

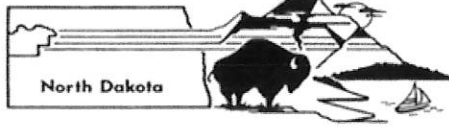
1.

# Land Use Application

## *Boundary Line Adjustment*

Nevin Dahl

*721 2<sup>nd</sup> Ave. NE*



# DIVISION OF LAND

## BOUNDARY LINE ADJUSTMENT

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

**APPLICATION FEE:**  
**\$675.00**

**REQUIREMENTS:** All applications must be legible, printed in ink or typed, and suitable for reproduction. *Original application with original signature is required.* A *Boundary Line Adjustment Parcel Map* shall be allowed to adjust lot lines which may be contiguous, adjacent, interior lots of previously platted parcels. *Boundary Line Adjustment Parcel Maps* shall be allowed when street improvements, utility or other public improvements, public easements, or right of ways, whether public or private are not required or created. This parcel map will also not require the creation of new or enlarged parks, playgrounds, or open spaces. All lot design standards and zoning requirements are required to be met. Parcels must conform to the minimum lot area and width and not involve lots which have more than one zoning classification. A *Boundary Line Adjustment Parcel Map* is not intended to be used as one in a series as to circumvent the Subdivision process. Along with this application, please submit the following: N.D. Professionally Engineered/Surveyed map of parcels in both .PDF format and 11"x17" size paper for review, a brief justification letter explaining the request/reasoning for *Boundary Line Adjustment* and a copy of property deed(s) and/or title report. Once approved by City Council, a 24" x 36" size mylar plat will need to be submitted for signatures and recordation. For specific details regarding this process, please refer to the *City of Watford City Municipal Code of Ordinances: CHAPTER XV ARTICLE XXX SECTION 13.*

### PROPERTY OWNER INFORMATION

OWNER NAME(S): <b>Nevin Dahl</b>	PHONE NUMBER: <b>701-570-3152</b>	EMAIL: <b>nnd@restel.com</b>
MAILING ADDRESS: <b>1431 125th Avenue NW, Watford City, ND 58854</b>		

### APPLICANT INFORMATION

Same as Owner

APPLICANT NAME: <b>Nevin Dahl</b>	PHONE NUMBER: <b>701-570-3152</b>	EMAIL: <b>nnd@restel.com</b>
MAILING ADDRESS: <b>1431 125th Avenue NW, Watford City, ND 58854</b>		

### DEVELOPER INFORMATION

DEVELOPER NAME: <b>Nevin Dahl</b>	PHONE NUMBER: <b>701-570-3152</b>	EMAIL: <b>nnd@restel.com</b>
MAILING ADDRESS: <b>1431 125th Avenue NW, Watford City, ND 58854</b>		

### PROPERTY INFORMATION

PROPERTY ADDRESS: <b>721 2nd Avenue NE</b>		ZONING DISTRICT: <b>R-1</b>	
PARCEL NUMBER: <b>82-80-00500</b>	SUBDIVISION: <b>Wolds 3rd Addition</b>	LOT # <b>5</b>	BLOCK # <b>1</b>
LEGAL DESCRIPTION: (SECTION, TOWNSHIP, RANGE) <b>-see above</b>	NEW LEGAL DESCRIPTION: <b>None Proposed</b>		
EXISTING ACREAGE/SQ.FT.: <b>13,102 sqft</b>	NEW ACREAGE/SQ.FT.: <b>11,720 sqft</b>		
CURRENT USE OF PROPERTY: <b>Single Residence Home</b>	PROPOSED USE OF PROPERTY: <b>Single Residence Home</b>		

### DESCRIPTION

Please give a brief description of the request or reason for Boundary Line Adjustment.

Adjacent Neighbor Mitch Haugeberg (Lot 6, Block 1) has used a small portion of Nevin Dahl's Lot (Lot 5, Block 1) historically as parking for his vehicles. Application proposes to adjust the lot line between Lot #5 and Lot #6 to

reconcile the historical use of a small portion of Lot #5's property for the benefit of Lot #6. Page 1 of 2

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

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

APPLICANT SIGNATURE:

*Nevin Dahl*

DATE:

4/17/18

APPLICANT PRINT NAME:

**Nevin Dahl**

APPLICANT TITLE:

**Property Owner**

**PROPERTY OWNER(S) AFFIDAVIT**

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

PROPERTY OWNER SIGNATURE:

*Nevin Dahl*

DATE:

4/17/18

PROPERTY OWNER SIGNATURE:

*Nevin Dahl*

DATE:

4/17/18

**PROPERTY OWNER NOTARY**

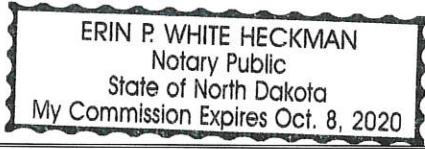
On this 17<sup>th</sup> day of April, 2018 before me, the undersigned, a notary public for the state of North Dakota, personally appeared, Nevin Dahl known to me to be the person(s) who executed the certificate in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first written above.

*Erin P White Heckman*

Notary Public

(NOTARIAL SEAL)

Notary Public for the state of North Dakota  
Residing at McKenzie County  
My Commission Expires                     



▼ OFFICE USE ONLY ▼

- COPY OF PROPERTY DEED
- COPY OF TITLE REPORT
- COPY OF TITLE MEMORANDUM
- .PDF & LEDGER SIZE REVIEW COPY OF PLAT
- VICINITY MAP
- LEGAL DESCRIPTION
- JUSTIFICATION LETTER
- ORIGINAL SURVEYOR STAMP & SIGNATURE ON 24"X36" PLAT

**LEGAL NOTICE DATES:**

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

ADJACENT PROPERTY OWNER NOTICES MAILED

**MEETING DATES:**

PLANNING COMMISSION:

5/29/2018

CITY COUNCIL:

6/4/2018

**INVOICE:**

INVOICE NUMBER: 3397

DATE CREATED: 4/17/18 BY: URS

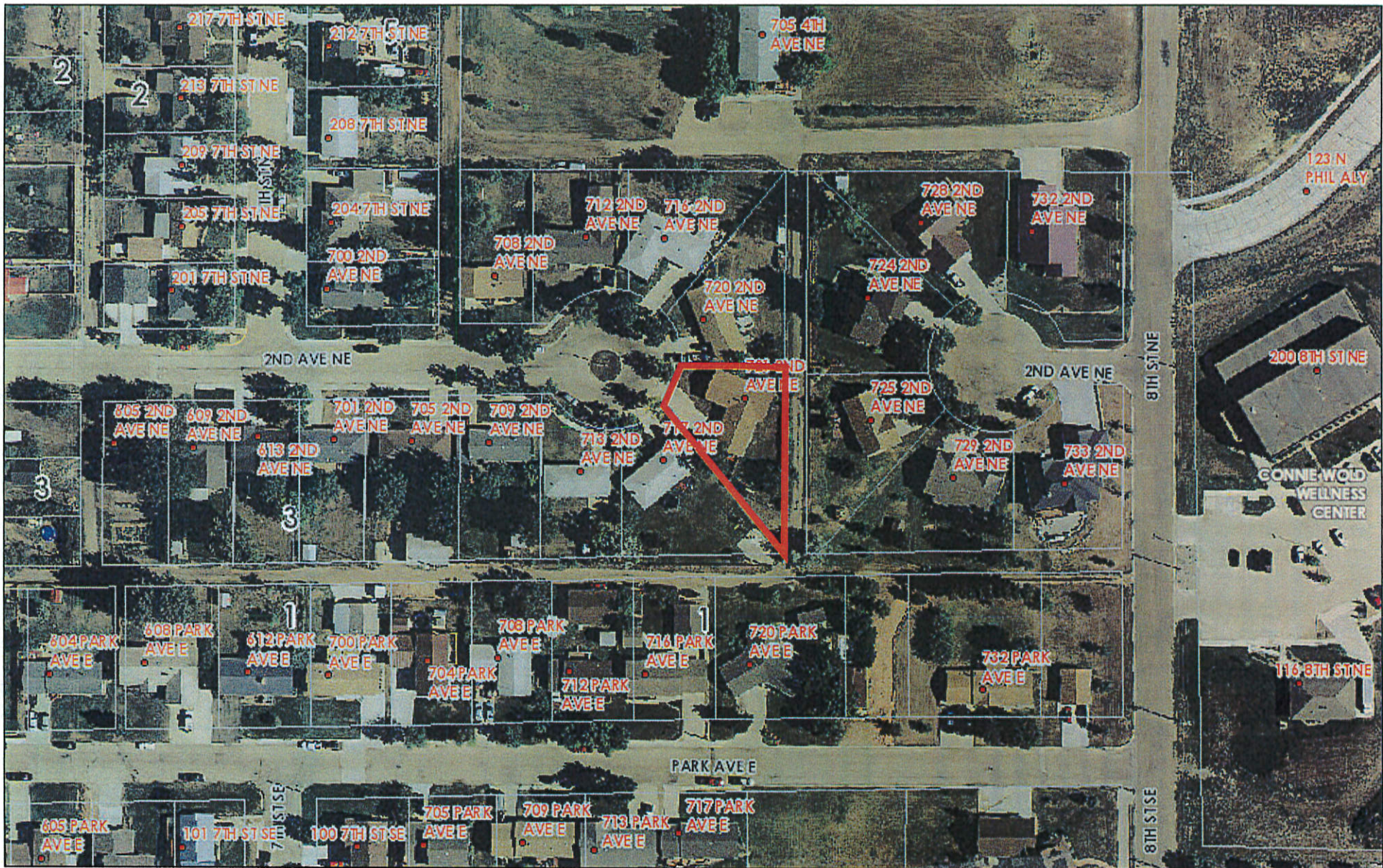
**PAYMENT: \$675.00**

DATE RECEIVED: 4/17/18 BY: URS

CARD  CASH  CHECK # 1693

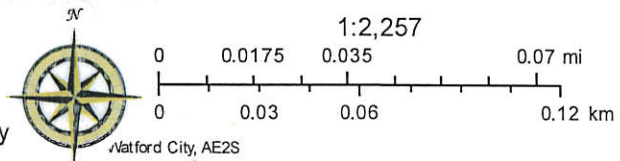


# Nevin Dahl



May 22, 2018

- McKenzie County Address
- ◻ Block Number
- ◻ StreetCenterlines
- ◻ Place Names
- ◻ Watford City Limits
- ◻ Extra-Territorial Area (ETA)
- ◻ Parcels from McKenzie County



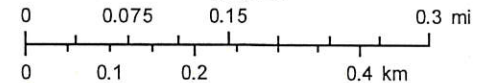
# Nevin Dahl



May 22, 2018

1:9,028

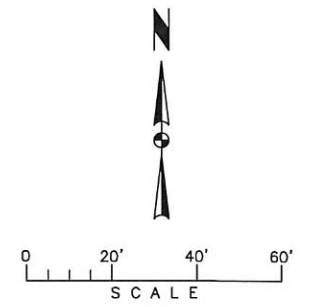
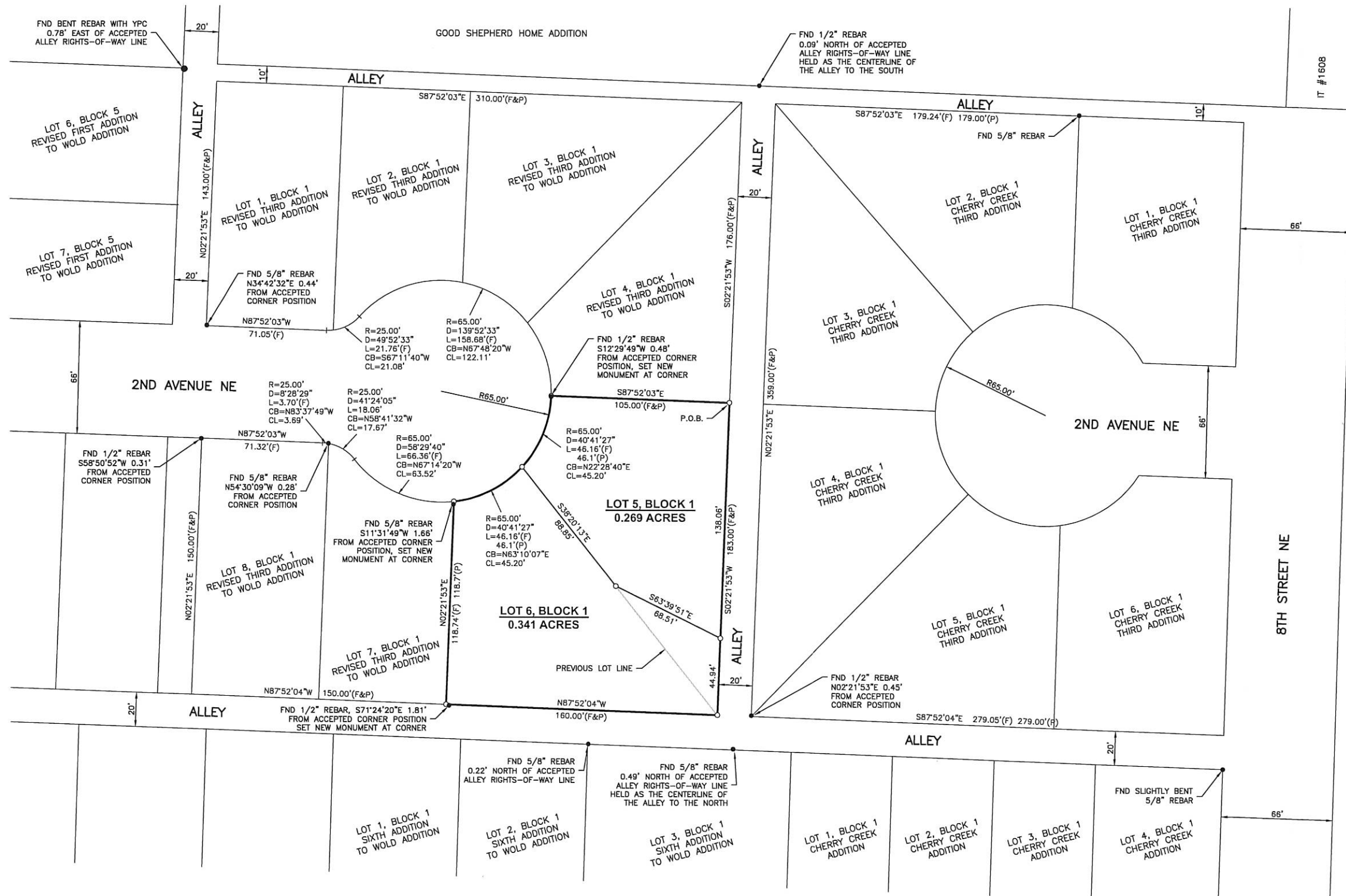
- Street Centerlines
- Place Names
- Watford City Limits
- Extra-Territorial Area (ETA)
- Cherry Creek
- Parcels from McKenzie County



GIS, Watford City, AE2S

A REPLAT OF  
**LOTS 5 & 6 OF THE REVISED THIRD ADDITION TO WOLD ADDITION**  
 LOCATED IN THE NW1/4NE1/4 OF SECTION 19, T150N, R98W, 5TH P.M., CITY OF WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA

LAND OWNERS: NEVIN & LAURA DAHL  
 MITCH & LYNN HAUGEBERG



**LEGEND**

—	REPLAT BOUNDARY
—	LOT LINE
●	FOUND PROPERTY PIN —AS NOTED
○	SET PROPERTY PIN —24" 5/8" REBAR WITH LS7971 YPC
(F)	FIELD MEASUREMENT
(P)	PLAT DISTANCE
P.O.B.	POINT OF BEGINNING

REMAINDER IT #1366

PRELIMINARY

PURPOSE OF SURVEY: TO ADJUST THE COMMON BOUNDARY LINE BETWEEN LOTS 5 & 6 OF THE REVISED THIRD ADDITION TO WOLD ADDITION  
 BASIS OF BEARING: GRID NORTH, NORTH DAKOTA STATE PLANE COORDINATE SYSTEM, NORTH ZONE 3301

<b>TD&amp;H</b> Engineering	DRAWN BY: DRK SURVEYED BY: MAB GREAT FALLS-BOZEMAN-KALISPELL-SHELBY SPOKANE LEWISTON WATFORD CITY	DATE: 5-8-18 JOB NO. W18-007 LEWISTON WATFORD CITY	QUALITY CHECK: MAB FIELDBOOK: X MONTANA WASHINGTON IDAHO NORTH DAKOTA
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**A REPLAT OF  
LOTS 5 & 6 OF THE REVISED THIRD ADDITION TO WOLD ADDITION  
LOCATED IN THE NW1/4NE1/4 OF SECTION 19, T150N, R98W, 5TH P.M., CITY OF WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA**

LAND OWNERS: NEVIN & LAURA DAHL  
MITCH & LYNN HAUGEBERG

REPLAT BOUNDARY DESCRIPTION

A tract of land being Lots 5 & 6 of the Revised Third Addition to Wold Addition, located in the Northwest quarter of the Northeast quarter of Section 19, Township 150 North, Range 98 West, Fifth Principal Meridian, City of Watford City, McKenzie County, North Dakota, and being more particularly described as follows:  
Beginning at the Northeast corner of said Lot 5; thence South 02°21'53" West along the Easterly boundary line of said Lot 5, a distance of 183.00 feet to the Southeast corner of said Lot 6; thence North 87°52'04" West along the Southerly boundary line of said Lot 6, a distance of 160.00 feet to the Southwest corner of said Lot 6; thence North 02°21'53" East along the Westerly boundary line of said Lot 6, a distance of 118.74 feet to a point on the Southerly rights-of-way line of 2nd Avenue NE; thence along said Southerly rights-of-way line on a non-tangent curve to the left, having a Radius of 65.00 feet, a Delta of 81°22'54", an Arc Length of 92.32 feet, a Chord Bearing of North 42°49'24" East, and a Chord Length of 84.75 feet to the Northwest corner of said Lot 5; thence South 87°52'03" East along the Northerly boundary line of said Lot 5, a distance of 105.00 feet to the Point of Beginning and containing 0.610 acres.

