



BOARD OF ADJUSTMENT MEETING AGENDA

Monday, April 08, 2024 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

ROLL CALL

OPENING CEREMONIES:

1. STANDARD MOTIONS

[A.](#) Meeting Minutes 3-11-2024

2. REGULAR AGENDA:

[A.](#) 336 5th Street SW

3. OTHER BUSINESS

4. ADJOURNMENT

Link for viewing Board of Adjustment Meeting:
<https://www.dickinsongov.com/meetings>

This link will not be live until approximately 7:30 am on April 8, 2024.

Teams Meeting: <https://tinyurl.com/BOE-04-09-2024-Teams>

Teams Meeting ID: 217 346 484 832 Meeting Passcode: pvHyUR
Teams Phone #: 1-701-506-0320 Phone Conference ID: 264 101 879#
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

Monday, March 11, 2024 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

ROLL CALL

OPENING CEREMONIES:

Pledge of Allegiance

1. STANDARD MOTIONS

A. Meeting Minutes

Board Member Troy Bosch motioned to approve the minutes for December 2023.

Board Member Trevor Ernst motioned second to approve the minutes for December 2023. The motion passed.

2. REGULAR AGENDA:

A. 640 12th Street West

Chairman Shawn Soehren called meeting to order and mentioned Board Members Bruce Burke and Pat Bren are absent. Mr. Soehren asked Leonard to speak on this property, it did not appear there was anyone to speak on the property. Building Official Leonard Schwindt stated this is a nonconforming sign but the owners are requesting to keep the existing structure. The height of the new sign does meet code. The applicant states in their request, that if they do not get this variance the cost is substantial and that it would impede on the parking spaces. Mr. Schwindt stated that there are a few more nonconforming signs down 12th street. Board Member Troy Bosch asked if there has been issues or safety concerns with this sign? Mr. Schwindt stated that he does not know of any. Mr. Schwindt stated that we stipulate if anything happens to this sign, that the sign then should meet current codes. Board Member Troy Bosch motioned to approve this variance. Board Member Trevor Ernst second motion to approve this variance.

3. OTHER BUSINESS

Building Official Leonard Schwindt asks board to consider accessory detached structures, as far as size. Mr. Schwindt stated that we have a large number of structures being approved by the board, we should look at the code to be changed, from 1200 sq ft to 1400 sq ft. Board Member Trevor Ernst asked if he has had any feedback or research done comparing other cities in North Dakota. Mr. Schwindt stated that we have similarities to other cities in North Dakota, the 1200 sq ft is similar to other cities. They just use different formulas. The Board Members requested that Mr. Schwindt send them the average lot sizes and the average size detached structures so they can review the information.

4. ADJOURNMENT

Link for viewing Board of Adjustment Meeting:
<https://www.dickinsongov.com/meetings>

This link will not be live until approximately 7:30 am on March 11, 2024

Teams Meeting: <http://tinyurl.com/BOA-03-11-2024-Teams>
Teams Meeting ID: 295 610 920 520 **Meeting Passcode:** 8PFqTr
Teams Phone #: 1-701-506-0320 **Phone Conference ID:** 341 060 021#
Local Phone #: 701-456-7006

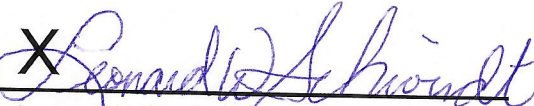
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Prepared By:

X 

Nicole Snyder

Approved By:

X 

Leonard W. Schwindt



Staff Report

To: Board of Adjustment
From: City of Dickinson Development Team
Date: {4/08/2024}
Re: **Detached Structure Variance**

OWNER/APPLICANT

Applicant
 Sheldon Bohnhoff
 418 5th Street SW
 Dickinson, ND 58601

Public Hearings: {4/08/2024}

Board of Adjustment

REQUEST

- A. **Request:** To Exceed the maximum square footage allowed for a detached structure on a R1 zoned lot by 1344 square feet.
- B. **Project Address/Legal Description/Area:** 336 5th Street SW/Lot 2 Block 1 Stang Addition – 9-139-96 .823 Acres
- C. **Project Description:** **Build a 2544 Square foot Detached Accessory Building**

