



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

November 12, 2025

1. Roll Call

- Approval of the October 8, 2025 Minutes

2. Public Comments: *(Restricted to Burleigh County residents and landowners)*

3. Consent Agenda: *(The following item(s) are request(s) for a public hearing)*

3-1 Kuntz Subdivision

- *Preliminary Plat Consideration for a one (1) lot subdivision/Staff recommends: Approval and call a public hearing/Staff recommends: Approval*

4. Public Hearing Agenda:

4-1 Huez Subdivision

- *Requests a "Do Pass" for a one (1) lot Subdivision/Staff recommends: Approval*

4-2 Gawley Subdivision and Zoning Change A to R1

- *Requests a "Do Pass" recommendation for a one (1) lot subdivision/Staff recommends: Approval*

- *Requests a "Do Pass" recommendation for zoning change/Staff recommends: Approval*

4-3 Ketterling Special Use

- *Requests a SUP to build an oversized accessory building/Staff recommends: Approval*

4-4 Wentz Special Use

- *Requests a SUP to build an oversized accessory building/Staff recommends: Approval*

5. Other Business:

6. Adjourn

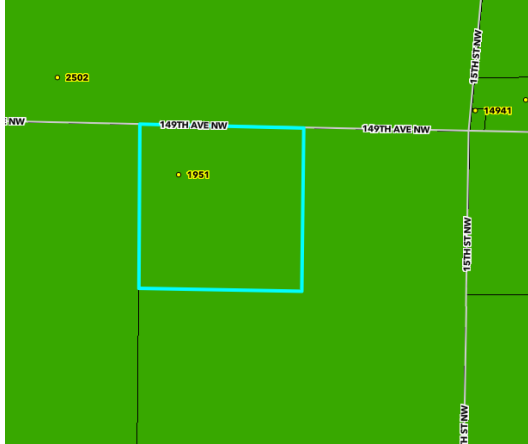
– Next Meeting –December 10, 2025



Agenda Item 3.1 Kuntz Subdivision

Application for a Subdivision

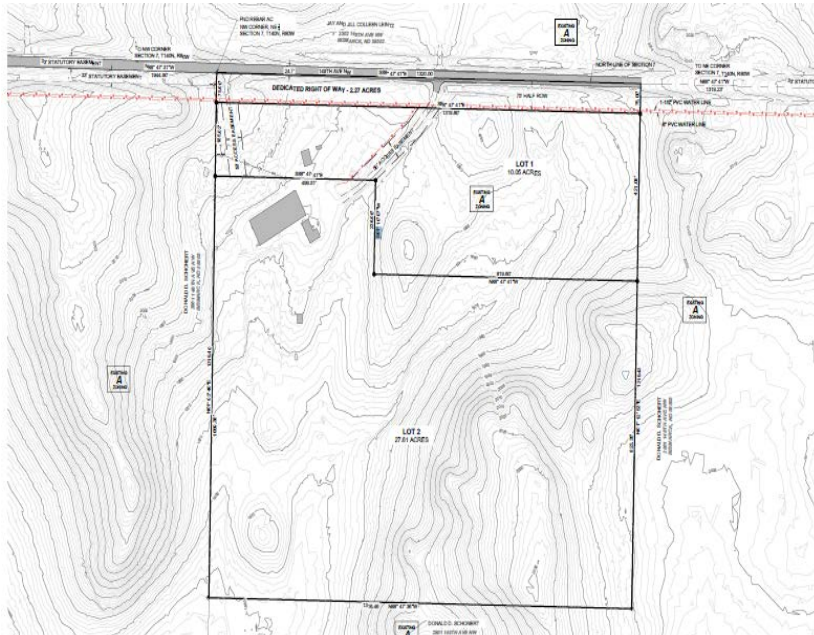
Project Summary

Consent Agenda:	Approval of Preliminary Plat and call for a Public Hearing
Status:	Preliminary Plat
Petitioner/Developer:	Albert & Linda Kuntz
Engineer:	Mark Isaacs, ILSE
Location:	1951 149 th Ave NW BURNT CREEK TOWNSHIP Section 07 LT A OF NE1/4 BEG NW COR TH E1320', S1320' W1320'.N1320' TO POB  <div data-bbox="954 1167 1312 1234" style="border: 1px solid black; padding: 5px; text-align: center;">Exhibit 3-1-1 Location Map</div>
Parcel Size:	40 acres A-Agricultural

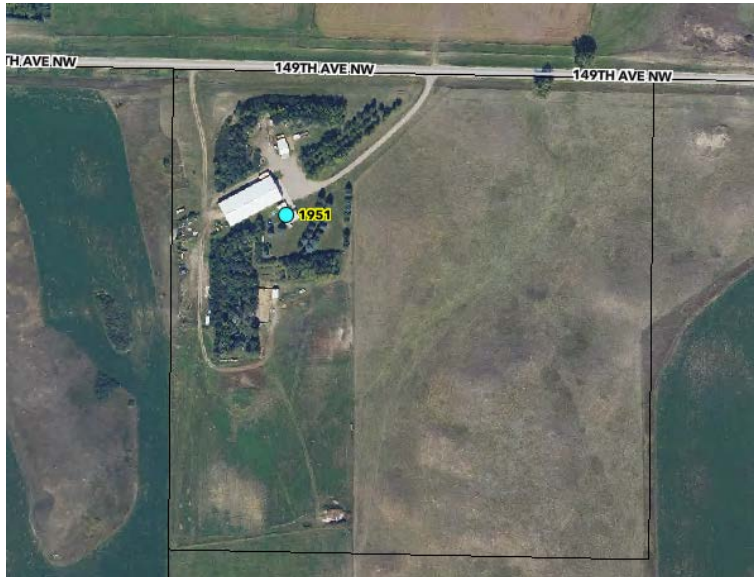


History/Description

Burleigh County Planning and Building Staff was approached by Albert and Linda Kuntz regarding building an accessory dwelling unit (ADU) on their property. The property is a 40-acre parcel. There are two (2) main buildings on the property: a 1638-sf Because of the restriction to the size of the ADU, he was advised to apply for a subdivision and has made that application. The petitioners pulled their special use request and have submitted a preliminary plat subdivision to place a new manufactured home (1989), and include an existing 11,340-sf accessory building, built in 2008.



3-1-2 Preliminary Plat



3-1-3 Site Map

Staff Findings:

1. The application has fulfilled all the requirements of Article 33 Subdivision Regulations.
2. The application has fulfilled the requirements of Article 11 – A-Agricultural Zoning. A zoning change will not be requested.
3. The petitioner will apply for a SWMP Waiver.
4. The subdivision has been reviewed by all reviewing entities. Minor corrections are being made and submitted.
5. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 3 Residential Neighborhoods – Objectives 1 and 2.



Planning Staff Recommendation

The request for a preliminary plat approval fulfills the administrative requirements of the Burleigh County Zoning Ordinances – Article 33 & Article 11.

Planning Commission Action

The Burleigh County Planning and Zoning Commission can:

