

PROCEEDINGS OF THE MOUNTRAIL COUNTY PLANNING & ZONING COMMISSION
Monday September 22, 2014

The Mountrail County Planning & Zoning Commission met on Monday, September 22, 2014 at the Mountrail County South Complex with the following voting members present: Arlo Borud, Roger Hovda, Chase Lindberg, Trudy Ruland, Gary Weisenberger, Charlie Sorenson, Rosemarie Bieri. Members absent were Terry Mathson and Linda Wienbar. Also present were Lori Hanson, Mountrail County Tax Equalization Director, Wade Enget, Mountrail County States Attorney, Teresa Captain, Mountrail County Auditor's Office, Don Longmuir, Mountrail County Zoning Administrator/Planner, and Lisa Lee of Planning and Zoning.

Chairman Hovda called the meeting to order at 8:30 a.m.

Planning & Zoning Staff advised the Board that the 8:30 a.m. public hearing would be postponed to the October meeting at the request of the applicant.

Planning & Zoning Staff advised the Board the 8:35 and 8:40 a.m. public hearings filed by Brandon St. Michel representing Verizon Wireless were requested by the applicant to be postponed until a later date.

Chairman Hovda requested a motion to remove from the table a subdivision application filed by Fred W. and Joyce Evans for an 18.02 acre, more or less, plat to be known as Outlot 9 located in Government Lot 2 of Section 3, Township 154 North, Range 91 West (Sikes Township).

Moved by Commissioner Ruland, seconded by Commissioner Borud to remove from the table the subdivision application filed by Fred W. and Joyce Evans. This discussion will be a continuation of last month's public hearing.

Chairman Hovda reconvened the 8:30 a.m. August 25, 2014 public hearing regarding the subdivision review request filed by Fred W. and Joyce Evans for an 18.02 acre, more or less, plat to be known as Outlot 9 located in Government lot 2 of Section 3, Township 154 North, Range 91 West (Sikes Township). Mr. Evans provided four certified return mail receipt cards from adjacent landowners. Discussion included the recorded right of way, Outlot 6 and 7 sold to Great Western, and Outlot 8 has yet to be filed in the Recorder's Office.

Moved by Commissioner Borud, seconded by commissioner Ruland to table this item discussing a subdivision application filed by Fred W. and Joyce Evans for Outlot 9 of Section 3, Township 154 North, Range 91 West (Sikes Township) until 8:30 a.m. of the October 27th Planning and Zoning meeting. Upon roll call all voted yes, motion carried.

Moved by Commissioner Weisenberger, seconded by commissioner Bieri to move the 10:00 a.m. public hearing until the October meeting at 8:35 a.m. regarding a subdivision application filed by Fred W. and Joyce Evans for a 10.87 acre, more or less, plat to be known as Outlot 10 in Government lots 1&2, NW¹/₄SE¹/₄NE¹/₄ of Section 3, Township 154 North, Range 91 West (Sikes Township). Upon roll call all voted yes, motion carried.

Moved by Commissioner Borud, seconded by Commissioner Bieri to approve the minutes from the August 25th, 2014 meeting as presented. Upon roll call all present voted yes, motion carried.

Moved by Commissioner Weisenberger, Seconded by Commissioner Borud to approve building permits 1795 through 1810 with a refund issued to Infrastructure Networks (building permit #1811) for \$100.00, who did not need a permit issued for their project.

Chairman Hovda called the 8:45 a.m. public hearing to order regarding the zoning request filed by Gene Brown, landowner, for an amendment to change land zoned as commercial (9.08 acres) and agricultural (30.92 acres) to industrial for the purpose of accommodating a storage yard for an Enbridge pipeline project on a 40 acre, more or less, tract of land described as SE $\frac{1}{4}$ NW $\frac{1}{4}$ including Outlot 1 of E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 156 North, Range 93 West (Manitou Township). Present for this discussion was Gene Brown. Mr. Brown presented three certified mail return receipt cards from adjacent landowners. No further comments were received.

