

**PLANNING AND ZONING COMMISSION
MEETING AGENDA**

**Monday September 24, 2018
6:00 PM City Hall, Heritage Room**

• **CALL TO ORDER PUBLIC HEARING**

1. Public Hearing to hear comment on Land Use Application for a Zone Change submitted by Steven Holen, on behalf of McKenzie County School District for property located at 908 4th Ave NE, in Section 18, Township 150 Range 98 of Watford City, McKenzie County, North Dakota.
2. Public Hearing to hear comment on Annual Review of Conditional Use Permit for Ace in the Hole Construction, Colt Floyd, on property located 2502 17th Ave NE, 10 acres Section 8, T150N, R98W, Watford City, McKenzie County, ND.
3. Public Hearing to hear comment on the Division of Land for Subdivision Preliminary Plat Phase 2: "Stepping Stone Inc." submitted by Paulo Ficara on Behalf of Dakota Gold Properties. The proposed subdivision is located in the NE $\frac{1}{4}$ portion of Section 17, Township 150 North, and Range 98 West, 5th P.M. 69.6 Acres, Watford City, and McKenzie County, North Dakota.
4. Public Hearing to hear comment on Land Use Application for a Variance on property owned by Matthew Fogle located Section 19, Township 150 N, Range 98 W, Lot 30 of Seibolds Addition to Watford City, 212 5th St NE, Watford City, McKenzie County, ND

CLOSE PUBLIC HEARING

• **CALL TO ORDER REGULAR MEETING**

• **APPROVE MINUTES**

August 27, 2018

• **OLD BUSINESS**

• **NEW BUSINESS**

- **REVIEW PERMITS**
August /September Records

ADJOURNMENT

1.

Land Use Application

Zone Change

McKenzie County School District

908 4th Ave. NE



LAND USE

ZONE CHANGE

APPLICATION

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

APPLICATION FEE:

\$300.00

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

PROPERTY OWNER INFORMATION

OWNER NAME(S): McKenzie County Public School District #1	PHONE NUMBER: (701) 444-3626	EMAIL: sholen@watford-city.k12.nd.us
MAILING ADDRESS: P.O. Box 589, Watford City, ND 58854		

APPLICANT INFORMATION

Same as Owner

APPLICANT NAME: Steven Holen	PHONE NUMBER: (701) 444-3626	EMAIL: sholen@watford-city.k12.nd.us
MAILING ADDRESS: P.O. Box 589, Watford City, ND 58854		

DEVELOPER INFORMATION

DEVELOPER NAME: NA	PHONE NUMBER: NA	EMAIL: NA
MAILING ADDRESS: NA		

PROPERTY INFORMATION

PROPERTY ADDRESS: 908 4th Avenue NE	CURRENT ZONING DISTRICT: C1- Commercial	PROPOSED ZONING DISTRICT: CF - Community Facilities
PARCEL NUMBER(S): 82-15-13000; 82-13-17000	LEGAL DESCRIPTION: (SECTION, TOWNSHIP, RANGE) 18, 150, 98	
CURRENT USE OF PROPERTY: Transportation and general education support	PROPOSED USE OF PROPERTY: Transportation and future classroom education services	

DESCRIPTION

Please give a brief description of the proposed Zone Change.

The school district acquired this property with the intent to expand and offer educational classes to students or adult learners.

The proposed zone change will allow the school district to treat this facility in the same manner as its other educational facilities.

APPLICANT SIGNATURE: (IF DIFFERENT THAN OWNER)

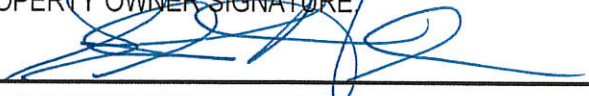
As the applicant, I certify that all City Ordinances will be complied with and that the information given within this application as well as the plans submitted are in all respects true and correct to the best of my knowledge and belief.

APPLICANT SIGNATURE: Steven Holen	Digitally signed by Steven Holen Date: 2018.08.28 11:31:33 -05'00'	DATE: 8 / 28 / 2018
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APPLICANT PRINT NAME: Steven Holen	APPLICANT TITLE: Superintendent of Schools
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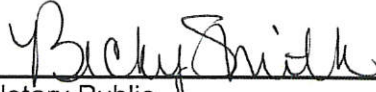
PROPERTY OWNER(S) AFFIDAVIT

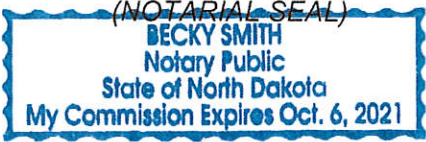
I/We, the undersigned, swear that I am / we are, the owner(s) and/or Mortgage holders of the property described within this application. I/We will make provisions to ensure compliance with the disclosure and recording requirements of McKenzie County and the City of Watford City. I/We certify that all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

PROPERTY OWNER SIGNATURE: 	DATE: 8 / 29 / 2018
PROPERTY OWNER SIGNATURE:	DATE: / /

PROPERTY OWNER NOTARY

On this 29th day of August, 2018 before me, the undersigned, a notary public for the state of North Dakota, personally appeared, Steve Holen known to me to be the person(s) who executed the certificate in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first written above.


Notary Public



Notary Public for the state of North Dakota
Residing at Watford City
My Commission Expires Oct. 6, 2021

▼ OFFICE USE ONLY ▼		
<input type="checkbox"/> COPY OF PROPERTY DEED <input type="checkbox"/> COPY OF TITLE REPORT <input type="checkbox"/> COPY OF TITLE MEMORANDUM <input type="checkbox"/> .PDF & LEDGER SIZE REVIEW COPY OF SITE PLAN <input type="checkbox"/> VICINITY MAP <input type="checkbox"/> LEGAL DESCRIPTION <input type="checkbox"/> JUSTIFICATION LETTER <input type="checkbox"/> ORIGINAL SURVEYOR STAMP & SIGNATURE ON PLAN	LEGAL NOTICE DATES: _____ _____ <input type="checkbox"/> ADJACENT PROPERTY OWNER NOTICES MAILED	MEETING DATES: PLANNING COMMISSION: _____ CITY COUNCIL: _____
	INVOICE: INVOICE NUMBER: _____ DATE CREATED: ____/____/____ BY: _____	PAYMENT: \$300.00 DATE RECEIVED: ____/____/____ AMOUNT: \$ _____ <input type="checkbox"/> CARD <input type="checkbox"/> CASH <input type="checkbox"/> CHECK # _____



LAND USE

ZONE CHANGE

APPLICATION

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

APPLICATION FEE:

\$300.00

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PROPERTY OWNER INFORMATION

OWNER NAME(S): **McKenzie County Public School District #1** PHONE NUMBER: **(701) 444-3626** EMAIL: **sholen@watford-city.k12.nd.us**

MAILING ADDRESS:
P.O. Box 589, Watford City, ND 58854

APPLICANT INFORMATION

Same as Owner

APPLICANT NAME: **Steven Holen** PHONE NUMBER: **(701) 444-3626** EMAIL: **sholen@watford-city.k12.nd.us**

MAILING ADDRESS:
P.O. Box 589, Watford City, ND 58854

DEVELOPER INFORMATION

DEVELOPER NAME: **NA** PHONE NUMBER: **NA** EMAIL: **NA**

MAILING ADDRESS:
NA

PROPERTY INFORMATION

PROPERTY ADDRESS: **908 4th Avenue NE** CURRENT ZONING DISTRICT: **C1 - Commercial** PROPOSED ZONING DISTRICT: **CF - Community Facilities**

PARCEL NUMBER(S): **82-15-13000; 82-13-17000** LEGAL DESCRIPTION: (SECTION, TOWNSHIP, RANGE) **18, 150, 98**

CURRENT USE OF PROPERTY: **Transportation and general education support** PROPOSED USE OF PROPERTY: **Transportation and future classroom education services**

DESCRIPTION

Please give a brief description of the proposed Zone Change.

The school district acquired this property with the intent to expand and offer educational classes to students or adult learners.

The proposed zone change will allow the school district to treat this facility in the same manner as its other educational facilities.

APPLICANT SIGNATURE: (IF DIFFERENT THAN OWNER)

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

APPLICANT SIGNATURE: **Steven Holen** Digitally signed by Steven Holen
Date: 2018.08.28 11:31:33 -05'00' DATE: **8 / 28 / 2018**

APPLICANT PRINT NAME: **Steven Holen** APPLICANT TITLE: **Superintendent of Schools**

PROPERTY OWNER(S) AFFIDAVIT

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

PROPERTY OWNER SIGNATURE: _____


DATE: 8 / 29 / 2018

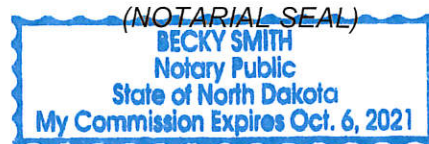
PROPERTY OWNER SIGNATURE: _____

DATE: ____ / ____ / ____

PROPERTY OWNER NOTARY

On this 29th day of August, 2018 before me, the undersigned, a notary public for the state of North Dakota, personally appeared, Steve Holen known to me to be the person(s) who executed the certificate in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first written above.

Becky Smith
 Notary Public



Notary Public for the state of North Dakota
 Residing at Watford City
 My Commission Expires Oct. 6, 2021

▼ OFFICE USE ONLY ▼

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

LEGAL NOTICE DATES:
 ____ / ____ / ____
 ____ / ____ / ____

ADJACENT PROPERTY OWNER NOTICES MAILED

MEETING DATES:
 PLANNING COMMISSION:
 ____ / ____ / ____
 CITY COUNCIL:
 ____ / ____ / ____

INVOICE:
 INVOICE NUMBER: _____
 DATE CREATED: ____ / ____ / ____ BY: _____

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



PO Box 589 - 100 Third Street NE
Watford City, North Dakota 58854
Ph: (701) 444-3626 Fax: (701) 444-6345
sholen@watford-city.k12.nd.us
Steven Holen, Superintendent

McKenzie County School District #1

August 30th, 2018

Re: Zone change letter of justification

Planning and Zoning committee members,

The McKenzie County Public School District #1 is requesting a zone change for the purpose of coming into compliance with city code for these properties and to reflect the planned use of the facility and property as an educational facility. These applications reflect a change from the current C-1 zoning to the current CF zoning used for community facilities. The school district is currently using CF zoning on its other owned parcels and this change request would align with the zoning of other school district parcels at this time. Please consider these two requests for proposed changes at the upcoming planning and zoning committee meeting. If you have any further questions on these applications, please contact me at your convenience.

Thank you.

Sincerely,

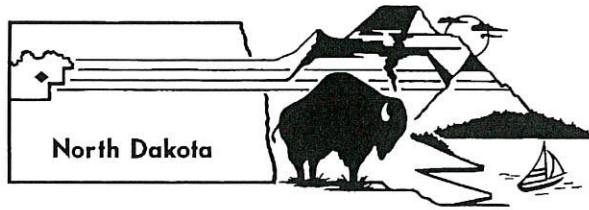
A handwritten signature in blue ink, appearing to read "Dr. Steven Holen". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Dr. Steven Holen
Superintendent of Schools
McKenzie County Public School District #1 - Watford City
(701) 444-3626

"Educate Every Day"

"The McKenzie County Public School District #1 will empower every student with the knowledge and skills necessary to succeed today and in the future."

Watford City



City of Watford City

213 2nd St., NE / PO Box 494

Watford City, ND 58854

Ph. 701- 444- 2533

Fax 701- 444- 3004

cityofwatfordcity.com

July 6, 2018

STAFF REPORT

Land Use Application – Zone Change

APPLICANT:

Steve Holen
P.O. Box 589
Watford City, ND 58854

PROPERTY OWNERS:

McKenzie County School District
P.O. Box 589
Watford City ND, 58854

PROPERTY LOCATION:

PID: 82-12-17000 ,82-15-13000, 321 908 4th Ave. NE in Section 18, Township 150 Range 98 of Watford City, McKenzie County, North Dakota.

REQUEST:

A Land Use Application for Zone Change has been submitted in consideration of changing the zoning from CB- Central I Business District to CF-Community Facilities.

ZONING:

CB- Central Business District

CURRENT USE:

McKenzie County School District is using this building and parking lot for the storage and maintenance to the school district buses. The School also has renovated a room on the inside of the building that is being rented for classroom use to the Head Start program. The rest of the building is being reinverted for future classroom use.

REFERENCES:

City of Watford City Municipal Code of Ordinances, Chapter XV Zoning Ordinances, Article XXVI, Section 1 states that “a proposal for an amendment or a change in zoning may be initiated by the City Council, by the Planning Commission or upon application by the owner of the property to be affected.”

City of Watford City Municipal Code of Ordinances, Chapter XV Zoning Ordinances, Article XCIII (B) CF Community Facilities

City of Watford City Municipal Code of Ordinances, Chapter XV Zoning Ordinances, Article XVII, General Business District

SITE DEVELOPMENT:

- Access: The property is currently accessed off of 4th Ave. NE
- Sewer: City Sanitary Sewer Services are used on this property.
- Water: City Water Services are used on this property.

SURROUNDING LAND USE:

- North: Zoning – AG: Agricultural District
Use - AG Land
- East: Zoning – C-1: General Commercial District
Use - Equine Stabling
- South: Zoning – CF- Community Facility
Use - Tourist Park
- West: Zoning – C-1: General Commercial District
Use - O.K. Implement Storage

DISCUSSION:

This zone change request is for the for the McKenzie County School District’s transportation building which is located within City limits. The property addressed as 908 4th Ave NE was previously the old McKenzie Electric Building and is currently zoned C1-General Commercial District. This building was purchased by McKenzie County Schools to house their bussing units. The District has recently applied for building permits for the interior space of the main building. These improvement are so they can rent a room to the Head Start Preschool program as well as improve the rest of the building for future plans of classes being held at this building.

The C1 zoning does not reflect the current use for the property or potential future uses of this property. The application is requesting a zone change to CF, Community Facility. The uses listed within the Municipal Code of Ordinances for CF Zoning District are more appropriate for this particular public School related property rather than their current commercial zoning:

City of Watford City Municipal Code of Ordinances, Chapter XV Zoning Ordinances, Article XVIII (B)
CF Community Facilities: Section 1:

"The following regulations shall apply to the CF Community Facilities Zone. No new building or structure shall be erected, or parcel development in a CF Community Facilities Zone unless full public services are available and in conformance with the provisions identified herein. The CF Community Facilities Zone is established in order to provide for the location and development of site suitable for necessary public buildings, structures, uses and accessory uses, and related private buildings, structures, uses, and accessory uses, open space and community recreational facilities. The development standards shall be specified in the conditional use permit process and within a development agreement."

