MINUTES

**Mountrail County Planning & Zoning Commission**

**May 22, 2023**

The meeting of the Mountrail County Planning & Zoning Commission was called to order at 8:30 a.m. by Chairman Charlie Sorenson with Commissioners Megan Fritel, Joan Hollekim, Trudy Ruland, Roger Hovda, Zack Gaaskjolen, Lauren Frost, Doug Bratvold, and Arlo Borud present. Also present were Planning & Zoning Administrator Melissa Vachal, Planning & Zoning Assistant Malinda Gunderson, Mountrail County Tax Equalization Director Lori Hanson, Mountrail County Property Assessor Kim Savage, and Mountrail County State’s Attorney Wade Enget.

**APPROVAL OF AGENDA**

Moved by Commissioner Borud, seconded by Commissioner Hovda, to approve the agenda as amended. All present voted yes. Motion carried.

**APPROVAL OF MINUTES**

Moved by Commissioner Hovda, seconded by Commissioner Fritel to approve the Planning and Zoning Commission minutes of the April 24, 2023 meeting as corrected. All present voted yes. Motion carried.

1. **8:35 a.m. John’s Sand & Gravel Inc.-Applicant; John Moen-Landowner (PZ-2023-0111) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 11.00 acres more or less, located in the NW1/4SW1/4SE1/4 of Section 8, Township 158, Range 92 West (Powers Township) (Parcel# 05-0004301)

The applicant (represented by John Kulstad with John’s Sand & Gravel Inc.) is seeking a Conditional Use Permit for the purpose of using land zoned Agricultural to mine gravel. This application is to renew a prior Conditional Use Permit. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Borud, seconded by Commissioner Bratvold to approve the zoning request filed by John’s Sand & Gravel Inc., with concurrence from John Moen-landowner, for a Conditional Use Permit for the purpose of using land zoned Agricultural to mine gravel on a tract of land 11.00 acres more or less, located in the NW1/4SW1/4SE1/4 of Section 8, Township 158, Range 92 West (Powers Township) for a period of five (5) years, expiring on 5/22/2028, as John’s Sand & Gravel Inc., with concurrence from John Moen-landowner, has met all criteria as set forth in the Mountrail County Land Development Code and is further contingent upon John’s Sand & Gravel Inc., with concurrence from John Moen-landowner, complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:38 a.m. Max Meiers-Applicant; Scott C. & Nancy L. Meiers Living Trust-Landowner (PZ-2023-0112) Variance**

Variance Application request for the following described property: a tract of land 5.60 acres more or less, located in Outlot 1 of the NE1/4NE1/4 of Section 28, Township 156 North, Range 92 West (Ross Township) (Parcel# 19-0013300)

The applicant (represented by Max Meiers) is seeking a variance for a 121’ setback rather than the 150’ setback required by the Mountrail County Land Development Code for the purpose of constructing a pole barn. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Hollekim, seconded by Commissioner Fritel to approve the zoning request filed by Max Meiers, with concurrence from Scott C. & Nancy L. Meiers Living Trust-landowner, for a Variance for a 121’ setback from the centerline/section line of 87th Ave NW rather than the 150’ setback required by the Mountrail County Land Development Code for the purpose of constructing a pole barn on a tract of land 5.60 acres more or less, located in Outlot 1 of the NE1/4NE1/4 of Section 28, Township 156 North, Range 92 West (Ross Township) as Max Meiers, with concurrence from Scott C. & Nancy L. Meiers Living Trust-landowner, has met all criteria as set forth in the Mountrail County Land Development Code and is further contingent upon Max Meiers, with concurrence from Scott C. & Nancy L. Meiers Living Trust-landowner, complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:41 a.m. Mountrail Williams Electric Cooperative-Applicant; Neil & Cheryl Roggenbuck-Landowners (PZ-2023-0119) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 8.95 acres more or less, described as Outlot 3 of the NE1/4NE1/4 of Section 20, Township 152, Range 91 West (Van Hook Township) (Parcel# 45-0010700)

The applicant (represented by Leon Brackey with Mountrail Williams Electric Cooperative) is seeking a Conditional Use Permit on land zoned Agricultural for the purpose of bringing an existing substation into compliance along with the addition of acreage to an outlot for future growth. Applicant has met all other requirements of the Planning & Zoning Board.