STAFF REVIEW AND RECOMMENDATIONS

- A. **Compatibility with Local Uses:** Municipal Code Zoning Regulations 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. Code requires a primary structure to make application for permit.
- C. Combine the existing lots or add a single family detached structure to the noted property will meet compliance.
- D. **Public Input:** **No Public comment at the time of this report**

E. Staff Recommendation: With approval, no additional detached structures, permitted or unpermitted shall be allowed.

Zoning	R1
FUTURE LAND USE MAP DESIGNATION	R1
GROSS SITE ACREAGE	.823

Table I: Current Zoning and Use

Table II: Current Adjacent Land Use/Zoning

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

Attachments:

- A - Application Material

MOTIONS:

*****Approval*****

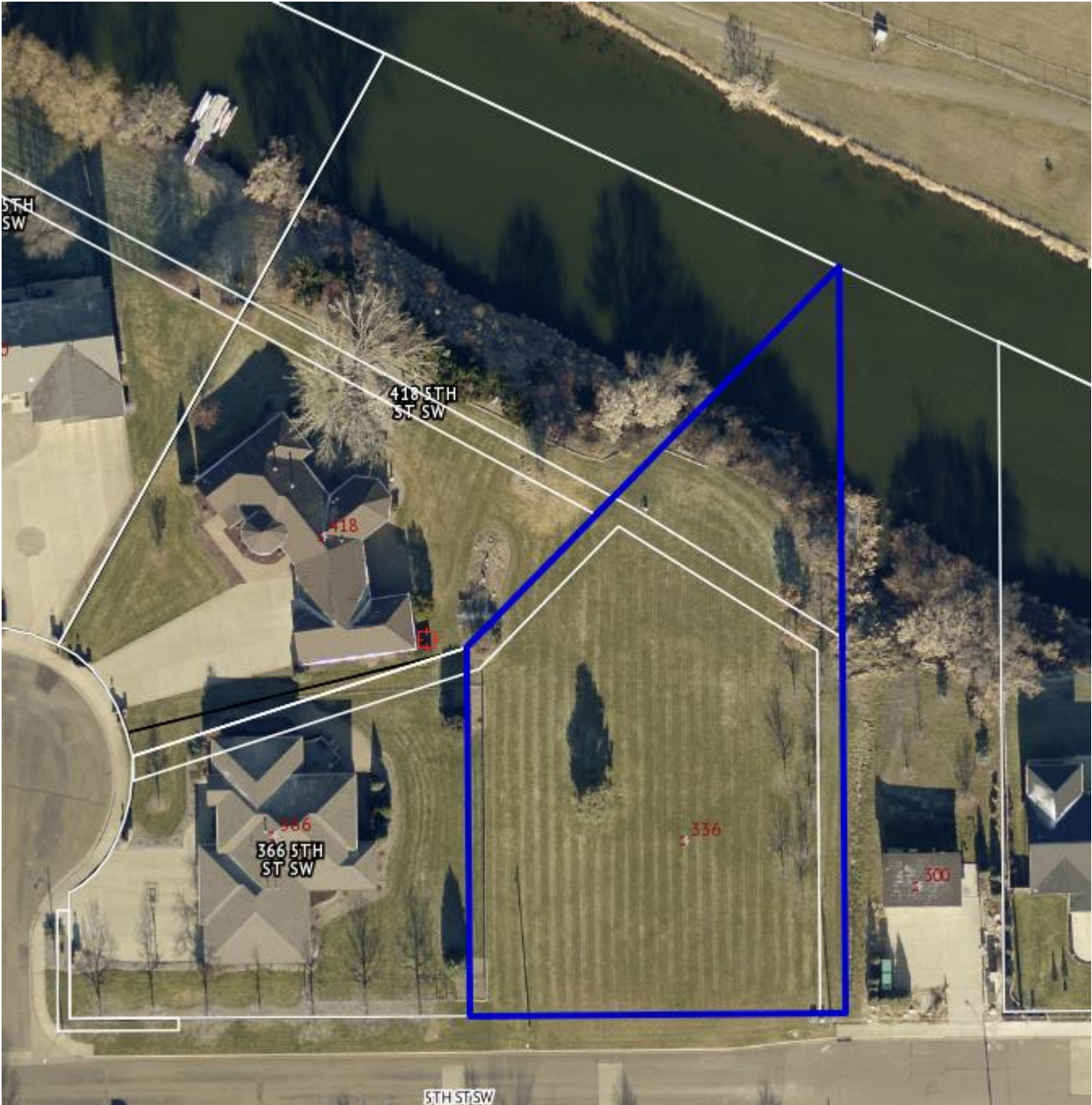
*"I move the City of Dickinson Board of Adjustment recommend Approval of the **Detached Structure Variance**, subject to the conditions above, as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare "*

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

1. **No additional detached structures, permitted or unpermitted shall be allowed.**
- 2.