Section 2: Permitted Uses:

"12. School, Primary, Secondary, preschool, and daycare centers (having more than 15 children)."

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

RECOMMENDATION:

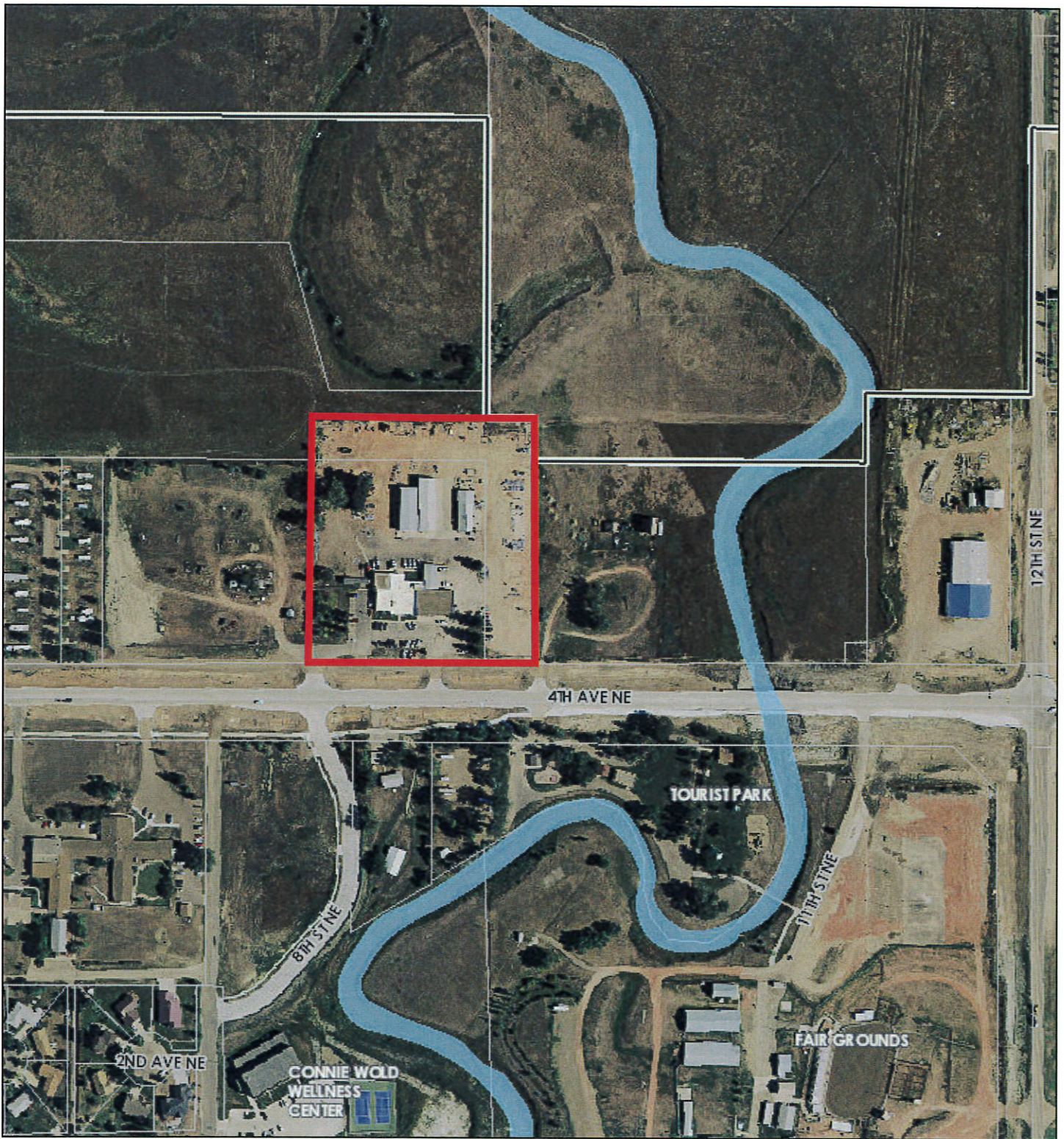
It is the recommendation of City Planning Department Staff to Approve the Land Use Application for Zone Change to change the zoning from C1- General Commercial to CF- Community Facilities.

PLANNING DEPARTMENT STAFF CONTACT:

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

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

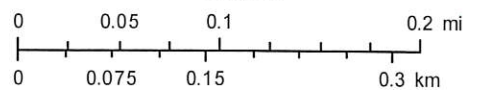
Mckenzie Co. Transportaion Building _ Rezone



September 20, 2018

1:6,019

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



GIS, Watford City, AE2S



2.

Land Use Application

Conditional Use Permit- Annual Review

Ace in the Hole Construction

2502 17th Ave. NE

LAND USE APPLICATION pg. 1 of 2
Watford City Planning Department

ORIGINAL

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

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

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Ace in the Hole Construction
APPLICANT: Colt Floyd 605-645-1305

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Ace in the Hole Construction
ADDRESS: PO Box 644
CITY: Buffalo STATE: SD ZIP CODE: 57720
TELEPHONE: 605-375-3904 EMAIL: crfloyd@sdplains.com
ASSESSOR'S PARCEL NUMBER(S):
LEGAL DESCRIPTION: E 1/2 SW 1/4 SE 1/4 Sect. 8 T. 150 R. 98
PROPERTY ADDRESS AND NEAREST CROSS STREETS: 2502 17th Ave NE
GROSS/NET ACREAGE: 10 acres PRESENT ZONE CLASSIFICATION: C1 - gen commercial street
DESIRED ZONE CLASSIFICATION: CURRENT LAST USE:

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

more trailer house hookups

DESCRIBE THE SOURCE OF WATER/SEWER: own well & septic Do you have a will serve letter YES NO

LAND USE APPLICATION pg. 2
Watford City Planning Department

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

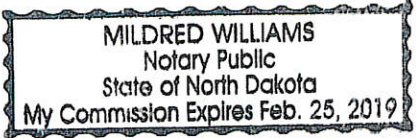
[Signature]
Property Owner Signature

COTT FLOYD
Print of Type Owner Name

NOTARY

State of North Dakota
County of Mckenzie

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



Mildred Williams
Signature of Notarial Officer

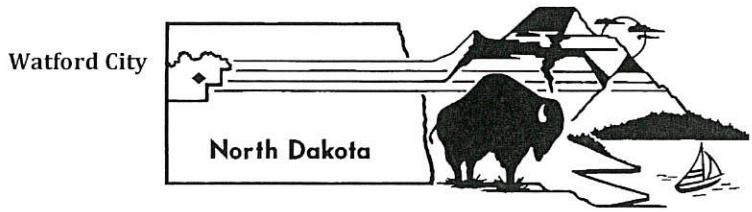
Documents Required for Submitting Land Use Applications

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

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

Procedures for Filing Land Use Applications:

- A. After assembling the required materials as outlined above, only completed applications shall be accepted for filing.
- B. Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- E. Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 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
cityofwatfordcity.com

September 19, 2018

STAFF REPORT
18 -2018 ANNUAL REVIEW for Conditional Use Permit

APPLICANT:

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

PROPERTY OWNERS:

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

PROPERTY LOCATION:

2502 17th Ave NE, E.1/2, SW.1/4, SE.1/4Sect. 8 T.150 R.98, 10 acres

REQUEST:

Annual Review of Land Use Application for Conditional Use Permit for Temporary Workforce Housing on Commercially Zoned Property.

ZONING:

C-1-General Commercial District

CURRENT USE:

Multiuse property, commercial contracting business as well as employee housing are located on the property

REFERENCES:

Watford City Municipal Code of Ordinances Chapter XV Zoning Ordinances, Article XXV, Conditional Uses; Article XXII- General Commercial District.

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

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

1. *The conditional use will not be detrimental to or endanger the public health, safety or general welfare of community.*
2. *The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;*
3. *The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;*
4. *Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;*
5. *Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and*
6. *The conditional use shall conform to all special provisions of the district in which it is located.*

The Conditional Use Permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental effects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm."

SITE DEVELOPMENT:

Access: The property is accessible from 17th Ave. NW which is paved.

Sewer: There are no existing city sanitary sewer mains within the property. The property is serviced by an individual sewage disposal system.

Water: There are no existing city water mains within the property. The property is serviced by either rural water or private well.

SURROUNDING LAND USE:

North: Zoning – A-2, McKenzie County
Use - Agricultural

East: Zoning – A-2 McKenzie County
Use – Agricultural

South: Zoning – R2-R4 Medium/High Density Residential
Use - Currently the development of Stepping Stone Subdivision

West: Zoning – Industrial
Use - McKenzie County

DISCUSSION:

The original Land Use Application for Conditional Use Permit was submitted in 2014 for the consideration of allowing 8 living units for temporary workforce housing within C1 Commercial Zoned property. The original application was approved by City Council March 3th, 2014. In 2015 prior to the scheduled annual review of the existing Conditional Use Permit, the applicant had requested an amendment to increase the number of allowed living units. The applicant had requested an additional 2 units to allow for a total of 10 living units consisting of mobile homes (HUD sticker, manufactured, and inspected). The Amended Conditional Use Permit was approved by City Council on October 26th 2015 for the expanded 10 units. Since this time, this Conditional Use Permit has been reviewed and renewed annually. The City does not have any documentation of complaints or issues regarding the property or Conditional Use. At this time, the property has 7 mobile homes on site and all units are currently occupied.

Assistant City Planner LaRissa Bertram spoke with property owner, Colt Floyd of Ace in the Hole Construction and he noted that the 7 units are currently being occupied. Colt also expressed that he would like his current Conditional Use Permit renewed for another year. LaRissa explained that City Council has made a motion to begin phasing out Conditional Use Permits for temporary workforce housing so during this time, if City Council approves the renewal, the property will need to be brought into compliance with City Zoning regulations. The option to not renew the permit in the future is to remain open if they intend to keep the employee housing within the commercial zoned property. Colt understood this requirement and is willing to work with City staff regarding his options for complying with City zoning regulations and determining the appropriate use and zone for his property.

The City of Watford City mailed a notice to the property owners who hold an interest in the property as well as the adjacent property owners regarding the annual review of this Conditional Use Permit. At the time of this report, none of the noticed property owners have contacted the city regarding the application.

RECOMMENDATION:

It is the recommendation of City Planning Department Staff to Approve the Renewal of the Land Use Application for Conditional Use Permit to allow for temporary workforce housing.

Approval will be contingent upon the following items:

- 1) Two parking spaces shall be provided per dwelling unit.
- 2) A dust palliative shall be required on unpaved parking areas and drive aisles May through October.
- 3) Parking areas shall be surfaced with a minimum of 6" of crushed aggregate, not scoria. Scoria may be used as a base course for the final surfacing.
- 4) Property must be maintained & follow city ordinances pertaining to long grass, noxious weeds, and free of garbage and or debris.
- 5) Applicant must work with Planning Department Staff to bring the property into zoning compliance in conjunction with City Council's motion to begin phasing out Conditional Use Permits for temporary employee housing.

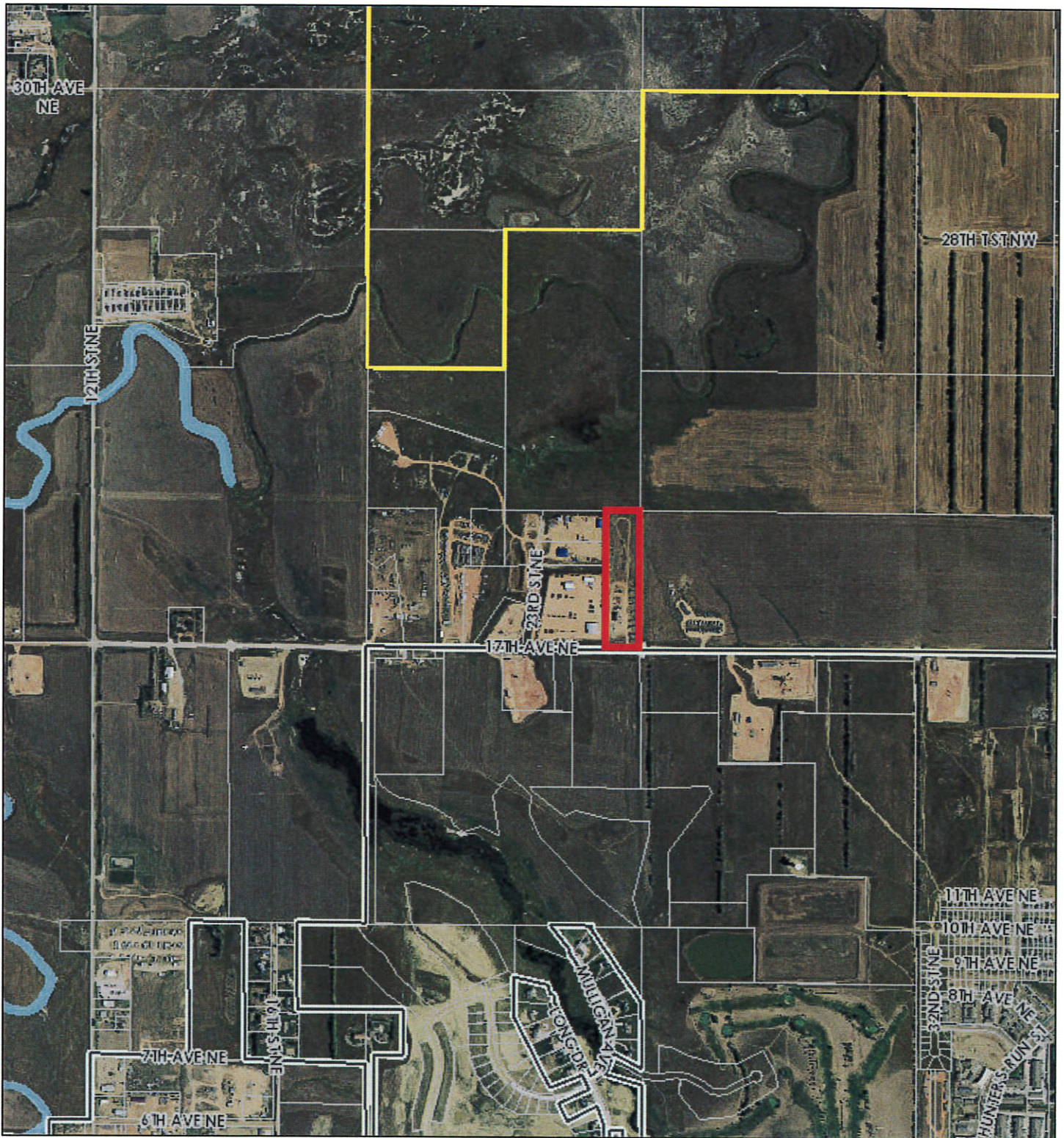
PLANNING DEPARTMENT STAFF CONTACT:

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

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

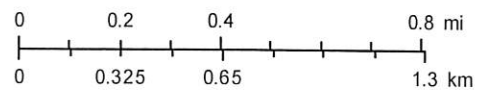







Ace In the Hole - CUP



September 20, 2018

1:24,075



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

GIS, Watford City, AE2S

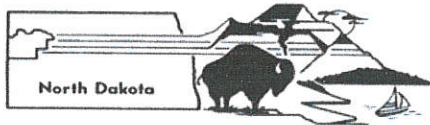
3.

