

**STARK COUNTY
PLANNING AND ZONING COMMISSION MEETING
STARK COUNTY COURTHOUSE COMMISSIONER'S ROOM
51 3RD STREET EAST
DICKINSON NORTH DAKOTA
SEPTEMBER 26, 2024**

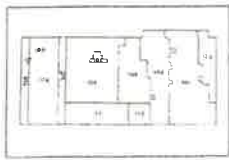
CALL TO ORDER-3:00 p.m.

1. Minutes
2. Public Hearing for RZ 04-24- Cody Kuntz is requesting a rezoning from Agriculture to Rural Residential on a property described as Tract 1 located in the S ½ of the SE ¼ of Section 2, Township 137 North, Range 96 West containing approximately 5.06 acres.
3. Planner Items

Applications for requests are available for public inspection at www.starkcountynd.gov

Those wishing to join the meeting remotely should call either 701-456-7959 and enter 1415836# when prompted, or, to connect using Zoom, 1-719-359-4580, then enter Meeting ID 554 716 8680 Passcode 714551.

Any public hearings shall be commenced by the Chair of the Stark County Planning and Zoning Commission and each hearing shall continue until closed by the Chair.



Stark County
ESZ Boundaries

Map Elements

	Road		Sewer
	Waterway		Well/Leak
	County Road		Utility
	Dam		Boundary/Property
	Bridge		Lake
	Railroad		
	Airport		
	Dam		
	Bridge		
	Railroad		
	Airport		

0 STARK COUNTY PLANNING AND ZONING
COMMISSION MEETING
SEPTEMBER 26, 2024
COUNTY COURTHOUSE COMMISSION ROOM
DICKINSON ND

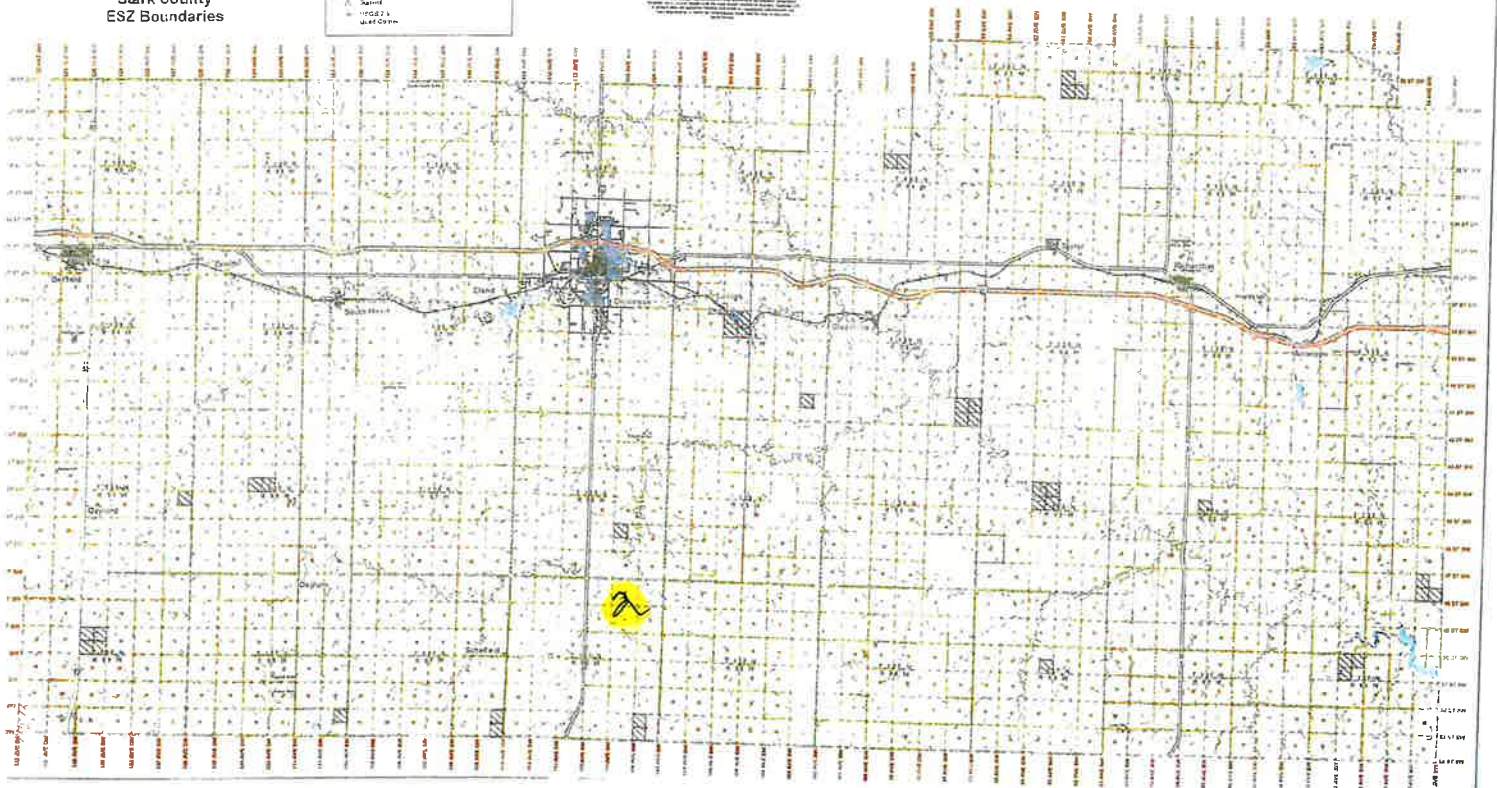
STARK COUNTY PLANNING AND ZONING COMMISSION MEETING
SEPTEMBER 26, 2024
COUNTY COURTHOUSE COMMISSION ROOM
DICKINSON ND

