



# BOARD OF ADJUSTMENT MEETING AGENDA

Monday, November 10, 2025 at 7:30 AM MT  
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. AUGUST 2025 MINUTES**

**2. REGULAR AGENDA:**

**A. 725 12TH STREET W - REQUEST TO EXCEED THE MAXIMUM HEIGHT OF A  
STRUCTURE ON A R1 ZONED LOT**

Variance Request to exceed the maximum height of a structure on a R1 zoned lot from 40 feet to 63 feet. The property of this structure is located at 725 12th Street W - 400' X 577.5' LESS N33' LOTS 2 & 3, AUDITOR'S PLAT #3.

**3. PUBLIC ISSUES OF CONCERN NOT ON AGENDA**

**4. OTHER BUSINESS**

**5. ADJOURNMENT**

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

<https://youtube.com/live/6vJ0cNUEgO8>

**This link will not be live until approximately 7:25 am on November 10, 2025.**

**Teams Meeting:** <https://tinyurl.com/yz6kj44z>

**Teams Meeting ID:** 276 639 912 538

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

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

**Meeting Passcode:** TE3xQ3pG

**Phone Conference ID:** 812 828 224#

***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, August 11, 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 7:30 AM

**ROLL CALL**

**PRESENT**

- Trevor Ernst
- Pat Bren
- Bruce Burke
- Shawn Soehren
- Troy Bosch

**OPENING CEREMONIES: PLEDGE OF ALLEGIANCE**

**1. STANDARD MOTIONS**

**A. JULY 2025 MINUTES**

Motion to approve minutes as presented.  
**Motion made by Bren, Seconded by Bosch**  
**Voting Yea:** Ernst, Bren, Burke, Soehren, Bosch

**2. REGULAR AGENDA:**

**A. 343 & 359 9TH AVENUE E - REQUEST TO REDUCE THE MINIMUM SQUARE FOOTAGE REQUIREMENT ON A R3 ZONED LOT FOR MULTIFAMILY**

- 1). Request to reduce the minimum requirement on a R3 zoned lot for multifamily from 16000 square ft. to 10,619 square ft. on proposed L1, B1, SILVERGATE ADDITION currently defined as S185' N270' E125' BLOCK C, MESSERSMITH & SIMPSON 2ND ADDITION.
- 2). Request to reduce the minimum requirement on a R3 zoned lot for multifamily from 16000 square ft. to 13,619 square ft. on proposed L2, B1, SILVERGATE ADDITION currently defined as S185' N270' E125' BLOCK C, MESSERSMITH & SIMPSON 2ND ADDITION.

Variance request presented by Chairman Shawn Soehren. Nick Jensen with Western Edge Surveying explains his request for the variance. Jensen states that with this Board of Adjustment meeting the request will also be presented to the Planning and Zoning Commission.

Board Member Trevor Ernst inquires if the applicant is requesting to separate lots or units within the building. Jensen states they are requesting to separate the buildings on the lots, not individual units. Board Member Bruce Burke inquires if the Board of Adjustment has visited this property before. Building Official Leonard Schwindt answers that we have not yet visited this property. Schwindt explains that our current process through Planning and Zoning catches discordances such as these before lots or buildings can be sold.

Soehren and Schwindt discuss the third lot to the north of the properties in the application. The third lot is already split off and is also non-conforming and has not gone through this process. In order for the third lot to the north to be sold, it would also be required to go through the variance request process.

Board Member Bruce Burke asks about the other repercussions, if any, if this were to be approved. Schwindt responds it will only be the splitting of the lots. Soehren confirms with Jensen that the applicant has already met with city staff in regard to the request.

Dave Bauer, associated with the applicant, explains the process of sales and why they are making the request. Bauer explains when the properties were originally purchased, each lot had its own separate PIN number. The Assessor requested that all three lots be combined into one, and the owner of the properties agreed. From there, the owner decided he would like to begin selling the individual properties, which requires each property again be on its own separate lot.

