



BOARD OF ADJUSTMENT MEETING AGENDA

Monday, August 10, 2026 at 7:30 AM MT
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. APPOINTMENT OF BOARD MEMBERS

Appointment of Board Members Pat Bren & Bruce Burke.

B. JANUARY 2026 MINUTES

2. REGULAR AGENDA

A. 2845 10TH AVENUE E

Request to reduce the minimum Agriculture (AG) lot size of 10 acres to 8.745 acres.
This property is located at 2845 10th Avenue East - a tract of land situated in the SE ¼
of Section 27, Township 140 N, Range 96 West of the 5th Principal Meridian, Stark
County, ND 58601

3. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

4. OTHER BUSINESS

5. ADJOURNMENT

Link for viewing Board of Adjustment Meeting:

<https://youtube.com/live/Vfm7YxkzB7g>

This link will not be live until approximately 7:25 AM MT on August 10, 2026

Teams Meeting: <https://tinyurl.com/BOA08102026>

Teams Meeting ID: 262 539 088 997 78

Meeting Passcode: AX2Gp3Na

Teams Phone #: 1-701-506-0320

Phone Conference ID: 478 606 616#

Local Phone #: 701-456-7006

Persons desiring to attend the meeting who require special accommodations are asked to contact the City Administrator at (701) 456-7744 by the Friday preceding the meeting.



BOARD OF ADJUSTMENT MEETING MINUTES

Monday, January 12, 2026 at 7:30 AM MT
City Hall – 38 1st Street West Dickinson, ND 58601

Board Members:

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
Troy Bosch

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. STANDARD MOTIONS

A. NOVEMBER 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. 11478 34Y STREET SW

Variance request to reduce the front yard setback on a MH zoned lot from the required 25 feet to 18.2 feet located at 11478 34Y Street SW - L 7 B 4 LUTZ 4TH 25-140-97 LOT 235 X 190.

Chairman Shawn Soehren presents variance request.

Applicants Dana and John Kuntz explained they believed the property was outside city limits and therefore did not obtain a building permit. They placed the shop near an existing tree and bush line for driveway access and due to septic system limitations. The structure ended up at an angle because of how the builders installed it, and although they intended to align it with the mobile home, the framing was already completed before they noticed the angle. They stated they were trying to match the layout and style of other properties in the neighborhood, noting several nearby shops appear close to the street.

Board Member Bosch asked which portion of the building was out of compliance. The closest corner sits at approximately 18 feet, and the opposite corner may be only a

couple of feet farther back. Photos also indicate the existing mobile home may not meet the current 25-foot setback. Building Official Leonard Schwindt explained that some other structures in the subdivision may also be closer than allowed, and that Stark County previously handled permitting in this area before the City assumed ETZ permitting oversight. He clarified that the MH zoning reverts to R3 setbacks because the area is not a registered mobile home park; therefore, the required front setback is 25 feet rather than the reduced 20-foot standard used in designated parks.

Board Member Bruce Burke stated he had no further questions and made a motion to approve the variance.

Motion made by Burke, Seconded by Bosch.

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

B. 1141, 1197, 1257 23RD STREET W

Variance request to reduce the landscape depth on a R3 zoned lot from the required 15 feet to 0 feet located at 1141, 1197, 1257 23rd Street W – LOTS 26,27, 40, 41 & E 1/2 OF LOTS 28 & 39, BLOCK 5, COUNTRY OAKS ESTATES 2ND, REPLAT LOTS 5-11, BLOCK 1 & ALL BLOCK 5. LOTS 29, 30, 37, 38 & W 1/2 LOTS 28 & 39, BLOCK 5, COUNTRY OAKS ESTATES 2ND, REPLAT LOTS 5-11, BLOCK 1 & ALL BLOCK 5. LOT 31, EAST PART LOTS 32 & 35 & ALL LOT 36, BLOCK 5, COUNTRY OAKS ESTATES 2ND, REPLAT LOTS 5-11, BLOCK 1 & ALL BLOCK 5.

Chairman Shawn Soehren presents request for variance.

Andrew Shrank of Highlands Engineering, representing 23rd Street Apartments LLC, explained that the three apartment buildings, now operated as low-income housing by AEL Corporation, have garages but very limited off-street parking. He noted that on-street parking on the south side is heavily used by residents of the duplexes on the north side, leaving inadequate parking for apartment residents and staff, many of whom have limited mobility. The applicant proposed adding approximately 15 parking stalls along the north property line, the only available green space, which would require removing the 15-foot landscape buffer.

Shrank described the site plan and photos included in the application, explaining how added parking would reduce congestion, improve snow removal, and increase safety. Mike Klein, CFO of AEL Corporation, added that parking in front of garage units obstructs tenant access and that vehicles from neighboring properties frequently park along the apartment frontage. He emphasized the need for close parking for staff providing 24-hour support services and stated the owner would hire professional landscapers to enhance and unify the property. The board discussed existing green space behind the buildings, with the applicant clarifying that garages limit access to those areas, making them unusable for parking. Board members reviewed parking stall layout shown in the packet; Shrank explained that several proposed stalls would be accessed directly between garage units using existing pavement.