*****Denial*****

*"I move the Dickinson Board of Adjustment recommend Denial of the **detached structure variance** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare. "*



From: [Jotform](#)
To: [Nicole Snyder](#); [Sylvia Miller](#); [Leonard W. Schwindt](#); [Joshua Skluzacek](#)
Subject: Re: Board of Adjustment
Date: Thursday, March 14, 2024 8:47:50 AM



Board of Adjustment

Who is the applicant Property Owner

Property Owner Sheldon Bohnhoff

Property Owner's Phone Number (701) 590-0162

Property Owner's Email sheldon@ndsupernet.com

Applicant Name Sheldon Bohnhoff

Applicant's Phone Number (701) 590-0162

Applicant's Email sheldon@ndsupernet.com

Property Location 336 5th Street SW, Dickinson, ND, 58601

Property Legal Description SCT:09 TWN:139 RNG:096
LOT:2 BLK:1
STANG ADD L2 B1

Parcel number:
41-1780-01000-200

Zoning District R1

Existing Use Empty Lot

Zoning/Use	Adjacent Zoning	Adjacent Use
North	R1	R1
South	R1	R1
East	R1	R1
West	R1	R1

General Description of To build a detachable garage which is larger than current

Request zoning allows.

Purpose Statement [Hardship 3-13-24.docx](#)

Site Plan [BONHOFF SHOP, PLAN SET 02.13.2024.pdf](#)
[Building on lot.jpeg](#)

Describe how the hardship is not shared generally by other properties in the same zoning district and the same vicinity
Neighbor Bill Johnson does have a detachable garage located on his lot already.

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

Applicant/Property Owner Signature

Date 03-13-2024

Board of Adjustment Board of Adjustment 150.00 USD

Total: \$150.00
Transaction ID: b18761gk

Payer Information

First Name: Sheldon
Last Name: Bohnhoff
E-Mail sheldon@ndsupernet.com

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

Attachments: Because the total size is more than 5MB the uploads are not attached.

