



PLANNING AND ZONING MEETING AGENDA

Wednesday, September 09, 2026 at 7:10 AM MT
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Jason Fridrich
Vice Chairman: Scott Bullinger
Dean Franchuk
Zach Jahner
Val Decker
Rick Haugen
Aaron Johansen
Mike Schwab
Mathew Rothstein

CALL TO ORDER

ROLL CALL

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

2. MINUTES

A. AUGUST 12TH, 2026 MINUTES

3. REGULAR AGENDA

A. PRELIMINARY MAJOR PLAT (PLP-006-2026) - Presented by City Planner, Natalie Birchak

To consider a Preliminary Major Subdivision Plat for the Gunwall Subdivision, being a portion of the SW $\frac{1}{4}$ of Section 24, Township 140 North, Range 97 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site is zoned Agricultural (AG). The site consists of +/- 5.00 acres.

B. REZONING (REZ-004-2026) - Presented by City Planner, Natalie Birchak

To consider a Zoning Map Amendment from Agricultural (AG) to Rural Residential (RR) for Lot 1 of Block 1 of the Gunwall Subdivision, located in the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 24, Township 140 North, Range 97 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site consists of +/- 5.00 acres.

C. PRELIMINARY MAJOR PLAT(PLP-005-2026) - Presented by City Planner, Natalie Birchak

To consider a Preliminary Major Subdivision Plat for the Zowie Heights Addition Subdivision, being a portion of the SE ¼ of Section 27, Township 140 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site is zoned Agricultural (AG). The site consists of +/- 40.006 acres.

D. FUTURE LAND USE MAP AMENDMENT (FLM-001-2026) - Presented by City Planner, Natalie Birchak

To consider a Future Land Use Map Amendment from Agricultural to Commercial for Lot 1 of Block 1 of the proposed Zowie Heights Addition Subdivision, located in the SE ¼ of Section 27, Township 140 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site consists of +/- 30.00 acres.

E. REZONING (REZ-005-2026) - Presented by City Planner, Natalie Birchak

To consider a Zoning Map Amendment from Agricultural (AG) to General Commercial (GC) for Lot 1 of Block 1 of the proposed Zowie Heights Addition Subdivision, located in the SE ¼ of Section 27, Township 140 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site consists of +/- 30.00 acres.

F. ANNEXATION (ANX-001-2026) - Presented by City Planner, Natalie Birchak

To consider an Annexation Proposal for Lot 1 of Block 1 of the proposed Zowie Heights Addition Subdivision and the west 40 feet of right-of-way dedicated via the Zowie Heights Addition Subdivision, located in the SE ¼ of Section 27, Township 140 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site consists of +/- 30.64 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://youtube.com/live/FvUmSgpsS-U>

This link will not be live until approximately 7:05 AM MT on September 9, 2026.

Teams Meeting: <https://tinyurl.com/PZC09092026>

Teams Meeting ID: 250 270 787 635 88

Meeting Passcode: Es3Ko6Lg

Teams Phone #: 1-701-506-0320

Phone Conference ID: 653 776 296#

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.



PLANNING AND ZONING MEETING MINUTES

Wednesday, August 12, 2026 at 7:10 AM MT
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Jason Fridrich
Vice Chairman: Scott Bullinger
Dean Franchuk
Zach Jahner
Val Decker
Rick Haugen
Aaron Johansen
Mike Schwab
Mathew Rothstein

CALL TO ORDER

Meeting called to order at 7:10AM.

ROLL CALL

PRESENT

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

ABSENT

Commissioner Mathew Rothstein

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS

Motion to approve as presented.

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 Decker, Commissioner Jahner

2. MINUTES

A. JULY 8TH, 2026 MINUTES

Motion to approve as presented.

Motion made by: Commissioner Haugen, **Seconded by:** Commissioner Decker.

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

Commissioner Johansen, Commissioner Haugen, Commissioner Schwab,
Commissioner Decker, Commissioner Jahner

3. REGULAR AGENDA

A. OATH OF OFFICE FOR ZACH JAHNER

B. PRELIMINARY MAJOR PLAT (PLP-004-2026) - Presented by City Planner, Natalie Birchak

City Planner Natalie Birchak presented the preliminary major subdivision plat for the Taplands Addition Subdivision, a replat of a portion of Lot 1, Block 1 of the Green Acres Addition, located in the southwest quarter of the northwest quarter of Section 9, Township 139 North, Range 96 West, City of Dickinson. The property is zoned Limited Commercial and consists of approximately 2.28 acres.

The applicant is requesting approval to dedicate a portion of the property as right-of-way and combine it with the previously dedicated right-of-way to the west in order to remove an internal lot line that would interfere with redevelopment of the site. Staff noted no public comments had been received and recommended approval. Chairman Fridrich asked for clarification regarding the dedication and the purpose behind the proposed combination. Staff explained the applicant intends to redevelop the parcel into a commercial center that would cross the existing lot line, necessitating the replat.

Andrew Shrank with Highlands Engineering, representing the applicant, provided additional background. He explained the parcel was originally part of Green Acres Addition before State Avenue was constructed, which split the original lot into two pieces. The applicant recently purchased the southern portion and is now seeking to replat it. Shrank stated the request includes vacating an unused 33-foot right-of-way along the west edge, as well as a 10-foot utility easement. All utility providers have signed the vacation petition. He noted limited floodplain along the Heart River and ongoing coordination with city staff regarding sanitary sewer service due to the presence of a city force main. No zoning change is required.

Chairman Fridrich confirmed the site is within city limits and noted this location is the former greenhouse site. Commissioner Schwab asked about access at Deer Run, and Shrank explained access is maintained through a gravel road and a 33-foot access easement granted by the adjacent property owner to the west. Commissioner Bullinger asked whether the west and south boundaries represent the city limits, and Shrank confirmed they do.

A public hearing was opened. No comments or concerns were presented in person or by phone. The hearing was closed.

A motion was made to recommend approval of PLP-004-2026, the Taplands Addition preliminary major subdivision, as being consistent with the City of Dickinson Comprehensive Plan, compliant with the zoning ordinance, and in the interest of public health, safety, and welfare.

Motion made by: Commissioner Johansen, **Seconded by:** Vice Chairman Bullinger.
Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Jahner

C. PRELIMINARY MAJOR PLAT (PLP-005-2026) - Presented by City Planner, Natalie Birchak

City Planner Natalie Birchak presented the preliminary major subdivision plat for the Zowie Heights Subdivision, located in the southeast quarter of Section 27, Township 140 North, Range 96 West, within the City of Dickinson's Extra-Territorial Zone. The site is zoned Agricultural and consists of approximately 40.006 acres. The applicant is requesting approval to dedicate portions of the property as right-of-way for 4th Avenue East and 10th Avenue East, establish an 8.745-acre lot on the east to continue serving as a primary residence, and create a 30-acre lot to the west that could be further subdivided or rezoned by a future developer.

Birchak noted that the proposed 8.745-acre lot does not meet the minimum 10-acre size requirement for the AG zoning district; however, a variance was approved by the Board of Adjustment on August 10, 2026. Staff reported receiving public comments requesting clarification on future development and expressing concerns regarding access to sanitary sewer to the north and potential screening needs. Staff recommended approval contingent on the applicant obtaining the lot size variance.

The public hearing opened. Ike Kuntz, owner of the property to the north, expressed concerns regarding the east-west sanitary sewer easement. Kuntz requested an easement connection to his property to accommodate potential future development, noting that the natural downhill grade toward the subdivision would make sanitary service more practical from the south. He also requested installation of a chain-link fence along the shared boundary to prevent garbage from blowing onto his property from Lions Subdivision. Chairman Fridrich confirmed Kuntz was requesting these considerations for future development only. Birchak responded that staff could not determine an appropriate easement location due to unknown future development patterns, adding that alternative sanitary sewer access points exist. Public Works Director Josh Skluzacek suggested continuing discussions with the property owner outside of the meeting to better evaluate grades, gravity flow, and future feasibility.

Chairman Fridrich stated concerns about splitting agricultural land when it is unlikely to remain agricultural, particularly since the west lot is anticipated to be sold and is adjacent to city limits. He questioned why the property was not being rezoned at this stage. Birchak explained that without a specific development plan, staff determined it was best to leave the parcel as-is for now and address rezoning and annexation when future development is proposed. She noted the future land use map designates the area as Rural Reserve, meaning any development would require annexation and rezoning to an urban district.

Commissioner Schwab asked for clarification on the future land use designation, and Birchak confirmed it would require urban zoning for future development. Commissioner Decker examined whether approval with stipulations would create inconsistency or precedent; Birchak noted any precedent set would match the future land use map

adopted in October 2025. Chairman Fridrich continued to express concerns about leaving a property zoned AG when it will not remain AG, emphasizing the parcel's small size and proximity to industrial areas and city limits. Skluzacek stated staff could work with the applicant and future west lot owner to establish stipulations preventing future development or building permits until annexation and rezoning occur.

Commissioner Johansen asked whether approval could include stipulations; Birchak clarified stipulations may be added to the final major subdivision. Commissioner Decker suggested delaying action until annexation and rezoning plans are in place, allowing the subdivision, zoning, and future development considerations to be handled at once. Johansen agreed. Commissioner Haugen confirmed the small strip of property to the south remains agricultural.

Chairman Fridrich asked whether these details could be resolved prior to final approval. Skluzacek stated the applicant has been cooperative and staff could work with both parties before the final plat is presented. City Attorney Wenko recommended tabling the application until additional considerations are resolved.

A motion was made to table the application until the next meeting.

Motion made by: Commissioner Decker, **Seconded by:** Commissioner Haugen.
Voting Yea: Chairman Fridrich, Commissioner Haugen, Commissioner Schwab, Commissioner Decker

D. ZONING TEXT AMENDMENT (ZTA-007-2026) - Presented by Engineer/Community Development Director, Joshua Skluzacek

Engineering and Community Development Director Joshua Skluzacek presented the proposed zoning text amendment ZTA-00007-2026. The request is to repeal Article III, Stormwater Management, of Chapter 16 – Environment, and replace it with a new Article VI, Stormwater Management, under Chapter 60 – Utilities of the City of Dickinson Municipal Code. The amendment updates the City's stormwater management requirements and establishes a Stormwater Design Manual (SWDM). Skluzacek explained this is a comprehensive rewrite of all stormwater-related sections of the municipal code. Currently, stormwater regulations are dispersed across multiple chapters, making them difficult to follow and reference. Consolidating these under Chapter 60 will provide clarity and ensure consistency. The update also aligns the City's requirements with federal and state regulations. He noted the work was completed in collaboration with Environmental Specialist Leah Upchurch and included feedback from several engineering firms that regularly work with the City.

Chairman Fridrich commented that he recalls when the prior ordinance was adopted and agreed that it is due for significant updates. Skluzacek added that a new stormwater design manual will accompany the code changes. The manual will contain technical engineering requirements not appropriate for municipal code language. It generally mirrors the Bismarck design manual but has been streamlined, removing unnecessary pages while retaining all essential information. Construction stormwater permitting processes outlined in the manual will rely on the state-issued Stormwater Pollution Prevention Plan, with applicants submitting the approved state permit to the City.

Skluzacek stated the changes are substantial, and if issues arise over time, staff will bring forward additional amendments. The primary goal is to replace outdated language with a functional, enforceable, and compliant stormwater ordinance. The public hearing was opened, but no comments were received. The hearing was closed.

A motion was made to recommend approval of ZTA-00007-2026, the stormwater ordinance update text amendment, as being consistent with the City of Dickinson Comprehensive Plan, compliant with the zoning ordinance, and in the interest of public health, safety, and welfare.

Motion made by: Commissioner Decker, **Seconded by:** Commissioner Johansen.
Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Jahner

4. PUBLIC COMMENT

5. ITEMS NOT ON AGENDA

6. WORK SESSION

7. ADJOURNMENT

Motion to adjourn at 7:44AM

Motion made by: Commissioner Johansen, **Seconded by:** Commissioner Franchuk.
Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Jahner

Link for viewing Planning and Zoning Commission Meeting:

<https://youtube.com/live/OPyiODU7M0>

This link will not be live until approximately 7:05 AM MT on August 12, 2026.

Teams Meeting: <https://tinyurl.com/PZC08122026>

Teams Meeting ID: 269 208 308 083 37

Meeting Passcode: 4s8i929A

Teams Phone #: 1-701-506-0320

Phone Conference ID: 509 492 613#

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.

From: Jotform
To: Sylvia Miller; Sylvia Miller; Steven Josephson; Dustin D. Dassinger; Leonard W. Schwindt; Joshua Skluzacek; Sylvia Miller; Natalie Birchak; Kylee Zastoupil
Subject: Re: Unified Development Application
Date: Tuesday, August 4, 2026 7:21:13 PM
Attachments: Gunwall Pre-Application Letter.pdf
Gunwall TransLetterMajPlat.pdf
Gunwall Subdivision.pdf
3187277.pdf
6617020024318405563 signature 19.png
6617020024318405563 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: Gunwall Pre-Application Letter.pdf

Type of Development Major Subdivision Preliminary Plat

Is this a Replat No

Name Mike Wormley

Company N/A

Applicant Email [Redacted]

Applicant Phone # [Redacted]

Applicant Representative (if applicable) Mike Wormley

Applicant Representative Company L & D Surveying

Applicant Representative Email [Redacted]

Applicant Representative Phone # [Redacted]

Owner Name Willard Gunwall

Owner Address [REDACTED]

Owner Email [REDACTED]

Owner Phone # [REDACTED]

Is the owner present to Sign ☒ Yes

Signature


Will this application require any other action to complete the development? ☒ No

Metes and Bounds Description (ONLY REQUIRED FOR UNPLATTED SUBDIVISION LOTS) THE SOUTHWEST QUARTER (SW1/4) OF SECTION 24, TOWNSHIP 140 NORTH, RANGE 97 WEST OF THE 5TH PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA

	1/4 Section	Township	Range
Description	SW Section 24	T140N	R97W

Property Address / General Project Location 11475 34th St SW
Dickinson ND 58601

Total Square Footage or Acreage of Subject Property 5.00 Acres

Transmittal Letter (Explanation of Request & Proposed Operations) [Gunwall TransLetterMajPlat.pdf](#)

Rezone Calc Multiplier 0

Minor Platting Multiplier 0

Prelim Platting Multiplier 1

Major Platting Multiplier 0

Name of Preliminary Plat Gunwall Subdivision

Preliminary Number Lots 1 to 10 Lots

Preliminary Number of Block(s) 1

1

Application Calc 500

Required Documentation Upload [Gunwall Subdivision.pdf](#)

Deed for Property [3187277.pdf](#)

Application Fees Applicable Fees 500.00 USD

Total: \$500.00

Transaction ID: 0fabq1xs

Payment Information

First Name: Michael

Last Name: Wormley

E-Mail [REDACTED]

Applicant Signature

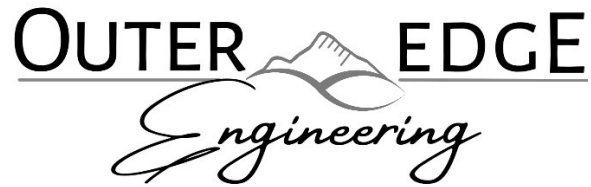


Date 08-04-2026

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

April 3, 2026

Natalie Birchak
City Planner
Planning & Zoning Department
City of Dickinson
99 2nd Street East
Dickinson, ND 58601



RE: Rezoning Application – 11475 34th Street SW Dickinson, ND 58601; SW 4 24-140-97

Dear Ms. Birchak,

On behalf of L & D Surveying and the Gunwall Family, Outer Edge Engineering, PLLC is pleased to submit the enclosed Major Preliminary Subdivision Plat Application for the property located at 11475 34th Street SW, Dickinson, ND 58601, legally described as the Southwest Quarter (SW¼) of Section 24, Township 140 North, Range 97 West of the 5th Principal Meridian, Stark County, North Dakota.

The purpose of this application is to subdivide a portion of the existing family farm to facilitate estate planning through the transfer of property between family members. The proposed subdivision creates a single lot that has previously been separated by fencing and will continue to utilize the existing access and utilities. No new roadway access or approaches are proposed as part of this subdivision. The existing approach from 34th Street SW will remain unchanged, and no earthwork, grading, or site improvements are proposed in conjunction with this application.

The property is located within the City's Extraterritorial Zoning (ETZ) jurisdiction, and the proposed subdivision has been prepared in accordance with the applicable subdivision regulations and development standards. The proposed lot is served by an existing septic system, private well, electrical service provided by Roughrider Electric, and existing access from 34th Street SW. No additional public infrastructure or utility extensions are required.

The surrounding properties are predominantly agricultural in nature, and the proposed subdivision is compatible with the existing character of the area. Because the request is solely intended to facilitate a family property transfer, the proposed subdivision will not alter the current land use or intensity of development on the property.

This letter is submitted in support of the online application and accompanying materials for review by City staff, the Planning & Zoning Commission, and the City Commission.

We respectfully request your review and approval of the enclosed Major Preliminary Subdivision Plat application. Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,



Brandy Presnell, PE
Owner/Principal Engineer
Outer Edge Engineering PLLC
208-308-5074
bpresnell@outeredgeeng.com
www.outeredgeeng.com

PROPRIETOR'S CERTIFICATE

WE, DANETTE GUNWALL, NANETTE RAPP, JASON FALLER, ADAM FALLER, ERIN HITT AND CARRI BRANDVIK, OWNERS AND PROPRIETORS OF GUNWALL SUBDIVISION, STARK COUNTY, NORTH DAKOTA, HEREBY CERTIFY THAT WE HAVE CAUSED THE LAND DESCRIBED HEREIN TO BE SURVEYED AND PLATTED AS SHOWN ON THE ACCOMPANYING PLAT.

DANETTE GUNWALL
NANETTE RAPP
JASON FALLER
ADAM FALLER
ERIN HITT
CARRI BRANDVIK

STATE OF NORTH DAKOTA)
COUNTY OF STARK) SS

ON THIS DAY OF , 2026, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED DANETTE GUNWALL, KNOWN TO ME TO BE THE PERSON DESCRIBED HERERIN AND WHO EXECUTED THE SAME AND ACKNOWLEDGED THAT HE EXECUTED THE SAME.

