

ROLAND TOWNSHIP BOARD MINUTES
PUBLIC HEARING + ZONING + GENERAL BOARD MEETING, May 8, 2017
PAGE 1 OF 4

A PUBLIC HEARING to address proposed AMENDMENTS to the Roland Township Zoning Ordinance was opened at 6:45 p.m. May 8, 2017, in the Quilt Inn meeting room by Board Chairman Vern Jacobson with Supervisors Adam Norling, Mike Hall, Michael Sivertson and John Warberg in attendance; also Zoning Administrator Tim Kihle and Clerk-Treasurer Glenore Gross. Twenty visitors signed the attendance register. Clerk read the proposed amendments as published, followed by open discussion.

PROPOSED BOATHOUSE AMENDMENTS (added wording underlined, removed wording lined out):

Section II GENERAL PROVISIONS, C. NON-CONFORMING USES

1. The total structural repairs or alterations in such a non-conforming building or structure shall not, during its life, exceed fifty percent (50%) of the appraised fair market value of the building or structure, unless permanently changed to a conforming use (with the exception of an existing boathouse).

E. SHORELAND AREAS, 7. BOATHOUSES:

b. Repairs necessary to keep such a structure in use are ~~subject to the requirements set forth in Section 1.E-Definition 10~~ allowed as long as there is no change in footprint, no second stories will be allowed, use of a flat roof as a deck to be allowed or a roof up to 4/12 pitch. A permit for repairs is required.

PUBLIC DISCUSSION: Questions raised by Wayne and Val Zwak included whether this would allow a flat roof even if not currently present, and whether visibility for neighbors is a concern. Mike McIntee suggested that such repairs should be limited to existing structures. Past supervisor Bob Kornkven said in his time on the board the intent was to get rid of boathouses. Supv Vern J would like to see boathouses gone and any new water oriented sheds have 7 ½' setbacks; many are on the property lines. Supv Adam N countered that it would mean sheds could end up in the middle of some lots and he feels they should be allowed to stay in their footprint. Supv Mike H said with people fixing boathouses anyway 'behind our backs' he would like to see them allowed to be fixed, since many look terrible yet people don't want to lose the option of having them.

PROPOSED RV PERMIT AMENDMENTS: (Removes the 14-day provision for use without a permit, adds provision for short-term permits.)

RE-1 & RE-2 Permitted Uses:

b. Storage of one RV/Camper unit, provided that it meets setback requirements of 30' to road, 50' to shoreline and 7 ½' to side lot line. Use of an RV May through September requires a Location & Conditional Use Permit.

RE-1 & RE-2 Conditionally Permitted Uses:

a. Temporary use of one RV/Camper for additional sleeping space or guest accommodations, provided that adequate provisions for storage and/or disposal of waste-water and/or sewage effluent has been made, and provided that it meets setback requirements of 30' to road, 50' to shoreline and 7 ½' to side lot line. Any recreational use May through September shall require a Location and Conditional Use Permit. A second RV/Camper unit may be may be allowed with a 5-Day Use Permit providing it meets the same guidelines.

b. Allowance is made for up to two additional RV/Camper units only during the three major holiday weekends (Memorial Day, 4th of July, Labor Day), provided that adequate provisions for storage and/or disposal of waste-water and/or sewage effluent has been made, and provided that all setback requirements of 30' to road, 50' to shoreline and 7 ½' to side lot line are met. This is limited to a 5-Day Use Permit for each unit.

PUBLIC DISCUSSION: Extensive amount of discussion related to potential sewer and garbage issues related to the proposed increased number of RVs allowed, with input from Recreation Service District (RSD) board members in attendance. Supv Adam N clarified that the intention is just one RV permitted to use the sewer hook-up, any others would be self-contained. Mike McIntee suggested that a portion of RV permit fees be allotted to the RSD for the extra usage with multiple RVs; also that storage use be expanded to clarify there be 'no human occupation'. Board disagreement showed with Adam N contending that extra RVs for short periods should not be a problem while Mike H said Health Dept rules state three or more RVs constitute a mobile home park per state regulations. Adam N countered with his report of a conversation with a health

ROLAND TOWNSHIP BOARD MINUTES
PUBLIC HEARING + ZONING + GENERAL BOARD MEETING, May 8, 2017
PAGE 2 OF 4

department official who indicated long term use and short term use had different regulations so more than two RV units could be temporarily allowed as proposed; if the required setbacks are followed, the number of lots where multiple units could be parked are limited anyway.

