



BOARD OF ADJUSTMENT MEETING AGENDA

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

Commissioners:

Chairman: Shawn Soehren

Vice Chairman: Pat Bren

Trevor Ernst

Bruce Burke

Troy Bosch

CALL TO ORDER

ROLL CALL

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.

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 7:25 AM MT on May 12, 2025.

Teams Meeting: <https://tinyurl.com/3yswdx8j>

Teams Meeting ID: 272 253 602 080

Meeting Passcode: Zs9DC6sV

Teams Phone #: 1-701-506-0320

Phone Conference ID: 577 250 527#

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.

From: [Jotform](#)
To: [Sylvia Miller](#); [Sylvia Miller](#); [Leonard W. Schwindt](#); [Tiffany Stewart](#)
Subject: Re: Board of Adjustment
Date: Tuesday, April 8, 2025 5:43:19 PM



Board of Adjustment

Who is the applicant	Property Owner																
Property Owner	Russ Heiser Construction Heiser																
Property Owner's Phone Number	(701) 260-8287																
Property Owner's Email	russheiser@ndsupernet.com																
Applicant Name	Russ Heiser																
Applicant's Phone Number	(701) 260-8287																
Applicant's Email	russheiser@ndsupernet.com																
Property Location	Intersection of Carrol St and 15th Ave East, Dickinson, North Dakota, 58601																
Property Legal Description	Lots 3 and 4 Block 3 Fisher East Side Second Subdivision																
Zoning District	GC																
Existing Use	Undeveloped																
Zoning/Use	<table border="1"> <thead> <tr> <th></th> <th>Adjacent Zoning</th> <th>Adjacent Use</th> </tr> </thead> <tbody> <tr> <td>North</td> <td>R2</td> <td>undeveloped</td> </tr> <tr> <td>South</td> <td>R2</td> <td>undeveloped</td> </tr> <tr> <td>East</td> <td>GC</td> <td>undeveloped</td> </tr> <tr> <td>West</td> <td>R1</td> <td>Residential</td> </tr> </tbody> </table>			Adjacent Zoning	Adjacent Use	North	R2	undeveloped	South	R2	undeveloped	East	GC	undeveloped	West	R1	Residential
	Adjacent Zoning	Adjacent Use															
North	R2	undeveloped															
South	R2	undeveloped															
East	GC	undeveloped															
West	R1	Residential															
General Description of Request	Reduction of Interior Side Yard and Rear Yard Setback																
Purpose Statement	Purpose Statement.docx																

Site Plan

[03.12.25 HEISER SHOPS eighth inch.pdf](#)
[RUSS HEISER SHOP, PLOT 03.31.2025.pdf](#)

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

Other properties in the same vicinity that have the same GC zoning would follow a 0-foot interior side yard setback (15-foot proposed), and a 0-foot rear yard setback (15-foot proposed).

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

No

Applicant/Property Owner Signature

Date

04-08-2025

Board of Adjustment

Board of Adjustment

150.00 USD

Total:

\$150.00

Transaction ID:

c4mmxt11

Payment Information

First Name: Jeremy

Last Name: Wood

E-Mail: russheiser@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.

Lot 3 and 4, Block 3, Fisher East Side Second Subdivision

Request for a variance from the 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.

