

Planning & Zoning Commission Proceedings
Monday, June 18, 2018

Chairperson Rick Hultberg opened the meeting at 1:30 p.m. Present were Commissioners Hultberg, Doug Krebsbach, Darwin Saari, Donald Flinn, John Matthews, and Noelle Kroll. Also present were Lonnie L. Johnson of Garrison, Brian Seehafer of Bismarck, Land Use Administrator Todd Schreiner, Land Use Assistant Cassie Goetz and Secretary Terri Guderjahn. 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: Matthews, Flinn, Kroll, Saari, Krebsbach, and Hultberg. Nay: None. Absent and not voting: Britton. Motion carried.

Lonnie L. Johnson of Garrison was present to request a variance of the setback requirements of the McLean County Zoning Ordinance for land described as Lot 36 of Hideaway Point Subdivision located in Township 148 North, Range 85 West, located in St. Mary Township, to construct a structure closer than the required 15 foot setback from the from the side lot line as proclaimed in subsection 4 of section 5.2.4 of the revised McLean County Ordinance as adopted on September 1, 1982, and as amended on March 5, 2013. Johnson has been in contact with his surrounding neighbors and they are in support of the variance.

Moved by Krebsbach, seconded by Matthews, to recommend approval to the Board of County Commissioners the request from Lonnie L. Johnson of Garrison for a variance of the setback requirements of the McLean County Zoning Ordinance for land described as Lot 36 of Hideaway Point Subdivision, located in Township 148 North, Range 85 West, located in St. Mary Township, to construct a structure closer than the required 15 foot setback from the side lot line. Roll Call Vote: Aye: Flinn, Kroll, Saari, Krebsbach, Matthews, and Hultberg. Nay: None. Absent and not voting: Britton. Motion carried.

With Blake Walcker of Bismarck not yet present, Brian Seehafer of Bismarck was next.

Brian Seehafer of Bismarck was present to request a variance of the setback requirements of the McLean County Zoning Ordinance for land described as Lot 3, Block 3, Lakeview Estates, located in Township 148 North, Range 84 West, to construct a structure closer than the required 15 foot setback from the side lot line, closer than the required 25 foot front setback, and closer than the 30 foot rear setback as proclaimed in subsection 4 of section 5.2.4 of the revised McLean County Ordinance as adopted on September 1, 1982, amended on March 5, 2013. Setback from road was questioned. Seehafer has been in contact with his surrounding neighbors and they are in support of the variance.

Blake Walcker of Bismarck, Jeff Walcker of Mercer, Nick Bear of Bismarck, and Lynn Oberg of Washburn joined the meeting at 1:37p.m.

Moved by Matthews, seconded by Flinn, to recommend approval to the Board of County Commissioners the request from Brian Seehafer of Bismarck for a variance of the setback requirements of the McLean County Zoning Ordinance for land described as Lot 3, Block 3, Lakeview Estates, located in Township 148 North, Range 84 West, to construct a structure closer than the 30 foot rear setback. Roll Call Vote: Aye: Flinn, Kroll, Saari, Krebsbach, Matthews, and Hultberg. Nay: None. Absent and not voting: Britton. Motion carried.

Blake Walcker of Bismarck was present to request approval of a conditional use permit involving land located in the SE¼SE¼ of Section 21, Township 145 North, Range 79 West, also known as Outlot A, consisting of 10.00 acres, to construct a non-farm structure on agricultural land. Walcker stated that there is nothing on the property as of now. He has been in contact with highway superintendent Jim Grey to discuss the best location for the approach.

Moved by Krebsbach, seconded by Kroll, to recommend approval to the Board of County Commissioners the conditional use permit request from Blake Walcker of Bismarck for land located in the SE¼SE¼ of Section 21, Township 145 North, Range 79 West, known as Outlot A, consisting of 10 acres, to construct a non-farm structure on agricultural land. Roll Call Vote: Aye: Flinn, Kroll, Saari, Krebsbach, Matthews, and Hultberg. Nay: None. Absent and not voting: Britton. Motion carried.

Chris Kautz of Knife River – North Central of Bismarck, joined the meeting.

Nicholas Bear of Bismarck was present to request a variance of the setback requirements of the McLean County Zoning Ordinance for land described as Lots 18 – 19, Stutes Brush Lake Resort, located in Section 22, Township 147 North, Range 79 West, to construct a structure closer than the required 25 foot setback as proclaimed in subsection 4 of section 5.2.4 of the revised McLean County Ordinance as adopted on September 1, 1982, and as amended on March 5, 2013. Discussion followed.

Moved by Krebsbach, seconded by Matthews, to recommend to the Board of County Commissioners the request from Nicholas Bear of Bismarck for a variance of the setback requirements of the McLean County Zoning Ordinance for land described as Lots 18 – 19, Stutes Brush Lake Resort, located in Section 22, Township 147 North, Range 79 West, to construct a structure closer than the required 25 foot front setback. Roll Call Vote: Aye: Flinn, Kroll, Saari, Krebsbach, Matthews, and Hultberg. Absent and not voting: Britton. Motion carried.

Chris Kautz of Knife River – North Central, Bismarck, was present to request approval of a conditional use permit for land owned by Terry Kolden located in the NW¼ of Section 11, Township 148 North, Range 87 West, consisting of 39 acres, to operate a sand and gravel pit for mining, processing, and selling of sand and gravel products. Kautz explained that the request for this pit is for an upcoming project by White Shield adding that any leftover products could possibly be up for sale, pending completion of project.

Move by Krebsbach, seconded by Flinn, to recommend approval to the Board of County Commissioners the conditional use permit request submitted by Knife River for land owned by Terry Kolden located in the NW¼ of Section 11, Township 148 North, Range 87 West, consisting of 39 acres, to operate a sand and gravel pit for mining, processing, and selling of sand and gravel products. Roll Call Vote: Aye: Flinn, Kroll, Saari, Krebsbach, Matthews, and Hultberg. Nay: None. Absent and not voting: Britton. Motion carried.

Lynn Oberg of Washburn was present to discuss road maintenance around Brush Lake and Blue Lake.

There being no further business the chairperson closed the meeting at 2:10 p.m.

Rick Hultberg, Chairperson

Terri Guderjahn, Secretary