Moved by Commissioner Borud, seconded by Commissioner Sorenson to present findings of fact from the September 22, 2014 public hearing and make a recommendation to the Mountrail County Commission for the approval of the zoning amendment filed by Gene Brown to the Mountrail County Zoning Map to change land zoned as commercial (9.08 acres) and agricultural (30.92 acres) to industrial for the purpose of accommodating a storage yard for an Enbridge pipeline on a 40 acre, more or less, tract of land described as SE $\frac{1}{4}$ NW $\frac{1}{4}$ including Outlot 1 of E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 156 North, Range 93 West (Manitou Township), as Gene Brown has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon Gene Brown complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes, motion carried.

Chairman Hovda called the 8:50 a.m. public hearing to order regarding the zoning request filed by Gene Brown, landowner, for a conditional use permit to use land zoned as industrial for the storage of an Enbridge pipeline project on a 40 acre, more or less, tract of land described as SE $\frac{1}{4}$ NW $\frac{1}{4}$ including Outlot 1 of E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 156 North, Range 93 West (Manitou Township). Present for this discussion was Gene Brown. Mr. Brown presented three certified mail return receipt cards from adjacent landowners. No further comments were received.

Moved by Commissioner Borud, seconded by Commissioner Sorenson to approve the conditional use request filed by Gene Brown for a conditional use permit to use land zoned industrial for the storage of an Enbridge pipeline project on a 40 acre, more or less, tract of land described as SE $\frac{1}{4}$ NW $\frac{1}{4}$ including Outlot 1 of E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 156 North, Range 93 West (Manitou Township) contingent upon the approval of the zoning amendment by the Mountrail County Commission as Gene Brown has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon Gene Brown complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes, motion carried.

Chairman Hovda called the 8:55 a.m. hearing to order regarding a subdivision review request filed by Beau Hill of EOG Resources Inc., with concurrence from Steven M. & Jeanette A. Hoff, landowners, for an 18.53 acre, more or less, plat to be known as Outlot 3 of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 152 North, Range 90 West (Parshall Township). Present for this discussion was Beau Hill of EOG Resources Inc., and C.B. Lackey also of EOG Resources Inc. Mr. Hill presented three certified mail return receipt cards from adjacent landowners. No further comments were received. Discussion included access, approaches, and the net acreage verbiage to exclude well pads.

Moved by Commissioner Borud, Seconded by Commissioner Weisenberger to approve the subdivision review application filed by Beau Hill of EOG Resources, Inc. for an 18.03 acre, more or less, plat to be known as Outlot 3 of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 152 North, Range 90 West (Parshall Township) as EOG Resources, Inc., has met all of the requirements of the Mountrail County Land Subdivision Resolution. Upon roll call vote all present voted yes, motion carried.

Chairman Hovda called the 9:00 a.m. hearing to order regarding the zoning request filed by Beau Hill of EOG Resources Inc., with concurrence from Steven M. & Jeanette A. Hoff, landowners, for an amendment to the Mountrail County Zoning map to change from agricultural to industrial for the purpose of constructing a water reservoir on an 18.53 acre, more or less, plat to be known as Outlot 3 of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 152 North, Range 90 West (Parshall Township). Present for this discussion was Beau Hill of EOG Resources, Inc. and C.B. Lackey of EOG Resources, Inc. Mr. Hill presented three certified mail return receipt cards from adjacent landowners. No further comments were received.

Moved by Commissioner Borud, seconded by Commissioner Ruland to present findings of fact from the September 22, 2014 public hearing and make a recommendation to the Mountrail County Commission for the approval of the zoning amendment filed by Beau Hill of EOG Resources, Inc. to the Mountrail County Zoning Map to change land zoned as agricultural to industrial for the purpose of accommodating a water reservoir on an 18.53 acre, more or less, tract of land described as Outlot 3 of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 152 North, Range 90 West (Parshall Township) as EOG Resources Inc. has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon EOG Resources Inc. complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes motion carried.

