



PLANNING AND ZONING COMMISSION MEETING AGENDA

Wednesday, December 11, 2024 at 7:10 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Jason Fridrich
Vice Chairman: Scott Bullinger
Dean Franchuk
Zack Keller
Troy Bosch
Val Decker
Rick Haugen
Aaron Johansen
Mike Schwab

CALL TO ORDER

ROLL CALL

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

2. MINUTES

A. NOVEMBER 13TH, 2024 MINUTES

3. REGULAR AGENDA:

A. REZONING (REZ-007-2024) - Presented by City Planner, Natalie Birchak

To consider a Zoning Map Amendment from Rural Residential (RR) to Low-Density Residential (R-1) for the South 207.04 feet of a property legally described as Lot 9 in Block 1 of the Southfork Acres 2nd Subdivision in the SW ¼ of the SE ¼ of Section 16, Township 139 North, Range 96 West, located in the City of Dickinson's ETZ. The site consists of +/- 1.30 acres.

B. FINAL MINOR PLAT (FLP-020-2024) - Presented by City Planner, Natalie Birchak

To consider a Minor Subdivision Plat for the Meduna 1st Subdivision located in the SW ¼ of the SE ¼ of Section 16, Township 139 North, Range 96 West, located in the City of Dickinson's ETZ. The site consists of +/- 6.08 acres.

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

6. WORK SESSION

7. ADJOURNMENT

Link for viewing Planning and Zoning Commission Meeting:

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

This link will not be live until approximately 7:05 am on December 11, 2024.

Teams Meeting: <https://tinyurl.com/PZ-12-11-2024-Teams>

Teams Meeting ID: 230 552 401 188

Meeting Passcode: qSqPHE

Teams Phone #: 1-701-506-0320

Phone Conference ID: 551 704 739#

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.



PLANNING AND ZONING COMMISSION MEETING MINUTES

Wednesday, November 13, 2024 at 7:10 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Jason Fridrich
Vice Chairman: Scott Bullinger
Dean Franchuk
Zach Keller
Troy Bosch
Val Decker
Rick Haugen
Aaron Johansen
Mike Schwab

CALL TO ORDER

ROLL CALL

PRESENT

Chairman Jason Fridrich
Vice Chairman Scott Bullinger
Commissioner Dean Franchuk
Commissioner Aaron Johansen
Commissioner Richard Haugen
Commissioner Mike Schwab
Commissioner Troy Bosch
Commissioner Val Decker
Commissioner Zach Keller

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

Motion to approve order of business

Motion made by Commissioner Decker, Seconded by Vice Chairman Bullinger.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Bosch, Commissioner Decker, Commissioner Keller

2. MINUTES

A. SEPTEMBER 11, 2024 MINUTES

Motion to approve minutes.

Motion made by Vice Chairman Bullinger, Seconded by Commissioner Bosch.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk,

Commissioner Johansen, Commissioner Haugen, Commissioner Schwab,
Commissioner Bosch, Commissioner Decker, Commissioner Keller

3. REGULAR AGENDA:

A. FINAL MAJOR PLAT (FLP-018-2024) - Presented by: City Planner, Natalie Birchak

To consider a Final Major Plat for the West Ridge 4th Subdivision Addition Being the Replat of Lots 13-15, Block 6 of the Replat of the West Ridge 1st Addition, Lots 1 and 17-12 of Block 1, located in the SW ¼ of Section 31, Township 140 North, Range 96 West in the City of Dickinson. The site consists of +/- 1.51 acres.

Natalie Birchak, City Planner, presents the final plat. She states the purpose of this subdivision is to construct nine units – seven townhouses on individual lots and two units on one duplex lot. The seven lots will be sold to the applicants and the two duplex units will be rented out by the developer. It is currently zoned R2. The preliminary plat was heard and approved at a prior meeting. Staff recommends approval of the plat.

Chairman Fridrich opens the public hearing. There being no comments the hearing is closed.

Motion made by Commissioner Johansen, Seconded by Commissioner Decker.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Bosch, Commissioner Decker, Commissioner Keller

B. FINAL MINOR PLAT (FLP-019-2024) - Presented by: City Planner, Natalie Birchak

To consider a Final Minor Plat for the Dvirnak 1st Subdivision, being a Replat of Lots 5A, 5B, & 6 in Block 3 of the County Oak Estates 2nd Addition, located in the SW ¼ of Section 28, Township 140N, Range 96W in the City of Dickinson. The site consists of +/- 0.72 acres.

Ms. Birchak presents the final minor plat. She says the purpose is to divide Lot 5B and combine the south 58' with Lot 6 to construct a detached garage on an already developed lot. The lot is currently zoned R2. She explained this could have been an administrative lot modification, but since it had been split in the past that required the minor plat. Staff recommends approval.

Chairman Fridrich opens the public hearing. There being no comment the hearing is closed.

Motion made by Vice Chairman Bullinger, Seconded by Commissioner Schwab.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Bosch, Commissioner Decker, Commissioner Keller

C. SPECIAL USE PERMIT (SUP-006-2024) - Presented by: City Planner, Natalie Birchak

To consider a Special Use Permit for a kennel located at 10493 Highway 10 in the City of Dickinson’s ETZ. The property is legally described as a tract in the SW¼ of Section 34, Township 140, Range 95. The site consists of +/- 2.5 acres.

Ms. Birchak presents the SUP and states the applicant is requesting to open a dog kennel. The applicant will be providing overnight boarding and pet training & daycare. Staff has received multiple letters of support as well as a petition of complaint signed by a majority of the homeowners. Staff recommends approval subjects to the conditions outlined in the staff report.

Applicant, Neveah Baranko, is present. Ms. Baranko states that she does understand the concern but promises to offer high quality services that benefit both dog owners as well as surrounding community. She has contacted County Road Superintendent, Al Heiser, regarding the roads and traffic – he has no concerns. She states is going to live on the property, so noise will be kept to a minimum. Her request of a maximum of 35 dogs does not reflect her daily intake, it is only for future growth. She plans on taking five to ten dogs a day. She states her daily intake will be what she can handle without it being a nuisance. She will be implementing a double barrier system to prevent any escapes. When dogs are not being supervised, they will be kept in indoor secure kennels which will not provide any access to the outdoors. Dogs will only be let out individually or in groups of compatible temperament. Ms. Baranko states that cleanliness is also a top priority since she will be living on the property. Dog waste will be picked up daily and disposed of according MGM Rural Sanitation guidelines, who she has spoken to. All dogs will have to have update to date vaccines and must pass behavior/ health assessment prior to care. She states that she operates a similar business in town and she has not received any complaints - she has received many positive comments and support. She speaks on the needs of dog care in the community.

Commissioner Val Decker wants to recap the insurance she is going through. Ms. Baranko states she is going through Kennel Pro and they cover everything on the property as well as if she takes the dogs off the property, and any damages under her care.

Chairman Fridrich asks if she reviewed the conditions from staff. She states she has and is in agreement.

Chairman Fridrich opens the public hearing.

Bonnie Warm, a property owner in the area, says she opposed to this request. Ms. Warm states that it is a commercial business in the middle of residential neighborhood. It is very close to town and this will have a negative impact on this peaceful neighborhood. She says day and night barking is common in this type of business. Ms. Warm says the home owners have built equity into their homes and this will make it harder to sell their property. She says that the doggy daycare that she now has is very different than what she plans to have. She believes this type of business, with the noise level, should be placed far out of town, not inside a residential area. Ms. Warm tells commissioners that if they would not like a dog kennel next to their property, she suggests they not put one next to her property. She asks that they please deny this permit request.

John Schneider, lives directory across from this proposed kennel. He is not in favor of this SUP request. He doesn't not believe Ms. Baranko's current business is similar in any way to what she is proposing. He is currently building a home further to the west – he says he would not have built a second home if there was going to be a dog kennel right across the road. He is asking for the commission to deny this request.

Florence Kuntz, property owner in the area, states that she was one of the first people to live in the neighborhood. She says that since they have lived there it has been a very peaceful, quite place. She is concerned that wildlife, cows, etc will cause the dogs to be loud. She is opposed to this SUP.

Mr. Schneider asks what they can do about dogs barking if this permit is approved. Engineer-Community Development Director, Josh Skluzacek states that if there are many complaints, it can go in front of the City Commission and they can possibly revoke the permit. He is also worried about the dog waste and the smell. He is concerned about the traffic during the winter.

Dawn Pruitt states that she has been using Nevaeh's services for about a month and she has nothing but great things to say. Her dog is way better behaved, and her services have helped her out in many ways. She says that Ms. Baranko offers pick up and drop off services, so the traffic Mr. Schneider is worried about should not be an issue.

Caroline Marowski, says she knows Ms. Baranko through the Stark County 4-H Program. She offers dog training for the youth in the county. She believes this kennel is greatly needed in the community.

Stephanie Ulner has known Ms. Baranko since high school. Ms. Ulner has been showing and training dogs for the last 15 years, and has been working with Nevaeh for

the last couple of years. She says it is very hard to find enrichment/training for dogs in Dickinson. She believes dogs bark mainly due to boredom, and through the enrichment Ms. Baranko provides that will lessen the noise. She believes Dickinson could really benefit from this kennel.

Susie Lefor is a local realtor and is passionate for dogs. She is here to speak on behalf of Ms. Baranko. This is a need she sees constantly in our community. She believes this facility could be a game changer for our community, and is an ideal set up. She says they took a large speaker out there, playing dogs barking, and they could not hear it outside the building. She does not believe the resale values of homes will not be hurt with this dog kennel. It would be far less intrusive than other businesses in the area.

Missy Baranko, Neveah Baranko's mother, says she understands the concerns, and that is why Neveah's plan is so detailed. She reminds the commission that these same concerns came up during the meeting for her initial SUP in the city. She received a letter from one of those neighbors right on her fence line stating that they have had no problems or concerns at all. Additionally, they received a letter from one of the attendees of the initial SUP meeting. She had concerns and spoke against the SUP request at that time and has since changed her mind and has nothing but good things to say about Ms. Baranko. She says her and her family value rural life, peace and tranquility. They are excited to support their daughter in this business.

Ms Baranko wants to reiterate the nuisance concerns the neighbors have – which she completely understands. She says she understands that 35 sounds like a scary number but, she says the average number of dogs she plans to have a day would be about five to ten, which is what she has currently.

Commissioner Zach Keller asks if she could handle the 35 dogs. Ms. Baranko states that she would like to start at the five to ten range; she would not be ready for 35 dogs at this time, and would not take on more dogs than she can handle or becoming a nuisance to the area. Mr. Keller asked what the process would be if a dog was unmanageable. Ms. Baranko states that she would contact owners and, in the future, they would not be able to come back until the dog had further trainer/ screenings to where she could ensure they would not be a nuisance anymore.