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 \_\_\_\_\_ 2018.

\_\_\_\_\_  
MITCH HAUGEBERG

State of North Dakota )  
County of McKenzie ) ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 2018, before me, the undersigned, a Notary Public for the State of North Dakota, personally appeared, Mitch Haugeberg, known to me to be the person(s) who executed the certificate, in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.

\_\_\_\_\_  
Notary Public for the State of North Dakota  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_  
(notarial seal)

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
LYNN HAUGEBERG

State of North Dakota )  
County of McKenzie ) ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 2018, before me, the undersigned, a Notary Public for the State of North Dakota, personally appeared, Lynn Haugeberg, known to me to be the person(s) who executed the certificate, in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.

\_\_\_\_\_  
Notary Public for the State of North Dakota  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_  
(notarial seal)

OWNER(S) CERTIFICATE - CONTINUED

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
NEVIN DAHL

State of North Dakota )  
County of McKenzie ) ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 2018, before me, the undersigned, a Notary Public for the State of North Dakota, personally appeared, Nevin Dahl, known to me to be the person(s) who executed the certificate, in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.

\_\_\_\_\_  
Notary Public for the State of North Dakota  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_  
(notarial seal)

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
LAURA DAHL

State of North Dakota )  
County of McKenzie ) ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 2018, before me, the undersigned, a Notary Public for the State of North Dakota, personally appeared, Laura Dahl, known to me to be the person(s) who executed the certificate, in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.

\_\_\_\_\_  
Notary Public for the State of North Dakota  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_  
(notarial seal)

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 plot, 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 plot are dedicated and not accepted at this time with the offer to remain open.

\_\_\_\_\_  
Justin Voll, Mayor Date: \_\_\_\_\_ Peni Peterson, City Auditor Date: \_\_\_\_\_

State of North Dakota )  
County of McKenzie ) ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 2018, before me, a Notary Public in and for said county and state, personally appeared Justin Voll, 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 \_\_\_\_\_, 2018 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 Date: \_\_\_\_\_

State of North Dakota )  
County of McKenzie ) ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 2018, 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 \_\_\_\_\_, 2018.

\_\_\_\_\_  
Erica Johnsrud, 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 hereon, and that the monuments are placed as shown, and that I am a duly Registered Land Surveyor under the laws of the State of North Dakota.

\_\_\_\_\_  
Surveyor signature  
Registered Land Surveyor #LS7971 Survey date & stamp: \_\_\_\_\_

State of Montana )  
County of Cascade ) ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 2018, 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 hereunto set my hand and affixed my official seal the day and year in the certificate first above written.

\_\_\_\_\_  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_  
(notarial seal)

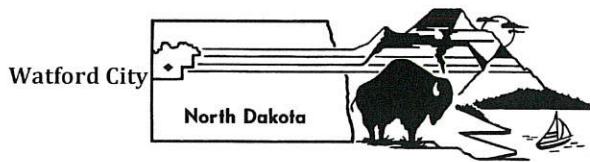


CERTIFICATE OF MCKENZIE COUNTY RECORDER

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. 2018 and was recorded as document number \_\_\_\_\_.

\_\_\_\_\_  
Ann M. Johnsrud, McKenzie County Recorder

PRELIMINARY



## City of Watford City

213 2<sup>nd</sup> St. NE | P.O. Box 494

Watford City, ND 58854

Ph. 701-444-2533

Fax 701-444-3004

[www.cityofwatfordcity.com](http://www.cityofwatfordcity.com)

May 21, 2018

## STAFF REPORT

SLS 06-2018

**SIMPLE LOT SPLIT: *Boundary Line Adjustment***

### APPLICANT

Nevin Dahl  
1431 125<sup>th</sup> Ave. NW  
Watford City ND, 58854

### PROPERTY OWNERS

Nevin and Laura Dahl  
1431 125<sup>th</sup> Ave. NW  
Watford City ND, 58854

Mitch and Lynn Haugeberg  
P.O. Box 435  
Watford City, ND 58854

### PROPERTY LOCATION

NW ¼ of the NE ¼ Section 19, Township 150 North, Range 98 West, Lots 5 and 6 of the Revised Third Addition to Wold Addition, Parcel # 82-80-00500, 721 2nd Ave. NE and Parcel # 82-80-00600, 717 2nd Ave NE, Watford City, McKenzie County, North Dakota.

### REQUEST

A Division of Land Application for Simple Lot Split: Boundary Line Adjustment has been submitted to propose a boundary line adjustment for the common lot line between Lot #5 owned by Dahl's and Lot #6 owned by Haugeberg. The reason for this adjustment is to conform to the historical use of a small portion of property located within Lot #5 for the benefit of Lot #6.

### ZONING

R1- Single Family Dwelling District



## **CURRENT USE**

Single family homes

## **SITE DEVELOPMENT**

Access: The current residence has an access driveway from 2nd Ave. NE.

Sewer: City Sanitary Sewer Services are currently located within this area.

Water: City Water Services are currently located within this area.

## **SURROUNDING LAND USE**

North: Zoning – R-1- Single Family Dwelling District  
Use - Single Family Home

East: Zoning – R-1 Single Family Dwelling District  
Use - Single Family Home

South: Zoning – R-1 Single Family Dwelling District  
Use - Single Family Home

West: Zoning – R-1 Single Family Dwelling District  
Use - Single Family Home

## **REFERENCES**

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

*"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."*

Watford City City Ordinance Number 443 amending Section 14 of Article XXX of Chapter XV of The City of Watford City Ordinances Relating to Exception to Subdivision Requirements.

## **DISCUSSION**

Mitch Haugeberg, property owner of Lot #6, has historically used a small portion of property which is technically located on Nevin Dahl's Lot #5 to park his vehicles. Mr. Dahl expressed that he would like to sell his lot in the future and to make sure it will be an easy exchange, he would like to adjust the boundary line for the benefit of Mr. Haugeberg to keep his vehicle parking area. By legally adjusting the lot lines, this will hopefully eliminate issues with any future property owners.

The City of Watford City mailed the property owners that hold an interest in the property as well as the adjacent property owners a notice regarding the Simple Lot Split for Boundary Line Adjustment request. At the time of this report, none of the noticed property owners have contacted the City regarding the application.

### **RECOMMENDATION**

It is the recommendation of the City Planning Department Staff to Approve the Division of Land Application for Simple Lot Split: Boundary Line Adjustment.

### **PLANNING DEPARTMENT STAFF CONTACT**

Becky Smith  
[basmith@nd.gov](mailto:basmith@nd.gov)  
(701)444-8402

LaRissa Bertram  
[lbertram@nd.gov](mailto:lbertram@nd.gov)  
(701)444-8406

2.

# Land Use Application

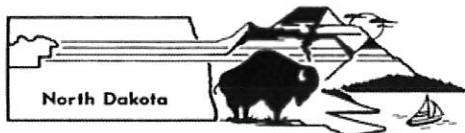
## *Boundary Line Adjustment*

Craig Nelson & Gary Schwartzenberger

*1504 6<sup>th</sup> Ave. NE*

# DIVISION OF LAND

## BOUNDARY LINE ADJUSTMENT



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

**APPLICATION FEE:**  
**\$675.00**

**REQUIREMENTS:** All applications must be legible, printed in ink or typed, and suitable for reproduction. *Original application with original signature is required.* A *Boundary Line Adjustment Parcel Map* shall be allowed to adjust lot lines which may be contiguous, adjacent, interior lots of previously platted parcels. *Boundary Line Adjustment Parcel Maps* shall be allowed when street improvements, utility or other public improvements, public easements, or right of ways, whether public or private are not required or created. This parcel map will also not require the creation of new or enlarged parks, playgrounds, or open spaces. All lot design standards and zoning requirements are required to be met. Parcels must conform to the minimum lot area and width and not involve lots which have more than one zoning classification. A *Boundary Line Adjustment Parcel Map* is not intended to be used as one in a series as to circumvent the Subdivision process. Along with this application, please submit the following: N.D. Professionally Engineered/Surveyed map of parcels in both .PDF format and 11"x17" size paper for review, a brief justification letter explaining the request/reasoning for *Boundary Line Adjustment* and a copy of property deed(s) and/or title report. Once approved by City Council, a 24" x 36" size mylar plat will need to be submitted for signatures and recordation. For specific details regarding this process, please refer to the *City of Watford City Municipal Code of Ordinances: CHAPTER XV ARTICLE XXX SECTION 13.*

### PROPERTY OWNER INFORMATION

OWNER NAME(S): <b>Craig Nelson</b>	PHONE NUMBER: <b>701-580-2526</b>	EMAIL: <b>nelsoncontractingnd@gmail.com</b>
MAILING ADDRESS: <b>1504 12th Street NE</b>		

### APPLICANT INFORMATION

Same as Owner

APPLICANT NAME: <b>Gary Schwartzberger</b>	PHONE NUMBER: <b>701-651-6022</b>	EMAIL: <b>watfordcitybowling@outlook.com</b>
MAILING ADDRESS: <b>PO Box 245, Watford City, ND 58854</b>		

### DEVELOPER INFORMATION

DEVELOPER NAME: <b>Gary Schwartzberger</b>	PHONE NUMBER: <b>701-651-6022</b>	EMAIL: <b>watfordcitybowling@outlook.com</b>
MAILING ADDRESS: <b>PO Box 245, Watford City, ND 58854</b>		

### PROPERTY INFORMATION

PROPERTY ADDRESS: <b>1504 6th Avenue NE</b>	ZONING DISTRICT: <b>C-1</b>		
PARCEL NUMBER: <b>83-42-00200</b>	SUBDIVISION: <b>Nelson 2nd Addition</b>	LOT # <b>2</b>	BLOCK # <b>1</b>
LEGAL DESCRIPTION: (SECTION, TOWNSHIP, RANGE) <b>17, T-150N, R-98W</b>	NEW LEGAL DESCRIPTION: <b>Lot 2, Block 1, Nelson 2nd Addition</b>		
EXISTING ACREAGE/SQ.FT.: <b>1.500 Acres</b>	NEW ACREAGE/SQ.FT.: <b>4.5 Acres * - Approximated</b>		
CURRENT USE OF PROPERTY: <b>Undeveloped</b>	PROPOSED USE OF PROPERTY: <b>Lois Lanes Family Fun Center</b>		

**DESCRIPTION** Please give a brief description of the request or reason for Boundary Line Adjustment.

**This request is to accommodate addition land necessary for development of  
 Lois Lanes Family Fun Center**

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

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

APPLICANT SIGNATURE:

*[Handwritten Signature]*

DATE:

5, 9, 18

APPLICANT PRINT NAME:

Gary A. Schwartzberger

APPLICANT TITLE:

**PROPERTY OWNER(S) AFFIDAVIT**

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

PROPERTY OWNER SIGNATURE:

*[Handwritten Signature: Craig Nelson]*

DATE:

5, 9, 18

PROPERTY OWNER SIGNATURE:

\_\_\_\_\_

DATE:

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

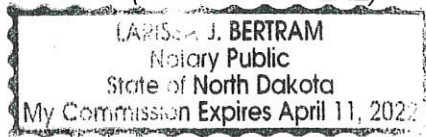
**PROPERTY OWNER NOTARY**

On this 9 day of May, 2018 before me, the undersigned, a notary public for the state of North Dakota, personally appeared, Craig Nelson known to me to be the person(s) who executed the certificate in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first written above.

*[Handwritten Signature: Larissa J. Bertram]*  
Notary Public

Notary Public for the state of \_\_\_\_\_  
Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

(NOTARIAL SEAL)



**OFFICE USE ONLY**

- COPY OF PROPERTY DEED
- COPY OF TITLE REPORT
- COPY OF TITLE MEMORANDUM
- .PDF & LEDGER SIZE REVIEW COPY OF PLAT
- VICINITY MAP
- LEGAL DESCRIPTION
- JUSTIFICATION LETTER
- ORIGINAL SURVEYOR STAMP & SIGNATURE ON 24"x36" PLAT

LEGAL NOTICE DATES:

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

ADJACENT PROPERTY OWNER NOTICES MAILED

MEETING DATES:

PLANNING COMMISSION:

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

INVOICE:

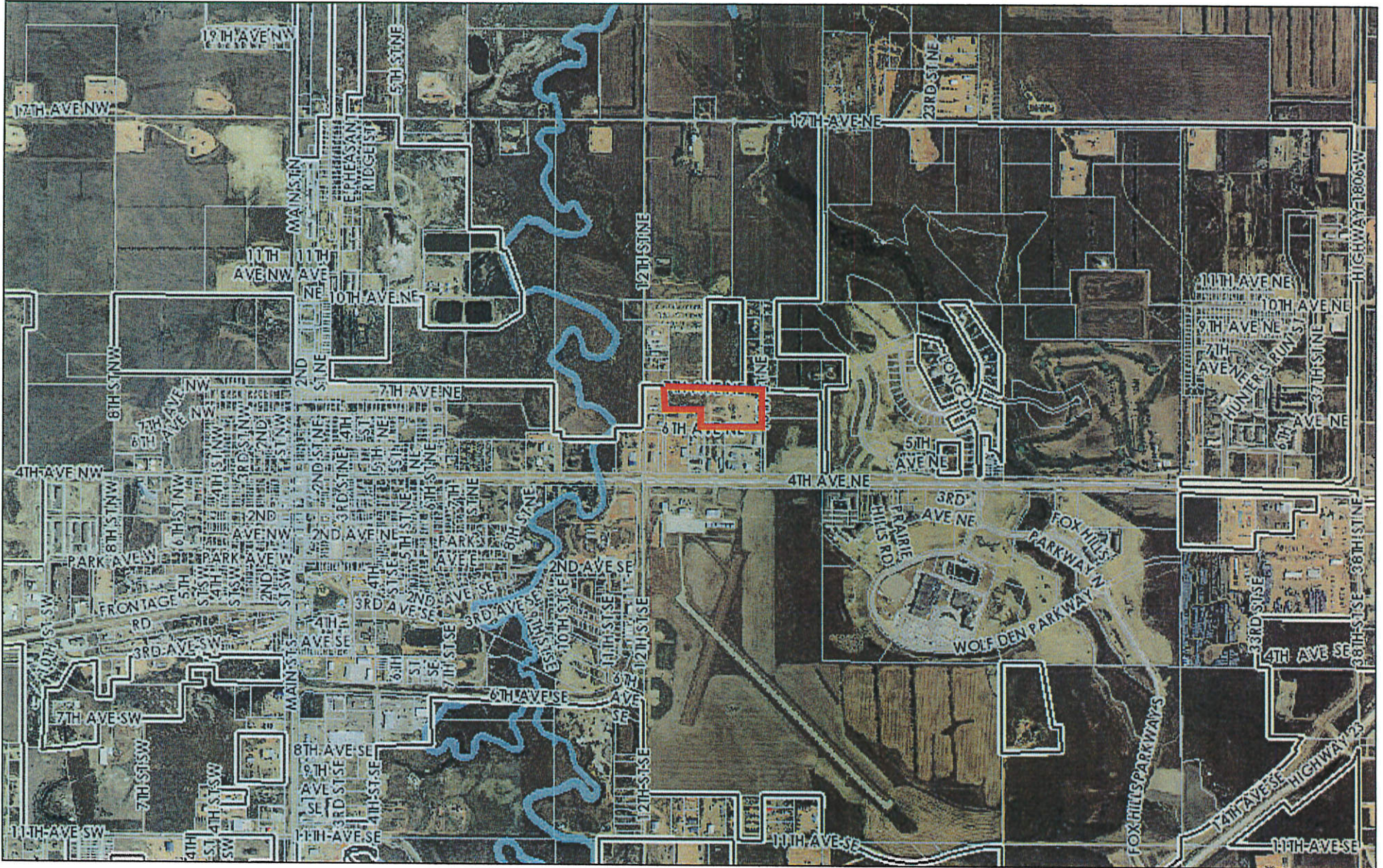
INVOICE NUMBER: 3412  
DATE CREATED: 5, 10, 18 BY: LB/BA