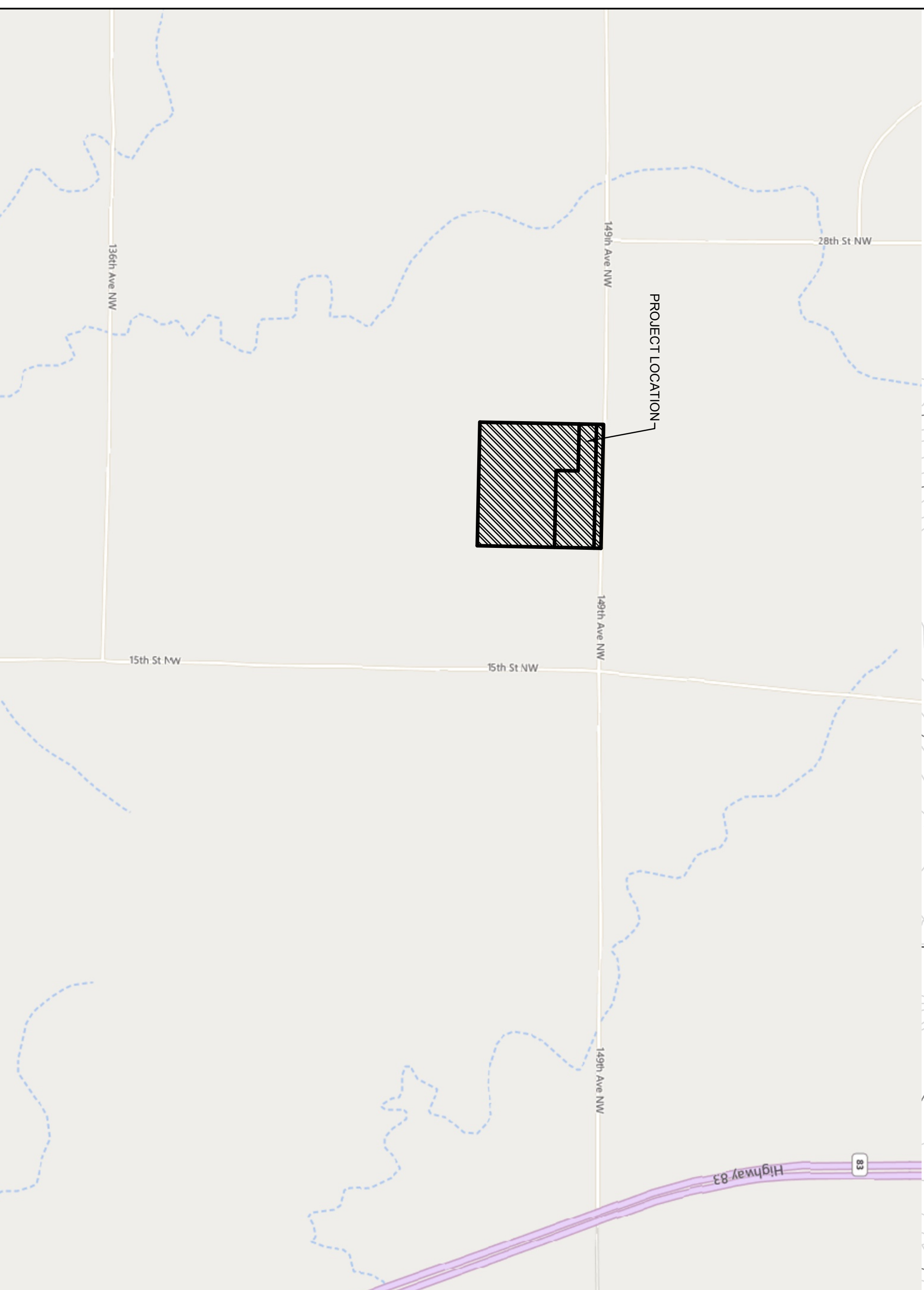
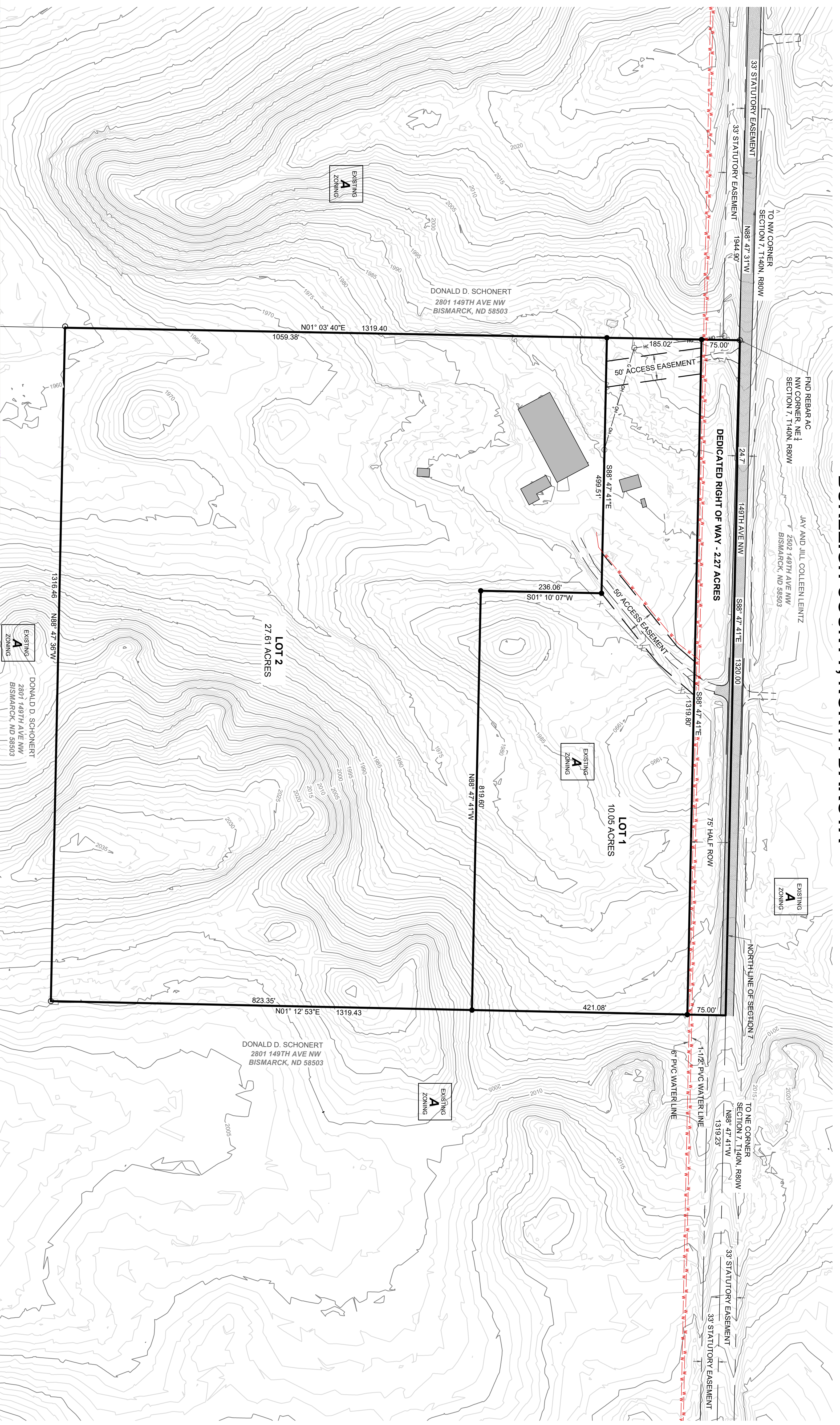
1. Approve the preliminary plat and call for a public hearing.
2. Approve the preliminary plat with conditions and call for a public hearing.
3. Deny the preliminary plat with reason.
4. Table the preliminary plat for more information.

149TH AVE NW

149TH AVE NW

1951

A PRELIMINARY PLAT OF
KUNTZ SUBDIVISION
 AUDITOR'S LOT "A" IN THE NORTHEAST QUARTER OF SECTION 7
 ALL IN SECTION 7, T140N, R80W
 BURLEIGH COUNTY, NORTH DAKOTA



LEGEND

- FOUND SURVEY MONUMENT
- SET CAPPED REBAR - L59828
- RIGHT OF WAY
- ▬ EXISTING BUILDING
- ▬ EXISTING ASPHALT
- ▬ EXISTING GRAVEL
- EXISTING OVERHEAD POWER LINE
- X — EXISTING FENCE LINE

ACREAGE TABLE

DEDICATED ROW	2.27 ACRES
LOT 1	10.05 ACRES
LOT 2	27.61 ACRES
TOTAL	39.93 ACRES

LAND DESCRIPTION

LOT "A" IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 140 NORTH, RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 7; THENCE SOUTH 88° 47' 41" EAST ON THE NORTH LINE OF SAID SECTION 7 A DISTANCE OF 1320.00 FEET TO THE NORTHEAST CORNER OF SAID LOT "A"; THENCE SOUTH 01° 12' 53" WEST ON THE EAST LINE OF SAID LOT "A" A DISTANCE OF 1319.43 FEET TO THE SOUTHEAST CORNER OF SAID LOT "A"; THENCE SOUTH 88° 47' 41" WEST ON THE WEST LINE OF SAID SECTION 7 A DISTANCE OF 1319.43 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7; THENCE NORTH 01° 12' 53" EAST ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7 A DISTANCE OF 1319.40 FEET TO THE POINT OF BEGINNING; SAID TRACT OF LAND CONTAINING 39.93 ACRES MORE OR LESS, AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

BASED ON NORTH DAKOTA SOUTH ZONE NAD83 (2011), INTERNATIONAL FEET. MEASUREMENTS HAVE BEEN ESTABLISHED BY RTK FROM THE BISMARCK STATION AND ARE REPORTED IN GRID.



PROFESSIONAL LAND SURVEYOR

OWNERS:
 ALBERT KUNTZ & LINDA KUNTZ
 1951 149TH AVE NW
 BISMARCK, ND 58503

- NOTES:**
1. BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
 2. SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.

PROFESSIONAL LAND SURVEYOR
 MARK R. ISMACS, LS-9628

KUNTZ SUBDIVISION
 AUDITOR'S LOT "A"
 SECTION 7, T140N, R80W
 BURLEIGH, NORTH DAKOTA

Independent Land Surveying & Engineering
 4215 Old Red Trail NW
 Bismarck, ND 58504
 Phone: 701-595-2079
 Fax: 701-595-2079
 mark@ismacs.com

JOB NUMBER: 23190
 DATE: 10/7/25

SHEET: 1 OF 1
 SCALE: 1" = 100'
 DRAWN BY: LCA
 DATE: 10/6/25
 PWS: WME-23190-SHEET/4/5

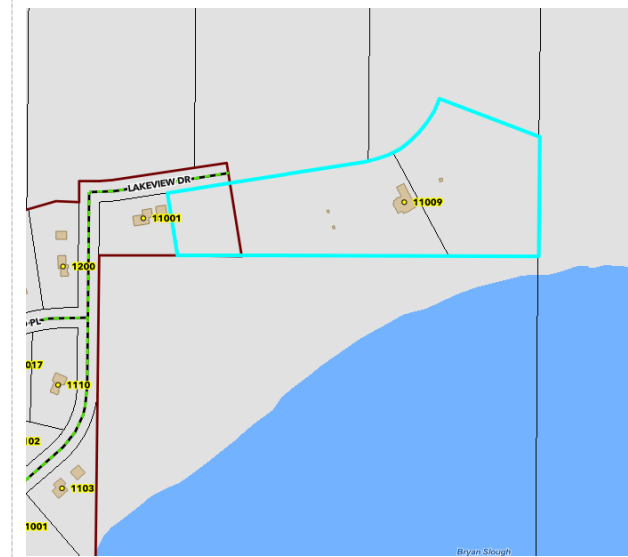


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Agenda Item 4-1

Huez Subdivision

Project Summary	
Status:	Public Hearing
Petitioner/Developer	Coridon & Amber Huez
Engineer	Mark Isaacs, Independent Land Surveyors and Engineers
Location:	<p>Lot 2, Block 3 in Country View Estates and Auditor's Lots "N" & "O" all in Section 3, Township 138N Range 79W, Burleigh County, ND</p> <p>Residence: 11009 Lakeview Drive</p> <div data-bbox="987 1066 1268 1150" style="border: 1px solid black; padding: 5px; text-align: center;">4-1-1 Location Map</div>
Project Size:	1-Lot containing 13 Acres more or less
Zoning Change:	A-Agricultural Apple Creek Township has Zoning Jurisdiction.
Petitioners Request:	Approve final plat. Give a "Do Pass" recommendation to the Board of Burleigh County Commissioners (BCC)
Posted:	Bis. Tribune: 10/30 – 11/5/2025 Surrounding Properties: 10/30/2025 Burleigh Co. Website: 10/31/2025



