

CITY OF WATFORD CITY

P.O. BOX 494

WATFORD CITY, NORTH DAKOTA 58854

AGENDA

Tuesday October 30, 2012

PLANNING COMMISSION

City Hall @ 6:00 P.M.

Call to Order Public Hearing

Public hearing to hear comment for the purpose of considering a Subdivision Final Plat filed by Travis Evans/GTI Investments. Property located SWSE, E1/2 SWSW, and SESW Section 29, T150N, R98W McKenzie County, 105.58 Acres

Public hearing to hear comment for the purpose of considering a Subdivision Tentative Map filed by AE2S/Steve Rude/Paul Deutsch. Property located at 12281 Hwy 23, East portion of IT 1109 in the SW1/4 Sec. 15 T150N, R98W McKenzie County, 3.95 Acres

Public hearing to hear comment for the purpose of considering a Simple Lot Split application submitted by F&G Realty Investments, LLC on the following described property: W1/2 NW1/4 NW1/4 of Section 17, T150N, R98W south side of 17th Ave, appx. ¼ mile East of CR-38 19.95 acres for the purpose of splitting the current 20 acre lot into 3 lots.

Public hearing to hear comment for the purpose to considering a Simple Lot Split application submitted by Moore Engineering/Stenehjem Development for property located at Long Drive and Hwy 23 Lot 1 of Block 5 Rolling Hills Estates Subdivision E1/2 SE1/4 Section 17, T150N, R98W on the intent to create two parcels from one.

Public hearing to hear comment to consider a Simple Lot Split application submitted by Moore Engineering /Stenehjem Development for property located at Long Drive and Hwy 23 Lot 2 of Block 5 Rolling Hills Estates Subdivision E1/2 SE1/4 Section 17, T150N, R98W on the intent to create two parcels from one.

Public hearing to hear comment to consider a Simple Lot Split application submitted by Moore Engineering /Stenehjem Development for property located at Long Drive and Hwy 23 Lot 3 of Block 5 Rolling Hills Estates Subdivision E1/2 SE1/4 Section 17, T150N, R98W on the intent to create two parcels from one.

Public hearing to hear comment to consider a Zoning Variance application submitted by Larry Signalness for property located at 308 & 312 5th St NE, Lots 24 & 25 Seibold Addition to Watford City. Variance of 10 ft. for lots 24 & 25 west side.

Public hearing to hear comment to consider a Zoning Variance application submitted by TC North Dakota Ventures, LLC for property located:

Lot 38 1412 E. Pheasant Ridge Street
Lot 40 1408 E. Pheasant Ridge Street
Lot 42 1404 E. Pheasant Ridge Street
Lot 44 1324 E. Pheasant Ridge Street
Lot 46 1320 E. Pheasant Ridge Street
Lot 50 1316 E. Pheasant Ridge Street
Lot 52 1312 E. Pheasant Ridge Street

for the purpose of taking public input on a variance to allow for 23 ft. rear yard setback

Public hearing to hear comment to consider a Zoning Variance application submitted by TC North Dakota Ventures, LLC on the following described property:

Lot 45 1325 E. Pheasant Ridge Street
Lot 47 1321 E. Pheasant Ridge Street
Lot 49 1317 E. Pheasant Ridge Street
Lot 51 1313 E. Pheasant Ridge Street

for the purpose of taking public input on a variance to allow for 23 ft. rear yard setback

Public hearing to hear comment to consider application for an Amendment to the Zoning Ordinance submitted by Alfred and Carlotta Berdahl, dba ARB Consulting, Inc. The Amendment would re-zone property located 901 11th St SW Parcel # 11-00-09845 SW1/4SW1/4, Sec. 24 T150N, R95W IT-1463 from A2 to C1.

Public hearing to hear comment on Conditional Use Permit issued to Marty & Crystal Mulder for property located at 608 2nd Ave SW Lot 33 & 34 Blk 1 Schell & Jarland in consideration for Renewal of a Conditional Use Permit allowing Temporary Workforce Housing

Public hearing to hear comment on Conditional Use Permit issued to Steve Sanford for property located at 600 12th St NE, Sect-17 TWP-150 Rang-098, 2nd Annexation 150-98 to Watford City, IT 1306 PT SW1/4SW1/4, 2.87 acres in consideration for Renewal of a Conditional Use Permit allowing Temporary Workforce Housing

Public hearing to hear comment on Conditional Use Permit issued to Watford City Hospitality Associates, LLC on property located at 604 4th Ave NE Lot-5, Blk-2 Stevens Addition to Watford City in consideration for Renewal of a Conditional Use Permit allowing Temporary Workforce Housing

Call to Order Regular Meeting

Minutes of September 24, 2012

Unfinished Business:

1. Subdivision Final Plat – GTI Investments/Travis Evans
2. Subdivision Tentative Map – AE2S/Duetsch
3. Simple Lot Split – F&G Investments, LLC.
4. Simple Lot Split – Moore Engineering
5. Simple Lot Split – Moore Engineering
6. Simple Lot Split – Moore Engineering
7. Variance- Larry Signalness
8. Variance – TC North Dakota Ventures
9. Variance – TC North Dakota Ventures
10. Zone Change – Alfred & Carlotta Berdahl
11. Conditional Use Permit Renewal – Marty Mulder
12. Conditional Use Permit Renewal – Steve Sanford
13. Conditional Use Permit Renewal – Watford City Hospitality

New Business:

1. Planning and Zoning Revenue Update
2. Meeting Dates for December Planning Commission Meeting

Review Building Permit

August Permits that were missed in August Planning Mtg.

2412	Aug	South Park Hotel	South Park Addition		89 room hotel	\$9,000,000.00	8/27/12	\$29,500.00	—
2413	Aug	South Park Hotel	South Park Addition		92 room hotel	\$9,000,000.00	8/27/12	\$29,500.00	
2414	Aug	Pierce Leasing	412 Poplar St		moving permit		8/28/12	\$25.00	
2415	Aug	James Brooks	305 9th St SE		Reroof	\$3,000.00	8/30/12	\$79.00	
2416	Aug	Roger Hanson	409 2nd Ave NE		windows, reroof, gutters, fascia	\$33,900.00	8/30/12	\$479.00	
2417	Aug	McKenzie Co Housing Auth	205 5th St NW		brickwork, sheetrock, framing	\$10,500.00	8/30/12	\$184.00	
2418	Aug	Jeff Dodds	121 4th St SE		concrete foundation & excavation	\$20,000.00	8/30/12	\$317.00	

October Permits Issued:

2447	Sept	Mike Schnitz	308 8th St NW	82-06-00800	garage remodel, dirtwork prep for house	\$5,000.00	10/1/12	\$107.00	Cash
2448	Oct	LT Enterprises	1212 4th ave NE	82-15-04020	18 electrical post for trucks	\$25,000.00	10/2/12	\$390.00	
2449	Oct	McKenzie Co School Dist.	300 3rd st	82-25-01200	32,000 addition and minor remodel	\$8,471,758.00	10/2/12	\$27,915.00	CHK 66053
2450	Oct	Caroline Schwartz	417 4th St NE	82-37-01500	new roof	\$25,000.00	10/2/12	\$390.00	Cash
2451	Oct	Auto Property Solutions	1602 Pheasant Ridge		6' privacy fence	\$2,000.00	10/4/12	\$65.00	Cash
2452	Oct	Cheetah Properties	212 6th Ave SE	82-15-22000	85x180 Steel Building	\$300,000.00	10/5/12	\$2,090.00	CHK 40002
2453	Oct	Tom Suetzle	201 7th Ave NW	82-53-00600	replace front entry steps	\$2,000.00	10/8/12	\$65.00	CHK 995
2454	Oct	TC North Dakota Ventures	1500 W Pheasant Ridge St		Single Family Home 2015 sq. ft.	\$198,586.00	10/12/12	\$1,534.50	CHK# 1014
2455	Oct	TC North Dakota Ventures	1420 W Pheasant Ridge St		Single Family Home 2015 sq. ft.	\$198,586.00	10/12/12	\$1,534.50	CHK# 1014
2456	Oct	TC North Dakota Ventures	1412 W Pheasant Ridge St		Single Family Home 2015 sq. ft.	\$198,586.00	10/23/12	\$1,534.50	CHK# 1014
2457	Oct	TC North Dakota Ventures	1408 W Pheasant Ridge St		Single Family Home 2015 sq. ft.	\$198,586.00	10/23/12	\$1,534.50	CHK# 1014
2458	Oct	TC North Dakota Ventures	1400 W Pheasant Ridge St		Single Family Home 2015 sq. ft.	\$198,586.00	10/23/12	\$1,534.50	CHK# 1014
2459	Oct	TC North Dakota Ventures	1313 W Pheasant Ridge St		Single Family Home 2015 sq. ft.	\$198,586.00	10/23/12	\$1,534.50	CHK# 1014
2460	Oct	TC North Dakota Ventures	1309 W Pheasant Ridge St		Single Family Home 2015 sq. ft.	\$198,586.00	10/23/12	\$1,534.50	CHK# 1014
2461	Oct	TC North Dakota Ventures	1305 W Pheasant Ridge St		Single Family Home 2015 sq. ft.	\$198,586.00	10/23/12	\$1,534.50	CHK #1014
2462	Oct	Shad Wagner	601 11st SE	82-20-07250	deck, hot tub supports, sliding door	\$5,000.00	10/9/12	\$107.00	CHK ?
2463	Oct	Dennis Keller	400 4th Ave NE	82-39-00500	re roof	\$6,000.00	10/12/12	\$121.00	CASH
2464	Oct	Glen Finck	628 Sunset Dr.		4 new windows	\$9,667.00	10/12/12	\$172.38	CHK 1095
2465	Oct	Robert Koop	525 3rd St NE	82-10-0400	re roof	\$3,000.00	10/12/12	\$79.00	CHK 1001
2466	Oct	1st International Bank	100 N Main St	82-01-16900	top level office const/tenant	\$460,000.00	10/18/12	\$1,188.00	CHK 1470
2467	Oct	Marlon Beck	1001 4th St NW		moving MH permit		10/18/12	\$25.00	pd
2468	Oct	KTJ 219/Roers West	Pheasant Ridge		42 plex apt bldg	\$3,960,000.00	10/22/12	\$14,380.00	CHK #3190
2469	Oct	Lena Kleppen Estate	305 3rd St NW	82-02-00500	replace basement with sheetrock, replace board on steps	\$1,200.00	10/22/12	\$46.00	CHK# 1015
2470	Oct	Bobby Holland	109 7th Ave NW	82-53-00300	siding replacement	\$1,700.00	10/23/12	\$61.00	PD cash
2471	Oct	Direct Electric	1107 5th St SW		repair / office frame	\$2,000.00	10/23/12	\$65.00	CHK #1512
2472	Oct	Duane Langness/CK Tire	505 6th Ave SE	20-00-12640	commercial retail tires	\$1,230,000.00	10/24/12	\$6,190.00	CHK# 5717
2473	Oct	Scott Swenson	724 2nd Ave NE		deck	\$30,000.00	10/24/12	\$440.00	CHK #2473
2474	Oct	Danny Grow/Daryl Vance	605 12th St SE	82-20-10000	mobile home sales office	\$2,000.00	10/25/12	\$65.00	CHK# 5571

Adjournment

Mili Williams
Secretary/Planning Assistant

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

PLANNING COMMISSION MINUTES
WATFORD CITY, ND
September 24, 2012

The regular monthly meeting of the Watford City Planning Commission was held on Monday September 24, 2012 at 6:00 p.m. at City Hall. In attendance: Chairman Glen Beard, Board members: Jesse Lawrence, Shane Homiston, Cory Johnson, Rick Holm, Doug Bolken and Sonja Johnson. Also present City Planner Curt Moen, City Attorney Wyatt Voll, and Planning Assistant Mili Williams

With the above mentioned present the Public Hearing was called to order at 6:00 PM by Glen Beard. Under consideration were the following:

Public Hearing to hear comment on a Zone Change Application submitted by Anna Marquardt for property located at 605 Main St; Sec 24, T150N, R99W-IT's 906, 1805, 727, McKenzie County, 3.37 acres. The applicant is requesting this property be rezoned to C1 from A2.

Public Hearing to hear comment on Zone Change Application submitted by Fraternal Order Eagles Corp., for property located at 150N, R98W Sect-Qtr. 30W (S Hwy 85) 3.82 acres. The applicant is requesting this property be rezoned to C1 from A2.

Public Hearing to hear comment on a Simple Lot Split Application submitted by Tompkins Development, Inc. for property located NW1/4 Section 18, T150N, R98W Lots 74 and 76, 1.123 acres.

Public Hearing to hear comment on Subdivision Final Map submitted by Prairie Housing Services, LLC for property located at 2008 17th Ave NE, 12 Lots equaling 48.626 acres

Public Hearing to hear comment on Renewal of a Conditional Use Permit submitted by Verizon Wireless, located on the north line of Section 24, .612.8 feet West of the northeast corner of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section 24, Township 150 North, Range 99 West of the Fifth Principal Meridian, McKenzie County; then South 230 feet; thence West 210 feet; then North 230 feet; then East along the said North line 210 feet to the point of beginning. (4th Ave NW across from city water tanks)

Public Hearing to hear comment on Renewal of Conditional Use Permit submitted by Dana Amon to operate a home occupation for a day care located at 404 11th Ave SE

Public Hearing to hear comment on Renewal of Conditional Use Permit submitted by Sand Draw LLC., located Section 29, T150W, R98W Lot 1 & Lot 2 (12th Ave SE) for employee housing

After a discussion Chairman Glen Beard closed the Public Hearing.

The minutes for the meetings held August 27, 2012 and September 10, 2012 were reviewed. S. Homiston moved to approve minutes as presented, seconded by C. Johnson. All ayes; Motion carried.

UNFINISHED BUSINESS:

1. **Zone Change Application – Anna Marquardt** Moved by D. Bolken to recommend to City Council approval of Zone Change Application submitted by Anna Marquardt for property located at 605 Main St; Sec 24, T150N, R99W-IT's 906, 1805, 727, McKenzie County, 3.37 acres rezoning from A2 to C1. Seconded by R. Holm and carried by the following roll call vote: Ayes; S. Homiston, C. Johnson, J. Lawrence, D. Bolken, S. Johnson and R. Holm.
Motion Carried

BUILDING PERMITS:

Building Permits for September were reviewed.

ADJOURNMENT:

S. Homiston moved to adjourn, R. Holm seconded motion. All ayes. Motion carried. There being no further business, the meeting was adjourned 6:25pm.

Glenn Beard
Chairman

Mili Williams
Secretary

DIVISION OF LAND / PLANNING APPLICATION

CITY OF WATFORD CITY

*AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY
FOR SUBMITTAL REQUIREMENTS, PLEASE SEE BELOW AND REVERSE*

<input type="checkbox"/> APPLICATION TYPE	DATE FILED: <u>10/8/12</u>	APPLICATION NUMBER:	
<input type="checkbox"/> SUBDIVISION TENTATIVE MAP	PROCESSED BY:	PLANNING AND ZONING: <u>10/30/12</u>	
<input checked="" type="checkbox"/> SUBDIVISION FINAL MAP	FEE:	CITY COUNCIL: _____ BOCC (IF APPLICABLE): _____	
<input type="checkbox"/> PARCEL MAP SUBSEQUENT	RECEIPT #:	SECTION, TOWNSHIP, RANGE:	CONFORMANCE TO WATFORD CITY CO COMP PLAN? YES <input type="checkbox"/> NO <input type="checkbox"/>
<input type="checkbox"/> PARCEL MAP NON-SUBSEQUENT	RELATED CASE FILES:	FINAL ACTION LETTER ISSUED DATE:	
<input type="checkbox"/> ROAD/STREET ABANDONMENT	<p><i>IMPORTANT INFORMATION AND SIGNATURE REQUIRED ON REVERSE (CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)</i></p> <p>PROPERTY OWNER: <u>GT Investments Inc.</u></p> <p>APPLICANT: <u>Jarvis Evans</u></p>		
<input type="checkbox"/> LARGE PARCELS MAP TENTATIVE			
<input type="checkbox"/> LARGE PARCELS MAP FINAL			
<input type="checkbox"/> MAP OF REVERSION			
<input type="checkbox"/> BOUNDARY LINE ADJUSTMENT MAP	<p>CORRESPONDENCE FOR THIS APPLICATION SHOULD BE ADDRESSED TO:</p> <p>NAME: <u>Jarvis Evans</u></p> <p>ADDRESS: <u>PO Box 1752</u></p> <p>CITY: <u>Watford City</u> STATE: <u>ND</u> ZIP CODE: <u>58854</u></p> <p>TELEPHONE: <u>701-205-3811</u> EMAIL: <u>tevans@escengineers.net</u></p>		
<input type="checkbox"/> AGRICULTURAL EXEMPTION			
<input type="checkbox"/> FAMILY CEMETERY DESIGNATION			

ASSESSOR'S PARCEL NUMBER(S): 20-00-19600

LEGAL DESCRIPTION: SWSE, E 1/2 SWSW, SESW 29 T150N R98W

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 24th Ave + 12th St.

GROSS/NET ACREAGE: 105.57 acres NUMBER OF LOTS: 17

DESCRIBE THE METHOD OF PROVIDING WATER & SEWER: Wells + septic

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

SUBMITTAL REQUIREMENTS: All submittals shall be legible, printed in ink or typed and suitable for reproduction.

- Two copies of each map page sized suitable for reproduction (8.5"x 11" or 11"x 17") are required. Full size copies of maps (24"x 36") must be submitted with each application as required on the reverse. **PLEASE NOTE THAT ALL MAPS (except Mylar) MUST BE FOLDED SO THEY CAN BE PLACED IN A LEGAL SIZE FILE.**
- All maps must be drawn by a Professional Engineer or Land Surveyor.

PROCEDURES FOR FILING DIVISION OF LAND APPLICATIONS.

- To file a Map Application, assemble the required documents and submit packet. Only completed applications shall be accepted for filing.
- Refer to "DOCUMENT REQUIRED" for your application type. Staff reports and recommendations are mailed to the applicant and surveyor/engineer addresses listed on the application. To discuss a report or recommendation please contact the Planning Department.
- All conditions of approval must be met before a map will be recorded.

Zoned IP 8/27/12

DOCUMENTS REQUIRED FOR SUBMITTING PLANNING APPLICATIONS

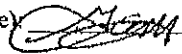
MAP TYPE	Application & Affidavit	Number of Map Copies	Mylar	Intent to Serve Will Serve Letter	Title Report	Application Fees
Subdivision Map Tentative	1 ^{1&4}	12		1	1	
Subdivision Map Final	1 ¹	4	1 ³	1 ²	1	
Parcel Map Subsequent	1 ^{1&4}	7	1 ³	1 ²	1	
Parcel Map Non-subsequent	1 ^{1&4}	7	1 ³	1 ²	1	
Road/Street Abandonment	1 ¹		1 ³			
Large Parcels Map Tentative	1 ^{1&4}	7		1 ²	1	
Large Parcels Map Final	1 ¹	4	1 ³	1 ²	1	
Map of Reversion	1 ¹	7	1 ³	1 ²	1	
Boundary Line Adjustment	1 ¹	7	1 ³	1 ²	1	
Family Cemetery Designation	1 ¹	1				no charge

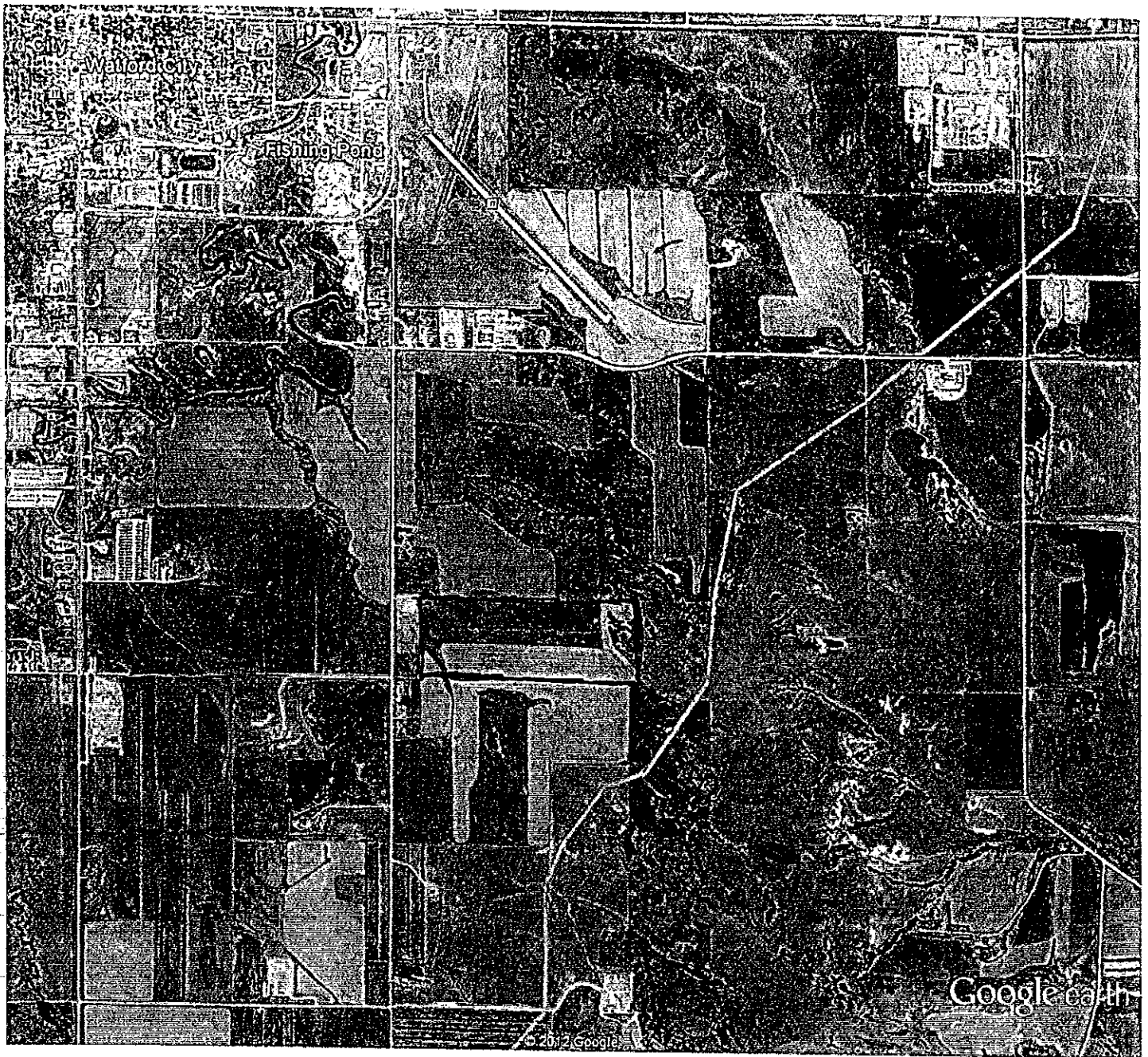
¹ If needed signing authority must be provided, corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation or provides signature in a representative capacity.

