

Planning & Zoning Commission Proceedings
Monday, August 15, 2016

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

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

Jeffrey White of Bismarck was present to request a variance of the setback requirements of the McLean County Zoning Ordinance for land described as Lot 2, Crooked Lake Subdivision, located in Township 148 North, Range 80 West, to allow the construction of a structure closer than the required 125 foot setback from the centerline of the rural gravel road, 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 5, 2013. White explained that he'd be building a shop/garage to house his boat and trailer. The building would contain no living quarters. He went on to explain that West River Telecommunications has cable east of where he intends to build the shop and he doesn't want to bury them with concrete. White stated that there would be no new approach nor were there any drainage issues that he could see and explained that there are tree rows between the road and where he plans to put the building. When questioned if he'd spoken to his neighbors, he responded that there were no objections.

Moved by Krebsbach, seconded by Ostby, to recommend approval to the Board of County Commissioners the variance request from Jeffrey White of Bismarck for land described as Lot 2, Crooked Lake Subdivision, located in Township 148 North, Range 80 West, to allow the construction of a structure closer than the required 125 foot setback from the centerline of the rural gravel road, 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 5, 2013. Roll Call Vote: Aye: Saari, Flinn, Ostby, Kroll, Krebsbach, and Hultberg. Nay: None. Absent and not voting: Britton. Motion carried.

Lesli Fiedler of Bismarck was present to request a conditional use permit for land described as Outlot A located in the SW¼ of Section 23, Township 145 North, Range 80 West, to construct a non-farm structure on agricultural land. Fiedler told the commission that they plan to dig a well and was instructed to contact First District Health Unit regarding a new septic system. The existing approach will be used. Fiedler and her husband, Nathan, will be moving a 26' x 66' manufactured home onto the existing farmstead; electricity is on site.

Moved by Flinn, seconded by Kroll, to recommend approval to the Board of County Commissioners the conditional use permit request from Lesli Fiedler of Bismarck for land described as Outlot A located in the SW¼ of Section 23, Township 145 North, Range 80 West, to construct a non-farm structure on agricultural land. Roll Call Vote: Aye: Saari, Flinn, Ostby, Kroll, Krebsbach, and Hultberg. Nay: None. Absent and not voting: Britton. Motion carried.

Susan and Alfred Schock of Beulah were present to request approval of a subdivision plat for land described as the south 450 feet of Government Lot 1, Section 16, and all of Government Lot 8, Section 21, both in Township 147 North, Range 79 West, located in Wise Township, to be known as Lots 1 – 6, Lee's Landing, Blue Lake First Addition. Discussion was held regarding the road into the subdivision. Alfred Schock stated that they would be responsible for whatever needs to be done to the road. Highway Superintendent Jim Grey questioned if a v-ditch had been dug and culverts installed to which Alfred Schock responded he didn't know if culverts were needed. Grey stated that there were a couple spots that needed drainage. Krebsbach stated that the board is requesting the minimum requirements regarding the road. Schreiner specified that the plat cannot be recorded until the road meets Grey's satisfaction. Discussion followed. Hultberg reminded them that the developer is responsible for naming the road and for road signage. The covenants say that the land owners of the six lots will be responsible for the road maintenance.

Moved by Krebsbach, seconded by Flinn, to recommend to the Board of County Commissioners the approval of the subdivision plat presented by Alfred and Susan Schock of Beulah for land described as the south 450 feet of Government Lot 1, Section 16, and all Government Lot 8, Section 21, both in Township 147 North, Range 79 West,

located in Wise Township, to be known as Lots 1 – 6, Lee’s Landing, Blue Lake First Addition. Roll Call Vote: Aye: Saari, Flinn, Ostby, Kroll, Krebsbach, and Hultberg. Nay: None. Absent and not voting: Britton. Motion carried.

Doran and Cynthia Weigel of Ruso were present to request a variance of the setback requirements of the McLean County Zoning Ordinance for land described as Lot 9 and the adjacent westerly 30 feet, Otto’s West Side Subdivision, located in Township 150 North, Range 80 West, in Otis Township, to allow construction of a structure closer than the required 15 foot setback from the side lot lines, 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 5, 2013. Doran Weigel told the Commission that they plan to knock down the old cabin on the site and replace it. Schreiner stated that a letter had been sent to Otis Township and he’d received no response. The neighbors have signed off.

Moved by Krebsbach, seconded by Saari, to recommend approval to the Board of County Commissioners the variance request from Doran and Cynthia Weigel of Ruso for land described as Lot 9 and the adjacent westerly 30 feet, Otto’s West Side Subdivision, located in Township 150 North, Range 80 West, in Otis Township, to allow construction of a structure closer than the required 15 foot setback from the side lot lines, 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 5, 2013. Roll Call Vote: Aye: Saari, Flinn, Ostby, Kroll, Krebsbach, and Hultberg. Nay: None. Absent and not voting: Britton. Motion carried.

Torrey Seidler of Garrison joined the meeting by telephone to request a conditional use permit for land described as Outlot B in the NE¼NE¼, Section 15, Township 149 North, Range 82 West, comprising of 3.45 acres, to construct a non-farm structure on agricultural land. Seidler explained that this is an existing farmstead. They will be building a new home using the existing well while putting in a new septic system. He has been in contact with First District Health Unit regarding the septic system.

Moved by Krebsbach, seconded by Saari, to recommend approval to the Board of County Commissioners the conditional use permit request from Torrey Seidler of Garrison for land described as Outlot B in the NE¼NE¼, Section 15, Township 149 North, Range 82 West, comprising of 3.45 acres, to construct a non-farm structure on agricultural land. Roll Call Vote: Aye: Saari, Flinn, Ostby, Kroll, Krebsbach, and Hultberg. Nay: None. Absent and not voting: Britton. Motion carried.

There being no further business, the Chairperson declared the meeting adjourned at 2:23 p.m.

Richard Hultberg, Chairperson

Nancy Leidholm, Secretary