



BOARD OF ADJUSTMENT MEETING AGENDA

Monday, July 10, 2023 at 7:30 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Larry Bares
Vice Chairman: Pat Bren
Trevor Ernst
Bruce Burke
Shawn Soehren

CALL TO ORDER

ROLL CALL

OPENING CEREMONIES:

1. STANDARD MOTIONS

A. June 12, 2023 Meeting Minutes Submitted for approval.

2. REGULAR AGENDA:

A. To consider a variance request to exceed the maximum height of an attached garage on a RR zoned lot by 4-foot. Property is located at 3152 111E Ave SW, Dickinson, ND 58601.

B. Variance request to build an attached structure that will create a larger amount of square footage than current living space. Property located at 3152 111E Avenue SW, Dickinson, ND 58601.

C. To exceed the maximum square footage of a detached structure on a MH zoned lot by 420 sq ft (1200 sq ft to 1620 sq ft). Property located at 3259 110 S Avenue SW, Dickinson, ND 58601.

3. REGULAR AGENDA:

4. OTHER BUSINESS

5. ADJOURNMENT

Link for viewing Board of Adjustment Meeting:

This link will not be live until approximately 7:30 AM MT.

Meeting Packet: <https://tinyurl.com/BOA-07-10-2023-Packet>

Stream Link: <https://tinyurl.com/BOA-07-10-2023-Stream>

Teams Meeting: <https://tinyurl.com/BOA-07-10-2023-Teams>

Meeting ID: 282 409 408 805

Meeting Passcode: 68K5Tr

Teams Phone #: +1 701-506-0320

Phone Conference ID: 535 953 017#

Local Phone #: 701-456-7006

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

June 12th, 2023

OPENING CEREMONIES AND PRESENTATIONS

I. CALL TO ORDER

Chairman Larry Bares called the meeting to order at 7:30 am.

ROLL CALL

PRESENT: Chairman Larry Bares, Vice Chair Pat Bren, Shawn Soehren, Trevor Ernst, Bruce Burke

ABSENT:

STAFF Blaine Dukart, Christina Wenko

II. PLEDGE OF ALLEGIANCE

III. STANDARD MOTIONS MINUTES

Minutes for May 8th, 2023 submitted for approval.

To approve the May 8th, 2023 meeting minutes.

Minutes corrected.

MOTION BY: Pat Bren **SECOND:** Shawn Soehren

DISPOSITION: Motion carried unanimously.

IV. REGULAR AGENDA

- 1. To consider a variance request to exceed the maximum square footage of a detached structure on a RR zoned lot by 400 square feet. (1200 to 1600). Property located at 3148 111 E Avenue SW, Dickinson, ND 58601.**

No one is present to speak on the request. Board member Pat Bren asks if there were any covenants in that subdivision, but since there is no one present to speak Mr. Bren motions to table the request.

I move to table the variance until next month when the applicant can be present.

****Motion to Table Variance****

MOTION BY: Pat Bren **SECOND:** Trevor Ernst

DISPOSITION: Roll call vote... Aye 5, Nay 0, Absent

Motion declared duly passed.

- 2. To consider a variance request exceed the maximum square footage of a detached structure on a RR zoned lot by 1300 square feet. (2700 to 4,000). Property located at 3571 106T Avenue SW, Dickinson, ND 58601.**

Ryan Romanyshyn owner of the property steps up to explain that their intent was to build a shop in the future after purchasing the property. Chairman Larry Bares clarifies that the second item is to approve the location of the shop. Mr. Romanyshyn explains the reason for wanting to put it where he has it laid out in

BOARD OF ADJUSTMENT MEETING MINUTES

June 12th, 2023

the plans. Board member Pat Bren asks owner if there is a covenant in the area of where the building can be placed. Mr. Romanyshyn explains that he does not believe there is one as far as where it is placed, he states that he sent the covenants to their builder. Mr. Bren asks where the gravel is placed that is where the building will be placed. Mr. Romanyshyn states yes, but it can be moved around, he also explains the dirt is there but it can be moved around or removed if the request was denied. Mr. Bares asks Inspector Blaine Dukart, is there is many houses that the garage extends passed the house and what is the main reason for the garage or out building to be behind the house. Mr. Dukart explains that most of those structures were built that way and most of the garages are built in front. Mr. Dukart explains that the reason it was put into the code was because there where people putting in small sheds in front of the house without a permit. Mr. Dukart also explains the set back from the house on this property is enough that there is not an issue, but it still has to be addressed by the building department. Mr. Bares opens the meeting to the public. Mr. Dukart states there have been no comments from the public at this time. No one is present to speak for or against, Mr. Bares closes the public hearing. Board member Bruce Burke states normally when they allow the building to exceed the max, there is limitations on other outbuilding. Mr. Romanyshyn explains there is a garden shed that is maybe 10x10 and there is a steel horse shed that was there when they moved in, it can be moved and go away. Board member Shawn Soehren asks with the variance that includes the tractor storage building. Mr. Dukart confirms that yes, the number includes the shed and the staff recommends that there be no other buildings built. Mr. Soehren motions to approve the request with the condition that no additional structures be placed.

I move to approve the variance finding that the requirements of Section 39.12.011(c)(1) have been met by the applicant for a variance with the following condition(s):

- 1. No additional structures be placed permitted or unpermitted.**

****Motion to Approve Variance****

MOTION BY: Shawn Soehren **SECOND:** Bruce Burke
DISPOSITION: Roll call vote... Aye 5, Nay 0, Absent
Motion declared duly passed.

- 3. To consider a variance request to build an accessory building in front of the principal building. Property located at 3571 106T Avenue SW, Dickinson, ND 58601.**

Board member Shawn Soehren asks what the setback from the street is to be. Mr. Romanyshyn explains from the house to the street it is 150 and the shop is 115 it can be pushed back a bit but not much. Mr. Soehren asks if it meets all requirements. Inspector Blaine Dukart explains it does meet the requirements for setbacks. Chairman Larry Bares opens the meeting to the public. No one is present Mr. Bares closes the public meeting. Board member Bruce Burke motions to approve the setback subject to the conditions show on the drawing.

I move to approve the variance finding that the requirements of Section 39.12.011(c)(1) have been met by the applicant for a variance with the following condition(s):

- 1. Subject to the conditions shown on the drawing provided.**

****Motion to Approve Variance****

MOTION BY: Bruce Burke **SECOND:** Shawn Soehren

BOARD OF ADJUSTMENT MEETING MINUTES

June 12th, 2023

Section 1. Item A.

DISPOSITION: Roll call vote... Aye 5, Nay 0, Absent
Motion declared duly passed.

4. To consider a variance request to exceed the maximum square footage of an On-Premises sign on a CC zoned lot by 61 square feet. Property located at 1674 15th Street West, Dickinson, ND 58601.

Mr. Luke Steiner owner of Elite PT, this pertains to their signs that were put up in 2017. Mr. Steiner explains that they were audited a year ago based on when someone applies for a permit. Mr. Steiner explains that they didn't know they were supposed to get a permit for the signs, they are trying to get a permit. Mr. Steiner believes that how he interprets the code they are within the rights of the code, they would like a variance for the sign. Mr. Bares asks Mr. Dukart for comments. Mr. Dukart explains they are looking at the application and there was 101 sqft of sign, their application is 61 sqft over code. The building department is looked at on the side that the address is located. Mr. Bares asks where the entrance is. Mr. Steiner explains their entrance is from the North, he also explains that that is not stated in the code based on how it reads. Mr. Steiner explains he just wants to keep his signs up, they have had no complaints they also have signed statements that no one has any issue. Mr. Bares asks they are just looking to keep the signs they have. Mr. Steiner explains they are asking for 140 sqft so if they do change their signs, they have room to work with. Ms. Wenko explains that the definition for building frontage as defined by code (watch video). Building frontage is further defined which explains that in the (watch video). Mr. Ernst asks the building frontage when the BD uses it to determine and where the address is placed. Ms. Wenko believes that is correct. Mr. Dukart confirms this. Discussion by Mr. Ernst as far as the building frontage definition. Mr. Burke asks if there is any consideration for as far as how far a commercial building is off set from the road. Mr. Steiner states that yes, with the size it would be too small for their clients to see. Mr. Burke asks if there is any consideration from the distance. Mr. Dukart explains no that is not taken into consideration. Mr. Ernst asks what if there is 3 businesses that share 30 feet of frontage. Mr. Dukart explains what the code states. Discussion takes place between Mr. Steiner and Mr. Dukart about the code and how it is interrupted. Mr. Soehren asks is it splitting because there is a sign on the front and the side. Mr. Dukart explains it is because there is a sign on both sides. Mr. Steiner explains that that is not how it was explained to him. Mr. Bares asks where is the entrance for their location. Mr. Steiner explains their entrance is actually the North. Mr. Ernst asks if there is a lot of other signs with the same issue. Mr. Dukart explains that there are a couple others that he has been working on. Mr. Bares opens the meeting to the public, no one is present to speak for or against. Mr. Burke asks 100 sqft is the total for the front side and the side sign. Mr. Steiner explains that Mr. Dukart told him to use the lettering, Mr. Steiner talked to Sure Sign and the south was 36 sqft and the north was 21.4 for the actual lettering, but the actual sign was bigger. Mr. Ernst asks what the variance would be. Mr. Dukart explains it would be for the whole sign. Discussion between Mr. Soehren and Mr. Dukart about sign frontage. Mr. Ernst states since they look at this as a one off and since they are already there, he is more inclined to approve it. Mr. Dukart explains that they would ask for a condition. Mr. Bren asks for the plan review and if there is a section that explains that they need a permit, this has been there for 5 years already. Discussion between Mr. Dukart and Mr. Bren about sign permits and them being enforced. Mr. Burke asks Mr. Dukart if there will be other signs for this building that will be coming forward. Mr. Dukart explains that all the others are within code. Mr. Ernst explains that he is torn the signs are already there and the owner didn't let the tenant know that they needed a permit or the requirements. Mr. Steiner explains that in 2017 there must not have been a lot of people getting permits for the signs. Mr. Ernst explains that the hardship isn't really the tenant's fault. Mr. Steiner explains that he is hoping the city will look at the code and not limit the small businesses. Mr. Ernst asks if they approved it with the size of the letters. Mr. Dukart explains it still exceeds the 40 sqft even with the letters. Mr. Burke asks for a refresher

BOARD OF ADJUSTMENT MEETING MINUTES

June 12th, 2023

the sign on the north side is. Mr. Steiner states the North is 21.4 and the south is 36 in the letters. Mr. Burke asks if the sign was the same size as the sign on the back would he be within code. Mr. Dukart explains he would be close. Mr. burke also asks if they could read it from the road. Mr. Steiner states no, you would not be able to. Mr. Burke motions to approve the motion. Ms. Wenko asks for clarification, are you asking the applicant to apply for a permit with the correct signage. Mr. Burke explains yes.

I move to approve the variance finding that the requirements of Section 39.12.011(c)(1) have been met by the applicant for a variance with the following condition(s):

****Motion to Approve Variance****

MOTION BY: Bruce Burke **SECOND:** Pat Bren
DISPOSITION: Roll call vote... Aye 3, Nay 2, Absent
Motion declared duly passed

Board member Bruce Burke makes a motion for reconsideration for the purpose of amending this prior motion to include certain limitations. Board member Pat Bren seconds the motion for reconsideration. Chairman Larry Bares asks for further discussion on the motion. Mr. Burke explains there were some footages brought up based on the lettering size and that if the signs were replaced that the north sign be 21.4 sqft and the south be 36 feet total. Mr. Burke feels that the original motion left it wide open in the event the signs needed to be replaced. There is additional discussion between Mr. Burke and Mr. Dukart about the size of signs and where they are placed. Mr. Bren asks Mr. Dukart if there have been other signs like this. Mr. Dukart states there are a few but with a sign that’s been there for 15 years they will not ask them to take them down. Discussion of when the sign was placed between Mr. Dukart and the Board. Discussion between Mr. Dukart and Mr. Ernst about the difference between a bank and this building being a multitenant building. There is further discussion about the removal and replacement of the existing signs.

I move to amend the original motion finding that the requirements of Section 39.12.011(c)(1) have been met by the applicant for a variance with the following condition(s):

- 1. If the sign is to be replaced signs will need to be in compliance.**

****Motion to Amend Variance Motion****

MOTION BY: Bruce Burke **SECOND:** Pat Bren
DISPOSITION: Roll call vote... Aye 3, Nay 2, Absent
Motion declared duly passed

- 5. To consider a variance request to exceed the maximum square footage of a detached structure on a R-1 zoned lot by 150 square feet (1450 to 1600). Property located at 11085 32V avenue southwest, Dickinson, ND 58601.**

Property owner Matt Michaelson is asking for 150 square feet on a detached garage. Chairman Larry Bares asks if it is 50 feet from the property line. Mr. Michaelson explains it would be more than 50 feet from the property line. Mr. Bares asks for clarification on the size of his lot. Mr. Michaelson explains he

BOARD OF ADJUSTMENT MEETING MINUTES

June 12th, 2023

Section 1. Item A.

is not sure but it’s close to 1.5 acres. Board member Pat Bren asks if they have a pad poured for this already. Mr. Michaelson explains yes, they do. Mr. Bares opens the meeting to the public. No one is present to speak for or against. Mr. Bares closes the meeting to the public. Mr. Bares asks for clarification for the motion that no other building be permitted. Board member Trevor Ernst asks if the city has received anything from the public about this project. Inspector Blaine Dukart states there has been one person asking what was being built. Mr. Bren motions to approve the variance with the condition there be no other structures built on this lot.

I move to approve the variance finding that the requirements of Section 39.12.011(c)(1) have been met by the applicant for a variance with the following condition(s):

- 1. No additional structures be added to the property permitted or unpermitted.

****Motion to Approve Variance****

MOTION BY: Pat Bren **SECOND:** Trevor Ernst
DISPOSITION: Roll call vote... Aye 5, Nay 0, Absent
Motion declared duly passed

I. OTHER BUSINESS

Mr. Burke asks about the motion on the signage, Ms. Wenko explains because it is not on the agenda then no, but it can be added to the next month’s agenda as a work session. Mr. Burke states that he wanted to put in the motion the limitation of the size of the sign. Ms. Wenko asks that they would have to amend the motion.

II. ADJOURNMENT

Motion to adjourn:

MOTION BY: Pat Bren **SECOND:** Trevor Ernst
DISPOSITION: Roll call vote... Aye 5, Nay 0, Absent
Motion declared duly passed.

There being no further business to discuss Chairman Larry Bares called the meeting to a close; meeting adjourned at 8:36 am

PREPARED BY:

Hailey Richter

APPROVED BY:

Blaine Dukart



Staff Report

To: Board of Adjustment
From: City of Dickinson Building Department
Date: {5/25/2023}
Re: **Detached Structure Variance**

OWNER/APPLICANT

Applicant

Jeremy Reindel
 3148 111E Ave SW
 Dickinson, ND 58601

Public Hearings: {6/12/2023}

Board of Adjustment

REQUEST

- A. Request:** To exceed the maximum square footage of a detached structure on a RR zoned lot by 400 sq ft (1200 sq ft to 1600 sq ft)
- B. Project Address/Legal Description/Area:** 3148 111E AVE SW/ L 2 B 2 GREENVALE 9-140-96 LOT 138 X 290
- C. Project Description:** build a 1600 sq ft structure

STAFF REVIEW AND RECOMMENDATIONS

- A. Compatibility with Local Uses:** Note 7: All allowable accessory buildings to a residence shall be limited to a maximum of one thousand two hundred feet (1,200) 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 250 square feet for each additional half (.5) acre of land area above one acre, but in no case shall the total exceed 30 percent lot coverage. Accessory buildings shall include the following: barns, stable, storage buildings, and detached personal vehicle garages.
- B. Public Input:** No public comments at the time of this report.
- C. Staff Comments:** Similar requests have come in front of the BOA with approval. With approval staff recommends no additional detached structures, permitted or unpermitted.

