

**BOARD OF ADJUSTMENT**  
**Tuesday, September 26, 2023 | 9:00AM**  
**City Commission Chambers**  
**AGENDA**

1. Approve Minutes - July 25, 2023
2. New Business
  - a. Variance Request – 1333 8<sup>th</sup> Street South
    - i. The variance request at 1333 8th Street South, if granted would allow a detached garage to exceed the height restriction for accessory structures in the SR-2, Single-Dwelling Residential zoning district. Section 20-0403 of the Fargo Land Development Code states that accessory structures shall not exceed 15 feet in height in the SR-2, Single Dwelling Residential zoning district.
  - b. Appeal of Administrative Decision – 338 9<sup>th</sup> Avenue South
    - i. Appellant claims staff erred in its determination to approve a Land Management Plan / Permit issued at 338 9<sup>th</sup> Avenue South. Land Management Plan / Permits allow plantings to exceed the maximum 8 inch length as defined by the City of Fargo Municipal Code, Article 11-08.
3. Other Business
  - a. Fargo Growth Plan Open House opportunities - October 17 & 18
4. Adjourn – Next Meeting: October 24, 2023

Board of Adjustment meetings are broadcast live on cable channel TV Fargo 56 and can be seen live by video stream on [www.FargoND.gov/streaming](http://www.FargoND.gov/streaming). They are rebroadcast each Tuesday at 9:00 a.m. for one month following the meeting.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Planning Office at 701.241.1474 or TDD at 701.241.8258. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements.

## **BOARD OF ADJUSTMENT MINUTES**

### **Regular Meeting:**

**Tuesday, July 25, 2023**

The Regular Meeting of the Board of Adjustment of the City of Fargo, North Dakota, was held in the Commission Chambers at City Hall at 9:00 a.m., Tuesday, July 25, 2023.

The Members present or absent were as follows:

Present: Deb Wendel-Daub, Matthew Boreen, Jared Heller, Michael Love, Michael Orth

Absent: None

Chair Love called the meeting to order.

#### **Item 1: Approval of Minutes: Regular Meeting of January 5, 2023**

Member Boreen moved the minutes of the January 5, 2023 Board of Adjustment meeting be approved. Second by Member Wendel-Daub. All Members present voted aye and the motion was declared carried.

#### **Item 2: Annual Meeting / Election of Officers**

Member Boreen moved Mike Love be nominated as the Board of Adjustment Chairperson and Deb Wendel-Daub be nominated as the Board of Adjustment Vice-Chairperson. Second by Member Orth. All Members present voted aye and the motion was declared carried.

#### **Item 3: Other Business**

No other business was presented.

#### **Item 4: Adjournment – Next Meeting: August 22, 2023**

Member Wendel-Daub moved to adjourn the meeting at 9:01 a.m. Second by Member Heller. All Members present voted aye and the motion was declared carried.

# CITY OF FARGO

## Board of Adjustment

### Variance Staff Report

<b>Item No:</b> 2.a	<b>Date:</b> September 21, 2023
<b>Address:</b> 1333 8 <sup>th</sup> Street South	
<b>Legal Description:</b> Lot 9, Block 4, Huntingtons Addition	
<b>Owner(s)/Applicants:</b> Larry Scilley	
<b>Reason For Request:</b> To allow a detached garage exceed the maximum allowable accessory building height.	
<b>Zoning District:</b> SR-2, Single Dwelling Residential	
<b>Status:</b> Board of Adjustment Public Hearing: September 26, 2023	

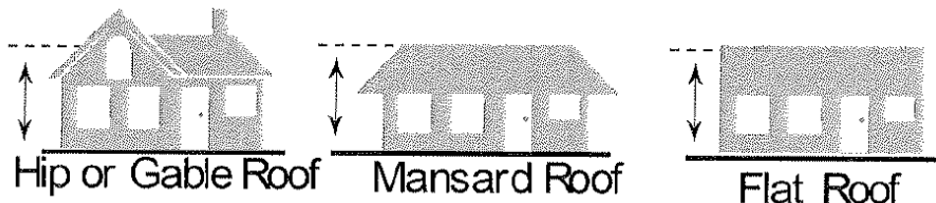
SR-2 Accessory Structure Standards		Proposed New Accessory Structure	
<b>Rear Setback:</b>	3'	<b>Rear Setback:</b>	5'
<b>Interior Side Setback:</b>	3'	<b>Interior Side Setback:</b>	3'
<b>Max. Accessory Building Height:</b>	15'	<b>Accessory Building Height:</b>	<b>18'-4"</b>

#### Background:

The applicant proposes to demolish the existing garage and construct a new, 720 square foot (24' x 30'), 18'-4" foot tall garage on the subject property within the SR-2 (Single-Dwelling Residential) zoning district. Section 20-0403 of the Land Development Code limits accessory structures to a maximum building height of 15 feet within the SR zoning districts. The applicant is requesting a variance in order to allow the new structure to have a second story for storage while keeping a roof line and pitch that compliments the primary structure (house).

20-0504 (G) Height of the Measurements and Exemptions section outlines how building height is measured:

*Building height refers to the vertical distance between the average finished grade at the base of the building along the side of the building being measured and: 1) the average height level between the eaves and ridge line of a gable, hip, gambrel or mono-pitch roof; 2) the highest point of a mansard roof; or 3) the highest point of the coping of a flat roof.*



There are exceptions that are considered when calculating the height limit, as noted in sub-item 2:

*Zoning district height limits do not apply to belfries, cupolas, spires, domes, monuments, airway beacons, radio/communication towers, structures for essential services, windmills, flagpoles, chimneys, radio/television receiving antennas or chimney flues. Height limits also do not apply to any dormer, bulkhead, elevator, water tank, or to any similar structure or necessary mechanical appurtenance extending above the roof of any building if such structure does not occupy more than 33⅓ percent of the area of the roof. No dormer may exceed the highest point or peak of the structure to which the dormer is attached even when the structure is exempt from a height limitation.*

The applicant's proposed garage roof design exceeds the maximum height for accessory structures in SR zoning, and it also contains a 14 foot long dormer on both sides of the peak to exceed the 33 1/3% Exemption to Height Limits section.