PAYMENT: **\$675.00**

DATE RECEIVED: 5, 9, 18 BY: LB

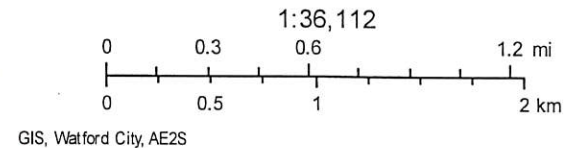
CARD  CASH  CHECK # 1553

# Craig Nelson/ Gary Schwartzenberger



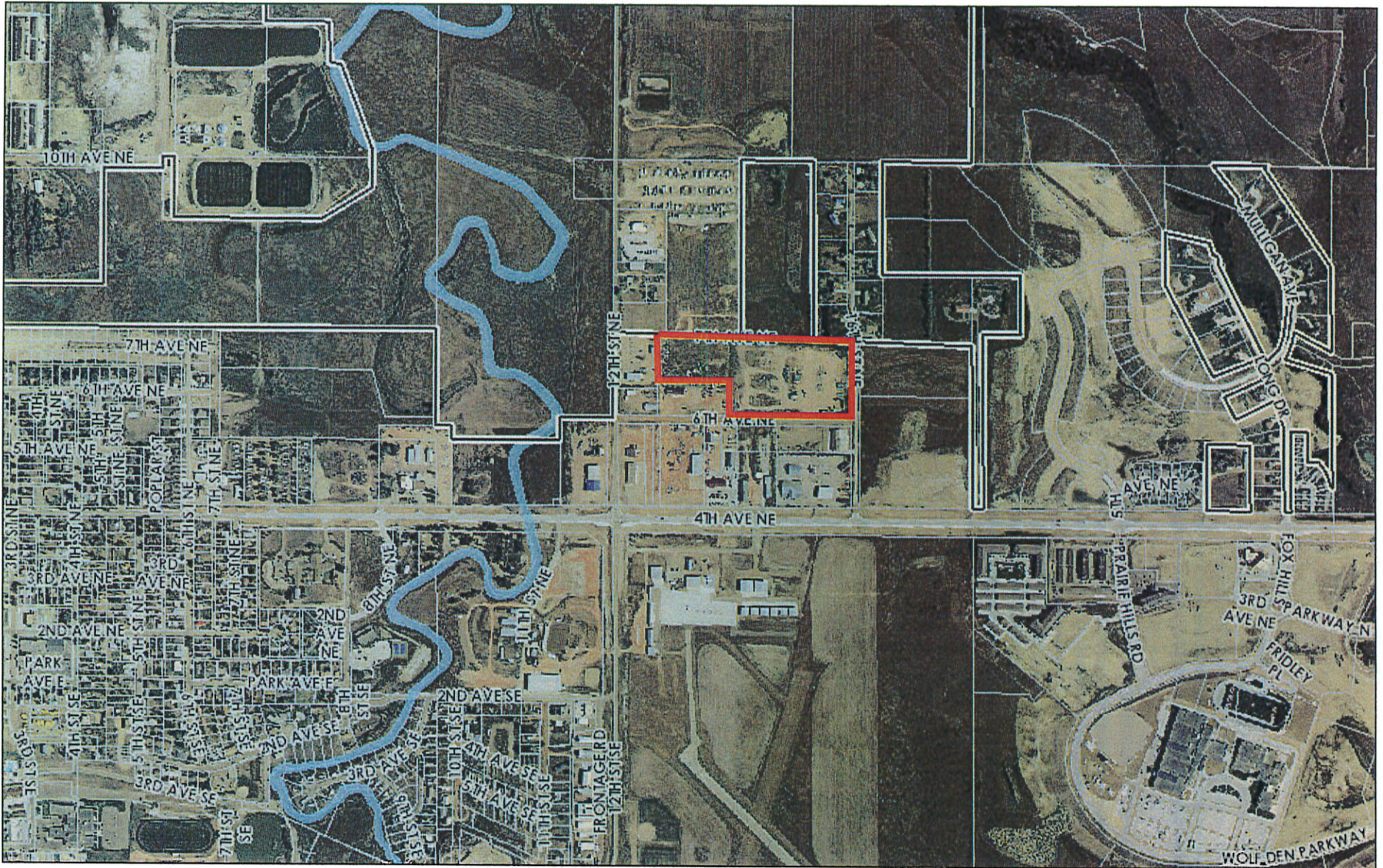
May 22, 2018

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



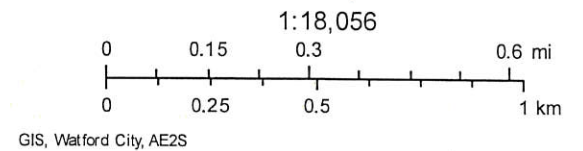
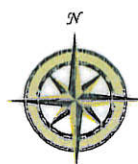
GIS, Watford City, AE2S

# Craig Nelson/ Gary Schwartzberger



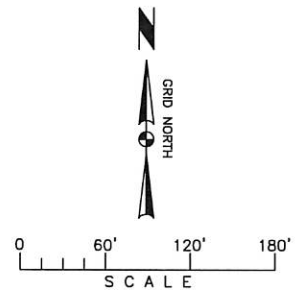
May 22, 2018

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



**LEGEND**

- SUBDIVISION BOUNDARY
- LOT LINE
- EASEMENT LINE
- FND PROPERTY MONUMENT
- SET PROPERTY PIN
- -5/8" REBAR/LS 7971 YPC
- P.O.B. POINT OF BEGINNING
- (F) FIELD MEASUREMENT
- (IT) IRREGULAR TRACT DISTANCE
- (P) PLATTED DISTANCE

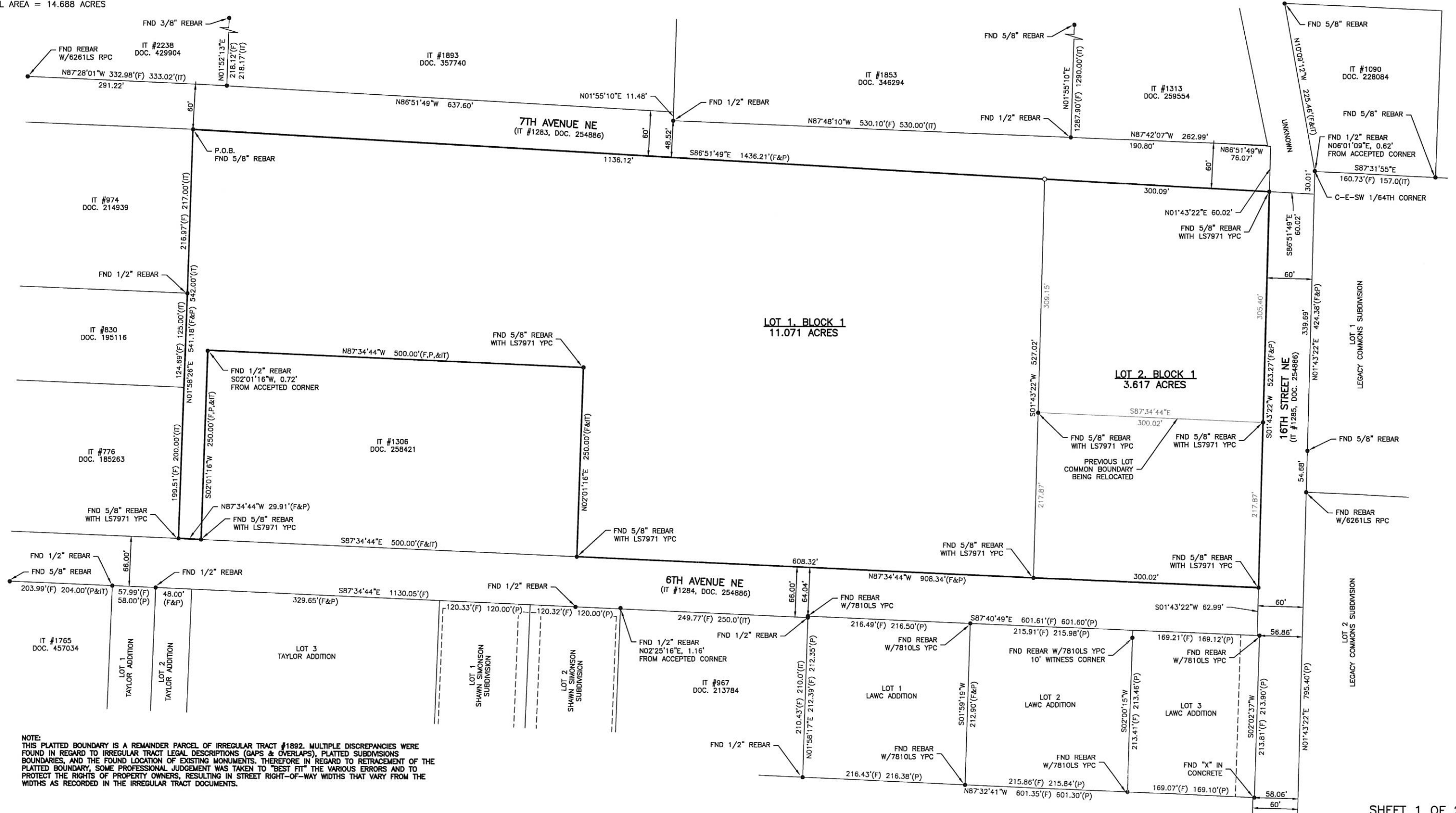


AREA OF LOTS = 14.688 ACRES  
 AREA OF DEDICATED ROADS = 0.000 ACRES  
 TOTAL AREA = 14.688 ACRES

# A REPLAT OF THE NELSON 1ST ADDITION

A TRACT OF LAND BEING TRACT #1 OF DOCUMENT #357740 (IRREGULAR TRACT #1892), LESS IRREGULAR TRACTS #776, #830, #974, #1284, #1306, #2964 (LAWC ADDITION), & #2370 (PORTION OF SHAUN SIMONSON SUBDIVISION), LOCATED IN THE SW1/4 OF SECTION 17, T150N, R98W, 5TH P.M., WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA

LAND OWNERS: CRAIG & JULIE NELSON



**NOTE:**  
 THIS PLATTED BOUNDARY IS A REMAINDER PARCEL OF IRREGULAR TRACT #1892. MULTIPLE DISCREPANCIES WERE FOUND IN REGARD TO IRREGULAR TRACT LEGAL DESCRIPTIONS (GAPS & OVERLAPS), PLATTED SUBDIVISIONS BOUNDARIES, AND THE FOUND LOCATION OF EXISTING MONUMENTS. THEREFORE IN REGARD TO RETRACEMENT OF THE PLATTED BOUNDARY, SOME PROFESSIONAL JUDGEMENT WAS TAKEN TO "BEST FIT" THE VARIOUS ERRORS AND TO PROTECT THE RIGHTS OF PROPERTY OWNERS, RESULTING IN STREET RIGHT-OF-WAY WIDTHS THAT VARY FROM THE WIDTHS AS RECORDED IN THE IRREGULAR TRACT DOCUMENTS.

PURPOSE OF REPLAT: TO ADJUST THE COMMON BOUNDARY LINE BETWEEN LOTS 1 AND 2  
 BASIS OF BEARING: GRID NORTH, NORTH DAKOTA STATE PLANE COORDINATE SYSTEM, NORTH ZONE 3301, DISTANCES ARE GROUND

**TD&H**  
Engineering

DRAWN BY: DRK DATE: 5-17-18 QUALITY CHECK: X  
 SURVEYED BY: MB JOB NO. W18-011 FIELDBOOK: X

GREAT FALLS-BOZEMAN-KALISPELL-SHELBY MONTANA  
 SPOKANE WASHINGTON  
 LEWISTON IDAHO  
 WATFORD CITY NORTH DAKOTA

SHEET 1 OF 2



A REPLAT OF THE  
**NELSON 1ST ADDITION**

A TRACT OF LAND BEING TRACT #1 OF DOCUMENT #357740 (IRREGULAR TRACT #1892), LESS IRREGULAR TRACTS #776, #830, #974, #1284, #1306, #2964 (LAWC ADDITION), & #2370 (PORTION OF SHAUN SIMONSON SUBDIVISION), LOCATED IN THE SW1/4 OF SECTION 17, T150N, R98W, 5TH P.M., WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA

LAND OWNERS: CRAIG & JULIE NELSON

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 )  
COUNTY OF MCKENZIE ) 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.

(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 )  
COUNTY OF MCKENZIE ) 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.

(NOTARIAL SEAL)

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

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_

MCKENZIE ELECTRIC COOPERATIVE  
PRINTED NAME \_\_\_\_\_

STATE OF NORTH DAKOTA )  
COUNTY OF MCKENZIE ) 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.

(NOTARIAL 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

SUBDIVISION BOUNDARY LEGAL DESCRIPTION

A tract of land being Tract #1 of Document #357740 (Irregular Tract #1892), less Irregular Tracts #776, #830, #974, #1284, #1306, #2964 (LAWC Addition), and #2370 (portion of Shaun Simonson Subdivision), located in the SW1/4 of Section 17, Township 150 North, Range 98 West, 5th Principal Meridian, City of Watford City, McKenzie County, North Dakota, and being more particularly described as follows:

Beginning at the Northeast corner of said Irregular Tract #974, Document #214939, also being a point on the Southerly boundary line of said Irregular Tract #1283, Document #254886 (7th Street NE); thence South 86°51'49" East along said Southerly boundary line, a distance of 1436.21 feet to the Westerly boundary line of said Irregular Tract #1285, Document #254886 (16th Street NE); thence South 01°43'22" West along said Westerly boundary line, a distance of 523.27 feet to the Northerly boundary line of said Irregular Tract #1284, Document #254886 (6th Avenue NE); thence North 87°34'44" West along said Northerly boundary line, a distance of 908.34 feet to the Southeast corner of said Irregular Tract #1306, Document #258421; thence North 02°01'16" East along the Easterly boundary line of said Irregular Tract #1306, a distance of 250.00 feet to the Northeast corner of said Irregular Tract #1306; thence North 87°34'44" West along the Northerly boundary line of said Irregular Tract #1306, a distance of 500.00 feet to the Northwest corner of said Irregular Tract #1306; thence South 02°01'16" West along the Westerly boundary line of said Irregular Tract #1306, a distance of 250.00 feet to the Southwest corner of said Irregular Tract #1306 and being a point on the Northerly boundary line of said Irregular Tract #1284 (6th Avenue NE); thence North 87°34'44" West along said Northerly boundary line, a distance of 29.91 feet to the Southeast corner of said Irregular Tract #776, Document #185263; thence North 01°58'26" East along the Easterly boundary line of said Irregular Tract #776, Irregular Tract #830, Document #195116, and Irregular Tract #974, a distance of 541.18 feet to the Point of Beginning and containing 14.688 acres.

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. I HEREBY DEDICATE EASEMENTS TO RUN WITH THE LAND FOR WATER, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON, OR OVER THE LAND DEDICATED HEREON AS "UTILITY EASEMENTS" WHETHER SHOWN OR EXISTING.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CRAIG NELSON

STATE OF NORTH DAKOTA )  
COUNTY OF MCKENZIE ) SS

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

(NOTARIAL SEAL)

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

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

JULIE NELSON

STATE OF NORTH DAKOTA )  
COUNTY OF MCKENZIE ) SS

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

(NOTARIAL SEAL)

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

WATFORD CITY APPROVAL

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

JUSTIN VOLL, MAYOR DATE: \_\_\_\_\_ PENI PETERSON, CITY AUDITOR DATE: \_\_\_\_\_

STATE OF NORTH DAKOTA )  
COUNTY OF MCKENZIE ) SS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JUSTIN VOLL, 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.

GLEN BEARD, CHAIRMAN

STATE OF NORTH DAKOTA )  
COUNTY OF MCKENZIE ) 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: \_\_\_\_\_

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\_\_\_\_.

ERICA JOHNSRUD, 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 HEREON, AND THAT THE MONUMENTS ARE PLACED AS SHOWN, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA.

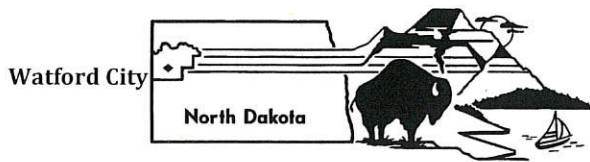
SURVEYOR SIGNATURE \_\_\_\_\_ SURVEY DATE & STAMP: \_\_\_\_\_  
REGISTERED LAND SURVEYOR #LS7971



STATE OF MONTANA )  
COUNTY OF CASCADE ) SS

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 HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST ABOVE WRITTEN.

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



## City of Watford City

213 2<sup>nd</sup> St. NE | P.O. Box 494

Watford City, ND 58854

Ph. 701-444-2533

Fax 701-444-3004

[www.cityofwatfordcity.com](http://www.cityofwatfordcity.com)

May 21, 2018

## STAFF REPORT

SLS 05-2018

**SIMPLE LOT SPLIT: Boundary Line Adjustment**

### APPLICANT

Gary Schwartzenberger

P.O. Box 245

Watford City, ND 58854

### PROPERTY OWNER

Craig and Julie Nelson

1504 12<sup>th</sup> St. NE

Watford City, ND 58854

### PROPERTY LOCATION

Parcel # 83-42-00200, Section 17, Township 150 North, Range 98 West, Lot 2, Block 1, Nelson 2<sup>nd</sup> Addition, Watford City, McKenzie County, North Dakota.

### REQUEST

A Division of Land Application for Boundary Line Adjustment has been submitted in consideration of extending the existing northern lot line of Lot 2, Block 1 straight across to the north to the property line of Lot 1, Block 1.

### ZONING

C1- General Commercial

### CURRENT USE

Undeveloped

## **SITE DEVELOPMENT**

Access: The current property owner has an access driveway from 16<sup>th</sup> ST. NE.

Sewer: City Sanitary Sewer Services are located within this area and available to access.

Water: City Water Services are located within this area and available to access.

