NW ¼ & SW ¼ Sec. 16, T150N, R98W, Lot 1 Golf Course Ponds Subdivision (30.41+- acres) Watford City, McKenzie County, North Dakota. Application is for consideration of rezoning AG Agricultural District parcel to R4 High Density Residential.
5. Public Hearing to hear comment on Amending City Ordinance Chapter XV, Article XX, Section 1 Relating to Miscellaneous Parking Restrictions –On Street Parking.

- **Close Public Hearing**
- **Call to Order Regular Meeting**

FINAL PLAT Applications:

Stepping Stone
Fox Hills Golf Estates
Wolf Run Village 2

- **Approve Minutes:** June 29, 2015
- **New Business:**
- **Review Permits:** Attached
- **Adjournment**



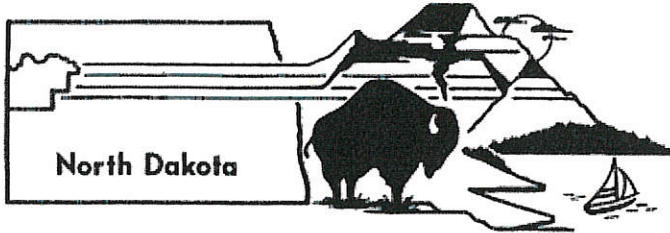
Becky O'Neil
Planning Assistant

1.

Variance Application

Submitted by Jim & Darby Hanson

205 Park Ave W



North Dakota

LAND USE APPLICATION

City of Watford City Planning Department

GRAY AREA FOR STAFF USE ONLY V-04-2015

ZONE CHANGE	STAFF:	P&Z:
CONDITIONAL USE	FEE:	CC:
VARIANCE	RECEIPT #:	ADVERTISE DATE:
STREET NAME	SECTION/TOWNSHIP/RANGE:	

FINAL ACTION MEMORANDUM MAILED:

DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Tim Hanson & Darby Hanson
APPLICANT: Tim Hanson

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Tim Hanson & Darby Hanson
ADDRESS: 205 Park Ave West
CITY: Watford City **STATE:** ND **ZIP CODE:** 58854
TELEPHONE: 612-701-9439 **EMAIL:** _____
ASSESSOR'S PARCEL NUMBER(S): _____

LEGAL DESCRIPTION: _____
PROPERTY ADDRESS AND NEAREST CROSS STREETS: 2nd Ave
GROSS/NET ACREAGE: _____ **PRESENT ZONE CLASSIFICATION:** Residential
DESIRED ZONE CLASSIFICATION: _____ **CURRENT LAST USE:** Residential

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

Put a Garage up and would like to utilize all the space to the south of my home. Garage will be 26x36 floating 12' off south property line and 6' off west line. Area is now used as a parking lot for us and by putting up this structure it will clean the area up a lot. Thank you Hanson's

DESCRIBE THE SOURCE OF WATER/SEWER: City **Do you have a will serve letter** YES NO

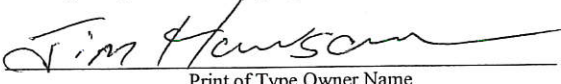
1/2 distance of rear lot line set back

LAND USE APPLICATION pg. 2

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



 Property Owner Signature



 Print of Type Owner Name

NOTARY

State of _____

County of _____

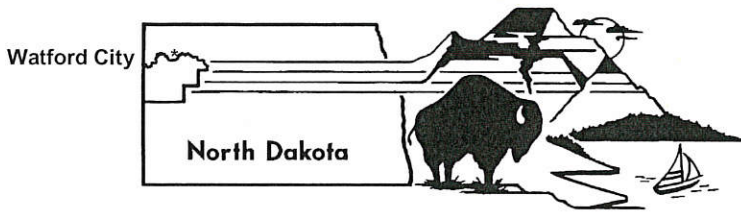
This instrument was acknowledged before me on _____ by _____
Date Name of Person

 Signature of Notarial Officer

Required Documents for Land Use Application

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

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



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

July 24, 2015

STAFF REPORT
V-04-2015 VARIANCE (setback)

Applicant

Jim Hanson
205 Park Ave W
Watford City, ND 58854

Property Owner(s)

Jim & Darby Hanson

Property Address: 205 Park Avenue West

Variance Requested: Area variance of rear yard and side yard minimum setback distance.

Zone: R-1 (Single Family Dwelling District)

Reference: Watford City Municipal Code Chapter XV – Article XXVII (Variances); Article X (Single Family Residential District), Sec. II § 4a - 4f, Sec. V, Sec. VI § 2a, 3a; Article XXII (Supplementary Regulations), Sec. I § 3a - 3c.

Discussion:

The applicant is requesting a variance of the rear and side yards minimum setback to build a 36' x 34' accessory building on the lot in an area that is currently a parking lot for motorized vehicles. The area of the proposed building is 1,224 square feet. The requested variance is to reduce the rear yard setback from 25' to 12.5'. The adopted minimum setback for side yards is six feet. The applicant does not need a variance to build not less than six feet from the side yard lot line. The applicant shows in a drawing that the garage will be built 12.5' from the rear lot line, and six feet from the side lot line.

Article XXVII, Section 1 of the Watford City Zoning Ordinance states the requirements that **must be shown** in order to grant a variance.

The applicant must show that his property was acquired in good faith and where by reason of exceptional narrowness, shallowness or shape of his specific piece of property at the time of the effective date of this zoning ordinance or where, by reason of exceptional topographical conditions or other extraordinary or exceptional circumstances, the strict application of the terms of this zoning ordinance actually prohibits the use of his property in the manner similar to that of other property in the zoning district where it is located.

Article X, Section 2.4.a-f of the Watford City Zoning Ordinance (Chapter XV) outlines **requirements** for constructing a private garage over 1,000 sq. ft. in an R-1 Zone – Single Family Residential District.

- a. Must be an accessory building to the residence;
- b. Must be floating slab or footing foundation construction;
- c. Must be colored to match neighborhood, no galvanized metal;
- d. Must have overhang and covered eaves;
- e. Must have overhead doors, no sliding doors;
- f. Total building footprint cannot exceed lot area.

Article X, Section V of the Watford City Zoning Ordinance (Chapter XV) **requires** no building to exceed 35' in height.

