



Burleigh County Planning and Zoning Commission Meeting Agenda

Tom Baker Meeting Room, City/County Building, 221 5th Street N,
Bismarck, ND



5:15pm

Attend in Person || Watch Live on Government Access Channels 2 or 602 || Stream on [Freetv.org](https://www.freetv.org) or
[Dakota Media Access Facebook Live](https://www.facebook.com/DakotaMediaAccess) || Replay Later from [Freetv.org](https://www.freetv.org)

AGENDA

October 9, 2024

1. Roll Call
2. Approval of the August 29 Special Meeting Minutes
Approval of the September 11 Minutes
3. Consent Agenda *(The following item(s) are request(s) for a public hearing)*
 - 3-1 Wiese Subdivision
4. Public Hearing Agenda
 - 4-1 Makedonski Subdivision
 - 4-2 Cherney Morrissette Subdivision
5. Other Business:
6. Adjourn – Next Meeting – November 13, 2024

Agenda Item 3-1

Wiese Subdivision & Zoning Change

Project Summary	
Status:	Consent Agenda
Petitioner/Developer	Eugene & Kathleen Wiese
Engineer	Thomas Leshovsky – Wold Engineering P.C.
Location:	Being a Part of the SE 1/4, Section 34, Township 139 N, Range 79W, Burleigh County, ND
	
<div style="border: 1px solid black; padding: 5px; display: inline-block;">3-1-1 Location Map</div>	
Project Size:	One (1) Lot – 2 Acres
Zoning Change:	A-Agriculture to R1- Single Family Residential
Petitioners Request	Approve preliminary plat and zoning change. Call for a public hearing

As set forth under Chapter 11, Section 33 of the North Dakota Century Code and Article 33 of the Burleigh County Ordinances, the Planning Commission shall approve or disapprove the subdivision of all lands within its jurisdiction and recommend the same to the Board of Burleigh County Commissioners



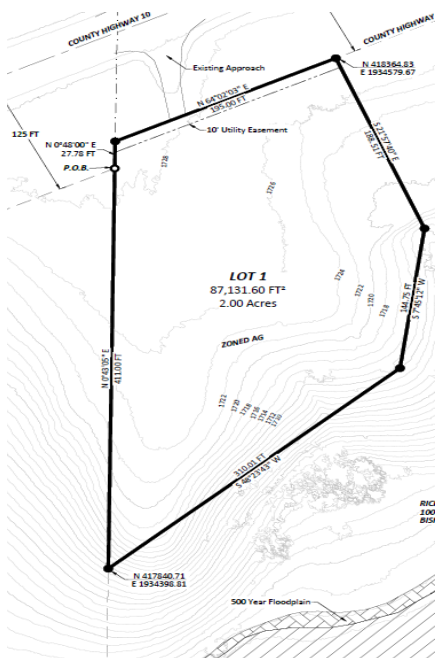
History/Description

The petitioners approached Burleigh County regarding building a single-family home on land they intended to purchase. After review of the request the petitioners were advised to plat a one (1) lot subdivision for the two (2) acres they were purchasing and to request a zoning change from A-Agricultural to R1-Single Family Residential.

A preliminary plat and zoning change were submitted. The review committee did not find issues of concern. The property will use an existing approach to the property. A Stormwater Management Waiver has been requested.

The petitioners have not purchased the two (2) acres at this time. The property owner has agreed to allow the subdivision to be plat. He has signed off on the application and will sign the plat.

The zoning of the property is A-Agriculture, but the zoning change to R1-Single Family Residential is a requirement. Property located north of the proposed subdivision is zoned A, directly to the west, is R1 zoning. South and East of the proposed subdivision is zoned A. A change to R1 zoning is suitable for this location.



Attachment 3-1-2 Preliminary Plat



PLANNING AND ZONING
COMMISSION

October 9, 2024



Attachment 3-1-3 Site Map



PLANNING AND ZONING COMMISSION

October 9, 2024



North View



East View

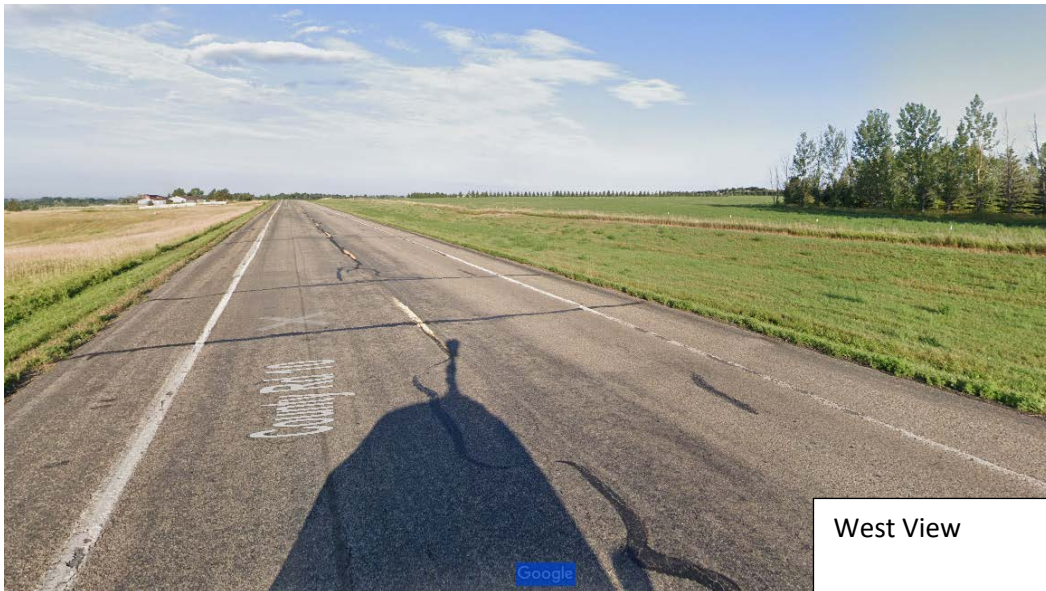


PLANNING AND ZONING
COMMISSION

October 9, 2024



South View



West View



Staff Findings – Preliminary Plat

1. This subdivision fulfills the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. A Stormwater Management Plan or Waiver has been requested
3. This preliminary plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
4. Zoning is A-Agricultural. A zoning change has been requested
5. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 3 Residential Neighborhoods – Objectives 1 and 2.
6. The petitioners have requested a name change from Wiese Subdivision to Wiese Acres Subdivision. This change will be made on the final plat.

Planning Staff Recommendation

The petition for a preliminary plat meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the preliminary plat and calling for a public hearing.

Staff Finding – Zoning Change

1. The petition for a zoning change fulfills all the requirements of Article 29 of the Burleigh County Zoning Ordinances.
2. The property fulfills the requirements for Article 12 of the Burleigh County Zoning Ordinances.
3. R1 zoning of this property is suitable for the area.
4. A zoning change is required to avoid a non-conforming lot.