## **SURROUNDING LAND USE**

North: Zoning – AG- Agriculture  
Use - Single Family Home

East: Zoning – C1: General Commercial  
Use - Nathan Dahl Property/ Undeveloped

South: Zoning – C1: General Commercial  
Use - Auto Property Solutions

West: Zoning – C1: General Commercial  
Use - Gravel Pit/ Steve Sanford Construction

## **REFERENCES**

City of Watford City Municipal Code of Ordinances Chapter XV Zoning Ordinance, Article XXX Subdivision Regulations, Section 13 Simple Lot Split

*"A simple lot split shall be allowed when street improvements, water or sewer line improvements or other public improvements are not required, and no more than four (4) lots are created. Upon approval by the City Council, a simple lot split may be recorded notwithstanding the foregoing, all lot design standards and zoning requirements are required to be met."*

The City of Watford City Ordinance Number 443 amending Section 14 of Article XXX of Chapter XV of The City of Watford City Ordinances Relating to Exception to Subdivision Requirements.

## **DISCUSSION**

This application has been submitted by Gary Schwartzberger and Craig Nelson. Mr. Schwartzberger determined that after moving forward with the planning process of the proposed "Lois Lanes Family Fun Center" that his current Lot 2, Block 1, which was purchased from Mr. Nelson, will not be adequate in the event he would like to plan for any future additions to the "Lois Lanes" building. Lot 2 currently has 1.5 acres and by extending the lot line strait north to meet Mr. Nelson's lot line, this adjustment will give 3.617 acres in which Mr. Schwartzberger feels is the appropriate acreage of land for has planned future development and expansion.

The City Planning Department staff mailed the property owners who hold an interest in this property as well as the adjacent property owners a notice regarding this Simple Lot Split Application for Boundary Line Adjustment. At the time of this report, none of the above mentioned noticed property owners had contacted the City regarding the application.

## **RECOMMENDATION**

It is the recommendation of City Planning Department Staff to Approve the Division of Land Application for Simple Lot Split: Boundary Line Adjustment.

Approval shall be contingent upon the following conditions:

1. Any future development and/or improvements to this property will require a Site Development Plan, generalized building plans, and any necessary permit applications be submitted to The City for review and approval prior to construction.

## **PLANNING DEPARTMENT STAFF CONTACT**

Becky Smith  
[basmith@nd.gov](mailto:basmith@nd.gov)  
(701)444-8402

LaRissa Bertram  
[lbertram@nd.gov](mailto:lbertram@nd.gov)  
(701)444-8406

3.

# Land Use Application

*Zone Change*

White Owl Energy Services Inc.

*12271 26<sup>th</sup> F St. NW*

# LAND USE

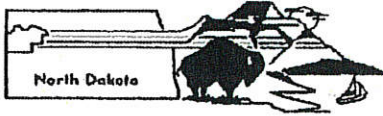
## ZONE CHANGE

### APPLICATION

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

### APPLICATION FEE:

**\$300.00**



**REQUIREMENTS:** All applications must be legible, printed in ink or typed, and suitable for reproduction. *Original application with original signature is required.* A *Zone Change Application* may be submitted in order to consider a changing the zoning district of property. Zoning Districts are set as specific areas within the City and/or ETA in order to govern the use of the property as well as such regulations pertaining to the height, area, size, and intensity of buildings, land, and open spaces. Along with this application, please submit the following: N.D. Professional survey of the property in both .PDF format and 11"x17" size paper for review, a brief justification letter explaining the request for *Zone Change* and a copy of current property deed(s) and/or title report. For specific details regarding this process, please refer to the *City of Watford City Municipal Code of Ordinances: CHAPTER XV, ARTICLE XXVI: AMENDMENTS.*

### PROPERTY OWNER INFORMATION

OWNER NAME(S): **White Owl Energy Services (US) Inc.** PHONE NUMBER: **403 457 5456** EMAIL: **aobuck@whiteowl-services.com**

MAILING ADDRESS:  
**PO Box 1953 Dickinson, ND 58602**

### APPLICANT INFORMATION

Same as Owner

APPLICANT NAME: PHONE NUMBER: EMAIL:

MAILING ADDRESS:

### DEVELOPER INFORMATION

DEVELOPER NAME: **White Owl Energy Services (US) Inc.** PHONE NUMBER: **403 457 5456** EMAIL: **aobuck@whiteowl-services.com**

MAILING ADDRESS:  
**PO BOX 1953 Dickinson, ND 58602**

### PROPERTY INFORMATION

PROPERTY ADDRESS: **12271 26F Street NW** CURRENT ZONING DISTRICT: **n/a** PROPOSED ZONING DISTRICT: **Industrial**

PARCEL NUMBER(S): LEGAL DESCRIPTION: (SECTION, TOWNSHIP, RANGE)  
**Sec.22, T.150N, R.98W**

CURRENT USE OF PROPERTY: **SWD** PROPOSED USE OF PROPERTY: **SWD**

### DESCRIPTION

 Please give a brief description of the proposed Zone Change

This permit is for a proposed development of a 2nd Salt Water Disposal Injection Well and associated surface expansion to the facility.

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

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

APPLICANT SIGNATURE:  DATE: **05 / 08 / 2018**

APPLICANT PRINT NAME: **Adam Obuck** APPLICANT TITLE: **Engineering Manager**

**PROPERTY OWNER(S) AFFIDAVIT**

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

PROPERTY OWNER SIGNATURE: [Signature] DATE: 05 / 08 / 2018

PROPERTY OWNER SIGNATURE: [Signature] DATE: 05 / 08 / 2018

**PROPERTY OWNER NOTARY**

On this 8<sup>th</sup> day of May, 2018 before me, the undersigned, a notary public for the state of North Dakota, personally appeared, Adam D buck, Randall Jublin known to me to be the person(s) who executed the certificate in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first written above.

[Signature]  
Notary Public

(NOTARIAL SEAL)  
SUZANNE M. WORKING  
Notary Public  
State of North Dakota  
My Commission Expires Feb. 17, 2021

Notary Public for the state of ND  
Residing at Dickinson, ND  
My Commission Expires Feb 17, 2021

**OFFICE USE ONLY**

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

LEGAL NOTICE DATES:  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

MEETING DATES:  
PLANNING COMMISSION  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
CITY COUNCIL  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

ADJACENT PROPERTY OWNER NOTICES MAILED

INVOICE:  
INVOICE NUMBER \_\_\_\_\_  
DATE CREATED: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ BY: \_\_\_\_\_

PAYMENT: **\$300.00**  
DATE RECEIVED \_\_\_\_ / \_\_\_\_ / \_\_\_\_ AMOUNT \$ \_\_\_\_\_  
 CARD  CASH  CHECK # \_\_\_\_\_

May 23,2018

The City of Watford City  
213 2<sup>nd</sup> St NE  
PO Box 494  
Watford City, ND

Re: Letter of Justification for Zone Change & Conditional Use Permit

The White Owl Watford City Salt Water Disposal (SWD) Facility and Disposal Well have been operating at the current location for the past 5 years (since January 2013) without any major incidents to date (NDIC Well File #90172). White Owl acquired the facility in late 2014 and has done substantial upgrades to the facility and lands since then.

White Owl is currently in conversations with several companies who are interested in constructing a water pipeline gathering system terminating at the Watford facility location to deliver fluids via pipe instead of via truck. As the baseline infrastructure is already in place, White Owl is proposing to add a 2<sup>nd</sup> injection well to the location as well as expanding the existing tank farm and surface facilities to meet the capacity requirements of these pipe connected flows.

White Owl has noted that due to the physical location of the lease, these lands were not part of the Watford City limits a few years ago and were transferred from the county, as a result there is no current zoning for the property.

White Owl is proposing to change the zoning from 'N/A' to Heavy Industrial and concurrently proposes a Conditional Use to allow for an SWD.

Please feel free to contact me directly should there be any additional questions or concerns related to this application, or the proposed expansion in general.

We look forward to discussing this project with you further.

Best regards,



Adam Obuck



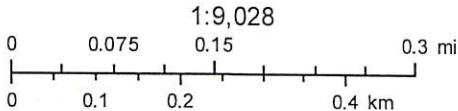
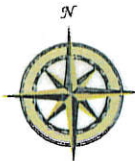
# White Owl Energy Services



May 22, 2018

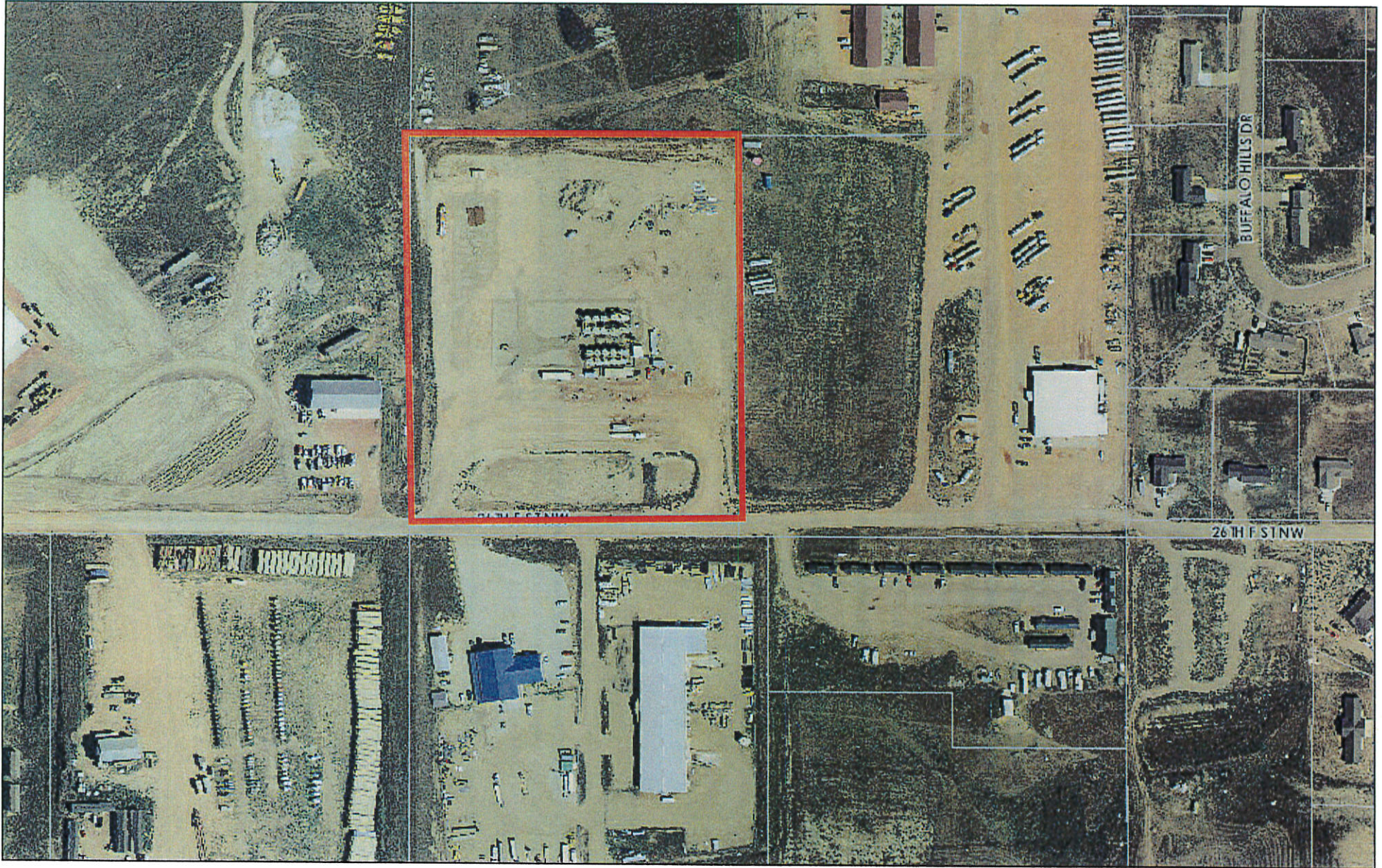
- Street Centerlines
- Place Names
- Watford City Limits

- Extra-Territorial Area (ETA)
- Cherry Creek



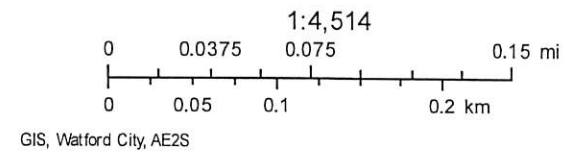
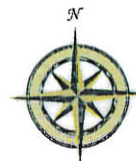
Watford City Planning Department, AE2S  
GIS, Watford City, AE2S

# White Owl Energy Services

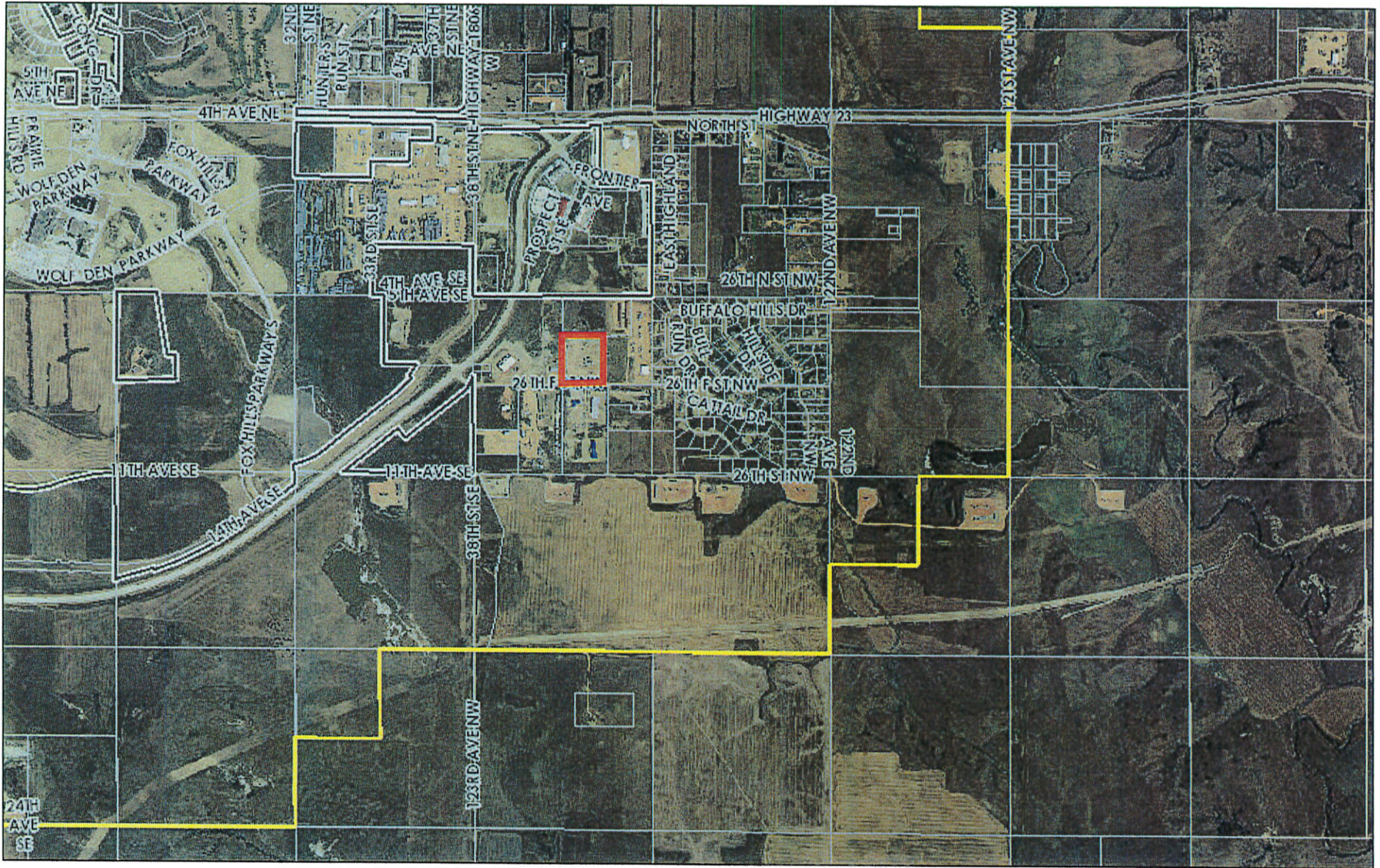


May 22, 2018






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

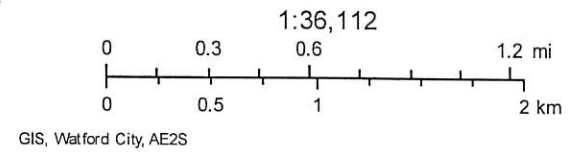
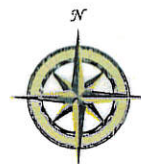


# White Owl Energy Services

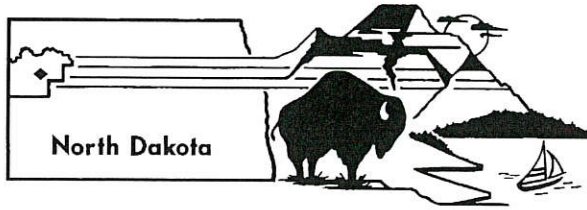


May 22, 2018

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



Watford City



## 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

[cityofwatfordcity.com](http://cityofwatfordcity.com)

May 21, 2018

### **STAFF REPORT Zone Change 01-2018**

#### **APPLICANT:**

White Owl Energy Services  
P.O. Box 1953  
Dickinson ND, 58602

#### **PROPERTY OWNERS:**

White Owl Energy Services  
P.O. Box 1953  
Dickinson ND, 58602

#### **PROPERTY LOCATION:**

Parcel ID: 200015810 Section 22, Township 150, Range 98, 10.24 acres. Address: 12271 26<sup>th</sup> F ST.  
Watford City, McKenzie County, North Dakota.