² If located within a water/sewer utility's service area, "Intent to Serve" required at tentative / first submittal stage, "Will Serve" required at technical review / final submittal stage.

³ Mylar maps are submitted for recording after all reviews and approvals are completed.

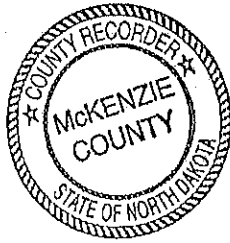
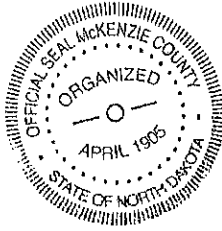
⁴ Affidavit to ensure the payment of taxes for compliance with the disclosure and recording requirements.

<p style="text-align: center;">SURVEYOR / ENGINEER INFORMATION</p> <p>NAME: <u>Travis Evans</u> LICENSE NO: <u>6576</u></p> <p>ADDRESS: <u>PO Box 1752</u></p> <p>CITY: <u>WATFORD CITY</u> STATE: <u>ND</u> ZIP: <u>58854</u></p> <p>TELEPHONE: <u>701-205-3811</u> FAX/CELL: <u>307-751-5959</u></p>	<p style="text-align: center;">SEND ALL CORRESPONDENCE TO:</p> <p style="text-align: center;">City of Watford City PO Box 494 Watford City, ND 58854 Phone: (701) 444-2533 Fax: (701) 444-3004</p>
<p>(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under WATFORD CITY CODE; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the _____ and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.</p>	
Property Owner (Signature): <u></u>	Property Owner (Print): <u>GARY GARLAND</u>
Property Owner (Signature): _____	Property Owner (Print): _____



Google earth





Return to:
GARY GARLARD
PO BOX 1067

436677
County Recorder
McKenzie County
Watford City ND 58854
Page 1 of 4

GILLETTE WY 82717
COUNTY RECORDER, MCKENZIE COUNTY, ND

I certify that this instrument was filed and recorded,
Ann M Johnsrud, County Recorder Fee \$19.00

436677
By Katir R. Paulson, Deputy Jul 12, 2012 10:56 AM

Delinquent Taxes and Special Assessments, or Installments
of Special Assessments, paid and transfer entered this
17 day of July, 20 12.
Brenda S. Schilke County Auditor
by Vonnie G. Schmidt Deputy

WARRANTY DEED

This Indenture, Made this 10th day of July, 2012, by and between Edward I. Schilke and Charlotte A. Schilke, husband and wife, P.O. Box 637, Watford City, North Dakota 58854, hereinafter referred to as Grantors, and GT Investments Inc., 471 Hwy. 16 East, Buffalo, WY 82834, hereinafter referred to as Grantee,

For and in consideration of the sum of Ten Dollars (\$10.00) Grantor does hereby Grant, Bargain, Sell and Convey to the said Grantees, all of the following real property lying and being in the County of McKenzie and State of North Dakota and described as follows, to-wit:

Township 150 North, Range 98 West:
Section 29: SW $\frac{1}{4}$ SE $\frac{1}{4}$, and a tract of land in the SW $\frac{1}{4}$ described as:
Commencing at the SW corner of said Section 29; thence
S87°38'46"E, Basis of Bearing, North Dakota State Plane, along the south line of the SW Quarter of said Section 29 for 482.27 feet to the SE corner of Lot 4 of Watford Nodak Subdivision, recorded as Document Number 405458 Records of McKenzie County, North Dakota, which is the point of beginning of the land to be described; thence along the east line of said subdivision N01°57'16"E for 1320.33 feet to the quarter-quarter section line of said Section 29; thence S87°36'46"E for 2161.31 feet to the Center-South 1/16 corner of said Section 29; thence S01°49'40"W for 1319.10 feet to the South $\frac{1}{4}$ Corner of said Section 29, thence N87°38'46"W for 2164.21 feet to the

*Now
It
2381*

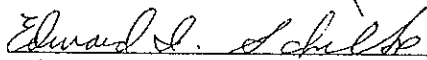
point of beginning and there terminating. This parcel contains 65.52 acres, more or less and is subject to a statutory right of way easement across the south 33 feet and a 50 feet overhead electric line easement centered 180 feet, more or less, north from the south line of this parcel. (See copy of Survey attached.)

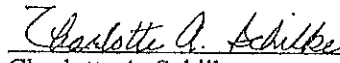
Subject to all easements, recorded and unrecorded.

Excepting and reserving unto Grantors, all of the oil, gas, related hydrocarbons, uranium and other fissionable ores and all minerals of any nature whatsoever, as defined and indicated by Section 47-10-25 of the North Dakota Century Code as amended July 1, 1983.

To Have and To Hold the Same, Together with all the hereditaments and appurtenances thereunto belonging or in anywise appertaining to the said parties of the second part, their heirs and assigns, Forever, and the said parties of the first part, for their heirs, executors and administrators, do covenant with the parties of the second part, their heirs and assigns, that they are well seized in fee of land, real estate and premises aforesaid, and have good right to sell and convey the same in manner and form aforesaid; that the same are free from all incumbrances, except installments of special assessments or assessments for special improvements which have not been certified to the County Auditor for collection, whatsoever; and the above bargained and granted land and premises in the quiet and peaceable possession of said parties of the second part, their heirs and assigns against all persons lawfully claiming or to claim the whole or any part thereof, the said parties of the first part will warrant and defend.

In Witness Whereof, The said parties of the first part hereunto set their hands the day and year first above written.

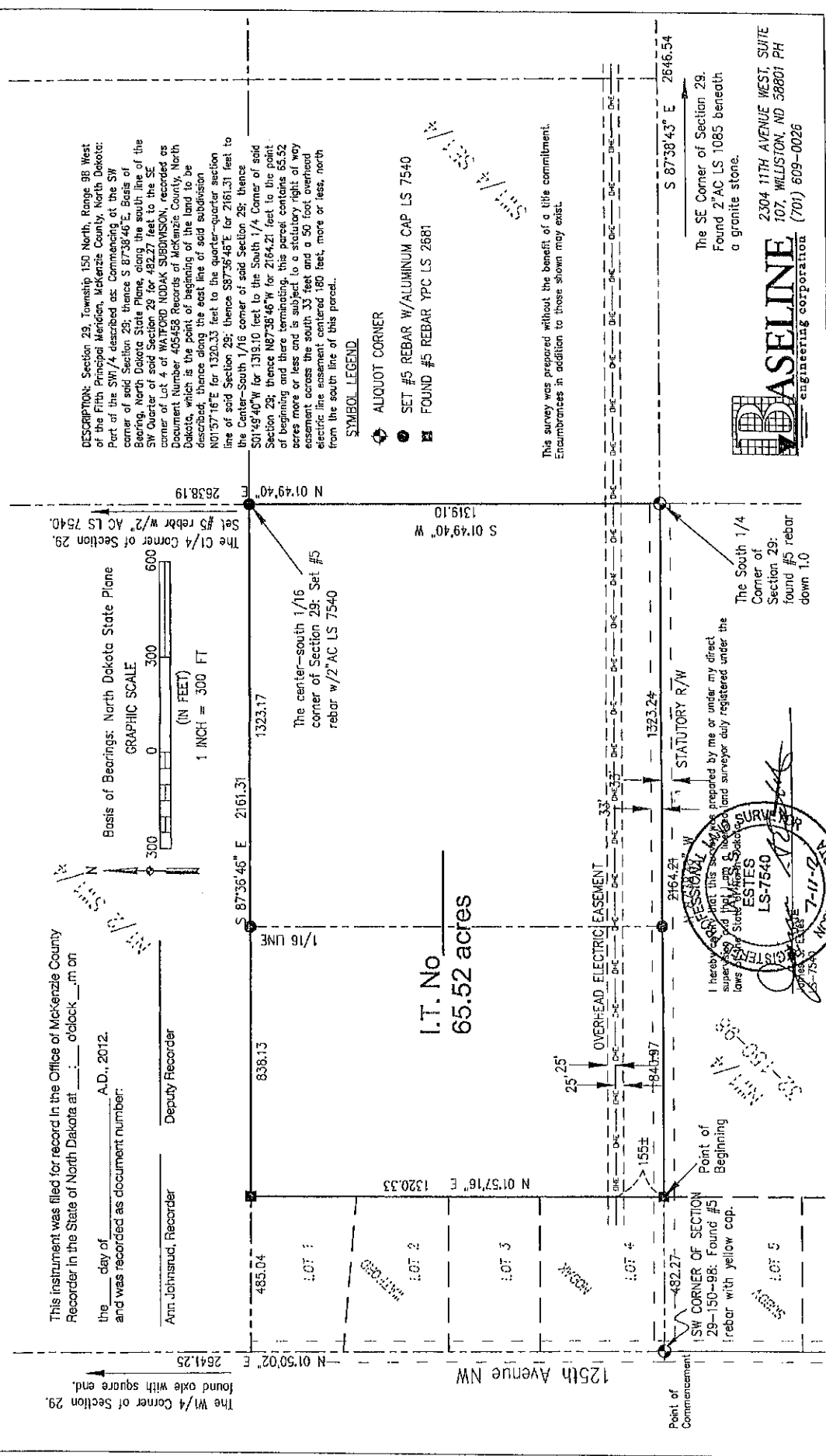

Edward I. Schilke


Charlotte A. Schilke

County Recorder
McKenzie County
Hartford City ND 58854

This instrument was filed for record in the Office of McKenzie County Recorder in the State of North Dakota at _____ o'clock _____ on the _____ day of _____ A.D., 2012, and was recorded as document number: _____

Arm Johnsrud, Recorder
Deputy Recorder



DESCRIPTION: Section 29, Township 150 North, Range 98 West of the Fifth Principal Meridian, McKenzie County, North Dakota: Part of the SW 1/4 described as: Commencing at the SW corner of said Section 29; thence S 87°38'46" E, Basis of Bearing, North Dakota State Plane, along the south line of SW Quarter of said Section 29 for 482.27 feet to the SE corner of Lot 4 of WAIFORD NODAK SUBDIVISION, recorded as Document Number 405458 Records of McKenzie County, North Dakota, which is the point of beginning of the land to be described, thence along the east line of said subdivision N01°37'16"E for 1320.33 feet to the quarter-quarter section line of said Section 29; thence S97°36'46"E for 2161.31 feet to the Center-South 1/16 corner of said Section 29; thence S01°48'40"W for 1319.10 feet to the South 1/4 Corner of said Section 29; thence N87°38'46"W for 2164.21 feet to the point of beginning and there terminating, this parcel contains 65.52 acres more or less and is subject to a statutory right of way easement across the south 3/32 part and a 50 foot overhead electric line easement centered 150 feet, more or less, north from the south line of this parcel.

SYMBOL LEGEND

- ALLOT CORNER
- SET #5 REBAR W/ALUMINUM CAP LS 7540
- FOUND #5 REBAR YPC LS 2681

This survey was prepared without the benefit of a title commitment. Encumbrances in addition to those shown may exist.



I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed and duly registered under the laws of the State of North Dakota. **ESTES LS-7540**

Professional Surveyor
7-11-2

I.T. No
65.52 acres

GTI Industrial Subdivision

ENGINEER'S ESTIMATE OF PROBABLE CONSTRUCTION COST

Prepared By: Environmental & Civil Solutions, LLC
 Prepared For: GT Investments
 Date: #NAME?

Sealed and Signed Original document is stored at the office of Environmental & Civil Solutions, LLC located at:
 371 Coffeen Ave.
 Sheridan, WY 82801

CONSTRUCTION COSTS - ONSITE IMPROVEMENTS					
Abbreviations: AC = Acre; SY = Square Yard; CY = Cubic Yard; DIA. = Diameter; EA = Each; IN = Inch; LF = Lineal Foot; LS = Lump Sum					
Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Price
001	MOBILIZATION	LS	1	\$ 11,350.00	\$ 11,350.00
002	CONTRACT BOND	LS	1	\$ 2,850.00	\$ 2,850.00
003	CLEARING AND GRUBBING	LS	1	\$ 2,500.00	\$ 2,500.00
004	COMMON EXCAVATION-TYPE A	CY	12795	\$ 3.50	\$ 44,782.50
005	EMBANKMENT	CY	500	\$ 3.50	\$ 1,750.00
006	TOPSOIL	CY	3285	\$ 1.50	\$ 4,927.50
007	SCORIA ROAD BASE COURSE	CY	3450	\$ 35.00	\$ 120,750.00
008	STORM WATER POLLUTION PREVENTION	LS	1	\$ 2,500.00	\$ 2,500.00
009	SEEDING - TYPE B-CLIII	AC	3.00	\$ 1,500.00	\$ 4,500.00
010	PIPE CORR STEEL .109 IN. 18 IN. DIA.	LF	150	\$ 50.00	\$ 7,500.00
011	END SECT CORR STEEL .109 IN. 18 IN. DIA.	EA	4	\$ 300.00	\$ 1,200.00
012	THREE PHASE OVERHEAD POWER (BY MCREC)	LS	1	\$ 90,000.00	\$ 90,000.00
013	CONTRACTOR QUALITY CONTROL	LS	1	\$ 2,500.00	\$ 2,500.00
ONSITE CONSTRUCTION SUBTOTAL				\$	285,760.00

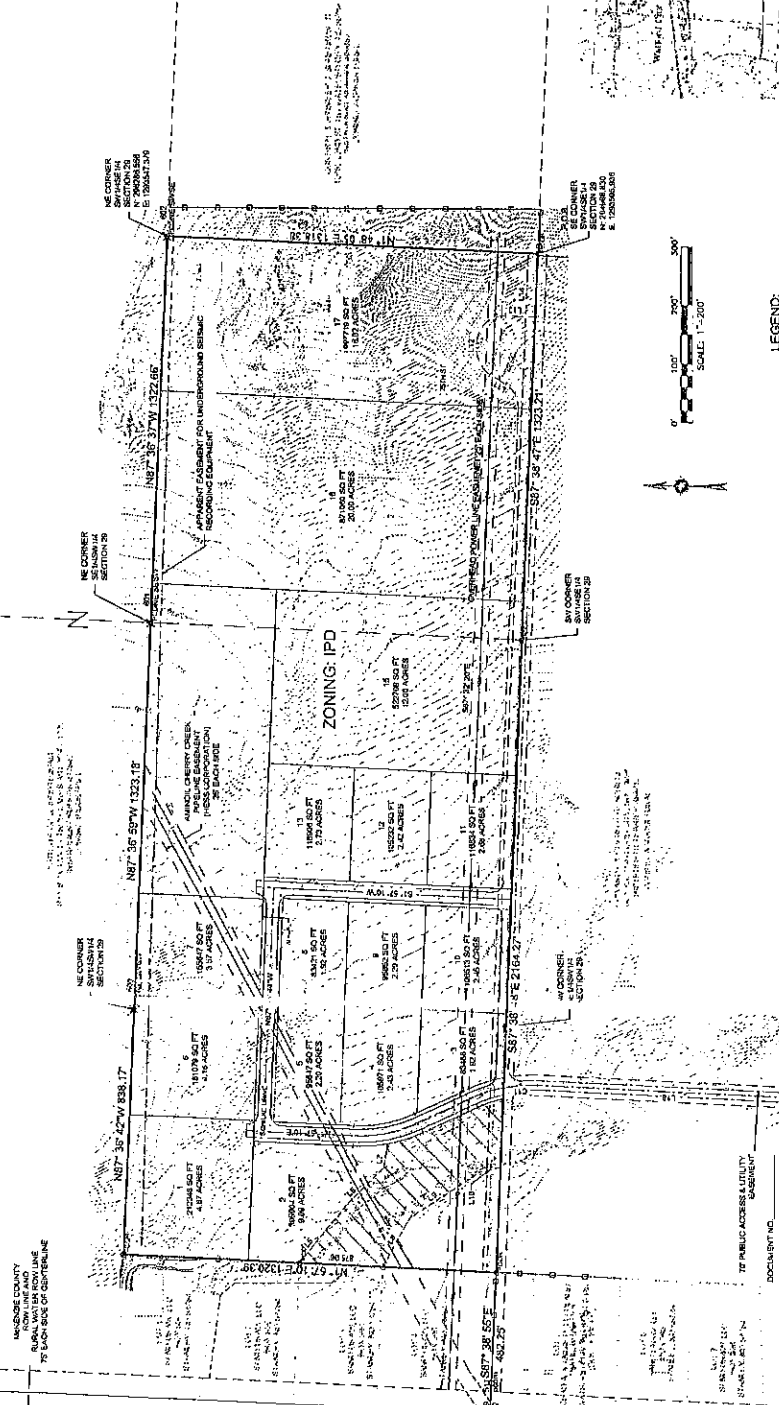
CONSTRUCTION ENGINEERING @ 15% - ONSITE IMPROVEMENTS \$ 42,900.00
 TOTAL ESTIMATED ONSITE IMPROVEMENTS \$ 328,660.00

CONSTRUCTION COSTS - OFFSITE IMPROVEMENTS					
Abbreviations: AC = Acre; SY = Square Yard; CY = Cubic Yard; DIA. = Diameter; EA = Each; IN = Inch; LF = Lineal Foot; LS = Lump Sum					
Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Price
014	MOBILIZATION	LS	1	\$ 4,500.00	\$ 4,500.00
015	CONTRACT BOND	LS	1	\$ 1,150.00	\$ 1,150.00
016	CLEARING AND GRUBBING	LS	1	\$ 2,500.00	\$ 2,500.00
017	COMMON EXCAVATION-TYPE A	CY	1600	\$ 3.50	\$ 5,600.00
018	EMBANKMENT	CY	6525	\$ 3.50	\$ 22,837.50
019	TOPSOIL	CY	1100	\$ 1.50	\$ 1,650.00
020	SCORIA ROAD BASE COURSE	CY	1460	\$ 35.00	\$ 51,100.00
021	RIPRAP-LOOSE ROCK	CY	30	\$ 60.00	\$ 1,800.00
022	STORM WATER POLLUTION PREVENTION	LS	1	\$ 2,500.00	\$ 2,500.00
023	SEEDING - TYPE B-CLIII	AC	0.90	\$ 1,500.00	\$ 1,350.00
024	PIPE CORR STEEL .109 IN. 48 IN. DIA.	LF	70	\$ 280.00	\$ 19,600.00
025	END SECT CORR STEEL .109 IN. 48 IN. DIA.	EA	2	\$ 500.00	\$ 1,000.00
026	CONTRACTOR QUALITY CONTROL	LS	1	\$ 2,500.00	\$ 2,500.00
OFFSITE CONSTRUCTION SUBTOTAL				\$	113,587.50

CONSTRUCTION ENGINEERING @ 15% - OFFSITE IMPROVEMENTS \$ 17,100.00
 TOTAL ESTIMATED OFFSITE IMPROVEMENTS \$ 130,687.50
 TOTAL ESTIMATED PROJECT COST (ONSITE AND OFFSITE IMPROVEMENTS) \$ 459,347.50

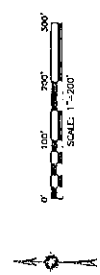
MAP TO ACCOMPANY REZONE APPLICATION

OF LANDS LOCATED IN SW1/4SE1/4 & S1/2SW1/4, SECTION 29,
T150N, R98W OF THE 5TH P.M. MCKENZIE COUNTY, NORTH DAKOTA
TOTAL AREA = 105.57 ACRES



LEGEND

- LOT LINE
- MAJOR CORNER
- MINOR CORNER
- EXISTING LOT LINE
- SECTION LINE
- FENCE
- UNDERGROUND SEMI-C
- OVERHEAD POWER
- MINOR CHERRY CREEK PIPELINE
- FIBER OPTIC
- EXISTING GASBURNIT
- EXISTING WATER
- EXISTING RAILROAD
- FOUNDCORNER



SUBDIVISION BOUNDARY DESCRIPTION

The plat is made known to the public and the services of Section 29, Township 150 North, Range 98 West of the 5th P.M. McKenzie County, North Dakota, and the services of Section 29, Township 150 North, Range 98 West of the 5th P.M. McKenzie County, North Dakota, are hereby acknowledged. The plat is made known to the public and the services of Section 29, Township 150 North, Range 98 West of the 5th P.M. McKenzie County, North Dakota, are hereby acknowledged. The plat is made known to the public and the services of Section 29, Township 150 North, Range 98 West of the 5th P.M. McKenzie County, North Dakota, are hereby acknowledged.