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA
RESIDING AT
MY COMMISSION EXPIRES

STATE OF NORTH DAKOTA)
COUNTY OF STARK) SS

ON THIS DAY OF , 2026, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED NANETTE RAPP, KNOWN TO ME TO BE THE PERSON DESCRIBED HERERIN AND WHO EXECUTED THE SAME AND ACKNOWLEDGED THAT SHE EXECUTED THE SAME.

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA
RESIDING AT
MY COMMISSION EXPIRES

STATE OF NORTH DAKOTA)
COUNTY OF STARK) SS

ON THIS DAY OF , 2026, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED JASON FALLER, KNOWN TO ME TO BE THE PERSON DESCRIBED HERERIN AND WHO EXECUTED THE SAME AND ACKNOWLEDGED THAT HE EXECUTED THE SAME.

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA
RESIDING AT
MY COMMISSION EXPIRES

STATE OF NORTH DAKOTA)
COUNTY OF STARK) SS

ON THIS DAY OF , 2026, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED ADAM FALLER, KNOWN TO ME TO BE THE PERSON DESCRIBED HERERIN AND WHO EXECUTED THE SAME AND ACKNOWLEDGED THAT SHE EXECUTED THE SAME.

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA
RESIDING AT
MY COMMISSION EXPIRES

STATE OF NORTH DAKOTA)
COUNTY OF STARK) SS

ON THIS DAY OF , 2026, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED ERIN HITT, KNOWN TO ME TO BE THE PERSON DESCRIBED HERERIN AND WHO EXECUTED THE SAME AND ACKNOWLEDGED THAT SHE EXECUTED THE SAME.

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA
RESIDING AT
MY COMMISSION EXPIRES

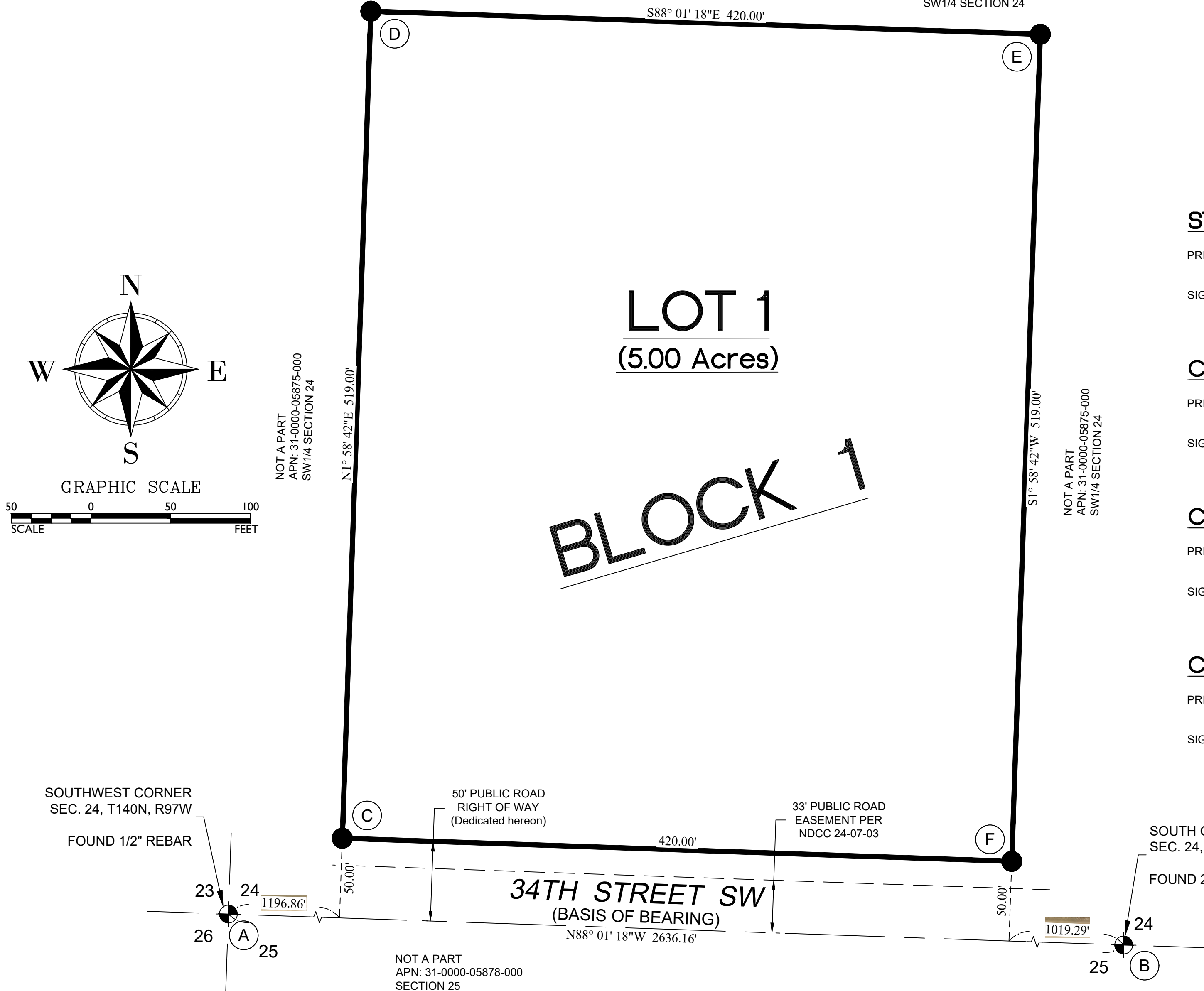
STATE OF NORTH DAKOTA)
COUNTY OF STARK) SS

ON THIS DAY OF , 2026, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED CARRI BRANDVIK, KNOWN TO ME TO BE THE PERSON DESCRIBED HERERIN AND WHO EXECUTED THE SAME AND ACKNOWLEDGED THAT SHE EXECUTED THE SAME.

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA
RESIDING AT
MY COMMISSION EXPIRES

PLAT of
GUNWALL SUBDIVISION
LOCATED IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION 24,
TOWNSHIP 140 NORTH, RANGE 97 WEST OF THE 5TH PRINCIPAL MERIDIAN,
STARK COUNTY, NORTH DAKOTA

NOT A PART
APN: 31-0000-05875-000
SW1/4 SECTION 24



LEGAL DESCRIPTION

A PARCEL OF LAND IN THE THE SOUTHWEST QUARTER (SW1/4) OF SECTION 24, TOWNSHIP 140 NORTH, RANGE 97 WEST OF THE 5TH PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER (SW1/4) OF SAID SECTION 24, THENCE SOUTH 88° 01' 18" EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1196.86 FEET;

THENCE DEPARTING SAID SOUTH LINE, NORTH 01° 58' 42" EAST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 01° 58' 42" EAST, A DISTANCE OF 519.00 FEET;

THENCE SOUTH 88° 01' 18" EAST, 420.00 FEET;

THENCE SOUTH 01° 58' 42" WEST, A DISTANCE OF 519.00 FEET;

THENCE NORTH 88° 01' 18" WEST, 420.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 217,980 SQ. FT. OR 5.00 ACRES MORE OR LESS.

GENERAL NOTES

- ALL DISTANCES ARE GROUND, BEARINGS AND COORDINATES ARE GRID, BASED ON OBSERVATIONS MEASURED WITH GPS UTILIZING "MID-STATES VRS" NETWORK SOLUTIONS. A SCALE FACTOR OF 1.0001855557 WAS UTILIZED TO SCALE COORDINATES TO GROUND VALUES.
- GUNWALL SUBDIVISION IS LOCATED WITHIN ZONE 'X' AS SHOWN ON FEMA FLOOD INSURANCE MAP (FIRM) 38089C0186F REVISED ON AUGUST 28, 2024.

CERTIFICATE of SURVEYOR

I, MICHAEL WORMLEY, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY WAS CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION, THAT THIS PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY, AND THAT THE MONUMENTS SHOWN ARE OF THE NATURE AND OCCUPY THE LOCATIONS SHOWN HEREON.

DATE THIS DAY OF , 2026.

MICHAEL WORMLEY
ND Reg. No. LS-28310

STATE OF NORTH DAKOTA)
COUNTY OF STARK) SS

ON THIS DAY OF , 2026, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED MICHAEL WORMLEY, KNOWN TO ME TO BE THE PERSON DESCRIBED HERERIN AND WHO EXECUTED THE SAME AND ACKNOWLEDGED THAT SHE EXECUTED THE SAME.

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA
RESIDING AT
MY COMMISSION EXPIRES

STARK COUNTY 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:

CITY PLANNING AND ZONING COMMISSION APPROVAL

PRINTED NAME: TITLE:
SIGNATURE: DATE:

LEGEND

- FOUND MONUMENT (as described)
- SET 5/8" REBAR WITH 2" ALUMINUM CAP LS-28310
- BREAKLINE
- SECTION LINE
- BOUNDARY LINE
- TIE LINE
- 33' PUBLIC ROAD EASEMENT

BASIS OF BEARING

THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 140 NORTH, RANGE 97 WEST OF THE 5TH PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA, BEING A BEARING OF N 88° 01' 18" W.

BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM NORTH DAKOTA STATE PLANE COORDINATE SOUTH ZONE, DETERMINED BY GPS OBSERVATIONS.

NOTE

GRID TO GROUND SCALE FACTOR: 1.000185556
GROUND TO GRID SCALE FACTOR: 0.999814479

STATE PLANE COORDINATES
NAD 83, SOUTH ZONE, INT FT

POINT	NORTHING (iFT)	EASTING (iFT)
A	465,876.96	1,375,597.16
B	465,785.97	1,378,231.26
C	465,885.61	1,376,794.81
D	466,404.20	1,376,812.73
E	466,389.71	1,377,232.40
F	465,871.11	1,377,214.48

L & D
SURVEYING, LLC
(701) 300-4702
2030 105TH AVE SW
MANNING, NORTH DAKOTA
58642
PAGE 1 of 1 DATE: 08-03-26
JOB NUMBER: 26000-014



Gunwall Preliminary Major Subdivision Staff Report

To: City of Dickinson Planning and Zoning Commissioners
 From: City of Dickinson Community Development Services
 Date: September 2, 2026
 Re: PLP-006-2026 Gunwall Preliminary Major Subdivision

APPLICANT

Willard Gunwall
 11481 34th Street SW
 Dickinson, ND 58601

APPLICANT'S REPRESENTATIVE

Mike Wormley
 L&D Surveying
 2030 105th Avenue SW
 Manning, ND 58642

Public Hearing

September 9, 2026

Planning and Zoning Commission

The applicant is requesting approval of the Gunwall preliminary major subdivision, being a portion of the SW ¼ of Section 24, Township 140 North, Range 97 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). According to the applicant, the purpose of this subdivision is to establish a five-acre lot to transfer over to a family member. The site is zoned Agricultural (AG). The site consists of +/- 5.00 acres.

Staff recommendation: Staff recommends **approval** of this preliminary major subdivision contingent on the approval of REZ-004-2026.

The companion Gunwall rezoning request is also scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (REZ-004-2026).

LOCATION

The property is generally located to the north of 34th Street SW and is currently legally described as a portion of the SW ¼ of Section 24, Township 140 North, Range 97 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson's Extra-Territorial Zone (ETZ).

CURRENT ZONING	AG
FUTURE LAND USE MAP DESIGNATION	AGRICULTURAL
GROSS SITE ACREAGE	+/- 5.00 acres
LOTS PROPOSED	1

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG	Farmstead; agricultural
East	AG	Single-family residential; agricultural
South	AG	Agricultural
West	AG	Agricultural

CONSISTENCY, COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Compatibility and Compliance with The Municipal Code

A major subdivision plat is defined in Section 52-1 of the City Subdivision chapter as a subdivision that does not meet at least one of the following requirements:

- Does not require the dedication of public rights-of-way or the construction of new public streets or public infrastructure;
- 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;
- Does not violate any local, State or federally adopted law, ordinance, regulation, plan or policy; and
- Consists of four lots or less.

The proposed Gunwall Subdivision consists of one lot and involves the dedication of right-of-way along 34th Street SW. Therefore, the proposed subdivision does not meet the above requirements and is classified as a major subdivision.

The site is located in the Agricultural (AG) zoning district. The proposed subdivision establishes one five (5) acre parcel. According to Table 62-162-3a: Summary of Site Development Regulations in the Municipal Code, the minimum lot size for the AG zoning district is 10 acres. The proposed Lot 1 of Block 1 does not meet the 10-acre lot size minimum. The property owner is concurrently applying for a rezoning from AG to the Rural Residential (RR) zoning district.

PUBLIC INPUT AND STAFF RECOMMENDATION

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

Staff Recommendation: City of Dickinson Community Development staff recommends **approval** of PLP-006-2026 contingent on the approval of the associated REZ-004.2026.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **PLP-006-2026: The Gunwall Preliminary Major Subdivision** 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 **PLP-006-2026: The Gunwall Preliminary Major Subdivision** 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."*

GUNWALL PRELIMINARY MAJOR SUBDIVISION (PLP-006-2026)



From: Jotform
To: Sylvia Miller; Sylvia Miller; Steven Josephson; Dustin D. Dassinger; Leonard W. Schwindt; Joshua Skluzacek; Sylvia Miller; Natalie Birchak; Kylee Zastoupil
Subject: Re: Unified Development Application
Date: Tuesday, August 4, 2026 7:12:01 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: [Gunwall Pre-Application Letter.pdf](#)

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

Name **Mike Wormley**

Company **L&D Surveying**

Applicant Email **[REDACTED]**

Applicant Phone # **[REDACTED]**

Applicant Representative (if applicable) **Mike Wormley**

Applicant Representative Company **L&D Surveying**

Applicant Representative Email **[REDACTED]**

Applicant Representative Phone # **[REDACTED]**

Owner Name **Willard Gunwall**

Owner Address **[REDACTED]**

Owner Email **[REDACTED]**

Owner Phone # **[REDACTED]**

Is the owner present to Sign Yes

Signature

Will this application require any other action to complete the development? No

Metes and Bounds Description (ONLY REQUIRED FOR UNPLATTED SUBDIVISION LOTS) SW 1/4 of section 24, township 140 north, range 97 west

	1/4 Section	Township	Range
Description	SW Section 24	T140N	R97S

Legal - Lot/Block/Addition	Lot	Block	Addition
Description	1	1	1

Property Address / General Project Location 11475 34th St SW
Dickinson ND 58601

Total Square Footage or Acreage of Subject Property 5.00 Acres

Transmittal Letter (Explanation of Request & Proposed Operations) [Gunwall TransLetterRezone.pdf](#)

Existing Zoning AG - Agriculture

Proposed Zoning RR - Rural Residential

Rezone Calc Multiplier 1

Overlay District Description N/A

Map of Area to be Rezoned [Re-Zoning Map.pdf](#)

Minor Platting Multiplier 0

Prelim Platting Multiplier	0								
Major Platting Multiplier	0								
Application Calc	350								
Deed for Property	3187277.pdf								
Application Fees	<table><tr><td>Applicable Fees</td><td>350.00 USD</td></tr><tr><td colspan="2"> </td></tr><tr><td>Total:</td><td>\$350.00</td></tr><tr><td colspan="2">Transaction ID: jd2wc0za</td></tr></table>	Applicable Fees	350.00 USD			Total:	\$350.00	Transaction ID: jd2wc0za	
Applicable Fees	350.00 USD								
Total:	\$350.00								
Transaction ID: jd2wc0za									
Payment Information									
First Name:	Michael								
Last Name:	Wormley								
E-Mail									
Applicant Signature									
Date	08-04-2026								

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.

August 4, 2026

Natalie Birchak
City Planner
Planning & Zoning Department
City of Dickinson
99 2nd Street East
Dickinson, ND 58601



RE: Rezoning Application – 11475 34th Street SW Dickinson, ND 58601; SW 4 24-140-97

Dear Ms. Birchak,

On behalf of L & D Surveying and the Gunwall Family, Outer Edge Engineering, PLLC is pleased to submit this application for a zoning map amendment (rezoning) for the property located at 11475 34th Street SW Dickinson, ND 58601, legally described as Southwest 1/4 of Section 24, Township 140 North, Range 97 West of the 5th Principal Meridian, Stark County, ND.

The applicant is requesting that the subject property be rezoned from agricultural to rural residential. The intent of this request is to allow for estate planning with a lot subdivided from the existing farm that has already been fenced off.

This request is consistent with the goals and recommendations of the City of Dickinson Comprehensive Plan. The proposed zoning aligns with the Future Land Use Map designation for this area and supports planned growth patterns, efficient land use, and appropriate transitions between adjacent properties. No change with any of these things.

The site is well-positioned to accommodate the proposed zoning, with access provided via 34th Street SW, which are classified as a collector roadway per the City's Transportation Plan. Utilities are currently in use and sufficient to support the proposed use. A septic system is completely on the proposed site, a well and electric transformer provides electricity from Roughrider Electric.

Surrounding land are all agricultural, and the proposed rezoning is compatible with the existing and planned character of the area. It also allows for the current city code that applies to ETZ area.

As part of the application coordination process, Stark County was contacted through the County Road Superintendent, Rural Fire Chief, and Weed Control Officer regarding the proposed rezoning. Written responses were received from the Road Superintendent and Rural Fire Chief and are included as attachments to this application. No response was received from the Weed Control Officer as of the date of this submittal; therefore, a copy of the time-stamped email documenting the coordination request is also attached.

This letter is submitted with the online form and all required attachments.

We respectfully request review of this application and consideration for approval by the Planning & Zoning Commission and City Commission. Please feel free to contact me directly if additional information or clarification is needed.

