

Planning & Zoning Commission Proceedings
Monday, May 18, 2015

Chairperson Rick Hultberg opened the meeting at 1:30 p.m. Present were Commissioners Hultberg, Darwin Saari, Don Flinn, Doug Krebsbach, and Vernon Ostby. Also present were Land Use Administrator Todd Schreiner and Secretary Nancy Leidholm. Absent was Roger Britton.

Moved by Krebsbach, seconded by Flinn, to approve the minutes of the previous meeting as submitted. Roll Call Vote: Aye: Hultberg, Saari, Krebsbach, Ostby and Flinn. Nay: None. Absent and not voting: Britton.

Jason Schumaier of Garrison joined the meeting to request a conditional use permit for land described as the NW¼ of Section 31, Township 149 North, Range 82 West, known as Outlot A consisting of 5.0 acres to construct a non-farm structure on agricultural land. Schumaier explained to the commission that the 5 acres is part of a field at this point; he will be using rural water instead of a well; McLean Electric has been contacted for electricity and First District Health has been contacted regarding a septic system. Schumaier will access the property from the north.

Moved by Krebsbach, seconded by Ostby, to recommend to the Board of County Commissioners approval of the conditional use permit request from Jason Schumaier of Garrison for land described as the NW¼ of Section 31, Township 149 North, Range 82 West, known as Outlot A consisting of 5.0 acres to construct a non-farm structure on agricultural land. Roll Call Vote: Aye: Hultberg, Saari, Krebsbach, Ostby and Flinn. Nay: None. Absent and not voting: Britton.

Scott Stoechel, representing John Keller of Bismarck, joined the meeting to request a variance of the setback requirements of the McLean County Ordinance for land described as Lot 7, Block 2, Skaley Addition (a leased lot), located in Township 147 North, Range 79 West, to allow construction of a structure closer than the required 25 foot setback from the center line of the road and the required 15 foot setback from the side lot line as proclaimed in subsection 4 of section 5.2.4 of the revised McLean County Zoning Ordinance as adopted on September 1, 1982 and as amended on March 4, 2013. Schreiner explained that Keller has signatures from neighbors in support of the variance, along with a signature from Skaleys that own the lot. Stoechel was not sure how much time was left on the 99 year lease agreement. He explained that there are already several buildings on adjoining lots closer to the road than the ordinance allows. The road is only a lane and a half wide. Schreiner added that he'd sent a letter to Wise Township regarding the variance but had gotten no reply.

Moved by Krebsbach, seconded by Saari, to recommend to the Board of County Commissioners approval of the variance request from Scott Stoechel, representing John Keller of Bismarck, for land described as Lot 7, Block 2, Skaley Addition, (a leased lot), located in Township 147 North, Range 79 West, to allow construction of a structure closer than the required 25 foot setback from the center line of the road and the required 15 foot setback from the side lot line as proclaimed in subsection 4 of section 5.2.4 of the revised McLean County Zoning Ordinance as adopted on September 1, 1982 and as amended on March 4, 2013. Roll Call Vote: Aye: Hultberg, Saari, Krebsbach, Ostby and Flinn. Nay: None. Absent and not voting: Britton.

Rick Clayburgh of Bismarck joined the meeting to request a variance of the setback requirements of the McLean County Ordinance for land described as Lot 3, Lee's Point 2nd Subdivision to allow construction of a structure closer than the required 25 foot setback from the center line of the road and the required 15 foot setback from the side lot line as proclaimed in the subsection 4 of section 5.2.4 of the revised McLean County Zoning Ordinance as adopted on September 1, 1982 and as amended on March 4, 2013. Clayburgh explained to the commission that there would be no plumbing and no electricity as this was going to be purely a storage building. Schreiner stated that a letter has been sent to Wise Township regarding the variance but he has received no reply.

Moved by Flinn, seconded by Ostby, to recommend to the Board of County Commissioners approval of the variance request from Rick Clayburgh of Bismarck for land described as Lot 3, Lee's Point 2nd Subdivision to allow construction of a structure closer than the required 25 foot setback from the center line of the road and the required 15 foot setback from the side lot line as proclaimed in subsection 4 of section 5.2.4 of the revised McLean County Zoning Ordinance as adopted on September 1, 1982 and as amended on March 4, 2013. Roll Call Vote: Aye: Hultberg, Saari, Krebsbach, Ostby and Flinn. Nay: None. Absent and not voting: Britton.

Brandon St. Michael, representing Velocitel of Jamestown, requested approval of a conditional use permit for land located in the SW¼ of Section 31, Township 150 North, Range 89 West to install a 199' self-supported lattice tower and 12' x 30' shelter for radio equipment to enhance the cellular coverage for Verizon Wireless. Schreiner explained that a letter has been sent to the Minot Air Force Base with no response. St. Michael explained that Velocitel is leasing the 100' x 100' site for 30 years with a 20' wide access. The lease has currently been approved by the landowner; they are just waiting for signatures.

Moved by Krebsbach, seconded by Ostby, to recommend to the Board of County Commissioners approval of the conditional use permit request from Brandon St. Michael, representing Velocitel of Jamestown, for land located in the SW¼ of Section 31, Township 150 North, Range 89 West to install a 199' self-supported lattice tower and 12' x 30' shelter for radio equipment, pending approval from Three Affiliated Tribes. St. Michael stated that if approval is not received from Three Affiliated Tribes, the tower will not be built. Roll Call Vote: Aye: Hultberg, Saari, Krebsbach, Ostby and Flinn. Nay: None. Absent and not voting: Britton.

Gerard Goven of Turtle Lake joined the meeting to request approval of a conditional use permit for land located in the SE¼ of Section 18, Township 147 North, Range 80 West, known as Outlot A consisting of 3.49 acres, to construct a non-farm structure on agricultural land. Goven will be building a house on the property and explained that there is an existing approach for access. He has already contacted McLean Sheridan Rural Water, McLean Electric and First District Health.

Moved by Saari, seconded by Flinn, to recommend to the Board of County Commissioners approval of the conditional use permit request from Gerard Goven of Turtle Lake for land located in the SE¼ of Section 18, Township 147 North, Range 80 West, known as Outlot A consisting of 3.49 acres to construct a non-farm structure on agricultural land. Roll Call Vote: Aye: Hultberg, Saari, Krebsbach, Ostby and Flinn. Nay: None. Absent and not voting: Britton.

Discussion followed regarding building permit fees.

There being no further business the chairperson declared the meeting adjourned.

Rick Hultberg, Chairperson

Nancy Leidholm, Secretary