Further discussion addressed drainage, sight distance, and compliance with pre-application requirements. Shrank stated that all conditions had been met, including lot consolidation and previously vacated easements. Building Official Leonard Schwindt confirmed impervious coverage would remain compliant and noted that inquiries had been received about the request but no opposition. No public comments were submitted. The board acknowledged that staffing needs associated with the facility's current use likely increased parking demand. A motion was made recommending approval of the variance to reduce the landscape depth to zero feet,

subject to stated conditions, as meeting municipal code requirements and supporting public health, safety, and welfare.

Motion made by Bosch, Seconded by Ernst.

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

3. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

4. OTHER BUSINESS

5. ADJOURNMENT

Motion to adjourn at 7:53AM.

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/r_NqvbdFak8

This link will not be live until approximately 7:25 AM MT on January 12, 2026.

Teams Meeting: <https://tinyurl.com/yyt3245m>

Teams Meeting ID: 262 039 406 233 28

Teams Phone #: 1-701-506-0320

Local Phone #: 701-456-7006

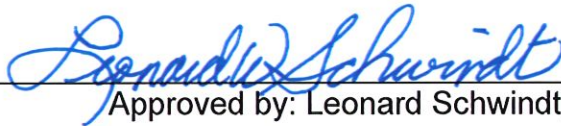
Meeting Passcode: GK6ac6ok

Phone Conference ID: 494 167 109#

Persons desiring to attend the meeting who require special accommodations are asked to contact the City Administrator at (701) 456-7744 by the Friday preceding the meeting.



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



Approved by: Leonard Schwindt, Building Official



Staff Report

Section 2. Item A.

To: Board of Adjustment
From: City of Dickinson Development Team
Date: 08/03/2026
Re: Reduction of AG zoned Lot from 10 acres to 8.745 acres.

OWNER/APPLICANT

Owner Representative: Nick Jensen
 2845 10th Ave E, Dickinson, ND 58601

Public Hearings: 08/10/2026

Board of Adjustment

REQUEST

- A. Request:** Request to reduce the required 10-acre minimum AG lot size to 8.745 acres.
- B. Project Address/Legal Description/Area:** 2845 10th Ave E, A tract of land situated in the SE $\frac{1}{4}$ of section 27, township 140 north, range 96 west of the 5th principal meridian, Stark County, North Dakota as described as follows: Commencing at the center $\frac{1}{4}$ corner of the above said section 27, the point of beginning, thence on a bearing of north 89 degrees 57 minutes 30 seconds east on and along the $\frac{1}{4}$ one a distance of 2033.7 feet, thence on a bearing of south on and along the boundary of a previously deeded tract a distance of 155.6 feet, thence on a bearing of east on and along the boundary of a previously deeded tract a distance of 600 feet to a point on the east line of said section 27, thence on a bearing of south on and along the east line of said section 27 a distance of 541 feet, thence on a bearing of south 89 degrees 57 minutes 10 seconds west a distance of 2634.2 feet to a point on the $\frac{1}{4}$ line, thence on a bearing of north on and along the 1.4 line a distance of 697 feet to the point of beginning.

STAFF REVIEW AND RECOMMENDATIONS

- A. Compatibility with Local Uses:** The combination of Rural Reserve FLUM designation, flood hazard limitations, and existing development on the buildable portion is specific to this property and is not shared generally by other AG-zoned properties in the vicinity.
- B. Public Input:** Inquiry only.
- C. Staff Recommendation:** The property is designated as Rural Reserve under the Future Land Use Map (FLUM), a designation intended to protect the property from counterproductive land uses and reserve it for future annexation. City planning staff has advised maintaining the current AG zoning consistent with the Rural Reserve designation rather than rezoning to Rural Residential.

Table I: Current Zoning and Use

ZONING	AG
FUTURE LAND USE MAP DESIGNATION	Rural Reserve
GROSS SITE ACREAGE	8.745

Table II: Current Adjacent Land Use/Zoning

Direction	Zoning	Land Use
North	AG	Agriculture
East	AG	Agriculture
South	AG	Agriculture
West	AG	Agriculture

Attachments:

- Application Materials

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Board of Adjustment recommend **Approval of a reduction of the required 10 acre AG zoned lot to 8.745 acres.**, 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 **reduction of the required 10 AG 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."*

Lot Attachment:



From: [Jotform](#)
To: [Sylvia Miller](#); [Sylvia Miller](#); [Leonard W. Schwindt](#); [Kylee Zastoupil](#)
Subject: Re: Board of Adjustment
Date: Tuesday, July 14, 2026 6:05:10 PM
Attachments: [Tormaschy_BOA_Submittal.pdf](#)
[26-008 Tormaschy Prelim Submittal.pdf](#)
[26-008 Tormaschy Prelim Submittal Image.pdf](#)
[Tormaschy Pre-Application Letter.pdf](#)
[6598830341812611518.pdf](#)
[6598830341812611518_signature_33.png](#)