Article X, Section VI 2a of the Watford City Zoning Ordinance (Chapter XV) **defines** the minimum side setback as six feet.

Article X, Section VI 3a of the Watford City Zoning Ordinance (Chapter 15) **defines** the minimum rear setback at 25'.

Article XXII, Section I 3a-3c of the Watford City Zoning Ordinance (Chapter 15) **defines** the minimum side setback for the building line closest to the alley depending on placement of the main door.

- If the main door is perpendicular to the alley, or if the main door is parallel but not facing the alley, the accessory building shall be located no closer than three feet of the alley line.
- If the main door is parallel to and facing the alley, the accessory building shall be located no closer than ten feet from the alley line.

In granting a variance, the Planning Commission must satisfy itself, from the evidence heard before it that the granting of the variance will alleviate a clearly demonstrable hardship approaching confiscation as distinguished from a special privilege or convenience sought by the owner. The planning Commission shall also find that the variance, if granted, is in harmony with the intended spirit and purpose of the zoning ordinance and does not constitute a direct and obvious amendment to the district regulations or district boundaries. Under no circumstances shall the Planning Commission grant a variance allowing a use within a district not permissible under the terms of this ordinance.

The applicant submitted with the variance application a drawing of his lot, showing existing development, and the proposed garage. The drawing shows the garage to be located 12.5' feet from the "south lot line" at the back of his property, eight feet from the "west lot line", and in excess of 19' from the alley line. The garage will be only 4'6" from the existing house. In the request description the applicant states the area is currently being used as a "parking lot", and the garage would "clean the area up a lot."

Planning Staff conducted a site visit. The "parking lot" is covered with rock, and full of motor vehicle parts, and automobiles. It was also noted that in the past kept equipment, trailers, and vehicles for his concrete and masonry business in the same area he wants to build the garage. There continues to be some of the applicants business equipment kept at his house. There have been complaints on this matter. The applicant told planning staff that he is moving his business

to a commercial building in a commercial zone by the end of July 2015. The applicant stated he knew there have been zoning compliance violations in the past, and wants to resolve the matter permanently. The garage would improve the look of the area, and would likely please the adjacent property owners.

Recommendation:

Planning staff recommends **approving** this zone variance reducing the setback from 25' to 12.5'. The approval is contingent on the following conditions:

- The applicant moves all materials, equipment, and vehicles used for his commercial business to a facility in a commercial zone;
- The applicant does not begin constructing the garage until after removing all commercial business related items from his residential property, and brings the property into compliance with the zoning code;
- There will be a heightened level of zoning enforcement at his property to ensure business equipment is not being stored at his property located in an R1 residential district in Watford City;
- Prior to construction the applicant obtains a building permit, satisfies all necessary requirements put in place by the Planning Department, and meets the State Building Code.

Contact:

Chris York
Assistant City Planner
cyork@nd.gov

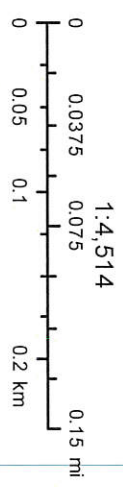
Hanson Variance: 205 Park Ave W



July 30, 2015

- World Transportation
- Place Names
- Waford City Limits
- Extra-Territorial Area (ETA)
- Lot Lines
- Cherry Creek

Parcels Data from McKenzie County



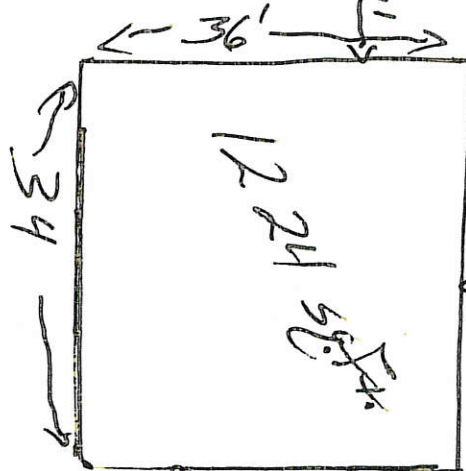
GIS: Waford City AE2S
 Esri | HERE | DeLorme, MapmyIndia, © OpenStreetMap contributors

Alley

lot size
12,075 sq. ft.

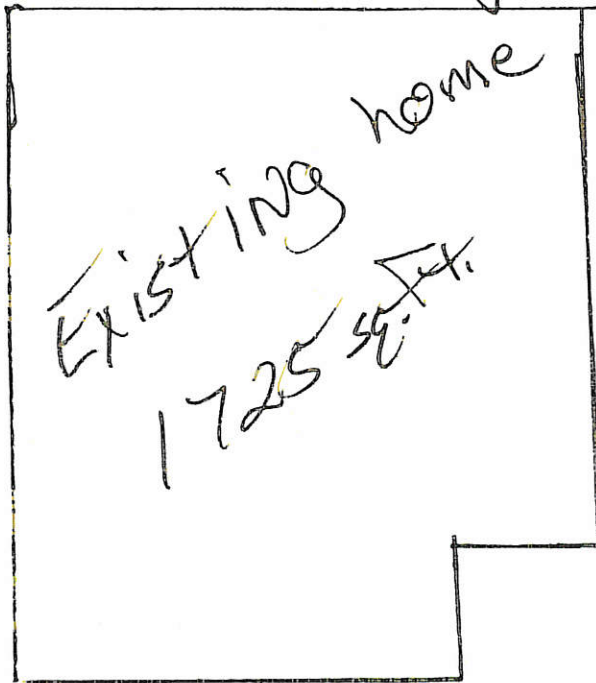
75'

12'5"



8'

19'



4'6"

150'

west lot line

23'

sidewalk

5'5"

Grass

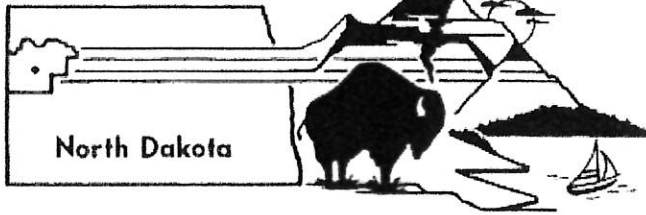
street
201 Park Ave West

2.