Division of Land Application

Stepping Stone Preliminary Plat: Phase II

Paul Ficara/Dakota Gold Properties

NE $\frac{1}{4}$ portion of Section 17, Township 150, Range 98W. 5 P.M.



DIVISION OF LAND

SUBDIVISION PRELIMINARY PLAT

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

APPLICATION FEE:
\$1,125.00 + \$15.00 PER LOT

REQUIREMENTS: All applications must be legible, printed in ink or typed, and suitable for reproduction. *Original application with original signature is required. A Subdivision Preliminary Plat Application may be submitted in order to begin the Subdivision process to plat parcels within the Corporate City limits and the designated Extra Territorial Area (ETA). All Preliminary Subdivision Plats shall be subject to conform to the regulations as set within the City of Watford City Municipal Code of Ordinances and Chapter 40-48 of the North Dakota Century Code. Along with this application, please submit the following: N.D. Professionally Engineered/ Surveyed map of subdivision parcels in both .PDF format and 11"x17" size paper for review, a brief justification letter explaining the request for Preliminary Subdivision Plat and a copy of current property deed(s) and/or title report. Once approved by City Council, a Final Subdivision Plat must be submitted for additional review and approval before Subdivision Plat recordation. For specific details regarding this process, please refer to the City of Watford City Municipal Code of Ordinances: **CHAPTER XV ARTICLE XXX: SUBDIVISION REGULATIONS.***

PROPERTY OWNER INFORMATION

OWNER NAME(S): Dakota Gold Properties LLC	PHONE NUMBER: 760-401-1389	EMAIL: paulficara@gmail.com
MAILING ADDRESS: Po Box 1742 Watford City, ND 58854		

APPLICANT INFORMATION

Same as Owner

APPLICANT NAME: Stepping Stone Inc - Paul Ficara	PHONE NUMBER: 760-401-1389	EMAIL: paulficara@gmail.com
MAILING ADDRESS:		

DEVELOPER INFORMATION

DEVELOPER NAME: Stepping Stone Inc	PHONE NUMBER: 760-401-1389	EMAIL: paulficara@gmail.com
MAILING ADDRESS: Po Box 1742 Watford City, ND 58854		

PROPERTY INFORMATION

PROPERTY ADDRESS/LOCATION: 17th Ave NE Stepping Stone Subdivision		ZONING DISTRICT: R1
PARCEL NUMBER(S): 832502000	PROPOSED SUBDIVISION NAME: Stepping Stone	
LEGAL DESCRIPTION: (SECTION, TOWNSHIP, RANGE) Block 2 of Stepping Subdivision (a portion of Block 2)		
EXISTING ACREAGE/SQ.FT.: 52.66 Acres	NEW ACREAGE/SQ.FT.: 52.66 Acres	PROPOSED # OF LOTS: 34
CURRENT USE OF PROPERTY: Vacant Ground	PROPOSED USE OF PROPERTY: Residential Development	

DESCRIPTION

Please give a brief description of the Preliminary Subdivision Plat.

This is part of the first phase of development. All 34 lots are located in Block 2 of the planning area we refer to as "The Crest" at Stepping Stone.

This is the land surrounded by Golf Holes 13, 14, & 15.

APPLICANT SIGNATURE: (IF DIFFERENT THAN OWNER)

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

APPLICANT SIGNATURE:

[Handwritten Signature]

DATE:

9 / 4 / 18

APPLICANT PRINT NAME:

PABLO FICARA

APPLICANT TITLE:

Owner

PROPERTY OWNER(S) AFFIDAVIT

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

PROPERTY OWNER SIGNATURE:

[Handwritten Signature] Pablo Ficara
Owner

DATE:

9 / 4 / 18

PROPERTY OWNER SIGNATURE:

DATE:

____ / ____ / ____

PROPERTY OWNER NOTARY

On this 4 day of September 2018 before me, the undersigned, a notary public for the state of North Dakota, personally appeared, Paul Ficara known to me to be the person(s) who executed the certificate in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first written above.

Larissa J. Bertram
Notary Public

Notary Public for the state of ND
Residing at Watford City
My Commission Expires 4-11-2022

(NOTARIAL SEAL)
LARISSA J. BERTRAM
Notary Public
State of North Dakota
My Commission Expires April 11, 2022

OFFICE USE ONLY

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

LEGAL NOTICE DATES:

____ / ____ / ____
____ / ____ / ____

ADJACENT PROPERTY OWNER NOTICES MAILED

MEETING DATES:

PLANNING COMMISSION:

____ / ____ / ____

CITY COUNCIL:

____ / ____ / ____

INVOICE:

INVOICE NUMBER: _____

DATE CREATED: ____ / ____ / ____ BY: _____

PAYMENT: \$1,125.00 + \$15.00 PER LOT

DATE RECEIVED: 9 / 6 / 18 AMOUNT: \$ 11680.00

CARD CASH CHECK # 1125

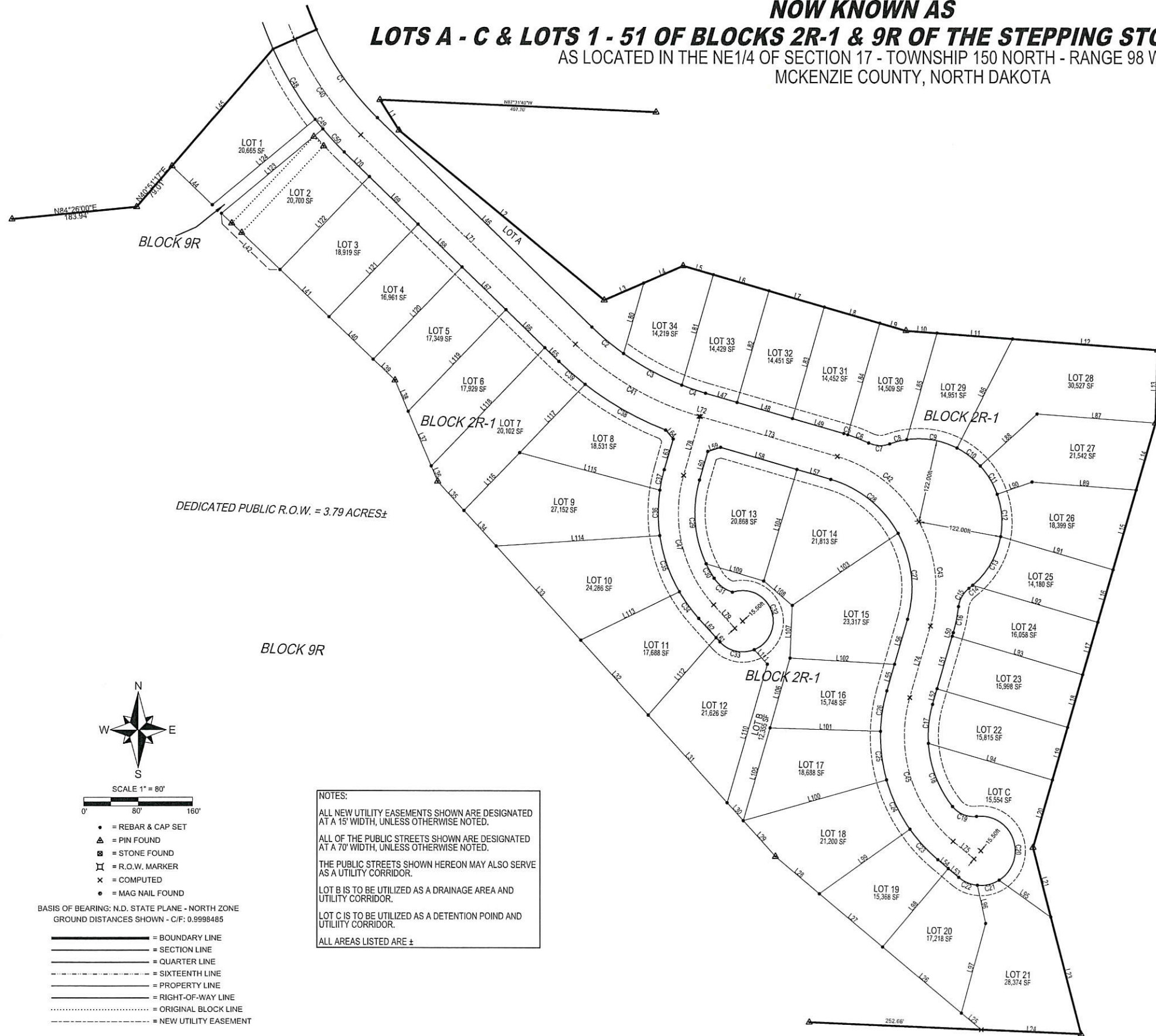
$$\begin{array}{r}
 \cancel{\$15 \times 34} = \cancel{\$510} \\
 \cancel{\$1,125} \\
 \hline
 \underline{\$1,635}
 \end{array}$$

$$\begin{array}{r}
 15 \times 37 = \$555.00 \\
 \$1,125.00 \\
 \hline
 \$1,680.00
 \end{array}$$

**PRELIMINARY REPLAT OF
BLOCKS 2R & 9 OF THE STEPPING STONE SUBDIVISION
NOW KNOWN AS**

LOTS A - C & LOTS 1 - 51 OF BLOCKS 2R-1 & 9R OF THE STEPPING STONE SUBDIVISION

AS LOCATED IN THE NE1/4 OF SECTION 17 - TOWNSHIP 150 NORTH - RANGE 98 WEST - 5TH P.M.
MCKENZIE COUNTY, NORTH DAKOTA



DEDICATED PUBLIC R.O.W. = 3.79 ACRES±

BLOCK 9R



SCALE 1" = 80'
0' 80' 160'

- = REBAR & CAP SET
 - ▲ = PIN FOUND
 - = STONE FOUND
 - ⊠ = R.O.W. MARKER
 - x = COMPUTED
 - = MAG NAIL FOUND
- BASIS OF BEARING: N.D. STATE PLANE - NORTH ZONE
GROUND DISTANCES SHOWN - C/F: 0.9998485
- = BOUNDARY LINE
 - = SECTION LINE
 - = QUARTER LINE
 - = SIXTEENTH LINE
 - = PROPERTY LINE
 - = RIGHT-OF-WAY LINE
 - = ORIGINAL BLOCK LINE
 - = NEW UTILITY EASEMENT

NOTES:

ALL NEW UTILITY EASEMENTS SHOWN ARE DESIGNATED AT A 15' WIDTH, UNLESS OTHERWISE NOTED.

ALL OF THE PUBLIC STREETS SHOWN ARE DESIGNATED AT A 70' WIDTH, UNLESS OTHERWISE NOTED.

THE PUBLIC STREETS SHOWN HEREON MAY ALSO SERVE AS A UTILITY CORRIDOR.

LOT B IS TO BE UTILIZED AS A DRAINAGE AREA AND UTILITY CORRIDOR.

LOT C IS TO BE UTILIZED AS A DETENTION POINT AND UTILITY CORRIDOR.