Board of Adjustment

Who is the applicant	Authorized Personnel
Property Owner	Jason Tormaschy
Property Owner's Phone Number	(701) 690-2115
Property Owner's Email	jhtormas@ndsupernet.com
Applicant Name	Nick Jensen
Applicant's Phone Number	(701) 505-8209
Applicant's Email	nick.jensen@westernedgesurveying.com
Property Location	2845 10th Ave E, Dickinson, ND, 58601
Property Legal Description	A TRACT OF LAND SITUATED IN THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 140 NORTH, RANGE 96WEST OF THE 5TH PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA AS DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER 1/4 CORNER OF THE ABOVE SAID SECTION 27, THE POINT OF BEGINNING, THENCE ON A BEARING OF NORTH 89 DEGREES 57 MINUTES 30 SECONDS EAST ON AND ALONG THE 1/4 LINE A DISTANCE OF 2033.7 FEET, THENCE ON A BEARING OF SOUTH ON AND ALONG THE BOUNDARY OF A PREVIOUSLY DEEDED TRACT A DISTANCE OF 155.6 FEET, THENCE ON A BEARING OF EAST ON AND ALONG THE BOUNDARY OF A PREVIOUSLY DEEDED TRACT A DISTANCE OF 600 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 27, THENCE ON A BEARING OF SOUTH ON AND ALONG THE EAST LINE OF SAID SECTION 27 A DISTANCE OF 541 FEET, THENCE ON A BEARING OF SOUTH 89 DEGREES 57 MINUTES 10 SECONDS WEST A DISTANCE OF 2634.2 FEET TO A POINT ON THE 1/4 LINE, THENCE ON A BEARING OF NORTH ON AND ALONG THE

1/4 LINE A DISTANCE OF 697 FEET TO THE POINT OF BEGINNING.

Zoning District

AG

Existing Use

AG

Zoning/Use

	Adjacent Zoning	Adjacent Use
North	RR	AG
South	AG	AG
East	AG	AG
West	AG	AG

General Description of Request

Variance to permit Lot 2 of the Zowie Heights Subdivision to be 8.745 acres, less than the 10-acre AG minimum lot size.

Purpose Statement

[Tormaschy_BOA_Submittal.pdf](#)

Site Plan

[26-008 Tormaschy_Prelim_Submittal.pdf](#)
[26-008 Tormaschy_Prelim_Submittal_Image.pdf](#)

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

The property is designated as Rural Reserve under the Future Land Use Map (FLUM), a designation intended to protect the property from counterproductive land uses and reserve it for future annexation. City planning staff has advised maintaining the current AG zoning consistent with the Rural Reserve designation rather than rezoning to Rural Residential.

Additionally, the majority of Lot 2 is within a FEMA-designated Special Flood Hazard Area (Zone AE), which restricts development of most of the parcel regardless of lot size. The buildable area outside the flood hazard has been developed with the existing residence and shop.

The combination of Rural Reserve FLUM designation, flood hazard limitations, and existing development on the buildable portion is specific to this property and is not shared generally by other AG-zoned properties in the vicinity.

Zoning Code Sections Relevant to this Request

Section 62-162, Table 62-162-3a — Development Regulations
Section 62-61 — Variances

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

No

Copies of any order, requirement, decision, or determination made by an administrative official of the City of Dickinson that

[Tormaschy Pre-Application Letter.pdf](#)

is relevant to this request.

Applicant/Property Owner
Signature



Date 07-14-2026

Board of Adjustment	Board of Adjustment	150.00 USD
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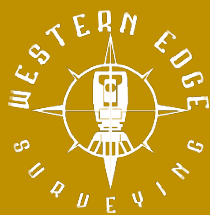
Total:	\$150.00
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Transaction ID: 96q11x68

Payment Information

First Name:	Nicholas
Last Name:	Jensen
E-Mail	jhtormas@ndsupernet.com

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



Western Edge Surveying, PLLC
1175 Lincoln Street
Dickinson, ND 58601

Phone: (701) 505-8209
Email: nick.jensen@westernedgesurveying.com
Website: www.westernedgesurveying.com

To: Natalie Birchak – City Planner
City of Dickinson
38 1st Street West
Dickinson, ND

Date: July 7th, 2026

RE: Variance Application — Zowie Heights Subdivision, Lot 2
Zoning District: Agricultural (AG)

Dear Members of the Board of Adjustment:

On behalf of the property owner, we are submitting the enclosed application for a variance from Section 62-162, Table 62-162-3a of the City of Dickinson Zoning Ordinance to permit Lot 2 of the proposed Zowie Heights Subdivision to be established at 8.745 acres, less than the 10-acre minimum lot size required in the Agricultural (AG) zoning district.

Property Overview

The subject property is a 40-acre parent parcel located in the SE¼ of Section 27, Township 140 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). The property is being subdivided into Lot 1 (30.000 acres) and Lot 2 (8.745 acres), with 0.640 acres dedicated as right-of-way on the west and 0.621 acres dedicated as right-of-way on the east. Lot 2 includes an existing single-family residence and shop.