Sincerely,



Brandy Presnell, PE
Owner/Principal Engineer
Outer Edge Engineering PLLC
208-308-5074
bpresnell@outeredgeeng.com
www.outeredgeeng.com

Attachments



Outer Edge Engineering PLLC <outeredgeengineeringpllc@gmail.com>

Gunwall Subdivision

Todd Miller <tmiller@starkcountynd.gov>

Wed, Aug 5, 2026 at 1:21 PM

To: Outer Edge Engineering PLLC <outeredgeengineeringpllc@gmail.com>

Hi Brandy,

I have no conflicts far as the county road department is concerned since you are not breaking any ground at this time.

Thank you for the phone call today to answer my questions.

Thanks again and enjoy the rest of your day.



Todd A. Miller, Road Superintendent

STARK COUNTY ROAD DEPARTMENT

52 30th Ave West

P.O. Drawer 130

Dickinson, ND 58601

Shop (701) 456-7662

Cell (701) 290-2353

Website: <https://www.starkcountynd.gov>

Email: tmiller@starkcountynd.gov

From: Outer Edge Engineering PLLC <outeredgeengineeringpllc@gmail.com>

Sent: Monday, August 3, 2026 4:29 PM

To: Todd Miller <tmiller@starkcountynd.gov>

Cc: Steve Josephson <SJosephson@starkcountynd.gov>; bpresnell@outeredgeeng.com

Subject: Re: Gunwall Subdivision

Forgive me, Todd.

[Quoted text hidden]



Outer Edge Engineering PLLC <outeredgeengineeringpllc@gmail.com>

Gunwall Major Subdivison Plat

Jeff Thompson <dickinsonrural30@gmail.com>
To: Brandy Presnell <bpresnell@outeredgeeng.com>

Wed, Aug 5, 2026 at 1:02 PM

Thank you for the email and phone conversation. As stated we have no concerns with this site. Thanks again

Jeff Thompson
Dickinson Rural Fire
Sent from my iPhone

On Aug 3, 2026, at 12:28 PM, Brandy Presnell <bpresnell@outeredgeeng.com> wrote:

[Quoted text hidden]



Outer Edge Engineering PLLC <outeredgeengineeringpllc@gmail.com>

Gunwall Major Subdivision Plat

1 message

Brandy Presnell <bpresnell@outeredgeeng.com>

Mon, Aug 3, 2026 at 12:24 PM

To: "tjepson@starkcountynd.gov" <tjepson@starkcountynd.gov>

Greetings:

I left you a voicemail about this major plat subdivision and rezone in the ETZ for the City.

It is located in the SW1/4 of S 24 T140N R97W; the north side of 34th Street SW.

There will be 50' (additional 17' to county easement) right of way dedication.

Please let me know if I can provide anything else and feel free to call with questions.

Thanks.

**Brandy Presnell, P.E., MBA**

Founder & Principal Engineer

Licensed in Multiple States

Phone: (208) 308-5074

bpresnell@outeredgeeng.comwww.outeredgeeng.com

Small Firm. Serious Capability.



Zoning Map

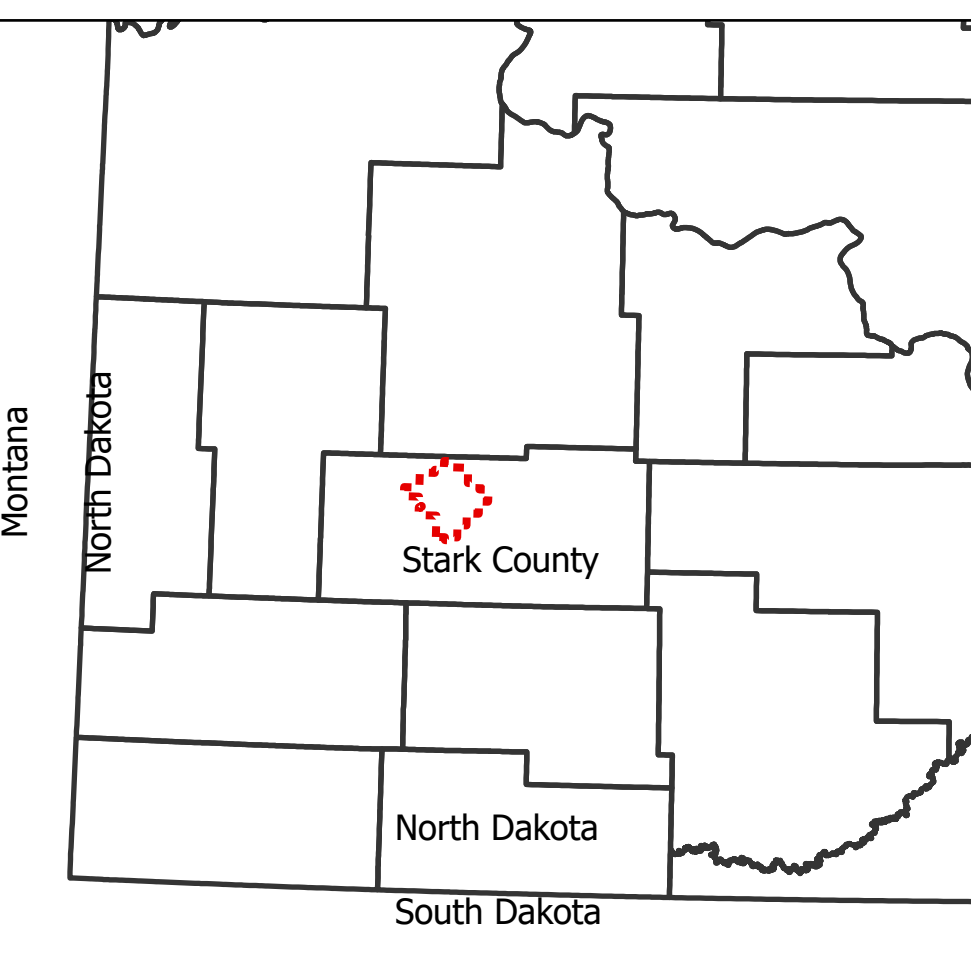
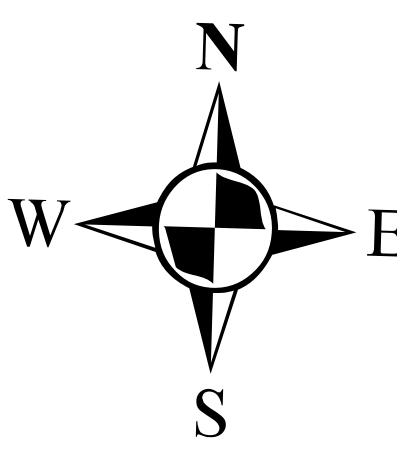
Zoning Classification

- Planned Unit Development - PUD
- Community Commercial - CC
- Downtown Commercial - DC
- General Commercial - GC
- Limited Commercial - LC
- General Industrial - GI
- Limited Industrial - LI
- Low Density Residential - R1
- Medium Density Residential - R2
- High Density Residential - R3
- Rural Residential - RR
- Mobile Home - MH
- Public - P
- Agricultural - AG

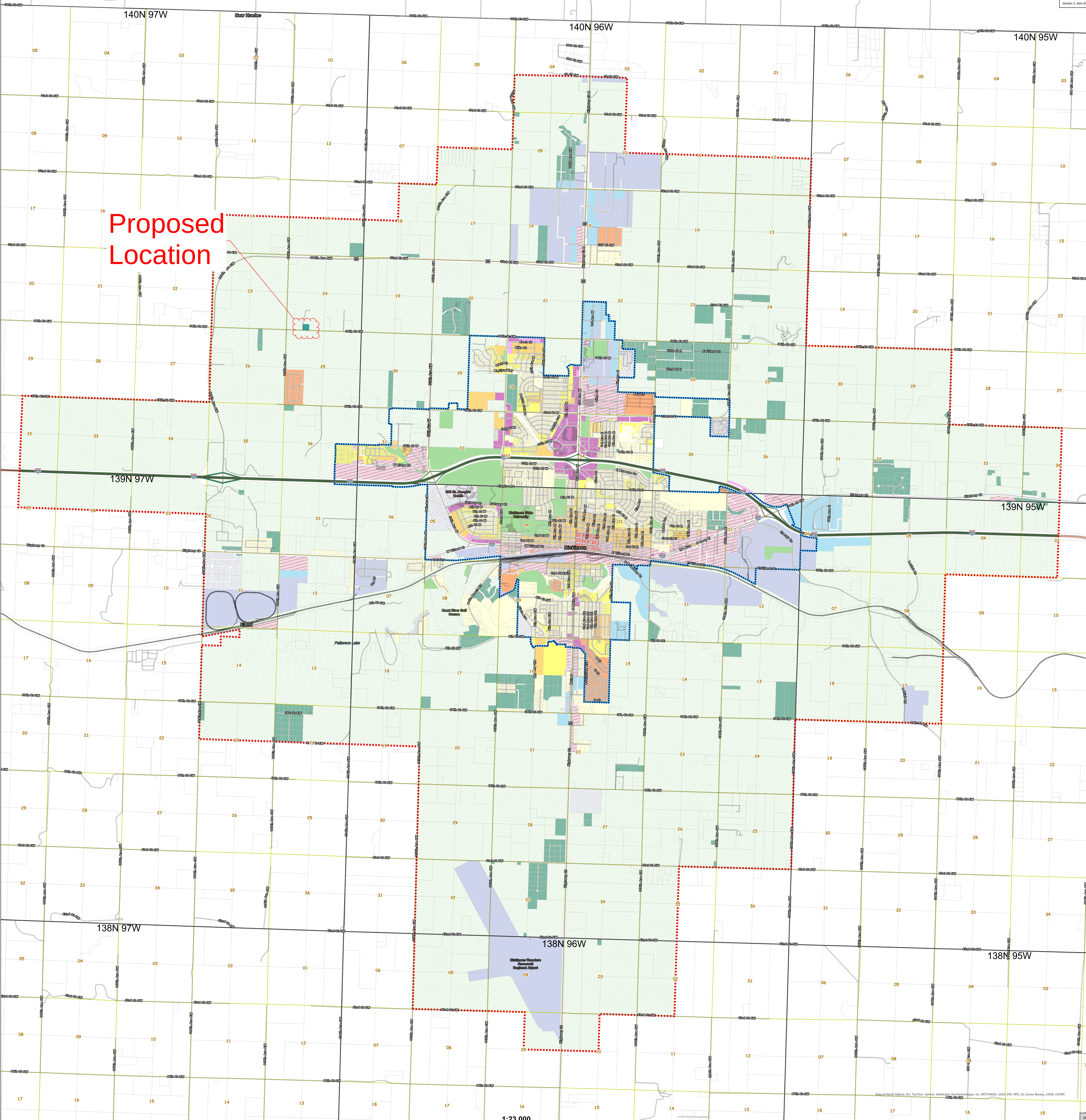
Reference Features

- Extra Territorial Boundary
- Corporate Boundary
- Townships
- Sections

Coordinate System:
NAD 1983 2011 StatePlane North Dakota South FIPS 3302 F1
Projection: Lambert Conformal Conic
Datum: NAD 1983 2011
False Easting: 1,968,503.9370
False Northing: 0.0000
Central Meridian: -100.5000
Standard Parallel 1: 46.1833
Standard Parallel 2: 47.4833
Latitude Of Origin: 45.6667
Units: Foot



This map depicts Features currently available in a suitable digital format.
Credits: Dickinson Engineering Department
Date: 6/5/2025





Gunwall Zoning Map Amendment Staff Report

To: City of Dickinson Planning and Zoning Commissioners
From: City of Dickinson Community Development Services
Date: September 2, 2026
Re: REZ-004-2026 Gunwall Zoning Map Amendment

APPLICANT

Willard Gunwall
11481 34th Street SW
Dickinson, ND 58601

APPLICANT’S REPRESENTATIVE

Mike Wormley
L&D Surveying
2030 105th Avenue SW
Manning, ND 58642

Public Hearing	September 9, 2026	Planning and Zoning Commission
Public Hearing	November 17, 2026	City Commission
Final Consideration	December 1, 2026	City Commission

The applicant is requesting approval of a Zoning Map Amendment from Agricultural (AG) to Rural Residential (RR) for Lot 1 of Block 1 of the proposed Gunwall Subdivision, being a portion of the SW ¼ of Section 24, Township 140 North, Range 97 West, in the City of Dickinson’s Extra-Territorial Zone (ETZ). According to the applicant, the purpose of this subdivision is to establish a five-acre lot to transfer over to a family member. The site consists of +/- 5.00 acres.

Staff recommendation: Staff recommends **approval** of this preliminary major subdivision contingent on approval of PLP-006-2026.

The companion Gunwall preliminary major subdivision is also scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (PLP-006-2026).

LOCATION

The property is generally located to the north of 34th Street SW and is currently legally described as a portion of the SW ¼ of Section 24, Township 140 North, Range 97 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson's Extra-Territorial Zone (ETZ).

CURRENT ZONING	AG
FUTURE LAND USE MAP DESIGNATION	AGRICULTURAL
GROSS SITE ACREAGE	+/- 5.00 acres
LOTS PROPOSED	N/A

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG	Farmstead; agricultural
East	AG	Single-family residential; agricultural
South	AG	Agricultural
West	AG	Agricultural

CONSISTENCY, COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Consistency with the Comprehensive Plan

According to the City's Comprehensive Plan Future Land Use Map (FLUM), the subject property is designated AGRICULTURAL. As shown in Comprehensive Plan Table 5-2. Zoning District Compatibility with Future Land Use Categories, Rural Residential (RR) is an acceptable zoning district within the Agricultural FLUM category.

As the subject property is located outside of the FLUM Urban Reserve area the proposed rezoning is consistent with the Comprehensive Plan.

Compatibility

The proposed RR rezoning would allow for uses that are comparable to and compatible with the adjacent AG zoned properties. Additionally, rezoning the property to RR is consistent with the emerging zoning pattern in the general vicinity.

Compliance with The Municipal Code

The proposed subdivision establishes one five (5) acre lot. According to Table 62-162-3a: Summary of Site Development Regulations in the Municipal Code, the minimum lot size for lots in the AG zoning district is 10 acres. The proposed lot does not meet the minimum lot size requirement for the AG zoning district. The applicants are requesting to rezone the property into the Rural Residential (RR) zoning district, which has a minimum lot size of one (1) acre. All proposed lots exceed the 1-acre lot size minimum for the RR zoning district.

PUBLIC INPUT AND STAFF RECOMMENDATION

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

Staff Recommendation: City of Dickinson Community Development staff recommends **approval** of REZ-004-2026 contingent on the approval of PLP-006-2026.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **REZ-004-2026: The Gunwall Zoning Map Amendment** 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-004-2026: The Gunwall Zoning Map Amendment** 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."*

GUNWALL REZONE REQUEST (REZ-004-2026)



From: Jotform
To: Sylvia Miller; Sylvia Miller; Steven Josephson; Dustin D. Dassinger; Leonard W. Schwindt; Joshua Skluzacek; Sylvia Miller; Natalie Birchak; Kylee Zastoupil
Subject: Re: Unified Development Application
Date: Thursday, July 2, 2026 3:06:20 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: [146_Tormaschy Pre-Application Letter_5875.pdf](#)

Type of Development **Major Subdivision Preliminary Plat**

Is this a Replat **No**

Name **Jason Tormaschy**

Applicant Email **[REDACTED]**

Applicant Phone # **[REDACTED]**

Applicant Representative (if applicable) **Nick Jensen**

Applicant Representative Company **Western Edge Surveying, PLLC**

Applicant Representative Email **[REDACTED]**

Applicant Representative Phone # **[REDACTED]**

Owner Name **Jason Tormaschy**

Owner Address **[REDACTED]**

Owner Email **[REDACTED]**

Owner Phone #

Is the owner present to Sign

Yes

Signature

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

Yes

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

A TRACT OF LAND SITUATED IN THE SOUTHEAST 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 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.

	1/4 Section	Township	Range
Description	SE 1/4 Sec. 27	140	96

Property Address / General Project Location2845 10TH AVE E DICKINSON ND 58601

Total Square Footage or Acreage of Subject Property40.006

Transmittal Letter (Explanation of Request & Proposed Operations)[26-008_Tormaschy_Transmittal.pdf](#)

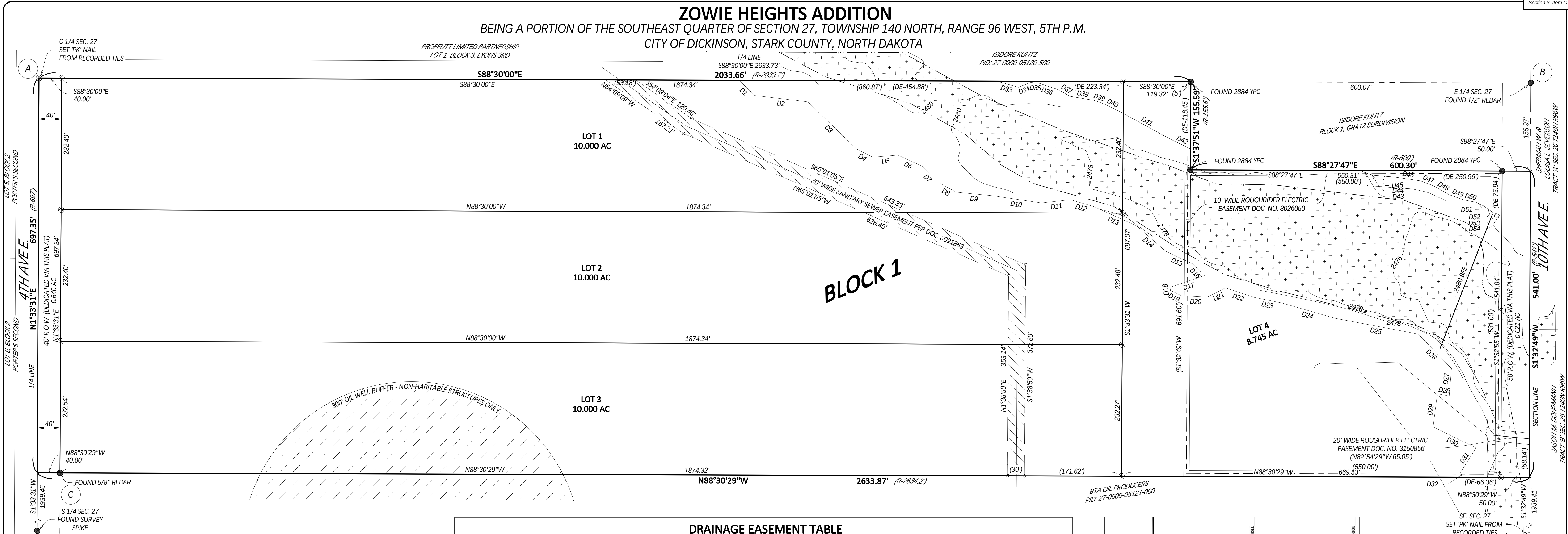
Rezone Calc Multiplier0

Minor Platting Multiplier0

Prelim Platting Multiplier	1								
Major Platting Multiplier	0								
Name of Preliminary Plat	Zowie Heights Subdivision								
Preliminary Number Lots	1 to 10 Lots								
Preliminary Number of Block(s)	1								
	1								
Application Calc	500								
Required Documentation Upload	City Parcel Map.pdf City Utility Information Map.pdf City Zoning Map.pdf FEMA Mapping.pdf Septic Layout.pdf Tormaschy Pre-Application Letter.pdf 26-008 Tormaschy_Prelim_Submittal.pdf 26-008 Tormaschy_Prelim_Submittal_Image.pdf								
Deed for Property	3157672.pdf 328562.pdf								
Application Fees	<table><tr><td>Applicable Fees</td><td>500.00 USD</td></tr><tr><td colspan="2"> </td></tr><tr><td>Total:</td><td>\$500.00</td></tr><tr><td colspan="2">Transaction ID: 9jjcgbeg</td></tr></table>	Applicable Fees	500.00 USD			Total:	\$500.00	Transaction ID: 9jjcgbeg	
Applicable Fees	500.00 USD								
Total:	\$500.00								
Transaction ID: 9jjcgbeg									
	Payment Information <table><tr><td>First Name:</td><td>Nicholas</td></tr><tr><td>Last Name:</td><td>Jensen</td></tr><tr><td>E-Mail</td><td></td></tr></table>	First Name:	Nicholas	Last Name:	Jensen	E-Mail			
First Name:	Nicholas								
Last Name:	Jensen								
E-Mail									
Applicant Signature									
Date	07-02-2026								

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.