Simple Lot Split Application

Submitted by Esquina Properties,
Bret Mackay

2101 4th Ave NE & Prairie Hills Rd.



North Dakota

**Division of Land
APPLICATION**
City of Watford City Planning Department

GRAY AREA FOR STAFF USE ONLY SLS-15-2015

Subdivision Preliminary Plat

Subdivision Final Plat		P&Z:
		CC:
Amend Final Plat	FEE:	ADVERTISE DATE:
Simple Lot Split	RECEIPT #:	PROPERTY OWNERS NOTIFIED:
Other:	SECTION / TOWNSHIP / RANGE:	

FINAL ACTION MEMORANDUM MAILED:

DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Esquina Properties LC

APPLICANT: Bret Mackay

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Esquina Properties LC

ADDRESS: 9090 South Sandy Parkway

CITY: Sandy STATE: UT ZIP CODE: 84070

TELEPHONE: 310-505-8585 EMAIL: Bmackay@dldmdevelopment.com

ASSESSOR'S PARCEL NUMBER(S): 82-31-00100

LEGAL DESCRIPTION: NE 1/4 of Section 20, T150N, R98W, 5th P.M.

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 2101 4th Ave NE and Prairie Hills Rd

GROSS/NET ACREAGE: 6.00/5.553 Acres PRESENT ZONE CLASSIFICATION: C-1 General Commercial

SOURCE OF Water / Sewer: City of Watford City Public Works

WAIVERS OR VARIANCES REQUIRED TO SUPPORT THIS APPLICATION? No

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

PROPERTY OWNER

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

Property Owner Signature [Signature] MANAGGE

Print Owner Name DAVID S. LAYTON

Property Owner Signature

Print Owner Name

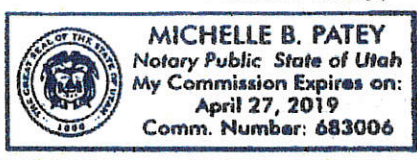
NOTARY

State of UTAH

County of SALT LAKE

This instrument was acknowledged before me on July 8th, 2015 by DAVID S. LAYTON
Date Name of Person(s)

Signature of Notary [Signature]



SURVEYOR / ENGINEER

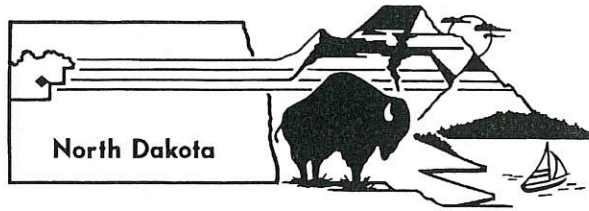
Name: Dan Kenczka License: LS7971

Address: 304 Lincoln St. - Box 870

City: Watford City State: ND Zip: 58854

Phone: 701.842.6619 Email: Dan.Kenczka@tdhengineering.com

Watford City



City of Watford City

213 2nd St., NE

PO Box 494

Watford City, ND 58854

Ph. 701- 444- 2533

Fax 701- 444- 3004

www.watford.mckenziecounty.net

July 14, 2015

STAFF REPORT

SLS-15-2015 Simple Lot Split

Applicant

Bret Mackay
990 South Sandy Parkway
Sandy, UT 84070

Property Owners

Esquina Properties LC

Property Address: 2101 4th Avenue NE

Simple Lot Split Requested: The applicant wants to subdivide one lot into two lots.

Reference: Watford City Municipal Code Chapter 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 *Simple Lot Split* is to create a parcel to be dedicated to the City for the purpose of creating a 90' road easement.
- The area of the two new lots will be: Lot 1, Block 1 – 5.553 acres; and Lot 3, Block 1 – 0.447 acres.
- Lot 3, Block 1 is the parcel to be dedicated to the City to create Prairie Hills Road in the Fox Hills development.

Surrounding Land Use Inventory:

West:	Zoning -	AG, C1
	Use -	Agriculture, General Commercial
South:	Zoning -	CF, R2, R4
	Use -	Community Facilities, Two-Family Dwelling, High Density Residential
North:	Zoning -	CF, R1 McKenzie County
	Uses -	Community Facilities, Residential – Low Density District
East:	Zoning -	R4, C1
	Uses -	High Density Residential, General Commercial

Site Development

Access: The site is accessed from 4th Avenue NE.

Sewer & Water: Development has City water and septic sewer service.

Recommendation:

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

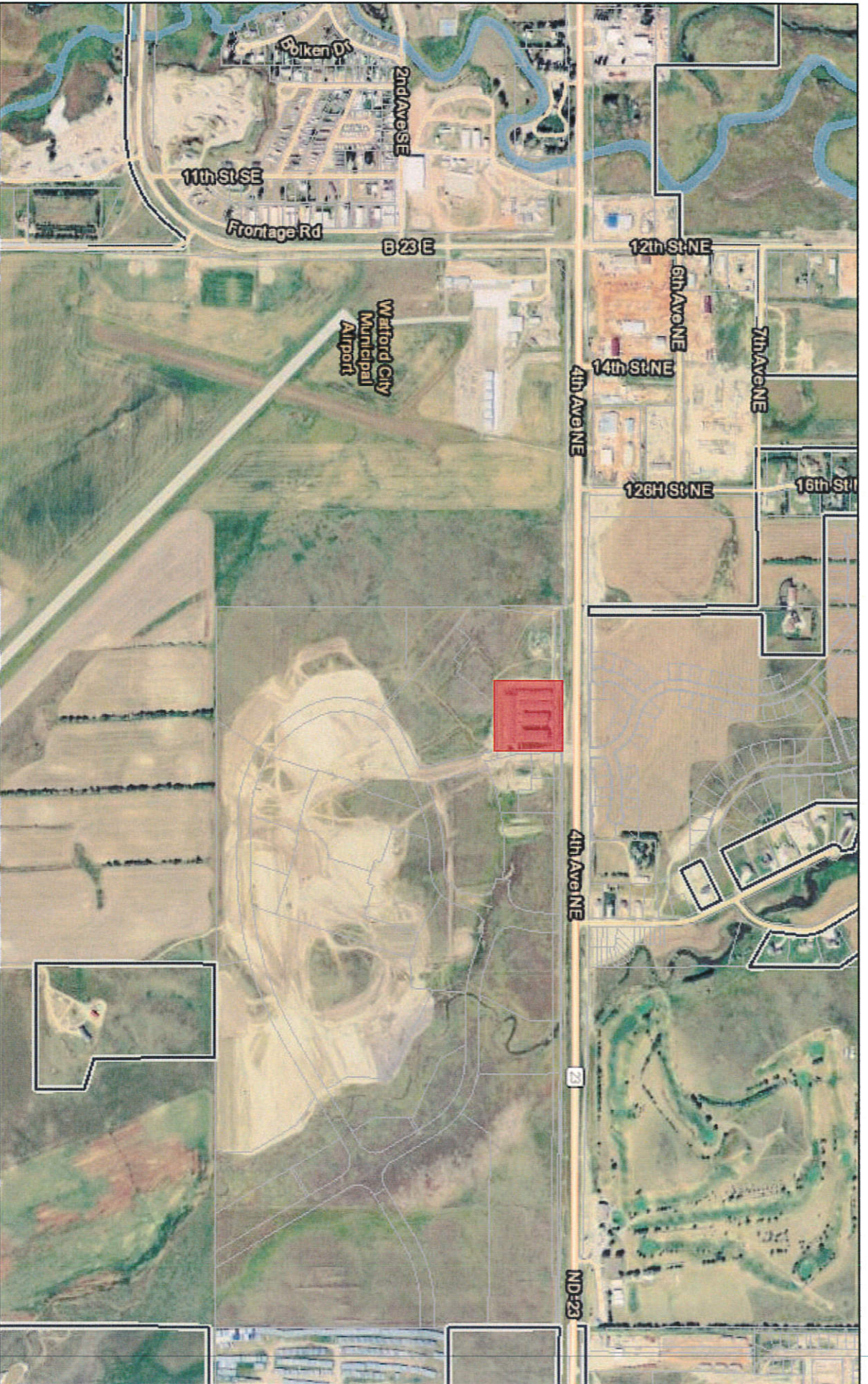
Contact:

Chris York





Assistant City Planner

cyork@nd.gov

SLS: Esquina Properties



July 30, 2015

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



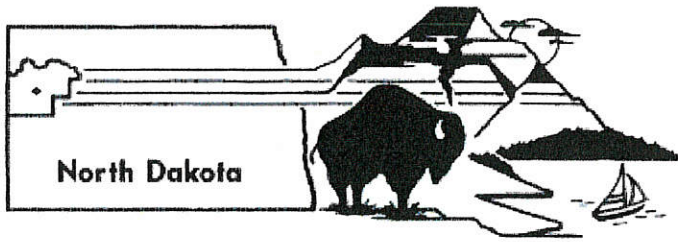
1:18,056

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

3.

Simple Lot Split Application

Submitted by TD&H Engineering
for Triangle Electric, Donn Hoffelt
Lot 2, GT Industrial Park



North Dakota

Division of Land APPLICATION
 City of Watford City Planning Department

GRAY AREA FOR STAFF USE ONLY

SLS-16-2015

Subdivision Preliminary Plat

Subdivision Final Plat		P&Z:
Amend Final Plat	FEE:	CC:
Simple Lot Split	RECEIPT #:	ADVERTISE DATE:
Other:	PROPERTY OWNERS NOTIFIED:	
	SECTION / TOWNSHIP / RANGE:	

FINAL ACTION MEMORANDUM MAILED:

DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Triangle Electric

PLICANT: Donn Hoffelt

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Triangle Electric, Inc.

ADDRESS: P.O. Box 789

CITY: Williston STATE: ND ZIP CODE: 58802

TELEPHONE: 701-572-6783 EMAIL: Beardconst@restel.com

ASSESSOR'S PARCEL NUMBER(S): 20-17-04100

LEGAL DESCRIPTION: SW1/4 of Section 29, T150N, R98W, 5th P.M.

PROPERTY ADDRESS AND NEAREST CROSS STREETS: Schilke Drive SE & 24th Ave SE

GROSS/NET ACREAGE: 9.089/6.549 PRESENT ZONE CLASSIFICATION: IP - Industrial Park

SOURCE OF Water / Sewer: Well/Septic Drainfield

WAIVERS OR VARIANCES REQUIRED TO SUPPORT THIS APPLICATION? No

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

PROPERTY OWNER

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

[Handwritten Signature]
Property Owner Signature

DONN HOFFELT
Print Owner Name

Property Owner Signature

Print Owner Name

NOTARY

State of North Dakota

County of Williams County



This instrument was acknowledged before me on 6-23-15 by Mike Falcon
Date Name of Person(s)