Ms. Decker asks if SUP's are reviewed annually. Mr. Skluzacek states that we normally do not have annual reviews – but a presentation. You could add to the conditions that they have to have an annual review/renewal.

County Planner, Steve Josephson speaks on a kennel that was approved in the county. It is now in the ETZ. He says no complaints have been received on that facility.

Mrs. Decker asked if there was a plan to add staff members. Ms. Baranko states that she does not plan to add any future staff members until she feels like she needs help.

Mrs. Decker asks what the process of adding staff members if that were to ever happen. Ms. Baranko states that it would be a full on-boarding dog training process.

Chairman Jason Fridrich mentions that most of the concern is the number of dogs Ms. Baranko plans to have. He asks her if there is a compromise on that amount. Ms. Baranko says she would agree to take it down to 25 for the first year and expand from there.

Ms. Warm states that she does hear dogs but does not complain because it never does any good. She says it makes sense to stop things before things start.

Mrs. Kuntz states she owns most of the land surrounding the kennel. She asks if anyone would you really want to develop anything around a dog kennel.

Kimberly McGarvey states they live right across the street from the kennel. She is not opposed to dog kennel, just not in a residential area.

Dawn Huschka lives across the street from the property. She says her and the neighbors are not against Ms. Baranko or what she wants to do. They actually look up to her. She says they have no one to call when they have a noise complaint.

Missy Baranko, speaks about two neighbors that are adjacent to the Home Away from Home kennel that have had no complaints.

Mr. Schneider says he has had three people to buy his house but now he has no one to buy his property if this dog kennel special use permit goes through.

Chairman Fridrich closes the public hearing.

Commissioner Schwab speaks on comparing this facility to others that don't have surrounding homes. That is what he is concerned about.

Commissioner Johansen states that he believes that she will do a great job but has a hard time approving something that so many people are opposed to.

Motion to approve, subject to the conditions with the addition of limiting the number of dogs to 25: made by Commissioner Decker, Seconded by Commissioner Keller.

Voting Yea: Commissioner Haugen, Commissioner Bosch, Commissioner Decker,

Commissioner Keller, Chairman Fridrich

Voting Nay: Commissioner Franchuk, Commissioner Johansen, Commissioner Schwab

Voting Abstaining: Vice Chairman Bullinger

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

6. WORK SESSION

A. KLJ PRESENTATION- COMP PLAN/TRANSPORTATION PLAN UPDATE

City Planner Natalie Birchak introduces a brief update on the Comprehensive and Transportation Plan. Joel Quambeck from KLJ gives a presentation and summary of the slideshow shown (see www.dickinsongov.com/meetings/recent to see presentation).

7. ADJOURNMENT

Motion made by Vice Chairman Decker, Seconded by Commissioner Johansen.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Bosch, Commissioner Decker, Commissioner Keller

From: Jotform
To: Sylvia Miller; Sylvia Miller; Steven Josephson; Dustin D. Dassinger; Leonard W. Schwindt; Joshua Skluzacek; Nicole Snyder; Nicole Snyder
Subject: Re: Unified Development Application
Date: Friday, November 1, 2024 12:58:18 PM
Attachments: [Meduna_Pre-application Letter.pdf](#)
[241527_Owner Signature_2024-11-01.pdf](#)
[241527_Zoning_2024-11-01.pdf](#)
[241527_Parcels_2024-11-01.pdf](#)
[241527_Meduna_1st Sub-FINAL_2024-10-31.pdf](#)
[241527_Meduna_1st Sub-PRELIM_2024-10-31.pdf](#)
[3146877.pdf](#)
[3183514.pdf](#)
[241527_Transmittal-REZONE_2024-11-01_5981.pdf](#)
[6062965993227521416_signature_23.png](#)



Unified Development Application

Have you met with Planning Staff regarding your application? **Yes**

Please upload the letter or counseling form you received following your pre-application meeting: [Meduna_Pre-application Letter.pdf](#)

Type of Development **Rezoning - Zoning Map Amendment**

Name **Leonard and Sandra Meduna**

Company **n/a**

Applicant Email **schrank@highlandseng.com**

Applicant Phone # **(701) 227-0119**

Applicant Representative (if applicable) **Andrew Schrank**

Applicant Representative Company **Highlands Engineering**

Applicant Representative Email **schrank@highlandseng.com**

Applicant Representative Phone # **(701) 483-2444**

Owner Name **Leonard and Sandra Meduna**

Owner Address 1975 7th Ave SW, Dickinson, ND, 58601

Owner Email schrank@highlandseng.com

Owner Phone # (701) 227-0119

Is the owner present to Sign No

Owner Signature Upload [241527_Owner Signature_2024-11-01.pdf](#)

Will this application require any other action to complete the development? Yes

Metes and Bounds Description (ONLY REQUIRED FOR UNPLATTED SUBDIVISION LOTS) The south 207.04' of Lot 9, Block 1, of Southfork Acres 2nd Subdivision.

	1/4 Section	Township	Range
Description	SE1/4 Section 16	T139N	R96W

Legal - Lot/Block/Addition	Lot	Block	Addition
Description	See Application Doc's	See Application Doc's	See Application Doc's

Property Address / General Project Location 1975 7th Ave SW

Total Square Footage or Acreage of Subject Property 6.08

Transmittal Letter (Explanation of Request & Proposed Operations) [241527_Transmittal-REZONE_2024-11-01_5981.pdf](#)

Existing Zoning RR - Rural Residential

Proposed Zoning R1 - Low Density Residential

Rezone Calc Multiplier 1

Overlay District

Description n/a

Map of Area to be Rezoned [241527_Zoning_2024-11-01.pdf](#)
[241527_Parcels_2024-11-01.pdf](#)
[241527_Meduna 1st Sub-FINAL_2024-10-31.pdf](#)
[241527_Meduna 1st Sub-PRELIM_2024-10-31.pdf](#)

Minor Platting Multiplier 0

Prelim Platting Multiplier 0

Major Platting Multiplier 0

Application Calc 350

Deed for Property [3146877.pdf](#)
[3183514.pdf](#)

Application Fees

Applicable Fees	350.00 USD
<hr/>	
Total:	\$350.00
Transaction ID:	nxs8myyc

Payment Information

First Name: Andrew
Last Name: Schrank
E-Mail: schrank@highlandseng.com

Applicant Signature



Date 11-01-2024

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



Transmittal Letter

To: Joshua Skluzacek – Community Development Director
City of Dickinson
38 1st Street West
Dickinson, ND 58601

From: Andrew Schrank, PE
Highlands Engineering
319 24th Street East
Dickinson, ND 58601
701.483.2444
schrank@highlandseng.com

Date: November 1, 2024

Re: Rezone Application – Meduna 1st Subdivision

Message: Enclosed you will find the following Rezone application documents for the above referenced project being submitted for consideration at the December Planning and Zoning Meeting:

- Pre-submittal Meeting Letter
- Narrative (included, below) of the Project Description
- Warranty Deeds for the Properties
- City Parcels Map for the Area
- City Zoning Map for the Area
- Proposed Preliminary and Final Plat Drawings

Rezoning Request

The applicant is requesting a change from Rural Residential (RR) to Low-Density Residential (R1) for the south 207.04' of Lot 9, Block 1, of Southfork Acres 2nd Subdivision.

office 701 483 2444
fax 701 483 2610

email info@highlandseng.com
web www.highlandseng.com

Highlands Engineering & Surveying, PLLC
319 24th Street East | Dickinson, ND 58601

Project Description

The owner/applicant is requesting this change in zoning in conjunction with the Minor Plat Application for Meduna 1st Subdivision to allow for the combination of Lots 1-2, Block 2 of Decker's 3rd Subdivision with the aligning south 207.04' of Lot 9, Block 1, of Southfork Acres 2nd Subdivision. The owner/applicant currently resides in Lots 1-2, Block 2 of Decker's 3rd Subdivision, and would like to build a garage/shop in the southern portion of Lot 9, Block 1, of Southfork Acres 2nd Subdivision. To allow for this garage/shop, the owner/applicant needs to combine these properties to meet the City Code requirement that no accessory structure can be constructed on a lot without a primary residence.

The zone change request is being submitted to meet the City Code requirement that a lot cannot have multiple zoning designations. The owner/applicant's property in Decker's 3rd Subdivision is currently zoned R1, and the owner/applicant's property in Southfork Acres 2nd Subdivision is zoned RR. The owner/applicant's existing residence in Decker's 3rd Subdivision would not meet the front yard setback requirement of 40-foot minimum for RR zoning, so the south 207.04' of Lot 9, Block 1, of Southfork Acres 2nd Subdivision that aligns with the owner/applicant's property in Decker's 3rd Subdivision is requested to be changed from RR to R1. This zone change will allow for a single zoning designation within all lots proposed by the Minor Plat Application for Meduna 1st Subdivision.

To prevent zoning designations that do not align with platted lot lines, we would request that the City make this zone change contingent on the recording of the Meduna 1st Subdivision plat.

Your consideration of this request is greatly appreciated. Feel free to contact me for any additional information or questions regarding this submittal. Thank You!