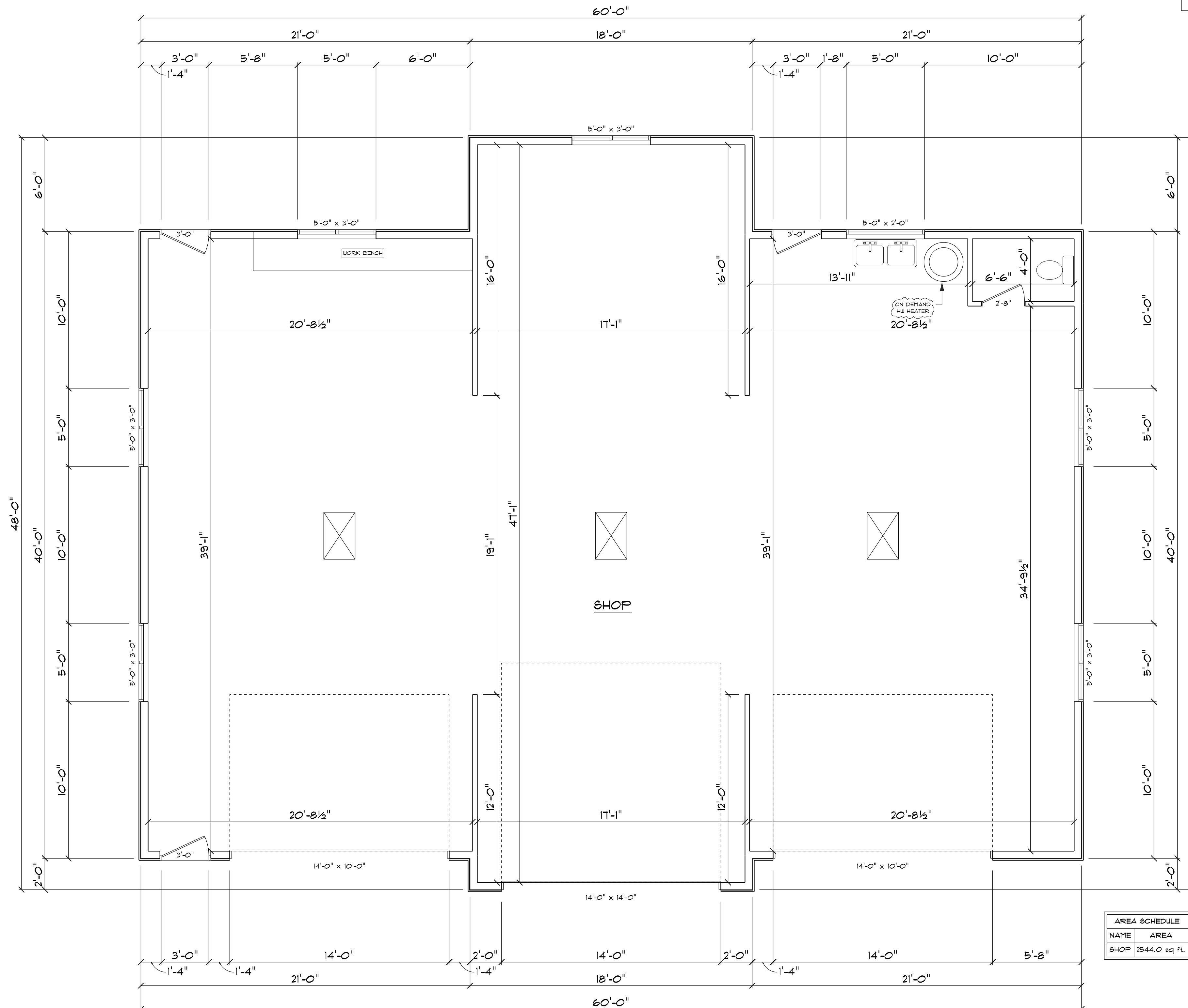
Hardship – I would like to build a detachable garage, but do not have room on the lot where my house is located. Since I own the adjoining lot, I would like to combine the two lots and build the garage on that lot. The garage I would like to build is larger than what existing zoning allows, so that is why I am applying for a variance permit.

CONSTRUCTION DRAWINGS

ANY CONSTRUCTION DOCUMENTS PRINTED BEFORE THIS DATE ARE VOID.

DATE: 1/31/2024

* BUILDER TO VERIFY DIMENSIONS*



AREA SCHEDULE	
NAME	AREA
SHOP	2544.0 sq. ft.

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

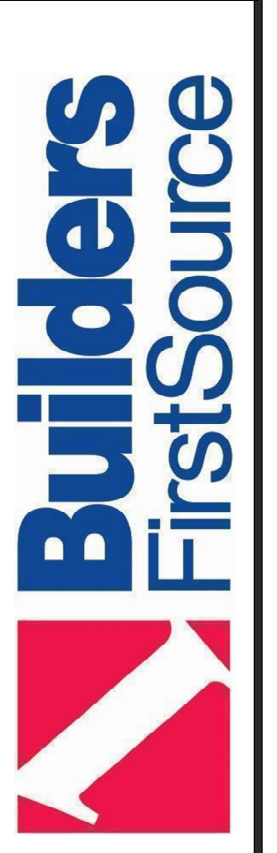
These general drawings are not produced by an Architect or Engineering firm. Before construction, the customer should consult a contractor or an architect to determine if these drawings need to be changed to satisfy: 1.) state or local building codes/regulations; 2.) the projects structural requirements; or 3.) existing conditions specific to the site. Builder FirstSource assumes no responsibility for claims or damages arising from errors, omissions, deficiencies, or defects of the drawings.

