

#### Planning & Development

225 4th Street North Fargo, ND 58102 Office: 701.241.1474 | Fax: 701.241.1526 Email: planning@FargoND.gov www.FargoND.gov

### BOARD OF ADJUSTMENT Tuesday, December 17, 2024 | 9:00AM City Commission Chambers AGENDA

- Approve Minutes August 27, 2024
- 2. New Business
  - a. Variance Request 3459 39th Street South
    - i. The request at 3459 39th Street South, if granted, would allow a new slab on grade accessory structure to be constructed at a lower elevation than would otherwise be required by the City's Floodproofing Code, as referenced by Article 21-06 of the Fargo Municipal Code.
- 3. 2025 Meeting Dates
- 4. Other Business
- 5. Adjourn Next Meeting: January 28, 2025

Board of Adjustment meetings are broadcast live on cable channel TV Fargo 56 and can be seen live by video stream on <a href="https://www.FargoND.gov/streaming">www.FargoND.gov/streaming</a>. 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, August 27, 2024

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, August 27, 2024.

The Members present or absent were as follows:

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

Pulczinski, John Gunkelman (Alternate)

Absent: None

Chair Love called the meeting to order.

#### Item 1: Approval of Minutes: Regular Meeting of May 28, 2024

Member Boreen moved the minutes of the May 28, 2024 Board of Adjustment meeting be approved. Second by Member Wendel-Daub. All Members present voted aye and the motion was declared carried.

#### Item 2: New Business

#### a. Variance Request – 2213 7th Avenue North

The request at 2213 7th Avenue North, if granted, would allow a new slab on grade accessory structure to be constructed at a lower elevation than would otherwise be required by the City's Floodproofing Code, as referenced by Article 21-06 of the Fargo Municipal Code.

Planning Coordinator Kim Citrowske presented the staff report and overview of the request.

Jody Bertrand, spoke on behalf of the Engineering Department, and reviewed the Floodproofing Code Standards.

Discussion was held on FEMA requirements.

Member Wendel-Daub moved the findings of staff be accepted and the variance be approved as requested. Second by Member Pulczinski. Upon call of the roll Members Wendel-Daub, Boreen, Pulczinski, Orth, and Love voted aye and the motion was declared carried.

#### b. Variance Request – 2301 Lilac Lane North

The request at 2301 Lilac Lane North, if granted, would allow an attached garage to encroach in the required front setback in the SR-2, Single-Dwelling Residential zoning district as outlined in 20-05 of Fargo Municipal Code.

Ms. Citrowske presented the staff report and reviewed the criteria used during staff's analysis of the application. She stated staff is recommending denial, as the review criteria (a) and (c) have not been met.

Discussion was held on alternative design options.

Applicant Andrew Schefter spoke on behalf of the application.

Discussion continued on the tree size, and setback averaging.

Melissa Gaulrapp, spoke on behalf of the Inspections Department.

Additional discussion was held on historic precedence, the setback of the other property on that side of the street, setback averaging, and alternate designs.

Member Boreen moved the findings of staff be denied and the variance be approved with the condition that the subject property match the existing setback of the adjacent property to the north at 2311 Lilac Lane. Second by Member Wendel-Daub.

Further discussion was held on elevations, and clarification that setbacks are measured between property line and primary structure foundation wall.

Member Pulczinski moved to amend the motion that the roof overhang of the addition be commensurate with the existing roof overhangs of the building. Second my Member Orth. Upon call of the roll Members Pulczinski, Orth, Wendel-Daub, Boreen, and Love voted aye and the motion was declared carried.

Upon call of the roll for the amended original motion, Members Orth, Boreen, Pulczinski, Wendel-Daub, and Love voted aye and the motion was declared carried.

#### Item 3: Other Business

No other business was presented.

#### Item 4: Adjournment: Next Meeting September 24, 2024

Member Wendel-Daub moved to adjourn the meeting at 9:21 a.m. Second by Member Boreen. All Members present voted aye and the motion was declared carried.

## CITY OF FARGO - Board of Adjustment Variance Staff Report

Item No: 2a. Date: December 6, 2024

Address: 3459 39th Street South

Legal Description: Lots 13 & 14, Block 1, DK First Addition

Owner(s)/Applicants: Century Homes LLC

Reason For Request: To construct a building that would have a lowest opening and fill elevations below what

would otherwise be required by the City's Floodproofing Code.

**Zoning District:** LI: Limited Industrial

Status: Board of Adjustment Public Hearing: December 17, 2024

| Floodproofir       | ng Code Standards                          | Proposed Structure      |  |  |  |  |  |  |
|--------------------|--|-------------------------|--|--|--|--|--|--|
| <b>Elevations:</b> |  | <b>Elevations:</b>      |  |  |  |  |  |  |
| Lowest opening:    | FEMA BFE plus 2'                           | Lowest opening          | : 0.5' below required 907.8'                                       |  |  |  |  |  |
|                    | 41-foot WSEIA plus 1.2'                    | 907.3                   | (41-foot WSEIA 906.6 plus 1.2')                                    |  |  |  |  |  |
| Adjacent fill:     | FEMA BFE plus 1.0' 41-foot WSEIA plus 0.7' | Adjacent fill: 907.05   | <b>0.25' below required 907.3'</b> (41-foot WSEIA 906.6 plus 0.7') |  |  |  |  |  |
| Fill within 15':   | At or above FEMA BFE                       | Fill within 15': 905.59 | <b>0.11' below required 905.7'</b> (FEMA BFE 905.7')               |  |  |  |  |  |

#### Background:

The applicant has proposed to construct a building at a lower elevation than required by the current City of Fargo Flood Proofing Code. The property and proposed building are within the 41-foot water surface elevation inundation area (WSEIA) and the FEMA Special Flood Hazard Area. At this location, the 41-foot WSEIA is at an elevation of 906.6 feet and the FEMA BFE is 905.7 feet.