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

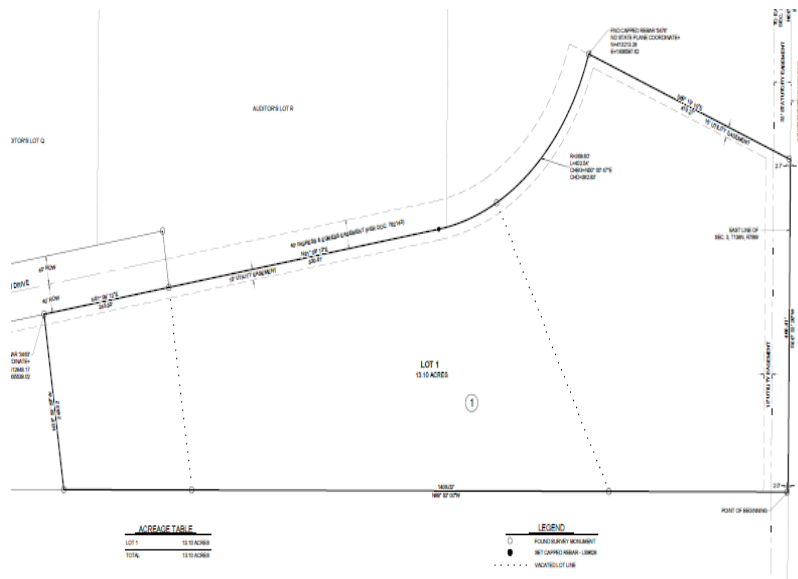


History/Description

The petitioner approached Burleigh County regarding building a horse arena for personal use on his property which contained three (3) lots. Because the lots are individual lots, he was not able to build the horse arena without combining the lots.

A pre-application meeting was held in August and the preliminary plat was approved to continue. A representative of Apple Creek Township was present at the meeting. They have approved the zoning and the subdivision plat.

A SWMP Waiver has been requested. Since the lots are on an established road, a paving was not required. The Planning and Zoning Commission approved the preliminary plat and called for a public hearing at their September 10, 2025 meeting.



4-1-2 Final Plat



Attachment 4-1-3 Site Map

Staff Findings – Final Plat

1. This subdivision fulfills the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. This final plat has been submitted to all reviewing entities. All concerns and corrections will be addressed.
3. Zoning is A-Agricultural.
4. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 3 Residential Neighborhoods – Objectives 1 and 2.
5. A Stormwater Management Plan or Waiver has been applied for.
6. A paving is not required.



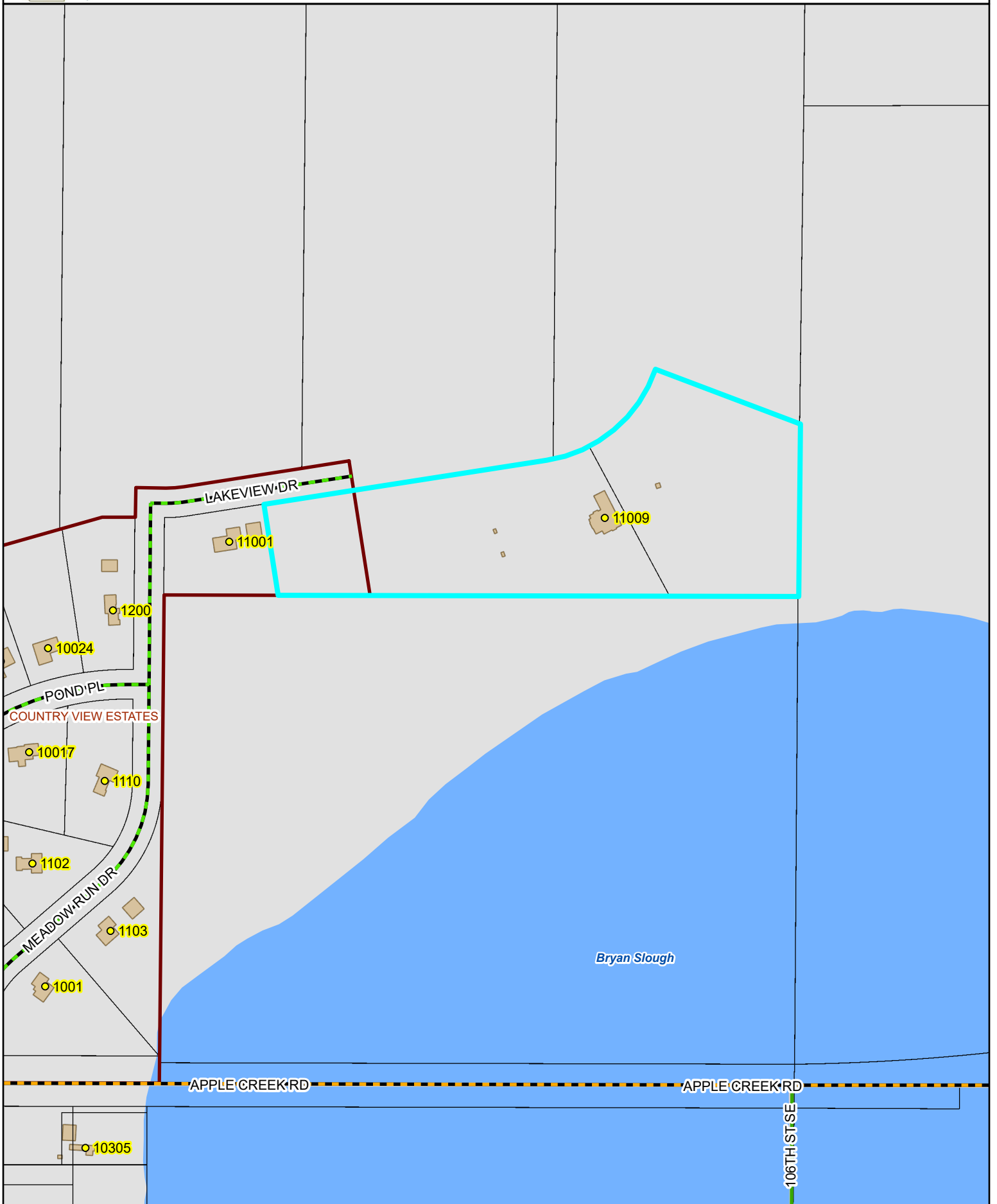
Planning Staff Recommendation

The petition for a final plat meets all administrative requirements of the Burleigh County Zoning Ordinance – Article 33. Staff recommends approval of the final plat and giving a “Do Pass” recommendation to the BCC.

Planning Commission Action

The Burleigh County Planning and Zoning Commission can:


1. Approve the final plat and call 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.

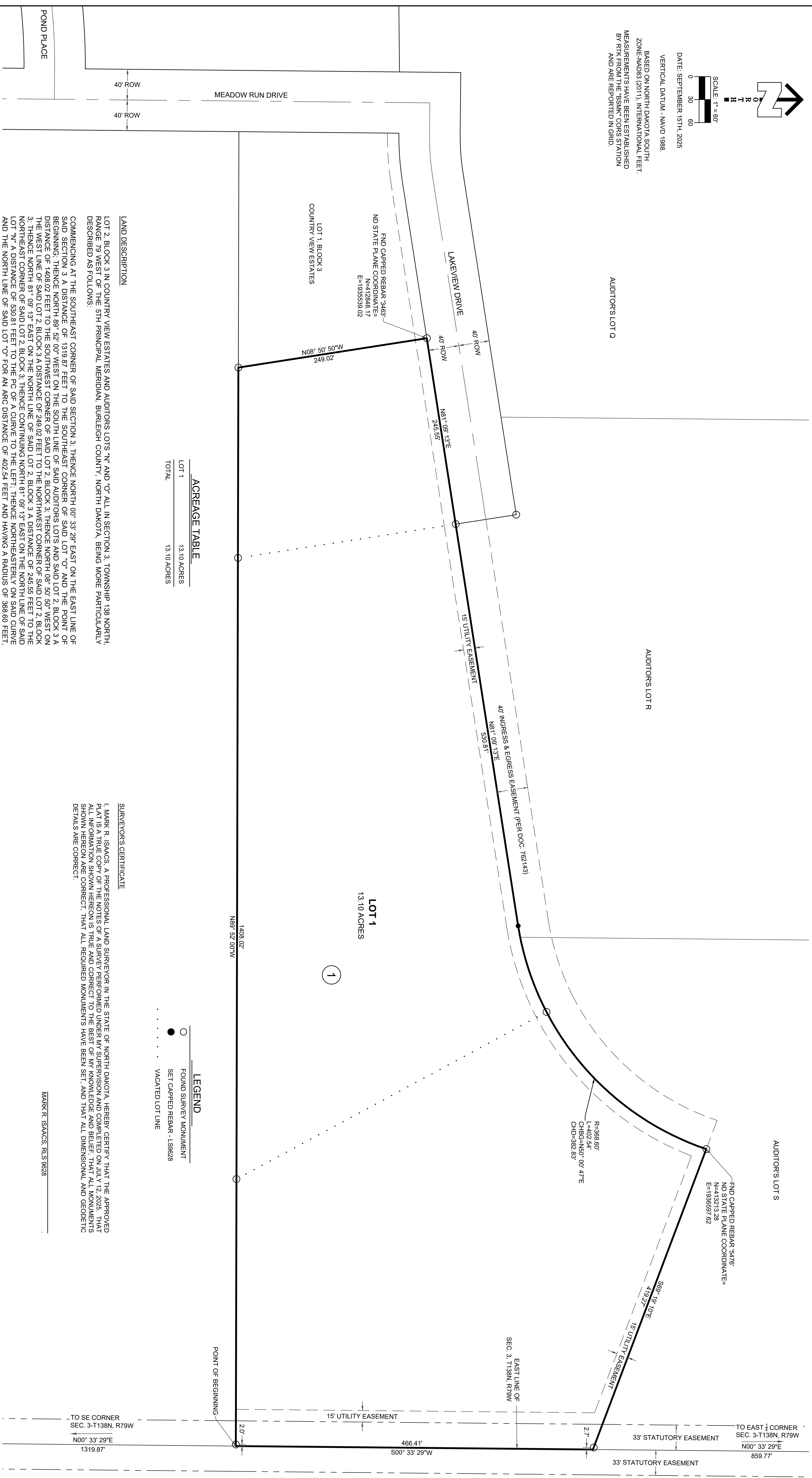


HUEZ SUBDIVISION

LOT 2, BLOCK 3 IN COUNTRY VIEW ESTATES AND AUDITORS LOTS "N" & "O"

ALL IN SECTION 3, T138N, R79W BURLEIGH COUNTY, NORTH DAKOTA


 SCALE: 1" = 60'
 0 30 60
 DATE: SEPTEMBER 15TH, 2025
 VERTICAL DATUM - NAVD 1988
 BASED ON NORTH DAKOTA SOUTH
 ZONE: NAD83 (2011) INTERNATIONAL FEET
 HEIGHTS REPORTED HAVE BEEN ESTABLISHED
 BY RTK FROM THE BSMK CORS STATION
 AND ARE REPORTED IN GRID.