PLANNING AND ZONING COMMISSION

October 9, 2024

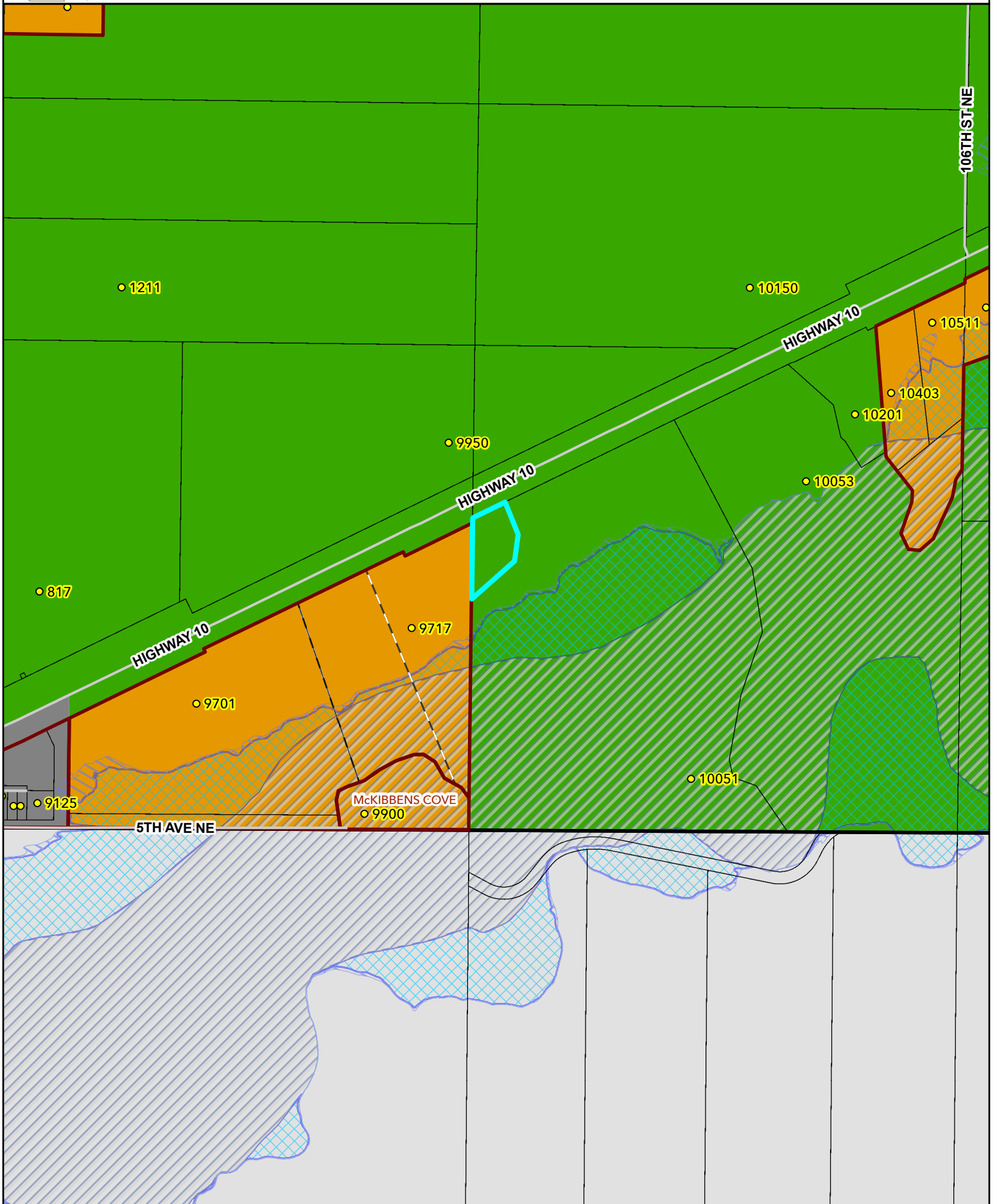
Staff Recommendation

The petition for a zoning change meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the zoning change and calling for a public hearing.

Planning Commission Action

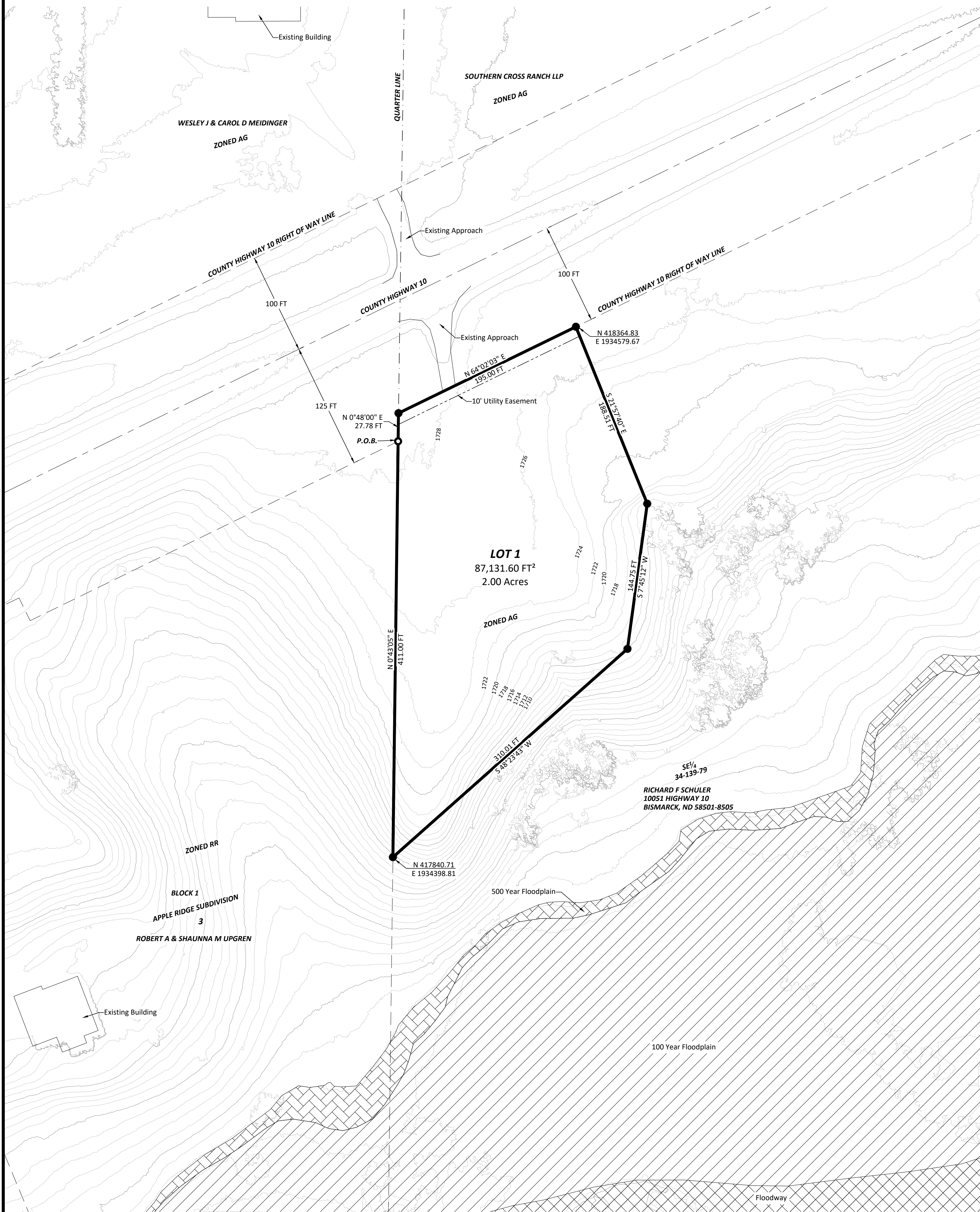
The Burleigh County Planning and Zoning Commission can:

1. Approve the preliminary plat and zoning change and call for a public hearing.
2. Approve the preliminary plat and zoning change with conditions and call for a public hearing after all condition have been completed.
3. Deny the preliminary plat and zoning change with reason.
4. Table the preliminary plat and zoning change for more information.



PRELIMINARY PLAT OF WIESE SUBDIVISION

BEING A PART OF THE SE¹/₄, SECTION 34, TOWNSHIP 139 N, RANGE 79 W,
OF BURLEIGH COUNTY, NORTH DAKOTA



PRELIMINARY PLAT FOR REVIEW ONLY 9/19/2024

DESCRIPTION:

Know all men by these presents that Richard Schuler, being Owner and Proprietor, of an Unplatted Part of the SE¹/₄, Section 34, Township 139 N, Range 79 W, of the 5th Principal Meridian, Burleigh County, North Dakota, being more particularly described as follows:
Beginning at the Northeast Corner, of Lot 3, Block 1, of Apple Ridge Subdivision, a Plat being on file at the Burleigh County Recorder's Office; Thence N 0°48'00" E, on the North-South Quarter Line, of said Section 34, a distance of 27.78 FT, to a Point being on the South Right of Way Line of County Highway 10; Thence N 64°02'03" E, on said Right of Way Line, a distance of 195.00 FT; Thence S 21°57'40" E, a distance of 188.51 FT; Thence S 7°45'12" W, a distance of 144.75 FT; Thence S 48°23'43" W, a distance of 310.01 FT, to a Point being on the East Line of said Lot 3; Thence N 0°43'05" E, on the East Line of said Lot 3, a distance of 411.00 FT, to the Point of Beginning
Said described tract, of land contains 2.00 Acres more or less. Have caused the same to be surveyed and platted as shown hereon, to be known as Wiese Subdivision, to Burleigh County, North Dakota and hereby dedicate and donate road rights, of ways and easements as shown to the public for public use forever, in witness whereof, the owners hereunto affixed their signatures.

SURVEYOR'S CERTIFICATE

I, Thomas R. Leshovsky, a duly Registered Professional Land Surveyor, do hereby certify that I have Surveyed and Platted, the Foregoing described land. That Lots, Distances, Areas and Locations as shown on the foregoing Plat and in the Description Thereof, are true and correct to the best of my Knowledge and Belief.

Thomas R. Leshovsky P.L.S. #6134

STATE OF NORTH DAKOTA, COUNTY OF _____

On this ____ Day of _____, 2024, before me, a Notary Public in and for said State, Appeared Thomas R. Leshovsky, Registered Land Surveyor, well known to be such, and acknowledged to me that he executed the foregoing Surveyor's Certificate as his own free act and deed.

