



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

April 10, 2024

1. Roll Call
2. Approval of the March Minutes
3. Consent Agenda *(The following item(s) are request(s) for a public hearing)*
 - 3-1 Peaceful View Subdivision
 - 3-2 Fleck Subdivision
 - 3-3 The Hill Top PUD
4. Public Hearing Agenda
 - 4-1 Baker Subdivision
 - 4-2 Article 21 – Floodplain District
 - 4-3 Burnt Creek Farm Special Use Permit
5. Other Business:
 - 5-1 Notification Distance
6. Adjourn – Next meeting – May 8, 2024




PLANNING AND ZONING
COMMISSION

April 10, 2024

Agenda Item 3-1 Peaceful View Subdivision
Zoning Change

Application for a Preliminary Subdivision and Zoning Change

Project Summary	
Consent Agenda:	Peaceful View Subdivision and Zoning Change from A to R1
Status:	Request for a public hearing
Petitioner/Developer	Duane Small
Engineer	Mark Isaacs, Independent Land Surveyors
Location: Exhibit 3-1.1 Location Map 	<i>Part of the South 1/2 of Section 11, Part of Lot B and Part of the North 1/4 of Section 14, Township 137 North, Range 80 W in Burleigh County</i>
Project Size:	17.89 acres divided into two (2) lots

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

Burleigh County was approached in March regarding the platting of 17 acres into a two (2) lot subdivision. A preliminary review was held with the county review staff and the petitioner. Attending the review meeting were: County Planning and Engineering Staff, Rural Fire and Mark Isaacs-Independent Land Surveyor representing Duane Small

The proposed subdivision offers some challenges because of its location and the location of several buildings on the property. The original homestead was developed before the county section lines were in place. Because of this the house and several buildings are located in what would become the county section line right of way. The Burleigh County Planning and Zoning Commission January 10, 2024 meeting requested the Burleigh County State Attorney's opinion on whether the section line could be vacated on the plat with the following note:

1. No construction of new structures allowed in designated Public Right of Way.
2. Structures existing in Public Right of Way on or before filing of this plat may remain.

The State Attorney opinioned the section line to be vacated before the property could be platted. (attachment 3-1-2) The section line was vacated by the Board of Burleigh County Commissioners at the March 4, 2024 meeting. (see attachment 3-1-3) 's

The preliminary plat was resubmitted on March 21, 2024 for the April 10, 2024 meeting. The section line has been vacated and alternative access to the US Army Corp of Engineers land located on the west side of the property has been provided.

The zoning change request from A-Agricultural Zoning to R1- Rural Single Family Residential is an appropriate zoning change. The proposed lots are under ten (10) acres and will not qualify for A-Agricultural Zoning which requires a minimum of ten (10) acres. The surrounding properties are a mix of A-Agricultural and R1-Rural Single Family Residential.



PLANNING AND ZONING COMMISSION

April 10, 2024

Exhibit 3-1-4 Subdivision Preliminary Plat

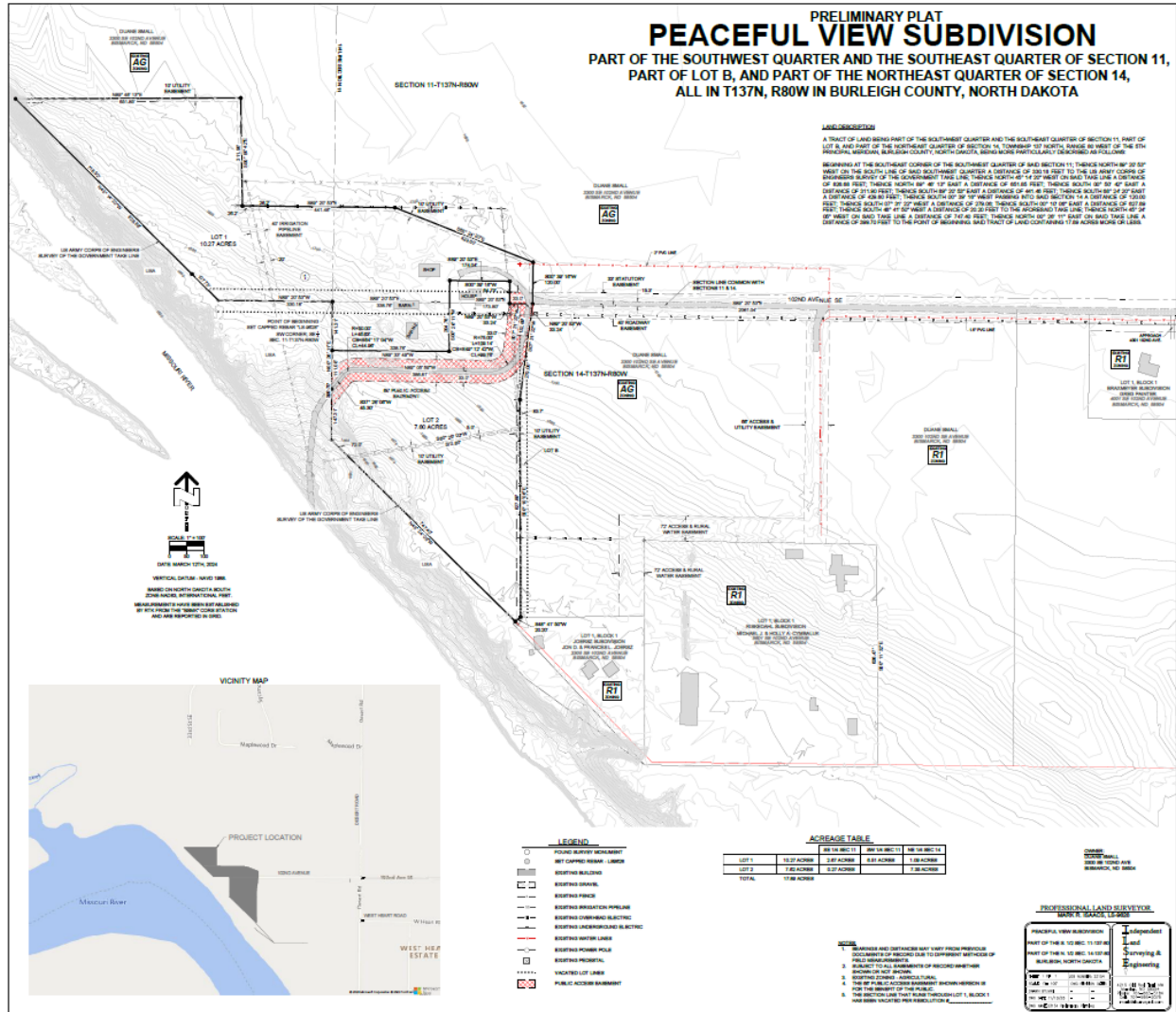




Exhibit 3-1-5 Subdivision Site Map

Staff Findings:
Preliminary Plat

1. This subdivision fulfills the requirements for a Preliminary Plat as per Article 33, of the Burleigh County Zoning Ordinance.
2. The Stormwater Management Plan or Waiver must be submitted.
3. A paving waiver will be requested
4. A section line vacation has been approved.
5. This preliminary plat has been submitted to all reviewing entities. Changes and corrections have been addressed.



PLANNING AND ZONING COMMISSION

April 10, 2024

Staff Findings: Zoning Change

1. The zoning change from A-Agricultural to R1-Rural Single Family Residential fulfills the requirements of Article 12 of the Burleigh County Zoning Ordinance.
2. The zoning change is consistent with properties in the surrounding area.

Planning Staff Recommendation

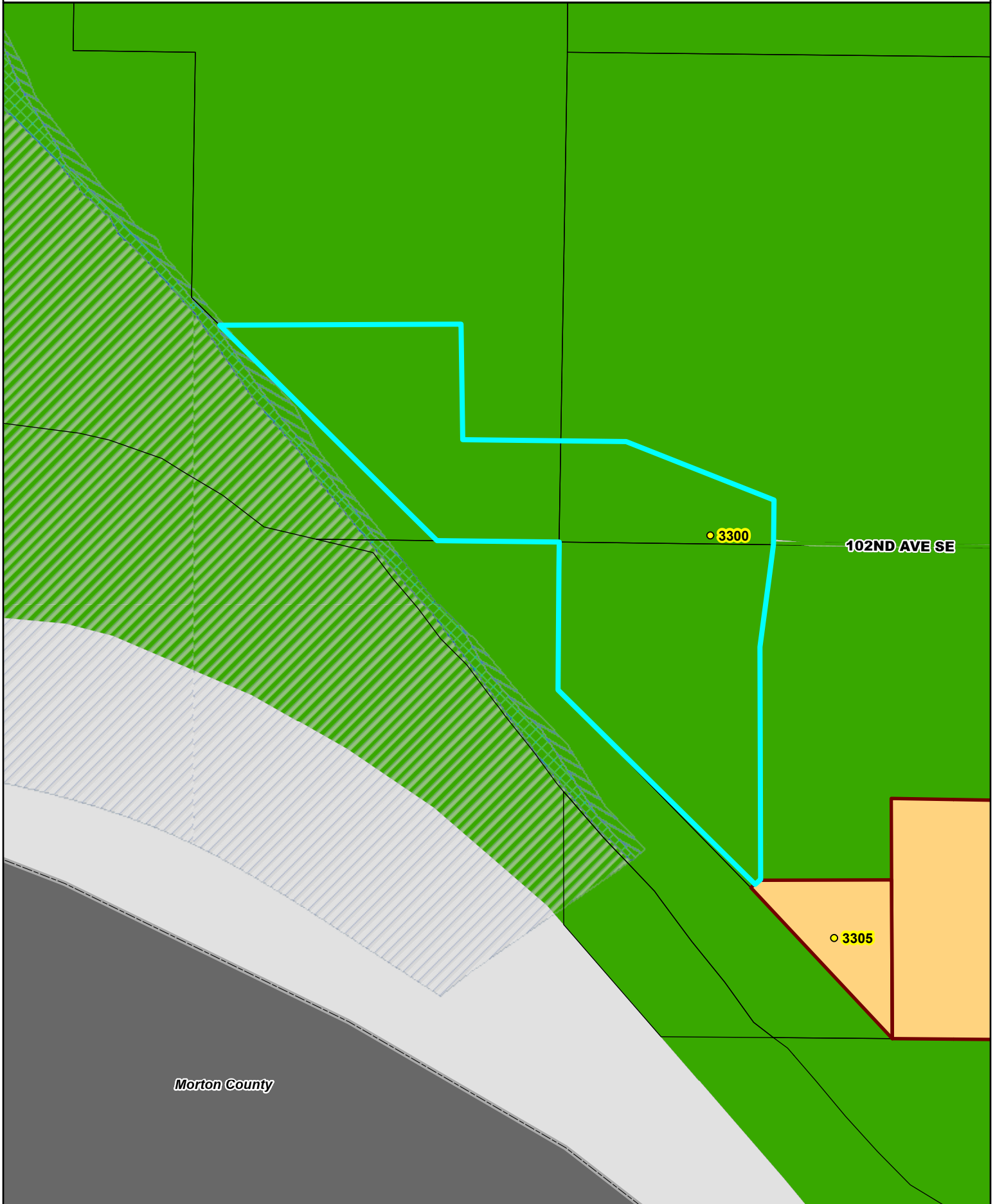
The petition for a preliminary plat meets all administrative requirements of the Burleigh County Zoning Ordinance Article 12 & 33. Staff recommends approval of the preliminary plat and zoning change and requests for a public hearing.

Planning Commission Action

The Burleigh County Planning and Zoning Commission can:

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

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP

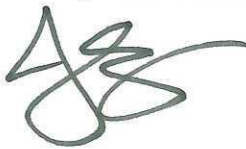


BURLEIGH COUNTY STATE'S ATTORNEY

JULIE LAWYER
STATE'S ATTORNEY

Memo

To: Burleigh County Planning and Zoning Commission

From: Julie Lawyer, State's Attorney 

Date: January 30, 2024

Re: Opinion and guidance on section lines in Burleigh County

You had requested a legal opinion regarding specific questions related to section lines. Please see the answers to your questions below.

1. Should section line right of ways be considered vacated when the section line right of way was established after a building was constructed?

The law does not allow for the automatic vacation of a section line, other than through the platting of townsites, additions to townsites, or a subdivision pursuant to N.D.C.C. Ch. 40-50.1. If the plat is such, then section lines are eliminated as discussed below in favor of the public streets and alleys that are part of the townsite or subdivision.

If the plat does not fall within the exception, the procedure for vacating a section line pursuant to N.D.C.C. § 24-07-03 must be followed. That would require a petition to the Board of County Commissioners by a person having an interest in the adjoining land or portion of the adjoining land. There must be a public hearing and a finding by the commissioners of "public benefit", the section line may be closed. "Public benefit" is not defined by statute.

Your example regarding Peaceful View Subdivision indicates a home and buildings were built within the section line before the section line was established. "Congressional section lines" was made in 1866 to grant the right of way for highways over public lands. See *Walcott Township v. Skauge*, 6 N.D. 382, 71 N.W. 544 (1897). That would mean the structures were built prior to 1866. It would also indicate the buildings were erected on public lands. "Public benefit" could include the preserving of historical buildings, even if there is no declaration of the buildings as a historical site.

2. Does platting of property over a section line eliminate the section line if an alternative access / road is platted or available?

Pursuant to N.D.C.C. § 24-07-03, "the congressional section lines are considered public roads open for public travel to the width of thirty-three feet on each side of the section lines." This does not include section lines within the limits of incorporated cities, or platted townsites, additions, or platted subdivisions recorded prior to July 1, 1987 under former

N.D.C.C. Ch. 40-50 or recorded after July 1, 1987 pursuant to N.D.C.C. § 40-50.1-01 through 40-50.1-17.

Former Chapter 40-50 and current N.D.C.C. Ch. 40-50.1 is for the platting of townsites, additions to townsites, or a subdivision. Only those plats can eliminate a section line as those plats are required to include all streets, alleys, and public grounds. Any other plat of land that is not platted pursuant to N.D.C.C. Ch. 40-50.1 cannot eliminate a section line.

a) If platting eliminates the section line, does the section line still need to be noted on the plat?

N.D.C.C. Ch. 40-50.1 does not require section lines to be noted on the plat.

b) Does the section line right of way have to be vacated before platting of the subdivision or does the platting over the section line remove the requirement of a vacation?

If the plat is not for a townsite, addition to a townsite, or a subdivision pursuant to N.D.C.C. Ch. 40-50.1, the section lines must be included in the plat and, if the landowner wants the section line vacated, they must petition the Burleigh County Commission who must hold a public hearing and make findings as required in N.D.C.C. § 24-07-03.

If the section line is vacated, the vacation should be noted on the plat.

3. When platting a subdivision with buildings built on or in a section line right of way allow a notation for the buildings to exist, but not be enlarged, or rebuilt if deemed over 50% destroyed by fire, natural disaster, or other means.

A note regarding the existence of buildings on the section line is not advisable. If a building is going to be allowed on a section line, the procedures for vacating that portion of the section line, at a minimum, should be followed. N.D.C.C. § 24-06-28 prohibits the placement of a permanent obstruction within the vertical plane of thirty-three feet of any section line or within the right of way of any highway. In order to do so, the person must obtain written permission from the board of county commissioners or the board of township supervisors, as appropriate. The section line either must be closed pursuant to N.D.C.C. § 24-07-03 or the topography of the land along the section line is such that construction of a road is impracticable.

While there is no requirement regarding what constitutes "written permission", a note on the plat is not the most appropriate way to provide the written permission. It would be best to have the board consider whether to close the section line or provide its opinion and basis for the opinion that the topography is such that construction of a road is impracticable.



964212

\$0.00
Page: 1 of 2
3/19/2024 1:05 PM
Burleigh County

AFFIDAVIT OF SECTION LINE CLOSURE

AFD 24-004

The Burleigh County Commission at a regular scheduled meeting on March 5, 2024, duly closed the following listed section line as appearing below.

Witness my hand and seal this 19 day of March, 2024



Mark Splonskowski,
Burleigh County Auditor

SECTION LINE CLOSURE

The section line vacation is as described below:

The section line situated on the common line between Sections 11 and 14, Township 137 North Range 80 West of the 5th Principal Meridian, Burleigh County, ND.



COUNTY PLANNING

AFFDT

Brandi Chambers Deputy

964212

\$0.00

Page: 2 of 2

3/19/2024 1:05 PM

Burleigh County



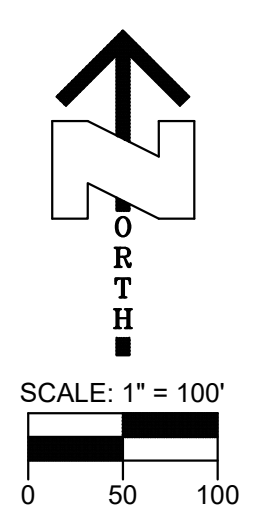
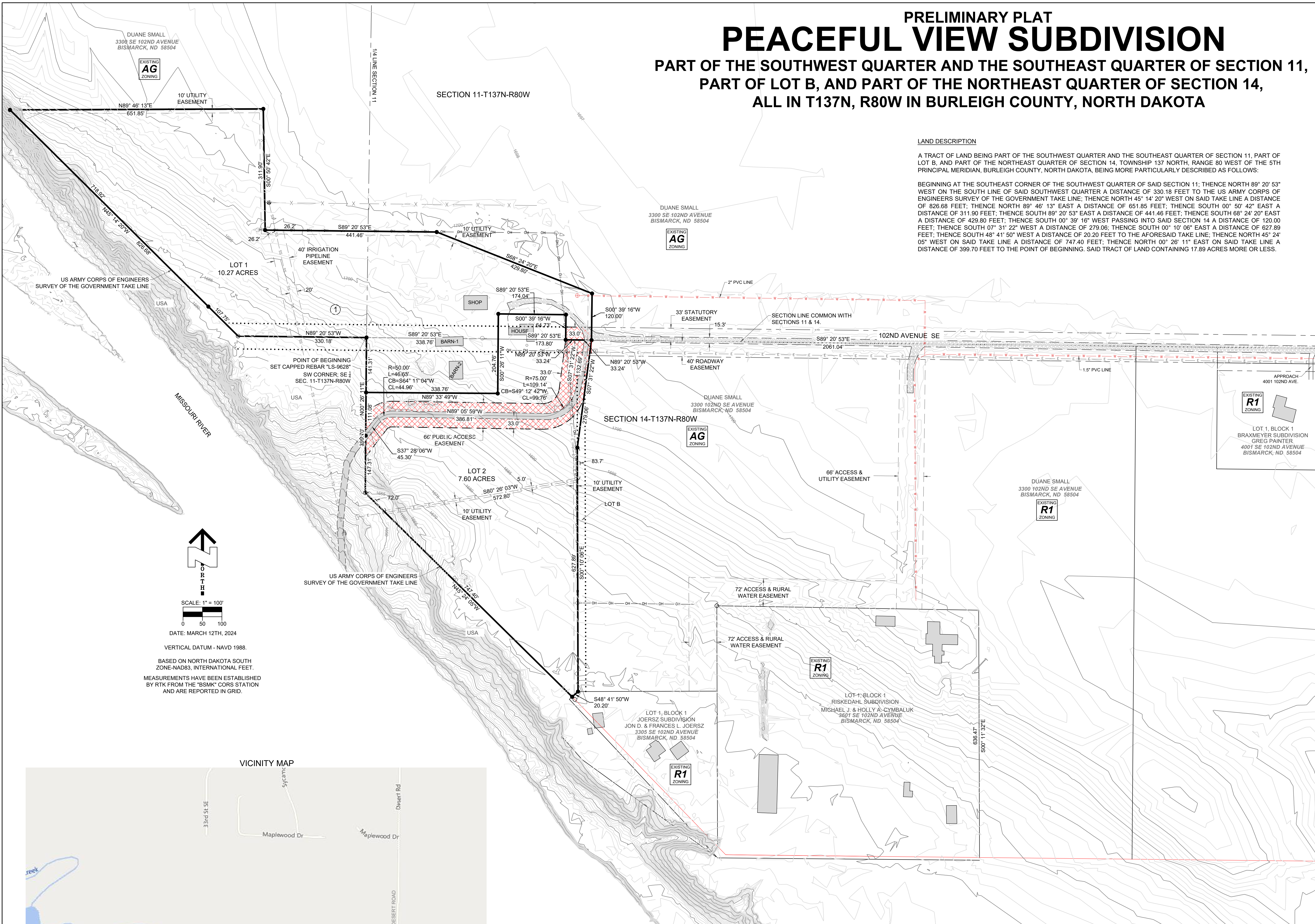
PRELIMINARY PLAT PEACEFUL VIEW SUBDIVISION

PART OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 11,
PART OF LOT B, AND PART OF THE NORTHEAST QUARTER OF SECTION 14,
ALL IN T137N, R80W IN BURLEIGH COUNTY, NORTH DAKOTA

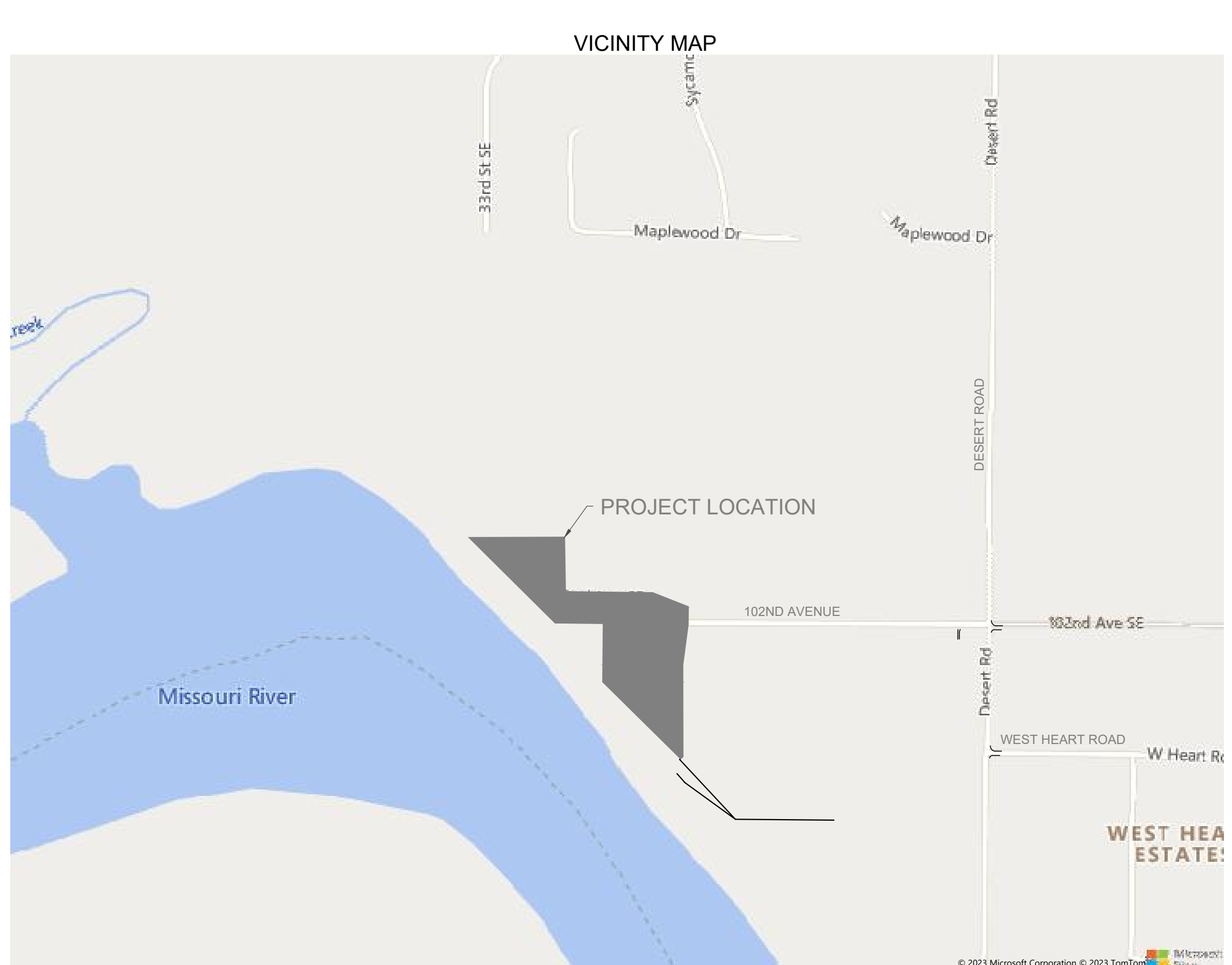
LAND DESCRIPTION

A TRACT OF LAND BEING PART OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 11, PART OF LOT B, AND PART OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 137 NORTH, RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 11; THENCE NORTH 89° 20' 53" WEST ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 330.18 FEET TO THE US ARMY CORPS OF ENGINEERS SURVEY OF THE GOVERNMENT TAKE LINE; THENCE NORTH 45° 14' 20" WEST ON SAID TAKE LINE A DISTANCE OF 826.68 FEET; THENCE NORTH 89° 46' 13" EAST A DISTANCE OF 651.85 FEET; THENCE SOUTH 00° 50' 42" EAST A DISTANCE OF 311.90 FEET; THENCE SOUTH 89° 20' 53" EAST A DISTANCE OF 441.46 FEET; THENCE SOUTH 68° 24' 20" EAST A DISTANCE OF 429.80 FEET; THENCE SOUTH 00° 39' 18" WEST PASSING INTO SAID SECTION 14 A DISTANCE OF 120.00 FEET; THENCE SOUTH 07° 31' 22" WEST A DISTANCE OF 279.06; THENCE SOUTH 00° 10' 06" EAST A DISTANCE OF 627.89 FEET; THENCE SOUTH 48° 41' 50" WEST A DISTANCE OF 20.20 FEET TO THE AFORESAID TAKE LINE; THENCE NORTH 45° 24' 05" WEST ON SAID TAKE LINE A DISTANCE OF 747.40 FEET; THENCE NORTH 00° 26' 11" EAST ON SAID TAKE LINE A DISTANCE OF 399.70 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 17.89 ACRES MORE OR LESS.



