



# BOARD OF ADJUSTMENT MEETING AGENDA

Monday, July 14, 2025 at 7:30 AM  
City Hall – 38 1st Street West Dickinson, ND 58601

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## Commissioners:

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

**CALL TO ORDER**

**ROLL CALL**

**OPENING CEREMONIES:**

**PLEDGE OF ALLEGIANCE**

**1. STANDARD MOTIONS**

**A. JUNE 9TH, 2025 MINUTES**

**2. REGULAR AGENDA:**

**A. 275 PALM BEACH ROAD - REQUEST TO EXCEED MAXIMUM SQ FOOTAGE OF  
DETACHED ACCESSORY STRUCTURES ON A PROPERTY**

Variance request to exceed the maximum square footage of detached accessory structures on a Rural Residential RR zoned lot in the ETZ Zoning of the City of Dickinson, ND. This property is located at 275 Palm Beach Road - STABLE ESTATE SUB L4 B1 2.83 ACRES 8-139-96.

**3. PUBLIC COMMENTS**

**4. OTHER BUSINESS**

**5. ADJOURNMENT**

**Link for viewing Board of Adjustment Meeting:**

<https://youtu.be/oFo2TNR8unc>

**This link will not be live until approximately 7:30 am on July 14, 2025.**

**Teams Meeting:** <https://tinyurl.com/4t9bx9b4>

**Teams Meeting ID:** 290 789 900 488 3

**Teams Phone #:** 1-701-506-0320

**Local Phone #:** 701-456-7006

**Meeting Passcode:** 36Yo6xw2

**Phone Conference ID:** 178 065 659#

***Persons desiring to attend the meeting who require special accommodations are asked to contact the City Administrator by the Friday preceding the meeting.***



# BOARD OF ADJUSTMENT MEETING MINUTES

Monday, June 09, 2025 at 7:30 AM  
City Hall – 38 1st Street West Dickinson, ND 58601

## Commissioners:

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

## **CALL TO ORDER**

Meeting called to order at 7:30AM.

## **ROLL CALL**

### PRESENT:

Trevor Ernst  
Pat Bren  
Bruce Burke  
Shawn Soehren

### ABSENT:

Troy Bosch

## **OPENING CEREMONIES:**

PLEDGE OF ALLEGIANCE

## **1. STANDARD MOTIONS**

### **A. NOVEMBER 12TH, 2024 MINUTES**

Motion to approve minutes as presented.

**Motion made by Burke, Seconded by Bren.**

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

### **B. MAY 12TH, 2025 MINUTES**

Motion to approve minutes as presented.

**Motion made by Bren, Seconded by Ernst.**

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

## **2. REGULAR AGENDA:**

### **A. 1036 37TH STREET E - REQUEST TO EXCEED MAXIMUM SQ FOOTAGE OF DETACHED STRUCTURE**

Request to exceed the maximum square footage of a detached structure on a RR zoned lot by 1210 sq. ft. This property is located at 1036 37th Street E – Tract A of L 1&2 B 4 Roshaus 2nd 26-140-96 Lot 188X396.

Variance is presented by Chairman Shawn Soehren. Building Official Leonard Schwindt states that the City of Dickinson has changed the detached structure requirements from 1200 sq. ft. to 1800 sq. ft. for up to an acre and has changed to 70

sq. ft. after every 1/10 acre above the first acre. Schwindt states that with the formula, the applicant is asking for 1210 sq. ft. above the current code.

Applicant Christ Marshall states on the SE corner of the property he would like to build a 70' X 50' shop for a small office, storage, and basketball court. Chairman Shawn Soehren confirms this is the only structure on the property, with the addition of the house. Marshall explains that the shop would be located on the east side of the property. Soehren confirms that there will be no new approach added.

Commissioner Bruce Burke asks about multiple signatures included with application. Applicant Christ Marshall explains these signatures are approvals from individuals residing in neighboring properties. Building Official Leonard Schwindt states that one neighbor was concerned about weeds on the property. Staff did go out for inspection with a result of no findings of weeds at the location.

