

Planning & Zoning Commission Proceedings
Monday, July 17, 2017

Chairman Richard Hultberg opened the meeting at 1:30 p.m. Present were Commissioners Hultberg, Roger Britton, Darwin Saari, John Matthews, Don Flinn, and Doug Krebsbach. Also present were Duane Hummel of Garrison, Land Use Administrator Todd Schreiner, his Assistant Cassie Goetz and Secretary Nancy Leidholm. Absent was Commissioner Noelle Kroll.

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

James and Kathryn Tofteland, Minot, were present to request a variance of the setback requirements of the McLean County Zoning Ordinance to allow the construction of a structure closer than 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 5, 2013. James Tofteland explained that he plans to build an entry way onto the existing entry door and tie into the carport. Neighboring lot owners have signed off and the entry will be 13½ feet from the side lot line.

Moved by Krebsbach, seconded by Flinn, to recommend to the Board of County Commissioners approval of the variance request from James and Kathryn Tofteland of Minot for land described as Lot 11, Totten Trail Cottage Site, to allow the construction of a structure closer than the required 15 foot setback from the side lot line. Roll Call Vote: Aye: Flinn, Matthews, Britton, Saari, Krebsbach, and Hultberg. Nay: None. Absent and not voting: Kroll. Motion carried.

James Volochenko, Balfour, was present to request a variance of the setback requirements of the McLean County Zoning Ordinance for land described as Lot 25, Crooked Lake Subdivision, Township 148 North, Range 80 West, to allow the construction of a structure closer than 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 5, 2013. Balfour explained the possibility of placing a 16 x 80 mobile home on the property. Neighboring lot owners have signed off.

Moved by Flinn, seconded by Saari, to recommend to the Board of County Commissioners approval of the variance request from James Volochenko of Balfour for land described as Lot 25, Crooked Lake Subdivision, to allow the construction of a structure closer than the required 15 foot setback from the side lot line. Roll Call Vote: Aye: Flinn, Matthews, Britton, Saari, Krebsbach, and Hultberg. Nay: None. Absent and not voting: Kroll. Motion carried.

Chad and Jennifer Olson, Underwood, were present to request a conditional use permit for land described as a portion of the NW¼NE¼ of Section 19, Township 147 North, Range 82 West, known as Lot 1 of Outlot A, consisting of 3.13 acres, to construct a non-farm structure on agricultural land. Chad Olson explained that rural water is available and he has been in contact with First District Health regarding a septic system. Using a map, he showed the commission his plan to extend an existing approach for access to the property.

Moved by Krebsbach, seconded by Britton, to recommend to the Board of County Commissioners approval of the conditional use permit request from Chad and Jennifer Olson of Underwood for land described as a portion of the NW¼NE¼ of Section 19, Township 147 North, Range 82 known as Lot 1 of Outlot A, to construct a non-farm structure on agricultural land. Roll Call Vote: Aye: Flinn, Matthews, Britton, Saari, Krebsbach, and Hultberg. Nay: None. Absent and not voting: Kroll. Motion carried.

Todd Burck, West Fargo, was present to request approval of a conditional use permit for land described as a portion of the SE¼ of Section 30, Township 143 North, Range 80 West, known as Outlot A, consisting of 2.0 acres, to construct a non-farm structure on agricultural land. Burck told the commission that he will be using the existing approach and that rural water is available. He was instructed to speak with First District Health regarding the existing septic system.

Moved by Matthews, seconded by Flinn, to recommend to the Board of County Commissioners approval of the conditional use permit request from Todd Burck of West Fargo for land described as a portion of the SE¼ of Section 30, Township 143 North, Range 80 West, known as Outlot A, to construct a non-farm structure. Roll Call Vote: Aye: Flinn, Matthews, Britton, Saari, Krebsbach, and Hultberg. Nay: None. Absent and not voting: Kroll. Motion carried.

Gary Larson, Bismarck, was present to request a variance of the setback requirements of the McLean County Zoning Ordinance for land described as Lot 33, Garrison Creek Cottage, Township 148 North, Range 85 West, to allow the construction of a structure closer than the required 15 foot setback from the side lot line, and closer than the required 30 foot setback from the rear 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 5, 2013. Larson explained that he will be building a 28' x 40' garage and shop. He is requesting to build five feet from the rear lot line and 15 feet from the north side lot line. The existing garage will be moved to another area of the lot. Schreiner stated that St. Mary's Township had been contacted and he'd received no response.

Moved by Krebsbach, seconded by Britton, to recommend to the Board of County Commissioners approval of the variance request from Gary Larson of Bismarck for land described as Lot 33, Garrison Creek Cottage Site, to allow the construction of a structure closer than the required 15 foot setback from the side lot line, and closer than the required 30 foot setback from the rear lot line. Roll Call Vote: Aye: Flinn, Matthews, Britton, Saari, Krebsbach, and Hultberg. Nay: None. Absent and not voting: Kroll. Motion carried.

The Chairperson recessed the meeting at 1:54 p.m.

The Chairperson reconvened the meeting at 2:13 p.m.

