

Planning & Zoning Commission Proceedings

Monday, July 20, 2026

Chairperson Richard Hultberg opened the meeting at 1:30 p.m. Present were Commissioners Hultberg, Don Simon, Don Flinn, John Matthews, Darwin Saari, Steven Heger, and Curt Olson. Also present were Assistant Director of Tax Equalization Elizabeth Patterson; Deputy Auditor Lynda Snyder; Robert Biwer; Melissa and Layne Reynolds; Kyle Lizotte; BreAnne and Lane Westman; Alan Westman; Darlene and Leon Philbrick; Sharon and Gus Rud; and Gravel Products Inc. Representatives Max Schriock and Tore Knudsen.

Moved by Matthews, seconded by Simon, to approve minutes from the meeting held on June 15, 2026 as submitted. Roll Call Vote: Aye: Simon, Flinn, Matthews, Saari, Heger, Olson, and Hultberg. Nay: None. Motion carried.

Patterson presented an application submitted by Leon and Darlene Philbrick of Garrison, North Dakota, requesting approval of a zoning change involving 19.1 acres of land located in Outlot B and road easement and Outlot C in NE¼, Section 19, Township 148 North, Range 84 West. The above-named applicants seek a zoning change from residential to agricultural.

Darlene Philbrick stated they were not aware the land was zoned residential until correspondence was received from the Tax Assessor's Office regarding an increase in value. She also stated the property is hay land and will not be used for any other purpose.

Moved by Simon, seconded by Flinn, to recommend approval to the Board of County Commissioners the request submitted by Leon and Darlene Philbrick requesting approval of a zoning change involving 19.1 acres of land located in Outlot B and road easement and Outlot C in NE¼, Section 19, Township 148 North, Range 84 West. Roll Call Vote: Aye: Simon, Flinn, Matthews, Saari, Heger, Olson, and Hultberg. Nay: None. Motion carried.

Patterson presented an application submitted by Layne and Melissa Reynolds of Garrison, North Dakota, requesting approval of a Conditional Use Permit involving 1.69 acres of land located in Lot 1 of Outlot A in the W½NW¼, Section 34, McGinnis Township. The above-named applicants seek approval of a Conditional Use Permit to allow for a non-farm structure on agricultural land.

Patterson stated that a letter was sent to McGinnis Township and no response was received. Discussion followed.

Moved by Saari, seconded by Simon, to recommend approval to the Board of County Commissioners the request submitted by Layne and Melissa Reynolds requesting approval of a Conditional Use Permit involving 1.69 acres of land located in Lot 1 of Outlot A in the W½NW¼, Section 34, McGinnis Township. Roll Call Vote: Aye: Simon, Flinn, Matthews, Saari, Heger, Olson, and Hultberg. Nay: None. Motion carried.

Patterson presented an application submitted by Lane and BreAnne Westman (Ruby Westman, landowner) of Hazen, North Dakota, requesting approval of a Conditional Use Permit involving 3.59 acres of land located in Outlot A in the NW¼NE¼, Section 7, Andrews Township. The above-named applicants seek approval of a Conditional Use Permit to allow for the construction of a non-farm structure on agricultural land.

Patterson stated that a letter was sent to Andrews Township and City of Benedict with no response received. BreAnne Westman stated they would like to withdraw their request at this time as they may be purchasing a different property with an existing home. Discussion followed.

Moved by Olson, seconded by Simon, to table the application submitted by Lane and BreAnne Westman (Ruby Westman, landowner), requesting approval of a Conditional Use Permit involving 3.59 acres of land located in Outlot A in the NW¼NE¼, Section 7, Andrews Township. Discussion followed. Roll Call Vote: Aye: Simon, Flinn, Matthews, Saari, Heger, Olson, and Hultberg. Nay: None. Motion carried.