ALL AREAS LISTED ARE ±

Line Table					
Name	Length	Direction	Name	Length	Direction
L1	52.90	S 32°31'28" E	L63	47.01	N 16°08'36" E
L2	391.55	S 50°38'11" E	L64	17.03	N 40°08'26" W
L3	63.35	N 66°31'22" E	L65	28.84	N 45°58'37" W
L4	63.13	N 66°31'22" E	L66	80.00	N 45°58'37" W
L5	46.35	S 73°53'49" E	L67	90.00	N 45°58'37" W
L6	85.00	S 73°53'49" E	L68	90.00	N 45°58'37" W
L7	85.00	S 73°53'49" E	L69	100.00	N 45°58'37" W
L8	85.00	S 73°53'49" E	L70	51.60	N 45°58'37" W
L9	40.17	S 73°53'49" E	L71	440.44	S 45°58'37" E
L10	45.79	S 85°39'47" E	L72	2.24	S 73°53'24" E
L11	111.19	S 85°39'47" E	L73	209.81	S 73°53'24" E
L12	214.86	S 85°39'47" E	L74	109.07	S 16°18'11" W
L13	106.90	S 1°54'47" W	L75	40.00	S 50°02'21" E
L14	102.24	S 16°18'02" W	L76	89.64	S 16°06'36" W
L15	121.88	S 16°18'02" W	L77	46.22	S 42°11'34" E
L16	80.00	S 16°18'02" W	L78	107.38	S 16°06'36" W
L17	80.00	S 16°18'02" W	L79	169.29	S 16°06'36" W
L18	80.00	S 16°18'02" W	L80	170.01	S 16°06'36" W
L19	80.00	S 16°18'02" W	L81	170.02	S 16°06'36" W
L20	102.56	S 16°18'02" W	L82	170.11	S 16°06'36" W
L21	104.79	S 14°28'08" E	L83	162.20	S 16°06'36" W
L22	181.24	S 14°28'08" E	L84	179.55	S 27°07'19" W
L23	147.12	N 87°32'16" W	L85	174.96	N 85°40'23" W
L24	38.01	N 50°04'06" W	L86	113.22	S 47°43'24" W
L25	150.56	N 50°04'06" W	L87	153.76	N 85°39'59" W
L26	120.92	N 50°04'06" W	L88	54.47	S 70°38'00" W
L27	84.54	N 50°04'06" W	L89	172.47	N 73°41'49" W
L28	70.49	N 42°11'12" W	L90	191.89	N 73°41'49" W
L29	35.19	N 42°11'12" W	L91	199.98	N 73°41'49" W
L30	172.10	N 42°11'12" W	L92	190.06	N 73°41'49" W
L31	147.41	N 42°11'12" W	L93	93.29	S 54°39'51" E
L32	185.88	N 42°11'12" W	L94	56.97	S 12°10'51" E
L33	70.40	N 42°11'12" W	L95	135.89	S 15°21'13" W
L34	57.49	N 42°11'12" W	L96	148.85	N 40°11'31" E
L35	24.59	N 22°59'37" W	L97	163.08	N 54°44'14" E
L36	86.90	N 22°59'37" W	L98	219.26	N 74°15'06" E
L37	49.60	N 22°59'37" W	L99	162.86	S 86°18'24" E
L38	44.34	N 46°24'59" W	L100	153.94	S 86°40'55" E
L39	90.00	N 46°24'59" W	L101	188.31	N 55°50'57" E
L40	100.00	N 46°24'59" W	L102	140.74	N 16°18'11" E
L41	119.32	N 46°24'59" W	L103	106.20	N 16°18'11" E
L42	18.13	N 46°24'59" W	L104	77.12	N 2°29'05" E
L43	82.23	N 46°24'59" W	L105	55.37	N 49°50'15" W
L44	226.48	N 40°51'17" E	L106	88.00	N 73°23'42" W
L45	440.44	S 45°58'37" E	L107	210.48	N 16°18'11" E
L46	48.08	S 73°53'24" E	L108	28.47	N 42°11'34" W
L47	85.00	S 73°53'24" E	L109	150.89	N 41°23'12" E
L48	78.97	S 73°53'24" E	L110	161.28	N 63°51'20" E
L49	5.43	S 16°18'11" W	L111	241.51	N 86°19'28" E
L50	80.00	S 16°18'11" W	L112	213.58	S 75°07'16" E
L51	23.65	S 16°18'11" W	L113	117.94	N 44°01'23" E
L52	20.00	N 50°02'21" W	L114	139.33	N 44°01'23" E
L53	40.43	N 16°18'11" E	L115	241.07	N 44°01'23" E
L54	68.64	N 16°18'11" E	L116	207.14	N 44°01'23" E
L55	51.90	N 73°53'24" W	L117	188.11	N 44°01'23" E
L56	116.98	N 73°53'24" W	L118	189.57	N 44°01'23" E
L57	19.75	S 72°21'38" W	L119	193.87	N 50°20'18" E
L58	43.67	S 16°06'36" W	L120	198.09	N 50°20'18" E
L59	8.27	N 42°11'34" W	L121		
L60	37.85	N 42°11'34" W	L122		

Curve Table							
Name	Radius	Arc Length	Chord Length	Tangent Length	Middle Ordinate	External Distance	Chord Direction
C1	415.00	158.33	157.37	80.14	7.53	7.67	S 35°02'49" E
C2	400.00	60.43	60.38	30.27	1.14	1.14	S 50°18'18" E
C3	400.00	97.46	97.22	48.97	2.96	2.99	S 61°36'49" E
C4	400.00	36.97	36.96	18.50	0.43	0.43	S 71°14'31" E
C5	235.00	6.03	6.03	3.01	0.02	0.02	S 73°09'19" E
C6	235.00	32.89	32.86	16.47	0.57	0.58	S 68°24'42" E
C7	39.50	31.81	30.96	16.82	3.16	3.43	S 87°28'26" E
C8	122.00	25.84	25.79	12.97	0.68	0.69	N 75°31'19" E
C9	122.00	76.28	75.05	39.44	5.91	6.22	S 80°29'53" E
C10	122.00	43.24	43.02	21.85	1.91	1.94	S 52°25'51" E
C11	122.00	48.78	48.46	24.72	2.43	2.48	S 30°49'18" E
C12	122.00	63.01	62.32	32.23	4.05	4.18	S 4°34'11" E
C13	122.00	83.97	82.32	43.73	7.15	7.60	S 29°56'43" W
C14	122.00	7.02	7.02	3.51	0.05	0.05	S 51°18'38" W
C15	39.50	31.81	30.96	16.82	3.16	3.43	S 29°53'13" W
C16	235.00	38.91	38.87	19.50	0.80	0.81	S 11°33'34" W
C17	165.00	57.51	57.22	29.05	2.50	2.54	S 6°19'04" W
C18	165.00	100.04	98.51	51.61	7.52	7.88	S 21°02'11" E
C19	39.00	39.88	38.17	21.88	4.99	5.72	S 67°42'01" E
C20	50.50	136.47	98.57	226.21	39.50	181.28	S 19°34'49" E
C21	50.50	33.42	32.81	17.35	2.74	2.90	S 76°47'34" W
C22	50.50	30.15	29.71	15.54	2.23	2.34	N 67°08'40" W
C23	235.00	60.61	60.44	30.47	1.95	1.97	N 42°39'04" W
C24	235.00	80.00	79.61	40.39	3.40	3.45	N 25°30'37" W
C25	235.00	71.58	71.30	36.07	2.72	2.75	N 7°01'58" W
C26	235.00	59.92	59.76	30.12	1.91	1.92	N 8°59'53" E
C27	165.00	129.87	126.54	68.51	12.61	13.66	N 6°14'43" W
C28	165.00	129.87	126.54	68.51	12.61	13.66	N 51°20'30" W
C29	175.50	125.88	123.20	65.78	11.17	11.92	S 4°26'16" E
C30	175.50	24.23	24.21	12.13	0.42	0.42	S 28°56'24" E
C31	50.00	34.25	33.59	17.83	2.90	3.08	S 52°31'16" E
C32	45.00	139.41	89.98	2062.31	44.02	2017.80	S 20°47'41" E
C33	45.00	54.86	51.53	31.42	8.10	9.89	N 77°07'07" W
C34	229.50	48.36	48.27	24.27	1.27	1.28	N 36°09'23" W
C35	229.50	87.51	86.98	44.29	4.16	4.24	N 19°11'46" W
C36	229.50	66.88	66.65	33.88	2.43	2.46	N 0°04'36" E
C37	229.50	30.78	30.76	15.41	0.52	0.52	N 12°16'04" E
C38	470.00	136.23	135.76	68.60	4.93	4.98	N 60°31'48" W
C39	470.00	51.27	51.24	25.66	0.70	0.70	N 49°06'06" W
C40	450.00	171.68	170.64	86.90	8.16	8.31	S 35°02'49" E
C41	435.00	211.92	209.83	108.11	12.84	13.23	S 59°56'00" E
C42	200.00	157.42	153.38	83.04	15.29	16.55	S 51°20'30" E
C43	200.00	157.42	153.38	83.04	15.29	16.55	S 6°14'43" E
C44	200.00	231.58	218.86	130.73	32.59	38.94	S 16°52'05" E
C45	200.00	203.51	194.85	111.55	25.33	29.01	S 13°02'29" E
C46	485.00	120.58	120.27	60.60	3.74	3.77	S 31°14'23" E
C47	485.00	18.00	18.00	9.00	0.08	0.08	S 39°25'32" E
C48	485.00	46.46	46.44	23.25	0.56	0.56	S 43°13'58" E
C49	50.50	136.47	98.57	226.21	39.50	181.28	S 19°34'49" E
C50	200.00	157.42	153.38	83.04	15.29	16.55	S 51°20'30" E
C51	200.00	157.42	153.38	83.04	15.29	16.55	S 6°14'43" E

PRELIMINARY REPLAT OF
BLOCKS 2R & 9 OF THE STEPPING STONE SUBDIVISION
NOW KNOWN AS
LOTS A - C & LOTS 1 - 51 OF BLOCKS 2R1 & 9R OF THE STEPPING STONE SUBDIVISION
AS LOCATED IN THE NE1/4 OF SECTION 17 - TOWNSHIP 150 NORTH - RANGE 98 WEST - 5TH P.M.
MCKENZIE COUNTY, NORTH DAKOTA

OWNER'S CERTIFICATE

I, (WE) THE UNDERSIGNED, BEING THE SOLE OWNER(S) AND MORTGAGE HOLDER(S) OF THE LAND PLATTED HEREIN, DO HEREBY CONSENT TO THE EXECUTION OF THIS PLAT AND AGREE TO NOT VACATE ANY PORTION OF THIS PLAT WITHOUT THE CONSENT OF THE CITY OF WATFORD CITY. I (WE) DEDICATE EASEMENTS TO RUN WITH THE LAND FOR WATER, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON, OR OVER THE LAND DEDICATED HEREON AS "UTILITY EASEMENTS" WHETHER SHOWN OR EXISTING.

DAKOTA GOLD PROPERTIES LLC DATE

STATE OF COUNTY OF

ON THIS DAY OF 2018 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF PERSONALLY APPEARED, FOR DAKOTA GOLD PROPERTIES LLC, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

NOTARY PUBLIC FOR THE STATE OF RESIDING AT MY COMMISSION EXPIRES

SURVEYOR'S CERTIFICATE

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

DUSTIN JORDAN REGISTERED LAND SURVEYOR NO. 10478 DATE

STATE OF COUNTY OF

ON THIS DAY OF 2018 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF PERSONALLY APPEARED, DUSTIN JORDAN, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

NOTARY PUBLIC FOR THE STATE OF RESIDING AT MY COMMISSION EXPIRES

PROPERTY DESCRIPTION

A TRACT OF LAND LOCATED IN BLOCKS 2R & 9 OF THE STEPPING STONE SUBDIVISION IN THE NE1/4 OF SECTION 17, T150N, R98W, 5TH P.M., MCKENZIE COUNTY, NORTH DAKOTA.

PLANNING AND ZONING COMMISSION APPROVAL

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

GLEN BEARD, CHAIRMAN DATE

STATE OF NORTH DAKOTA COUNTY OF MCKENZIE

ON THIS DAY OF 2018, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, GLEN BEARD, CHAIRMAN, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

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

WATFORD CITY APPROVAL

THE CITY OF WATFORD CITY, NORTH DAKOTA HAS APPROVED THE ATTACHED PLAT AS SHOWN HEREIN, 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. ALL STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND GROUNDS OF THE ATTACHED PLAT ARE DEDICATED, BUT NOT ACCEPTED AT THIS TIME WITH THE OFFER TO REMAIN OPEN.

JUSTIN VOLL, MAYOR DATE

PENI PETERSON, CITY AUDITOR DATE

STATE OF NORTH DAKOTA COUNTY OF MCKENZIE

ON THIS DAY OF 2018, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, JUSTIN VOLL, MAYOR AND PENI PETERSON, CITY AUDITOR, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

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

AUDITOR'S CERTIFICATE OF TAXES

TAXES, DELINQUENT TAXES, DELINQUENT SPECIAL ASSESSMENT OR INSTALLMENT OF SPECIAL ASSESSMENT OR TAX ESTIMATES FOR THE PROPERTY DESCRIBED ON THE ATTACHED INSTRUMENT ARE UNPAID IN THE AMOUNT OF \$ PLUS PENALTY AND INTEREST.

CERTIFIED THIS DAY OF 2018.

ERICA JOHNSRUD, MCKENZIE COUNTY AUDITOR

CERTIFICATE OF MCKENZIE COUNTY RECORDER

I HEREBY CERTIFY THAT THE ABOVE INSTRUMENT WAS FILED IN THE OFFICE OF THE MCKENZIE COUNTY RECORDER IN THE STATE OF NORTH DAKOTA AT O'CLOCK A.M. / P.M. ON THE DAY OF A.D., 2018 AND WAS RECORDED AS DOCUMENT NO.

ANN M. JOHNSRUD, MCKENZIE COUNTY RECORDER

RESERVATION TELEPHONE COOPERATIVE

WE HEREBY APPROVE OF THE UTILITY EASEMENTS WHICH MAY RUN UNDER, ON, OR OVER THE LAND AS DEDICATED HEREON AS "UTILITY EASEMENTS" WHETHER SHOWN ON THE PLAT AS PRESENTED OR EXISTING.

DATED ON THIS DAY OF 2018.

RESERVATION TELEPHONE COOPERATIVE, AUTHORIZED AGENT PRINTED NAME:

STATE OF NORTH DAKOTA COUNTY OF MCKENZIE

ON THIS DAY OF 2018, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

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

MONTANA DAKOTA UTILITIES COMPANY

WE HEREBY APPROVE OF THE UTILITY EASEMENTS WHICH MAY RUN UNDER, ON, OR OVER THE LAND AS DEDICATED HEREON AS "UTILITY EASEMENTS" WHETHER SHOWN ON THE PLAT AS PRESENTED OR EXISTING.

DATED ON THIS DAY OF 2018.

MONTANA DAKOTA UTILITIES COMPANY, AUTHORIZED AGENT PRINTED NAME:

STATE OF NORTH DAKOTA COUNTY OF MCKENZIE

ON THIS DAY OF 2018, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

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

MCKENZIE ELECTRIC COOPERATIVE, INC.

WE HEREBY APPROVE OF THE UTILITY EASEMENTS WHICH MAY RUN UNDER, ON, OR OVER THE LAND AS DEDICATED HEREON AS "UTILITY EASEMENTS" WHETHER SHOWN ON THE PLAT AS PRESENTED OR EXISTING.

DATED ON THIS DAY OF 2018.

MCKENZIE ELECTRIC COOPERATIVE, INC., AUTHORIZED AGENT PRINTED NAME:

STATE OF NORTH DAKOTA COUNTY OF MCKENZIE

ON THIS DAY OF 2018, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

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

WESTERN AREA WATER SUPPLY AUTHORITY

WE HEREBY APPROVE OF THE UTILITY EASEMENTS WHICH MAY RUN UNDER, ON, OR OVER THE LAND AS DEDICATED HEREON AS "UTILITY EASEMENTS" WHETHER SHOWN ON THE PLAT AS PRESENTED OR EXISTING.

DATED ON THIS DAY OF 2018.