Other discussion related to the need for having regulations posted or otherwise made known, and having penalties in place to gain control, such as imposing a fine that can be levied against property tax. Not meeting setbacks and blocking roadways were mentioned as common complaints. Board reiterated current regulations in RE-1 is to allow one RV on a lot with a cabin, or one RV if there is no cabin, except in the cases where two were grandfathered in. The requirement for a permit only if used more than 14 days a year has been found impossible to monitor. Board may consider raising the RV permit fee from \$50 to perhaps \$100, with a permit required for any length of stay.

The hearing was declared closed at 7:30 p.m. and the Roland Township **ZONING BOARD** was called to order immediately following with the above noted attendance.

Minutes: April 10 minutes were approved as printed. **Treasurers Report** was accepted as presented: CD Balance \$154,736.78, Savings \$151,535.18, Checking \$189,067.19; and approval to pay bills of \$14,975.85 as submitted.

ZONING ADMINISTRATOR REPORT:

Tim Kihle presented seven permits for review. The following variance requests were discussed:

- Request for Side Lot Setback – R Wondrasek/Minot Beach: Shed placement to be 2' from back lot property line next to a small lake, lot is the last on the road. All other setbacks are met; adjacent owner has agreed and Tim will get signatures on the form. *MOTION by Adam N to approve the Variance as requested, 2nd by John W, 5 YES=CARRIED.*
- Request for 5' Road Variance for Garage – D Thorson/Central Park: Request for garage to be alongside Central Park Rd with 25' setback; entry would be parallel. *MOTION by Adam N to approve the Variance as requested, 2nd by Michael S, 5 YES=CARRIED.*
- Construction without Permit – B Henschel/Rugby Pt: Had started to add 7' to garage which was already at 15' to road, would end up at 8' to road; concrete intended for the floor has been poured. Board discussion included road issues with snow clearing since many properties there are already too close. Board agreed 8' was out of line and the project must be stopped; the concrete could be used as their driveway.

OLD (Unfinished) ZONING BUSINESS:

1. **Consider/Vote: Proposed Boathouse Amendments:** With little further discussion, *MOTION by Adam N to approve the proposed boathouse amendments but add "an existing" before "structure" in E.7.b. line 1; 2nd by John W.* Vern J noted his disagreement with allowing one back on the same footprint, saying none are used for boats anymore; Mike H would like the ability for people to fix boathouses up without sneaking around. *VOTE: Adam N-YES, Mike H-YES, Michael S-YES, John W-YES, Vern J-NO. CARRIED 4-1.*
2. **Consider/Vote Proposed Amendments for RV Conditional Use Permits:** After brief discussion and clarification of current ordinance requirements for RVs, *MOTION by Mike H to table the proposed amendments in light of potential violation of state law; 2nd by Michael S. CARRIED.* No change in RV fees or policy will be considered for now, except to possibly consider an adjustment for sharing fees with RSD. Another public hearing will need to be scheduled if another amendment is proposed.

NEW ZONING BUSINESS:

1. **Zoning Issues –Gary Kramlich for Jerry Harris/Birchwood RV:** Kramlich appeared in Harris' behalf to see how to proceed with being able to provide RV sites on purchased lots on the 40 acre land where 29 RV spots had previously been leased, as well as about 20 more lots without the sewer connection. Issues

ROLAND TOWNSHIP BOARD MINUTES
PUBLIC HEARING + ZONING + GENERAL BOARD MEETING, May 8, 2017
PAGE 3 OF 4

include a need to upgrade the sewer system if any lots are sold, but first the lots need to be platted, and what size the lots can be depends on whether the land is annexed into the RSD. Kramlich was referred to their meeting on Saturday to look into annexation.