Stark County Address Map

911 Emergency System



Madras
Lee &
Jackson
Engineering



RZ 04-2024



STARK COUNTY NORTH DAKOTA ZONING MAP
AMENDMENT APPLICATION-STANDARD REZONING

Note: Please review the "What is Zoning" Rezoning Application Directions prior to filling out this application

DATE OF APPLICATION August 31st 2024

CURRENT ZONING Ag REQUESTED ZONING Residential

APPLICATION FEE: \$200

Rural Residential

APPLICANT INFORMATION

Name Cody Kuntz

Address 339 Suncrest Ave

City Dickinson State North Dakota Zip 58601

Phone No.: 701-590-9749 Fax No.: _____

E-mail Address: codykuntz6@gmail.com

REPRESENTATIVE INFORMATION (IF APPLICABLE)

Name _____

Address _____

City _____ State _____ Zip _____

Phone No. _____ Fax No.: _____

E-mail Address: _____

PROPERTY OWNER INFORMATION IF DIFFERENT FROM THE APPLICANT

Name _____

Address _____

City _____ State _____ Zip _____

Phone No. _____ Fax No. _____

**STARK COUNTY NORTH DAKOTA ZONING MAP
AMENDMENT APPLICATION-STANDARD REZONING**

E-mail Address Codykuntz6@gmail.com
PROPERTY INFORMATION

Property Size: 5 acres

Address: 10925 49th St SW

City Dickinson State ND Zip 58601

Legal Description as it appears on stark.northdakotaassessors.com:
Tract 1 in S2SE4 02-137-96 5.06 acres

Parcel Identification Number as it appears on stark.northdakotaassessors.com:
24-0000-03545-100

Please describe the proposed rezoning and the reason for the request. would like to build a single family house and change the zoning to residential

What uses are proposed for the property?
Single family house

What buildings or structures are proposed for the property? house

APPLICANT REQUESTS AN INITIAL REVIEW BY STARK COUNTY STAFF, A PUBLIC HEARING BEFORE THE COUNTY PLANNING AND ZONING COMMISSION, AND THE APPROVAL OF THE AMENDMENT REQUESTED HEREIN.

SIGNATURES

Cody Kuntz 8-31-24
Applicant/Representative Signature and Date

Cody Kuntz 8-31-24
Owner's Signature and Date

[Signature] 9/6/2024
Zoning Administrator or Designee and Date

I would like to have 5 acres that I purchased rezoned. It is currently zoned as Ag land. I am asking to have it zoned as Residential, then build a residence on it.