ACREAGE TABLE

LOT 1	13.10 ACRES
TOTAL	13.10 ACRES

LEGEND

-  FOUND SURVEY MONUMENT
-  SET CAPPED REBAR - L59928
-  VACATED LOT LINE

LAND DESCRIPTION

LOT 2, BLOCK 3 IN COUNTRY VIEW ESTATES AND AUDITORS LOTS "N" AND "O" ALL IN SECTION 3, TOWNSHIP 138 NORTH, RANGE 79 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 3, THENCE NORTH 00° 33' 28" EAST ON THE EAST LINE OF SAID SECTION 3, A DISTANCE OF 1408.02 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89° 52' 00" WEST ON THE SOUTH LINE OF SAID AUDITORS LOTS AND SAID LOT 2, BLOCK 3 A DISTANCE OF 1408.02 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2, BLOCK 3, THENCE NORTH 08° 50' 50" WEST ON THE WEST LINE OF SAID LOT 2, BLOCK 3 A DISTANCE OF 249.02 FEET TO THE NORTHWEST CORNER OF SAID LOT 2, BLOCK 3, THENCE NORTH 81° 09' 13" EAST ON THE NORTH LINE OF SAID LOT 2, BLOCK 3 A DISTANCE OF 245.55 FEET TO THE NORTHEAST CORNER OF SAID LOT 2, BLOCK 3, THENCE CONTINUING NORTH 81° 09' 13" EAST ON THE NORTH LINE OF SAID LOT "N" A DISTANCE OF 530.81 FEET TO THE PC OF A CURVE TO THE LEFT, THENCE NORTHEASTERLY ON SAID CURVE AND THE NORTH LINE OF SAID LOT "O" FOR AN ARC DISTANCE OF 402.54 FEET AND HAVING A RADIUS OF 368.60 FEET, THENCE NORTH 10° 07' 00" EAST ON THE NORTH LINE OF SAID LOT "O" A DISTANCE OF 419.27 FEET TO SAID LOT "O", THENCE SOUTH 69° 18' 10" EAST ON THE NORTHEAST LINE OF SAID LOT "O" A DISTANCE OF 419.27 FEET TO THE NORTHEAST CORNER OF SAID LOT "O" AND THE EAST LINE OF SAID SECTION 3, THENCE SOUTH 00° 33' 28" WEST ON THE EAST LINE OF SAID SECTION 3, DISTANCE OF 466.41 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 13.10 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, 2025, THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL MONUMENTS CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

MARK R. ISAACS, R.L.S. 9628

OWNERS CERTIFICATE OF DEDICATION

WE, THE UNDERSIGNED, BEING SOLE OWNERS OF THE LAND PLATTED HEREIN, DO HEREBY VOLUNTARILY CONSENT TO THE DEDICATION OF THE LAND SHOWN HEREON TO THE PUBLIC AS A TRAIL AND TO THE INSTALLATION OF GAS, ELECTRIC, WATER, OR OTHER PUBLIC UTILITIES OR EASEMENTS TO RUN WITH THE LAND FOR GAS, ELECTRIC, 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 LAND SURVEYING, ON, OFF, AND THROUGH, AND MAINTAINING THE ACCESS UNDER OR UPON THE REAL PROPERTY OF THOSE CERTAIN STRIPS OF LAND SO DESIGNATED.

CORRIGAN, M. HUEZ
 LOT 1, BLOCK 1
 STATE OF _____)
 COUNTY OF _____) SS
 AMBER C. HUEZ
 NOTARY PUBLIC

APPROVAL OF COUNTY PLANNING AND ZONING COMMISSION

THE COUNTY PLANNING AND ZONING COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA, HEREBY APPROVES THIS PLAT OF THE HUEZ SUBDIVISION AND THE LOCATION OF THE EDWARDS CORNER MONUMENT, THE MONUMENTS OF THE STATE OF NORTH DAKOTA, AND THE MONUMENTS OF THE COUNTY OF BURLEIGH AND RESOLUTIONS 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__.

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF BURLEIGH, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND SHOWN ON THIS PLAT AND HAS ORDERED THE EDWARDS CORNER MONUMENT, THE MONUMENTS OF THE STATE OF NORTH DAKOTA, AND THE MONUMENTS OF THE COUNTY OF BURLEIGH AND RESOLUTIONS ADOPTED BY SAID PLANNING AND ZONING COMMISSION.

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

APPROVAL OF THE COUNTY ENGINEER

1, MARGUS J. HALL, COUNTY ENGINEER FOR THE COUNTY OF BURLEIGH, NORTH DAKOTA, HEREBY APPROVES THIS PLAT OF THE HUEZ SUBDIVISION AS SHOWN ON THE PLAT, DATED THIS ____ DAY OF _____, 20__.

MARGUS J. HALL, PE
 COUNTY ENGINEER

OWNERS:
 CORRIGAN, M. & AMBER C. HUEZ
 13100 MEADOW RUN DRIVE
 BURLEIGH, NORTH DAKOTA 58594

PROFESSIONAL LAND SURVEYOR
 MARK R. ISAACS, L.S. 9628

- NOTES:**
- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF SURVEY.
 - SELECT TOTAL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.

BENCHMARK - NORTHWEST CORNER OF LOT 1, BLOCK 1, A CAPPED REBAR FOUND FLUSH WITH THE GROUND. ELEVATION = 1699.92

PROFESSIONAL LAND SURVEYOR

MARK R. ISAACS, L.S. 9628

HUEZ SUBDIVISION
 LOT 2, BLOCK 3 IN COUNTRY VIEW
 ESTATES AND AUD. LOTS "N" & "O"
 SECTION 3, T138N, R79W
 BURLEIGH, NORTH DAKOTA

DATE: 9/15/25
 SCALE: 1" = 60'
 SHEET NO. 10
 OF 10 SHEETS

4115 6th Ave NW
 Bismarck, ND 58504
 Phone: 701-253-3154
 Fax: 701-253-3154
 mrisa@bismarck-survey.com

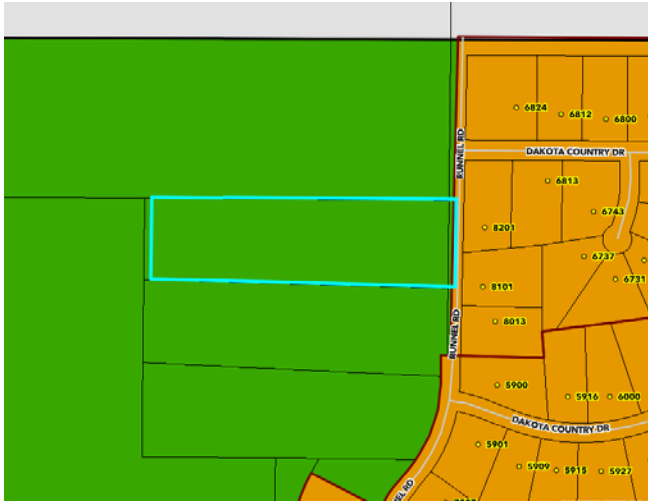
Independent
Land
Surveying &
Engineering



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Agenda Item 4-2

Gawley Subdivision & Zoning Change

Project Summary	
Status:	Public Hearing
Petitioner/Developer	Lisa and Trent Peterson
Engineer	Swenson Hagen & Company
Location:	Tract C of the NW ¼, Section 6, Township 139, Range 79W
	4-2-1 Location Map
Project Size:	One (1) lot on 10 acres
Zoning Change:	A-Agricultural to R1-Rural Single Family Residential
Petitioners Request	Approve final plat and zoning change. Give a "Do Pass" recommendation to the Board of Burleigh County Commissioners.
Posted:	Bis. Tribune: 10/29 & 11/5/2025 Surrounding properties: 10/30/2025 Burleigh Co. Website: 10/31/2025

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

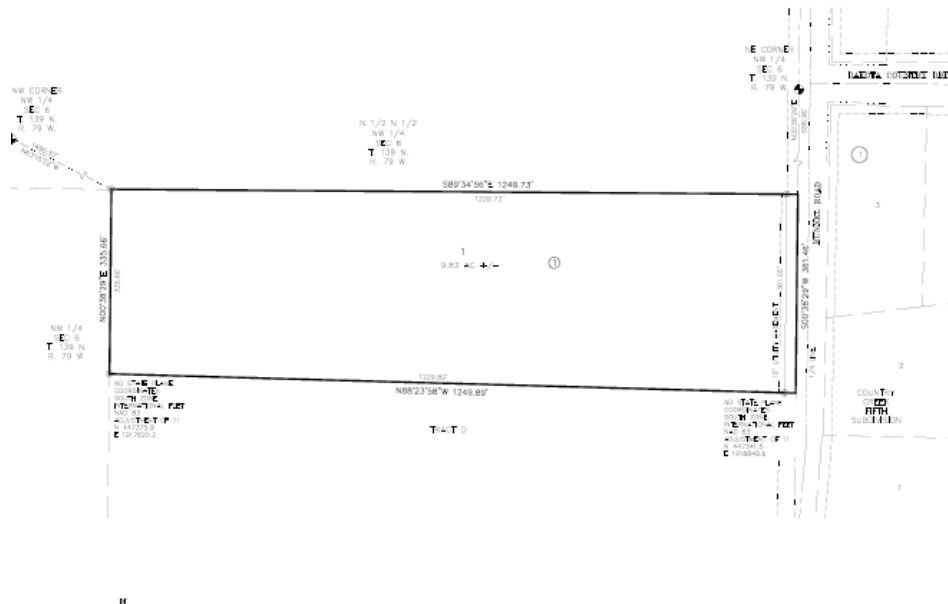
November 12, 2025

History/Description

Burleigh County was approached about building a home on a lot containing ten (10) acres. Because the lot is less than forty (40) acres, the petitioner was advised to plat the parcel into a subdivision. Swenson Hagen & Company met with the review committee regarding the preliminary plat. The review committee did not have any concerns.