Table I: Current Zoning and Use

ZONING	RR
FUTURE LAND USE MAP DESIGNATION	RR
GROSS SITE ACREAGE	.919

Table II: Current Adjacent Land Use/Zoning

Direction	Zoning	Land Use
North	RR	Residential
East	GI	Industrial
South	RR	Residential
West	RR	Residential

Attachments:

- A - Application Material

MOTIONS:

*****Approval*****

*“I move the City of Dickinson Board of Adjustment recommend Approval of **the Detached Structure Variance** 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 COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*“I move the Dickinson Board of Adjustment recommend Denial of **the Detached Structure Variance** 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.”*

APPLICATION MATERIALS

ATTACHMENT A

Aerial Photo:



Attachment B: Site Plan



Hailey Richter

From: Jotform <noreply@jotform.com>
Sent: Monday, April 24, 2023 6:50 PM
To: Hailey Richter; Sylvia Miller; Leonard W. Schwindt
Subject: Re: Board of Adjustment
Attachments: hardship letter to city of dickinson.docx; 20230424_145440.PDF; 5581930009914096708_signature_33.png



Board of Adjustment

Who is the applicant	Property Owner
Property Owner	Jeremy Reindel
Property Owner's Phone Number	(701) 290-1341
Property Owner's Email	jeremyreindel@yahoo.com
Property Owner's Address	3148 111E Ave SW, Dickinson, ND, 58601
Applicant Name	Jeremy Reindel
Applicant's Phone Number	(701) 290-1341
Applicant's Email	jeremyreindel@yahoo.com
Applicant's Address	3148 111E Ave SW, Dickinson, ND, 58601
Property Location	3148 111E Ave SW, Dickinson, ND, 58601
Property Legal Description	Lot 2 Block 2, Greenvale Subdivision in the E1/2 of section 9, Township 140, Range 96 West of the 5th P.M., Stark County, North Dakota
Zoning District	RR

Existing Use

Single Family

Zoning/Use

	Adjacent Zoning	Adjacent Use
North	RR	Single Family
South	RR	Single Family
East	GI	Leam Drilling
West	Road	Road

General Description of Request

To allow more then 1200 square feet to 1600 square feet on a 1 acer lot for a detach building.

Purpose Statement

[hardship letter to city of dickinson.docx](#)

Site Plan

[20230424_145440.PDF](#)

Describe how the hardship is not shared generally by other properties in the same zoning district and the same vicinity

We are writing to request permission to put up a 40 X 40 shop behind our house located at 3148 111E Avenue SW. We visited with someone at The City of Dickinson and got plans together for this size only to find out that only a 40 x 30 is allowed. We would like to store our camper, boat, atv, golf cart, 1977 Buick Rivera and bobcat in this building and therefore feel like a 40 x 30 would not be large enough. My neighbor across the road has a 40 x 60, so we don't think our building would cause any hardship for this neighborhood. Right now, we live in Greenville subdivision and our back yard is Leam drilling, so this would not negatively impact any adjoining landowners, being one of the said landowners is a commercial entity. The reason I have decided to build this shop is so I can quit renting a storage unit for those items listed above.

Zoning Code Sections Relevant to this Request

RR

Have any previous applications of appeals been filed in connection with this property?

No

Applicant/Property Owner Signature



Date

04-24-2023

Board of Adjustment

Board of Adjustment

150.00 USD

Total: \$150.00

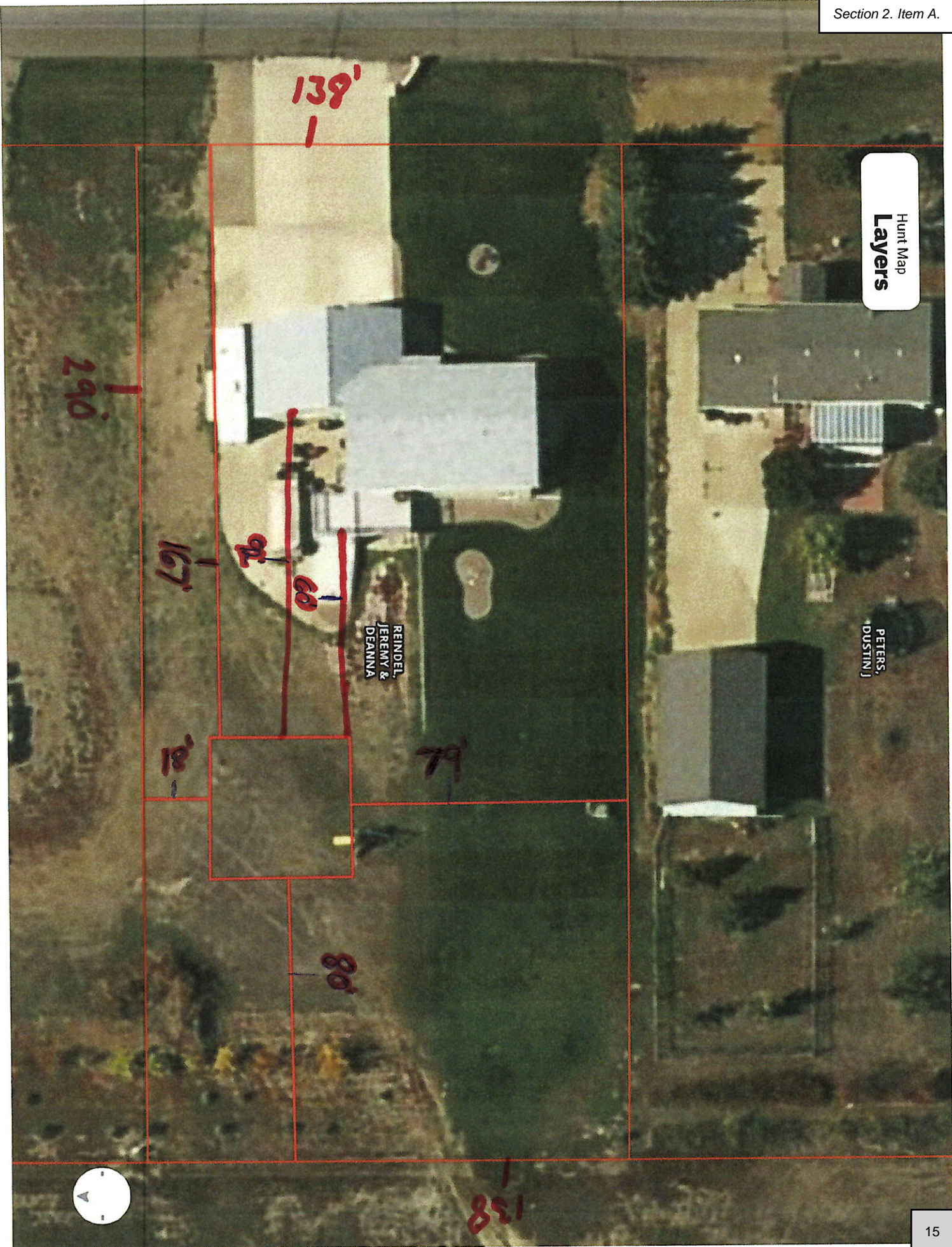
Transaction ID: n1atbjrc

==Payer Info==

First Name Jeremy
Last Name Reindel

You can [edit this submission](#) and [view all your submissions](#) easily.

Hunt Map
Layers



April 24, 2023

To whom it may concern:

We are writing to request permission to put up a 40 X 40 shop behind our house located at 3148 111E Avenue SW. We visited with someone at The City of Dickinson and got plans together for this size only to find out that only a 40 x 30 is allowed. We would like to store our camper, boat, atv, golf cart, 1977 Buick Rivera and bobcat in this building and therefore feel like a 40 x 30 would not be large enough. My neighbor across the road has a 40 x 60, so we don't think our building would cause any hardship for this neighborhood. Right now, we live in Greenville subdivision and our back yard is Leam drilling, so this would not negatively impact any adjoining landowners, being one of the said landowners is a commercial entity. The reason I have decided to build this shop is so I can quit renting a storage unit for those items listed above.

Thank you for your consideration.

Sincerely,

Jeremy and Deanna Reindel



Staff Report

To: Board of Adjustment
From: City of Dickinson Building Department
Date: 06/23/2023
Re: **Attached Structure Variance**

OWNER/APPLICANT

Applicant
 Bradley & Megan VanSon
 3152 111E Ave SW
 Dickinson, ND 58601

Public Hearings: {7/10/2023} Board of Adjustment

REQUEST

- A. Request:** To exceed the maximum height of an attached garage on a RR zoned lot by 4 ft.
- B. Project Address/Legal Description/Area:** 3152 111E Ave SW – Lot 4 B 1 Greenvale 9-140-96 Lot 138x290
- C. Project Description:** Build a 936 sq ft garage addition onto the existing garage.

STAFF REVIEW AND RECOMMENDATIONS

- A. Compatibility with Local Uses:** Zoning District Regulations – Notes to Preceding Pages: Tables 4-2 4-3 Note 11: Attached garages shall not exceed the total square footage and height of the residence.
- B. Public Input:** No public comments at the time of this report.
- C. Staff Comments:** Attached garages shall not exceed the total square footage and height of the residence.

Table I: **Current Zoning and Use**

ZONING	RR
---------------	-----------

FUTURE LAND USE MAP DESIGNATION	RR
GROSS SITE ACREAGE	.76

Table II: Current Adjacent Land Use/Zoning

Direction	Zoning	Land Use
North	RR	Residential
East	GI	Industrial
South	RR	Residential
West	RR	Residential

Attachments:

- A - Application Material

MOTIONS:

*****Approval*****

*“I move the City of Dickinson Board of Adjustment recommend Approval of **the Detached Structure Variance** 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 **the Detached Structure Variance** 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.”*

APPLICATION MATERIALS

ATTACHMENT A

Aerial Photo:



Attachment B: Site Plan



Leonard W. Schwindt

From: Nicole Snyder
Sent: Monday, May 22, 2023 4:08 PM
To: Leonard W. Schwindt
Subject: FW: Board of Adjustment
Attachments: Garage Variance.docx; 3152 ADDITION, PLAN SET 04.20.2023.pdf; Web capture_22-5-2023_122046_earth.google.com.jpeg; code variance app.docx; 5606004271913547200_signature_33.png

Hi Leonard,
Please see attachments for the July Board of Adjustment meeting.
Have a great evening!

NICOLE SNYDER
ADMINISTRATIVE ASSISTANT - ENGINEERING/COMMUNITY
DEVELOPMENT
ENGINEERING

O: 701.456.7815



From: Jotform <noreply@jotform.com>
Sent: Monday, May 22, 2023 3:34 PM
To: Nicole Snyder <Nicole.Snyder@dickinsongov.com>; Sylvia Miller <Sylvia.Miller@dickinsongov.com>; Leonard W. Schwindt <Leonard.Schwindt@dickinsongov.com>
Subject: Re: Board of Adjustment



Board of Adjustment

Who is the applicant Property Owner

Property Owner Bradley VanSon

Property Owner's Phone Number (701) 290-4654

Property Owner's Email vsimprovements@yahoo.com

Property Owner's Address 3152 111E Avenue SW, Dickinson, ND, 58601

Applicant Name Bradley VanSon

Applicant's Phone Number (701) 290-4654

Applicant's Email vsimprovements@yahoo.com

Applicant's Address 3152 111E Avenue SW, Dickinson, ND, 58601

Property Location 3152 111E Avenue SW, Dickinson, ND, 58601

Property Legal Description Residential Single-family home

Zoning District Residential

Existing Use Single-family Home

Zoning/Use

	Adjacent Zoning	Adjacent Use
North	Residential	Residential
South	Residential	Residential
East	Commercial	Commercial
West	Residential	Residential

General Description of Request Garage Addition Variance

Purpose Statement [Garage Variance.docx](#)

Site Plan [3152 ADDITION, PLAN SET 04.20.2023.pdf](#)
[Web capture 22-5-2023 122046 earth.google.com.jpeg](#)
[code variance app.docx](#)

Describe how the hardship is not shared generally by other properties in the same zoning district and the same vicinity The garage addition will be on our personal property neighboring a vacant lot to the north. It will have color matched siding, windows and doors. This add-on will not look into anyone else's home and will help limit outside clutter.

Zoning Code Sections Relevant to this Request N/A

Have any previous applications of appeals been filed in connection with this property? No

Applicant/Property Owner
Signature



Date 05-22-2023

Board of Adjustment Board of Adjustment 150.00 USD

Total: \$150.00

Transaction ID: 98pvjkm0

==Payer Info==

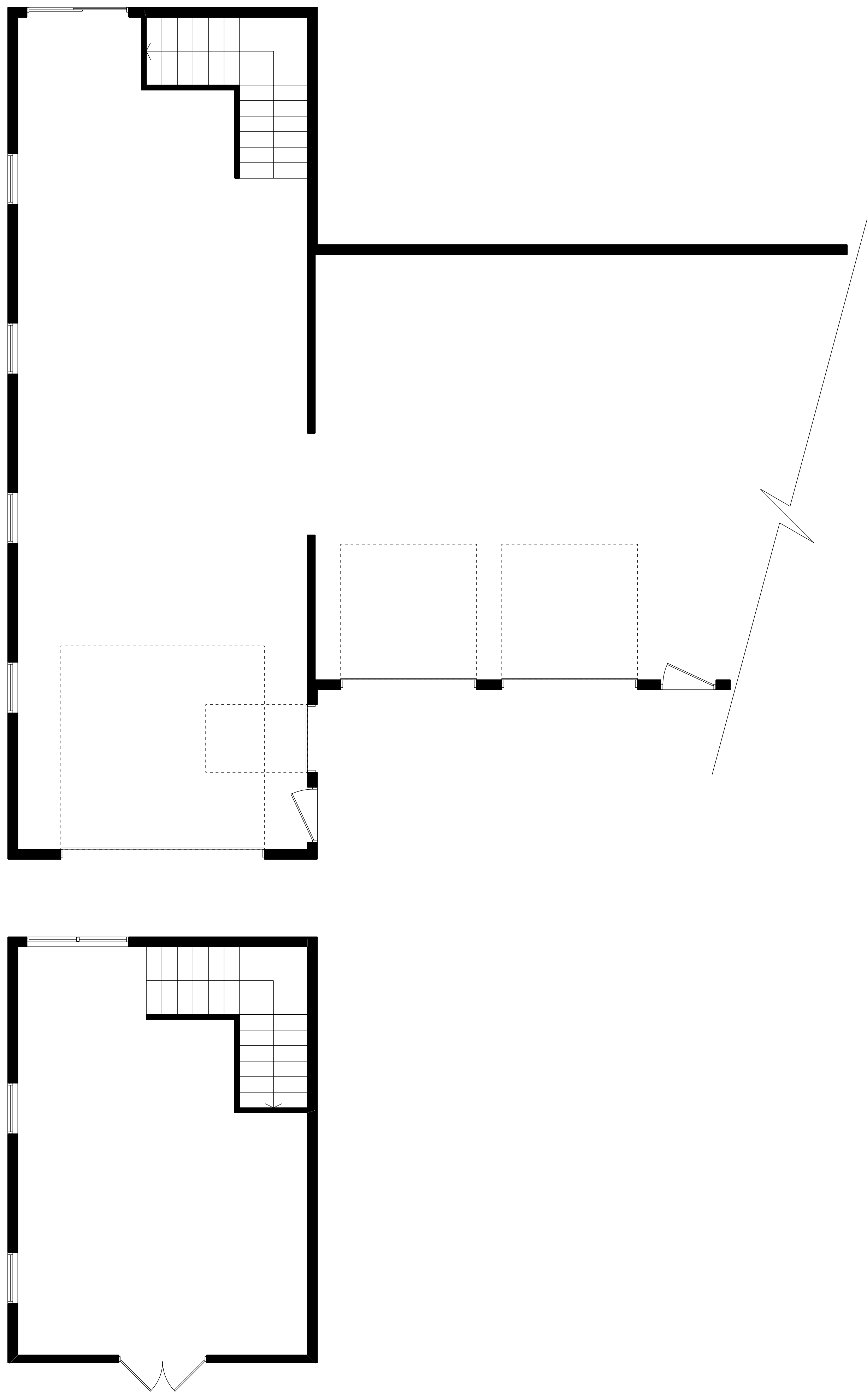
First Name Bradley
Last Name VanSon

You can [edit this submission](#) and [view all your submissions](#) easily.