Thank you,

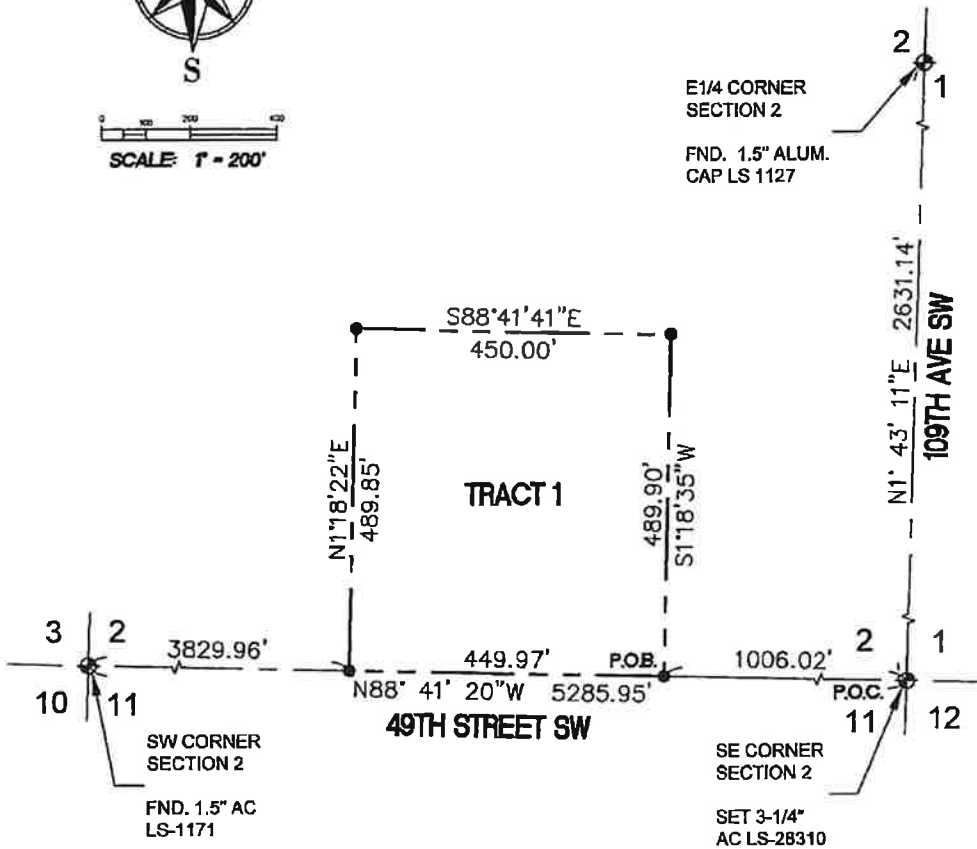
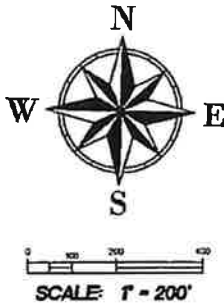
A handwritten signature in blue ink, appearing to read "Cody Kutz". The signature is fluid and cursive, with a long horizontal stroke at the end.





CERTIFICATE OF SURVEY

A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) OF SECTION 2, TOWNSHIP 137 NORTH, RANGE 96 WEST OF THE 5TH PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA.



LEGEND (SYMB)

- ◆ FOUND MONUMENT (AS DESCRIBED)
- SET 5/8" REBAR WITH PINK PLASTIC CAP LS-28310
- - - LINE BREAK
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- PROPERTY LINE
- SECTION LINE

SHEET: 1 of 2

L & D SURVEYING, LLC



I, Michael Wormley, Registered Professional Land Surveyor LS - 28310, do hereby certify the the survey shown hereon was performed by myself or under my direct supervision, and is true and correct to the best of my knowledge and belief.





CERTIFICATE OF SURVEY

A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) OF SECTION 2, TOWNSHIP 137 NORTH, RANGE 96 WEST OF THE 5TH PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA.