Moved by Commissioner Borud, seconded by Commissioner Bratvold to approve the zoning request filed by Mountrail Williams Electric Cooperative, with concurrence from Neil & Cheryl Roggenbuck-landowners, for a Conditional Use Permit on land zoned Agricultural for the purpose of bringing an existing substation into compliance along with the addition of acreage to an outlot for future growth on a tract of land 8.95 acres more or less, described as Outlot 3 of the NE1/4NE1/4 of Section 20, Township 152, Range 91 West (Van Hook Township) as Mountrail Williams Electric Cooperative, with concurrence from Neil & Cheryl Roggenbuck-landowners, has met all other criteria as set forth in the Mountrail County Land Development Code and is further contingent upon Mountrail Williams Electric Cooperative, with concurrence from Neil & Cheryl Roggenbuck-landowners, complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:44 a.m. Robbie Edwards-Applicant; Susan Edwards-Landowner (PZ-2023-0123) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 80.00 acres more or less, located in the N1/2NW1/4 of Section 14, Township 154, Range 89 West (Oakland Township) (Parcel# 30-0006100)

The applicant (represented by Stephanie Edwards) is seeking a Conditional Use Permit for the purpose of using land zoned Agricultural to take over an existing gravel pit for stockpiles, to not reclaim the pit for future use, and to release the current Conditional Use operator. The current operator (JMAC) has signed off on releasing their Conditional Use Permit. Applicant is requesting a waiver to not be required to carry a Letter of Credit. Mrs. Edwards informed the board that the remaining gravel has been sold but there is no current plan to remove it yet but no additional gravel will be mined from this pit. Chairman Sorenson would like to stipulate that only Robbie Edwards will be authorized to haul the gravel out unless the board is notified otherwise. Applicant has met all other requirements of the Planning & Zoning Board.

Moved by Commissioner Hollekim, seconded by Commissioner Frost to approve the zoning request filed by Robbie Edwards, with concurrence from Susan Edwards-landowner, for a Conditional Use Permit for the purpose of using land zoned Agricultural to allow Robbie Edwards to remove gravel stockpiles from a gravel pit previously mined by JMAC on a tract of land 80.00 acres more or less, located in the N1/2NW1/4 of Section 14, Township 154, Range 89 West (Oakland Township) for a period of five (5) years, expiring on 5/22/2028, contingent on a nontransferable haul only agreement only to Robbie Edwards with a road haul agreement with Oakland Township, providing road maintenance and dust control of the roads and pit area when necessary as Robbie Edwards, with concurrence from Susan Edwards-landowner, has met all other criteria as set forth in the Mountrail County Land Development Code and is further contingent upon Robbie Edwards, with concurrence from Susan Edwards-landowner, complying with all other terms and conditions of the Mountrail County Land Development Code. Due to Susan Edwards-landowner taking on responsibility for reclaiming the pit, applicant will not be required to have a $50,000 Letter of Credit. All present voted yes. Motion carried.

1. **8:47 a.m. Sundre Sand & Gravel Inc.-Applicant; Chris & Chandra Rystedt-Landowners (PZ-2023-0124) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 5.00 acres more or less, located in Gov’t Lot 2 of the SW1/4NW1/4 of Section 19, Township 158 North, Range 91 West (Lostwood Township) (Parcel# 04-0005700)