Burleigh County Staff also recommended the petitioner apply for a zoning change from A-Agricultural to R1-Rural Single Family Residential because the size of the lot will be less than 10 acres, which would require a zoning change.

The preliminary plat was approved by the Planning and Zoning Commission on October 8, 2025.



4-2-2 Final Plat



4-2-3 Site Map

Staff Findings – Final Plat

1. This subdivision meets the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. This final plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
3. Zoning is A-Agricultural. A zoning change has been requested.
4. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 3 Residential Neighborhoods – Objectives 1 and 2.
5. A Stormwater Management Plan waiver was submitted on September 17th.

Staff Findings – Zoning Change

1. The proposed parcel meets the requirements of Article 12 – R1 – Rural Residential District Regulations.
2. The parcel is in a low-density residential and limited agricultural area. The surrounding properties are zoned:
North – Agricultural



PLANNING AND ZONING COMMISSION

November 12, 2025

South – Agricultural

West – Agricultural

East – R1-Rural Residential – Country Creek 3rd and 5th Subdivisions.

Planning Staff Recommendation

The petition for a final plat meets all administrative requirements of the Burleigh County Zoning Ordinance – Article 33. Staff recommends approval of the final plat and a “Do Pass” recommendation to the Board of Burleigh County Commissioners.

The petition for a zoning changes meets all administrative requirements of the Burleigh County Zoning Ordinance – Article 12. Staff recommends approval and a “Do Pass” recommendation.

Planning Commission Action

The Burleigh County Planning and Zoning Commission can:

1. Approve the final plat and zoning change. Give a “Do Pass” recommendation to the Board of Burleigh County Commissioners.
2. Approve the final plat and zoning change with conditions. Give a “Do Pass” recommendation to the Board of Burleigh County Commissioners after all condition have been completed.
3. Deny the final plat and zoning change with reason.
4. Table the final plat and zoning change for more information.



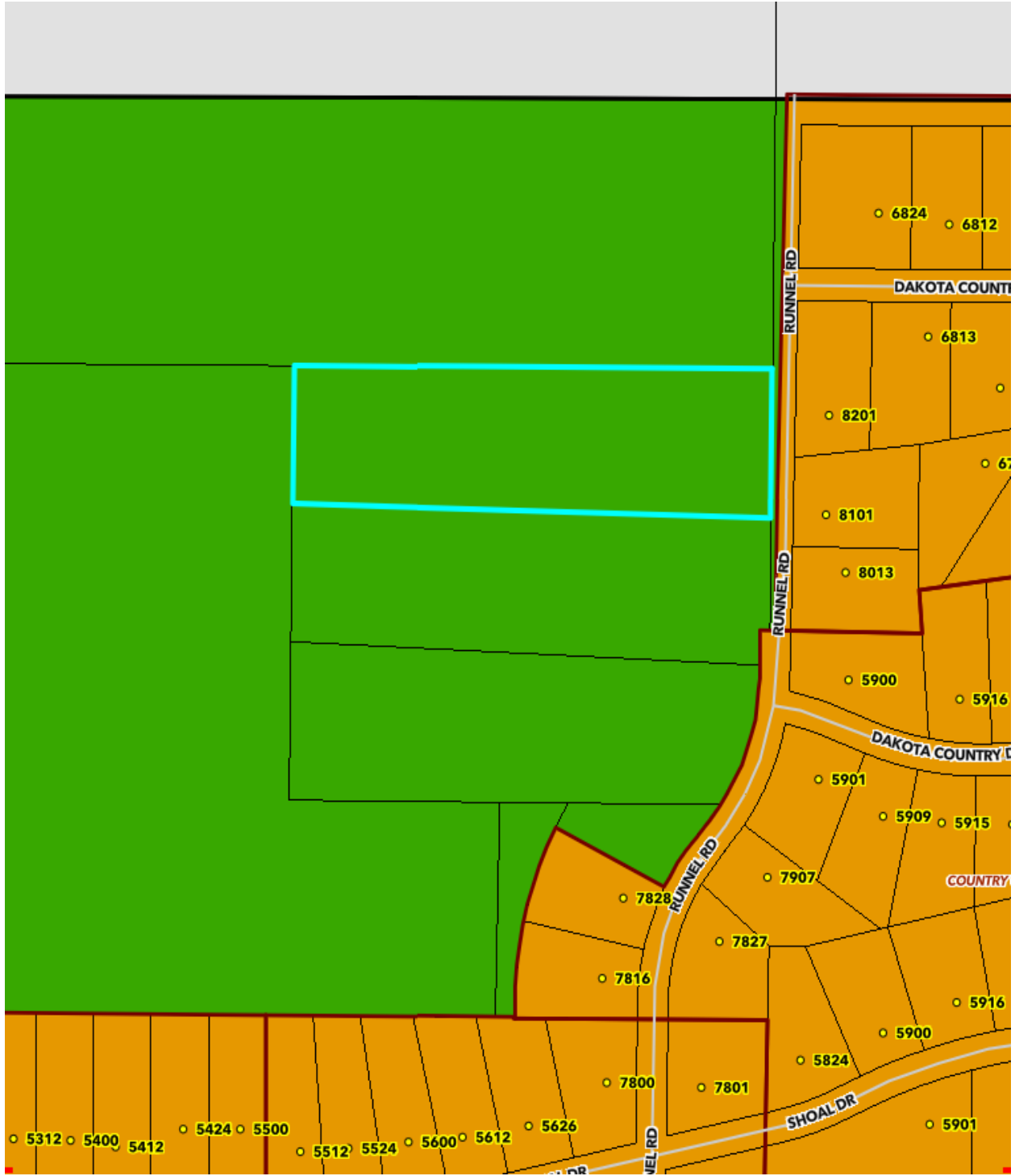
PLANNING AND ZONING COMMISSION

November 12, 2025

Google Map View



GAWLEY SUBDIVISION – LOCATION MAP
Tract C of the NW ¼ Section 6-139-79



GAWLEY SUBDIVISION

BEING A REPLAT OF TRACT C PART OF THE NW 1/4 OF SECTION 6, T 139 N., R 79 W. BURLEIGH COUNTY, NORTH DAKOTA

DESCRIPTION

PART OF THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 139 NORTH, RANGE 79 WEST, BURLEIGH COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF TRACT D OF THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 139 NORTH, RANGE 79 WEST; THENCE NORTH 00 DEGREES 38 MINUTES 29 SECONDS EAST, A DISTANCE OF 335.66 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF SAID NW 1/4; THENCE SOUTH 89 DEGREES 17 MINUTES 52 SECONDS WEST, A DISTANCE OF 1229.73 FEET TO THE WEST LINE OF SAID NORTHWEST 1/4; THENCE SOUTH 00 DEGREES 38 MINUTES 29 SECONDS WEST ON SAID EAST LINE, A DISTANCE OF 361.46 FEET TO THE NORTH LINE OF SAID TRACT D; THENCE NORTH 89 DEGREES 23 MINUTES 58 SECONDS WEST, ON SAID NORTH LINE, A DISTANCE OF 1249.89 FEET TO THE POINT OF BEGINNING.
THE ABOVE DESCRIBED TRACT CONTAINS 10.00 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE SHOW PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON _____, 2025, 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 GEOMETRIC DETAILS ARE CORRECT.

SWENSON, HAGEN & CO. P.C.
909 BASIN AVENUE
BISMARCK, NORTH DAKOTA
58504

TERRY BALTZER
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 3595

APPROVAL OF COUNTY PLANNING AND ZONING COMMISSION
THE COUNTY PLANNING AND ZONING COMMISSION HEREBY APPROVES GAWLEY SUBDIVISION, AS SHOWN ON THE PLAT. THIS PLAT WAS DONE IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, THE COMPREHENSIVE PLAN AND 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 _____, 2025.

DENNIS AGNEW --- CHAIRMAN --- MITCH FLANAGAN --- SECRETARY ---

APPROVAL OF BOARD OF COUNTY COMMISSION

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF BURLEIGH, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE 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 THE PLAT.
THIS 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 COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED ON THE ____ DAY OF _____, 2025.

BRIAN BITNER --- CHAIRMAN --- ATTEST: MARK SPTONSKOSKI
BURLEIGH COUNTY AUDITOR

APPROVAL OF COUNTY ENGINEER

I, MARGUS J. HALL, COUNTY ENGINEER OF THE COUNTY OF BURLEIGH, NORTH DAKOTA, HEREBY APPROVE THIS PLAT OF GAWLEY SUBDIVISION, BURLEIGH COUNTY, NORTH DAKOTA AS SHOWN ON THIS PLAT.
DATED THIS _____ DAY OF _____, 2025.