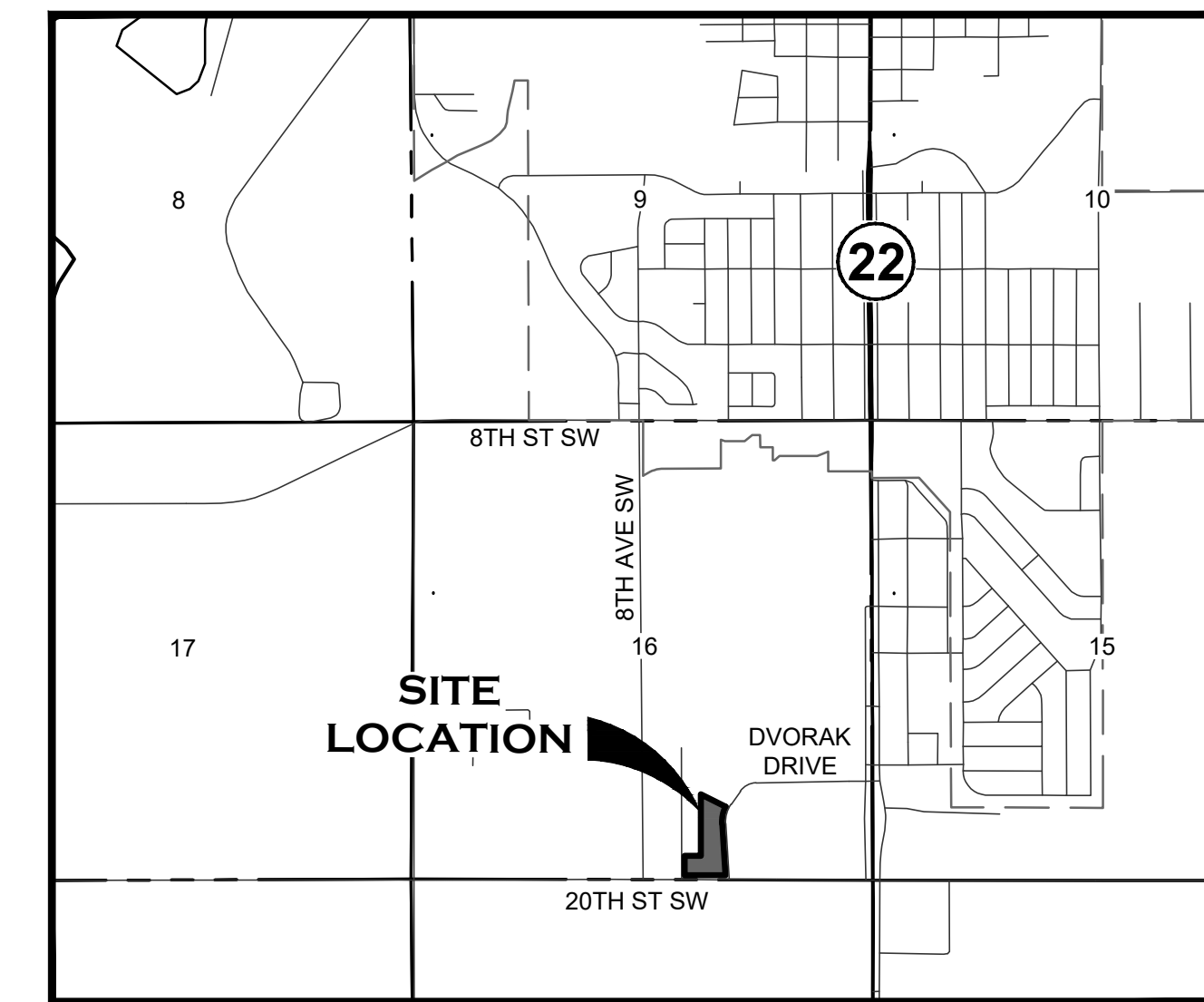
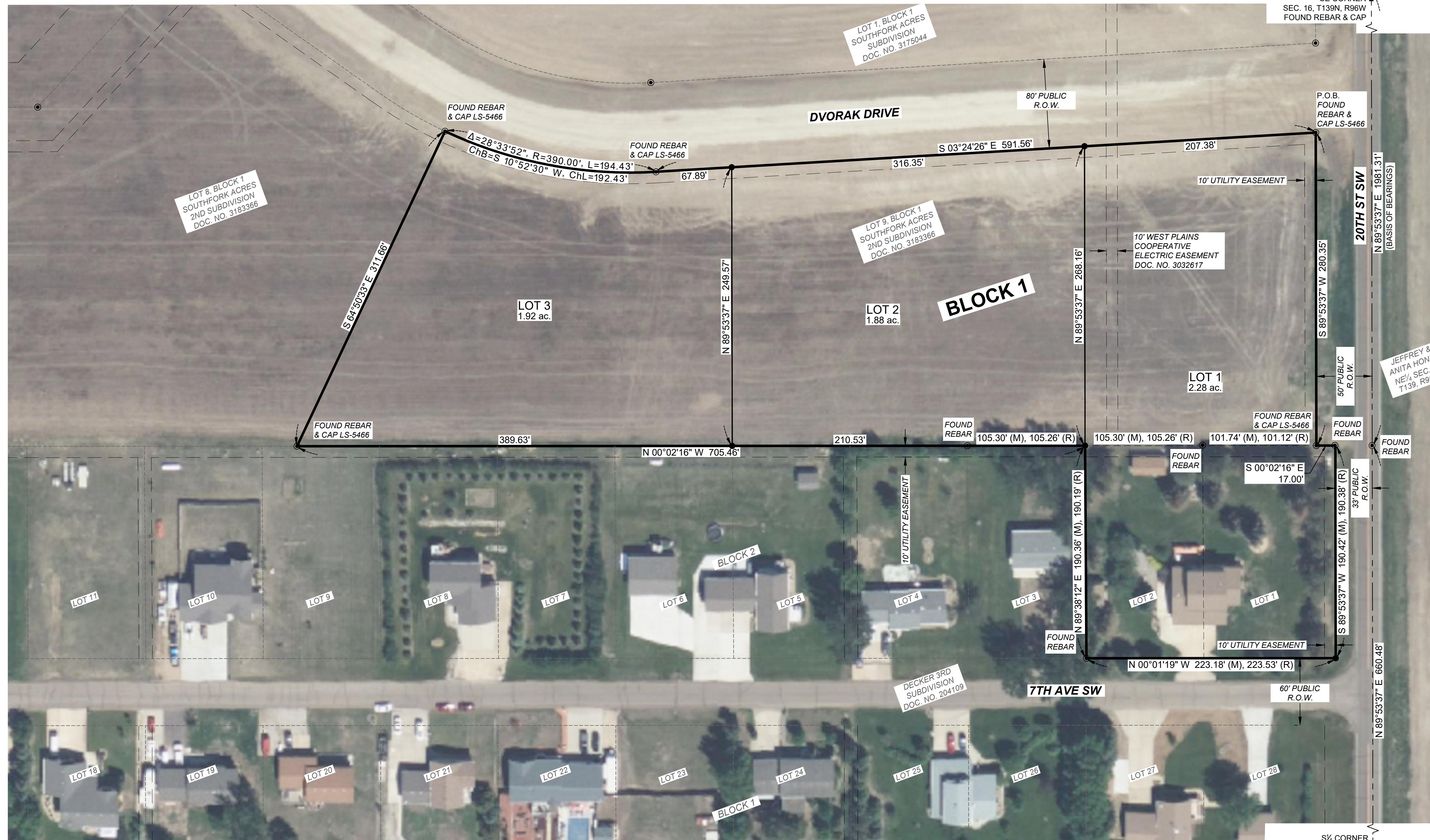
Andrew Schrank, PE, CFM
Highlands Engineering

MEDUNA REZONE PETITION (REZ-007-2024)



MEDUNA 1ST SUBDIVISION

BEING THE REPLAT OF LOT 9, BLOCK 1, SOUTHFORK ACRES 2ND SUBDIVISION AND LOTS 1 & 2, BLOCK 2, DECKER 3RD SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER (SE¹/₄) SECTION SIXTEEN (16), TOWNSHIP ONE-HUNDRED THIRTY-NINE NORTH (T139N), RANGE NINETY-SIX WEST (R96W), OF THE 5TH PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA



VICINITY MAP (1" = 2000')

LEGEND

- PROPERTY BOUNDARY
- PROPOSED LOTS
- EXISTING LOT LINES
- EXISTING LOT LINES VACATED BY THIS PLAT
- SECTION LINE
- QUARTER LINE
- EXISTING EASEMENTS
- SECTION CORNER
- QUARTER CORNER
- FOUND PROPERTY MONUMENT
- SET #5, 18-INCH REBAR & CAP STAMPED "HIGHLANDS LS-5466"

PLAT NOTES

- THIS SUBDIVISION IS LOCATED OUTSIDE THE 1% ANNUAL CHANCE FLOOD AREA AS SHOWN BY ZONE "X" OF FEMA FLOOD INSURANCE RATE MAP (FIRM) NUMBER 38089C0431F, PANEL 431 OF 850, WITH AN EFFECTIVE DATE OF AUGUST 28, 2024.

SURVEY NOTES

- DISTANCES SHOWN ARE MEASURED GROUND DISTANCES, INTERNATIONAL FOOT, DERIVED FROM A LOCAL COORDINATE SYSTEM.
- VERTICAL DATUM: NAVD 88
- DATE OF LATEST FIELD WORK: OCTOBER 30, 2024

CITY OF DICKINSON COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____
 SIGNATURE: _____ DATE: _____

CITY ENGINEER APPROVAL

PRINTED NAME: _____ TITLE: _____
 SIGNATURE: _____ DATE: _____

CITY PLANNING AND ZONING COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____
 SIGNATURE: _____ DATE: _____

STARK COUNTY COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____
 SIGNATURE: _____ DATE: _____

LEGAL DESCRIPTION

A PARCEL OF LAND BEING THE REPLAT OF LOT NINE (9), BLOCK ONE (1), OF SOUTHFORK ACRES 2ND SUBDIVISION AND LOTS ONE (1) AND TWO (2), BLOCK TWO (2), OF DECKER 3RD SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER (SE¹/₄) OF SECTION SIXTEEN (16), TOWNSHIP ONE-HUNDRED THIRTY-NINE NORTH (T139N), RANGE NINETY-SIX WEST (R96W), OF THE FIFTH PRINCIPAL MERIDIAN (5TH P.M.), STARK COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT NINE (9) BEING A FOUND REBAR AND CAP LS-5466; THENCE S 89°53'37" W ALONG THE SOUTH LINE OF SAID LOT NINE (9), A DISTANCE OF 280.35 FEET TO A FOUND REBAR AND CAP LS-5466 AT THE SOUTHWEST CORNER OF SAID LOT NINE (9) ALSO BEING ON THE EAST LINE OF SAID LOT ONE (1); THENCE S 00°02'16" E ALONG SAID EAST LINE, A DISTANCE OF 17.00 FEET TO A FOUND REBAR AT THE SOUTHEAST CORNER OF SAID LOT ONE (1); THENCE S 89°53'37" W ALONG THE SOUTH LINE OF SAID LOT ONE (1), A DISTANCE OF 190.42 FEET TO A SET REBAR AND CAP LS-5466 AT THE SOUTHWEST CORNER OF SAID LOT ONE (1); THENCE N 00°01'19" W ALONG THE WEST LINE OF SAID LOTS ONE (1) AND TWO (2), A DISTANCE OF 223.18 FEET TO A FOUND REBAR AT THE NORTHWEST CORNER OF SAID LOT TWO (2); THENCE N 89°38'12" E ALONG THE NORTH LINE OF SAID LOT TWO (2), A DISTANCE OF 190.36 FEET TO A SET REBAR AND CAP LS-5466 AT THE NORTHEAST CORNER OF SAID LOT TWO (2) ALSO BEING ON THE WEST LINE OF SAID LOT NINE (9); THENCE N 00°02'16" W ALONG SAID WEST LINE, A DISTANCE OF 705.46 FEET TO A FOUND REBAR AND CAP LS-5466 AT THE NORTHWEST CORNER OF SAID LOT NINE (9); THENCE S 64°50'33" E ALONG THE NORTH LINE OF SAID LOT NINE (9), A DISTANCE OF 311.66 FEET TO A FOUND REBAR AND CAP LS-5466 AT THE NORTHEAST CORNER OF SAID LOT NINE (9); THENCE S 03°24'26" E ALONG SAID EAST LINE, A DISTANCE OF 591.56 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 6.08 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