The applicant (represented by Dave Abel with Sundre Sand & Gravel Inc.) is seeking a Conditional Use Permit for the purpose of using land zoned Agricultural to mine gravel. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Borud, seconded by Commissioner Hovda to approve the zoning request filed by Sundre Sand & Gravel Inc., with concurrence from Chris & Chandra Rystedt-landowners, for a Conditional Use Permit for the purpose of using land zoned Agricultural to mine gravel on a tract of land 5.00 acres more or less, located Gov’t Lot 2 of the SW1/4NW1/4 of Section 19, Township 158 North, Range 91 West (Lostwood Township) for a period of five (5) years, expiring on 04/10/2028, as Sundre Sand & Gravel Inc., with concurrence from Chris & Chandra Rystedt-landowners, has met all criteria as set forth in the Mountrail County Land Development Code and is further contingent upon Sundre Sand & Gravel Inc., with concurrence from Chris & Chandra Rystedt-landowners, complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:50 a.m. Sundre Sand & Gravel Inc.-Applicant; Jonathan & Elizabeth Enget-Landowner (PZ-2023-0125) Conditional Use**

Zoning Request/Conditional Use Permit for the following described property: a tract of land 27.00 acres more or less, located in the S1/2NW1/4SE1/4, S1/2NE1/4SE1/4 & N1/2SE1/4SE1/4 of Section 8, Township 158 North, Range 92 West (Powers Township) (Parcel# 05-0004400)

The applicant (represented by Dave Abel with Sundre Sand & Gravel Inc.) is seeking a Conditional Use Permit for the purpose of using land zoned Agricultural to mine gravel. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Hollekim, seconded by Commissioner Bratvold to approve the zoning request filed by Sundre Sand & Gravel Inc., with concurrence from Jonathan & Elizabeth Enget-landowners, for a Conditional Use Permit for the purpose of using land zoned Agricultural to mine gravel on a tract of land 27.00 acres more or less, located in the S1/2NW1/4SE1/4, S1/2NE1/4SE1/4 & N1/2SE1/4SE1/4 of Section 8, Township 158 North, Range 92 West (Powers Township) for a period of five (5) years, expiring on 04/10/2028, as Sundre Sand & Gravel Inc., with concurrence from Sundre Sand & Gravel Inc., with concurrence from Jonathan & Elizabeth Enget -landowners, has met all criteria as set forth in the Mountrail County Land Development Code and is further contingent upon Sundre Sand & Gravel Inc., with concurrence from Sundre Sand & Gravel Inc., with concurrence from Jonathan & Elizabeth Enget-landowners, complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

1. **8:53 a.m. ASWS LLC dba Hamlin Water-Applicant; Garrett Lalim-Landowner (PZ-2023-0129) Amendment**

Amendment to Zoning Request for the following described property: a tract of land 40.00 acres more or less, located in the NE1/4SE1/4 of Section 18, Township 157 North, Range 93 West (Sorkness Township) (Parcel# 13-0008800)

The applicant (represented by Garrett Lalim) is seeking an Amendment to Zoning to re-zone a tract of land from Agricultural to Industrial for the purpose of constructing storage ponds to supply fresh water to the oil & gas industry. Applicant still needs to complete their application and receive their permit from the Mountrail County Water Resource District. Commissioner Ruland believes the pond needs a fence around it. Mr. Lalim did assure the board there will be a fence around the pond which Commissioner Ruland suggested should be a sheep wire fence to assure no small animals get into the pond. Applicant has met all requirements of the Planning & Zoning Board.

Moved by Commissioner Frost, seconded by Commissioner Ruland to make recommendation to the Mountrail County Commissioners to approve the zoning request filed by ASWS LLC dba Hamlin Water, with concurrence from Garrett Lalim-landowner, for an amendment to change land zoned Agricultural to Industrial for the purpose of constructing storage ponds to supply fresh water to the oil & gas industry on a tract of land 40.00 acres more or less, located in the NE1/4SE1/4 of Section 18, Township 157 North, Range 93 West (Sorkness Township) contingent upon the applicant receiving the proper permits from the Mountrail County Water Resource Board as ASWS LLC dba Hamlin Water, with concurrence from Garrett Lalim-landowner, has met all criteria as set forth in the Mountrail County Land Development Code and is further contingent upon ASWS LLC dba Hamlin Water, with concurrence from Garrett Lalim-landowner, complying with all other terms and conditions of the Mountrail County Land Development Code. All present voted yes. Motion carried.