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



LEGEND

- FOUND SURVEY MONUMENT
- SET CAPPED REBAR - LS9628
- ▭ EXISTING BUILDING
- ▨ EXISTING GRAVEL
- x- EXISTING FENCE
- SS- EXISTING IRRIGATION PIPELINE
- OH- EXISTING OVERHEAD ELECTRIC
- E- EXISTING UNDERGROUND ELECTRIC
- W- EXISTING WATER LINES
- EXISTING POWER POLE
- ⊠ EXISTING PEDESTAL
- VACATED LOT LINES
- ▨ PUBLIC ACCESS EASEMENT

ACREAGE TABLE

	SE 1/4 SEC 11	SW 1/4 SEC 11	NE 1/4 SEC 14
LOT 1	10.27 ACRES	2.67 ACRES	6.51 ACRES
LOT 2	7.62 ACRES	0.27 ACRES	7.35 ACRES
TOTAL	17.89 ACRES		

- 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 66' PUBLIC ACCESS EASEMENT SHOWN HEREON IS FOR THE BENEFIT OF THE PUBLIC.
 - THE SECTION LINE THAT RUNS THROUGH LOT 1, BLOCK 1 HAS BEEN VACATED PER RESOLUTION #

PROFESSIONAL LAND SURVEYOR
MARK R. ISAACS, LS-9628

PEACEFUL VIEW SUBDIVISION
PART OF THE S. 1/2 SEC. 11-137-80
PART OF THE N. 1/2 SEC. 14-137-80
BURLEIGH, NORTH DAKOTA

SHEET: 1 OF 1 JOB NUMBER: 23154
SCALE: 1" = 100' DWG REVISION DATES
DRAWN BY: MRS
DWG DATE: 11/10/23

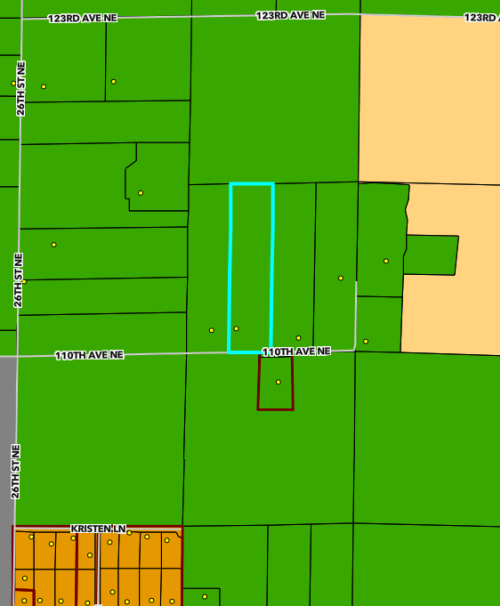
INdependent Land Surveying & Engineering
4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-563-5194
Cell: 701-595-2078
mark@isurveynd.com
DWG NAME: 23154 Preliminary Plat.dwg

OWNER:
DUANE SMALL
3300 SE 102ND AVE
BISMARCK, ND 58504

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Agenda Item 3-2

Application for a Preliminary Subdivision

Project Summary	
Consent Agenda:	Fleck Subdivision – A three (3) lot subdivision
Status:	Planning and Zoning Commission – Consideration
Petitioner/Developer	Kurt & Dana Fleck
Engineer	Mark Isaacs Independent Land Surveying and Engineering
Location:	Part of the SE 1/4, Section 7 and Part of the NE 1/4, Section 18, All in T137N, Range 79W, Burleigh County Attachment 4-1 Location Map
	
Project Size:	40 acres more or less A- Agricultural Zoning
Petitioners Request	Approval of the preliminary plat. 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



PLANNING AND ZONING COMMISSION

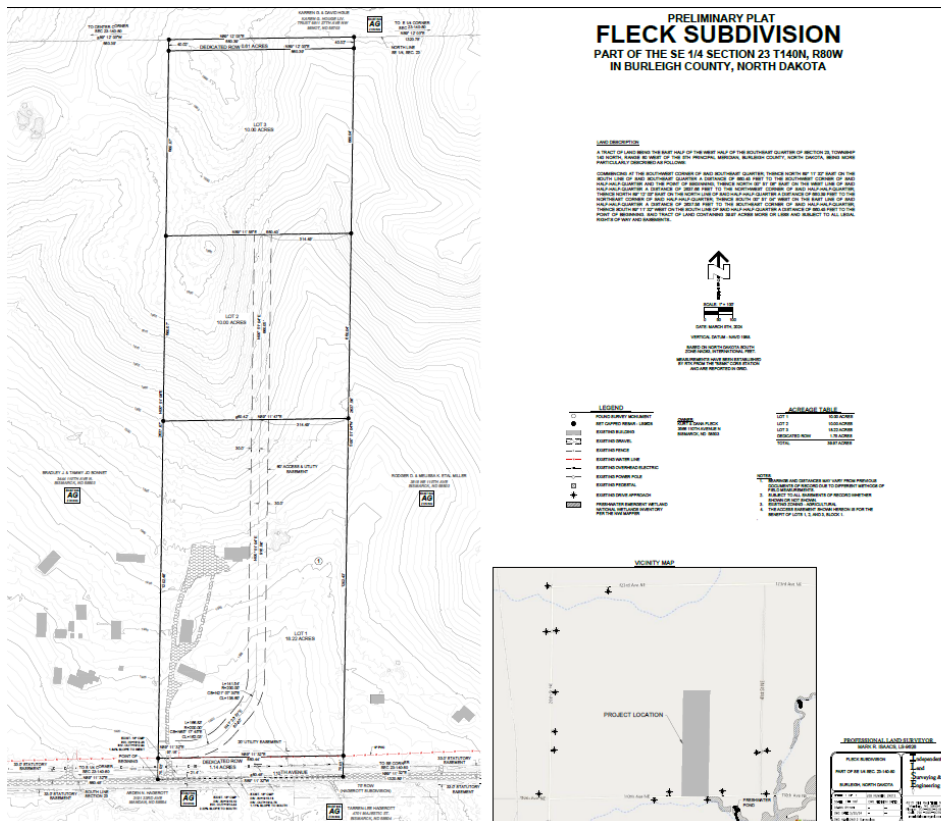
April 10, 2024

History/Description

Mark Isaac, ILSE and the petitioner Kurt Fleck met with Burleigh County Staff on March 13, 2024 for a pre-application meeting to discuss platting his 40 acres. Mr. Fleck was interested in platting his property into three (3) lots. Two (2) lots will contain ten (10) acres with the remaining lot containing eighteen 18 acres more or less. A zoning change would not be required if the lot stayed at ten (10) acres or more.

The review committee did not find any irregularities which would cause concern in the platting process. There are three (3) buildings on the property, which will be contained into Lot 1.

Attachment 3-2-2 Preliminary Plat





PLANNING AND ZONING
COMMISSION

April 10, 2024



Attachment 3-2-3 Site Map



PLANNING AND ZONING COMMISSION

April 10, 2024

Staff Findings:

1. This subdivision fulfills the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. Zoning will not be changed.
3. A paving waiver will be requested
4. A Stormwater Management Plan or Waiver Request must be submitted.
5. This preliminary plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.

Planning Staff Recommendation

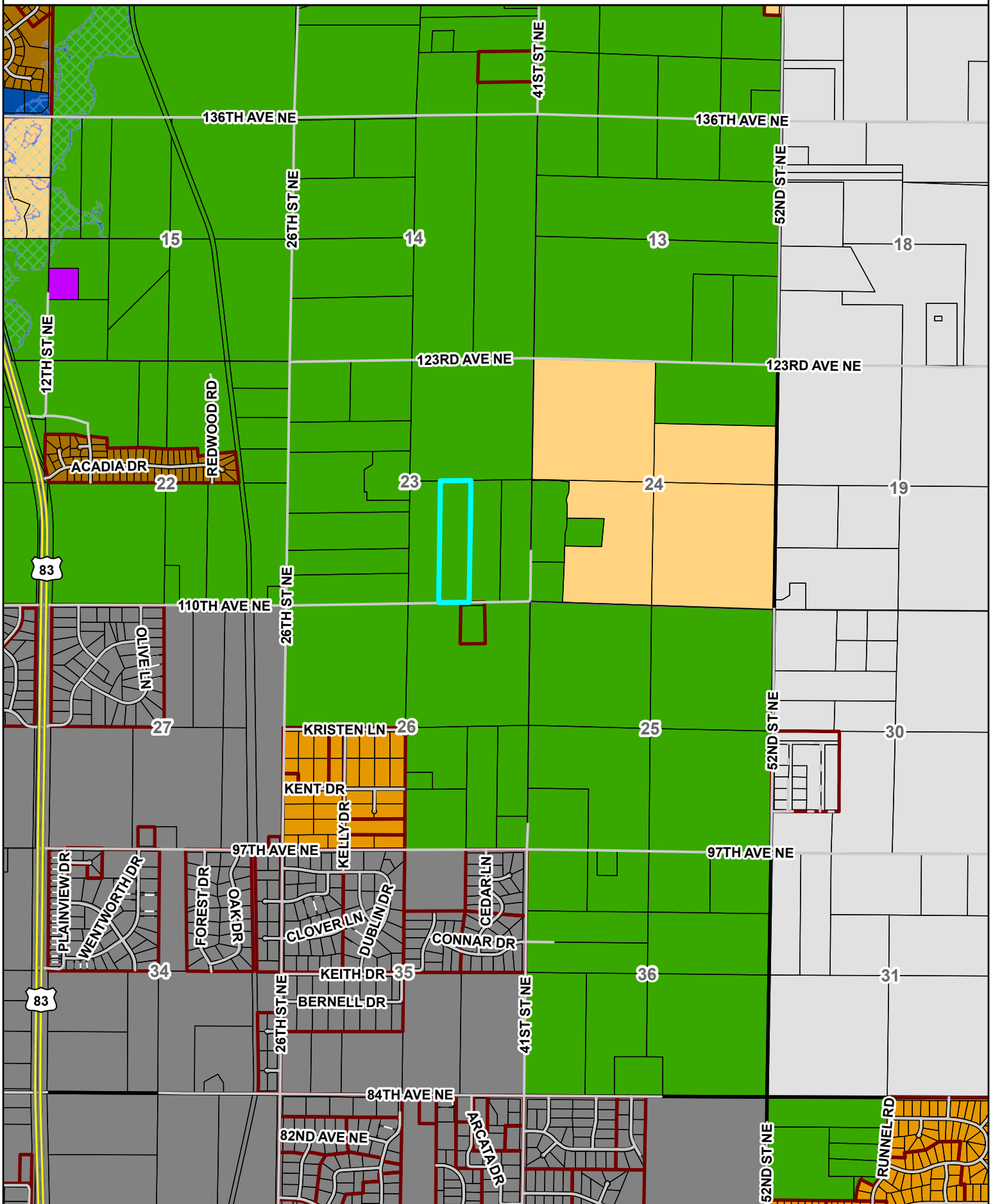
The petition for a preliminary plat meets all administrative requirements of the Burleigh County Zoning Ordinance Article 33. Staff recommends approval of the preliminary plat and calling for a public hearing.

Planning Commission Action

The Burleigh County Planning and Zoning Commission can:

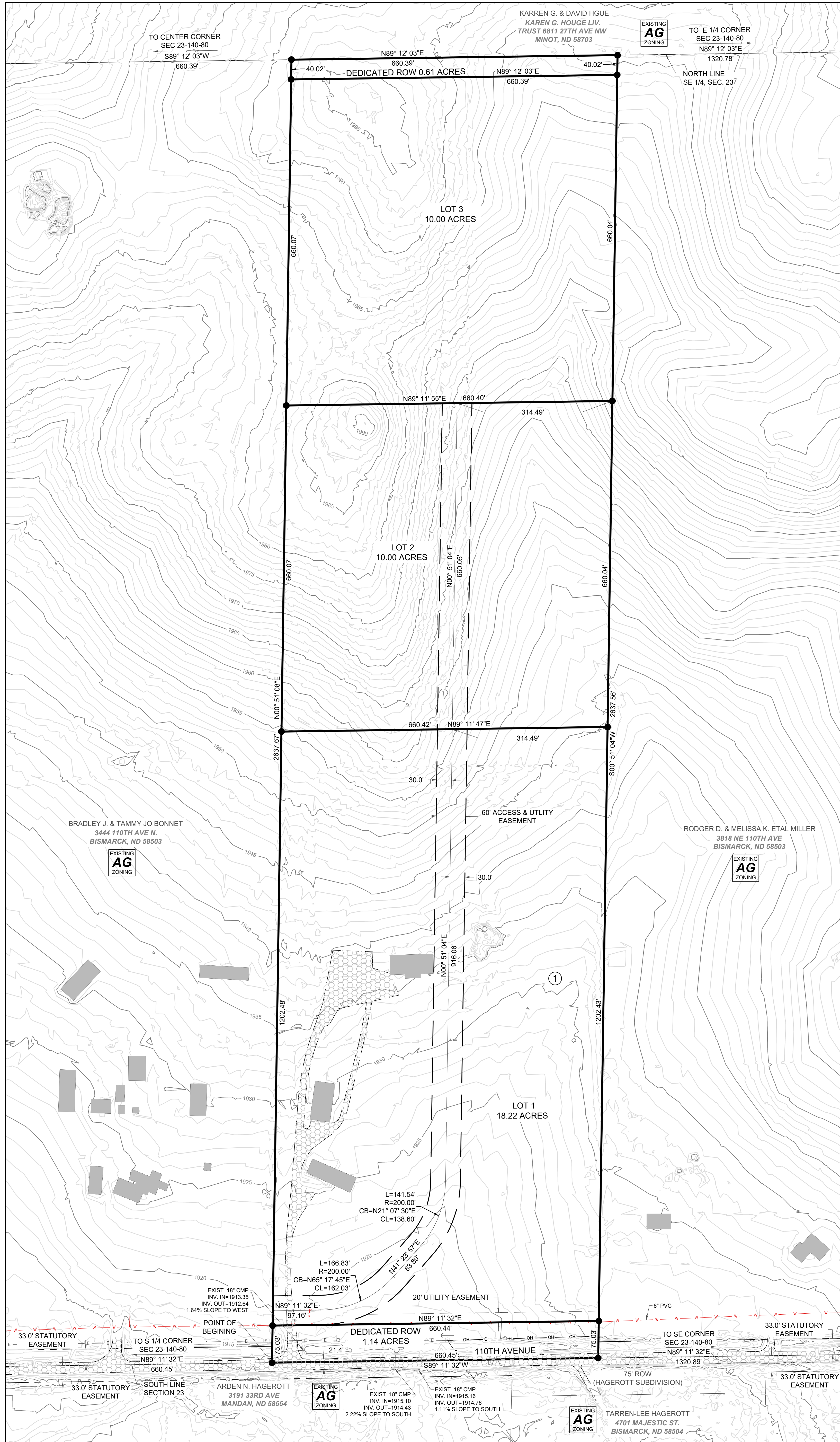
1. Approve the preliminary plat. Call for a public hearing.
2. Approve the preliminary plat with conditions and call for a public hearing after all condition have been completed.
3. Deny the preliminary plat with reason.
4. Table the preliminary plat for more information.

BURLEIGH COUNTY, NORTH DAKOTA LOCATION MAP



PRELIMINARY PLAT FLECK SUBDIVISION

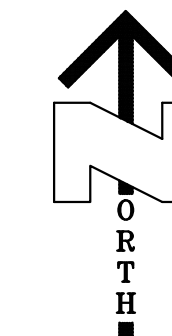
PART OF THE SE 1/4 SECTION 23 T140N, R80W IN BURLEIGH COUNTY, NORTH DAKOTA



LAND DESCRIPTION

A TRACT OF LAND BEING THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 140 NORTH, RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 89° 11' 32" EAST ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 660.45 FEET TO THE SOUTHWEST CORNER OF SAID HALF-HALF-QUARTER AND THE POINT OF BEGINNING; THENCE NORTH 00° 51' 08" EAST ON THE WEST LINE OF SAID HALF-HALF-QUARTER A DISTANCE OF 2637.66 FEET TO THE NORTHWEST CORNER OF SAID HALF-HALF-QUARTER; THENCE NORTH 89° 12' 03" EAST ON THE NORTH LINE OF SAID HALF-HALF-QUARTER A DISTANCE OF 660.39 FEET TO THE NORTHEAST CORNER OF SAID HALF-HALF-QUARTER; THENCE SOUTH 00° 51' 04" WEST ON THE EAST LINE OF SAID HALF-HALF-QUARTER A DISTANCE OF 2637.56 FEET TO THE SOUTHWEST CORNER OF SAID HALF-HALF-QUARTER; THENCE SOUTH 89° 11' 32" WEST ON THE SOUTH LINE OF SAID HALF-HALF-QUARTER A DISTANCE OF 660.45 FEET TO THE POINT OF BEGINNING; SAID TRACT OF LAND CONTAINING 39.97 ACRES MORE OR LESS AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.



SCALE: 1" = 100'

DATE: MARCH 5TH, 2024

VERTICAL DATUM - NAVD 1988.

BASED ON NORTH DAKOTA SOUTH ZONE-NAD83, INTERNATIONAL FEET.

MEASUREMENTS HAVE BEEN ESTABLISHED BY RTK FROM THE "BSMK" CORS STATION AND ARE REPORTED IN GRID.

LEGEND

- FOUND SURVEY MONUMENT
- SET CAPPED REBAR - LS9628
- EXISTING BUILDING
- ▨ EXISTING GRAVEL
- x- EXISTING FENCE
- - - EXISTING WATER LINE
- o-o- EXISTING OVERHEAD ELECTRIC
- EXISTING POWER POLE
- ⊠ EXISTING PEDESTAL
- ★ EXISTING DRIVE APPROACH
- ▨ FRESHWATER EMERGENT WETLAND
- ▨ NATIONAL WETLANDS INVENTORY PER THE NWI MAPPER

OWNER:
KURT & DANA FLECK
3566 110TH AVENUE N
BISMARCK, ND 58503

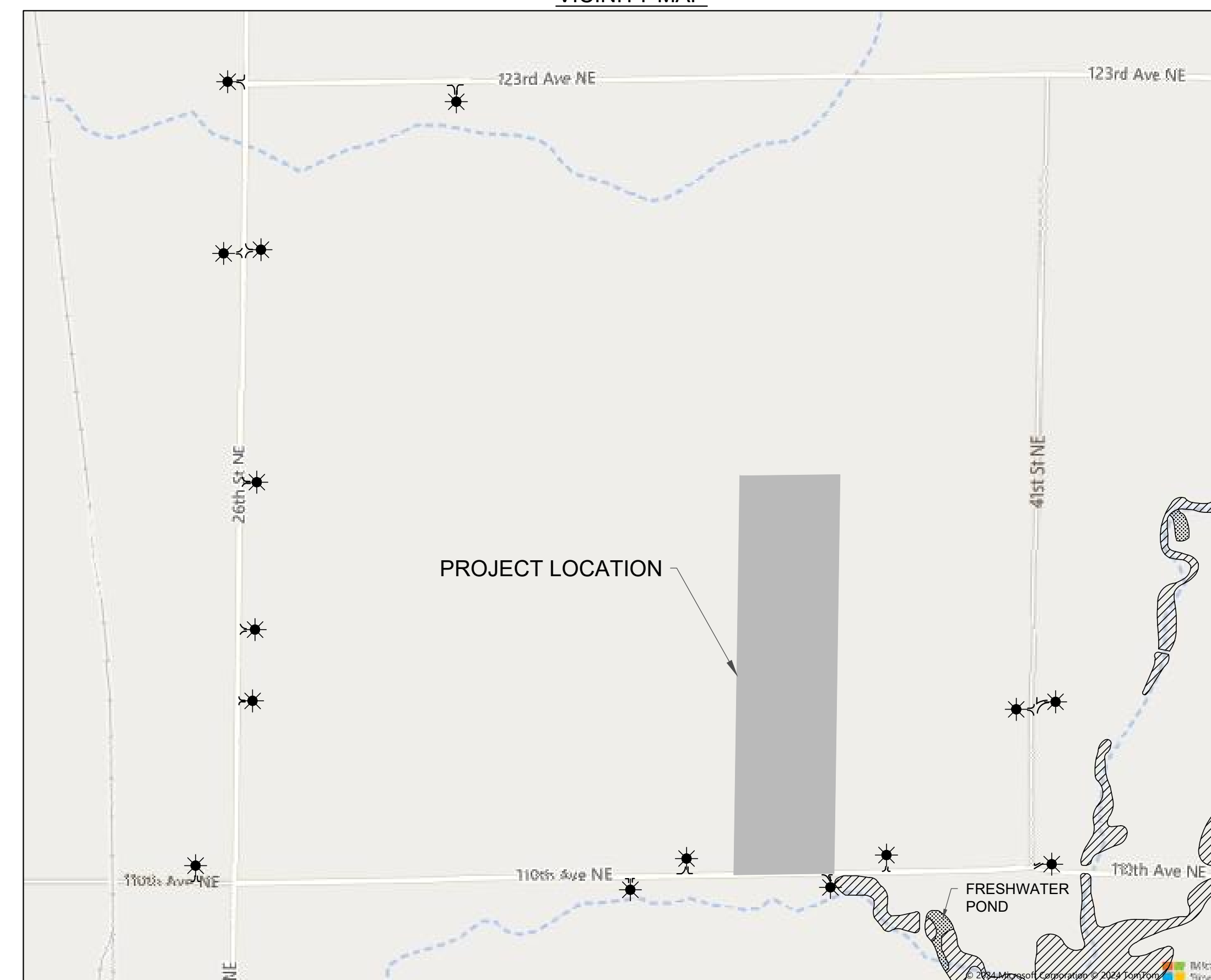
ACREAGE TABLE

LOT 1	10.00 ACRES
LOT 2	10.00 ACRES
LOT 3	18.22 ACRES
DEDICATED ROW	1.75 ACRES
TOTAL	39.97 ACRES

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.
3. EXISTING ZONING - AGRICULTURAL
4. THE ACCESS EASEMENT SHOWN HEREON IS FOR THE BENEFIT OF LOTS 1, 2, AND 3, BLOCK 1.

VICINITY MAP



PROFESSIONAL LAND SURVEYOR
MARK R. ISAACS, LS-9628

FLECK SUBDIVISION
PART OF SE 1/4 SEC. 23-140-80
BURLEIGH, NORTH DAKOTA

SHEET: 1 OF 1 JOB NUMBER: 24012
SCALE: 1" = 100'
DRAWN BY: MRS
DWG DATE: 2/20/24
DWG NAME: 24012_Survey.dwg

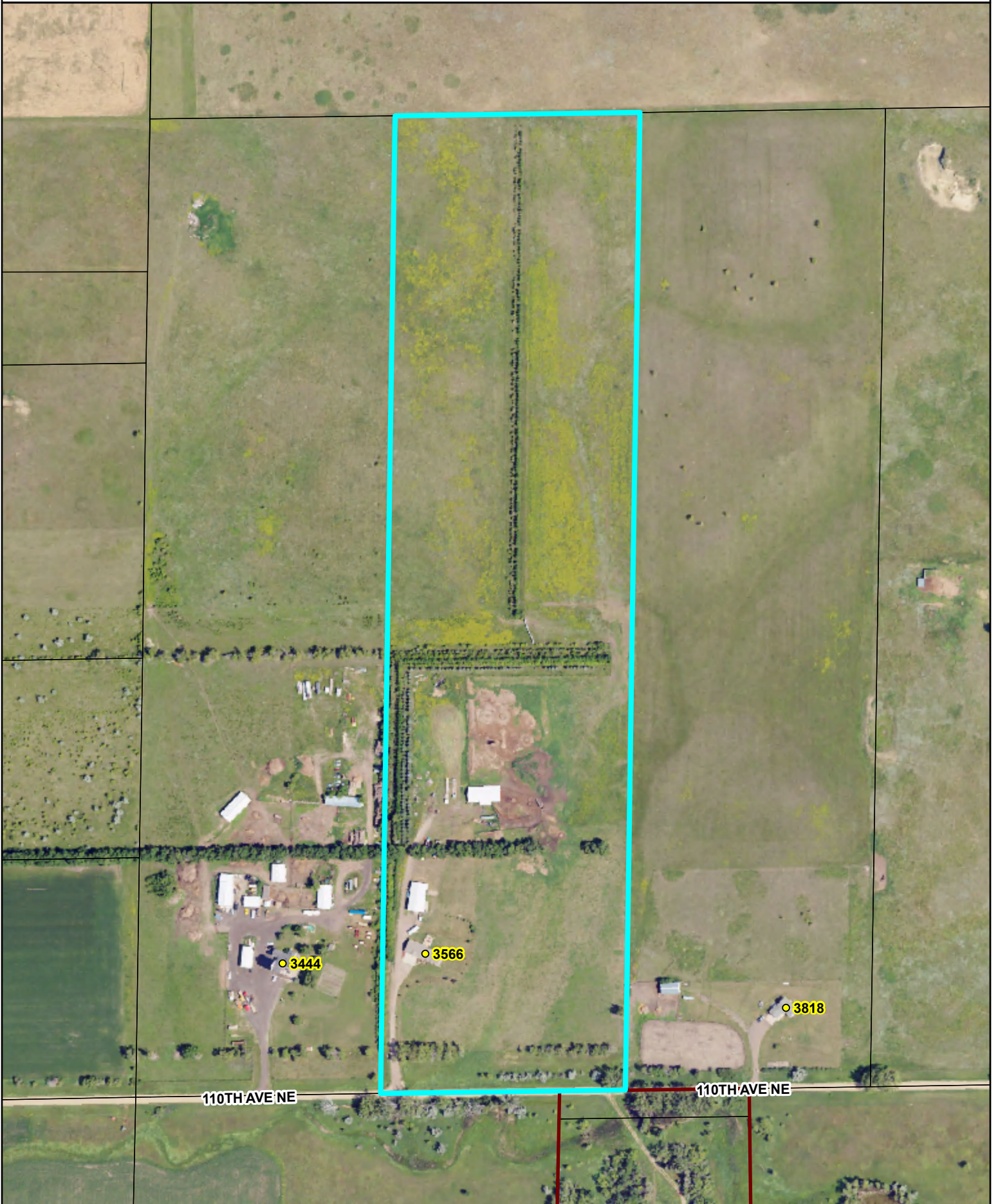
Independent
Land
Surveying &
Engineering

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
Cell: 701-595-2079
mark@isurveynd.com

**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

EX 3-2-3

N
3/26/2024



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Agenda Item 3.-3

Application for a Preliminary Zoning Change

Project Summary	
Consent Agenda:	The Hilltop Zoning Change A-Agricultural to PUD
Status:	Planning and Zoning Commission – Consideration
Petitioner/Developer	Elliot Carvell and Kyle Ova
Engineer	Toman Engineering
Location:	<i>Part of Burnt Creek Township, Section 05, Lot D in S 1/2</i>
<p>Exhibit 3.3-3-1Location Map</p> 	<p>Addressed as: 800 NW 149th Ave.</p>
Project Size:	9.3 acres more or less
Petitioners Request	Approval of the PUD, 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

Burleigh County was approached by Elliot Carvell and Kyle Ova regarding their plans for a wedding/events location in Burleigh County. They would like to plat the 42 acres located at 800 149th Ave. NW. The subdivision would create two (2) separate lots. Lot 1 containing 9.3 acres more or less. Lot 2 containing 33 acres more or less. The developers requested a zoning change from A-Agricultural to Commercial. Burleigh County Planning staff did not recommend a zoning change to C-Commercial because of the allowable uses did not conform to the surrounding zoning. Staff recommended a PUD zoning which would strictly limit the uses on the property. Lot 1 would be rezoned as a PUD – Planned Unit Development to hold weddings and events. During the pre-application review meeting with county staff it was determined there were several items that would be required before platting, including but not limited to adjusting the Master Roadway Plan. The items discussed in the pre-application meeting will add additional costs to the project.

It was recommended by county staff to apply for the PUD zoning change as the first step in the development of their project. The developers submitted a preliminary plat with the acreage for the PUD outlined, with proposed buildings overlaid on the plat, (see Attachment 3-3-2) and the proposed PUD. (see Attachment 3-3-3) Preliminary Development Plan Attachment 3-3-4.



Exhibit 3-3-2 PUD Area



Staff Findings:

1. This request fulfills the requirements of Article 20 – PUD Planned Unit Development.
2. Property is located on 149th Ave NW, a paved asphalt road.
3. Surrounding area has low population
4. Surrounding properties are 40 acre parcels on average. There are eight (8) properties within ¼ mile of the property.
5. 149th Ave NW and Highway 83 have designated turn lanes
6. The PUD zoning will stay with the land, but has strict limitation of the uses allowed in the PUD Zoning.
7. It is allowable to change the zoning on a property before platting. Property must be platted before the PUD is recorded and in effect.