Basis For The Variance Request

The property is designated as Rural Reserve under the current Future Land Use Map (FLUM). This variance request has been developed under the advisement of city planning staff, who have recommended maintaining the AG zoning consistent with the Rural Reserve designation rather than rezoning to Rural Residential.

The majority of Lot 2 is within a FEMA-designated Special Flood Hazard Area (Zone AE), which restricts development of most of the parcel. The buildable area outside the flood hazard has been developed with the existing residence and shop.

Request

The property owner respectfully requests that the Board of Adjustment grant a variance from the 10-acre AG minimum lot size to permit Lot 2 to be established at 8.745 acres as depicted on the proposed subdivision plat.

Respectfully submitted,

Nicholas R. Jensen, PLS
Western Edge Surveying, PLLC



PRE-APPLICATION RESPONSE

COMMUNITY DEVELOPMENT

April 13th, 2026

Nick Jensen
Western Edge Surveying PLLC
PO Box 168
Dickinson, ND 58601

nick.jensen@westernedgesurveying.com

RE: March 31, 2026 Pre-application Meeting Response Letter Regarding: 2845 10th Avenue East, Dickinson, ND 58601. SE4 N697' Less N160'XE600' 27-140-96 40 Acres

Dear Mr. Jensen:

Thank you for meeting with City staff on March 31, 2026 for a discussion regarding your development request. This letter serves as an outline of the request, a summary of the pre-application meeting discussion, and responses from the following City of Dickinson departments:

- Planning;
- Building;
- Engineering;
- Fire;
- Assessing; and
- Public Works.

Please carefully review all the information provided within this letter. Staff will remain available to answer any further questions before, during, and after development applications. Links to resources regarding development application processes are located at the end of this letter.

In Attendance:

Nick Jensen - Surveyor

Jason Tormaschy - Owner

Natalie Birchak, City Planner

Leah Upchurch, Public Works

Chris Dickinson City Assessor

Deb Kirschenheiter, Deputy Assessor

Josh Skluzacek, City Engineer/Community Development Director

38 1st Street W | Dickinson ND 58601 | 701.456.7020

www.dickinsongov.com | Fax: 701.456.7723 | www.facebook.com/cityofdickinsonnd



Leonard Schwindt, City Building Official
Mark Selle, Deputy Fire Chief
Steve Josephson, City/County Planner
Matt Hanson, Deputy Police Chief
Kris Keller, Senior Engineer
Dan Minor, Project Engineer
Greg Melchior, Construction Project Manager
Sylvia Miller, Executive Assistant - Community Development
Ben Rae, Park and Rec Director

Executive Summary: The property owner is looking to subdivide the existing property into two separate lots. Both resulting lots will be less than 40 acres, and right-of-way must be dedicated on the eastern and western sides of the property, so a major subdivision will be required.

The applications required will include: **Major subdivision**

Project Description:

"We will be looking to split the existing parcel into two parcels. One containing 30 acres and the other 10-acre parcel will be around the existing house."

Requests/Questions from the applicant:

"Purpose is to sell off the 30-acre parcel, which is already under contract."

Documents provided to the City of Dickinson at the time of the development meeting:

- Pre-Application Request Form
- Site plan

Listed below are the City of Dickinson's comments related to your pre-submittal request:

Planning: The property owner has indicated they are looking to subdivide a property. According to the Municipal Code Section 52-1: Definitions, in order to be considered a minor subdivision, a plat has to meet the following four criteria:

- 1) *"Does not require the dedication of public rights-of-way or the construction of new public streets or public infrastructure;*
- 2) *Does not land-lock or otherwise impair convenient ingress and egress to or from the rear or side of the subject tract or any adjacent property;*
- 3) *Does not violate any local, State or federally adopted law, ordinance, regulation, plan or policy; and*
- 4) *Consists of four lots or less."*

4th Avenue East is designated as a collector road. According to the updated Dickinson Transportation Master Plan, 10th Avenue E is planned to be designated as a collector. Based on

the updated collector road sections from the Transportation Master Plan, the property owner must dedicate 40 feet of right-of-way along 4th Avenue East and 50 feet of right-of-way along 10th Avenue East. As the property owner must dedicate right-of-way, the proposed subdivision will be considered a major subdivision. Major subdivisions require one public hearing as a preliminary subdivision plat in front of the Planning and Zoning Commission, then an additional public hearing as a final subdivision plat in front of the Planning and Zoning Commission before receiving final approval from the City Commission.

The site is currently zoned Agricultural (AG). According to Table 62-162-3a. Summary of Site Development Regulations, the minimum lot size for the AG zoning district is 10 acres. The property owner has proposed subdividing the lot into one 10-acre lot and one approximately 30-acre lot being the remainder of the overall property. The proposed subdivision meets the requirements of the AG zoning district and therefore will not require a rezone unless the applicant desires to reduce the proposed 10-acre lot to be less than the minimum acreage required.

The property is located in the Urban Reserve future land use map (FLUM) category. This category encourages urban developments adjacent to City limits and does not permit properties to rezone into the AG or Rural Residential (RR) zoning districts. In the event the 30-acre parcel is to be developed, the developer should be aware of this requirement. Annexation may be discussed prior to the approval of any further subdivision or rezone request.