VICINITY MAP
SCALE 1" = 200'



PREPARED FOR:
ED SOMMERS
WATFORD CITY, ND 58066

PREPARED BY:
F&S
WATFORD CITY, ND 58066

DATE: JULY 8, 2012
BY: TME

GTI Industrial Subdivision
Traffic Impact Analysis
Watford City, North Dakota

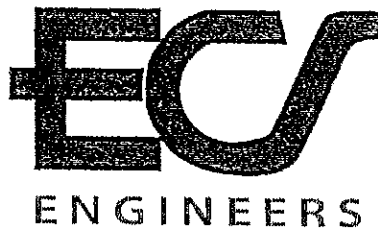
Prepared for:

GT Investments
PO Box 1067
Gillette, WY 82801

Prepared by:

Environmental & Civil Solutions, LLC
PO Box 1752.
Watford City, ND 58854

ECS Project No. 120042



September 22, 2012

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GTI Industrial Subdivision

Master Traffic Impact Analysis

PURPOSE

The purpose of this study is to provide a traffic impact analysis for the proposed development of the GTI Subdivision on adjoining roads. This report discusses the potential impacts to the existing county roads from the proposed site. The analysis was completed with recognition that the Truck Reliever Route is currently being proposed and would bypass truck traffic from Watford City and subsequently the site. Three alternates are proposed, however a route has not yet been chosen.

The primary focus of the study is to provide the city and county with an analysis of the impacts of the proposed industrial park on the adjoining roads.

LOCATION AND DESCRIPTION

The GTI Industrial Subdivision Site is located in lands located in the SW1/4SE1/4 & S1/2 SW1/4 of Section 29, Township 150 North, Range 98 West, and contains 105.57 acres more or less. The site is bordered on the north by lands owned by Curtis Hegg and Judith Quam (agricultural), to the east lands owned by Curtis and Jennifer Sorenson (agricultural), and south by lands owned by Ed and Charlotte Schilke (agricultural), to the west by the Watford Nodak Subdivision, a rural subdivision.

The 105 acre site will consist of primarily industrial/commercial businesses as listed in the Watford City Zoning Regulations. The site will be developed in a single phase. The site is located within the boundaries of the Watford City Extra Territorial Area (ETA), although the road accessing the site is located in the County.

Currently, the Watford City Bypass/Truck Reliever Route (Bypass) is being planned by the City, County, and North Dakota Department of Transportation. The final route selection will impact access to the site; at this point in development the final route is still unknown and thus the effects of the bypass cannot at this point be determined by this study.



SITE LOCATION

AVAILABLE ROUTES

General access to the site can come from three main routes:

1. Via the US 23 Bypass (RED), vehicles can turn south on 12th Street SE (designated 125th Avenue NW in the County) and travel south approximately .47 miles on the paved portion (there is a 6 ton weight restriction) then another 1.24 miles on gravel to the turnoff to the site. Route 1 would utilize roads within the ETA and County.
2. Via US 85 (Blue), vehicles can turn east on 25th Avenue SW, traveling approximately 1 mile to the intersection with 125th Avenue then traveling north approximately .75 miles to the turnoff to the site. Route 2 would utilize roads within the County.

3. Via US 23 (Purple), vehicles can turn south on County Road 37, traveling south approximately 1 mile then turning west on 11th Avenue SE and traveling west approximately 2 miles and turning south on 12 Street SE and traveling another 1.24 miles to the site's turnoff. Route 3 would utilize roads within the ETA and County.

PREFERED ROUTES

The truck traffic for this site will have to use either routes 2 or 3 to access the subdivision. Route 1 has a 6 ton weight limit, eliminating it from use by trucks going to or away from the site. Route 1 will still be available for use by vehicles weighing less than 6 tons. These weight restrictions will be made known to all landowners within the site so they may direct trucks around this area.

SCHILKE DRIVE

Schilke Drive will access the subdivision from 12th St SE/125th Ave NW (City/County). An approved approach permit has allowed the developer to construct the approach. Schilke drive crosses lands owned by Ed and Charlotte Schilke. A ROW agreement is currently being drafted which dedicates a 70' ROW to the public, with maintenance not to be the responsibility of the public.

Schilke Drive is an offsite improvement that is necessary to access the subdivision.

ESTIMATED TRAFFIC VOLUME

ECS has predicted the potential traffic impacts the zoning change will have on existing city streets and county roads to the best of our abilities. The Trip Generation Manuals published by the Institute of Transportation Engineers does not have trip generation tables well suited for the I-P zoning.

Several attempts were made to quantify the traffic volume generated by the new industrial park. One such attempt uses estimated trips by a current landowner. This technique assumes the following:

1. A future owner of lot 15 intends to open a light industrial oilfield service company estimates the Average Daily Traffic (ADT) created by their employees/vendors will be approximately 72. Of those 72 they estimate a truck distribution of approximately 50%.
2. Lot 15 is platted with 12 acres in the center portion of the proposed subdivision.
3. Subdivision has
 - a. 3.72 acres of drainage easement
 - b. 5.13 acres locate in street ROW
4. The total useable lot area in the subdivision is 96.73 acres. (105.58-3.72-5.13)

5. Lot 15 is 12 acres, thus an ADT of approximately 6 per acre. Overall, 93.73 acres will be developed.

Based on the above assumptions the site will have an ADT of approximately 580 vehicles per day ($96.73 \times 6 = 580$) upon completion of the subdivision. At this time, it is anticipated that the subdivision would be built out in three years. Initially (by year end) Lot 15 will be built on, thus resulting in an ADT generated of 72.

A second attempt was made to predict the traffic volume on the subdivision using the ITE Trip Generation Manual. ITE defines land use 110 Light Industrial as:

Light industrial facilities are free standing facilities devoted to a single use. These facilities have an emphasis on activities other than manufacturing and usually have minimal office space. Typical light industrial activities include printing, materials testing and assembly of data processing equipment.

This description of land use best fits the zoning considerations of the subdivision being evaluated. Trips being generated by land use can be evaluated in three different ways: by number of employees, by gross floor area, or by acreage. It is most applicable to evaluate this subdivision by acreage due to the size of the subdivision as well as the inability to predict the buildings sizes or the number of employees. On page 108 of the 8th edition of Trip Generation, data is supplied for weekday trips with a 50% directional distribution and 50% trucks.

The data suggests an average of 51.80 trips per acre for the 17 sites studied. It also indicates a range of 5.21 to 159.38 trips per acre and a standard deviation 32.69. There was a site included in that study that was approximately 100 acres (similar to the site in this study). This site had a significantly less trips than the average rate at approximately 31 trips per acre. The site being evaluated in the study that is just south and east of Watford City, North Dakota is very rural with 17 large industrial lots. Due to the similarity it would be safe to assume that the low end of this range would be suitable for this subdivision. This would produce an increase of 550 trips (5.21×105.58)

If it was assumed that each of the 17 lots had a 5000 ft² building (based upon the first building in the subdivisions), there would be 85,000 ft² of gross floor area. Given the information from page 99 of Trip Generation the average number of trips for Land Use 110 are 6.97 trips per 1000 ft² gross floor area. This equates to an approximate ADT of 593 vehicles due to the construction of this subdivisions.

Each method of estimation discussed above shows an estimated increase of less than 593 trips per day. Assuming that the split is 50% North and 50% South at the access intersection there would be an approximate increase in ADT of 300 on access routes 2 and 3.

TRAFFIC VOLUMES ON EXISTING ROUTES

ECS did not conduct traffic counts on existing routes in the study area. Instead highway counts were used from the NDDOT website for the intersections of route 2 and highway

85 and route 3 and highway 23. These traffic counts are from 2012 and represent only traffic on the highways. They do not show the traffic the minor legs of the intersections. Route 3 connects at the intersection of highway 23 and 1808. The traffic at this intersection is larger than at the other truck intersection. The information for those traffic counts can be seen in the table below.

ROUTE	Intersection Leg	Count VPD
2	Highway 85 North	9365
	Highway 85 South	9030
3	Highway 23 East	9450
	Highway 23 West	7045
	Highway 1806 North	2500

If half of the traffic went south and half of the traffic from the new subdivision went north there would be approximately 300 vehicle per day added to both of the highway intersections. This would result in an increase in the route 2 intersections by only 3.3% and the route 3 intersection would see an increase of just 3.1%. Given that volumes of traffic at the intersections are so large in comparison to the volume produced by the new subdivision, it can be concluded that the impact of the traffic on all routes will be negligible. The current level of service on either the routes or the intersections will not be affected by the introduced traffic.

PROPOSED ACCESS ROUTES

The developer proposes to restrict overweight traffic from accessing the site via Route 1. Overweight vehicles would be required to access the route either via Route 2 or Route 3. This would be accomplished in several ways. It will be advertised with all businesses in the industrial park that this road is not designed to carry loads in excess of 6 tons. They will help to direct trucks to either route 2 or route 3. Signage or enforcement may also be required to direct trucks away from this route.

PROPOSED BYPASS IMPACTS

The selected route for the bypass will greatly impact traffic flow in and out of the subdivision and will alter the preferred routes by traffic. At this time, there is little data about the proposed bypass made public so it is unclear if the bypass will be a controlled access highway or be accessed via existing county/city roads at their interface. Based on conversations with City staff, Option B is the option that is favored to connect with Highway 23. A route is due to be selected before the spring of 2013 and the project is expected to bid in 2014.

The North Dakota Highway Department should perform or require an extensive traffic impact analysis on all routes before one is selected. That study will include the volumes

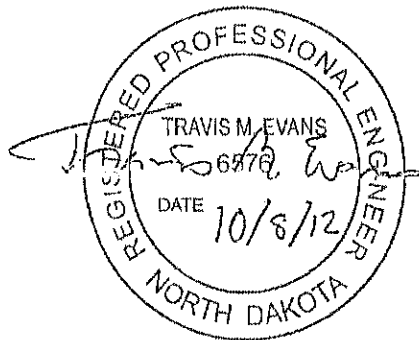
from this subdivision and assist in moving traffic flows to more capable and more preferred routes to access this subdivision.

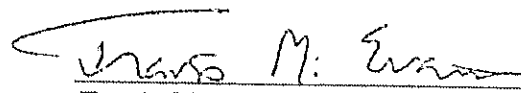
CONCLUSION

Until the Bypass is constructed, Routes 2 and 3 will be utilized by overweight traffic and periodically by light vehicle traffic. Route 1 may be utilized by vehicles under a 6 ton weight limit. Those routes should be able to handle the small amounts of traffic generated by the new GTI subdivision very easily.

It will also be made known to all parties that route 1 with a weight limit will be limited to light vehicles and that trucks must be directed to either routes 2 or 3. It may take some signage to keep unfamiliar drivers off of the route and to make it easier for law enforcement to ensure that the weight limit is adhered to.

The truck reliever route will have an even greater impact on the traffic impact from this subdivision and would change the way traffic works in the area. Until such time as more information is available on the truck reliever bypass the information presented in the report is assumed valid and should provide an accurate analysis of the impacts of the traffic due to the GTI subdivision.




Travis M. Evans, P.E.

APPENDIX A

General Light Industrial (110)

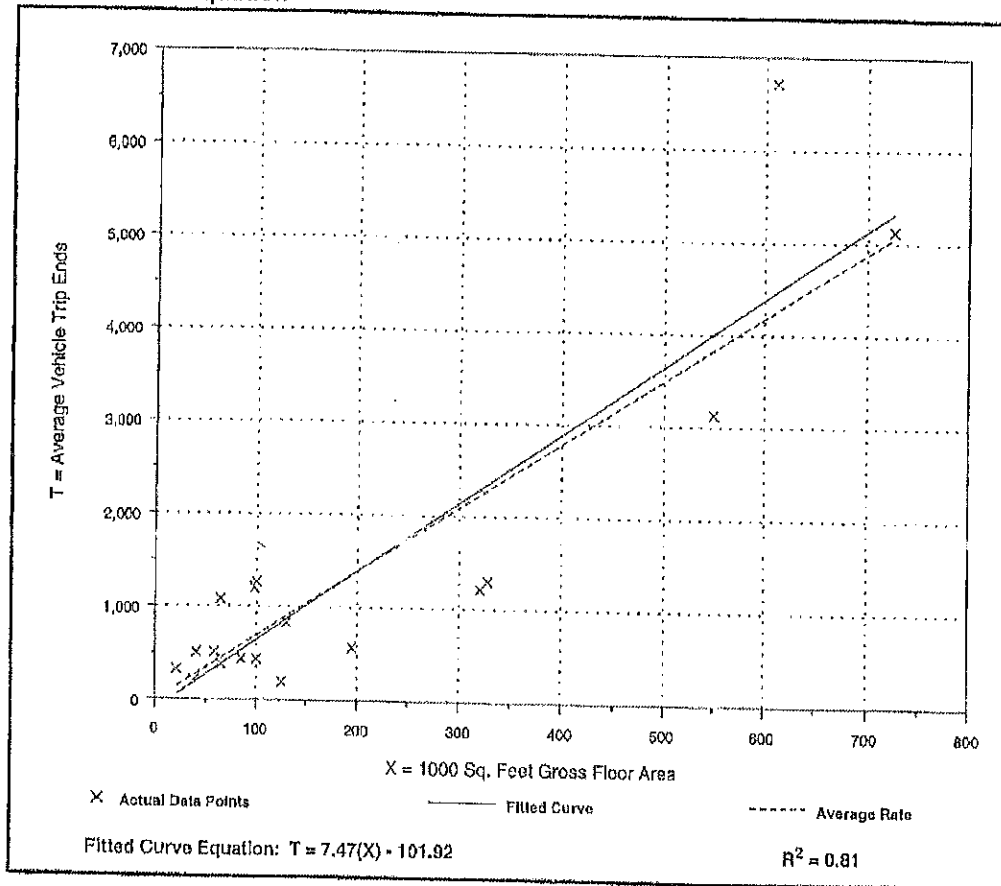
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday

Number of Studies: 18
Average 1000 Sq. Feet GFA: 203
Directional Distribution: 50% entering, 50% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
6.97	1.58 - 16.88	4.24

Data Plot and Equation



General Light Industrial (110)

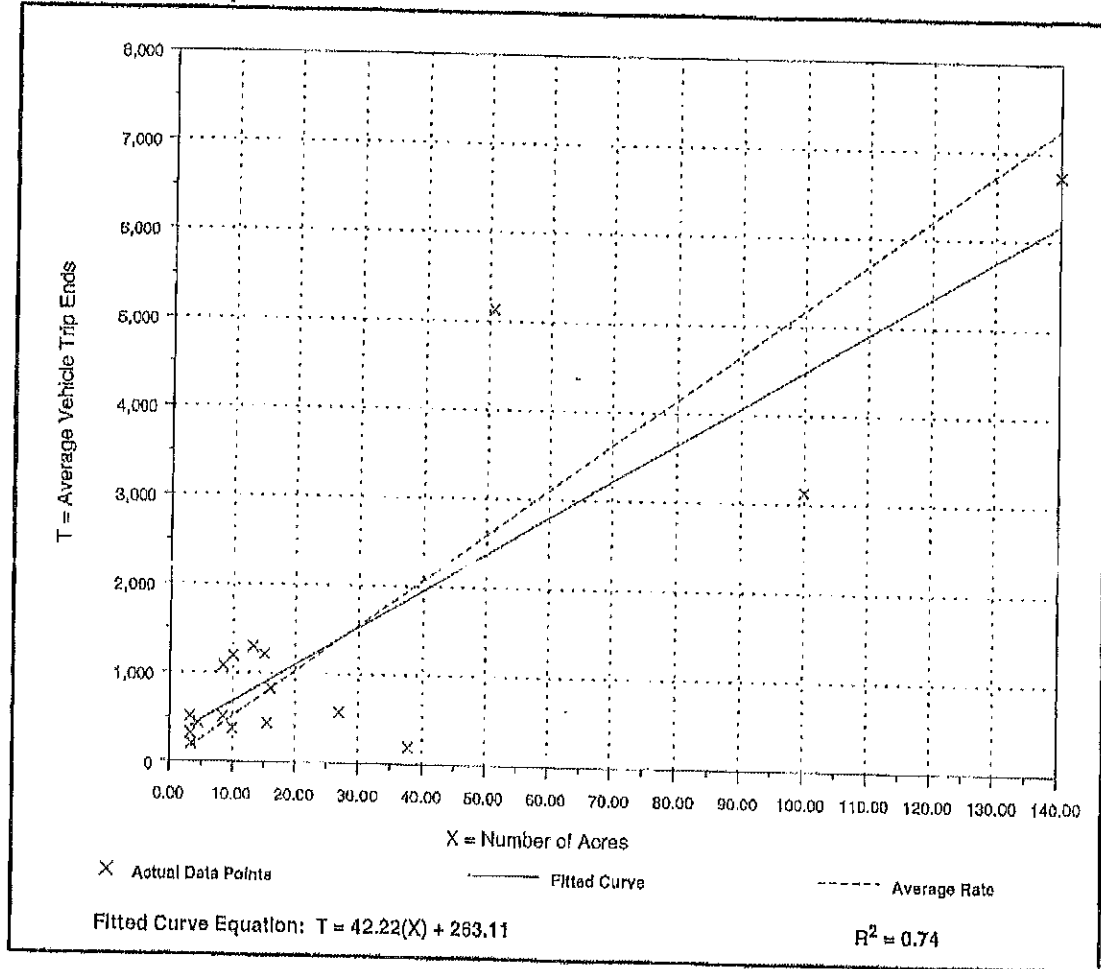
Average Vehicle Trip Ends vs: Acres
On a: Weekday

Number of Studies: 17
Average Number of Acres: 27
Directional Distribution: 50% entering, 50% exiting

Trip Generation per Acre

Average Rate	Range of Rates	Standard Deviation
51.80	5.21 - 159.38	32.69

Data Plot and Equation

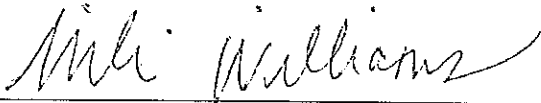


NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Watford City Planning Commission will hold a public hearing on Monday, October 29, 2012 at 6:00 PM at City Hall for the purpose of considering a Subdivision Final Plat filed by Edward Schilke on the following described property:

SWSE, E1/2 SWSW, SESW Section 29, T150N, R98W
105.58 Acres, McKenzie County
Plat of GTI Subdivision

Dated this 19th day of October, 2012



Mili Williams
Watford City Planning Commission

Run: 2 times - October 24 & 31
Published: McKenzie County Farmer
Faxed: Oct. 19, 2012