Since this proposed building is within the 41-foot WSEIA and FEMA Special Flood Hazard Area, the Floodproofing Code requirements are as follows:

- 1. The finished floor of a building is required to be at or above an elevation that is 1.2 feet above the 41-foot WSEIA elevation or 2.0 feet above the FEMA BFE, whichever is higher. (906.6-foot 41-foot WSEIA elevation plus 1.2 feet = 907.8')
  - (905.7-foot FEMA BFE plus 2.0 feet = 907.7')
- 2. The lowest fill around a building is required to be at or above an elevation that is 0.7 feet above the 41-foot WSEIA elevation or 1.5 feet above the FEMA BFE, whichever is higher. (906.6-foot 41-foot WSEIA elevation plus 0.7 feet = 907.3') (905.7-foot FEMA BFE plus 1.5 feet = 907.2')
- 3. Fill within 15' of buildings is required to be at or above the FEMA BFE (905.7-foot FEMA BFE = 905.7')

The lowest opening of the proposed structure would be at an elevation of 907.3 feet, which is 0.5 feet lower than what is required for the lowest opening elevation (41-foot WSEIA+1.2'). Additionally, the fill adjacent to the building would be at an elevation of 907.05 feet, which is 0.25 feet lower than required. The fill within 15 feet of the building would be at 905.59, which is 0.11 feet lower than required. The applicant is requesting the variance in order to construct a building that would have a lowest opening at an elevation below what would otherwise be required by the City's Floodproofing Code.

According to the applicant, the proposed variance is necessary to construct the building so as to use the existing adjacent concrete and other site features, which were constructed prior to the City's current interpretation of the applicability of the floodproofing elevation requirements in regard to accessory buildings in non-residential zones. Additional details are provided by the applicant within the attached application materials.

#### **Criteria for Approval:**

The Floodproofing Code was enacted by reference within Article 21-06 (Flood Plain Management) of the Fargo Municipal Code. Appeals from Article 21-06 are heard and decided upon by the Board of Adjustment as outlined within Section 21-0603 of the Municipal Code.

§21-0603.G.5 of the Municipal Code states that, In determining appeals or requests for variances, the board of adjustment shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:

- a. The danger that materials may be swept onto other lands to the injury of others;
- b. The danger to life and property due to flooding or erosion damage;
- c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners;
- d. The importance of the services provided by the proposed facility to the community;
- e. The necessity to the facility of a waterfront location, where applicable;
- f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- g. The compatibility of the proposed use with the existing and anticipated development;
- h. The relationship of the proposed use to the comprehensive plan and floodplain management program or that area:
- i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- *j.* The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
- k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, streets and bridges.

#### §21-0603.H.1 of the Municipal Code includes additional considerations for variances:

- 1. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base level, providing items (a-k) in subsection (G)(5) above have been fully considered. As the lot size increases beyond the one-half acre, the technical justifications required for issuing the variance increases.
- 2. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or any state or local inventory or register of historic places without regard to the procedures set forth in the remainder of this section.
- 3. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- 4. Variances shall be issued only upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- 5. Variances shall be issued only upon:

- a. A showing of good and sufficient cause;
- b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
- c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- 6. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor below the base flood elevation requirement and that the cost of flood insurance will be commensurate with the increased risk from the reduced lowest floor elevation.

#### **Staff Analysis:**

- a. The danger that materials may be swept onto other lands to the injury of others; Minimal probability
- b. The danger to life and property due to flooding or erosion damage; Minimal probability
- c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners;

  Minimal probability
- **d.** The importance of the services provided by the proposed facility to the community; The facility provides storage and garage space for the parcel tenants with no connections to City sanitary sewer or water. In a flood situation, it would not affect City infrastructure.
- e. The necessity to the facility of a waterfront location, where applicable; Not applicable. The proposed building is not in the MDZS or the LDZS river setback zones.
- f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

The proposed use is for additional storage space for the existing structure. There is no available open space on the site that is not within the 41-foot WSEIA and the FEMA Special Flood Hazard Area.

- g. The compatibility of the proposed use with the existing and anticipated development;

  There is no proposed change in use. The use is compatible with existing and anticipated development at this location. The proposed improvements will have matching ground elevations similar to the existing structures.
- h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

No inconsistencies have been identified in relation to the comprehensive plan. Floodplain management is related to the City's floodproofing policies as part of the FEMA BFE and the 41' WSEIA elevation requirements.

i. The safety of access to the property in times of flood for ordinary and emergency vehicles; Access may be limited as servicing roadways may become inundated during riverine flooding or heavy rainfall events. The applicant will need to understand this potential risk as staff has no data to suggest that the requested variance would result in an increased or decreased safety of access.

- j. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
  Staff has no data to confirm the effects of flooding as a result of overland flooding or storm sewer overflows.
- k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, streets and bridges.

Costs associated with government services during or after flood conditions will not change due to this variance.

Since this is a variance request to Article 21-06 (Flood Plain Management) related to floodproof construction, the Zoning Administrator defers to the Building Official/Flood Plain Administrator as well as the City Engineer for current and future floodplain management. This application was reviewed by the City's Planning and Development, Engineering, and Building Inspections Departments ("staff"), whose comments are included in this report.

The submitted proposal from the design engineer and the developer identify that the proposed building will be used for storage and garage space, for its long-term use, by the existing structure on the parcel. The building will not have water or sanitary facilities.

Staff finds that the proposed variance would violate elevation standards established by the City of Fargo, primarily the 41-foot water surface elevation inundation area (WSEIA), and additionally the FEMA Special Flood Hazard Area. The City of Fargo has worked with FEMA to secure an exemption to federal standards in order to allow the construction of basements when properly floodproofed. While the option for variance exists to provide relief from floodproofing requirements in situations resulting in hardship, the City has been warned by FEMA that misuse of the variance provision could result in a loss of the current city-wide basement exemption that FEMA has granted the City of Fargo. For this request though, Staff feels that it will not affect the City of Fargo's basement exemption due to the minimal variance required and the proposed use of the structure.

Ultimately, staff is in support this request for a variance. This support is due to the proposed use of the structure as well as the elevating of it to be one foot above the FEMA BFE, which meets the state of North Dakota requirements.

Staff recommends that any granting of a variance be conditioned upon the applicant agreeing to a waiver of liability against the City. Engineering staff would work with the City Attorney's Office to draft an acknowledgment form that would outline the owner's decision to not follow the City's floodproof construction requirements. The purpose of this document would be to provide additional protection to the City from unforeseen issues that may arise as a result of the variance. The applicant would also be required to remove the building from the FEMA Special Flood Hazard Area by a Letter of Map Revision via Fill (LOMR-F).