My commission expires _____

Notary Public, State of North Dakota

OWNER'S CERTIFICATE OF DEDICATION

We, the undersigned, being sole owners of the land platted herein, do hereby voluntarily consent to the execution of said plat and do dedicate all the right of way identified herein to Burleigh County. We also dedicate Easements to run with the land for gas, electric, telephone, water or other public utilities or services on or under those certain strips of land designated hereon as "Utility Easement".

Richard Schuler

STATE OF NORTH DAKOTA, COUNTY OF _____

On this ____ Day of _____, 2024, before me, a Notary Public in and for said State, Appeared Richard Schuler, well known to be the person described in the foregoing description and acknowledged to me that he executed the same on his own free act and deed.

My commission expires _____

Notary Public, State of North Dakota

APPROVAL OF COUNTY PLANNING AND ZONING COMMISSION

The County Planning and Zoning Commission of Burleigh County, North Dakota, hereby approves Wiese Addition as shown on this plat, this plat was done in accordance with the laws of the State of North Dakota, the comprehensive plan and the ordinances of the County of Burleigh and regulations adopted by said Planning and Zoning Commission.

The foregoing action of the County Planning and Zoning Commission of Burleigh County, North Dakota, was taken by resolution approved on this ____ Day of _____, 2024.

Chairman

Attest

APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners of the County of Burleigh, North Dakota, has approved the Subdivision of land as shown on this plat. Has accepted the dedication of all streets shown thereon, and does hereby vacate any previous platting within the boundary of this plat.

The plat was done in accordance with the laws of the State of North Dakota, the comprehensive plan and ordinances of the County of Burleigh.

The foregoing action of the Board of County Commission of Burleigh County, North Dakota, was taken by resolution approved on this ____ Day of _____, 2024.

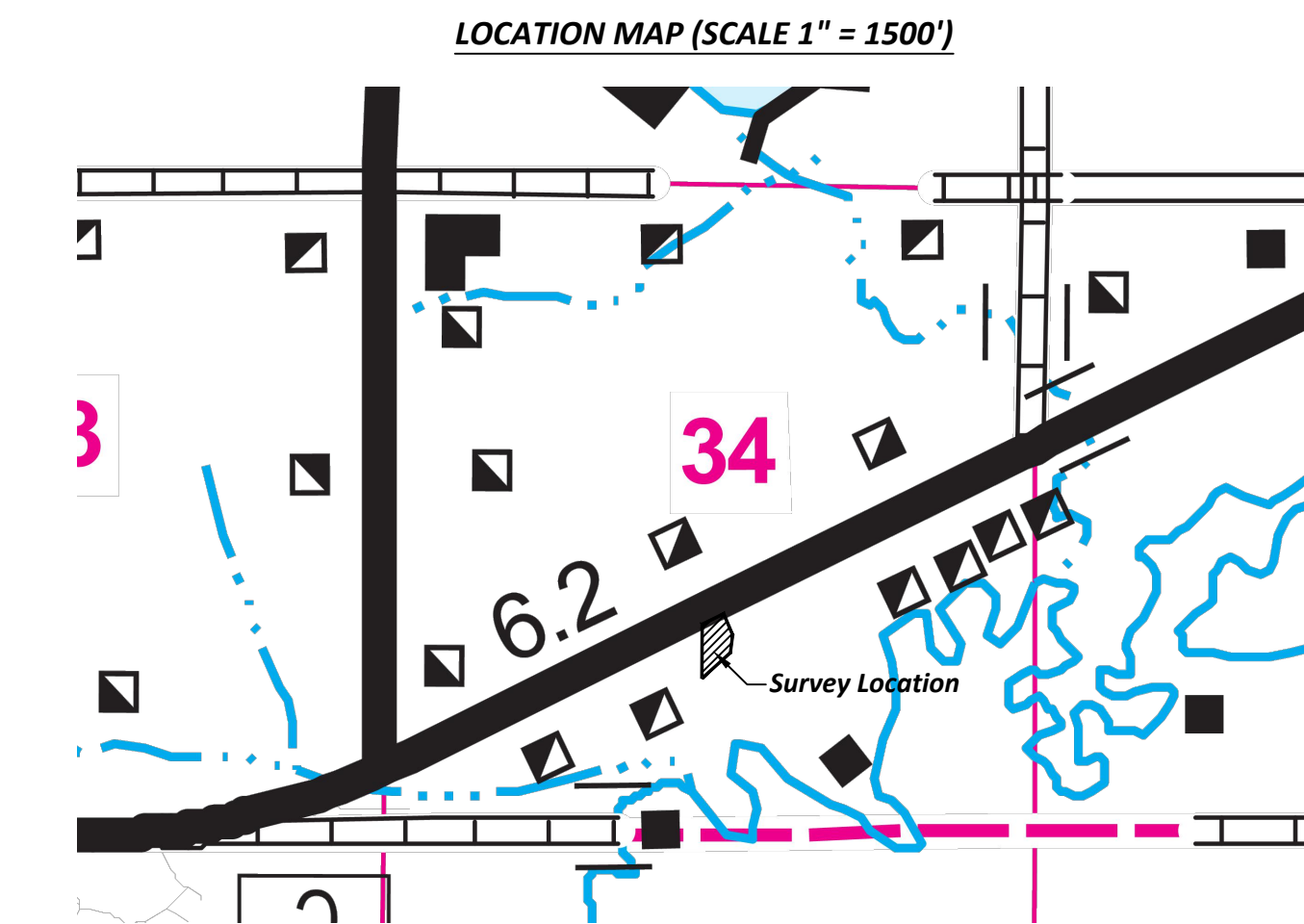
Chairman

Attest

APPROVAL OF THE COUNTY ENGINEER

I, Marcus J. Hall, County Engineer for the County of Burleigh, North Dakota, hereby approves this plat of "Wiese Addition" as shown on the plat, on this ____ Day of _____, 2024.

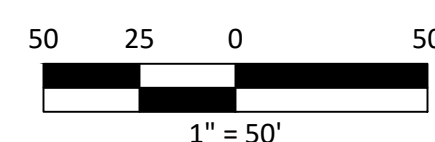
County Engineer



SURVEYOR

Thomas R. Leshovsky
Wold Engineering P.C.
110 8th Ave SW
Minot, ND 58701

- - Denotes Property Corner Set
- - Denotes Property Corner Found
- ✕ - Denotes Traverse Point



NOTES:

Plat is subject to all prior Easements of Record.

Bearings and Distances may vary from previous plats due to different methods of measurement.

A 10' Utility Easement is on the streetside of every Lot.

State Plane Coordinates shown are North Dakota (South Zone) NAD83 Int. Feet. NGS OPUS Solution was used to establish coordinates.

Elevations Shown are NAVD88 Int. Feet.




915 East 11th Street - PO Box 237 - Bottineau, ND 58318
110 8th Avenue Southwest - Minot, ND 58701
316 Eastdale Drive - PO Box 1277 - Bismarck, ND 58502



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Agenda Item 4-1

Public Hearing - Makedonski Subdivision

Project Summary									
Status:	Public Hearing								
Petitioner/Developer	K. Makedonski & L. Makedonski								
Engineer	Mark Isaac, Independent Land Surveyor								
Location:	Part of the West 1/2 of the Northwest 1/4 Section 9, Township 139N, Range 76W								
									
<div style="border: 1px solid black; padding: 5px; display: inline-block;">4-1-1 Location Map</div>									
Project Size:	73.18 acres 4 Lots Zoning is Sterling Township								
Petitioners Request	A "Do Pass" recommendation to the BCC								
Notifications:	<table border="0"> <tr> <td>Bismarck Tribune</td> <td>September 26, 2024</td> </tr> <tr> <td></td> <td>October 3, 2024</td> </tr> <tr> <td>Surrounding Properties</td> <td>September 26, 2024</td> </tr> <tr> <td>Burleigh Co. Website</td> <td>September 26, 2024</td> </tr> </table>	Bismarck Tribune	September 26, 2024		October 3, 2024	Surrounding Properties	September 26, 2024	Burleigh Co. Website	September 26, 2024
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As set forth under Chapter 11, Section 33 of the North Dakota Century Code and Article 33 of the Burleigh County Ordinances, the Planning Commission shall approve or disapprove the subdivision of all lands within its jurisdiction and recommend the same to the Board of Burleigh County Commissioners