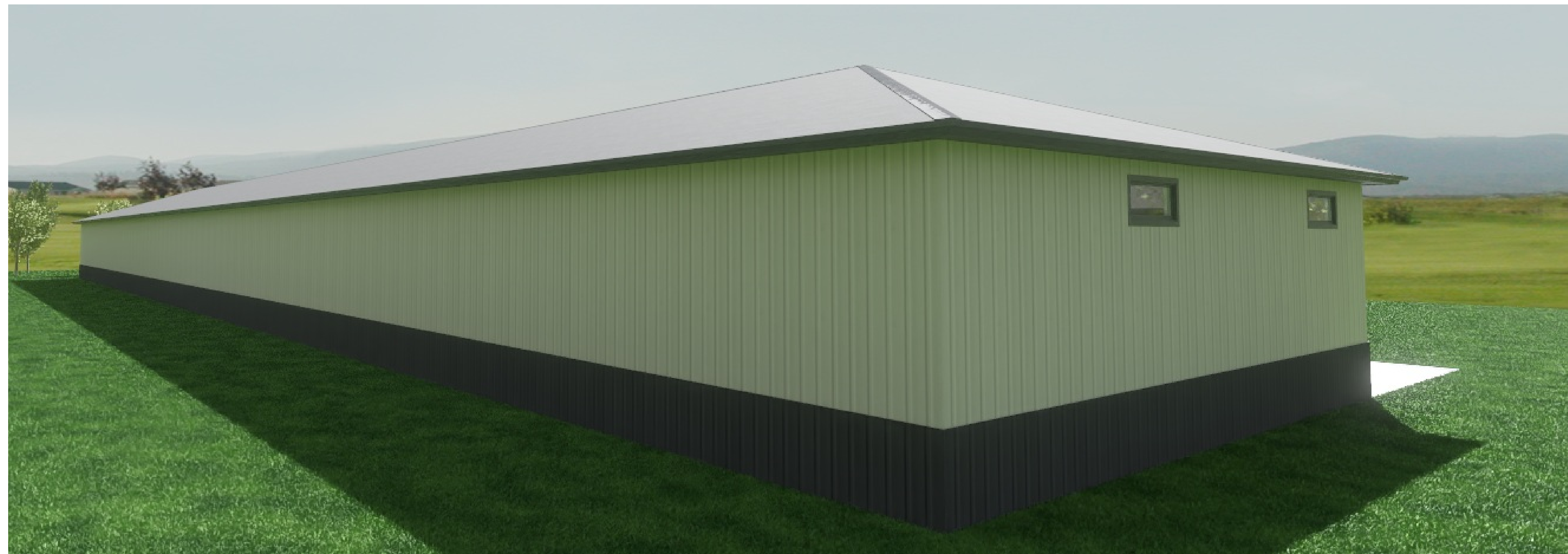


Purpose Statement

The request is to modify the interior side yard setback to 15 feet and the rear yard setback to 15 feet. Granting of the request would observe the spirit and intent of the Comprehensive Plan adopted in 2013 which identified this location as Commercial in the Future Land Use Map. Construction of the proposed Trade Service Building would allow more tradespeople (electricians, plumbers, painters, etc.) to set up shop in Dickinson. Establishment of a highly qualified workforce is desperately needed in Dickinson to meet existing and future business needs for a highly qualified workforce. Construction of the Trade Service Building will generate tax revenue for the economic welfare of Dickinson compared to the present undeveloped lot.

Granting of this variance will not impact adjoining property owners because the building layout has been designed to mitigate impacts to adjoining property owners, specifically those to the west of the property. Any impacts such as noise will be negligible since the doors will be on the east side of the building 65 feet from the property line instead of 30 feet that would be allowed without a variance.

PRELIMINARY - NOT FOR CONSTRUCTION



- . All exterior foundation walls are dimensioned from outside of foundation wall to outside of foundation wall.
- . All interior dimensions are from edge of the concrete foundation wall to edge of interior wall framing or from edge of framing to edge of framing.
- . Door labels are specified by 3068 which translates to 3'-0" x 6'-8".
- . Interior bearing walls are represented by solid red walls and are labeled.

Disclaimer

The plans and drawings are conceptual only. An architect or contractor is responsible for verifying the dimensions and other information on these plans. The information contained within the construction documents is intended to depict design and basic construction detailing. It is the contractor/builder or architect's responsibility to provide standard construction details under appropriate jurisdiction building codes and practices which will result in a structurally sound and weatherproof finished product.

Bosch Lumber Company cannot be held responsible for inaccurate information that may lead to additional cost for the owner or a delay in the project.

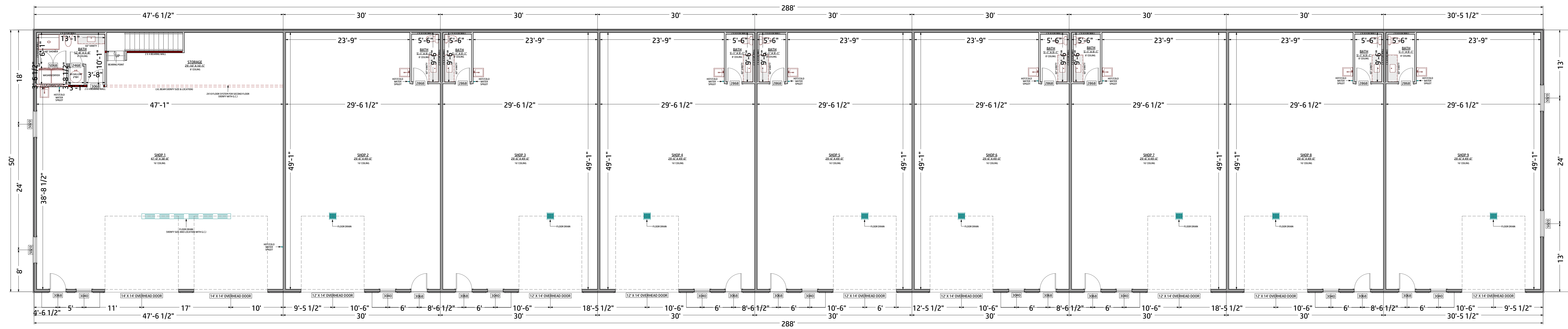
BLC All Rights Reserved. Any copying, reproduction or use of this plan requires prior written consent from Bosch Lumber Company. DO NOT COPY.

