

**BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
November 19, 2014**

The Bismarck Planning & Zoning Commission met on November 19, 2014 at 5:00 p.m. in the Tom Baker Meeting Room in the City-County Office Building, 221 North 5th Street. Chairman Yeager presided.

Commissioners present were Mark Armstrong, Tom Atkinson, Mel Bullinger, Mike Donahue, Vernon Laning, Doug Lee, Mike Schwartz, Ken Selzler, Lisa Waldoch and Wayne Yeager.

Commissioner Mike Seminary was absent.

Staff members present were Carl Hokenstad – Director of Community Development, Kim Lee – Planning Manager, Jason Tomanek – Planner, Jenny Wollmuth – Planner, Hilary Balzum – Community Development Office Assistant, Charlie Whitman – City Attorney and Jason Hammes – Assistant City Attorney.

MINUTES

Chairman Yeager called for consideration of the minutes of the October 22, 2014 meeting.

MOTION: Commissioner Armstrong made a motion to approve the minutes of the October 22, 2014 meeting as received. Commissioner Waldoch seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Donahue, Laning, Lee, Schwartz, Selzler, Waldoch and Yeager voting in favor of the motion.

CONSIDERATION

- A. RDO HAY CREEK INDUSTRIAL PARK –
ZONING CHANGE AND PRELIMINARY PLAT**
- B. REUTER’S ADDITION –
ZONING CHANGE AND PRELIMINARY PLAT**
- C. WEST 40 FEET OF LOT 1, BLOCK 1, SONNET HEIGHTS SUBDIVISION
5TH REPLAT -
ZONING CHANGE**
- D. LOT 4B, BLOCK 3, NORTH HILLS 15TH ADDITION –
ZONING CHANGE**
- E. AUDITOR’S LOT A OF LOT 13, LOT 14, LOT 15, LOT 16 & AUDITOR’S
LOT A OF LOT 17, BLOCK 1, BOULDER RIDGE 1ST ADDITION –
ZONING CHANGE**
- F. MADISON LANE ADDITION –
PUD AMENDMENT**

Chairman Yeager called for consideration of the following consent agenda items:

- A. RDO Hay Creek Industrial Park – Zoning Change And Preliminary Plat
- B. Reuter’s Addition – Zoning Change And Preliminary Plat

- C. West 40 feet of Lot 1, Block 1, Sonnet Heights Subdivision 5th Replat – Zoning Change
- D. Lot 4B, Block 3, North Hills 15th Addition – Zoning Change
- E. Auditor's Lot A of Lot 13, Lot 14, Lot 15, Lot 16 & Auditor's Lot A Of Lot 17, Block 1, Boulder Ridge 1st Addition – Zoning Change
- F. Madison Lane Addition – PUD Amendment

Commissioner Atkinson said he would like to pull item #B for discussion.

MOTION: Commissioner Laning made a motion to approve consent agenda items A, C, D, E and F, granting tentative approval or calling for public hearings on the items as recommended by staff. Commissioner Atkinson seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Donahue, Laning, Lee, Schwartz, Waldoch and Yeager voting in favor of the motion.

Ms. Wollmuth gave a brief overview of agenda item B (Reuter's Addition). The property is located in northeast Bismarck, along the west side of 52nd Street NE, east of Roosevelt Drive between 43rd Avenue NE and East Century Avenue (the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, T139N-R80W/Hay Creek Township) and includes 177 lots in 10 blocks on 40 acres.

Ms. Wollmuth said all technical requirements of a preliminary plat have been met. However, staff has recommended that prior to scheduling a public hearing for a final plat, zoning change and annexation, an appropriate annexation route must be provided to the proposed plat.

Art Goldammer, Verity Homes of Bismarck, LLC, said the 40 acres included in the proposals is currently under contract and he would very much like to keep the process moving so as to avoid a donut hold being created in the master plan of Bismarck. He said the proposed Sattler's Sunrise 10th Addition has been proposed in various locations surrounding the Reuter's Addition proposals but it has continuously been suspended or continued. He said it was first going to be located to the east, then south and now west of this proposed plat and he said they all conveniently stop short of being able to provide city services to this parcel which is making development of the land impossible. He said he offered to pay for the roads to connect the pieces and even that was refused.

Chairman Yeager asked how far short the plat is from City services. Mr. Goldammer said it is approximately 75 feet.