Planning Staff Recommendation

The petition for a PUD Zoning Change meets all the requirements of Article 20 of the Burleigh County Zoning Ordinances. Staff recommends approve the Preliminary PUD and call for a public hearing.

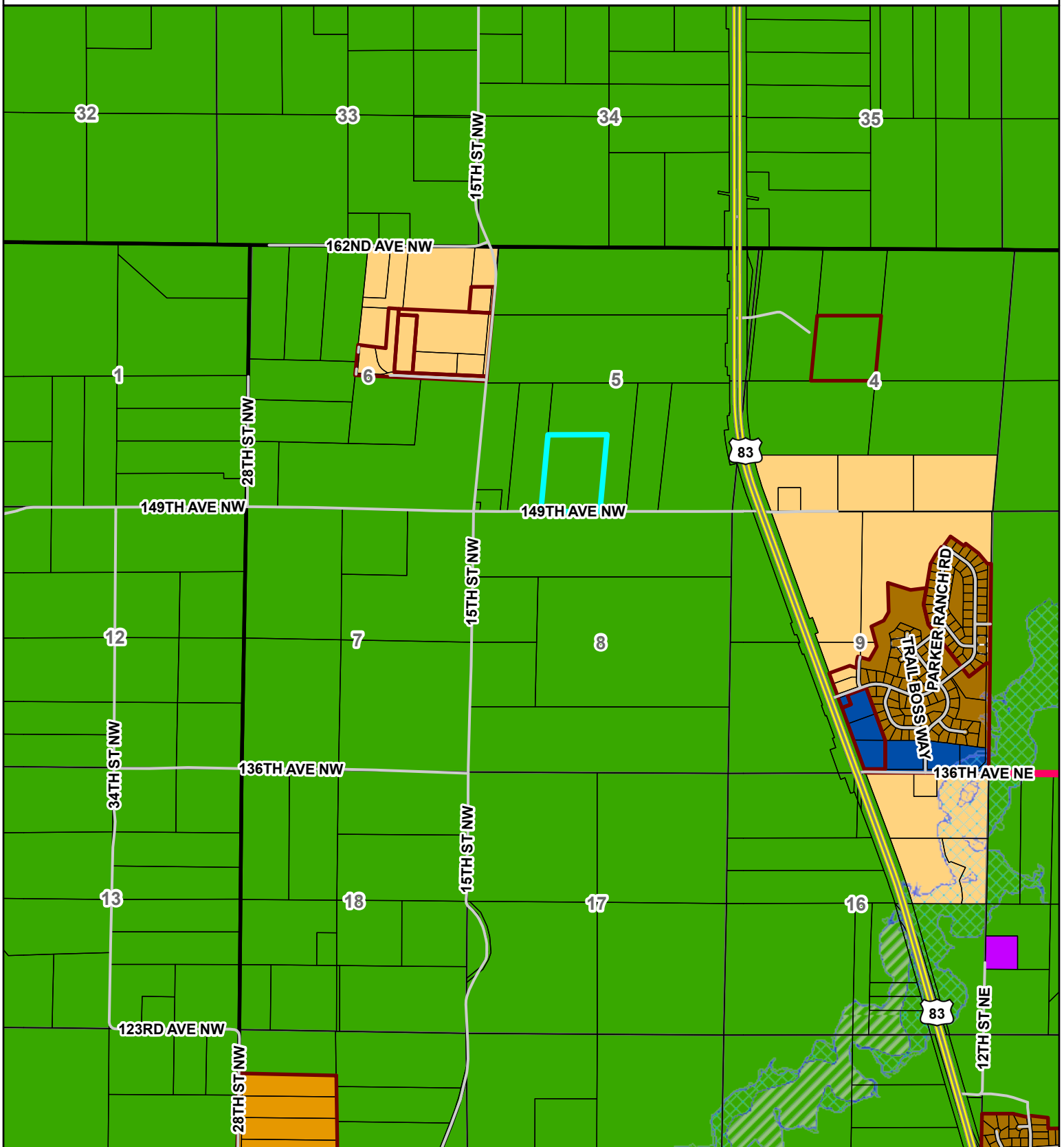
Planning Commission Action

The Burleigh County Planning and Zoning Commission can:

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

BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP

EX 3-3-1



PARCEL ID: 24-140-80-00-05-600 OWNER: CARVELL, ELLIOT C & KATHERINE M ACRES: 42.35
SITE ADDRESS: 800 NW 149TH AVE
MAIL ADDRESS: 800 149TH AVE NW, BISMARCK, ND 58503
LEGAL: BURNT CREEK TOWNSHIP Section 05 LOT D IN S1/2 IRR PLAT 255240; 816677 05-140-80



Planned Use Development Proposal

Event Venue

Summary:

This proposal is written on behalf of Elliot Carvell and Kyle Ova hereinafter referred to as the 'owners' and or the 'developers'. These developers are pursuing county permission to construct a wedding venue on property north of Bismarck. This property currently is 42.35 acres located at 800 149th Avenue NW, Bismarck and is the primary residence of Carvell which is zoned agricultural.

The owners are specifically seeking initial approval by the Planning and Zoning Commission via the use of Planned Unit Development (PUD) and ultimate approval by the Burleigh County Commission. The owners are not opposed to the alternative route of seeking a commercial zoning change for the land acres proposed for this project. The owners have followed necessary steps at this point by working with Toman Engineering for civil platting work, Planview Design and Build for architectural and building support, both of which are in progress and ongoing.

This PUD requests the following permissions. This is, to allow construction and operation of a rural event venue that can accommodate weddings and corporate events such as meetings, fundraisers, and the like. Maximum seating will be set at five hundred persons, but it is not expected to commonly reach this maximum capacity. Basic elements of this venture will require a private driveway, graveled parking lot, venue building and outdoor space to accommodate outdoor weddings and gatherings. This PUD will cover approximately 10 acres of the existing 42.35 agricultural lot. The proposed venue building is estimated at 8,000 to 11,500 sq. ft., built to modern code and specifications. Two options for construction were proposed by Plainview and the owners have decided on 'option two, The Hilltop' option. See 'Plainview Design Overview' for these proposed details.

The owners have researched other venue applications that have not been successful in Burleigh County. The owners feel that this property has true potential to be approved due to multiple factors that are in its benefit. First is that the property is situated on 149th Ave NW which is a well-traveled paved asphalt roadway eliminating any concerns that gravel roadways may cause regarding dust mitigation. Current traffic is frequent throughout all hours of the day as this road serves as a through road to the private landfill located on 14108 34th St. NW. Currently heavy truck traffic is observed daily operating at this landfill. Secondly, this area is sparsely populated with no primary residences to the South, North, East, or West of the property on these forty-acre or larger neighboring plats. Lastly, this address is located within one half mile of Highway 83 North providing quick and easy access while not obstructing current traffic patterns. Highway 83 North and 149th Ave NW already have existing safety measures to include a Northbound, Southbound, and Westbound turn lane that can accommodate increased traffic flows from these proposals.

The physical building structure is still malleable at this point in design. However, the anticipated square feet is 8,000 to 11,500 encompassing .18 to .26 acres. Amenities and facilities will incorporate modern needs while preserving the rustic, rural and private charm of a countryside venue. More specific amenities that relate to this venue's clients will include:

- Restrooms
- Bridal suite
- Groom's lounge
- Commercial catering kitchen
- Ample parking; 200-250 spaces, gravel, assuming 1.5 to 2.5 acres or 350 sq. ft. per car
- ADA accessibility & modern fire code standards
- Entrance/ Vestibule
- Bar
- Reception and gathering areas both indoor and outdoor
- Breakout rooms

Scenic landscaping will utilize the natural landscape to enhance the venue's appeal. Consideration will be given to neighboring landowners to protect privacy and reduce noise. Other areas shall include appropriate and reasonable lighting both indoor and outside, seating areas and decorative foliage and landscaping where applicable.

The intent of this PUD proposal by its' developers is to clearly state its objectives, notify surrounding landowners and ultimately seek county approval. This PUD is narrowly focused and as it has and will describe, desires to develop, create and operate to county standards and expectations a unique countryside venue close to Bismarck. This venue will cater to the reasonable needs of its' commercial clients to provide weddings and host business and corporate events as desired. No overnight or lodging will be provided. This PUD request is tailored specifically to short term events that are expected to be most common on evenings and weekends. We believe that this objective is achievable and reasonable.

Portions of:

Burnt Creek Township, Section 05, Lot D in S1/2 IRR PLAT 255240; 816677 05-140-80
Parcel ID: 24-140-80-00-05-600

This PUD is subject to the following:

PUD Development Standards:

Location: See legal descriptions above.
Use: PUD request for 9.13 acre event hosting venue.
Lot size: 397,583 square feet or 9.13 acres.

Density: 1 planned PUD Plat for commercial purposes.
Lot Area Coverage: 3% of lot principal and accessory building.
Accessory buildings: Allowed per county standards.
Capacity: 500 person maximum capacity.

Accessory Buildings in Floodplain: Not in the floodplain, not applicable.

Building Height: Two story maximum, not to exceed 70' in height for principal building.

Foundations: All structures shall be built with frost protected foundations. In determining soil conditions for this lot, a site-specific design by a Registered Design Professional for the foundation system will be acceptable.

Architectural Drawings: Following approval of this PUD, the owners will begin detailed architectural design. Architectural drawings may be submitted and will provide sufficient detail to obtain all necessary building permits per Burleigh County standards.

This PUD shall:

1. Maintain a singular and site-specific sewer system.
2. Maintain retention/detention ponds if required by the stormwater management plan.

Sewer System: An individual septic system shall be allowed on this lot separate from any existing sewer systems present. PUD Developers shall install and maintain by the owners per Burleigh County Building Department regulations.

- a. Private Sewage System:
 - i: Individual septic system: This individual private septic system shall be designed by a registered design professional.

Lot Access: Fixed approaches, as per initial design, may only be modified and/or moved with the special approval of the Burleigh County Engineer and Highway Department. The driveway approach shall be permitted as issued by Burleigh County Highway Department.

1. The approach shall be a fixed single approach private driveway.
2. U.S. Post Office approved mail receptacle shall be provided in predetermined location.

Platting: Any development shall be platted to ensure future conformity with the PUD and to give Burleigh County assurance this PUD shall only be amended in accordance with Article 20 Section 5 (Planned Unit Developments). Major changes require a public hearing and a majority vote of the Burleigh County Planning & Zoning Commission.

- a. Flood Plains and SFHA:
 - i. Not applicable

Lot Modifications: Any subsequent significant modification of lots shall be subject to the requirements of Article 33 Section 12. of Burleigh County Zoning Ordinance of Ordinances.

Phasing: Development shall be developed in phases.

Issuance of Building Permits: Building permits shall not be issued until all development standards for each phase are approved and completed to current Burleigh County standards.

Zoning: After PUD approval, parcels shall be zoned as a PUD per Burleigh County zoning regulations.

Green Space: Green spaces reserved for open land, private sewage system, and stormwater detention/retention areas shall be owned by the property owner and subject to the discounted tax rate as per determined and common practice by the Burleigh County Auditor/Assessor. The owners may elect to use green spaces for hosting outdoor wedding ceremonies or gatherings as an extension to the principal and accessory buildings.

- a. Site Plan: A minor site plan shall be provided that contains insofar as applicable, the following minimum information:
 - i. Areas which are to be conveyed within to be used for this PUD purpose.
 - ii. Proposed exterior PUD property line boundaries.
 - iii. Private driveway and parking lot.
 - iv. Surrounding land uses, zoning and ownership.

Infrastructure Installation: Developer shall install an individual septic system and water facilities per the Burleigh County Zoning Ordinance. The private gravel driveway shall be built to Burleigh County standards. The Developer shall submit all necessary design documents for the approval of the storm water plans.

- a. A utility service plan shall be provided showing existing utilities in place and all existing and proposed easements.

Infrastructure Funding: Any development shall fund the cost of initial engineering design, sanitary sewer, grading, water, and road installation.

Infrastructure Maintenance and Repair: The private landowner shall be responsible for future repairs and maintenance of the private driveway and parking area. The private owner shall be responsible for future repairs and maintenance of sanitary sewer facility, storm water management and for mowing of detention/retention pond and common areas.

- a. A site plan will detail proposing driveway, parking and building locations.

Parking and Traffic Rules and Regulation: Parking and enforcement shall conform to Article 10, Burleigh County Zoning Ordinance.

Snow Removal: Snow removal on private property is the responsibility of the owner.

Garbage Collection: Garbage collection shall be the responsibility of the individual property owner.

Monument Signs: No monument signs will be required to be installed but may be at the discretion of the developer.

Internal Nocturnal Illumination: No street lighting will be required to be installed but may be installed at a later date.

Easements: All easements shall be shown on the plat.

Capital Improvement & Maintenance Fund: All future repairs and maintenance of this private property shall be the responsibility of the owner.

Grantor/Grantee of Easements: The only easement constructed will be at the approval of the Highway Engineer and the Burleigh County Zoning and Planning committee.

Contractors Office: No contractor's office is proposed for this project.

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Effective Date. This ordinance shall be in full force and effect from and after its final passage and adoption.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Final Passage and Adoption:

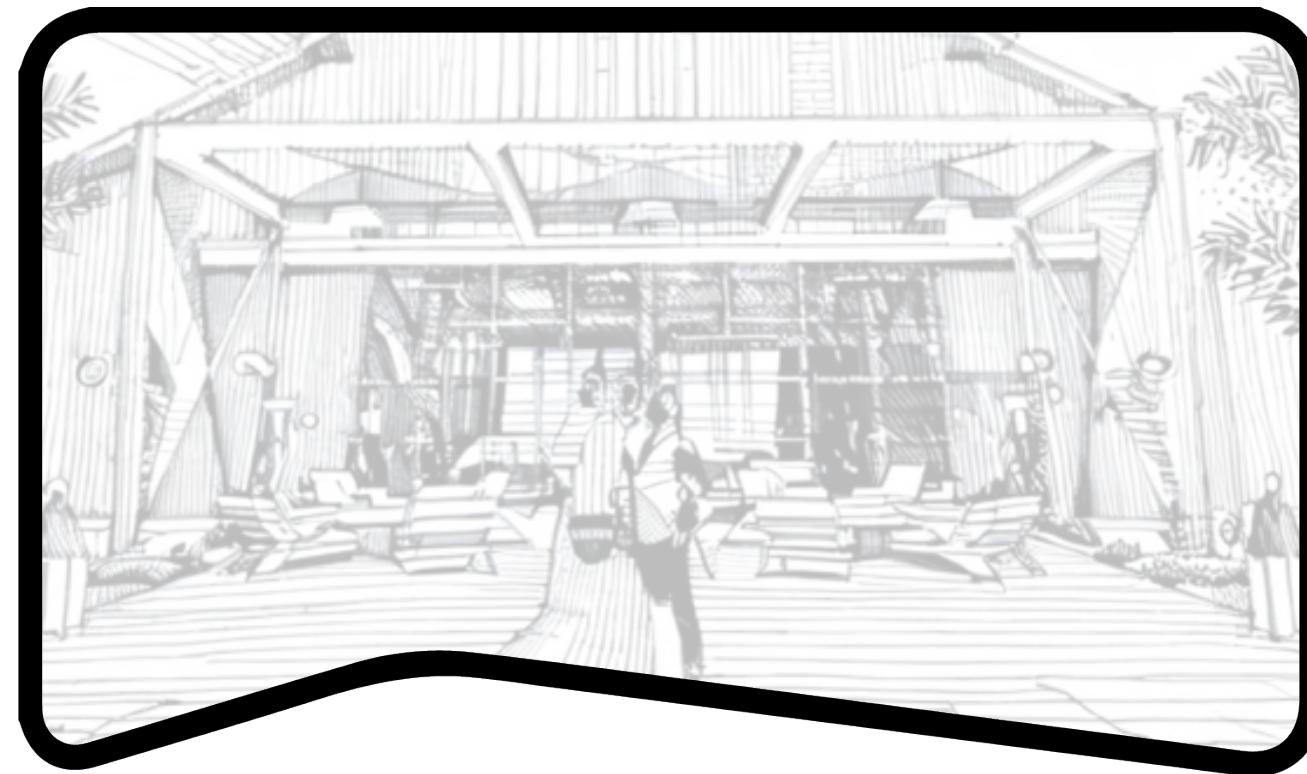
I, Mark Splonkowski, do hereby certify that I am the duly elected auditor, of the County of Burleigh, State of North Dakota, and that the foregoing is a full, true and correct copy of an ordinance adopted by the Board of Burleigh County Commissioners at its regular meeting on to be determined.

____ day of _____

IN WITNESS WHEREOF, I have hereto set my hand and seal of Burleigh County

this _____ day of _____, 2024.

Mark Splonkowski
Burleigh County Auditor/Treasurer





Site:

Address | 800 149th Ave Nw, Bismarck, nd 58503

Client:

- Elliot Carvell
- Kyle Ova

Project Overview: Create an enchanting and picturesque wedding venue in a rural setting that offers a unique and romantic experience for couples seeking a rustic and charming backdrop for their special day. The venue should encapsulate the tranquility and natural beauty of the countryside while providing modern amenities and services for hosting weddings and related events.

Client Profile: The target clientele includes couples seeking a rustic, outdoor, or countryside-themed wedding experience. The venue should cater to weddings of varying sizes, accommodating intimate gatherings to larger celebrations of up to 500 guests. Clientele may include local residents, destination wedding seekers, and those desiring a serene countryside ambiance for their wedding festivities. The space will double to also target clientele seeking a venue to host private/corporate events, fundraisers, conferences, etc.

Key Objectives:

400-500 Guest Capacity.

- 8,000 - 10,000 sq. ft. (.18-.22 acres)

Amenities and Facilities: Incorporate modern facilities and amenities while preserving the rustic charm. This includes restrooms, bridal suite, groom's lounge, catering kitchen, ample parking, and wheelchair accessibility.

- Entrance / Vestibule
- Restrooms
- kitchen
- Bar
- Reception / gathering space (6000 sq. ft.)
- Breakout rooms/ Bride and Groom suite

Parking: 200-250 spaces.

- Gravel
- Assume 1.5-2.5 acres for parking
- 350 sq. ft. per car
- 250 cars
- 87500 sq. ft. or 2 acres.

Scenic Landscaping: Utilize the natural landscape to enhance the venue's appeal. Consider elements like pathways, lighting, seating areas, and decorative foliage to create visually stunning and photogenic spots. Engage the Tree row in both options.

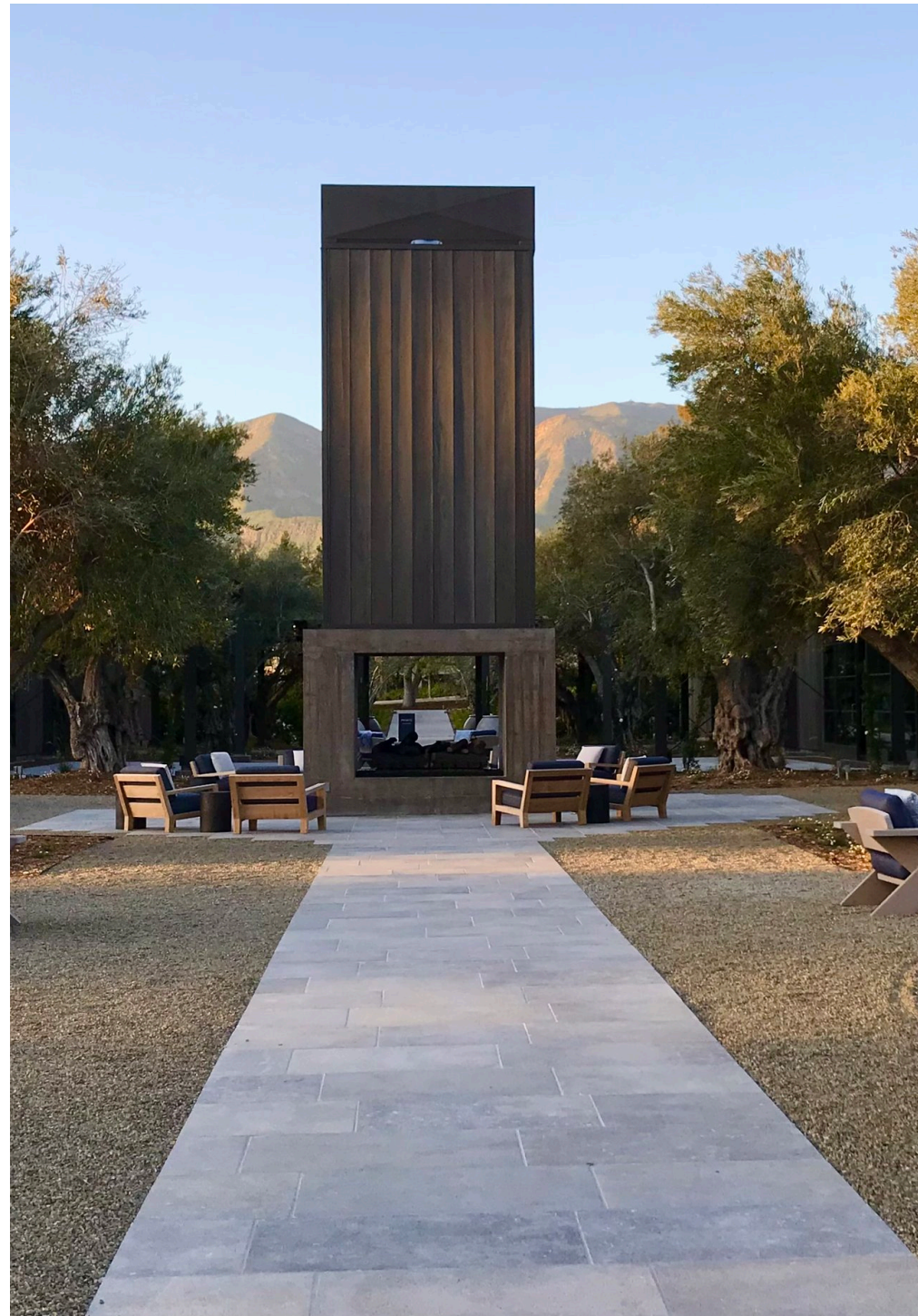


INSPIRATION / MOOD



Inspo Rural Barn

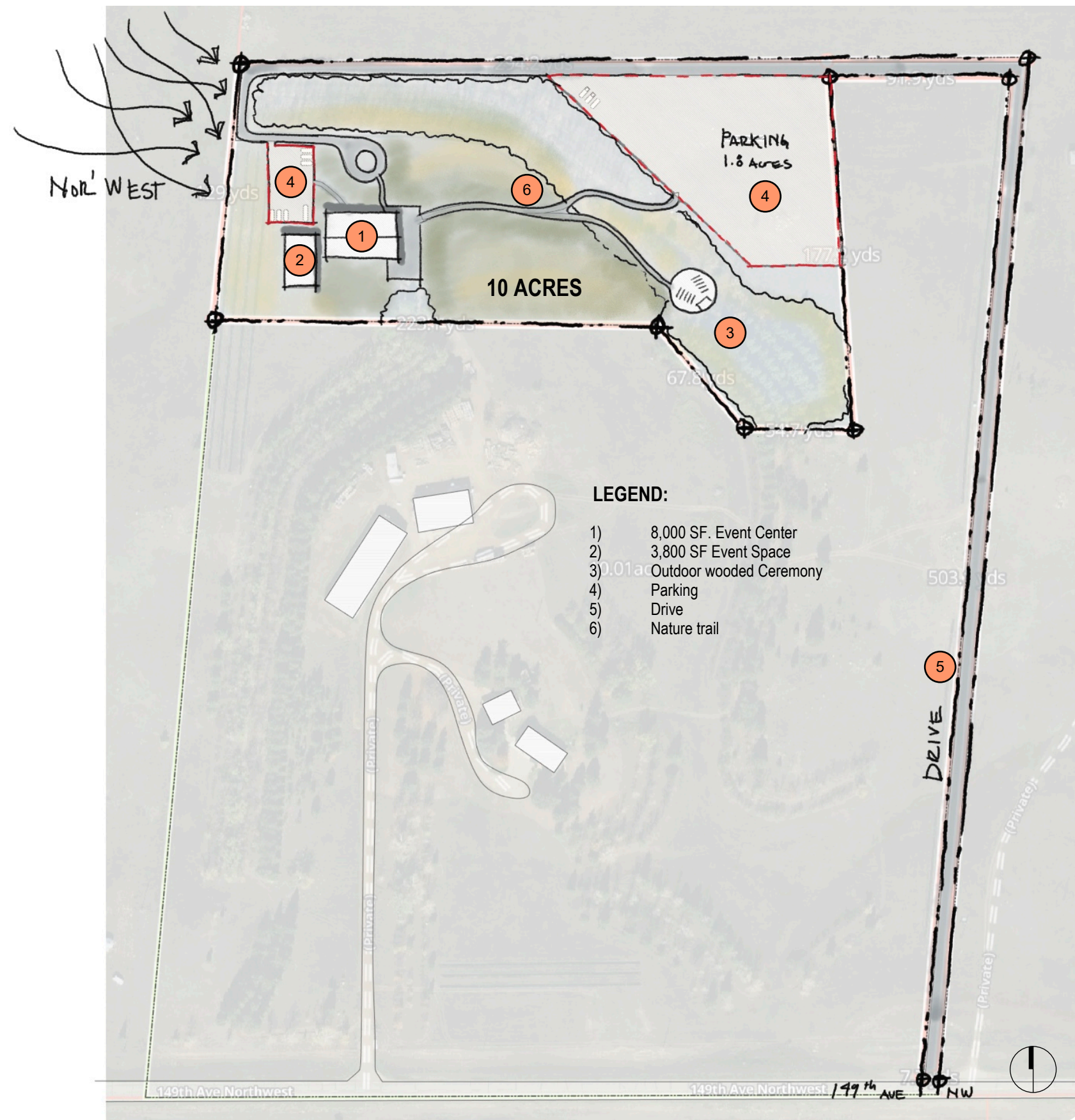




Inspo| Agricultural Winery







The Meadow | 10 acres

Nestled in a rural oasis, this wedding venue is a serene escape surrounded by majestic wooded trees. The setting exudes natural charm, offering a perfect blend of rustic allure and modern comforts.

Location Overview:

Situated on 10 Acres, the venue is strategically placed to offer seclusion and tranquility while being easily accessible. The meadow is gently sloped, providing natural vantage points for guests to enjoy panoramic views of the surrounding landscape.

Entrance and Parking:

A stretched out gravel driveway leads guests from the entrance gate to the heart of the venue. Ample parking areas, discreetly positioned and bordered by trees, ensure convenient and organized parking arrangements without compromising the natural aesthetics of the site.

Ceremony Space:

Nestled within the meadow's heart, a cleared area bordered by a natural tree line serves as the secondary ceremony space. A simple yet elegant wooden arbor or ceremonial structure may be placed here, providing a focal point for exchanging vows against a backdrop of swaying trees and open skies. The primary Ceremony space will be situated inside the permanent structure situated at the top of the meadow.

Reception Area:

In a spacious indoor area adjacent to the ceremony space, the reception festivities unfold. Beneath a canopy of twinkling lights suspended across the room, tables adorned with charming rustic decor eagerly await the guests. Within this setting, attendees can immerse themselves in the celebrations, surrounded by the serene ambiance of the indoor space.