## **Criteria for Approval & Staff Analysis:**

**§20-0914.E.1 of the LDC states that, “A variance may be granted by the Board of Adjustment upon an affirmative finding that all of the following conditions exist.”**

- a. The requested variance arises from conditions that are unique to the subject property not ordinarily found in the same zoning district and are not a result of the owner’s intentional action;**

Staff finds that the requested variance arises from proposed conditions that are self-imposed by the applicant, and does not arise from conditions that are unique to the subject property. **(Criteria NOT satisfied)**

- b. The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;**

Staff has no data that would identify an adverse impact to adjacent neighbors with this variance. In accordance with the notification requirements of the LDC, neighboring property owners were provided notice of the variance request. As of the writing of the staff report, staff has not received any comments on this application. **(Criteria satisfied)**

- c. The strict application of the applicable standards will constitute an unnecessary physical hardship (not economic hardship) because the property cannot be used for an otherwise allowed use without coming into conflict with applicable site development standards;**

Staff finds that strict application of the applicable standards will not constitute an unnecessary physical hardship because the property can be used and a structure is able to be constructed complying with all applicable site development standards. Additionally, staff suggests that there are alternative options available for the storage that would not require the granting of a variance. **(Criteria NOT satisfied)**

- d. The variance desired will not adversely affect the public health, safety or general welfare;**

Staff has no data that would identify an adverse effect on public health, safety or general welfare. No public health, safety or general welfare issues have been identified. **(Criteria satisfied)**

- e. The variance is the minimum variance that will overcome the hardship;**

As mentioned above, staff suggests that there is no hardship because the accessory structure is not required for the use and enjoyment of the property for residential household living. However, if a hardship was found to exist, the proposed variance would be the minimum variance needed for the applicants to construct the new garage to the height proposed by the applicant. **(Criteria satisfied)**

**Staff Recommendation:** “To accept the findings of staff and deny the requested variance to allow an accessory structure to exceed the maximum accessory building height in the SR-2 zoning district on the basis that the review criteria of Section 20-0914.E.1 (a & c) have not been met.”







**Planning & Development**  
225 4th Street North  
Fargo, ND 58102  
Office: 701.241.1474 | Fax: 701.241.1526  
Email: [Planning@FargoND.gov](mailto:Planning@FargoND.gov)  
[www.FargoND.gov](http://www.FargoND.gov)

## VARIANCES (§20-0914)

The Board of Adjustment is authorized to grant variances from the zoning district dimensional standards and off-street parking and loading standards of the Land Development Code (LDC) that will not be contrary to the public interest or the spirit of the LDC, where owing to special conditions, a literal enforcement of the provisions of this LDC would result in unnecessary physical (not economic) hardship to the property owner.

### Variance Application Process

- 1) The application and a nonrefundable fee of \$185 are due at the time of submittal
- 2) Notice of the Public Hearing is mailed to property owners within 300 feet of the proposed site at least 15 days prior to the Hearing and published once a week for two consecutive weeks in the newspaper.
- 3) The City Planner reviews your case, develops a staff report and prepares a recommendation to the Board of Adjustment based on the Criteria for Approval, below.
- 4) Board of Adjustment meetings are scheduled as needed.

### Criteria for Approval

A variance may be granted by the Board of Adjustment upon an affirmative finding that all of the following conditions exist.

- a. The requested variance arises from conditions that are unique to the subject property, that are not ordinarily found in the same zoning district and that are not a result of the owner's intentional action;
- b. The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;
- c. The strict application of the applicable standards will constitute an unnecessary physical hardship (not economic hardship) because the property cannot be used for an otherwise allowed use without coming into conflict with applicable site development standards;
- d. The variance desired will not adversely affect the public health, safety or general welfare; and;
- e. The variance is the minimum variance that will overcome the hardship.

**Acknowledgement** – I hereby acknowledge that I have familiarized myself with the rules and regulations to the preparation of this submittal and that the foregoing information is true and complete to the best of my knowledge. I, the undersigned, do hereby petition the Board of Adjustment of the City of Fargo, North Dakota, to take such action as may be required by law of the City of Fargo to grant a variance pursuant to Section 20-0914 of the Land Development Code of the City of Fargo.

Owner (Signature): Larry J Scilley Date: 8/21/2023  
**Note:** A nonrefundable filing fee of \$185.00 must be accompanied with the application at time of submittal.

#### Office Use Only

Date Filed: \_\_\_\_\_ Planning Contact: \_\_\_\_\_ Nonrefundable Fee \$185.00: Visa X3TH  
Larry Scilley

**RECEIVED**  
8/21/2023



## APPLICATION FOR VARIANCE

The Board of Adjustment is authorized to grant variances from the zoning district dimensional standards and off-street parking and loading standards of the Land Development Code (LDC) that will not be contrary to the public interest or the spirit of the LDC, where owing to special conditions, a literal enforcement of the provisions of this LDC would result in unnecessary physical (not economic) hardship to the property owner.

### Property Owner Information:

Name (printed): Larry  
Address: 1333 8th St. S.  
Primary Phone: 701-237-3316  
Alternative Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Email: larryjscilley@gmail.com

### Representation Information: (if applicable)

Name (printed): \_\_\_\_\_  
Address: \_\_\_\_\_  
Primary Phone: \_\_\_\_\_  
Alternative Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

### Location of property requesting a variance:

Address: 1333 8th St. S.  
Zoning District: SR-2  
Legal Description: lot 9 block 4 Huntingtons  
\_\_\_\_\_  
\_\_\_\_\_

### Proposed Variance Information:

What Land Development Code Standard are you seeking a variance? (e.g. setback, lot coverage, height)  
Height

Please describe difference between the standard and the proposed (e.g. the standard is 10 ft. and my project would propose a 7' setback).

I have 2 plans: one has 15' 9 3/8" to midpoint of the roof, the other has 16' 3 3/8" midpoint of roof

Please explain your project, describing why you are requesting a variance and why you believe a variance is justified. Along with your project description, please include a site plan/diagram with dimensions. (Attach additional pages, if needed.)

I'm planning to build a double garage in my back yard. I would like the garage to be a story  
and a half for extra storage. I want the garage to match the look of my house, which is a  
story and a half, and located in a historical part of Fargo. The garge will be used for 2  
vehicles and a lawn mower, snowblower, shovels, rakes and various seasonal essentials.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Criteria for Approval:**

Please explain how your requested variance meets the following five criteria for approval, pursuant to Section 20-0914 of the Land Development Code: (Attach additional pages, if needed.)

1. The requested variance arises from conditions that are unique to the subject property, that are not ordinarily found in the same zoning district and that are not a result of the owner's intentional action;

I feel the lot is not large enough to make a three stall garage to store our vehicles, the green space left will be very small,

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2. The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;

No

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3. The strict application of the applicable standards will constitute an unnecessary physical hardship (not economic hardship) because the property cannot be used for an otherwise allowed use without coming into conflict with applicable site development standards;

The extra space in the garage would provide more storage space, since the house is small

and does not have much storage space in the house.

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4. The variance desired will not adversely affect the public health, safety, or general welfare; and

No

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5. The variance is the minimum variance that will overcome the hardship.

I have two separate plans to follow that should work in the space of the yard.