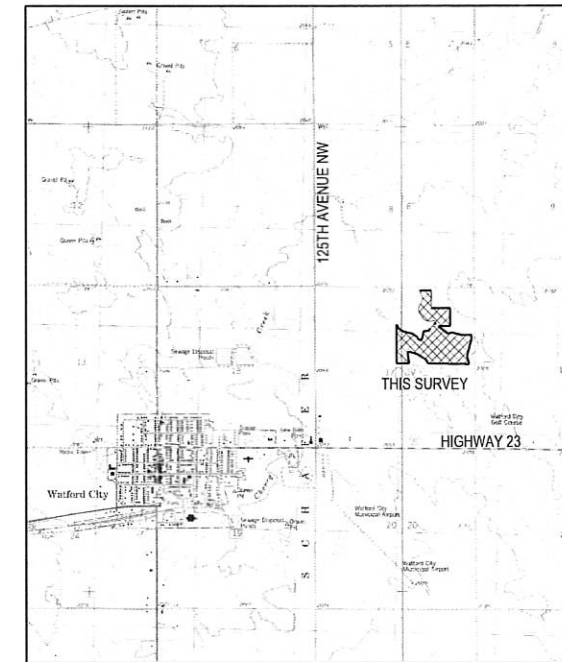
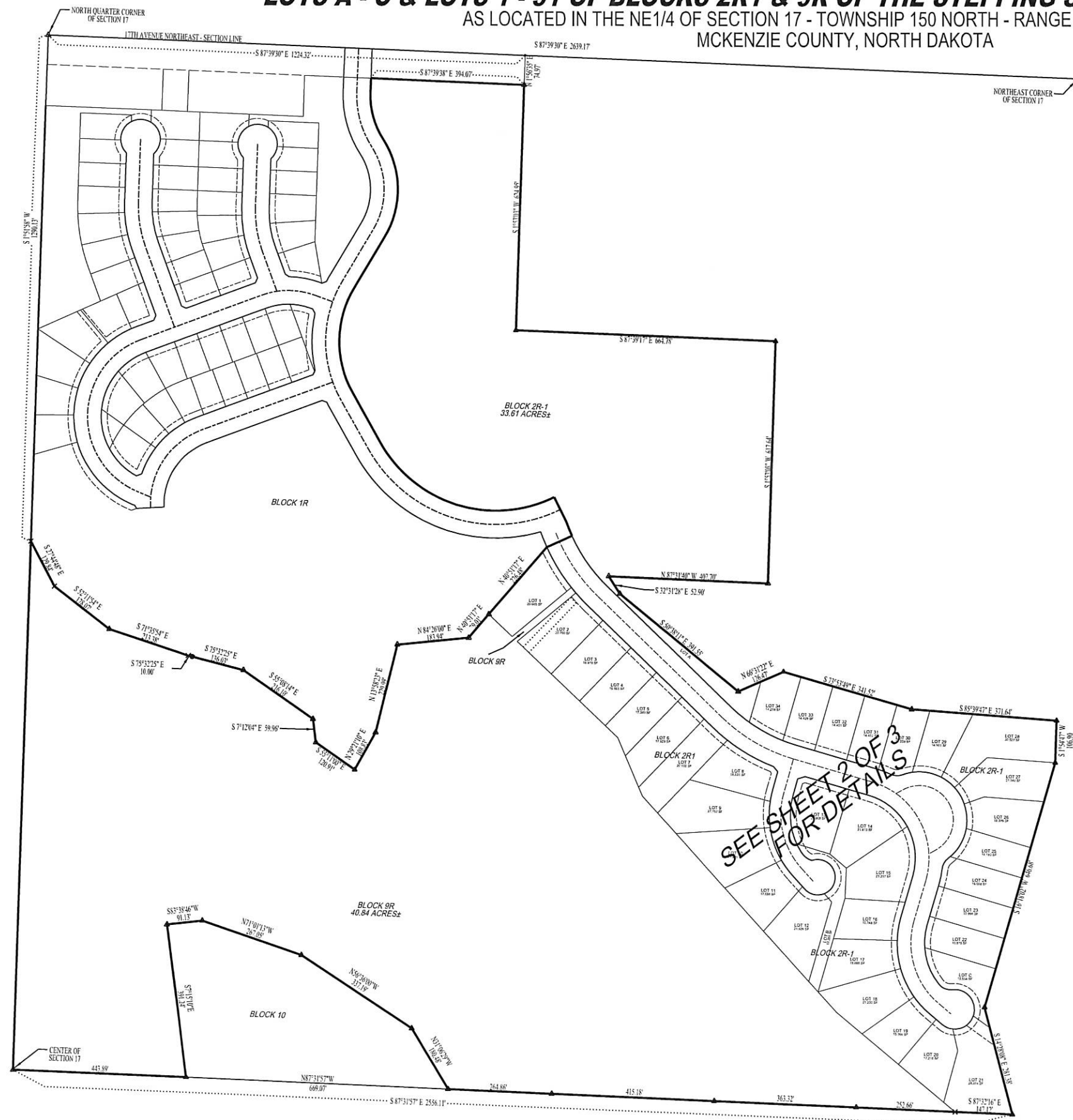
WESTERN AREA WATER SUPPLY AUTHORITY, AUTHORIZED AGENT PRINTED NAME:

STATE OF NORTH DAKOTA COUNTY OF MCKENZIE

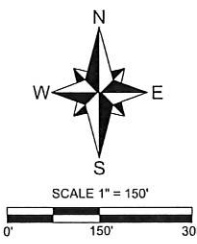
ON THIS DAY OF 2018, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

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

**PRELIMINARY REPLAT OF
BLOCKS 2R & 9 OF THE STEPPING STONE SUBDIVISION
NOW KNOWN AS
LOTS A - C & LOTS 1 - 51 OF BLOCKS 2R1 & 9R OF THE STEPPING STONE SUBDIVISION**
AS LOCATED IN THE NE1/4 OF SECTION 17 - TOWNSHIP 150 NORTH - RANGE 98 WEST - 5TH P.M.
MCKENZIE COUNTY, NORTH DAKOTA



VICINITY MAP
Not to Scale

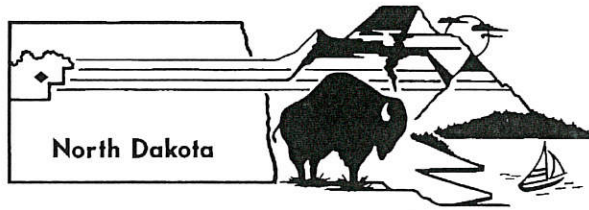


- ⊕ = WITNESS CORNER
- △ = PIN FOUND
- = STONE FOUND
- ⊠ = R.O.W. MARKER
- x = COMPUTED

BASIS OF BEARING: N.D. STATE PLANE - NORTH ZONE
GROUND DISTANCES SHOWN - C/F: 0.9998485

- = BOUNDARY LINE
- = SECTION LINE
- = QUARTER LINE
- = SIXTEENTH LINE
- = PROPERTY LINE
- = RIGHT-OF-WAY LINE
- = ORIGINAL BLOCK LINE
- = NEW UTILITY EASEMENT LINE

Watford City



City of Watford City

213 2nd St., NE / PO Box 494

Watford City, ND 58854

Ph. 701- 444- 2533

Fax 701- 444- 3004

cityofwatfordcity.com

September 19, 2018

STAFF REPORT **Subdivision Preliminary plat**

APPLICANT:

Stepping Stone INC.
Paul Ficara
P.O. Box 1742
Watford City ND, 58854

PROPERTY OWNERS:

Dakota Gold Properties LLC
P.O. Box 1742
Watford City ND, 58854

PROPERTY LOCATION:

Section 17, Township, 150 Range 98W, PID:832502000; Block 2R and 9 of Stepping Stone Subdivision, 17th Ave. NE Stepping Stone Subdivision, Watford City, McKenzie County, North Dakota.

REQUEST:

Preliminary plat review of the subdivision plat for Stepping Stone LLC.

ZONING:

R1- Single Family Home Residential

CURRENT USE:

Undeveloped

REFERENCES:

City of Watford City Municipal Code of Ordinances, Chapter XV Zoning Ordinance, Article XXX- Subdivision Regulations, Section 5: Approval of Plats and Section 6: Procedure for Approval of Plats: "Plat approval as required herein and in conformity with statutory authority within the Planning Commission's territorial jurisdiction, shall be by the Planning Commission, with confirmation approval by the City Council. In all cases where land is offered for dedication for streets, utilities, or other public purposes, the governing body affected shall act to accept or reject the offer of dedication and the deed for the fee to such lands. The approval of other jurisdictional Planning Commissions shall be required on all plats of land situated within the unincorporated jurisdiction of the City of Watford City, North Dakota."

DISCUSSION:

This preliminary subdivision plat is intended to create 34 lots with an additional 3 lots (lettered) to be reserved as green space which will be designated to the subdivision's future Home Owners Association (HOA). The purpose of submitting this preliminary plat of the second phase of the subdivision is in direct relation to the preliminary plat of phase 1 for Stepping Stone Subdivision which was reviewed at last month's (August 27, 2018) Planning Commission meeting. The utilities are initially being brought up north through this phase 2 area in order to be able to complete the infrastructure work for phase 1. Upon a recent site visit, it appears that the process of dirt work has begun for the future development and curbing along the road of phase 1 was in progress.

To be noted, within the area on the plat labeled as "*Block 9R*" includes a boundary line adjustment between Lots 1 and 2 in order to accommodate for changes made to the Golf Course's golf cart path location. Since this property is owned by the City of Watford City, the property ownership will need to be included within both the map and signature blocks as the City will need to sign off as an owner.

This property is currently zoned R1 Single Family Home Residential District and is located off of 17th Ave. NE. Stepping Stone Subdivision has an acreage of 52.66 acres and this plat will be considered the Second phase to this project.

The City of Watford City mailed the property owners that hold an interest in the property as well as the adjacent property owners a notice regarding the city's zone change request. None of the noticed property owners contacted the city regarding the application.

SITE DEVELOPMENT:

Access: The property is accessible from 17th Ave NE.
Sewer: The property does not have access to City sanitary sewer yet.
Water: The property does not have access to City water yet.

SURROUNDING LAND USE:

North: Zoning – IP- Industrial Park
Use - Premium Oilfield Services LLC

East: Zoning – R-1: Single Family Home/ R4- High Density Residential
Use - Undeveloped

South: Zoning – AG: Agriculture/ R4: High Density Residential
Use - Undeveloped

West: Zoning – R4: High Density Residential
Use - Undeveloped

RECOMMENDATION:

It is the recommendation of the Planning Department Staff to Approve Stepping Stone Subdivision Phase 2 Preliminary Plat. Approval shall be contingent upon the following items:

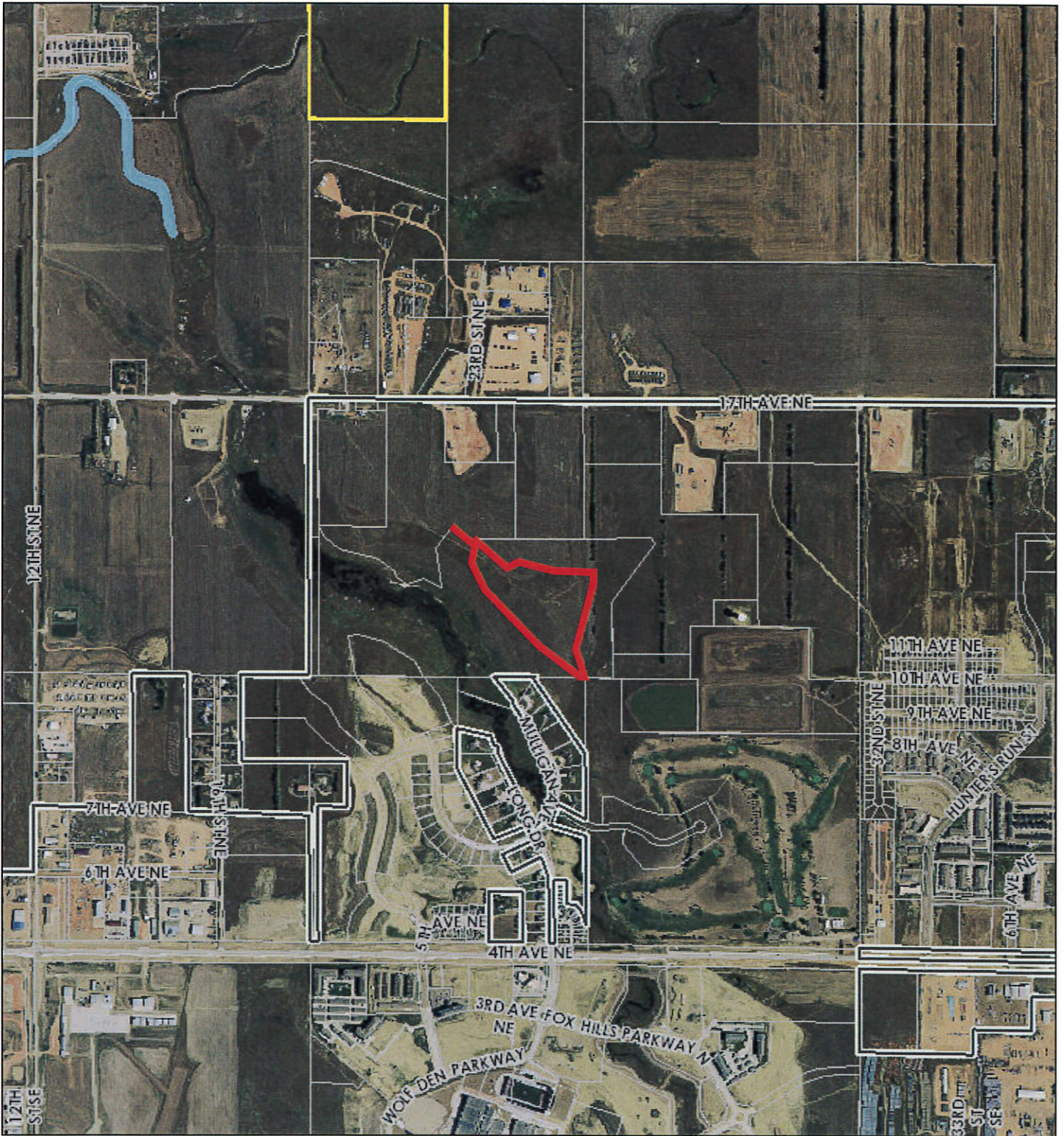
1. According to the City of Watford City Municipal Code of Ordinances: *Chapter XV, Article XXX, Section 6-5*: Approval of the Preliminary Subdivision Plat shall be effective for a maximum period of twelve (12) months. A Final Subdivision Plat must be submitted for approval by City Council within the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

PLANNING DEPARTMENT STAFF CONTACT:

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




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

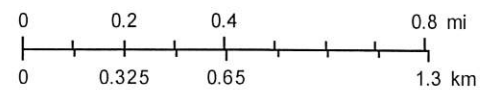
Phase 2 of Stepping Stone Subdivision



September 20, 2018

1:24,075

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



GIS, Watford City, AE2S



4.

