

McKENZIE COUNTY

Planning and Zoning Commission

07-24CUP Jesse Weber

Application:	#07-24CUP
Hearing Date:	MAY 13,2024
Description:	S-7, T-149N, R-101W, E1/2SE1/4 EX 4.43 A RW, EX IT 3056 74.05 ACRES 2215 HWY 68 McKenzie County ND
Owner(s)/Applicant:	Arthur and Betty Weber / Jesse Weber
Reason for Request:	Applicant wishes to open a Service Station in an existing shop on the property.

Comprehensive Plan Land Use: Agriculture
Zoning: Agricultural

Findings of Fact:
<ol style="list-style-type: none"> 1. All Public notifications have been made. 2. No Comment has been received either for or against. 3. Applicant does not own the land but has owner permission. 4. Applicant has Antelope Creek Township approval. 5. Automobile Service Stations are a conditional use in the Agricultural area. 6. Service station meaning per the Ordinance is " a place where automotive related services, lubricants, parts and supplies are available to the public." 7. Applicant has an approved weed plan. 8. No Permit is needed for 22nd ST NW per the Road and Bridge dept. 9. NDDOT has provided a permit #2401 District 67 for the approach.

Conditional Use Permit Criteria::
No conditional use permit shall be recommended by the Planning Commission or approved by the County Commission unless the applicant shall have met all the following criteria:
a. The establishment, maintenance, or operation of the conditional use shall not be detrimental to or endanger the public health, safety, comfort or general welfare.
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b. The proposed conditional use shall not substantially impair or diminish the value and enjoyment of other property in the area.

The proposed conditional use shall not substantially impair or diminish the value and enjoyment of other property in the area.

c. The proposed conditional use shall not impede the normal orderly development of the surrounding property.

The proposed conditional use shall not impede the normal orderly development of the surrounding property as the building have been there for some years.

d. Adequate utilities, access roads, drainage or other necessary site improvements have been or are being provided to accommodate the proposed conditional use.

Adequate necessary site improvements have been provided to accommodate the proposed conditional use.

e. Adequate measures will be taken to provide ingress and egress to the property without adverse effects on the adjoining properties and traffic congestion in the public street.

Ingress and Egress will be off of Hwy 68 through an existing approach.

f. The proposed conditional use shall conform to all applicable regulations of the district within which it is located.

Applicant shall follow all state and local regulations.

Comprehensive Plan Consistency:

The subject land area is designated in the land use plan as Agriculture.

Staff Recommendation:

Staff recommends **Approval** for this Conditional Use Permit.

Suggested motion: "Staff Recommends Approval of Conditional Permit #07-4 Jesse Weber to the Board of County Commissioners. Accept the findings as provided in the Staff Report."

Conditions:

1. The applicant shall mark the site with a (4' x 8') sign visible from the road per McKenzie County Ordinance Section 4.10 with the following information. Address/project identification, emergency contact name and phone number, this must be completed within thirty (30) days from County Commission approval.
2. Maintain weed control as approved by the McKenzie County Weed Control Officer
3. The applicant shall adhere to all State laws, regulations, and conditions for the operation of the proposed

facility.