[Handwritten Signature]
Signature of Notary

SEAL/STAMP

SURVEYOR / ENGINEER

Name: Dan Kenczka License: LS-7971

Address: 304 Lincoln St. - Box 870

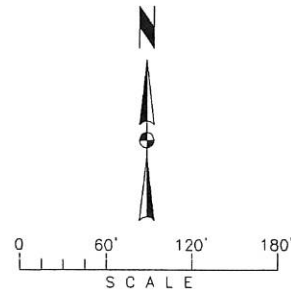
City: Watford City State: ND Zip: 58854

Phone: 701-842-6619 Email: dan.kenczka@tdhengineering.com

SEAL

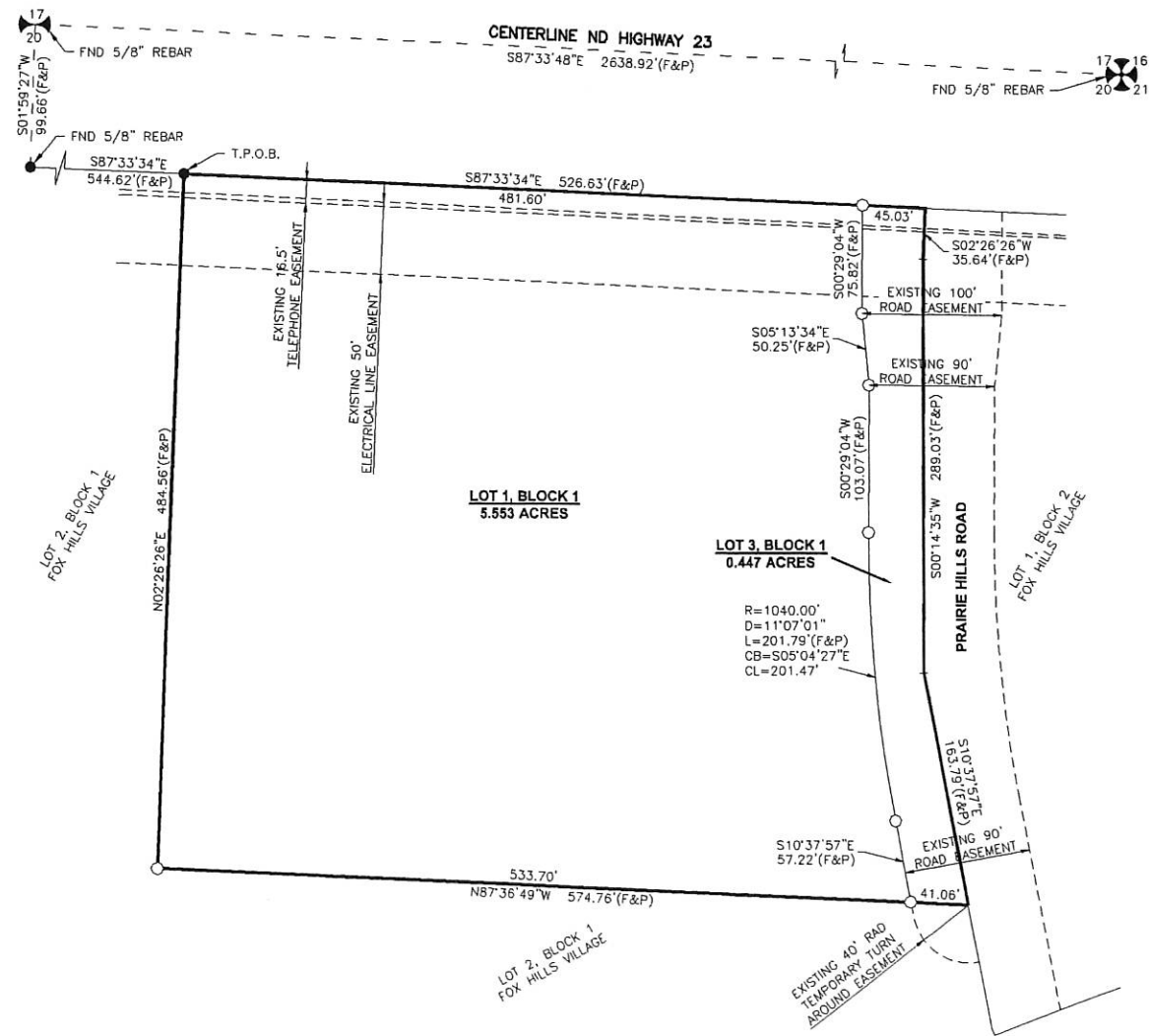
A REPLAT OF
LOT 1, BLOCK 1, FOX HILLS VILLAGE SUBDIVISION
 LOCATED IN THE NE ¼ OF SECTION 20, T150N, R98W, 5TH P.M., WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA

LAND OWNERS: ESQUINA PROPERTIES LC



LEGEND

- TRACT BOUNDARY
- LOT LINE
- - - SECTION LINE
- - - EASEMENT LINE
- FOUND PROPERTY PIN -AS NOTED
- SET PROPERTY PIN -24" x 5/8" REBAR WITH LS7971 YPC
- ⊕ FOUND SECTION CORNER
- ⊕ FOUND QUARTER CORNER
- (F) FIELD MEASUREMENT
- (P) PLATTED DISTANCE



AREA OF LOTS = 6.000 ACRES
 AREA OF DEDICATED R/W = 0.000 ACRES
 TOTAL AREA = 6.000 ACRES

BASIS OF BEARING: BEARINGS ARE BASED ON THE NORTH DAKOTA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, DISTANCES ARE GROUND

OWNER(S) CERTIFICATE

WE(I), THE UNDERSIGNED, BEING SOLE OWNER(S) AND MORTGAGE HOLDER(S) OF THE LAND PLATTED HEREIN, DO HEREBY CONSENT TO THE EXECUTION OF THIS PLAT AND AGREE TO NOT VACATE ANY PORTION OF THIS PLAT WITHOUT THE CONSENT OF THE CITY OF WATFORD CITY.

DATED THIS _____ DAY OF _____ 20____.

ESQUINA PROPERTIES LC
 PRINTED NAME _____

STATE OF NORTH DAKOTA)
) SS
 COUNTY OF MCKENZIE)

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

(NOTARIAL SEAL)

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

UTILITY EASEMENTS 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)
) SS
 COUNTY OF MCKENZIE)

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

(NOTARIAL SEAL)

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

DATED THIS _____ DAY OF _____ A.D., 20____.

RESERVATION TELEPHONE COMPANY
 PRINTED NAME _____

STATE OF NORTH DAKOTA)
) SS
 COUNTY OF MCKENZIE)

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

(NOTARIAL SEAL)

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

SUBDIVISION BOUNDARY DESCRIPTION

A tract of land being Lot 1, Block 1, of the Fox Hills Village Subdivision, located in the NWE/4 of Section 20, Township 150 North, Range 98 West, 5th Principal Meridian, Watford City, McKenzie County, North Dakota, and being more particularly described as follows:
 Beginning at the North Quarter Corner of said Section 20; thence South 01°59'27" West, a distance of 99.66 feet to the Southerly right-of-way line of North Dakota Highway 23; thence South 87°33'34" East along said Southerly line, a distance of 544.62 feet to the Northwest Corner of said Lot 1 and being the True Point of Beginning; thence South 87°33'34" East along said Southerly line, a distance of 526.63 feet to the Northeast Corner of said Lot 1; thence South 02°26'26" West along the Easterly line of said Lot 1, a distance of 35.64 feet; thence South 00°14'35" West along said Easterly line, a distance of 289.03 feet; thence South 10°37'57" East along said Easterly line, a distance of 163.79 feet to the Southeast Corner of said Lot 1; thence North 87°36'49" West along the Southerly line of said Lot 1, a distance of 574.76 feet to the Southwest Corner of said Lot 1; thence North 02°26'26" East along the Westerly line of said Lot 1, a distance of 484.56 feet to the True Point of Beginning and containing 6.000 acres.