SURVEYOR'S CERTIFICATE

I, KC HOMISTON, REGISTERED PROFESSIONAL LAND SURVEYOR, LS-5466, FOR HIGHLANDS ENGINEERING AND SURVEYING, PLLC, RESIDING AT 319 24TH STREET EAST, DICKINSON, N.D., DO HEREBY CERTIFY THAT THE MEDUNA 1ST SUBDIVISION PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF THE SURVEY, THAT ALL DISTANCES ARE CORRECT, MONUMENTS ARE PLACED IN THE GROUND AS SHOWN, THAT THE OUTSIDE BOUNDARY LINES ARE CORRECTLY DESIGNATED ON THE PLAT AND WAS MADE BY ME, OR UNDER MY DIRECTION, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

KC HOMISTON, LS-5466

STATE OF _____ } SS
 COUNTY OF _____ }

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED KC HOMISTON, 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.

NOTARY PUBLIC
 MY COMMISSION EXPIRES: _____
 RESIDING AT COUNTY OF _____
 STATE OF _____

PROPRIETOR'S CERTIFICATE

WE, LEONARD R. AND SANDRA M. MEDUNA, RESIDING AT 1975 7TH AVE SW, DICKINSON, ND 58601, OWNERS AND PROPRIETORS OF PROPERTY LYING IN LOT NINE (9), BLOCK ONE (1), OF SOUTHFORK ACRES 2ND SUBDIVISION AND LOTS ONE (1) AND TWO (2), BLOCK TWO (2), OF DECKER 3RD SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER (SE¹/₄) OF SECTION SIXTEEN (16), TOWNSHIP ONE-HUNDRED THIRTY-NINE NORTH (T139N), RANGE NINETY-SIX WEST (R96W), OF THE FIFTH PRINCIPAL MERIDIAN (5TH P.M.), 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 RIGHT OF WAY AS SHOWN TO PUBLIC USE FOREVER.

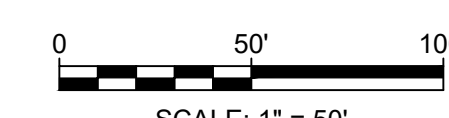
IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

BY: _____ AND BY: _____
 LEONARD R. MEDUNA SANDRA M. MEDUNA

STATE OF _____ } SS
 COUNTY OF _____ }

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED LEONARD R. AND SANDRA M. MEDUNA, 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.

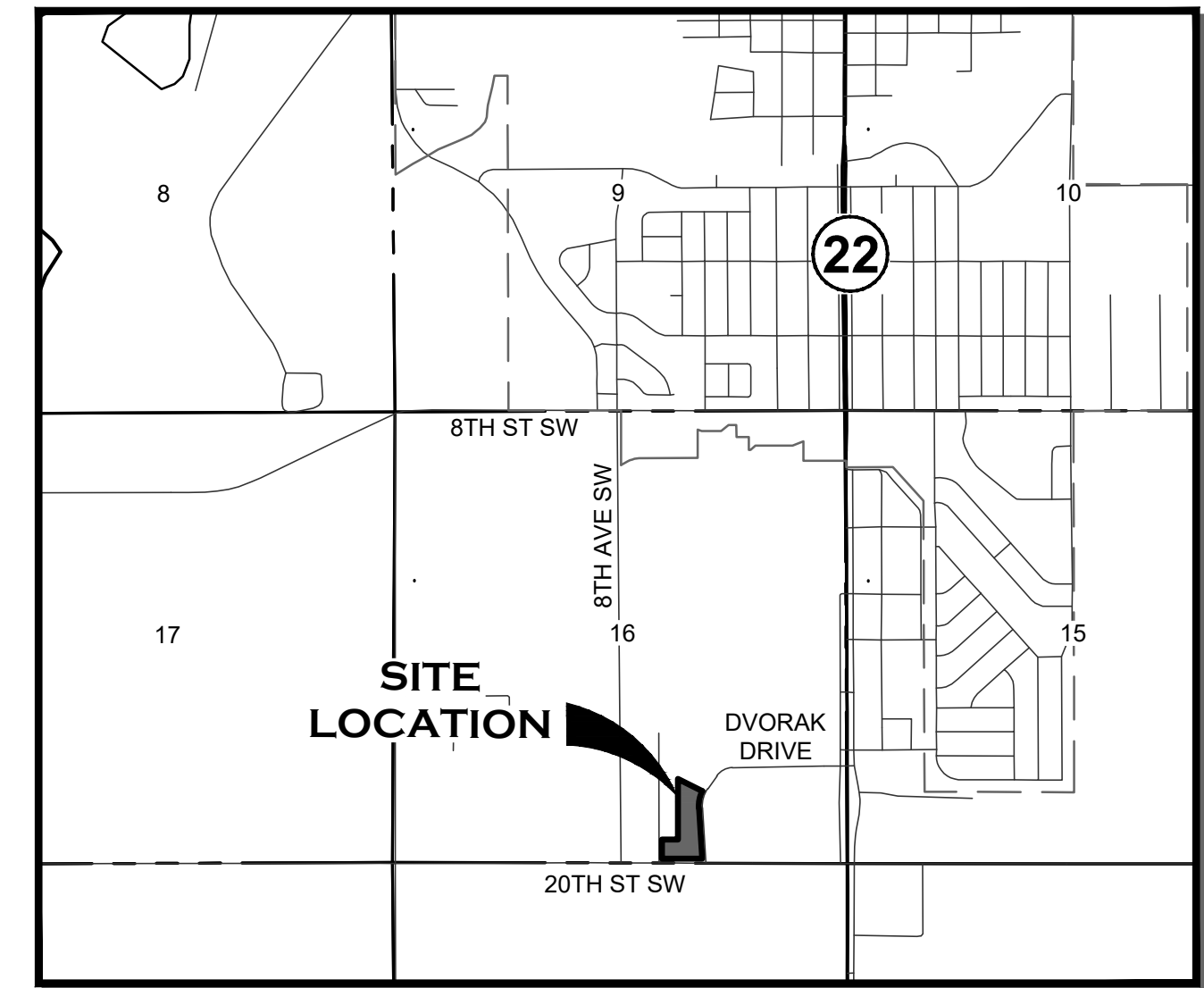
NOTARY PUBLIC
 MY COMMISSION EXPIRES: _____
 RESIDING AT COUNTY OF _____
 STATE OF _____



PROJECT NUMBER: 241527 SCALE: 1"=50'
 DRAWN BY: AJA DATE: 10/31/24

MEDUNA 1ST SUBDIVISION

BEING THE REPLAT OF LOT 9, BLOCK 1, SOUTHFORK ACRES 2ND SUBDIVISION AND LOTS 1 & 2, BLOCK 2, DECKER 3RD SUBDIVISION
LOCATED IN THE SOUTHEAST QUARTER (SE 1/4) SECTION SIXTEEN (16), TOWNSHIP ONE-HUNDRED THIRTY-NINE NORTH (T139N),
RANGE NINETY-SIX WEST (R96W), OF THE 5TH PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA



VICINITY MAP
(1" = 2000')

LEGEND

- PROPERTY BOUNDARY
- PROPOSED LOTS
- EXISTING LOT LINES
- EXISTING LOT LINES VACATED BY THIS PLAT
- SECTION LINE
- QUARTER LINE
- EXISTING EASEMENTS
- SECTION CORNER
- QUARTER CORNER
- FOUND PROPERTY MONUMENT
- SET #5, 18-INCH REBAR & CAP STAMPED "HIGHLANDS LS-5466"

PLAT NOTES

- 1) THIS SUBDIVISION IS LOCATED OUTSIDE THE 1% ANNUAL CHANCE FLOOD AREA AS SHOWN BY ZONE "X" OF FEMA FLOOD INSURANCE RATE MAP (FIRM) NUMBER 38089C0431F, PANEL 431 OF 850, WITH AN EFFECTIVE DATE OF AUGUST 28, 2024.

SURVEY NOTES

- 1) DISTANCES SHOWN ARE MEASURED GROUND DISTANCES, INTERNATIONAL FOOT, DERIVED FROM A LOCAL COORDINATE SYSTEM.
- 2) VERTICAL DATUM: NAVD 88
- 3) DATE OF LATEST FIELD WORK: OCTOBER 30, 2024

CITY OF DICKINSON COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____
SIGNATURE: _____ DATE: _____

CITY ENGINEER APPROVAL

PRINTED NAME: _____ TITLE: _____
SIGNATURE: _____ DATE: _____

CITY PLANNING AND ZONING COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____
SIGNATURE: _____ DATE: _____

STARK COUNTY COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____
SIGNATURE: _____ DATE: _____

LEGAL DESCRIPTION

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SAID PARCEL CONTAINS 6.08 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

SURVEYOR'S CERTIFICATE

I, KC HOMISTON, REGISTERED PROFESSIONAL LAND SURVEYOR, LS-5466, FOR HIGHLANDS ENGINEERING AND SURVEYING, PLLC, RESIDING AT 319 24TH STREET EAST, DICKINSON, N.D., DO HEREBY CERTIFY THAT THE MEDUNA 1ST SUBDIVISION PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF THE SURVEY, THAT ALL DISTANCES ARE CORRECT, MONUMENTS ARE PLACED IN THE GROUND AS SHOWN, THAT THE OUTSIDE BOUNDARY LINES ARE CORRECTLY DESIGNATED ON THE PLAT AND WAS MADE BY ME, OR UNDER MY DIRECTION, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

KC HOMISTON, LS-5466

STATE OF _____ }
COUNTY OF _____ } SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED KC HOMISTON, 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.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING AT COUNTY OF _____
STATE OF _____