PRELIMINARY - NOT FOR CONSTRUCTION

Building Information

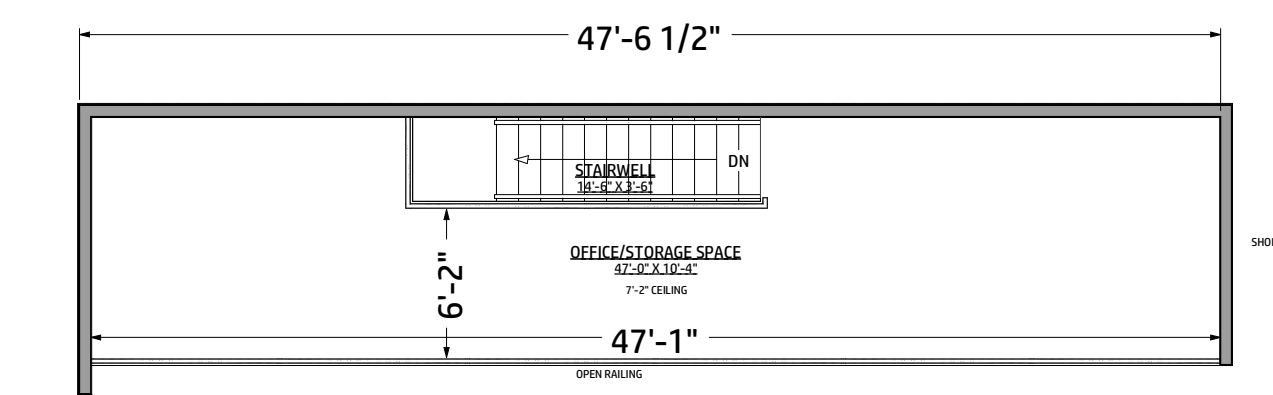
. 2 X 6 EXTERIOR HOUSE WALLS - 16 1/8" HIGH
. 8" THICK CONCRETE FOUNDATION WALLS - 48" HIGH
. 24" ENGINEERED FLOOR TRUSSES (VERIFY WITH TRUSS COMPANY)

SQUARE FOOT CALCULATIONS:
MAIN LEVEL: 14,400 SF
2ND LEVEL: 520 SF
TOTAL: 14,920 SF



MAIN LEVEL

SCALE: 1/8" = 1'



2ND LEVEL

SCALE: 1/8" = 1'



FOUNDATION

SCALE: 1/8" = 1'

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HEISER SHOPS
RUSS HEISER
DICKINSON, ND

2211-94 Business Loop East, Dickinson, ND 58601
701-463-5175

DRAWINGS PROVIDED BY:
Kristy H.

DATE:

3/12/2025

SCALE:

1/8" = 1'

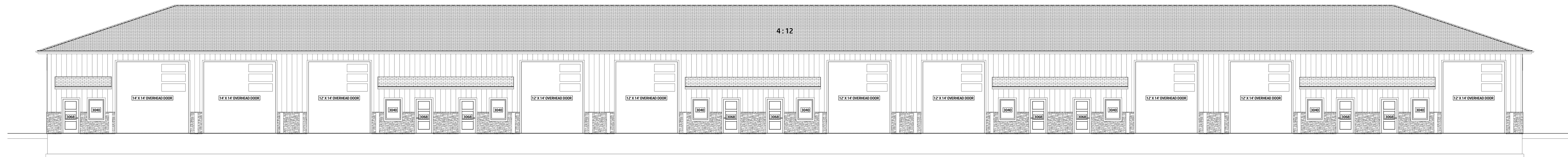
SHEET:

P-2

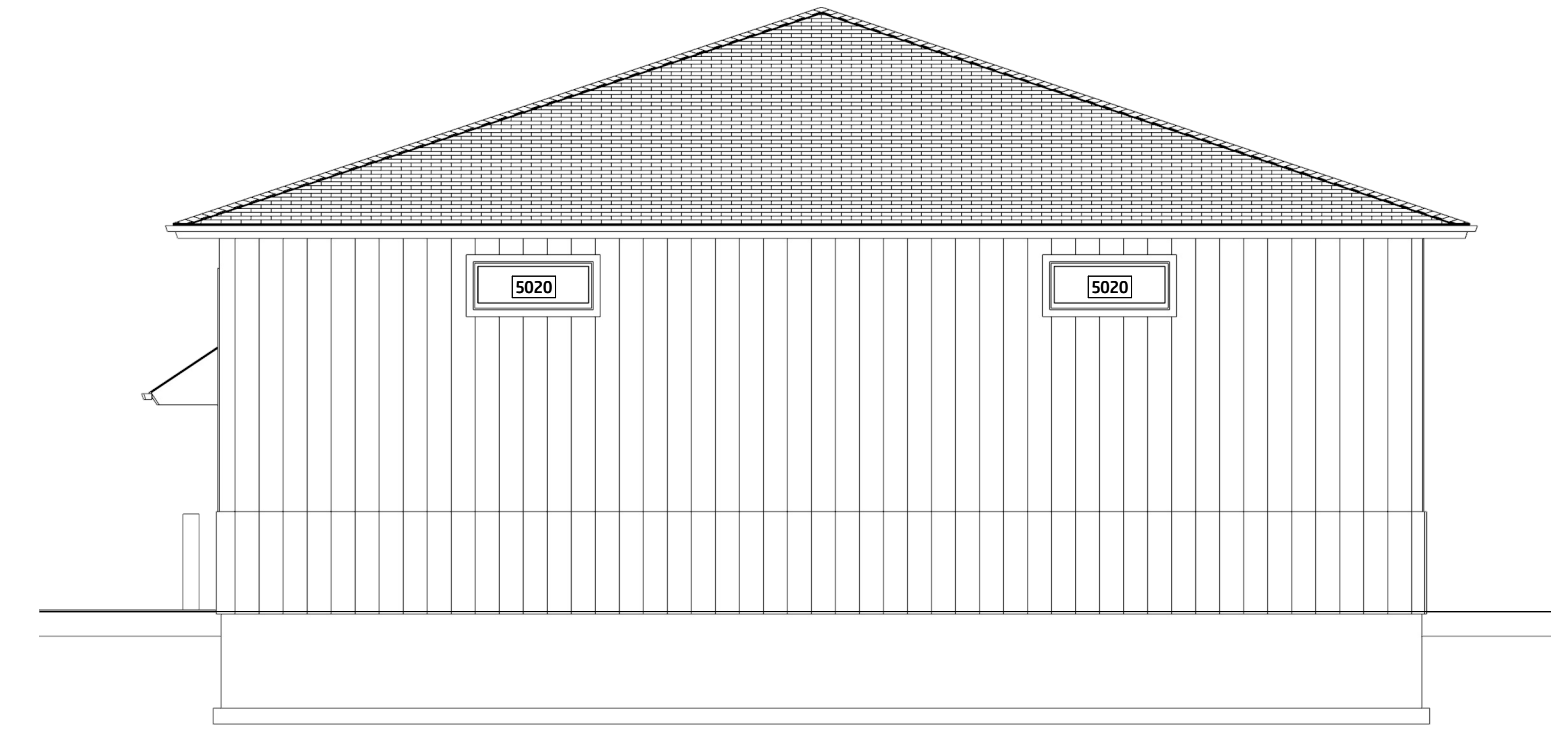
DESIGN CO.
HOME PLANS | RENDERINGS | INTERIORS

BLC
BOSCH LUMBER CO.
"THE YARD"