PLANNING AND ZONING COMMISSION

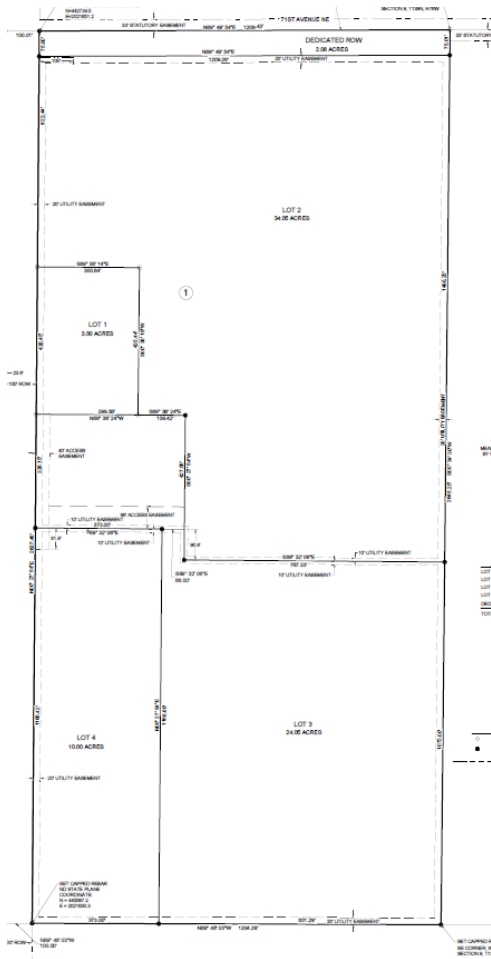
October 9, 2024

History

Burleigh County was approached regarding a four (4) lot subdivision and zoning change from A-Agricultural to R1-Rural Single Family Residential. This is a large property owned by the same family. Different family members would like to build on the property. They would like to break the property into individual lots.

The review committee did not find issues of concern. A Stormwater Waiver has been approved. A paving waiver was granted by the Board of Burleigh County Commissioners. The Burleigh County Planning and Zoning Commission approved the preliminary plat and called for a public hearing at their September 11, 2024 meeting.

Zoning for this property is under Sterling Township's Jurisdiction. Sterling has approved the continued A-Agricultural zoning of this subdivision. Sterling Township recommends approval of the plat.



