

THE MORTON COUNTY PLANNING AND ZONING COMMISSION MINUTES
December 17, 2025

Vice Chairman Rohr called the Morton County Planning and Zoning Commission meeting to order at 5:30 P.M. November 19, 2025, in the Morton County Commission Room, 210 2nd Ave NW, Mandan, North Dakota. Commissioners present were Zachmeier, Buckley, Kist, Tomac, Ell Jr., Braun and Berger. Also present were County Planner Natalie Pierce and Deputy Auditor Eckroth. Absent Wald.

Braun moved and Berger seconded to approve the agenda. All voting aye, motion carried.

Ell Jr. moved and Braun seconded to approve the minutes from November 19, 2025. All voting aye, motion carried.

Vice Chairman Rohr opened the Public Hearing – request from Matthew & Felicia Bopp for the final plat of a short-form subdivision known as Prairie Homestead Subdivision, a zoning map amendment from Agricultural to Residential on approximately 11.68 acres in the NW ¼ of Section 10, Township 137N, Range 85W, Morton County.

Ell Jr moved and Tomac seconded to recommend approval of the final plat of the short-form subdivision known as Prairie Homestead Subdivision, and a zoning map amendment from Agricultural to Residential as the subdivision conforms to the regulations established in Article 7 of the Morton County Land Use Code and is in keeping with the land use priorities established in the 2045 Comprehensive Plan. All voting aye, motion carried.

Vice Chairman Rohr opened the Public Hearing – request from Travis & Tanya Bird for the plat of a short-form subdivision known as Breien Fourth Subdivision, and a zoning map amendment from Agricultural to Residential on approximately 1.92 acres in the NW ¼ of Section 36 Township 134N Range 82W, Morton County.

Berger moved and Braun seconded to recommend approval of the final plat of the short-form subdivision of Breien Fourth Subdivision, and a zoning map amendment from Agricultural to Residential as the subdivision conforms to the regulations established in Article 7 of the Morton County Land Use Code and brings the lots into zoning conformity. All voting aye, motion carried.

Vice Chairman Rohr opened the Public Hearing - request from WW Ranch LLP for the preliminary plat of a long-form subdivision known as Harmon Village 24th Subdivision, and zoning map amendment from Agricultural to Residential on approximately 25.73 acres in W ½ of Section 12, Township 140N, Range 82W, Morton County.

Braun moved and Tomac second to recommend approval of the preliminary plat of the long-form subdivision known as Harmon Village 24th Subdivision, and a zoning map amendment from Agricultural to Residential as the subdivision conforms to the regulations established in Article 7 of the Morton County Land Use Code and is in keeping with the land use priorities established in the 2045 Comprehensive Plan. All voting aye, motion carried.

Vice Chairman Rohr opened the Public Hearing – request from Estate of Delmer Schlenker for the final plat of a long-form subdivision known as Monte's Ranchero's Sixth Subdivision on

40.46 acres in NW ¼ of Section 8, Township 138N, Range 82W, Morton County.

Tomac moved and Ell Jr. seconded to recommend approval of the final plat of the long-form subdivision known as Monte's Rancho's Sixth Subdivision, only if the plat is reconfigured with 4 lots that preserve the lot density of the Monte's Rancho's First Subdivision, in order to comply with Policy 15.3.3(a) of the 2024 Comprehensive Plan. All voting aye, motion carried.

Vice Chairman Rohr opened the Public Hearing – request from Bryan Dean of Cold-Water Outfitters for a zoning map amendment from Residential to Rural Commercial and/or request for a special use permit to allow food and lodging services, and a rendezvous point for seasonal hunting excursions, on Lot 1, Block 1 River Place 5th Subdivision in SE ¼ of Section 16, Township 140N, Range 81W, Morton County.

Bryan Dean spoke on behalf of the Cold-Water Outfitters, Mr. Dean stated they are willing to work with the County, it was not their intention to hide their business. They will work with the county to be fully transparent and to ensure that the use of this property is properly reviewed and permitted.

Clyde Wetsch resident in River Place, Mr. Wetsch is strongly opposed of this request for a SUP or Re-zoning. The lodge is surrounded entirely by single-family homes, a commercial hunting and fishing operation does not belong in a residential zoned area. Residents have already experienced on going disturbances: barking dogs, duck & goose calling competitions, slamming vehicle doors, loading gear early in the morning and unloading late at night, because hunting and fishing starts before day light we are dealing with headlights, loud engines and traffic. There has been firearm discharged incidents on or near the property creating significant safety concerns. Clients and staff frequently drive well above the 25-mile speed limit creating additional risk to children and pets. Game and fish waste in the dumpsters cause strong odors during warm weather and attract wildlife such as skunks and raccoons, which increases the chances of an encounter with a rabid animal. The impacts have already reduced the peace and safety of our neighborhood and the lodge will have a negative impact on our property values. The owner is also a residential builder who knew this use was not permitted. I urge the commission to protect the Integrity of our neighborhood and uphold zoning standards that residents rely on and deny this request.

Steven Hamar, live across the street of Cold-Water Outfitters. He is opposed to the business there is no public water access from this area you need to access from either Mandan or Bismarck. Concerns with speed enforcement, smells that are atrocious, uncontrolled alcohol consumption in a residential area. This building and septic are not constructed to be facility like this.

Paul Millner, owner of the lot north of Cold-Water Outfitters. Concerns with their children's safety to play on the vacant lot, speeding violations, septic system and concerns with ground water, dumpster not sealed and the smell.

Dean Jorgensen, also a resident of River Place strongly opposes this business. Concerns with traffic speed, safety of children, pets and residents, this was a tight-knit neighborhood previously, and that character has diminished significantly since this business as moved in. Mr. Jorgensen feels this business will have negative effects on their property value.

Brad Hertz also a resident who is not in favor of the rezoning or special use permit.

Zachmeier moved and Ell Jr. seconded recommend denial of the request for rezoning on Lot 1 Block 1 River Place Fifth Subdivision, as the rezoning from residential to commercial or rural commercial for the following reasons:

Rezoning from residential to commercial or rural commercial is not called for in the future land use plan component of the 2045 Comprehensive Plan. The rezoning would alter the residential character of the neighborhood. The road serving the property as a subdivision road rather than a road designated to convey a larger volume of commercial traffic. A semicircular driveway with two approaches was constructed in violation of the Morton County approach permit issued in May of 2022. There was a failure to obtain a liquor license from either Morton County or the ND Attorney General's Office when alcoholic beverages were indeed offered as part of the business or rental services being offered. No evidence was presented that the septic system would accommodate the current business. The request does not promote the health, safety, morals, public convenience, general pride, and prosperity, or the public welfare as listed in the North Dakota Century Code 11-33.01 and the ND Century Code 11-33.0202. Roll call all voting aye, motion carried.

Zachmeier moved and Tomac seconded to recommend denial of a special use permit for Lot 1 Block 1 River Place Fifth Subdivision for the following reasons:

The Special Use Permit would alter the residential character of the neighborhood and a special use permit would also not promote the health, safety, morals, public convenience, general pride and prosperity, or the public welfare as listed in ND Century Code 11-03.01 and ND Century Code 11-33.0202. Roll call all voting aye, motion carried.

Discussion: should Morton County establish standards for a cap on wind energy development? The board consensus is to have Planner Pierce research if different types of caps exist.

Public Comment period as required by NDCC 44-04-20.1 was opened at 7:08PM. There was no public comments and comment period was closed at 7:09PM.

Braun moved and Berger seconded to adjourn the meeting at 7:10 pm. All voting aye, motion carried.