Patterson presented an application submitted by Robert Biwer and Louise Murphy of Bismarck, North Dakota, requesting a variance of the setback requirements of the McLean County Zoning Ordinance involving land located in Lot 42, Snake Creek Cottage Site, Malcolm Township. The above-named applicants seek a variance to allow the construction of a structure closer than 125 feet from the centerline of the road (30th Avenue NW), 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.

Biwer stated they will be building a stick-built cabin with a walkout and attached garage. He also stated that the doublewide and all other buildings will be demolished. Biwer explained that his contractor is working with First District Health Unit as a new septic system will be installed. Discussion followed.

Patterson stated that a letter was sent to Malcolm Township and no response was received. She also stated that Highway Superintendent Jim Grey and all neighbors have given approval for the variance. Discussion followed.

Moved by Saari, seconded by Simon, to recommend approval to the Board of County Commissioners the request submitted by Robert Biwer and Louise Murphy requesting a variance of the setback requirements of the McLean County Zoning Ordinance involving land located in Lot 42, Snake Creek Cottage Site, Malcolm Township. Roll Call Vote: Aye: Simon, Flinn, Matthews, Saari, Heger, Olson, and Hultberg. Nay: None. Motion carried.

Patterson presented an application submitted by Gravel Products, Inc. of Minot, North Dakota (Jon Paul and Rachel Ravnaas, landowner), requesting approval of a Conditional Use Permit involving 15 acres of land located in the west 65 rods of the S½SW¼SW¼, Section 15, Horseshoe Valley Township. The above-named applicant seeks approval of a Conditional Use Permit to operate a sand and gravel pit for mining, processing and selling of sand and gravel products to include crushing, screening, stockpiling, reclamation, and hauling of processed materials.

Knudsen stated they are being proactive by submitting this application as Gravel Products, Inc. does not have a current project requiring use of this gravel pit. He explained for that reason development will more than likely begin next spring.

Patterson stated a letter was sent to Horseshoe Valley Township and no response was received. She also stated that Highway Superintendent Jim Grey will not require a haul load agreement as approval of this permit will only affect a short stretch of approximately 200 feet. Discussion followed.

Moved by Simon, seconded by Olson, to recommend approval to the Board of County Commissioners the request submitted by Gravel Products, Inc. (Jon Paul and Rachel Ravnaas, landowner), requesting approval of a Conditional Use Permit involving 15 acres of land located in the west 65 rods of the S½SW¼SW¼, Section 15, Horseshoe Valley Township. Discussion followed. Roll Call Vote: Aye: Simon, Flinn, Matthews, Saari, Heger, Olson, and Hultberg. Nay: None. Motion carried.

Patterson presented an application submitted by Rud Propane, LLP, d/b/a Rud Oil & Gas, whose post office address is Center, North Dakota, requesting a zoning change involving land described as Outlot B in NE4SW4, Section 8, Township 146 North, Range 82 West. The above-named applicant seeks a zoning change from agricultural to commercial to install a 30,000-gallon propane storage facility.

Gus Rud stated he purchased 4.47 acres north of Underwood from the Falkirk Mining Company to install a 30,000-gallon propane tank which will be fenced in with six-inch pipe surrounding the area. He also stated that an approach will be needed and Highway Superintendent Jim Grey will be contacted.

Heger stated that the road being used for access is limited because it is a minimum maintenance road and that needs to be addressed. He also stated that he felt more research needed to be done on responsibility for road maintenance and a road agreement should be required.

Moved by Saari, seconded by Simon, to recommend approval, pending a road maintenance agreement or plan between Rud Oil and Gas and McLean County, to the Board of County Commissioners the request submitted by Rud Propane, LLP, d/b/a Rud Oil & Gas, requesting a zoning change involving land described as Outlot B in NE4SW4, Section 8, Township 146 North, Range 82 West. Roll Call Vote: Aye: Simon, Flinn, Matthews, Saari, Heger, Olson, and Hultberg. Nay: None. Motion carried.

There being no further business, the chairperson declared the meeting adjourned at 2:25 p.m.

Richard Hultberg, Chairperson

Lynda Snyder, Deputy Auditor