MARGUS J. HALL, P.E.
COUNTY ENGINEER

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT TRENT PETERSON AND LISA PETERSON, BEING THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN HEREON HAVE CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "GAWLEY SUBDIVISION", BURLEIGH COUNTY, NORTH DAKOTA. THEY DO DEDICATE ALL RIGHT OF WAY IDENTIFIED TO BURLEIGH COUNTY.

THEY ALSO DEPOSITE EASEMENTS TO BURLEIGH COUNTY TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS UTILITY EASEMENTS.

STATE OF _____ (DAKOTA)
COUNTY OF _____)
TRENT PETERSON
429 W. WATERSTONE DR
SIOUX FALLS, SD 57109

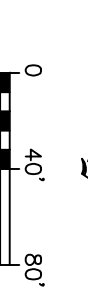
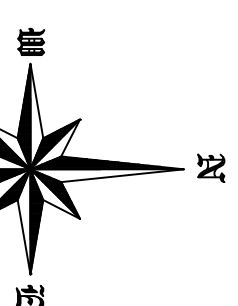
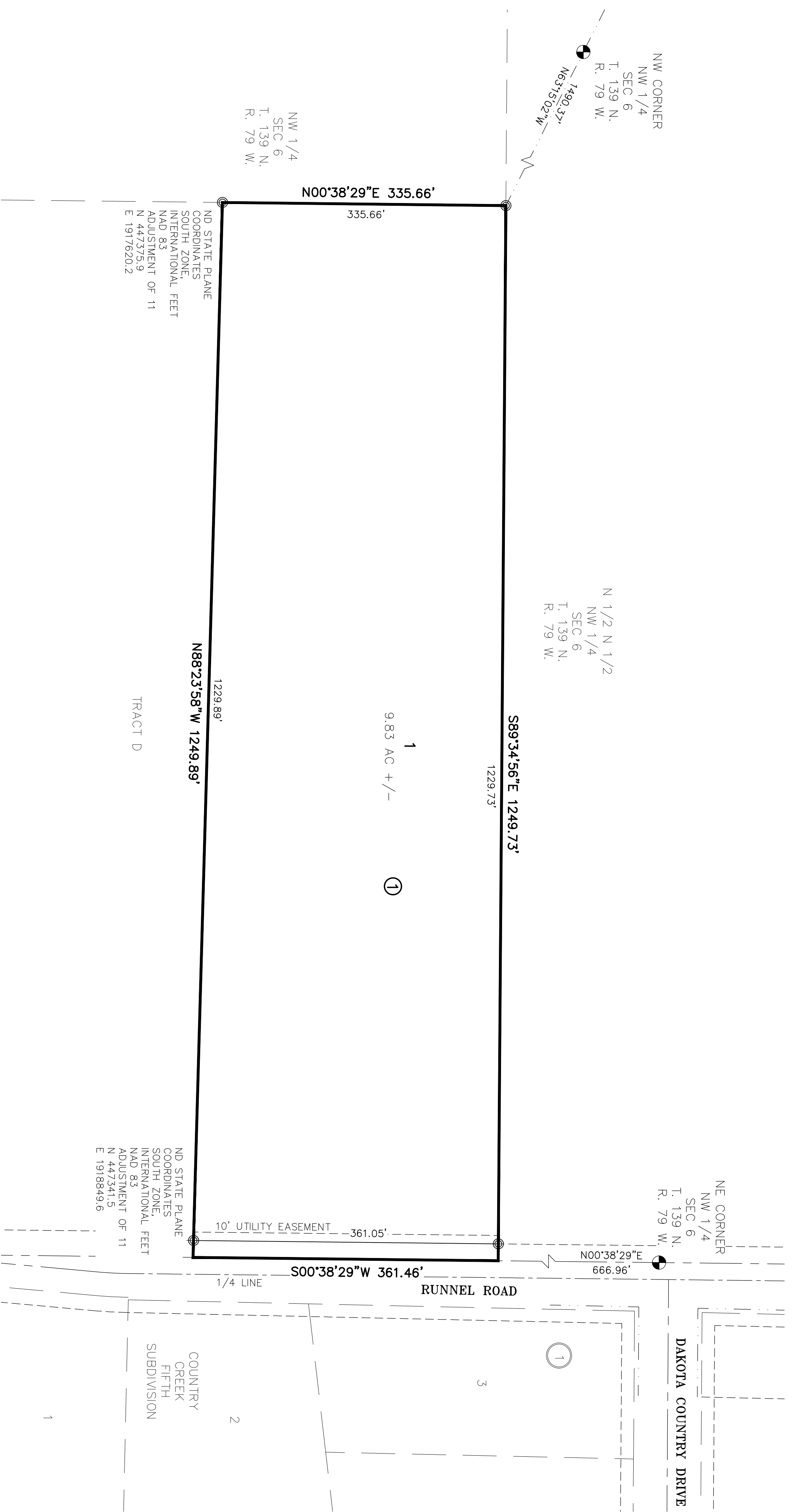
ON THIS ____ DAY OF _____, 2025, BEFORE ME PERSONALLY APPEARED TRENT PETERSON, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES _____

STATE OF _____ (DAKOTA)
COUNTY OF _____)
LISA PETERSON
1429 W. WATERSTONE DR
SIOUX FALLS, SD 57109

ON THIS ____ DAY OF _____, 2025, BEFORE ME PERSONALLY APPEARED LISA PETERSON, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

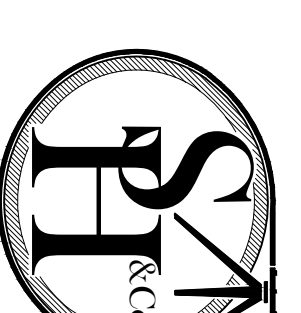
NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES _____



SCALE: 1"=80'
OCTOBER 17, 2025
MONUMENT IN PLACE

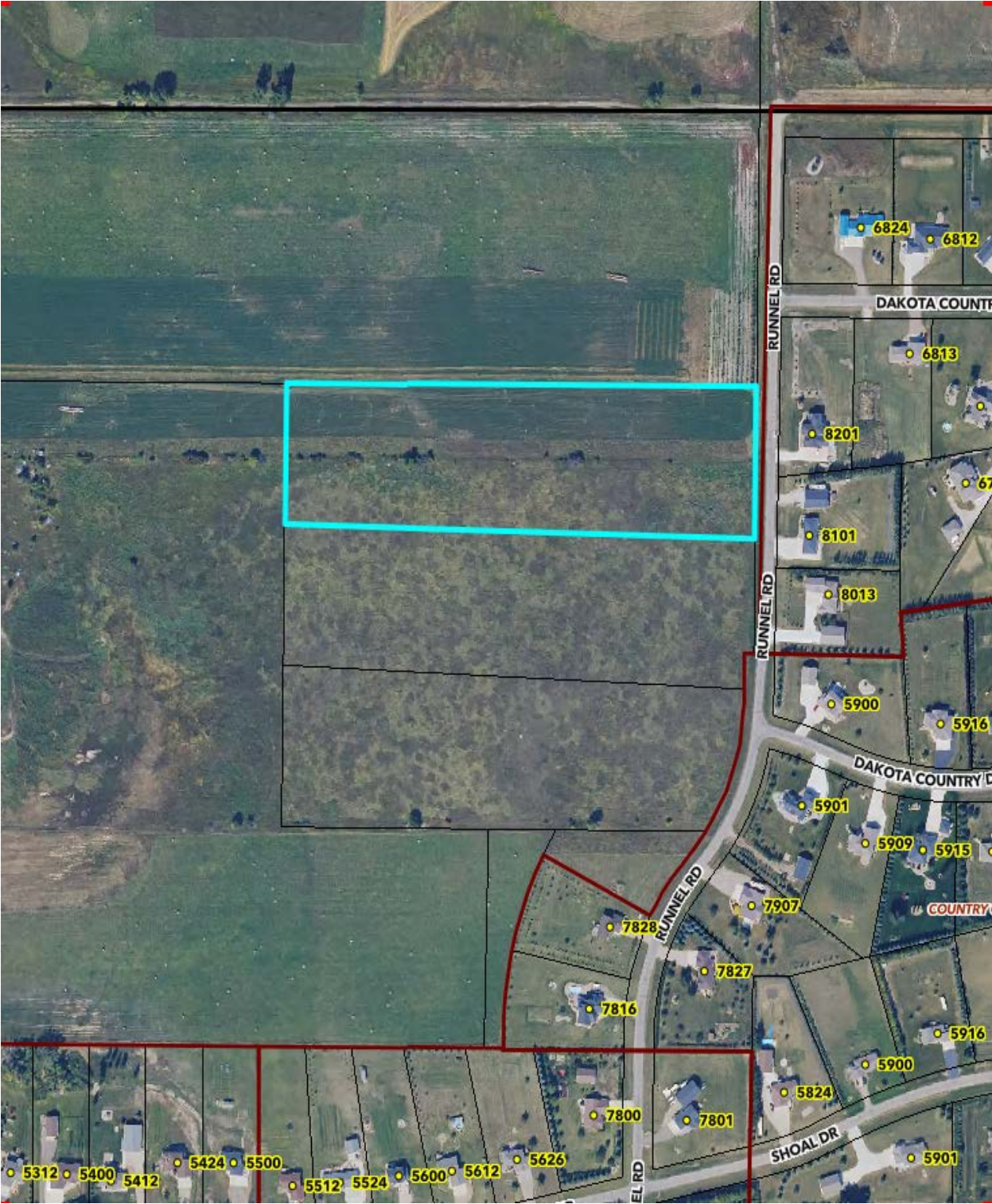
NOTES

BASES OF BEARING:
NORTH DAKOTA STATE PLANE, SOUTH ZONE
COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE
NAD 83 SOUTH ZONE
ADJUSTMENT OF 1986
UNITS ARE INTERNATIONAL FEET
BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS BY DIFFERENT METHODS
OF MEASUREMENTS.