**Temporary Water Permits – New – For Board Information Only**

PZ-2023-0105 – ND Energy Services – Applicant. Richard J Grinolds Family Testamentary Trust – Landowners. State Water Permit #ND2023-21393. Period of Authorized usage: 2/01/2023 through 12/31/2023. Parcel #17-0006400. Pump placement on a tract of land 79.03 acres more or less located in the W1/2SE1/4 of Section 12, Township 156 North, Range 90 West (Palermo Township) (12/12) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 5/02/2023

PZ-2023-0107 – Quality Water Systems – Applicant. Harvey & Merryellen Peterson Family Revocable Living Trust – Landowner. State Water Permit #ND2022-21293. Period of Authorized usage: 9/30/2022 through 9/29/2023. Parcel #26-0007900. Pump placement on a tract of land 160.00 acres more or less located in the SE1/4 of Section 17, Township 155 North, Range 92 West (Alger Township) (8/8) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 5/03/2023

PZ-2023-0108 – Quality Water Systems – Applicant. Gerald Neset – Landowner. State Water Permit #ND2023-21521. Period of Authorized usage: 3/20/2023 through 10/15/2023. Parcel #28-0007400. Pump placement on a tract of land 40.00 acres more or less located in the SE1/4NE1/4 of Section 15, Township 155 North, Range 94 West (Unorganized Township) (7/7) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 5/03/2023

PZ-2023-0122 – Northwest Water Transfer – Applicant. Sydney & Carol Craft by Warren Craft POA – Landowner. State Water Permit #ND2022-21037. Period of Authorized usage: 7/04/2022 through 7/03/2023. Parcel #25-0007200. Pump placement on a tract of land 156.02 acres more or less located in the SE1/4 of Section 16, Township 155 North, Range 91 West (Purcell Township) (10/10) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 5/09/2023

PZ-2023-0126 – Sundre Sand & Gravel Inc – Applicant. Jeffrey Ranch Trust – Landowner. State Water Permit #ND2023-21562. Period of Authorized usage: 4/07/2023 through 3/31/2024. Parcel #28-0010100. Pump placement on a tract of land 21.00 acres more or less located in the NW1/4SW1/4 of Section 22, Township 155 North, Range 94 West (Unorganized Township) (5/5) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 5/12/2023

PZ-2023-0138 – Quality Water Systems – Applicant. James E & Peggy W Stewart Family Trust – Landowner. State Water Permit #ND2023-21540. Period of Authorized usage: 4/01/2023 through 12/31/2023. Parcel #20-0009000. Pump placement on a tract of land 6.72 acres more or less located in the NE1/4SW1/4 of Section 15, Township 156 North, Range 93 West (Manitou Township) (19/19) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 5/12/2023

PZ-2023-0134 – Highline Water LLC – Applicant. Gary & Caroline Satterthwaite Trustees of the S-Bar Ranch Declaration of Trust and Mutual Agreement – Landowner. State Water Permit #ND2023-21571. Period of Authorized usage: 4/07/2023 through 11/30/2023. Parcel #40-0003100. Pump placement on a tract of land 40 acres more or less located in the NW1/4SE1/4 of Section 6, Township 153 North, Range 92 West (Knife River Township) (9/9) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 5/15/2023

PZ-2023-0135 – Highline Water LLC – Applicant. Gary & Caroline Satterthwaite trustees of the S Bar Ranch Declaration of Trust and Mutual Agreement– Landowner. State Water Permit #ND2023-21572. Period of Authorized usage: 4/07/2023 through 11/30/2023. Parcel #40-0007900. Pump placement on a tract of land 40 acres more or less located in the NW1/4NW1/4 of Section 17, Township 153 North, Range 92 West (Knife River Township) (6/6) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 5/15/2023

PZ-2023-0136 – Highline Water LLC – Applicant. Aaron & Ashley Skarsgard – Landowner. State Water Permit #ND2023-21573. Period of Authorized usage: 4/07/2023 through 11/30/2023. Parcel #19-0011000. Pump placement on a tract of land 40.00 acres more or less located in the NE1/4SE1/4 of Section 23, Township 156 North, Range 92 West (Ross Township) (12/12) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 5/15/2023