LEGAL DESCRIPTION - TRACT 1

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) OF SECTION 2, TOWNSHIP 137 NORTH, RANGE 96 WEST OF THE 5TH PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A SET 3-1/4" ALUMINUM CAP LS-28310 MARKING THE SOUTHEAST CORNER (SE COR) OF SAID SECTION 2, FROM WHICH A FOUND 1.5" ALUMINUM CAP "EAF LS-1127" MARKING THE EAST QUARTER CORNER (E1/4 COR) OF SAID SECTION 2 BEARS NORTH 01°43'11" EAST, A DISTANCE OF 2,631.14 FEET;

THENCE NORTH 88°41'20" WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 1,006.02 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTH LINE, NORTH 88°41'20" WEST, A DISTANCE OF 449.97 FEET TO THE SOUTHWEST CORNER OF TRACT 1, FROM WHICH A FOUND 1.5" ALUMINUM CAP LS-1171 MARKS THE SOUTHWEST CORNER (SW COR) OF SAID SECTION 2 BEARS NORTH 88°41'20" WEST, A DISTANCE OF 3,829.96 FEET;

THENCE DEPARTING SAID SOUTH LINE AND ALONG THE WEST LINE OF SAID TRACT 1, NORTH 01°18'22" EAST, A DISTANCE OF 489.85 FEET TO THE NORTHWEST CORNER OF SAID TRACT 1;

THENCE ALONG THE NORTH LINE OF SAID TRACT 1, SOUTH 88°41'41" EAST, A DISTANCE OF 450.00 FEET TO THE NORTHEAST CORNER OF TRACT 1;

THENCE ALONG THE EAST LINE OF SAID TRACT 1, SOUTH 01°18'35" WEST, A DISTANCE OF 489.90 FEET TO THE POINT OF BEGINNING;

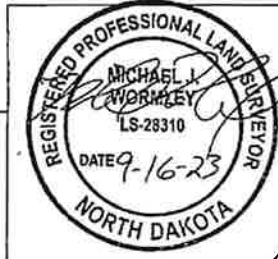
CONTAINING 220,435.96 SQUARE FEET OR 5.06 ACRES, MORE OR LESS.

SHEET: 2 of 2

L & D SURVEYING, LLC



I, Michael Wormley, Registered Professional Land Surveyor LS - 28310, do hereby certify the the survey shown hereon was performed by myself or under my direct supervision, and is true and correct to the best of my knowledge and belief.





Parcel Number:
24-0000-03545-100

Deed Holder:
KUNTZ, CODY

Property Address:

Map Area:
137-96 AG

Legal Description:
TRACT 1 IN S2SE4 Q2-137-96 5.06 ACRES

Property Report:
[PROPERTY REPORT \(PDF FILE\)](#)



**No image
to display**

Land Value	Dwelling Value	Improvement Value	Total Value
\$4,000	\$0	\$0	\$4,000

Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2024	\$4,000	\$0	\$0	\$4,000
2023	\$0	\$0	\$0	\$0

Building Permit Information

Date	Number	Tag Descr	Tag Date	Amount	Reason
04/05/2024		Yes	01/01/2023	0	None

GIS Map Information



RETURN TO:
 HAYNES MELBYE LAW OFFICE PLLC
 E 2048 3RD AVE W
 SUITE A
 DICKINSON, ND 58601-3111

Kimberly Kasian

3180741
 01/11/2024 04:39:49 PM Page 1 of 5
 Warranty Deed \$20.00 Haynes Melbye Law Office PLLC
 Kimberly Kasian, Stark County, ND Recorder



WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Six Thousand, Five Hundred US Dollars (\$6,500.00) in hand, paid to **Robert Kuntz**, with an address of 10825 49th St SW, Dickinson, North Dakota, 58601, and **Eugene Kuntz**, with an address of 10852 49th St SW, Dickinson, North Dakota, 58601, Grantors, does hereby grant, bargain, and sell, and convey and confirm to **Cody Kuntz**, a married person, with an address of 339 Suncrest Ave, Dickinson, North Dakota, 58601, Grantee, its successors and assigns the following described real property, lying, being and situated in Stark County, North Dakota, to wit:

20th Tract 1:

A tract of land located in the South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 2, Township 137 North, Range 96 West of the 5th Principal Meridian, Stark County, North Dakota, more particularly described as follows.