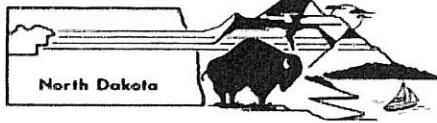
Land Use Application

Variance

Matthew Fogle

212 5th St. NE

LAND USE



VARIANCE

APPLICATION

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

APPLICATION FEE:

\$300.00

REQUIREMENTS: All applications must be legible, printed in ink or typed, and suitable for reproduction. *Original application with original signature is required.* A Variance Application may be submitted to consider reducing yard setbacks in order to accommodate a structure due to exceptional conditions or existing circumstances of the property. Along with this application, please submit the following: N.D. Professionally Engineered/ Survey or drawing of the property in both .PDF format and 11"x17" size paper for review, a brief justification letter explaining the request for Variance and a copy of current property deed(s) and/or title report. For specific details regarding this process, please refer to the *City of Watford City Municipal Code of Ordinances: CHAPTER XV ARTICLE XXVII: VARIANCES, SECTION 1-6.*

PROPERTY OWNER INFORMATION

OWNER NAME(S):

Matthew Fogle

PHONE NUMBER:

EMAIL:

MAILING ADDRESS:

APPLICANT INFORMATION

Same as Owner

APPLICANT NAME:

JM Builders, LLC. / Josh Mandler

PHONE NUMBER:

763-477-8543

EMAIL:

jmhockeynut@yahoo.com

MAILING ADDRESS:

3225 125th N Ave NW Watford City, North Dakota 58854

DEVELOPER INFORMATION

DEVELOPER NAME:

PHONE NUMBER:

EMAIL:

MAILING ADDRESS:

PROPERTY INFORMATION

PROPERTY ADDRESS:

212 5th St NE

ZONING DISTRICT:

R1- Single Family Residential

PARCEL NUMBER(S):

82-29-00900

LEGAL DESCRIPTION: (SECTION, TOWNSHIP, RANGE)

Section 19, Township 150 N, Range 98 W, Lot 30, Seibolds Addition to Watford City

CURRENT USE OF PROPERTY:

Single Family Home

PROPOSED USE OF PROPERTY:

Same

DESCRIPTION Please give a brief description of the proposed Variance.

Requesting a reduction of the 30' front yard variance to 15' in order to accommodate a new covered deck. Variance of 15'.

APPLICANT SIGNATURE: (IF DIFFERENT THAN OWNER)

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

APPLICANT SIGNATURE:

DATE:

9 / 7 / 2018

APPLICANT PRINT NAME:

Josh Mandler

APPLICANT TITLE:

Contractor

PROPERTY OWNER(S) AFFIDAVIT

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

PROPERTY OWNER SIGNATURE:
[Signature]

DATE:
9 / 12 / 2018

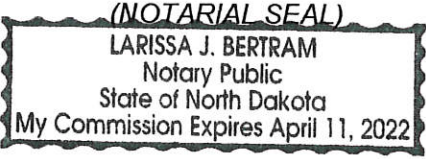
PROPERTY OWNER SIGNATURE:

DATE:
____ / ____ / ____

PROPERTY OWNER NOTARY

On this 12 day of September, 2018 before me, the undersigned, a notary public for the state of North Dakota, personally appeared, Mathew Fogle known to me to be the person(s) who executed the certificate in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first written above.

Larissa J. Bertram
Notary Public



Notary Public for the state of ND
Residing at Watford City
My Commission Expires April 11, 2022

OFFICE USE ONLY

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

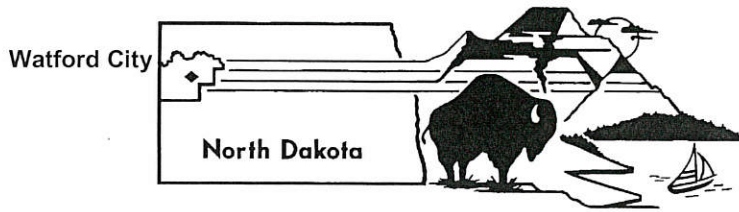
LEGAL NOTICE DATES:
9,12,18
9,19,18

ADJACENT PROPERTY OWNER NOTICES MAILED

MEETING DATES:
PLANNING COMMISSION: 9,24,18
CITY COUNCIL: 10,1,18

INVOICE:
INVOICE NUMBER: 3596
DATE CREATED: 9,14,18 BY: UB

PAYMENT: \$ **300.00**
DATE RECEIVED: 9,14,18 AMOUNT: \$ 300.00
 CARD CASH CHECK # _____



City of Watford City
213 2nd St., NE / PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 30
cityofwatfordcity.com

September 2018

STAFF REPORT
02-2018 Variance

APPLICANT:

Josh Mandler / JM Builders, LLC.
Watford City ND, 58854

PROPERTY OWNER:

Matthew Fogle
212 5th St. NE
Watford City ND, 58854

PROPERTY LOCATION:

Section 19, Township 150 N, Range 98 W, Lot 30 of Seibolds Addition to Watford City, 212 5th St NE, Watford City, McKenzie County, North Dakota.

REQUEST:

Applicant has submitted a Land Use Application for the consideration of a 15 Ft. Variance from the required 30 Ft. front yard setback. The request would allow for a 15 Ft. reduced front yard setback.

ZONING:

R-1, Single Family Dwelling District

CURRENT USE:

Single Family Home

REFERENCES:

City of Watford City Municipal Code of Ordinances, Chapter XV Zoning Ordinance, Article X R-1 Single Family Dwelling District, Section 6- Yard Regulations, Subsection 1: Front Yard.

City of Watford City Municipal Code of Ordinances, Chapter XV Zoning Ordinance, Article XXVII Variances, Section 1-Requirements for Variances:

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

City of Watford City Municipal Code of Ordinances, Chapter XV Zoning Ordinance, Article XXVII Variances, Section 2-Limitations:

"Variances shall include yard and height regulations only and are limited to the following:

1. *Yard Regulations*
 - a.) *A yard regulation variance may not be more than one-half the required yard and shall not encroach upon the required setback for adjacent buildings.*
 - b.) *A front yard setback to less than one-half (½) of the required front yard on top of existing footprint of structures constructed before the effective date of this ordinance.*
 - c.) *A front yard setback, rear yard setback, or side yard setback in the case of corner lots, less than one-half (½) of the required setback can be granted provided that:*
 1. *The existing structure is located on the property such that no improvements can be made to the structure due to Limitation (a) above; AND*
 2. *The existing structure predates the implementation of the City of Watford City's Zoning Ordinance (Ordinance 130, August 21, 1969.)*

City of Watford City Municipal Code of Ordinances, Chapter XV Zoning Ordinance, Article XXVII Variances, Section 5-Public Hearing and Notice, Subsection 2.a:

"In granting a variance for yard regulations, 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 this 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."

DISCUSSION:

City Building Inspector, Steven Williams stopped by this property after noticing new construction. After further inquiry, it was discovered that there had not been a Building Permit issued for the project. Steve issued a Stop-Work order. Contractor Josh Mandler of JM Builders, LLC. thereafter submitted a building permit application to City Staff. The proposed project consists of adding a covered deck area in the size of 26 Ft. x 10 Ft. to the front of the house. After City Staff's further review of the plans for this project, it was determined that the project would need to be under consideration for a variance in order to accommodate the new structure and follow the setback requirements. The property is currently zoned as R1-Single Family Dwelling District wherein per City Ordinances, the front yard setback requirements are 30 Ft.

The existing house currently sits 25 Ft. from the front yard and therefore already encroaches 5 Ft. within the required 30 Ft. setback. When including the covered deck of an additional 10 Ft., the complete structure then sits at 15 Ft. The Land Use Application is requesting a variance of 15 Ft. which would be allowable per City Ordinance as it states that the setback may be reduced up to 50%.

City Staff researched the property records and did not find any permits for the construction of the existing house dating prior to 1984. However, according to City Assessor Rita Olson, her property records show that the house was built in the year 1945. Having verified this date, as stated within the City Ordinance: *"the existing structure predates the implementation of the City of Watford*

City's Zoning Ordinance (Ordinance 130, August 21, 1969.)" and therefore demonstrates a true hardship which would in turn validate this property's eligibility for granting a variance.

SITE DEVELOPMENT:

Access: Home is accessed from City Street: 5th St NE.
Sewer: City sewer services are available and connected to property.
Water: City water services are available and connected to property.

SURROUNDING LAND USE:

West: Zoning - R1, Single Family Dwelling
Use - Residential Neighborhood

South: Zoning - R1, Single Family Dwelling
Use - Residential Neighborhood

North: Zoning - R1, Single Family Dwelling
Use - Residential Neighborhood

East: Zoning - R1, Single Family Dwelling
Use - Residential Neighborhood

RECOMMENDATION:

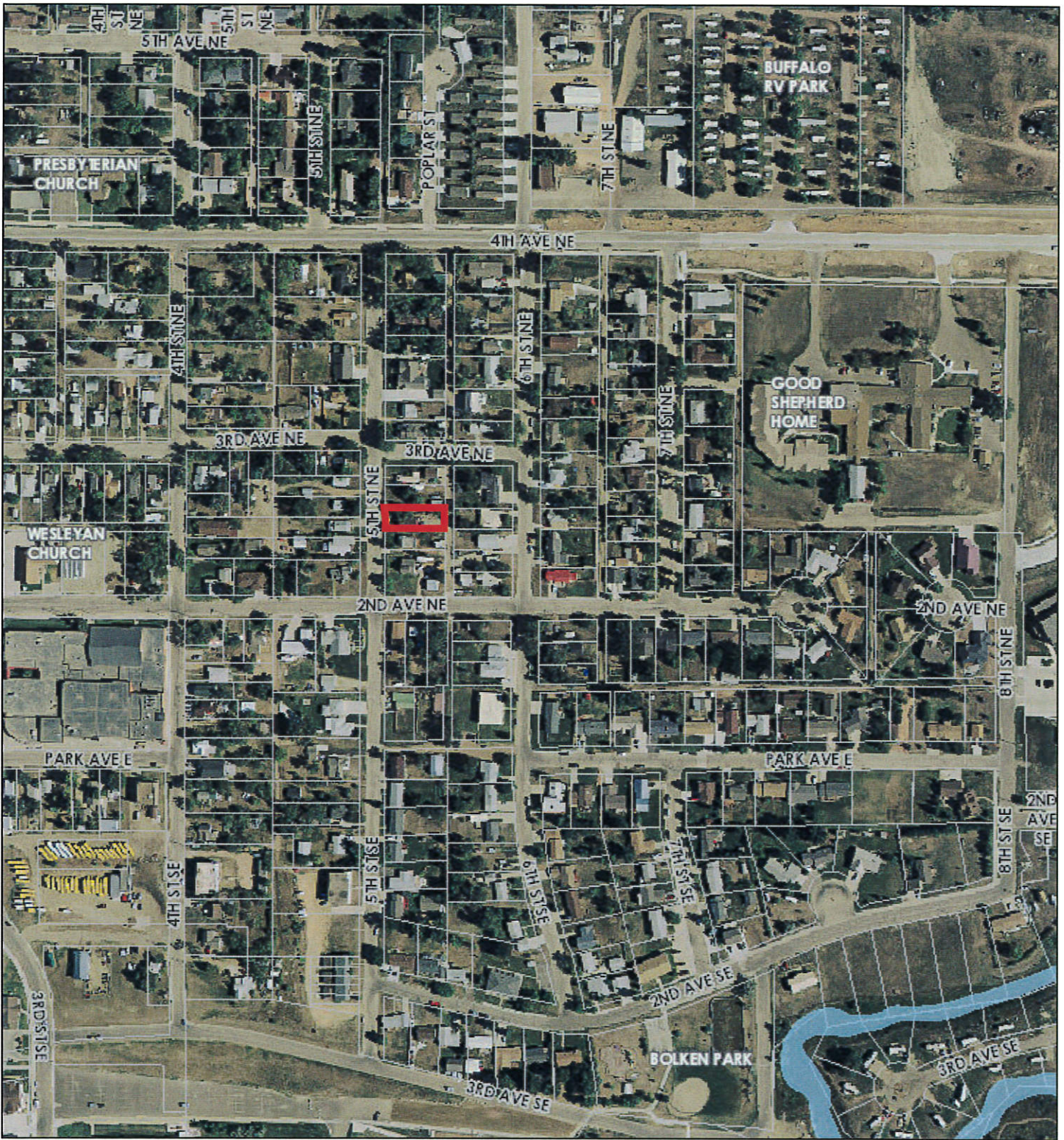
Planning Department Staff recommends **APPROVAL** of this Land Use Application for a Variance of 15 Ft. in order to reduce the front yard setbacks from the required 30 Ft. to 15 Ft. The recommendation is based on the evidence of a hardship proving the house's current setback location to be in existence prior to the adoption of the Ordinance.

PLANNING DEPARTMENT STAFF CONTACT:

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

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

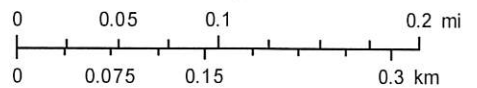
212 5th St NE Variance



September 20, 2018

1:6,019

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



GIS, Watford City, AE2S





Minutes

August 27, 2018

PLANNING & ZONING COMMISSION
MEETING MINUTES
August 27, 2018

The regularly scheduled monthly meeting of the Watford City Planning & Zoning Commission was held on Monday August 27, 2018 at 6:00 p.m. in the Heritage Room at City Hall. In attendance: Chairman Glen Beard, Vice Chairman Gregg Schuetze and Commission Members: Tom Dwyer, Rick Holm, Jesse Lawrence, Marco Pelton, and Jake Walters. Also in attendance: Assistant City Planners: LaRissa Bertram and Becky Smith, City Building Inspector Steven Williams, and City Attorney Wyatt Voll. Absent: None.