The property is located within the City of Dickinson's Extra-Territorial Zone (ETZ). The property owner shall reach out to Stark County Weed Control Officer Travis Jepson prior to the submittal of any application to ensure an inspection can be conducted prior to approval.

According to the applicant, no additional development is taking place on the resulting lots. If the 30-acre lot is ever further subdivided, the applicant will be required to provide Will Serve letters from all utilities and service providers; i.e. US Postal Service, electric, natural gas, communications, Southwest Water Authority, etc. Additionally, if the 30-acre lot is further subdivided, the dedication of right-of-way along 29th Street East may be required, and the developer may be required to annex into the City of Dickinson.

Engineering:

- Floodplain: The northeast portion of the proposed subdivision within W90' X S127.4' of Lot 3 of Block 5 of the Hilliard & Manning 3rd Addition is in the FEMA Zone AE, as per FIRM Panel Number 38089C-0192F. The applicant shall include the location of the floodplain on the proposed subdivision plat as a drainage easement.
- Streets: The applicant shall dedicate 40 feet of right-of-way along 4th Avenue East and 50 feet of right-of-way along 10th Avenue East. Access from the approximate 30-acre

parcel onto either 4th Avenue East or 29th Street East would be decided at the time of either a building permit submittal or if the property is ever further subdivided.

- **Traffic:** No additional development is being proposed at this time. This subdivision will not require a traffic study. A traffic impact study will likely be required at the time of future development of the proposed 30-acre lot.
- **Water:** The property is currently serviced by Southwest Water. The property owner shall include an exhibit with any subdivision application indicating the location of Southwest Water infrastructure to ensure no utility easements will be required.
- **Sanitary Sewer:** The property is currently serviced by an existing septic system. The property owner shall include an exhibit with any subdivision application indicating the location of the existing septic system to ensure it is entirely contained within one proposed lot. Additionally, the property owner shall include a utility easement following the existing sanitary sewer main's location through the property if one is not already filed at the Stark County Courthouse.
- **Storm Sewer:** The applicant shall include a drainage easement along the portion of the property located within the floodplain. A stormwater plan will be required if the proposed 30-acre parcel further develops.

Assessing:

No comments.

Fire Department: The property is located in the City of Dickinson's Extra-Territorial Zone (ETZ). Fire service is provided by the Dickinson Rural Fire Department in the ETZ. The property owner shall verify with Rural Fire Chief Jeff Thompson that the property can be serviced.

Parks & Recreation: Park land dedication will not be required of the applicant at this time. However, if the 30-acre parcel is further subdivided and developed in the future, the applicant developing the property can expect to be required to pursue parkland dedication or payment-in-lieu.

Public Works:

No comments.

Buildings: Building fire suppression requirements by the City of Dickinson are no more stringent than the International Building Code. A building permit application will be required to follow the City of Dickinson Municipal Code. Plumbing inspections will be provided by the City of Dickinson. Electric inspections will be provided by the State of North Dakota.

Thank you once again for discussing this development concept with City of Dickinson staff and please do not hesitate to contact staff if you have any questions.

Planning: 701.456.7812 / natalie.birchak@dickinsongov.com

Community Development Administration: 701.456.7020 / sylvia.miller@dickinsongov.com

Sincerely,



Natalie Birchak
City Planner



Joshua M. Skluzacek
Engineering and Community Development
Director

City GIS maps:

<https://cityofdickinson.maps.arcgis.com/home/index.html>

Municipal codes directory:

<https://www.dickinsongov.com/government/page/municipal-code>

Upcoming Planning & Zoning / City Commission meetings:

<https://www.dickinsongov.com/meetings>

Applications Portal:

<https://www.dickinsongov.com/government/page/application-portal>

SCAM ALERT: The City of Dickinson has been made aware of an ongoing scam campaign targeting businesses and citizens with regards to the payment of application fees. The City of Dickinson does not send invoices regarding fees associated with the Planning & Zoning Commission and has no fees outside of the application fee. If you receive any invoices or have questions regarding the validity of an electronic message regarding application fees, please contact City staff at 701-456-7020 or email sylvia.miller@dickinsongov.com to verify it.

Appendices:

- A) Completed Application Requirements and Associated Fees. All applications must be complete and submitted by the first Friday of the month prior to the desired public hearing date.**

Plat (check for additional major plat requirements): \$350.00

Required Documentation:

- Pre-Application Date / Response Letter
- Transmittal letter / narrative describing reason for the application.
- Title Opinion reflecting ownership by Applicant(s)
 - If applicant does not own the subject property, also include affidavit of interests / agent of owner statement indicating legal interest by the property owner.
- Proposed plat map satisfying the following criteria:
 - Name of the subdivision plat (if in City use “addition,” if in ETZ use “subdivision”).
 - Location of subdivision plat by section, township, and range (to the quarter section).
 - Names and addresses of property owner(s) and registered land surveyor. d. Scale of 1” = 100’ or less, shown graphically. e. Date.
 - North point indication (arrow or compass rose).
 - Basis of bearings, as derived from State Plane Coordinates.
 - Indication of both vertical datum and horizontal datum used for the plat.
 - Boundary line of subdivision plat based on an accurate traverse, with angular and linear dimensions.
 - Legal description of property being platted, including any section line right-of-way not previously deeded for subdivision plats within the ETZ.
 - Accurate locations of all monuments. One monument shall be placed at each corner and at each change of direction in the boundary line of the subdivision plat. In addition, one monument shall be noted/ placed at each block corner; at each point of deflection in the interior lot lines; and at the point of curvature and point of tangency of each curve in a street line on both sides of the street. Whether monuments are to be noted or placed prior to recording the plat is based on the location of the subdivision plat.
 - True angles and distances to the nearest official monuments. For subdivision plats adjacent to or within the current corporate limits, a tie to at least one official monument is required. For subdivision plats within the ETZ, ties to two

official monuments are required. For purposes of this requirement, an official monument is an official government monument, such as a section corner or quarter section corner.

- Ties to a minimum of two accepted State Plane Coordinate monuments based on NAD 83 horizontal datum (adjusted 86), units of measurement international feet, ND south zone 3302.
- Elevations referenced to a durable benchmark described on the plat within its location to the nearest hundredth of a foot, with indication of datum used (NAVD88 required for areas with current floodplain information in that datum).
- Exact location, width, and name of all rights-of-way within and adjoining the subdivision plat, and the exact location of all alleys and multi-use trails within the subdivision plat.
- Accurate outlines and legal descriptions of any areas (not including streets, alleys, or public utility easements) to be dedicated or reserved for public use, with the purposes indicated; and of any areas to be reserved by deed covenant for common use of all property owners within the subdivision plat.
- All easements for rights-of-way provided for public services and public utilities.
- All lot numbers and block numbers and lot lines, with accurate dimensions in feet and hundredths.
- Square footage or acreage of land within the subdivision plat, each individual lot, each subplot created by ghost platting, and the total area in streets. If the subdivision plat crosses a quarter-section line, the acreage within each quarter section must also be noted.
- Radii, deltas, and lengths of all curves based on arc definitions.
- Location and dimensions of non-access lines and access points within a continuous non-access line.
- 100-year floodplain and floodway elevations and topographic contours with a minimum contour interval of 2 feet for any portion of the subdivision plat within a designated floodplain, with indication of datum used (NAVD88 required for areas with current floodplain information in that datum).
- For any waterways or bodies of water within or adjacent to the subdivision plat, the present shoreline locations (relative to the meander line).
- Certification by the registered surveyor that the subdivision plat represents a survey made by him/her, or under the surveyor's direct supervision, and that the monuments shown thereon are accurate, all required monuments have been set, and that all dimensional and geodetic details are correct.
- Notarized certification by all owner(s) of the land of adoption of the subdivision plat and dedication of sewers, water distribution lines, streets, public areas, and

other improvements. If there are multiple owners, the specific lot(s) owned by each must be specified.

- All easements for stormwater management facilities shall be shown and dedicated.
- Final Plat Recording (after approval)
 - Must be printed on 24x36 Mylar (2 copies)
 - Must use all **BLACK** ink. Blue ink is not allowed per Century Code.
 - Please have County Recorder, Kim Kasian, review plat before producing for recording. [Kim Kasian <KKasian@starkcountynd.gov>](mailto:KKasian@starkcountynd.gov)

ATHAVEE
N1°33'31"E 697.35' (R-697)
 40' R.O.W. (DEDICATED VIA THIS PLAT)
 0.640 AC
 N1°33'31"E 697.34'
 40'
 S1°32'31"W 1939.46'
 FOUND 5/8" REBAR
 S 1/4 SEC. 27
 FOUND SURVEY SPIKE

LOT 1
 30.000 AC

LOT 2
 8.745 AC

BLOCK 1

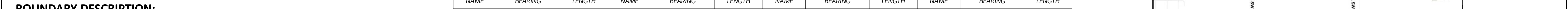
10TH AVE.
S1°32'49"W 541.00' (R-541)
 50' R.O.W. (DEDICATED VIA THIS PLAT)
 0.621 AC
 SECTION LINE
 S1°32'49"W 1939.41'
 SET 'PK' NAIL FROM RECORDED TIES