PZ-2023-0139 – Craig & Jeanette Anderson – Applicant. Roger & Michelle Harstad – Landowner. State Water Permit #ND2023-21637. Period of Authorized usage: 6/1/2023 through 5/31/2024. Parcel #24-0013000. Pump placement on a tract of land 80.00 acres more or less located in the W1/2NW1/4 of Section 29, Township 155 North, Range 90 West (Burke Township) (7/7) CERTIFIED RECEIPTS RECEIVED Approved by P&Z Administrator on 5/19/2023

**Temporary Water Permits – Non-Transferable Renewals – For Board Information Only**

Gary Krieger – State Water Permit #ND2023-21600 / PZ-2023-0116. Gary Krieger – Applicant. Edward S Kreiger Estate – Landowner. NW1/4 of Section 10, Township 154 North, Range 94 West (Unorganized Township). Period of Authorized usage: 4/21/2023 through 11/30/2023. Parcel #35-0004600. Approved by P&Z Administrator.

Beverly Fretheim Trust – State Water Permit #ND2023-21579 / PZ-2023-0150. Beverly Fretheim Trust – Applicant/Landowner. NW1/4 of Section 3, Township 154 North, Range 93 West (Rat Lake Township). Period of Authorized usage: 5/26/2023 through 5/25/2024. Parcel #34-0001000. Approved by P&Z Administrator.

**Lay Flat Hose Permits – For Board Information Only**

Select Energy Services – Permit Number – State Water Permit #ND2022-21124 / PZ-2023-0120. Pumping of industrial water by lay flat hose: Select Energy Services LLC-Applicant. Jaret Cvancara-Landowner. Outlot 1 of the NE1/4NE1/4 of Section 20, Township 155 North, Range 92 West (Alger Township) ending in the SE1/4 of Section 4, Township 155 North, Range 93 West (Debing Township). Period of Authorized usage: 4/23/23 through 6/01/23. Parcel #26-0009401 ending at #27-0001500. Approved by P&Z Administrator

Select Energy Services – State Water Permit #ND2023-21407 / PZ-2023-0121. Pumping of industrial water by lay flat hose: Select Energy Services LLC – Applicant. Jeffrey Ranch Trust-Landowner. W1/2W1/2 of Section 22, Township 155 North, Range 94 West (Unorganized Township) ending at SE1/4 of Section 4, Township 155 North, Range 93 West (Debing Township). Period of Authorized usage: 04/28/23 through 06/01/23. Parcel #28-0010100 ending at #27-0001500. Approved by P&Z Administrator.

Select Energy Services LLC – State Water Permit #ND2023-21407 / PZ-2023-0133. Pumping of industrial water by lay flat hose: Select Energy Services LLC – Applicant. Spur off of existing hose permit. NE1/4 of Section 9, Township 155 North, Range 93 West (Debing Township) ending at NW1/4 of Section 15, Township 155 North, Range 93 West (Debing Township). Period of Authorized usage: 04/28/23 through 05/28/23. Parcel #27-0003600 ending at #27-0006600. Approved by P&Z Administrator.

West Dakota Water – State Water Permit #ND2023-21407 / PZ-2023-0142. Pumping of industrial water by lay flat hose: West Dakota Water – Applicant. Edward S Krieger Estate – Landowner. SW1/4NW1/4 of Section 10, Township 154 North, Range 94 West (Unorganized Township) ending at NW1/4 of Section 13, Township 154 North, Range 94 West (Debing Township). Period of Authorized usage: 05/05/23 through 07/05/23. Parcel #35-0004600 ending at #35-0006000. Approved by P&Z Administrator.

West Dakota Water – State Water Permit #ND2023-21397 / PZ-2023-0144. Pumping of industrial water by lay flat hose: West Dakota Water – Applicant. Spur off existing hose. N1/2NE1/4 of Section 13, Township 154 North, Range 94 West (Unorganized Township) ending at NE1/4 (Gov’t Lots 1 & 2, S1/2NE1/4) of Section 6, Township 153 North, Range 93 West (Unorganized Township). Period of Authorized usage: 5/08/2023 through 7/08/2023. Parcel #35-0006000 ending at #41-0002500. Approved by P&Z Administrator.