PROPRIETOR'S CERTIFICATE

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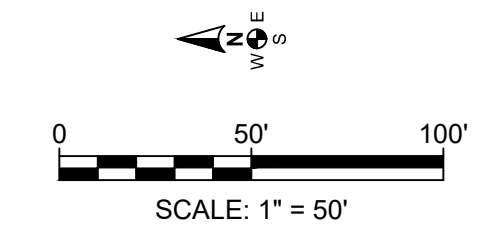
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NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING AT COUNTY OF _____
STATE OF _____

319 24TH STREET EAST, DICKINSON, ND 58601
OFFICE: 701.483.2444 | WWW.HIGHLANDSENG.COM



PROJECT NUMBER: 241527	SCALE: 1" = 50'
DRAWN BY: AJA	DATE: 10/31/24



Meduna Zoning Map Amendment Staff Report

To: City of Dickinson Board of Commissioners
 From: City of Dickinson Community Development Services
 Date: December 4, 2024
 Re: REZ-007-2024 Zoning Map Amendment

OWNER/APPLICANT

Leonard and Sandra Meduna
 1975 7th Avenue SW
 Dickinson, ND, 58601
 (701) 227-0119

APPLICANT'S REPRESENTATIVE

Andrew Schrank
 Highlands Engineering
 319 24th Street East
 schrank@highlandseng.com
 (701) 483 2444

Public Hearing	December 11, 2024	Planning and Zoning Commission
Public Hearing	December 17, 2024	City Commission
Final Consideration	January 7, 2025	City Commission

The applicant is requesting the approval of a zoning map amendment from Rural Residential (RR) to Low-Density Residential (R-1) for the south 207.04 feet of Lot 9 in Block 1 of the Southfork Acres Second Subdivision, located in the City of Dickinson's Extra-Territorial Zone (ETZ). The purpose of this rezoning is to match the zoning district of the portion of the block adjacent to Lots 1 & 2 of Block 2 of the Decker Third Subdivision in order to combine the lots through a minor subdivision plat.

A companion minor subdivision plat application for the Meduna 1st Subdivision is also scheduled for a public hearing at the December 11, 2024 Planning and Zoning Commission meeting (FLP-020-2024).

Staff recommendation: Approval contingent on approval of the associated Meduna 1st Subdivision (FLP-020-2024).

LOCATION

CURRENT ZONING	RR
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	+/- 1.30 acres
LOTS PROPOSED	N/A

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	RR	Undeveloped
East	AG	Agriculture
South	AG	Agriculture
West	R-1	Single-family residential

COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Compatibility with the Comprehensive Plan

According to the City’s Comprehensive Plan Future Land Use Map (FLUM), the subject property and area immediately surrounding Lot 9 of Block 1 of the Southfork Acres Second Addition Subdivision is designated RESIDENTIAL. This zoning map amendment request is consistent with this FLUM designation.

Compliance with The Zoning Ordinance

The proposed Meduna 1st Subdivision, if approved, would have created a platted lot with split zoning. The eastern portion of Lot 1 in Block 1 of the proposed Meduna 1st Subdivision would have been zoned RR while the western portion would have been zoned R-1. Section 39.04.003 of the Municipal Code states that each lot or site in the City’s planning jurisdiction must be in one base district. Approval of this zoning map amendment request ensures that lot will contain only one zoning district.

According to Section 39.04.005, the minimum lot size for an R-1 zoned property is 7,500 square feet. The combined area of the property proposed for rezoning is 1.3 acres. This exceeds the R-1 minimum square footage requirement.

Public Input: As of the date of this report, City staff has not received any public comments.

Staff Recommendation: The City Development Team staff recommends approval of REZ-007-2024 subject to approval of the Meduna 1st Subdivision (FLP-020-2024).

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **REZ-007-2024: the Leonard and Sandra Meduna Rezoning Request** as being consistent with the City of Dickinson Comprehensive Plan, as being compliant with the City of Dickinson Zoning Ordinance, and as being in the interest of the public health, safety and welfare "*

(AND) the following additional requirements (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend Denial of **REZ-007-2024: the Leonard and Sandra Meduna Rezoning Request** as NOT being consistent with the City of Dickinson Comprehensive Plan, as not being compliant with the City of Dickinson Zoning Ordinance, and as being contrary to the interest of the public health, safety and welfare."*

From: Jotform
To: [Sylvia Miller](#); [Sylvia Miller](#); [Steven Josephson](#); [Dustin D. Dassinger](#); [Leonard W. Schwindt](#); [Joshua Skluzacek](#); [Nicole Snyder](#); [Nicole Snyder](#)
Subject: Re: Unified Development Application
Date: Friday, November 1, 2024 1:12:25 PM



Unified Development Application

Have you met with Planning Staff regarding your application? **Yes**

Please upload the letter or counseling form you received following your pre-application meeting: [Meduna_Pre-application Letter.pdf](#)

Type of Development **Minor Subdivision Plat**

Is this a Replat **Yes**

Subdivision Being Re-platted **Lots 1-2, Block 2, Decker's 3rd Sub. / Lot 9, Block 1, Southfork Acres 2nd Sub.**

Name **Leonard and Sandra Meduna**

Company **n/a**

Applicant Email **schrank@highlandseng.com**

Applicant Phone # **(701) 227-0119**

Applicant Representative (if applicable) **Andrew Schrank**

Applicant Representative Company **Highlands Engineering**

Applicant Representative Email **schrank@highlandseng.com**

Applicant Representative Phone # **(701) 483-2444**

Owner Name **Leonard and Sandra Meduna**

Owner Address 1975 7th Ave SW, Dickinson, ND, 58601

Owner Email schrank@highlandseng.com

Owner Phone # (701) 483-2444

Is the owner present to Sign No

Owner Signature Upload [241527_Owner Signature_2024-11-01.pdf](#)

Will this application require any other action to complete the development? Yes

Metes and Bounds Description (ONLY REQUIRED FOR UNPLATTED SUBDIVISION LOTS) n/a

	1/4 Section	Township	Range
Description	SE1/4 Section 16	T139N	R96W

Property Address / General Project Location 1975 7th Ave SW, Dickinson, ND, 58601

Total Square Footage or Acreage of Subject Property 6.08 acres

Transmittal Letter (Explanation of Request & Proposed Operations) [241527_Transmittal-MINOR PLAT_2024-11-01.pdf](#)

Rezone Calc Multiplier 0

Minor Platting Multiplier 1

Prelim Platting Multiplier 0

Major Platting Multiplier 0

Name of Plat Meduna 1st Subdivision

Number Lots 1 to 10 Lots

Number of Block(s) 1

1 existing - 2 proposed

Application Calc

500

Required Documentation Upload

- [241527_Meduna 1st Sub-PRELIM_2024-10-31.pdf](#)
- [241527_Meduna 1st Sub-FINAL_2024-10-31.pdf](#)
- [241527_Closure Report_2024-11-01.pdf](#)
- [241527_FIRMette_2024-11-01.pdf](#)
- [241527_Parcels_2024-11-01.pdf](#)
- [241527_Uilities_2024-11-01.pdf](#)
- [241527_Zoning_2024-11-01.pdf](#)

Deed for Property

- [3146877.pdf](#)
- [3183514.pdf](#)

Application Fees

Applicable Fees

500.00 USD

Total:

\$500.00

Transaction ID:

jjy3f30g

Payment Information

First Name: Andrew

Last Name: Schrank

E-Mail: schrank@highlandseng.com

Applicant Signature

Date

11-01-2024

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.



Transmittal Letter

To: Joshua Skluzacek – Community Development Director
City of Dickinson
38 1st Street West
Dickinson, ND 58601

From: Andrew Schrank, PE
Highlands Engineering
319 24th Street East
Dickinson, ND 58601
701.483.2444
schrank@highlandseng.com

Date: November 1, 2024

Re: Minor Plat Application – Meduna 1st Subdivision

Message: Enclosed you will find the following Minor Plat application documents for the above referenced project being submitted for consideration at the December Planning and Zoning Meeting:

- Pre-submittal Meeting Letter
- Written Statement (included, below)
- Legal Description (included, below) of the Property
- Warranty Deeds for the Properties
- Current Preliminary Plat Drawing with Aerial Image Showing Current Site and Surrounding Land Uses and Buildings
- Current Final Plat Drawing Showing Proposed Site Boundaries
- Subdivision Plat Closure Report
- City Parcels Map for the Area
- City Utilities Map for the Area
- City Zoning Map for the Area
- FEMA FIRMette for the Area Showing Current Floodplain Boundaries

Legal Description of Property

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Written Statement

The owner/applicant is submitting this Minor Plat Application for Meduna 1st Subdivision to allow for the combination of Lots 1-2, Block 2 of Decker's 3rd Subdivision with the aligning south 207.04' of Lot 9, Block 1, of Southfork Acres 2nd Subdivision. The owner/applicant currently resides in Lots 1-2, Block 2 of Decker's 3rd Subdivision, and would like to build a garage/shop in the southern portion of Lot 9, Block 1, of Southfork Acres 2nd Subdivision. To allow for this garage/shop, the owner/applicant needs to combine these properties to meet the City Code requirement that no accessory structure can be constructed on a lot without a primary residence. The owner plans to subdivide the remaining portion of Lot 9, Block 1, of Southfork Acres 2nd Subdivision into two lots that will be marketed for sale.

This property is located within the City's ETZ. No public improvements will be required for this subdivision. The owner plans to utilize the existing access from 7th Ave SW to access the proposed Lot 1. Lots 2 and 3 would be accessed from new approaches off of Dvorak Drive. Water is either currently provided or planned to be provided from SW Water Authority and sanitary waste will be disposed of by private septic systems.

The applicant does not own or intend to purchase any additional surrounding land at this time. To my knowledge, neighboring property owners have not been informed of this plan to date. This application has been prepared in accordance with local, state, and federal regulations.

Your consideration of this request is greatly appreciated. Feel free to contact me for any additional information or questions regarding this submittal. Thank You!