Commencing at a set 3- $\frac{1}{4}$ " Aluminum Cap LS-28310 marking the Southeast Corner (SE Cor) of said Section 2, from which a found 1.5" Aluminum Cap "EAF LS-1127" marking the East Quarter Corner (E $\frac{1}{4}$ Cor) of said Section 2 bears North 01°43'11" East, a distance of 2,631.14 feet;

Thence North 88°41'20" West, along the South Line of the Southeast Quarter of said Section 2, a distance of 1,006.02 feet to the point of beginning;

Thence continuing along said South Line, North 88°41'20" West, a distance of 449.97 feet to the Southwest Corner of Tract 1, from which a found 1.5" Aluminum Cap LS-1171 marks the Southwest Corner (SW Cor) of said Section 2 bears North 88°41'20" West, a distance of 3,829.96 feet;



Thence departing said South Line and along the West Line of said Tract 1, North 01°18'22" East, a distance of 489.85 feet to the Northwest Corner of said Tract 1;

Thence along the North Line of said Tract 1, South 88°41'41" East, a distance of 450.00 feet to the Northeast Corner of Tract 1;

Thence along the East Line of said Tract 1, South 01°18'35" West, a distance of 489.90 feet to the point of beginning,

Containing 220,435.96 square feet or 5.06 acres, more or less.


Per N.D.C.C. § 47-19-03.1, the legal description was prepared by Michael J. Wormley, registered land surveyor, N.D. No. 28310, address: 105th Ave SW, Manning, North Dakota, 58642. A Certificate of Survey from L&D Surveying, LLC with the complete legal description of the real property being conveyed by this instrument is attached hereto as Exhibit A.

This instrument has been prepared by Haynes Melbye Law Office, PLLC of 2048 3rd Ave W, Suite A, Dickinson, North Dakota, 58601.

SUBJECT TO: easements, restrictions, reservations, and other agreements and matters of record, if any.

TO HAVE AND TO HOLD the premises aforesaid with all and singular the rights, privileges, appurtenances and immunities thereto belonging unto the said Grantee and its successors and assigns, forever; the said Grantors hereby covenanting that the said premises are free and clear from any encumbrance, except as set forth above, that it is lawfully seized of an indefeasible estate in fee simple to said premises and may convey the same, and that it will warrant and defend the title to said premises unto said Grantee and its successors and assigns, forever, against the lawful claims and demands of all persons whomsoever, except real property taxes for the year 2024 and thereafter.

IN WITNESS WHEREOF, the Grantor have duly executed this instrument as of this 11th day of January, 2024.



Robert Kuntz, Grantor

STARK COUNTY PLANNING AND ZONING COUNSELING FORM

NAME

Cody Kuntz

TIME AND DATE OF CONTACT AND METHOD 2:00 p.m. on 8/20/2024 in person

TELEPHONE NUMBER- 701- 590-9749

EMAIL ADDRESS- codykuntz6@gmail.com

MAILING ADDRESS- 339 Suncrest Ave Dickinson ND 58601

IF QUESTION IS SITE SPECIFIC, LIST PROPERTY PARCEL ID NUMBER, ADDRESS, AND/OR LEGAL DESCRIPTION- Tract 1 in S2 of SE ¼ of Section 2-Township 137-Range 96 PID 24-0000-03545-100

SUBJECT

- Zoning on a property and uses allowed Property setbacks.
- Information about rezoning, conditional use permits, subdividing, variances.
- Code Violation Building Permit Other

CUSTOMER QUESTION AND RESPONSE

Wants to rezone five acres. Currently zoned Agriculture (A). Requires rezoning to Rural Residential (RR). Gave Mr. Kuntz rezoning application and instructions, RR zoning district, P&Z schedule, and additional information.

REFERRED TO THE FOLLOWING AGENCIES

- Building Department Tax Director Road Department
- States Attorney Sheriff City of Dickinson
- County Extension Services Auditor 911 Addressing
- Dickinson Rural Fire Department Southwest District Health Unit re: Septic Services
- Southwest Water Authority

For Additional Information Please Contact Stark County Planning and Zoning Director Steve Josephson at (701)-456-7672 or at sjosephson@starkcountynd.gov

FOLLOWING UP DATE AND TIME AND METHOD

RZ 04-24 Rezone from A to RR



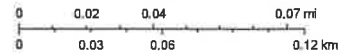
9/6/2024, 9:23:11 AM

Stark County Tax Parcels

911 Road Centerlines

Sections

1:2,257



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