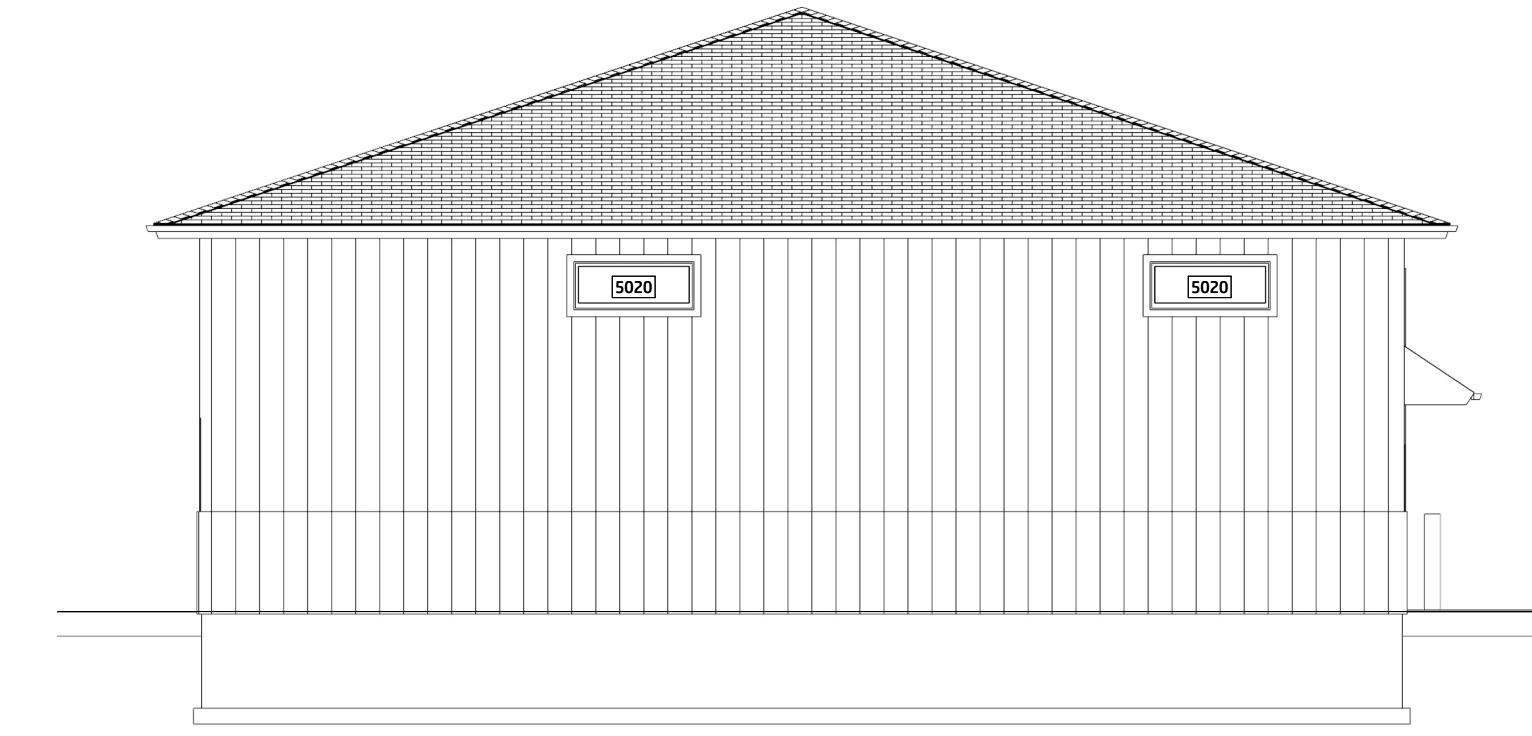
PRELIMINARY - NOT FOR CONSTRUCTION



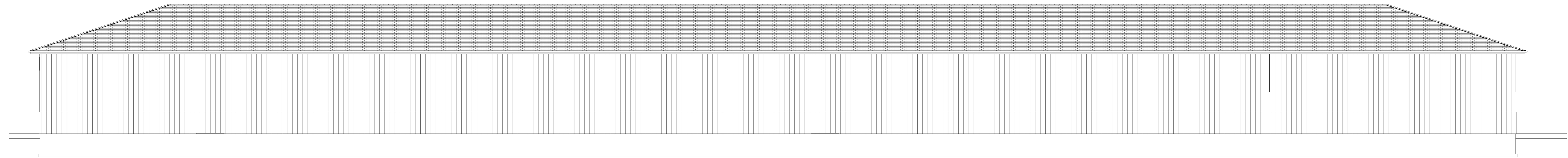
FRONT ELEVATION
SCALE: 1/8" = 1'