Chairman Hovda called the 9:05 a.m. hearing to order regarding the zoning request filed by Beau Hill of EOG Resources, Inc, with concurrence from Steven M. & Jeanette A. Hoff, landowners, for a conditional use permit to use land zoned as industrial for the purpose of constructing a water reservoir on an 18.53 acre, more or less, plat to be known as Outlot 3 of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 152 North, Range 90 West (Parshall Township). Present for this discussion was Beau Hill of EOG Resources Inc. and C.B. Lackey of EOG Resources Inc. Mr. Hill presented three certified mail return receipt cards from adjacent landowners. No further comments were received. Discussion included the lot size of 400'x400', and the tank would store fresh water and would be pipelined below the ground.

Moved by Commissioner Ruland, seconded by Commissioner Borud to approve the conditional use permit filed by Beau Hill of EOG Resources, Inc, with concurrence from Steven M. & Jeanette A. Hoff, landowners,

for a conditional use permit to use land zoned as industrial for the purpose of constructing a water reservoir on an 18.53 acre, more or less, plat to be known as Outlot 3 of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 152 North, Range 90 West (Parshall Township) contingent upon the approval of the zoning amendment by the Mountrail County Commission and obtaining a state water permit as EOG Resources, Inc. has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon EOG Resources Inc. complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes, motion carried.

Chairman Hovda called the 9:10 a.m. public hearing to order regarding the subdivision review request filed by Beau Hill of EOG Resources Inc., with concurrence from Bartelson Investments LLLP, landowners, for a 6.79 acre, more or less, plat to be known as Outlot 2 of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 152 North, Range 90 West (Parshall Township). Present for this discussion was Beau Hill and C.B. Lackey of EOG Resources Inc. Mr. Hill provided three certified mail return receipt cards. No further comments were received. Discussion included the land would be used as a gas compressor station, the date EOG Resources, Inc. could start site work, flaring requirements by state, and noise mitigation.

Moved by Commissioner Weisenberger, seconded by Commissioner Lindberg to approve the subdivision review request filed by Beau Hill of EOG Resources Inc., with concurrence from Bartelson Investments LLLP, landowners, for a 6.79 acre, more or less, plat to be known as Outlot 2 of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 152 North, Range 90 West (Parshall Township) as EOG Resources Inc. has met all requirements of the Mountrail County Subdivision Land Resolution. Upon roll call all present voted yes, motion carried.

Chairman Hovda called the 9:15 a.m. public hearing to order regarding a zoning request filed by Beau Hill of EOG Resources Inc., with concurrence from Bartelson Investments LLLP, landowner, for an amendment to the Mountrail County Zoning map to change from agricultural to industrial to accommodate a gas compressor station on a 6.79 acre, more or less, plat to be known as Outlot 2 of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 152 North, Range 90 West (Parshall Township). Present for this discussion was Beau Hill and C.B. Lackey of EOG Resources Inc. Mr. Hill presented three certified mail return receipt cards from adjacent landowners. No further comments were received.

Moved by Commissioner Borud, seconded by Commissioner Ruland to present findings of fact from the September 22, 2014 public hearing and make a recommendation to the Mountrail County Commission for the approval of the zoning amendment filed by Beau Hill to the Mountrail County Zoning Map to change land zoned as agricultural to industrial for the purpose of accommodating gas compressor station on a 6.79 acre, plat to be known as Outlot 2 of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 152 North, Range 90 West (Parshall Township) as EOG Resources Inc. has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon EOG Resources Inc. complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes, motion carried.