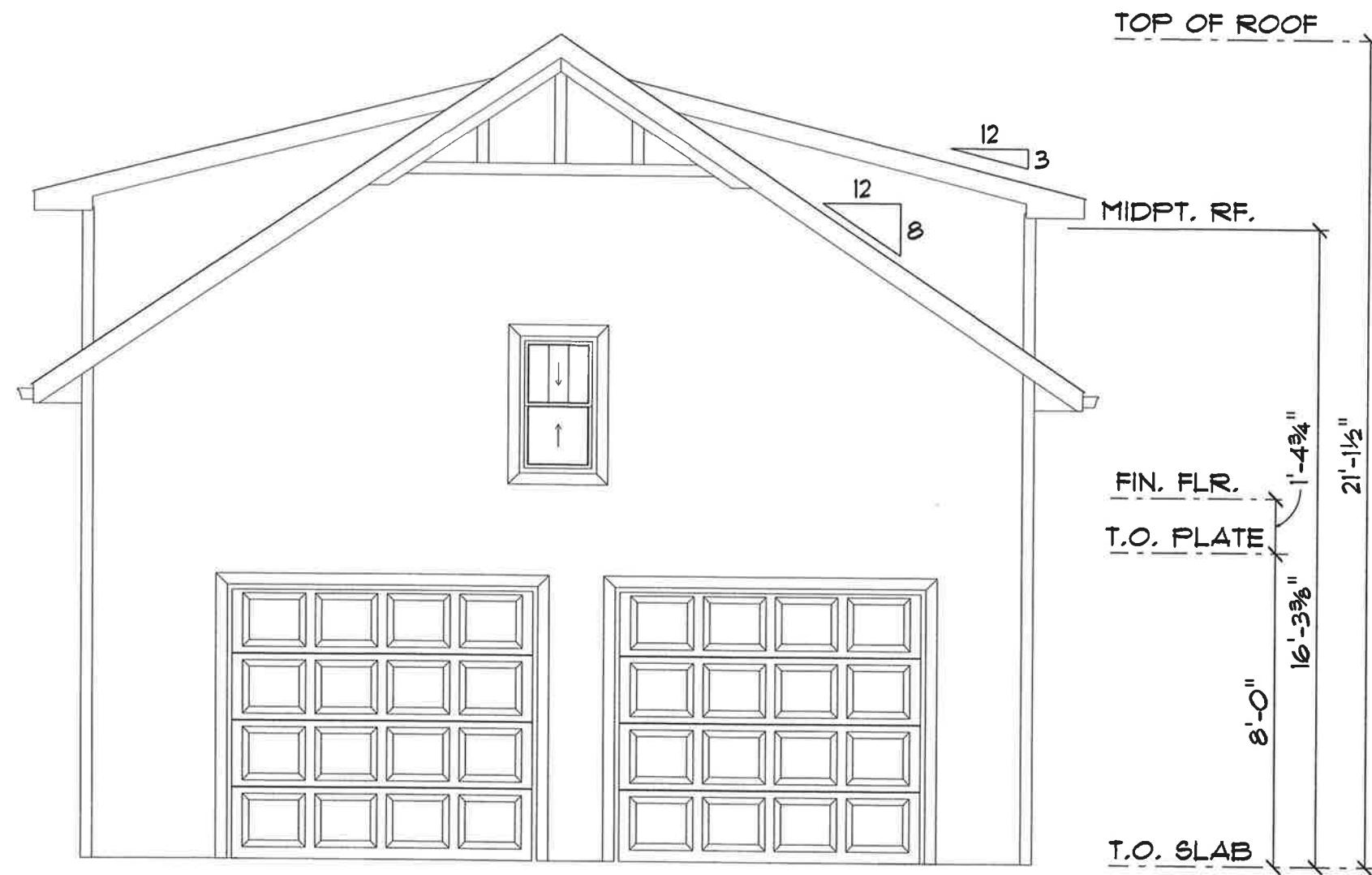
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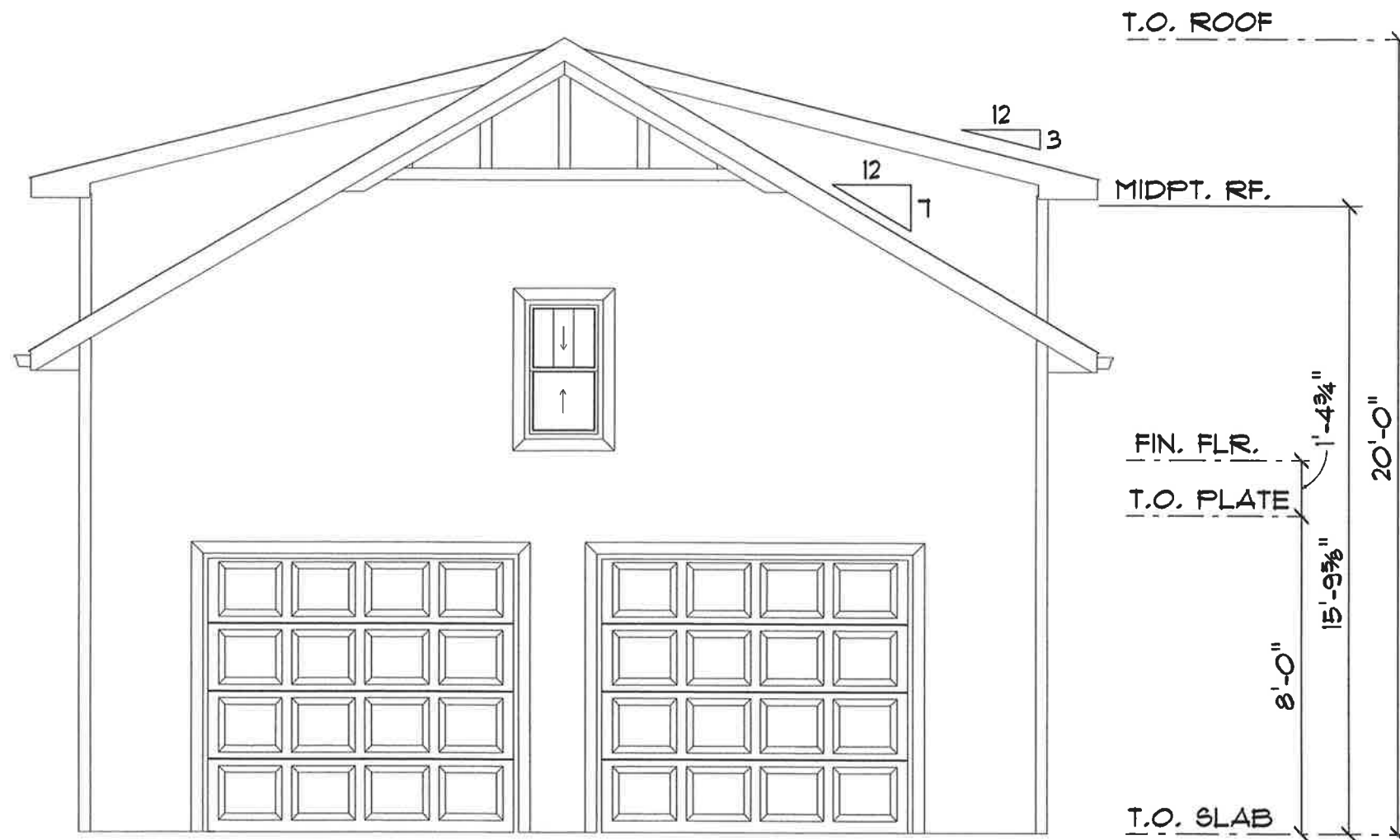
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