CONSTRUCTION DRAWINGS

ANY CONSTRUCTION DOCUMENTS PRINTED
BEFORE THIS DATE ARE VOID.

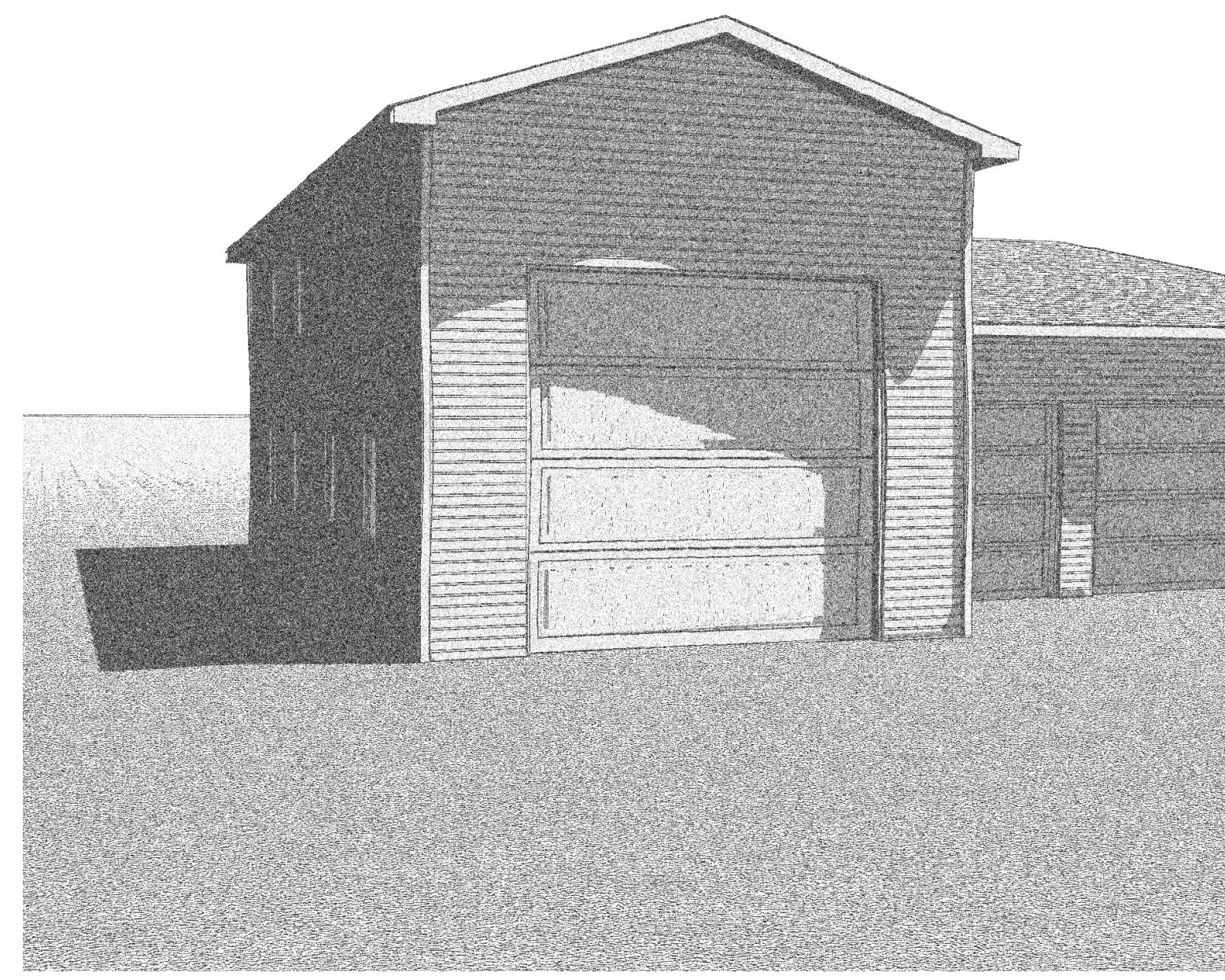
DATE: 1/10/2023



INDEX OF SHEETS

- A1) COVER PAGE
- A2) MAIN LEVEL AND MAN CAVE
- A3) FOUNDATION
- A4) EXTERIOR ELEVATIONS
- A5) TOP VIEW ELEVATION

AREA SCHEDULE	
NAME	AREA
SHOP	900.0 sq ft.
MAN CAVE	450.0 sq ft.



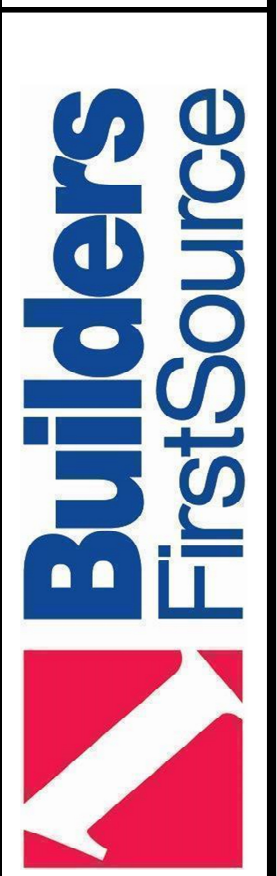
These general drawings are not produced by an Architect or Engineer
 firm. Before construction, the customer should consult a contractor
 or an architect to determine if these drawings need to be changed to
 comply with local building codes/regulations. 2. The project
 shall be subject to the applicable laws, rules, regulations, and
 orders of the local, state, and federal government. 3. The
 Builder FirstSource assumes no responsibility for claims or damages
 from errors, omissions, deficiencies, or defects of the drawings.

NO.	DATE	DESCRIPTION

REVISIONS

BUILDERS FIRSTSOURCE
 SALES: DALE WANNER
 DRAWN BY: CLAIRE GRAYUNDER

3152 ADDITION

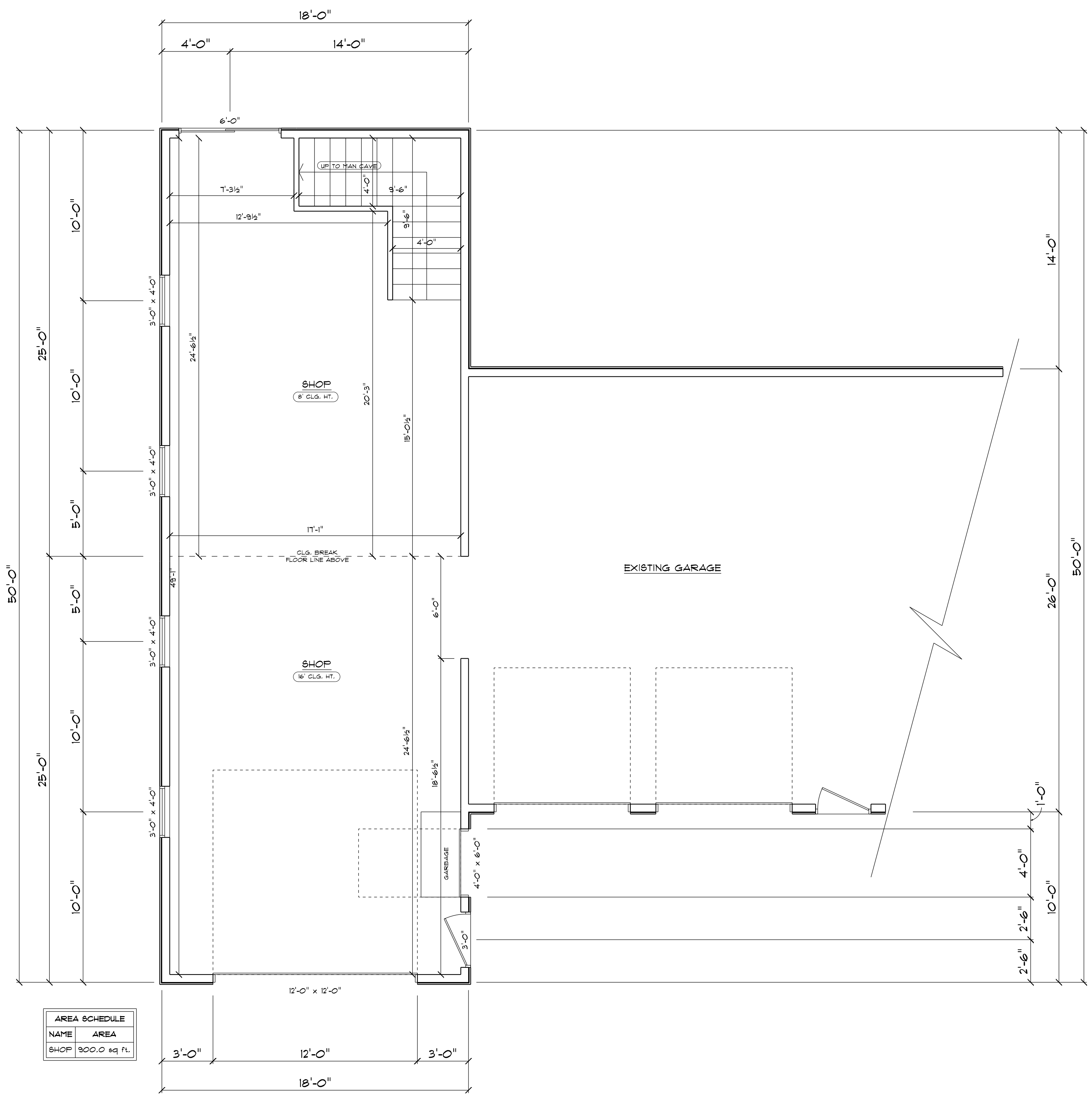


CONSTRUCTION DRAWINGS

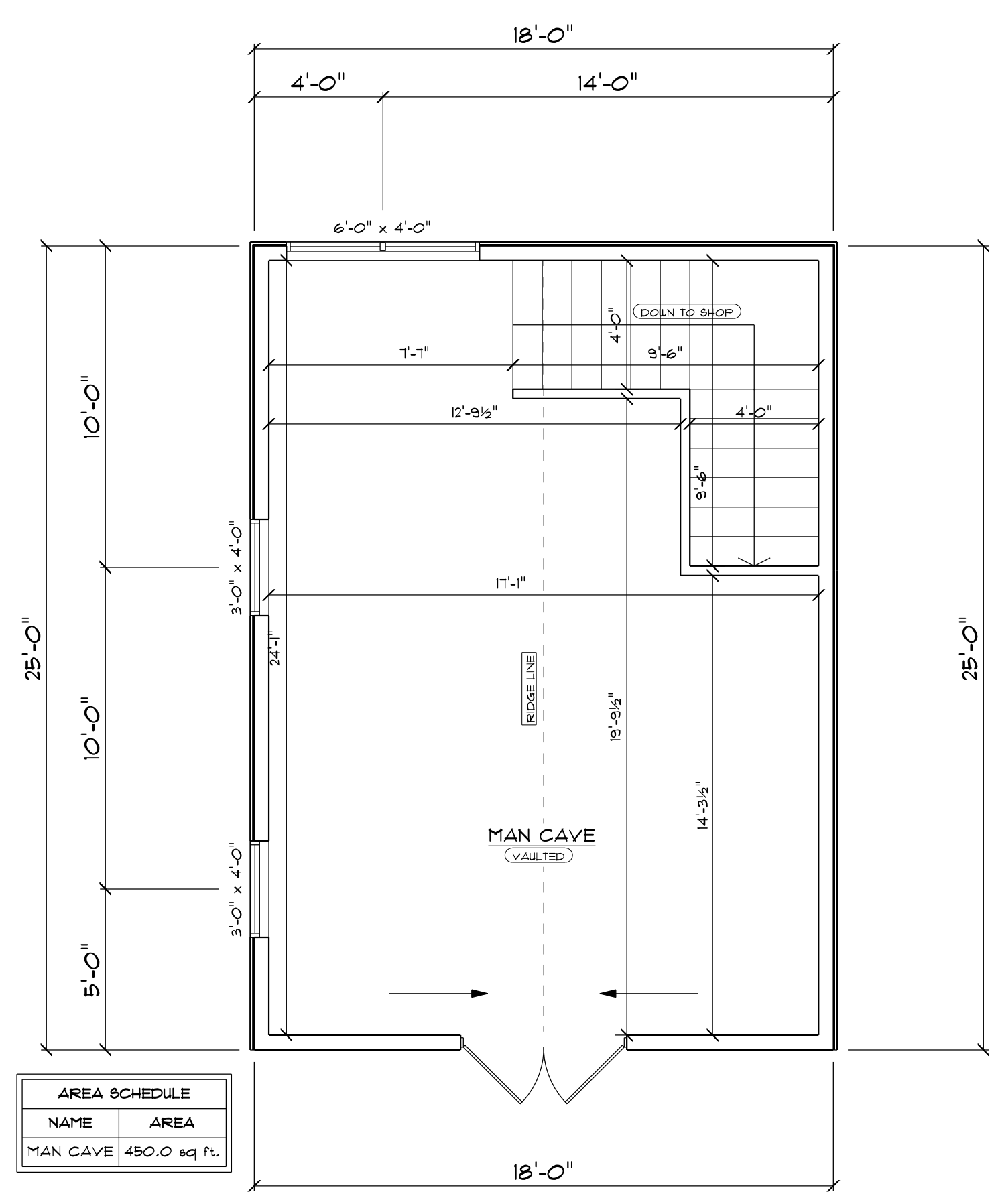
ANY CONSTRUCTION DOCUMENTS PRINTED
BEFORE THIS DATE ARE VOID.