Chairman Hovda called the 9:20 a.m. public hearing to order regarding the zoning request filed by Beau Hill of EOG Resources Inc., with concurrence from Bartelson Investments LLLP, landowner, for a conditional use permit to use land zoned industrial for the purpose of accommodating a gas compressor station on a 6.79 acre, more or less, plat to be known as Outlot 2 of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township

152 North, Range 90 West (Parshall Township). Present for this discussion was Beau Hill of EOG Resources Inc. and C.B. Lackey of EOG Resources Inc. Mr. Hill presented three certified return receipt mail cards from adjacent landowners. No further comments were received.

Moved by Commissioner Weisenberger, seconded by Commissioner Borud to approve the conditional use permit request filed by Beau Hill of EOG Resources Inc., with concurrence from Bartelson Investments LLLP, landowner, for a conditional use permit to use land zoned industrial for the purpose of accommodating a gas compressor station on a 6.79 acre, more or less, plat to be known as Outlot 2 of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 152 North, Range 90 West (Parshall Township) contingent upon the approval of the zoning amendment by the Mountrail County Commission as Beau Hill has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon EOG Resources Inc. complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes, motion carried.

Chairman Hovda called the 9:25 a.m. public hearing to order regarding the zoning request filed by Alan Mayo of Hess Bakken Investments II, with concurrence from Brian, Nancy, Jerome E. and Ardis Rice, landowners, for a conditional use permit to use land zoned agricultural for the purpose of placing a 300 ft. guyed communications tower, shelter, generator and propane tank on a ten acre, more or less, tract of land described as SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 156 North, Range 94 West (Myrtle Township). Present for this discussion was Alan Mayo of Hess Bakken Investments II. Mr. Mayo presented four certified return receipt mail cards. No further comments were received. Discussion included the land is leased for 30 years and no survey is required.

Moved by Commissioner Borud, seconded by Commissioner Bieri to approve the zoning request filed by Alan Mayo of Hess Bakken Investments II, with concurrence from Brian, Nancy, Jerome E. and Ardis Rice, landowners, for a conditional use permit to use land zoned agricultural for the purpose of placing a 300 ft. guyed communications tower, shelter, generator and propane tank on a six acre, more or less, tract of land located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 156 North, Range 94 West (Myrtle Township) as Hess Bakken Investments II has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon Hess Bakken Investments II complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes, motion carried.

Chairman Hovda called the 9:30 a.m. public hearing to order regarding the zoning request filed by Alan Mayo of Hess Bakken Investments II, with concurrence from Brian, Nancy, Jerome E. and Ardis Rice, landowners, for a variance to place a 300 ft. guyed communications tower which exceeds the maximum height allowable, on a six acre, more or less, tract of land located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 156 North, Range 94 West (Myrtle Township). Present for this discussion was Mr. Alan Mayo of Hess Bakken Investments II. Mr. Mayo presented four return receipt cards from adjacent landowners. No further comments were received.

Moved by Commissioner Borud, seconded by Commissioner Lindberg to approve the zoning request filed by Alan Mayo of Hess Bakken Investments II, with concurrence from Brian, Nancy, Jerome E. and Ardis Rice, landowners, for a variance to place a 300 ft. guyed communications tower which exceeds the

maximum height allowable, on a six acre, more or less, tract of land located in the SE¹/₄SE¹/₄NE¹/₄ of Section 7, Township 156 North, Range 94 West (Myrtle Township) as Hess Bakken II has met the criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is contingent upon Hess Bakken II complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes motion carried.

Chairman Hovda called the 9:35 a.m. public hearing to order regarding the zoning request filed by Michael R. and Dottie L. Hanson, landowners, for a variance to use land zoned residential to construct and operate a small dog kennel on a 9 acre, more or less, tract of land known as Outlot 1 less Sublot A of Outlot 1 of the S¹/₂SW¹/₄ of Section 15, Township 156 North, Range 94 West (Myrtle Township). Mr. Hanson participate was available by phone. Comments were received by Tressy Heinle and Rose Person. Discussion included whether this application should be resubmitted as a conditional use rather than a variance as allowed in the past. The conditional use would factor in the effect of the proposed project on the neighboring residences. Upon speaking with Mr. Hanson it was agreed that the fee paid for the variance would be applied to a reapplication as a conditional use permit application which would be heard in the October meeting.