#### **REQUEST:**

A Land Use Application for Zone Change has been submitted as a request for Heavy Industrial Zoning on this property.

#### **ZONING:**

No Current Zoning

#### **CURRENT USE:**

White Owl Energy Services Salt Water Disposal Facility

#### **REFERENCES:**

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 by the owner of the property to be affected."

## SITE DEVELOPMENT:

Access: The property is accessed from 26<sup>th</sup> F St. NW

Sewer: City Sanitary Sewer Services are not available within this area.

Water: City Water Services are not available within this area.

## SURROUNDING LAND USE:

North: Zoning – None  
Use - Heavy Industrial Water Disposal Well Site

East: Zoning – None  
Use – Mann Services LLC

South: Zoning – None  
Use - API Real Estate LLC

West: Zoning – HI- Heavy Industrial  
Use - Arlon Franz Property

## DISCUSSION:

This property is located within The City's Extra Territorial Area (ETA). Historically, the use of the property fits within Industrial-type uses however, the property has not been zoned. White Owl Energy Services has filed this Zone Change Application in conjunction with a Land Use Application for Conditional Use Permit for the proposed development of a 2<sup>nd</sup> salt water disposal injection well and associated surface expansion to the facility. At this time, the current and proposed uses of this property fit the criteria to allow for a zone change to Heavy Industrial. However, if approved, even with the property being zoning HI- Heavy Industrial, it must further come into compliance by applying and obtaining approval for a Conditional Use Permit. As stated within the Zoning Ordinances, the specific use of "Disposal Well Site" is listed under the Conditional Uses section of HI- Heavy Industrial zoning district.

According to The City of Watford City Municipal Code of Ordinances Chapter XV Zoning Ordinance, Article XIX Heavy Industrial:

*"Zoning this property may be granted following compliance with the procedure set forth in this section. The Zone is one set forth in the District Regulations, provided that no application for this zone shall be granted unless all of the following conditions are found to be present:*

1. **Scope.** *The following regulations shall apply to the HI Heavy Industrial Zones. No new building or structure shall be erected, or parcel developed in an HI Heavy Industrial Zone unless in conformance with the provisions identified herein.*
2. **Purpose.** *The HI Heavy Industrial Zone is intended to provide for more intense industrial uses engaged in basic processing or manufacturing of products from raw materials and with tolerable levels of noise, dust, odor, vibration or smoke and to preclude encroachment of land uses such as residential uses that could be in conflict with the industrial and manufacturing environment. The HI Heavy Industrial Zone is appropriate in locations, which are suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities.*
3. **Height, Lot and Setback Requirements.**  
*Minimum Lot Size: one (1) acre  
Minimum Lot Width (interior lot): one hundred fifty (150) feet  
Maximum Building Height: forty (40) feet or as approved by a variance  
Minimum Building Setbacks"*

The City of Watford City mailed the property owners, whom hold an interest in the property, as well as the adjacent property owners a notice regarding the Land Use Application for Zone Change. At the time of this report, Planning Staff met with adjacent property owners, Mann Services, LLC. and addressed their questions with no outstanding issues. None of the other noticed property owners have contacted The City regarding this Application.

**RECOMMENDATION:**

It is the recommendation of City Planning Department Staff to Approve the Land Use Application for a Zone Change to HI- Heavy Industrial. Approval of the zone change shall be contingent upon the following conditions:

1. According to The City Watford City Municipal Code of Ordinances, the current and proposed use of the property is listed as a Conditional Use within HI- Heavy Industrial zoning district. Following the Zone Change, the property must come into further compliance by submitting a Land Use Application for Conditional Use Permit.
2. Any future development and/or improvements to this property will require a Site Development Plan, generalized building plans, and any necessary permit applications be submitted to The City for review and approval prior to construction.

**PLANNING DEPARTMENT STAFF CONTACT:**

Becky Smith  
[basmith@nd.gov](mailto:basmith@nd.gov)  
(701)444-8402

LaRissa Bertram  
[lbertram@nd.gov](mailto:lbertram@nd.gov)  
(701) 444-8406

4.

# Land Use Application

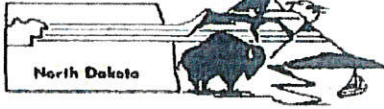
*Conditional Use Permit*

White Owl Energy Services Inc.

*12271 26<sup>th</sup> F St. NW*

# LAND USE

## CONDITIONAL USE PERMIT



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

**APPLICATION FEE:**

**\$525.00**

**REQUIREMENTS:** All applications must be legible, printed in ink or typed, and suitable for reproduction. *Original application with original signature is required. A Conditional Use Permit Application may be submitted in order to consider a particular use of property not permitted within the property's current zoning district. A Conditional Use Permit may be granted for the property and not to a particular person or firm. Conditional Use Permits must still conform to the regulations as set within the City of Watford City Municipal Code of Ordinances. Along with this application, please submit the following: N.D. Professionally Engineered/ Surveyed Site Development Plan of the property in both PDF format and 11"x17" size paper for review, a brief justification letter explaining the request for Conditional Use Permit and a copy of current property deed(s) and/or title report. For specific details regarding this process, please refer to the City of Watford City Municipal Code of Ordinances: CHAPTER XV ARTICLE XXV: CONDITIONAL USES, SECTION 1-6.*

### PROPERTY OWNER INFORMATION

OWNER NAME(S): White Owl Energy Services (US) Inc.	PHONE NUMBER: 403 457 5456	EMAIL: aobuck@whiteowl-services.com
MAILING ADDRESS: PO Box 1953 Dickinson, ND 58602		

### APPLICANT INFORMATION

Same as Owner

APPLICANT NAME:	PHONE NUMBER:	EMAIL:
MAILING ADDRESS:		

### DEVELOPER INFORMATION

DEVELOPER NAME: White Owl Energy Services (US) Inc.	PHONE NUMBER: 403 457 5456	EMAIL: aobuck@whiteowl-services.com
MAILING ADDRESS: PO BOX 1953 Dickinson, ND 58602		

### PROPERTY INFORMATION

PROPERTY ADDRESS: 12271 26F Street NW	ZONING DISTRICT: n/a
PARCEL NUMBER(S):	LEGAL DESCRIPTION: (SECTION, TOWNSHIP, RANGE) Sec.22, T.150N, R.98W
CURRENT USE OF PROPERTY: SWD	PROPOSED USE OF PROPERTY: SWD

### DESCRIPTION

Please give a brief description of the proposed Conditional Use.

This permit is for a proposed development of a 2nd Salt Water Disposal Injection Well and associated surface expansion to the facility.

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

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

APPLICANT SIGNATURE: 	DATE: 05 / 08 / 2018
--------------------------	-------------------------

APPLICANT PRINT NAME: Adam Obuck	APPLICANT TITLE: Engineering Manager
-------------------------------------	---



**PROPERTY OWNER(S) AFFIDAVIT**

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

PROPERTY OWNER SIGNATURE: [Signature] DATE: 05 / 08 / 2018

PROPERTY OWNER SIGNATURE: [Signature] DATE: 05 / 08 / 2018

**PROPERTY OWNER NOTARY**

On this 8<sup>th</sup> day of May, 2018 before me, the undersigned, a notary public for the state of North Dakota, personally appeared, Adam Olack, Randall Juhlin known to me to be the person(s) who executed the certificate in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first written above.

[Signature]  
Notary Public

(NOTARIAL SEAL)

**SUZANNE M. WORKING**  
Notary Public  
State of North Dakota  
My Commission Expires Feb 17, 2021

Notary Public for the state of ND  
Residing at Dickinson, ND  
My Commission Expires Feb 17, 2021

**OFFICE USE ONLY**

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

LEGAL NOTICE DATES:  
\_\_\_\_/\_\_\_\_/\_\_\_\_  
\_\_\_\_/\_\_\_\_/\_\_\_\_  
 ADJACENT PROPERTY OWNER NOTICES MAILED

MEETING DATES:  
PLANNING COMMISSION: \_\_\_\_/\_\_\_\_/\_\_\_\_  
CITY COUNCIL: \_\_\_\_/\_\_\_\_/\_\_\_\_

INVOICE:  
INVOICE NUMBER: \_\_\_\_\_  
DATE CREATED: \_\_\_\_/\_\_\_\_/\_\_\_\_ BY: \_\_\_\_\_

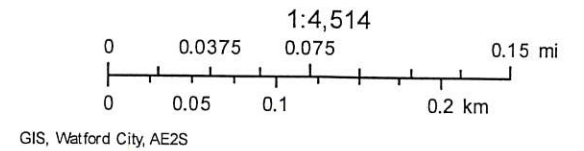
PAYMENT: **\$525.00**  
DATE RECEIVED: \_\_\_\_/\_\_\_\_/\_\_\_\_ AMOUNT \$ \_\_\_\_\_  
 CARD  CASH  CHECK # \_\_\_\_\_

# White Owl Energy Services

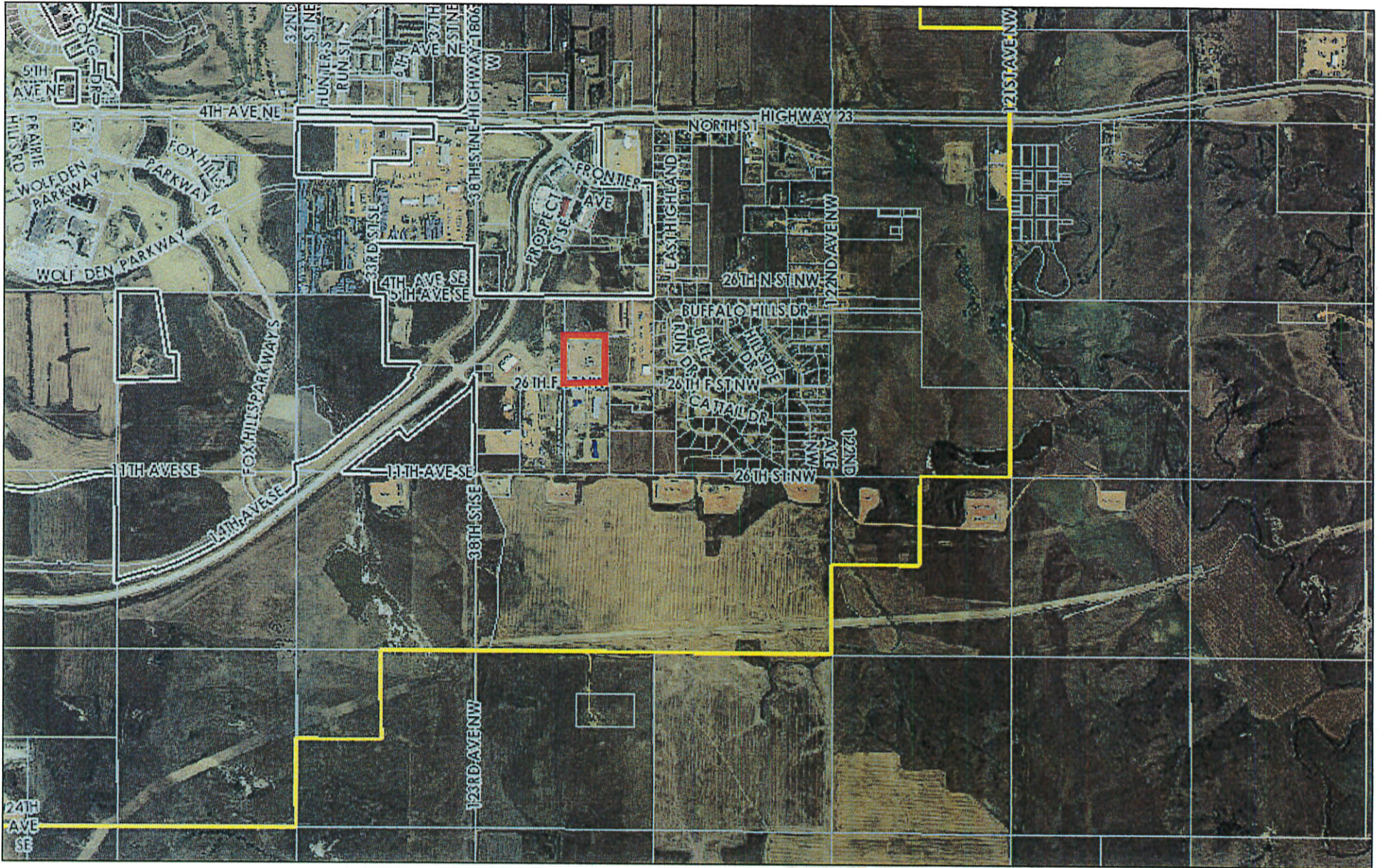


May 22, 2018

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

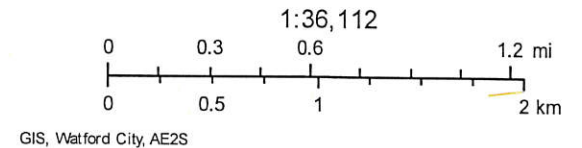


# White Owl Energy Services



May 22, 2018

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



GIS, Watford City, AE2S

2200ft

# BID PROPOSAL

## FRANZ CONSTRUCTION INC.

P.O. BOX 1046  
SIDNEY, MT 59270-1046  
Contact: DON FRANZ  
Phone: 406-482-4760  
Fax: 406-482-4765

Quote To: City of Watford City  
213 NE 2nd Street  
Watford City, ND 58854  
Phone: 701-444-2533  
Fax:

Job Name: 26th F East, 2200 feet budget  
Date of Plans: 04/23/2018

Revision Date:

Rick Jore, City Engineer  
rjore@nd.gov

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
10	Mobilization 26th Street	1.00	LSUM	6,000.000	6,000.00
20	Materials Testing ( City Required)	1,500.00	UNIT	1.000	1,500.00
30	Subgrade Preparation 46' x 2200'	101,200.00	SQFT	0.300	30,360.00
40	18" Aggregate Base 41.5' x 2200'	91,300.00	SQFT	2.650	241,945.00
50	6' Hot Bituminous Mix 37, x 2200'	81,400.00	SQFT	3.200	260,480.00
60	Water Vallve final adjustment	1.00	EACH	255.000	255.00
70	Manhole Final Adjustments	1.00	EACH	400.000	400.00

**GRAND TOTAL**

**\$540,940.00**

### NOTES:

Scope:  
Request from City for Budget numbers. 26th F Street  
One Mobilization Included.  
Finish grading and sub grade work 46' wide  
Supply and place 18" base gravel for subbase, 41.5' wide.  
Supply and pave 6" hot bituminous paving, two lifts.37' wide  
Final adjust manhole castings and water valve boxes to finish grade if required.  
Materials testing charged by actual invoice from testing firm.  
Final Units determine final billing.  
Quality control reports per City requirements.

### Exclusions:

Bonding, add 1% to contract if required.  
Maintenance Bond add 1% for requirement.  
Any City permits to be paid by Owner.  
Water, Sewer, Storm Drain Completion.  
Curb and Gutter work or completion.  
Pavemnt Seal coat  
Pavement Marking.  
Landscape or Seeding

550  
600  
6" asphalt  
18" Base

**From:** Adam Obuck [<mailto:aobuck@whiteowl-services.com>]  
**Sent:** Monday, April 09, 2018 1:04 PM  
**To:** Smith, Becky A. <[basmith@nd.gov](mailto:basmith@nd.gov)>  
**Subject:** RE: Meeting next week to discuss White Owl's Watford City location

**CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Hi Becky,

Here is some information on the traffic going to our site last year.