Jason Frank, Diversity Homes of Bismarck, said he and Mr. Goldammer are trying to develop this land together and that he supports the 2014 Growth Management Plan and feels that their plan for both single and multi-family housing fits perfectly into the vision in the Plan. He said there is an opportunity for water and sewer services to be purchased and he feels that is unfair as they are publicly owned services. He said they have worked with the Bismarck Parks and Recreation District and they will sell the land to them as green space as there is already an agreement in place for that. He said they just want to move this project forward.

Commissioner Lee asked if a community can take land from an adjacent owner in order to provide land for a road. Mr. Hammes said that is not an option to the best of his knowledge.

Chairman Yeager asked if potable water, sanitary sewer services and other services being held hostage can be put in place without a road.

Commissioner Lee asked that the legal counsel of the City research the options and present the information at the public hearing to inform on how to move this process along. Mr. Hammes said that can be arranged.

MOTION: Commissioner Lee made a motion to approve consent agenda item B, granting tentative approval and calling for public hearings on the items. Commissioner Schwartz seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Donahue, Laning, Lee, Schwartz, Waldoch and Yeager voting in favor of the motion.

Hay Creek Township Supervisor Dave Pearce joined the meeting at this time.

PUBLIC HEARING – RURAL RESIDENTIAL LOT SPLIT LOT 2, BLOCK 1, OAKLAND SUBDIVISION

Chairman Yeager called for the continued public hearing on the rural residential lot split for Lot 2, Block 1, Oakland Subdivision. The property is located northeast of Bismarck, along the south side of 84th Avenue NE, between 26th Street NE and 41st Street NE (3605 84th Avenue NE).

Ms. Wollmuth gave an overview of the request, including the following findings:

1. All technical requirements for approval of a rural residential lot split have been met.
2. The resulting parcels will meet the minimum lot width (150 feet), depth (200 feet) and area requirements (65,000 square feet) for the RR – Residential zoning district.
3. The proposed rural residential lot split will not be detrimental to the use or development of adjacent properties, provided that the existing private driveway or access easement does not encroach any further to the east than its current location and that a private access and maintenance agreement be recorded with the Burleigh Country Recorders office.
4. The proposed rural residential lot split will not place an undue burden on existing public services and facilities. In particular, the proposed lot 2B would have access to 84th Avenue NE via an existing private driveway (access easement).
5. The proposed rural residential lot split is consistent with the master plan, other adopted plans, policies and accepted planning practice.

Ms. Wollmuth said based on the above findings, staff recommends approval of the rural residential lot split for Lot 2, Block 1, Oakland Subdivision into two parcels, a northern parcel of 2.75 acres and a southern parcel of 6.60 acres, with the following conditions:

1. The existing private driveway (access easement) not encroach any further east than its current location.
2. A plat of irregular description will be prepared as required and recorded by the Burleigh County Auditor.

3. A private access and maintenance agreement be recorded with the Burleigh County Recorder to ensure the existing private driveway provides access to the lots along the west side of the existing private driveway and that existing and future owners of those lots maintain the private driveway (access easement).
4. Further subdivision of Lot 2, Block 1, Oakland Subdivision will require the property to be replatted.

Commissioner Atkinson said the drawing in the staff report shows forty feet of access with a ten foot access easement. Ms. Wollmuth said that is correct and it is adjacent to the proposed Lot 2A and would be all one lot. She said the easement is 40 feet wide and the existing home on Lot 2A must be set back 40 feet from the access easement.

Chairman Yeager opened the public hearing.

There being no comments, Chairman Yeager closed the public hearing.

Mr. Pearce said the day after the last Hay Creek Township meeting, Mr. Oakland contacted him about the changes that had been made to the proposal as they relate to concerns from neighboring owners, Chris and Roberta Hambrick. He said some of their requests are not to be decided here or at this time, but the direction this has gone will not cause grief to the neighbors and he and the Township are supportive of the proposal.

MOTION: Based on the findings contained in the staff report, Commissioner Lee made a motion to approve the rural residential lot split for Lot 2, Block 1, Oakland Subdivision, with the following conditions: 1. The existing private driveway (access easement) not encroach any further east than its current location; 2. A plat of irregular description will be prepared as required and recorded by the Burleigh County Auditor; 3. A private access and maintenance agreement be recorded with the Burleigh County Recorder to ensure the existing private driveway provides access to the lots along the west side of the existing private driveway and that existing and future owners of those lots maintain the private driveway (access easement); and 4. Further subdivision of Lot 2, Block 1, Oakland Subdivision will require the property to be replatted. Commissioner Atkinson seconded the motion and it was approved with Commissioners Armstrong, Atkinson, Bullinger, Donahue, Laning, Lee, Schwartz, Selzler, Waldoch, Yeager and Mr. Pearce voting in favor of the motion.