Sand Draw, LLC
Box 996
Stanley, ND 58784

Sonia, Denise & Lori Hegg
C/o Sonia Thompson
4491 Turnbow Lane
Bismarek, ND 58503

Curtis & Jennifer Sorenson
12652 22nd St NW
Watford City, ND 58854

Edward & Charlotte Schilke
Box 637
Watford City, ND 58854

Travis Evans
Po Box 1752
Watford City, ND 58854

DIVISION OF LAND / PLANNING APPLICATION
CITY OF WATFORD CITY

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY
FOR SUBMITTAL REQUIREMENTS, PLEASE SEE BELOW AND REVERSE

APPLICATION TYPE	DATE FILED: <u>10/12/2012</u>	APPLICATION NUMBER:
<input checked="" type="checkbox"/> SUBDIVISION TENTATIVE MAP	PROCESSED BY: <u>MW</u>	PLANNING AND ZONING: <u>10/30/12</u>
<input type="checkbox"/> SUBDIVISION FINAL MAP	FEE: <u>\$450.00</u>	CITY COUNCIL: <u>11/5/12</u> BOCC (IF APPLICABLE): _____
<input type="checkbox"/> PARCEL MAP SUBSEQUENT	RECEIPT #: <u>CHRT# 1085</u>	SECTION, TOWNSHIP, RANGE: <u>15 150 98</u> CONFORMANCE TO WATFORD CITY CO COMP PLAN? YES <input type="checkbox"/> NO <input type="checkbox"/>
<input type="checkbox"/> PARCEL MAP NON-SUBSEQUENT	RELATED CASE FILES:	FINAL ACTION LETTER ISSUED DATE:
<input type="checkbox"/> ROAD/STREET ABANDONMENT	<p align="center"><i>IMPORTANT INFORMATION AND SIGNATURE REQUIRED ON REVERSE (CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)</i></p> <p>PROPERTY OWNER: <u>PAUL & NANCY DEUTSCH PO BOX 1054 WATFORD CITY, ND 58854</u></p> <p>APPLICANT: <u>SAME</u></p> <p align="center">CORRESPONDENCE FOR THIS APPLICATION SHOULD BE ADDRESSED TO:</p> <p>NAME: <u>AE2S STEVE RUDE, PLS</u></p> <p>ADDRESS: <u>PO Box 2023</u></p> <p>CITY: <u>DICKINSON</u> STATE: <u>ND</u> ZIP CODE: <u>58602</u></p> <p>TELEPHONE: <u>701-225-9636</u> EMAIL: <u>steve.rude@ae2s.com</u></p>	
<input type="checkbox"/> LARGE PARCELS MAP TENTATIVE		
<input type="checkbox"/> LARGE PARCELS MAP FINAL		
<input type="checkbox"/> MAP OF REVERSION		
<input type="checkbox"/> BOUNDARY LINE ADJUSTMENT MAP		
<input type="checkbox"/> AGRICULTURAL EXEMPTION		
<input type="checkbox"/> FAMILY CEMETERY DESIGNATION		

ASSESSOR'S PARCEL NUMBER(S): 20-00-10300

LEGAL DESCRIPTION: PORTION OF IT 1109 in the SW/4 Sec. 15, T150N, R98W

PROPERTY ADDRESS AND NEAREST CROSS STREETS: ~~3605 4th AVE~~ 12281 Hwy 23 E, WATFORD CITY HW23/Hwy180

GROSS/NET ACREAGE: 3.95 AC NUMBER OF LOTS: 2

DESCRIBE THE METHOD OF PROVIDING WATER & SEWER: ON-SITE PRIVATE SYSTEMS

ARE ANY WAIVERS OR VARIANCES REQUIRED TO SUPPORT THIS APPLICATION? _____ (IF YES, ATTACH A JUSTIFICATION LETTER DESCRIBING SUCH WAIVERS OR VARIANCES). WAIVERS AND VARIANCES SHOULD BE DISCUSSED WITH PLANNING DEPARTMENTS STAFF PRIOR TO

SUBMITTAL REQUIREMENTS: All submittals shall be legible, printed in ink or typed and suitable for reproduction.

- Two copies of each map page sized suitable for reproduction (8.5"x 11" or 11"x 17") are required. Full size copies of maps (24"x 36") must be submitted with each application as required on the reverse. **PLEASE NOTE THAT ALL MAPS (except Mylar) MUST BE FOLDED SO THEY CAN BE PLACED IN A LEGAL SIZE FILE.**
- All maps must be drawn by a Professional Engineer or Land Surveyor.

PROCEDURES FOR FILING DIVISION OF LAND APPLICATIONS.

1. To file a Map Application, assemble the required documents and submit packet. Only completed applications shall be accepted for filing.
2. Refer to "DOCUMENT REQUIRED" for your application type. Staff reports and recommendations are mailed to the applicant and surveyor/engineer addresses listed on the application. To discuss a report or recommendation please contact the Planning Department.
3. All conditions of approval must be met before a map will be recorded.

DOCUMENTS REQUIRED FOR SUBMITTING PLANNING APPLICATIONS

MAP TYPE	Application & Affidavit	Number of Map Copies	Mylar	Intent to Serve Will Serve Letter	Title Report	Application Fees
Subdivision Map Tentative	^{1&4} 1	12		1	1	
Subdivision Map Final	1 ¹	4	1 ³	1 ²	1	
Parcel Map Subsequent	^{1&4} 1	7	1 ³	1 ²	1	
Parcel Map Non-subsequent	^{1&4} 1	7	1 ³	1 ²	1	
Road/Street Abandonment	1 ¹		1 ³			
Large Parcels Map Tentative	^{1&4} 1	7		1 ²	1	
Large Parcels Map Final	1 ¹	4	1 ³	1 ²	1	
Map of Reversion	1 ¹	7	1 ³	1 ²	1	
Boundary Line Adjustment	1 ¹	7	1 ³	1 ²	1	
Family Cemetery Designation	1 ¹	1				no charge

¹ If needed signing authority must be provided, corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation or provides signature in a representative capacity.

² If located within a water/sewer utility's service area, "Intent to Serve" required at tentative / first submittal stage, "Will Serve" required at technical review / final submittal stage.

³ Mylar maps are submitted for recording after all reviews and approvals are completed.

⁴ Affidavit to ensure the payment of taxes for compliance with the disclosure and recording requirements.

<p style="text-align: center;">SURVEYOR / ENGINEER INFORMATION</p> <p>NAME: <u>STEVE RUDE</u> LICENSE NO: <u>LS-6261</u></p> <p>ADDRESS: <u>446 2nd AVE WEST</u></p> <p>CITY: <u>DICKINSON</u> STATE: <u>ND</u> ZIP: <u>58601</u></p> <p>TELEPHONE: <u>701-690-3698</u> FAX/CELL: _____</p>	<p style="text-align: center;">SEND ALL CORRESPONDENCE TO:</p> <p style="text-align: center;">City of Watford City PO Box 494 Watford City, ND 58854 Phone: (701) 444-2533 Fax: (701) 444-3004</p>
<p>(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under WATFORD CITY CODE; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the <u>City of Watford City</u> and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.</p>	
Property Owner (Signature): <u>Paul Deutsch</u>	Property Owner (Print): <u>Paul Deutsch</u>
Property Owner (Signature): _____	Property Owner (Print): _____

AFFIDAVIT TO ACCOMPANY CITY OF WATFORD CITY DIVISION OF LAND APPLICATION

AP#: _____

Application/Owner: Paul Deutch

In the State of ND, County of McKENZIE

I/We Paul Deutch

I/We will make provisions to ensure for compliance with the disclosure and recording requirements of McKenzie County/Watford City related to the applicable map application type as follows:

(check appropriate map type)

Subdivision of Land Tentative Map

Parcel Map

Subdivision of Land Final Map

Paul Deutch
(Signature)

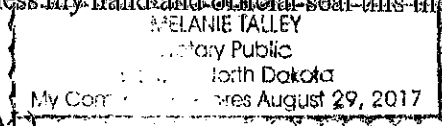
(Signature)

Paul Deutch
(Printed name & title)

(Printed name & title)

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

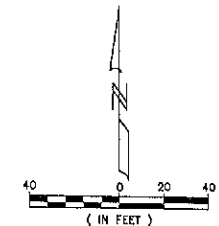
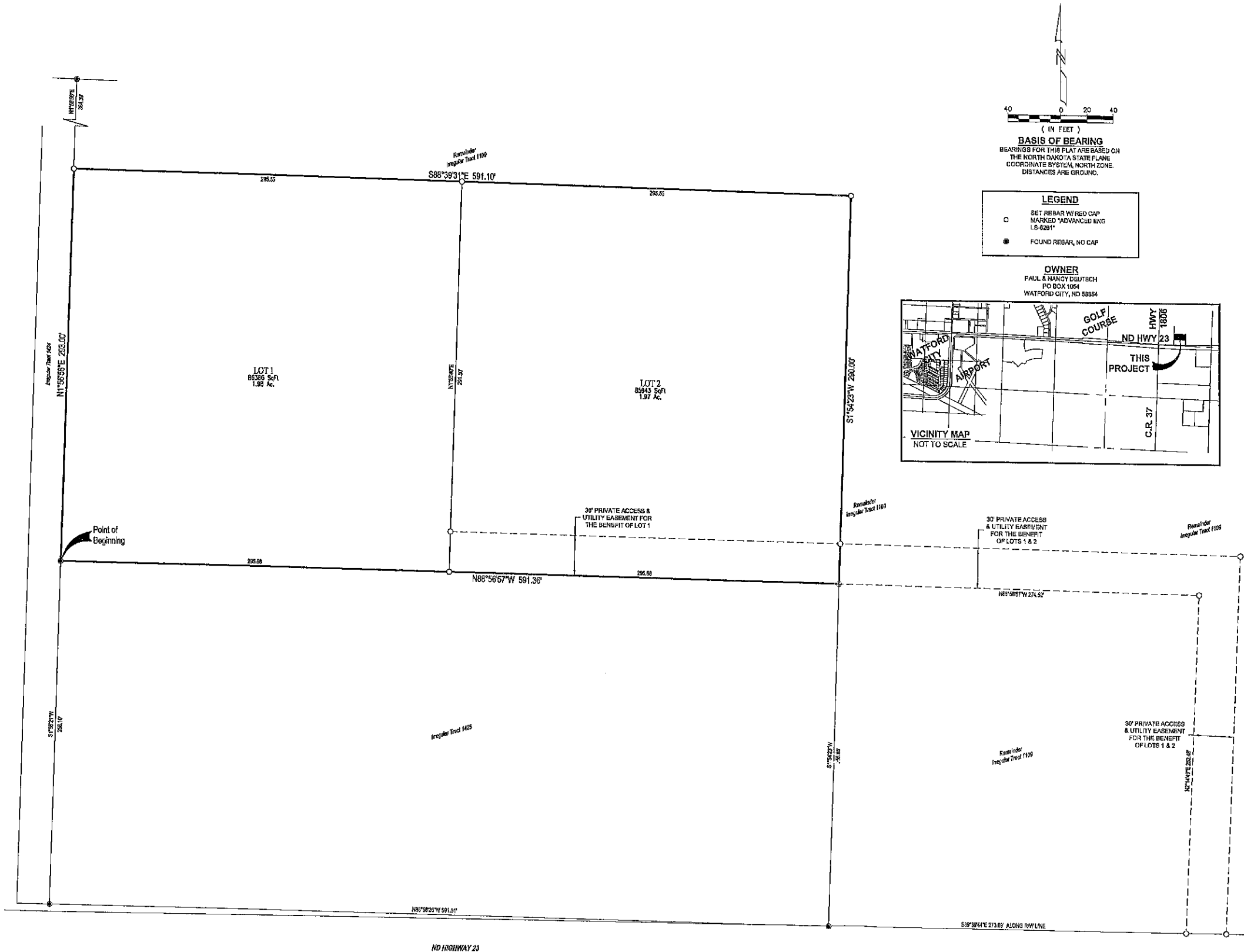
Witness my hand and official seal this the 18th day of September, 2012.

(SEAL) 

Melanie Talley
Notary Public

My Commission expires:
____/____/____.

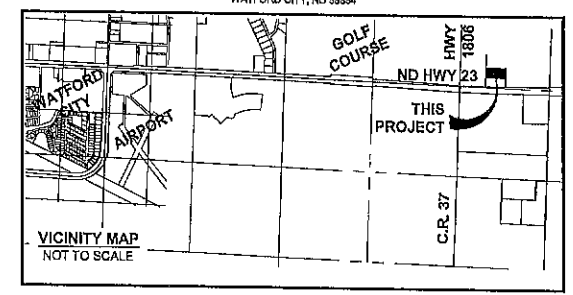
PLAT of
DEUTSCH SUBDIVISION No. 1
A PORTION OF IRREGULAR TRACT No. 1109 IN THE SW1/4 SECTION 15,
T150N, R98W, 5th P.M., MCKENZIE COUNTY, NORTH DAKOTA



BASIS OF BEARING
 BEARINGS FOR THIS PLAT ARE BASED ON
 THE NORTH DAKOTA STATE PLANE
 COORDINATE SYSTEM, NORTH ZONE.
 DISTANCES ARE GROUND.

LEGEND
 ○ SET REBAR W/ RED CAP
 MARKED "ADVANCED ENG
 L.S. 9281"
 ● FOUND REBAR, NO CAP

OWNER
 PAUL & NANCY DEUTSCH
 PO BOX 1054
 WATFORD CITY, ND 58384



DESCRIPTION

A portion of Irregular Tract No. 1109 in the SW1/4 Section 15, T150N, R98W, 5th P.M., McKenzie County, North Dakota, and being further described as follows:

Beginning at the northwest corner of Irregular Tract No. 1425, said point also being on the east line of Irregular Tract No. 1424; thence along said east line N01°00'00"E a distance of 283.00 feet; thence S88°39'31"E a distance of 591.10 feet; thence S01°54'23"W a distance of 290.00 feet; thence N88°59'57"W a distance of 591.36 feet to the Point of Beginning.

Said parcel contains 3.95 acres.

CERTIFICATE OF CONSENT

We, the undersigned, being sole owners and mortgage holders of the land platted herein, do hereby consent to the execution of this plat and dedicate the 30-foot private access and utility easement to run with the land for the benefit of Lots 1 and 2 as shown hereon. We further agree to not vacate any portion of this plat without the consent of the City of Watford City.

Dated this _____ day of _____, 2012.

Paul Deutsch _____ Nancy Deutsch _____
 STATE OF _____ }
 COUNTY OF _____ } ss

Be It known that on this _____ day of _____, 2012, before me personally appeared Paul Deutsch and Nancy Deutsch, known to me to be the persons described in the within Instrument, and acknowledged to me that they executed the same.

CERTIFICATE OF SURVEYOR

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

STATE OF NORTH DAKOTA }
 COUNTY OF _____ } ss

Be It known that on this _____ day of _____, 2012, before me personally appeared Steven Rude, known to me to be the person described in the within Instrument, and acknowledged to me that he executed the same.

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

CERTIFICATE OF CITY COUNCIL

The City Council of Watford City, ND, has approved the subdivision of land as shown on this plat, has accepted the dedication of all streets shown hereon, and has approved the grounds as shown hereon as an amendment to the master plan of Watford City. The City Council further approves that the 80-foot-wide public access easement across Open Space 3 in Block 4 shall automatically terminate when alternate legal and physical access are provided to Blocks 1 and 4. This action of the Council was taken by resolution approved the _____ day of _____, 2012.

Brent Sanford, Mayor _____ Allost: Laura Anderson, Auditor _____

STATE OF NORTH DAKOTA }
 COUNTY OF MCKENZIE } ss

Be It known that on this _____ day of _____, 2012, before me personally appeared Brent Sanford and Linda Anderson, known to me to be the persons described in the within Instrument, and acknowledged to me that they executed the same.

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

CERTIFICATE OF PLANNING & ZONING COMMISSION

This plat is hereby approved by the Planning & Zoning Commission of Watford City in accordance with the laws of the State of North Dakota, ordinances of Watford City, and the regulations of the Planning and Zoning Commission of Watford City.

Glen Beard, Chairman _____ Date _____

STATE OF NORTH DAKOTA }
 COUNTY OF MCKENZIE } ss

Be It known that on this _____ day of _____, 2012, before me personally appeared Glen Beard, known to me to be the person described in the within Instrument, and acknowledged to me that he executed the same.

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

CERTIFICATE OF COUNTY AUDITOR

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

Dated this _____ day of _____, 2012.

Linda Svihovec, Auditor _____

CERTIFICATE OF RECORDER

STATE OF NORTH DAKOTA }
 COUNTY OF MCKENZIE } ss

Filed for record in the office of the Recorder of McKenzie County, North Dakota, at _____ o'clock AM / PM this _____ day of _____, 2012, and assigned Document No. _____

Ann Johnsrud, Recorder _____

LAND USE APPLICATION

Watford City Planning Department
See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: <u>9-24-12</u>	APPLICATION NUMBER: <u>SLS 05-2012</u>
<input checked="" type="checkbox"/> ZONE CHANGE - \$200.00 fee	PROCESSES BY: <u>MW</u>	MEETING DATES: P&Z: <u>10/30</u> CC:
<input checked="" type="checkbox"/> CONDITIONAL USE PERMIT - \$350.00 fee plus publishing cost	FEE: <u>450.00</u> <u>10/9/12</u>	ADVERTISE DATE: <u>10/17 + 10/24</u>
<input checked="" type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: <u>CHR 7413</u>	PROPERTY OWNERS NOTIFIED: <u>10/16</u> <u>Y</u>
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: <u>W 1/2 NW 1/4 NW 1/4 Sect. 17 T150N R98E</u>	
<input checked="" type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS:	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: F&G Realty Investments, LLC

APPLICANT: F&G Realty Investments, LLC

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: F&G Realty Investments LLC (Attn: Leigh Jennings)

ADDRESS: 8066 E Fulton St,

CITY: Ada

STATE: MI

ZIP CODE: 49301

TELEPHONE: (616)425-5679

EMAIL: L.jennings@gocss.com

ASSESSOR'S PARCEL NUMBER(S): 20-00-11715

LEGAL DESCRIPTION: West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 17, Township 150 N, Range 98 W, Mckenzie County, ND

PROPERTY ADDRESS AND NEAREST CROSS STREETS: South side of 17th Avenue, approximately 1/4 mile east of CR-38

GROSS/NET ACREAGE: 19.95 +/- Acres

PRESENT ZONE CLASSIFICATION: ETA

DESIRED ZONE CLASSIFICATION: R-1

CURRENT LAST USE: Agricultural

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

We are requesting to split the current 20 acre lot into three (3) lots, all of which will have street frontage on 17th Avenue. House construction is currently underway on 2 of the 3 lots. The larger remainder parcel was originally designed to include a private roadway along with 14 additional lots, but this has been put on hold pending results of some adjacent development by others.

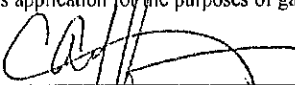
Access to all lots will be from a single driveway on 17th Avenue, located within the larger remainder parcel (parcel 3). An access easement will be drafted to create this legal access.

DESCRIBE THE SOURCE OF WATER/SEWER: On-site (well + septic)

Do you have a will serve letter YES NO

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

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

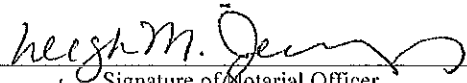

 Property Owner Signature

C. ANDREW SHAFFER, Member
 Print of Type Owner Name

NOTARY

State of Michigan
 County of Kent

This instrument was acknowledged before me on Sept 19, 2012 by C. Andrew Shaffer
 Date Name of Person


 Signature of Notarial Officer
 Notary: Leigh M. Jennings My Commission expires: 8-26-18

Documents Required for Submitting Land Use Applications

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

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

*Plus all sign costs

Procedures for Filing Land Use Applications:

- After assembling the required materials as outlined above, schedule an appointment by calling the Watford City Planning Department at (701) 444-2533. Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). Only completed applications shall be accepted for filing.
- Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30th calendar day.
- The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.
- Site Development Plan Application is required on all Conditional Use Applications.

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Watford City Planning Commission will hold a public hearing on Tuesday October 30, 2012 at 6:00 o'clock P.M. at City Hall to consider a Simple Lot Split application submitted by F&G Realty Investments, LLC on the following described property:

W1/2 NW1/4 NW1/4 of Section 17, T150N, R98W
south side of 17th Ave, appx. ¼ mile East of CR-38
19.95 Acres

For the purpose of splitting the current 20 acre lot into 3 lots.