DATE: 1/10/2023

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MAIN LEVEL
SCALE: 1/4" = 1'-0"



LEVEL TWO
SCALE: 1/4" = 1'-0"

01.10.2023

REVISIONS

NO.	DESCRIPTION

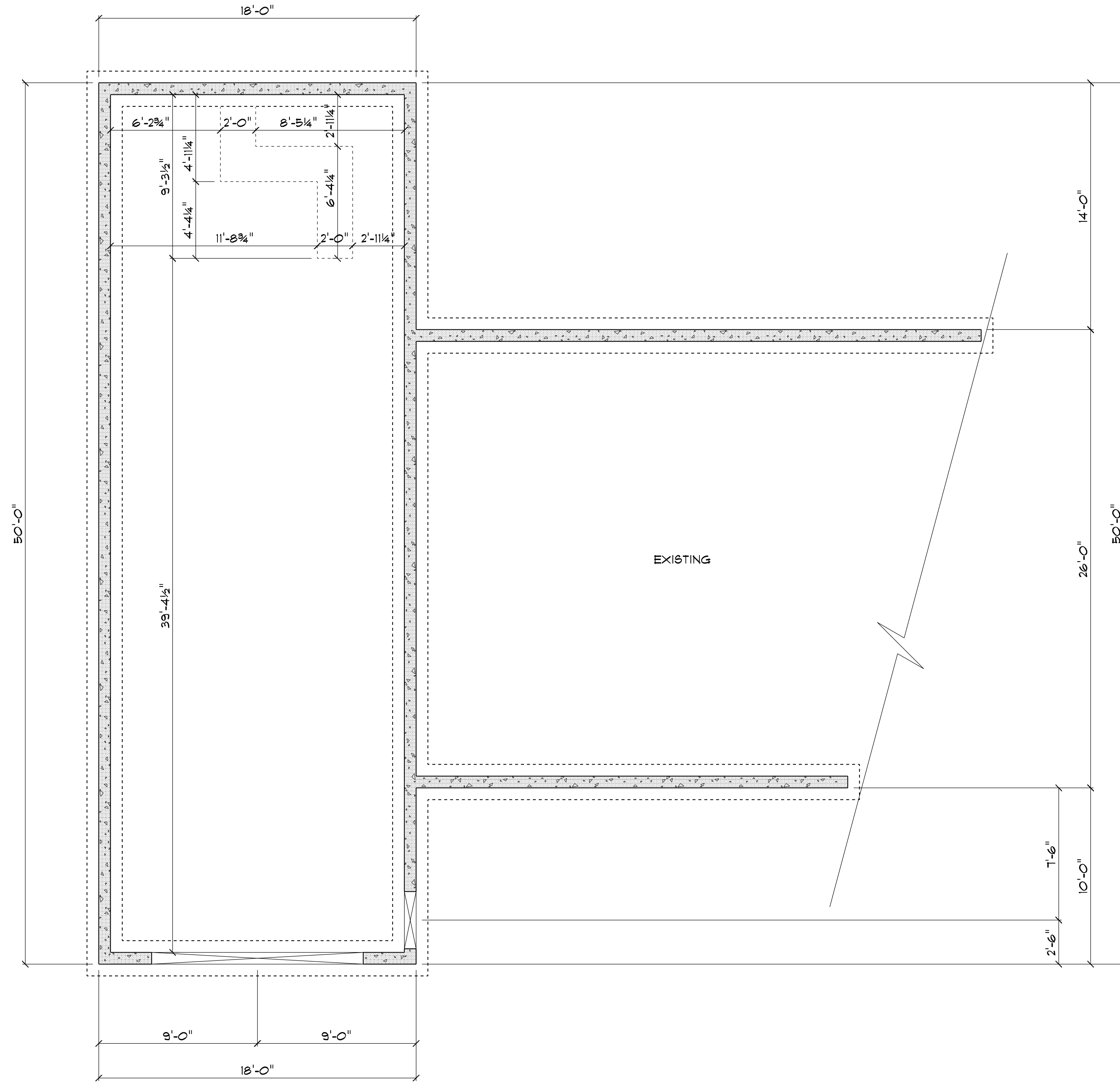
BUILDERS FIRSTSOURCE
 SALES: DALE WANNER
 DRAWN BY: CLAIRE GRAYUNDER

3152 ADDITION

CONSTRUCTION DRAWINGS

ANY CONSTRUCTION DOCUMENTS PRINTED
BEFORE THIS DATE ARE VOID.

DATE: 1/10/2023



FOUNDATION
SCALE: 1/4" = 1'-0"

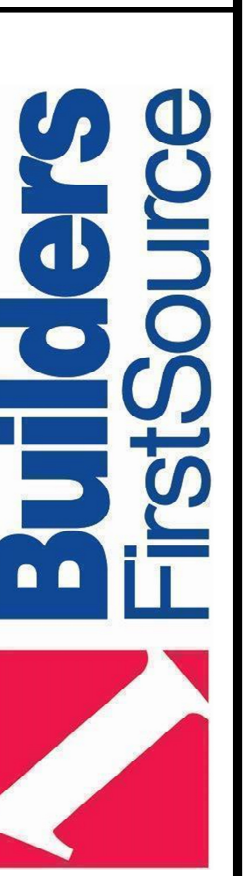
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01.10.2023	
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REVISIONS

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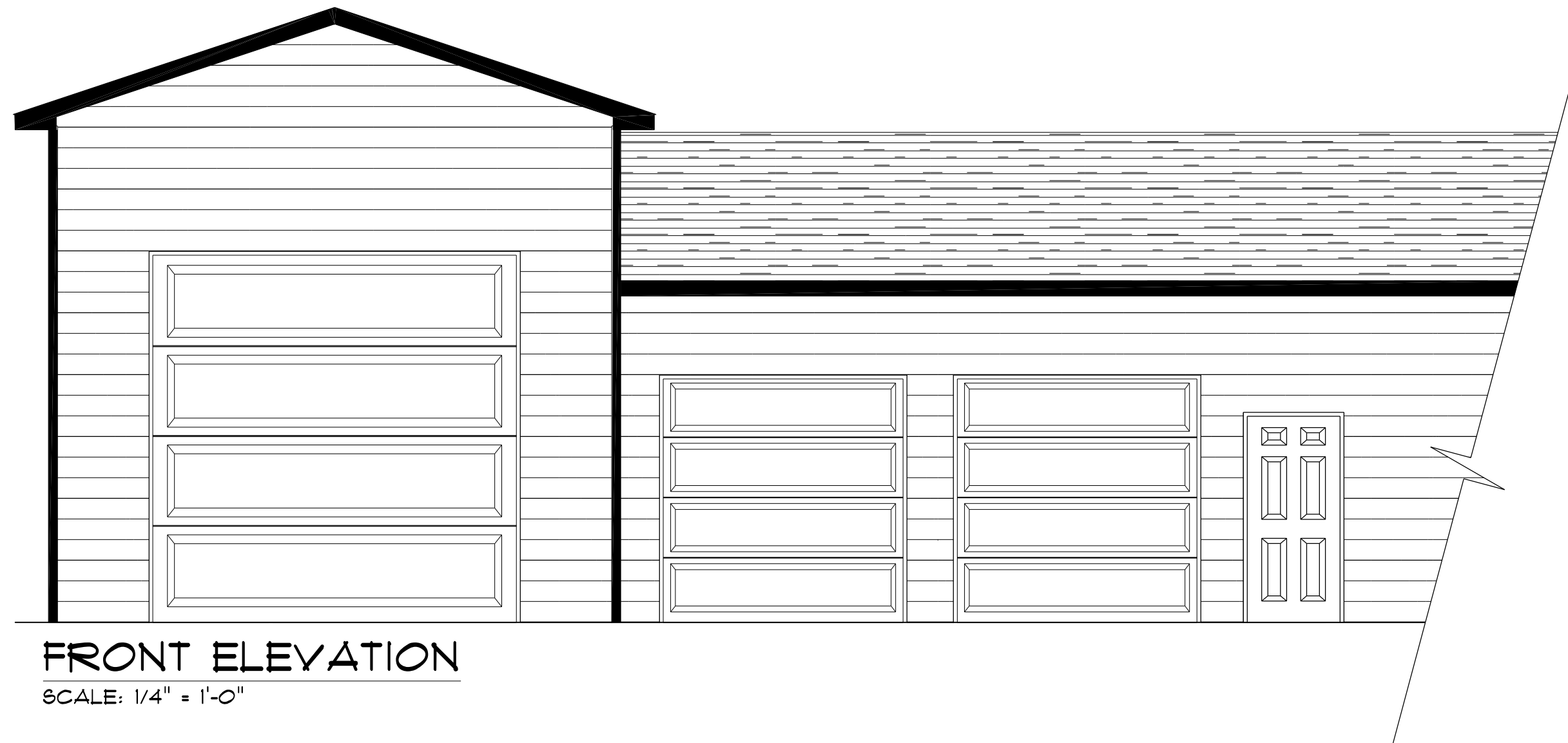
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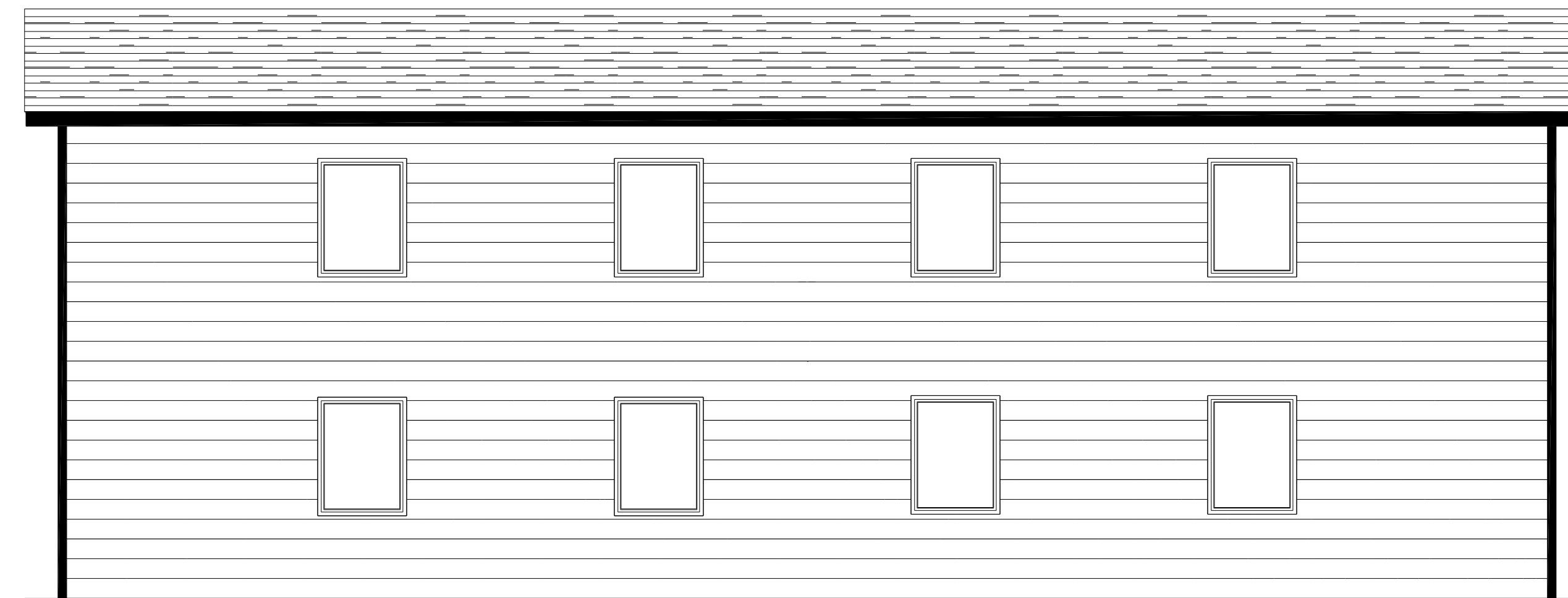
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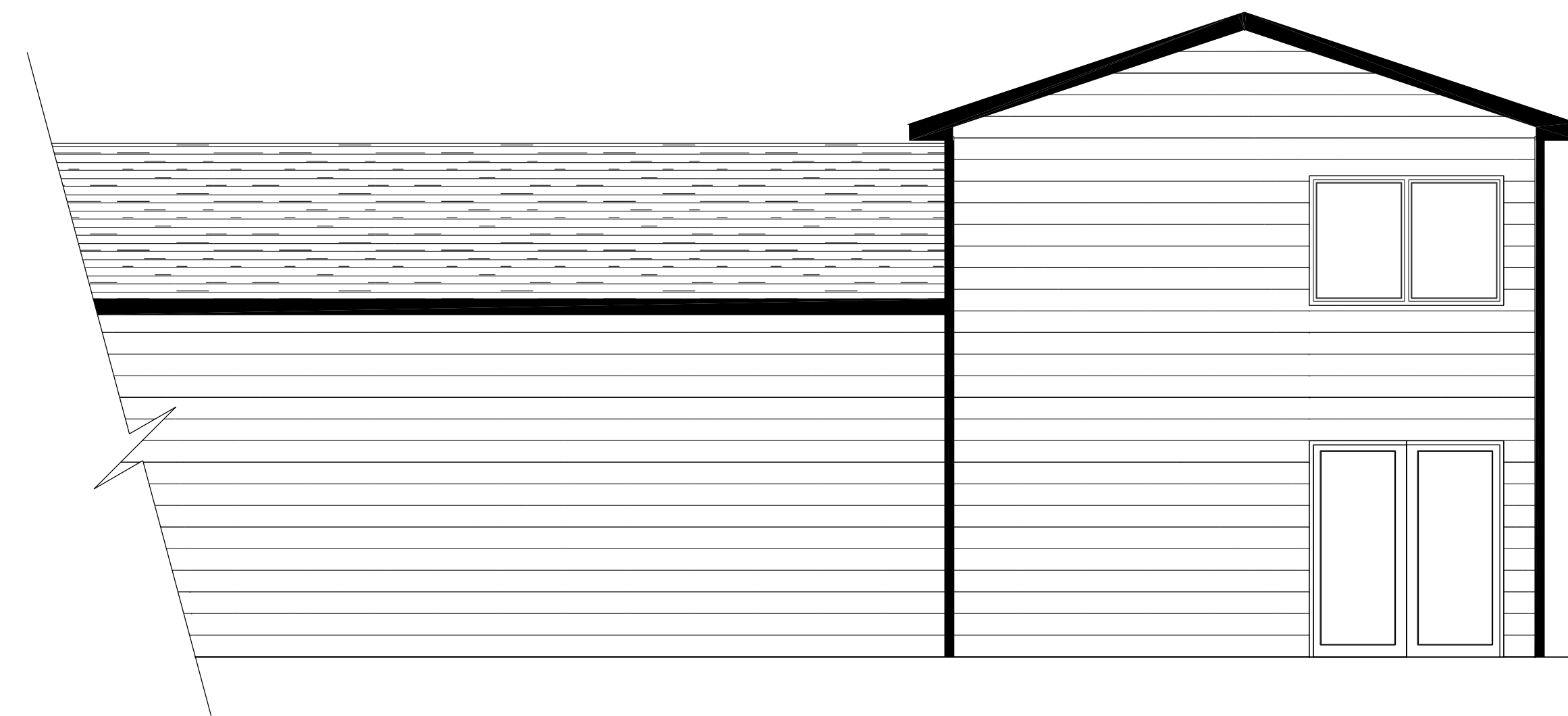
DATE: 1/10/2023



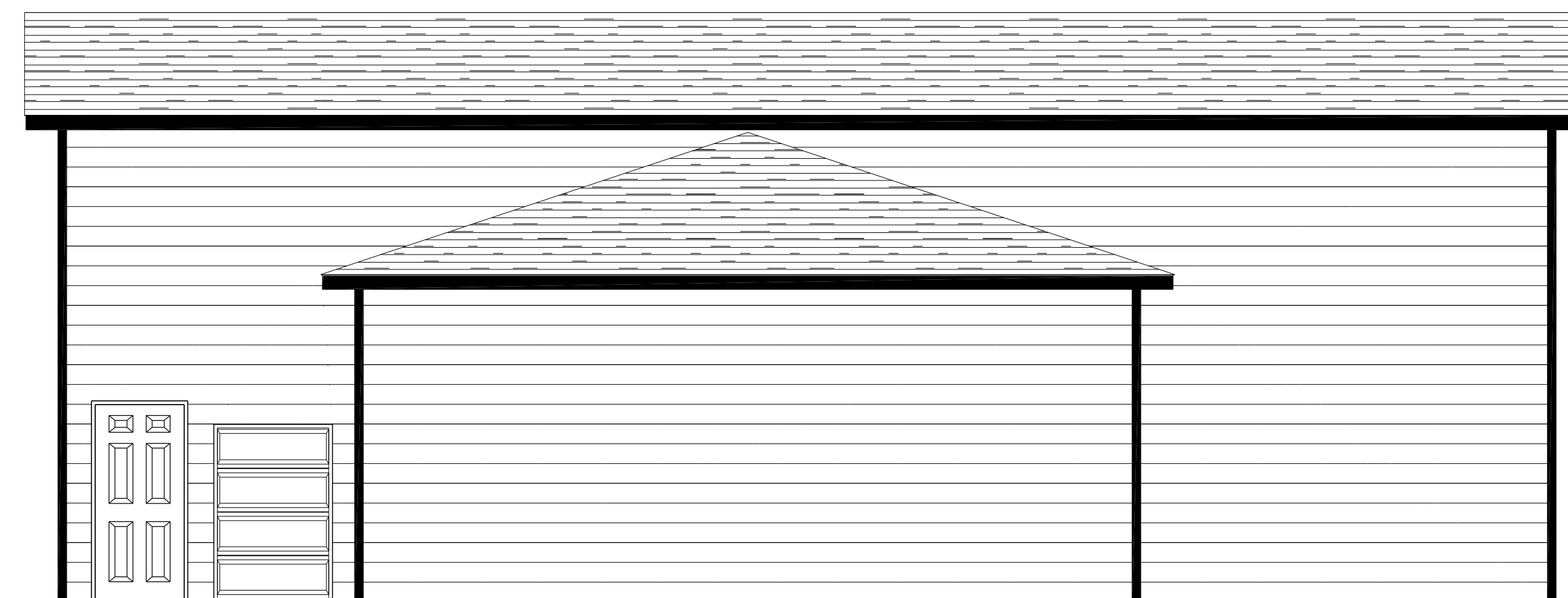
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SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