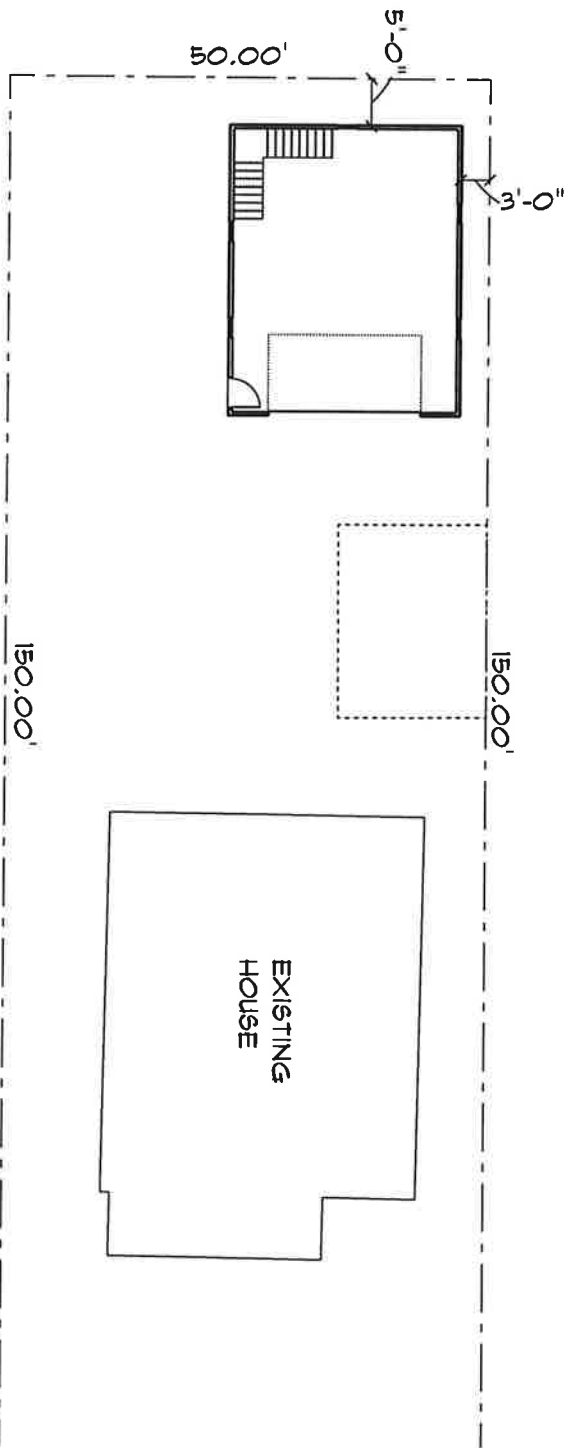
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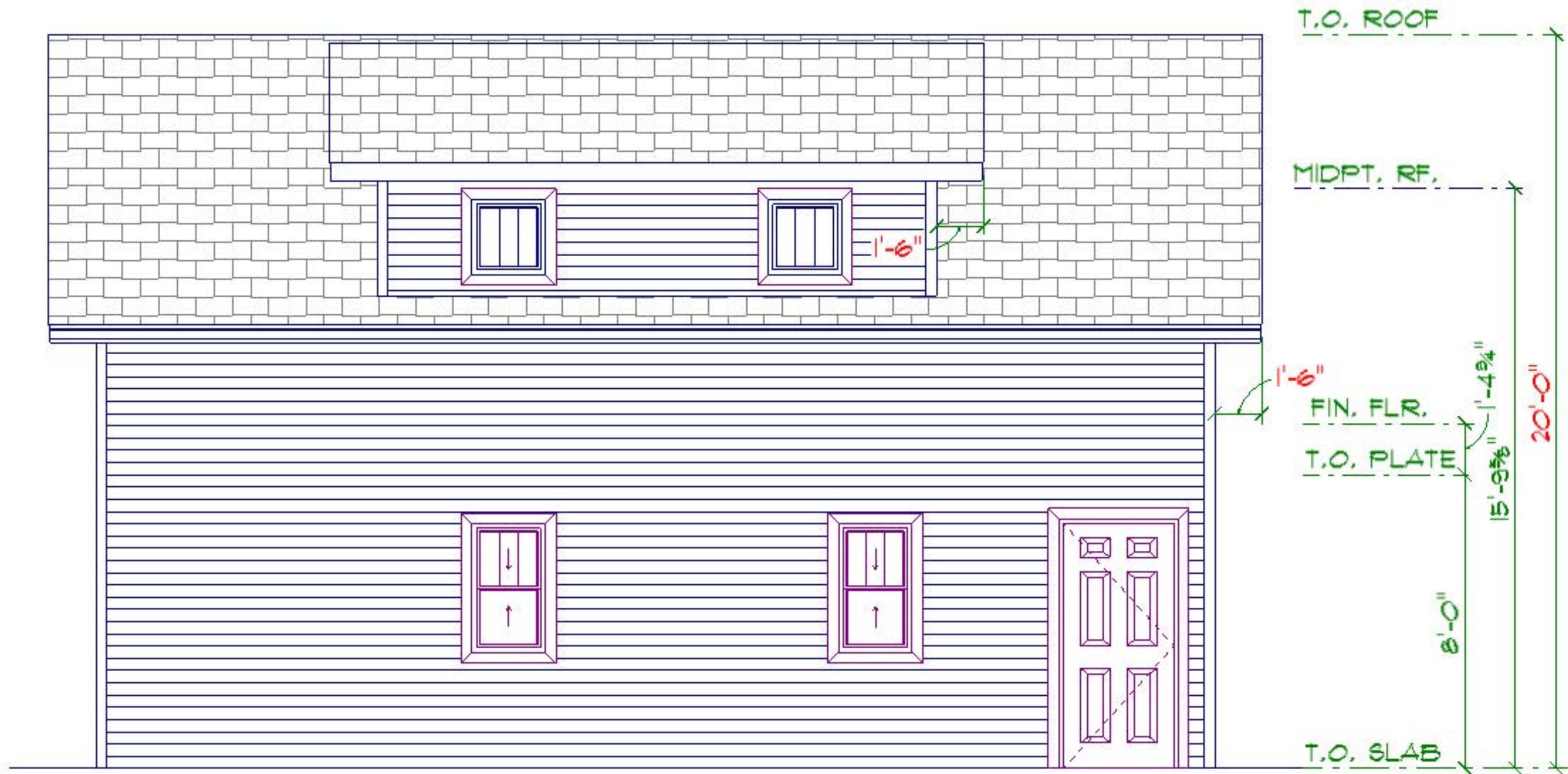