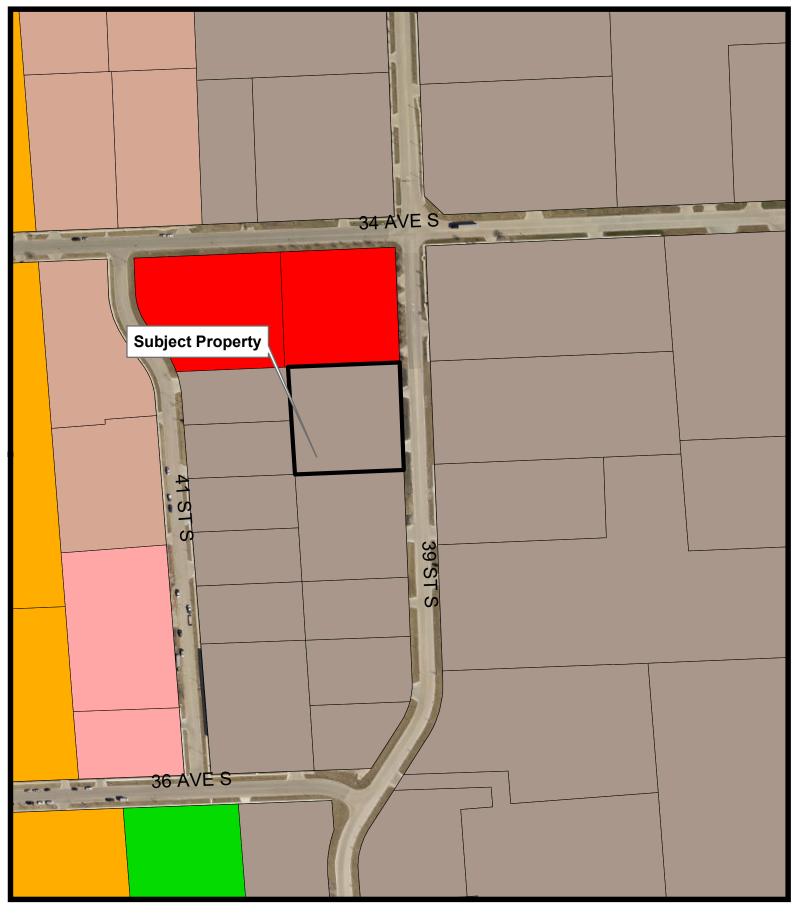
**Staff Recommendation:** "To accept the findings of staff and hereby approve the requested variance on the basis that the review considerations of Section 21-0603 have been satisfied, with the condition that the applicant sign and submit a waiver of liability against the City and apply for a Letter of Map Revision via Fill (LOMR-F) from FEMA."





3459 39th Street South

|   |    |     |     |     | Feet |
|---|----|-----|-----|-----|------|
| 0 | 90 | 180 | 360 | 540 | 720  |