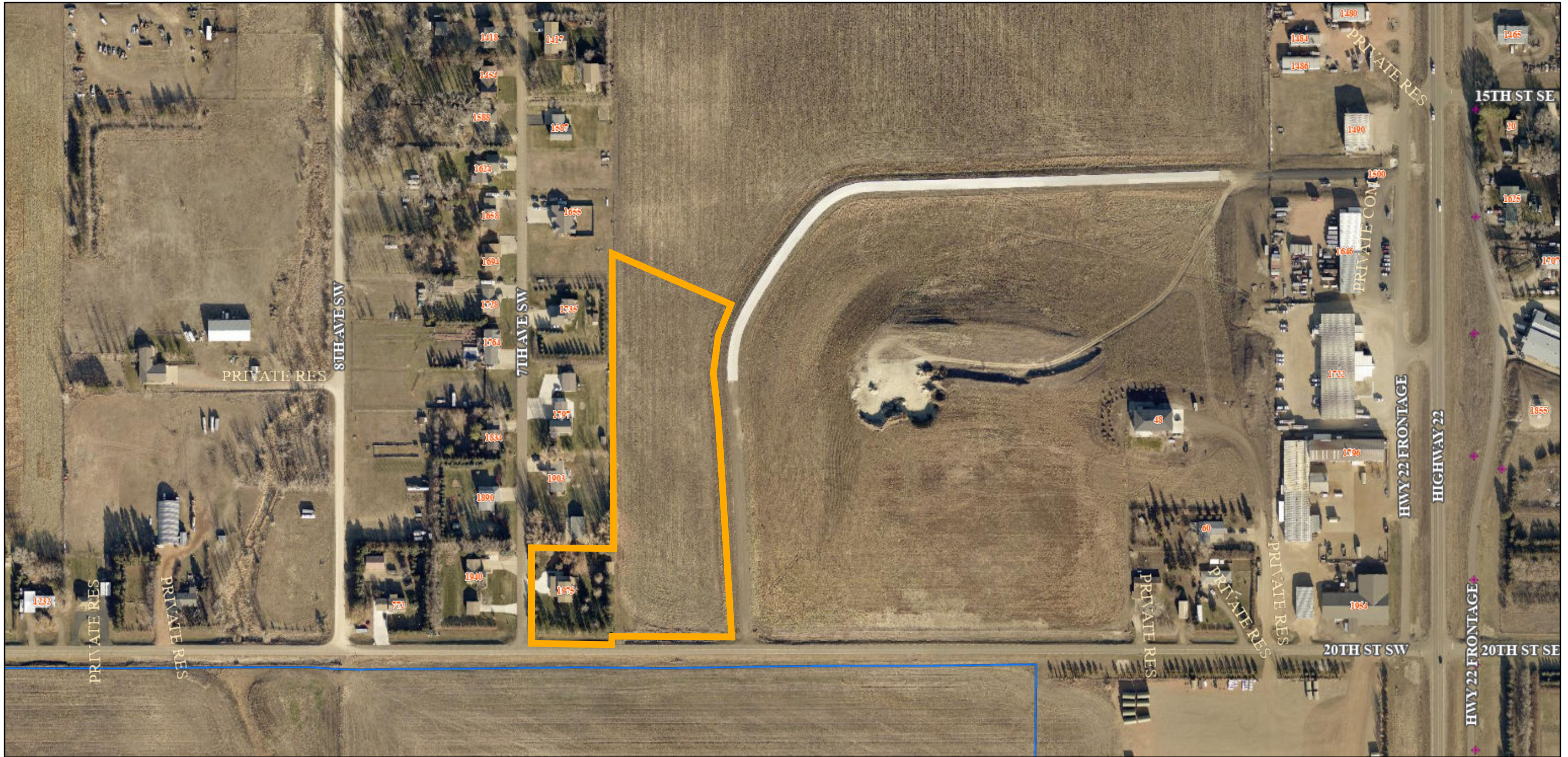


Andrew Schrank, PE, CFM
Highlands Engineering

MEDUNA MINOR SUBDIVISION (FLP-020-2024)



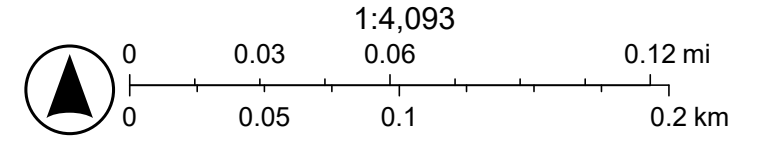
Dickinson Utility Information Map



11/1/2024

- Public Street Names 8K Poles
- Private Street Names
- Water Main Lines
- Polyvinyl Chloride
- Other Pole Categories
- World Imagery
- Low Resolution 15m Imagery

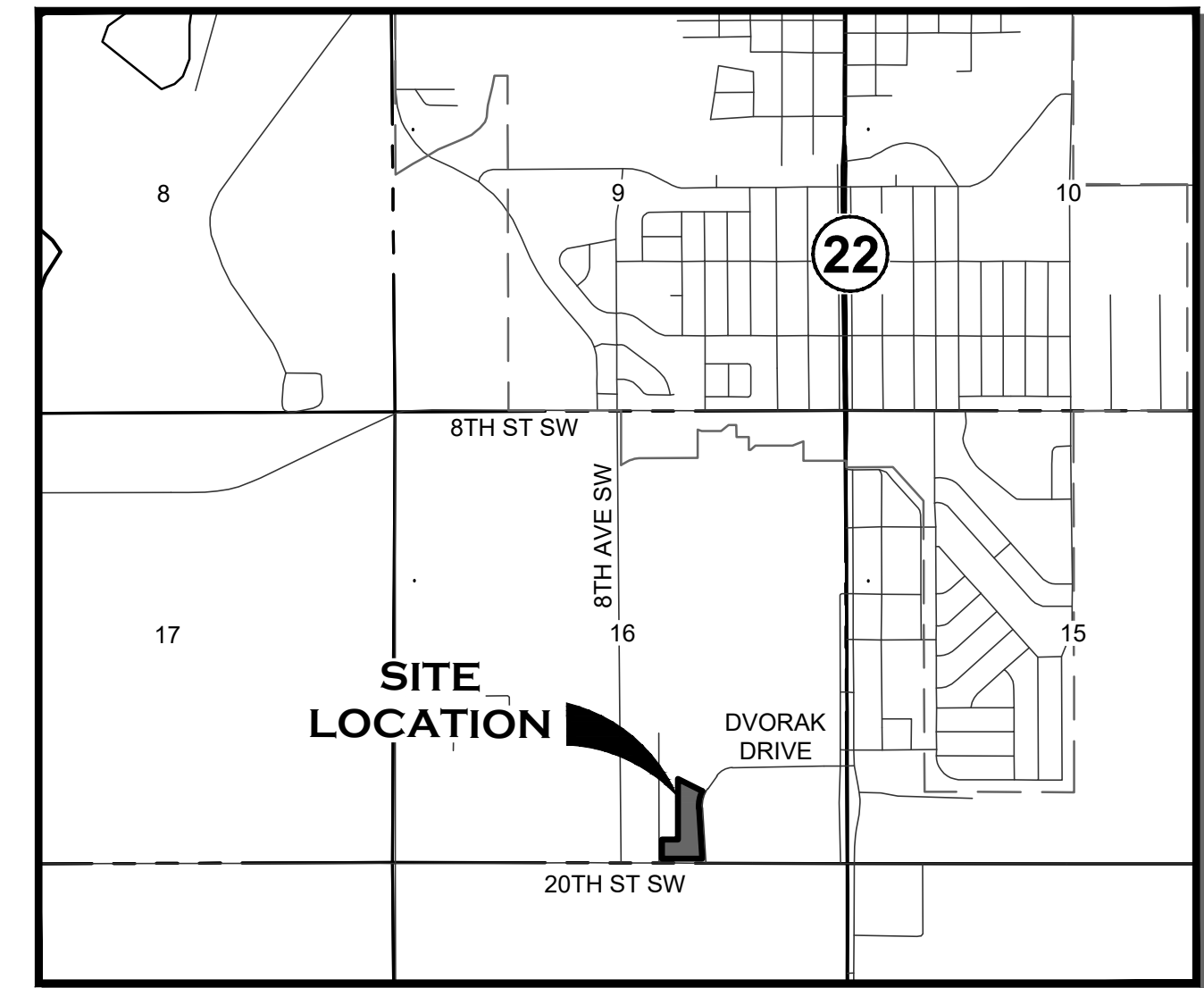
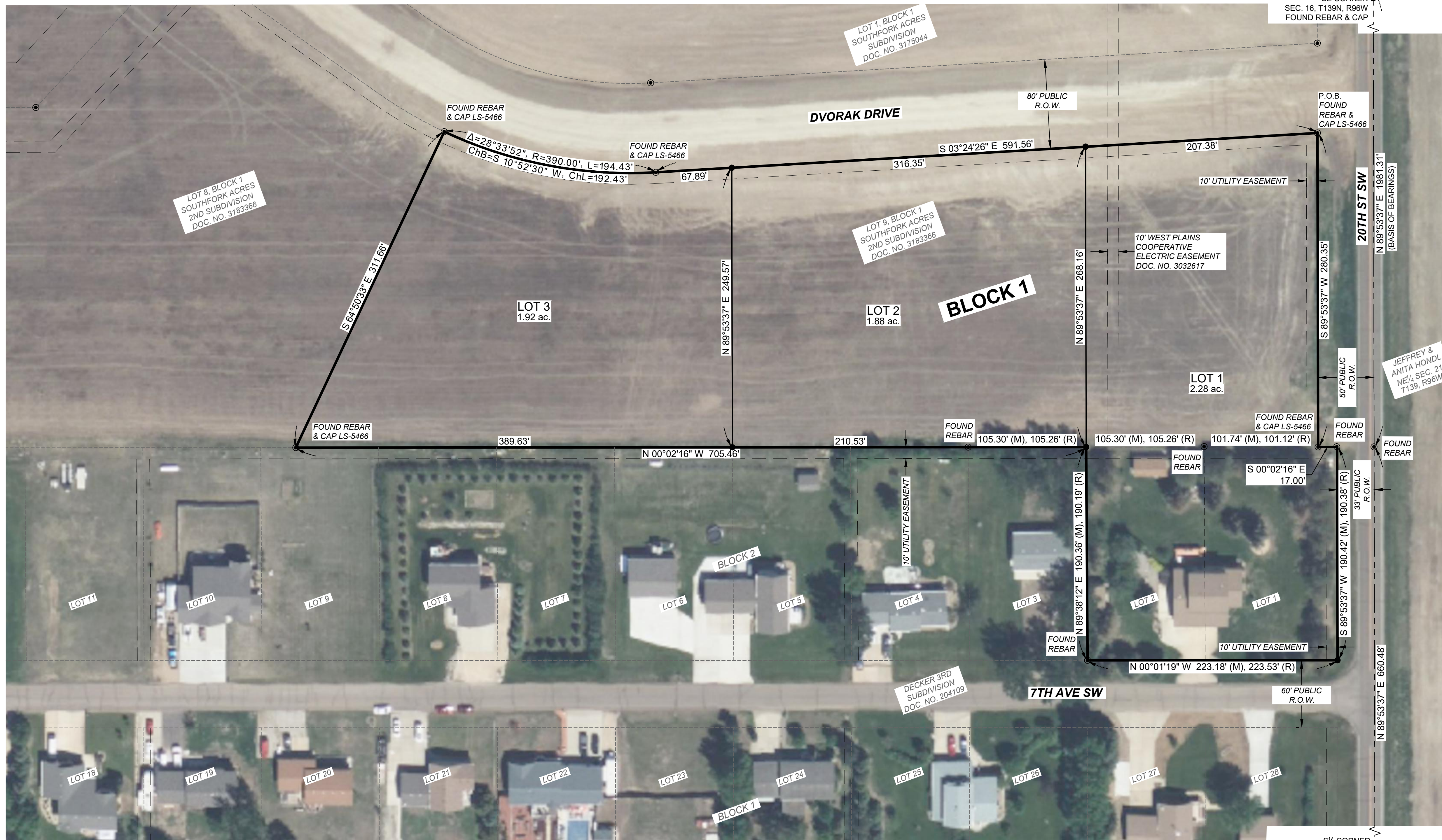
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 1.2m Resolution Metadata