Moved by Commissioner Ruland seconded by Commissioner Borud, to table the zoning request filed by Mike and Dottie Hanson landowners, for a variance to use land zoned residential to construct and operate a small dog kennel on a 9 acre, more or less, tract of land known as Outlot 1 less Sublot A of Outlot 1 of the S¹/₂SW¹/₄ of Section 15, Township 156 North, Range 94 West (Myrtle Township) until the October meeting.

Chairman Hovda called the 9:40 a.m. public hearing to order regarding the zoning request filed by Tom Best of Arnt Construction, with concurrence from The Jeffrey Ranch Trust, Janice C & Randal Jeffrey Trustees, landowners, for a conditional use permit to use land zoned agricultural for the purpose of mining gravel on an 80 acre, more or less, tract of land known as SW¹/₄NW¹/₄ and the SE¹/₄NW¹/₄ of Section 22, Township 155 North, Range 94 West (Unorganized Township). Present for this discussion was Kris Anderson and Tom Best of Arnt Construction and Jerry Ness. Tom Best provided two return receipt mail cards from adjacent landowners. No further comments were received. Discussion included requiring a bond for all three applications, dust control, and the 5 year lease to mine gravel with a one year reclamation period.

Moved by Commissioner Borud, seconded by Commissioner Bieri, to approve the zoning request filed by Tom Best of Arnt Construction, with concurrence from The Jeffrey Ranch Trust, Janice C & Randal Jeffrey Trustees, landowners, for a conditional use permit to use land zoned agricultural for the purpose of mining gravel on an 80 acre, more or less, tract of land known as SW¹/₄NW¹/₄ and the SE¹/₄NW¹/₄ of Section 22, Township 155 North, Range 94 West (Unorganized Township) for a five year term, requiring a \$50,000 reclamation bond along with road maintenance and dust control of road, as Arnt Construction has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon Arnt Construction complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes motion carried.

Chairman Hovda called the 9:45 a.m. public hearing to order regarding the zoning request filed by Tom Best of Arnt Construction, with concurrence from The Jeffrey Ranch Trust, Janice C & Randal Jeffrey Trustees, landowners, for a conditional use permit to use land zoned agricultural for the purpose of mining gravel on an 80 acre, more or less, tract of land known as NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 155 North, Range 94 West (Unorganized Township). Present for this discussion was Kris Anderson and Tom Best of Arnt Construction. Tom Best provided one return receipt mail card from adjacent landowners. No further comments were received. Discussion included requiring a bond for all three applications, dust control, and the 5 year lease to mine gravel with a one year reclamation period.

Moved by Commissioner Borud, seconded by Commissioner Lindberg, to approve the zoning request filed by Tom Best of Arnt Construction, with concurrence from The Jeffrey Ranch Trust, Janice C & Randal Jeffrey Trustees, landowners, for a conditional use permit to use land zoned agricultural for the purpose of mining gravel on an 80 acre, more or less, tract of land known as the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 155 North, Range 94 West of Section 22, Township 155 North, Range 94 West (Unorganized Township) for a five year term, requiring a \$50,000 reclamation bond along with road maintenance and dust control of road, as Arnt Construction has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon Arnt Construction obtaining a bond and complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes motion carried.

Chairman Hovda called the 9:50 a.m. public hearing to order regarding the zoning request filed by zoning request filed by Tom Best of Arnt Construction, with concurrence from The Jeffrey Ranch Trust, Janice C & Randal Jeffrey Trustees, landowners, for a conditional use permit to use land zoned agricultural for the purpose of mining gravel on an 80 acre, more or less, tract of land known as SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 155 North, Range 94 West (Unorganized Township). Present for this discussion was Kris Anderson and Tom Best of Arnt Construction. Tom Best provided two return receipt mail cards from adjacent landowners. No further comments were received. Discussion included requiring a bond for all three applications, dust control, and the 5 year lease to mine gravel with a one year reclamation period.