Josh Skluzacek, City Engineer, explains PIN numbers and legal sales. The lot to the north was a separate legal lot that did sell. However, the lot being discussed in the application is not a legal lot in record and therefore must be split off. Soehren and Schwindt discuss what the future of these properties could look like and what the process would be for any upcoming potential changes.

Soehren inquires if there have been any comments from the public to this regard. Schwindt responds that there have been no comments from the public received by the Building Department in regard to the variance request.

Motion to approve the variance to reduce the minimum square footage requirement of an R3 zoned lot subject to the conditions above and the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety, and welfare.

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

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

Soehren presents the second part of the variance request for this application, in relation to the first portion of the request for the same property.

Motion to approve the variance to reduce the minimum square footage requirement of an R3 zoned lot subject to the conditions above and the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety, and welfare

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

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

**3. PUBLIC ISSUES OF CONCERN NOT ON AGENDA**

**4. OTHER BUSINESS**

**5. ADJOURNMENT**

Motion to adjourn at 7:48AM

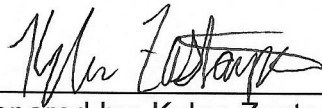
**Motion made by Bren, Seconded by Ernst.**

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

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

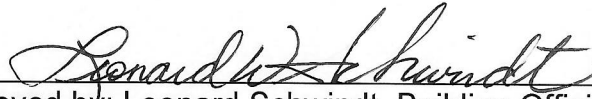
<https://youtube.com/live/vNKbBUQ5H30>

**This link will not be live until approximately 7:25 AM MT on August 11, 2025.**



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Prepared by: Kylee Zastoupil, Administrative Assistant  
Community Development & Engineering



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Approved by: Leonard Schwindt, Building Official

**To:** Board of Adjustment  
**From:** City of Dickinson Development Team  
**Date:** {11/10/2025}  
**Re:** Variance to exceed the maximum height of a structure in a R1 zoned lot

**Owner/APPLICANT**

Owner  
Dickinson Trustee, INC  
C/O Church of Queen of Peace  
725 12<sup>th</sup> ST W  
Dickinson, ND 58601

**Public Hearings:** {11/10/2025} Board of Adjustment

**REQUEST**

- A. **Request:** To exceed the maximum height of a structure on a R1 zoned lot from 40 feet to 63 feet.
- B. **Project Address/Legal Description/Area:** 725 12<sup>th</sup> Street W – 400’ X 577.5’ Less N33’ Lots 2 & 3, Auditor’s Plat #3.
- C. **Project Description:** Requesting a Variance which would allow the owner to build a Bell Tower 23’ higher than what is allowed per code.

**STAFF REVIEW AND RECOMMENDATIONS**

- A. **Compatibility with Local Uses:** Municipal Code Maximum height for a structure on a R1 zoned lot is 40 feet.
- B. **Compliance with Zoning and Subdivision Regulations:** Bell Tower structure would exceed maximum height requirement by 23 ft.
- C. **Public Input:** One inquiry with no opposition.
- D. **Staff Comments:** The noted structure height in relation to the surrounding properties is approximately 250 feet from the north properties and 300 feet from the west and east properties. The property to the south is owned by the applicant. The requested structure height does not have a negative impact on surrounding neighborhood.

Table I: Current Zoning and Use

<b>ZONING</b>	R1
<b>FUTURE LAND USE MAP DESIGNATION</b>	R1
<b>GROSS SITE ACREAGE</b>	5.0 acres

Table II: Current Adjacent Land Use/Zoning

Direction	Zoning	Land Use
North	R1	Residential
East	R2	Residential
South	R1	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 the maximum height of a structure on a R1 zoned lot**), 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 the maximum height of a structure on a R1 zoned lot**) 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**