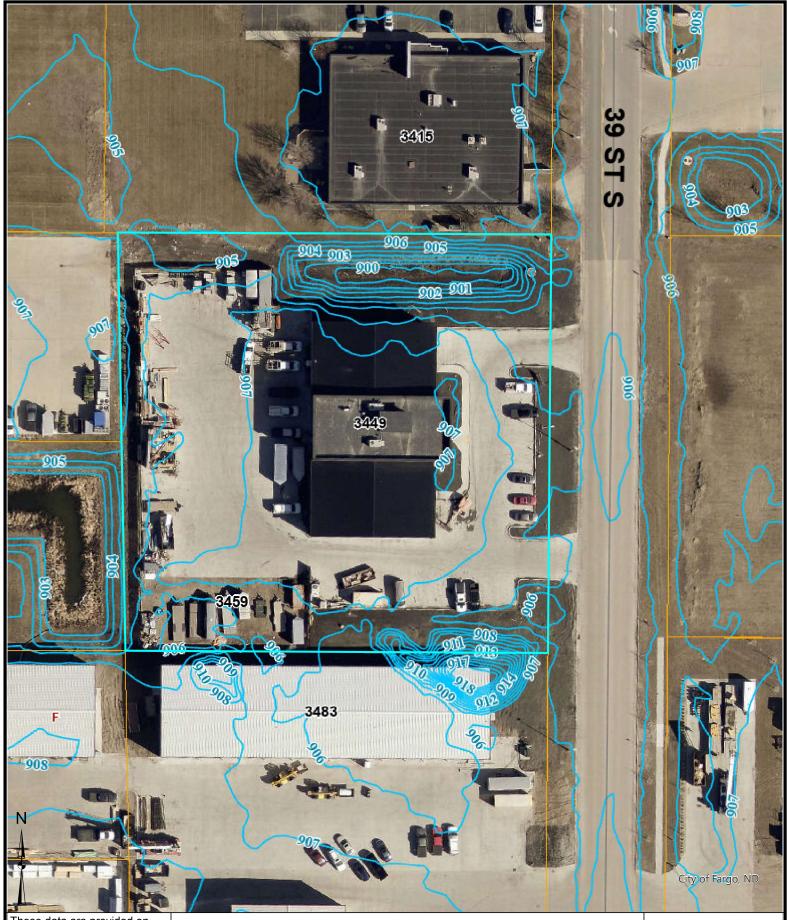






3459 39th Street South

0 90 180 360 540 720

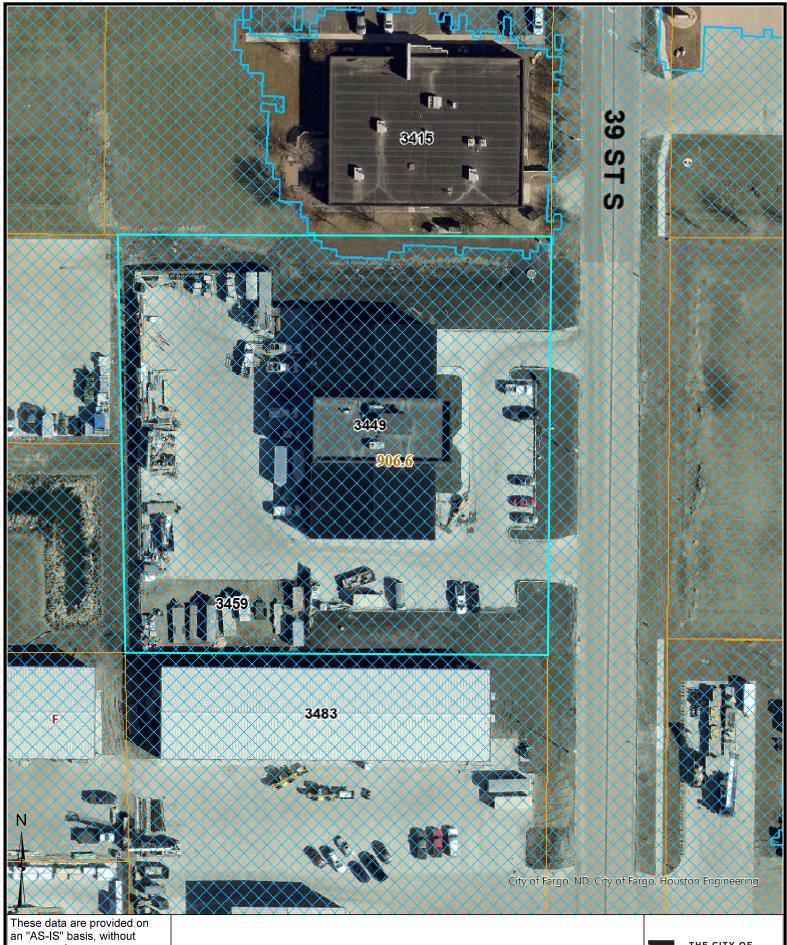


These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

3459 39th St S - Contours (2023)

1:1,128 12/6/2024 2:14 PM
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.





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.

3459 39th St S - WSEIA 41'

1:1,128 12/6/2024 2:12 PM
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.





PLANNING AND DEVELOPMENT 200 Third Street North Fargo, North Dakota 58102

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#### FLOOD PLAIN MANAGEMENT VARIANCE APPLICATION (§21-0603)

The Board of Adjustment is authorized to grant variances from the Flood Plain Management requirements of Article 21-06 of the Fargo Municipal Code, pursuant to the considerations and standards of Section 21-0603.

Please contact the Fargo Department of Planning and Development to schedule a pre-application meeting prior to submitting this application.

The following must accompany this application form:

- a. Site plan illustrating existing and proposed buildings, property lines, and other applicable information relevant to the requested variance.
- b. Building plans illustrating information relevant to the requested variance.
- c. Application fee.

| <b>Property Owner</b>                              | Information   | Representat   | tion Informat                  | ion (primary contact)  |
|--|---|---|--------------------------------|--|
| Address: CHRI                                      | CENTURY HOMES LLC S SCHULER 39TH ST S, FARGO ND 58104   | Company G<br>Address: G<br>Primary Pho<br>Alternative P<br>Fax: | one:<br>Phone:                 |  |
| Location of prop                                   | erty for which variance is being re   | equested:   |                                |  |
| Address:<br>Zoning District:<br>Legal Description: | 3449 39TH ST S, FARGO, ND 58104<br>LI - LIMITED INDUSTRIAL<br>LOT 13 & 14, BLOCK 1, DK 1ST ADDI   | TION  |                                |  |
| preparation of this knowledge. I, the              | ent – I hereby acknowledge that I have submittal and that the foregoing information and the submittal and the foregoing information the nas may be required by law of the Confunctional Code. | ormation is true<br>Board of Adjustr                            | and complete<br>ment of the Ci | to the best of my<br>ity of Fargo, North Dakota,<br>ce pursuant to Section 21- |
| Owner (Signature                                   |   |   | Date:                          | 11/13/2024   |
| Representative (S                                  | Representative (Signature) Parties Date: 11/13/2024   |   |                                |  |
| Note: A nonre                                      | efundable application fee of \$185.00 mus   | at be accompanied   | d with the applic              | cation at time of submittal.   |
| Office Use Only                                    |   |   |                                | TO VIEW TURNES   |
| Date Filed:  | Planning Contact:   |   | Nonrefundal                    | ole Fee \$185.00:  |

# **Proposed Variance Information:** (Attach additional pages, if needed)

| Please list all Flood Plain Management standards for which you are seeking a variance (e.g. elevation of lowest opening, fill adjacent to building, floodproof construction standards).  SEE ATTACHED NARRATIVE               |
|---|
|   |
| Please describe difference between the standard(s) and the proposed variation (e.g. The standard would require a lowest opening elevation of 901.5 ft. and my project would propose a lowest opening elevation of 900.7 ft.). |
|   |
|   |
|   |
|   |
| 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.               |
|   |
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|   |
|   |
|   |
| Please explain how failure to grant the variance would result in exceptional hardship.  |
|   |
|   |
|   |
|   |
|   |

#### **Considerations for Approval:**

Please explain how your requested variance satisfies the following considerations, pursuant to Section 21-0603 of the Fargo Municipal Code: (Attach additional pages, if needed.)

| a.<br>   | The danger that materials may be swept onto other lands to the injury of others;   |
|----------|--|
|          |  |
| b.       | The danger to life and property due to flooding or erosion damage;   |
|          |  |
| C.       | The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners; |
|          |  |
| d.       | The importance of the services provided by the proposed facility to the community;   |
|          |  |
| <u> </u> | The necessity to the facility of a waterfront location, where applicable;  |
|          |  |
| f.       | The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;                  |
|          |  |
| g.       | The compatibility of the proposed use with the existing and anticipated development;   |
|          |  |
|          |  |

| h. | The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;   |
|----|---|
|    |   |
|    |   |
| i. | The safety of access to the property in times of flood for ordinary and emergency vehicles;   |
|    |   |
|    |   |
| j. | The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,   |
|    |   |
|    |   |
| k. | The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, streets and bridges. |
|    |   |
|    |   |

#### **Proposed Variance Information:**

#### Flood Plain Management Standard for Which Variance is Being Requested:

We are seeking a variance for the elevation of the lowest opening of the proposed building and fill within 15 feet of the building due to its impact on site drainage.