DATE	DESCRIPTION
01.23.2024	
01.31.2024	

REVISIONS

STRADLING CONSTRUCTION
SALES: DALE WANNER
DRAWN BY: CLAIRE GRAYLINDER

BONHOFF SHOP



CONSTRUCTION DRAWINGS

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* BUILDER TO VERIFY DIMENSIONS*



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



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

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01.23.2024	
01.31.2024	

REVISIONS

STRADLING CONSTRUCTION
SALES: DALE WANNER
DRAWN BY: CLAIRE GRAYLINDER

BONHOFF SHOP



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CONSTRUCTION DRAWINGS

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DATE: 1/31/2024

* BUILDER TO VERIFY DIMENSIONS*



LEFT SIDE ELEVATION

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



RIGHT SIDE ELEVATION

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

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01.23.2024	
01.31.2024	

REVISIONS

STRADLING CONSTRUCTION
SALES: DALE WANNER
DRAWN BY: CLAIRE GRAYUNDER

BONHOFF SHOP



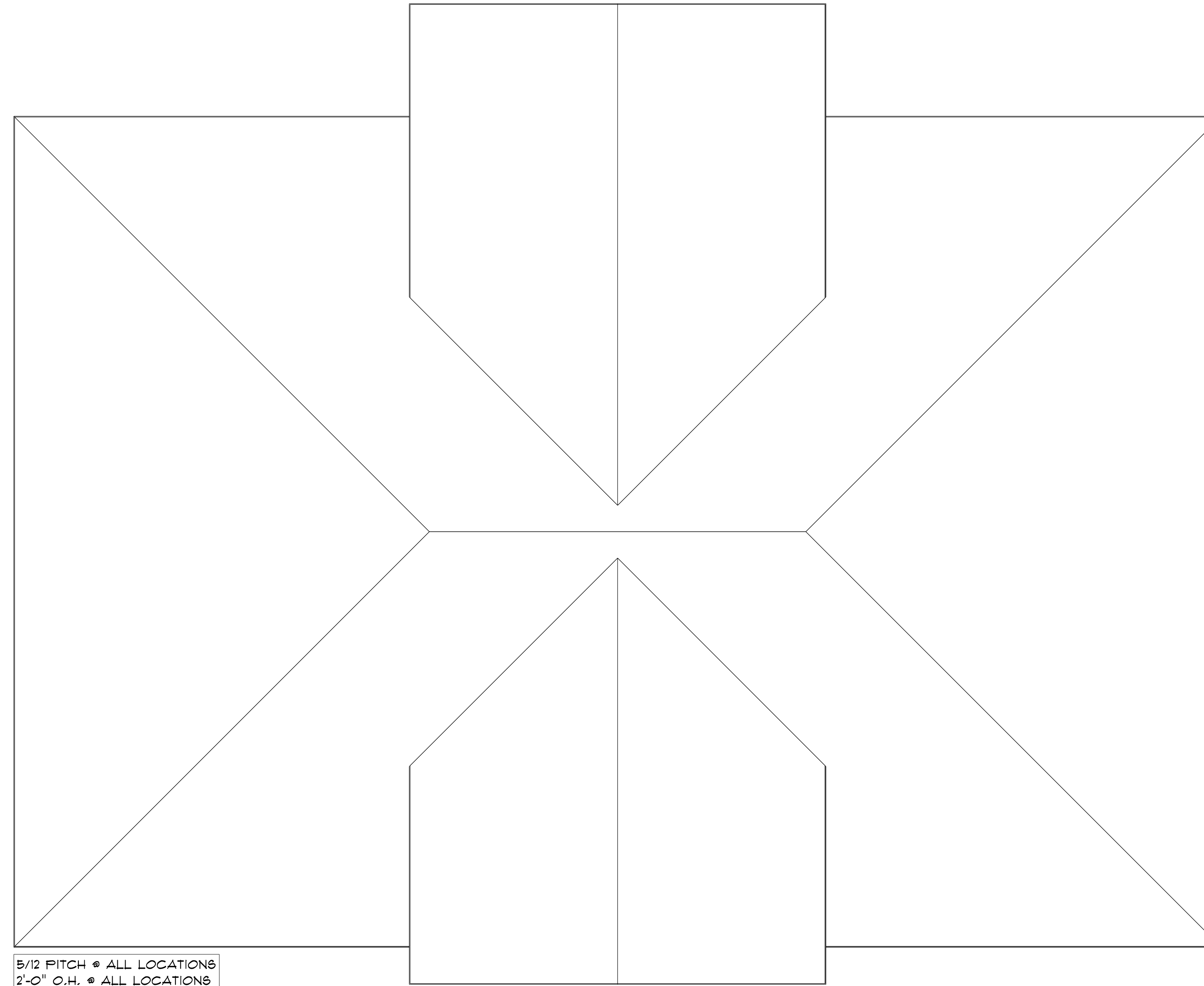
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CONSTRUCTION DRAWINGS