Moved by Commissioner Borud, seconded by Commissioner Lindberg to approve the zoning request filed by Tom Best of Arnt Construction, with concurrence from The Jeffrey Ranch Trust, Janice C & Randal Jeffrey Trustees, landowners, for a conditional use permit to use land zoned agricultural for the purpose of mining gravel on an 80 acre, more or less, tract of land known as SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 155 North, Range 94 West (Unorganized Township) for a five year term, requiring a \$50,000 reclamation bond along with road maintenance and dust control of road, as Arnt Construction has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon Arnt Construction obtaining a bond and complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes motion carried.

Chairman Hovda called the 10:05 a.m. public hearing to order regarding a zoning request filed by Darlene Bruhn, with concurrence from L.D.M.H.P., LLC, for a conditional use permit to use land zoned residential for the purpose of placing a FEMA mobile home trailer on a 25 x140' sq. ft., more or less, tract of land known as Lot 1, Block One, Original Townsite of Palermo City. Present for this discussion was Lawrence Bruhn, Darlene Bruhn, and Walter Dunham. Darlene Bruhn presented six certified return receipt mail cards

from adjacent landowners. Comments were received from Robert Hamers, Diann Dunham, and Kurt Klev. Discussion included the density, sewer systems need to be upgraded in Palermo, age of the trailers, the definition of a mobile home park, lot size and setbacks need to meet county standards. After some discussion, Darlene Bruhn agreed to withdraw two of her applications, therefore agreeing to only place one trailer per two lots instead of four trailers on four lots.

Moved by Commissioner Ruland, seconded by Commissioner Borud to approve the zoning request filed by Darlene Bruhn, with concurrence from L.D.M.H.P.,LLC, for a conditional use permit to use land zoned residential for the purpose of placing a FEMA mobile home trailer on a 50 x140' sq. ft., more or less, tract of land known as Lot 1 + 2, Block One, Original Townsite of Palermo City as Darlene Bruhn has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance, and is further contingent upon Darlene Bruhn complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes motion carried.

Chairman Hovda called the 10:10 a.m. public hearing to order regarding a zoning request filed by Darlene Bruhn, with concurrence from L.D.M.H.P., LLC, for a variance waive set back requirements in a residential area for the placement of FEMA mobile home trailer on a 25 x140' sq. ft., more or less, tract of land known as Lot 2, Block One, Original Townsite of Palermo City. Present for this discussion was Lawrence Bruhn, Darlene Bruhn, and Walter Dunham. Darlene Bruhn presented six certified return receipt mail cards from adjacent landowners. Comments were received from Robert Hamers, Diann Dunham, and Kurt Klev.

Moved by Commissioner Borud, seconded by Commissioner Lindberg to approve the zoning request filed by Darlene Bruhn, with concurrence from L.D.M.H.P.,LLC, for a variance to change the 7,500 square foot requirement to a 7,000 square foot requirement in a residential area for the placement of FEMA mobile home trailer on a 50 x140' sq. ft., more or less, tract of land known as Lot 1+2, Block One, Original Townsite of Palermo City, as Darlene Bruhn has met the criteria as set forth in Article IV, Section V of the Mountrail County Zoning Ordinance and is contingent upon Darlene Bruhn complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes motion carried.

The 10:15 a.m. and 10:20 a.m. public hearings were withdrawn by Darlene Bruhn.

Chairman Hovda called the 10:25 a.m. public hearing to order regarding the zoning request filed by Darlene Bruhn, with concurrence from L.D.M.H.P., LLC, landowners, for a conditional use permit to use land zoned residential for the purpose of placing a FEMA mobile home trailer on a 25x140 sq. ft. more or less, tract of land known as Lot 23 +24, Block 1, Original Townsite of Palermo City. Present for this discussion was Lawrence Bruhn, Darlene Bruhn, and Walter Dunham. Darlene Bruhn presented six certified return receipt mail cards from adjacent landowners. Comments were received from Robert Hamers, Diann Dunham, and Kurt Klev.