Dated this 9th day of October, 2012



Mili Williams
Watford City Planning Commission

Run: 2 times
Published: McKenzie County Farmer --, Oct 17th & 24th 2012
Faxed: October 09 , 2012

Mailed to:

Edward Schilke
PO Box 637
Watford City, ND 58854

Rick Holm
1002 Main St N
Watford City, ND 58854

James LaClair
Joseph Thomas
PO Box 685
Sheridan, WY 82801

John Lawlar
3791 129th Ave NW
Watford City, ND 58854

LAND USE APPLICATION

Watford City Planning Department
See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: 10/11/12	APPLICATION NUMBER: SLS-06-2012
<input type="checkbox"/> ZONE CHANGE- \$200.00 fee	PROCESSES BY: MW	MEETING DATES: P&Z: 10/30 CC:
<input type="checkbox"/> CONDITIONAL USE PERMIT- \$350.00 fee plus publishing cost	FEE: 45000	ADVERTISE DATE: 10/17 & 10/24
<input type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: 1100	PROPERTY OWNERS NOTIFIED: Y 10/17
<input type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: E 1/2 SE 1/4 Sect. 17 T155N R98W	
<input type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS:	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Stenhjem Development, LLP

APPLICANT: Moore Engineering

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Tracy Eslinger

ADDRESS: 925 10th Avenue East

CITY: West Fargo

STATE: North Dakota

ZIP CODE: 58078

TELEPHONE: (701) 499-5860

EMAIL: teslinger@mooreengineeringinc.com

ASSESSOR'S PARCEL NUMBER(S): 20-25-05100

LEGAL DESCRIPTION: Lot 1, Block 5, Rolling Hills Estates Subdivision

E 1/2 SE 1/4 Sect 17

PROPERTY ADDRESS AND NEAREST CROSS STREETS: Long Drive and North Dakota Highway No. 23

GROSS/NET ACREAGE: 1.21 AC

PRESENT ZONE CLASSIFICATION: R-1, R-2, R-3

DESIRED ZONE CLASSIFICATION: No Change

CURRENT LAST USE: AG

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

Simple lot split of Lot 1 of Rolling Hills Estates Subdivision into Lots 1 and 2 of Rolling Hills Estates Second Subdivision.

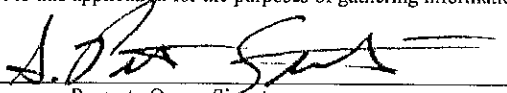
401 Long Drive

DESCRIBE THE SOURCE OF WATER/SEWER: Rural Water & Septic Sewer Do you have a will serve letter YES NO

T155N, R98W

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

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


Property Owner Signature

S. Peter Stenehjem, Managing Partner
Print of Type Owner Name


NOTARY

State of North Dakota

County of Cass

This instrument was acknowledged before me on 10/11/12 by TRACI WIEBE
Date Name of Person

TRACI WIEBE
Notary Public
State of North Dakota
My Commission Expires June 9, 2016


Signature of Notarial Officer

Documents Required for Submitting Land Use Applications

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

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

*Plus all sign costs

Procedures for Filing Land Use Applications:

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

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



Google earth

feet
km



Google earth



NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Watford City Planning Commission will hold a public hearing on Tuesday, October 30, 2012 at 6:00 o'clock P.M. at City Hall to consider a Simple Lot Split application submitted by Moore Engineering on the following described property:

Long Drive and Hwy 23
Lots 1 of Block 5 Rolling Hills Estates Subdivision
E1/2 SE1/4 Section 17, T155N, R98W

For the purpose of taking public input on the intent to create two parcels from one.

Dated this 11th day of October, 2012



Mili Williams
Watford City Planning Commission

LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED:	APPLICATION NUMBER: <u>SLS-08-2012</u>
<input type="checkbox"/> ZONE CHANGE- \$200.00 fee	PROCESSES BY: <u>MW</u>	MEETING DATES: P&Z: <u>10/30</u> CC:
<input type="checkbox"/> CONDITIONAL USE PERMIT- \$350.00 fee plus publishing cost	FEE: <u>450.00</u>	ADVERTISE DATE: <u>10/17 & 10/24</u>
<input type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: <u>1100</u>	PROPERTY OWNERS NOTIFIED: <u>YES 10/17</u>
<input type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: <u>E 1/2 SE 1/4 Sect 17, T155N, R98W</u>	
<input type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS: <u>SLS 06-2012, 07-2012</u>	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Stenehjem Development, LLP

APPLICANT: Moore Engineering

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Tracy Eslinger

ADDRESS: 925 10th Avenue East

CITY: West Fargo

STATE: North Dakota

ZIP CODE: 58078

TELEPHONE: (701) 499-5860

EMAIL: teslinger@mooreengineeringinc.com

ASSESSOR'S PARCEL NUMBER(S): 20-25-05200

LEGAL DESCRIPTION: Lot 2, Block 5, Rolling Hills Estates Subdivision

PROPERTY ADDRESS AND NEAREST CROSS STREETS: Long Drive and North Dakota Highway No. 23

GROSS/NET ACREAGE: 1.21 ac

PRESENT ZONE CLASSIFICATION: R-1, R-2, R-3

DESIRED ZONE CLASSIFICATION: No Change

CURRENT LAST USE: AG

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

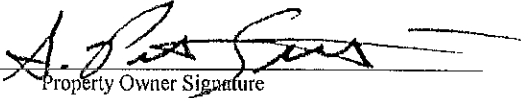
Simple lot split of Lot 2 of Rolling Hills Estates Subdivision into Lots 3 and 4 of Rolling Hills Estates Second Subdivision.

405 Long Drive

DESCRIBE THE SOURCE OF WATER/SEWER: Rural Water & Septic Sewer Do you have a will serve letter YES NO

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


 Property Owner Signature

S. Peter Stenehjem, Managing Partner
 Print of Type Owner Name

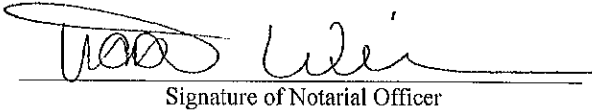
NOTARY

State of North Dakota

County of Cass

This instrument was acknowledged before me on 10/11/12 by TRACI WIEBE
 Date Name of Person

TRACI WIEBE
 Notary Public
 State of North Dakota
 My Commission Expires June 9, 2016


 Signature of Notarial Officer

Documents Required for Submitting Land Use Applications

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Variance	1	1	4			1 ¹¹				\$200.00
Vacation and Abandonment	1		4	1 ⁹	1 ⁸	1 ¹¹				Refer to Fee Schedule
Street Name Change*	1					1 ¹¹				Refer to Fee Schedule

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*Plus all sign costs

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

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Long Drive and Hwy 23
Lots 2 of Block 5 Rolling Hills Estates Subdivision
E1/2 SE1/4 Section 17, T155N, R98W

For the purpose of taking public input on the intent to create two parcels from one.

Dated this 11th day of October, 2012



Mill Williams
Watford City Planning Commission

LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED:	APPLICATION NUMBER: <u>SLS-07-2012</u>
<input type="checkbox"/> ZONE CHANGE- \$200.00 fee	PROCESSES BY: <u>MW</u>	MEETING DATES: P&Z: <u>10/30</u> CC:
<input type="checkbox"/> CONDITIONAL USE PERMIT- \$350.00 fee plus publishing cost	FEE: <u>450.00</u>	ADVERTISE DATE: <u>10/17 & 10/24</u>
<input type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: <u>1100</u>	PROPERTY OWNERS NOTIFIED: <u>YES 10/17</u>
<input type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: <u>E 1/2 SE 1/4 Sect 17, T155N, R98W</u>	
<input type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS: <u>SLS-06-2012, 08-2012</u>	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Stenehjem Development, LLP

APPLICANT: Moore Engineering

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Tracy Eslinger

ADDRESS: 925 10th Avenue East

CITY: West Fargo STATE: North Dakota ZIP CODE: 58078

TELEPHONE: (701) 499-5860 EMAIL: teslenger@mooreengineeringinc.com

ASSESSOR'S PARCEL NUMBER(S): 20-25-05300

LEGAL DESCRIPTION: Lot 3, Block 5, Rolling Hills Estates Subdivision

PROPERTY ADDRESS AND NEAREST CROSS STREETS: Long Drive and North Dakota Highway No. 23

GROSS/NET ACREAGE: 1.11 ac PRESENT ZONE CLASSIFICATION: R-1, R-2, R-3

DESIRED ZONE CLASSIFICATION: No Change CURRENT LAST USE: AG

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

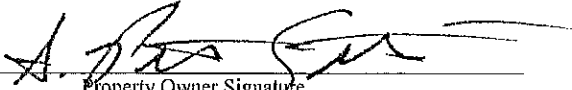
Simple lot split of Lot 3 of Rolling Hills Estates Subdivision into Lots 5 and 6 of Rolling Hills Estates Second Subdivision.

501 Long Drive

DESCRIBE THE SOURCE OF WATER/SEWER: Rural Water & Septic Sewer Do you have a will serve letter YES NO

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

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



Property Owner Signature

S. Peter Stenehjem, Managing Partner
Print of Type Owner Name


NOTARY

State of North Dakota

County of Cass

This instrument was acknowledged before me on 10/11/12 by TRACI WIEBE
Date Name of Person

TRACI WIEBE
Notary Public
State of North Dakota
My Commission Expires June 9, 2016



Signature of Notarial Officer

Documents Required for Submitting Land Use Applications

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

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

*Plus all sign costs

Procedures for Filing Land Use Applications:

- A. After assembling the required materials as outlined above, schedule an appointment by calling the Watford City Planning Department at (701) 444-2533. Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). Only completed applications shall be accepted for filing.
- B. Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- E. Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30th calendar day.
- F. The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.
- G. Site Development Plan Application is required on all Conditional Use Applications.

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Watford City Planning Commission will hold a public hearing on Tuesday, October 30, 2012 at 6:00 o'clock P.M. at City Hall to consider a Simple Lot Split application submitted by Moore Engineering on the following described property:

Long Drive and Hwy 23
Lots 3 of Block 5 Rolling Hills Estates Subdivision
E1/2 SE1/4 Section 17, T155N, R98W

2nd addition

For the purpose of taking public input on the intent to create two parcels from one.

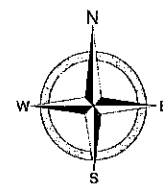
Dated this 11th day of October, 2012

Mili Williams

Mili Williams
Watford City Planning Commission

PLAT OF ROLLING HILLS ESTATES SECOND ADDITION

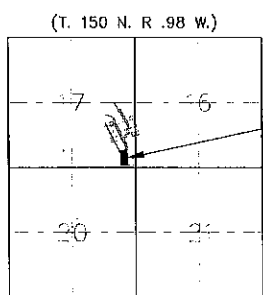
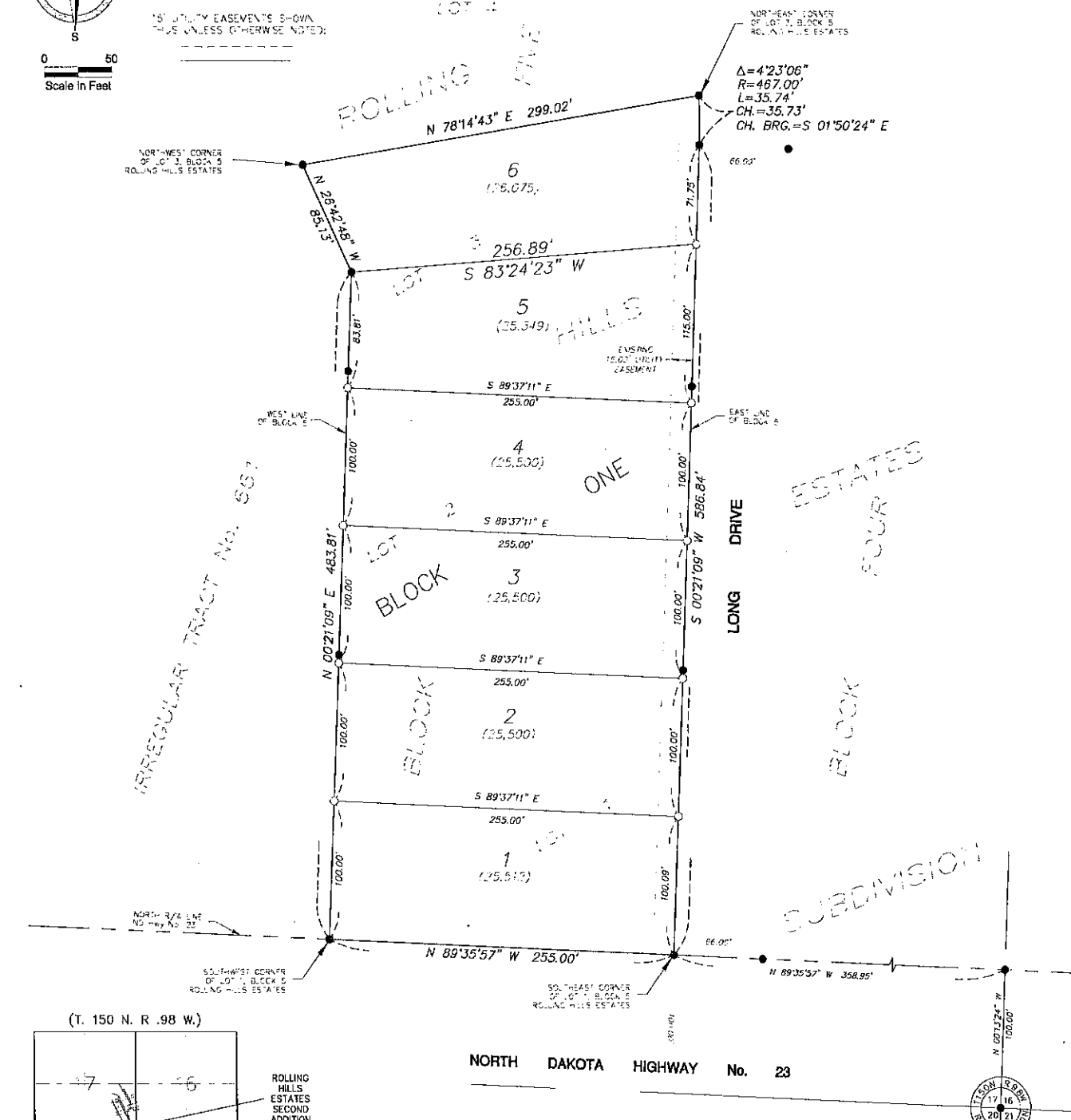
A REPLAT OF LOTS 1, 2 AND 3, BLOCK 5 OF ROLLING HILLS SUBDIVISION,
A PART OF THE E 1/2 OF THE SE 1/4 SECTION 17, TOWNSHIP 150 NORTH, RANGE 98 WEST
MCKENZIE COUNTY, NORTH DAKOTA.



Scale in Feet
0 50

LEGEND

- IRON MONUMENT FOUND
- SET 5/8" X 8" REBAR WITH YELLOW PLASTIC CAP #2088
- DENOTES ARC LENGTH
- DENOTES RADIUS LENGTH
- DENOTES AREA IN SQ. FT.
- UTILITY EASEMENTS SHOWN UNLESS OTHERWISE NOTED



VICINITY MAP
(NOT TO SCALE)

BASIS OF BEARINGS: THE SOUTH-NE
OF ROLLING HILLS ESTATES HAS A
RECORD BEARING OF N 89°35'57" W.

OWNERS' CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENTS THAT STENEHEM DEVELOPMENT, LLP IS THE OWNER AND PROPRIETOR OF THAT PORTION OF ROLLING HILLS ESTATES ADDITION LOCATED IN THE EAST HALF OF THE SOUTH-EAST QUARTER OF SECTION 17, TOWNSHIP 150 NORTH, RANGE 98 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MCKENZIE COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS:

LOTS 1, 2 AND 3 INCLUSIVE, BLOCK 5 OF ROLLING HILLS ESTATES SUBDIVISION CONTAINING 3.52 ACRES.

AND THEY HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON TO BE KNOWN AS "ROLLING HILLS ESTATES SECOND ADDITION" AND HEREBY DONATE AND DEDICATE THE STREET RIGHT-OF-WAY AND EASEMENTS AS SHOWN HEREON TO THE PUBLIC FOR PUBLIC USE, SUBJECT TO EASEMENTS, RESERVATIONS, AND RIGHTS-OF-WAY OF RECORD, IF ANY, IN WITNESS WHEREOF HAVE CAUSED THESE PRESENTS TO BE SIGNED BY THEIR PROPER OFFICER:

OWNERS: STENEHEM DEVELOPMENT, LLP

S. PETER STENEHEM, MANAGING PARTNER
STENEHEM DEVELOPMENT, LLP

STATE OF NORTH DAKOTA,
COUNTY OF MCKENZIE

ON THIS _____ DAY OF _____, 2012, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED S. PETER STENEHEM, MANAGING PARTNER OF STENEHEM DEVELOPMENT, LLP, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF STENEHEM DEVELOPMENT, LLP.

NOTARY PUBLIC, MCKENZIE COUNTY, NORTH DAKOTA

MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

DAVID S. HEYER, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "ROLLING HILLS ESTATES SECOND ADDITION" TO THE CITY OF WATFORD CITY, A REPLAT OF PART OF ROLLING HILLS ESTATES SUBDIVISION, MCKENZIE COUNTY, NORTH DAKOTA. THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY SHOWN THEREON; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED ON THE PLAT FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT THE EXTERIOR BOUNDARY LINES OF SAID SUBDIVISION ARE CORRECTLY DESIGNATED ON THE PLAT TO THE BEST OF HIS INFORMATION, KNOWLEDGE AND BELIEF.

DAVID S. HEYER
REGISTERED LAND SURVEYOR
REG. NO. 2086



STATE OF NORTH DAKOTA,
COUNTY OF MCKENZIE

ON THIS _____ DAY OF _____, 2012, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DAVID S. HEYER, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

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 _____, 2012 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

ON THIS _____ DAY OF _____, 2012, 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 _____, 2012.

NOTARY PUBLIC, MCKENZIE COUNTY, NORTH DAKOTA

CERTIFICATE OF MCKENZIE COUNTY RECORDER

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 _____ ON THE DAY OF _____, A.D. 2012 AND WAS RECORDED AS DOCUMENT NUMBER _____.

NOTARY PUBLIC, MCKENZIE COUNTY, NORTH DAKOTA

DEPUTY, MCKENZIE COUNTY RECORDER

WATFORD CITY APPROVAL

THE CITY OF WATFORD CITY, NORTH DAKOTA, HAS APPROVED THE ATTACHED PLAT AS SHOWN HEREON, AND LYING WITHIN THE JURISDICTION OF THE CITY OF WATFORD CITY, HAS APPROVED THE STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND GROUNDS OF THE ATTACHED PLAT, SHOWN HERE AS AN AMENDMENT TO THE COMPREHENSIVE STREET AND HIGHWAY PLAN, AND OTHER APPROPRIATE PORTIONS OF THE COMPREHENSIVE PLAN OF THE CITY OF WATFORD CITY, NORTH DAKOTA.

DATE: _____

BRENT SANFORD, PRESIDENT
OF THE WATFORD CITY COMMISSION

DATE: _____

LAURA ANDERSON, CITY AUDITOR

STATE OF NORTH DAKOTA,
COUNTY OF MCKENZIE

ON THIS _____ DAY OF _____, 2012, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BRENT SANFORD, PRESIDENT OF THE WATFORD CITY COMMISSION, AND LAURA ANDERSON, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WATFORD CITY.

NOTARY PUBLIC, MCKENZIE COUNTY, NORTH DAKOTA

MY COMMISSION EXPIRES: _____

PRELIMINARY

PLAT OF
ROLLING HILLS ESTATES
SECOND ADDITION
A REPLAT OF LOTS 1, 2 AND 3,
BLOCK 5, ROLLING HILLS ESTATES SUBDIVISION
MCKENZIE COUNTY, NORTH DAKOTA.