**SITE PLAN**  
SCALE: 1" = 20'-0"



SOUTH ELEVATION 7:12

To: Michael Love, Chair – Board of Adjustment  
From: Scott Liudahl, City Forester  
Re: Land Management Plan – 338 9<sup>th</sup> Ave S  
Date: 9/26/23

Chapter 11 of the Fargo Municipal Code requires property owners to remove noxious or other weeds, and to maintain the growth of grass so it does not exceed 8" in length. However, these requirements do not apply to a property where the owner or person in control of the property has applied for and obtained a land management plan/permit (LMP) from the city allowing grass growth to exceed 8" in length. This allows property owners the opportunity to promote native and other plants and grasses in their landscape, including pollinator gardens/plants, vs. traditional Kentucky blue grass.

This permit process includes:

- Written plan, and map, identifying the areas on the property
- Description of the plants
- Management and maintenance techniques to be utilized
- 200' mailing to adjacent owners – opportunity to appeal
- Agreeing to mow or cut if ordered to do so

After reviewing the information provided by the applicants at 340 9<sup>th</sup> Ave S, Darrell Ross and Kimberly Wallen (the adjacent property owners), the plan/permit has been approved. Per the notification process, one appeal was received.

Three years ago, knowing it was not their property but also knowing nothing was going to be done with it, Darrell and Kimberly contracted with MN Native Landscapes, formerly Prairie Restorations Inc., to install the prairie landscape on this piece of city property. Three years later, it is well established. Prior to proceeding with the LMP, this was discussed with public works and environmental health staff.

The attached information includes: related ordinance, approved LMP, supporting information provided by the applicant, site location, photos, and the appeal.

In working with Nancy Morris, an agreement has been developed, allowing Darrell and Kimberly to use and maintain the property. This agreement is currently working its way through the Public Works Project Evaluation Committee, and will go to city commission for final approval.

**Suggested motion:**

**Support the approved land management plan/permit as presented, and deny the appeal.**

Thank you.

LMP 338 9<sup>th</sup> Ave S BOA (projects-areas).doc



11-0805. - Control of stagnant water, noxious or other weeds, tall grass.

No stagnant water shall be allowed to stand or remain, noxious or other weeds, or grass allowed to grow more than eight inches (8") in length upon or along the line of any railroad, street, highway, alley, public place, along or upon any vacant or other lot or real estate parcel, public or private, or other place within the city. For purposes of this article, "noxious weeds" shall mean any species of plant or vegetation recognized by the North Dakota State Weed Board as a noxious weed.

Source: 1952 Rev. Ord. 11-0801, 2512 (1990), 4533 (2006), 5143 (2018).

11-0806. - Duty of property owners to control stagnant water, fill excavations, remove dirt piles, noxious or other weeds, tall grasses.

It shall be the duty of all property owners, occupants, or persons having control over private property to remove or drain stagnant water, to fill excavations, to remove dirt piles, to remove noxious or other weeds, and to maintain the growth of grass on such property so that it does not exceed eight inches (8") in length. These requirements apply to areas along and upon any railroad, street, highway, alley, public place or along or upon any vacant or other lot or place within the city.


Source: 1952 Rev. Ord. 11-0801, 2512 (1990), 4533 (2006), 5143 (2018).

11-0807. - Failure to drain stagnant water, fill excavations, remove dirt piles, remove weeds, maintain grass.

Notice of a violation of this article shall be mailed to the record property owner as shown in the property tax records maintained in the city assessor's office, upon any agent of the property owner, and upon any occupant of the property when appropriate. The owner, agent, tenant or person in charge of the property shall take appropriate action to remove the stagnant water, fill excavations, remove dirt piles, fill holes or depressions, cut and/or keep down the growth of any noxious or other weeds, and maintain all grasses not to exceed eight inches (8") in height, as directed by the health department within the specified period of time. If the property owner, tenant, or agent fails to take such appropriate action within the time period as directed by the health department, the health department shall have authority to remove or drain off any stagnant water, fill all excavations, holes, or depressions, and cut or mow any noxious or other weeds and grasses.

Source: 1952 Rev. Ord. 11-0801, 2512 (1990), 4533 (2006), 5143 (2018).

11-0808. - Control of noxious and other weeds, grass—exceptions to general requirements.



The requirements in this article requiring control of noxious and other weeds and grasses do not apply to property where the owner or person in control of the property has applied for and obtained a land management plan permit from the city allowing grass growth to exceed eight inches (8") in length.

Source: 1952 Rev. Ord. 11-0801, 2512 (1990), 4533 (2006).

11-0809. - Land management plan permit—Issuance.

To obtain a land management plan permit, the applicant must submit a written plan identifying the specific area where the plantings or grass is planned to exceed eight inches (8") in length, a statement of intent and purpose for the area, a drawing, plot plan and/or survey showing the location of the planting on the applicant's property, a detailed description of the plant types and plant succession involved, and specific management and maintenance techniques to be employed. The land management plan must include provisions for maintaining plantings at a length not to exceed eight inches (8") in the area between the sidewalk and the street, or a strip not less than fifteen feet (15') adjacent to the street where there is no sidewalk, as well as a strip not less than four feet (4') adjacent to neighboring property lines unless waived in writing by the abutting property owner on the side so affected. Any such waiver of the requirements shall be affixed to the application and plan. No area of city owned property within any street right-of-way may be included within a land management plan. This shall include the property between the sidewalk and the street and not less than fifteen (15) feet adjacent to the street where there is no sidewalk. As a condition of receiving approval of a land management permit, the applicant agrees and understands to mow or cut any grass or plantings when ordered to do so by the health officer or any other city official or designee thereof.

Source: 1952 Rev. Ord. 11-0801, 2512 (1990), 4533 (2006).

11-0810. - Permit application—Review.

An application for a land management plan permit shall be on a form provided by the city shall be submitted to the forestry department. A copy of the application shall be mailed to each of the owners of record, as listed in the office of the City Assessor, who are owners of the property situated in whole or in part within 200 feet of the boundaries of the properties affected. The application and any related information shall be considered by the city forester. The city forester shall have authority, after reviewing all appropriate materials and information, to approve or deny the application. An applicant who has had a permit denied or revoked, or an affected property owner in the event a permit is granted, may appeal the decision of the city forester to the board of adjustment. Such appeal must be made in writing within fifteen (15) days of the city forester's decision and shall be heard at a regular meeting of the board of adjustment.

Source: 1952 Rev. Ord. 11-0801, 2512 (1990), 4533 (2006).

11-0811. - Owner or occupant's responsibilities concerning land management plan.

An owner or occupant receiving a land management plan permit agrees to maintain any grass or plantings so as not to present hazards or to create a nuisance for adjoining properties, or to persons or vehicles traveling on the public ways. An owner or occupant receiving such permit also agrees to manage and maintain such grass or plantings such that they do not present a hazard to structures on affected land and to maintain such plantings as to enhance the appearance of the property on which they are located.

Source: 1952 Rev. Ord. 11-0801, 2512 (1990), 4533 (2006).