CITY OF DICKINSON COMMISSION APPROVAL

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

CITY ENGINEER APPROVAL

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

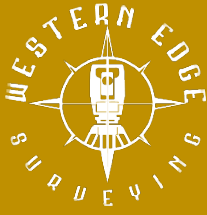
CITY PLANNING AND ZONING COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____

STARK COUNTY COMMISSION APPROVAL

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

DRAWN BY: NRJ	SHEET: 1 OF 1
PROJECT NO: 26-008	DATE: 9/2/26
WESTERN EDGE SURVEYING, PLLC	
P.O. BOX 168 DICKINSON, ND 58601 PHONE: (701) 505-8209	
WWW.WESTERNEDGESURVEYING.COM	



Western Edge Surveying, PLLC
P.O. BOX 168
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

Subject: Major Plat Preliminary Application – Zowie Heights Subdivision

Attached to the application form you will find the following Major Plat documents for Zowie Heights Subdivision, submitted for your consideration:

- Pre-Application Response Letter
- Project Scope (see below)
- Legal Description
- Warranty Deed(s)
- Preliminary Plat Drawing
- Preliminary Plat Drawing – with image, showing current land usage
- Sketch of Private Septic System
- City Parcel Map (ETZ)
- City Utility Map (ETZ)
- City Zoning Map (ETZ)
- FEMA Floodplain Map

PROJECT SCOPE:

The applicant is submitting this Major Subdivision Plat request as part of a pending sale of 30 acres. The parcel falls within the City of Dickinson ETZ. Per our pre-application meeting with the City and the attached response letter, the easements previously recorded along 4th Avenue East and 10th Avenue East are now being dedicated to public use. Also noted are various utilities, including a sanitary sewer line crossing the subject property, as well as a 300-foot non-habitable structure buffer around an active oil and gas well located off the property to the south.

ZONING:

The applicant is not requesting a rezone; both lots will remain zoned Agricultural (AG). The applicant acknowledges that Lot 2 (8.745 acres) is below the 10-acre minimum lot size for the AG district. Because the FEMA floodplain renders most of Lot 2 unbuildable, and the existing development on the lot is complete with no further development proposed, the applicant is requesting a variance through the Board of Adjustment for the lot area requirement.

FLOOD / DRAINAGE EASEMENT INFORMATION:

Section 3. Item C.

The proposed drainage easement encompasses the FEMA Zone AE (Special Flood Hazard Area) and the adjacent Zone X area as mapped on the plat. The plat also depicts the Regulatory Floodway per FEMA mapping.

Thank you for your time and consideration of this application. We appreciate any feedback you can provide during the review process.

Thanks,
Nicholas Jensen, PLS
Western Edge Surveying, PLLC

City Parcel Map (ETZ)

Section 3. Item C.



6/29/2026

Street Markers 45k



Highway 22

Public Street Names 25K

- Dickinson Tax Parcels
- Stark Parcels
- Platted Lot Lines

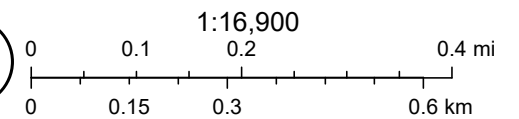
Easement Lines

- Municipal Boundary
- Extra Territorial Boundary
- World Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations



Dickinson Engineering Department, Engineering & Planning, Pictometry International, Eagleview, City of Dickinson, Vantor

SOUTHWESTERN DISTRICT HEALTH UNIT

2869 3rd Ave. West
DICKINSON, ND 58601
225-0171

Section 3. Item C.

APPLICATION FOR SEWAGE & WATER FACILITIES

General Information: Legal Description TWP-R96 SECTION 21 SE 1/4
Lot Size 40 ACRES Lot _____, Block _____
Number of Bedrooms 4 Baths 3
Owner SYDNEY & JILL MESSMER, Address RT 3. BOX 200

Sewer & Water System Information:

Percolation test results or soil type SANDY LOAM
SEPTIC TANK: (1000 gal. minimum)Size, (gallons) 1250 Material CONCRETEDistance from foundation 38'-0" (minimum of 10 ft.)Distance from well 101'-0" (minimum of 50 ft.)LIFT PUMP: yes _____ no X, Chamber diameter _____

DRAINFIELD:

Distance From: Well 140'-0", Septic tank 20 FT
(min. 50ft.) (min. 10ft.)Stream, lake, drainage area, 200 FT²+ (minimum of 100 ft.)Property line 200 FT²+ (minimum of 10 ft.)Length of perforated pipe 186 FTWidth of trench 30"Depth of perforated from surface 36" (30-36 inches is maximum)Depth of absorption material under perforated 18" to 20"Type of absorption material CRUSHED ROCKTotal amount of absorption area (bottom of trench) length X width
in square feet 465 sq. ft.

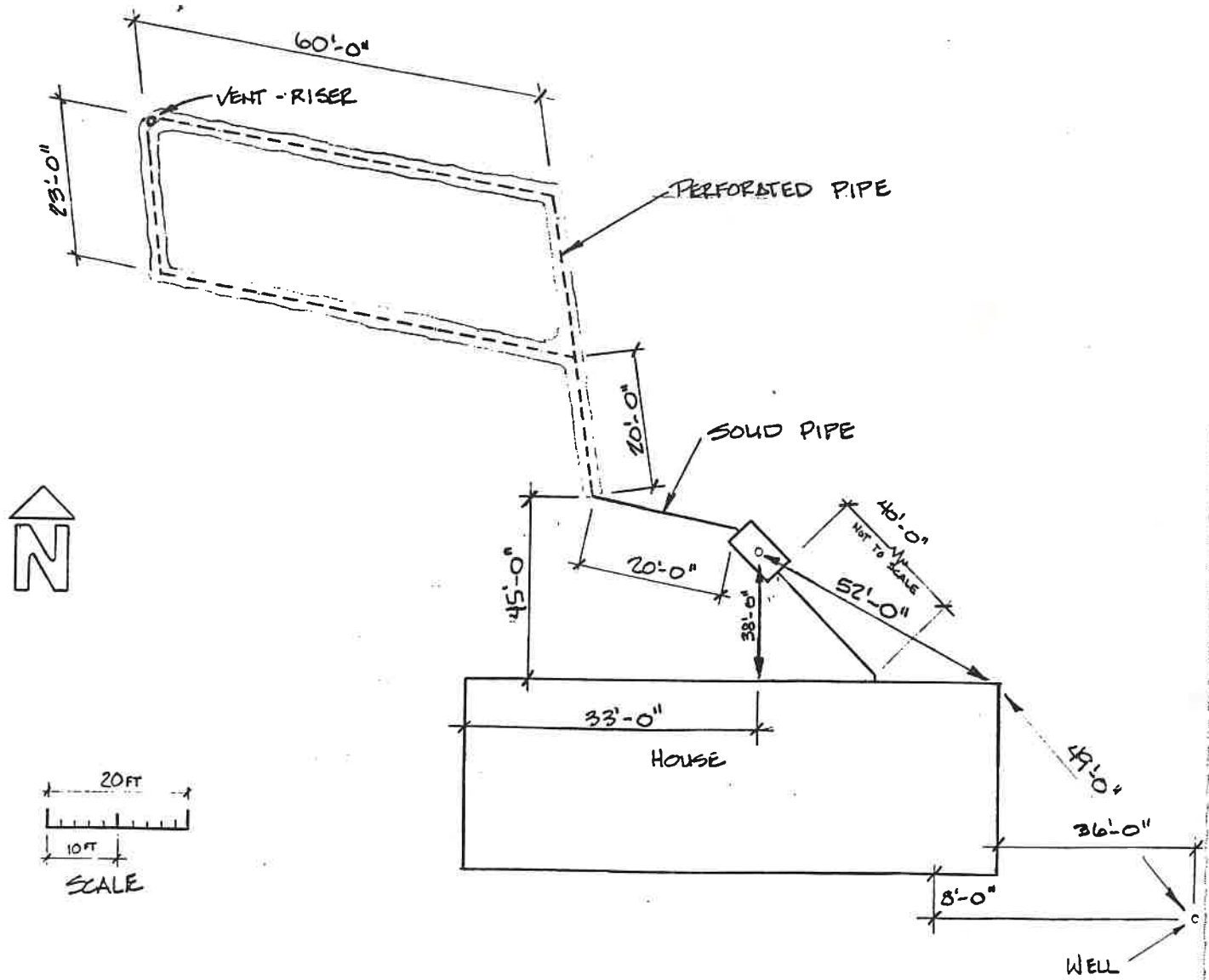
WATER WELL:

Type of well, drilled X, dug _____, bored _____Depth of well 117 FT, Diameter 4 1/2"Distance from, sewer 101'-0", foundation 36'-0"property line 200 FT²+, buried tanks XI hereby submit the above information to be correct as to present or proposed installation: Use other side of this form for drawing. (required)Signature of: Well driller: (SEE ATTACHED FORM)Sewer system installer: Sydney & Messmer PUMP SYSTEMSOwner: Sydney & Messmer

Draw a diagram of proposed or existing sewer and water system. Please make the drawing as accurate as possible. Needed are locations of: House, septic tank, lift pump, drainfield, sources of contamination. * see notes.

Section 3. Item C.

NORTH



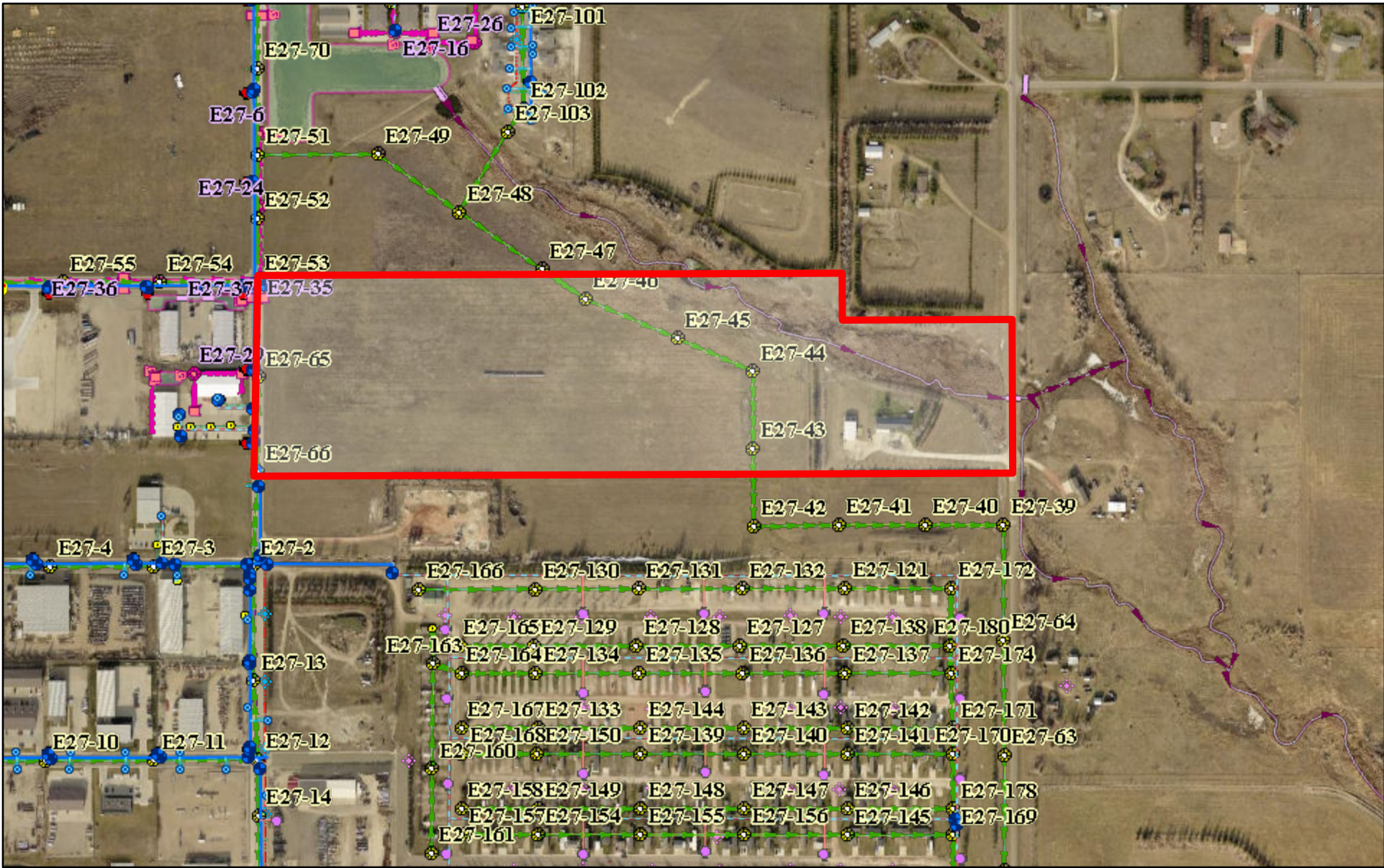
* Please note some of the minimum & maximum distances listed on the front.
 The proposed sewer and/or water system is hereby approved and subject to an onsite inspection before covering.

[Signature]
 (EMP signature)

Conditions:

Dickinson Utility Information Map

Section 3. Item C.



6/29/2026

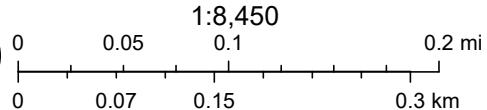
- Water Curb Stop Valve
- Water System Valve
- Normally Closed
- Normal Operation
- Water Hydrant
- City of Dickinson
- Private or Other
- Water Lateral Lines
- Fire
- Hydrant
- Service
- Water Main Lines
- Polyvinyl Chloride - From 8 to 12 in

- Polyvinyl Chloride - Under 8 in
- Sanitary Clean Outs
- Sanitary Manhole
- Sanitary Lateral Lines
- Sanitary Gravity Mains
- Sanitary Pressurized Mains

- Storm Inlets
- Storm Discharge
- Storm Manholes
- Storm Gravity Mains
- Storm Culverts
- Storm Open Drains

- Storm Detention Structures
- Poles
- Streetlight, City of Dickinson
- Streetlight, Roughrider Electric
- Wire Access Points
- Electric-Service

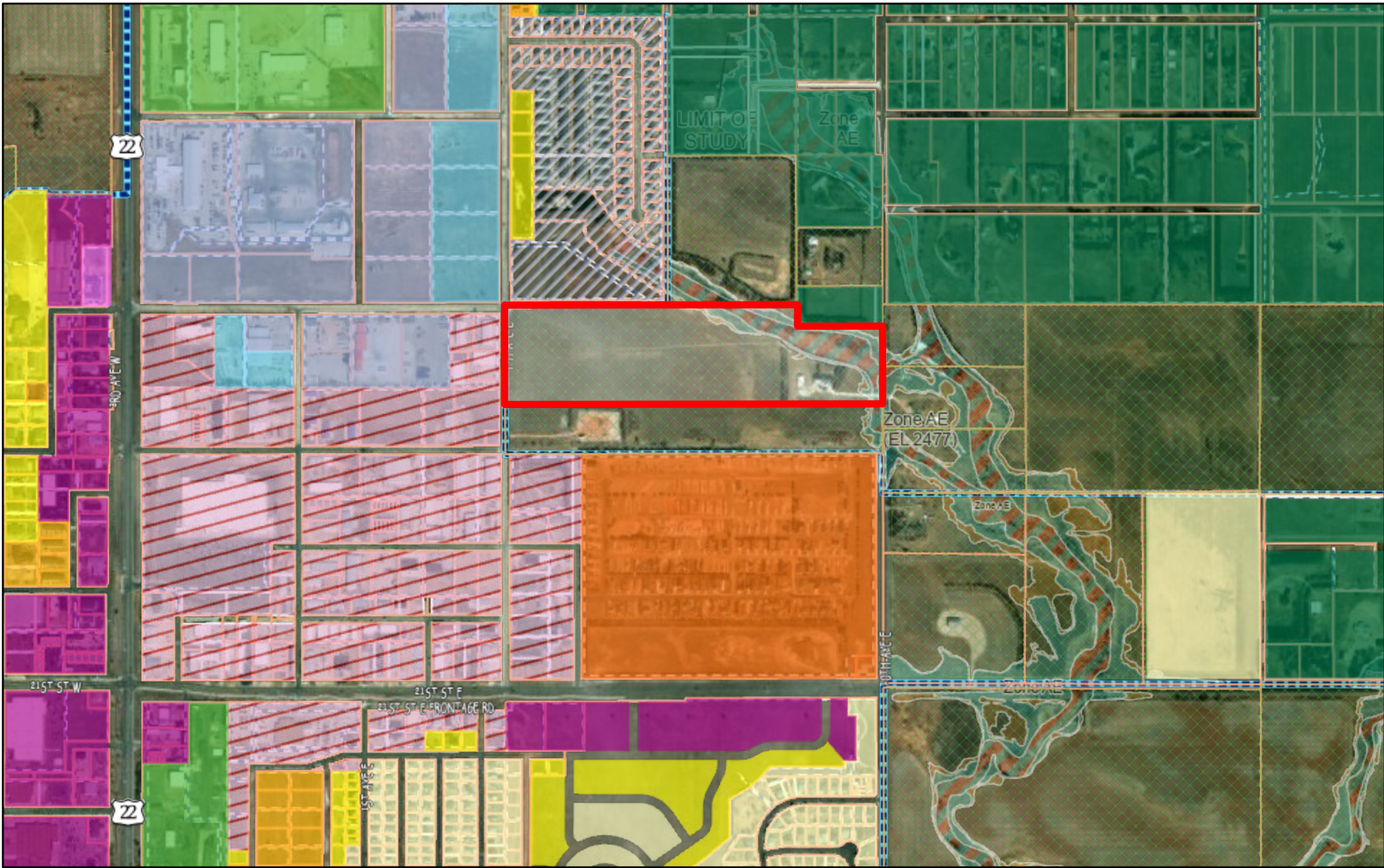
- Wire Lines
- Streetlight
- World Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations



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

City Zoning Map (ETZ)

Section 3. Item C.



