



BOARD OF ADJUSTMENT MEETING MINUTES

Monday, May 12, 2025 at 7:30 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Shawn Soehren
Vice Chairman: Trevor Ernst
Pat Bren
Bruce Burke
Troy Bosch

CALL TO ORDER

7:30am

ROLL CALL

Present:

Chairman: Shawn Soehren
Vice Chairman: Trevor Ernst
Pat Bren
Bruce Burke
Troy Bosch

OPENING CEREMONIES:

PLEDGE OF ALLEGIANCE

1. STANDARD MOTIONS

2. REGULAR AGENDA:

A. BUFFER VARIANCE - LOT 3&4, BLOCK 3, FISHER EAST SIDE SECOND SUBDIVISION:

Variance request from buffer yard provisions outlined in Article VIII, Landscaping and Screening Standards, Section 62-562, Table 566-2 of the City of Dickinson Municipal Code, to reduce the required buffer yard between a General Commercial (GC) zoned lot and adjacent R1 and R2 zoned lots from 30 feet to 15 feet located at Lot 3 and 4, Block 3, Fisher East Side Second Subdivision.

Russ Heiser, owner, presented his request. He is asking for a reduced setback of 15 feet to accommodate a future driveway for an additional building. He plans to install a fence and a tree buffer along the west and south sides of the property.

Mr. Ernst asked whether the Fire Department had been consulted regarding access if the setback is reduced. Building Official Leonard Schwindt responded that a 15-foot setback would still allow access; depending on the size of the building, additional provisions could be added to the building permit if needed. He also noted that the area around the building must remain clear.

Mr. Heiser stated that the site will have two buildings instead of one; there will be 15 feet of space between them to allow access. Although his site plan shows three buildings, only two will be constructed at this time. A 75-foot driveway is planned between the buildings.

Mr. Burke asked whether there had been feedback from neighbors. Mr. Schwindt reported receiving two phone calls; one caller was opposed to the request, while the other, an adjacent property owner, felt the project would not impact their property.

Mr. Soehren asked about the 50-foot building height, and Mr. Heiser explained that he needs the height to accommodate his trailer. Mr. Bren inquired about the sidewall height, which will be 16 feet. Mr. Soehren asked Mr. Schwindt if that sidewall height posed any issues; Mr. Schwindt confirmed it does not, as the property is zoned GC.

Mr. Bosch asked about the adjacent property setbacks. Mr. Schwindt stated that rear yard setbacks in the nearby R1 zone are 20 feet. Mr. Heiser confirmed he plans to install a 6-foot fence on the west side; a tree buffer will also be included.

Mr. Ernst asked about the hardship justification, noting the proximity to other GC-zoned properties. Mr. Soehren inquired whether the buildings would be sold or rented. Mr. Heiser stated he will retain ownership of the southern building; the others will be sold as shop condos. Mr. Schwindt clarified that the buildings will be sold but not the land; a condo association will be established.

Mr. Schwindt recommended that, if the board approves the setback reduction, they include a condition requiring the fence and trees to be installed by a specific timeline; the west side must remain free of any outside storage.

Chairman Soehren opened the public comment hearing.
There being no comments, the hearing was closed.

Motion to approve with the added condition that the trees be planted prior to project completion, and that the species meet City specifications for size and height.

Motion made by Bosch, Seconded by Ernst.

Voting Yea: Ernst, Bren, Soehren, Bosch

Voting Nay: Burke

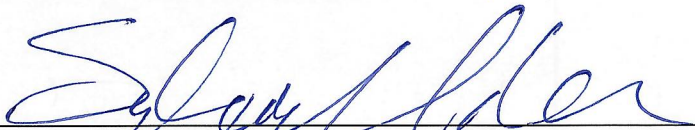
3. OTHER BUSINESS

4. ADJOURNMENT

7:47am

Motion made by Bren, Seconded by Burke.

Voting Yea: Ernst, Bren, Burke, Soehren, Bosch



Prepared by: Sylvia Miller, Executive Assistant



Approved by: Leonard Schwindt, Building Official