WATFORD CITY APPROVAL

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

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

STATE OF NORTH DAKOTA)
) SS
 COUNTY OF MCKENZIE)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, 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 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: _____

PLANNING AND ZONING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WATFORD CITY IS HEREBY APPROVED THIS _____ DAY OF _____, 20____, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF WATFORD CITY, NORTH DAKOTA, AND REGULATIONS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF WATFORD CITY, NORTH DAKOTA.

DATE: _____

GLEN BEARD, CHAIRMAN

STATE OF NORTH DAKOTA)
) SS
 COUNTY OF MCKENZIE)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, 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: _____

AUDITOR'S CERTIFICATE OF TAXES

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

LINDA SVIHOVEC, MCKENZIE COUNTY AUDITOR

SURVEYOR'S CERTIFICATE

I, DANIEL R. KENCZKA, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THE SURVEY PLAT SHOWN HEREON WAS COMPLETED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS THE CORRECT REPRESENTATION OF THE SURVEY SHOWN HERON, AND THAT THE MONUMENTS ARE PLACED AS SHOWN, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA.

SURVEYOR SIGNATURE _____ SURVEY DATE & STAMP: _____
 REGISTERED LAND SURVEYOR #LS7971



STATE OF MONTANA)
) SS
 COUNTY OF CASCADE)

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

(NOTARIAL SEAL) NOTARY PUBLIC FOR THE STATE OF MONTANA
 RESIDING AT _____
 MY COMMISSION EXPIRES _____

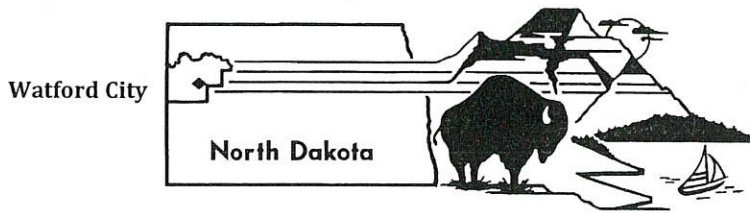
CERTIFICATE OF MCKENZIE COUNTY RECORDER

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

ANN M. JOHNSRUD, MCKENZIE COUNTY RECORDER



DRAWN BY: DRK	DATE: 4-1-15	QUALITY CHECK: MAB
SURVEYED BY: DRK	JOB NO. 13-806	FIELDBOOK X
GREAT FALLS-BOZEMAN-KALISPELL-SHELBY		
SPokane		
LEWISTON		
WATFORD CITY		
MONTANA		
IDAHO		
NORTH DAKOTA		



City of Watford City

213 2nd St., NE

PO Box 494

Watford City, ND 58854

Ph. 701- 444- 2533

Fax 701- 444- 3004

www.watford.mckenziecounty.net

July 14, 2015

STAFF REPORT

SLS-16-2015 Simple Lot Split

Applicant

Donn Hoffelt
Triangle Electric
P.O. Box 789
Williston, ND 58802

Property Owners

Triangle Electric, Inc.

Property Address: Schilke Drive SE & 24th Avenue SE

Simple Lot Split Requested: The applicant wants to subdivide one lot into two lots.

Reference: Watford City Municipal Code Chapter 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 area of the two new lots will be: Lot 18 – 6.549 acres; and Lot 2 – 2.540 acres.
- This property is within the ETA, and abuts the ETA boundary.

Surrounding Land Use Inventory:

West:	Zoning -	HI
	Use -	Heavy Industrial
South:	Zoning -	HI
	Use -	Heavy Industrial
North:	Zoning -	HI
	Uses -	Heavy Industrial
East:	Zoning -	HI
	Uses -	Heavy Industrial

Site Development

Access: The site is accessed from Schilke Drive off of 125th Ave NW (County Designation). There is a 66' Section Line easement in-line with 24th Avenue SE connection.

Sewer & Water: There is no city water or sanitary sewer at this location.

Recommendation:

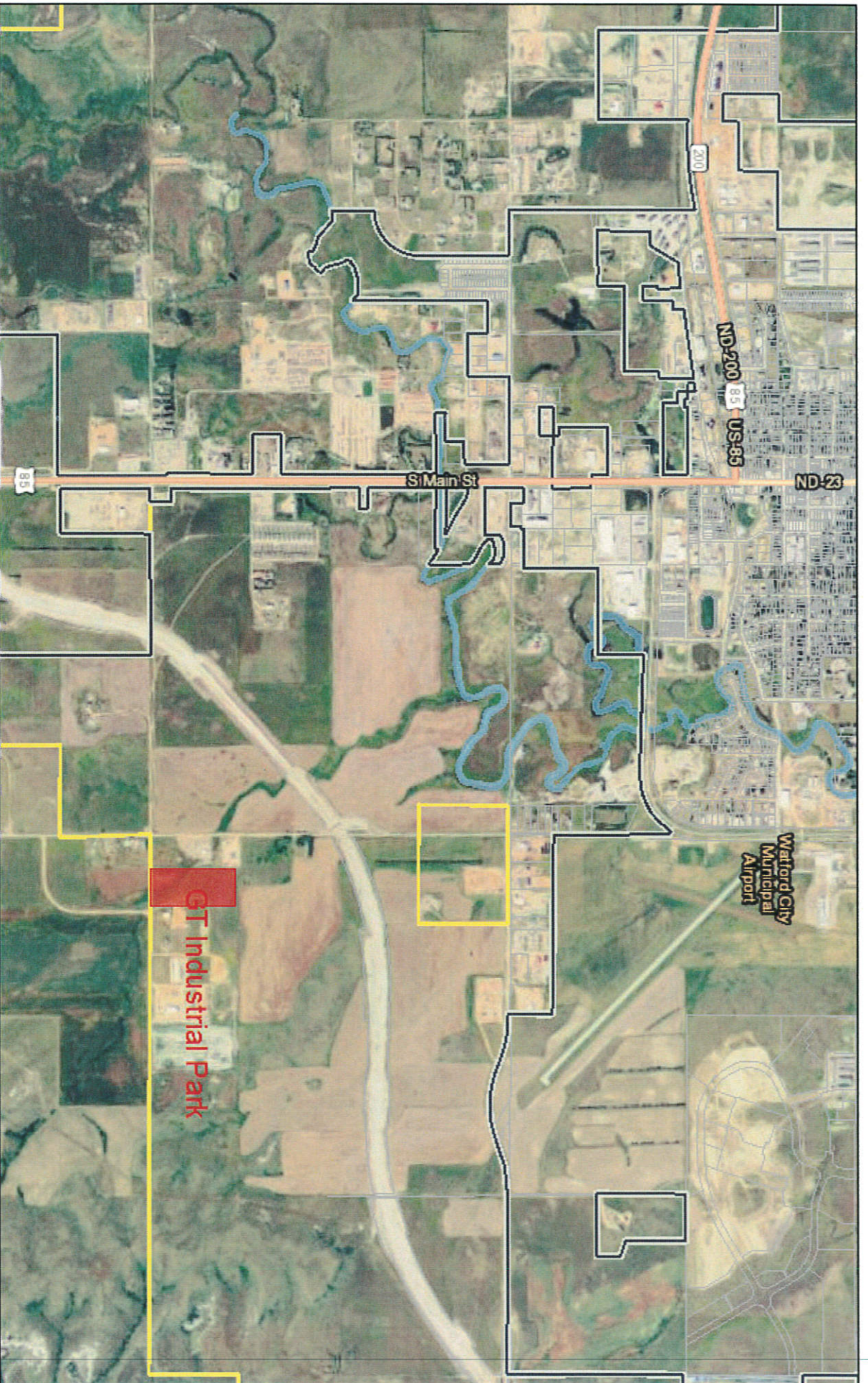
It is recommended by the Planning Department for **approval** of the requested simple lot split. Approval is contingent on the following conditions:

1. An 80' road ROW easement, 40' from CL, to preserve the necessary land to construct an industrial grade road should the need arise.
2. Any future development on this parcel requires a site development plan, and all necessary agreements are in place prior to development.

Contact:

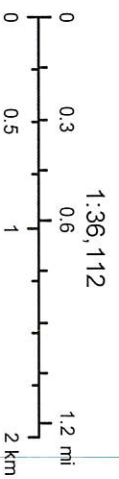
Chris York
Assistant City Planner
cyork@nd.gov

SLS: Donn Hoffelt/Triangle Electric



July 30, 2015

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

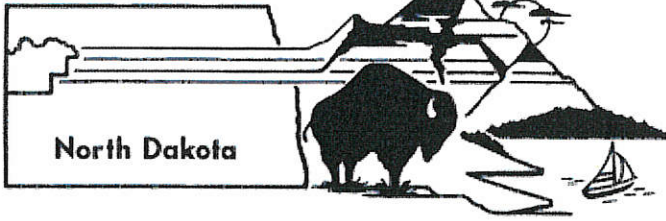


GIS: Waford City AE2S
 Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors

4.

Zone Change Application

Submitted by Mark Fasting of Allied Engineering
Services, Inc. for The City of Watford City
Lot 1 Golf Course Ponds Subdivision



North Dakota

LAND USE APPLICATION

City of Watford City Planning Department

GRAY AREA FOR STAFF USE ONLY 2C-15-2015

ZONE CHANGE	STAFF:	P&Z:
CONDITIONAL USE	FEE:	CC:
VARIANCE	RECEIPT #:	ADVERTISE DATE:
STREET NAME	PROPERTY OWNERS NOTIFIED:	
	SECTION/TOWNSHIP/RANGE:	

FINAL ACTION MEMORANDUM MAILED:

DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Watford City

APPLICANT: Watford City

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Curt Moen, Watford City Planner or Other Authorized City Representative

ADDRESS: 213 2nd St. NE

CITY: Watford City

STATE: ND

ZIP CODE: 58854

TELEPHONE: (701) 444-2533

EMAIL: cumoen@nd.gov

ASSESSOR'S PARCEL NUMBER(S): 82-73-00750 and a portion of 82-73-00850

LEGAL DESCRIPTION: Lot 1, Golf Course Ponds Subdivision (to be recorded)

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 10th Ave NE & 32nd St NE

GROSS/NET ACREAGE: 30.41 acres (gross)

PRESENT ZONE CLASSIFICATION: AG (Agricultural District)

DESIRED ZONE CLASSIFICATION: R-4 (High Density Residential District)

CURRENT LAST USE: Golf Course Irrigation Ponds

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

See cover letter and justification letter for detailed request description

DESCRIBE THE SOURCE OF WATER/SEWER: City of Watford City

Do you have a will serve letter YES NO

LAND USE APPLICATION pg. 2

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

Property Owner Signature

Print of Type Owner Name

NOTARY

State of _____

County of _____

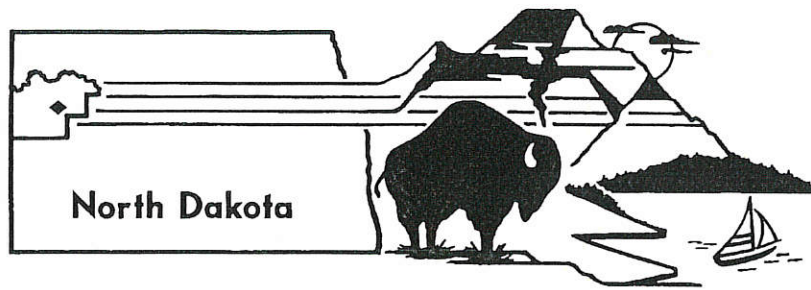
This instrument was acknowledged before me on _____ by _____
Date Name of Person

Signature of Notarial Officer

Required Documents for Land Use Application

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

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



City of Watford City

213 2nd St. NE / PO Box 494

Watford City, ND 58854

Ph. 701-444-2533

Fax 701-444-3004

Celebrating 100 Years - 2014

watford.mckenziecounty.net

July 14, 2015

STAFF REPORT

ZC-15-2015

ZONE CHANGE – R-4 High Density Residential

Applicant

City of Watford City

213 2nd St. NE

Watford City, ND 58854

Property Owners

City of Watford City

Property Address: Lot 1, Golf Course Ponds Subdivision/10th Ave NE & 32nd Ave NE.