2017 water volume:	4,723,352 bbls
Number of trucks in 2017:	31,489 trucks/year
	86 trucks/day

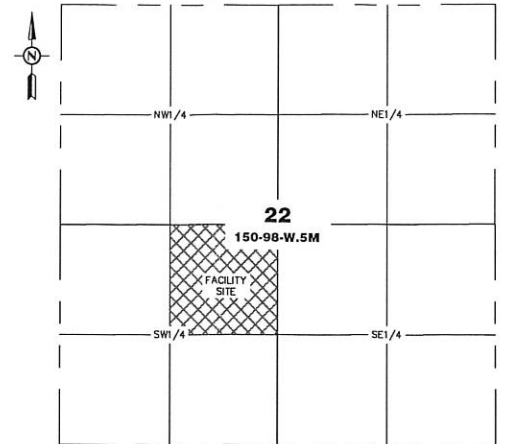
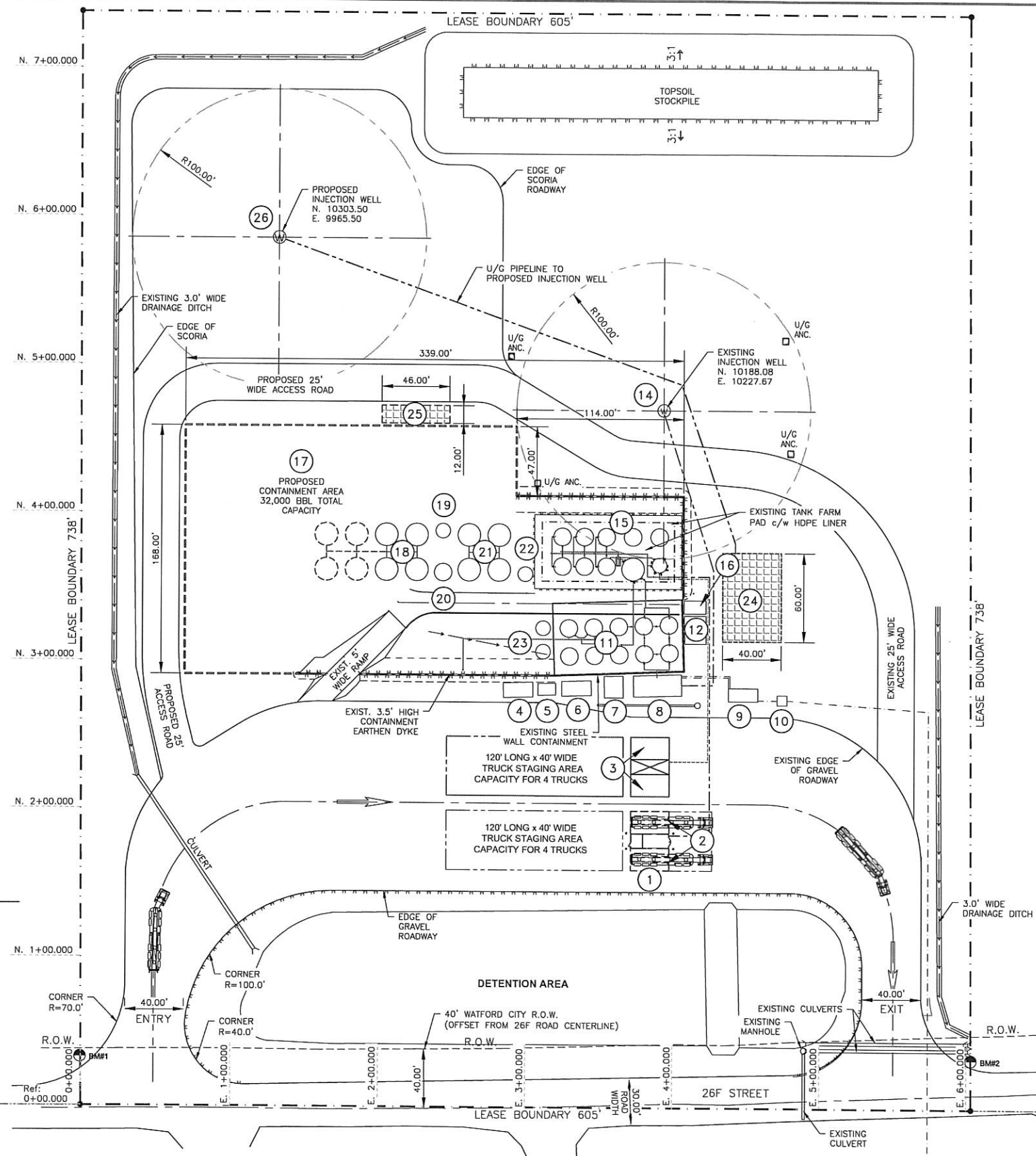
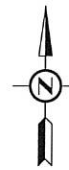
The number of trucks is based on 150 bbl loads.

As we explained previously our plan is to add a 2<sup>nd</sup> well to the facility but this would be conditional to a pipeline tie in of additional sources of water. Based on this we would expect our traffic count to remain at current levels even when the 2<sup>nd</sup> well came online.

Can you share any insight on the road construction costs one should expect?

Thanks very much for your assistance.

Best regards,  
Adam



SITE LOCATION - SECTION 25  
N.T.S.

EXISTING EQUIPMENT / BUILDING LIST	
ITEM #	DESCRIPTION
1	TRUCK UNLOAD BUILDING (40'Lx26'W)
2	WATER UNLOAD CONCRETE PAD - BAYS 1 & 2
3	WATER UNLOAD CONCRETE PAD - BAYS 3 & 4
4	SEA-CAN OPERATOR OFFICE (20'Lx10'W)
5	TRUCKER LOUNGE SEPTIC TANK (1550 gal)
6	TRUCKER LOUNGE (20'Lx10'W)
7	OPERATOR SHACK
8	250HP INJECTION PUMP No.1
9	MCC BUILDING (22'Lx10'W)
10	ELECTRICAL TRANSFORMER
11	TANK FARM (9 TANKS)
12	INJECTION PUMP No.2 (250HP)
13	-
14	INJECTION WELL
15	TANK FARM (10 TANKS)
16	DRUM STORAGE

PROPOSED EXPANSION EQUIPMENT / BUILDING LIST	
ITEM #	DESCRIPTION
17	PROPOSED CONTAINMENT AREA EXPANSION GROSS CAPACITY = 32,000 BBL
18	PROPOSED 4 x 1000 BBL BUFFER TANKS
19	PROPOSED 1 x 530 BBL DS TANK
20	PROPOSED 1 x 600 BBL HWSB TANK
21	PROPOSED 2 x 1000 BBL CW TANKS
22	PROPOSED 1 x 400 BBL OIL TANK
23	PROPOSED 2 x 400 BBL OIL TANKS
24	PROPOSED INJECTION PUMP BUILDING
25	PROPOSED PIPELINE METERING & INLET MANIFOLD
26	PROPOSED INJECTION WELL

LEGEND:  
 --- UNDERGROUND FACILITY PIPING  
 - - - ELECTRICAL CONDUIT  
 ● BM# SITE BENCHMARKS (SEE TABLE)

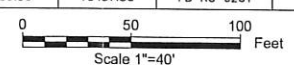
REFERENCE DRAWINGS		REVISIONS						
NUMBER	TITLE	NO.	ISSUE	DATE	BY	CHK'D	ENG	APP'D
		A	ISSUED FOR REVIEW	2015.DEC.02	MOH	AO	AO	AO
		0	ISSUED FOR AS-BUILT	2016.OCT.17	MOH	AO	AO	AO

NOTES				
1. DRAWING UNITS, DIMENSIONS AND ELEVATIONS ARE IN FEET AND DECIMALS THEREOF.				
SURVEY CONTROL POINTS - SITE BENCHMARKS				
ID	NORTHING (ft.)	EASTING (ft.)	MARKER POST	ELEVATION
BM#1	9751.00	9832.13	FD UELS RC	2103.12
BM#2	9750.80	10437.56	FD RC 6261	2094.06

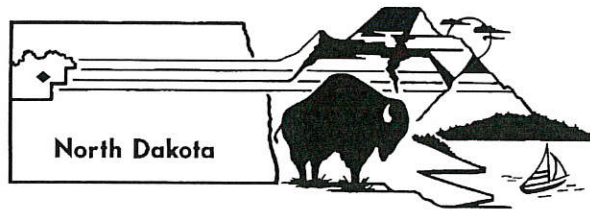
PERMIT AND ENGINEER STAMP

SW 1/4 SEC. 22, T.150N., R.98W., 5th P.M.  
 WATFORD CITY FACILITY  
 MCKENZIE COUNTY, ND  
 PLOT PLAN - PHASE 2 EXPANSION

CADFILE	W0E-WFC-GEO-PLT-001A	DRAWING NO.	W0E-WFC-GEO-PLT-001A	REV.	0
SCALE	1"=40' (U.N.O.)				



Watford City



## 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

[cityofwatfordcity.com](http://cityofwatfordcity.com)

May 21, 2018

## STAFF REPORT 06-2018 Conditional Use Permit

### APPLICANT:

White Owl Energy Services  
P.O. Box 1953  
Dickinson ND, 58602

### PROPERTY OWNERS:

White Owl Energy Services  
P.O. Box 1953  
Dickinson ND, 58602

### PROPERTY LOCATION:

Parcel ID: 200015810 Section 22, Township 150, Range 98, 10.24 acres. Address: 12271 26<sup>th</sup> F ST.  
Watford City, McKenzie County, North Dakota.

### REQUEST:

A Land Use Application for Conditional Use Permit has been submitted for the use of "Disposal Well Site".

### ZONING:

At this time, the property is not currently zoned. However, a Land Use Application has been submitted for a zone change to HI-Heavy Industrial.

### CURRENT USE:

White Owl Energy Services Salt Water Disposal Facility

### REFERENCES:

Watford City Municipal Code of Ordinances Chapter XV Zoning Ordinances, Article XIX (A) Heavy Industrial, Section E: Uses Subject to a Conditional Use Permit- *Disposal Well Site*

## **SITE DEVELOPMENT:**

Access: The property is accessed from 26<sup>th</sup> F St. NW

Sewer: City Sanitary Sewer Services are not available within this area.

Water: City Water Services are not available within this area.

## **SURROUNDING LAND USE:**

North: Zoning – None  
Use - Heavy Industrial Water Disposal Well Site

East: Zoning – None  
Use – Mann Services LLC

South: Zoning – None  
Use - API Real Estate LLC

West: Zoning – HI- Heavy Industrial  
Use - Arlon Franz Property

## **DISCUSSION:**

This application has been submitted for the consideration of a Conditional Use Permit for a “*Disposal Well Site*”. This property is located within The City’s Extra Territorial Area (ETA). Prior to the ETA expansion, this property was previously under McKenzie County’s jurisdiction. Since the time the ETA expanded, the property has come under City jurisdiction. The use of the property has in a sense been given a “grandfathered” status by the City and allowed to continue to operate the property as it has historically been used given that no changes have been made to the use or intensity of use.

Recently, Planning Department staff has met with representatives of White Owl Energy Services to discuss the possibility of adding a second injection well site within their property. Since the proposed development will be changing the intensity of use of the property, the grandfathered status will no longer be applicable and the property will have to come into full compliance with The City. Before White Owl can move forward with their plans for expansion, they must first submit for a zone change to HI-Heavy Industrial. If the zone change is approved, according to Watford City Municipal Code of Ordinances “*Chapter XV Zoning Ordinances, Article XIX (A) Heavy Industrial, Section E: Uses Subject to a Conditional Use Permit*”, White Owl must further bring the property into compliance by obtaining a Conditional Use Permit to continue operating as its historical use of a Disposal Well Site.

Once the above mentioned are in place, White Owl may continue to move forward with working with the City on their proposed development of the second well site within this property. This process will continue upon White Owl’s submittal of a Site Development Plan as well any additional required plans and permitting applications to be further reviewed administratively by City Planning and Engineering Departments.

One additional concern which will be further reviewed is regarding the heavy volume of traffic generated by this property. A copy of the message sent by White Owl of this property’s traffic counts is included within the packet. The access road to this property, 26 F St NW has become a known issue among both the City and McKenzie County due to its poor condition. During conversations with Planning Department staff, White Owl has expressed their willingness to help contribute to the improvement of this road. White Owl will be required to enter into an agreement to help with the costs or submit bonding for the road improvements. Due to the nature of the current traffic uses of 26 F St NW, the road will need to be constructed to an approved industrial standard to withstand the heavy



semi-trucks. The road will need to be constructed from the eastern edge of White Owl's property frontage to the approach of Highway 23 bypass. Conversations have also been started with some of the other surrounding property owners, who will also benefit from these road improvements, for their additional support and help with the funding of the new road.

In granting a conditional use, the Planning Commission must satisfy itself from the evidence heard before it that the granting of the zone 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 Zone does not create a nuisance, is harmonious with adjacent development, and does not detract from property values.

The City of Watford City mailed the property owners, whom hold an interest in the property, as well as the adjacent property owners a notice regarding the Land Use Application for Conditional Use Permit. At the time of this report, Planning Staff met with adjacent property owners, Mann Services, LLC. and addressed their questions with no outstanding issues. None of the other noticed property owners have contacted The City regarding this Application.

### **RECOMMENDATION:**

It is the recommendation of City Planning Department Staff to Approve the Land Use Application for a Conditional Use Permit for the use of "*Disposal Well Site*".

Approval will be contingent upon the following items:

1. Prior to beginning any additional site development, an agreement for improvements or bonding will need to be in place for 26<sup>th</sup> F St. NW to be constructed to an approved industrial standard road from Highway 23 bypass to the eastern edge of White Owl's property frontage.
2. Any future development and/or improvements to this property will require a Site Development Plan, generalized building plans, as well as any necessary permit applications to be submitted to The City for review and approval prior to construction.
3. All City Ordinances and regulations must be followed especially, but not limited to, the following: fugitive dust, material track-out, and noise disturbances. The specific fines set within the Ordinance will be imposed for any and all occurrences of any such violations. Violations may also ultimately lead to revocation of this Conditional Use Permit.
4. This Conditional Use Permit shall be approved for the term of one year and reviewed every 12 months thereafter.

### **PLANNING DEPARTMENT STAFF CONTACT:**

Becky Smith  
[basmith@nd.gov](mailto:basmith@nd.gov)  
(701)444-8402

LaRissa Bertram  
[lbertram@nd.gov](mailto:lbertram@nd.gov)  
(701) 444-8406

# **Planning Commission Regular Meeting**

## ***ND Compassionate Care Act***

*Discuss creating a Medical Marijuana Ordinance for Watford City*

## **MEDICAL MARIJUANA**

### **1. Purpose and Intent**

The 2017 North Dakota Legislature enacted Senate Bill 2344, relating to the implementation of the North Dakota Compassionate Care Act, N.D.C.C 19-24 for the regulation of medical marijuana dispensaries and the cultivations and propagation of medical marijuana in North Dakota.

All persons, entities or organizations wishing to establish a Medical Marijuana Manufacturing Center(s) or Distribution Center(s) ~~within the County must apply for and be granted a~~ conditional use permit ~~for said use.~~

- 1) The use, cultivation, manufacturing, production, distribution, possession and transportation of marijuana remains illegal under federal law, and marijuana remains classified as a "controlled substance" by both North Dakota and federal law;
- 2) The ~~county commission~~ does not have the authority to, and nothing in this chapter is intended to, authorize, promote, condone or aid the production, distribution or possession of medical marijuana in violation of any applicable law;
- 3) The ~~county commission~~ intends to regulate the use, acquisition, cultivation, manufacturing, and distribution of usable medical marijuana in a manner that is consistent with the North Dakota Century Code. The regulations are intended to apply to all medical marijuana operations in the county by any medical marijuana business permitted under state law. Medical marijuana cultivation and production can have an impact on health, safety, and community resources, and this chapter is intended to permit state-licensed Medical Marijuana Manufacturing Center(s) or Distribution Center(s) where they will have a minimal negative impact;
- 4) To the extent that Medical Marijuana Manufacturing Center(s) or Distribution Center(s) are registered and authorized by the State of North Dakota to operate in the county, this commission desires to provide for their licensing and regulation to protect the public health, safety and general welfare of the citizens of the ~~county~~;
- 5) This chapter is to be construed to protect the public over medical marijuana business interests. Operation of a medical marijuana business is a revocable privilege and not a right in the ~~county~~. There is no property right for an individual or business to have medical marijuana in the ~~county~~; and
- 6) Medical marijuana is a heavily regulated industry in the state and county, and the county has a zero tolerance policy for violations of this chapter.

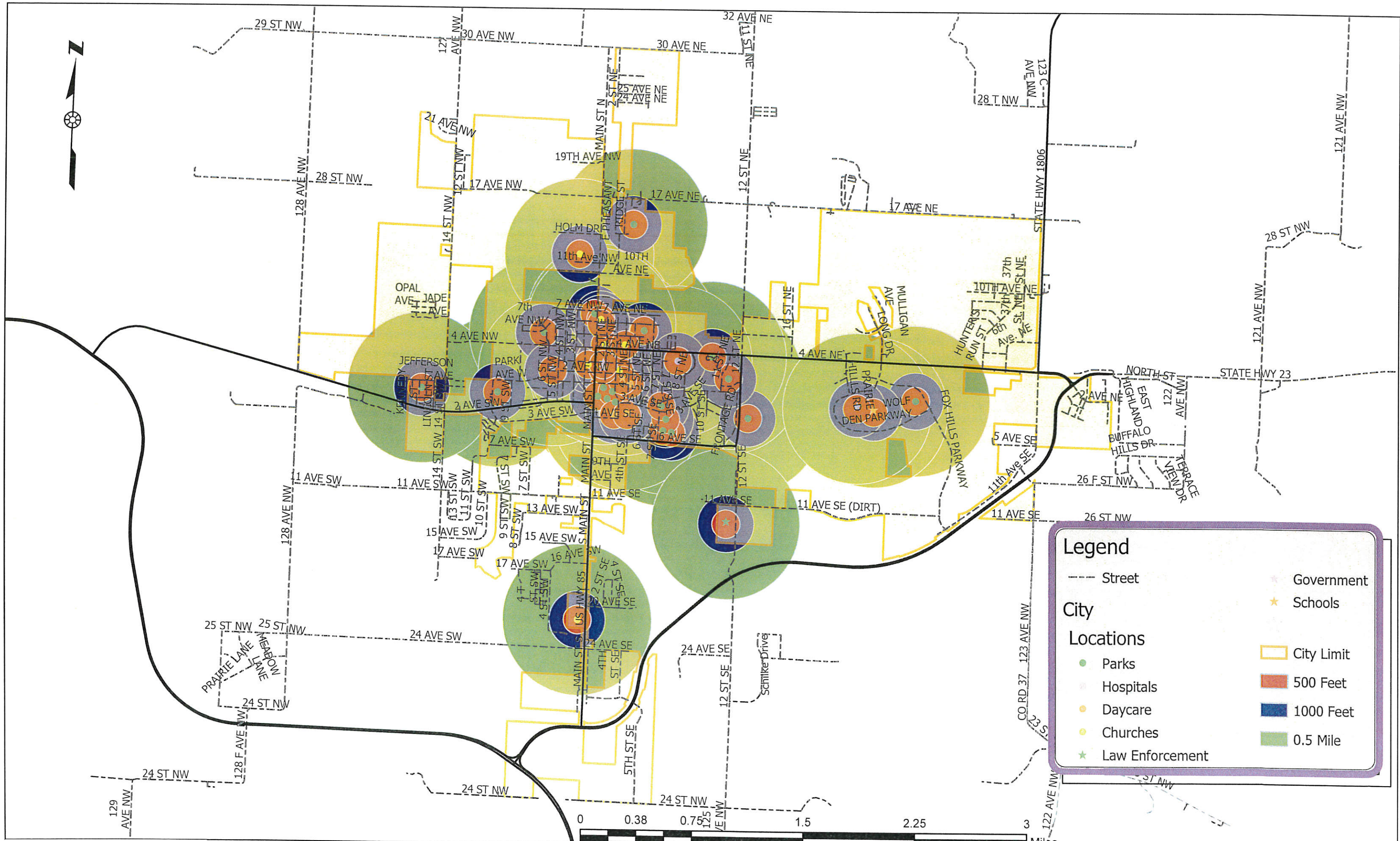
requirements).