**FINAL CONSIDERATION – ANNEXATION
PUBLIC HEARING – ZONING CHANGE AND FINAL PLAT –
MEADOWLARK COMMERCIAL 7TH ADDITION**

Chairman Yeager called for the public hearing on the final plat; the zoning change from the RR-Residential zoning districts to the RT-Residential, CG-Commercial, MA-Industrial and P-Public zoning districts to the RT-Residential, CG-Commercial and MA-Industrial zoning districts; and final consideration of the annexation of Meadowlark Commercial 7th Addition. The proposed plat is 16 lots in four blocks on 66.06 acres and is located in north Bismarck, along the east side of US Highway 83 along the south side of the future section line road, 57th Avenue NE (A replat of part of Auditor's Lot C, Lots 1 and 2, Block 3, and Lot 4, Block 6, Meadowlark Commercial

Third Addition and LaSalle Avenue and 15th Street North rights-of-way, Section 15, T139N-R80W/Hay Creek Township).

Mr. Tomanek gave an overview of the requests, including the following findings for the annexation:

1. The City and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the annexation.
2. The proposed annexation would not adversely affect property in the vicinity.
3. The proposed annexation is consistent with the general intent and purpose of the zoning ordinance.
4. The proposed annexation is consistent with the master plan, other adopted plans, policies and planning practice.

Mr. Tomanek then gave the findings for the land use plan amendment:

1. The proposed change in the Future Land Use Plan (FLUP) in the 2014 Growth Management Plan would be somewhat compatible with adjacent land uses. Adjacent land uses include developing commercial uses to the south, agricultural uses to the east and north and existing rural residential uses to the west. The FLUP designates the area which has currently developed as rural residential dwellings as commercial and open space land uses.
2. The proposed Land Use Plan Amendment does reflect a change in conditions since the Future Land Use Plan (FLUP) was established. In particular, the BPRD no longer desires to become the owner of any property along the Hay Creek corridor and a multi-use trail easement would be dedicated along the Hay Creek corridor to allow for the extension of the multi-use trail.
3. The City and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the Future Land Use Plan at the time the property is developed.
4. The proposed Land Use Plan amendment may adversely affect property in the vicinity. In particular, commercial development along North 19th Street would likely result in increased traffic movements in an existing rural residential area.
5. The proposed Future Land Use Plan amendment is generally consistent with the other aspects of the master plan, other adopted plans, policies and planning practice. In particular, introducing the office/mixed-use land use classification to an area currently identified as open space and commercial land uses would be an appropriate land use transition.
6. The amendment to the Land Use Plan is in the public interest and is not solely for the benefit of a single property owner.

Mr. Tomanek then gave the findings for the zoning change:

1. The proposed zoning change would be somewhat consistent with the Future Land Use Plan in the 2014 Growth Management Plan as amended. The Future Land Use Plan of the 2014 Growth Management Plan reflects the previous requested land use of the owner/developer, Skyline Properties, LLC. The previous arrangement between the applicant and the BPRD would have provided land to the BPRD along the Hay Creek corridor for multi-use trails and open space. As part of the arrangement, BRPD would have become the land owner along a portion of North 19th Street, thus resulting in BPRD sharing a portion of the construction costs associated with the extension of North 19th Street. The current agreement between the applicant and the BPRD would no longer result in the BPRD owning land along North 19th Street; however, the applicant has indicated a willingness to provide an easement to allow the extension of the Hay Creek trail. The final location of the future trail extension is not known at this time and it is likely that the exact location would not be determined until such time as each lot along the east side of North 19th Street is studied and programmed to accommodate an end-user of the property. If the final location of the multi-use trail cannot lie adjacent to Hay Creek due to topographic constraints, BPRD has indicated that an alternative would be to locate the multi-use trail within the North 19th Street public right-of-way.
2. The proposed zoning change would be somewhat compatible with adjacent land uses. Adjacent land uses include agricultural to the north and east, developing commercial property to the south and five, rural residential homes to the west. The commercial development would be directly north and east of the existing homes and separated by a public street.
3. The proposed zoning change may have an adverse impact on property in the vicinity; in particular, there are existing rural residentially-zoned homes directly adjacent to the proposed subdivision. Additionally, staff would prefer that the Hay Creek corridor be allowed to remain intact and be separated from developable lots through the use of an easement along the edge of the floodway or separate lots intended to preserve the natural corridor and drainageway.
4. The entire property would be annexed prior to development; therefore the subdivision would not place an undue burden on public services.
5. The proposed zoning change is generally consistent with the general intent and purpose of the zoning ordinance.
6. The proposed subdivision is generally consistent with the master plan, other adopted plans, policies and accepted planning practice.