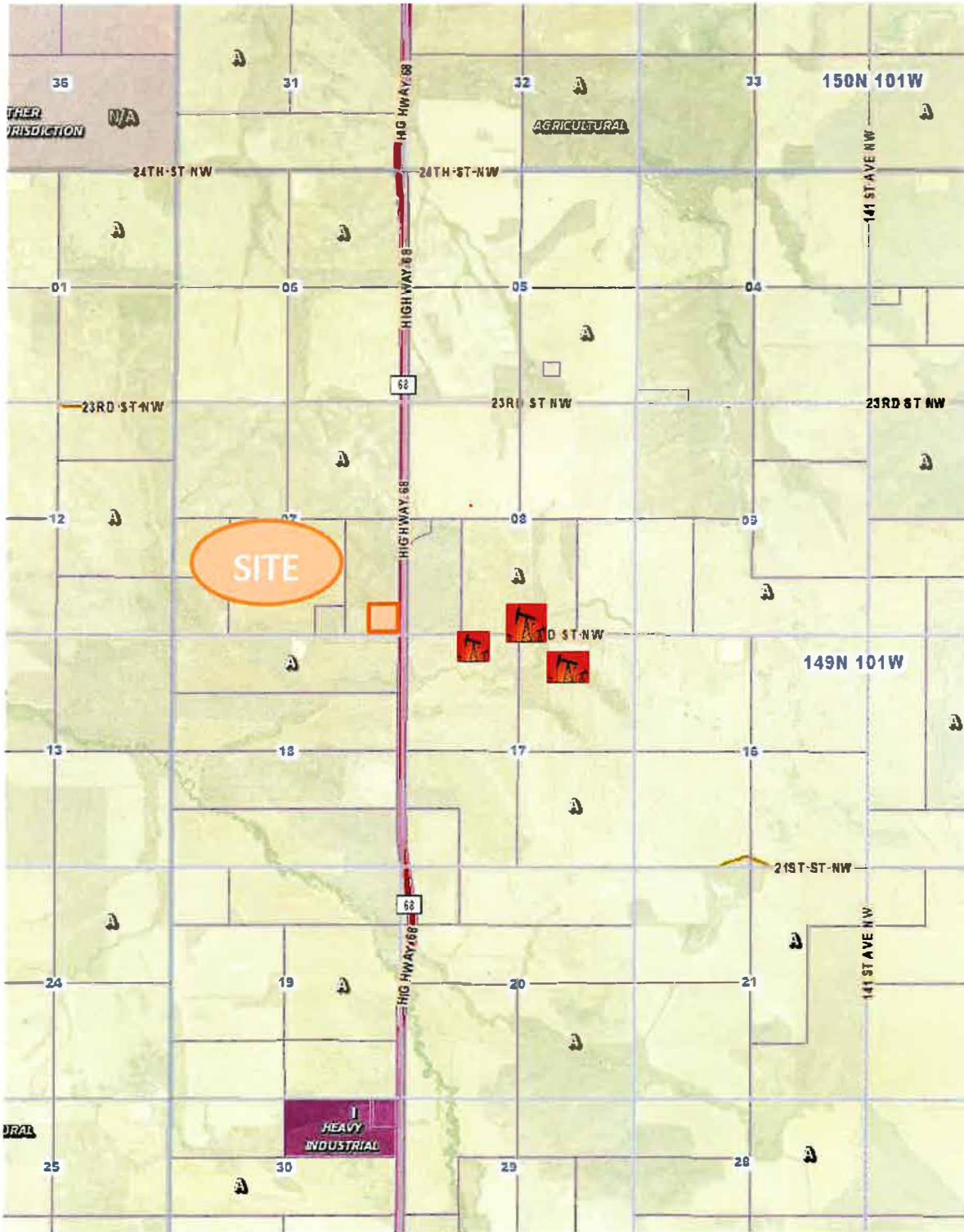
4. Applicant shall dispose of any hazardous material eg:(oil) in a proper manner as defined by the DEQ.
5. Applicant shall not have a junk nor scrap yard in conjunction with this permit.
6. Access on the private roadway into the site must be maintained for 911 purposes.
7. The applicant shall maintain a site free of garbage, from within the site and from outside sources, during and after construction
8. Any commercial or industrial development within five hundred (500') feet of the centerline of any federal, state or paved county road shall additionally be subject to the requirements of section 3.11 the Highway Corridor Overlay District of this ordinance.
9. The open storage of material, including waste products or salvage shall not be permitted closer than five hundred (500') feet from any residential dwelling.
10. The conditional use permit will be reviewed annually to ensure compliance with the listed conditions.