6/29/2026

Street Markers 45k

Highway 22

Public Street Names 25K

Dickinson Zoning

Planned Unit Development - PUD

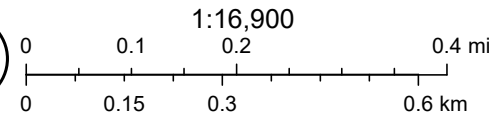
Community Commercial - CC
General Commercial - GC
Limited Commercial - LC
General Industrial - GI
Limited Industrial - LI
Low Density Residential - R1

Medium Density Residential - R2
High Density Residential - R3
Rural Residential - RR
Mobile Home - MH
Public - P
Agricultural - AG

Dickinson Tax Parcels
Stark Parcels
Platted Lot Lines
Easement Lines
Flood Hazard Boundaries
Limit Lines

SFHA / Flood Zone Boundary
Flood Hazard Zones
1% Annual Chance Flood Hazard
Regulatory Floodway
0.2% Annual Chance Flood Hazard
Municipal Boundary

Extra Territorial Boundary
World Imagery
High Resolution 60cm Imagery
High Resolution 30cm Imagery
Citations



Dickinson Engineering Department, Engineering & Planning, Pictometry International, Eagleview, City of Dickinson, Vantor

ZOWIE HEIGHTS ADDITION PRELIMINARY MAJOR SUBDIVISION (PLP-005-2026)

Section 3. Item C.



ZOWIE HEIGHTS ADDITION PRELIMINARY MAJOR SUBDIVISION (PLP-005-2026)

Section 3. Item C.



Section 3. Item C.



FEMA Mapping

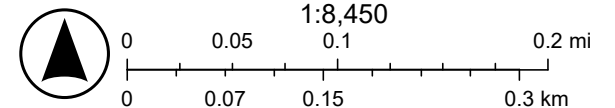
Section 3. Item C.



6/29/2026

- | | |
|--|---------------------------------|
| PLSS Description 12k Flood Hazard Boundaries | Regulatory Floodway |
| Dickinson Tax Parcels | 0.2% Annual Chance Flood Hazard |
| Stark Parcels | Municipal Boundary |
| Platted Lot Lines | Extra Territorial Boundary |
| Easement Lines | World Imagery |
| Limit Lines | |
| SFHA / Flood Zone Boundary | |
| Flood Hazard Zones | |
| 1% Annual Chance Flood Hazard | |

High Resolution 60cm Imagery
High Resolution 30cm Imagery
Citations



Dickinson Engineering Department, Engineering & Planning, Pictometry International, Eagleview, City of Dickinson, Vantor



Zowie Heights Addition Preliminary Major Subdivision Staff Report

To: City of Dickinson Planning and Zoning Commissioners
 From: City of Dickinson Community Development Services
 Date: September 2, 2026
 Re: PLP-005-2026 Zowie Heights Addition Preliminary Major Subdivision

APPLICANT

Jason Tormaschy
 2845 10th Avenue East
 Dickinson, ND, 58601

APPLICANT'S REPRESENTATIVE

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

Public Hearing	August 12, 2026	Planning and Zoning Commission
Public Hearing	September 9, 2026	Planning and Zoning Commission
Final Consideration	September 15, 2026	City Commission

The applicant is requesting approval of the Zowie Heights Addition preliminary major subdivision, being a portion of the SE ¼ of Section 27, Township 140 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). According to the applicant, the purpose of this subdivision is to dedicate portions of the lot as right-of-way for 4th Avenue East and 10th Avenue East, as well as to establish a one 8.745-acre lot to the east that would continue to be utilized as a primary residence as well as one 30-acre lot to the west to be further subdivided by a future developer. The site is zoned Agricultural (AG). The site consists of +/- 40.01 acres.

Staff recommendation: Staff recommends **approval** of this preliminary major subdivision contingent on the approval of the associated FLM-001-2026, REZ-005-2026, ANX-001-2026, and the associated development agreement.

The companion Zowie Heights rezone request is also scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (REZ-005-2026).

The companion Zowie Heights future land use map amendment is also scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (FLM-001-2026).

The companion Zowie Heights annexation is also scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (ANX-001-2026).

LOCATION

The property is generally located to the east of 4th Avenue East and is currently legally described as a portion of the SE ¼ of Section 27, Township 140 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson's Extra-Territorial Zone (ETZ).

CURRENT ZONING	AG
FUTURE LAND USE MAP DESIGNATION	RURAL RESERVE
GROSS SITE ACREAGE	+/- 40.01 acres
LOTS PROPOSED	2

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	PUD, AG	Residential planned unit development; undeveloped
East	AG, RR	Single-family residential; undeveloped
South	AG	Undeveloped; oil well
West	GC	Commercial

CONSISTENCY, COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Compatibility and Compliance with The Municipal Code

A major subdivision plat is defined in Section 52-1 of the City Subdivision chapter as a subdivision that does not meet at least one of the following requirements:

- Does not require the dedication of public rights-of-way or the construction of new public streets or public infrastructure;
- 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;
- Does not violate any local, State or federally adopted law, ordinance, regulation, plan or policy; and
- Consists of four lots or less.

The proposed Zowie Heights Addition Subdivision consists of two lots and involves the dedication of right-of-way along 4th Avenue East and 10th Avenue East. Therefore, the proposed subdivision does not meet the above requirements and is classified as a major subdivision.

The site is located in the Agricultural (AG) zoning district. The proposed subdivision divides the existing parcel into one 30-acre parcel (Lot 1, Block 1) to the west, and one 8.745-acre parcel to the east (Lot 2, Block 1). According to Table 62-162-3a: Summary of Site Development Regulations in the Municipal Code, the minimum lot size for the AG zoning district is 10 acres. The proposed Lot 2 of Block 1 does not meet the 10-acre lot size minimum. The property owner obtained a variance for Lot 2 at the August 10th, 2026 Board of Adjustment (BOA) meeting to permit the minimum lot size reduction.

The site is located in the Rural Reserve category of the future land use map (FLUM). The Rural Reserve category does not allow for lots to rezone into either the AG or Rural Residential (RR) zoning districts.

PUBLIC INPUT AND STAFF RECOMMENDATION

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

Staff Recommendation: City of Dickinson Community Development staff recommends **approval** of PLP-005-2026 contingent on the property owner obtaining a minimum lot size variance from the Board of Adjustment.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **PLP-005-2026: The Zowie Heights Addition Preliminary Major Subdivision** 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 **PLP-005-2026: The Zowie Heights Addition Preliminary Major Subdivision** 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."*

Natalie Birchak

From: Jotform <noreply@jotform.com>
Sent: Thursday, August 13, 2026 12:24 AM
To: Leonard W. Schwindt; Joshua Skluzacek; building.applications@dickinsongov.com; Natalie Birchak; Kylee Zastoupil
Subject: New Unified Development Application



You can see the submission details below.

Unified Development Application

Have you had a pre-submittal meeting with City Staff?	Yes
Please upload the required letter you received following your presubmittal meeting:	Tormaschy Pre-Application Letter.pdf
Type of Development	Future Land Use Map Amendment
Name	Jason Tormaschy
Applicant Email	
Applicant Phone #	
Applicant Representative (if applicable)	Nick Jensen
Applicant Representative Company	Western Edge Surveying, PLLC
Applicant Representative Email	

Applicant Representative Phone # [REDACTED]

Owner Name Jason Tormaschy

Owner Address [REDACTED]

Owner Email [REDACTED]

Owner Phone # [REDACTED]

Is the owner present to Sign ☒ Yes

Signature 

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

Identify other actions required to complete the development: ☒ Rezoning ☐ Annexation

Legal - Section/Township/Range	1/4 Section Township Range			
	Description	SE 1/4 Sec. 27	140	96

Legal - Lot/Block/Addition	Lot	Block	Addition
	Description	1	1

Property Address / General Project Location 2845 10th Avenue East

Total Square Footage or Acreage of Subject Property	30.000 AC
Proposed Month for Consideration	September
Existing Future Land Use Map Category	Agricultural
Proposed Future Land Use Map Category	Commercial
Existing Zoning	AG - Agriculture
Existing Use	Agriculture
Overlay District Description	n/a
Transmittal Letter (Explanation of Request & Proposed Operations)	26-008 Tormaschy Rezone Transmittal.pdf
Map of Proposed Amendment to Future Land Use Map - Drawn to Scale	Rezone Sketch.pdf
Rezone Calc Multiplier	0
Minor Platting Multiplier	0
Prelim Platting Multiplier	0
Major Platting Multiplier	0
Application Calc	750
Deed for Property	3157672.pdf 328562.pdf
	Applicable Fees 750.00 USD
Application Fees	
Total:	\$750.00

Transaction ID: 2g4438ns

Payment Information

First Name: Nicholas

Last Name: Jensen

E-Mail

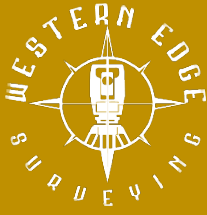


Applicant Signature

A handwritten signature in black ink, appearing to be 'N. Jensen'.

Date

08-13-2026



Western Edge Surveying, PLLC
P.O. BOX 168
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

Subject: Annexation, Rezone, and FLUM Amendment Applications – Zowie Heights Subdivision, Lot 1, Block 1
Attached to the application forms you will find the following documents submitted for your consideration in support of the concurrent Annexation, Rezone, and FLUM Amendment applications for Lot 1, Block 1 of the Zowie Heights Subdivision:

- Project Scope (see below)
- Legal Description – Lot 1, Block 1
- Warranty Deed(s)
- Sketch of Proposed Area to be Annexed, Rezoned, and Re-FLUMed
- Preliminary Plat Drawing (previously submitted)
- Pre-Application Response Letter (previously submitted)
- City Parcel Map (ETZ)
- City Utility Map (ETZ)
- City Zoning Map (ETZ)
- FEMA Floodplain Map

PROJECT SCOPE:

Upon direction of the Dickinson Planning and Zoning Commission at their August 12, 2026 meeting, the applicant is submitting concurrent applications for annexation, rezoning, and FLUM amendment for Lot 1, Block 1 (30.000 acres) of the Zowie Heights Subdivision.

At the August 12, 2026 meeting, the Planning and Zoning Commission tabled the preliminary plat and directed the applicant to pursue annexation, rezoning, and FLUM amendment for Lot 1, Block 1. City planning staff has advised that General Commercial zoning and Commercial FLUM designation are appropriate for this parcel given its intended future use and proximity to existing Commercial-designated properties to the west and northwest.

ANNEXATION:

The applicant is requesting annexation of Lot 1, Block 1 (30.000 acres) from the City of Dickinson's Extra-Territorial Zone (ETZ) into the City of Dickinson. The parcel is contiguous to existing city boundaries. City water and sewer infrastructure is available in 4th Avenue East on the west side of the property, and an existing sanitary sewer line runs across the subject property as well as in 4th Avenue East.

REZONE:

The applicant is requesting a zoning map amendment for Lot 1, Block 1 from Agricultural (AG) to General Commercial (GC), consistent with city staff's advisement and the intended future use of the parcel.

FLUM AMENDMENT:

The applicant is requesting an amendment to the Future Land Use Map designation for Lot 1, Block 1 from Rural Reserve to Commercial, consistent with the rezone application and city staff's advisement. Adjacent FLUM designations include Commercial to the west and northwest, and the nearest Planned Unit Development (PUD) lot is also designated Commercial, indicating an established pattern of commercial development in the area.

FLUM AMENDMENT – EIGHT-FACTOR WRITTEN STATEMENT (Policy 1.3)

- 1. Impact to the Future Land Use Map:** The proposed amendment changes the FLUM designation of Lot 1, Block 1 (30.000 acres) from Rural Reserve to Commercial. The amendment is limited to Lot 1, Block 1 and does not affect surrounding FLUM designations. Lot 2, Block 1 (8.745 acres) will retain its Rural Reserve designation.
- 2. Consistency with Comprehensive Plan policies and other City plans:** The amendment is consistent with city staff's advisement that Commercial designation is appropriate for Lot 1, Block 1 given its intended future use and proximity to existing Commercial-designated properties. The amendment aligns the FLUM designation with the concurrent rezoning application. The Planning and Zoning Commission directed pursuit of these applications at their August 12, 2026 meeting.
- 3. Availability of city infrastructure:** City water and sewer infrastructure is available in 4th Avenue East on the west side of the property, and an existing sanitary sewer line runs across the subject property as well as in 4th Avenue East. Extension of city services upon annexation is anticipated to be efficient given the direct availability of existing infrastructure adjacent to and traversing the parcel.
- 4. Location relative to planned thoroughfares and infrastructure cost:** The property is located along 4th Avenue East and 10th Avenue East, both established roadways. City water and sewer infrastructure is directly available in 4th Avenue East, and an existing sanitary sewer line crosses the property itself. The property's location adjacent to and integrated with existing infrastructure minimizes the cost to the City of providing services upon annexation.
- 5. Compatibility with abutting or adjacent future land use designations:** Adjacent FLUM designations include Commercial to the west and northwest, Agricultural to the north and east, and Rural Residential to the north. The nearest Planned Unit Development (PUD) lot is designated Commercial. The requested Commercial designation for Lot 1, Block 1 is compatible with and extends the existing Commercial designations to the west and northwest and aligns with the Commercial designation of the nearest PUD lot.
- 6. Urban sprawl vs. orderly compact development:** The amendment supports orderly, compact development by extending compatible Commercial designation adjacent to existing Commercial-designated properties. Rather than establishing an isolated commercial designation or promoting sprawl, the amendment reinforces the established commercial pattern to the west and northwest. The concurrent annexation brings the property into the city, further supporting compact development.
- 7. Capital Improvement Program Phase 1-2 programmed improvements:** The applicant defers to city staff to identify any programmed CIP improvements in the immediate vicinity. The property's location adjacent to existing water and sewer infrastructure in 4th Avenue East suggests minimal additional CIP burden associated with providing services upon annexation.
- 8. Short-term and long-term fiscal impacts to the City:** Short-term: The annexation and rezoning will add property tax revenue to the City. Commercial development on the parcel is anticipated to generate additional sales tax and business revenue upon development. Long-term: Commercial designation of Lot 1, Block 1 supports the City's tax base and economic development goals. The parcel's location adjacent to existing developed areas and available infrastructure minimizes long-term infrastructure extension costs. Fiscal analysis specific to development plans will be provided through subsequent site plan review as commercial development is proposed.

ANNEXATION – POLICY 1.4 FISCAL IMPACT REPORT

- 1. City infrastructure to be extended to the annexation site:** No extension of City infrastructure is required. City water and sewer infrastructure is currently available in 4th Avenue East on the west side of the property. 4th Avenue East is an existing established roadway. An existing sanitary sewer line runs across the subject property as well as in 4th Avenue East. City services are effectively available to the annexation site through existing infrastructure.
- 2. New or enlarged City infrastructure facilities needed:** None required. Existing infrastructure adjacent to and traversing the parcel provides service availability at the property level.
- 3. Profile of planned development:** The parcel is being conveyed for future commercial development. Specific commercial uses, densities, and intensities have not been finalized. The concurrent rezoning application requests Gener

Commercial (GC) zoning. Specific development profile will be established through subsequent site plan and review processes at the time specific commercial development is proposed.

4. Estimated water demand: Specific water demand will be dependent on the commercial uses ultimately developed on the parcel. Water demand analysis will be provided as part of site plan review when specific commercial uses are proposed.

5. Estimated peak hour traffic: Specific traffic generation will be dependent on the commercial uses ultimately developed on the parcel. Traffic analysis will be provided as part of site plan review when specific commercial uses are proposed.

6. Police and Fire Department service evaluation: The property is located adjacent to existing developed and served areas of the City. Existing Police and Fire Department response capabilities serving adjacent properties will extend to the annexation area. Detailed service capability assessment will be coordinated with City departments as part of the annexation review process.