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* BUILDER TO VERIFY DIMENSIONS*



5/12 PITCH • ALL LOCATIONS
2'-0" O.H. • ALL LOCATIONS

TOP VIEW ELEVATION

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

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REVISIONS

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BONHOFF SHOP



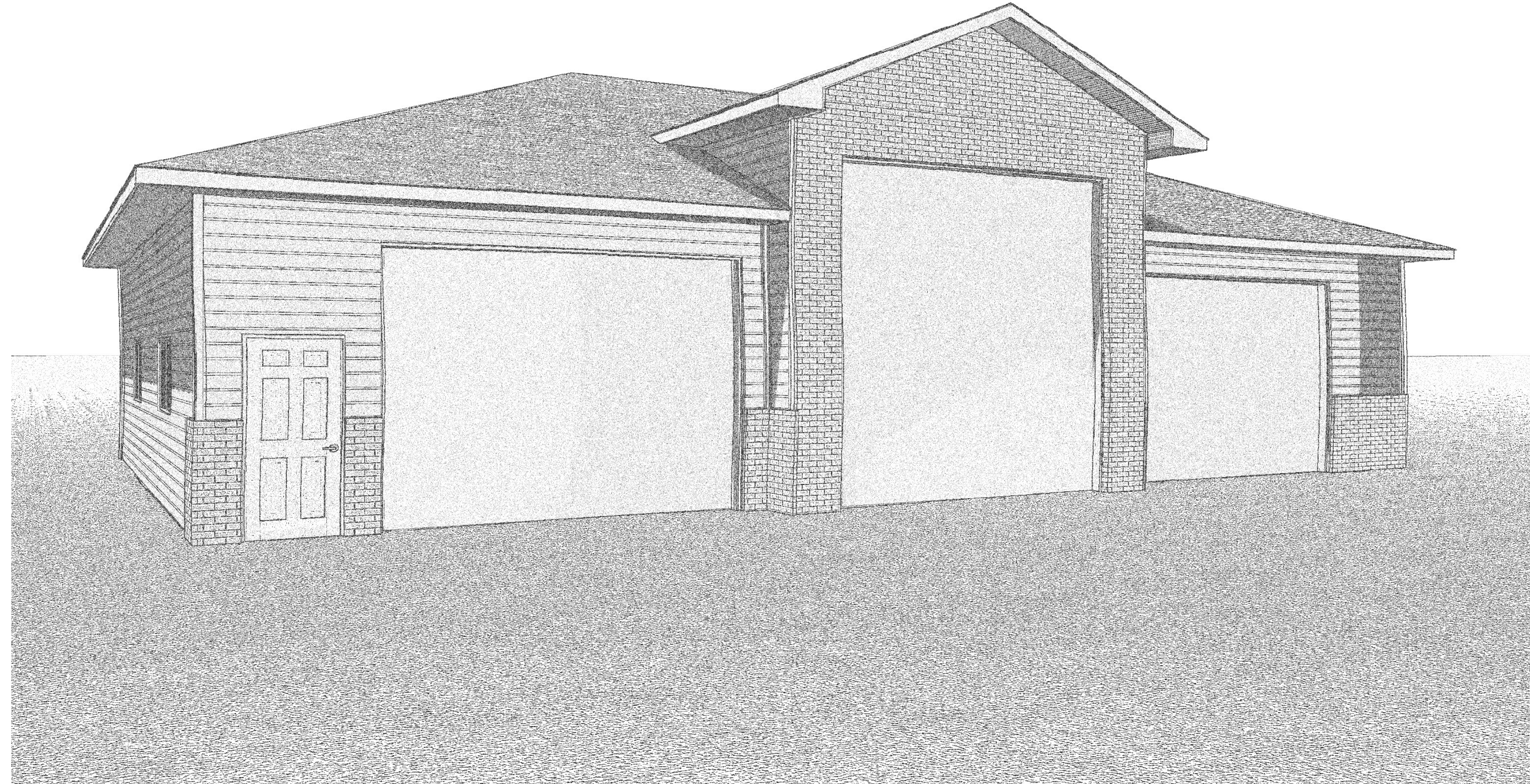
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CONSTRUCTION DRAWINGS

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REVISIONS

STRADLING CONSTRUCTION
SALES: DALE WANNER
DRAWN BY: CLAIRE GRAYLINDER

BONHOFF SHOP



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