Monday, September 15, 2025



# 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

Authorized Personnel

### Property Owner

Queen of Peace Catholic Church Msgr Thomas Richter

### Property Owner's Phone Number

(701) 483-2134

### Property Owner's Email

trichter@bismarckdiocese.com

### Property Owner's Signature or Authorization Letter

Letter - Bell Tower Signed.pdf

### Applicant Name

Queen of Peace Catholic Church Msgr Thomas Richter

### Applicant's Phone Number

(701) 483-2134

### Applicant's Email

trichter@bismarckdiocese.com

Note: If the applicant is not the owner of the premises, the owner's signature or separate written permission authorizing the applicant to sign on behalf of the owner, must be attached 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

725 12th Street West  
Dickinson, North Dakota, 58601

### Property Legal Description

Parcel # 41-0600-00000-202  
SCT:33 TWN: 140 RNG:096  
Lot: 2  
Auditor's plat #3 PT L 2&3 400x577.5  
Less N33'

### Zoning District

410100

**Existing Use**

Church & parking lot

**General Description of Request**

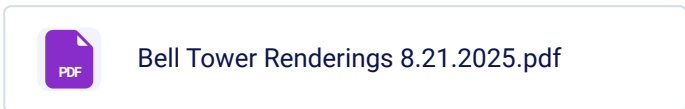
Bell Tower Presentation (Request for November Meeting)

**Purpose Statement**



- 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;
- 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**



- Overall lot dimensions;
- Location and dimensions of all buildings and structures found on-site;
- Location and dimension of proposed construction; and
- Location and dimension of the variance requested.

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

Please see attached letter on project details.