Vice Chairman Trevor Ernst asks about new sizing codes in regard to detached structures and previous applicants. Building Official Leonard Schwindt responds that this is the first applicant to request to exceed the new code square footage requirements.

Applicant Christ Marshall states that the property is just outside of city limits. Marshall explains that neighboring properties have large shops and barns in the area as well. Commissioner Pat Bren states in agreement that there are other large detached structures in the area after viewing the neighborhood for himself. Building Official Leonard Schwindt states with observation of the neighborhood it is accurate that there are many other detached structures that are on average 2600 sq. ft.

Commissioner Bruce Burke inquires about square footage difference being requested by applicant from code requirement. Building Official Leonard Schwindt responds that the applicant is requesting a square footage of 3500 sq. ft. for the proposed detached structure, which reduced by 1210 sq. ft. is what he could have. Burke confirms that the average findings in the neighborhood for detached structures is also above new code requirements.

Motion is made to recommend approval of variance to exceed maximum square footage of a detached structure, with the stipulation that there would be no further out buildings constructed.

**Motion made by Burke, Seconded by Bren.**

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

**3. OTHER BUSINESS**

Building Official Leonard Schwindt states there are two variance request applications in, indicating there will be upcoming Board of Adjustment meetings to come in the following months.

Chairman Shawn Soehren asks about future public comment section requirements. City Attorney Christina Wenko responds the new law will become effective August 1, 2025, requiring all boards to have a public comment section. Public comment section will be added to the agenda for the next meeting.

**4. ADJOURNMENT**

Motion to adjourn at 7:43AM.

**Motion made by Bren, Seconded by Ernst.**

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



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Prepared by: Kylee Zastoupil, Administrative Assistant  
Community Development



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Approved by: Leonard Schwindt, Building Official

### VARIANCE PERMIT APPLICATION

**NOTE:** Before submitting your application please call to schedule a meeting with the Building Official Leonard Schwindt (701)-456-7815, to discuss your application.

APPLICATION FOR VARIANCE

Property Owner Name John Schneider  
 Phone Number 650 868 4835 Email JSchneider@interio.com  
 Address 275 Palm Beach Rd  
Street City State Zip  
 Property Owner Signature [Signature] Date 5/21/25

(All Applications must be signed by the property owner or the application will not be processed)

Applicant Name John Schneider  
 Contact Name John Schneider  
 Phone Number 650 868 4835 Email JSchneider@interio.com  
 Address 275 Palm Beach Rd  
Street City State Zip  
 Applicant/Permittee Signature [Signature] Date 5/21/25

\*Note: If applicant is not the owner of the premises, the owner's signature or separate written permission authorizing Applicant to sign on behalf of the owner, must be affixed to this application. The signature of the applicant and owner (or written permission of the owner) certifies that permission is granted by the owner to all authorized City personnel to enter the premises for the purpose of review of this application.

Property Information:

Property location: \_\_\_\_\_

Zoning District: \_\_\_\_\_ Adjacent zoning: N RR E RR S RR W RR  
 Existing use: None Adjacent use: N \_\_\_\_\_ E \_\_\_\_\_ S \_\_\_\_\_  
 W \_\_\_\_\_

General Description of Request:  purpose statement attached  Site Plan attached  
Covered Patio

Describe how the hardship is not shared generally by other properties in the same zoning district and in the same vicinity:  
My daughter is a Developer Deeded special needs girl  
She has a chicken coop that is good for her mental

Zoning Code Sections Relevant to this Request: RR  
Exceed the maximum square footage of detached  
accessory structures on a Rural Residential zoned lot  
 Have any previous applications or appeals been filed in connection with this property?  No  Yes Date: \_\_\_\_\_  
in the CTZ zoning of the City of Dickinson ND.

Office Use Only	
Proposed Request to be filled out by Building Department:	
_____	
_____	
Date of BOA Meeting: _____	Required Fee: \$150.00
Paid by: <input type="checkbox"/> Cash <input type="checkbox"/> Credit/Debit <input type="checkbox"/> Check # _____ Receipt # _____	

May 23, 2025

City of Dickinson

RE: Variance for covered patio located at 275 Palm Beach Road.