SWENSON, HAGEN & COMPANY P.C.
3012 Army Avenue
Bismarck, North Dakota 58501
Phone: (701) 223-5060
Fax: (701) 223-5066
Surveying
Landscaping
Civil Engineering
Landscape & Site Design
Construction Management

GAWLEY SUBDIVISION – SITE MAP
Tract C of the NW ¼ Section 6-139-79




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Agenda Item 4-3 Ketterling Special Use Request

Project Summary

Public Hearing Agenda:	Special Use Permit to build an oversized accessory building.
Status:	Public Hearing
Petitioner/Developer	Keith & Jan Ketterling
Location:	<p>4420 Lookout Trail Block 1, Lot 4 Lewis & Clark Estates</p>  <p>4-3-1 Location Map</p>
Lot Size:	4.2 Acres
Zoning:	R1-Rural Single Family Residential
Petitioners Request	“Do Pass” recommendation to the Board of Burleigh County Commissioners for a Special Use Permit to build an oversized accessory building.
Posted Dates	<p>Bismarck Tribune: 10/30 & 11/5/2025 Surrounding Properties: 10/30/2025 Burleigh County Website: 10/30/2025</p>



History/Description

Burleigh County Planning and Building Staff met with Keith Ketterling regarding building a 64' X 120' sf winter riding arena for personal use.

Common among all property owners is the Burleigh County Zoning Ordinance that allows 4% lot coverage for all accessory buildings. The square footage allowance for this lot is 7,335.50 sf. The property has an existing 40' x 40' (1,600 sf) pole barn already. The remaining allowable square footage is 5,735.50'. The proposed building will be 7,680 sf in size; a difference of 1,944.50 sf. Total lot coverage will be 5% with the new building.

The petitioner applied for a variance to allow the building. After further review, staff felt a special use permit would be the best option for this request. The Burleigh County Zoning Ordinances – Article 8 – Special Use states "*...the Board of County Commissioners finds it necessary to require that certain uses, because of unusual size, safety hazards, infrequent occurrence, effect on surrounding area, or other reasonsand that the Planning and Zoning Commission and the Board of County Commissioners be, and are hereby given limited discretionary powers relating to the granting of such permit or certificate.*



4-3-2 Site Map



4-3-3 Site Plan

Staff Findings:

1. A special use permit is required for the oversized accessory building.
2. The application fulfills all the requirements for a special use permit.
3. The lot line on the North side is shared by 49 acre lot, and three (3) rows of trees between the property. The property to the East contains 4.21 acres with an established tree row. The lot to the West contains 4.21 acres with an established tree line between properties.



4. The placement of the new building will be north of the existing accessory building.
5. Placement of the building will be located on the back side of the lot and will be built to resemble the existing buildings on the lot.
6. The addition of the new building will be 5% lot coverage.

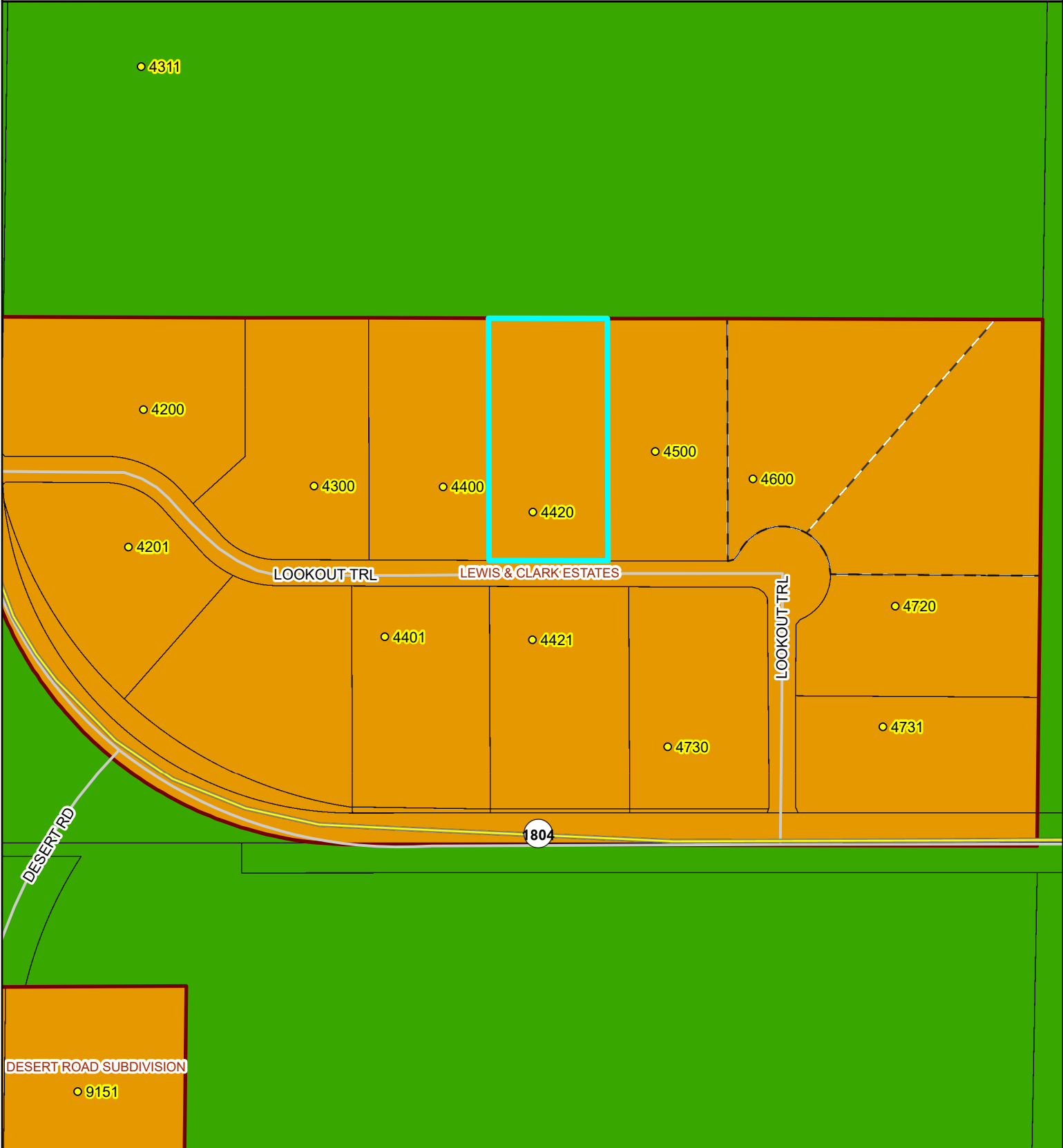
Planning Staff Recommendation

The request for a special use permit fulfils the administrative requirements of Article 8, of the Burleigh County Zoning Ordinances. Planning Staff recommends a "Do Pass" recommendation to the Board of Burleigh County Commissioners.

Planning Commission Action

The Burleigh County Planning and Zoning Commission can:

1. Approve the special use permit and give a "Do Pass" Recommendation
2. Approve special use permit with conditions and give a "Do Pass" recommendation after all conditions required are approved by the Planning and Zoning Commission.
3. Deny the special use permit with reason.
4. Table the special use permit for more information.



PARCEL ID: 51-137-80-56-01-040 OWNER: KETTERLING, KEITH & JAN ACRES: 4.21
SITE ADDRESS: 4420 LOOKOUT TRL
MAIL ADDRESS: 4420 LOOKOUT TRL, BISMARCK, ND 58504-4217
LEGAL: LEWIS & CLARK ESTATES Block 01 LOT 4 809589



DESERT ROAD SUBDIVISION

PARCEL ID: 51-137-80-56-01-040 OWNER: KETTERLING, KEITH & JAN ACRES: 4.21
SITE ADDRESS: 4420 LOOKOUT TRL
MAIL ADDRESS: 4420 LOOKOUT TRL, BISMARCK, ND 58504-4217
LEGAL: LEWIS & CLARK ESTATES Block 01 LOT 4 809589



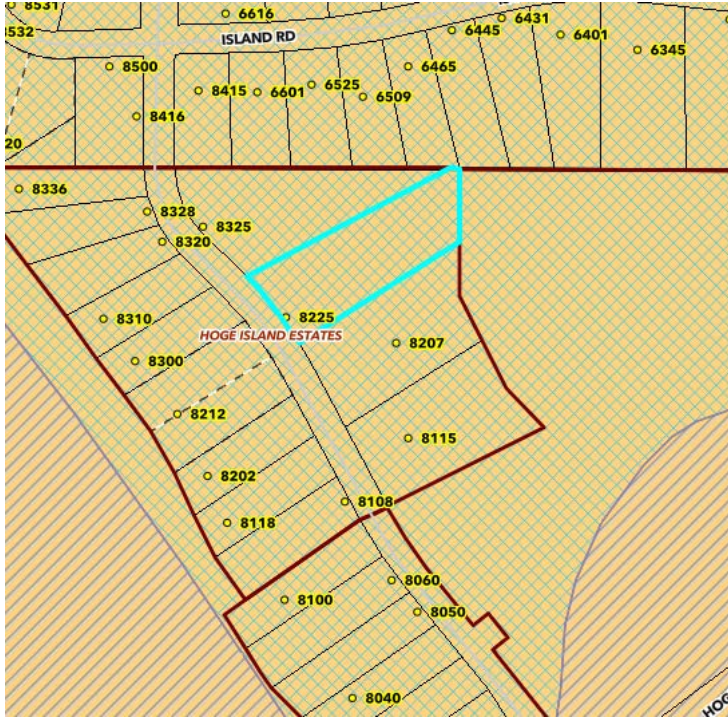
64' X 120'

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Agenda Item 4-4 Wentz Special Use Request

Project Summary

Public Hearing Agenda:	Special Use Permit to build an oversized accessory building on a unoccupied lot.
Status:	Public Hearing
Petitioner/Developer	Bryan and Annette Wentz
Location: 	8225 Burnt Creek Island Road Block 2, Lot 2 Hogue Island Estates <div data-bbox="1019 1003 1377 1066" style="border: 1px solid black; padding: 5px; text-align: center;">4-4-1 Location Map</div>
Lot Size:	2.5 Acres
Zoning:	R1-Rural Single Family Residential



Petitioners Request	"Do Pass" recommendation to the Board of Burleigh County Commissioners for a Special Use Permit to build an oversized accessory building on a lot without a residence
Posted Dates	Bis. Tribune: 10/30 & 11/5/2025 Surrounding Properties: 10/30/2025 Burleigh Co. Website: 10/30/2025

History/Description

Burleigh County Planning and Building Staff met with Bryon Wentz regarding placing a 2,808 sf accessory building on a lot which does not have a residence. The building will be used to store equipment used by Wentz Trees LLC.