Pictometry International, Eagleview, City of Dickinson, Dickinson Engineering Department, Maxar

MEDUNA 1ST SUBDIVISION

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VICINITY MAP (1" = 2000')

LEGEND

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- PROPOSED LOTS
- EXISTING LOT LINES
- EXISTING LOT LINES VACATED BY THIS PLAT
- SECTION LINE
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PLAT NOTES

- 1) THIS SUBDIVISION IS LOCATED OUTSIDE THE 1% ANNUAL CHANCE FLOOD AREA AS SHOWN BY ZONE "X" OF FEMA FLOOD INSURANCE RATE MAP (FIRM) NUMBER 38089C0431F, PANEL 431 OF 850, WITH AN EFFECTIVE DATE OF AUGUST 28, 2024.

SURVEY NOTES

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- 2) VERTICAL DATUM: NAVD 88
- 3) DATE OF LATEST FIELD WORK: OCTOBER 30, 2024

CITY OF DICKINSON COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____
 SIGNATURE: _____ DATE: _____

CITY ENGINEER APPROVAL

PRINTED NAME: _____ TITLE: _____
 SIGNATURE: _____ DATE: _____

CITY PLANNING AND ZONING COMMISSION APPROVAL

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STARK COUNTY COMMISSION APPROVAL

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LEGAL DESCRIPTION

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BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT NINE (9) BEING A FOUND REBAR AND CAP LS-5466; THENCE S 89°53'37" W ALONG THE SOUTH LINE OF SAID LOT NINE (9), A DISTANCE OF 280.35 FEET TO A FOUND REBAR AND CAP LS-5466 AT THE SOUTHWEST CORNER OF SAID LOT NINE (9) ALSO BEING ON THE EAST LINE OF SAID LOT ONE (1); THENCE S 00°02'16" E ALONG SAID EAST LINE, A DISTANCE OF 17.00 FEET TO A FOUND REBAR AT THE SOUTHEAST CORNER OF SAID LOT ONE (1); THENCE S 89°53'37" W ALONG THE SOUTH LINE OF SAID LOT ONE (1), A DISTANCE OF 190.42 FEET TO A SET REBAR AND CAP LS-5466 AT THE SOUTHWEST CORNER OF SAID LOT ONE (1); THENCE N 00°01'19" W ALONG THE WEST LINE OF SAID LOTS ONE (1) AND TWO (2), A DISTANCE OF 223.18 FEET TO A FOUND REBAR AT THE NORTHWEST CORNER OF SAID LOT TWO (2); THENCE N 89°38'12" E ALONG THE NORTH LINE OF SAID LOT TWO (2), A DISTANCE OF 190.36 FEET TO A SET REBAR AND CAP LS-5466 AT THE NORTHEAST CORNER OF SAID LOT TWO (2) ALSO BEING ON THE WEST LINE OF SAID LOT NINE (9); THENCE N 00°02'16" W ALONG SAID WEST LINE, A DISTANCE OF 705.46 FEET TO A FOUND REBAR AND CAP LS-5466 AT THE NORTHWEST CORNER OF SAID LOT NINE (9); THENCE S 64°50'33" E ALONG THE NORTH LINE OF SAID LOT NINE (9), A DISTANCE OF 311.66 FEET TO A FOUND REBAR AND CAP LS-5466 AT THE NORTHEAST CORNER OF SAID LOT NINE (9); THENCE S 03°24'26" E ALONG SAID EAST LINE, A DISTANCE OF 591.56 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 6.08 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

SURVEYOR'S CERTIFICATE

I, KC HOMISTON, REGISTERED PROFESSIONAL LAND SURVEYOR, LS-5466, FOR HIGHLANDS ENGINEERING AND SURVEYING, PLLC, RESIDING AT 319 24TH STREET EAST, DICKINSON, N.D., DO HEREBY CERTIFY THAT THE MEDUNA 1ST SUBDIVISION PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF THE SURVEY, THAT ALL DISTANCES ARE CORRECT, MONUMENTS ARE PLACED IN THE GROUND AS SHOWN, THAT THE OUTSIDE BOUNDARY LINES ARE CORRECTLY DESIGNATED ON THE PLAT AND WAS MADE BY ME, OR UNDER MY DIRECTION, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

KC HOMISTON, LS-5466

STATE OF _____ } SS
 COUNTY OF _____ }

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED KC HOMISTON, 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.

NOTARY PUBLIC
 MY COMMISSION EXPIRES: _____
 RESIDING AT COUNTY OF _____
 STATE OF _____

PROPRIETOR'S CERTIFICATE

WE, LEONARD R. AND SANDRA M. MEDUNA, RESIDING AT 1975 7TH AVE SW, DICKINSON, ND 58601, OWNERS AND PROPRIETORS OF PROPERTY LYING IN LOT NINE (9), BLOCK ONE (1), OF SOUTHFORK ACRES 2ND SUBDIVISION AND LOTS ONE (1) AND TWO (2), BLOCK TWO (2), OF DECKER 3RD SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER (SE¼) OF SECTION SIXTEEN (16), TOWNSHIP ONE-HUNDRED THIRTY-NINE NORTH (T139N), RANGE NINETY-SIX WEST (R96W), OF THE FIFTH PRINCIPAL MERIDIAN (5TH P.M.), 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 RIGHT OF WAY AS SHOWN TO PUBLIC USE FOREVER.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

BY: LEONARD R. MEDUNA AND BY: SANDRA M. MEDUNA

STATE OF _____ } SS
 COUNTY OF _____ }

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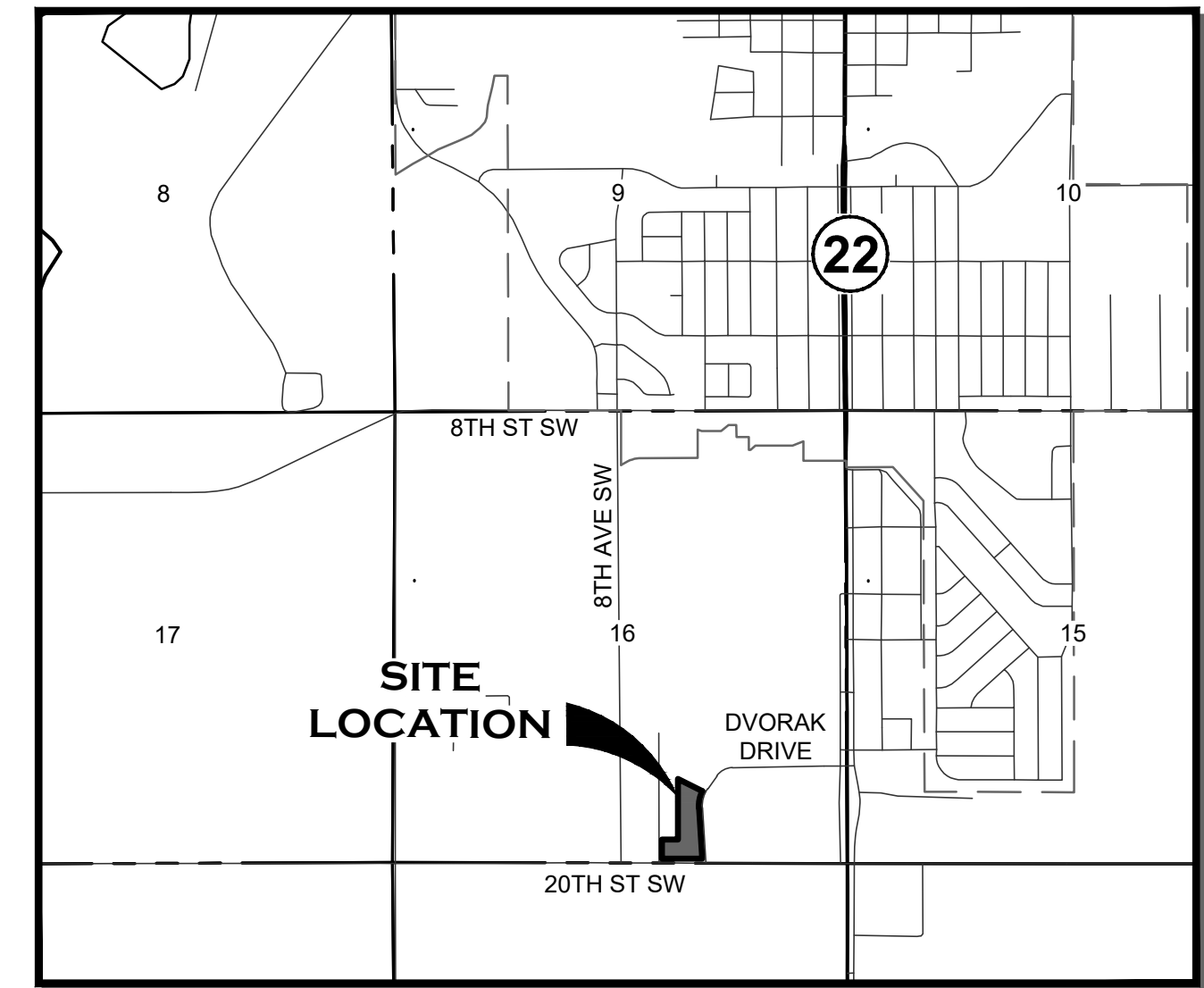
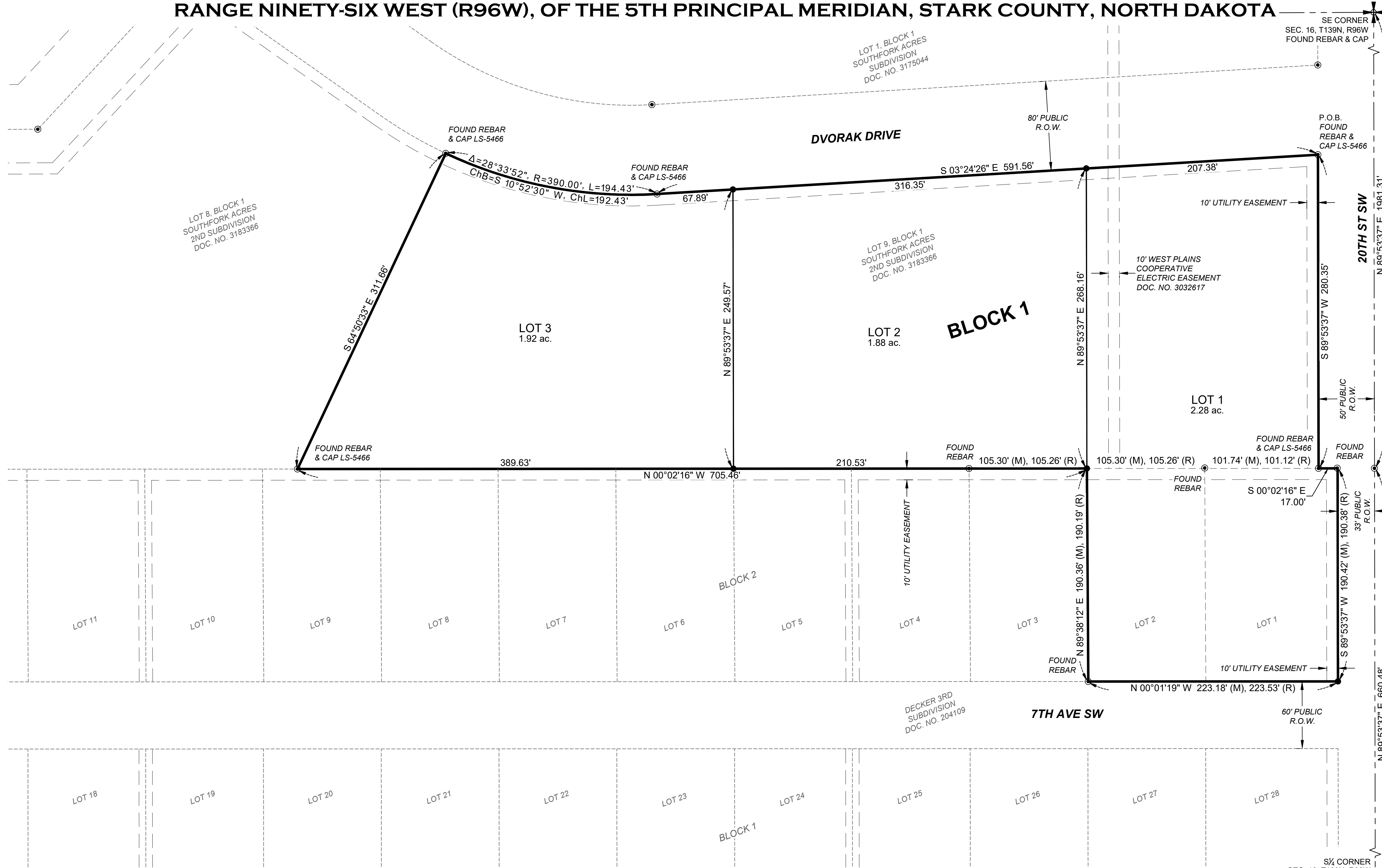
HIGHLANDS ENGINEERING
 319 24TH STREET EAST, DICKINSON, ND 58601
 OFFICE: 701.483.2444 | WWW.HIGHLANDSENG.COM