Mr. Tomanek then gave the findings for the final plat:

1. The preliminary plat was tentatively approved by the City Planning & Zoning Commission on June 26, 2013. The final plat was submitted in June 2013 and has been revised several times over the past 15 months.
2. All technical requirements for approval of a final plat have been met.
3. The storm water management plan has been approved by the City Engineer.

4. The proposed subdivision would be somewhat compatible with adjacent land uses. Adjacent land uses include agricultural to the north and east, developing commercial property to the south and rural residential homes to the west. The commercial development would be directly north and east of the existing homes and separated by a public street.
5. The proposed subdivision is generally consistent with the 2014 Fringe Area Road Master Plan, which identifies an extension of 19th Street North as the north/south collector for Section 15, Hay Creek Township.
6. The proposed subdivision may have an adverse impact on property in the vicinity; in particular, there are existing rural residentially-zoned homes directly adjacent to the proposed subdivision. Additionally, staff would prefer that the Hay Creek corridor is allowed to remain intact and be separated from developable lots through the use of easements or separate lots intended to preserve the natural corridor and drainage way.
7. An annexation request for portions of the property has been submitted in conjunction with this request and development would not be permitted on parcels that are not within City limits; therefore, the subdivision would not place an undue burden on public services.
8. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance.
9. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

Mr. Tomanek said based on the above findings, staff recommends approval of the zoning change from the RT – Residential and CG – Commercial districts to the CG – Commercial zoning district for Lots 1-3, Block 1; from the CG – Commercial and P – Public zoning districts to the CG – Commercial zoning district for Lots 1-3, Block 2; from the CG – Commercial zoning district to the CG – Commercial zoning district for Lots 1-3, Block 3; from the RT – Residential and P – Public zoning districts to the RT – Residential zoning district for Lots 2-8, Block 4; and from the MA – Industrial and P – Public zoning districts to the MA – Industrial zoning district, Meadowlark Commercial 7th Addition; the annexation of Lots 1-3, Block 1, Lots 1-2, Block 2, and Lots 1-4, Block 4, Meadowlark Commercial 7th Addition; the proposed amendment to the Future Land Use Plan (FLUP) in the 2014 Growth Management Plan for Section 15, T139N-R80W/Hay Creek Township, to introduce the office/mixed-use land use classifications into an area classified as commercial and open space/conservation land uses between North 19th Street and the Canadian Pacific Railroad right-of-way north of East Lasalle Avenue; and the final plat of Meadowlark Commercial 7th Addition, with the understanding that the applicant will meet with the Bismarck Parks and Recreation District staff to determine a mutually acceptable location for the future Hay Creek multi-use path and lots are not developable until such time as all adjacent roadways are in place or under contract to be constructed.

Commissioner Lee asked for the annexation portions to be explained again. Mr. Tomanek said the south part of the proposed plat is already annexed, all of Block 3 would stay out of City limits and the rest would be annexed.

Commissioner Lee asked if this will create holes in what is annexed and what is not. Mr. Tomanek said the three lots that are not being annexed are directly adjacent to others that are not annexed, so there should not be an issue of gaps in annexed lots being created.

Chairman Yeager opened the public hearing.

Kevin Nelson, Larson Engineering, said the preliminary plat was started in 2013 and every time an existing issue was worked out a new one would come up. He said this plat will be a wonderful addition to the city and the owners have plans that will benefit the city. He said the owner requested the P-Public zoning district be changed to the RT-Residential zoning district as there are not any plans for multi-family housing to be in that location but rather offices, a park and a multi-use trail through the property would not benefit the sale of the property and a green space along the edge of the plat would be more ideal. He said he realizes the sensitivity of the impact on the neighbors and that the developer can still do the project without having to develop directly adjacent to Gussner's Acreage Homesites. He said not annexing the three lots means Brookside Lane will not have to become a major connection to 19th Street North at this time. There being no further comments, Chairman Yeager closed the public hearing.