7. Cost of providing urban services to existing rural development: Not applicable. Lot 1, Block 1 is currently unimproved. No existing rural development on the parcel requires provision of urban services.

8. Engineer cost estimate for service extension: Not applicable. Per items 1 and 2 above, no extension of urban services is required, as existing City infrastructure is available adjacent to and traversing the parcel. Individual lot service connections at time of specific development will be addressed through standard development review processes at the developer's cost.

LOT 2, BLOCK 1 (SEPARATE):

Lot 2, Block 1 (8.745 acres) is not part of these applications. Lot 2, Block 1 will remain in the ETZ as Agricultural (AG) zoned property, with the variance approved by the Board of Adjustment on August 10, 2026 permitting the reduced lot size. Lot 2, Block 1's FLUM designation as Rural Reserve remains unchanged.

PRELIMINARY PLAT:

The preliminary plat previously submitted for Zowie Heights Subdivision has been tabled by the Planning and Zoning Commission. A revised preliminary plat will be submitted reflecting the annexation, rezone, and updated FLUM designation.

Thank you for your time and consideration of these applications. We appreciate any feedback you can provide during the review process.

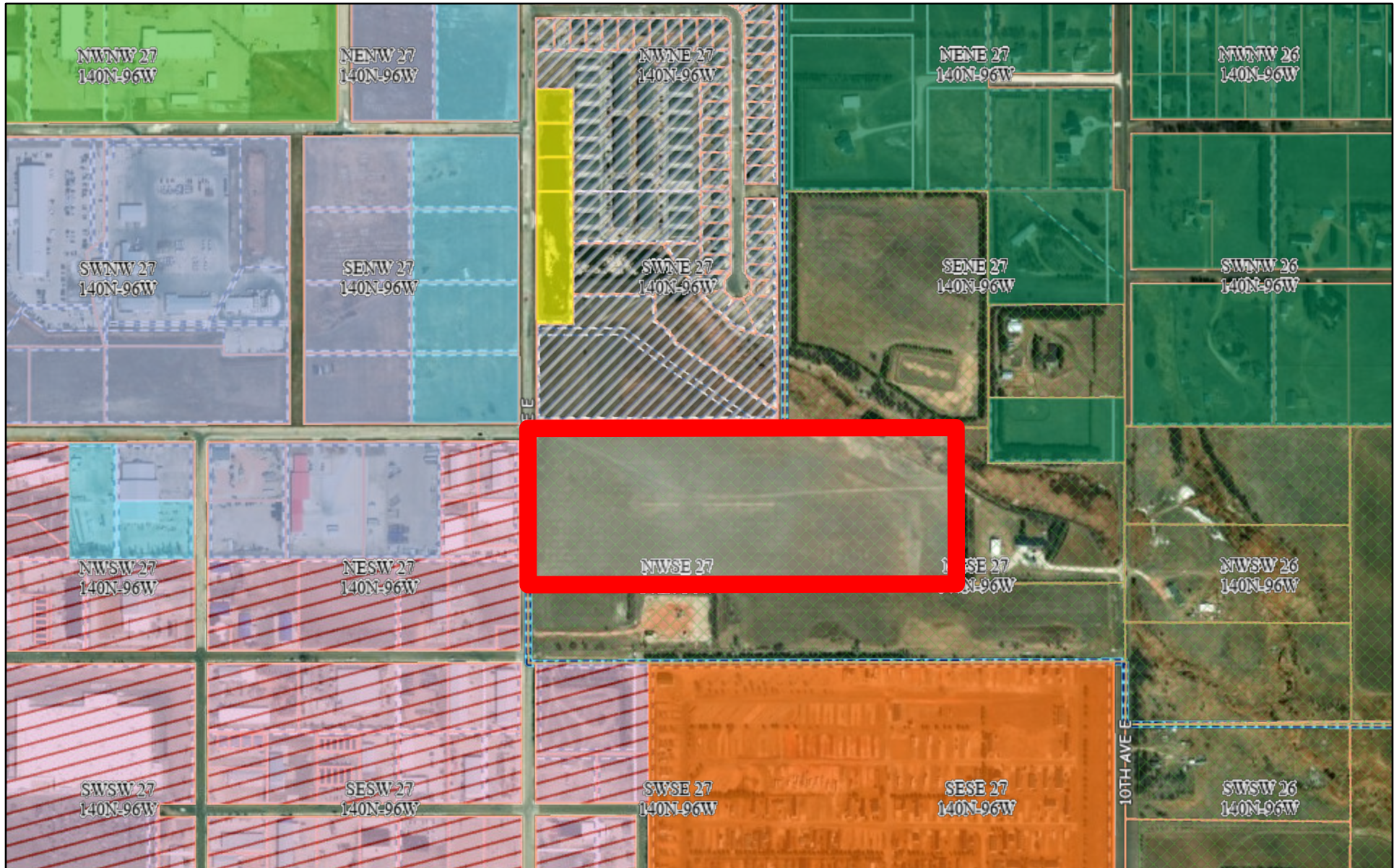
Thanks,

Nicholas Jensen, PLS

Western Edge Surveying, PLLC

Sketch of Rezone/FLUM/Annex

Section 3. Item D.



8/12/2026

PLSS Description 12k

Dickinson Zoning

Planned Unit Development - PUD

General Commercial - GC

General Industrial - GI

Limited Industrial - LI

Medium Density Residential - R2

Rural Residential - RR

Mobile Home - MH

Public - P

Agricultural - AG

Dickinson Tax Parcels

Stark Parcels

Platted Lot Lines

Easement Lines

Municipal Boundary

Extra Territorial Boundary

World Imagery

Low Resolution 15m Imagery

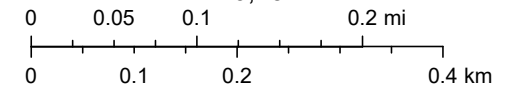
High Resolution 60cm Imagery

High Resolution 30cm Imagery

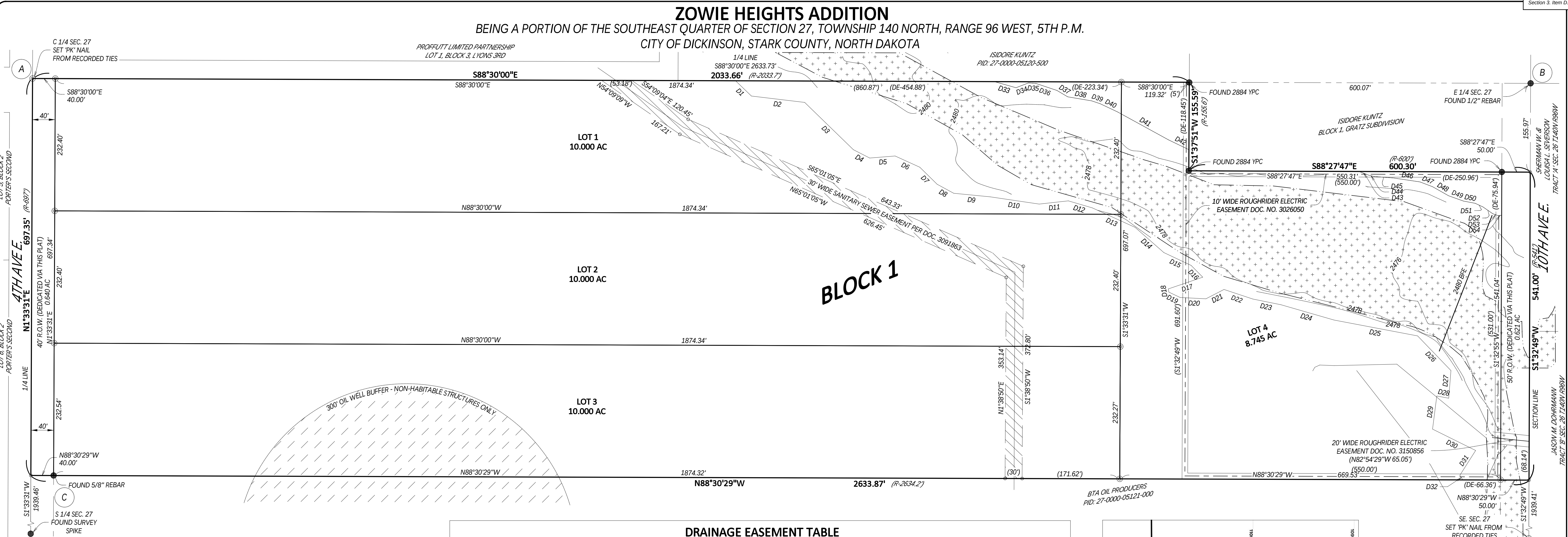
Citations

2.4m Resolution Metadata

1:10,732



Dickinson Engineering Department, Engineering & Planning, Pictometry International, Eagleview, City of Dickinson, Vantor



BOUNDARY DESCRIPTION:

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

A TRACT OF LAND SITUATED IN THE SOUTHEAST 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 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.

SAID TRACT NOW PLATTED AS ZOWIE HEIGHTS SUBDIVISION CONTAINS 40.006 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS AGREEMENTS, EASEMENTS, CONVEYANCES, AND SURVEYS.

BASIS OF BEARINGS:

SURVEY BASED ON NORTH DAKOTA SOUTH ZONE NAD1983 (2011), INTERNATIONAL FOOT. BEARINGS ARE GRID, DISTANCES ARE GROUND, USING A SCALE FACTOR OF 1.0001799774. COORDINATES ARE GRID. VERTICAL DATUM IS NAVD88 (GEOID18).

SURVEYOR'S CERTIFICATE:

I, NICHOLAS R. JENSEN, REGISTERED LAND SURVEYOR, N.D. NO. 29362 DO HEREBY CERTIFY THAT ZOWIE HEIGHTS ADDITION 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:

NICHOLAS R. JENSEN R.L.S. 29362

SUBDIVISION NOTES:

- 1) A 40' STRIP LYING EAST OF THE WEST BOUNDARY LINE WAS PREVIOUSLY GRANTED PER EASEMENT DOCUMENT NO. 3091864.
- 2) A 50' STRIP LYING WEST OF THE EAST BOUNDARY LINE WAS PREVIOUSLY GRANTED PER EASEMENT DOCUMENT NO. 189001.
- 3) A PORTION OF ZOWIE HEIGHTS ADDITION FALLS WITHIN SPECIAL FLOOD HAZARD AREAS AS SHOWN, PER FEMA FIRM NO. 38089C0192F DATED AUGUST 28TH, 2024. DRAINAGE EASEMENT FOLLOWS THE MAPPED AREA FOR ZONE X & ZONE AE AS INDICATED PER SAID FEMA FIRM.
- 4) OIL 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.

SURVEY NOTES:

- 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: XXXXXXXXXXXX

ZOWIE HEIGHTS ADDITION

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

DRAINAGE EASEMENT TABLE

NAME	BEARING	LENGTH	NAME	BEARING	LENGTH	NAME	BEARING	LENGTH	NAME	BEARING	LENGTH
D1	S44°51'10"E	38.45'	D17	S72°29'57"W	63.90'	D33	S72°55'14"E	39.43'	D49	S69°03'17"E	27.62'
D2	S81°51'39"E	94.29'	D18	S7°40'30"E	5.68'	D34	N70°25'10"E	23.54'	D50	S77°54'06"E	20.99'
D3	S44°33'01"E	119.30'	D19	S63°15'04"E	22.06'	D35	S84°23'02"E	13.68'	D51	S63°46'52"E	15.00'
D4	S61°37'27"E	32.20'	D20	S85°46'27"E	45.31'	D36	S70°13'02"E	38.35'	D52	S54°01'34"E	21.01'
D5	N86°40'38"E	44.81'	D21	N64°00'46"E	35.76'	D37	S58°08'06"E	22.00'	D53	S69°13'47"E	9.96'
D6	S64°14'12"E	47.70'	D22	S70°21'51"E	53.38'	D38	S79°05'14"E	42.86'	D54	N86°03'41"E	6.25'
D7	S44°10'36"E	42.66'	D23	S77°11'59"E	50.47'	D39	S69°58'35"E	15.62'			
D8	S60°11'59"E	33.24'	D24	S72°36'56"E	97.09'	D40	S63°28'09"E	33.67'			
D9	S83°06'27"E	64.28'	D25	S77°56'37"E	149.59'	D41	S59°58'56"E	102.50'			
D10	S80°17'28"E	87.22'	D26	S42°35'42"E	84.51'	D42	S63°00'26"E	39.60'			
D11	N85°01'53"E	51.57'	D27	S5°56'54"W	48.71'	D43	S67°41'44"E	17.24'			
D12	S72°22'02"E	43.86'	D28	N78°08'23"W	21.31'	D44	S74°14'31"E	10.45'			
D13	S64°14'01"E	82.71'	D29	S8°37'16"W	58.68'	D45	S84°15'49"E	34.57'			
D14	S47°25'59"E	67.19'	D30	S62°20'11"E	84.55'	D46	S80°14'23"E	46.87'			
D15	S63°32'45"E	52.93'	D31	S33°49'19"W	51.77'	D47	S67°49'56"E	23.76'			
D16	S43°21'11"E	29.13'	D32	S31°57'21"E	9.59'	D48	S59°18'43"E	32.42'			

PROPRIETORS CERTIFICATE:

WE, JASON H. TORMASCHY AND LISA TORMASCHY, OWNERS AND PROPRIETORS OF ZOWIE HEIGHTS ADDITION 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.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SUBSCRIBED OUR NAMES:

BY: JASON H. TORMASCHY BY: LISA TORMASCHY

STATE OF SS
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

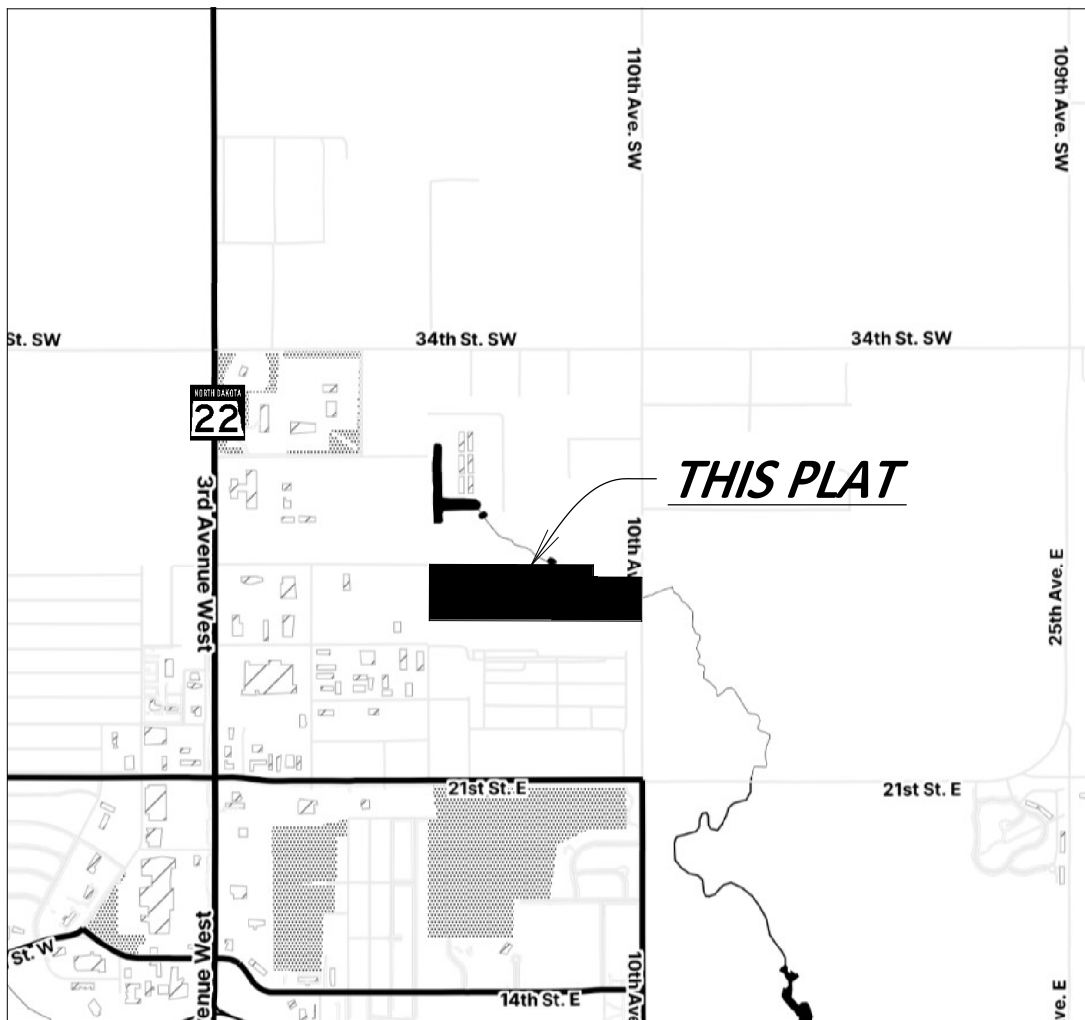
RESIDING AT THE COUNTY OF, STATE OF

AREA TABLE

LOT 1, 2, 3 ACREAGE	30.000 AC ±
+ DEDICATED ACREAGE	0.640 AC ±
TOTAL	30.640 AC ±
LOT 4 ACREAGE	8.745 AC ±
+ DEDICATED ACREAGE	0.621 AC ±
TOTAL	9.366 AC ±
DEDICATED AREA TOTAL	1.261 AC ±
SUBDIVISION TOTAL	40.006 AC ±

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



VICINITY MAP

SCALE: NTS

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:

COORDINATE TABLE		
NAME	NORTHING	EASTING
A	462508.85	1398967.13
B	462439.92	1401599.48
C	461810.85	1398988.15

DRAWN BY: NRJ

SHEET: 1 OF 1

PROJECT NO: 26-008

DATE: 9/2/26

WESTERN EDGE SURVEYING, PLLC

P.O. BOX 168
DICKINSON, ND 58601
PHONE: (701) 505-8209

WWW.WESTERNEDGESURVEYING.COM

ZOWIE HEIGHTS ADDITION FUTURE LAND USE MAP AMENDMENT (FLM-001-2026)

Section 3. Item D.