West Dakota Water – State Water Permit #ND2023-21397 / PZ-2023-0145. Pumping of industrial water by lay flat hose: West Dakota Water – Applicant. Spur off existing hose. N1/2NE1/4 of Section 13, Township 154 North, Range 94 West (Unorganized Township) ending at NE1/4 (Gov’t Lots 1 & 2, S1/2NE1/4) of Section 6, Township 153 North, Range 93 West (Unorganized Township). Period of Authorized usage: 05/08/23 through 07/08/23. Parcel #35-0006000 ending at #41-0002500. Approved by P&Z Administrator.

West Dakota Water – State Water Permit #ND2023-21397 / PZ-2023-0146. Pumping of industrial water by lay flat hose: West Dakota Water – Applicant. Spur off existing hose. NE1/4NW1/4 (Gov’t Lot 2) of Section 3, Township 154 North, Range 94 West (Unorganized Township) ending at N1/2NE1/4 of Section 13, Township 154 North, Range 94 West (Unorganized Township). Period of Authorized usage: 5/08/2023 through 7/08/2023. Parcel #35-0001500 ending at #35-0006000. Approved by P&Z Administrator.

**Building Permits 2299 & 2303-2312**

2299 – PZ-2023-0094 – Max Meiers – Applicant. Scott C Meiers & Nancy L Meiers Living Trust - Landowner. Parcel #19-0013300. Outlot 1 located in the NE1/4NE1/4 of Section 28, Township 156 North, Range 92 West (Ross Township) 36’x76’ pole barn.

2303 – PZ-2023-0106 – John C Anderson – Applicant/Landowner. Parcel #51-0000622. Lot 3 of Brendle’s Second Subdivision located in the S1/2NE1/4 of Section 10, Township 151 North, Range 91 West (Liberty Township) 28’x32’ garage

2304 – PZ-2023-0113 – Kenton & Kathryn Onstad – Applicant/Landowners. Parcel #49-0000400. SE1/4 of Section 1, Township 151 North, Range 89 West (Banner Township) 22’x30’ home addition.

2305 – PZ-2023-0114 – Adam Jarmin – Applicant/Landowner. Parcel #35-0015000. Lot 35 of White Earth Cottage Site located in the SW1/4SE1/4 of Section 26, Township 154 North, Range 94 West (Unorganized Township) 30’x50’ cement slab for future garage.

2306 – PZ-2023-0115 – Lana Halverson – Applicant. Mountrail County Park Board –Landowner. Parcel #45-0014101. Lease Lot 1, Block 8 of Traynor Park also known as Lot 4, Block 1 of Olson’s First Addition of the Original Townsite of Van Hook located in the SW1/4 of Section 29, Township 152 North, Range 91 West (Van Hook Township) 16’x66’ mobile home with 14’x28’ deck.

2307 – PZ-2023-0130 – Candace Juma-Brown – Applicant/Landowner. Parcel #19-0005500. SE1/4 of Section 11, Township 156 North, Range 92 West (Ross Township) 3185 sq. ft house with 1356 sq. ft garage.

2308 – PZ-2023-0131 – Jesse & Jayden Bear – Applicant/Landowner. Parcel #39-0017105. Outlot 1 located in the NE1/4NE1/4 of Section 36, Township 153 North, Range 91 West (Crane Creek Township) 1728 home with attached garage.

2309 – PZ-2023-0137 – Chad Rolfe – Applicant/Landowner. Parcel #57-0008700. Lots 9 & 10, Block 5 of the Original Townsite of Palermo located in the N1/2NE1/4 of Section 15, Township 156 North, Range 90 West (Palermo Township) 32’x60’ storage building.

2310 – PZ-2023-0147 – Chris Meiers – Applicant/Landowner. Parcel #25-0002001. Outlot 1 of SE1/4NE1/4 of Section 5, Township 155 North, Range 91 West (Purcell Township) 50’x72’ shop.