City of Dickinson To whom it may concern:

I come before you today to request a variance to build a covered patio. This patio is well hidden within my property by trees that will block the view from the South, East and Southwest.

I currently have three outbuildings on this parcel. I have two garages and a 10x12 chicken coop, which is behind one of the garages.

Regarding the chicken coop, this is for my daughter who is a development delayed or learning disability precious Soul. She suffers from depression and anxiety. These chickens are tremendous mental therapy for Her. They have become her pets. She spends many hours daily with them. I cannot give up this valuable therapy and remove the chicken coop.

I am a 60% disabled Veteran from the Vietnam war. I have had skin cancer on my face and head three times. This covered patio will give me relief from the sun.

Your consideration for this easement is respectfully appreciated.

Sincerely,

  
John Schneider

Section 2. Item A.

PALM BEACH RD

DEER RUN DR

7

Section 2. Item A.



275 Palm Beach Rd.

Section 2. Item A.



Design #: 331358216269  
Estimate #: 32890  
Store: DICKINSON



Post Frame B Section 2. Item A.  
Date: May 19, 2025, 2:00:29 PM

Elevation Views



For other design systems search "Design & Buy" on Menards.com

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Date: 05/19/2025 - 2:00 PM

Design Name: Post Frame Design

Design ID: 331358216269

System V Estimate ID: 32890

Estimated price: \$5,227.95\*

\*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

MENARDS

Section 2. Item A.