BACK SIDE ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

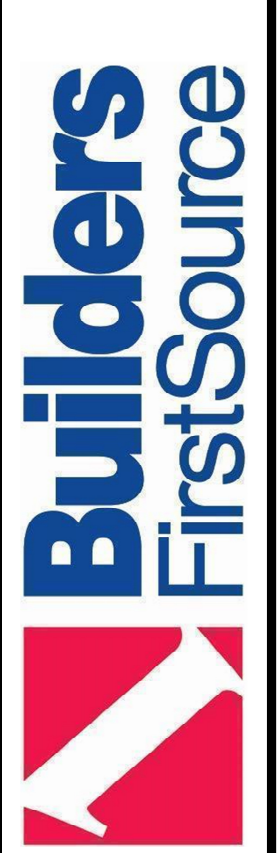
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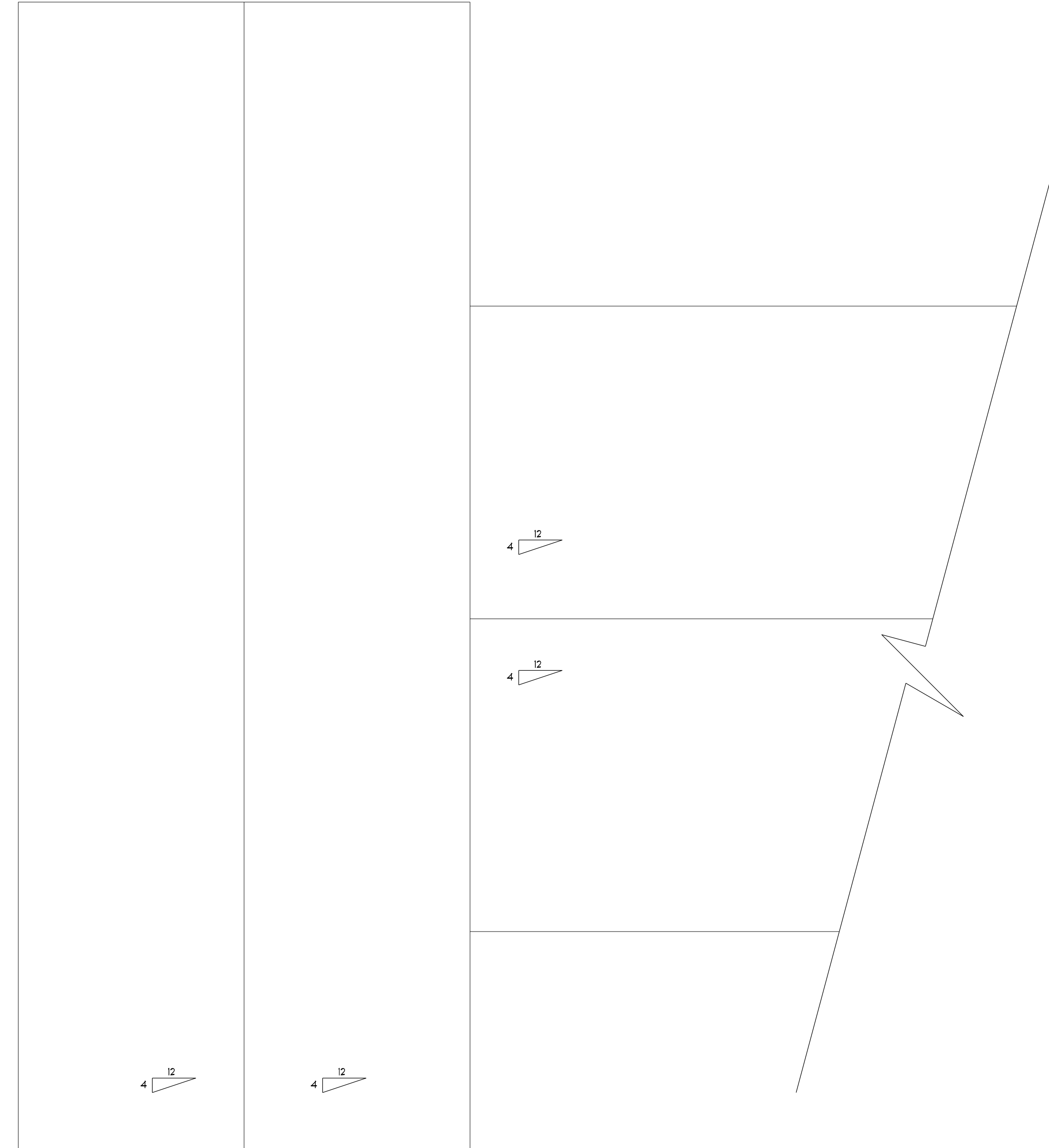
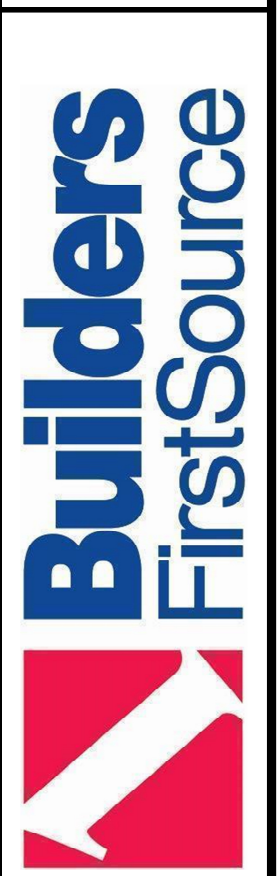
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comply with applicable codes/regulations. 2.) The project
owner, contractor, and subcontractors shall be responsible for the
Builder FirstSource assumes no responsibility for claims or damages
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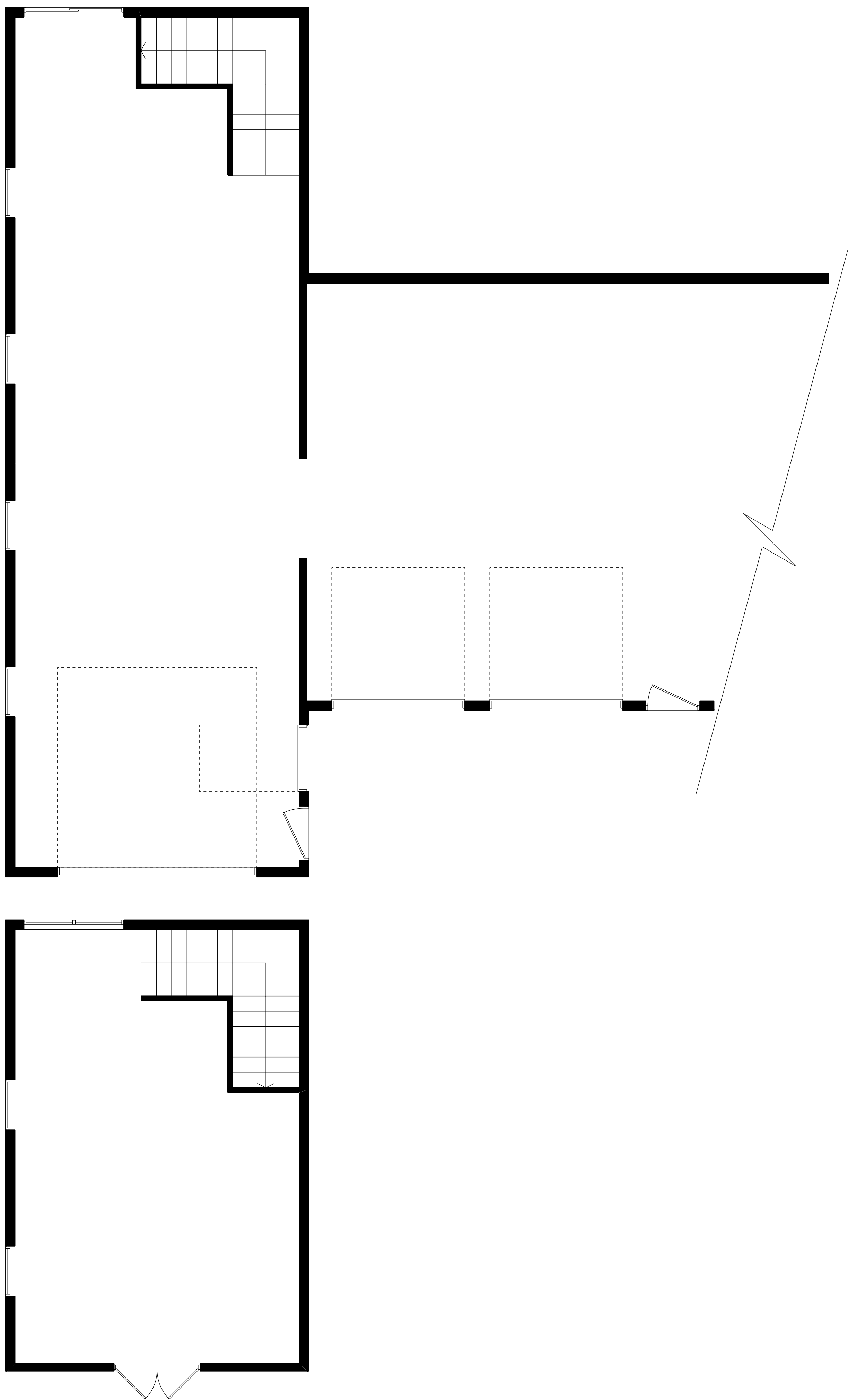


16" O.H.
TOP VIEW ELEVATION
SCALE: 1/4" = 1'-0"

CONSTRUCTION DRAWINGS

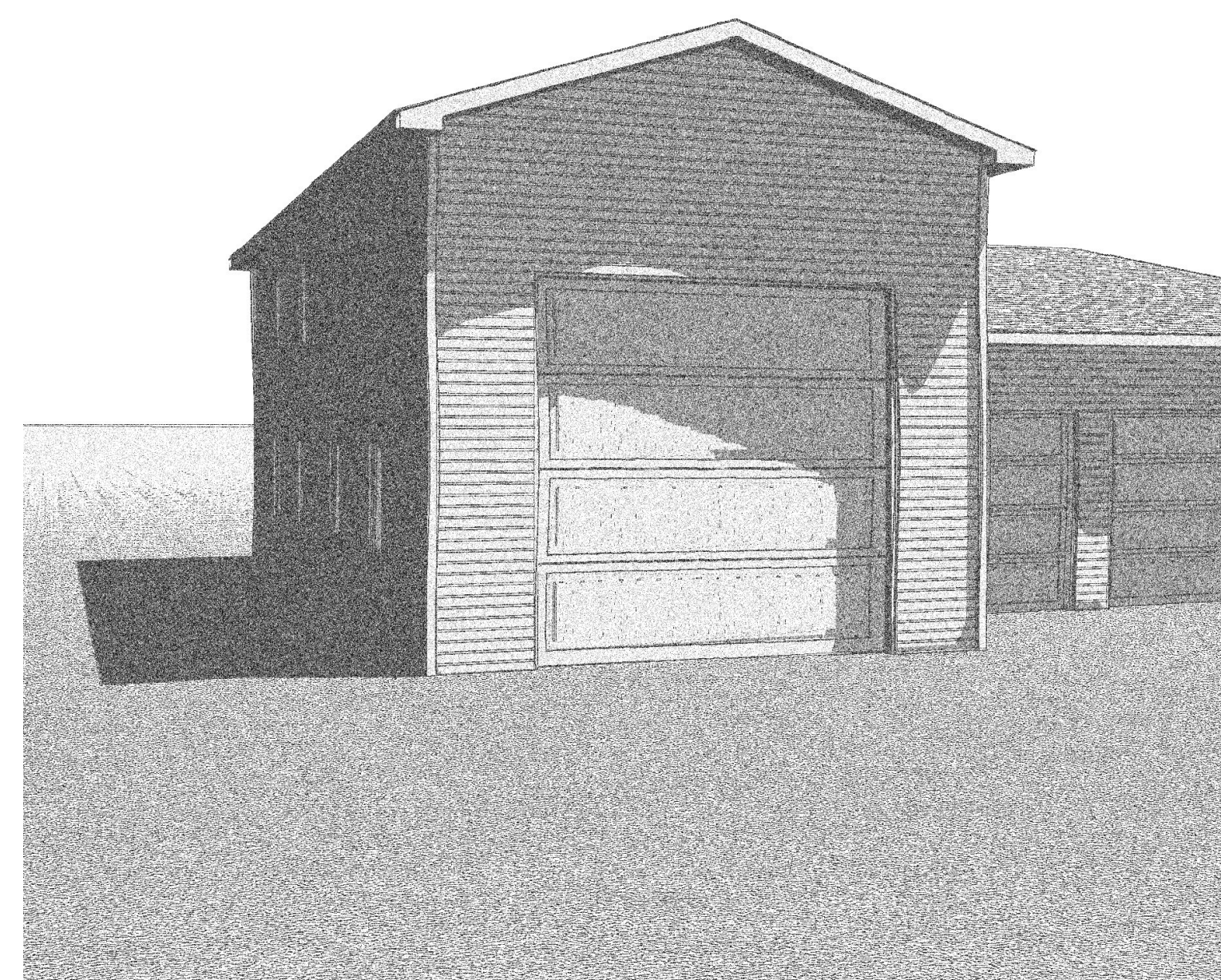
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DATE: 4/20/2023



INDEX OF SHEETS

- A1) COVER PAGE
- A2) MAIN LEVEL AND MAN CAVE
- A3) FOUNDATION
- A4) EXTERIOR ELEVATIONS
- A5) TOP VIEW ELEVATION



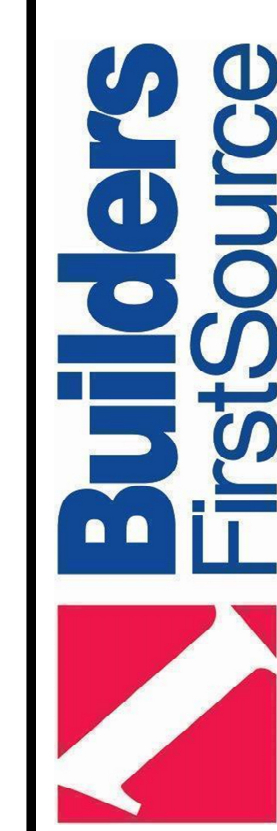
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04.20.2023	