11-0812. - Authority of city to manage and control grass and plantings within an area included within a land management plan.

Notwithstanding issuance of a land management pan permit, the city may order the cutting of such grass or plantings included within a land management plan at any time the city determines that the growth may constitute a fire or safety hazard as to cause danger to the safety of the inhabitants of any residential structure on located on the premises or to the citizens and residents of the neighborhood. Any costs incurred by the city shall be charged to the owner, occupant, or person in control of the property as authorized under this article.

Source: 1952 Rev. Ord. 11-0801, 2512 (1990), 4533 (2006).



## PUBLIC WORKS OPERATIONS

Fleet Management, Forestry,  
Streets & Sewers, Watermeters,  
Watermains & Hydrants  
402 23<sup>rd</sup> STREET NORTH  
FARGO, NORTH DAKOTA 58102  
PHONE: (701) 241-1453  
FAX: (701) 241-8100

### Land Management Plan Application/Permit

Property owner, address(s), phone: Kimberly Wallin and Darrell Ross; 340 9<sup>th</sup> Ave S, Fargo, ND 58103; 541-231-9027 (Kimberly) and 541-231-9426 (Darrell)

Proposed location of landscape: 338 9<sup>th</sup> Ave S, Fargo, ND 58103

Date of application: 6/27/23

Intent and purpose of landscape: Restore native prairie vegetation by contract with Minnesota Native Landscapes (formerly Prairie Restoration Inc.) similar to the prairie along the bike path at intersection with 1<sup>st</sup> Ave N in downtown Fargo to provide habitat for birds, pollinators, and other

Types of plants/grasses to be used (Buffalo Grass, Blue Grama, etc). Include plant name and mature height: See attached plan prepared by Minnesota Native Landscapes.

Management and maintenance techniques to be utilized: In consultation with Minnesota Native Landscapes, we will do all activities that they recommend.

Attach diagram/plan:

**Note:** No area of city owned property within any street right-of-way may be included within a land management plan. This shall include the property between the sidewalk and the street and not less than fifteen (15) feet adjacent to the street where there is no sidewalk. As a condition of receiving approval of a land management permit, the applicant agrees and understands to mow or cut any grass or vegetation when ordered to do so by the health officer or any other city official or designee thereof.

A four (4) foot buffer adjacent to neighboring properties is required unless waived. Any writing by adjacent to neighboring property lines waiving the buffer zone must be attached to the application.

Approved / Denied - Inspector signature/date

*Noted* *7/17/23*

Applicant signature/date

*Kimberly Wallin Darrell Ross* *6/27/23*

#### Comments:

*Owner at 340 9th Ave S shall be responsible for manging/ removing designated ND Dept. of Ag. noxious weeds.*

LMP1.doc

Central Fueling  
Fleet Purchase  
And Vehicle Maintenance

Right of Way Maintenance  
Sanitary & Storm  
Sewer Maintenance

Snow Removal  
Street Maintenance  
Street Name Sign Maintenance

Urban Forestry  
Watermeters  
Watermain Distribution

Date: 10/13/2020

# Proposal to Create a Native Landscape at the Ross Residence Fargo, ND

**Prepared for:**

Darrel & Kimberly Ross  
340 9<sup>th</sup> Ave South  
Fargo, ND 58103

541-231-9426  
[dross\\_55@yahoo.com](mailto:dross_55@yahoo.com)

**Prepared by:**

Blaine Keller  
Site Manager  
218-498-0260

[bkeller@prairieresto.com](mailto:bkeller@prairieresto.com)

**Project Area:**

± 2000 square feet

**Prairie Restorations, Inc.** 

P.O. Box 1027  
Hawley, MN 56549  
[www.prairieresto.com](http://www.prairieresto.com)



**A. Bidder Qualifications:**

1. At least 5 years of experience planting native landscapes of similar size and scope to this project.
2. That the contractor's business specializes in native plant community restoration and ecologically based land management practices.
3. Assignment of a Qualified Project Supervisor capable of being present full time during all installation and maintenance work. Qualifications will include:
  - A bachelor's degree in Natural Resources Management or related field.
  - Minimum of five years experience in landscape restoration and maintenance supervision, with experience or training in prairie and wetland management, entomology, pest control, soils, fertilizers and plant identification.
  - Current herbicide and pesticide applicators license.
4. Assignment of a Qualified Labor Force thoroughly familiar and trained in the work.

**B. Company Background:**

Prairie Restorations, Inc. (PRI) has been dedicated to the restoration and management of native plant communities for over 40 years. We are fortunate to have worked with thousands of clients on a wide variety of projects in both the public and private sectors throughout the Upper Midwest.

The PRI staff currently consists of 54 full-time professionals and about an equal number of seasonal employees which operate out of six Minnesota locations. Most of the staff has B.S. degrees in natural resource related fields such as biology, forestry, horticulture or wildlife. As a full service restoration company, PRI is able to provide our clients expertise and service in all facets of native landscape restoration. Along with consulting, design, installation and land management services, we also produce our own local ecotype seed and plant materials which are used on all of our projects.

The PRI Team is committed to and passionate about protecting and enhancing our valuable natural resources. It is this dedication that is brought to each and every one of our projects. We are proud to offer the best expertise, services and products available in the industry and appreciate the opportunity to provide you with this proposal.

**C. Site preparation:**

1. In areas with actively growing vegetation apply a glyphosate herbicide (Roundup® or equivalent) as per manufacturer's directions. Allow a minimum of 10 days before disturbing the vegetation with other procedures.
2. Mow the dead vegetation and remove excess thatch as needed.
3. Harley rake the soil to remove thatch and create a smooth seedbed.
4. Hand rake the soil to create a firm, smooth seedbed.
5. Respray with a glyphosate herbicide (Roundup® or equivalent) if regrowth of vegetation occurs and when it reaches approximately 8" to 12" in height.

**D. Seed and Seeding:**

1. Seeding dates will be in the spring or summer before August 10<sup>th</sup> or in the fall between September 20<sup>th</sup> and freeze-up.
2. All seed will be applied by broadcasting.
3. A harrowing or raking will follow all grass seeding.
4. The seed mixes will consist of the following species and amounts:

Grass Seed	lbs./project area
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**PRI Short Dry Grass Mix:**

45% Little bluestem, 31% Side oats grama,	
15% Blue grama, 6% Poverty oat grass,	
3% June grass, all by PLS weight. ....	1

**PRI Savanna Grass Mix:**

30% Little bluestem, 25% Side oats grama,	
12% Poverty oat grass, 8% Big bluestem,	
5% Canada wild rye, 4% Kalm's brome,	
4% Bottlebrush grass, 4% Silky wild rye,	
4% Indian grass, 2% Blue grama,	
2% Fringed brome, all by PLS weight. ....	1

**Note:** A cover crop of oats will be sown along with the native grasses at a rate of approximately 25 lbs. per acre. Oats is an annual grass species that germinates quickly and will reduce the risk of soil erosion on the site.