SHEET 1 OF 1
PROJECT NO. 16245

5-147
plan

LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: <u>9-19-12</u>	APPLICATION NUMBER: <u>V-07-2012</u>
<input type="checkbox"/> ZONE CHANGE- \$200.00 fee	PROCESSES BY:	MEETING DATES: P&Z: <u>10/30</u> CC:
<input type="checkbox"/> CONDITIONAL USE PERMIT- \$350.00 fee plus publishing cost	FEE: <u>200.00</u>	ADVERTISE DATE: <u>10/11/12</u>
<input checked="" type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: <u>pd ch # 6946</u>	PROPERTY OWNERS NOTIFIED: <u>Y 10/15 letter mailed</u>
<input type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: <u>sect. 19 T150 R98</u>	
<input type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS:	
<input type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Larry Signalness
APPLICANT: Larry Signalness

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Larry Signalness
ADDRESS: 2961 Hwy 23
CITY: Watford City STATE: North Dakota ZIP CODE: 58854
TELEPHONE: 675-2329 EMAIL: bazzma@ruggedwest.com
ASSESSOR'S PARCEL NUMBER(S): 82-69-00600 ; 82-69-00700
LEGAL DESCRIPTION: lot 24 & 25 Seibolds Addition to Watford City
PROPERTY ADDRESS AND NEAREST CROSS STREETS: 308 & 312 5th St NE
GROSS/NET ACREAGE: _____ PRESENT ZONE CLASSIFICATION: R-1
DESIRED ZONE CLASSIFICATION: N/A CURRENT LAST USE: N/A

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

* We are asking for a 10' variance for lots 24 & 25 to the west side, so the front of our house will be 40' from the curb, instead of 50' from the curb (30' of property line). By doing this our house will be more in line with both houses on each side of us. Please refer to my map.

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

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

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

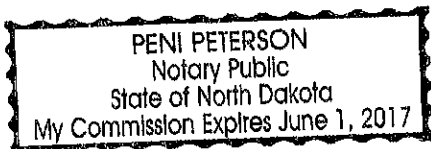
Larry Sigalness
Property Owner Signature

Larry Sigalness
Print of Type Owner Name

NOTARY

State of North Dakota
County of McKenzie

This instrument was acknowledged before me on 9-19-12 by Larry Sigalness
Date Name of Person



Peni Peterson
Signature of Notarial Officer

Documents Required for Submitting Land Use Applications

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

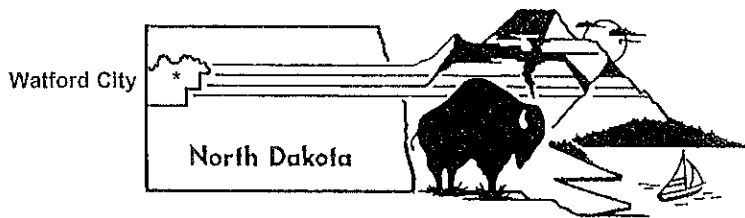
Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications

*Plus all sign costs

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- After assembling the required materials as outlined above, schedule an appointment by calling the Watford City Planning Department at (701) 444-2533. Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). Only completed applications shall be accepted for filing.
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Watford City Planning Department
213 2nd St NE
Watford City, ND 58854
Phone: (701)444-2533 Fax: (701)444-3004 Website: www.4eyes.net



City of Watford City
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
www.4eyes.net

October 16, 2012

STAFF REPORT

V-07-2012

Variance

Applicant
Larry Signalness
2961 Hwy 23
Watford City, ND 58854

Property Owner(s)
SAME

Property Address: 308 & 312 5th St NE
Watford City, ND

Variance Requested: A nine (9) foot encroachment into the front yard setback requirement of thirty (30) feet

Zone: R-1, Single Family Dwelling District

Reference: Watford City City Code Sec. XV – Article XXVII, Variances - Section 1 – Requirements for Variances and Section 2 - Limitations

Discussion: The applicant is seeking a nine (9) foot variance in the front yard. R-1 setback requirement for front yards in this district is thirty (30) feet.

Article XXVII, Section 1 of the Watford City Zoning Ordinance outlines the following circumstances that must be shown in order to grant a variance:

1. Unique conditions apply to this property that do not generally apply to other properties in the vicinity as a result of exceptional narrowness, shallowness, or shape, by reason of exceptional topographical conditions, or other extraordinary or exceptional circumstances the strict application of the terms of this zoning ordinance actually prohibits the use of his property in the manner similar to that of other property in the zoning district where it is located.
2. The yard regulation variance may not be more than one-half (1/2) the required yard and shall not encroach upon the required setback for adjacent buildings.

The property subject to this request is located 308 & 312 5th St NE

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

Recommendation: Staff recommends **approval** of variance of nine (9) feet from the required thirty (30) foot minimum front yard setback reducing the setback to twenty-one (21) feet for the following reasons:

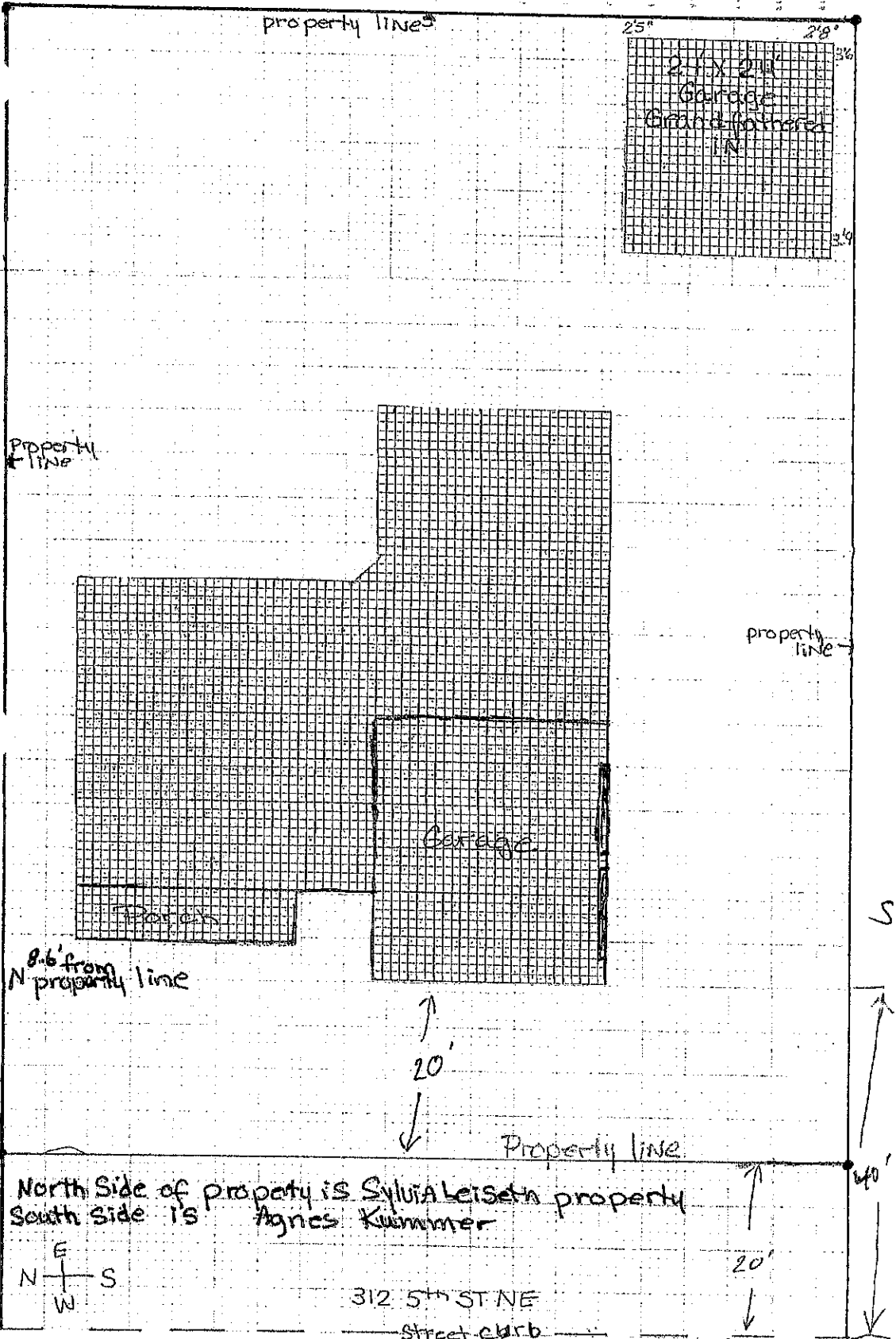
1. The protrusion of the home into the front yard setbacks does not create a traffic obstruction.
2. The lot was surveyed and found to be nine (9) feet shorter than what was on the city plat map.

Should the Planning and Zoning Commission elect to grant the variance, a finding that the hardship warrants the approval of this variance should be made.

Contact:

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

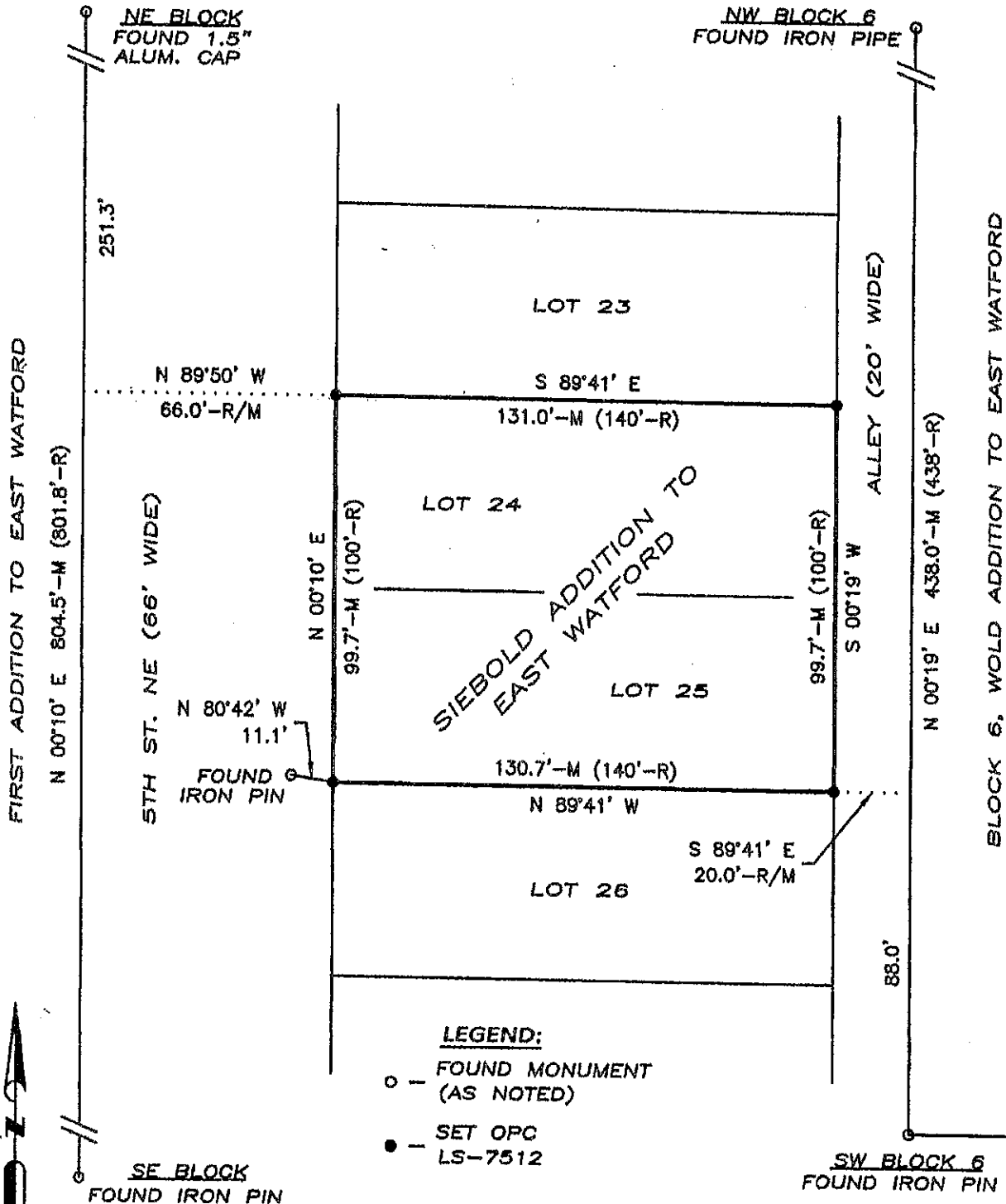
E



Lamy & Lois Signalness
 312 5th St NE
 Warford city, ND 58854

RETRACEMENT SURVEY

LOTS 24 & 25; SIEBOLD ADDITION TO EAST WATFORD, WATFORD CITY, NORTH DAKOTA



SURVEYOR'S NOTE

LARGE DISCREPANCIES WERE FOUND BETWEEN RECORD AND MEASURED DISTANCES. THE MOST RECENT HIGHWAY PLANS REFLECTS SIMILAR FINDINGS. IN GENERAL, THE FOUND MONUMENTS AND THE RECORD STREET WIDTHS WERE ACCEPTED AS CONTROLLING EVIDENCE.



1" = 40'



North

County Recorder
McKenzie County
Watford City ND 58854

438564

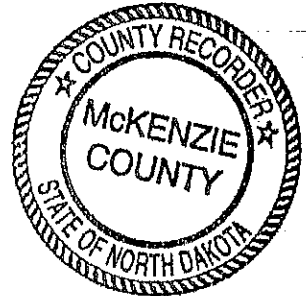
Page 2 of 2

COUNTY RECORDER, MCKENZIE COUNTY, ND

I certify that this instrument was filed and recorded. 438564

Ann M. Johnsrud, County Recorder Fee \$13.00

By Ann M. Johnsrud Aug 20, 2012 01:32 PM



NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Watford City Planning Commission will hold a public hearing on Tuesday October 30, 2012 at 6:00 o'clock P.M. at City Hall to consider a Zoning Variance application submitted by Larry Signalness on the following described property:

308 & 312 5th St NE Lots 24 & 25
Seibold Addition to Watford City

For the purpose of taking public input on a variance of 10 ft. for lots 24 & 25 west side.

Dated this 9th day of October, 2012.



Mili Williams
Watford City Planning Commission

Run: 1 time
Published: McKenzie County Farmer – October 17th, 2012
Faxed: October 9, 2012

Orrin & Joyce Moe
802 24th Ave SW
Watford City, ND 58854

Kurt & Lois Brew
PO Box 1246
Watford City, ND 58854

Phillip & Debbie Riely
PO Box 413
Watford City, ND 58854

Courtney Ty & Amber Henson
2001 N Main St
Watford City, ND 58854

Sylvia Leiseth
PO Box 302
Watford City, ND 58854

Agnes Kummer
PO Box 483
Watford City, ND 58854

LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: 9/28/12	APPLICATION NUMBER: V-05-2012
<input checked="" type="checkbox"/> ZONE CHANGE- \$200.00 fee	PROCESSES BY: MW	MEETING DATES: P&Z: 10/30 CC:
<input checked="" type="checkbox"/> CONDITIONAL USE PERMIT- \$350.00 fee plus publishing cost	FEE: 225	ADVERTISE DATE: 10/17/12
<input checked="" type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: 1010	PROPERTY OWNERS NOTIFIED: 1
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: Sect 18 T15D R 98	
<input checked="" type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS: V-06-2012	
<input type="checkbox"/>	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: TC NORTH DAKOTA VENTURES, LLC

APPLICANT: GEOFF BROWN

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: %Ross Cooper

ADDRESS: 13047 N. 80th Place

CITY: Scottsdale STATE: Arizona ZIP CODE: 85260

TELEPHONE: (480) 922-0068 EMAIL: newhorizons@cox.net

ASSESSOR'S PARCEL NUMBER(S): Not Available

LEGAL DESCRIPTION: See Exhibit A attached hereto

PROPERTY ADDRESS AND NEAREST CROSS STREETS: See Exhibit A attached hereto

GROSS/NET ACREAGE: .861 Acres PRESENT ZONE CLASSIFICATION: R-1 Single Dwelling District

DESIRED ZONE CLASSIFICATION: _____ CURRENT LAST USE: _____

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

ARTICLE X, R-1 SINGLE DWELLING DISTRICT SECTION 6 PROVIDES FOR A 25 FOOT REAR YARD SETBACK.

OWNER REQUESTS A VARIANCE TO ALLOW FOR A 23 FOOT REAR YARD SETBACK FOR THE PROPERTY

DESCRIBED IN EXHIBIT A SO THAT THE HOUSE DESIGNED BY OWNER AS SHOWN ON THE ATTACHED

PLOT PLANS WILL FIT ON THE LOTS. IF OWNER IS REQUIRED TO DESIGN A DIFFERENT

HOUSE THE PROJECT WILL BE DELAYED AND THE HOUSES WILL NOT BE BUILT UNTIL WELL INTO 2013


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

Land Use Applications Cannot be Accepted over the Front Counter

Please Call (701) 444-2533 to schedule an appointment

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

BY: TATE DIVERSIFIED DEVELOPMENT, INC
MANAGING MEMBER

BY: 
RON TATE, PRESIDENT
Property Owner Signature

TC NORTH DAKOTA VENTURES, LLC.,
Print of Type Owner Name

State of _____

County of _____

This instrument was acknowledged before me on September __, 2012 by RON TATE, the President of Tate Diversified Development, in its capacity as the managing member of TC NORTH DAKOTA VENTURES, LLC.

see attached

Signature of Notarial Officer

Documents Required for Submitting Land Use Applications

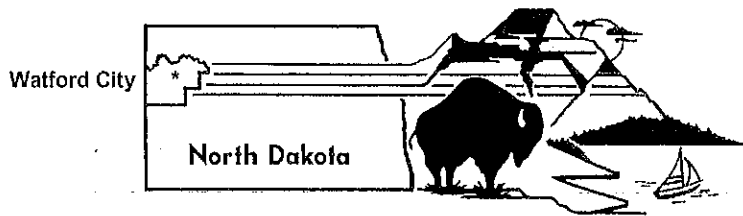
APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	Straight-line Drawing	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	4	1 ⁹		1 ¹¹	4 ¹²	1 ¹³	1 ¹⁴	\$350.00
Zone Change	1	1	4	1 ⁹	1 ⁸	1 ¹¹	4 ¹²		1 ¹⁴	\$200.00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

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

*Plus all sign costs

Procedures for Filing Land Use Applications:

- A. After assembling the required materials as outlined above, schedule an appointment by calling the Watford City Planning Department at (701) 444-2533. Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). Only completed applications shall be accepted for filing.
- B. Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- E. Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm, on the 30th calendar day.
- F. The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.
- G. Site Development Plan Application is required on all Conditional Use Applications.



City of Watford City
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
www.4eyes.net

October 15, 2012

STAFF REPORT

V-05-2012

Variance

Applicant

TC North Dakota Ventures, LLC.
Ross Cooper
PO Box 1018
Watford City, ND 58854

Property Owner(s)

Same

Property Address: 1325, 1321, 1317, 1313 E. Pheasant Ridge
Lots 45,47,49,51
Watford City, ND

Variance Requested:

A variance of two (2) feet into the rear yard setback requirement in the R-1 district of 25 (twenty-five) feet.

Zone: R-1, Single Family Dwelling District

Reference: Watford City City Code Sec. XV – Article XXVII, Variances - Section 1 – Requirements for Variances and Section 2 - Limitations

Discussion: The applicant is requesting a two (2) foot variance into the rear setback requirement of twenty five (25) feet to allow for the placement of a new modular home.

Article XXVII, Section 1 of the Watford City Zoning Ordinance outlines the following circumstances that must be shown in order to grant a variance:

1. Unique conditions apply to this property that do not generally apply to other properties in the vicinity as a result of exceptional narrowness, shallowness, or shape, by reason of exceptional topographical conditions, or other extraordinary or exceptional circumstances the strict application of the terms of this zoning ordinance actually prohibits the use of his property in the manner similar to that of other property in the zoning district where it is located.
2. The yard regulation variance may not be more than one-half (1/2) the required yard and shall not encroach upon the required setback for adjacent buildings.

ACKNOWLEDGMENT

State of California)
) ss.
County of Santa Clara)

On September 28, 2012 before me, Jennifer Drysdale, a notary public in and for the State of California, personally appeared RONALD M. TATE, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



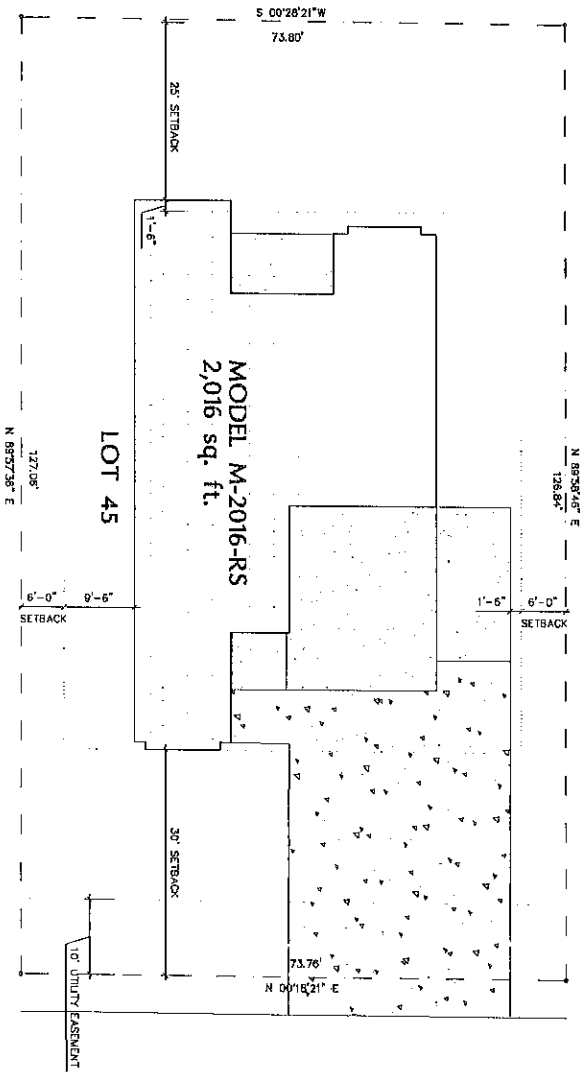
Jennifer Drysdale
NOTARY PUBLIC

EXHIBIT A

Lots 45, 47, 49, and 51 of Pheasant Ridge, according to the plat of record in the official records of McKenzie County, North Dakota, and recorded as Document no. 436679.