REVISIONS

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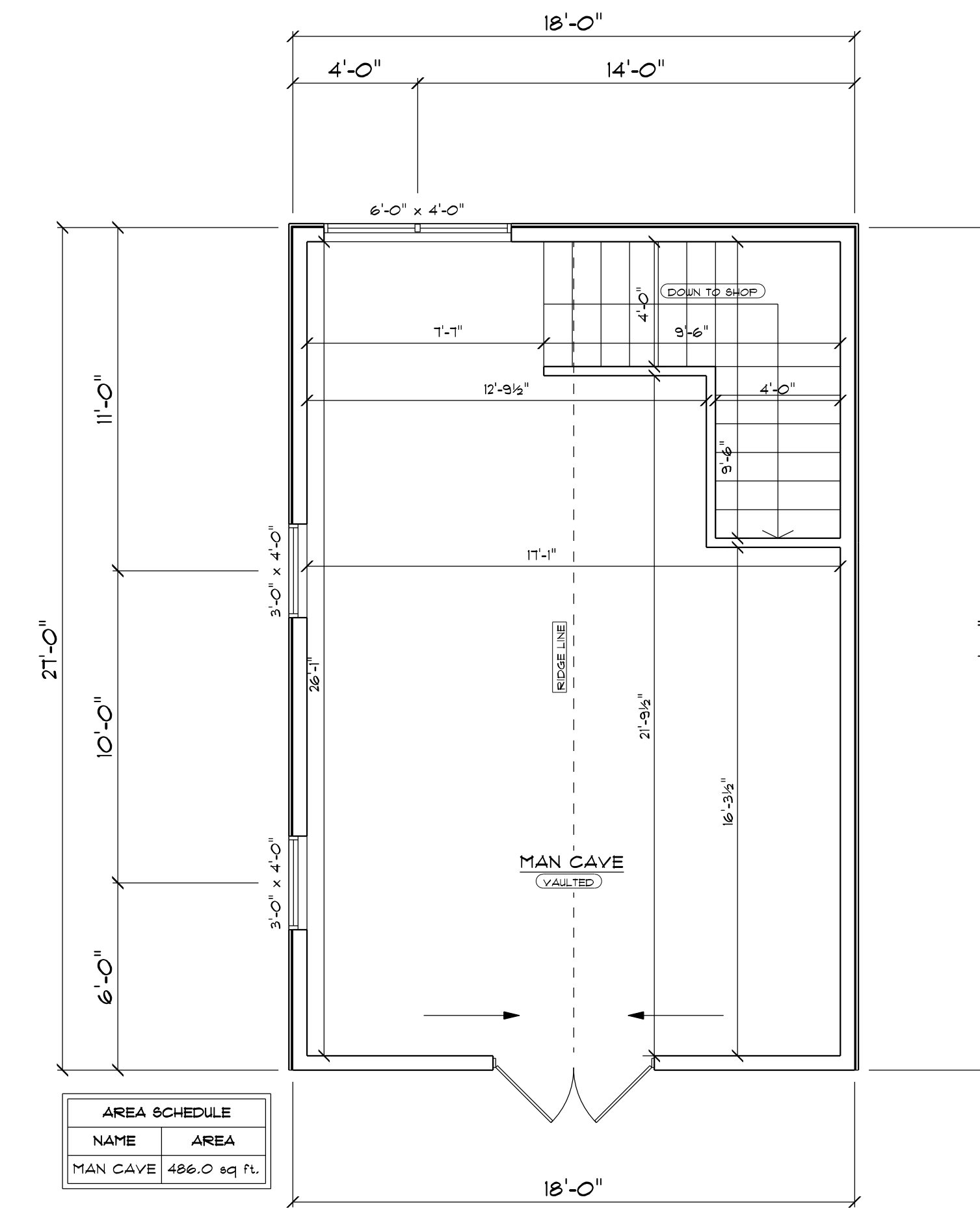
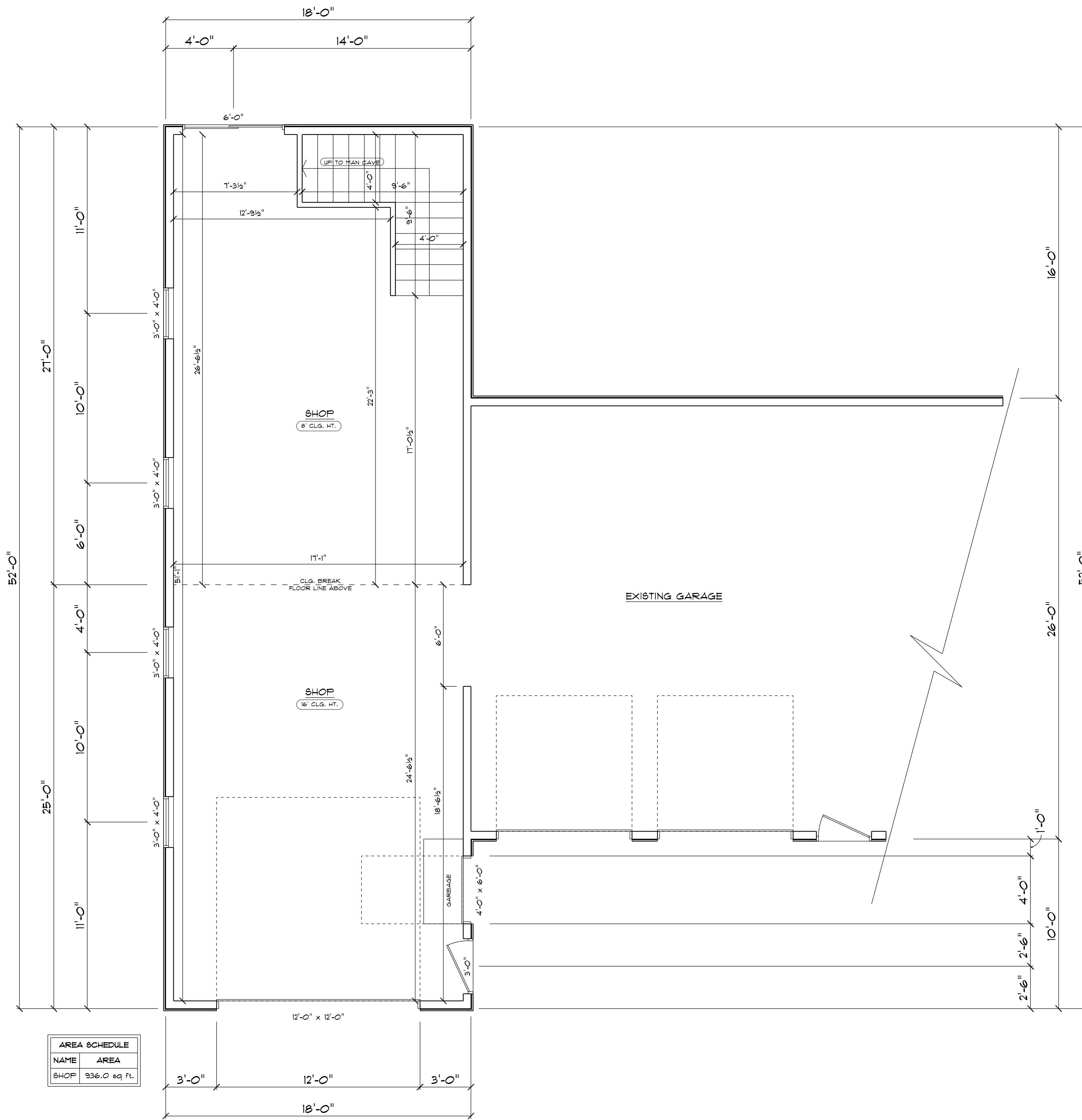
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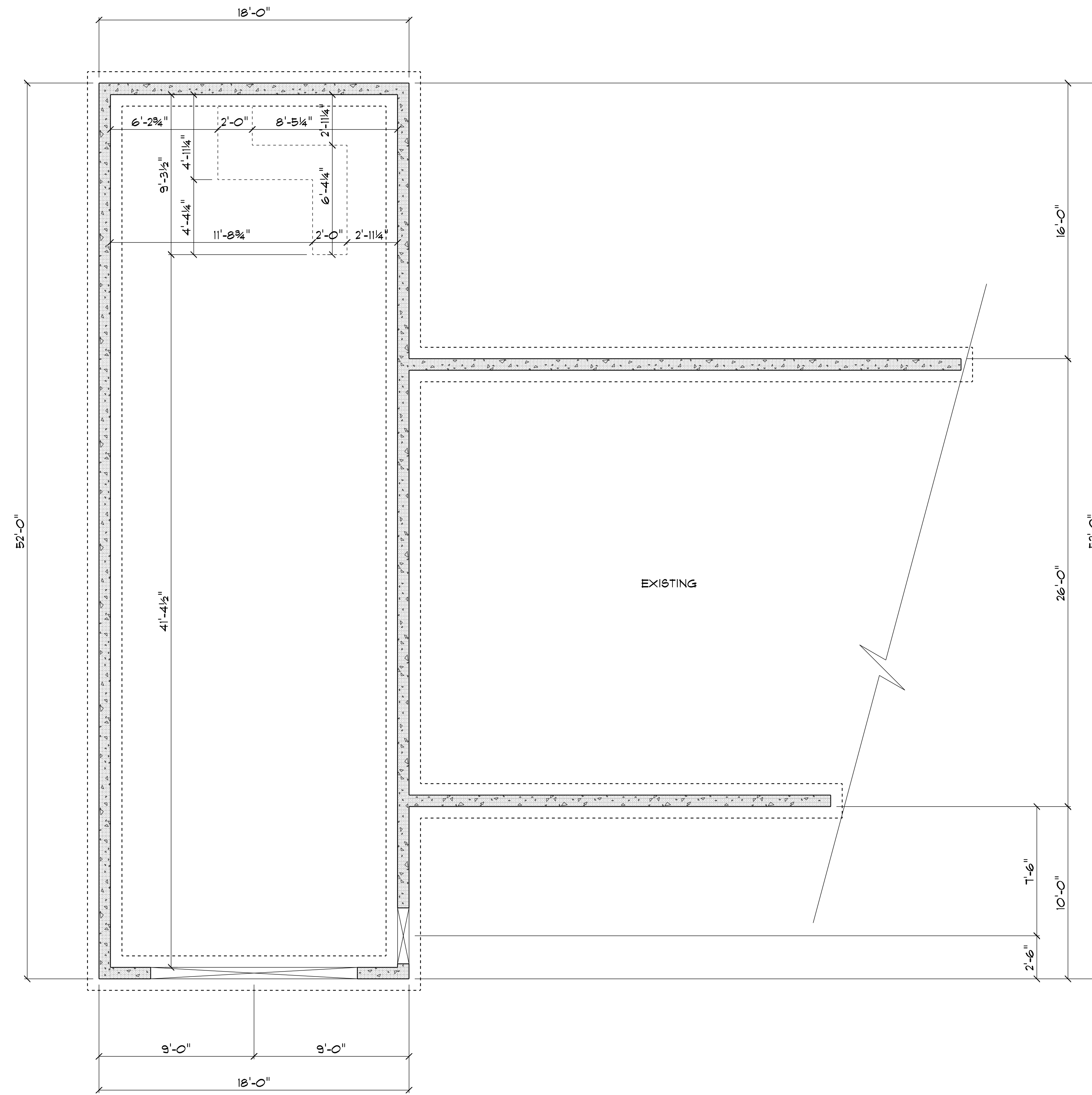
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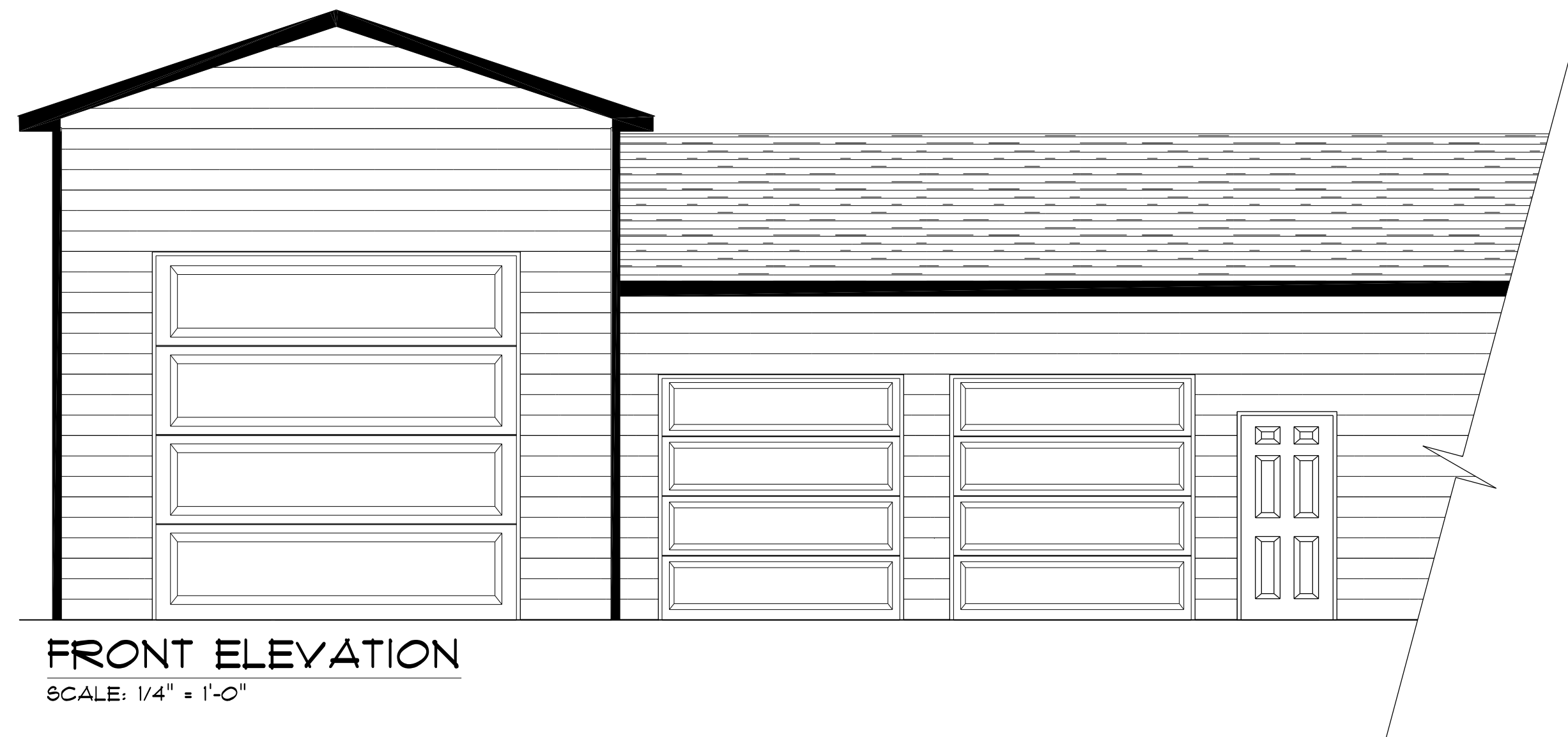
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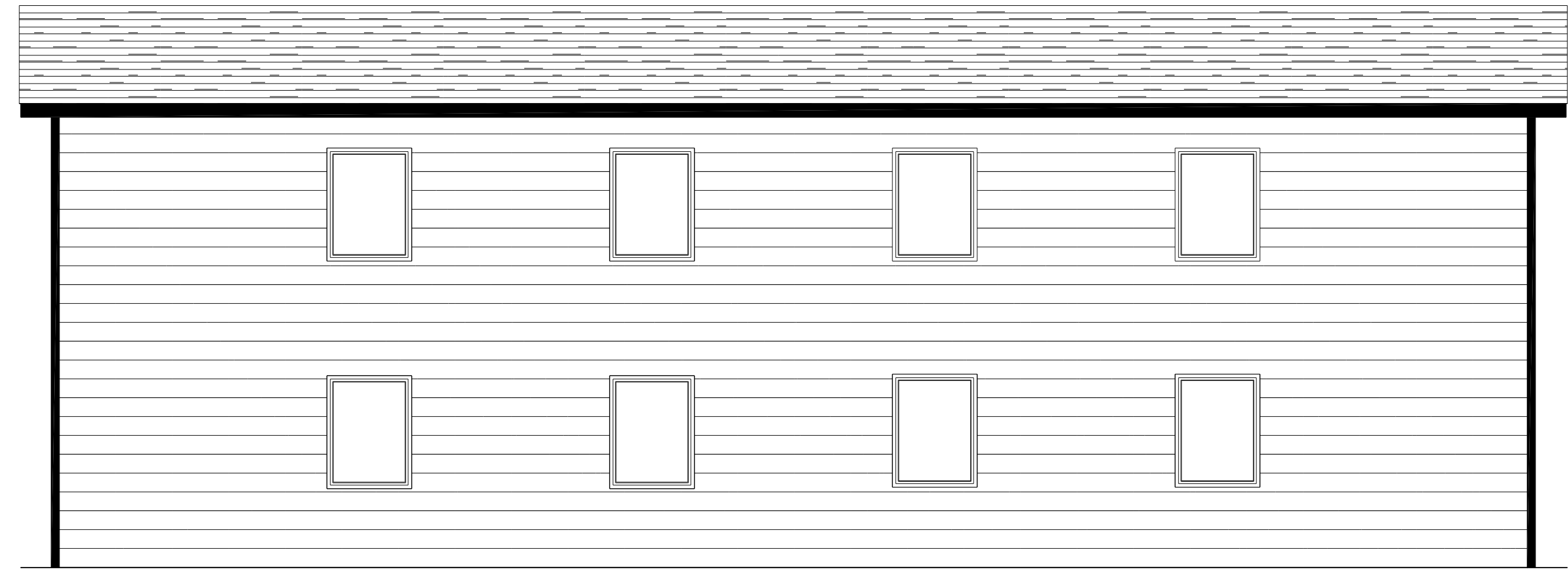
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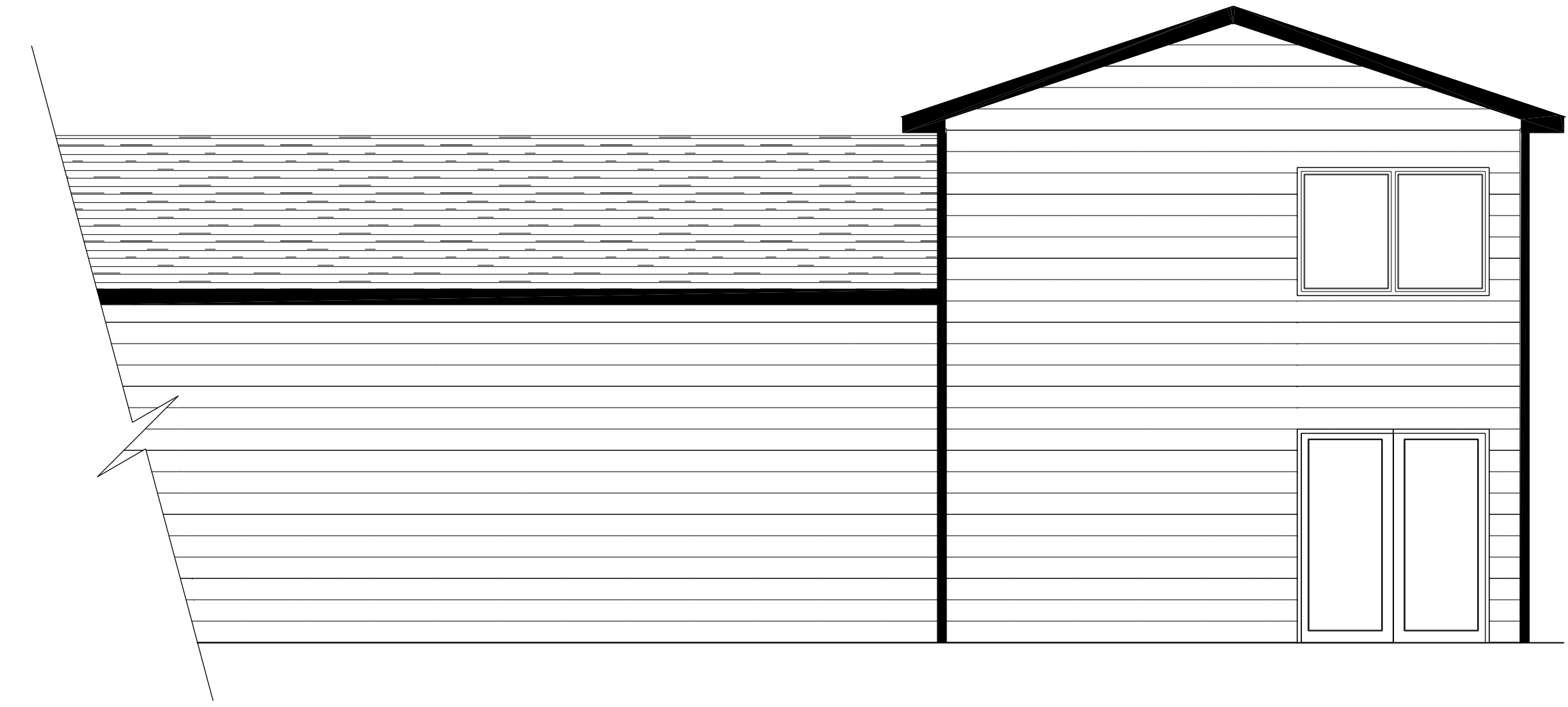
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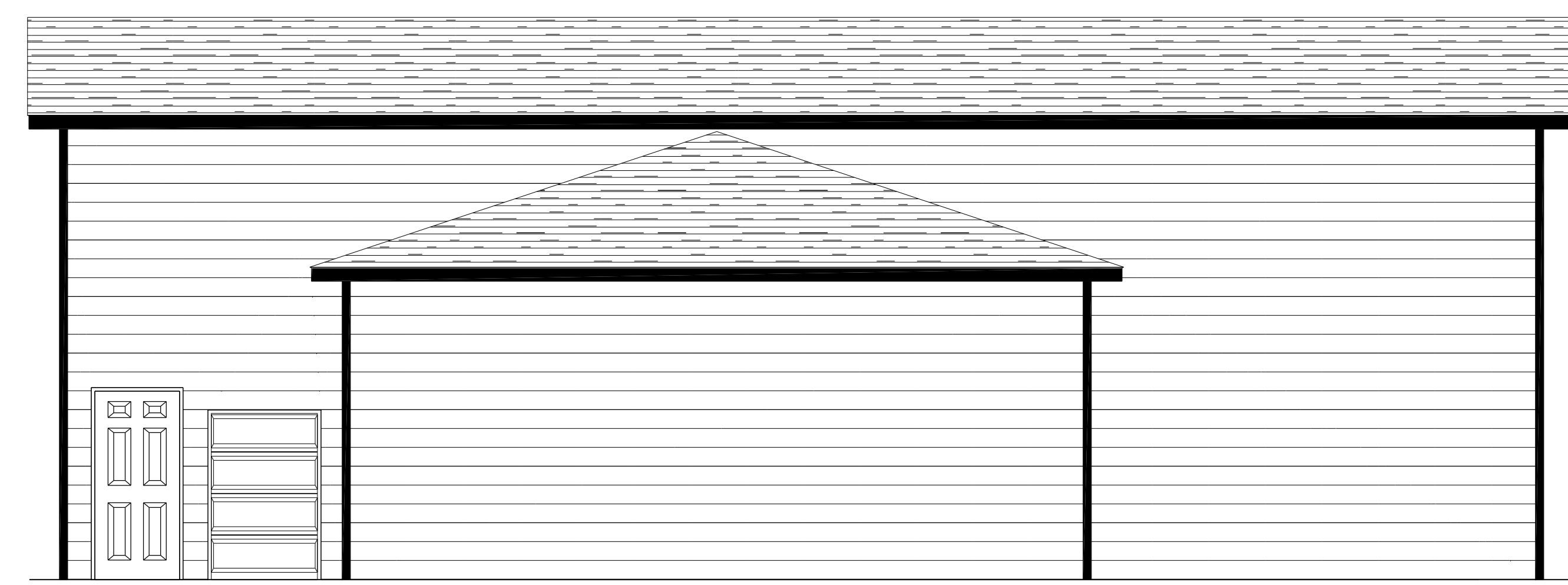
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LEFT SIDE ELEVATION
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BACK SIDE ELEVATION
 SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION
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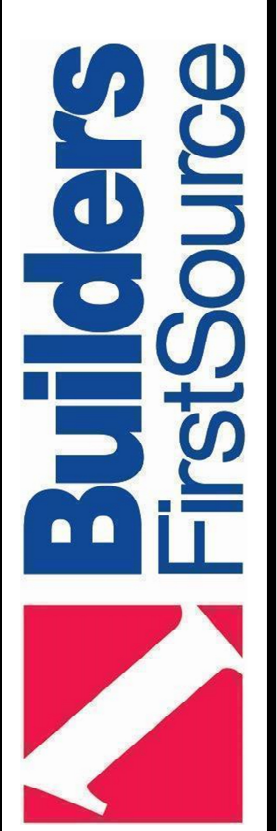
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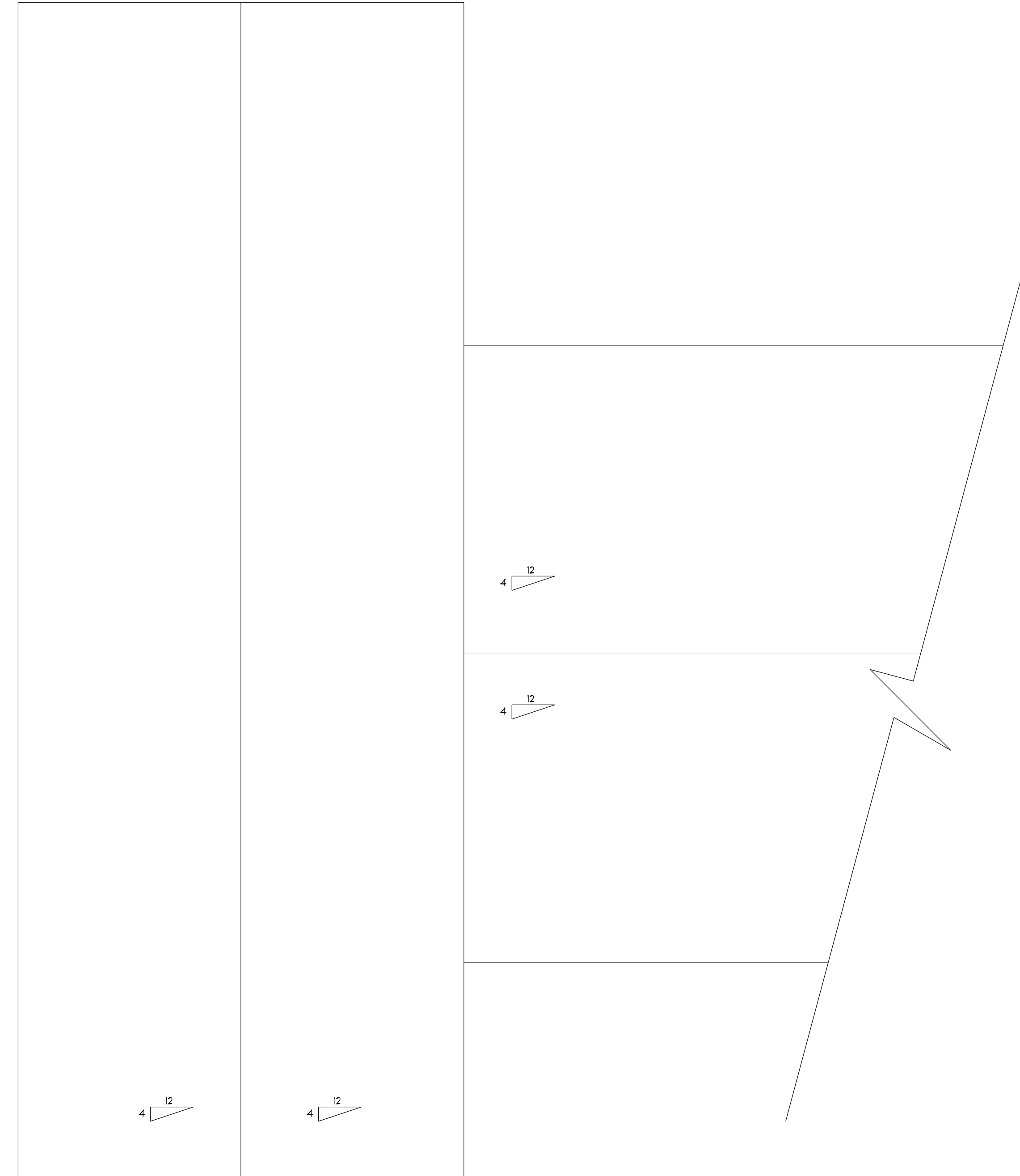
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16" O.H.