#### Difference Between the Standard(s) and Proposed Variation:

| Floodproofing Code Standards                | Proposed Structure             |  |  |  |  |
|---|--------------------------------|--|--|--|--|
| Elevations:                                 | Elevations:                    |  |  |  |  |
| <b>Lowest opening:</b> 41ft WSEIA plus 1.2' | Lowest Opening: 907.3          |  |  |  |  |
| (906.6+1.2=907.8')                          | (0.5' below standards / 6")    |  |  |  |  |
| Adjacent fill: 41ft WSEIA plus 0.7'         | Adjacent fill: 907.05          |  |  |  |  |
| (906.6 plus 0.7' = 907.3')                  | (0.25' below standards / 3")   |  |  |  |  |
| Fill within 15': At or above FEMA BFE       | Fill within 15': 905.59        |  |  |  |  |
| (BFE 905.7')                                | (0.11' below standards / 1.3") |  |  |  |  |

The standard for the lowest opening elevation is determined by the WSEIA (Water Surface Elevation Inundation Area) plus 1.2 feet or the Base Flood Elevation (BFE) plus 2 feet, whichever is higher.

The WSEIA for the area is 906.6, requiring a lowest elevation opening of 907.8.

The proposed project would provide a lowest opening elevation of **907.3**, which is approximately **6 inches lower** than the required standard.

The **adjacent fill** around the building does not meet the required standard elevation. The standard requires the adjacent fill to be at the same elevation as the proposed finished floor elevation (FFE) of the building, which is 907.3. However, the proposed adjacent fill is at 907.05 feet, which is 3 inches lower than the FFE. Granting this waiver will ensure proper drainage away from the proposed structure.

In addition, we are requesting a variance for the **fill within 15 feet** of the building in the **southeast corner**, which is part of a swale directing stormwater to an area drain. The fill in this area is currently at **905.59**, which is **0.11 feet below** the required **BFE of 905.7**. Raising the elevation of this area could negatively affect the overall drainage of the site.

#### **Project Description and Justification for Requesting a Variance:**

The building was planned as a **future phase** alongside the construction of the primary building. Sitework, including the parking lot, curb and gutter, backlot paving,

and security fencing, were all installed in conjunction with or after the primary building construction.

Previous plans assumed that **accessory buildings under the current floodproof construction requirements** could have a finished floor elevation **at or above the FEMA BFE plus 1 foot** for detached accessory buildings. However, city staff clarified that this provision applies only to **residential accessory structures**.

Granting the variance would allow the project to maintain the existing sitework, without needing to remove concrete pavement, security fencing, or perform additional grading studies to re-align drainage.

#### How Failure to Grant the Variance Would Result in Exceptional Hardship:

If the variance is not granted, it would require extensive removal of existing concrete pavement around the building, removal of the security fence, and further grading studies to ensure proper drainage. This would disrupt the existing site layout and cause additional expenses.

#### **Considerations for Approval:**

#### a. The danger that materials may be swept onto other lands to the injury of others:

The potential for materials being swept onto other lands is low. Any expected floodwater would have little to no velocity, preventing debris from causing harm to surrounding properties.

#### b. The danger to life and property due to flooding or erosion damage:

The danger to life and property due to flooding is very low. The proposed building will primarily be used for the storage of building materials and equipment. The proposed elevation would still be above both the FEMA BFE and the WSEIA, ensuring minimal risk.

# c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners:

The susceptibility to flood damage is very low. The proposed building's elevation is just **6 inches** lower than the required standard, and most materials and equipment will be elevated above this height. The facility will not have plumbing or fixtures vulnerable to flooding.

# d. The importance of the services provided by the proposed facility to the community:

The proposed facility will serve as essential **storage** for materials and equipment, supporting the continued operation and maintenance of the primary business and facilities. The facility will contribute to the local economy by enabling more efficient operations for construction.

#### e. The necessity of the facility of a waterfront location, where applicable:

This consideration does not apply, as the facility is not located on a waterfront.

## f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage:

Alternative locations within the site are not available. Any other locations would require extensive demolition and reconstruction of the existing concrete paving, security fencing, and further revisions to the grading, all of which would disrupt existing infrastructure.

## g. The compatibility of the proposed use with the existing and anticipated development:

The proposed development is compatible with surrounding industrial uses and zoned **LI** (**Limited Industrial**). The intended use would be no more intensive than the primary building and surrounding properties, ensuring it aligns with the overall development.

# h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area:

The project is in alignment with the comprehensive plan and supports the floodplain management objectives by ultimately maintaining a low-risk, non-residential use above known flood elevations.

## i. The safety of access to the property in times of flood for ordinary and emergency vehicles:

The proposed elevation still provides adequate access to the property during flood events, ensuring safety for emergency and ordinary vehicles.

j. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site: The expected floodwaters would have low velocity and minimal impact, and wave action is not a concern given the site's topography and distance from primary floodways.

k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, streets, and bridges:

The proposed variance would not significantly affect governmental services during flood conditions. The site has been designed with appropriate grading and infrastructure in place to minimize maintenance and repair costs. No plumbing is proposed for this building and would not have an impact on sanitary services.

# CENTURY BUILDERS OFFICE BUILDING



MBN ENONER ERING MECHANICAL - ELECTRICAL - CIVIL SGATH SKY A SUFE 200 PRODUE JATES 235 PROFE JATES 235 PROFE JATES 235



3449 & 3465 39TH ST. S., FARGO, ND 58104 1.85± ACRES 80,525 SF PROJECT INFORMATION: PROJECT ADDRESS: SITE SIZE:

LI / LIMITED INDUSTRIAL ZONING:

LOTS 13 & 14, BLOCK 1, DK 1ST ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA OWNER CONTACT:

LEGAL DESCRIPTION:

CHRIS SCHULER CENTURY BULIDERS 3280 VETERANS BUTE 330 FARGO, ND 55104 701-893-6551 CHRIS@CENTURYBUILDERSND.COM

CIVIL ENGINEER
KYLE BARTRAM, PE
MBN ENGINEERING
KYLE BARTRAM@MBNENGR.COM
(701-478-6336)

DESIGNER:

|               |           |       |             | EXISTING CONDITIONS / DEMOLITION PLAN | PLAN                 |              |              |             |             |               |                  |         |         |                |  |
|---------------|-----------|-------|-------------|---------------------------------------|----------------------|--------------|--------------|-------------|-------------|---------------|------------------|---------|---------|----------------|--|
| <b>&gt;</b> ∅ | TITLE     |       | COVER SHEET | EXISTING CONDITI                      | EROSION CONTROL PLAN | UTILITY PLAN | GRADING PLAN | LOMR-F PLAN | PAVING PLAN | JOINTING PLAN | LANDSCAPING PLAN | DETAILS | DETAILS | SPECIFICATIONS |  |
|               | SHEET NO. | CIVIL | COVER       | 0.13                                  | C2 0                 | C3 0         | C4.0         | 1.43        | 0.50        | 0 93          | C7.0             | 0.83    | C8 1    | C8.1           |  |