Lee and Sheila Monson, Cooperstown, were present to request approval of a conditional use permit for land described as a portion of the NW¼ of Section 8, Township 143 North, Range 81 West, known as Lot 1, consisting of 2.0 acres, to construct a non-farm structure on agricultural land. Lee Monson explained that they will be building a 42' x 30' cold storage building and will bring in electricity, but no sewer or water as they have no plans for living there. The building is to be placed north of an existing cabin.

Moved by Flinn, seconded by Matthews, to recommend to the Board of County Commissioners approval of the conditional use permit request from Lee and Sheila Monson of Cooperstown for land described as a portion of the NW¼ of Section 8, Township 143 North, Range 82 West, to be known as Lot 1, to construct a non-farm structure on agricultural land. Roll Call Vote: Aye: Flinn, Matthews, Britton, Saari, Krebsbach, and Hultberg. Nay: None. Absent and not voting: Kroll. Motion carried.

William Wilson, Underwood, was present on behalf of Katie Wilson, to request approval of a conditional use permit for land described as a portion of the NE¼ of Section 30, Township 147 North, Range 83 West, known as Lot A, consisting of 12.07 acres, located in Victoria Township, to construct a non-farm structure on agricultural land. Wilson explained that a two story home will be moved on to the existing farmstead, that rural water is plumbed in and the existing septic system is good. He was instructed to contact First District Health regarding the septic system.

Moved by Saari, seconded by Britton, to recommend to the Board of County Commissioners approval of the conditional use permit request from William Wilson, on behalf of Katie Wilson, Underwood, for land described as part of the NE¼ of Section 30, Township 147 North, Range 83 West, known as Lot A, to construct a non-farm structure on agricultural land. Roll Call Vote: Aye: Flinn, Matthews, Britton, Saari, Krebsbach, and Hultberg. Nay: None. Absent and not voting: Kroll. Motion carried.

Tim Eslinger of Lakeview Properties, L.L.C. and Jerry Traub, owner, Garrison, were present to request approval of a subdivision plat for land described as the W½NW¼ of Section 13, Township 148 North, Range 84 West, to develop an 11 lot rural residential subdivision to be known as Traub Subdivision. Eslinger explained that changes discussed at the previous meeting had been made. Only two approaches will be built to access the subdivision. Discussion followed regarding the distance between the approaches.

Moved by Krebsbach, seconded by Matthews, to recommend to the Board of Commissioners approval of the subdivision plat request from Tim Eslinger of Lakeview Properties, L.L.C. and Jerry Traub, owner, for land described as the W½NW¼ of Section 13, Township 148 North, Range 84 West, to develop an 11 lot rural residential subdivision to be known as Traub Subdivision. Roll Call Vote: Aye: Flinn, Matthews, Britton, Saari, Krebsbach, and Hultberg. Nay: None. Absent and not voting: Kroll. Motion carried.

Caleb Strecker, Washburn, was present to request approval of a conditional use permit for land described as a portion of the NE¼SE¼ of Section 34, Township 144 North, Range 81 West, known as Outlot A consisting of 2.0 acres, to construct a non-farm structure on agricultural land. Strecker explained that he will be moving a house onto the existing farmstead and will access the property using the existing approach. He is putting in a natural gas hook up and will use the existing well for the time being as rural water is coming. Strecker was instructed to check with First District Health regarding the existing septic system.

Moved by Flinn, seconded by Saari, to recommend approval to the Board of County Commissioners approval of the conditional use permit request from Caleb Strecker of Washburn for land described as a portion of the NE¼SE¼ of Section 34, Township 144 North, Range 81 West, known as Outlot A to construct a non-farm structure on agricultural land. Roll Call Vote: Aye: Flinn, Matthews, Britton, Saari, Krebsbach, and Hultberg. Nay: None. Absent and not voting: Kroll. Motion carried.

Kent Orvin and Tammy Iglehart of RBT Holdings, L.L.C., Garrison, was present to request approval of a subdivision plat for land located in a portion of the NW¼ of Section 26, Township 148 North, Range 86 West, to develop a 14 lot rural residential subdivision to be known as Buck Run Subdivision. Using a map, Iglehart explained to the commission the changes made since the previous meeting including using two existing approaches to access a portion of the property, and adding a frontage road to access the rest of the property.

Moved by Krebsbach, seconded by Flinn, to recommend to the Board of County Commissioners approval of the subdivision plat request from Tammy Iglehart of RBT Holdings, L.L.C., Garrison, for phase one including Lot 1 of Block 1 and Lots 1-6 of Block 2; and phase two including Lots 1-6 of Block 1 and Lot 1 of Block 2; with the stipulation that phase two is completed within 24 months. Roll Call Vote: Aye: Flinn, Matthews, Britton, Saari, Krebsbach, and Hultberg. Nay: None. Absent and not voting: Kroll. Motion carried.

There being no other business, the chairperson declared the meeting adjourned at 3:03 p.m.

Richard Hultberg, Chairperson

Nancy Leidholm, Secretary