2. **Added: Potential Rezone Request – Lorenz/Larson Beach:** Steve Lorenz briefly mentioned they are considering requesting a rezone to RE-2 for their lot since they may wish to replace one RV with a cabin which would match the setbacks of the current RVs. A rezone request requires a public hearing and payment of \$200 fee.

GENERAL MEETING CALLED TO ORDER AT 8:25 pm.

OLD (Unfinished) GENERAL BUSINESS:

1. **Lake Metigoshe Cabin Road Paving Assessment District – Update:** Vern received no response yet from email inquiry on status to Atty Bakke.
2. **Abandon Trailway –Minot Beach:** Bob Kornkven, who had submitted a Quit Claim request on the trailway through their property, asked what the hang-up was on not having any response yet. Other current requests for trailway abandonment have ended up resulted in property line issues, and the clerk has a note from Atty McGee that according to Atty Boyum the township doesn't have jurisdiction over the trailway. Kornkven's request has been on hold awaiting further word. Board suggested he let his attorney proceed with the Quit Claim procedure.
3. **Potential Mowing Employee:** Carl Lee was interviewed for the mower position and had agreed to accept. Jim Dignan will pass his knowledge along to Carl. *MOTION by John W to approve Carl Lee as mowing employee, 2nd by Michael S, CARRIED.*
4. **Road Issue Updates:**
 - **Rugby Pt Rd/State Forest:** Mike H spoke with State Forest Service regarding the possibility of taking 8'-10' off Forest Service circle property to widen Rugby Pt Road; John and Adam will work up a proposal stating that it would help drainage, add to safety, protect the forest and help with snow clearing. Project could be done in sections rather than all in a year.
 - **Gravel:** Mike requested gravel be put on the Lagoon road where it intersects with the bike path at about \$1,950 cost; Hart Rd & Schaefer Rd may need gravel. John requested gravel for a couple areas at Thompson Cove and on a portion of the realigned road where snowbanks drained across. *MOTION by Adam N to approve the requests for gravel; 2nd by Michael S. CARRIED.*
 - **Drainage for Abernathey/Roadside Ranch:** Mike is working with Brian Glinz to see about putting in a river rock channel to the lake as the best answer for drainage issue into his garage.
 - **Underlay by Lunds:** John reported the repairs done are holding up good; however at the top of the hill an area needs to be watched.

NEW GENERAL BUSINESS:

1. **KCs Dockside/Transfer Liquor License to Thunder Mtn Races:** The first race has already been held with the County allowing the transfer prior to township approval. *MOTION by Michael S to approve transfer of the KCs Dockside Liquor License for Thunder Mtn races, 2nd by John W, CARRIED.*
2. **Speed Bumps:** Rob Peck will replace speed bumps this month; he can check with Mike H for placement if different places want or don't want them this year.
3. **Added: Lake MacArthur Road Inquiry:** Inquirer declined to appear but had indicated interest in the township taking over their road; board said it would require bringing the road up to county specs including signs, culverts, etc. and it could no longer be a gated community.
4. **Added: Speeding at Lake:** Board confirmed for John that speeding on a lake is a Game & Fish issue.

➤ **REPORTS/CORRESPONDENCE**

ROLAND TOWNSHIP BOARD MINUTES
PUBLIC HEARING + ZONING + GENERAL BOARD MEETING, May 8, 2017
PAGE 4 OF 4

- NDIRF Annual Meeting in Bismarck May 10; township has voting privileges.
- Lake Metigoshe Improvement Association meeting June 3 includes a Back to the Lake party.
- Lake Metigoshe Recreation Service District Annual Meeting is June 10.

Meeting adjourned at 8:55 p.m.

Glenore Gross, Clerk/Treasurer