Bridal Suite and Groom's Quarters:

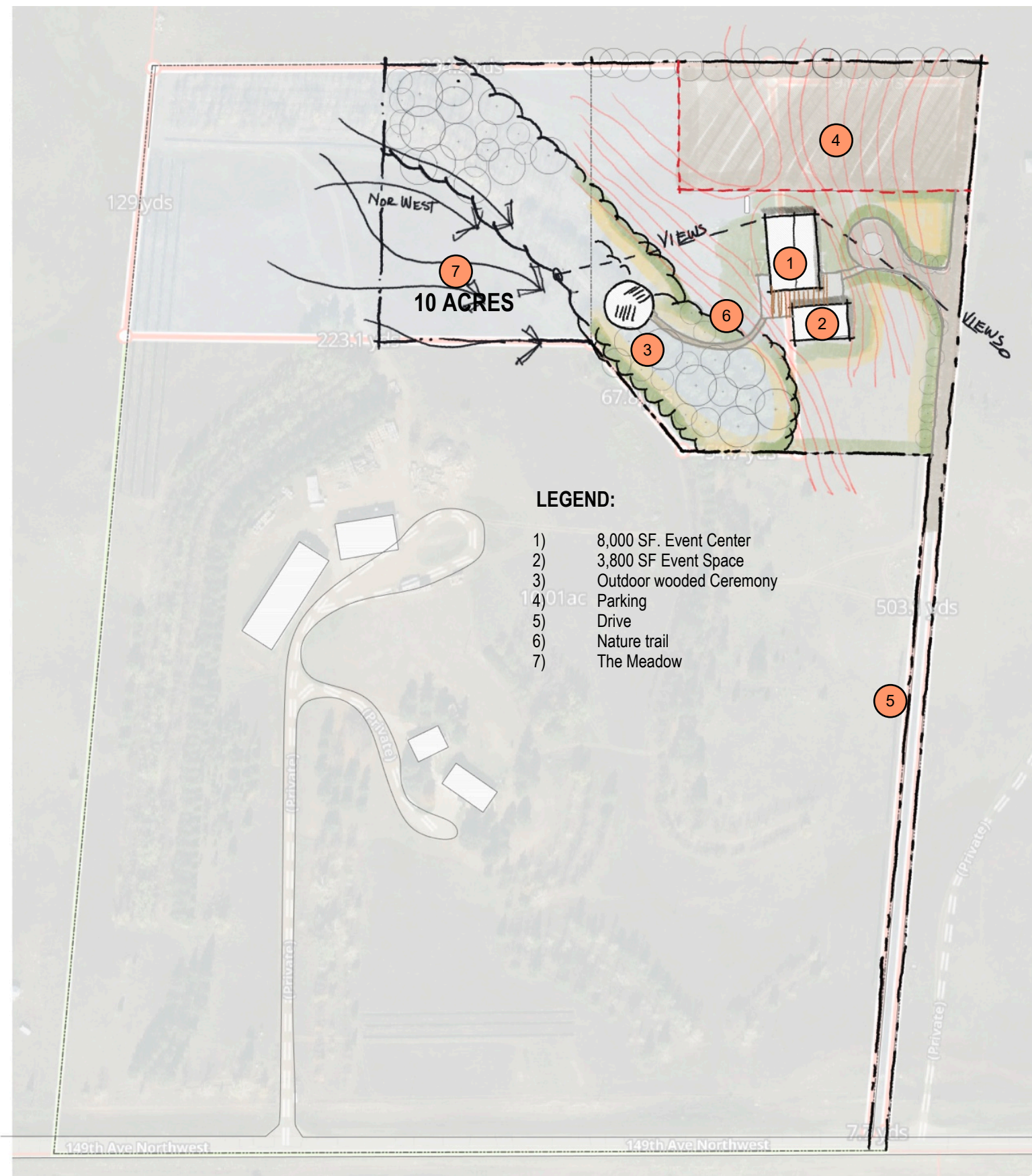
Tucked away in a secluded part of the venue, separate rooms serve as the bridal suite and groom's quarters. These spaces offer privacy and comfort for the wedding party to prepare and relax before the ceremony, while still being close to the celebration area.

Amenities and Facilities:

To ensure the convenience and comfort of guests, additional amenities will include restroom facilities discreetly placed within the venue. Additionally, a designated area for catering services and a dance floor will be arranged within the reception space..







The Hilltop | 10 acres

Nestled in a rural oasis, this wedding venue is a serene escape surrounded by majestic wooded trees. It rests atop a natural hill overlooking the meadow with panoramic views to the south. The setting exudes natural charm, offering a perfect blend of rustic allure and modern comforts.

Location Overview:

Situated on 10 Acres, the venue is strategically placed to offer seclusion and tranquility while being easily accessible. The hill is gently sloped, providing natural vantage points for guests to enjoy panoramic views of the surrounding landscape.

Entrance and Parking:

A stretched out gravel driveway leads guests from the entrance gate to the heart of the venue. Ample parking areas, discreetly positioned and bordered by trees, ensure convenient and organized parking arrangements without compromising the natural aesthetics of the site.

Ceremony Space:

Nestled within the hilltop's heart, a cleared area bordered by a natural tree line serves as the secondary outdoor ceremony space. A simple yet elegant wooden arbor or ceremonial structure may be placed here, providing a focal point for exchanging vows against a backdrop of swaying trees and open skies. The primary Ceremony space will be situated inside the structure atop the hill.

Reception Area:

In a spacious indoor area adjacent to the ceremony space, the reception festivities unfold. Beneath a canopy of twinkling lights suspended across the room, tables adorned with charming rustic decor eagerly await the guests. Within this setting, attendees can immerse themselves in the celebrations, surrounded by the serene ambiance of the indoor space.

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Amenities and Facilities:

To ensure the convenience and comfort of guests, additional amenities will include restroom facilities discreetly placed within the venue. Additionally, a designated area for catering services and a dance floor will be arranged within the reception space.






THANK YOU!

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Agenda Item 4.1

Application for a Final Subdivision

Project Summary	
Public Hearing Agenda:	Baker Subdivision – A two (2) lot subdivision
Status:	Public Hearing
Petitioner/Developer	Dorothy Baker
Engineer	Mark Isaacs Independent Land Surveying and Engineering
Location:	Part of the SE 1/4, Section 7 and Part of the NE 1/4, Section 18, All in T137N, Range 79W, Burleigh County
	Attachment 4-1-1 Location Map
Project Size:	69 Acres more or less A- Agricultural Zoning
Petitioners Request	Approval of the final plat. Give a "Do Pass" recommendation
Publication:	Bismarck Tribune 3/29 & 4/4/2024 Property Owners 3/28/2024 Burleigh Co Website 3/28/2024

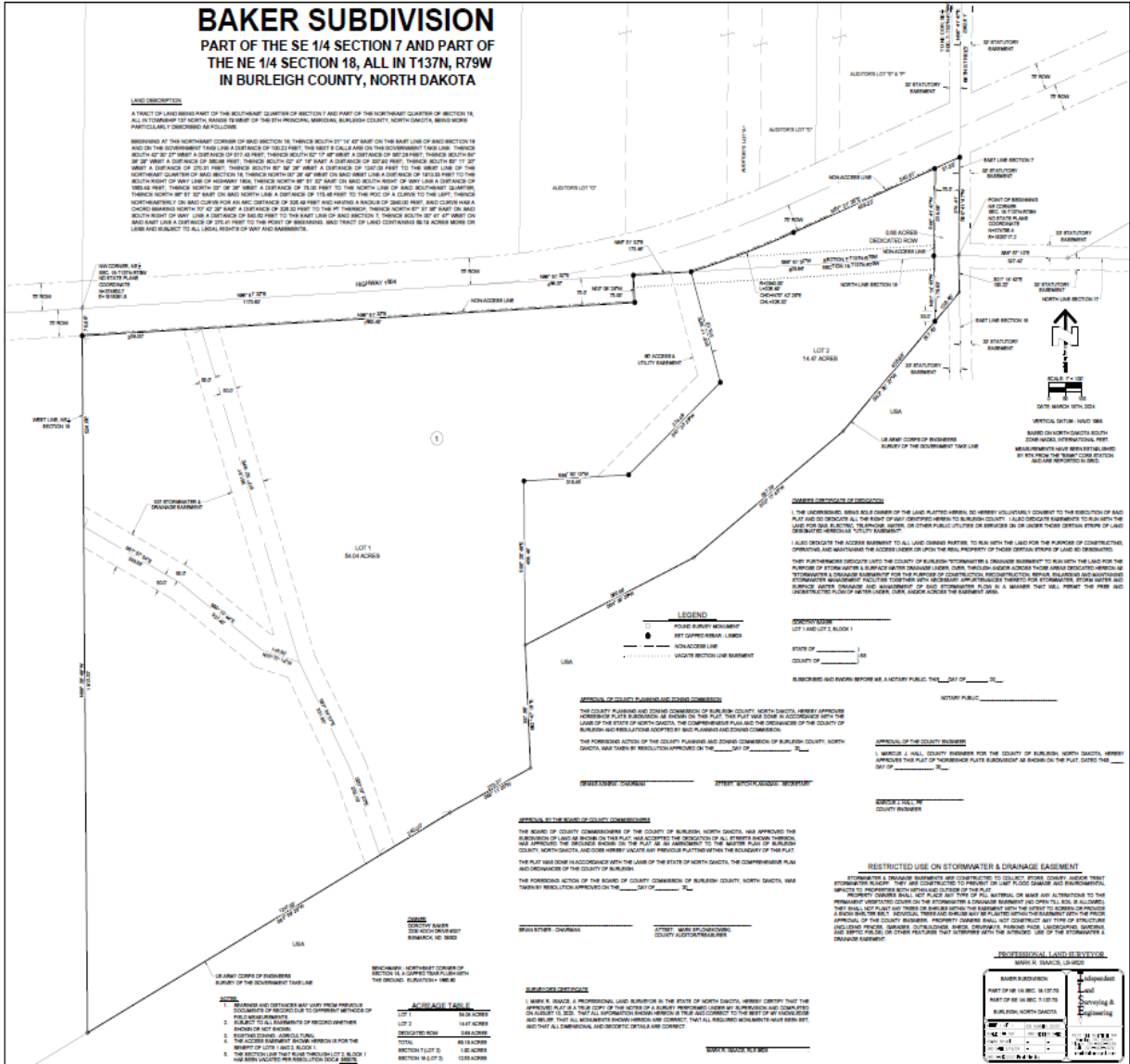
As set forth under Chapter 11, Section 33 of the North Dakota Century Code and Article 33 of the Burleigh County Ordinances, the Planning Commission shall approve or disapprove the subdivision of all lands within its jurisdiction and recommend the same to the Board of Burleigh County Commissioners



PLANNING AND ZONING COMMISSION

April 10, 2024

Attachment 4-1-2 Final Plat





PLANNING AND ZONING COMMISSION

April 10, 2024



Attachment 4-1-3 Site Map

Staff Findings:

1. This subdivision fulfills the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. A public hearing was approved by the Burleigh Co. Planning and Zoning Commission on March 13, 2024. Approved 8 - 0
3. Zoning will not be changed.
4. A paving waiver has been granted by the Board of Burleigh County Commissioners on February 17.
5. A Storm Water Management Waiver was approved March 22, 2024
6. The section line was vacated and recorded.
7. The final plat reflects the vacation of the section line.



PLANNING AND ZONING COMMISSION

April 10, 2024

8. This final plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.

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, with a "Do Pass" recommendation to Board of Burleigh County Commissioners.

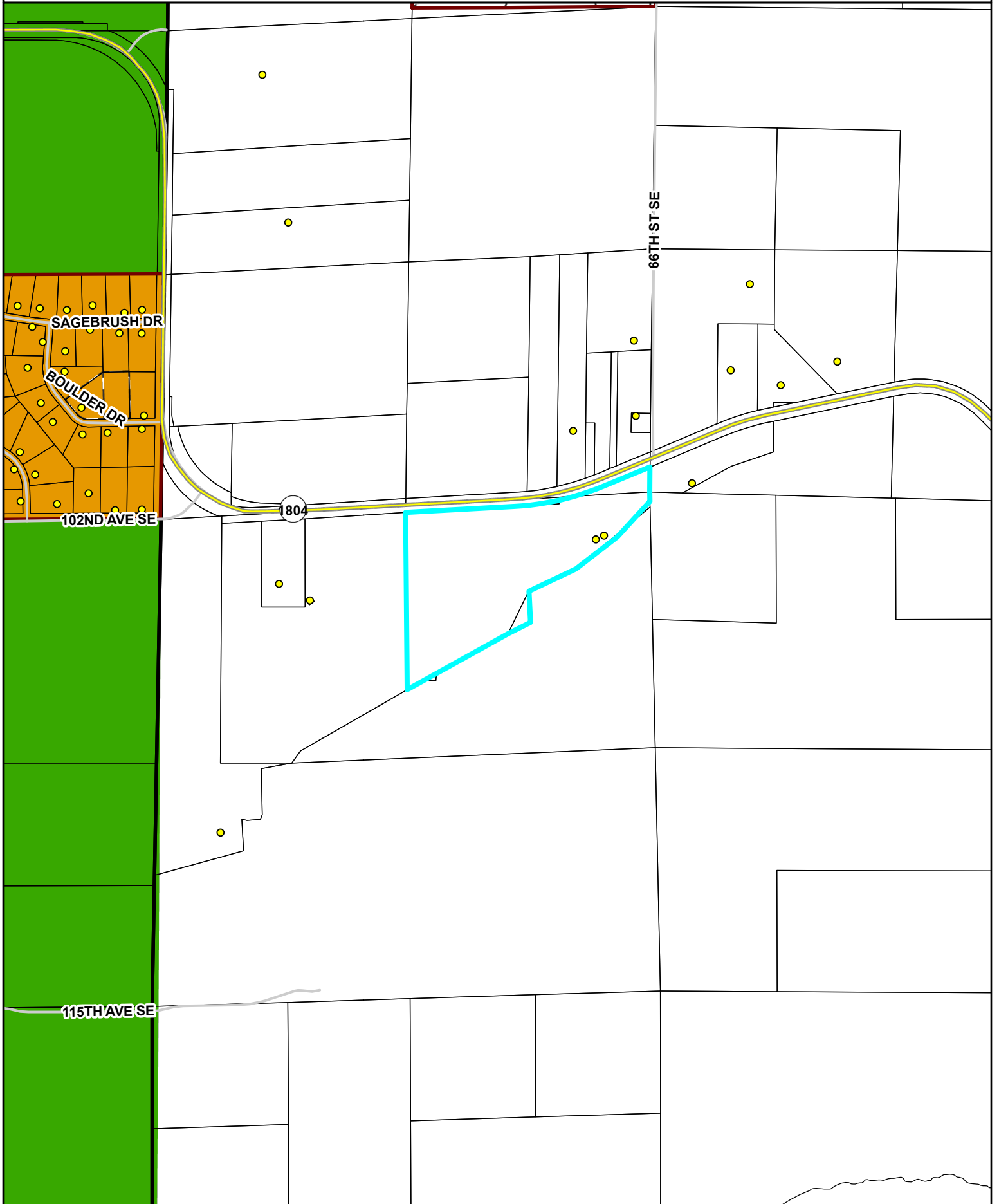
Planning Commission Action

The Burleigh County Planning and Zoning Commission can:

1. Approve the final plat. Give a "Do Pass" recommendation to the BCC
2. Approve the final plat with conditions. 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

EX 4-1-1



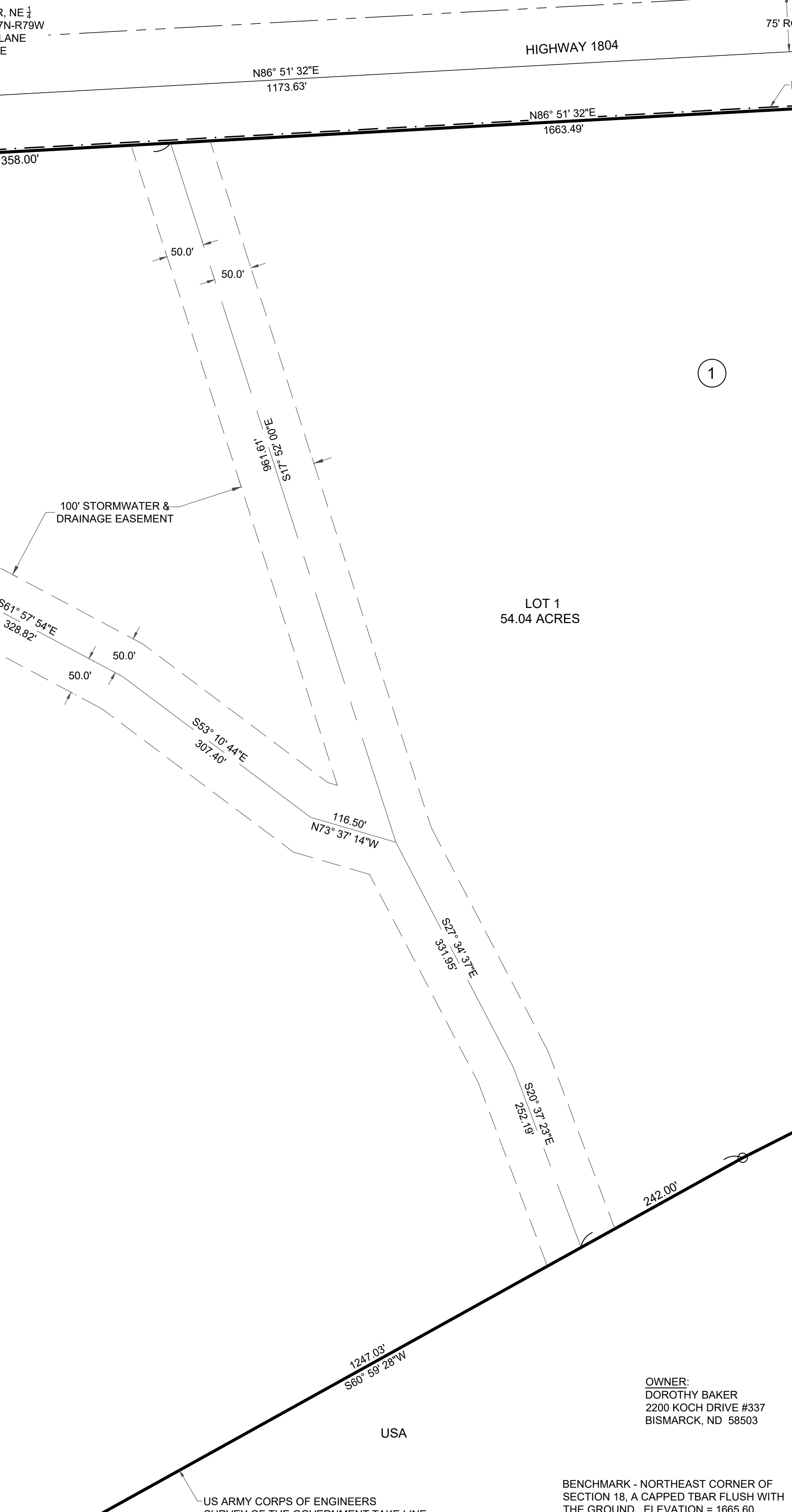
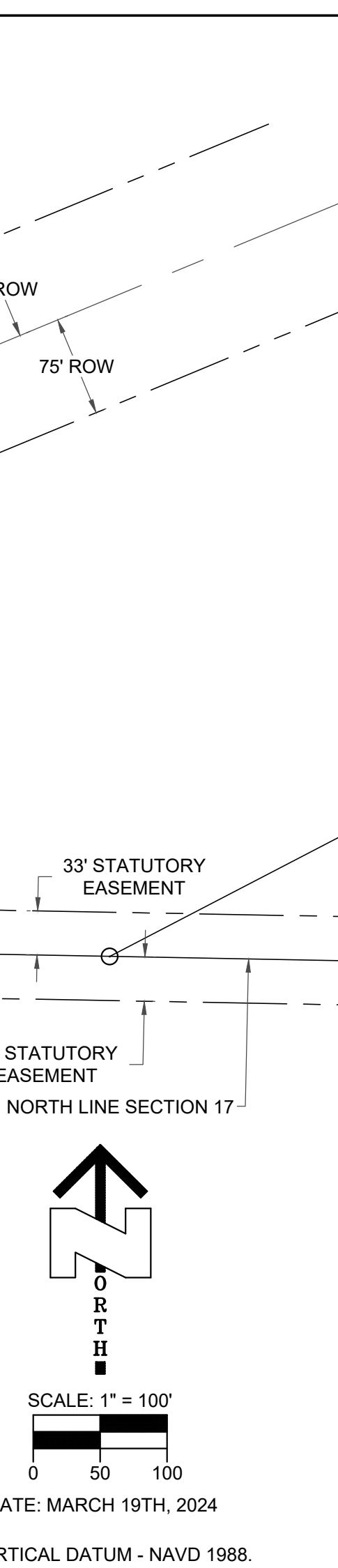
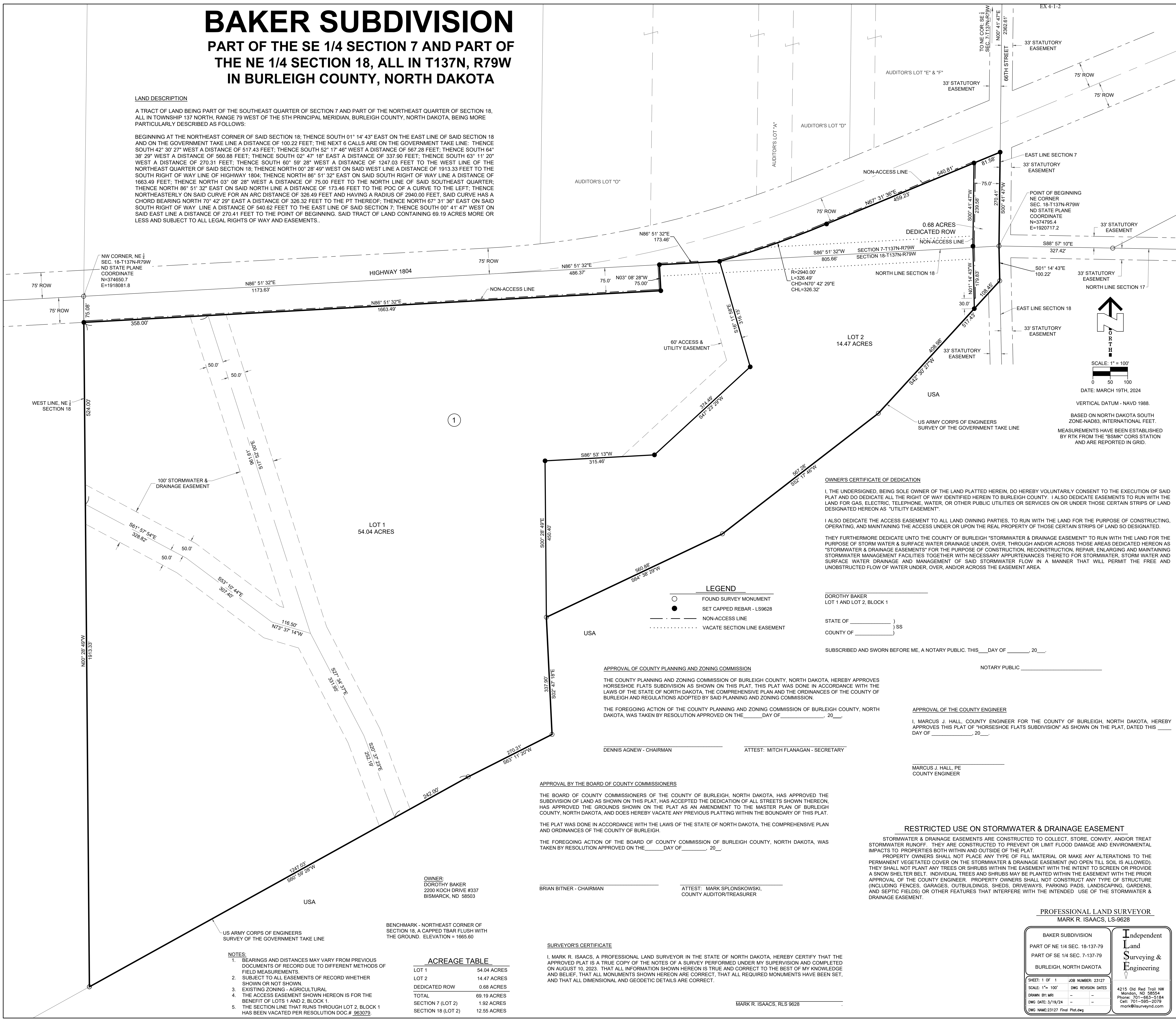
BAKER SUBDIVISION

PART OF THE SE 1/4 SECTION 7 AND PART OF THE NE 1/4 SECTION 18, ALL IN T137N, R79W IN BURLEIGH COUNTY, NORTH DAKOTA

LAND DESCRIPTION

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 7 AND PART OF THE NORTHEAST QUARTER OF SECTION 18, ALL IN TOWNSHIP 137 NORTH, RANGE 79 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 18; THENCE SOUTH 01° 14' 43" EAST ON THE EAST LINE OF SAID SECTION 18 AND ON THE GOVERNMENT TAKE LINE A DISTANCE OF 100.22 FEET; THE NEXT 6 CALLS ARE ON THE GOVERNMENT TAKE LINE: THENCE SOUTH 42° 30' 27" WEST A DISTANCE OF 517.43 FEET; THENCE SOUTH 52° 17' 46" WEST A DISTANCE OF 567.28 FEET; THENCE SOUTH 64° 38' 29" WEST A DISTANCE OF 560.88 FEET; THENCE SOUTH 02° 47' 18" EAST A DISTANCE OF 337.90 FEET; THENCE SOUTH 63° 11' 20" WEST A DISTANCE OF 270.31 FEET; THENCE SOUTH 60° 59' 28" WEST A DISTANCE OF 1247.03 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 18; THENCE NORTH 00° 28' 49" WEST ON SAID WEST LINE A DISTANCE OF 1913.33 FEET TO THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 1804; THENCE NORTH 86° 51' 32" EAST ON SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 1663.49 FEET; THENCE NORTH 03° 08' 28" WEST A DISTANCE OF 75.00 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 86° 51' 32" EAST ON SAID NORTH LINE A DISTANCE OF 173.46 FEET TO THE POC OF A CURVE TO THE LEFT; THENCE NORTHEASTERLY ON SAID CURVE FOR AN ARC DISTANCE OF 326.49 FEET AND HAVING A RADIUS OF 2940.00 FEET, SAID CURVE HAS A CHORD BEARING NORTH 70° 42' 29" EAST A DISTANCE OF 326.32 FEET TO THE PT THEREOF; THENCE NORTH 67° 31' 36" EAST ON SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 540.62 FEET TO THE EAST LINE OF SAID SECTION 7; THENCE SOUTH 00° 41' 47" WEST ON SAID EAST LINE A DISTANCE OF 270.41 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 69.19 ACRES MORE OR LESS AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.