PROJECT NUMBER: 241527 SCALE: 1"=50'
 DRAWN BY: AJA DATE: 10/31/24



MEDUNA 1ST SUBDIVISION

BEING THE REPLAT OF LOT 9, BLOCK 1, SOUTHFORK ACRES 2ND SUBDIVISION AND LOTS 1 & 2, BLOCK 2, DECKER 3RD SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER (SE¹/₄) SECTION SIXTEEN (16), TOWNSHIP ONE-HUNDRED THIRTY-NINE NORTH (T139N), RANGE NINETY-SIX WEST (R96W), OF THE 5TH PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA



VICINITY MAP (1" = 2000')

LEGEND

- PROPERTY BOUNDARY
- PROPOSED LOTS
- EXISTING LOT LINES
- EXISTING LOT LINES VACATED BY THIS PLAT
- SECTION LINE
- QUARTER LINE
- EXISTING EASEMENTS
- SECTION CORNER
- QUARTER CORNER
- FOUND PROPERTY MONUMENT
- SET #5, 18-INCH REBAR & CAP STAMPED "HIGHLANDS LS-5466"

PLAT NOTES

- 1) THIS SUBDIVISION IS LOCATED OUTSIDE THE 1% ANNUAL CHANCE FLOOD AREA AS SHOWN BY ZONE "X" OF FEMA FLOOD INSURANCE RATE MAP (FIRM) NUMBER 38089C0431F, PANEL 431 OF 850, WITH AN EFFECTIVE DATE OF AUGUST 28, 2024.

SURVEY NOTES

- 1) DISTANCES SHOWN ARE MEASURED GROUND DISTANCES, INTERNATIONAL FOOT, DERIVED FROM A LOCAL COORDINATE SYSTEM.
- 2) VERTICAL DATUM: NAVD 88
- 3) DATE OF LATEST FIELD WORK: OCTOBER 30, 2024

CITY OF DICKINSON COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____
 SIGNATURE: _____ DATE: _____

CITY ENGINEER APPROVAL

PRINTED NAME: _____ TITLE: _____
 SIGNATURE: _____ DATE: _____

CITY PLANNING AND ZONING COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____
 SIGNATURE: _____ DATE: _____

STARK COUNTY COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____
 SIGNATURE: _____ DATE: _____

LEGAL DESCRIPTION

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SAID PARCEL CONTAINS 6.08 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

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 COUNTY OF _____ } SS

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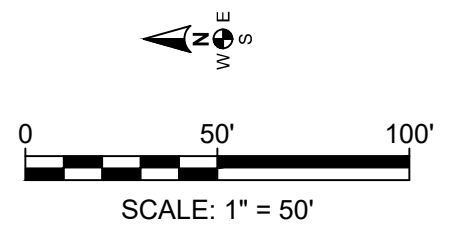
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319 24TH STREET EAST, DICKINSON, ND 58601
 OFFICE: 701.483.2444 | WWW.HIGHLANDSENG.COM

PROJECT NUMBER: 241527 SCALE: 1"=50'
 DRAWN BY: AJA DATE: 10/31/24





MEDUNA FINAL MINOR PLAT STAFF REPORT

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: December 4, 2024
Re: **FLP-020-2024 Meduna 1st Subdivision Final Minor Plat**

OWNER/APPLICANT

Leonard and Sandra Meduna
 1975 7th Avenue SW
 Dickinson, ND, 58601
 (701) 227-0119

APPLICANT’S REPRESENTATIVE

Andrew Schrank
 Highlands Engineering
 319 24th Street East
 schrank@highlandseng.com
 (701) 483 2444

Public Hearing	December 11, 2024	Planning and Zoning Commission
Final Action	January 7, 2025	City Commission

EXECUTIVE SUMMARY

The applicant is requesting approval of a Minor Subdivision Plat for the Meduna 1st Subdivision, being a replat of Lots 1 and 2 in Block 2 of the Decker Third Addition as well as Lot 9 in Block 1 of the Southfork Acres Second Subdivision located within the SE1/4 of Section 16, Township 139 North, Range 96 West, in the City of Dickinson’s Extra-Territorial Zone. According to the applicant, the purpose of the proposed subdivision is to combine the south 207 feet of Lot 9 with Lots 1 & 2 in order to construct a detached garage behind the existing residence. Lots 1 & 2 are currently zoned Low-Density Residential (R-1) while Lot 9 is currently zoned Rural Residential (RR), and the proposed subdivision is +/- 6.08 acres.

A companion zoning map amendment application that would rezone Lot 9, Block 1 of the Southfork Acres Second Subdivision is also scheduled for a public hearing at the December 11, 2024 Planning and Zoning Commission meeting (REZ-007-2024).

Staff Recommendation: Approval contingent on the approval of REZ-007-2024.

LOCATION

The property is a replat of Lots 1 and 2 in Block 2 of the Decker Third Addition as well as Lot 9 in Block 1 of the Southfork Acres Second Subdivision located within the SE1/4 of Section 16, Township 139 North, Range 96 West, of the 5th Principal Meridian, in the City of Dickinson’s Extra-Territorial Zone, Stark County, North Dakota This subdivision contains an existing residence at 1975 7th Avenue Southwest as well as a currently-undeveloped lot.

CURRENT ZONING	R-1 & RR
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	+/- 6.08
LOTS PROPOSED	3

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	R-1 & RR	Single-family residence; Undeveloped
East	AG	Undeveloped
South	AG	Undeveloped
West	R-1	Single-family residence

STAFF ANALYSIS

CURRENT ORDINANCE REVIEW

According to Section 34.030 of the Municipal Code, a minor subdivision shall meet the following criteria:

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

The proposed subdivision would not meet the third requirement of the criteria, as Section 39.04.003 of the City’s Zoning Ordinance states that a lot or site within the City’s planning

jurisdiction must be in one base district. The proposed Lot 1 of the Meduna 1st Subdivision, if approved, would be zoned partially R-1 and partially RR. However, REZ-007-2024, which is scheduled for public hearing at this Planning and Zoning Commission meeting, would rezone the portion of Lot 9 being combined with Lots 1 & 2 to R-1. This would make the proposed Lot 1 compliant with the City's Zoning Ordinance.

According to Section 39.04 of the Municipal Code, the minimum R-1 lot size is 7,500 square feet and the minimum RR lot size is one (1) acre. The three proposed lots all exceed the minimum lot size requirement of their respective zoning district.

PUBLIC COMMENT AND STAFF RECOMMENDATION

Public Input: Staff has not received any public input as of the date of this report.

Staff Recommendation: The Community Development staff recommends **approval** of this minor plat contingent on the approval of the corresponding Meduna Rezone (REZ-007-2024).

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-020-2024: the Meduna 1st Subdivision Final Minor Plat** 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 PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend denial of **FLP-020-2024: the Meduna 1st Subdivision Final Minor Plat** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*