Zone Change Requested: Request Zone Change from AG – Agricultural District to R-4 High Density Residential District, 30.41 acres.

Reference: Watford City Municipal Code Chapter 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 north of the Fox Hills Golf Course, and west of the Hunter’s Run subdivision.
- The existing property is currently zoned AG – Agricultural District. The applicant has asked the property zone be changed to R-4 – High Density Residential District. On this site are three irrigation lagoons, or ponds, built to hold water for the golf course. However, the ponds have never been used, and it has been determined they are not needed for service at the golf course.
- The property is under purchase contract by “HR-2, LLC”, and though there is no proposed development plan at this time, one can expect a medium intensity, high density residential development given its location near the golf course and the existing Hunter’s Run development.
- This land is within the City corporate limits making zone changes to this property within the purview of the Watford City Planning and Zoning Commission.
- The City of Watford City mailed stakeholders a notice regarding this 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 -	AG, R1
Use -	Agricultural District, Single Family Dwelling District
South: Zoning -	AG, CF
Use -	Agricultural District, Community Facility
North: Zoning -	AG
Uses -	Agricultural District
East: Zoning -	R1, R2, R3
Uses -	Single Family Dwelling, Two-Family Dwelling, and Medium Density Residential Districts

Comprehensive Zoning Plan and Zoning Comparison:

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 intent of the R-4 Zone requested by the applicant is to allow high and low density multi-family dwellings along with compatible two-family and single-family dwelling units and some community facilities. All residential and commercial uses are subject to the regulations in Article XIV – High Intensity Residential District, in addition to any other articles of the zoning ordinance governing land use and development in Watford City.

Site Development

Access:	The only access to this property is via a golf course access road, and an access road extending from the west end of 10 th Avenue NE in the Hunter’s Run Subdivision.
Sewer:	The site has does not have sewer service, but there is a sanitary sewer main line along the east boundary of this property.
Water:	This site does not have water service, but there is a water main line ending at the east boundary of this property that was installed to service the Hunter’s Run Subdivision.

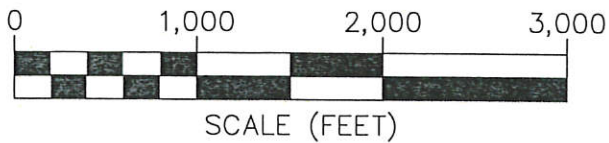
Recommendation:

The Watford City Planning Department recommends that the Watford City Planning Commission **approve** the Zone Change Application submitted by the City of Watford City:

1. No building or structure shall exceed forty-five (45) feet in height except as otherwise permitted in the additional height, areas and use regulations of the ordinance.
2. Where buildings front or side on, or are across the street from, other residential zoned properties, the front or side yards shall be the same as those of the adjoining zoning.

Contact:

Chris York
Assistant City Planner
cyork@nd.gov



C:\yasi_w\Designs\2013\13-013.30 Hunters Run - 3rd Addition\13 CAD-Production\Exhibits\SITE FIGURES-4th Addition.dwg

LOT 1, GOLF COURSE PONDS SUBDIVISION
AERIAL MAP
 NW 1/4, SEC 16, T150N, R98W, McKENZIE COUNTY, ND

Civil Engineering
Geotechnical Engineering
Land Surveying
 32 DISCOVERY DRIVE · BOZEMAN, MT 59718
 PHONE (406) 582-0221 · FAX (406) 582-5770
 www.alliedengineering.com



FIGURE 3
 DRAWN BY: JDS
 DATE: 03/06/2015
 PROJECT #: 13-013.40



Corporate Office
32 Discovery Drive
Bozeman, MT 59718
Ph: (406) 582-0221
Fax: (406) 582-5770

North Dakota Office
299 Prairie Drive
PO Box 1251
Stanley, ND 58784
Ph: (701) 628-0221

Justification Letter

For

Zone Change of Lot 1, Golf Course Ponds Subdivision

March 11, 2015

Applicant

City of Watford City
213 2nd St NE
Watford City, ND 58854

Purpose

The purpose of this Justification Letter is to provide information necessary to justify the rezoning of future lot 1, golf Course Ponds Subdivision from its current AG zoning to R-4.

General

We are proposing to rezone a 31.41 +/- acre tract (gross acreage) consisting of 31.41 +/- usable net acres, located just west of the intersection of 10th Ave NE & 32nd St NE, which is located within the corporate city limits of the City of Watford City. The subject property was previously planned to be used for irrigation ponds to serve the Watford City Golf Course. However, it is our understanding that the ponds have not been used and are not required. The existing ponds are proposed to be reclaimed, re-graded, and utilized for future residential development. The proposed developments to the east, north, and west are anticipated to be residential. The current zoning of the subject property is AG (Agricultural). The proposed re-zoning from AG to R-4 will be consistent with the proposed surrounding developments.

Property History

The property is currently under purchase contract by HR-2, LLC. The owner, Watford City, has owned this property for many years. The property has not been used for agricultural purposes within recent years, and has been essentially unused. The subject property represents prime location for residential development due to the proximity to the golf course as well as the surrounding residential developments.

Proposed Land Use

The approximate 31.41 acre subject property is proposed to be developed as a residential project. The proposed zoning change is consistent with the surrounding developments.

Water and Sanitation

Watford City is in the process of finalizing the "East Water Tower", located just north of the subject property. Additionally, the Black Gold Development (located to the north) is in the process of completing a sanitary sewer outfall line from the western one-quarter corner of Section 16 to the southwestern corner of Section 16. The proposed sanitary sewer outfall line connects to a municipal wastewater collection system.

The subject property is proposed to connect to a municipal water distribution system and a municipal sanitary sewer collection system. The proposed development is anticipated to consist of internal roadways, water mains, and sanitary sewer mains.

Access

Access to the site will be from 10th Ave NE. The developer will work with the City of Watford City regarding any potential required secondary access points..

Drainage

The property generally drains from the north to the south, and ultimately to the drainage that runs through the golf course area. There are no known drainage problems on the site, and none are expected.

Phasing Plan

The project is anticipated to be developed in a single phase. The site will be engineered and submitted for approval prior to development.