Zowie Heights Future Land Use Map Amendment Staff Report

To: City of Dickinson Planning and Zoning Commission
 From: City of Dickinson Community Development
 Date: September 2, 2026
 Re: FLM-001-2026 Zowie Heights Future Land Use Map Amendment

APPLICANT

Jason Tormaschy
 2845 10th Avenue East
 Dickinson, ND, 58601

APPLICANT'S REPRESENTATIVE

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

Public Hearing	September 9, 2026	Planning and Zoning Commission
Public Hearing	September 15, 2026	City Commission
Final Consideration	October 6, 2026	City Commission

To consider a Future Land Use Map amendment for a 30-acre property located in the SE ¼ of Section 27, Township 140 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). The subject property is legally described as Lots 1, 2, and 3, Block 1 of the Zowie Heights Addition Subdivision. The applicant seeks to rezone the subject lots from Agricultural (AG) to General Commercial (GC) and to annex the property.

The applicant seeks to change the Future Land Use Map designation of the subject lots from Agricultural category and the Rural Reserve overlay district into the Commercial category.

Staff recommendation: Staff recommends **approval** of this future land use map amendment contingent on the approval of the associated REZ-005-2026, PLP-005-2026, ANX-001-2026, and the associated development agreement.

The companion Zowie Heights Addition preliminary major subdivision is also scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (PLP-005-2026).

The companion Zowie Heights rezone request is also scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (REZ-005-2026).

The companion Zowie Heights annexation is also scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (ANX-001-2026).

LOCATION

The property is generally located to the east of 4th Avenue East, and is legally described as Lot 1, Block 1 of the proposed Zowie Heights Addition Subdivision, located in the SE ¼ of Section 27, Township 140 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson's Extra-Territorial Zone (ETZ).

CURRENT ZONING	AG
FUTURE LAND USE MAP DESIGNATION	AGRICULTURAL/RURAL RESERVE
GROSS SITE ACREAGE	+/- 30.00 acres
LOTS PROPOSED	N/A

ZONING & LAND USE IN THE GENERAL VICINITY		
Direction	Zoning	Land Use
North	PUD, AG, RR	Residential planned unit development; undeveloped
East	AG, RR	Single-family residential; undeveloped
South	AG, MH, GC	Undeveloped; oil well; mobile home park
West	GC	Commercial

STAFF ANALYSIS

BACKGROUND

When the FLUM was adopted in October 2025 as part of the Direction 2050: Dickinson Transportation Master Plan and Comprehensive Plan Update, the subject property was placed in the Agricultural and Rural Reserve categories. According to Chapter 4 Land Use of the Comprehensive Plan, the FLUM designations were determined as follows:

- City planner input on general mapping strategies as well as the location of specific FLUM designations;
- Public comment received on specific FLUM designations;

- Existing land use pattern;
- Development trends;
- Land use compatibility; and
- Preferred future development of existing properties.

These factors are listed on page 110 of Chapter 4 Land Use of the Comprehensive Plan.

CONSISTENCY, COMPATIBILITY, AND RECOMMENDATIONS

Consistency with Comprehensive Plan

The site is located in the Agricultural Category with the Rural Reserve overlay category on the future land use map (FLUM). According to Table 5-2. Zoning District Compatibility with Future Land Use Categories, the General Commercial (GC) zoning district is not permitted in the Agricultural category of the FLUM. The GC zoning district is permitted in the Commercial category of the FLUM.

The subject property is located in the Rural Reserve category in the Dickinson future land use map (FLUM). According to page 77 of the 2050 Comprehensive Plan Update, properties located in the Rural Reserve category are reserved for future annexations. As mentioned in the previous section of this staff report, the proposed annexation (ANX-001-2026) is also scheduled for public hearing at this September 9, 2026 meeting. City staff reviewed the annexations request and recommends approval as the request meets the requirements outlined in the 2050 Comprehensive Plan Update.

Policy 1.3.4 of the Chapter 4 Land Use of the City of Dickinson Comprehensive Plan states the following:

The City shall review FLUM amendments applications and shall take into consideration and record as findings of fact in an ordinance that approves a requested Future Land Use Map Amendment the following factors:

- *Impact to the FLUM.*
- *Consistency with comprehensive plan policies and all other city plans.*
- *Availability of city infrastructure to serve the property in which the FLUM amendment is requested.*
- *Location of the property in relation to planned thoroughfares and the availability and cost to the City to provide infrastructure.*
- *Compatibility of the requested future land use designation in relation to abutting or adjacent future land use designations.*

- *Extent to which the requested future land use designation establishes or reinforces an urban sprawl pattern of development as opposed to an orderly, compact form of development.*
- *Whether the first two phases of the Capital Improvement Program include programmed improvements in the area where the FLUM amendment is proposed.*
- *Short-term and long-term fiscal impacts to the City of approving the FLUM amendment.*

Staff finds the following:

- Properties within the general vicinity are developed with commercial uses and high-density residential uses.
- Approval of the request to amend the subject property from AGRICULTURAL/RURAL SERVICE should not result in uses that would be incompatible with the emerging development pattern in the general vicinity.
- The adjacent property to the south is located within the Rural Reserve area, and that property is currently developed with an oil well. The current use on the adjacent property limits its ability
- Approval of the proposed amendment would be consistent with the adjacent FLUM categories. The proposed Commercial category would be contiguous with the existing commercial developments to the west of the subject property.

Compatibility with Local Uses

The applicant has indicated they are intending to utilize the property for future commercial development. The site is currently zoned AG. If the FLUM is approved, the proposed rezoning from AG to GC would permit the following commercial uses:

- Auto rental/sales/services;
- Equipment rental/sales/repair;
- Business support services
- Business/trade school;
- Communication service;
- Construction sale/service;
- Food sales;
- Gaming facility;
- General retail services;
- Personal improvement/services; and
- Research services.

STAFF RECOMMENDATIONS

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

Staff Recommendation: City of Dickinson Community Development staff recommends **approval** of FLM-001-2026 contingent upon the approval of PLP-005-2026, REZ-005-2026, ANX-001-2026, and the associated development agreement.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLM-001-2026: The Zowie Heights Future Land Use Map Amendment** as being consistent with the City of Dickinson Comprehensive Plan, 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 **FLM-001-2026: The Zowie Heights Future Land Use Map Amendment** as NOT being consistent with the City of Dickinson Comprehensive Plan, NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*

From: [Jotform](#)
To: [Leonard W. Schwindt](#); [Joshua Skluzacek](#); building.applications@dickinsongov.com; [Natalie Birchak](#); [Kylee Zastoupil](#)
Subject: New Unified Development Application
Date: Thursday, August 13, 2026 12:16:29 AM
Attachments: [6624109677221535945_signature_19.png](#)
[6624109677221535945_signature_23.png](#)



You can see the submission details below.

Unified Development Application

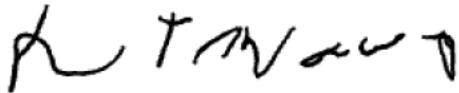
Have you had a pre-submittal meeting with City Staff?	Yes
Please upload the required letter you received following your presubmittal meeting:	Tormaschy Pre-Application Letter.pdf
Type of Development	Rezoning - Zoning Map Amendment
Name	Jason Tormaschy
Applicant Email	
Applicant Phone #	
Applicant Representative (if applicable)	Nick Jensen
Applicant Representative Company	Western Edge Surveying
Applicant Representative Email	
Applicant Representative Phone #	
Owner Name	Jason Tormaschy

Owner Address
[Redacted]

Owner Email
[Redacted]

Owner Phone #
[Redacted]

Is the owner present to Sign
☒ Yes

Signature


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

Identify other actions required to complete the development:

Future Land Use Map Change to Comprehensive Plan

Annexation

Legal - Section/Township/Range	1/4 Section	Township	Range
	Description	SE 1/4 Sec. 27	140 96

Legal - Lot/Block/Addition	Lot	Block	Addition
	Description	1 1	Zowie Heights Subdivision

Property Address / General Project Location
2845 10th Avenue East

Total Square Footage or Acreage of Subject Property
30.000 AC

Transmittal Letter (Explanation of Request & Proposed
[26-008_Tomaschy_Rezone_Transmittal.pdf](#)

Operations)

Existing Zoning

AG - Agriculture

Proposed Zoning

GC - General Commercial

Rezone Calc Multiplier

1

Overlay District Description

N/A

Map of Area to be Rezoned

[Rezone Sketch.pdf](#)

Minor Platting Multiplier

0

Prelim Platting Multiplier

0

Major Platting Multiplier

0

Application Calc

750

Deed for Property

[3157672.pdf](#)
[328562.pdf](#)

Applicable Fees 750.00 USD

Total: \$750.00

Transaction ID: jgr2ncsp

Application Fees

Payment Information

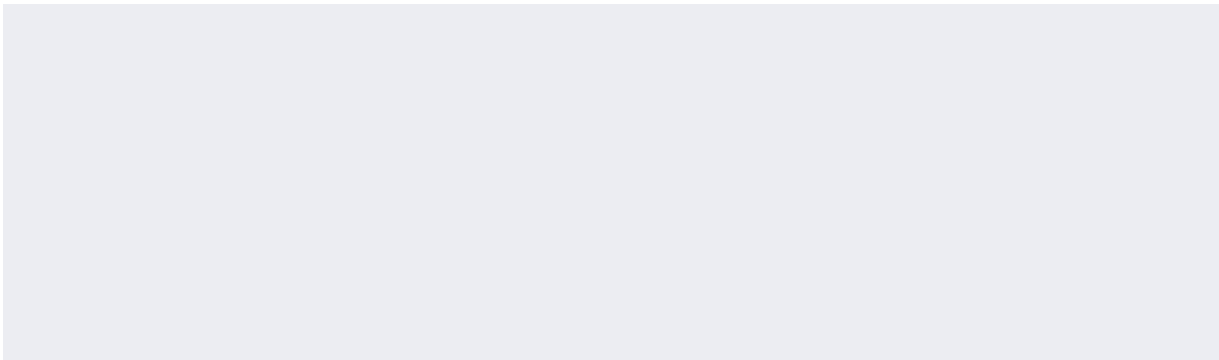
First Name: Nick
Last Name: Jensen
E-Mail: [REDACTED]

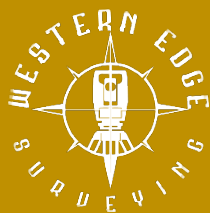
Applicant Signature



Date

08-12-2026





Western Edge Surveying, PLLC
P.O. BOX 168
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

Subject: Annexation, Rezone, and FLUM Amendment Applications – Zowie Heights Subdivision, Lot 1, Block 1
Attached to the application forms you will find the following documents submitted for your consideration in support of the concurrent Annexation, Rezone, and FLUM Amendment applications for Lot 1, Block 1 of the Zowie Heights Subdivision:

- Project Scope (see below)
- Legal Description – Lot 1, Block 1
- Warranty Deed(s)
- Sketch of Proposed Area to be Annexed, Rezoned, and Re-FLUMed
- Preliminary Plat Drawing (previously submitted)
- Pre-Application Response Letter (previously submitted)
- City Parcel Map (ETZ)
- City Utility Map (ETZ)
- City Zoning Map (ETZ)
- FEMA Floodplain Map

PROJECT SCOPE:

Upon direction of the Dickinson Planning and Zoning Commission at their August 12, 2026 meeting, the applicant is submitting concurrent applications for annexation, rezoning, and FLUM amendment for Lot 1, Block 1 (30.000 acres) of the Zowie Heights Subdivision.

At the August 12, 2026 meeting, the Planning and Zoning Commission tabled the preliminary plat and directed the applicant to pursue annexation, rezoning, and FLUM amendment for Lot 1, Block 1. City planning staff has advised that General Commercial zoning and Commercial FLUM designation are appropriate for this parcel given its intended future use and proximity to existing Commercial-designated properties to the west and northwest.

ANNEXATION:

The applicant is requesting annexation of Lot 1, Block 1 (30.000 acres) from the City of Dickinson's Extra-Territorial Zone (ETZ) into the City of Dickinson. The parcel is contiguous to existing city boundaries. City water and sewer infrastructure is available in 4th Avenue East on the west side of the property, and an existing sanitary sewer line runs across the subject property as well as in 4th Avenue East.

REZONE:

The applicant is requesting a zoning map amendment for Lot 1, Block 1 from Agricultural (AG) to General Commercial (GC), consistent with city staff's advisement and the intended future use of the parcel.

FLUM AMENDMENT:

The applicant is requesting an amendment to the Future Land Use Map designation for Lot 1, Block 1 from Rural Reserve to Commercial, consistent with the rezone application and city staff's advisement. Adjacent FLUM designations include Commercial to the west and northwest, and the nearest Planned Unit Development (PUD) lot is also designated Commercial, indicating an established pattern of commercial development in the area.

FLUM AMENDMENT – EIGHT-FACTOR WRITTEN STATEMENT (Policy 1.3)

- 1. Impact to the Future Land Use Map:** The proposed amendment changes the FLUM designation of Lot 1, Block 1 (30.000 acres) from Rural Reserve to Commercial. The amendment is limited to Lot 1, Block 1 and does not affect surrounding FLUM designations. Lot 2, Block 1 (8.745 acres) will retain its Rural Reserve designation.
- 2. Consistency with Comprehensive Plan policies and other City plans:** The amendment is consistent with city staff's advisement that Commercial designation is appropriate for Lot 1, Block 1 given its intended future use and proximity to existing Commercial-designated properties. The amendment aligns the FLUM designation with the concurrent rezoning application. The Planning and Zoning Commission directed pursuit of these applications at their August 12, 2026 meeting.
- 3. Availability of city infrastructure:** City water and sewer infrastructure is available in 4th Avenue East on the west side of the property, and an existing sanitary sewer line runs across the subject property as well as in 4th Avenue East. Extension of city services upon annexation is anticipated to be efficient given the direct availability of existing infrastructure adjacent to and traversing the parcel.
- 4. Location relative to planned thoroughfares and infrastructure cost:** The property is located along 4th Avenue East and 10th Avenue East, both established roadways. City water and sewer infrastructure is directly available in 4th Avenue East, and an existing sanitary sewer line crosses the property itself. The property's location adjacent to and integrated with existing infrastructure minimizes the cost to the City of providing services upon annexation.
- 5. Compatibility with abutting or adjacent future land use designations:** Adjacent FLUM designations include Commercial to the west and northwest, Agricultural to the north and east, and Rural Residential to the north. The nearest Planned Unit Development (PUD) lot is designated Commercial. The requested Commercial designation for Lot 1, Block 1 is compatible with and extends the existing Commercial designations to the west and northwest and aligns with the Commercial designation of the nearest PUD lot.
- 6. Urban sprawl vs. orderly compact development:** The amendment supports orderly, compact development by extending compatible Commercial designation adjacent to existing Commercial-designated properties. Rather than establishing an isolated commercial designation or promoting sprawl, the amendment reinforces the established commercial pattern to the west and northwest. The concurrent annexation brings the property into the city, further supporting compact development.
- 7. Capital Improvement Program Phase 1-2 programmed improvements:** The applicant defers to city staff to identify any programmed CIP improvements in the immediate vicinity. The property's location adjacent to existing water and sewer infrastructure in 4th Avenue East suggests minimal additional CIP burden associated with providing services upon annexation.
- 8. Short-term and long-term fiscal impacts to the City:** Short-term: The annexation and rezoning will add property tax revenue to the City. Commercial development on the parcel is anticipated to generate additional sales tax and business revenue upon development. Long-term: Commercial designation of Lot 1, Block 1 supports the City's tax base and economic development goals. The parcel's location adjacent to existing developed areas and available infrastructure minimizes long-term infrastructure extension costs. Fiscal analysis specific to development plans will be provided through subsequent site plan review as commercial development is proposed.

ANNEXATION – POLICY 1.4 FISCAL IMPACT REPORT

- 1. City infrastructure to be extended to the annexation site:** No extension of City infrastructure is required. City water and sewer infrastructure is currently available in 4th Avenue East on the west side of the property. 4th Avenue East is an existing established roadway. An existing sanitary sewer line runs across the subject property as well as in 4th Avenue East. City services are effectively available to the annexation site through existing infrastructure.
- 2. New or enlarged City infrastructure facilities needed:** None required. Existing infrastructure adjacent to and traversing the parcel provides service availability at the property level.
- 3. Profile of planned development:** The parcel is being conveyed for future commercial development. Specific commercial uses, densities, and intensities have not been finalized. The concurrent rezoning application requests Gener

Commercial (GC) zoning. Specific development profile will be established through subsequent site plan and review processes at the time specific commercial development is proposed.

4. Estimated water demand: Specific water demand will be dependent on the commercial uses ultimately developed on the parcel. Water demand analysis will be provided as part of site plan review when specific commercial uses are proposed.

5. Estimated peak hour traffic: Specific traffic generation will be dependent on the commercial uses ultimately developed on the parcel. Traffic analysis will be provided as part of site plan review when specific commercial uses are proposed.

6. Police and Fire Department service evaluation: The property is located adjacent to existing developed and served areas of the City. Existing Police and Fire Department response capabilities serving adjacent properties will extend to the annexation area. Detailed service capability assessment will be coordinated with City departments as part of the annexation review process.

7. Cost of providing urban services to existing rural development: Not applicable. Lot 1, Block 1 is currently unimproved. No existing rural development on the parcel requires provision of urban services.

8. Engineer cost estimate for service extension: Not applicable. Per items 1 and 2 above, no extension of urban services is required, as existing City infrastructure is available adjacent to and traversing the parcel. Individual lot service connections at time of specific development will be addressed through standard development review processes at the developer's cost.

LOT 2, BLOCK 1 (SEPARATE):

Lot 2, Block 1 (8.745 acres) is not part of these applications. Lot 2, Block 1 will remain in the ETZ as Agricultural (AG) zoned property, with the variance approved by the Board of Adjustment on August 10, 2026 permitting the reduced lot size. Lot 2, Block 1's FLUM designation as Rural Reserve remains unchanged.