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

No

**Applicant/Property Owner Signature**

**Date**

Monday, September 15, 2025

**Board of Adjustment**

**Payer Information**

**Transaction ID**

Queen of Peace Church  
trichter@bismarckdiocese.com

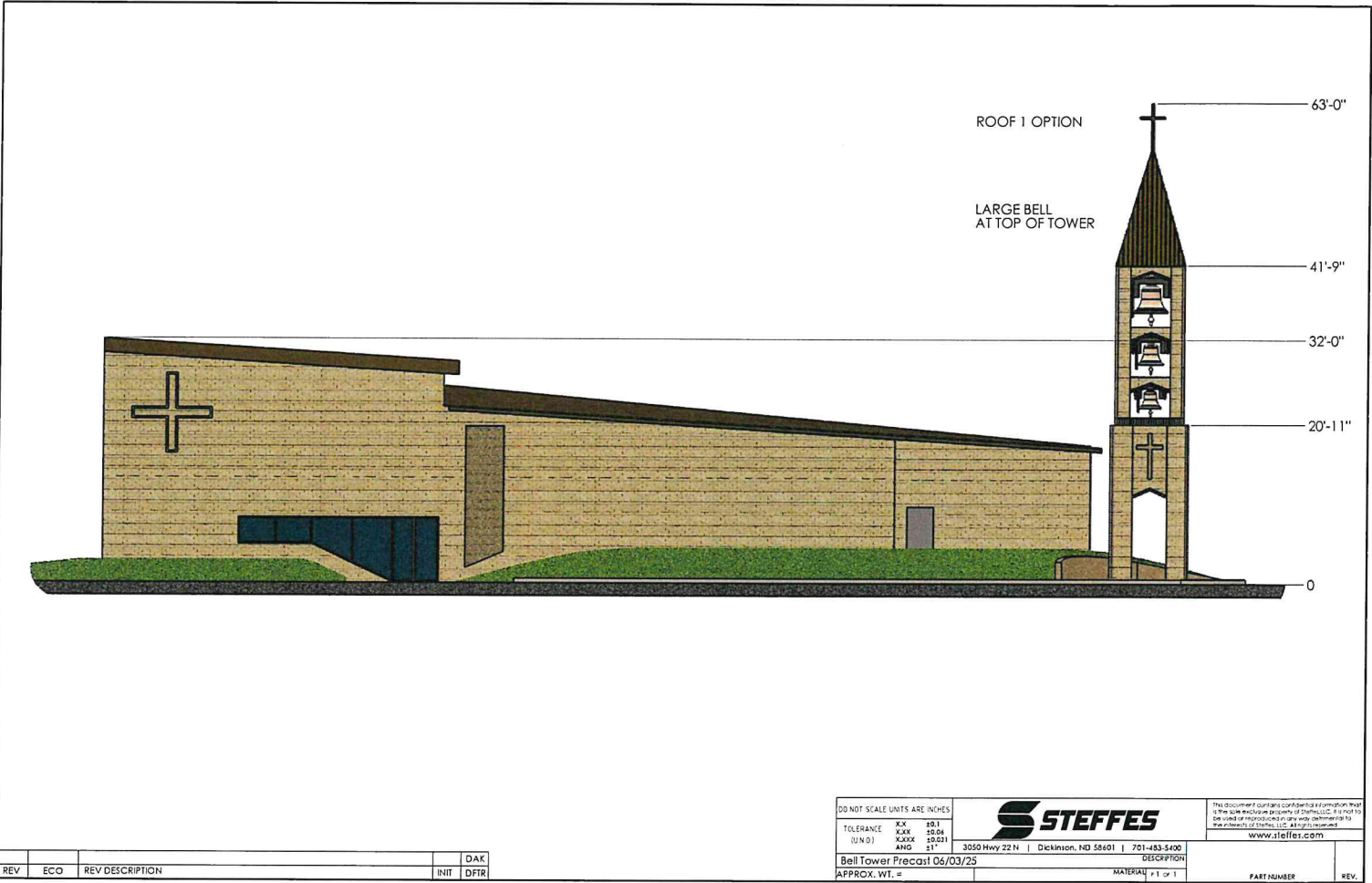
dzx0qy14

Description	Amount
Board of Adjustment \$150.00 x 1	\$150.00

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Total

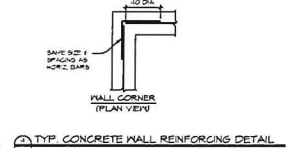
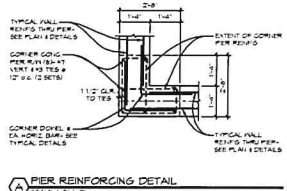
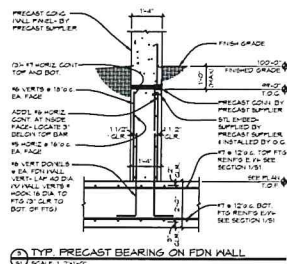
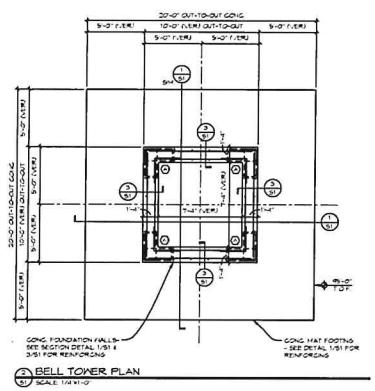
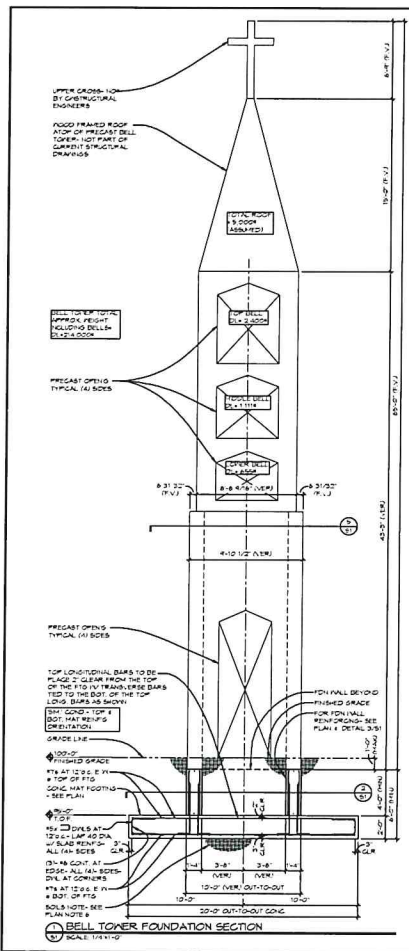
**\$150.00**