Attachment 4-1-2 Final Plat



PLANNING AND ZONING
COMMISSION

October 9, 2024

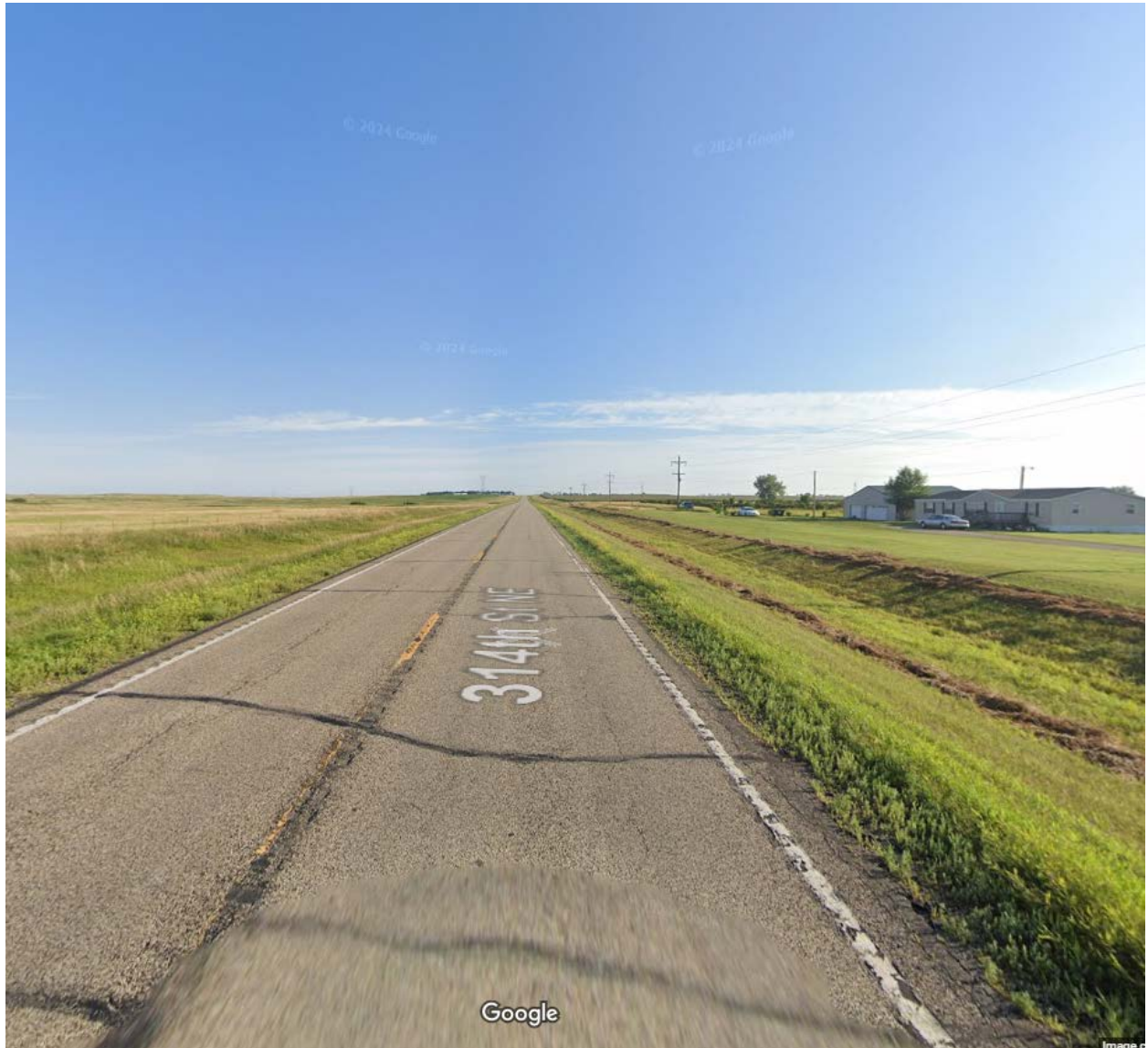


Attachment 4-1-3 Site Map



PLANNING AND ZONING
COMMISSION

October 9, 2024



North View



PLANNING AND ZONING
COMMISSION

October 9, 2024

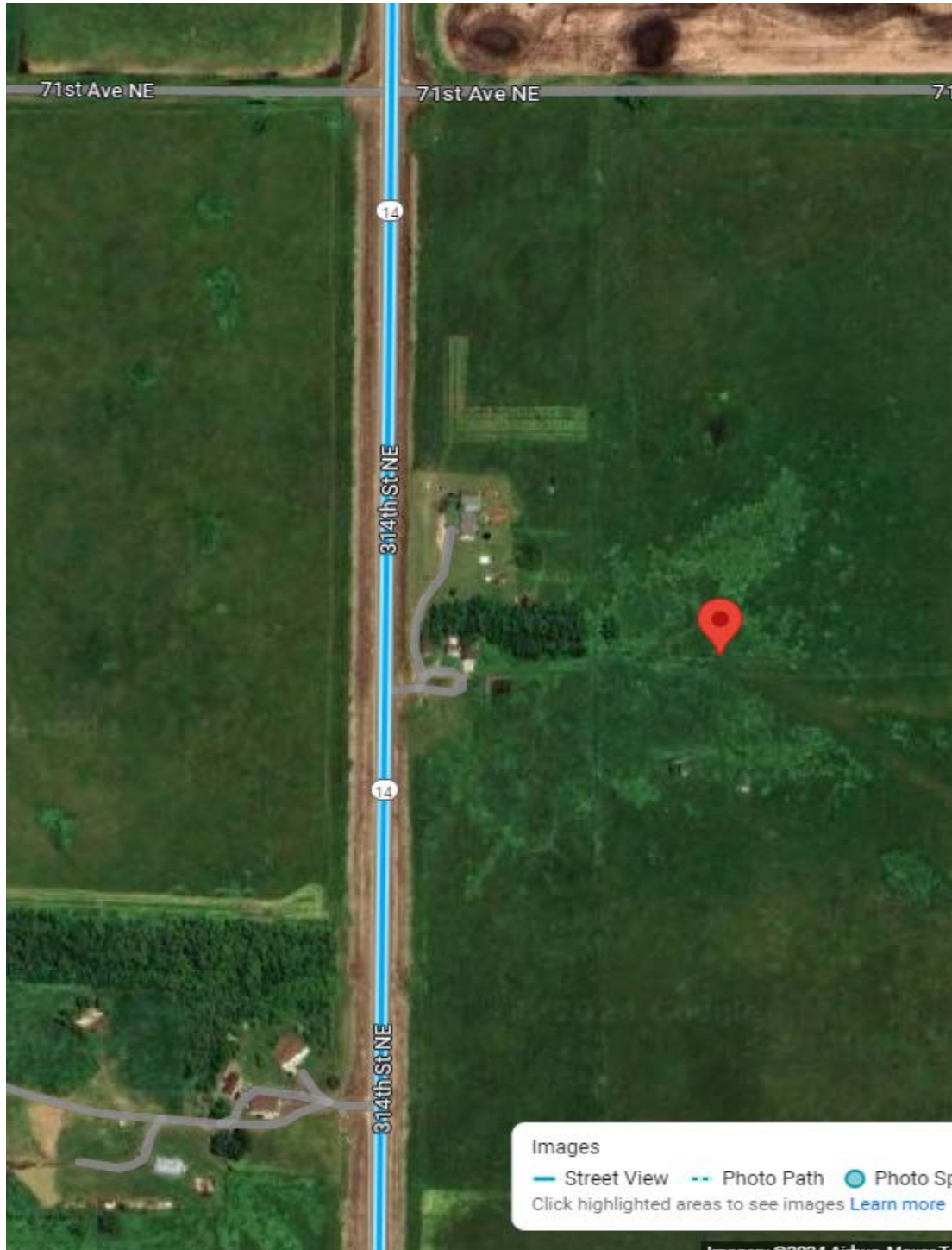


South View



PLANNING AND ZONING
COMMISSION

October 9, 2024



October 9, 2024



Staff Findings

1. This subdivision fulfills the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. A paving waiver has been granted
3. A Stormwater Management Plan Waiver has been granted
4. This final plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
5. Sterling Township has recommended approval of the plat.
6. Sterling Township has zoning jurisdiction for this area. Sterling approved the zoning as is.
7. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 3 Residential Neighborhoods – Objectives 1 and 2.

Planning Staff Recommendation

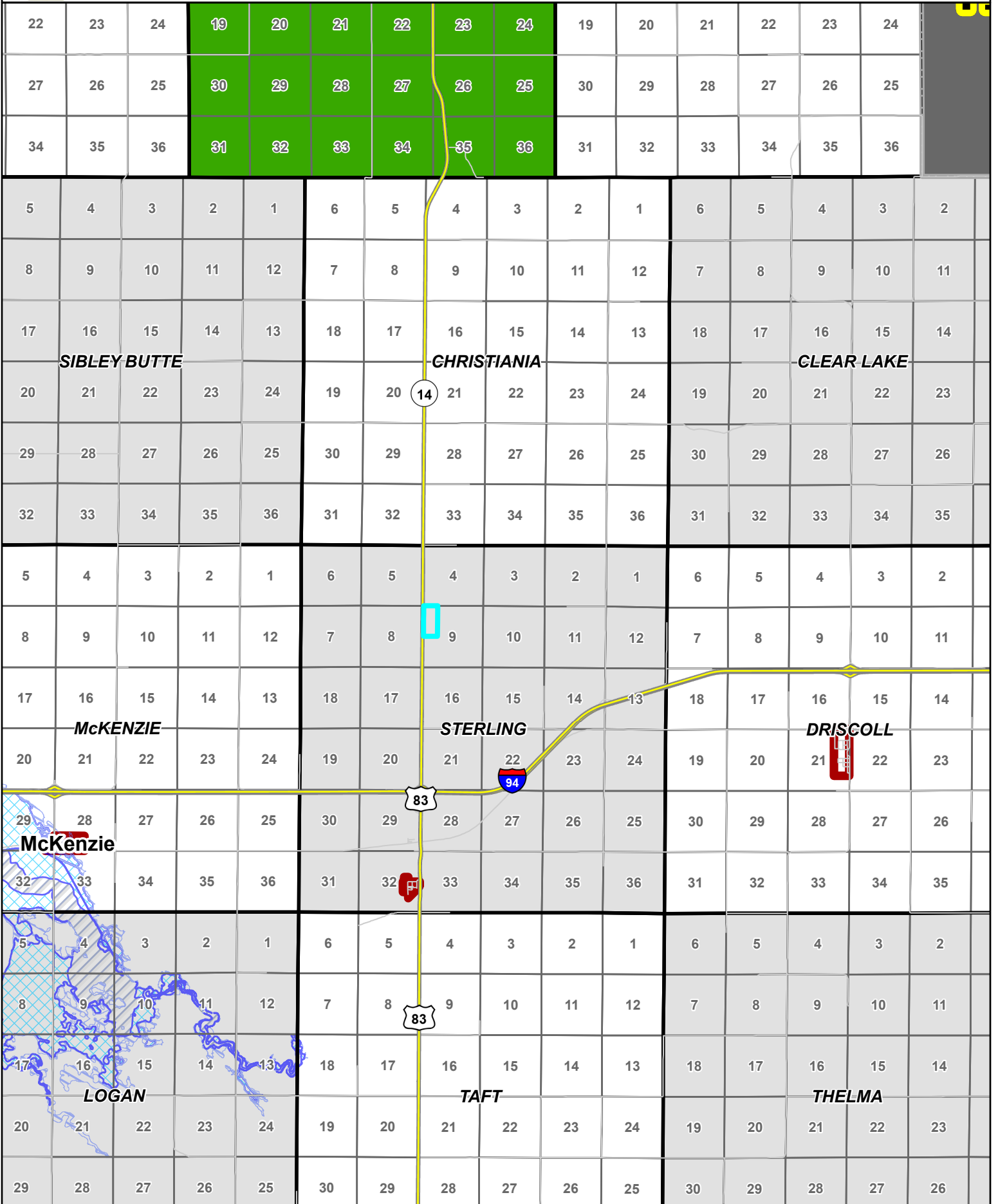
The petition for a final plat meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the final plat and give a "Do Pass" recommendation to the BCC

Planning Commission Action

The Burleigh County Planning and Zoning Commission can:

1. Approve the final plat and giving a "Do Pass" recommendation to the BCC
2. Approve the final plat with conditions and give a "Do Pass" after all conditions have been met.
3. Deny the final plat with reason.
4. Table the final plat for more information.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP



MAKEDONSKI SUBDIVISION

PART OF THE WEST HALF OF THE NORTHWEST QUARTER

SECTION 9, T139N, R76W

BURLEIGH COUNTY, NORTH DAKOTA

LAND DESCRIPTION

PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 139 NORTH, RANGE 76 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 9; THENCE NORTH 89° 49' 54" EAST ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 9 A DISTANCE OF 100.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89° 49' 54" EAST ON THE NORTH LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 9 A DISTANCE OF 1209.34 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 9; THENCE SOUTH 00° 34' 30" WEST ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 9; THENCE SOUTH 00° 34' 30" WEST ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 9; THENCE NORTH 89° 48' 03" WEST ON THE SOUTH LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 9 A DISTANCE OF 1204.29 FEET TO THE EAST RIGHT OF WAY LINE OF HIGHWAY 14; THENCE NORTH 00° 27' 54" EAST ON SAID EAST RIGHT OF WAY LINE A DISTANCE OF 2637.46 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 73.18 ACRES MORE OR LESS; AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

SURVEYOR'S CERTIFICATE

I, MARK R. ISAACS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE APPROVED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON JULY 12, 2023. THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

MARK R. ISAACS, RLS 9628

OWNER'S CERTIFICATE OF DEDICATION

WE, THE UNDERSIGNED, BEING SOLE OWNERS OF THE LAND PLATTED HEREIN, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AND DO DEDICATE ALL THE RIGHT OF WAY IDENTIFIED HEREIN TO BURLEIGH COUNTY. WE ALSO DEDICATE EASEMENTS TO RUN WITH THE LAND FOR GAS, ELECTRIC, TELEPHONE, WATER, OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENT".

THEY ALSO DEDICATE ACCESS EASEMENTS TO ALL LAND OWNING PARTIES, TO RUN WITH THE LAND FOR THE PURPOSE OF CONSTRUCTING, OPERATING, AND MAINTAINING THE ACCESS UNDER OR UPON THE REAL PROPERTY OF THOSE CERTAIN STRIPS OF LAND SO DESIGNATED.

KENNETH MAKEDONSKI
LOT 2, BLOCK 1

LUCINDA J. MAKEDONSKI
LOT 1, 3, & 4; BLOCK 1

STATE OF _____)
COUNTY OF _____) SS

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, THIS ____ DAY OF _____, 20__.

NOTARY PUBLIC _____

APPROVAL OF COUNTY PLANNING AND ZONING COMMISSION

THE COUNTY PLANNING AND ZONING COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA, HEREBY APPROVES MAKEDONSKI SUBDIVISION AS SHOWN ON THIS PLAT. THIS PLAT WAS DONE IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, THE COMPREHENSIVE PLAN AND THE ORDINANCES OF THE COUNTY OF BURLEIGH AND REGULATIONS ADOPTED BY SAID PLANNING AND ZONING COMMISSION.

THE FOREGOING ACTION OF THE COUNTY PLANNING AND ZONING COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED ON THE ____ DAY OF _____, 20__.