2311 – PZ-2023-0149- Patti Ganje – Applicant/Landowner. Parcel #45-0010115. Sublot M & N of Outlot 1 of the S1/2SE1/4 of Section 19, Township 152 North, Range 91 West (Van Hook Township) privacy fence.

2312 – PZ-2023-0151 – Hess North Dakota Pipelines LLC – Applicant. Hess Corporation - Landowner. Parcel #13-0007801. Outlot 1 of N1/2NW1/4NW1/4 of Section 15, Township 157, North Range 93 West (Sorkness Township) addition to existing compressor station.

Moved by Commissioner Borud, seconded by Commissioner Hovda to approve building permits 2299 & 2303-2312. All present voted yes. Motion carried.

**Demolition Permit**

PZ-2023-0132 – Jesse & Jayden Bear – Applicant/Landowner. Parcel #39-0017105. Outlot 1 located in the NE1/4NE1/4 of Section 36, Township 153 North, Range 91 West (Crane Creek Township) Demolish or remove existing home.

Moved by Commissioner Borud, seconded by Commissioner Hovda to approve demolition permit PZ-2023-0132. All present voted yes. Motion carried.

**ONGOING BUSINESS**

Gravel Pits- Remains ongoing Administration working on Report

Green Acres Subdivision – No new activity; still no Letter of Credit-Administration has heard rumors that the developers may be looking at beginning to sell lots and paving the roads in the subdivision

Subdivision Letter of Credit

**STAFF UPDATES**

* Administration has a concern about the Mountrail County Land Development Code as it relates to Industrial zones and the permitted use of water storage ponds. Commissioner Ruland informed Administration that the Mountrail County Water Resource District takes on the responsibility of monitoring the permits in this case. Chairman Sorenson feels if the county doesn’t allow this to happen, the companies are going to start building these pits next to oil sites just to get around it. Commissioner Hollekim questioned if stipulations can be put on the amendments in this case. Tax Director Hanson suggested maybe Administration could require a commercial building permit for the water pits. Chairman Sorenson doesn’t see many issues with the water pits and questions why the board would want to control and regulate them even more. Chairman Sorenson also pointed out that the board can specify in the motion of the amendments that they are only for a specific use as was done with the Lalim zoning request today. Administrator Vachal questioned if amendments could be given expiration dates so that the land would revert back to its previous use if not renewed. States Attorney Enget cautioned against using reversionary clauses. Chairman Sorenson pointed out that the tracking of these expirations would add additional work for the P&Z office as well.
* Administration would like approval by the board to institute a cut off time for the submission of permits and applications. Administration would like that anything submitted after 2:30 p.m. will be processed on the next business day because the mail has already been sent out at that time and letters and public notices won’t be able to be mailed out until the next business day but the applicants 15-day waiting period technically begins when Administration receives their application and this new rule would allow for that period to begin the next day if the application is received after 2:30 p.m. The board agreed collectively that is something Administration has the authority to regulate in their administrative rules.
* Administration has had a situation in Riverview Estates where one landowner didn’t want their neighbor to put their fence on the property line so the consent forms the office has couldn’t be used to allow the fence on the property line or outside of the required setback. Administration would like the board’s input on how to handle this going forward and if landowners need a variance to be able to put a fence beyond the setback if a consent form cannot be used due to a situation like this. The board agrees that a variance will need to be used going forward if the fence is to be placed beyond the required setbacks.

**BOARD CONCERNS**

* Cameron Tomjack is replacing Commissioner Hovda effective immediately.
* Commissioner Bratvold will be unable to attend the next Planning & Zoning meeting.

The Board adjourned at 9:50 a.m. Next regular meeting of the Mountrail County Planning & Zoning Commission is **Monday, June 26th, 2023,** at 8:30 am via GOTOMEETING or in the Commissioners room at the courthouse.

Accepted and approved this 26th day of June, 2023.

Charlie Sorenson, Chairman Melissa Vachal, Administrator

Mountrail County Mountrail County

Planning & Zoning Commission Planning & Zoning

**\*Electronic recordings of full meetings are kept in the office per NDCC 44-04\***