ADDRESSES

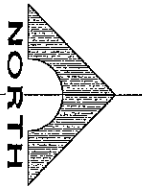
Lot 45	1325 East Pheasant Ridge Street
Lot 47	1321 East Pheasant Ridge Street
Lot 49	1317 East Pheasant Ridge Street
Lot 51	1313 East Pheasant Ridge Street



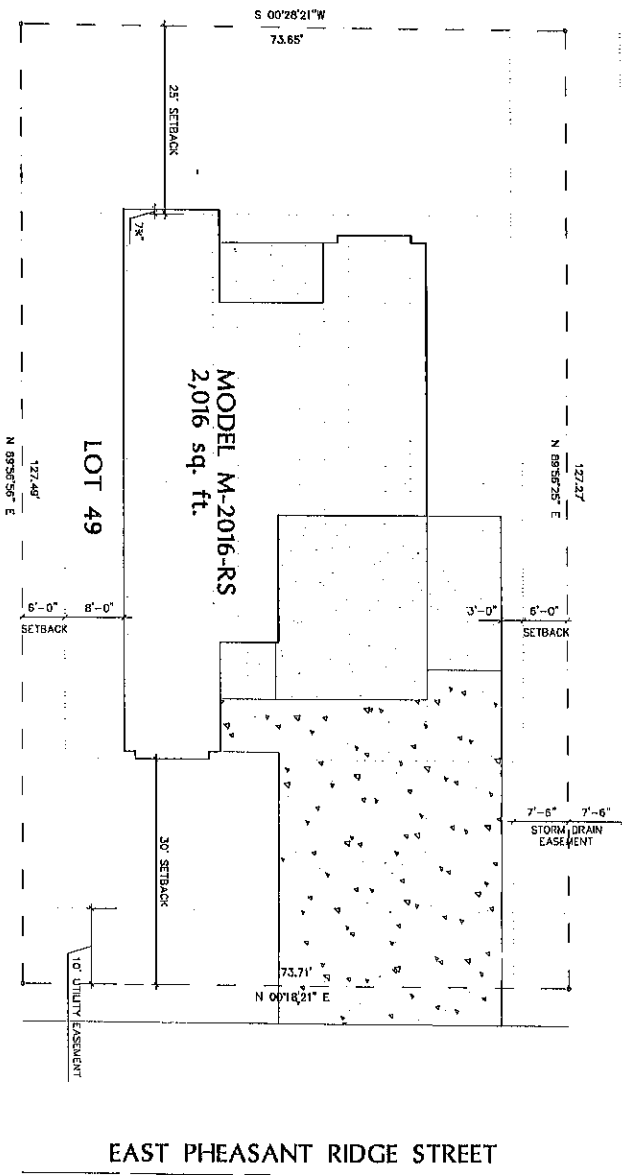
EAST PHEASANT RIDGE STREET

SITE PLAN - Lot 45

SCALE: 1/16" = 1'-0"

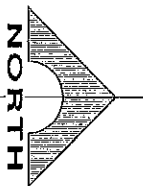


Pheasant Ridge
 Watford City, North Dakota

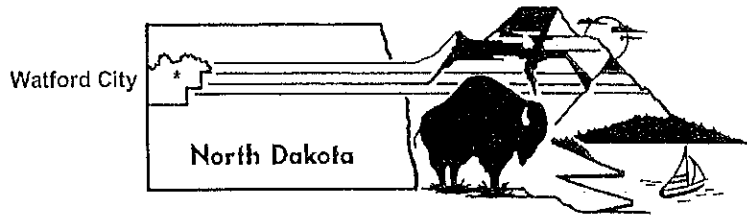


SITE PLAN - Lot 49

SCALE: 1/16" = 1'-0"



Pheasant Ridge
 Watford City, North Dakota



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October 15, 2012

STAFF REPORT

V-05-2012

Variance

Applicant

TC North Dakota Ventures, LLC.
Ross Cooper
PO Box 1018
Watford City, ND 58854

Property Owner(s)

Same

Property Address: 1325, 1321, 1317, 1313 E. Pheasant Ridge
Lots 45,47,49,51
Watford City, ND

Variance Requested:

A variance of two (2) feet into the rear yard setback requirement in the R-1 district of 25 (twenty-five) feet.

Zone: R-1, Single Family Dwelling District

Reference: Watford City City Code Sec. XV – Article XXVII, Variances - Section 1 – Requirements for Variances and Section 2 - Limitations

Discussion: The applicant is requesting a two (2) foot variance into the rear setback requirement of twenty five (25) feet to allow for the placement of a new modular home.

Article XXVII, Section 1 of the Watford City Zoning Ordinance outlines the following circumstances that must be shown in order to grant a variance:

1. Unique conditions apply to this property that do not generally apply to other properties in the vicinity as a result of exceptional narrowness, shallowness, or shape, by reason of exceptional topographical conditions, or other extraordinary or exceptional circumstances the strict application of the terms of this zoning ordinance actually prohibits the use of his property in the manner similar to that of other property in the zoning district where it is located.
2. The yard regulation variance may not be more than one-half (1/2) the required yard and shall not encroach upon the required setback for adjacent buildings.

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

Recommendation: Staff recommends **approval** of variance of two (2) feet from the required twenty five (25) foot minimum rear yard setback reducing the setback to twenty-three (23) feet for the following reasons:

1. The protrusion of the home into the rear yard setbacks is to allow for a two foot roof overhang, as the foundation will be at the required set back of 25 feet.
2. None of the adjoining property owners had voiced objection to the reduced yard setbacks.

Should the Planning and Zoning Commission elect to grant the variance, a finding that the hardship warrants the approval of this variance should be made.

Contact:

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Watford City Planning Commission will hold a public hearing on Tuesday October 30, 2012 at 6:00 o'clock P.M. at City Hall to consider a Zoning Variance application submitted by TC North Dakota Ventures, LLC on the following described property:

Lot 45	1325 E. Pheasant Ridge Street
Lot 47	1321 E. Pheasant Ridge Street
Lot 49	1317 E. Pheasant Ridge Street
Lot 51	1313 E. Pheasant Ridge Street

For the purpose of taking public input on a variance to allow for 23 ft. rear yard setback.

Dated this 9th day of October, 2012.



Mili Williams
Mili Williams
Watford City Planning Commission

Run: 1 time
Published: McKenzie County Farmer – October 17, 2012
Faxed: October 9, 2012

Tabled

LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: 9/28/12	APPLICATION NUMBER: V-05-2012
<input checked="" type="checkbox"/> ZONE CHANGE- \$200.00 fee	PROCESSES BY: MW	MEETING DATES: P&Z: 10/20 CC:
<input checked="" type="checkbox"/> CONDITIONAL USE PERMIT- \$350.00 fee plus publishing cost	FEE: 200-	ADVERTISE DATE: 10/17/12
<input checked="" type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: 1011	PROPERTY OWNERS NOTIFIED:
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: Sect. 18 T150 R. 98	
<input checked="" type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS: V-05-2012	
<input type="checkbox"/>	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: TC NORTH DAKOTA VENTURES, LLC

APPLICANT: GEOFF BROWN

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: %Ross Cooper

ADDRESS: 13047 N. 80th Place

CITY: Scottsdale STATE: Arizona ZIP CODE: 85260

TELEPHONE: (480) 922-0068 EMAIL: newhorizons@cox.net

ASSESSOR'S PARCEL NUMBER(S): Not Available

LEGAL DESCRIPTION: See Exhibit A attached hereto

PROPERTY ADDRESS AND NEAREST CROSS STREETS: See Exhibit A attached hereto

GROSS/NET ACREAGE: 1.72 Acres PRESENT ZONE CLASSIFICATION: R-1 Single Dwelling District

DESIRED ZONE CLASSIFICATION: _____ CURRENT LAST USE: _____

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

ARTICLE X, R-1 SINGLE DWELLING DISTRICT SECTION 6 PROVIDES FOR A 25 FOOT REAR YARD SETBACK. OWNER REQUESTS A VARIANCE TO ALLOW FOR A 23 FOOT REAR YARD SETBACK FOR THE PROPERTY DESCRIBED IN EXHIBIT A SO THAT THE HOUSE DESIGNED BY OWNER AS SHOWN ON THE ATTACHED PLOT PLANS WILL FIT ON THE LOTS. IF OWNER IS REQUIRED TO DESIGN A DIFFERENT HOUSE THE PROJECT WILL BE DELAYED AND THE HOUSES WILL NOT BE BUILT UNTIL WELL INTO 2013

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

ACKNOWLEDGMENT

State of California)
) ss.
County of Santa Clara)

On September 28, 2012 before me, Jennifer Drysdale, a notary public in and for the State of California, personally appeared RONALD M. TATE, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



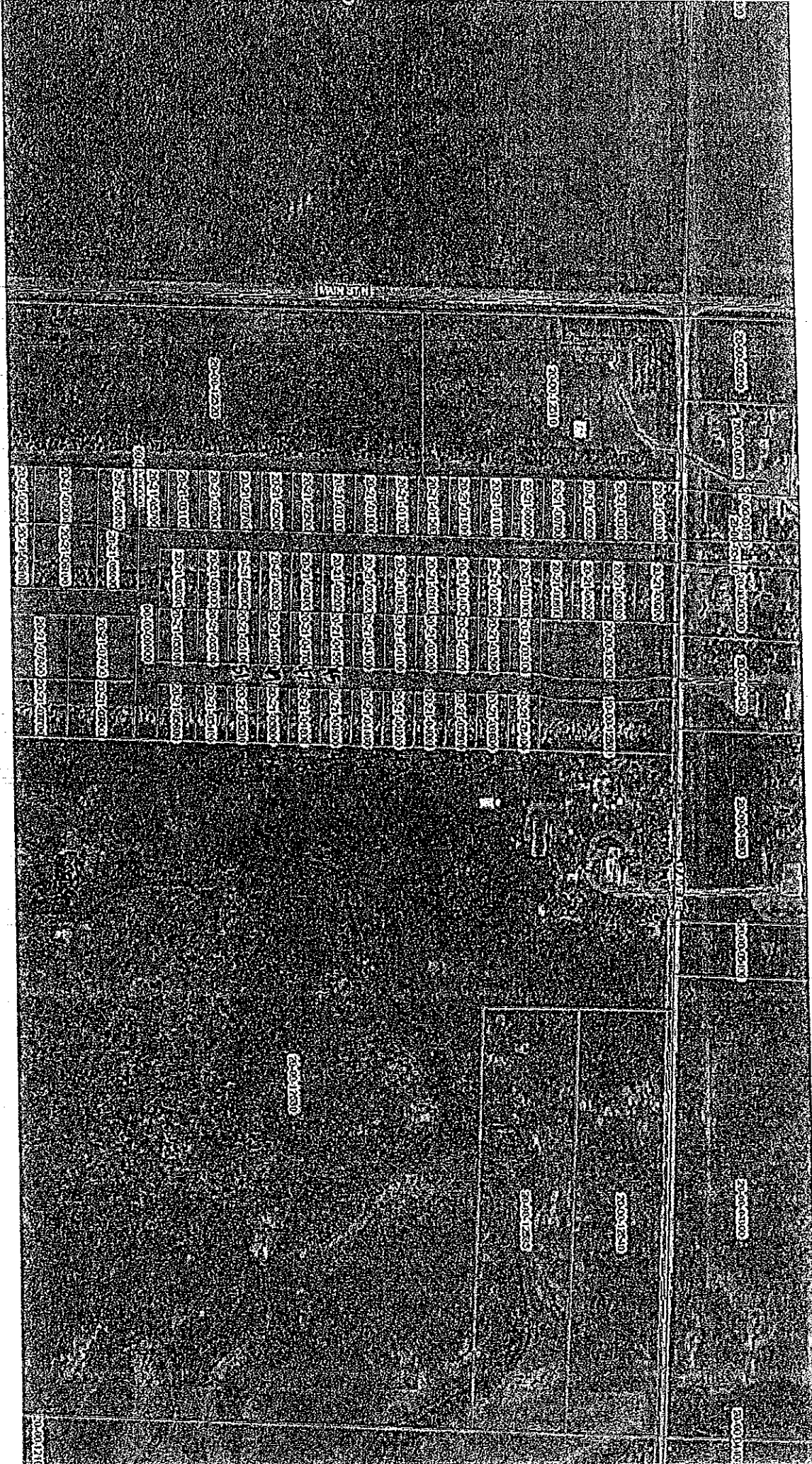
Jennifer Drysdale
NOTARY PUBLIC

EXHIBIT A

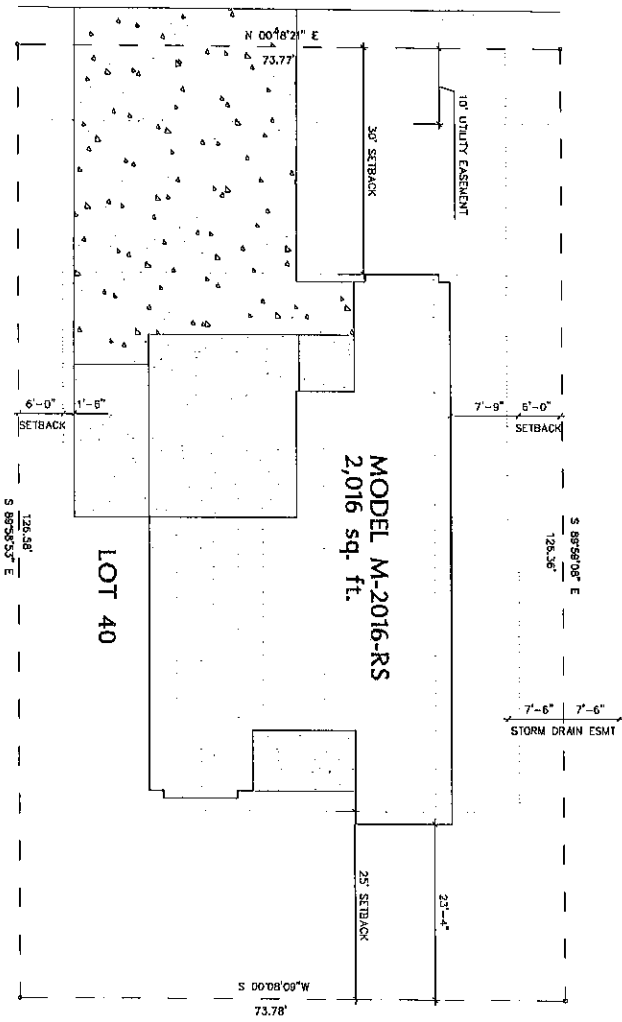
Lots 38, 40, 42, 44, 46, 48, 50, and 52 of Pheasant Ridge, according to the plat of record in the official records of McKenzie County, North Dakota, and recorded as Document no. 436679.

ADDRESSES

Lot 38	1412 East Pheasant Ridge Street
Lot 40	1408 East Pheasant Ridge Street
Lot 42	1404 East Pheasant Ridge Street
Lot 44	1400 East Pheasant Ridge Street
Lot 46	1324 East Pheasant Ridge Street
Lot 48	1320 East Pheasant Ridge Street
Lot 50	1316 East Pheasant Ridge Street
Lot 52	1312 East Pheasant Ridge Street

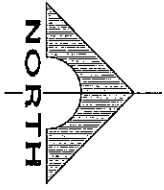


EAST PHEASANT RIDGE STREET



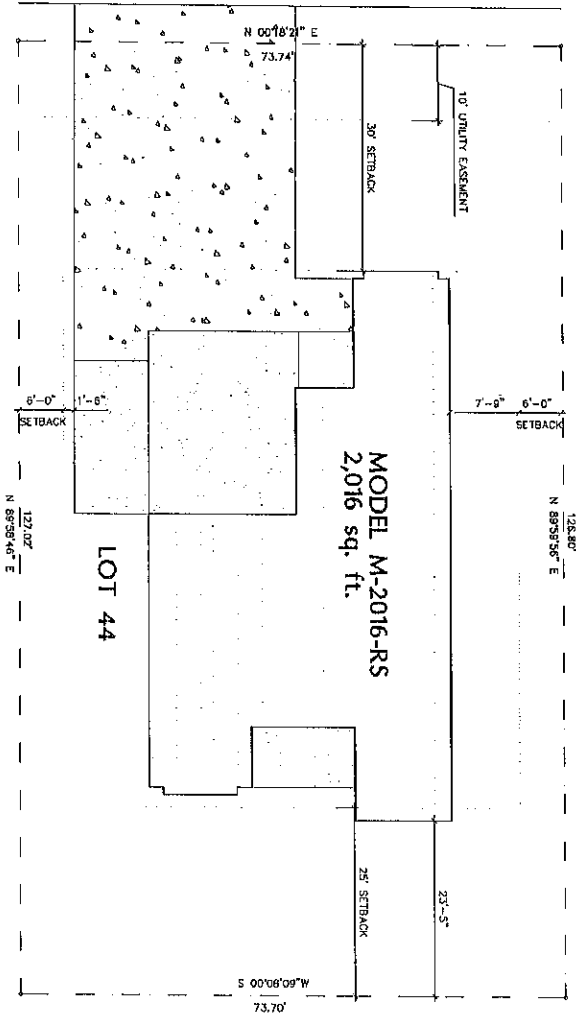
SITE PLAN - lot 40

SCALE: 1/16" = 1'-0"



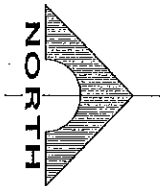
Pheasant Ridge
Watford City, North Dakota

EAST PHEASANT RIDGE STREET



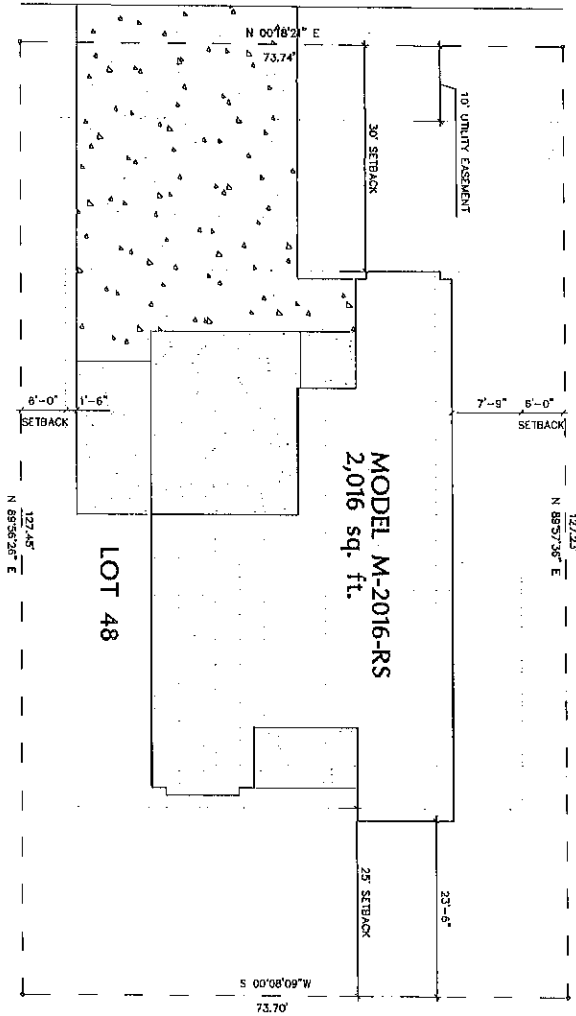
SITE PLAN - Lot 44

SCALE: 1/16" = 1'-0"



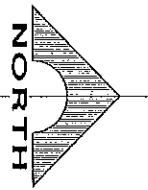
Pheasant Ridge
Watford City, North Dakota