DENNIS AGNEW - CHAIRMAN

ATTEST: MITCH FLANAGAN - SECRETARY

APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF BURLEIGH, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE PLAT AS AN AMENDMENT TO THE MASTER PLAN OF BURLEIGH COUNTY, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THIS PLAT.

THE PLAT WAS DONE IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, THE COMPREHENSIVE PLAN AND ORDINANCES OF THE COUNTY OF BURLEIGH. THE FOREGOING ACTION OF THE BOARD OF COUNTY COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED ON THE ____ DAY OF _____, 20__.

BRIAN BITTNER - CHAIRMAN

ATTEST: MARK SPLONKOWSKI,
COUNTY AUDITOR/TREASURER

APPROVAL OF THE COUNTY ENGINEER

I, MARCUS J. HALL, COUNTY ENGINEER FOR THE COUNTY OF BURLEIGH, NORTH DAKOTA, HEREBY APPROVES THIS PLAT OF "MAKEDONSKI SUBDIVISION" AS SHOWN ON THE PLAT, DATED THIS ____ DAY OF _____, 20__.

MARCUS J. HALL, PE
COUNTY ENGINEER

BENCHMARK - SOUTHWEST CORNER OF LOT 1,
BLOCK 1, AN ALUMINUM CAPPED REBAR FOUND
FLUSH WITH THE GROUND. ELEVATION = 1947.81

PROFESSIONAL LAND SURVEYOR
MARK R. ISAACS, LS-9628

MAKEDONSKI SUBDIVISION
PART OF THE W. 1/2 NW. 1/4
SECTION 9, T139N, R76W
BURLEIGH, NORTH DAKOTA

Independent
Land
Surveying &
Engineering

SHEET: 1 OF 1 JOB NUMBER: 24032
SCALE: 1" = 100' DWG REVISION DATES
DRAWN BY: MRS - - -
DWG DATE: 9/12/24 - - -
Cell: 701-955-2079
mark@isurveynd.com

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
Cell: 701-955-2079
mark@isurveynd.com

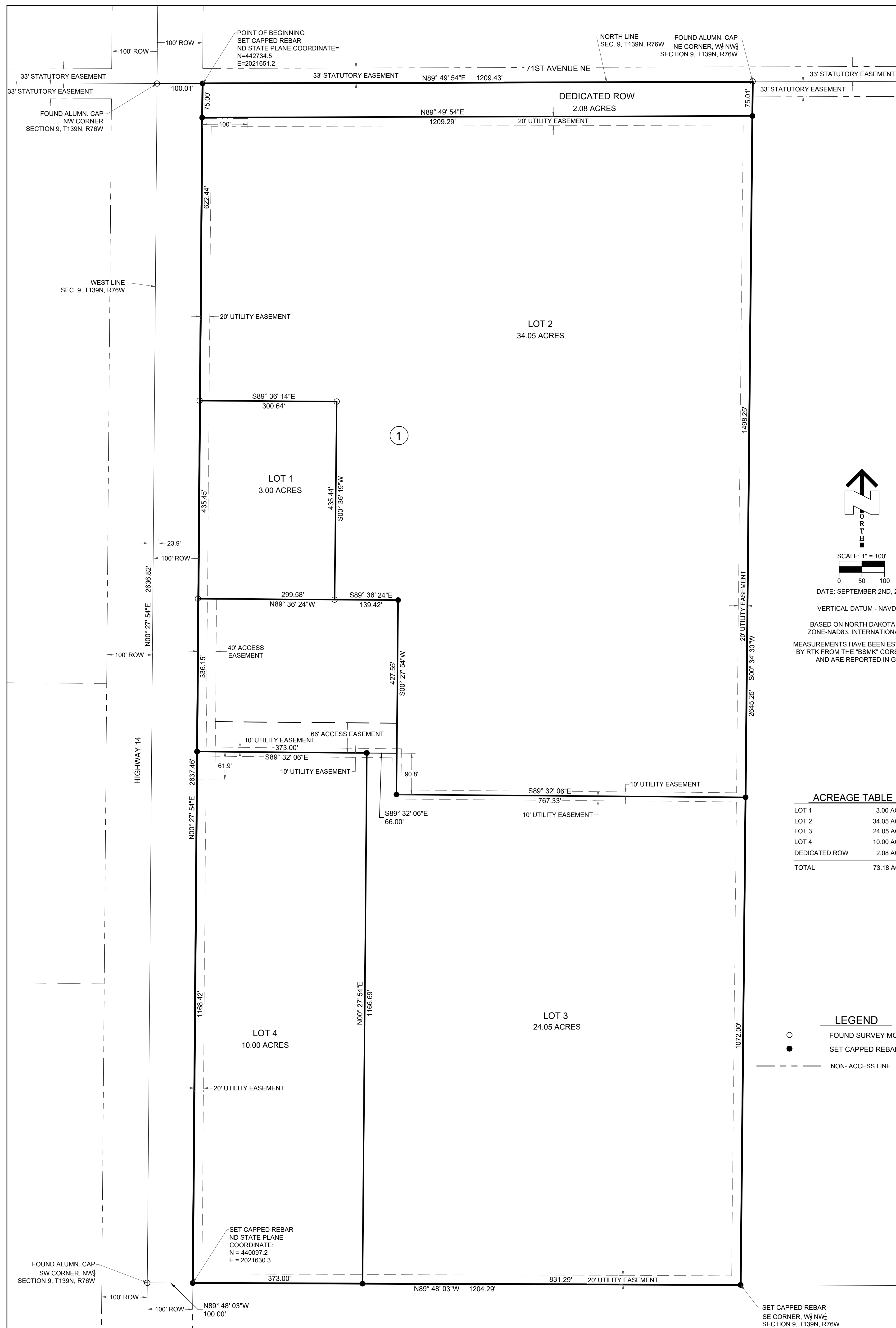
NOTES:

- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
- SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
- EXISTING ZONING - AGRICULTURAL.
- THE 40' ACCESS EASEMENT SHOWN HEREON IS FOR THE BENEFIT OF LOT 1, BLOCK 1.
- THE 66' ACCESS EASEMENT IS FOR THE BENEFIT OF LOTS 2, 3, & 4, BLOCK 1.

OWNERS:

LUCINDA J. MAKEDONSKI
6799 HIGHWAY 14
STERLING, ND 58572

KENNETH MAKEDONSKI
1606 POCATELLO DRIVE
BISMARCK, ND 58504

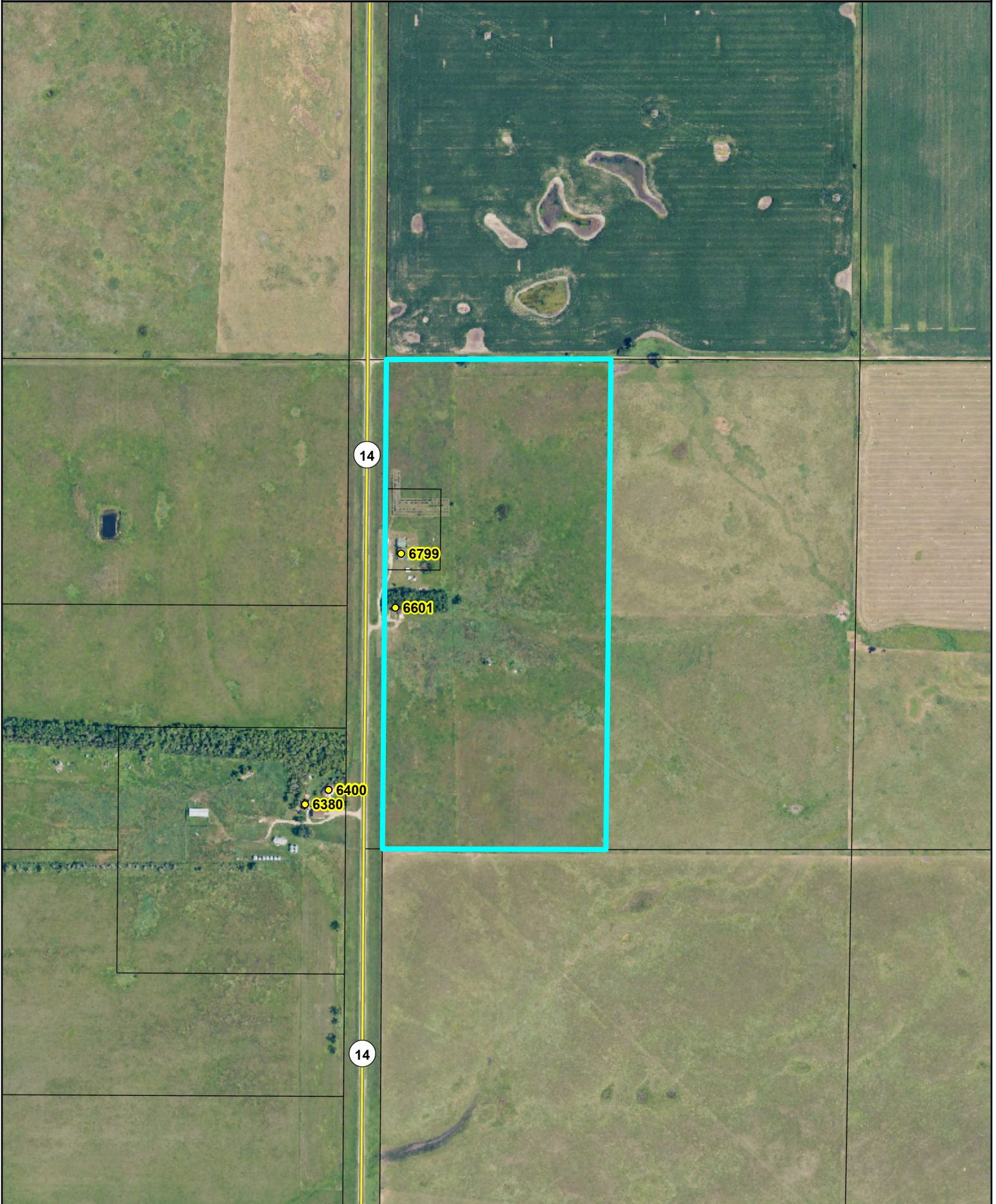


ACREAGE TABLE

LOT 1	3.00 ACRES
LOT 2	34.05 ACRES
LOT 3	24.05 ACRES
LOT 4	10.00 ACRES
DEDICATED ROW	2.08 ACRES
TOTAL	73.18 ACRES

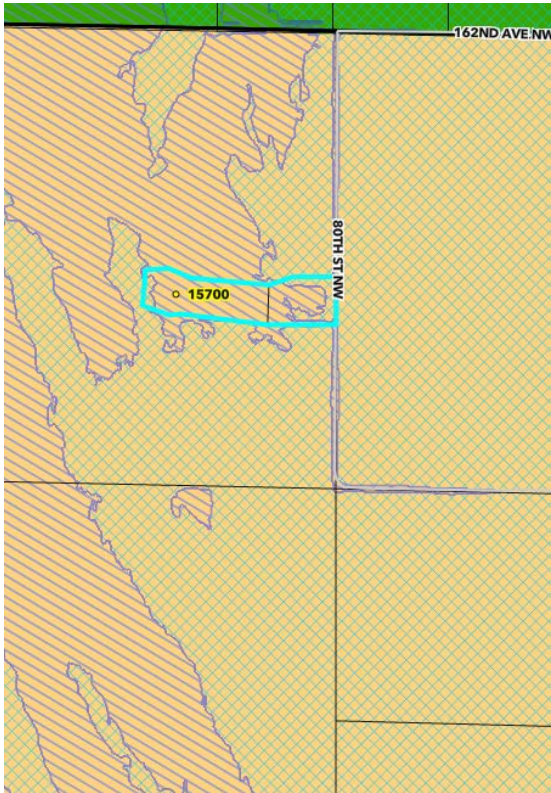
LEGEND

- FOUND SURVEY MONUMENT
- SET CAPPED REBAR - LS9628
- - - - - NON- ACCESS LINE



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Agenda Item 4-2
 CHERNEY MORRISSETTE SUBDIVISION

Project Summary	
Status:	Public Hearing
Petitioner/Developer	Jacob Morrissette & Jason & Sarah Cherney
Engineer	Mark Isaac, Independent Land Surveyor
Location:	Part of the Northeast 1/4 – Section 5, Township 140N, Range 81 W, Burleigh County, ND
	
<div style="border: 1px solid black; padding: 5px; display: inline-block;">4-2-1 Location Map</div>	
Project Size:	6 Acres more or less 2 Lots
Notifications	Bismarck Tribune September 26, 2024 October 3, 2024 Surrounding Properties September 26, 2024 Burleigh County Website September 26, 2024
Request:	"Do Pass" recommendation to the BCC

As set forth under Chapter 11, Section 33 of the North Dakota Century Code and Article 33 of the Burleigh County Ordinances, the Planning Commission shall approve or disapprove the subdivision of all lands within its jurisdiction and recommend the same to the Board of Burleigh County Commissioners



PLANNING AND ZONING COMMISSION

October 9, 2024

History/Description

Burleigh County was approached regarding a two (2) lot subdivision containing 6 acres more or less.

The review committee did not find issues of concern. A paving waiver has been requested and was granted by the Board of Burleigh County Commissioners. A Storm Water Management Plan Waiver has been granted. The Burleigh County Planning and Zoning Commission approved the preliminary plat and called for a public hearing at their September 11, 2024 meeting.

Zoning for this property is R1-Rural Single Family Residential.



Attachment 4-2-2 Final Plat



PLANNING AND ZONING
COMMISSION

October 9, 2024



Attachment 4-2-3 Site Map



Staff Findings

1. This subdivision fulfills the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. A paving waiver has been granted
3. A Stormwater Management Plan Waiver has been granted
4. This final plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
5. The Burleigh County Planning and Zoning Commission approved the preliminary plat and called for a public hearing on September 11, 2024
6. Zoning is R1-Rural Single Family Residential
7. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 3 Residential Neighborhoods – Objectives 1 and 2.

Planning Staff Recommendation

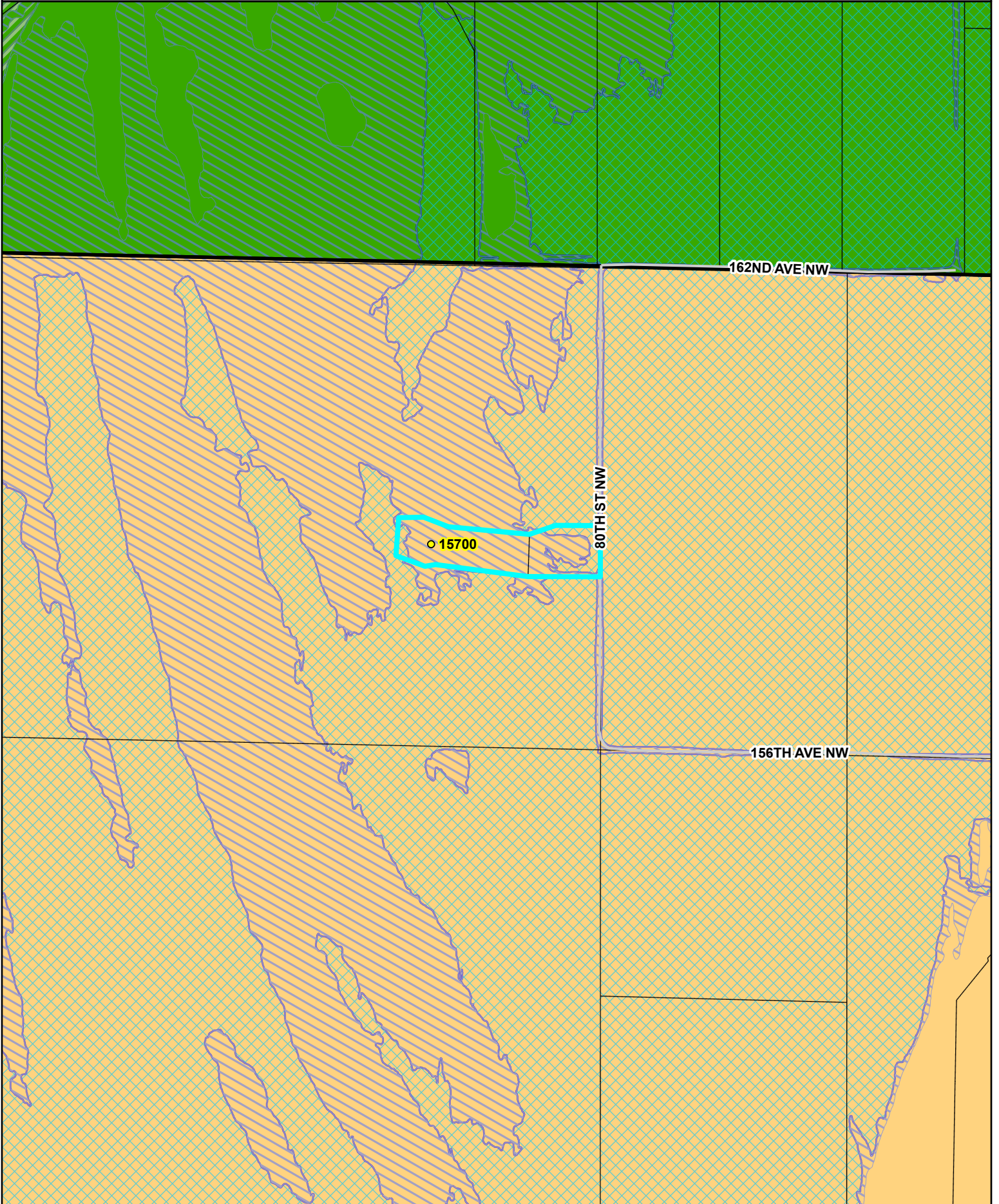
The petition for a final plat meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the final plat and a "Do Pass" recommendation to the Burleigh County Commission.