Mr. Tomanek added that the zoning map in the packet has an error in the zoning district labels, but that the lots and blocks description in the staff report is correct.

MOTION: Based on the findings contained in the staff report, Commissioner Armstrong made a motion to approve the zoning change from the RT – Residential and CG – Commercial districts to the CG – Commercial zoning district for Lots 1-3, Block 1; from the CG – Commercial and P – Public zoning districts to the CG – Commercial zoning district for Lots 1-3, Block 2; from the CG – Commercial zoning district to the CG – Commercial zoning district for Lots 1-3, Block 3; from the RT – Residential and P – Public zoning districts to the RT – Residential zoning district for Lots 2-8, Block 4; and from the MA – Industrial and P – Public zoning districts to the MA – Industrial zoning district, Meadowlark Commercial 7th Addition; the annexation of Lots 1-3, Block 1, Lots 1-2, Block 2, and Lots 1-4, Block 4, Meadowlark Commercial 7th Addition; the proposed amendment to the Future Land Use Plan (FLUP) in the 2014 Growth Management Plan for Section 15, T139N-R80W/Hay Creek Township, to introduce the office/mixed-use land use classifications into an area classified as commercial and open space/conservation land uses between North 19th Street and the Canadian Pacific Railroad right-of-way north of East Lasalle Avenue; and the final plat of Meadowlark Commercial 7th Addition, with the understanding that the applicant will meet with the Bismarck Parks and Recreation District staff to determine a mutually acceptable location for the future Hay Creek multi-use path and lots are not developable until such time as all adjacent roadways are in place or under contract to be constructed. Commissioner Schwartz seconded the motion and the request was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Donahue, Laning, Lee, Schwartz, Selzler, Waldoch and Yeager voting in favor of the motion.

OTHER BUSINESS

Chairman Yeager noted that this is Commissioner Armstrong's last meeting and thanked him for his multiple years of dedication to both the City of Bismarck and Burleigh County as well of all of the work he did during the flood event in 2011.

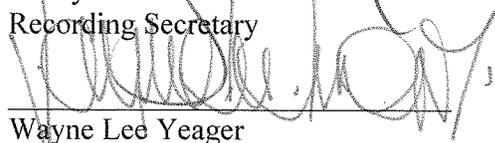
ADJOURNMENT

There being no further business, Chairman Yeager declared the Bismarck Planning & Zoning Commission adjourned at 5:42 p.m. to meet again on December 17, 2014.

Respectfully submitted,



Hilary Balzum
Recording Secretary



Wayne Lee Yeager
Chairman

Hilary Balzum

From: Planning General Mailbox
Sent: Thursday, October 23, 2014 8:56 AM
To: Jenny Wollmuth; Kim Lee; Hilary Balzum
Subject: FW: Oakland split and road

From: [redacted] [mailto:[redacted]]
Sent: Thursday, October 23, 2014 6:00 AM
To: Planning General Mailbox
Subject: Oakland split and road

Please forward this to all members of Planning and Zoning involved.

I am writing again because at the time of the next meeting I will be home with a newborn and unable to attend. My husband may not be able to attend either depending on how things are going.

City planning listed this as not being detrimental to any neighbors. Have you even looked at what you are doing to our property? You are boxing us in on three sides by roads. That is detrimental to our life and to our property value. This is not city yet out here and decreases the value of our home. Is the city going to pay us for loss in property value and quality of life?

The township representative even got up and said this is a road. Slapping a pretty term on it doesn't change reality. Oakland stated to my husband at after the initial subdivision meeting that the only time he would consider splitting the lot is if his children wanted to build a home near them. He has already lied to us as well. What will be next he decides to split the lot a few more times and City planning turns a blind eye again. What regulations and rules will city planning apply to this split to prevent this?

You have not had a non-partial engineering firm measure to see if there is room for this road - per Jenny Wollmuth. City planning told us at the meeting for the initial Oakland subdivision that there would never be a road there because there was not legally room for one. Were you lying to us? Why have you not measured to be sure? How can you rule on something without the facts?

Oakland has room to the south between to empty plotted spaces for a road that would not then affect our home and box us in. There is nothing there now. There would be no problem for a road to be put in allowing adequate legal room.