11TH AVE.
S1°32'49"W 1939.41'
 SET 'PK' NAIL FROM RECORDED TIES

DRAINAGE EASEMENT TABLE

NO.	BEARING	DISTANCE	AREA
1	N88°30'29"W	40.00'	0.640 AC
2	N1°33'31"E	697.34'	0.640 AC
3	S1°32'31"W	1939.46'	0.640 AC
4	S 1/4 SEC. 27	FOUND SURVEY SPIKE	0.640 AC
5	N88°30'29"W	40.00'	0.640 AC
6	N1°33'31"E	697.34'	0.640 AC
7	S1°32'31"W	1939.46'	0.640 AC
8	S 1/4 SEC. 27	FOUND SURVEY SPIKE	0.640 AC
9	N88°30'29"W	40.00'	0.640 AC
10	N1°33'31"E	697.34'	0.640 AC
11	S1°32'31"W	1939.46'	0.640 AC
12	S 1/4 SEC. 27	FOUND SURVEY SPIKE	0.640 AC
13	N88°30'29"W	40.00'	0.640 AC
14	N1°33'31"E	697.34'	0.640 AC
15	S1°32'31"W	1939.46'	0.640 AC
16	S 1/4 SEC. 27	FOUND SURVEY SPIKE	0.640 AC
17	N88°30'29"W	40.00'	0.640 AC
18	N1°33'31"E	697.34'	0.640 AC
19	S1°32'31"W	1939.46'	0.640 AC
20	S 1/4 SEC. 27	FOUND SURVEY SPIKE	0.640 AC
21	N88°30'29"W	40.00'	0.640 AC
22	N1°33'31"E	697.34'	0.640 AC
23	S1°32'31"W	1939.46'	0.640 AC
24	S 1/4 SEC. 27	FOUND SURVEY SPIKE	0.640 AC
25	N88°30'29"W	40.00'	0.640 AC
26	N1°33'31"E	697.34'	0.640 AC
27	S1°32'31"W	1939.46'	0.640 AC
28	S 1/4 SEC. 27	FOUND SURVEY SPIKE	0.640 AC
29	N88°30'29"W	40.00'	0.640 AC
30	N1°33'31"E	697.34'	0.640 AC
31	S1°32'31"W	1939.46'	0.640 AC
32	S 1/4 SEC. 27	FOUND SURVEY SPIKE	0.640 AC
33	N88°30'29"W	40.00'	0.640 AC
34	N1°33'31"E	697.34'	0.640 AC
35	S1°32'31"W	1939.46'	0.640 AC
36	S 1/4 SEC. 27	FOUND SURVEY SPIKE	0.640 AC
37	N88°30'29"W	40.00'	0.640 AC
38	N1°33'31"E	697.34'	0.640 AC
39	S1°32'31"W	1939.46'	0.640 AC
40	S 1/4 SEC. 27	FOUND SURVEY SPIKE	0.640 AC
41	N88°30'29"W	40.00'	0.640 AC
42	N1°33'31"E	697.34'	0.640 AC
43	S1°32'31"W	1939.46'	0.640 AC
44	S 1/4 SEC. 27	FOUND SURVEY SPIKE	0.640 AC
45	N88°30'29"W	40.00'	0.640 AC
46	N1°33'31"E	697.34'	0.640 AC
47	S1°32'31"W	1939.46'	0.640 AC
48	S 1/4 SEC. 27	FOUND SURVEY SPIKE	0.640 AC
49	N88°30'29"W	40.00'	0.640 AC
50	N1°33'31"E	697.34'	0.640 AC
51	S1°32'31"W	1939.46'	0.640 AC
52	S 1/4 SEC. 27	FOUND SURVEY SPIKE	0.640 AC
53	N88°30'29"W	40.00'	0.640 AC
54	N1°33'31"E	697.34'	0.640 AC
55	S1°32'31"W	1939.46'	0.640 AC
56	S 1/4 SEC. 27	FOUND SURVEY SPIKE	0.640 AC
57	N88°30'29"W	40.00'	0.640 AC
58	N1°33'31"E	697.34'	0.640 AC
59	S1°32'31"W	1939.46'	0.640 AC
60	S 1/4 SEC. 27	FOUND SURVEY SPIKE	0.640 AC
61	N88°30'29"W	40.00'	0.640 AC
62	N1°33'31"E	697.34'	0.640 AC
63	S1°32'31"W	1939.46'	0.640 AC

BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 140 NORTH, RANGE 96 WEST, 5TH P.M.
PARTNERSHIP CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA



PER WARRANTY DEED RECORDED IN BOOK 237, PAGE 97, AND CHECKED AGAINST DOCUMENT NO. 3157672 STARK COUNTY, NORTH DAKOTA

COMMENCING AT THE CENTER 1/4 CORNER OF THE ABOVE SAID SECTION 27, THE POINT OF BEGINNING, THENCE ON A BEARING OF NORTH 89 DEGREES 57 MINUTES 30 SECONDS EAST ON AND ALONG THE 1/4 LINE A DISTANCE OF 2033.7 FEET, THENCE ON A BEARING OF SOUTH ON AND ALONG THE BOUNDARY OF A PREVIOUSLY DEEDED TRACT A DISTANCE OF 155.6 FEET, THENCE ON A BEARING OF EAST ON AND ALONG THE BOUNDARY OF A PREVIOUSLY DEEDED TRACT A DISTANCE OF 600 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 27, THENCE ON A BEARING OF SOUTH ON AND ALONG THE EAST LINE OF SAID SECTION 27 A DISTANCE OF 541 FEET, THENCE ON A BEARING OF SOUTH 89 DEGREES 57 MINUTES 10 SECONDS WEST A DISTANCE OF 2634.2 FEET TO A POINT ON THE 1/4 LINE, THENCE ON A BEARING OF NORTH ON AND ALONG THE 1/4 LINE A DISTANCE OF 697 FEET TO THE POINT OF BEGINNING.