Planning Commission Action

The Burleigh County Planning and Zoning Commission can:

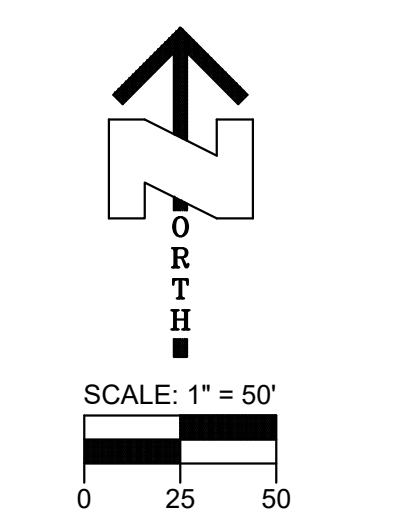
1. Approve the final plat and give a "Do Pass" recommendation to the BCC
2. Approve the final plat with conditions and give a "Do Pass" recommendation to the BCC after all condition have been completed.
3. Deny the final plat with reason.
4. Table the final plat for more information.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP



CHERNEY MORRISSETTE SUBDIVISION

PART OF NORTHEAST QUARTER - SECTION 5, T140N, R81W
BURLEIGH COUNTY, NORTH DAKOTA



DATE: SEPTEMBER 12TH, 2024
VERTICAL DATUM - NAVD 1988.
BASED ON NORTH DAKOTA SOUTH ZONE-NAD83, INTERNATIONAL FEET.
MEASUREMENTS HAVE BEEN ESTABLISHED BY RTK FROM THE "B5MK" CORS STATION AND ARE REPORTED IN GRID.

FLOOD ZONE AE
PORTION OF LOTS 1 AND 2 ARE SITUATED WITHIN "ZONE AE" - THE 100 YEAR FLOOD HAZARD AS SHOWN ON THE NATIONAL FLOOD HAZARD FEMA MAP PANEL NUMBER 38015C0560E, EFFECTIVE DATE IS 6/06/2024. FLOOD ELEVATION = 1645.8.

ACREAGE TABLE	
LOT 1	1.89 ACRES
LOT 2	3.68 ACRES
DEDICATED ROW	0.48 ACRES
TOTAL	6.05 ACRES

LAND DESCRIPTION

A TRACT OF LAND BEING PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 140 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 5; THENCE SOUTH 00° 01' 43" WEST ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 A DISTANCE OF 1407.84 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00° 01' 43" WEST ON SAID EAST LINE A DISTANCE OF 276.16 FEET; THENCE NORTH 89° 55' 51" WEST A DISTANCE OF 390.51 FEET; THENCE NORTH 82° 33' 47" WEST A DISTANCE OF 502.89 FEET; THENCE SOUTH 80° 17' 04" WEST A DISTANCE OF 57.28 FEET; THENCE NORTH 69° 32' 57" WEST A DISTANCE OF 166.46 FEET; THENCE NORTH 04° 03' 56" EAST A DISTANCE OF 204.99 FEET; THENCE NORTH 88° 46' 34" EAST A DISTANCE OF 134.60 FEET; THENCE SOUTH 68° 45' 45" EAST A DISTANCE OF 143.94 FEET; THENCE SOUTH 84° 39' 44" EAST A DISTANCE OF 437.40 FEET; THENCE NORTH 71° 25' 55" EAST A DISTANCE OF 149.78 FEET; THENCE SOUTH 89° 58' 19" EAST A DISTANCE OF 240.98 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 6.05 ACRES MORE OR LESS AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

SURVEYOR'S CERTIFICATE

I, MARK R. ISAACS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE APPROVED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON JULY 12, 2023. THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

MARK R. ISAACS, RLS 9628

OWNER'S CERTIFICATE OF DEDICATION

WE, THE UNDERSIGNED, BEING SOLE OWNERS OF THE LAND PLATTED HEREIN, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AND DO DEDICATE ALL THE RIGHT OF WAY IDENTIFIED HEREIN TO BURLEIGH COUNTY. WE ALSO DEDICATE EASEMENTS TO RUN WITH THE LAND FOR GAS, ELECTRIC, TELEPHONE, WATER, OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENT".

THEY ALSO DEDICATE ACCESS EASEMENTS TO ALL LAND OWNING PARTIES, TO RUN WITH THE LAND FOR THE PURPOSE OF CONSTRUCTING, OPERATING, AND MAINTAINING THE ACCESS UNDER OR UPON THE REAL PROPERTY OF THOSE CERTAIN STRIPS OF LAND SO DESIGNATED.

JASON C. CHERNEY
LOT 2, BLOCK 1

SARAH L. CHERNEY
LOT 2, BLOCK 1

JACOB MORRISSETTE
LOT 1, BLOCK 1

STATE OF _____ }
COUNTY OF _____ } SS

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, THIS ____ DAY OF _____, 20__.

NOTARY PUBLIC _____

APPROVAL OF COUNTY PLANNING AND ZONING COMMISSION

THE COUNTY PLANNING AND ZONING COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA, HEREBY APPROVES CHERNEY MORRISSETTE SUBDIVISION AS SHOWN ON THIS PLAT. THIS PLAT WAS DONE IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, THE COMPREHENSIVE PLAN AND THE ORDINANCES OF THE COUNTY OF BURLEIGH AND REGULATIONS ADOPTED BY SAID PLANNING AND ZONING COMMISSION.

THE FOREGOING ACTION OF THE COUNTY PLANNING AND ZONING COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED ON THE ____ DAY OF _____, 20__.

DENNIS AGNEW - CHAIRMAN

ATTEST: MITCH FLANAGAN - SECRETARY

APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF BURLEIGH, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE PLAT AS AN AMENDMENT TO THE MASTER PLAN OF BURLEIGH COUNTY, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THIS PLAT.

THE PLAT WAS DONE IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, THE COMPREHENSIVE PLAN AND ORDINANCES OF THE COUNTY OF BURLEIGH.

THE FOREGOING ACTION OF THE BOARD OF COUNTY COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED ON THE ____ DAY OF _____, 20__.

BRIAN BITTNER - CHAIRMAN

ATTEST: MARK SPLONSKOWSKI,
COUNTY AUDITOR/TREASURER

APPROVAL OF THE COUNTY ENGINEER

I, MARCUS J. HALL, COUNTY ENGINEER FOR THE COUNTY OF BURLEIGH, NORTH DAKOTA, HEREBY APPROVES THIS PLAT OF "CHERNEY MORRISSETTE SUBDIVISION" AS SHOWN ON THE PLAT, DATED THIS ____ DAY OF _____, 20__.

MARCUS J. HALL, PE
COUNTY ENGINEER

- NOTES:**
- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
 - SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
 - EXISTING ZONING - R1
 - THE EXISTING 66' ACCESS EASEMENT SHOWN HEREON WILL BE REPLACED BY THE 50' ACCESS EASEMENT SHOWN HEREON FOR THE BENEFIT OF LOTS 1 AND 2, BLOCK 1.

PROFESSIONAL LAND SURVEYOR
MARK R. ISAACS, LS-9628

CHERNEY MORRISSETTE SUBDIVISION
PART NORTHEAST QUARTER
SECTION 5, T140N, R81W
BURLEIGH, NORTH DAKOTA

Independent Land Surveying & Engineering

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
Cell: 701-955-2079
mark@lsurveynd.com
rd.dwg

SHEET: 1 OF 1 JOB NUMBER: 24110
SCALE: 1"= 50' DWG REVISION DATES
DRAWN BY: MRB
DWG DATE: 9/12/24
DWG NAME: Cherney Morrisette Subdivision Final.dwg

OWNERS:
JACOB MORRISSETTE
8131 RIDGELAND DRIVE
BISMARCK, ND 58503
JASON C. & SARAH L. CHERNEY
15700 80TH STREET NW
BISMARCK, ND 58501

BENCHMARK - SOUTHWEST CORNER OF LOT 1, BLOCK 1, A CAPPED REBAR FOUND FLUSH WITH THE GROUND. ELEVATION = 1646.63