OWNER:
DOROTHY BAKER
2200 KOCH DRIVE #337
BISMARCK, ND 58503

BENCHMARK - NORTHEAST CORNER OF SECTION 18, A CAPPED TBAR FLUSH WITH THE GROUND. ELEVATION = 1665.60

ACREAGE TABLE	
LOT 1	54.04 ACRES
LOT 2	14.47 ACRES
DEDICATED ROW	0.68 ACRES
TOTAL	69.19 ACRES
SECTION 7 (LOT 2)	1.92 ACRES
SECTION 18 (LOT 2)	12.55 ACRES

- 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 ACCESS EASEMENT SHOWN HEREON IS FOR THE BENEFIT OF LOTS 1 AND 2, BLOCK 1.
 - THE SECTION LINE THAT RUNS THROUGH LOT 2, BLOCK 1 HAS BEEN VACATED PER RESOLUTION DOC # 963079.

- LEGEND**
- FOUND SURVEY MONUMENT
 - SET CAPPED REBAR - LS9628
 - NON-ACCESS LINE
 - VACATE SECTION LINE EASEMENT

APPROVAL OF COUNTY PLANNING AND ZONING COMMISSION

THE COUNTY PLANNING AND ZONING COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA, HEREBY APPROVES HORSESHOE FLATS 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 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 BITNER - CHAIRMAN

ATTEST: MARK SPLONSKOWSKI, COUNTY AUDITOR/TREASURER

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 AUGUST 10, 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

I, THE UNDERSIGNED, BEING SOLE OWNER 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. I 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".

I ALSO DEDICATE THE ACCESS EASEMENT 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.

THEY FURTHERMORE DEDICATE UNTO THE COUNTY OF BURLEIGH "STORMWATER & DRAINAGE EASEMENT" TO RUN WITH THE LAND FOR THE PURPOSE OF STORM WATER & SURFACE WATER DRAINAGE UNDER, OVER, THROUGH AND/OR ACROSS THOSE AREAS DEDICATED HEREON AS "STORMWATER & DRAINAGE EASEMENTS" FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING STORMWATER MANAGEMENT FACILITIES TOGETHER WITH NECESSARY APPURTENANCES THERETO FOR STORMWATER, STORM WATER AND SURFACE WATER DRAINAGE AND MANAGEMENT OF SAID STORMWATER FLOW IN A MANNER THAT WILL PERMIT THE FREE AND UNOBSTRUCTED FLOW OF WATER UNDER, OVER, AND/OR ACROSS THE EASEMENT AREA.

DOROTHY BAKER
LOT 1 AND LOT 2, BLOCK 1

STATE OF _____)
COUNTY OF _____) SS

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

NOTARY PUBLIC

APPROVAL OF THE COUNTY ENGINEER

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

MARCUS J. HALL, PE
COUNTY ENGINEER

RESTRICTED USE ON STORMWATER & DRAINAGE EASEMENT

STORMWATER & DRAINAGE EASEMENTS ARE CONSTRUCTED TO COLLECT, STORE, CONVEY, AND/OR TREAT STORMWATER RUNOFF. THEY ARE CONSTRUCTED TO PREVENT OR LIMIT FLOOD DAMAGE AND ENVIRONMENTAL IMPACTS TO PROPERTIES BOTH WITHIN AND OUTSIDE OF THE PLAT.

PROPERTY OWNERS SHALL NOT PLACE ANY TYPE OF FILL MATERIAL OR MAKE ANY ALTERATIONS TO THE PERMANENT VEGETATED COVER ON THE STORMWATER & DRAINAGE EASEMENT (NO OPEN TILL SOIL IS ALLOWED). THEY SHALL NOT PLANT ANY TREES OR SHRUBS WITHIN THE EASEMENT WITH THE INTENT TO SCREEN OR PROVIDE A SNOW SHELTER BELT. INDIVIDUAL TREES AND SHRUBS MAY BE PLANTED WITHIN THE EASEMENT WITH THE PRIOR APPROVAL OF THE COUNTY ENGINEER. PROPERTY OWNERS SHALL NOT CONSTRUCT ANY TYPE OF STRUCTURE (INCLUDING FENCES, GARAGES, OUTBUILDINGS, SHEDS, DRIVeways, PARKING PADS, LANDSCAPING, GARDENS, AND SEPTIC FIELDS) OR OTHER FEATURES THAT INTERFERE WITH THE INTENDED USE OF THE STORMWATER & DRAINAGE EASEMENT.

PROFESSIONAL LAND SURVEYOR
MARK R. ISAACS, LS-9628

BAKER SUBDIVISION	JOB NUMBER: 23127
PART OF NE 1/4 SEC. 18-137-79	DWG REVISION DATES
PART OF SE 1/4 SEC. 7-137-79	
BURLEIGH, NORTH DAKOTA	

SCALE: 1" = 100'
DRAWN BY: MRS
DWG DATE: 3/19/24
DWG NAME: 23127 Final Plat.dwg

Independent Land Surveying & Engineering

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
Cell: 701-985-2079
mark@isurveynd.com

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Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Planning Commission.
Re: Public Hearing to Amend Burleigh County Zoning Ordinance
Date: 3-28-2024
From: Mitch Flanagan, Burleigh County Planning Director.

ITEM 1

Public Hearing to Amend Article 21 Floodplain Regulations

It has become necessary to amend the current Article 21 Floodplain Regulations to correct and position our ordinance in line with North Dakota Department of Water Resource Model D Ordinance and FEMA technical requirements.

Article 21 draft ordinance was presented to the Planning Commissions on February 14,2024.

ACTION REQUESTED: CONSIDER TO MOVE 1ST DRAFT- ARTICLE 21 FP FLOODPLAIN DISTRICT REGULATIONS TO A 2ND PUBLIC HEARING.

Attachments:
Ex. 1- Article 21 FP Regulations draft ordinance.

ORDINANCE 24-0-----

AN ORDINANCE TO AMEND AND RE-ENACT ARTICLE 21 OF THE 1972 AMENDED ZONING ORDINANCE OF BURLEIGH COUNTY, NORTH DAKOTA

Section 1. Amendment Article 21 of the Zoning Ordinance is hereby amended and re-enacted as follows:

ARTICLE 21 FP - FLOODPLAIN DISTRICT REGULATIONS

In any FP - floodplain district, the following regulations shall apply:

Section 1. Statement of Purpose

It is the purpose of this article to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- a. To protect human life and health;
- b. To minimize expenditure of public money for costly flood control projects;
- c. To minimize the need for rescue and relief efforts associated with flooding, generally undertaken at the expense of the general public;
- d. To minimize prolonged business interruptions;
- e. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in special flood hazard areas;
- f. To help maintain a stable tax base by providing for the use and development of special flood hazard areas so as to minimize future flood blight areas;
- g. To ensure that potential buyers are notified that property is located in a special flood hazard area;
- h. To ensure that those who occupy the special flood hazard areas assume responsibility for their actions; and
- i. To provide an increased level of protection in anticipation of future increases in the base flood elevation (BFE).

Section 2 Methods of Reducing Flood Losses

In order to accomplish its purposes, this article includes methods and provisions for:

- a. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion, flood water elevations or flow velocities;
- b. Requiring that uses vulnerable to flooding, including attendant utilities and facilities which serve such uses, be protected against flood damage at the time of initial construction;
- c. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or convey flood waters;
- d. Controlling filling, grading, dredging, and other development which may increase flood damage; and
- e. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters, or which may increase flood hazards in other areas.

Section 3. Definitions

Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application.

"Accessory Structure" for floodplain management purposes means structures that are on the same parcel of property as a principal structure, the use of which is incidental to the use of the principal structure. Accessory structures are a single-story structure that may only be used for parking or storage, represent a minimal investment by owners, and have low damage potential. Structures that include the following uses are not considered accessory structures for floodplain management purposes: habitable spaces, bathrooms, toilet rooms, laundry facilities, and entertainment and recreational spaces including but not limited to workshops and game rooms.

"Agricultural Structure" for floodplain management purposes means structures that are used exclusively for agricultural purposes or uses in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock.

"Appeal" means a request for a review of the Floodplain Administrator's interpretation of any provision of this article or a request for a variance.

"Attendant utilities and equipment" mean utilities, electrical, plumbing, heating, ventilation, and air conditioning equipment, as well as facilities and services associated with new construction.

"Base flood or 100-year flood" means the flood having a one per cent (1%) chance of being equaled or exceeded in any given year.

"Base flood elevation (BFE)" means the height of the base flood or 100- year flood, usually in feet above mean sea level, as designated on a FEMA published digital flood insurance rate map (DFIRM) or as determined by the storm water management plan prepared for the area in which the property is located.

"Basement" means any area of a building having its floor subgrade (below ground level) on all sides.

"Best available data (BAD)" means water elevation information from any source used to estimate or determine the base flood elevation (i.e., high water mark).

"Community" means any political subdivision that has the authority to zone, or any Indian tribe or authorized tribal organization, which has authority to adopt and enforce flood plain management regulations for the areas within its jurisdiction

"Conveyance or hydraulic conveyance" means a geometric characteristic of a river or watercourse at a given location that determines the flow-carrying capacity at that location.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the special flood hazard area.

"Enclosure" means enclosed walled in areas below the lowest floor of an elevated building that are constructed of flood-resistant materials and designed to automatically equalize hydrostatic flood forces on exterior walls by allowing the entry and exit of floodwaters.

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Fill" means materials such as soil, gravel, or crushed stone that is placed in an area and increases the ground elevation, whether or not that was the intention.

"Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. The overflow of inland or tidal waters; and/or
- b. The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood insurance rate map" (FIRM) or digital flood insurance rate map (DFIRM)" means the official map issued by the Federal Emergency Management Agency (FEMA) where special flood hazards areas are designated as Zone A, AE, AO, AH, A1-A30 or A99.

"Flood insurance study (FIS)" means the official report provided by the Federal Emergency Management Agency (FEMA) that includes flood profiles, the flood insurance rate map (FIRM), and the water surface elevation of the base flood.

"Floodplain or flood-prone area" means any land area susceptible to partial or complete inundation by water from any source.

"Floodplain Administrator" means the person designated by Burleigh County to administer the County's floodplain regulations.

"Flood proofing (dry)" means protection provided a structure, together with attendant utilities and sanitary facilities, which is watertight to two (2) feet above the base flood elevation with walls that are substantially impermeable to the passage of water.

"Floodproofing (wet)" means the use of flood damage resistant materials and construction techniques to minimize flood damage to structures by intentionally allowing floodwater to enter and exit automatically (without human intervention) to minimize unequal pressure of water on walls (hydrostatic load or pressure). Wet floodproofing also requires structures to be anchored to resist flooding, have mechanical and utility equipment elevated or protected, and have flood openings installed in walls.

"Floodway or regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

"Letter of map amendment (LOMA)" means an official amendment to the currently effective flood insurance rate map (FIRM) which establishes that a property is not located in a special flood hazard area. A letter of map amendment (LOMA) is issued by FEMA.

"Letter of map revision (LOMR)" means an official amendment to the currently effective flood insurance rate map (FIRM) which is issued by FEMA and changes flood zones, delineations and elevations. A letter of map revision based on fill (LOMR)(f) is a LOMR issued by FEMA based on the placement of fill.

"Lowest floor" means the lowest floor of a structure including the basement and/or crawl space.

"Manufactured home" means a structure transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a recreational vehicle but does include a mobile home.

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

"New construction" means structures for which the "start of construction" commenced on or after the effective date of this article.

"New Manufactured Home Park or Subdivision" means a manufactured home park or *subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

"Non-conversion agreement" means an agreement signed by applicants and property owners, affirming that the owners agree not to convert or modify in any manner that is inconsistent with approved permit (and variance conditions, when applicable).

"Non-residential" means any building or structure or portion thereof that is not classified as residential.

"Pre-FIRM Building" means a building for which construction or substantial improvement occurred on or before September 18, 1985, or the effective date of the initial Flood Insurance Rate Map (FIRM).

"Principal structure" for floodplain management purposes means a structure that is not an accessory structure. All principal structures must be constructed in accordance with the requirements applicable to residential construction or nonresidential construction as determined by the use of the structure.

"Post-FIRM Building" means a building for which construction or substantial improvement occurred after September 18, 1985 the effective date of the initial Flood Insurance Rate Map (FIRM) whichever is later.

"Reasonably safe from flooding" means base flood waters will not inundate the land or damage structures to be removed from the special flood hazard area, and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

"Recreational vehicle" means a vehicle which is built on a single chassis; four hundred (400) square feet or less when measured at the largest horizontal projection; designed to be self-propelled or permanently towable by a light duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal uses. Recreational vehicles include, but are not limited to, travel trailers, trailers on wheels, park-model trailers and other similar vehicles.

"Recreational vehicle" means a vehicle which is:

- a. built on a single chassis;

- b. 400 square feet or less when measured at the largest horizontal projection;
- c. designed to be self-propelled or permanently towable by a light duty truck;
- d. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use; including, but not limited to;
- e. travel trailers, trailers on wheels, park-model trailers, and other similar vehicles.

“**Residential**” means:

- a. Buildings and structures and portions thereof where people live or that are used for sleeping purposes on a transient or non-transient basis;
- b. Residential structures, including but not limited to one and two-family dwellings, multifamily dwellings, group dwellings, bed and breakfast facilities, hotels and motels; and
- c. Institutional facilities where people are cared for or live on a 24- hour basis in a supervised environment, including but not limited to board and care facilities, assisted living facilities, nursing homes, group homes, congregate care facilities, hospitals, medical centers, jails and detention centers.

“**Special flood hazard area (SFHA)**” means an area of land that would be inundated by a flood having two tenths of one percent (0.2%) or greater chance of being equaled or exceeded in any given year (500-year flood).

“**Start of construction**” includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms.

“**Storage tank**” means any closed vessel used to store gases or liquids.

“**Storm water management plan**” means a document prepared in accordance with the provisions of Article 33 (Subdivision Regulations) to evaluate surface water runoff and flood risks within a development, plat or watershed; to document special flood hazard areas; and to determine the systems required to convey or control flood flows within and through the area.

"Structure" means a walled and roofed building, including manufactured homes and gas or liquid above- ground storage tanks.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the building to its pre-damaged condition would equal or exceed fifty percent (50%) of the market value as assessed of the structure before the damage occurred.

"Substantial improvement" means any repair, reconstruction, or improvement of a structure- that occurs within a consecutive two (2) year period, the cost of which equals or exceeds fifty percent (50%) of the market value as assessed of the structure either:

- a. Before the improvement or repair is started; or
- b. If the structure has been damaged and is being restored, before the damage occurred.

For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

- a. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
- b. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"Variance" means a grant of relief from the requirements of this article that permits construction in a manner that would otherwise be prohibited by this article.

"Violation" means the failure of a structure or other development to be fully compliant with the floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by the floodplain management ordinance is presumed to be in violation until such time as that documentation is provided.

Section 4. General Provisions

- a. **Jurisdiction.** This article shall apply to all special flood hazard areas within the jurisdiction of Burleigh County, including all lands within Burleigh County's zoning jurisdiction pursuant to Article 5, but excluding the corporate limits of the City of Bismarck or any other incorporated city and the extraterritorial jurisdiction of those cities as provided for in Section 40-47-01.1 of the North Dakota Century Code.

Basis for establishing the special flood hazard areas. The special flood hazard areas identified by the Federal Emergency Management Agency (FEMA) in a scientific and engineering report titled "The Flood Insurance Study for Burleigh County, North Dakota and Incorporated Areas", dated August 4, 2014 June 6, 2024 with an accompanying flood insurance rate map (FIRM), and as subsequently updated by any Letter of Map Amendment (LOMA), and or Letter of Map Revision (LOMR) and/or Letter of Map Revision Based on Fill (LOMR(f)) issued by the Federal Emergency Management Agency (FEMA), is hereby adopted by reference and declared to be a part of this article. The Flood Insurance Study (FIS) is on file in the office of the Floodplain Administrator. Special flood hazard areas may also be designated in a storm water management plan prepared for a development, plat or watershed.

Compliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this article and other applicable regulations, unless a valid building permit was in place prior to May 7, 2012, except as provided for in subsection 6(b)(5) (additions to existing structures).

b. Greater restrictions. This article is not intended to repeal, remedy, or impair any existing easements, covenants or deed restrictions. However, where this article and another article of the County Zoning Ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Interpretation. In the interpretation and application of this article, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of Burleigh County; and
3. Deemed neither to limit nor repeal any other powers granted to Burleigh County under the North Dakota Century Code.

c. Warning and disclaimer of liability. The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This article section does not imply that land outside the special flood hazard areas or uses permitted within such areas will be free from flooding or flood damages. This section shall not create liability on the part of Burleigh County, any officer or employee thereof, or the Federal Emergency Management Agency (FEMA) for any flood damages that result from reliance on this article, or any administrative decision lawfully made thereunder.

~~g. Letter of Map Revision (LOMR) and Letter of Map Amendment (LOMA). Development on any parcel for which a LOMR or LOMA has been issued shall comply with all of the requirements and recommendations as continued therein. Development on any parcel for which a LOMR or LOMA has been approved by FEMA, and for which a building permit was not issued prior to May 7, 2012, shall be subject to all provisions of this article~~

d. Letter of Map Revision (LOMR). Development on any parcel for which a Letter of Map Revision (LOMR) has been issued shall comply with all of the requirements and recommendations as contained therein. Development on any parcel for which a LOMR has been issued shall be constructed in accordance with the provisions of FEMA Technical Bulletin 10-01.

e. Non-conforming Status. Any structure constructed with the lowest floor elevated as required by the regulations in effect at the time of construction shall not be considered a non-conforming structure for the purposes of this section, provided the lowest floor of said structure is elevated on fill and/or a permanent foundation to at least one (1) foot above the base flood elevation.

Section 5. Administration

- a. Establishment of a development permit.** A development permit shall be obtained before construction or development begins within any special flood hazard area established in subsection 4(b) of this article (basis for establishing the special flood hazard areas). Application for a development permit shall be made on forms furnished by the Floodplain Administrator and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:
- ~~Elevation in relation to mean sea level~~ **Elevation in the same datum as the current FIRM, or** elevation in relation to mean sea level in NAVD88 of the lowest floor (including basements and/or crawl spaces) of all structures;
 - ~~Elevation in relation to mean sea level~~ **Elevation in the same datum as the current FIRM, or** elevation in relation to mean sea level in NAVD88 to which any structure has been flood proofed;
 - Certification by a registered professional engineer or architect that the flood proofing methods for any non-residential structure meet the flood proofing criteria in subsection 6(b)(2) of this article (nonresidential construction); and

4. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- b. **Establishment of a non-structural development permit.** A non- structural development permit shall be obtained before any land disturbing activity begins within any special flood hazard area established in subsection 4(b) of this article (basis for establishing the special flood hazard areas). Application for a nonstructural development permit shall be made on forms furnished by the Floodplain Administrator and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; proposed elevations upon completion of the land disturbing activity; the type of fill being used, if fill is proposed; and a description of the extent to which any watercourse will be altered or relocated as a result of proposed land disturbing activity.
- c. **Designation of the Floodplain Administrator.** The Building Official is hereby appointed to administer and implement this article by granting or denying development permit and non-structural development permit applications in accordance with the applicable provisions.
- d. **Duties and responsibilities of the Floodplain Administrator.** Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to:
 1. Permit application review.
 - a. Review all development permit applications and non- structural development permit applications to determine that the permit requirements of this article have been satisfied;
 - b. Review all development permit applications and non- structural development permit applications to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required; and
 - c. Review all development permit applications and non- structural development permit applications to determine if the proposed development or land disturbing activity is located in the floodway. If located in the floodway, assure that the encroachment provisions of this article are met.
 2. Use of other base flood data. When base flood elevation data has not been provided in accordance with subsection 4(b) of this article (basis for establishing the special flood hazard areas), the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available (known as best available data (BAD)) from a federal, state or other source, as criteria for requiring that new construction, substantial improvements or other development in the

floodplain is administered in accordance with subsection 6(b) of this article (specific standards).

3. Information to be obtained and maintained.
 - a. Obtain and record the actual elevation in relation to elevation in the same datum as the current FIRM, mean sea level in NAVD88 of the lowest floor (including basement and/or crawl space) of all new or substantially improved structures, and whether or not the structure contains a basement and/or crawl space.
 - b. For all new or substantially improved flood proofed structures:
 1. Obtain and record the actual elevation in relation to elevation in the same datum as the current FIRM, mean sea level in NAVD88 to which the structure has been flood proofed; and
 2. Maintain the flood proofing certifications required in subsection 6(b) of this article (specific standards).
 - c. Maintain for public inspection all records pertaining to the provisions of this article.
4. Alteration of watercourses. The Floodplain Administration shall:
 - a. Notify nearby communities, water resource districts and the North Dakota State Engineer, as necessary, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
 - b. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood- carrying capacity is not diminished; and
5. Interpretation of flood insurance rate map (FIRM) or digital flood insurance rate map (DFIRM) boundaries. Make interpretations where needed, as to the exact location of the boundaries of the special flood hazard areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in subsection 7 of this article (appeal and variance procedures). The Floodplain Administrator may require information be submitted by a registered land surveyor.

Section 6. Provisions for Flood Hazard Reduction

- a. **General standards.** In all special flood hazards areas, the following standards are required:
 1. Anchoring.
 - a. All new construction and substantial improvements, including additions, shall be anchored to prevent flotation, collapse or lateral movement of the structure; and
 - b. All manufactured homes must be elevated and anchored to resist flotation, collapse and lateral movement of the structure. Methods of anchoring may include, but are not limited to, use of over- the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
 2. Construction materials and methods.
 - a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
 - b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage; and
 - c. All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Such facilities shall be located in areas that have been elevated on fill to at least two (2) feet above the base flood elevation for residential ~~structures~~ **construction**, and ~~manufactured homes~~.
 3. Utilities.
 - a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
 - b. All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and
 - c. All new and replacement on-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

4. Subdivision proposals.
 - a. All subdivision proposals shall be consistent with the need to minimize flood damage;
 - b. All subdivision proposals shall have utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
 - c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage;
 - d. Base flood elevation data shall be provided for all subdivision proposals and other proposed developments. Elevation data must be provided in **elevation in the same datum as the current FIRM**, NAVD88 for areas with a flood insurance rate map (FIRM) or other base flood elevation data in that datum; and
 - e. All roadways within and providing access to subdivisions shall be constructed in accordance with County engineering standards.

Specific standards. In all special flood hazards areas where base flood elevation data have been provided as set forth in subsection 4(b) of this article (basis for establishing the special flood hazard areas) or subsection 5(d)(2) of this article (use of other base flood data), the following provisions are required:

5. Residential construction. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement and/or crawl space, elevated on fill and/or a permanent foundation to at least two (2) feet above the base flood elevation.
6. Nonresidential construction. New construction and substantial improvement of any nonresidential structure shall either have the lowest floor, including basement and/or crawl space, elevated on fill and/or a permanent foundation to at least two (2) feet above the base flood elevation or, together with attendant utility and sanitary facilities, shall:
 - a. Be floodproofed to at least two (2) feet above the base flood elevation, so that below this elevation the structure is watertight with walls substantially impermeable to the passage of water.
 - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 - c. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the Floodplain Administrator as set forth in subsection 5(d)(3) of this article (information to be obtained and maintained).

7. Manufactured homes.

a. Manufactured homes shall be anchored in accordance with subsection 6(a)(1) of this article (anchoring).

~~b. All manufactured homes or those to be substantially improved shall be on a permanent foundation, have the lowest floor of the manufactured home elevated on fill and/or a permanent foundation to at least two (2) feet above the base flood elevation, and be securely anchored to an adequately anchored foundation system.~~

b. All manufactured homes or those to be substantially improved shall be on a permanent foundation, as referenced in FEMA P-85 / 2009, have the lowest floor bottom of the frame of the manufactured home elevated on fill and/or a permanent foundation to at least two (2) feet above the base flood elevation, and be securely anchored to an adequately anchored foundation system. However, within a Pre-FIRM manufactured home park, a newly placed manufactured home or those to be substantially improved shall be on a permanent foundation, have the bottom of the frame of the manufactured home elevated on fill and/or a permanent foundation to at least one (1) foot above the base flood elevation, and be securely anchored to an adequately anchored foundation system.

8. Recreational Vehicles.

a. All recreational vehicles to be placed on a site must be on the site for less than 180 consecutive days; AND be fully licensed and highway ready.

9. Enclosures. New construction and substantial improvements may have enclosures with areas below the base flood elevation, that are less than 300 square feet and usable solely for building access and utility service connections serving the building, if constructed in accordance with the following requirements:

a. Must have structural and non-structural components constructed of flood damage resistant material. Flood damage resistant materials must meet or exceed the requirements of the most recent version of FEMA Technical Bulletin 2;

b. Must be provided with flood openings designed to equalize the hydrostatic pressure of flood forces on exterior walls by allowing the automatic entry and exit of floodwaters. Flood opening designs must meet or exceed the requirements of the most recent version of FEMA Technical Bulletin 1;

- c. Must have mechanical, electrical, and utility equipment elevated at least two-feet above the base flood elevation or specifically designed to prevent water from entering or accumulating within the components during flooding in accordance with the most recent version of FEMA Technical Bulletin P-348; and,
- d. Prior to the issuance of a building permit, the property owner must submit a signed non-conversion agreement to Burleigh County. The non-conversion agreement must be recorded with the Burleigh County Recorder.

10. 4. Attached garages, decks and landings providing primary access, and accessory buildings.

- a. Garages attached to any residential structure, non- residential structure or manufactured home shall be subject to the same construction requirements as the residential structure, non-residential structure or manufactured home to which it is attached.
- b. Decks and landings providing access to the primary entrance of a residential structure, non-residential structure or manufactured home shall be subject to the same construction requirements as the residential structure, non-residential structure or manufactured home to which it provides access.

7. Accessory structures.

- a. Accessory structures defined within this section that are not greater than 600 square feet in area may be constructed with the lowest floor below the base flood elevation in accordance with the following wet floodproofing requirements:
 - i. Must be anchored to resist floatation, collapse and lateral movement.
 - ii. Must have structural and non-structural components constructed of flood damage resistant material to an elevation of at least two feet above the base flood elevation. Flood damage materials must meet or exceed the requirements of the most recent version of FEMA Technical Bulletin 2;
 - iii. Must be provided with flood openings designed to equalize the hydrostatic pressure of flood forces on exterior walls by allowing the automatic entry and exit of floodwaters. Flood opening designs must meet or exceed the requirements of the most recent version of FEMA Technical Bulletin 1;
 - iv. Must have mechanical, electrical and utility equipment elevated at least two-feet above the base flood elevation or specifically designed to prevent water from entering or accumulating within the components

during flooding in accordance with the most recent version of FEMA Technical Bulletin P-348; and,

- v. Prior to the issuance of a building permit for the structure, the property owner must submit a signed non-conversion agreement to Burleigh County. The non-conversion agreement must be recorded with the Burleigh County Recorder.
- b. Accessory structures defined within this section that are greater than 600 square feet in area may be constructed with the lowest floor one foot above the base flood elevation in accordance with the following requirements.
- i. Must have mechanical, electrical and utility equipment elevated at least two-feet above the base flood elevation or specifically designed to prevent water from entering or accumulating within the components during flooding in accordance with the most recent version of FEMA Technical Bulletin P-348; and
 - ii. Prior to the issuance of a building permit for the structure, the property owner must submit a signed non-conversion agreement to Burleigh County. The non-conversion agreement must be recorded with the Burleigh County Recorder.
- c. Accessory structures that are not enclosed and do not have more than one ridged wall may be constructed at grade in accordance with the following requirements.
- i. Must have structural and non-structural components constructed of flood damage resistant material to an elevation of at least two feet above the base flood elevation. Flood damage materials must meet or exceed the requirements of the most recent version of FEMA Technical Bulletin 2;
 - ii. Must have mechanical, electrical and utility equipment elevated at least two-feet above the base flood elevation or specifically designed to prevent water from entering or accumulating within the components during flooding in accordance with the most recent version of FEMA Technical Bulletin P-348; and
 - iii. Prior to the issuance of a building permit for the structure, the property owner must submit a signed non-conversion agreement to Burleigh County. The non-conversion agreement must be recorded with the Burleigh County Recorder.