With the above mentioned present, the Public Hearing was called to order at 6:02 P.M. by Chairman Glen Beard.

Under consideration were the following:

1. Public Hearing to hear comment on Annual Review of Conditional Use Permit submitted by Brent Kabat of Buell Consulting, Inc. on behalf of Badlands Cellular of ND dba Verizon Wireless on property owned by Mark Bruckelmeyer, James Beld & Doug Wendling, d.b.a. DMJ, LLC located at 12209 26 N. Street, 3.0 acres, McKenzie County, ND.

Chairman Glen Beard suggested that we renew these transmission tower's conditional use permits for 5 years. Assistant City Planner Becky Smith noted that it was stated within the Staff Report but Staff is recommending to push the approval to February of 2020 so that we can keep create a consent agenda to include all existing cell towers being reviewed at the same time. There were no further comments.

MOTION by T. Dwyer, SECOND by R. Holm, to recommend APPROVAL to City Council of the Land Use Application for Renewal of a Conditional Use Permit originally submitted by Brent Kabat on property owned by Mark Bruckelmeyer, James Beld, and Doug Wendling d.b.a. DMJ, LLC located at 12209 26 N St. Watford City McKenzie County ND.

Approval will be contingent upon the following items:

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.

Roll Call Vote:

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

Nays: None.

MOTION Carried.

2. Public Hearing to hear comment on Annual Review of Conditional Use Permit submitted by Brent Kabat of Buell Consulting, Inc. on behalf of for Verizon Wireless on property owned by Patrick & Sally Golberg located 1809 Main Street South, 45.97 acres, Watford City, McKenzie County, ND.

Assistant City Planner LaRissa Bertram commented that this conditional use is for the same use as the previous item but it was noted that during a site visit, this location needs to be maintained for the noxious weeds within the facility area. LaRissa also explained that this CUP is also being recommended for renewal until February 2020. There were no further comments.

MOTION by G. Schuetze, SECOND by J. LAWRENCE to recommend APPROVAL to City Council of the Land Use Application for Renewal of a Conditional Use Permit originally submitted by Brent Kabat of Buell Consulting on behalf of Verizon Wireless located at 1809 Main St. South Watford City, McKenzie County.

Approval will be contingent upon the following items:

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.
7. The facility must be maintained and free of noxious weeds.

Roll Call Vote:

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

Nays: None.

MOTION Carried.

3. Public Hearing to hear comment on Annual Review of Conditional Use Permit for Badlands Cellular of ND, d/b/a Verizon Wireless & MBY15, LLC on property located @ 409 12th Street Southeast, Lot 22,

Block 6 Cherry Creek 2nd Addition, Watford City, McKenzie County, ND

City Assistant Planner LaRissa Bertram explained this was another transmission tower CUP up for review and recommended we treat this conditional use like the others and give approve until February of 2020. There were no further comments

MOTION by G. Schuetze, SECOND by T. Dwyer to recommend APPROVAL to City Council of the Land Use Application for the Renewal of a Conditional Use Permit originally submitted for Verizon Wireless for a cellular transmission tower located at 409 12th St SE, Lot 22, Block 6 Cherry Creek 2nd Addition, Watford City, McKenzie County ND.

Approval will be contingent upon the following items:

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.

Roll Call Vote:

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

Nays: None.

MOTION Carried.

4. Public Hearing to hear comment on the Land Use application for a Conditional Use Annual Review originally submitted by QEP on property located SW ¼ SE ¼ Section 16, Township 150N, Range 98W, 10 acres, 13112 4th Ave NE, Watford City, McKenzie County, North Dakota.

Assistant Planner LaRissa Bertram comment that she had spoken with QEP's Administrative Assistant, Eva from their New Town office. Eva said they were still in need of the housing for at least one more year however, QEP will not be renewing these buildings leases after May of 2019. She had requested renewing this CUP for the employee housing for this time. LaRissa also stated that upon a recent site visit, the two trailers located to the front of the property are used for offices and the 6 buildings to the back of the property are for employee housing. She also noted that the property appeared to be well kept and not in any violation of the previous contingencies within the original approval/renewal of the conditional use permit. Commission member Jake Walters questioned the access to the property and wondered if they were in fact jumping a curb. City Attorney Wyatt Voll answered his question by referring back to the fact the state did not want QEP to have direct access off of the highway and that the access they currently use is an easement agreement that QEP had received from Hunters Run Development. There were no further comments.

MOTION by M. Pelton, SECOND by R. HOLM to recommend APPROVAL to City Council of the Land Use Application for Renewal of a Conditional Use Permit originally submitted

by QEP Energy Resources on property located at SW ¼ SE ¼ Section 16 Township 150N Range 98W for the use of temporary workforce housing.

Approval will be contingent upon the following items:

1. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and
2. The conditional use shall conform to all special provisions of the district in which it is located.
3. Two parking spaces shall be provided per dwelling unit.
4. A dust palliative shall be required on unpaved parking areas and drive aisles May through October.
5. Approval will be for a period of 1 year (12 months). During this time, the Property Owner must work to bring the property into compliance with current City Zoning Ordinances and standards otherwise, the Conditional Use Permit will not be renewed and the units must be removed from the property

Roll Call Vote:

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

Nays: None.

MOTION Carried.

5. Public Hearing to hear comment on Land Use Application – CUP Annual Review for Rolfson Oil, LLC. on property located in Section 29, Township 150 North, Range 98 West, GTI Subdivision, Lot 6, 4.16 acres, 2418 Schilke Drive, Watford City, McKenzie County, North Dakota.

Assistant City Planner LaRissa Bertram explained that she and Assistant City Planner Becky Smith met on site at Rolfson Oil with Rolfson representatives Ron Schaffer and Jennifer P. along with Engineer Matt Beard. LaRissa explained that Ron showed the group around the site to discuss previous problems areas. There were conversations as to where the previous spills were located, causes of the spills and the processes that Rolfson Oil put in place to improve and treat the contaminated areas. It was also shown that Rolfson has implemented log books to strictly enforce documenting monthly inspections which were considered to be a non-regulated issue in the past. LaRissa also stated that the relationship Rolfson Oil has with their previous spill-affected neighbors has improved significantly. Vickie Kreger, Representative from Triangle Electric was in attendance at the meeting and stated that they have a very good relationship with Rolfson Oil now. Also, Assistant City Planner Becky Smith mentioned that she spoke with Howdy Lawler, another affected neighbor by the contaminant spill and he stated that he would like the record to state he gives them a "Thumbs up" for improving the property as well as their neighborly relationship. LaRissa noted that within the last year, the City has not received any complaints regarding Rolfson Oil's property or this CUP. It is the Planning departments' recommendation to approve Rolfson Oil's Conditional Use Permit Renewal. Vickie from Triangle Electric also wanted the Commission to make note that their road needs to be better maintained by the city. Attorney Wyatt Voll recommended she have a conversation with McKenzie County due to the fact the the access road is located within the county, not within the City or City ETA (Extra Territorial Area). There were no further comments at this time.

MOTION by G. Schuetze, SECOND by R. Holm, to recommend APPROVAL to City Council of the Land Use Application for Renewal of a Conditional Use Permit for Rolfson Oil for the use of bulk fuel storage located at Section 29, Township 150N, and Range 98W Watford City, McKenzie County ND.

Approval will be contingent upon the following items:

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.
7. The Conditional Use Permit shall be approved for the renewal period of one (1) year/ 12 months given that Rolfson remains in compliance all Federal, State, and local City laws, regulations, and ordinances with no reports or evidence of incidents, violations, or complaints.
8. Copies of current records of operational manuals and log sheets of maintenance and inspections continue to be submitted to the City.

Roll Call Vote:

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

Nays: None.

MOTION Carried.

6. Public Hearing to hear comment on Land Use Application- CUP Annual Review Kathleen Tretter Sew Fine for property located at 2601 2nd St NE, Dakota Ridge Subdivision, Watford City, McKenzie County, North Dakota

Assistant City Planner LaRissa Bertram explained that Kathy has operated her home occupation of an embroidery company since 2014. She had a dedicated shop area on the side of the garage of her home used for this business. LaRissa also noted that there were no complaints of the home occupation to date. There were no further comments made.

MOTION by M. Pelton, SECOND by T. DWYER, to recommend APPROVAL to City Council of the Land Use Application for Renewal of a Conditional Use Permit for Kathleen Tretter on property located at 2601 2nd St NE, Dakota Subdivision, Watford City, and McKenzie County, ND. For the purpose of a Home Occupation.

Approval will be contingent upon the following items:

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

5. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;
6. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and
7. The conditional use shall conform to all special provisions of the district in which it is located.
8. The Conditional Use Permit shall be approved for a period of 1 year (12 months) after which time, the permit will be reviewed for renewal/non-renewal.

Roll Call Vote:

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

Nays: None.

MOTION Carried.

7. Public Hearing to hear comment on Division of Land Application for Subdivision Preliminary Plat: Stepping Stone Inc. submitted by Palo Ficara on behalf of Dakota Gold Properties. The proposed subdivision is located in a portion of Section 17, Township 150 North, Range 98 West, 69.6 Acres, Watford City, and McKenzie County, North Dakota.

Assistant City Planner LaRissa Bertram commented that Stepping Stone was proposing a subdivision that would include 51 buildable lots with an additional 5 lots for dedicated green space. Upon reviewing the plat, it was questioned whether "Lot B" was actually owned by Black Gold Properties. Reasoning for this question was due to the fact that there are two existing single family homes adjacent to both sides of Lot B with their shared driveway going through the lot. LaRissa had a Discussion with Developer, Paulo Ficara and he stated that Lot B is in fact the property of Black Gold Properties but have given both houses temporary access easements with the intent that after construction is completed, they will be handing Lot B over to those 2 properties for access to their dwellings. The developer intends to use Lot B as a temporary access point for construction. Commission Member Jake Walters commented that he was part of this project and he would be abstaining from voting but would be willing to answer any additional questions if they should arise. Commission Member Rick Holm mentioned that he has concerns for when the property is developed, there will need to be the issue of fencing discussed because he does not want residents or stray cats and dogs wondering onto his property from the Stepping Stone Subdivision. There were no further comments.

MOTION by R. Holm, SECOND by G. Schuetze, recommend APPROVAL to City Council for Land Use Application for the Preliminary Plat Submitted by Paulo Ficara on Behalf of Black Gold Properties on property located at Section 14, Township 150 Range 98WW Watford City, McKenzie County, ND.

Approval will be contingent upon the following items:

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

Roll Call Vote:

Ayes: G. Beard, T. Dwyer, J. Lawrence, M. Pelton, G. Schuetze

Nays: None.

Abstained: Jake Walters

MOTION Carried.

8. Amendments to City of Watford City Municipal Code of Ordinances Chapter XV- Zoning Ordinance, Article VII- Rules And Definitions, Section 2, Subsection 21: Dwelling, Townhouse.

Building Inspector Steven Williams commented that the wording of the existing ordinance does not follow the building code requirements regarding the fire wall separation. The word "resistant" should be removed. In addition, by proposing a change of this definition, it will not follow the Building Codes standards for a "Townhouse". Commission Member Jake Walters also mentioned that the City's current definition and proposed changes also does not follow the North Dakota Century Code. Instead of proposing the current changes to this existing ordinance, the City should consider adding a new definition and/or a new Zoning District specifically for "Condos" since Condos will actually better fit the needs for this change as well as comply with building codes. Steven Williams was in agreement. City Attorney Wyatt Voll explained that by giving this item a recommendation of approval, we can keep the item moving forward but still allow for the changes to be made since it will have two readings at City Council.

MOTION by J. Walters, SECOND by T. Dwyer, to recommend APPROVAL to City Council of the Amendments to City of Watford City Municipal Code of Ordinances Chapter XV- Zoning Ordinance, Article VII- Rules and Definitions, Section 2, Subsection 21: Dwelling, Townhouse.

Roll Call Vote:

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

Nays: None.

9. Amendments to City of Watford City Municipal Code of Ordinances Chapter XV- Zoning Ordinance, Article VII- Rules And Definitions, Section 2, addition of Bulk Freshwater Storage.

Assistant Planner Becky Smith explained that this amendment would be creating a new definition regarding Bulk Freshwater Storage. The need for this particular definition was brought up to City Council Members and City Staff by Denton Zubke, whom is a representative of an existing bulk fresh water depot which has been in operation since the 1980s. Along with creating a definition, we will also be adding this use to our AG, Agriculture Zoning Districts as a Conditional Use.

MOTION by J. Walters, SECOND by T. G. Schuetze, to recommend APPROVAL to City Council for the amendment to the City of Watford City Municipal Code of Ordinances Chapter XV- Zoning Ordinance, Article VII- Rules And Definitions, Section 2, addition of Bulk Freshwater Storage.

Roll Call Vote:

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

Nays: None.

10. Amendments to City of Watford City Municipal Code of Ordinances Chapter XV- Zoning Ordinance, Article IX- A-1 Agricultural District, Section 3- Conditional Uses, addition of Bulk Freshwater Storage.

Assistant City Planner Becky Smith explained the City has two Agricultural Zoning Districts. The proposed amendment will add a conditional use allowing for the storage of bulk freshwater. Again, this was prompted by an existing fresh water depot and by creating this conditional use, it will allow the depot to be able to continue operate as it has historically done without having to bring the property into further compliance with applying for a zone change, submitting site development plans and additional compliance requirements including paving parking and drive aisles as well as bonding or paving the access road to the property.

MOTION by R. Holm, SECOND by T. Dwyer, to recommend APPROVAL to City Council of the Amendment to City of Watford City Municipal Code of Ordinances Chapter XV- Zoning Ordinance, Article IX- A-1 Agricultural District, Section 3- Conditional Uses, addition of Bulk Freshwater Storage.

Roll Call Vote:

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

Nays: None.

11. Amendments to City of Watford City Municipal Code of Ordinances Chapter XV- Zoning Ordinance, Article IX(A) - A-2 Agricultural District, Section 3- Conditional Uses, addition of Bulk Freshwater Storage.

Assistant Planner Becky Smith explained that this is the City's second Agricultural Zoning District in which we are proposing the same amendments for a Conditional Use as previously explained.

MOTION by J. Walters, SECOND by G. Schuetze, to recommend APPROVAL to City Council of the Amendment to City of Watford City Municipal Code of Ordinances Chapter XV- Zoning Ordinance, Article IX(A) - A-2 Agricultural District, Section 3- Conditional Uses, addition of Bulk Freshwater Storage.