TOP VIEW ELEVATION

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REVISIONS	
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04.20.2023	

BUILDERS FIRSTSOURCE
SALES: DALE WANNER
DRAWN BY: CLAIRE GRAYUNDER

3152 ADDITION



Brad & Megan Vanson

3152 111e ave sw Dickinson nd 58601

Lot dimensions, 137'x290'

House and garage 30'x70' north 32' south 40' east 210' west 45'

Storage shed 14'x26' north 90' south 23' east 144' west 120'

Pergola 18'x32' north 42' south 72' east, 136' west 120'

2 leech fields for the septic system take up the majority of the open area on the east end of the lot

Proposed addition:

18'x50'x16'

Attached to the north end of the existing garage, north set back 13'6" south 110' east 200' west 40'

Variance request, build and attached structure that will create a larger amount of square footage than current living space,

Requesting to build the addition roof taller than the current height of the existing garage.

(plans are underway to apply for a separate building permit to build an addition off of the southeast end of the house for a master bedroom bathroom and laundry room to balance the offset amount of square footage from living space to garage space, this will not be pursued until next year)

To Whom It May Concern:

The garage addition in question is needed for additional storage of tools, equipment, vehicles and environmentally sensitive belongings. The extra space will allow for additional woodworking equipment that is needed to support our growing business. We feel that this addition is appropriate considering we are unable to build an unattached structure on our property due to pre-existing structures and underground utilities as well as a dual underground leach field.

We feel that adding this garage addition will be more appealing to those around us due to having the necessary space for storage and cover. This would have a better curb appeal as there would be an appropriate location for everything we own.

Thank you for your time and consideration,

Bradley VanSon

701-290-4654



Staff Report

To: Board of Adjustment
From: City of Dickinson Building Department
Date: (07/10/2023)
Re: Detached Structure Variance

OWNER/APPLICANT

Applicant

Dale Pottorff
 3259 110S Ave SW
 Dickinson, ND 58601

Public Hearings: {7/10/2023}

Board of Adjustment

REQUEST

- A. Request:** To exceed the maximum square footage of a detached structure on a MH zoned lot by 420 sq ft (1200 sq ft to 1620 sq ft)
- B. Project Address/Legal Description/Area:** 3259 110S Ave SW – Lot 12 B 1 Kraliceks 3rd Subdivision 15-140-96 – Lot 135 x 300.
- C. Project Description:** build a 420 sq ft lean to onto existing pole building structure.