8. ~~5~~. Additions to existing structures.

- a. Any addition to any existing residential structure, non-residential structure, manufactured home, garage, deck, landing or accessory

structure that is not deemed a substantial improvement may be constructed with the lowest floor at the same elevation as the existing structure, ~~provided the lowest floor of the existing structure is elevated on fill and/or a permanent foundation to at least one (1) foot above the base flood elevation.~~

- c. **Floodways.** Floodways are designated areas located within the special flood hazard areas established in subsection 4(b) of this article (basis for establishing the special flood hazard areas). Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:
1. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge; and
 2. If the preceding subsection is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of subsection 6 of this article (provisions for flood hazard reduction).

Section 7. Appeal and Variance Procedure

- a. Board of Appeals. The Board of County Commissioners shall act as the Board of Appeals. The Board of Appeals shall hear and decide appeals and requests for variances from the requirements of this article.
- b. Appeals. An appeal may be filed by any person, firm or corporation aggrieved by any order, requirement, determination or final decision made by the Floodplain Administrator in the enforcement or administration of this article, in accordance with the provisions of Article 27 (Appeal Procedure).
- c. Variances. An application for a variance from the requirements of this article may be made by any person, firm or corporation with a legal interest in the property for which the variance is being sought, in accordance with the provisions of Article 28 (Variances).
 1. Required Findings. In considering applications for a variance, and in addition to the requirements of outlined in Article 28 (Variances), the Board of Appeals shall consider all technical evaluations, all relevant factors, and the standards specified in this article, including:

- a. The danger to life and property due to flooding or erosion damage;
 - b. The danger that materials may be swept onto other lands to the injury of others;
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - 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 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 floodwaters 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 utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges
 - l. Any other factor deemed relevant by the Board of Appeals.
2. Upon consideration of the factors in subsection(7)(c)(1) and the purposes of this article, the Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purpose of this article.
 3. Conditions for variances.
 - a. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this subsection.

- b. Variances may be issued by a community 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 flood level, in conformance with the procedures of paragraphs (a) (3), (4), (5) and (6) of this section;
 - c. Variances shall not be issued within ~~the identified floodplain~~ if any significant increase ~~any designated regulatory floodway~~ if any significant increase in flood levels during the base flood discharge would result
 - d. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - e. Variances shall only be issued upon:
 - i A showing of good and sufficient cause;
 - ii A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - iii A determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 - f. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation lower than two (2) feet above the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
4. The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency (FEMA) upon request.
 5. **Encroachment Analysis.** When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

Section 8. Penalties for Violations

Penalties for violation of this article shall be in accordance with the provisions of Article 31 (Penalties for Violation).

Section 9. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 10. Severability. If any section provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 11. Effective Date. This ordinance shall take effect after final passage, adoption and publication as provided by law.

First Reading Passed: _____

Passed and adopted this _____ day of _____, 2024

Brian Bitner Chairperson

Final passage and adoption:

I, Mark Splonskowski, do hereby certify that I am the duly elected auditor of the County of Burleigh, State of North Dakota, and that the foregoing is a full, true and correct copy of an ordinance adopted by the Board of Burleigh County Commissioners at its regular meeting of

IN WITNESS WHEREOF: I have hereto set my hand and seal of Burleigh County this _____ day of _____, 2024

Mark Splonskowski, Burleigh County Auditor/Treasurer



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Agenda Item 4.3 Burnt Creek Farm

Application for a Special Use Permit

Project Summary

Public Hearing Agenda:	Special Use Permit
Status:	Public Hearing
Petitioner/Developer	Dave Lehman
Property Owner:	Dave Lehman
Location: 	Burnt Creek Township, Section 24, PT SW 1/4 Tract #1 Addressed as: 11501 NE 41 st Street
	
Parcel Size:	30.81 acres A- Agricultural Zoning
Petitioners Request	"Do Pass" recommendation to the Board of Burleigh County Commissioners for a Conditional Special Use Permit for Events
Posted Dates	Bismarck Tribune 3/29 & 4/4/2024 Surrounding Property Owners 3/28/2024 Burleigh County Website 3/28/2024



History

Burleigh County Planning and Building Staff have been working with Dave Lehman for some time regarding his Burnt Creek Farm. He has made several improvements and added buildings to his property. This will be the second public hearing for the Burnt Creek Farm Special Use Permit

Because Mr. Lehman submitted large revisions to his original plans, a 2nd request for the Planning and Zoning Commission to hold a public hearing was scheduled for the April 10th meeting of the Planning and Zoning Commission. Public hearing notices were sent to forty-two (42) residents along 110th Ave NE. (See Attachment 4-3-2).

ANALYSIS OF BURNT CREEK FARMS SUP APPLICATION 4-10-2024

Because of unusual size or safety hazards, infrequent occurrence, effect on surrounding area, petitions that are reviewed under Burleigh County Planning and Zoning Commission's discretionary powers, require that certain uses, if allowed, can be considered under a Special Use Permit. Though Agri-Tourism use may be on the increase in other parts of the Country, Burleigh County has not yet received a request or issued a permit for this type use.

Analysis

Burnt Creek Farm is located approximately 1 mile to the east of the City of Bismarck ETA. The proposed project site lies within the A-Agricultural District.

FACING EAST ON 110TH AVE NE





Surrounding Land Uses

The proposed project area is surrounded by A-Agricultural Districts to the west, northwest and south. Is adjoined by a 500+ acre parcel to the north, east, northeast that is zoned R1- Rural Single-Family Residential District.



BURNT CREEK FARM- FACING NORTH ON 41ST ST.

Future Land Use

The Burleigh County Comprehensive Plan does not specifically mention tourism or the commercializing of agricultural property.

Explanation of 1st Public Hearing

The Burnt Creek Farm SUP application was denied by an 8-1 vote at the Planning Commission meeting on 1-10-2024, based on these findings of fact;

- | | |
|---------|-------------------|
| Dust | Concerns for fire |
| Traffic | Vehicle safety |
| Noise | Overuse of land. |



Appeal

On February 5, 2024, Dave Lehman petitioned the Burleigh County Commission on appeal. The County Board considered his request and instructed to table the Public Hearing back to the Planning Commission, while issuing a directive for Mr. Lehman to reach a compromise with the opponents of the SUP prior to the Public Hearing; (“allow the developer to work with those residents to see if they could come to some sort of resolution on their own”).

2 stakeholder meetings were held Feb. 26th & March 20th, the following differences were defined:

At Issue	Resolution
Dust control. Safety of road.	Willing to share cost of dust control.
Condition of road, i.e.: steep ditches, narrow width.	Willing to share cost of road maintenance.
Fire Risks: smoking, sod or grass for parking areas. Chance of fires to neighbors.	Req’ designated smoking areas. Provide low cut grass parking areas. Provide fire breaks. Reduce Fuel Loads.
Impact of scale and size of events Some neighbors are opposed to having any events.	Limit 2 events per year-200 people Limit 1 event per week-100 people.
Trespassing from participants.	Open discussion. No consensus.
BCF is not contained, ability to contain the people.	Open discussion. No consensus.
Effect of weekend and evening events. Noise	Open discussion. No consensus.
Costs and impact events could have on neighbors.	Open discussion. No consensus.
Traffic on the road. Provide Traffic Study	Open discussion. No consensus.

A revised plan was submitted on March 22 (See Attachment 4-3-4). The revised plan includes the following:

1. 200 People Events = 2 times per year
2. All Other Events = 100 Attendees Cap
3. Limited to one (1) Event per week.
4. Direct traffic to 97th Avenue and 26th Street which are paved.
Utilize shuttle services whenever possible.



5. Dust control will include directing traffic to 97th Avenue and 26th Street and utilize shuttle services whenever possible. Dust control measures are in place on 110th Ave from Highway 83 to 26th Street.

Staff Recommendations

1st Recommendation: Approve Special Use Permit,

If the Planning & Zoning Commission chooses to recommend approval of the SUP, staff suggests the following requirements:

1. limit hours of operation for all activities; _____ AM to _____PM
2. limit days of operation from; _ _____ to _____.
3. limit months of operation from; _____ to _____.
4. limit amount of people to; _____.
5. to minimize dust, Burnt Creek Farms as directed by the County Engineer, shall apply calcium chloride, magnesium chloride or similar chemical to some or all portions of 110th Ave NE route, approximately 0.9-mile.
6. require site plan: see exhibit 4-3-3 Site Plan Requirements for SUP.
7. In the future if any development adds impervious areas to the site, applicant would need to submit a SWMP with their site plan or plat.
8. request applicant to submit application through Article 8 Section 28.

2nd Recommendation: _____ Deny the Special Use Permit.

Due to the use not being compatible with surrounding property owners as stated without consensus at the public hearing and the stakeholder group meetings.

See Attachment:

4-3-1 Location Map

4-3-2 Mailing List

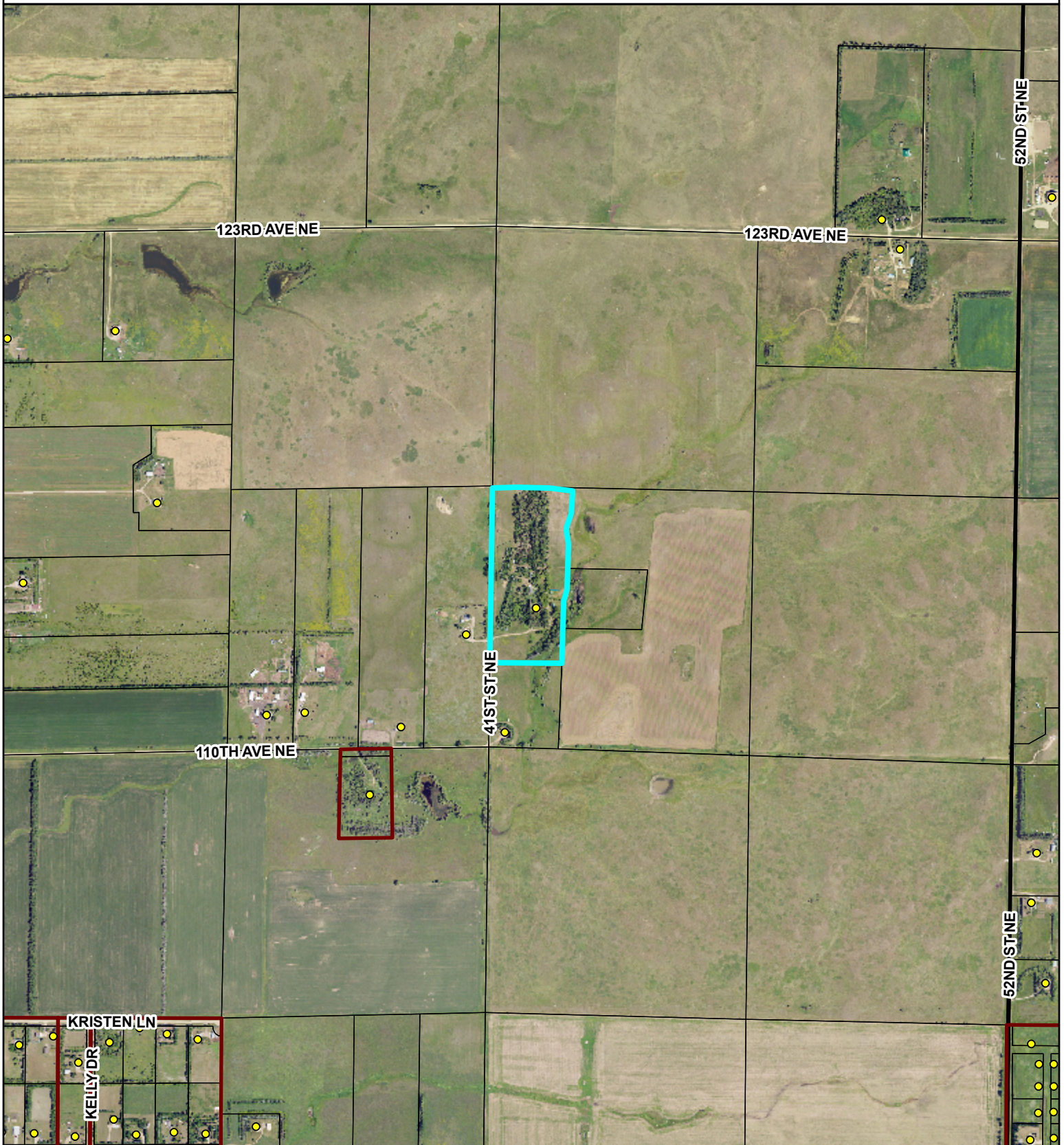
4-3-3 Site Plan Requirements for SUP

4-3-4 Revised Plan Burnt Creek Farm

**BURLEIGH COUNTY, NORTH DAKOTA
LOCATION MAP**

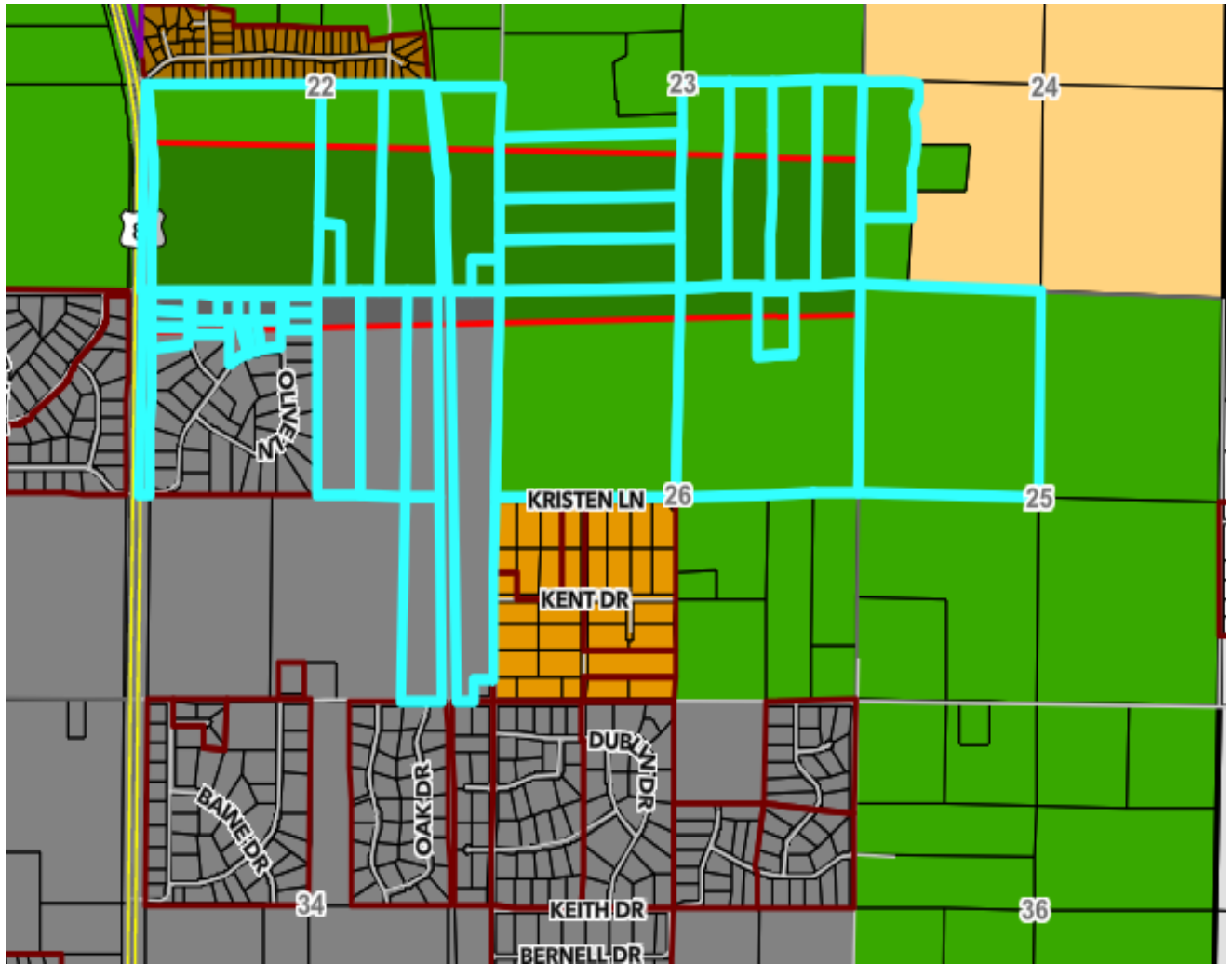
EX 4-3-1

4/2/2024



PARCEL ID: 24-140-80-00-24-610 OWNER: LEHMAN, DAVID ACRES: 30.81
SITE ADDRESS: 11501 NE 41ST ST
MAIL ADDRESS: P.O BOX 7388, BISMARCK, ND 58507-7388
LEGAL: BURNT CREEK TOWNSHIP Section 24 PT SW1/4 - TRACT #1 #455911 24-140-80

2-Mile Polygon
11501 41st Street NE



2-Mile Polygon
11501 41st Street NE

Owner_Name	Property_ID_Number
APPELT, REED D & LISA M	24-140-80-00-27-211
BETO, KEVIN & RHEA	24-140-80-67-02-070
BONNET, BRADLEY J & TAMMY JO	24-140-80-00-23-810
BORGERDING, KATHLEEN & MICHAEL	24-140-80-00-27-200
EBEL, HERBERT C & CHARLOTTE K	24-140-80-67-01-030
ECKLUND, FORREST & ALYCE ETAL	24-140-80-00-22-830
ELLINGSON, JEFFERY L & GENEVIEVE	24-140-80-00-23-602
FLECK, KURT J & DANA	24-140-80-00-23-800
HAGEROTT, ARDEN N	24-140-80-00-26-200
HAGEROTT, TARREN-LEE	24-140-80-49-01-010
HAIDER, DWIGHT D & GINA	24-140-80-67-02-020
HOGUE, KAREN G & HOGUE, DAVID	24-140-80-00-22-600
KIENZLE, CLYDE & DENISE	24-140-80-67-01-010
LEHMAN, DAVID	24-140-80-00-24-610
MARTINESON, WAYNE & KAREN	24-140-80-00-27-210
MELLMER, LUKE & BRIANNE	24-140-80-67-03-010
MILLER, ROGER D & MELISSA K ETAL	24-140-80-00-23-811
PAHLKE, DALE	24-140-80-00-25-400
PARENT DUFOUR, AMANDA& PARENT, NATHANIEL	24-140-80-00-22-800
PETERMANN BRYANT, JULIE E	24-140-80-67-02-010
PETERSON, BRYNN K	24-140-80-67-02-030
PETERSON, ROBERT & KATHLEEN	24-140-80-67-02-040
REIS, PATRICK L & JOAN M	24-140-80-67-02-080
RUTSCHKE, KAREN MARIA	24-140-80-00-23-601
SIGETTE, TROY & JANELLE	24-140-80-67-02-090
STREIFEL, BEATRICE M	24-140-80-00-23-812

DUPLICATE PROPERTY OWNERS HAVE BEEN REMOVED 39 TOTAL PARCELS WITH DUPLICATES

Site Plan Requirements for SUP

One valuable part of a Special Use Permit application is the site plan. As the initial review of the proposed land use, it is important to know:

Site Plan

1. The proximity of proposed and existing building's location onsite, as well as their physical relationship to any proposed structures,
2. Distance of existing and new structures to all lot lines,
3. Show all public ROW's,
4. Parking areas,
5. Designated smoking areas.

Driving Surfaces

1. Entry to property, entry to building and turnaround for 1st responders required to be graveled.
 - a. Req' width of entry road to be County standard.
2. Parking lot or parking area can be compacted dirt with grass cut low:
 - a. Off street parking required,
 - b. Fire break around parking area- 30' wide,
 - c. Provide adequate drainage,
 - d. Provide adequate lighting.

Life Safety

1. Fire and Building Safety:
 - a. Life Safety Inspection is required prior to issuance of special use permit,
 - b. Fire inspections required annually,
 - c. Fire extinguishers tested annually,
 - d. All temporary tents req' fire resistant material,
 - e. Designated smoking areas: 20' from entry of buildings, req' proper disposal,
 - f. No fuel loads near buildings or parking lot.
1. Approach standards for access to residence and within the ROW- min. 20-40' width
https://www.burleigh.gov/media/jujkfuu/approach_permit_construction_standards.pdf
2. There are no standards for driveways/roads within private property. Any proposed road design on site plan, need to consider the turning radius of emergency equipment, the largest tends to be fire trucks.



Burnt Creek Farm

11501 41st St NE Bismarck, ND

David Lehman, Owner

March 2024

Background

Burnt Creek Farm (BCF) Historical Site: *North Dakota has an incredibly rich history as it pertains to agriculture, homesteading, etc. Unfortunately, with each passing year we are losing these historic barns, homes, and outbuildings. North Dakota has many pioneer village type facilities with historic community type buildings, collections of antiques, tractors, and ag equipment displayed. While these are important, tourists don't get an opportunity to see the equipment, tools, vehicles, etc. in a real farm setting. By staging the farm, it gives people a better feel for what the farm actually looked and felt like and provides a better appreciation for what farming was like in the early days of North Dakota. Burnt Creek Farm is one of very few fully intact restored historic farms in North Dakota.*

The North Dakota State Historical Preservation Office has toured the farmstead numerous times and feels confident in its eligibility for the state and national registers of historic places. Due to innovation and progress in agriculture and larger equipment requiring larger facilities, very few farm sites from the early days of agriculture remain intact and preserved. There are 2 or 3 other farmsteads available to tour in the state, however, Burnt Creek Farm differs in that it is a well-preserved example of a 'modern' farmstead built during the mechanization era as farms transitioned from horse to tractor power. This includes the innovation in building construction, running water systems (windmill with gravity feed to areas of the farm), rechargeable 32V battery system powering the farm, and equipment. The farm will be staged as it would have been in the 1920's showing the transition from horse to tractor power. These were all major technological advances in agriculture and an incredibly important era in North Dakota which isn't a focus with other historic sites. Due to the farm's ties to the Non-Partisan League and its role in the inception of the state bank, mill, and elevator, this shift in North Dakota's ag economy will also be covered. Other elements of Burnt Creek Farm which are relatively unique and lend themselves to agritourism tours are the following:

- *1878 Tree claim with evidence that can be easily seen by tourists*
- *Intact 1920's-1950's farmstead*
- *Rare (possibly the only) instance of terracotta structural clay tile and brick use in the farmhouse and bunkhouse construction. The clay tile and brick came from the early days of North Dakota's Hebron Brick factory.*
- *One of the first 'modern' farms in ND with running water and electricity (less than 2% of farms had these amenities in the early 1920's.)*
- *Ties to the Non-Partisan League and Linda Slaughter both heavily involved in the development of the region, state, and upper Midwest.*
- *Unique architecture such as the trench/bunker silo*
- *Filming location of End of the Rope movie*
- *Only historic farm site located close to a major community. Located about a mile outside of Bismarck's extra-terrestrial area and easily accessible from the interstate and highway 83 allows visitors easy access to the facilities while still accessing amenities of a larger community. It also allows Burnt Creek Farm the opportunity to draw more people to promote North Dakota's proud ag history.*

Services

1. Tours: Educating visitors about the history of agriculture in North Dakota is BCF's primary focus. Initial plans would be to offer tours by reservation. It is anticipated there would be demand from schools, commodity groups, organizations, etc. for the tours. While the tours are an important element to the goal of educating others about the history of agriculture in North Dakota, it is not anticipated to be a significant source of traffic or revenue at BCF.

2. Events: Events would primarily be outdoor events. The historical integrity of the buildings will be restored and maintained and as such will not be insulated and no additional construction is planned that would alter the appearance/feel of the historic farmstead. This will limit their utility relative to events. Events are anticipated to include the following:

- Corporate events: It is anticipated there may be some interest in company picnics during the summer.
- Family events: It is anticipated there could be some demand for family get togethers, weddings, picnics, pictures, etc. at BCF.
- Agritourism: Farm tours as well as interest in the orchards, etc.

BCF would plan to do 2 events per year of up to 200 people, with all other events would be capped at 100 people. No more than one event would be allowed per week.

3. Lodging: There is currently a granary that has been converted to a lodge that may be used for traditional lodging or as a bridal suite for the bridal party to prepare for weddings. The lodge is not four seasons and will be winterized each year.

4. Facilities: There is currently an ADA restroom facility, a lodge (same building as the ADA restrooms), a park with a clearing for events, as well as the original buildings. These buildings have limited capacity and are not climate controlled. There are no plans to expand these buildings or renovate beyond the restoration back to their original state due to the historical significance of the structures. They will however be staged as they would have been in the 1920's for tours.

Traffic

When calculating traffic, I assumed 40 cars per week. Taking 40 trips/week times 20 weeks (summer season) comes out to 800 trips per year (to and from BCF) which is similar to that of a family of 2. While the traffic would be more concentrated at specific times, most of the week there would be no noticeable change in the amount of traffic.

From a similar perspective, when the Morris Family owned the farm (1950-1997), they had a family of 6. National studies show that traffic generated is roughly 1 (two-way) trip/person, or 6 trips/day for a family of 6. This amounts to 2190 trips per year which is 2.5 times that generated by BCF. In addition, the family farmed and had construction operations (hauling grain, livestock, coal, aggregate, soil, etc.), so the road also accommodated trucks and heavy equipment (which it doesn't currently see as a result of my occupation). As a result of being a farm operation, most of these trips were concentrated over the same general season as proposed by the events and tours at BCF.

For events, traffic will be directed to use 97th Ave and 26th St, both of which are paved.

Dust

The level of dust generated is expected to be less than that generated by a typical single-family residence. There is currently dust control in use for those homes on 110 Ave near highway 83, however for events, traffic will be directed to use 97th Ave and 26th St, both of which are paved. In addition, shuttles will be utilized, when possible, to accommodate larger groups.

Timeline

2020-ongoing: Farm restoration and development of grounds

2021: Filming of End of the Rope film, Farm tours, and events

2023: Screening for End of the Rope Film, Farm tours, and events

2024: Farm tours and events

Appendix



STATE HISTORICAL SOCIETY
OF NORTH DAKOTA

HISTORY FOR *everyone.*

August 31, 2023

To Whom I may Concern,

I have visited the Burnt Creek Farm located north of Bismarck, North Dakota and reviewed the information provided by Dave Lehman. I have made the preliminary determination that the property is eligible for listing in both the North Dakota State Historic Sites Registry and the National Register of Historic Places. The farm is a rare example of an improved tree claim and demonstrates the evolution of farm technology spanning the prosperous era just before the Great Depression through the recovery following World War II. Additionally, the architectural and engineering designs of the individual buildings and the building systems testify to the innovations of the time. This property is worthy of preservation and certainly contributes to our understanding of history.

If you have any questions, please feel free to contact me at lbmeidinger@nd.gov or 701-328-2089.

Sincerely,

A handwritten signature in blue ink, appearing to read 'L. Meidinger', written in a cursive style.