- ~~2) List of all persons and entities with an ownership interest in the Manufacturing Center(s) or Distribution Center(s) including all shareholders that hold any share in stock in the Manufacturing Center(s) or Distribution Center(s).~~
- ~~3) A security plan depicting the location and configuration of security cameras and surveillance equipment.~~
- ~~4) A complete description of the products and services to be produced or sold by the Medical Marijuana Manufacturing Center(s) or Distribution Center(s).~~
- ~~5) A notarized statement acknowledging that the applicant understands applicable federal laws, any guidance or directives issued by the U.S. Department of Justice, the laws of the State of North Dakota and the laws and regulations of the county applicable thereto concerning the operation of a Medical Marijuana Manufacturing Center(s) or Distribution Center(s). The written statement shall also acknowledge that any violation of any laws or regulations of the State of North Dakota or of the county, or any activity in violation of any guidance or directives issued by the U.S. Department of Justice, in such place of business, or in connection therewith, or the commencement of any legal proceeding relating to such Medical Marijuana Manufacturing Center(s) or Distribution Center(s) by federal authorities, may render the license subject to immediate suspension or revocation.~~
- ~~6) A notarized statement that the applicant will hold harmless, indemnify, and defend the county against all claims and litigation arising from the issuance of license and/or a conditional use permit including any claims and litigation arising from the Manufacturing Center(s) or Distribution Center(s), operation or ownership of the Medical Marijuana Manufacturing Center(s) or Distribution Center(s).~~
- ~~7) A notarized acknowledgement that the applicant is seeking a Medical Marijuana Manufacturing Center(s) or Distribution Center(s) Conditional Use Permit and that the applicant understands and acknowledges that the burden of proving qualifications to receive such a Conditional Use Permit is at all times on the applicant; that the granting of a Conditional Use Permit for a Medical Marijuana Manufacturing Center(s) or Distribution Center(s) is at the discretion of the county commission; and that the applicant agrees to abide by the decision of the county commission.~~

- 16) Each Medical Marijuana Manufacturing Center(s) or Distribution Center(s) must be located a minimum of 2,640 feet [ $\frac{1}{2}$  mile] from a public or private preschool, kindergarten, elementary, secondary or high school, public park, public community center, dependent care facility, homeless shelter, youth center, or place of worship. The distance shall be measured from the exterior fence of the Medical Marijuana Manufacturing Center(s) or Distribution Center(s) to the property line of the protected use.
- 17) Each Medical Marijuana Manufacturing Center(s) or Distribution Center(s) must be located a minimum of 500 feet from any residential district, or any residential dwelling, trailer, recreational vehicle or recreational district. The distance shall be measured from the exterior fence of the Medical Marijuana Manufacturing Center(s) or Distribution Center(s) to the property line or dwelling of the protected use.
- 18) No Medical Marijuana Dispensary shall have operating hours earlier than 8:00 AM or later than 7:00 PM.
- 19) The entire perimeter of a Medical Marijuana Manufacturing Center(s) or Distribution Center(s) structure must be well lit (minimum 1 candle foot) to prevent concealment in shadows around the structure for a minimum of 15 feet around each structure that is part of the Medical Marijuana Manufacturing Center(s) or Distribution Center(s). Further, everything within the fenced area shall have 24 hour surveillance cameras depicting the entire exterior of the Manufacturing Center(s) or Distribution Center(s) as well as cameras at the property entrance depicting vehicles and license plates of each vehicle entering the parking lot.
- 20) Each Medical Marijuana Distribution Center shall have at least 1.
- ~~21) Each Medical Marijuana Cultivation and/or Manufacturing Facility shall have at least 1 parking space for every 1000 sq. ft. of plant cultivation area and 1 parking space for each 250 sq. ft. of all other areas of the structure.~~
- 22) With the exception of the specific Medical Marijuana Manufacturing Center(s) or Distribution Center(s) approved as part of a Conditional Use Permit, no other activity may occur within the facility or land parcel.
- 23) No outdoor storage on-site shall be permitted.
- 24) No drive-through, drive-up, or walk-up facilities shall be permitted.

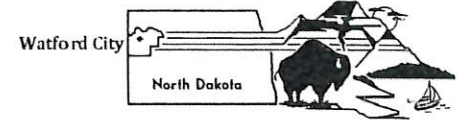
Will be required to follow Parking Regulations within existing City Ordinances.

irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases of this chapter be declared invalid or unconstitutional.



**Legend**

- Street
- City
- Locations
- Government
- Schools
- Parks
- Hospitals
- Daycare
- Churches
- Law Enforcement
- City Limit
- 500 Feet
- 1000 Feet
- 0.5 Mile



# Buffer Zones - Medical Marijuana

# Minutes

*January 29, 2018*



**PLANNING & ZONING COMMISSION**  
**MEETING MINUTES**  
**April 30, 2018**

The regularly scheduled monthly meeting of the Watford City Planning & Zoning Commission was held on Monday April 30, 2018 at 6:00 p.m. in the Heritage Room at City Hall. In attendance: Chairman Glen Beard, Vice Chairman Gregg Schuetze, and Commission Members: Thomas Dwyer, Rick Holm, Marco Pelton and Jake Walters. Also in attendance: Assistant City Planners LaRissa Bertram, City Attorney Wyatt Voll. Absent: Commission Member Jesse Lawrence and City Building Inspector Steven Williams.

With the above mentioned present, the Public Hearing was called to order at 6:00 P.M. by Chairman Glen Beard.

Under consideration were the following:

1. Public Hearing to hear comment on Amendments to City of Watford City Municipal Code of Ordinances: Chapter XV Zoning Ordinance, Article XXX- Subdivision Regulations.

*Assistant City Planner LaRissa Bertram commented that the amendments to this ordinance needed some of the verbiage corrected. The ordinance in the packet shows the corrections and the eliminations of wording in red. There was no further comment on this item on the agenda.*

**MOTION by T. Dwyer, SECOND by R. Holm to recommend APPROVAL to City Council of the Amendments to City of Watford City Municipal Code of Ordinances: Chapter XV Zoning Ordinance, Article XXX- Subdivision Regulations.**

**Roll Call Vote:**

**Ayes: G. Beard, T. Dwyer, R. Holm, M. Pelton, G. Schuetze, J. Walters**

**Nays: None.**

**MOTION Carried.**

2. Public Hearing to hear comment on Amendments to City of Watford City Municipal Code of Ordinances: Chapter XV Zoning Ordinance, Article XXXII- Landscaping Requirements.

*Assistant City Planner LaRissa Bertram explained that the recommendation for amending the landscaping ordinance was to address the topic of the buffer zone. Reasons for this recommendation are to clear up some of the discrepancies within the ordinance with property abutting different zoning areas. Commission Member Jake Walters asked how long this ordinance has been in place and City Attorney Wyatt Voll responded to the question in regards that this ordinance was fairly new. There were no further comments on this item on the agenda.*

**MOTION by R. Holm, SECOND by G. Schuetze to recommend APPROVAL to City Council of the Amendments to the City of Watford City Municipal Code Of Ordinances: Chapter XV Zoning Ordinance, Article XXXII- Landscaping**

**Roll Call Vote:**

**Ayes: G. Beard, T. Dwyer, R. Holm, M. Pelton, G. Schuetze, J. Walters**

**Nays: None.**

**MOTION Carried.**

3. Public Hearing to hear comment on Division of Land Application for Subdivision Preliminary Plat: “*Emerald Ridge Phase 1*” submitted by Shangcheng Development, LLC. The proposed subdivision is located in a portion of the SE ¼ and NE ¼ of Section 14, Township 150 North, Range 99 West, 48.503 acres, Watford City, McKenzie County, North Dakota.

Assistant City Planner LaRissa Bertram stated that Shangcheng Development had previously submitted a Preliminary Subdivision Plat back in 2013 and 2014. The Preliminary Plat was approved by City Council with Specific contingencies. However, no action was taken by the property owners to move forward with submitting a final Subdivision Plat for review, approval, and recordation. According to Watford City ordinance the maximum approval shall be effective for a maximum period of twelve months, unless an extension was granted upon application. The Previous approval of the preliminary plat from 2014 has expired therefore we are starting the process over. *Commission member Jake Walters had a list of concerns he presented to the board. [EDIT: Jake has since submitted his concerns via email and a copy of which will be included within the next meeting packet to be sure they are addressed.] Assistant City Planner LaRissa Bertram assured that most of these concerns would be dealt with upon approval of a final plat and whether City Council approves or denies the plat will not get recorded unless the conditions and punch lists are met. Commission member Jake Walters followed the comment with requesting this item be tabled because he would like to see more improvement on the preliminary plat before approval. The commission were all in agreement with Jake. There were no further comments on this item.*

**MOTION by G. Schuetze, SECOND by T. Dwyer to recommend TABLING to City Council for the Division of Land Application for Subdivision Preliminary Plat: “*Emerald Ridge Phase 1*” submitted by Shangcheng Development, LLC. The proposed subdivision is located in a portion of the SE ¼ and NE ¼ of Section 14, Township 150 North, Range 99 West, 48.503 acres, Watford City, McKenzie County, North Dakota.**

**Roll Call Vote:**

**Ayes: G. Beard, T. Dwyer, R. Holm, M. Pelton, G. Schuetze, J. Walters**

**Nays: None.**

**MOTION Carried.**

4. Public Hearing to hear comment on Division of Land Application for Simple Lot Split submitted by Craig Nelson for property owned by James C. Ohnstad, LLC. located Irregular Tract #2933 in Section 19, Township 150 North, Range 98 West, Watford City, McKenzie County, North Dakota.

*Assistant City Planner LaRissa Bertram commented that Mr. Ohnstad and Mr. Nelson have a previous written agreement for the division of the property listed. They are now requesting a Simple Lot Split in order to make it a legal binding document. The 1/3 west parcel of the property being Mr. Ohnstad's and the rest being Mr. Nelson's. The contingencies of recording this simple lot split are going to be subject to Mr. Ohnstad receiving an agreement between O.K. Tire as Well as Farmers Union for an easement for the access to his West 1/3 parcel. Commission member Rick Holm rose concern on how Mr. Nelson would access his part of the property and if the Core of Engineers would allow him crossing Cherry Creek. Assistant City Planner LaRissa Bertram followed up the discussion with Mr. Nelson having access off of 6<sup>th</sup> Ave SE. There were no further comments at this time on this item.*

**MOTION by J. Walters, SECOND by G. Schuetze to recommend APPROVAL to City Council of the Land Use Application for Simple Lot Split submitted by Craig Nelson for property owned by James C. Ohnstad, LLC. located Irregular Tract #2933 in Section 19, Township 150 North, Range 98 West, Watford City, McKenzie County, North Dakota. Approval will be contingent upon the following recommendations as set forth within the Planning Department Staff Report:**

1. A signed agreement/ easement between the property owners of O.K Tire as well as Farmers Union. Allowing Mr. Ohnstad future access to the West 1/3 of the property.
2. After final approval from City Council, the easement on O.K. Tire property that will give access to the West 1/3 newly split lot, must be accurately depicted on the plat before recordation.
3. Prior to any future development of this property, a Floodplain Permit Application must first be submitted to the City Engineer/ Floodplain Administrator.
4. Prior to any future development of this property, generalized building plans and permit applications must be submitted to The City for further review and approval.

**Roll Call Vote:**

**Ayes: G. Beard, T. Dwyer, R. Holm, M. Pelton, G. Schuetze, J. Walters**

**Nays: None.**

**MOTION Carried.**

5. Public Hearing to hear comment on Division of Land Application for Simple Lot Split submitted by Warren Hovland for property located E ½ Section 19, Township 150 North, Range 98 West, Lots 7, 8, 9, Block 1 Cherry Creek Second Addition, Watford City, McKenzie County, North Dakota.

*Assistant City Planner LaRissa Bertram commented that Mr. Hovland wanted to replat his existing 3 lots into 4 equal lots located in the Cherry Creek Second Addition. By doing this he would then place 4 mobile homes onto these lots which will be intended for single family use. Each lot will be within the requirements of the standard lot size and meets Watford City's regulations for the zone R2M. There were no further comments on this item.*

**MOTION by T. Dwyer, SECOND by R. Holm to recommend APPROVAL to City Council of the Land Use Application for Simple Lot Split submitted by Warren Hovland for property located E ½ Section 19, Township 150 North, Range 98 West, Lots 7, 8, 9, Block 1 Cherry Creek Second Addition, Watford City, McKenzie County, North Dakota.**

**Roll Call Vote:**

**Ayes: G. Beard, T. Dwyer, R. Holm, M. Pelton, G. Schuetze, J. Walters**

**Nays: None.**

**MOTION Carried.**

6. Public Hearing to hear comment on the termination of Land Use Application for Conditional Use Permit originally submitted by Lindsay Wall for property located at 308 Park Ave. W to operate a home occupation for child care.

*Assistant City Planner LaRissa Bertram commented that Ms. Wall received her Conditional Use Permit to operate an in home business of a daycare in October of 2017. As part of contingencies of her approval, she needed to be in compliance with McKenzie County Social Services. Ms. Wall also had contingencies involving some physical landscaping improvements as well as providing the city with pick up/ drop off procedures to clients and city staff. Ms. Wall was contacted in April 2018 by Social Services to follow up on licensing requirements and the City was made aware of her lack of compliance with her Conditional Use Permit. After several email and phone conversations with Ms. Wall, she ultimately just requested Termination of her Conditional Use Permit rather than submitting the requirements to maintain compliance. No further comment was made on this item.*

**MOTION by T. Dwyer, SECOND by G. Schuetze to recommend TERMINATION to City Council of the Land Use Application for Conditional Use Permit originally submitted by Lindsay Wall for property located at 308 Park Ave. W to operate a home occupation for child care.**

**Roll Call Vote:**

**Ayes: G. Beard, T. Dwyer, R. Holm, M. Pelton, G. Schuetze, J. Walters**

**Nays: None.**

**MOTION Carried**

7. Public Hearing to hear comment on Division of Land Application for a Variance submitted by Curtis Anderson for the property located at 401 2<sup>nd</sup> St. NW. Requesting 12 ½ ft. into the 25ft. NW corner of back yard setback for an addition to property of a 1-2 car garage.

*Assistant City Planner LaRissa Bertram commented that Mr. Anderson submitted an application for a variance so he could add a 1-2 car garage on his property. It was further determined by the City Planning Staff that Mr. Anderson would essentially be creating a self-imposed hardship and therefore we found no unique circumstances to validate this request. Assistant City Planner LaRissa Bertram also mentioned he would be allowed to add an additional garage to the existing foot print of the previous build that was demoed summer of 2017. Per City Building Inspector Steven Williams approval of foundation condition. There were no further comments on this item.*

**MOTION by J. Walters, SECOND by T. Dwyer to recommend DENIAL to City Council of the Division of Land Application for a Variance submitted by Curtis Anderson for the property located at 401 2<sup>nd</sup> St. NW. Requesting 12 ½ ft. into the 25ft. NW corner of back yard setback for an addition to property of a 1-2 car garage**

**Roll Call Vote:**

**Ayes: G. Beard, T. Dwyer, R. Holm, M. Pelton, G. Schuetze, J. Walters**

**Nays: None.**

**MOTION Carried.**

**CLOSE PUBLIC HEARING: 6:58 PM**

**CALL TO ORDER REGULAR MEETING: 6:59 PM**

**MINUTES: March 26, 2018**

*Reviewed minutes as presented, no further comments.*

**MOTION by T. Dwyer, SECOND by G. Schuetze to APPROVE the March 26, 2018 Planning & Zoning Commission Meeting Minutes as presented.**

**Roll Call Vote:**

**Ayes: G. Beard, T. Dwyer, R. Holm, M. Pelton, G. Schuetze, J. Walters**

**Nays: None.**

**MOTION Carried.**

**REVIEW PERMITS:**

*Permit Records reviewed as presented. No further comments.*

**New Business:**

*Due to the last Monday in May being Memorial Day, we will be meeting on Tuesday May 29, 2018.*

**ADJOURNMENT: 7:03 PM**

**MOTION by R. Holm, SECOND by T. Dwyer.**

The next regularly scheduled Planning & Zoning Commission Meeting  
Will be held Tuesday May 29, 2018 at 6:00 P.M.