Burleigh County Zoning Ordinance – Article 6 – Incidental Uses, Section 1 Accessory Uses, item J allows the construction of a 1200 sf building on a lot less than ten (10) acres to be built on a lot without a residence. The 2808 sf would be over the allowable square footage limit by 1608 sf over the allowable square footage.

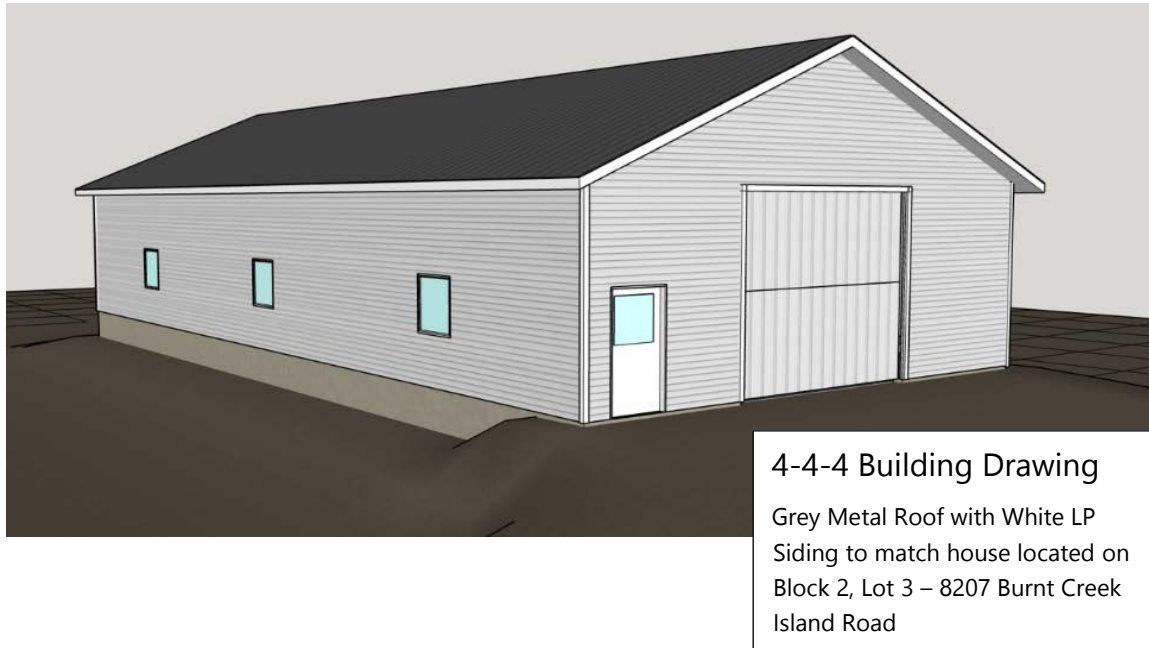
The petitioner was informed they would need a special use permit to build the size building he requested. The Burleigh County Zoning Ordinances – Article 8 – Special Use states "*...the Board of County Commissioners finds it necessary to require that certain uses, because of unusual size, safety hazards, infrequent occurrence, effect on surrounding area, or other reasonsand that the Planning and Zoning Commission and the Board of County Commissioners be, and are herby given limited discretionary powers relating to the granting of such permit or certificate.*



4-4-2 Site Map



4-4-3 Site Plan



Staff Findings:

1. A special use permit is required for the oversized accessory building on an unoccupied lot.
2. The application fulfills all the requirements for a special use permit.
3. The lot (Block 2, Lot 1) located on the NW property line, Block 2, Lot 3 located on the SE property line and Block 1, Lots 6 & 7, located across Burnt Creek Island Road and lot in question are owned by the Wentz family.
4. The placement of the building will be 174' from the front property line.
5. The building will be built in such a manner as to blend into the neighborhood. It will match the house located SE of the property.
6. The building will be built in the floodplain and must meet all requirements for building in the floodplain.



7. The building will cover 2% of the lot.
8. A residence is not planned at this time.

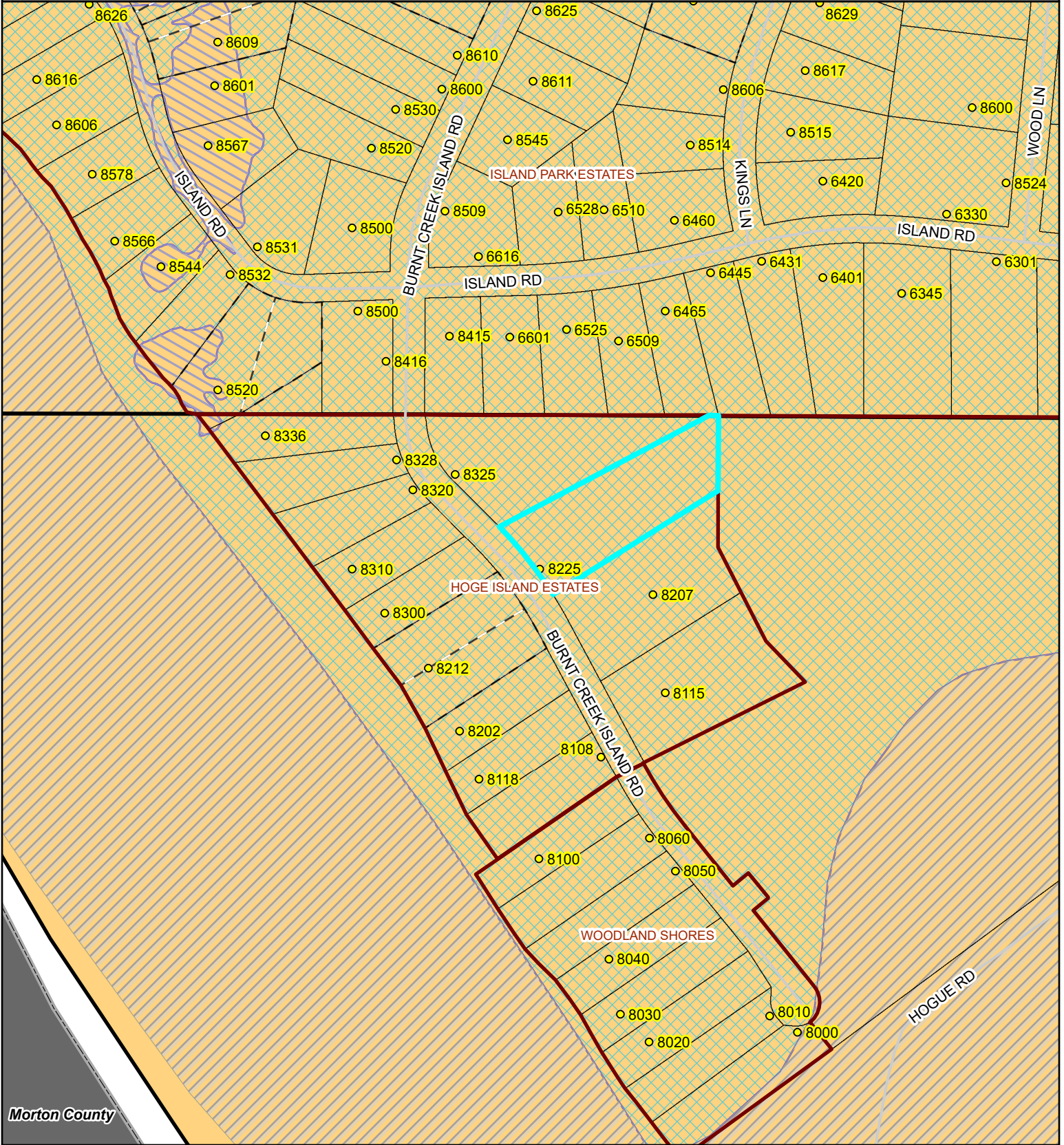
Planning Staff Recommendation

The request for a special use permit fulfils the administrative requirements of Article 8, of the Burleigh County Zoning Ordinances. Planning Staff recommends a "Do Pass" recommendation to the Board of Burleigh County Commissioners.

Planning Commission Action

The Burleigh County Planning and Zoning Commission can:

1. Approve the special use permit and give a "Do Pass" Recommendation
2. Approve special use permit with conditions and give a "Do Pass" recommendation after all conditions required are approved by the Planning and Zoning Commission.
3. Deny the special use permit with reason.
4. Table the special use permit for more information.



Morton County

PARCEL ID: 31-139-81-23-02-020 OWNER: WENTZ TREES LLC ACRES: 2.501
SITE ADDRESS: 8225 BURNT CREEK ISLAND RD
MAIL ADDRESS: 8212 BURNT CREEK ISLAND RD, BISMARCK, ND 58503
LEGAL: HOGE ISLAND ESTATES Block 02 LOT 2 663758



PARCEL ID: 31-139-81-23-02-020 OWNER: WENTZ TREES LLC ACRES: 2.501
SITE ADDRESS: 8225 BURNT CREEK ISLAND RD
MAIL ADDRESS: 8212 BURNT CREEK ISLAND RD, BISMARCK, ND 58503
LEGAL: HOGE ISLAND ESTATES Block 02 LOT 2 663758