# Design & Buy™ POST FRAME

### How to recall and purchase a saved design at home



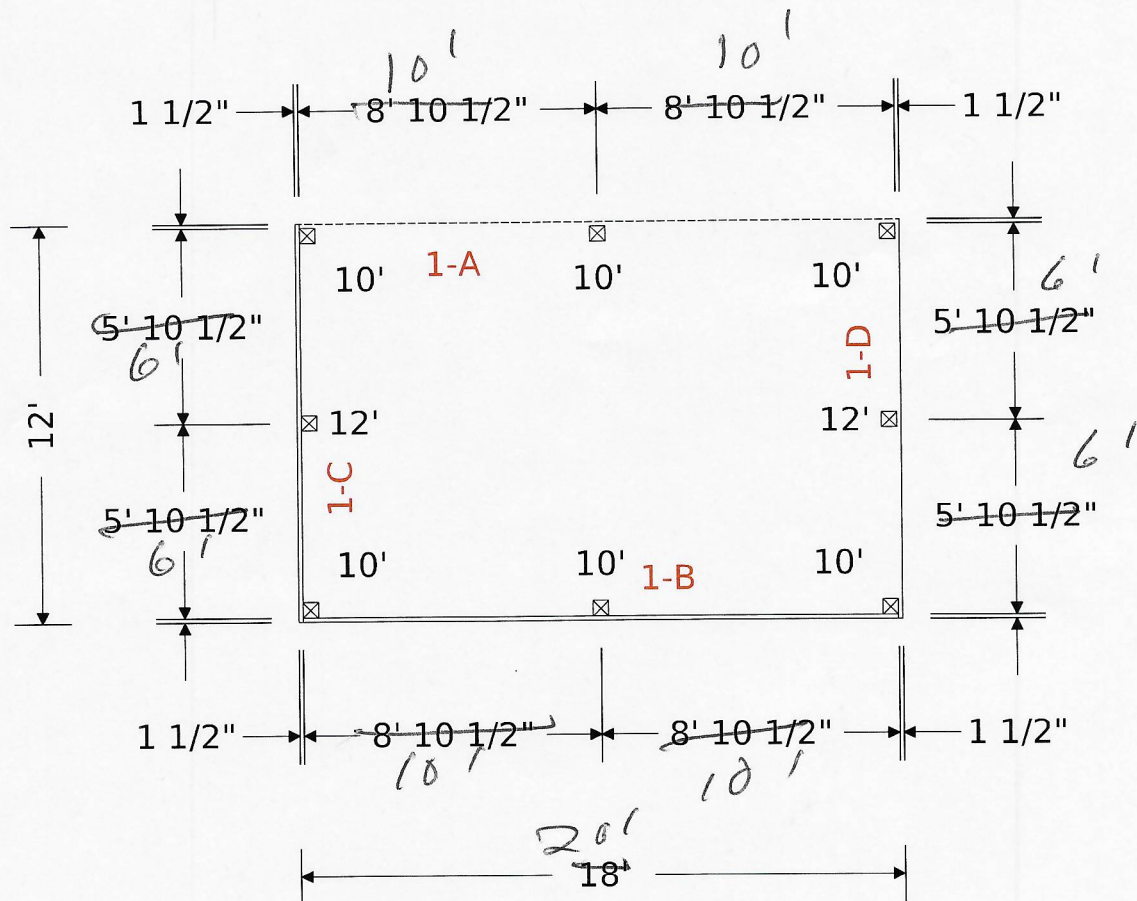
OR

1. On Menards.com, enter "Design & Buy" in the search bar
2. Select the Buildings Designer
3. Recall your design by entering Design ID: 331358216269
4. Follow the on-screen purchasing instructions

### How to purchase at the store

1. Enter Design ID: 331358216269 at the Design-It Center Kiosk in the Building Materials Department
2. Follow the on-screen purchasing instructions.

FLOOR PLAN



For other design systems search "Design & Buy" on Menards.com

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**To:** Board of Adjustment  
**From:** City of Dickinson Development Team  
**Date:** {7/14/2025}  
**Re:** Variance to exceed maximum square footage of detached structures

**Owner/APPLICANT**

Applicant  
John Schneider  
275 Palm Beach Rd  
Dickinson, ND 58601

**Public Hearings:** {7/14/2025} Board of Adjustment

**REQUEST**

- A. Request:** For a variance to exceed the maximum square footage of detached structures on a RR zoned lot by 208 sq ft.
- B. Project Address/Legal Description/Area:** 275 Palm Beach Rd -Stable Estates Subdivision L4 B1 8-139-96 – 2.83 Acres
- C. Project Description:** Building a Detached Patio with Roof in Front of Home for personal use.

**STAFF REVIEW AND RECOMMENDATIONS**

- A. Compatibility with Local Uses: Adopted Ordinances Not Yet Codified – Ordinance No. 1809 Note 7:** All allowable accessory buildings to a residence shall be limited to a maximum of one thousand eight hundred feet (1,800) and for a maximum of three (3) detached structures for the first one acre or less. The total area of all accessory buildings may be increased by 70 square feet for each additional one-tenth (1/10) acre of land area above one acre. Accessory buildings shall include the following: barns, stable, storage buildings, and detached personal vehicle garages.
- B. Compliance with Zoning and Subdivision Regulations:** Structure will require proper permitting to meet Code Requirements.
- C. Public Input:** None at this time.
- D. Staff Comments:** No additional detached structures be allowed with the approval of the current request.

Table I: Current Zoning and Use

ZONING	RR
FUTURE LAND USE MAP DESIGNATION	RR
GROSS SITE ACREAGE	2.83 Acres

Table II: Current Adjacent Land Use/Zoning

Direction	Zoning	Land Use
North	RR	Residential
East	Ag	Residential
South	RR	Residential
West	R1	Residential

**Attachments:**

- Provided in packet

**MOTIONS:**

**\*\*\*Approval\*\*\***

*“I move the City of Dickinson Board of Adjustment recommend Approval of (**Variance to exceed maximum square footage of detached structures**), subject to the conditions above, as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare “*

*(AND) the following additional requirements (IF THE BOARD OF ADJUSTMENT RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):*

1. \_\_\_\_\_;
2. \_\_\_\_\_.

**\*\*\*Denial\*\*\***

*“I move the Dickinson Board of Adjustment recommend Denial of (**Variance to exceed maximum square footage of detached structures**) petition as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare.”*

ATTACHMENTS





Design #: 331358216269  
Estimate #: 32890  
Store: DICKINSON



Post Frame Building Estimate  
Date: May 19, 2025, 2:00:25 PM

Elevation Views



For other design systems search "Design & Buy" on Menards.com

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