

# **ABANDONMENT/VACATION SUPPLEMENTAL APPLICATION**

Please mail or drop off the following form at the address below when completed:

City of Bowman  
101 1<sup>st</sup> Street NE  
Bowman, North Dakota  
58623-0012

If you have any questions regarding the submission of this application, please contact the Zoning Director at 701-523-3309

## **Procedures:**

Once the application is submitted by the applicant or his/her agent and deemed to be complete, City staff will review the request and then prepare a report with a recommendation. In accordance with state law (North Dakota Century Code [NDCC], sections 40-48-8 to 40-48-11), the application will be reviewed by the Planning and Zoning Commission and/or the City Commission at their respective meetings during a public hearing. Both hearings must be noticed by letter to all surrounding property owners that are within 150 feet of the subject property, and noticed by publication of the description of the proposed request in the City's official newspaper (The Bowman Pioneer). Noticing requirements for the Planning and Zoning Commission and City Commission take 3 weeks to complete and must occur chronologically and not concurrently, and therefore applicants are encouraged to plan accordingly.

The Planning and Zoning Commission will hear the item first if the application is accompanied by another application for land development (if not, the item will be heard only by the City Commission). At an advertised public hearing, the Planning and Zoning Commission will make a recommendation to the City Commission of approval, denial, or tabling pending more information or site inspection. The item will then be heard by the City Commission at an advertised public hearing, and a final decision on the matter will be made. During the public hearings, the applicant and all other interested parties will be heard by either 1) speaking, or 2) writing and submitting their testimony (forms will be available). Once completed, the Zoning Director will issue an Action Letter that will be forwarded to the City Auditor and the applicant.

If the item is heard by the Planning and Zoning Commission with another application, an aggrieved party may appeal of the recommendation to the City Commission. This alerts the City Commission that there is opposition to the request. Any person aggrieved by the decision must file their appeal with the Zoning Director within 10 calendar business days after the Planning and Zoning Commission's recommendation on the item by submitting the appropriate form and fee at the Bowman City Hall Office. After the appeal period expires, the item will be scheduled for the next available City Commission meeting upon which a final decision will be made.

An applicant whose proposal is denied by the City Commission may not institute a new application on substantially the same project within a period less than 12 months from the date of action by the City Commission on the original application, unless the City Commission has first determined that its original decision was based on an error, lack of information, a misrepresentation of the facts, or that there has been a substantial change in the subject property.

## PETITION FOR ABANDONMENT/VACATION

As the owner(s) or duly authorized agent of the owner(s), of property abutting or underlying the property described in the attached legal description, I/we hereby petition the City Planning and Zoning Commission (if applicable) and the City Commission of the City of Bowman to approve the abandonment/vacation of said described area.

Petitioner:

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Signature

Phone \_\_\_\_\_

Petitioner:

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Signature

Phone \_\_\_\_\_

REASON FOR PETITIONING FOR ABANDONMENT OR VACATION (explain in detail and use additional sheets if necessary):

---

---

---

---

---

---

---

---

---

---

IDENTIFY THE LOCATION OF ALL UTILITIES AND EASEMENTS IN THE AREA TO BE ABANDONED/VACATED:

---

---

---

---

---

---

---

---

---

---

**The Zoning Director and/or City Engineer will determine if any of the following items must be included with this application:**

- Bowman Unified Development Application
- 24" X 36" Colored Display Map (site plan - 1 copy for original application)
- 24" X 36" Non-colored Display Map (site plan) with each copy
- 8 ½" X 11" Site Plan
- 24" X 36" Preliminary Grading and Drainage Plan (if applicable)
- Dedication/Ownership Documentation – Documentation identifying how the City of Richardton, or other public entity, obtained the property/easements requested for abandonment/vacation. In the case of a transfer from NDDOT, submit documentation identifying how NDDOT received its property interests.

All drawings must be done with an engineer's scale at 1" = 20' or greater with all buildings and site features fully dimensioned.

\*Drawings must be submitted and stamped by a licensed engineer in the state of North Dakota