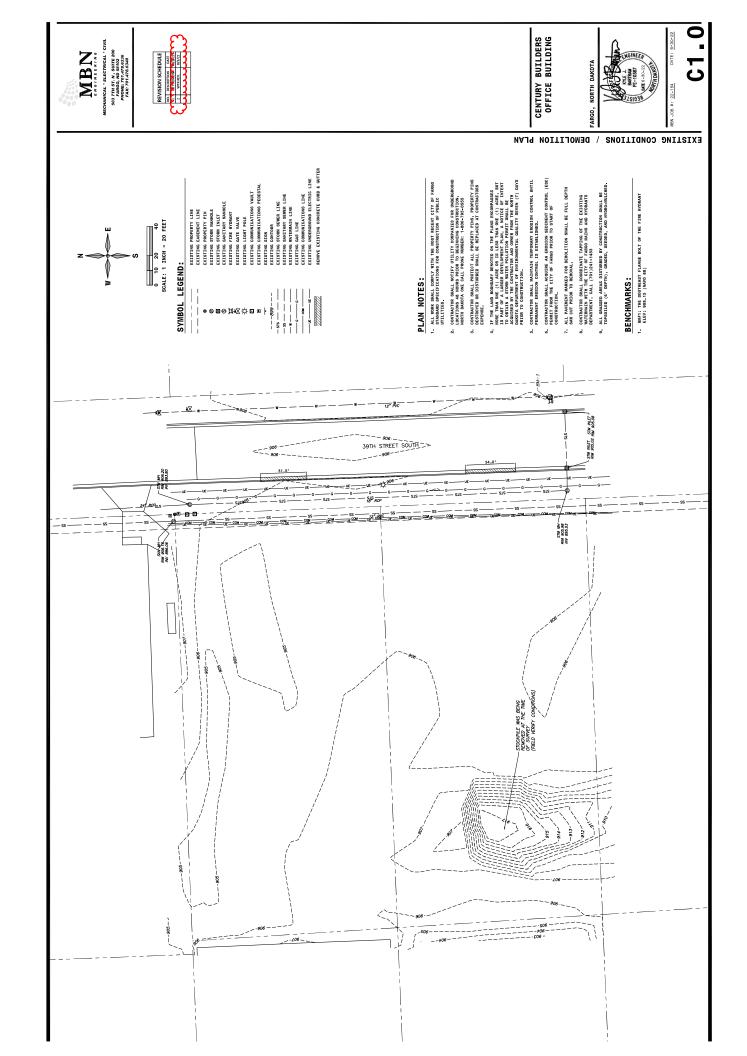


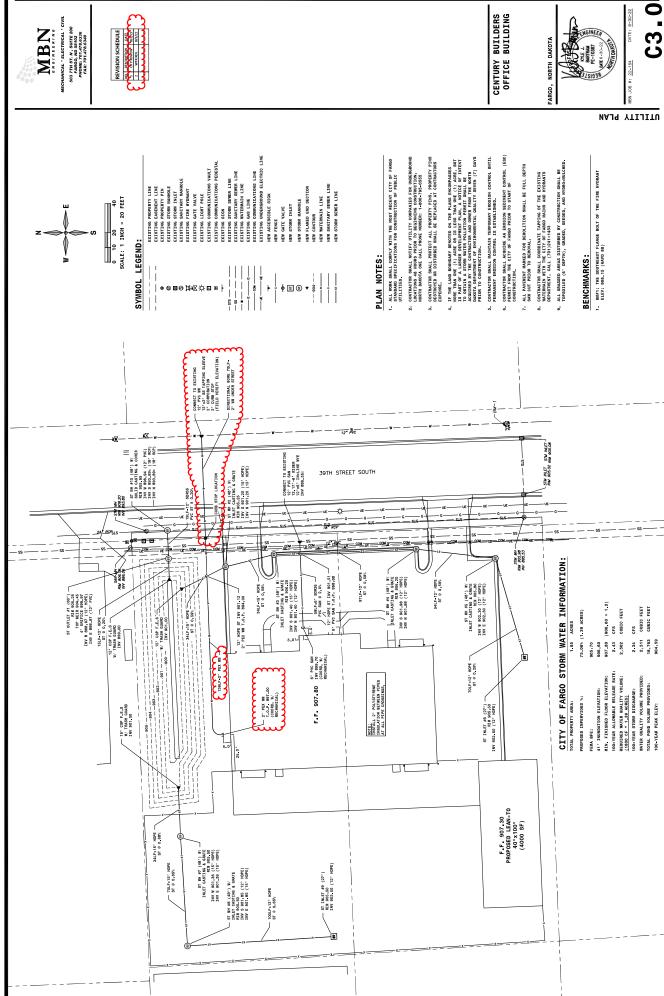
CENTURY BUILDERS OFFICE BUILDING

FARGO, NORTH DAKOTA

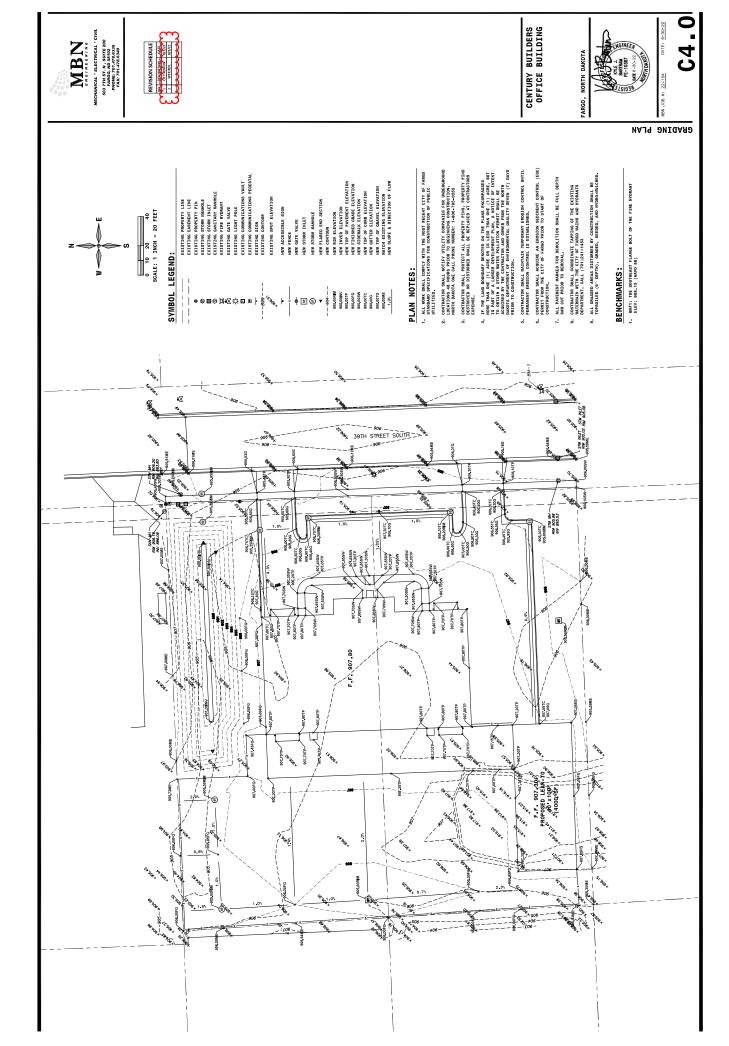
COVER

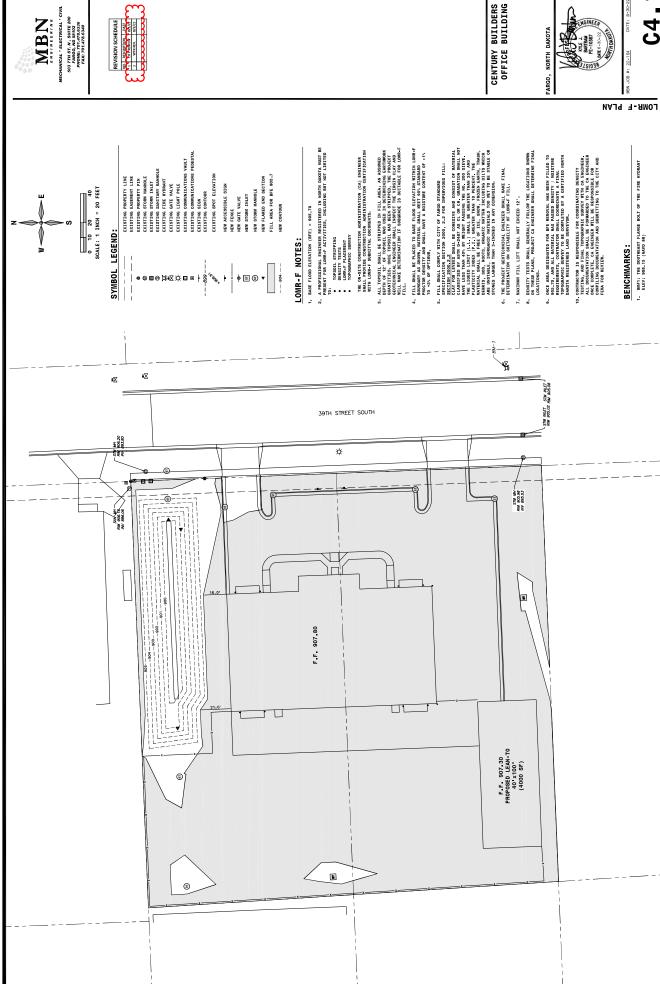
COVER SHEET





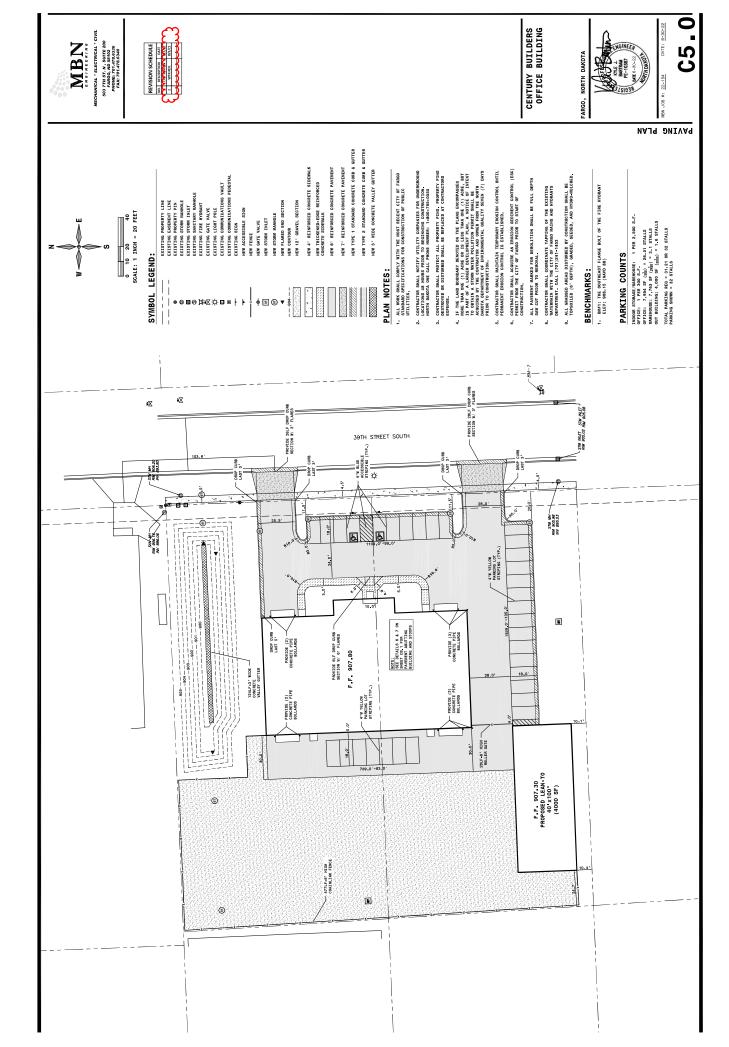
CENTURY BUILDERS OFFICE BUILDING

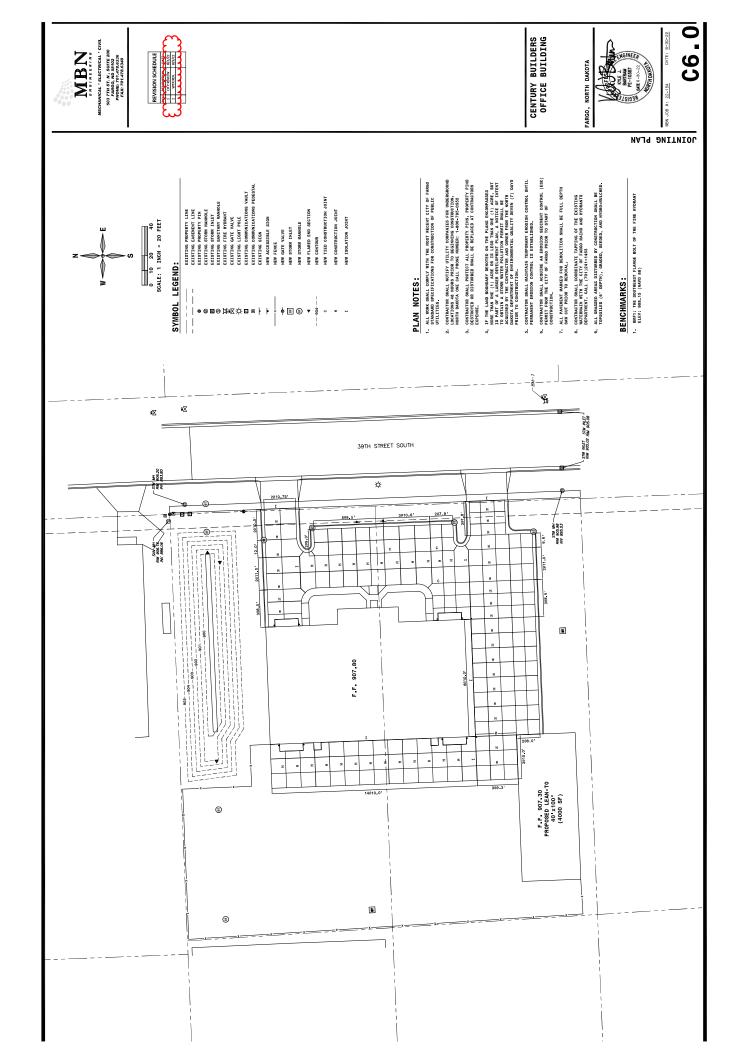


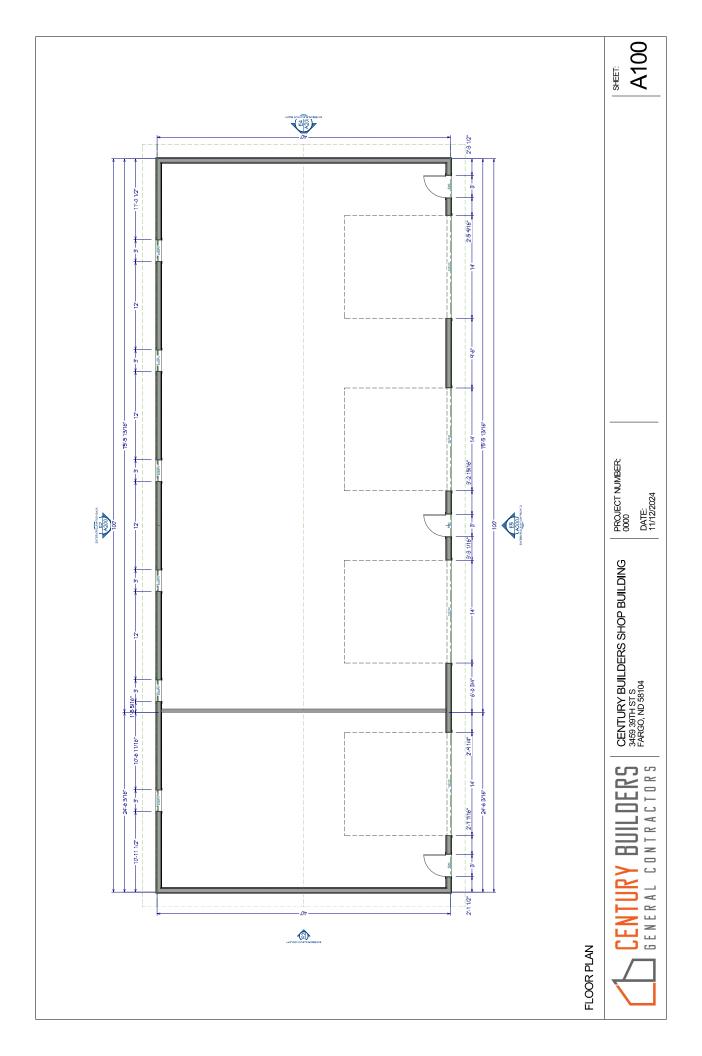


CENTURY BUILDERS OFFICE BUILDING