STAFF REVIEW AND RECOMMENDATIONS

- A. Compatibility with Local Uses:** Note 7: All allowable accessory buildings to a residence shall be limited to a maximum of one thousand two hundred feet (1,200) 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 250 square feet for each additional half (.5) acre of land area above one acre, but in no case shall the total exceed 30 percent lot coverage. Accessory buildings shall include the following: barns, stable, storage buildings, and detached personal vehicle garages.
- B. Public Input:** No public comments at the time of this report.
- C. Staff Comments:** Similar requests have come in front of the BOA with approval. With approval staff recommends no additional detached structures, permitted or unpermitted.
- owner required to find exact property pins

Table I: Current Zoning and Use

ZONING	MH
FUTURE LAND USE MAP DESIGNATION	MH
GROSS SITE ACREAGE	.93

Table II: Current Adjacent Land Use/Zoning

Direction	Zoning	Land Use
North	MH	Residential
East	MH	Residential
South	MH	Residential
West	MH	Residential

Attachments:

- A - Application Material

MOTIONS:

*****Approval*****

*“I move the City of Dickinson Board of Adjustment recommend Approval of **the max square footage variance** 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 COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

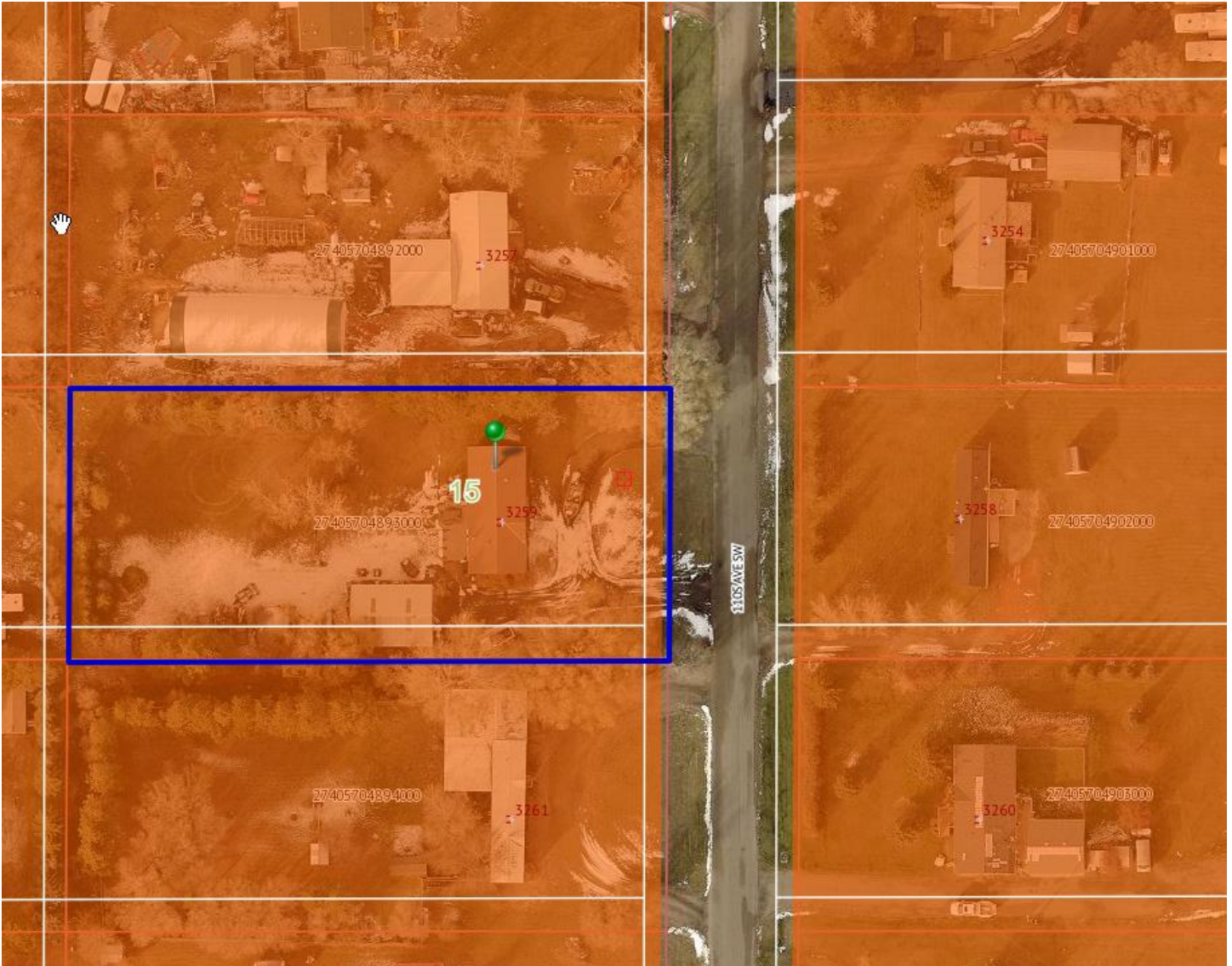
*****Denial*****

*“I move the Dickinson Board of Adjustment recommend Denial of **the max square footage variance** 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.”*

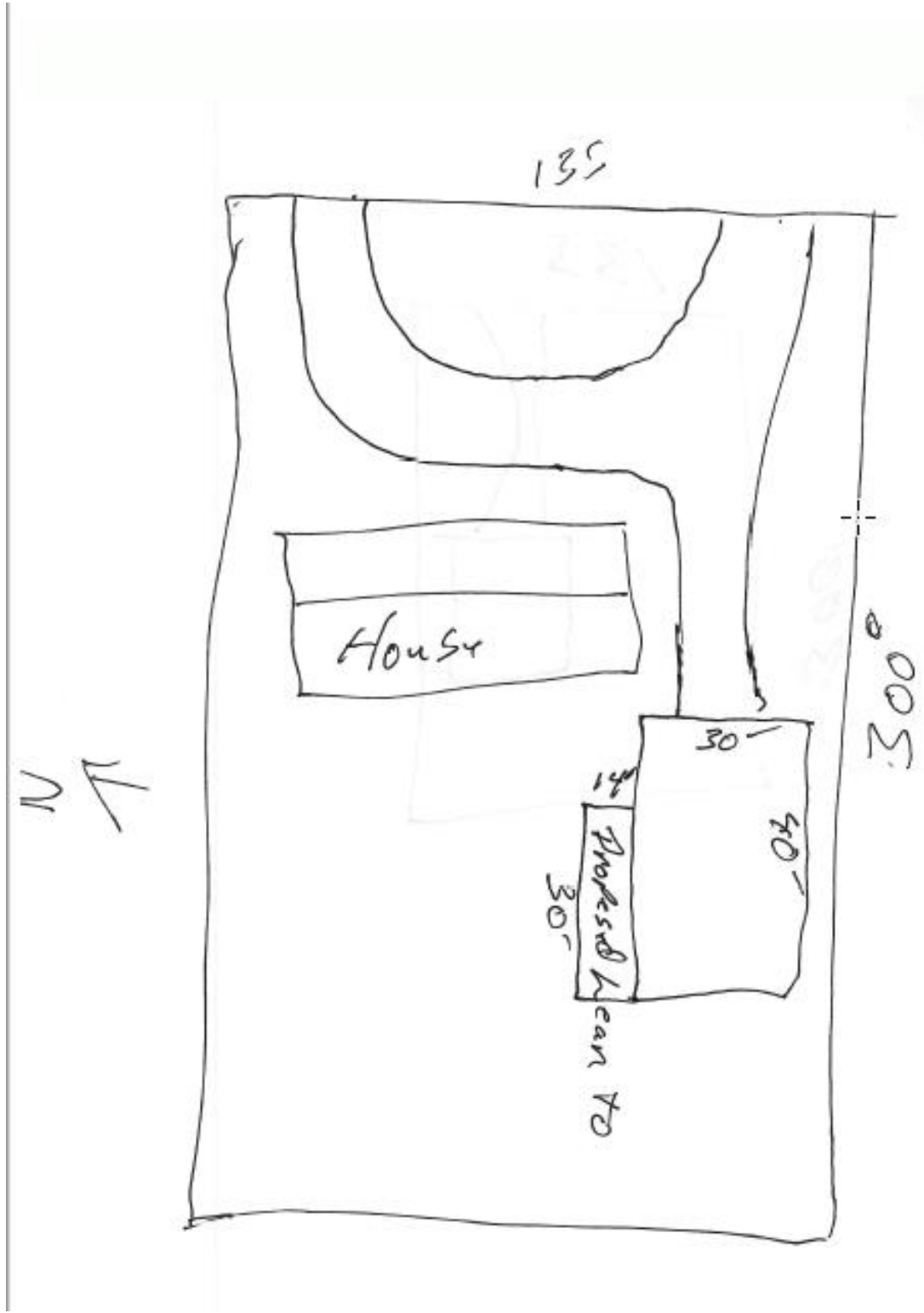
APPLICATION MATERIALS

ATTACHMENT A

Aerial Photo:



Attachment B: Site Plan



Board of Adjustment



Board of Adjustment

Note: Before submitting your application please call 701-456-7815 to speak with the Building Official Leonard Schwindt to discuss your application.

Who is the applicant *

Property Owner

Authorized Personnel

Property Owner *

Dale

First Name

Pottorff

Last Name

Property Owner's Phone Number *

(000) 000-0000 201-225-6960

Please enter a valid phone number.

Property Owner's Email *

DalePottorff@NDSuperNet.Com

example@example.com

Property Owner's Address *

3259 ^{110th} ~~100~~ SAve SW

Street Address

Board of Adjustment

[Empty text box]

Street Address Line 2

Dickinson

City

N Dak

State / Province

58601

Postal / Zip Code

Applicant Information

All applications must be signed by the property owner or the application will not be processed.

Applicant Name *

Dale

First Name

Potter

Last Name

Applicant's Phone Number *

(000) 000-0000 701-225-6960 land line
201-590-1447 cell

Please enter a valid phone number.

Applicant's Email

Dale Potter - sf@ND SuperNet.com

example@example.com

Applicant's Address *

3259 110 S Ave SW

Street Address

Board of Adjustment

Zoning District *

Existing Use *

Zoning/Use

	Adjacent Zoning	Adjacent Use
North		
South		
East		
West		

General Description of Request *

Type here... Add lean to Garage for Boat Storage to get out of Driveway

Purpose Statement *

- Get the boat off the driveway

Browse Files
Drag and drop files here

including and explanation and justification for approving the amendment

- Address the practical difficulties or unnecessary hardships, as distinguished from convenience, profit, or caprice, which would result from the strict application and the relevant regulations;
- Describe how the hardship is not shared generally by other properties in the same zoning district and in the same vicinity;

Board of Adjustment

[Empty text box]

Street Address Line 2

Dickinson

City

N Dak

State / Province

58601

Postal / Zip Code

Property Information

Property Location *

3259 110 S Ave SW

Street Address

[Empty text box]

Street Address Line 2

Dickinson

City

N Dak

State / Province

58601

Postal / Zip Code

Property Legal Description *

Type here... lot 12 Block 1
Kraliceks 3rd Subdivision

Board of Adjustment

- Describe the variance or modification of regulations requested;
- Explain how granting the requested relief will observe the spirit and intent of the City of Dickinson Municipal Code, and will maintain the public safety and welfare; and
- State why the granting of this variance would not negatively impact adjoining landowners.

Site Plan *

Browse Files
Drag and drop files here

Drawn to scale with North oriented to the top of the page

- Overall lot dimensions; *135x300*
- Location and dimensions of all buildings and structures found on-site; *30x40 Pole Bui*
- Location and dimension of proposed construction; and *14x30 lean To*
- Location and dimension of the variance requested. *14x30*

Describe how the hardship is not shared generally by other properties in the same zoning district and the same vicinity *

Type here...

They cannot even see it unless they go in my backyard.

Zoning Code Sections Relevant to this Request *

Type here... *residential*

Board of Adjustment


Have any previous applications of appeals been filed in connection with this property? *

Please Select

Copies of any order, requirement, decision, or determination made by an administrative official of the City of Dickinson that is relevant to this request.

Browse Files
Drag and drop files here

Applicant/Property Owner Signature *



Clear

Date *

MM-DD-YYYY

Date

Board of Adjustment *

Board of Adjustment

\$150.00

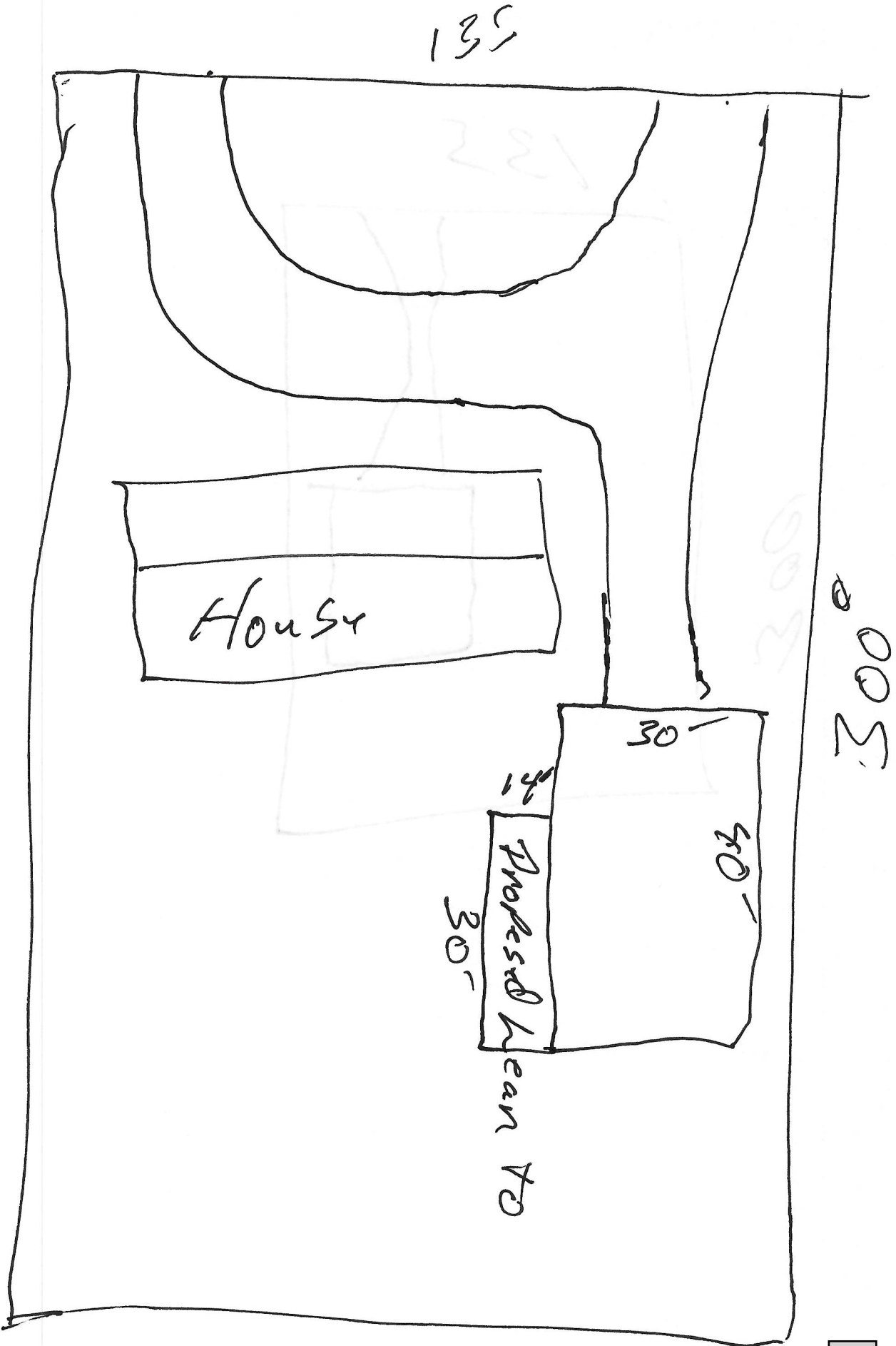
Total \$150.00

Board of Adjustment

Credit Card Details

<input type="text"/>	<input type="text"/>
First Name	Last Name
<input type="text"/>	<input type="text"/>
Credit Card Number	Security Code
<input type="text"/>	<input type="text"/>
Expiration Month	Expiration Year

Submit



Section 2. Item C.

11044 - Area CW

3RD AVE W



sign



5.54 ft

17.33 ft