BASIS OF BEARINGS:

SURVEYOR'S CERTIFICATE:

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

PRELIMINARY

1) A 40' STRIP LYING EAST OF THE WEST BOUNDARY LINE WAS PREVIOUSLY GRANTED PER EASEMENT DOCUMENT NO. 3091864.
2) A 40' STRIP LYING WEST OF THE EAST BOUNDARY LINE WAS PREVIOUSLY GRANTED PER EASEMENT DOCUMENT NO. 189001.
3) A PORTION OF ZOWIE HEIGHTS SUBDIVISION FALLS WITHIN SPECIAL FLOOD HAZARD AREAS AS SHOWN, PER FEMA FIRM NO. 38089C0192F DATED AUGUST 28TH, 2014. DRAINAGE EASEMENT FOLLOWS THE MAPPED AREA FOR ZONE X & ZONE AE AS INDICATED PER FEMA FIRM NO. 38089C0192F.
4) GAS AND GAS WELL INFORMATION PER NORTH DAKOTA INDUSTRIAL COMMISSION:
OPERATOR: SCOUT ENERGY MANAGEMENT
WELL NAME: 9403 JV-P RASHKO 1
FILE NO.: 13692
LOCATION OF WELL HEAD WAS DOCUMENTED AT TIME OF THIS SURVEY TO REFLECT 300' NON-HABITABLE STRUCTURE BUFFER.

1) UTILITIES DEPICTED ARE THE RESULT OF AN 811 CALL TICKET #26023437 AND WERE EITHER MARKED OR ELECTRONICALLY SUBMITTED TO THE SURVEYOR. SURVEYOR MAKES NO GUARANTEES TO THE PHYSICAL LOCATION OF UTILITIES.

2) DATE OF LATEST FIELD WORK: XXXXXXXXXXXXX

PROPRIETORS CERTIFICATE:

WE, JASON H. TORMASCHY and LISA TORMASCHY, OWNERS AND PROPRIETORS OF ZOWIE HEIGHTS SUBDIVISION TO CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA, ON THIS PLAT SHOWN HEREON AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, DO HEREBY DECLARE THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AS SHOWN ON THE ACCOMPANYING PLAT, AND DO HEREBY DEDICATE ALL UTILITY EASEMENTS AND PUBLIC STREET RIGHT-OF-WAY AS SHOWN TO PUBLIC USE FOREVER.

BY: JASON H. TORMASCHY BY: LISA TORMASCHY

STATE OF _____

COUNTY OF _____

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND OF SAID COUNTY AND STATE, PERSONALLY APPEARED JASON H. TORMASCHY AND LISA TORMASCHY, TO ME KNOWN TO BE THE SAME PERSONS DESCRIBED IN AND THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND SEVERALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

RESIDING AT THE COUNTY OF _____, STATE OF _____

LEGEND:

FOUND MONUMENT (AS DESCRIBED)

SET MONUMENT 5/8X24" REBAR W/2'
ALUM CAP STAMPED 'WES 29362'
(UNLESS NOTED OTHERWISE)

CALCULATED POINT (NOT SET)

BOUNDARY LINE

LOT LINE

UTILITY EASEMENT EDGE

DRAINAGE EASEMENT BOUNDARY

RECORD DISTANCE

EASEMENT TIE DISTANCE

DRAINAGE EASEMENT TIE DISTANCE

FEMA 'REGULATORY FLOODWAY'

ELECTRIC LINE

SANITARY SEWER LINE

WATER LINE



SCALE: NTS

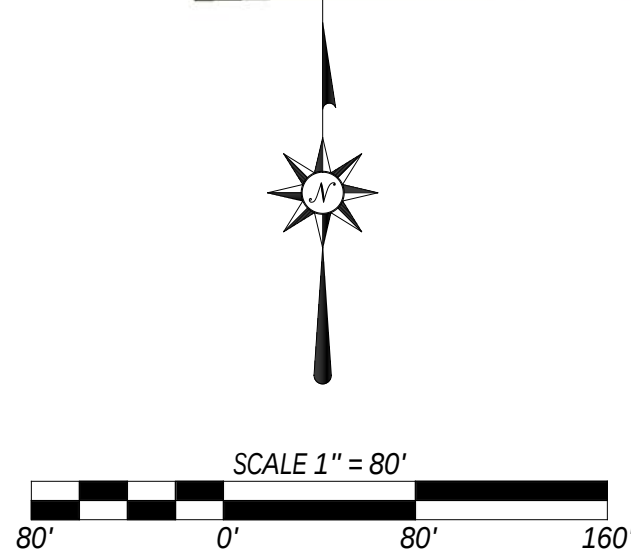
PRINTED NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____

PRINTED NAME: _____ TITLE: _____

PRINTED NAME: _____ TITLE: _____

PRINTED NAME: _____ TITLE: _____



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