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Glen Beard  
Planning & Zoning Commission Chairman

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LaRissa Bertram  
Assistant City Planner

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Becky Smith  
Assistant City Planner

**PLANNING & ZONING COMMISSION  
SPECIAL MEETING MINUTES  
MAY 16, 2018**

The Special meeting for the Watford City Planning & Zoning Commission was held on Wednesday May 16, 2018 at 4:00 p.m. in the Heritage Room at City Hall. In attendance: Vice Chairman Gregg Schuetze, and Commission Members: Thomas Dwyer, Rick Holm, Marco Pelton, Jake Walters and Jesse Lawrence. Also in attendance: City Planner Curtis Moen, Assistant City Planners LaRissa Bertram and Becky Smith, Building Inspector Steven Williams, and City Attorney Wyatt Voll. Absent: Chairman Glen Beard

With the above mentioned present, the Special Meeting was called to order at 4:00 P.M. by Vice Chairman Gregg Schuetze.

Under consideration were the following:

1. Division of Land Application for Subdivision Preliminary Plat: *“Emerald Ridge Phase 1”* submitted by Shangcheng Development, LLC. The proposed subdivision is located in a portion of the SE ¼ and NE ¼ of Section 14, Township 150 North, Range 99 West, 48.503 acres, Watford City, McKenzie County, North Dakota.

City Planner Curtis Moen discussed the reason for the special meeting was to receive a recommendation of approval or denial for this preliminary plat since essentially, tabling an agenda item only has slowed this process down. The planning staff has submitted to the Planning and Zoning Commission sufficient information in supporting staff's recommendation for approving the preliminary plat. Curt also stated that all of the additional points brought up during the original Commission meeting were good points but would be further reviewed once a Final Plat was submitted. Commissioner Rick Holm asked what was going to be done about the improvement of the county RD 35. City Planner Curt Moen responded that the road was already listed as a contingency of approval within the original staff report and will be reviewed and finalized as a part of the Final Plat process. There has also been discussion about a possible a joint powers agreement between the City of Watford City, McKenzie County, and Developers of Emerald Ridge for bonding and construction improvements to this road way.

**MOTION by J. Lawrence, SECOND by T. Dwyer to recommend APPROVAL to City Council for the Division of Land Application for Subdivision Preliminary Plat: *“Emerald Ridge Phase 1”* submitted by Shangcheng Development, LLC. The proposed subdivision is located in a portion of the SE ¼ and NE ¼ of Section 14, Township 150 North, Range 99 West, 48.503 acres, Watford City, McKenzie County, North Dakota. Approval shall be contingent upon the following recommendations as set forth within the Planning Department Staff Report:**

1. According to the City of Watford City Municipal Code of Ordinances: *Chapter XV, Article XXX, Section 6-5*: Approval of the Preliminary Subdivision Plat shall be effective for a maximum period of twelve (12) months. A Final Subdivision Plat must be submitted for approval by City Council within the time limit.
2. The Subdivision Plat must follow all regulations as set forth within the City of Watford City Municipal Code of Ordinances pertaining to Subdivision Regulations and the Approval of Plats: *Chapter XV, Article XXX, Sections 5 & 6*.
3. All bonding for infrastructure must be received before the Final Subdivision Plat is recorded.
4. A Development Agreement (DA) must be finalized and agreed upon between the City of Watford City and Developer before Final Subdivision Plat recordation.
5. A Subdivision Improvement and Warranty Agreement (SIA) must be finalized and agreed upon between the City of Watford City and Developer before Final Subdivision Plat recordation.

**Roll Call Vote:**

**Ayes:** T. Dwyer, R. Holm, M. Pelton, G. Schuetze, J. Walters, J. Lawrence

**Nays:** None.

**MOTION Carried.**

**ADJOURNMENT:** 4:05 PM

**MOTION** by R. Holm, **SECOND** by T. Dwyer.

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Glen Beard  
Planning & Zoning Commission Chairman

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LaRissa Bertram  
Assistant City Planner

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Becky Smith  
Assistant City Planner

# Permits

*January 2018 - February 2018*

**2017-2018  
PERMIT REVIEW**

May  
05/24/2018

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

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

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

<b>2017</b>	<b>269</b>
<b>MAY YTD</b>	<b>87</b>

<b>2017</b>	<b>\$ 24,838,758.26</b>
<b>MAY YTD</b>	<b>\$ 2,952,055.91</b>

2018	
Month	# of Permits Issued
January	13
February	10
March	7
April	16
May	33
June	
July	
August	
September	
October	
November	
December	

2018	
Month	Value
January	\$ 72,163.78
February	\$ 50,500.00
March	\$ 216,793.00
April	\$ 209,002.00
May	\$ 16,805,663.91
June	
July	
August	
September	
October	
November	
December	

2018 Residential Permits			
Type	# of Units	# of Buildings	Value
Single Family Home	2	2	\$ 465,213.99
Duplex	0	0	\$ -
Apartment 3-4 Units	0	0	\$ -
Apartment 5+ Units	0	0	\$ -
<b>2018 YTD</b>	<b>2</b>	<b>2</b>	<b>\$ 465,213.99</b>
	Units	Buildings	Value
<b>MAY</b>	<b>1</b>	<b>1</b>	<b>\$ 326,713.99</b>
	Units	Buildings	Value

<b>2018 YTD</b>	<b>79</b>
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<b>2018 YTD</b>	<b>\$ 17,354,122.69</b>
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YTD: Year To Date



2018  
Permit Records

May  
05/24/2018

Permit #	Type	Month	Issue Date	Property Owner	Contractor	Project Address	Lot / Block	Parcel # / Subdivision	Description of Work	Value	Permit Fee	Payment
4047	Excavation	April	4/2/2018	City of Watford City	Lupine Construction	324 4th Ave NE			Excavation to repair curb stop water valve	\$ 2,500.00	\$ 72.00	Card
4048	Building	April	4/4/2018	Tyla Gates	Self	308 4th St NW			Interior remodel, basement bathroom, egress window	\$ 5,000.00	\$ 107.00	Card
4049	Building	April	4/9/2018	Eugene & Sharian Turnquist	ABC Seamless	405 Main St N			Remove asphalt shingles and install seamless steel roofing	\$ 35,070.00	\$ 490.70	Card
4050	Demolition	April	4/10/2018	Lyle Bruins	Self	329 4th St NW			Demo existing house	\$ -	\$ 25.00	Check #3500
4051	Building	April	4/10/2018	Lyle Bruins	FTH General LLC	329 4th St NW			1,296 SqFt modular single family home on basement foundation	\$ 138,500.00	\$ 1,265.25	Check #3500
4052	Demolition	April	4/16/2018	Bakken Communities LLC	Catalyst Construction	3414 7th Ave NE	124	Hunters Run	Interior demo due to water damage: drywall, insulation, flooring	\$ -	\$ 25.00	Card
4053	Building	April	4/16/2018	Eugene & Sharian Turnquist	ABC Seamless	405 Main St N			Install new siding on house	\$ 27,932.00	\$ 419.32	Card
3731 B	RENEW	April	4/16/2018	McKenzie County Healthcare Systems	JE Dunn Construction	709 4th Ave NE			New Hospital construction	\$ -	\$ 20.00	Card
3731 C	RENEW	April	4/16/2018	McKenzie County Healthcare Systems	JE Dunn Construction	709 4th Ave NE			Remodel the long term care facility	\$ -	\$ 20.00	Card
2949	RENEW	April	4/25/2018	11th Ave Partners LLC	Self	1117 9th St SW	Lot 5 Block 2	Tara Estates	Finish interior/exterior construction of duplex unit for final /C of O	\$ -	\$ 20.00	Card
2950	RENEW	April	4/25/2018	11th Ave Partners LLC	Self	1121 9th St SW	Lot 6 Block 2	Tara Estates	Finish interior/exterior construction of duplex unit for final /C of O	\$ -	\$ 20.00	Card
3977	RENEW	April	4/25/2018	City Bar /Legion	Hanson Masonry	117 Main St N			Construct dumpster enclosure in back parking lot/alley	\$ -	\$ 20.00	Cash
3985	RENEW	April	4/27/2018	RJR Enterprises LLC	Mountain Dell Construction LLC	304 16th Ave SW	Lot 5	Prairie View RV Park	Moving SF Single-wide Manufactured Mobile Home onto lot	\$ -	\$ 20.00	Card
3986	RENEW	April	4/27/2018	RJR Enterprises LLC	Mountain Dell Construction LLC	304 16th Ave SW	Lot 7	Prairie View RV Park	Moving SF Single-wide Manufactured Mobile Home onto lot	\$ -	\$ 20.00	Card
3987	RENEW	April	4/27/2018	RJR Enterprises LLC	Mountain Dell Construction LLC	304 16th Ave SW	Lot 9	Prairie View RV Park	Moving SF Single-wide Manufactured Mobile Home onto lot	\$ -	\$ 20.00	Card
3988	RENEW	April	4/27/2018	RJR Enterprises LLC	Mountain Dell Construction LLC	304 16th Ave SW	Lot 11	Prairie View RV Park	Moving SF Single-wide Manufactured Mobile Home onto lot	\$ -	\$ 20.00	Card
3989	RENEW	April	4/27/2018	RJR Enterprises LLC	Mountain Dell Construction LLC	304 16th Ave SW	Lot 3	Prairie View RV Park	Moving SF Single-wide Manufactured Mobile Home onto lot	\$ -	\$ 20.00	Card
3990	RENEW	April	4/27/2018	RJR Enterprises LLC	Mountain Dell Construction LLC	304 16th Ave SW	Lot 1	Prairie View RV Park	Moving SF Single-wide Manufactured Mobile Home onto lot	\$ -	\$ 20.00	Card
4054	Building	May	5/1/2018	First Presbyterian Church	Tecta America Dakotas	316 4th Ave. NE			Removing and installing roofing	\$ 73,187.00	\$ 813.90	Card
4055	Building	May	5/1/2018	Door 204	Tecta America Dakotas	204 Main St.			Removing and installing roofing	\$ 30,993.00	\$ 449.93	Card
4056	Utility Occupancy	May	5/3/2018	Multiple; McKenzie County Water Resource District	BEK Consulting LLC	12th St / 125th Ave			4" rural water line installation and 1.5" metering point	\$ -	\$ -	Permanent Occupancy
4057	Fence	May	5/7/2018	Jordan Kleppen	Bakken Fence	101 7th ST. SE			Installing an 80' of Fence in backyard	\$ -	\$ 25.00	Card
4058	Building	May	5/9/2018	Candace Cox	The Woodshop	513 2nd St NE			Bathroom remodel	\$ 7,000.00	\$ 135.00	Cash
4059	Building	May	5/9/2018	Reyburn Johnston	Self	105 2nd St.SW			Installing windows and siding	\$ 7,500.00	\$ 142.00	Check #5127
4060	Other	May	5/10/2018	Scott & Lori Byrum	The Woodshop	909 35th St NE *		Hunters Run	Insurance claim repairs to garage: insulation, drywall, windows, doors	\$ 10,000.00	\$ 20.00	Cash
4061	Building	May	5/11/2018	Josslyn Dodds	GTO Services LLC	628 Sunset Dr			22' x 16' addition to master bedroom and bathroom	\$ 50,000.00	\$ 640.00	Check #
4062	Other	May	5/11/2018	Bakken Communities LLC	Bighorn Contracting	3414 7th Ave NE	124	Hunters Run	Insurance claim repairs due to water damage: drywall, insulation, flooring	\$ 86,000.00	\$ 20.00	
4063	At Risk	May	5/11/2018	Erik Linseth	Goulet Construction	12283 East Highland *			Footings & Foundation for 2,264 SqFt modular home and 32x34 garage	\$ -	\$ -	No Fee.
4064	Utility Occupancy	May	5/11/2018	Multiple; BNN North Dakota LLC / XTO	Loebro Pipeline Construction	NE and SE Watford City		Roifson, Hunters Run, 26 F St NW, 26 St NW 122nd Ave NW	SWD Pipeline gathering system to service existing wells	\$ -	\$ -	Permanent Occupancy
4065	Excavation	May	5/15/2018	City of Watford City	BEK Consulting LLC	706 2nd St NE			Excavate to repair water main	\$ 25,000.00	\$ 387.00	Check #8459
4066	Fence	May	5/15/2018	Mark Corrallo	Bakken Fence Co	3514 9th Ave NE		Hunters Run	White Vinyl Fence in back and side yard	\$ -	\$ 25.00	Cash
4067	Fence	May	5/15/2018	Mark Corrallo	Bakken Fence Co	3510 9th Ave NE		Hunters Run	White Vinyl Fence in back and side yard	\$ -	\$ 25.00	Cash
4068	Fence	May	5/15/2018	Harinda Kaur (Singh)	Bakken Fence Co	3505 11th Ave NE		Hunters Run	White Vinyl Fence in back and side yard	\$ -	\$ 25.00	Cash
4069	Fence	May	5/15/2018	James Wang	Bakken Fence Co	3517 9th Ave NE		Hunters Run	White Vinyl Fence in back and side yard	\$ -	\$ 25.00	Cash
4070	Fence	May	5/15/2018	Rob Budowski	Bakken Fence Co	3518 9th Ave NE		Hunters Run	White Vinyl Fence in back and side yard	\$ -	\$ 25.00	Cash
4071	Fence	May	5/15/2018	Michael Struckman	Bakken Fence Co	3522 9th Ave NE		Hunters Run	White Vinyl Fence in back and side yard	\$ -	\$ 25.00	Cash
4072	Fence	May	5/15/2018	Brian & Charleen Clapper	Self	2710 2nd St NE			Vinyl fence in back & side yard and black chain-link fence for dogs	\$ -	\$ 25.00	Check #8690
4073	Building	May	5/16/2018	Watford City Park District	Construction Engineers	109 Park Ave E			Renovate Veterans Park- seating areas, monuments, flagpoles, landscape	\$ 1,271,000.00	\$ -	Fee Waived.
4074	Building	May	5/16/2018	Heather Liedtke	RTP Operations Inc	806 11th St SW			30' x 46' garage attached to house	\$ 23,301.00	\$ 363.21	Check #2265
4075	Excavation	May	5/21/2018	NDDOT	KLE Construction	7th St SE			Excavate across 7th St SE & 11th St to install valve	\$ 7,425.00	\$ 140.95	Card
4076	Building	May	5/21/2018	Jason Brew	Twin Oaks Construction Inc	505 5th St NW			Construct 36' x 34' attached garage and 12' x 20' addition to home	\$ 80,071.92	\$ 865.54	Check
4077	Building	May	5/22/2018	Erik Linseth	Goulet Construction	12283 East Highland *			2,264 SqFt Modular Single Family home on basement with attached 32x34 garage	\$ 326,713.99	\$ 2,488.64	Check #5389
4078	Fence	May	5/22/2018	Mike Butalon	Self	600 6th Ave NE			Wooden fence in backyard	\$ -	\$ 25.00	Cash
4079	Building	May	5/24/2018	Paul Bauer	The Woodshop	405 4th St NE			Siding, Asphalt Shingles, windows	\$ 25,000.00	\$ 387.00	Card
4011	RENEW	May	5/24/2018	Dustin & Rebecca Jordan	Self	208 6th Ave NE			Install new shingles on roof of house & garage; remove & replace existing sheetrock; convert bedroom into bathroom & closet; open wall space between kitchen & living room; replace kitchen cabinets.	\$ -	\$ 20.00	Card
4080	Building	May	5/24/2018	McKenzie County	Construction Engineers	1300 12th St SE			66,569 SqFt Public Works Shop & Office Building, 11,250 SqFt Cold Storage Building, and 6,300 SqFt salt/sand storage facility	\$ 14,769,500.00	\$ -	Waived
4081	W/S Access	May	5/24/2018	McKenzie County	Construction Engineers	1300 12th St SE			fire protection, water service, and sanitary sewer access for Shop Bldg	\$ -	\$ -	Waived
4082	Sign	May	5/24/2018	McKenzie County	Construction Engineers	1300 12th St SE			Install lettering and seal to west side of building exterior and door decals	\$ -	\$ -	Waived
4083	Fence	May	5/24/2018	McKenzie County	Construction Engineers	1300 12th St SE			6' chain link fencing & gates	\$ -	\$ -	Waived

**2018  
Permit Records**

May  
05/24/2018

Permit #	Type	Month	Issue Date	Property Owner	Contractor	Project Address	Lot / Block	Parcel # / Subdivision	Description of Work	Value	Permit Fee	Payment
4084	Excavation	May	5/24/2018	City of Watford City	Winn Construction Inc	Main St and 2nd Ave			Repairs to curb & gutter and sidewalks	\$ 12,972.00	\$ 218.61	Check #42965
4085	Construct/ Repair	May	5/24/2018	City of Watford City	Winn Construction Inc	Main St and 2nd Ave			Repairs to curb & gutter and sidewalks	\$ -	\$ 10.00	