Moved by Commissioner Ruland, seconded by Commissioner Weisenberger to approve the zoning request filed by Darlene Bruhn, with concurrence from L.D.M.H.P., LLC, landowners, for a conditional use permit to use land zoned residential for the purpose of placing a FEMA mobile home trailer on a 50x140 sq. ft. more or less, tract of land known as Lot 23 +24, Block 1, Original Townsite of Palermo City as Darlene Bruhn

has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon Darlene Bruhn complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes motion carried.

Chairman Hovda called the 10:30 a.m. public hearing to order regarding the zoning request filed by Darlene Bruhn, with concurrence from L.D.M.H.P., LLC, landowners, for a variance to waive residential setback requirements for the placement of a FEMA mobile home trailer on a 25x140 sq. ft. more or less, tract of land known as Lot 23 + 24 Block 1, Original Townsite of Palermo City. This would change the required lot size from 7500 to 7000 sq. ft. Comments were received from Robert Hamers, Diann Dunham, and Kurt Klev.

Moved by Commissioner Borud, seconded by Commissioner Weisenberger to approve the zoning request filed by Darlene Bruhn, with concurrence from L.D.M.H.P., LLC, landowners, for a variance to change the 7,500 square foot requirement to a 7,000 square foot requirement for the placement of a FEMA mobile home trailer on a 50x140 sq. ft. more or less, tract of land known as Lot 23 + 24, Block 1, Original Townsite of Palermo City.

The 10:35 a.m. and 10:40 a.m. public hearings were withdrawn by Darlene Bruhn.

Chairman Hovda called the 10:45a.m. public hearing to order regarding the zoning request filed by I. Jay & Kier B. Jackson for a conditional use permit to use land zoned residential to place two double wide mobile homes on a 4.79 acre, more or less, tract of land described as Sublot B in Outlot 4 of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and Government Lot 4 of Section 34, Township 157 North, Range 91 West (James Hill Township). Present for this discussion was Kier Jackson. Kier Jackson presented six certified return receipt request cards from adjacent landowners. Discussion included the minimum 7500 sq. ft lot size per single family dwelling, septic permits, access, and subdivision requirements. Kier Jackson agreed to change her application to allow for one mobile home on the 4.79 lot, rather than two and possibly come back with a subdivision application at a later date depending on her future plans.

Moved by Commissioner Borud, seconded by Commissioner Bieri to approve the zoning request filed by I. Jay & Kier B. Jackson for a conditional use permit to use land zoned residential to place one double wide mobile home on a 4.79 acre, more or less, tract of land described as Sublot B in Outlot 4 of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and Government Lot 4 of Section 34, Township 157 North, Range 91 West (James Hill Township) as Kier Jackson has met all criteria as set forth in Article IV, Section IV, Paragraph E of the Mountrail County Zoning Ordinance and is further contingent upon Kier Jackson complying with all other regulations as set forth in the Mountrail County Zoning Ordinance. Upon roll call vote all present voted yes, motion carried.

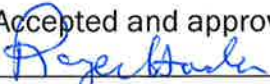
No board concerns were noted.

Staff concerns were discussed including moving from paper mailing packets to electronic copies and the use of tablets rather than utilizing the postal service and postage fees.

Having no further business Chairman Hovda adjourned the meeting.

The next regular meeting of the Mountrail County Planning & Zoning Board is to be held on Monday, October 27th, 2014 at 8:30 a.m. at the Mountrail County South Complex, 8103 61st Street NW, Stanley, ND.

Accepted and approved this 27th day of October, 2014



Roger Hovda, Chairman
Mountrail County Planning & Zoning Commission

Lisa Lee
Assistant Zoning Administrator