EAST PHEASANT RIDGE STREET



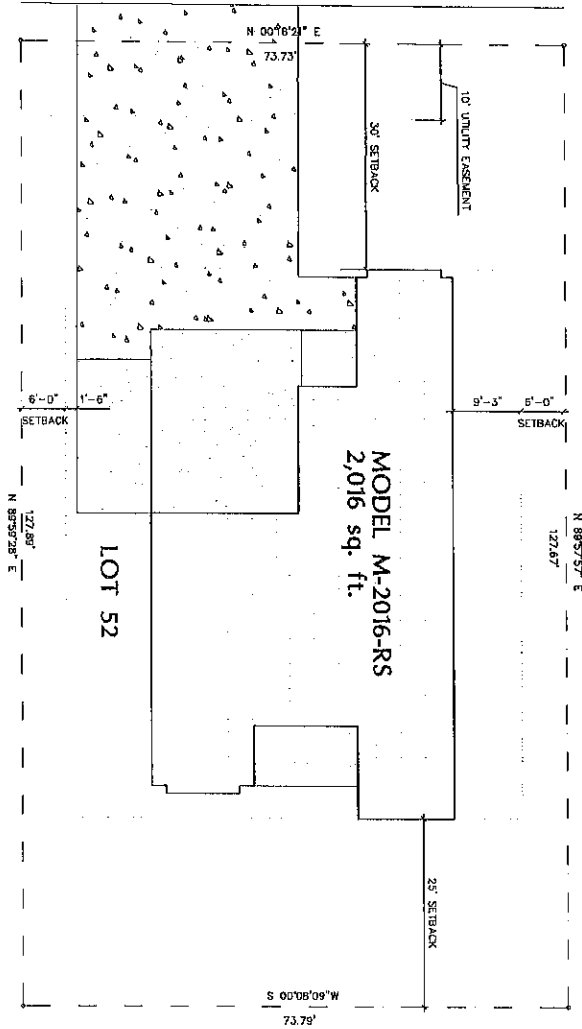
SITE PLAN - Lot 48

SCALE: 1/16" = 1'-0"



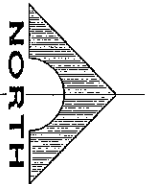
Pheasant Ridge
Watford City, North Dakota

EAST PHEASANT RIDGE STREET



SITE PLAN - Lot 52

SCALE: 1/16" = 1'-0"



Pheasant Ridge
Watford City, North Dakota

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Watford City Planning Commission will hold a public hearing on Tuesday October 30, 2012 at 6:00 o'clock P.M. at City Hall to consider a Zoning Variance application submitted by TC North Dakota Ventures, LLC on the following described property:

Lot 38	1412 E. Pheasant Ridge Street
Lot 40	1408 E. Pheasant Ridge Street
Lot 42	1404 E. Pheasant Ridge Street
Lot 44	1324 E. Pheasant Ridge Street
Lot 46	1320 E. Pheasant Ridge Street
Lot 50	1316 E. Pheasant Ridge Street
Lot 52	1312 E. Pheasant Ridge Street

For the purpose of taking public input on a variance to allow for 23 ft. rear yard setback.

Dated this 9th day of October, 2012.

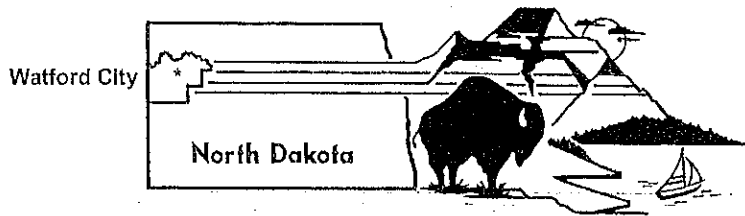


Mill Williams
Watford City Planning Commission

Run: 1 time

Published: McKenzie County Farmer – October 17, 2012

Faxed: October 9, 2012



City of Watford City
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701-444- 3004
www.4eyes.net

October 15, 2012

STAFF REPORT

V-06-2012

Variance

Applicant

TC North Dakota Ventures, LLC.
Ross Cooper
PO Box 1018
Watford City, ND 58854

Property Owner(s)

Same

Property Address: 1312, 1316, 1320, 1324, 1404, 1408, 1412 E. Pheasant Ridge
Lots 38, 40, 42, 44, 46, 50, 52
Watford City, ND

Variance Requested:

A variance of two (2) feet into the rear yard setback requirement in the R-1 district of 25 (twenty-five) feet.

Zone: R-1, Single Family Dwelling District

Reference: Watford City City Code Sec. XV – Article XXVII, Variances - Section 1 – Requirements for Variances and Section 2 - Limitations

Discussion: The applicant is requesting a two (2) foot variance into the rear setback requirement of twenty five (25) feet to allow for the placement of a new modular home.

Article XXVII, Section 1 of the Watford City Zoning Ordinance outlines the following circumstances that must be shown in order to grant a variance:

1. Unique conditions apply to this property that do not generally apply to other properties in the vicinity as a result of exceptional narrowness, shallowness, or shape, by reason of exceptional topographical conditions, or other extraordinary or exceptional circumstances the strict application of the terms of this zoning ordinance actually prohibits the use of his property in the manner similar to that of other property in the zoning district where it is located.
2. The yard regulation variance may not be more than one-half (1/2) the required yard and shall not encroach upon the required setback for adjacent buildings.

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

Recommendation: Staff recommends **approval** of variance of two (2) feet from the required twenty five (25) foot minimum rear yard setback reducing the setback to twenty-three (23) feet for the following reasons:

1. The protrusion of the home into the rear yard setbacks is to allow for a two foot roof overhang, as the foundation will be at the required set back of 25 feet.
2. None of the adjoining property owners had voiced objection to the reduced yard setbacks.

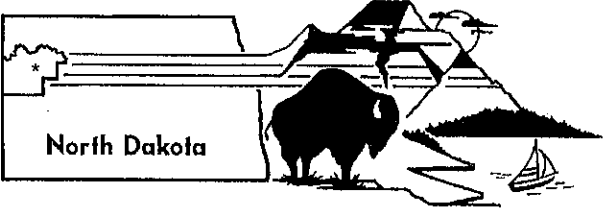
Should the Planning and Zoning Commission elect to grant the variance, a finding that the hardship warrants the approval of this variance should be made.

Contact:

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

X

Watford City



City of Watford City
 213 2nd St., NE
 PO Box 494
 Watford City, ND 58854
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 Fax 701- 444- 3004
 www.4eyes.net

October 11, 2012

STAFF REPORT
 Annual review of CU-06-2010

CU-06-2010 Expansion Conditional Use

<u>Applicant</u>	<u>Property Owner</u>
Marty & Chrystal Mulder 600 2 nd Ave., SW PO Box 1003 Watford City	Same

Property Address: 205 2nd Ave., SW
 Lot 2, Block 8, Sax Addition to Watford City and
 Lots 1 & 2 and Vacated 3rd St., Except Right-of-way and Except Part
 of IT 448

Conditional Use Requested:

A conditional use to permit the expansion of an existing Temporary Workforce Housing site.

Zone: C-1, General Commercial District

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

Discussion: The applicant filed an application to permit the installation of 3 Temporary Workforce Housing units.

Article XXV, Section 1 of the Watford City Zoning Ordinance reads as follows regarding Conditional Uses:

A Conditional Use Permit may be granted following compliance with the procedure set forth in this section if the conditional use is one set forth in the District Regulations, provided that no application for a conditional use shall be granted unless all of the following conditions are found to be present:

1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare;
2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;
3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;

4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;
5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and
6. The conditional use shall conform to all special provisions of the district in which it is located. The Conditional Use Permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental affects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

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

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

Recommendation: The properties subject to this application are located in a C-1 zone, General Commercial District. To the west is commercially developed property (MDU substation) located in a C-1 zone, General Commercial District. To the east is Taylor Ag's bulk plant, zoned C-1, General Commercial District. To the north, across US 85, lies the McKenzie Inn and a residential subdivision zoned C-1, General Commercial District and R-1, Single-family Dwelling District, respectively. To the south is another bulk storage facility, also zoned C-1 General Commercial District.

The increase in intensity of use is negligible as the number of units proposed will only increase from 2 to 3. The ordinance is copied below:

4-1712 - Temporary Workforce Housing

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

Mobile homes under this Section shall meet the requirements as stated above and shall in no instance house more occupants at any one time such that there is not at least 70 square feet of habitable space per occupant. Smoke alarms shall be installed in all mobile homes under this Section in conformance with Section R313 of the 2006 International Residence Code, and subsequent amendments thereto. In

no instance shall there be less than one smoke alarm per unit. Smoke alarms can be either wired or battery operated. Each mobile home under this section shall have at least one operable gas alarm and one operable carbon monoxide alarm, both of which may be wired or battery operated.

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

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

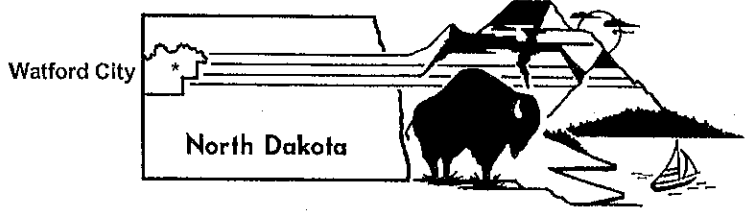
1. The conditional use is specific as to the total number of units permitted to be installed (3 as indicated on the site plan).
2. A dedicated apron from the frontage road to the parking area must be provided to maintain an orderly flow of traffic to and from the site.
3. Conditional Use Permit shall be for a term of one year and reviewed annually thereafter.
4. Roads, parking areas and travel ways shall be surfaced with a minimum of 6" of crushed aggregate, not scoria.
5. Conditional Use Permit will expire after 6 months if no action is taken.

The site was inspected for compliance with conditions of approval and no issues were found to be of concern

Contact:

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

X



City of Watford City
 213 2nd St., NE
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 Watford City, ND 58854
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Oct. 24, 2012

Annual Review-2012
Review of Conditions of Approval of CU-10-2010

CU-10-2010 AMENDED Conditional Use

<u>Applicant</u>	<u>Property Owner</u>
Steve Sanford	
600 12 th St NE	
PO Box 474	Same
Watford City	

Property Address: 600 12th St. NE
 Sect-17 TWP-150 Rang-098
 IT 1306 PT SW ¼ SW ¼ 2.87 acres

Conditional Use Requested:

Temporary work force housing to allow up to thirteen Campers, RV's, or Mobile Homes.

Zone: C-1, General Commercial District

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

Discussion: The applicant filed an amended application to permit the subject property to be used as Temporary Workforce Housing with 13 spaces to accommodate up to 13 campers, recreational vehicles, or mobile homes. The anticipated increase in traffic generated could be slightly higher than the 55 additional vehicle trips per day estimated under the original application. This is due to the fact that mobile homes tend to have more bedroom space than a camper or RV and can comfortably accommodate more persons.

The site contains 2.87 acres and is improved with an existing shop building and a Quonset with city water available from 12th St., NE and city sewer available on 6th Ave., NE. The proposed use does not appear as though it would detract from the neighborhood as currently developed. The property subject to this application is located in a C-1 zone, General Commercial District and RV Parks and campgrounds have recently been added as a conditional use in the C-1 zone.

To the west is unzoned land in McKenzie County and is currently undeveloped. To the east is Sunland Construction's office site, zoned C-1, General Commercial District. To the north is Nelson Contracting's existing shop and a currently under construction sand storage facility located in a C-1 zone, General Commercial District. To the south are Taylor Ag's offices and shop building located in a C-1 zone, General Commercial District.

The commission should carefully consider all of the possible implications associated with approving this Conditional Use.

Article XXV, Section 1 of the Watford City Zoning Ordinance reads as follows regarding Conditional Uses:

A Conditional Use Permit may be granted following compliance with the procedure set forth in this section if the conditional use is one set forth in the District Regulations, provided that no application for a conditional use shall be granted unless all of the following conditions are found to be present:

1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare;
2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;
3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;
5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and
6. The conditional use shall conform to all special provisions of the district in which it is located. The Conditional Use Permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental effects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

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

Based on the Institute of Transportation Engineers' trip generation book each campsite can be expected to generate 5.54 vehicle trips per day. Based upon the applicant's requested 13 units that equates to an additional 72 vehicle trips per day. The addition of mobile homes as a permitted use has the potential to increase that amount slightly.

The commission should carefully consider all of the possible implications associated with approving this Conditional Use. Chapter XV, Article XX of the City of Watford City ordinances require that "All required off-street parking areas, including access drives, shall be improved with asphalt, concrete or similar dust-free surface and all parking spaces shall be clearly marked." Given that this proposal is temporary in nature, it may not be in the long-term best interests of either the applicant or the city to require a paved or concreted surface. If the need for the housing were to go away, the remnants would be a large impermeable surface. At the CU permit's annual review, if it is determined that there is a long-term need, the P&Z

commission can recommend to the city council that the permittee pave the access roads and parking areas. However, the P&Z Commission cannot waive the requirement to provide paved parking and driving surfaces. They can only make a recommendation to the City Council to do so. Should the use become long-term the requirement to pave should be implemented. In the interim, a dust palliative such as magnesium chloride can be applied. No site plan was provided by the applicant. However, based on RV Park guidelines, a minimum of 2,500 square feet should be provided per RV space. The drive aisle width should be a minimum of 24'. A minimum of two surfaced parking spaces should be provided for each site. There appears to be adequate area to make this accommodation. Lighting should be provided to provide for the security of the site and its residents. The utility company, MDU, can provide recommend wattage and spacing for lighting fixtures. Water and sewer service is available to the site. City water is available via a pipeline located in 12th St., NE. A sanitary main owned and operated by the city is located in 6th Ave., NE. The developer must pay for all improvements to utilities. No provisions to address runoff from the site are provided. The site is located in a designated special flood hazard area. However, campers are permitted in these areas without being elevated above the flood plain elevation due to the fact that they are readily mobile. Mobile homes placed in a designated special flood hazard area must be elevated above the flood plain elevation and an elevation certificate must be submitted to the city's flood plain administrator certifying that the first floor of the mobile home is located at least one foot (1') above the 100 year flood elevation.

Runoff from travel ways, parking areas and roof areas must be conveyed to an adequate outfall to prevent standing water from becoming a mosquito breeding area and to minimize impacts to adjacent properties. The proposed development should provide for drainage to an adequate outfall rather than permitting all runoff to run off unabated. If this application is approved this detail can be worked out between the developer and the city engineer. All campgrounds and RV Parks in North Dakota must be licensed through the Health Department. Spaces shall be at least 33' in width, wider if the space will be used for an RV with two slide-outs, and 75' in length. An adequate number of trash receptacles must be provided to prevent an accumulation of trash and resultant blowing trash. The city recently enacted an ordinance to deal with substandard housing units moving into town. The ordinance is copied below:

4-1712 - Temporary Workforce Housing

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

Mobile homes under this Section shall meet the requirements as stated above and shall in no instance house more occupants at any one time such that there is not at least 70 square feet of habitable space per occupant. Smoke alarms shall be installed in all mobile homes under this Section in conformance with Section R313 of the 2006 International Residence Code, and subsequent amendments thereto. In no instance shall there be less than one smoke alarm per unit. Smoke alarms can be either wired or battery operated. Each mobile home under this section shall have at least one operable gas alarm and one operable carbon monoxide alarm, both of which may be wired or battery operated.

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

City code states that "All required off-street parking areas, including access drives, shall be improved with asphalt, concrete or similar dust-free surface and all parking spaces shall be clearly marked." The commission and council should decide whether this requirement may constitute a financial hardship for what could be a very temporary use. It is my recommendation that instead, the applicant should be required to regularly apply magnesium chloride or other dust palliative to minimize fugitive dust.

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

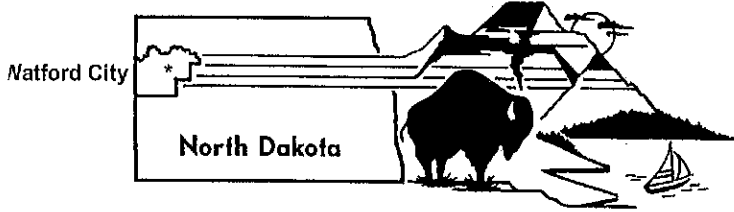
1. Approval of the Conditional Use Permit application will fulfill an immediate need to provide temporary housing for the recent influx of oil-related field and office personnel.
2. Any approval should be conditioned on the applicant submitting a detailed site plan for final approval by the city engineer and a representative of the city council and the planning commission.
3. **The applicant must apply for and receive approval from the North Dakota Dept. of Health Division of Food and Lodging to operate an RV Park. The North Dakota Dept. of Health Division of Food and Lodging may require a separate permit for the placement of mobile homes.**
4. The conditional use permit should specifically state that only conventional, factory manufactured campers, recreational vehicles, and Housing and Urban Development (HUD) approved manufactured housing are permitted.
5. No skid shacks should be permitted.
6. Site lighting should be required.
7. The conditional use should be specific as to the total number of units permitted to be installed. It appears that the 13 units proposed by the applicant can be readily accommodated on the site based on the minimum density of 2,500 square feet per site.
8. The conditional use permit should be specific as to number of parking spaces to be provided. A minimum of 2 per site should be provided.
9. Grading and drainage shall be provided so as to preclude the ponding of water or the creation of an erosion problem related to uncontrolled runoff.
10. A dust palliative should be required to be applied to parking and drive aisles from May through October.
11. Conditional Use Permit shall be for a term of one year and reviewed annually thereafter.
12. Roads, parking areas and travel ways shall be surfaced with a minimum of 6" of crushed aggregate, not scoria. **Scoria may be used as a base course for the final surfacing.**
13. Extension of roadways and utilities shall be at the developer's expense.
14. Conditional Use Permit will expire after 6 months if no action is taken.

The site was inspected for compliance with the conditions of approval and no issues were found to be of concern.

Contact:

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

X



City of Watford City
 213 2nd St., NE
 PO Box 494
 Watford City, ND 58854
 Ph. 701- 444- 2533
 Fax 701- 444- 3004
 www.4eyes.net

October 20, 2012

STAFF REPORT
 Annual Review of CU-0402010

CU-0402010, Conditional Use --2nd annual review

Applicant
 Watford City Hospitality Associates, LLC
 PO Box 2738
 Williston, ND 58802

Property Owner
 Same

Property Address: 604 4th Ave., NE
 Lot 5, Blk 2, Stevens Addition to Watford City

Conditional Use Requested:

A conditional use to permit temporary workforce housing

Zone: C-1, General Commercial District

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

Request: The applicant filed an application to permit the installation of temporary workforce housing at the above-referenced address. The application came up for its second year review.

Conditions of Approval:

1. Approval of the Conditional Use Permit application will fulfill a need to provide temporary housing for persons working in the area.
2. Approval of the Conditional Use Permit provides the city with the means to place conditions on the operation as it deems reasonable and prudent to protect the public and the neighborhood.
3. The conditional use should be specific as to the total number of units permitted to be installed. The applicant's exhibit drawing shows 14 spaces. This would place each 8' wide unit within 6' of the other unit. Although this private, non-commercial use is not regulated by the Health Department it is recommended that the Health Department's spacing of 10' between units be applied to this conditional use.
4. The conditional use permit should be specific as to number of vehicles permitted per unit or bedroom or specify the number of required parking spaces per unit, bedroom, lot, etc. I suggest one space per single-occupant bedroom or one-half space per bed per multi-bed room. Most multi-bed rooms are not fully occupied at the same time. The applicant may be able to provide the number of persons and vehicles per camper.

5. Grading and drainage shall be provided so as to preclude the ponding of water.
6. Conditional Use Permit shall be for a term of one year and reviewed annually thereafter.
7. Conditional Use Permit will expire after 6 months if no action is undertaken by the applicant.

The site was inspected for compliance with the conditions of approval and no issues were found to be of concern.

Contact:

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

2012 Planning & Zoning Fees Collected as of October 15, 2012

Building Permits - \$253,413.45

Notice of Hearing Reimbursement - \$269.50

Transient Merchant License - \$1825.00

Residential Subdivision Map - \$4920.00

Plat Review - \$27,540.00

Annexation Application - \$6050.00

Zone Change Application - \$6290.00

Site Plan Application Fee - \$58,290.00

Conditional Use Permit - \$4350.00

Variance Application - \$1600.00

Simple Lot Split - \$2250.00

Unit Fees Ambulance - \$40,000.00

Unit Fees Fire Department - \$40,000.00

Unit Fees Park Board - \$40,000.00

Unit Fees Police Department - \$40,000.00

TOTAL = \$526,797.95