Lorna Meidinger
Lead Historic Preservation Specialist

Appendix I: Historical Tidbits

The history of Burnt Creek Farm (BCF) dates back to the early years of Edwinton/Bismarck, Dakota Territory. In the 1870's GW Racek and his brother Chas owned the Racek Bro's harness shop on 4th street in Bismarck (known as Murderers Gulch or Bloody 4th having earned a reputation as one of the wildest cities in the nation resulting from the saloons, brothels, and a cultural clash of soldiers, native Americans, immigrant settlers, rich business men etc.). One of (if not the first) saddle and harness shop in Bismarck, G.W. did leatherwork for the calvary and settlers. They also started the Racek Bro's harness shop in Billings Montana, well known for quality territorial era saddles and leather goods. They also bought a parcel in Medora to capitalize on the gold trade as the Marquis De Mores and others had stage coach service directly to Deadwood and the Black Hills. It is unknown, however, if this business came to fruition.



1870's Photo of Racek Bro's Saddle & Harness Shop located on 4th Street in Bismarck, ND

ND Historical Society



G.W. homesteaded North of Bismarck (around where Stan Puklich is located). To acquire more 'free' land, he staked a tree claim where BCF is located. Per the 1878 Timber Culture Act, settlers were granted a quarter of land for planting 27,000 trees on 10 acres within that quarter and keeping 25% of them alive for 8 years. After planting the trees in the late 1870 or early 1880's, G.W. received title to the quarter in 1889, the year North Dakota was granted statehood. As seen in the picture to the left, ripples in the front yard (and back woods) still show evidence of the 1890 tree claim. Ripples in the land created while planting and watering the 27,000 trees with horse drawn implements are still very noticeable (see photo at left). Note all trees are on the crest of the ripples. GW (George)

Racek passed away not long after establishing the tree claim. The horse drawn breaking plow believed to have been used to plant the trees is currently on display in the ND Heritage center.



Upon G.W.'s passing in 1901, the land transferred to his son J.B Racek, a wealthy banker in Mandan. In 1922, J.B. had the farm built much as it exists today (see photo above). The farm included a brick prairie square (or American foursquare) house, barn, bunkhouse, garage, corn



crib/granary, chicken coop, outhouse, etc. It was extremely rare, being one of less than 2% of the farms at that time with running water and electricity. Running water came from a

windmill/cistern at the top of the hill (still present) which gravity flowed to the barn, house/cistern (a hand pump located in the

kitchen drew water from the cistern, but there was no bathroom initially), and finally the orchard. Electricity to power the farm came from a 32-volt generator and rechargeable glass battery system (photo above) which will also be restored and on display at the farm.



J.B Racek's signature on the \$10 bank note from The First National Bank of Mandan. 1 of 11 still known to exist. Owned by Dave Lehman.

Modern Farm Home
A beautiful, modern country home is being constructed by J. B. Racek of Mandan on his farm a mile east of Arnold. The house contains eight rooms and bath. It has running water and electric lights. The bath room and pantry are being constructed of hollow tile and brick which is brought from the Hebron factory. A fine modern barn will also be constructed. The buildings are situated in the grove on the farm.

Aug 1922 Bismarck Tribune

NDSU ties

According to prior owners of BCF, the farm was designed by the North Dakota Agricultural College (NDAC now NDSU). These claims have yet to be substantiated due to lack of records retention, however, there is evidence that this is a very strong possibility based on the following:

- The roughcut cottonwood fences and buildings (aside from the brick house) are painted white and green similar to NDSU experiment stations.
- The well-designed farm was built by a banker and farmed by a tenant farmer. Being a banker, it is unlikely JB Racek would have had the background to design the farmstead. NDSU archives hold very similar designs for gates/fences, water systems, buildings, etc. dating back to the 1920's.
- Mr. Racek's step children (Luthers) attended NDAC and held various leadership roles, so it's quite possible there was an established relationship. His stepson was president of AGR and student body president and his stepdaughter taught at NDAC.
- The land grant extension service in ND was in its infancy, and unfortunately many records have been lost.

THE SPECTRUM
North Dakota State College
STATE COLLEGE, NORTH DAKOTA, FRIDAY, APRIL 4, 1938
NUMBER 41

Luther Next Commission President

Hundreds Throng Armory To Honor Prexy Sheppard
Made Permanent Head of School By State Board Monday
CONGRATULATED AT CONVOCATION
Representative Group Praises Selection of Most Able Leader

McGrath, May Have Places of Honor In Junior Prom Line
Tickets Will Go On Sale Monday for Formal Party
Herese McGrath and Leo May will be third and fourth in line in the

ERIC NORDSTROM WINS FREE THROW TROPHY
Eric Nordstrom was presented with the free throw trophy by the athletic department for garnering the most attempts from the free throw line during the past season.
Eric, a member of Alpha Kappa Phi Fraternity, was the spark plug of the team after the injury of Vern Goodwin and from then on proceeded to set the pace in scoring.
The cup was awarded on a percentage basis over the longest time played. With several men in the contest, Eric was finally determined winner with 87% of his shots good. Leo Thomason and George Fairhead both had a 100%, Thomason making the out of five or million rest of

Over 600 Votes Polled During Student Election
"Voting Is Closest Recorded Here," According to Madsen
NEW COMMISSION TAKES OFFICE MON.
Art Cayou Chosen Fresh Publication Member By Single Vote

Miss Vivian Luther, who has been visiting her mother, Mrs. John Racek of Bismarck, and friends in Mandan, left Tuesday for Fargo, where she is an instructor in the dramatic department of the North Dakota Agricultural college.

Mandan Shorts
Mrs. William Sullivan and her mother, Mrs. A. W. Farr, will entertain members of St. Anne's court, Lady Foresters, at a dinner this evening at the Sullivan home.
Leonard A. Luther was named president of Alpha Gamma Rho fraternity at the North Dakota Agricultural college, Fargo, according to word received by his mother, Mrs. J. B. Racek.



In 1950, the farm was sold to Robert Morris. Under his ownership, BCF was featured in The Farmer magazine (a national/regional publication) on a couple of occasions due to its unique and progressive design. The Farmer magazine featuring the trench silo (left) due to its unique architecture and diverse range of utility. The roof on the 15'x65' building was removable so silage could be added. When it did not have silage, it was used for farrowing hogs and 4H 'barn' dances. The back was later converted to a shop. This silo's architecture was identified as one of the farms features qualifying for the state and national register.

The section of land the farm resides on is of importance for other reasons as well. Somewhat ironically, it was more so noteworthy due to the women involved rather than the men. At a time when women maybe weren't afforded the same opportunities as men, these women had a major impact in their respective spheres of influence.

1. Florence Borner: In the 1910's, ND farmers felt taken advantage of by 'Big Business' and created the Non-Partisan League (NPL). The NPL, a socialist movement, took control of the state government (and much of the upper Midwest). They felt that by creating the State Mill and Elevator and the Bank of North Dakota they could gain control over commodity prices. These are businesses are still in operation today. Florence Borner was a league poet and an integral part of the propaganda machine for the NPL. The Borners spent a lot of time at the BCF, so many discussions of the NPL and construction of the State Mill and Elevator, and BND likely occurred at the kitchen table at BCF. The Borner farm which bordered Burnt Creek Farm was later purchased by J.B. Racek and added to the farm's acreage.

THE PRAIRIES	THE DEAR OLD FARM
<p>The prairies seem so lonely like To some, but not to me; I think they are the only place Where I could happy be; Here in my little old sod shack I lead a peaceful life; And have no need to feel alarm At this world's care and strife.</p>	<p>I read a picce the other day That made me kind of warm, It told about the money made, Upon the dear old farm. It said the farmers all were rich, Excepting those who shirked, And 'lowed we'd all been millionaires If harder we had worked.</p>
<p>The people here live far apart, For miles and miles around, There's naught save lonely prairies, Or perhaps you hear the sound Of a coyote calling to his mate, Upon some distant hill, Or a hoot owl's screech as he flits past Then every-thing is still.</p>	<p>It spoke of softly lowing kine, And fields of new-mown hay, Of how the chickens always laid So many eggs a day. It mentioned fields of golden grain, Fruit hanging on the vine, And written down in words like that The "dear old farm" sounds fine.</p>
<p>I love the rolling prairies, Where the wind blows wild and free; None of your crowded city homes, Or big hotels for me; I want to live a lonely life, Upon the prairie sod; It seems to me that I am here, Much nearer to my God.</p>	<p>It said the farmer is a king, The monarch of the land, It told of lovely sylvan dells, Great trees on every hand. It said the farmer owed no one, Looked each man in the face, Called him the son of honest toil— A credit to his race.</p>
<p>Excerpts from Borner's book <i>Modern Poems for Modern People</i> when she lived by BCF. Published in 1919, this book contained poems about farm life, the NPL, and the struggles of the era.</p>	

1. Linda (Warfel) and Dr. Ben Slaughter (Gov Burgum's great grandparents) established the 'Burleigh County Poor Farm' and post office bordering the farm. Ben was a post surgeon assigned to the region's earliest military posts, including Camp Greeley/Hancock and Fort Rice. Linda Warfel Slaughter was known for the following:

- Founded the first ND historical society, which merged with the State Historical Society of North Dakota.
- First woman to vote in a national convention for a presidential candidate.
- Started the first Sunday school in 1872
- Started the Bismarck Academy in 1873, the first Bismarck public school
- First teacher and superintendent of schools in Burleigh County.
- First postmistress of Bismarck
- Crafted a bill in 1881 creating a board of education.
- Involved in the temperance movement and close personal friend of Susan B. Anthony.
- Wrote the words to the state song.

<p style="text-align: center;">Two Evils.</p> <p>SLAUGHTER, N. D., July 31, 1890.—After a swing around the circle, taking in Conger, Croft and Cromwell, and noting the excellent crops—at least, excellent in appearance, I was impressed with at least two major evils, of which one at least could easily be remedied. I refer to the condition of farms owned by non-residents, some of which are being pre-empted by noxious weeds and wild mustard, that are disfiguring the face of the country. Handsome trees of vigorous growth waiting to be blackened and dissipated by the first prairie fire, for the want of a little care. Infinitely preferable the untouched virgin sward of indestructible native grasses.</p> <p>These land owners should be made to pay for this ruthless disfigurement of our fair domain. If in no other way, let the tax gatherer reach out for them until our incoming legislature can help us.</p> <p>Many tree claims that have been proved up on are permitted to go to weeds and grass, which will soon be their funeral pyre. There are some tree claim holders who richly deserve the blessing of the people in their respective communities—such as Asklund in Ecklund, Pollock in township 141, Racek in township 140 and a few others. These bright oases on the prairie make our hearts go out to them as substantial benefactors.</p> <p>The reckless waste and neglect of farm machinery makes the heart grow sick. At one place I counted a mower, hay rake, double sulky plow and a reaper and binder</p>	<p>and but for the tall weeds that sheltered them from the pitiless rain and burning sun, might have counted more. I learned that this man had quit farming. He is one who ought to have quit ere he began. Why our farmers do not pay more attention to tree culture around their homes passeth my understanding. They have teams and woods are near, wells with abundance of water at hand when the rains are too tardy in coming. I notice some few have wells a little distance from their houses, but it seems never to have occurred that a group of trees around it, to shade and add sylvan beauty, would furnish pleasure to the eye and enhance the value of their property. They should not let another fall pass by without this addition. If late, it is not too late.</p> <p style="text-align: right;">S.</p> <p><i>A columnist for the Bismarck Tribune, Linda Warfel-Slaughter criticized tree claims due to poor management but gave praise to G.W Racek for his good management practices.</i></p>
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For additional information regarding Burnt Creek Farm, please visit the Facebook page at: <https://www.facebook.com/burntcreekfarm>

Burnt Creek Farm



3/21/24

Burleigh Co. Building/Planning/Zoning Dept.
PO Box 5518
Bismarck, ND 58506-5518

Dear Burleigh County Planning Commission Members:

Please accept this application in consideration for a Special Use permit to allow agritourism and events to continue at Burnt Creek Farm. Anticipated activity relative to this permit would include the following:

1. Tours:
 - Historical
 - Agritourism

2. Events such as:
 - Corporate events
 - Family events (reunions, birthdays, weddings, etc.)
 - Events for the public (assisted living, schools, etc.)

3. Lodging

While Burnt Creek Farm has been in operation with various tours and events of up to 200 people since 2020, I would like to continue to operate. Burnt Creek Farm's focus lies in educating the public about North Dakota's strong agricultural history as well as providing memories for all of those that visit. Thank you for your consideration!

Sincerely,

A handwritten signature in black ink, appearing to read 'David Lehman', written in a cursive style.

David Lehman

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Burleigh County Building, Planning & Zoning
PO Box 5518
Bismarck ND 58506

burleighcobuilding@nd.gov
701-221-3727

To: Burleigh County Planning Commission.
Re: Notification Distance
Date: 3-25-2024
From: Mitch Flanagan, Burleigh County Planning Director. *MF*

ITEM 1

Notification Distance for Public Hearings

The numbers in the attached exhibits were put together as samples for notification purposes on Dave Lehman's Burnt Creek Farms. It is a little over 2 miles of gravel road from his property to Hwy 83.

Exhibit 1 measured -in a ½ mile circular distance and counted 15 people. Exhibit 2 measured along 110th Ave to Hwy 83 in a straight line that used 2 borders (polygonal) to count the houses that are adjacent to 83, this amounted to 39 people. The Exhibit 3 was measured in a 2-mile circular distance, which amounted to 355 people.

Besides the notifications that we send, there should be a consideration that Burleigh County also:

1. Advertises these public hearings twice in 10 days,
2. Posts the hearing notice on our website,
3. Provides the availability to subscribe to an agenda notifications (email) for every meeting for every Board in Burleigh County.

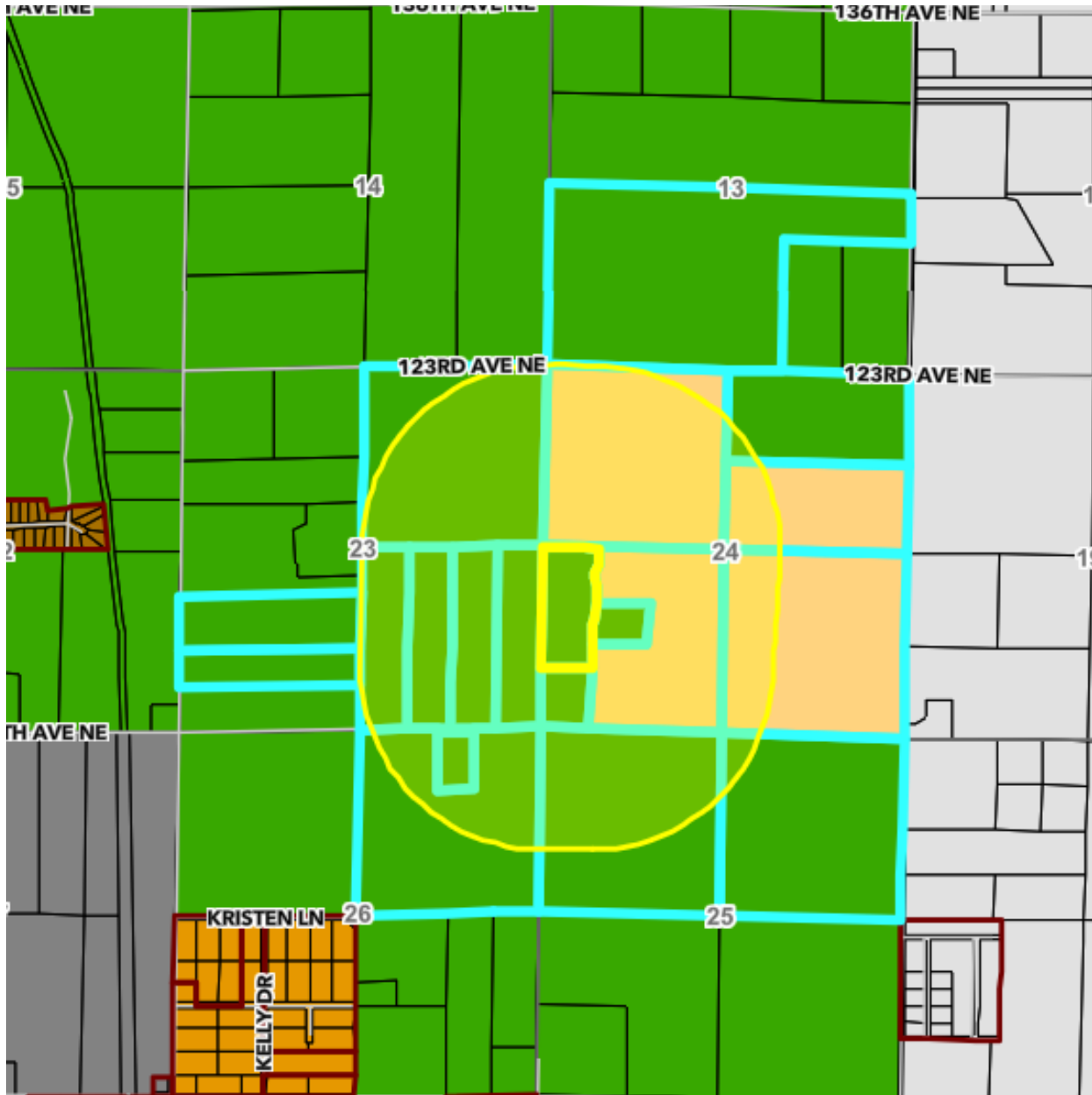
ACTION REQUESTED:

No action is required

Attachments:

- Ex. 1. ½ mile circular notification distance
- Ex. 2. 2- mile straight line notification distance
- Ex. 3. 2- mile circular notification distance.

1/2 -Mile Circle
11501 NE 41st Street

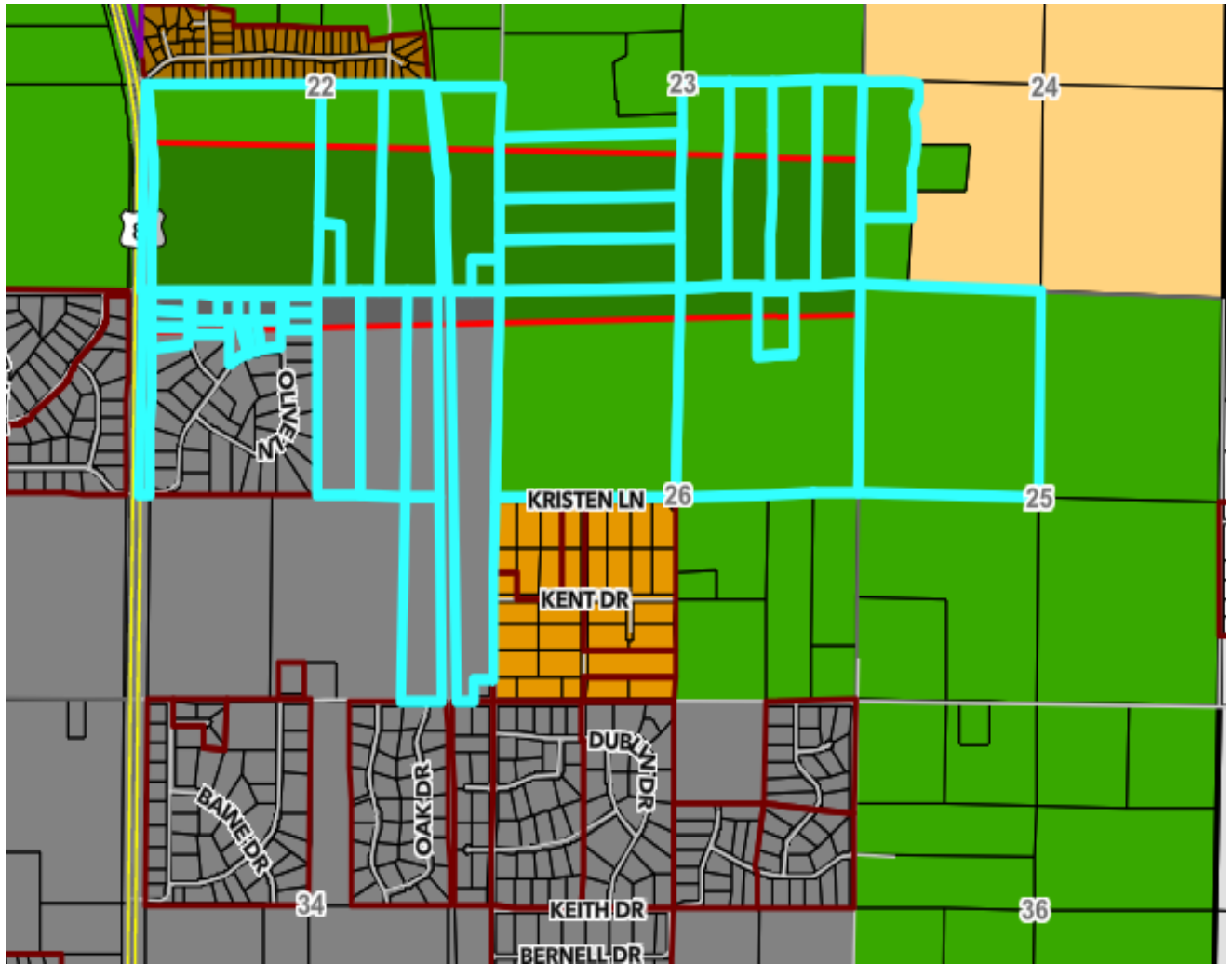


1/2 Mile Circle
11501 NE 41st Street

Owner_Name	Property_ID_Number
8N2E PROPERTIES LLP	24-140-80-00-24-600
BONNET, BRADLEY J & TAMMY JO	24-140-80-00-23-810
DIETRICH, EJ & ANDERSON, CA	24-140-80-00-13-600
ELLINGSON, JEFFERY L & GENEVIEVE	24-140-80-00-23-602
FLECK, KURT J & DANA	24-140-80-00-23-800
HAGEROTT, ARDEN N	24-140-80-00-26-200
HAGEROTT, TARRIN-LEE	24-140-80-49-01-010
HOGUE, KAREN G & HOGUE, DAVID	24-140-80-00-23-200
LEHMAN, DAVID	24-140-80-00-24-610
MILLER, ROGER D & MELISSA K ETAL	24-140-80-00-23-811
PAHLKE, DALE	24-140-80-00-25-400
RUTSCHKE, KAREN MARIA	24-140-80-00-23-601
SANDNESS, AMBER & SETH	24-140-80-00-24-601
STREIFEL, BEATRICE M	24-140-80-00-23-812
THOMPSON, MARK T & JULIE K	24-140-80-00-24-200

2-Mile Polygon

11501 41st Street NE

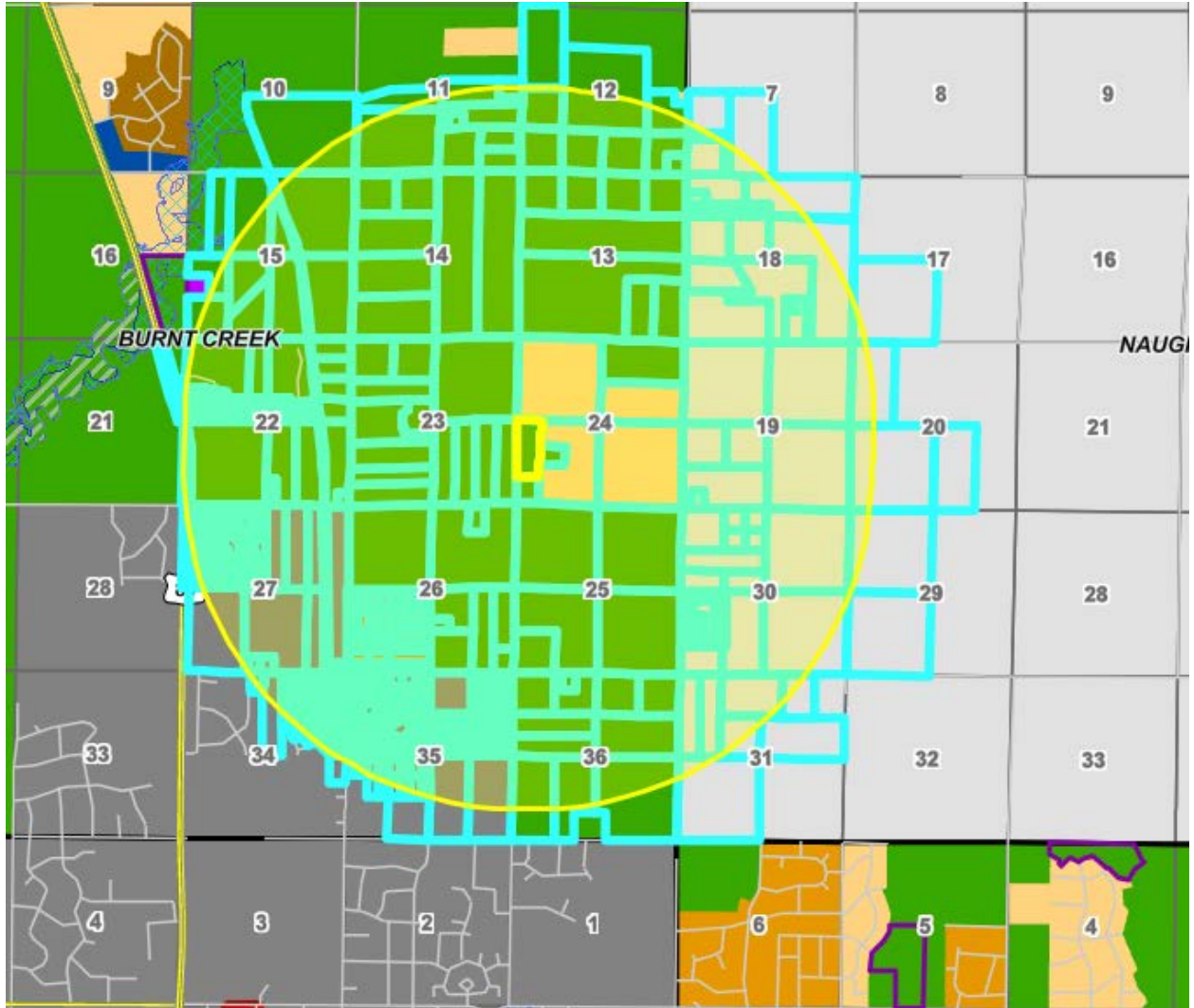


2-Mile Polygon
11501 41st Street NE

Owner_Name	Property_ID_Number
APPELT, REED D & LISA M	24-140-80-00-27-211
BETO, KEVIN & RHEA	24-140-80-67-02-070
BONNET, BRADLEY J & TAMMY JO	24-140-80-00-23-810
BORGERDING, KATHLEEN & MICHAEL	24-140-80-00-27-200
EBEL, HERBERT C & CHARLOTTE K	24-140-80-67-01-030
ECKLUND, FORREST & ALYCE ETAL	24-140-80-00-22-830
ELLINGSON, JEFFERY L & GENEVIEVE	24-140-80-00-23-602
FLECK, KURT J & DANA	24-140-80-00-23-800
HAGEROTT, ARDEN N	24-140-80-00-26-200
HAGEROTT, TARREN-LEE	24-140-80-49-01-010
HAIDER, DWIGHT D & GINA	24-140-80-67-02-020
HOGUE, KAREN G & HOGUE, DAVID	24-140-80-00-22-600
KIENZLE, CLYDE & DENISE	24-140-80-67-01-010
LEHMAN, DAVID	24-140-80-00-24-610
MARTINESON, WAYNE & KAREN	24-140-80-00-27-210
MELLMER, LUKE & BRIANNE	24-140-80-67-03-010
MILLER, ROGER D & MELISSA K ETAL	24-140-80-00-23-811
PAHLKE, DALE	24-140-80-00-25-400
PARENT DUFOUR, AMANDA& PARENT, NATHANIEL	24-140-80-00-22-800
PETERMANN BRYANT, JULIE E	24-140-80-67-02-010
PETERSON, BRYNN K	24-140-80-67-02-030
PETERSON, ROBERT & KATHLEEN	24-140-80-67-02-040
REIS, PATRICK L & JOAN M	24-140-80-67-02-080
RUTSCHKE, KAREN MARIA	24-140-80-00-23-601
SIGETTE, TROY & JANELLE	24-140-80-67-02-090
STREIFEL, BEATRICE M	24-140-80-00-23-812