Roll Call Vote:

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

Nays: None.

MOTION Carried.

CLOSE PUBLIC HEARING: 6:43 PM

CALL TO ORDER REGULAR MEETING: 6:43 PM

1. Division of Land Application for Subdivision Final Plat: Watford City Shafer Cemetery submitted by The City of Watford City. The proposed subdivision is located in a portion of Section 15, Township 150 North, Range 98 West, Acres 7.14, Watford City, McKenzie County, North Dakota.

Assistant City Planner LaRissa Bertram commented that there were no changes made from the preliminary plat to the final plat. Commission Member Rick Holm questioned the number of plots this map would be creating for the addition to the Cemetery. LaRissa mentioned that the exact number of plots was listed in detailed within the Staff Report included in the packet but each of the 6 total blocks contains over 200 plots. There were no further comments.

MOTION by R. Holm, SECOND by G. Schuetze, recommend APPROVAL to City Council for Land Use Application for the Preliminary Plat Submitted by Paulo Ficara on Behalf of Black Gold Properties on property located at Section 14, Township 150 Range 98WW Watford City, McKenzie County, ND.

Roll Call Vote:

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

Nays: None.

MOTION Carried.

MINUTES: July 30, 2018

Reviewed minutes as presented, no further comments.

MOTION by, J. Lawrence, SECOND by T. Dwyer to APPROVE the July 30, 2018 Planning & Zoning Commission Meeting Minutes as presented.

Roll Call Vote:

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

Nays: None.

MOTION Carried.

REVIEW PERMITS:

Commission Member Jesse Lawrence asked if there were any Single Family homes being permitted and Assistant Planner Becky Smith noted that there was a new permit for a home issued in Veeder Estates and there has been discussion for plans for a few more homes within that development, but at this time, no others have been permitted.

Old Business:

None at this time.

New Business:

Commission Chairman Glen Beard questioned the maintenance of the GTI Subdivision road accessing Rolfson / Triangle Electric as previously mentioned by Vickie from Triangle... City Attorney Wyatt Voll commented again that this road was not a City Road and recommended they discuss this issue with the County or Subdivision developer regarding some sort of association or agreement to improve and maintain the roadway and ditches.

ADJOURNMENT: 6:53 PM

MOTION by R. Holm, SECOND by J. Lawrence.

The next regularly scheduled Planning & Zoning Commission Meeting
Will be held Monday September 24, 2018 at 6:00 P.M.

Glen Beard
Planning & Zoning Commission Chairman

LaRissa Bertram
Assistant City Planner

Becky Smith
Assistant City Planner

Permit Records

August 2018 - September 2018

2018
Permit Records

September
9/21/2018

Permit #	Type	Month	Issue Date	Property Owner	Contractor	Project Address	Lot / Block	Parcel # / Subdivision	Description of Work	Value	Permit Fee	Payment
3766	RENEW	August	8/1/2018	Doug & Sandi Sharp	Self	120 3rd St SW			Rebuild/replace walls, roof trusses, shingles, siding	\$ -	\$ 20.00	Card
4138	Building	August	8/2/2018	Jaime and Janson Finkbeiner	Uppa Creek Construction	313 2nd St NW			Remove and replace shingles on roof	\$ 6,000.00	\$ 121.00	Card
4139	Fence	August	8/3/2018	Philip and Carla Mula	Dakota Fence	1025 5th Ave SE			Install 4' chain link fence	\$ -	\$ 25.00	Card
4140	Building	August	8/3/2018	API Group Real Estate	Kringen Construction Inc	12268 26 F St NW			create 10'x10' 11 room and remove wall between office areas within existing building	\$ 22,900.00	\$ 357.60	
4141	Excavation	August	8/6/2018	Stenehjem Development LLP	BEK Consulting LLC	3rd Ave NE		Fox Hills Village	Complete underground utilities- water, sanitary & storm sewer	\$ 37,594.00	\$ 515.94	Check #1965
4142	Building	August	8/8/2018	Shawn Holdaway	Goulet Construction	813 12th St SE			replace shingles on roof of house	\$ 11,700.00	\$ 200.80	Check #2018
4143	Other	August	8/8/2018	Warren Hovland	Pardue Construction LLC	401 14th St SW			Rebuild roof of shop and office due to tornado storm damage	\$ -	\$ 20.00	Card
4144	At Risk	August	8/8/2018	David Veeder	Pardue Construction LLC	512 6th St NE	Lot 1 Block 3	Veeder Estates	Begin sitework, foundation for single family home	\$ -	\$ -	n/a
4145	Other	August	8/8/2018	Dakota Gold Properties LLC	BEK Consulting LLC	17th Ave NE		Stepping Stone	Site grading, water & sewer utilities, streets	\$ -	\$ -	n/a
4146	Building	August	8/14/2018	Daniel Peterson	JTD Construction Company LLC	2602 2nd St NE			12x24 Trex Deck	\$ 14,800.00	\$ 244.20	Card
4147	Building	August	8/14/2018	Michael Wickenhauser	Self	405 6th Ave NW			New Siding on house	\$ 7,100.00	\$ 136.40	Check #01105
4148	Building	August	8/14/2018	Watford City Municipal Airport	Goodon Industries	300 12th St SE			Construct six 54' x 56' hangar buildings	\$ 750,000.00	\$ 4,990.00	Check #3024
4149	Excavation	August	8/14/2018	City of Watford City	Hovex Inc	300 12th St SE			Excavate to install gate valve	\$ 5,000.00	\$ 107.00	Card
4150	Building	August	8/15/2018	Guy Dodge	Wayne Rhodes	209 3rd St NW			Install tin over existing shingles on roof	\$ 2,000.00	\$ 70.00	Cash
4151	At Risk	August	8/16/2018	LT Development Group LLC	Kiehm Construction	1212 4th Ave NE			Foundation work only for addition to building	\$ -	\$ -	N/A
4152	Building	August	8/16/2018	David Veeder	Pardue Construction LLC	512 6th St NE	Lot 1 Block 3	Veeder Estates	2,508 SqFt Single family home on crawl space with attached 2-car garage	\$ 315,023.70	\$ 4,912.50	Check #13043
4153	W/S Access	August	8/16/2018	David Veeder	Pardue Construction LLC	512 6th St NE	Lot 1 Block 3	Veeder Estates	Water & Sewer Access for new single family home	\$ -	\$ 3,151.55	Check #13043
4154	W/S Access	August	8/17/2018	First International Bank & Trust	Jett Boring Solutions LLC	300 12th St SE		Hangar #9	Water Access to Hangar building	\$ -	\$ 944.96	Card
4155	Fence	August	8/23/2018	Jesse May	Self	401 Long Dr			50ft of privacy fence for back porch and patio	\$ -	\$ 25.00	Card
4156	Building	August	8/23/2018	McKenzie County School District #1	Lupine Construction	329 Park Ave E			Site improvements and construction of retaining wall for new playground	\$ 300,000.00	\$ -	n/a
4157	Other	August	8/23/2018	Stenehjem Development LLP	BEK Consulting LLC	3rd Ave NE			Complete underground utilities, sidewalk, roadway paving	\$ -	\$ -	n/a
3731 D	Building	August	8/24/2018	McKenzie County Healthcare Systems	JE Dunn Construction	709 4th Ave NE			Added scope of remodel to the long term care facility & construct walkway	\$ 4,193,372.00	\$ 19,138.49	Invoiced #3574
4158	Building	August	8/24/2018	McKenzie County School District #1	JE Dunn Construction	908 4th Ave NE			Demo & remodel of space for headstart class and install fire alarm system	\$ 96,317.00	\$ -	Waived
4159	Building	August	8/27/2018	Mike Goulet	Goulet Construction	505 2nd St NW			Remove & replace shingles on roof, repair some siding	\$ 8,000.00	\$ 149.00	Check #1726
4160	Utility Occupancy	August	8/28/2018	Cherry Creek Water LLC	AE2S Construction	Sec21&28 T150N R98W			Construct 20" freshwater pipeline	\$ -	\$ -	n/a
4161	Building	August	8/30/2018	Kelly and Char Mathisen	Self	208 5th St NE			Remove wall and ceiling, repair/ flooring in bedroom and living room	\$ 10,000.00	\$ 177.00	Card
4162	Building	August	8/30/2018	Nick Ybarra	Self	113 Main St. S			Boardwalk, interior counters and resurfacing walls, paint, ect.	\$ 8,000.00	\$ 149.00	Card
4163	Building	August	8/30/2018	Wade Garmann & Destiney Garmann	Big Mountain Homes	12216 26th St NW			2,300 SqFt Modular House on basement foundation, Septic	\$ 275,000.00	\$ 2,152.50	Card
4164	Excavation	August	8/31/2018	NDDOT	KLE Construction	SOIB-CPU-7-023 (050) 910			Underground watermain on 23 A Hwy	\$ 9,300.00	\$ 167.20	Card
4165	Building	August	8/31/2018	First International Bank & Trust	Dean Kinnschele	300 12th St SE			10x20 Addition on existing hanger #9	\$ 10,000.00	\$ 177.00	Card
4166	W/S Access	August	8/31/2018	First International Bank & Trust	Dean Kinnschele	300 12th St SE			500 Gallon Septic tank	\$ -	\$ 25.00	Card
4167	Excavation	September	9/4/2018	Warren Winsness	4G Energy	320 4th St Ne			Repair of Sewer Main	\$ 7,500.00	\$ 142.00	Check # 2899
4168	Fence	September	9/4/2018	Ashley Enger	Dakota Fence	1417 W Pheasant Ridge Dr.		Pheasant Ridge	Installation of Black Vinyl Chain Link Fence	\$ -	\$ 25.00	Card
4169	Excavation	September	9/4/2018	City of Watford City	Winn Construction Inc	Various			City of Watford City Repair Broken Curbs	\$ -	\$ -	Waived
4170	Building	September	9/4/2018	Jason and Leslie Killion	Ryan Hunt	402 27th Ave. NE		Dakota Ridge	Deck on Second Level In the Back of home	\$ 7,036.00	\$ 135.50	Card
4171	Building	September	9/7/2018	Roland Dahl	Better Roofing	400 5th St NE			Remove and replace shingles on roof of house	\$ 16,800.00	\$ 272.20	Card
4172	Construct/Repair	September	9/7/2018	Herb Lundin	LB Concrete Inc	201 2nd St NW			Remove existing asphalt driveway, replace with concrete, change pitch to drain away from house, repair sidewalk in front	\$ -	\$ 10.00	Check #6846
4173	Building	September	9/7/2018	Herb Lundin	LB Concrete Inc	201 2nd St NW			Replacing existing steps to front porch with ramp	\$ 500.00	\$ 25.00	Check #6846
4174	Demolition	September	9/12/2018	First International Bank & Trust	Lupine Construction	105 2nd Ave. NE			Demolition of building	\$ -	\$ 25.00	Card
4175	Construct/Repair	September	9/14/2018	Herb Lundin	LB Concrete Inc	201 2nd St NW			Remove existing apron, curb, gutter. Widen apron from 11' to 22'.	\$ -	\$ 10.00	Check #6871
4176	Building	September	9/17/2018	Rebecca Cundiff	SW Williams & Son	400 8th St NW			Add landing and stairs to existing back deck	\$ 2,450.00	\$ 71.30	Check #2283
4177	Septic	September	9/18/2018	Josh and Julie Knowles	Goulet Construction	2633 122nd Ave NW			Residential septic system	\$ -	\$ 25.00	Check #1558
4178	Building	September	9/18/2018	Mike Vannett	Self	317 5th St NE			replace lower 1/2 of siding on 2 sides of house; replace 9 windows	\$ 2,000.00	\$ 70.00	Card
4179	Fence	September	9/20/2018	Anthony Ell	Self	2608 Terrace View Dr		Buffalo Hills	Install 6' fence around back yard	\$ -	\$ 25.00	Card
4180	Excavation	September	9/20/2018	City of Watford City	Lupine Construction	10th Ave NE			Install Storm Sewer for new City PW Shop Building	\$ 30,000.00	\$ 440.00	Card
4181	Building	September	9/21/2018	Watford City Park District	Corland Construction LLC	7th St SE		Kent Pelton Nature Park	Site grading, extend sidewalks, construct pavilion park shelter	\$ 704,000.00	\$ -	Waived
4182	Excavation	September	9/21/2018	First International Bank & Trust	Jett Boring Solutions LLC	300 12th St SE		Hangar #9	Excavate to install new water service line and curb stop for hangar building	\$ 8,000.00	\$ 149.00	Check #1548
4183	Other	September	9/21/2018	Eric and Renae Mogen	Schuh Construction Inc	805 24th Ave SE			Rebuilding 48 x 66 pole building which was lost in July tornado storm	\$ -	\$ 20.00	Check #7255

**2017-2018
PERMIT REVIEW**

September
9/21/2018

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

2017	269
Sept. YTD	207

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

2017	\$ 24,838,758.26
Sept. YTD	\$ 9,767,767.72

2018	
Month	# of Permits Issued
January	13
February	10
March	7
April	16
May	42
June	25
July	33
August	30
September	17
October	0
November	0
December	0

2018 YTD	193
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2018	
Month	Value
January	\$ 72,163.78
February	\$ 50,500.00
March	\$ 216,793.00
April	\$ 209,002.00
May	\$ 16,749,663.91
June	\$ 500,597.52
July	\$ 846,674.72
August	\$ 6,082,106.70
September	\$ 778,286.00
October	\$ -
November	\$ -
December	\$ -

2018 YTD	\$ 25,505,787.63
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2017 Residential Permits			
Type	# of Units	# of Buildings	Value
Single Family Home	0	0	\$ -
Duplex	0	0	\$ -
Apartment 3-4 Units	0	0	\$ -
Apartment 5+ Units	103*	3	\$ 10,800,000.00

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

*Total units from 3 Emerald Ridge Apt Buildings which had started construction without a building permit in 2015. Technically ZERO new residential permits issued in 2017.

2018 Residential Permits			
Type	# of Units	# of Buildings	Value
Single Family Home	6	6	\$ 1,718,737.69
Duplex	0	0	\$ -
Apartment 3-4 Units	0	0	\$ -
Apartment 5+ Units	0	0	\$ -

2018 YTD	6	6	\$ 1,718,737.69
	Units	Buildings	Value

September Total	0	0	\$ -
	Units	Buildings	Value

YTD: Year To Date