## Wildflower Seed

oz./project area

### PRI Short Dry Wildflower Mix:

21% Purple prairie clover, 20% Hoary vervain, 18% Black-eyed Susan,  
16% Leadplant, 6% Golden Alexander, 4% Stiff goldenrod,  
3% Common milkweed, 3% White prairie clover, 3% Western spiderwort,  
2% Canada tick trefoil, 1% Yarrow, 1% Showy penstemon,  
1% Prairie rose, 1% Gray goldenrod, all by PLS weight.....8

### PRI Savanna Wildflower Mix:

20% Purple prairie clover, 19% Hoary vervain, 16% Black-eyed Susan,  
12% Leadplant, 8% Common ox-eye, 7% Golden Alexander,  
5% Stiff goldenrod, 4% Canada tick trefoil,  
2% Common milkweed, 2% Wild bergamot,  
2% Prairie rose, 1% Yarrow, 1% Gray goldenrod,  
1% Western spiderwort, all by PLS weight .....8

## E. Plants and Planting:

1. Optionally, the planting can be further diversified with wildflower and/or grass plants (plugs or 4 inch pots). These will be planted individually in appropriate microhabitats throughout, or in designated areas of the project. The plants used will consist primarily of species other than those previously seeded.
2. From the following list a minimum of 6 species will be used.
3. Plant a total of \* seedlings, \*% of which will be grasses, sedge or rushes (graminoids), and \*% of which will be wildflowers (forbs). The plants will have an approximate spacing of \* inches on center.
4. Plant a total of 90 plugs.

## Wildflowers

Columbine (*Aquilegia canadensis*)  
Purple coneflower (*Echinacea purpurea*)  
Northern bedstraw (*Galium boreale*)  
Prairie smoke (*Geum triflorum*)  
Meadow blazing star (*Liatris ligulistylis*)  
Dotted blazing star (*Liatris punctata*)  
Pale lobelia (*Lobelia spicata*)

Wild lupine (*Lupinus perennis*)  
Meadow rose (*Rosa blanda*)  
Upland goldenrod (*Solidago ptarmicoides*)  
New England aster (*Symphyotrichum novae-angliae*)  
Azure aster (*Symphyotrichum oolentangiense*)  
Golden alexanders (*Zizia aurea*)

**F. Management:**

1. Management (maintenance) plays a vital role in the eventual success of any native landscape installation, especially during the establishment period. Active management of your native landscape is highly recommended to give the project the best opportunity for long term success.
2. Due to nature of this project, the maintenance requirements are somewhat different when compared to larger, seeded restorations. These “garden-like” sites are best maintained utilizing hand weeding techniques accomplished by personnel adept at identifying native and non-native plants.
3. As the project matures, some herbicide may be used as well to eradicate perennial invasive species such as Canada thistle or bird’s foot trefoil. The herbicide is typically applied via backpack sprayer or by “wicking” the herbicide onto the plant.
4. Hand weeding and spot herbicide treatments are billed on a per trip cost agreed upon prior to the growing season.
5. Prescribed burns are extremely helpful in that they stimulate native species to grow more robustly. The burning also helps to deter the presence non-native species.
6. In lieu of burning, or during years when the site is not burned, a Spring Dormant Mowing can be used to “clean up” the previous year’s growth and set the table for the new growing season. This mowing would occur early in the spring, as soon as conditions permit.

**G. Anticipated Management:**

The following table conveys the anticipated management procedures for your project during the first 3 growing seasons. Estimates for these procedures are provided in the cost section of this proposal.

Year	Projected Management Procedures
2021	Complete site mowings to control annual weed canopy (2 or 3 mowings as needed). Project monitoring
2022	Complete site mowing Integrated Plant Management (IPM) – includes spot spraying, spot mowing, wicking, hand weeding, and other techniques to control weeds and invasive species (3 to 4 visits are typical) Project monitoring
2023	Spring burn to encourage native plant growth and to help deter the presence of non-native and woody species. Integrated Plant Management (IPM) – 3 to 4 visits are typical Project monitoring

**H. Costs:**

Site preparation (includes spraying, tillage, respraying) ..... \$ 1,500  
Seed, seeding and mulching as specified..... \$ 1,000  
Wildflower seedlings (90 installed) ..... \$ 225  
Germination year management (includes 3 visits) ..... \$ 300

**I. Contract:**

If you accept the proposal as written and want to proceed with the project, please sign the contract below.

Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signed: \_\_\_\_\_ Title: \_\_\_\_\_