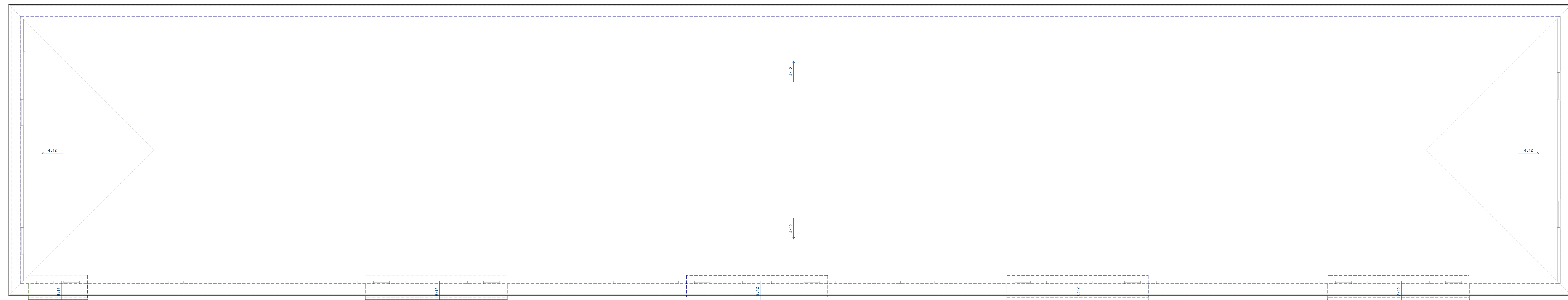
RIGHT ELEVATION
SCALE: 1/8" = 1'



LEFT ELEVATION
SCALE: 1/8" = 1'



REAR ELEVATION
SCALE: 1/8" = 1'



ROOF PLAN VIEW
NOT TO SCALE

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22411-94 Business Loop East, Dickinson, ND 58601
701-463-5175

DRAWINGS PROVIDED BY:
Kristy H.

HEISER SHOPS
RUSS HEISER
DICKINSON, ND

DESIGN CO. INC.
HOME PLANS | RENDERINGS | INTERIORS

BLC
BOSCH LUMBER CO.
"THE YARD"

DATE: 3/12/2025
SCALE: 1/8" = 1'
SHEET: P-3



Staff Report

To: Board of Adjustment
From: City of Dickinson Development Team
Date: {5/12/2025}
Re: **Buffer Variance**

Owner/APPLICANT

Applicant
 Russ Heiser
 2147 7th Street W
 Dickinson, ND 58601

Public Hearings: {5/12/2025} Board of Adjustment

REQUEST

- A. Request:** 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.
- B. Project Address/Legal Description/Area:** Lots 3 and 4 Block 3 Fisher East Side Second Subdivision Replat Block 4 East Side Addition & Unplatted 2-139-96
- C. Project Description:** Reduction of Interior Side and Rear Yard Buffer Setback for Construction of New Shop Condos

STAFF REVIEW AND RECOMMENDATIONS

- A. Compatibility with Local Uses:** Buffer Yard provisions have historically been required between a GC zoned lot and Residential zoned lots.
- B. Compliance with Zoning and Subdivision Regulations:** Structure will require proper permitting to meet Code Requirements.
- C. Public Input:** No Public comment at the time of this report.
- D. Staff Recommendation:** Article VIII.- Landscaping and Screening Standards: Sec. 62.562. – Purpose is to provide guidance on the development of sites within the City by addressing landscaping and screening requirements. They are designed to improve the appearance of the community, buffer potentially incompatible land use from one another, and conserve the value of properties within the City.

- E. Sec. 62-566. Bufferyard provisions. These provisions apply when use is established in a more intensive zoning.
- F. District (District A) adjacent to a less intensive zoning district (district B). Table 62-566-2. Depicts a District A GC Buffer Yard Requirements of 30(feet). District B is R1 & R2. Sec. 62 – 567. – Screening standards are required (a) in addition an opaque barrier is required (b).

Table I: Current Zoning and Use

ZONING	GC
FUTURE LAND USE MAP DESIGNATION	GC
GROSS SITE ACREAGE	1.46 Acres

Table II: Current Adjacent Land Use/Zoning

Direction	Zoning	Land Use
North	R2	Residential
East	GC	Commercial
South	R2	Residential
West	R1	Residential

Attachments:

- Provided in packet

MOTIONS:

*****Approval*****

*“I move the City of Dickinson Board of Adjustment recommend Approval of (**Buffer 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 (**Buffer 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."*

ATTACHMENT A –

APPLICATION MATERIALS

← EXISTING 5 HOUSES →

-  TREES
-  ROCK
-  CONCRETE
-  PROPERTY LINE
-  BUILDINGS
-  SIDEWALK
-  STREET
-  GRASS