#07-24CUP

PID # 020003300

S-7,T-149N,R-101W

Comprehensive Plan Map-Agriculture

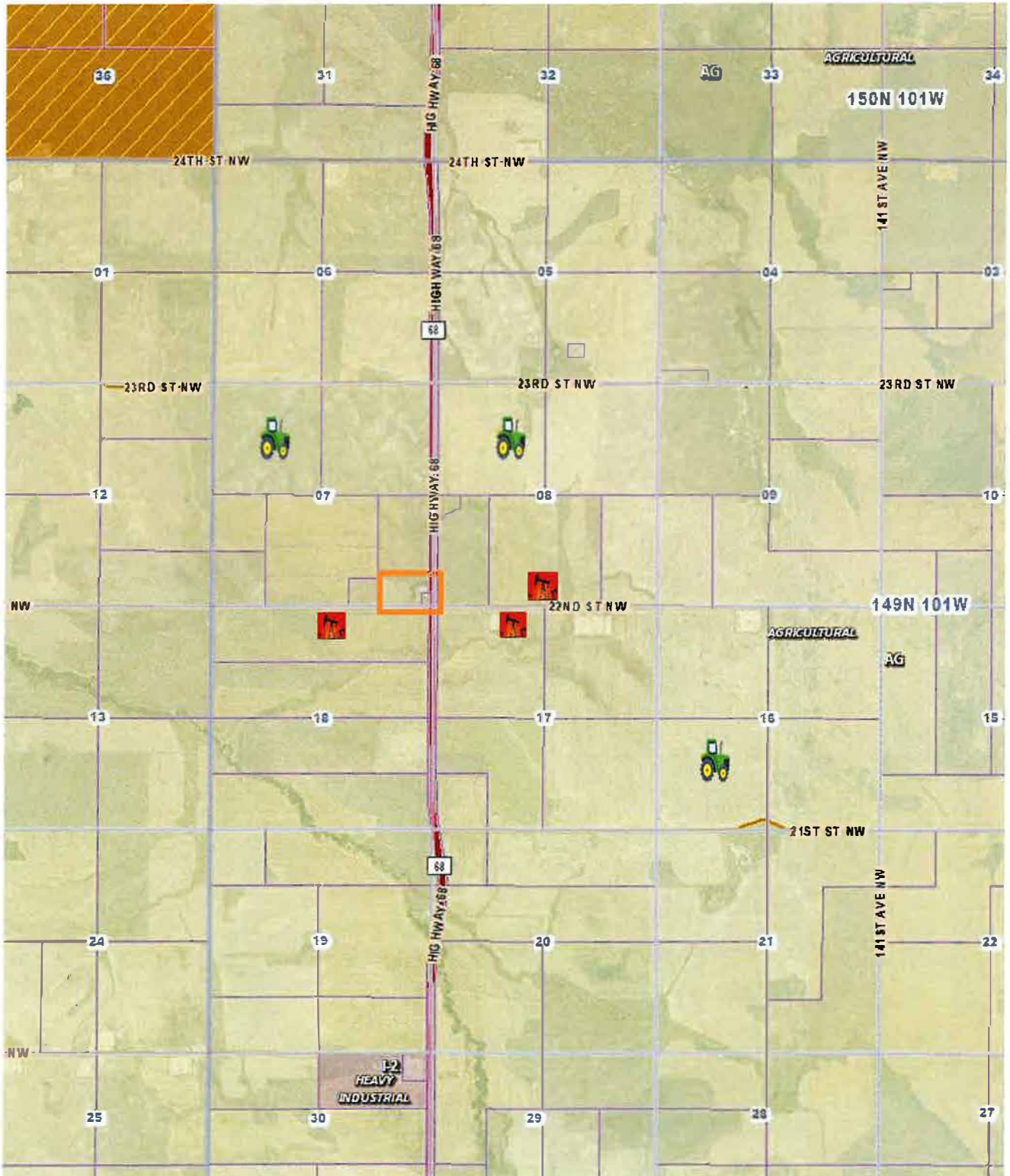


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S-7,T-149N,R-101W

Zoning Map-Agriculture



#07-24CUP

PID # 020003300

S-7,T-149N,R-101W

SITE MAP



McKENZIE COUNTY

Planning and Zoning Commission

#04-24ZC Alexander Transport

Reason for Request:	Applicant wishes to Re-Zone from Agricultural to Light Industrial to reflect the historical use of the property.
Hearing Date:	May 13, 2024
Location:	2991 108th Ave NW, Keene, ND IT# 2384 PT LOT 1 PID 690000150 S- 01 T- 150 R- 096
Owner(s)/Applicant:	Alexander Transport

Existing:		Proposed:	
CP Land Use:	Light Industrial	CP Land Use:	Light Industrial
Zoning:	Agriculture	Zoning:	Light Industrial
Setbacks:	25'- Front 25'- Side 25'- Rear	Setbacks:	50'- Front 25'- Side 50'- Rear
Lot Area:	5.51 Acres	Lot Area:	5.51 Acres

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Finding of Fact:

1. All public notifications have been made.
2. No Comment has been received from the public.
3. Applicant is the property owner.
4. Property is in unorganized township.
5. Per the McKenzie County Lands use designation, Industrial is consistent with the current Ag zone.
6. The proposed site is already in existence and will not impede the normal orderly development of the area, as the planed use is allowed per Ordinance #3.8.1.1 #s 4 and 5.
7. The property has historically been used as Light Industrial since 2013.
8. Property is in Light Industrial Comprehensive plan.
9. Applicant has an approved Weed plan from the County Weed Dept.
10. Applicant has an approved approach from the Road and Bridge Dept.

Growth Management Plan Consistency:

This Zone Change is consistent with the Land Use designation for the area.