Project: \_\_\_\_\_ Contract Value: \$ \_\_\_\_\_

Contractor: *Prairie Restorations, Inc.*

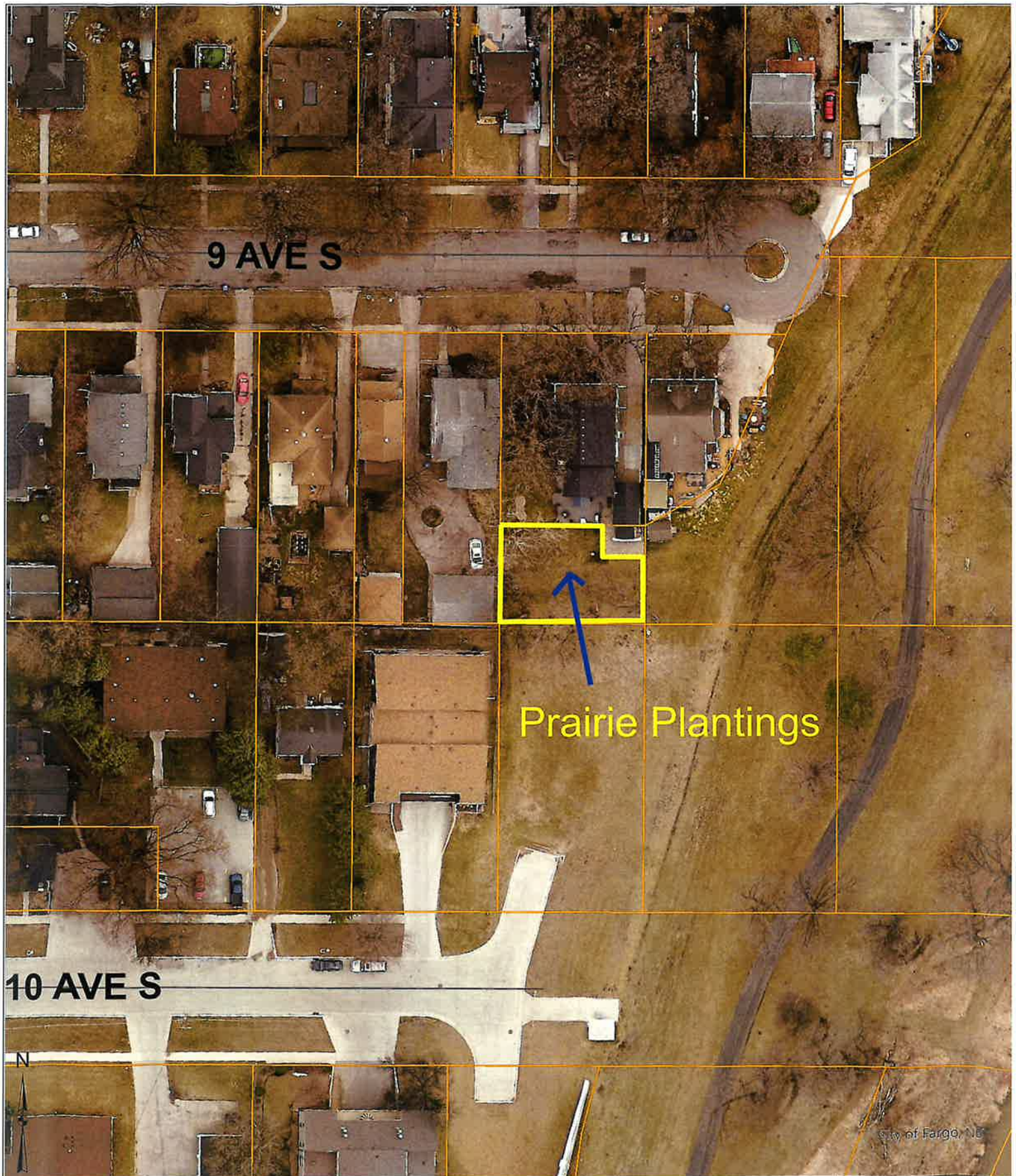
Signed:  Date: 10/13/2020

**Blaine Keller –Site Manager**  
Prairie Restorations, Inc.  
P.O. Box 1027  
Hawley, MN 56549

A 20% down payment is required at this time. Please return a copy of the signed contract, along with payment for 20% of the total project cost. The remainder of the contract will be billed upon completion.

- J. Notes:** Please note that this proposal is valid for 3 months (from the date on the proposal). If the proposal is accepted after the 3 month period, PRI reserves the right to modify the proposal based on cost fluctuations and material availability.





These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

338 9th Ave S

1:1,128

7/12/2023 11:46 AM

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

THE CITY OF  
**Fargo**  
FAR MORE











## PUBLIC WORKS OPERATIONS

Fleet Management, Forestry,  
Streets & Sewers, Watermeters,  
Watermains & Hydrants  
402 23<sup>rd</sup> STREET NORTH  
FARGO, NORTH DAKOTA 58102  
PHONE: (701) 241-1465  
FAX: (701) 241-8100

July 17, 2023

Dear property owner,

Your neighbor at 340 9<sup>th</sup> Ave S has applied for a Land Management Permit (LMP). This permit has been approved.

The LMP and related city ordinance (11-0805 through 11-0812) is intended for property owners who choose to go with a "not so traditional" landscape. Tall grasses, wildflowers, mulch, and a variety of trees and shrubs can be included. There are rules and regulations in place to help monitor this type of landscaping.

The attached material and application outlines the intent, purpose, types of plants, and maintenance strategies. Please review and comment if you wish.

Affected property owners may appeal this decision. The appeal must be made in writing **within 15 days** of the date that the permit is approved. Mail (please notify me as well) any written appeal you wish to make to:

City of Fargo  
Board of Adjustment  
Attention: Kim Citrowske  
225 4<sup>th</sup> St N  
Fargo, ND 58102

Please feel free to contact me if you have any questions. Thank you.

Scott Liudahl  
Fargo Forestry Department  
402 23<sup>rd</sup> St N, Fargo, ND 58102  
701-241-1466  
[sliudahl@fargond.gov](mailto:sliudahl@fargond.gov)

LMP approval 340 9<sup>th</sup> Ave S.doc

City of Fargo

Board of Adjustment

225 N 4 Street

Attn: Kim Citrowske

Fargo, ND 58102

Cc: Scott Luidahl

Fargo Forestry Dept

402 23 st N

Fargo, ND 58102 sliudahl@fargond.gov

SL received 8/11/23  
email version on 8/8/23

This is In PROTEST and response to WEED PATCH that has been installed 3 years ago by residence at  
340 9 ave So Fargo, ND.

10 residents in this area are protesting this weed Patch.,

1. This property does not belong to resident at 340 9 ave so. Therefore they have no right to establish use of this land.
2. This land is owned by City of Fargo or Dike Project.
3. All 10 residents have lived in this area for 30 – 40 years and have always had a well maintained area and are demanding that this be continued.
4. This weed patch was planted by non owners, to stop anyone from coming near their patio, which is their lot line.
5. This weed patch is a safety hazard and a environmental tragedy . Noxious weeds are rampant and need immediate removal.
6. This WEED Patch has devalued our property since prospective buyers are asking what type of ghetto this area has turned into.
7. This WEED PATCH had a rope tied to City Property so people would stay OUT !!!
8. This WEED PATCH approval was back dated!! This appears to be inside political favoritism.
9. The Shack that resident at 340 9 ave So needs to be removed., No garage or shack of any sort can be installed in back of residence. All residents in area are upset that personal junk is visible. JUNK NEEDS To be installed inside owners property.
10. Protesting also that other residents tax dollars are being spent to pay for WEED PATCH .



- 11. 10 residents are demanding that WEED PATCH be removed immediately and trees trimmed to eliminate hiding spots for vagrants looking for a place to camp and expose their body which is in full view of other members of community.**
- 12. Please ensure prompt and courteous removal of all of the above.**

**Sincerely**

**10 community residents and TAX Payers**

**Please respond ASAP**

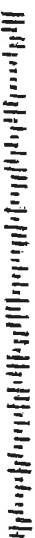
327 10 Ave S  
Fargo, ND 58103

FARGO, ND 581  
8 AUG 2023 PM 1 L



Scott Luidahl  
Freeting Street  
402 23 St. N.  
Fargo, ND 58102

58102-411402



# What will Fargo look like in 2040?

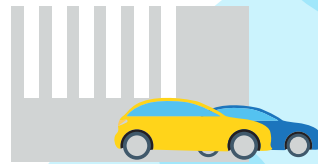
## What kind of place will it be?

**Join your neighbors to  
shape the plan that will  
guide how Fargo grows!**

**neighborhoods  
and housing**



**streets and  
transportation**



**shopping and  
services**



**parks and  
recreation**



**economic  
development**



Attend an **October Open House**  
of the **Fargo Growth Plan 2024**  
to choose your future Fargo.



FARGO GROWTH PLAN 2024

**Tuesday,  
October 17th** Fargo Cass Public Health  
(Oak Room)  
1240 25th Street South  
4:30pm-6:30pm

**Wednesday,  
October 18th** Davies High School  
(Community Room)  
7150 25th Street South  
4:30pm-6:30pm

**No presentations; arrive and depart at your convenience**



Visit [FargoGrowthPlan.org](https://FargoGrowthPlan.org) to learn more

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Consultants