Before this split and ROAD are allowed we would like to see and have reviewed as we feel necessary any legal documentation drawn up by city planning. This does have a very detrimental affect on our home and again we were told by City Planning there would never be a road there because there was not legal room for a road.

Thank you

Roberta Hambrick

Hilary Balzum

From: Planning General Mailbox
Sent: Monday, October 27, 2014 4:57 PM
To: Jenny Wollmuth; Hilary Balzum
Subject: FW: Oakland split and road

From: [REDACTED] [mailto:[REDACTED]]
Sent: Friday, October 24, 2014 1:58 PM
To: Planning General Mailbox
Subject: Oakland split and road

Please forward to all members involved.

I will not be able to attend due to it being the end of my pregnancy but want to be sure you understand this is very important to me. We have been in our home nine years and love our home. We do not want it destroyed. Boxing us in on three sides with roads is detrimental and does ruin our quality of life. We are starting to feel like our only chance of anyone listening to us is to take legal action.

More Detrimental aspects to the neighbor most directly affected by city planning trying to allow an illegal road. It would be nice if city planning actually looked at this in person because trying to take a nap in my ninth month of pregnancy I had to listen to noise from the Oakland property again inside my own home with the windows shut. Explain to me how this is not detrimental.

A voting member of your committee got up and stated this is a road. Why else are you talking about maintenance?

Is this even legally far enough back from our property line in the first place because it will be a road and there will be building/maintenance required because of three lots being accessed off of it?

With this road being too close to our property line who is going ensure they do not destroy our fence. We have equines and if they continue to have the numerous noisy vehicles going in and out all the time who is going to pay vet bills due to them spooking my horses or causing wire cuts and such?

Are you going to place a noise ordinance to prevent loud vehicles?

Why can't this road be run to the south to connect in with the rest of his subdivision? Wouldn't that make more sense in case he wants to further divide his lot? As City planning told us there is not legal room for a road because of their chosen location. Any further divisions of his property would then be a huge mess, not? Then he has a legal road put in where there is currently nothing to make it illegal.

If he decides to rent out this barn to family and friends who will limit the amount of traffic and noise to a reasonable level for a so called "driveway?" They have not been at all respectful about noisy vehicles so far and we have a right to be allowed to sleep in our own home. You have an obligation to think about that when you list this as not detrimental.

Is he going to start trying to run the trucks for construction behind our house because everyone in Fox Haven is pissed at him for destroying our peaceful, pleasant neighborhood? What regulations or monitoring will city planning be providing to ensure this doesn't happen? Again you have an obligation because this is detrimental to our life.

There is no room for snow removal. The previous neighbors struggled in years with heavy snow fall to try and clear snow. More than once they damaged our fence. What regulations is city planning going to place to ensure this doesn't happen with three lots on a road directly on our property line? Again if the fence is damaged what protects my equines? Again this is detrimental to our safety and well being. Again there is room for a road to connect his desired lot to the south where there is nothing to make it illegal. He can re-plot those two lots easily if needed at this point. That would not be detrimental to anyone.

There is no room for a ditch and not a safe distance between our property line and the road for fire safety. If you were to come out here and look at the distance you would see it borders our tree row. A spark from chains or a vehicle or a cigarette butt thrown out pose a great risk to destroying our home. VERY DETRIMENTAL AND UNSAFE.

As this is all new plotting on a previously one owner property why is city planning not looking at this like a new property and requiring a safe and legal road to be put in not on a property line where there is no room? There are other options available to the Oaklands.

Thanks

Roberta Hambrick

8200 Arcata Drive

Hilary Balzum

From: Roberta Hambrick [REDACTED]
Sent: Friday, November 07, 2014 12:34 PM
To: Planning - General Mailbox
Subject: Oakland lot split

Please forward to all committee members.

Why are you not using the half section line on the west side of Oakland's subdivision as the roadway? This area is there for that purpose. All three lots should be directed to that side and that half section used as a legal roadway. Which would create a conforming situation.

We would have no objection to this if you route all three lots there and take out the current road on our property line. This would also eliminate future hassles because that is an area left for the purpose of a road.

We went through rezoning and followed through with all requirements placed by the city to make sure our property change was not detrimental to our neighbors. We expect that the city planning will force the same rules/requirements on ALL people within their jurisdiction.

Thank you

Roberta Hambrick