

## Planning & Zoning Commission Proceedings

Monday, September 15, 2025

Chairperson Richard Hultberg opened the meeting at 1:30 p.m. Present were Commissioners Hultberg, Don Simon, Don Flinn, County Commissioner Curt Olson, and Darwin Saari. Also present were Land Use Administrator Todd Schreiner; Assistant Director of Tax Equalization Elizabeth Patterson; Deputy Auditor Lynda Snyder; Katie Olson; Fisher Sand and Gravel Co. representative Vent Wallace; Vicki and Dallas Benzmilller; Harold Neurohr; Moore Engineering, Inc. Representative Jason Reiner, and Trail and Todd Haskins. Absent: Courtney Adams and John Matthews.

Moved by Flinn, seconded by Simon, to approve minutes from the previous meeting as submitted. Roll Call Vote: Aye: Simon, Flinn, Hultberg, Saari, and Olson. Nay: None. Motion carried. Absent and not voting: Adams and Matthews.

Patterson presented an application submitted by Dallas and Vicki Benzmilller, whose post office address is Coleharbor, North Dakota, requesting approval of a variance of the setback requirements of the McLean County Zoning Ordinance involving land located in Lot 85, Snake Creek Cottage Site, Malcolm Township. The above-named applicants seek a variance to allow the construction of a structure closer than 15 feet from the side lot line and 30 feet from the rear lot line, as proclaimed in Subsection 6 of Section 5.2.4 of the revised McLean County Zoning Ordinance as adopted on September 1, 1982 and as amended on May 24, 2022.

Dallas Benzmilller stated there is an existing storage unit that will be torn down and replaced with a new storage unit. Schreiner stated no response was received from Malcolm Township but all neighbors have signed off approving the variance.

Moved by Simon, seconded by Saari, to recommend approval to the Board of County Commissioners the request submitted by Dallas and Vicki Benzmilller, requesting approval of a variance of the setback requirements of the McLean County Zoning Ordinance involving land located in Lot 85, Snake Creek Cottage Site, Malcolm Township to allow the construction of a structure closer than 15 feet from the side lot line and 30 feet from the rear lot line, as proclaimed in Subsection 6 of Section 5.2.4 of the revised McLean County Zoning Ordinance as adopted on September 1, 1982 and as amended on May 24, 2022. Roll Call Vote: Aye: Simon, Flinn, Hultberg, Saari, and Olson. Nay: None. Motion carried. Absent and not voting: Adams and Matthews.

Patterson presented an application submitted by Fisher Sand & Gravel Co., Dickinson, North Dakota, on behalf of landowners Sharon and Harold J. Neurohr, requesting approval of a conditional use permit involving the SW1/4 of Section 16, Horseshoe Valley Township. The above-named applicant seeks approval of a conditional use permit to open a pit for mining, processing and selling of gravel products.

Wallace stated the request is to establish a gravel pit for future use by Fisher Sand and Gravel.

Schreiner stated letters were sent to the Horseshoe Valley Township with no response and a haul road agreement has been signed with the McLean County Highway Department.

Moved by Simon, seconded by Olson, to recommend approval to the Board of County Commissioners the request submitted by Fisher Sand & Gravel Co., Dickinson, North Dakota, on behalf of landowners Sharon and Harold J. Neurohr, requesting approval of a Conditional Use Permit involving the SW1/4 of Section 16, Horseshoe Valley Township. Roll Call Vote: Aye: Simon, Flinn, Hultberg, Saari, and Olson. Nay: None. Motion carried. Absent and not voting: Adams and Matthews.

Patterson presented a request for a variance submitted by Hasco, LLC, whose post office address is Ruso, North Dakota, requesting a variance of the setback requirements of the McLean County Zoning Ordinance involving land located in Lot 1, Heidrich's 2<sup>nd</sup> Addition, Horseshoe Valley Township. The above-named applicant seeks a variance to allow the construction of a structure closer than 15 feet from the side lot lines, as proclaimed in Subsection 6 of Section 5.2.4 of the revised McLean County Zoning Ordinance as adopted on September 1, 1982 and as amended on May 24, 2022.

Moved by Simon, seconded by Olson, to recommend approval to the Board of County Commissioners the request for a variance submitted by Hasco, LLC, whose post office address is Ruso, North Dakota, requesting a variance of the setback requirements of the McLean County Zoning Ordinance involving land located in Lot 1, Heidrich's 2<sup>nd</sup> Addition, Horseshoe Valley Township. The above-named applicant seeks a variance to allow the construction of a structure closer than 15 feet from the side lot lines, as proclaimed in Subsection 6 of Section 5.2.4 of the revised McLean County Zoning Ordinance as adopted on September 1, 1982 and as amended on May 24, 2022. Roll Call Vote: Aye: Simon, Flinn, Hultberg, Saari, and Olson. Nay: None. Motion carried. Absent and not voting: Adams and Matthews.

Patterson presented an application submitted by Don L. Miller, whose post office address is Selah, Washington, requesting approval of a subdivision plat involving land located in the S½SE¼SE¼ of Section 30, Township 148 North, Range 84 West. The above-named applicant seeks approval of a subdivision plat to develop a 10-lot rural residential subdivision to be known as Lots 1 through 10 of Miller's First Subdivision.

Schreiner stated the subdivision is south of Garrison in an unorganized township. Discussion followed.

Reiner stated the covenants are similar to the subdivision to the south but weed maintenance has been added and rental property will not be allowed.

Moved by Flinn, seconded by Simon, to recommend approval to the Board of County Commissioners the request for approval of a subdivision plat involving land located in the S½SE¼SE¼ of Section 30, Township 148 North, Range 84 West, of McLean County, to develop a 10-lot rural residential subdivision to be known as Lots 1 through 10 of Miller's First Subdivision. Roll Call Vote: Aye: Simon, Flinn, Hultberg, Saari, and Olson. Nay: None. Motion carried. Absent and not voting: Adams and Matthews.

There being no further business, the chairperson declared the meeting adjourned at 1:56 p.m.

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Richard Hultberg, Chairperson

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Lynda Snyder, Deputy Auditor