**C4**.







#### **MEMORANDUM**

TO: ALL DEPARTMENTS

FROM: ALBERT GIBSON, PLANNING AND DEVELOPMENT DEPARTMENT

**DATE:** OCTOBER 21, 2024

SUBJECT: 2025 BOARD OF ADJUSTMENT MEETING SCHEDULE

Listed below are the Board of Adjustment meeting dates for the calendar year 2025.

## 2025 Meeting Schedule

| Board of Adjustment Meetings  |  |  |  |  |  |
|---|--|--|--|--|--|
| January 28  |  |  |  |  |  |
| February 25   |  |  |  |  |  |
| March 25  |  |  |  |  |  |
| April 22  |  |  |  |  |  |
| May 27  |  |  |  |  |  |
| June 24   |  |  |  |  |  |
| July 22   |  |  |  |  |  |
| August 26   |  |  |  |  |  |
| September 23  |  |  |  |  |  |
| October 28  |  |  |  |  |  |
| November 25   |  |  |  |  |  |
| *December 16  |  |  |  |  |  |
| * Date change due to the Christmas Holiday.   |  |  |  |  |  |
| Board of Adjustment meetings will be held the 4th Tuesday of each month at 9:00 a.m. in the Commission Chambers at City Hall. |  |  |  |  |  |