DUPLICATE PROPERTY OWNERS HAVE BEEN REMOVED 39 TOTAL PARCELS WITH DUPLICATES

2- Mile Circle
11501 NE 41st Street



2- Mile Circle
11501 NE 41st Street

Owner_Name	Property_ID_Number
100 HILLS LLLP	24-140-80-00-34-802
8N2E PROPERTIES LLP	24-140-80-00-24-210
ALVESHHERE, MARVIN & DIANE	24-140-80-36-00-142
ANDERSON, JOY L & DARYL L	24-140-80-51-01-070
ANDRE, BYRON R	25-140-79-00-30-440
ANDRE, PAUL R	24-140-80-77-01-090
APPELT, REED D & LISA M	24-140-80-00-27-220
BACKMAN, THOMAS L & SHELLAE A	24-140-80-51-01-040
BARNES, JOHN F III & MOLLY	24-140-80-67-04-100
BARNETT, MELVIN V & SHIRLEY L	24-140-80-00-13-605
BASARABA, ANDREW L & LYNN	24-140-80-84-02-010
BAUER, RYAN & BAUER, KENDALL	24-140-80-77-01-100
BEAR, RONALD E	24-140-80-83-00-150
BEATY, JAMES R & BARBARA K	25-140-79-00-07-600
BENCHMARK DEVELOPMENTS LLC	24-140-80-51-01-060
BENFIET, K; BENFIET, S; MORMANN, P	24-140-80-83-00-130
BENNES, BYRON M & JUSTINE F	24-140-80-35-00-010
BERGAN, DELRAY & DEBORAH	24-140-80-67-04-020
BERNARDT-WHEELER, MARY L	24-140-80-36-00-071
BERRETH, PHYLLIS R	24-140-80-00-27-600
BETO, KEVIN & RHEA	24-140-80-67-02-070
BLANCHARD, JOEL H & MARIE ANNE	24-140-80-50-01-040
BLANCHARD, STEPHANE R & AMANDA L	24-140-80-50-04-140
BLATTER, SANDRA	24-140-80-67-04-060
BLEES, JEFFREY A & KRISTEN M	24-140-80-67-04-030
BONNET, BRADLEY J & TAMMY JO	24-140-80-00-23-810
BOOTS, CLINTON J & KVAS, SUSAN	25-140-79-01-01-030
BOPP, PETER & KAITLYN	24-140-80-77-01-060
BORGERDING, KATHLEEN & MICHAEL	24-140-80-00-27-200
BREHM, TIMOTHY R & DEBRA J	24-140-80-00-13-220
BREKKEN, TAD & SALEM, JONI	24-140-80-50-03-050
BRENDEL, TERRY & LINDONA	24-140-80-67-03-100
BROTHERS, TRAVIS W & CORI R	24-140-80-78-03-060
BROWN, CARL	24-140-80-00-14-400
BROWN, ELAINE	24-140-80-00-14-610
BROWN, ELAINE, JERRY & CARL	24-140-80-00-14-401
BROWN, TROY D ETAL	24-140-80-00-14-600
BULLER, TIMOTHY & KYLA	24-140-80-50-04-110
BURNT CREEK NURSERY LLC	24-140-80-00-14-410
CAPITAL ELECTRIC COOP INC	25-140-79-00-18-800
CARGO, JEREMY & LACEY	24-140-80-83-00-120
CARLSON, CLEO; CARLSON, MELISSA T	24-140-80-36-00-051
CARLSON, SHAWN M	24-140-80-67-03-120
CASSIDY,BRIAN & TERRIE ET AL	24-140-80-85-08-080
CHAMBERLAIN, JEFFREY & MEGHANN	24-140-80-75-02-050

2- Mile Circle
11501 NE 41st Street

CHMIELEWSKI, STEVEN & CONNIE	24-140-80-85-08-120
CHRISTENSON, GARY C & ROSALIE	24-140-80-50-04-100
CHRISTIANSON, ROGER & MAVIS	24-140-80-84-02-030
CLOOTEN, CRAIG	24-140-80-00-36-600
COLLINS, ROGER L	24-140-80-00-12-830
CROUSE, MICHAEL & SHANNA	24-140-80-50-02-020
CURT, SHIRLEY & MICHAEL	24-140-80-85-09-060
DALLY, JUSTIN & TRISKA, HOLLY	24-140-80-67-01-110
DASILVA, MATTHIAS & CHRISTINA	24-140-80-85-08-040
DAVIS, AMBER & JAMES	24-140-80-55-01-010
DECOTEAU, GORDON & MARGARET	24-140-80-67-03-140
DEGNER, GALYNN R & RACHELLE M	24-140-80-78-02-040
DELZER, DAVID & ANDREA	25-140-79-00-07-610
DEMARIA, ROBERT L & CHARLENE K	24-140-80-77-01-070
DEWITT, JASON W & TAMMY L	24-140-80-51-04-050
DIETRICH, BETTY	24-140-80-00-23-401
DIETRICH, EJ & ANDERSON, CA	24-140-80-00-13-200
DIETRICH, ELIZABETH J	25-140-79-00-18-605
DIETRICH, GARY H IRREVOCABLE >	24-140-80-00-23-400
DOLL, JUSTIN R & LINDSAY G	24-140-80-67-04-040
DOPPLER, LEO & SUSAN	24-140-80-00-22-230
DUFF, JESSICA MARIE & BRANDYN	24-140-80-84-05-070
DUNCAN, JEFFREY & LAURIE	24-140-80-50-04-130
DURICK, PATRICK & MARY ANN	24-140-80-36-00-161
DVORAK, RONALD G & CLARK, PATRICIA A	24-140-80-83-00-140
EBEL, HERBERT C & CHARLOTTE	24-140-80-67-01-020
ECKLUND, FORREST & ALYCE ETAL	24-140-80-00-22-820
ECKMAN PROPERTIES LLC	24-140-80-50-03-080
ECKROTH, JESSE J & TRISHA N	24-140-80-76-02-050
ELGAEN, MONTEL & ELGAEN, TOM	24-140-80-36-00-101
ELLINGSON, JEFFERY L & GENEVIEVE	24-140-80-00-23-602
ENGELHARD, BRANDYN S & MICHELLE M	25-140-79-01-01-060
ENGSTROM, JODIE M	24-140-80-50-04-150
ENGWICHT, MARK P & LAURA L	24-140-80-82-01-010
ERHARDT, BLAINE D & TONI R.	24-140-80-67-03-150
ESPOSITO, DAVID G	25-140-79-00-17-600
FASCHING, STEVEN & SKYE	24-140-80-85-09-080
FERNOW, WALLY & VERONICA ET AL	24-140-80-67-01-040
FETTIG, PAUL & DORIS	24-140-80-16-05-011
FISHER, LINDA L	24-140-80-67-01-080
FISHER, TROY J	24-140-80-50-04-040
FLECK, KURT J & DANA	24-140-80-00-23-800
FOLDEN, MARK & KELLY	24-140-80-85-08-070
FOX, STEPHEN J & ERNATT, ABIGAIL C	24-140-80-51-01-130
FRANK, DANIEL & CHERIE A	24-140-80-00-21-215
FREADRICH, CHRISTINE	24-140-80-76-03-050
FREBORG, RICHARD & JACKIE	24-140-80-67-01-120

2- Mile Circle
11501 NE 41st Street

FREDERICKS, COLEMAN & KIMBERLI M	24-140-80-36-00-131
FUELLER, JERON	24-140-80-85-08-010
FYFE, ALISTAIR & TANYA P	24-140-80-00-36-415
FYFE, IAN C	24-140-80-50-01-030
G & J KUNTZ PROPERTIES LLP	25-140-79-00-07-620
GERMAIN, CHRIS R & LAURA R	25-140-79-01-01-020
GOLDADE, MICHAEL W & DIANN	24-140-80-78-03-030
GRAMM, DAVID & CHERYL	24-140-80-76-01-020
HAGEROTT, ARDEN N	24-140-80-00-27-800
HAGEROTT, TARREN-LEE	24-140-80-49-01-010
HAHN, BRIAN D & KAREN P	24-140-80-67-04-090
HAIDER, DWIGHT D & GINA	24-140-80-67-02-020
HANSON, JEFFREY & ROXANNE	24-140-80-77-01-010
HARMSTEAD, SCOTT R & MICHELLE L	24-140-80-85-09-090
HARSTAD, STEVEN J & CHARITY	24-140-80-75-01-030
HAUSSLER, JAMES P & JULIE M	24-140-80-00-36-201
HAYTER, WILMAR & IONE	24-140-80-83-00-010
HEDBERG, GERALD & SANDRA	24-140-80-84-05-110
HEID, TODD C & DENISE D	24-140-80-35-00-080
HEINLE, NEIL C & FRANCINE L	24-140-80-67-03-170
HERITAGE RESERVE ASSOCIATION	24-140-80-51-01-010
HERMANSON, AARON & KRISTIN	24-140-80-84-05-060
HETTICH, DALE	24-140-80-77-01-120
HIEB, ERIC D & HARDY, KALI L	25-140-79-01-01-050
HILGER, CONNIE L LIVING TRUST	24-140-80-51-01-080
HINKEL, JESSICA	24-140-80-00-13-400
HOFFMAN, JEANETTE C	25-140-79-00-30-410
HOGUE FARM LIMITED PARTNERSHIP	25-140-79-00-31-600
HOGUE, TIM J; HOGUE, TODD I; HOGUE, TONY R	25-140-79-00-19-602
HOGUE, TIMOTHY J	25-140-79-00-30-600
HOGUE, TONY R	25-140-79-00-31-201
HOGUE, KAREN G & HOGUE, DAVID	24-140-80-00-22-600
HOHBEIN, JEROME & SUZANNE E	24-140-80-00-12-240
HOLZER, THOMAS J	24-140-80-36-00-062
HOLZWORTH, LAURA	24-140-80-35-00-150
HOUGHTON, DUANE & MARLYS	24-140-80-16-05-010
HUCK, KENNETH & DIANE	24-140-80-67-03-180
HURT, DALE A & MELISSA J	24-140-80-85-06-020
IHEARTMEDIA TOWER CO I LLC	25-140-79-00-18-810
IVERSON, KEVIN C & CARRIE A	24-140-80-36-00-111
JOHANSON, DOUGLAS & KARLA	24-140-80-84-04-020
JOHNSEN, LISA & TRAVIS	24-140-80-51-05-030
JOHNSON, KELLY	24-140-80-00-11-850
JOHNSON, ROGER J & CONNIE A	24-140-80-85-07-010
JOHNSON, RYAN E & LYNETTE M	24-140-80-76-02-030
JONES, JUSTIN & KRAFT, DIANE	24-140-80-67-03-080
JORDAN, JESSE & RACHEL	24-140-80-76-01-040

2- Mile Circle
11501 NE 41st Street

JOSE, LAYNE J & VICKI L	24-140-80-00-23-402
JUNDT, VALERIE M & WAYNE M	24-140-80-00-35-605
KALBERER FAMILY REVOCABLE LIVING TRUST	24-140-80-85-09-010
KARY, DAVID J & JODI L	24-140-80-50-04-120
KASTNER, ASHLEY & RYBERG, CHRISTIAN	24-140-80-85-09-070
KESSLER, DUANE D & MARILYN A	24-140-80-00-11-800
KIENZLE, CLYDE & DENISE	24-140-80-67-01-010
KING, JAMES W & JOANNE S REVOCABLE TRUST	24-140-80-83-00-060
KLEIN, SCOTT A & KIMBERLY J	24-140-80-83-00-020
KOLEGRAF, DEBBIE S	24-140-80-00-36-400
KOPP, CHRISTOPHER & REBECCA	24-140-80-78-01-030
KOTTRE, ROBY L & MARGARET	24-140-80-50-03-070
KRAFT, SHANE & BERKLEY	25-140-79-00-18-400
KREIN, LELAND L & MARELLA A	24-140-80-78-03-020
KRIEGER, DANIEL J & DAWN K	24-140-80-84-05-120
KRUEGER, CURTIS L & NANCY A	24-140-80-51-05-020
KRUEGER, DUSTIN & RHONDA	24-140-80-67-02-060
LANDERS, MARGO E	24-140-80-50-03-030
LANG, CORY & MICHELLE	24-140-80-75-02-020
LANG, ROBERT A	24-140-80-78-02-060
LARSON, LANCE	24-140-80-77-01-040
LAXDAL, NOEL & MARLA	24-140-80-50-04-090
LEDGER, CHARLES R & KIMBERLY M	24-140-80-36-00-141
LEE, CHARLES R & LINDSEY K	24-140-80-84-05-030
LEFOR, DOUGLAS & CONNIE	24-140-80-51-05-040
LEHMAN, DAVID	24-140-80-00-24-612
LEMIER, L PAUL	24-140-80-00-26-805
LENERTZ, DIANE M	24-140-80-00-26-802
LENSEGRAV, TROY	24-140-80-85-06-050
LEVCHAK, PAUL & DEBORAH	24-140-80-84-02-040
LIND, JIM & LORI	24-140-80-85-09-020
LINDSAY, SOLOMAN & DELORME, BRANDIE	24-140-80-50-04-070
LIPP, DENNIS & BETH	24-140-80-84-03-020
LOGAN, KEVIN & KATIE	24-140-80-84-05-050
LONGHURST, ALANNA RAE & NEAL DAVIS	24-140-80-75-02-030
LONNING, GARY G & KARLA	24-140-80-00-15-420
LORENZ, KEVIN M & T RENEE	24-140-80-50-04-020
LUGER, JOSHUA C & STEBNER, SABRINA K	24-140-80-84-05-040
MARKWED, MICHAEL & JENNIFER	24-140-80-75-02-090
MARQUART,S; PUFFER,K; MARQUART,D	24-140-80-00-13-410
MARTIN, KEVIN J & EBY MARTIN, LORI	24-140-80-67-03-090
MARTINESON, WAYNE & KAREN	24-140-80-00-27-210
MARTINESON, WAYNE P	25-140-79-00-18-210
MARTINSON, HATTIE	24-140-80-36-00-102
MASTEL, CHRISTOPHER J	24-140-80-67-04-050
MASTEL, JOSEPH	24-140-80-00-22-240
MCCOMMON, DONALD JR & BETTY	24-140-80-36-00-122

2- Mile Circle
11501 NE 41st Street

MCDONOUGH, DRS STEPHEN L & >	24-140-80-50-03-020
MCINTYRE, MICHAEL & MELVA	24-140-80-35-00-050
MCKAY, GREGORY R & DORIS	24-140-80-00-15-605
MCMERTY, MICHAEL & MCMERTY, L	24-140-80-36-00-091
MEDUNA, GREGORY L	24-140-80-76-01-030
MEIER, TRAVIS & RONDA	24-140-80-00-11-600
MELLMER, LUKE & BRIANNE	24-140-80-67-03-010
MERTZ, SARAH & BALAS, CALEB	24-140-80-85-09-040
MERTZ, TERRY	24-140-80-51-01-030
METZ, DAVID & CATHERINE	24-140-80-50-03-060
MEYER, DAVID C & SHERYL M	24-140-80-67-02-050
MEYHOFF, BRETT J	24-140-80-35-00-012
MICHLITSCH, ANTHONY J II & LINDI	24-140-80-50-01-020
MILLER, JON W & MILLER, JENI L	24-140-80-00-25-601
MILLER, LLOYD & SANDRA	24-140-80-36-00-121
MILLER, ROBERT L & SHELLY R	25-140-79-00-30-420
MILLER, ROGER D & MELISSA K ETAL	24-140-80-00-23-811
MINNKOTA POWER COOP INC	25-140-79-00-19-603
MODIN, RANDAL & KATHY	24-140-80-67-01-060
MODIN, SCOTT L	24-140-80-85-09-030
MORGAN, DON & SHANDA	24-140-80-00-15-606
MORLOCK, COREY	24-140-80-75-02-080
MORMANN, JOSEPH ALAN	24-140-80-85-08-100
MORRIS, BO	25-140-79-00-30-404
MORRIS, BRETT	25-140-79-00-30-402
MORRIS, LANCE	25-140-79-00-30-400
MORRIS, RENEE M	24-140-80-35-00-030
MORRIS, TIFFANE	25-140-79-00-30-406
MORROW, DWIGHT Z & HAYLEY	24-140-80-78-01-010
MOSER, PERRY & DIANA	24-140-80-00-12-215
MUND, KAREN	24-140-80-78-01-040
MUNDSTOCK, KYLE & LENORA	24-140-80-77-01-080
MYERS, DAVID L & SHEILA A	24-140-80-67-01-070
MYHRE, PATRIC O & JANET C	24-140-80-50-04-010
NAGEL, KENNETH A & DELORES M	24-140-80-84-05-010
NEIBAUER, BRANDON & KELSIE	24-140-80-76-03-020
NELSON, JAMES & CONNIE	24-140-80-67-01-100
NEMECEK,CAMERON &WINKLER,CAROL	24-140-80-50-04-160
NICHOLS-JOHNSON, HEIDI &>	24-140-80-00-36-200
NIELSEN, ERIC W & REBECCA L	24-140-80-67-03-110
OCHSNER, TERRY & MARY KAY	24-140-80-51-02-020
O'HANLON, MICHAEL & DEZARAE	24-140-80-83-00-030
OLSON, CHRISTOPHER J & REBEKAH	24-140-80-00-15-607
OLSON, REBEKAH	24-140-80-00-15-600
O'SHEA, LINDA	24-140-80-00-23-403
O'SHEA, TREVOR	24-140-80-00-23-404
OVA, DAVID R & KATHY S	24-140-80-78-02-020

2- Mile Circle
11501 NE 41st Street

PAHLKE, DALE	24-140-80-00-25-200
PARENT DUFOUR, AMANDA& PARENT, NATHANIEL	24-140-80-00-22-800
PATRICK, DALE P & DOROTHY J	24-140-80-75-01-040
PAUL, CHARLES & LINDA	24-140-80-36-00-112
PEDERSON, RONALD & CONSTANCE	24-140-80-50-03-040
PENNINGTON, CHAD & MARIA	24-140-80-85-09-050
PETERMANN BRYANT, JULIE E	24-140-80-67-02-010
PETERSON, BRYNN K	24-140-80-67-02-030
PETERSON, ROBERT & KATHLEEN	24-140-80-67-02-035
PFAFF, NICHOLAS J	24-140-80-51-04-010
PFAFF, STEVEN D & CHERISE J	24-140-80-51-01-020
PIEPER FAMILY TRUST	24-140-80-84-05-080
PITTMAN, DARREL & MARLETTE	24-140-80-83-00-110
POCHANT, MICHAEL K & MACHELLE	24-140-80-76-01-010
PRUESS, RYAN T & WOLFER,TRACEY	24-140-80-76-03-040
PRUSSING, JAYLIA & JON	24-140-80-67-03-160
RAILSBACK, ROBERT & JUDITH	24-140-80-83-00-050
REIKOW, ROBERT K & DEANNA K	24-140-80-76-03-010
REIS, PATRICK L & JOAN M	24-140-80-67-02-080
REISWIG FAMILY LLLP	24-140-80-00-35-210
REUPPEL, SCOTT & CHARLOTTE M	24-140-80-67-03-050
RICHTER FAMILY LLLP	24-140-80-00-35-800
RIEPL, KIMBERLY L	24-140-80-19-01-010
RISAN, MICHAEL & HELEN	24-140-80-50-03-010
ROETHLER, DONALD P & CINDY A	24-140-80-00-12-600
ROGSTAD, MICHAEL G & LOUISE M	25-140-79-00-31-240
ROST, DAVID C & KELSY M	24-140-80-51-01-140
RUTSCHKE, KAREN MARIA	24-140-80-00-23-601
SAILER, VIRGIL & FLORENCE	24-140-80-85-07-030
SANDAL, MICHAEL W & LORRI A	24-140-80-67-03-030
SANDNESS, AMBER & SETH	24-140-80-00-24-601
SATTLER FAMILY LLLP	24-140-80-00-36-610
SCHAAF, SAMUEL D & TANIA R	24-140-80-76-02-010
SCHAFER, WILLIAM & SUZANN	24-140-80-85-08-110
SCHAFFER, LAURA L & DEREK J	24-140-80-51-01-050
SCHAFFNER, PRESTON & LACEY	24-140-80-84-05-020
SCHETTLER, MYLES & STEFANIE	24-140-80-75-01-020
SCHIMKE, RICHARD W & ROBIN J	24-140-80-76-02-020
SCHLOSSER, RYAN & PATRICIA	24-140-80-75-01-050
SCHMALTZ, KEITH D & WENDY A	24-140-80-67-04-070
SCHMIDT, STEVEN R & RACHEL R	24-140-80-77-01-050
SCHMITT, JASON & APRIL	24-140-80-78-03-010
SCHMITZ, DAVID P & LINDA C	24-140-80-35-00-041
SCHNABEL, KYLIN K & WHITNEY M	24-140-80-00-13-620
SCHONERT, GREGORY P	24-140-80-00-22-200
SCHONERT, PAMELA	24-140-80-00-22-220
SCHROEDER, NATHANIEL R & PHULLIS J	24-140-80-51-04-070

2- Mile Circle
11501 NE 41st Street

SCHULZ, ALBERT & GEORGIA	24-140-80-00-10-600
SCHUMACHER, LEO & MARY JANE	24-140-80-78-02-010
SCHWALBE, DAVID & CHAFFEE, ELLEN	25-140-79-00-31-210
SCHWINDT, MICHAEL R & SHARON J	24-140-80-00-26-800
SEAMANDS, ERIC & MAGGIE	24-140-80-00-27-620
SEBASTIAN, JOHN JR & PATRICIA	24-140-80-83-00-040
SENNE, RUSSELL	24-140-80-35-00-040
SHEETS-NYGARD, MELISSA &	24-140-80-50-02-010
SHELDON, TODD A & LAVONNE A	24-140-80-00-12-601
SICKLER, WARREN A & KIMBERLE A	24-140-80-50-04-060
SIGETTE, TROY & JANELLE	24-140-80-67-02-090
SIMONSON, JEFF & LYNETTE C	24-140-80-76-03-060
SKIBINSKI, CYNTHIA J	24-140-80-50-04-030
SKOR, RYAN & TIFFANY	24-140-80-75-01-060
SMEDBERG, DONALD W & ELIZABETH	25-140-79-01-01-010
SMITH, MICHAEL F & PAMELA K	24-140-80-85-08-050
SNOW, PARKER D & SAMANTHA M	24-140-80-85-06-030
SNYDER, DALE & CORAL	24-140-80-85-06-040
SOLBERG, JOHN W	24-140-80-00-26-801
SOTO, HERBERT ERIC & NICOLE M	24-140-80-00-11-605
SOUPIR, SKYLAR & TATIANA	24-140-80-75-02-010
SPLJ, LLP	24-140-80-00-15-400
SPOONER, WILLIAM A	24-140-80-78-03-050
STANGE, CRAIG M & DIANNE M	24-140-80-84-05-090
STEFANOVSKY, GARY L	24-140-80-35-00-020
STEINWAND, DELTON & JANICE	24-140-80-83-00-070
STORY, GREG A & WANDA L	24-140-80-78-02-050
STREIFEL, BEATRICE M	24-140-80-00-23-812
SUNDBY, ERIC & NATALIE	24-140-80-36-00-132
SWENSON, TODD J	24-140-80-75-02-060
TAPLIN, MARK & ROTH, TANYA	24-140-80-78-01-020
THELEN, KEVIN M & KIMBERLY	25-140-79-00-18-410
THELEN, SCOTT & CHRISTINA	24-140-80-50-04-050
THOMPSON, MARK T & JULIE K	24-140-80-00-24-200
TIEFENTHALER, ROBERT JAMES	24-140-80-85-08-090
TRAPP, HARVEY	24-140-80-36-00-052
TURNBULL, TIMOTHY T & DENISE O	24-140-80-84-03-010
TWEETEN, DARIN D & CHRISTI M	24-140-80-76-02-040
TWEETEN, HOWARD & KATHLEEN	24-140-80-00-36-402
UGLAND, CURTIS C & DENISE M	24-140-80-77-01-110
ULLEDALEN, LAUREN N & BRYAN P	24-140-80-75-02-070
UNBEHAUN, ANDREW D & KATIE A	24-140-80-77-01-030
UTTER, RAY	24-140-80-84-02-020
VAN SICKLE, GUY R & MARY LYNN	24-140-80-84-04-040
VOLK, JOHN & VICKIE	24-140-80-00-13-210
WALCKER, BLAKE & CASSY	24-140-80-75-02-040
WALD, ROBERT S & CARLA M	24-140-80-84-05-100

2- Mile Circle
11501 NE 41st Street

WALSH, DALE & DARLENE	24-140-80-50-01-010
WANNER, DARYL W & MARSHA A	24-140-80-85-09-100
WARD, PENNY	24-140-80-35-00-031
WARFORD, JOHN H JR & JENNIFER	25-140-79-00-29-600
WEIGUM, JOSEPH A	24-140-80-75-01-010
WEINMANN, KURT	24-140-80-35-00-081
WEIR, JUDY & MARK	25-140-79-00-18-220
WEISER, TIMOTHY	24-140-80-85-07-050
WERNER, SCOTT	24-140-80-00-36-412
WESTLAKE, TYLER & LINDSAY	24-140-80-78-02-030
WESTRICK, MATTHEW W & CAMI	24-140-80-85-06-010
WHITE, DEAN & LAURA	24-140-80-76-03-030
WHITE, JOSHUA & JOHNSON, HELEN	24-140-80-00-11-820
WIESE, EUGENE P & KATHLEEN F	24-140-80-67-01-050
WILHELM, CODY & MANDI	24-140-80-83-00-160
WILL, TRAVIS C & MEGHAN M	24-140-80-85-07-040
WILSON, RANDY R & LAURALE A	24-140-80-78-03-040
WIRTH, ALEXANDER & WIRTH, HALEY	24-140-80-85-07-020
WOEHL, TROYDELL W & MICHELLE R	24-140-80-36-00-072
WOLF, DENNIS E	24-140-80-84-02-050
WOLFF, ELON E & AMY JO	24-140-80-67-01-090
WOLLAN, GLENN L & SANDRA J	24-140-80-84-04-030
WUITSCHICK, JEFFREY P & >	24-140-80-84-03-030
ZACHER, MATTHEW R & SHEILA H	24-140-80-36-00-061
ZELLER, RANDALL & CARLA	24-140-80-83-00-080
ZIEGLER, DENISE	24-140-80-35-00-021
ZIEGLER, LARRY P & DEBORAH A	24-140-80-35-00-011
ZIMMER, CRAIG D & SANDY A	24-140-80-77-01-020