

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION WAS HELD ON November 20, 2017 AT WILLISTON CITY HALL, 22 E. BROADWAY, WILLISTON, ND.

Vice Chairman Maristuen called the meeting to order at 5:30pm. Roll Call was taken. A quorum was present.

MEMBERS PRESENT: Eynon, Hansen, Bauer, Long, Christensen, Maristuen

MEMBERS ABSENT: Aafedt

OTHERS PRESENT: Kent Jarcik, Planning Director; Rachel Laqua, Principal Planner; Jordon Evert, Assist. City Attorney; Kelly Aberly, Building Dept; Bob Hanson, City Engineer; Joe Doss, Building Dept.

PUBLIC HEARINGS:

- A. Short plat to adjust lot lines, Lot 10 & Lot 11, West Acres Estates – Alliance Engineering

Commissioner Maristuen introduced this public hearing (as above) and asked Laqua to present. Laqua explained that this application is for a short plat to move the lot line between Lots 10 & 11 of the West Acres Estates Subdivision, in order to address a lot line discrepancy wherein buildings were built across legal property lines. This property was developed and subdivided while in the county.

Laqua said that this lot line adjustment will have no effect on the water service to these properties. Both of these lots are on septic systems. This lot line adjustment will not cause these systems to trespass onto the other property.

At the November 6, 2017, ad hoc committee meeting, it was discussed that after a recent change in ownership, it was discovered that this lot line was further north and intersected the corner of the garage located on Lot 11. To address this and have the lot line be as previously perceived, the applicant needs to correct the lot line through the short plat process.

Laqua concluded her presentation and stated that the ad hoc committee recommended approval of this short plat. Maristuen opened the public hearing and called for public input. After making the call for public input three times and hearing none he closed the public input and asked for the wishes of the Commission.

MOTION BY CHRISTENSEN, SECOND BY HANSEN to approve Short plat to adjust lot lines, Lot 10 & Lot 11, West Acres Estates, as presented, contingent on addressing all redlines.

AYES: Eynon, Long, Hansen, Christensen, Bauer, Maristuen.

NAYS: None

ABSENT/NOT VOTING: Aafedt **ABSTAINED:** None.

**B. Plat to adjust lot lines, Lots 1 – 4, Block 3, Homecroft Addition – 49th Latitude
Surveying/Mike Galt & Ideal Metal Buildings**

Commissioner Maristuen introduced this public hearing (as above) and asked Laqua to present. Laqua first explained that this is a full plat so this is the first of two times that the Planning & Zoning Commission will see this application.

This application is for a plat to rearrange Lots 1-4, Block 3, of the Homecroft Addition. With the proposed lot rearrangements, all lots but Lot 2R would meet the minimum lot area requirements for both Single and Two Family dwelling units. Due to the fact that Lot 2R has an area less than 8,000 square feet, it only meets the minimum lot requirements for a Single Family dwelling. The creation of Lot 2R will leave a standalone accessory structure on the property.

Laqua stated that lots 1, 3, and 4 all have access to the City's water and sewer services. Lot 2R does not have tie-ins to these services. These tie-ins will need to be made by the property owner, in order for the property to use the City's services.

At ad hoc, the committee discussed the standalone accessory structure on Lot 2R. According to Ordinance 889, there cannot be an accessory structure on a property without a principal structure. Laqua said that the Committee determined the way to address the issue with the accessory structure on Lot 2R is to require that a lien be put on the property until such time as the structure is removed. This will prohibit the sale of Lot 2R until that is complete. It was agreed upon by the applicant and committee to have the accessory structure removed by June 15th, 2018. The applicant also notified the committee that there are plans to remove the structure on Lot 1R and have a new structure built in its place in spring of 2018.

Commissioner Bob Eynon had asked about future access points for the proposed lots. The applicant explained that Lot 1R and Lot 2R would both take access from 8th Street E. Lots 3R and 4R would take access from 6th Ave E. None of the proposed lots would take access from Reclamation Drive.

The November 6, 2017, ad hoc committee recommended approval of this plat with recordation of a lien on Lot 2R to be released when the accessory structure has been removed.

COMPLETION/RECORDATION REQUIREMENTS

1. Plat redlines must be addressed.
2. Recordation of a lien on Lot 2R to be released when the accessory structure has been removed.
3. Review of Preliminary Plat at City Commission, and Reviews of Final Plat at Planning and City Commissions.

Laqua concluded her presentation and Maristuen opened the public hearing. After calling three times for public input and hearing none he closed the public hearing and asked for the wishes of the Commission. Commissioner Eynon asked about the remainder of the land in Block 3, south of proposed Lot 4R. City Engineer Hanson stated that is all public right-of-way.

MOTION BY CHRISTENSEN, SECOND BY EYNON to approve the preliminary plat for the rearrangement of Lots 1-4, Block 3 of the Homecroft Addition, as presented, contingent on recordation requirements as presented. **AYES:** Eynon, Long, Hansen, Christensen, Bauer, Maristuen. **NAYS:** None **ABSENT/NOT VOTING:** Aafedt **ABSTAINED:** None.

UNFINISHED BUSINESS:

A. Easement and Vacation of Right-of-Way, 50th Rd. NW – City/Vestal Properties LLC

City Attorney Evert reminded the Commission that the completion and recordation of these documents were a condition of their granting an SPU for a Hydraulic Acid Storage facility on Vestal Properties/Red River Supply; the SPU was granted in October, 2017. Evert stated that after his most recent communication with Tavish Vestal, he believed that Rich Vestal was going to make arrangements to sign these documents with attorney Evert and hoped to have this completed before the December Planning and Zoning Commission meeting.

NEW BUSINESS:

NONE

COMMITTEE REPORT:

NONE

DATE OF NEXT REGULAR MEETING: December 18, 2017

MEETING ADJOURNED.



Kent Jarcik, Williston Planning Director