REV	ECO	REV DESCRIPTION	INIT	DAK	DFIR

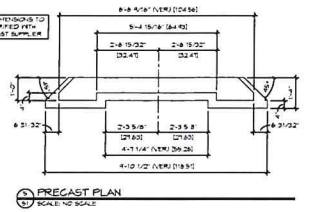
DO NOT SCALE UNITS ARE INCHES			This document contains confidential information that is the sole exclusive property of Steffes, LLC. It is not to be used or reproduced in any way, determined by the members of Steffes, LLC. All rights reserved. <a href="http://www.steffes.com">www.steffes.com</a>
TOLERANCE	XX 10.1 XXX 10.04 XXXX 10.01 ANG 11"		
3050 Hwy 22 N   Dickinson, ND 58401   701-483-5400			
Bell Tower Precast 06/03/25		DESCRIPTION	
APPROX. WT. =		MATERIAL	P 1 OF 1
		PART NUMBER	REV.





**PLAN NOTES:**  
 (1) CENTER CONCRETE MAT FOOTINGS ON BELL TOWER. SEE FOUNDATION PLAN BELL TOWER SECTION FOR SIZE & REINFORCING.  
 (2) TEST - INDICATES TOP OF FOOTING ELEVATION.  
 (3) GENERAL CONTRACTOR TO COORDINATE WITH ELECTRICAL CONTRACTOR FOR BUILDING BRACKETS AND ATTACHMENT TO FOUNDATION WALL REINFORCING PRIOR TO POURING FOUNDATION WALL.  
 (4) (O) INDICATES PER DETAIL. REFER TO PER DETAIL LOCATED ON SHEET 19 FOR PER SIZE REINFORCING.  
 (5) (V) AND (W) INDICATES THAT THROUGH IS TO BE FIELD VERIFIED PRIOR TO MATERIAL FABRICATION, CONCRETE CONSTRUCTION, OR STEEL FABRICATION, ETC.  
 (6) SOLLS TO BE VERIFIED BY A LICENSED GEOTECHNICAL ENGINEER TO ENSURE BEARING CAPACITY IS AS ASSUMED AS STATED IN GENERAL STRUCTURAL NOTES.