Suggested Motion:

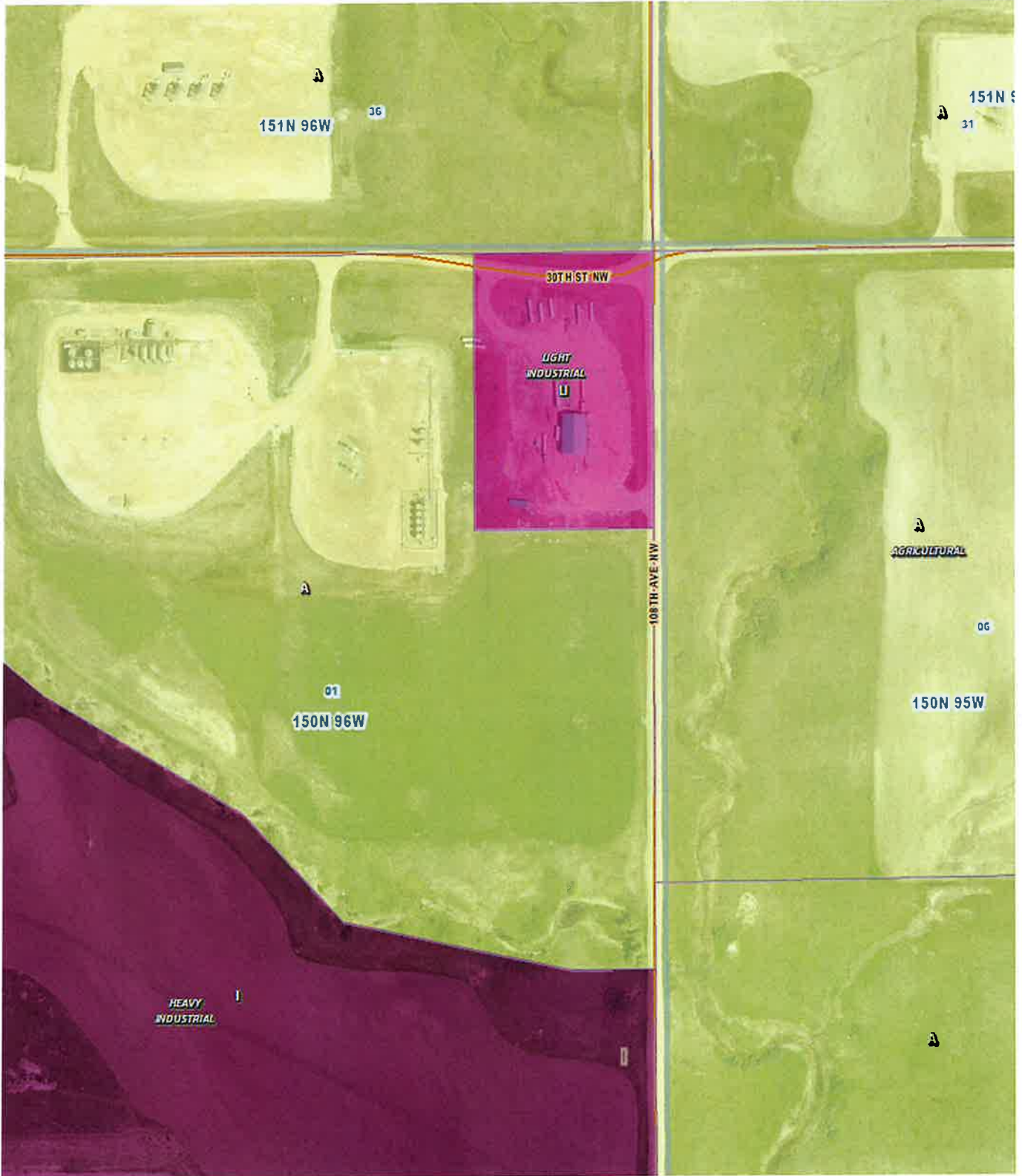
Recommend approval of the Zone Change request #04-24ZC- Alexander Transport LLC to the County Commission to allow the Zone Change from Agriculture to Light Industrial. Adopt the findings as provided in the report.

#04-24ZC

PID # 690000150

S-1,T-150N,R-96W

Comprehensive Plan Map-Light Industrial



#04-24ZC

PID # 690000150

S-1,T-150N,R-96W

Zoning Map-Agriculture




#04-24ZC
PID # 690000150
S-1,T-150N,R-96W
SITE MAP



2013 - 2991 108 AVE NW, Keene, ND

Write a description for your map.

Legend

 2991 108 Ave NW