**SOL BEARING CAPACITY NOTE:**  
 FOOTINGS ARE ASSUMED TO BE ON 18\"/>



PRELIMINARY FOUNDATION NOT FOR CONSTRUCTION FOR BIDDING PURPOSES ONLY 08.19.25

**CW STRUCTURAL ENGINEERS**  
 10000 W. 16th Ave., Suite 100, Denver, CO 80202  
 (303) 751-1100  
 www.cwstructural.com

**QUEEN OF PEACE BELL TOWER FOUNDATION**

SECTION 2.01  
 FOUNDATION  
 BELL TOWER FOUNDATION SECTION, PLAN & DETAILS

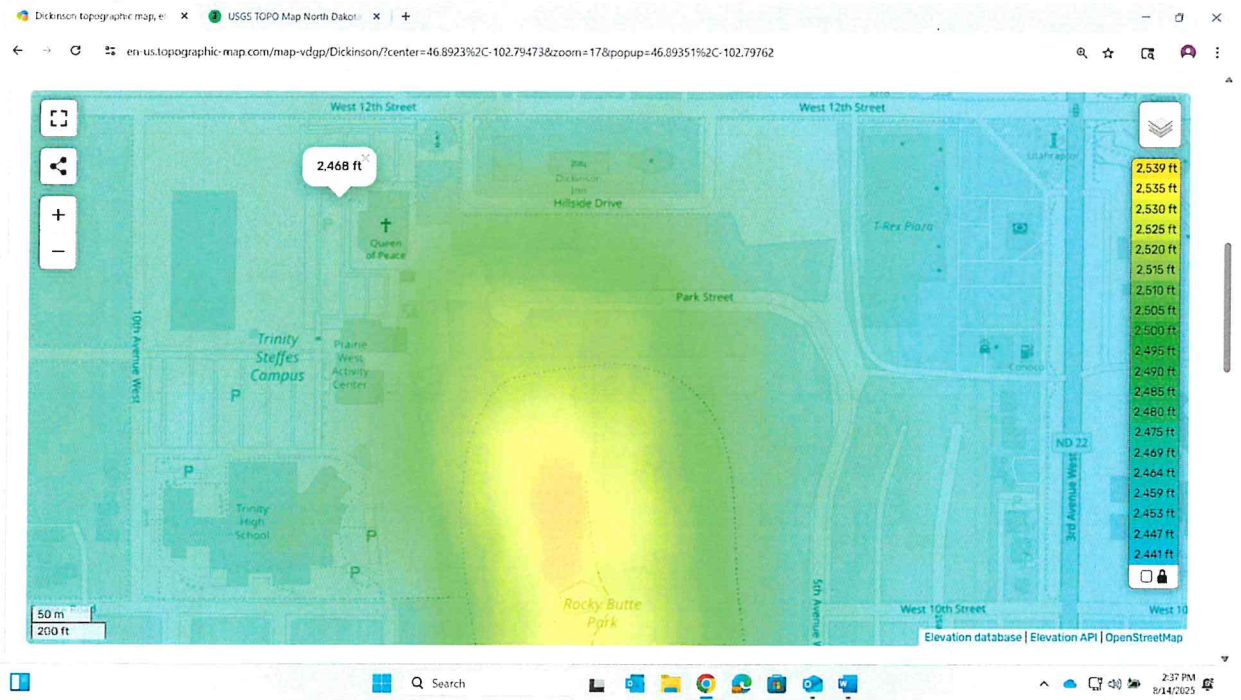
DATE: 08.19.25  
 DRAWN BY: J. J. JONES  
 CHECKED BY: J. J. JONES  
 DESIGNED BY: J. J. JONES

**S 1**

### Elevation of the base of water tank on Rocky Butte Park 2539'



### Elevation of the base of proposed Queen of Peace Bell Tower 2468'



The base of Rocky Butte water tank is 71' above the base of the proposed Queen of Peace bell tower.



# Queen of Peace

## Catholic Church

August 21, 2025

City of Dickinson  
Board of Adjustment

Dear Board of Adjustment Members,

The purpose of the bell tower with its three bells is to fill the community with the beautiful sound of bells. Throughout the centuries, the sound of bells has caused men and women to raise their minds to God, to think of him, to remind us of heaven, and to bring joy to the heart. More specifically,

1. The bells will mark the top of the hour and the half hour, from morning to dusk.
2. For funerals at Queen of Peace when the hearse arrives, the death toll will ring once for each year the deceased had lived.
3. They will call the faithful to worship each day by ringing five minutes before Mass.
4. They will play the Angelus at noon and 3:00pm, according to Catholic custom.
5. They will ring with joyful jubilation for special occasions, like after Christmas Mass and Easter Mass, at the end of Wedding Masses as the bride and groom are walking out of the Church, at the end of First Communion and Confirmation Masses, etc.

Without the variance, the bells will not be high enough to be heard throughout the community. It would dramatically reduce the travel of their sound. Also, they would not be higher than our church wall, so it could be overly loud in the church itself.

A noteworthy point is that the elevation of the tower with the variance would still be several feet less than the bottom of the water tower on Rocky Butte Park, which is located just to the southeast of the proposed site of the bell tower.

Sincerely,

Msgr. Tom Richter, Pastor