PRELIMINARY PLAT:

The preliminary plat previously submitted for Zowie Heights Subdivision has been tabled by the Planning and Zoning Commission. A revised preliminary plat will be submitted reflecting the annexation, rezone, and updated FLUM designation.

Thank you for your time and consideration of these applications. We appreciate any feedback you can provide during the review process.

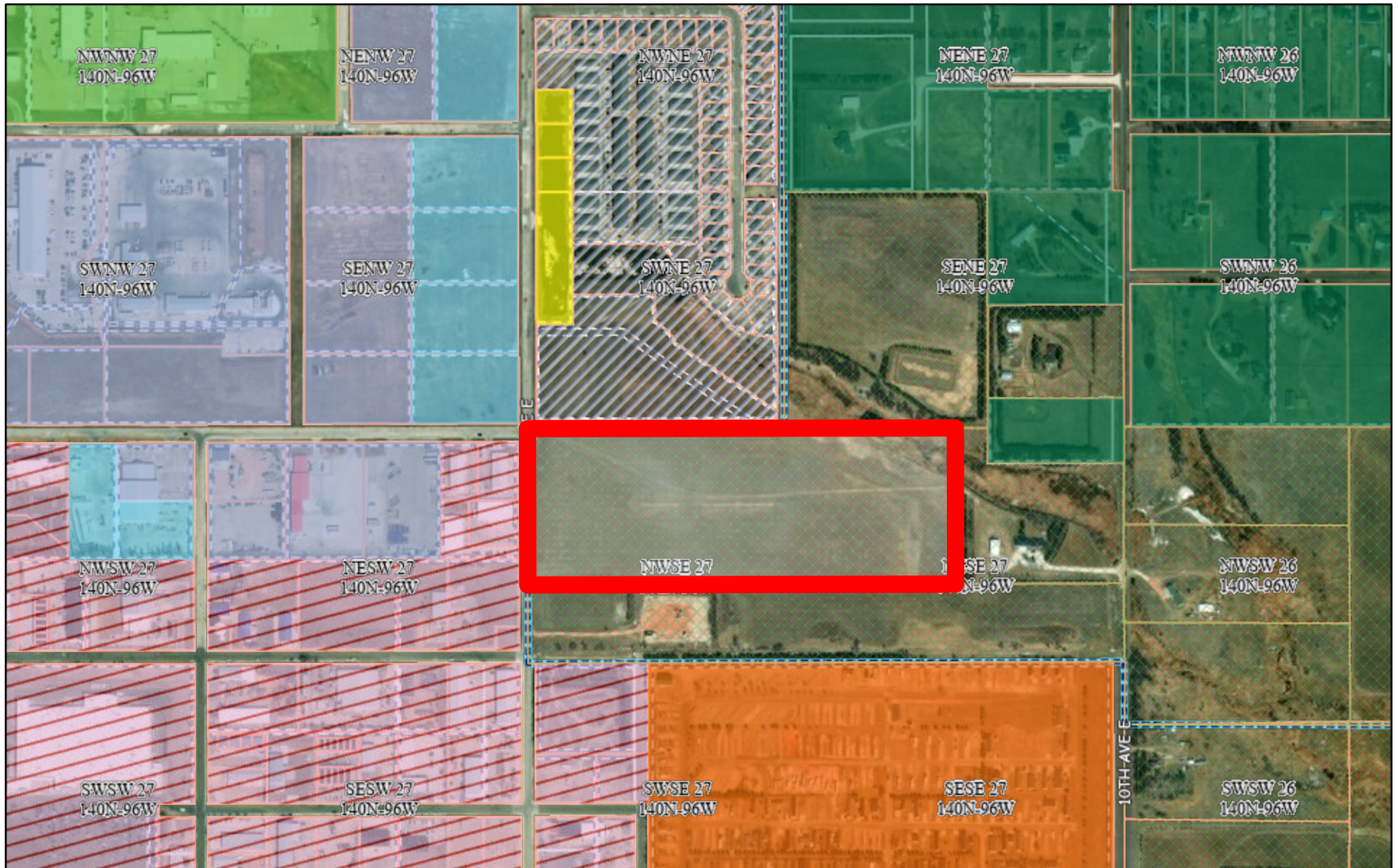
Thanks,

Nicholas Jensen, PLS

Western Edge Surveying, PLLC

Sketch of Rezone/FLUM/Annex

Section 3. Item E.



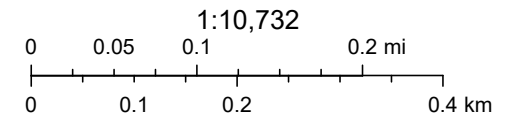
8/12/2026

PLSS Description 12k
Dickinson Zoning
Planned Unit Development - PUD
General Commercial - GC

General Industrial - GI
Limited Industrial - LI
Medium Density Residential - R2
Rural Residential - RR
Mobile Home - MH
Public - P
Agricultural - AG
Dickinson Tax Parcels
Stark Parcels
Platted Lot Lines

Easement Lines
Municipal Boundary
Extra Territorial Boundary
World Imagery
Low Resolution 15m Imagery

High Resolution 60cm Imagery
High Resolution 30cm Imagery
Citations
2.4m Resolution Metadata



Dickinson Engineering Department, Engineering & Planning, Pictometry International, Eagleview, City of Dickinson, Vantor



Section 3. Item E.





Zowie Heights Addition Zoning Map Amendment Staff Report

To: City of Dickinson Planning and Zoning Commissioners
 From: City of Dickinson Community Development Services
 Date: September 2, 2026
 Re: REZ-005-2026 Zowie Heights Addition Zoning Map Amendment

APPLICANT

Jason Tormaschy
 2845 10th Avenue East
 Dickinson, ND, 58601

APPLICANT'S REPRESENTATIVE

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

Public Hearing	September 9, 2026	Planning and Zoning Commission
Public Hearing	November 17, 2026	City Commission
Final Consideration	December 1, 2026	City Commission

The applicant is requesting approval of a Zoning Map Amendment from Agricultural (AG) to General Commercial (GC) for Lots 1, 2, and 3 of Block 1 of the proposed Zowie Heights Addition Subdivision, being a portion of the SE ¼ of Section 27, Township 140 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). According to the applicant, the purpose of this subdivision is to annex the properties into City limits and further. The site consists of +/- 30.00 acres.

Staff recommendation: Staff recommends **approval** of this zooming map amendment contingent on approval of the associated PLP-005-2026, FLM-001-2026, ANX-001-2026, and the associated development agreement.

The companion Zowie Heights Addition preliminary major subdivision is also scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (PLP-005-2026).

The companion Zowie Heights future land use map amendment is also scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (FLM-001-2026).

The companion Zowie Heights annexation is also scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (ANX-001-2026).

LOCATION

The property is generally located to the east of 4th Avenue East and is legally described as Lots 1, 2, and 3, Block 1 of the proposed Zowie Heights Addition Subdivision, located in the SE ¼ of Section 27, Township 140 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson's Extra-Territorial Zone (ETZ).

CURRENT ZONING	AG
FUTURE LAND USE MAP DESIGNATION	AGRICULTURAL
GROSS SITE ACREAGE	+/- 30.00 acres
LOTS PROPOSED	N/A

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	PUD, AG	Residential planned unit development; undeveloped
East	AG, RR	Single-family residential; undeveloped
South	AG	Undeveloped; oil well
West	GC	Commercial

CONSISTENCY, COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Consistency with the Comprehensive Plan

The site is located in the Agricultural Category with the Rural Reserve overlay category on the future land use map (FLUM). According to Table 5-2. Zoning District Compatibility with Future Land Use Categories, the General Commercial (GC) zoning district is not permitted in the Agricultural category of the FLUM. The Rural Reserve overlay category does not allow for lots to rezone into either the AG or Rural Residential (RR) zoning districts. The property owner has submitted a companion FLUM amendment application to the Commercial category to allow for the proposed rezone (FLM-001-2026).

Compatibility

The proposed rezoning is comparable to and compatible with the existing GC zoning districts of the adjacent properties to the west of a property, and the proposed rezoning is comparable to and compatible with the development pattern in the general vicinity.

Compliance with The Municipal Code

The proposed Lots 1, 2, and 3 of Block 1 of the Zowie Heights Addition Subdivision are each approximately 10 acres. According to Table 62-162-3a: Summary of Site Development Regulations in the Municipal Code, the minimum lot size for lots in the GC zoning district is 12,000 square feet. The proposed lots meet the minimum lot size requirement of the GC zoning district.

PUBLIC INPUT AND STAFF RECOMMENDATION

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

Staff Recommendation: City of Dickinson Community Development staff recommends **approval** of REZ-005-2026 contingent on the approval of PLP-005-2026, FLM-001-2025, ANX-001-2026, and the associated development agreement.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **REZ-005-2026: The Zowie Heights Zoning Map Amendment** 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-005-2026: The Zowie Heights Zoning Map Amendment** 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: Natalie Birchak; Kylee Zastoupil; Steven Josephson; Dustin D. Dassinger; Leonard W. Schwindt; Joshua Skluzacek; building.applications@dickinsongov.com; Natalie Birchak; Kylee Zastoupil
Subject: Re: Unified Development Application
Date: Thursday, August 13, 2026 7:29:11 AM
Attachments: [Tormaschy Pre-Application Letter.pdf](#)
[3157672.pdf](#)
[328562.pdf](#)
[City Parcel Map.pdf](#)
[City Utility Information Map.pdf](#)
[City Zoning Map.pdf](#)
[FEMA Mapping.pdf](#)
[26-008 Tormaschy Prelim Submittal.pdf](#)
[26-008 Tormaschy Prelim Submittal Image.pdf](#)
[6624368877223906851_signature_67.png](#)
[6624368877223906851_signature_70.png](#)
[6624368877223906851_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: [Tormaschy Pre-Application Letter.pdf](#)

Type of Development **Annexation**

Name **Jason Tormaschy**

Applicant Email **[REDACTED]**

Applicant Phone # **[REDACTED]**

Applicant Representative
(if applicable) **Nick Jensen**

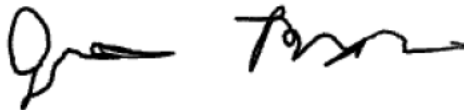
Applicant Representative
Company **Western Edge Surveying, PLLC**

Applicant Representative
Email **[REDACTED]**

Applicant Representative
Phone # **[REDACTED]**

Name of Plat (if
applicable) **Zowie Heights Subdivision**

Brief Description of annexation proposal including reasons for the request	Upon direction of the Dickinson Planning and Zoning Commission at their August 12, 2026 meeting, the applicant is submitting concurrent applications for annexation, rezoning, and FLUM amendment for Lot 1, Block 1 (30.000 acres) of the Zowie Heights Subdivision. At the August 12, 2026 meeting, the Planning and Zoning Commission tabled the preliminary plat and directed the applicant to pursue annexation, rezoning, and FLUM amendment for Lot 1, Block 1. City planning staff has advised that General Commercial zoning and Commercial FLUM designation are appropriate for this parcel given its intended future use and proximity to existing Commercial-designated properties to the west and northwest. The applicant is requesting annexation of Lot 1, Block 1 (30.000 acres) from the City of Dickinson's Extra-Territorial Zone (ETZ) into the City of Dickinson. The parcel is contiguous to existing city boundaries. City water and sewer infrastructure is available in 4th Avenue East on the west side of the property, and an existing sanitary sewer line runs across the subject property as well as in 4th Avenue East.
Existing Zoning	AG - Agriculture
Included in Existing Comprehensive Plan	Yes
Proposed Zoning	GC - General Commercial
Proposed Comprehensive Plan	Yes
How many owners exist for this property?	2
Owner 1 Name	Jason Tormaschy
Owner 1 Mailing Address	
Owner 1 Phone #	
Owner 1 Email	
Owner 1 Percentage of Ownership	50
Is Owner 1 Present to Sign	Yes
Owner 1 Signature	



Owner 2 Name Lisa Tormaschy

Owner 2 Mailing Address [REDACTED]

Owner 2 Phone # N/a

Owner 2 Email N/a

Owner 2 Percentage of
Ownership 50

Is Owner 2 Present to
Sign Yes

Owner 2 Signature



Survey and Vicinity Map [26-008 Tormaschy_Prelim_Submittal.pdf](#)
 [26-008 Tormaschy_Prelim_Submittal_Image.pdf](#)

Rezone Calc Multiplier 0

Minor Platting Multiplier 0

Prelim Platting Multiplier 0

Major Platting Multiplier 0

Application Calc 5000

Required Documentation
Upload [City Parcel Map.pdf](#)
 [City Utility Information Map.pdf](#)
 [City Zoning Map.pdf](#)
 [FEMA Mapping.pdf](#)

Deed for Property [3157672.pdf](#)
 [328562.pdf](#)

Application Fees	Applicable Fees	5,000.00 USD
Total:		\$5,000.00
Transaction ID: p56nfra6		

Payment Information

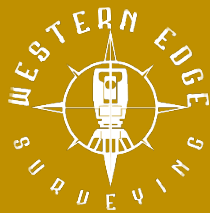
First Name: Nicholas
Last Name: Jensen
E-Mail: [REDACTED]

Applicant Signature



Date 08-13-2026

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



Western Edge Surveying, PLLC
P.O. BOX 168
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

Subject: Annexation, Rezone, and FLUM Amendment Applications – Zowie Heights Subdivision, Lot 1, Block 1
Attached to the application forms you will find the following documents submitted for your consideration in support of the concurrent Annexation, Rezone, and FLUM Amendment applications for Lot 1, Block 1 of the Zowie Heights Subdivision:

- Project Scope (see below)
- Legal Description – Lot 1, Block 1
- Warranty Deed(s)
- Sketch of Proposed Area to be Annexed, Rezoned, and Re-FLUMed
- Preliminary Plat Drawing (previously submitted)
- Pre-Application Response Letter (previously submitted)
- City Parcel Map (ETZ)
- City Utility Map (ETZ)
- City Zoning Map (ETZ)
- FEMA Floodplain Map

PROJECT SCOPE:

Upon direction of the Dickinson Planning and Zoning Commission at their August 12, 2026 meeting, the applicant is submitting concurrent applications for annexation, rezoning, and FLUM amendment for Lot 1, Block 1 (30.000 acres) of the Zowie Heights Subdivision.

At the August 12, 2026 meeting, the Planning and Zoning Commission tabled the preliminary plat and directed the applicant to pursue annexation, rezoning, and FLUM amendment for Lot 1, Block 1. City planning staff has advised that General Commercial zoning and Commercial FLUM designation are appropriate for this parcel given its intended future use and proximity to existing Commercial-designated properties to the west and northwest.

ANNEXATION:

The applicant is requesting annexation of Lot 1, Block 1 (30.000 acres) from the City of Dickinson's Extra-Territorial Zone (ETZ) into the City of Dickinson. The parcel is contiguous to existing city boundaries. City water and sewer infrastructure is available in 4th Avenue East on the west side of the property, and an existing sanitary sewer line runs across the subject property as well as in 4th Avenue East.

REZONE:

The applicant is requesting a zoning map amendment for Lot 1, Block 1 from Agricultural (AG) to General Commercial (GC), consistent with city staff's advisement and the intended future use of the parcel.

FLUM AMENDMENT:

The applicant is requesting an amendment to the Future Land Use Map designation for Lot 1, Block 1 from Rural Reserve to Commercial, consistent with the rezone application and city staff's advisement. Adjacent FLUM designations include Commercial to the west and northwest, and the nearest Planned Unit Development (PUD) lot is also designated Commercial, indicating an established pattern of commercial development in the area.

FLUM AMENDMENT – EIGHT-FACTOR WRITTEN STATEMENT (Policy 1.3)

- 1. Impact to the Future Land Use Map:** The proposed amendment changes the FLUM designation of Lot 1, Block 1 (30.000 acres) from Rural Reserve to Commercial. The amendment is limited to Lot 1, Block 1 and does not affect surrounding FLUM designations. Lot 2, Block 1 (8.745 acres) will retain its Rural Reserve designation.
- 2. Consistency with Comprehensive Plan policies and other City plans:** The amendment is consistent with city staff's advisement that Commercial designation is appropriate for Lot 1, Block 1 given its intended future use and proximity to existing Commercial-designated properties. The amendment aligns the FLUM designation with the concurrent rezoning application. The Planning and Zoning Commission directed pursuit of these applications at their August 12, 2026 meeting.
- 3. Availability of city infrastructure:** City water and sewer infrastructure is available in 4th Avenue East on the west side of the property, and an existing sanitary sewer line runs across the subject property as well as in 4th Avenue East. Extension of city services upon annexation is anticipated to be efficient given the direct availability of existing infrastructure adjacent to and traversing the parcel.
- 4. Location relative to planned thoroughfares and infrastructure cost:** The property is located along 4th Avenue East and 10th Avenue East, both established roadways. City water and sewer infrastructure is directly available in 4th Avenue East, and an existing sanitary sewer line crosses the property itself. The property's location adjacent to and integrated with existing infrastructure minimizes the cost to the City of providing services upon annexation.
- 5. Compatibility with abutting or adjacent future land use designations:** Adjacent FLUM designations include Commercial to the west and northwest, Agricultural to the north and east, and Rural Residential to the north. The nearest Planned Unit Development (PUD) lot is designated Commercial. The requested Commercial designation for Lot 1, Block 1 is compatible with and extends the existing Commercial designations to the west and northwest and aligns with the Commercial designation of the nearest PUD lot.
- 6. Urban sprawl vs. orderly compact development:** The amendment supports orderly, compact development by extending compatible Commercial designation adjacent to existing Commercial-designated properties. Rather than establishing an isolated commercial designation or promoting sprawl, the amendment reinforces the established commercial pattern to the west and northwest. The concurrent annexation brings the property into the city, further supporting compact development.
- 7. Capital Improvement Program Phase 1-2 programmed improvements:** The applicant defers to city staff to identify any programmed CIP improvements in the immediate vicinity. The property's location adjacent to existing water and sewer infrastructure in 4th Avenue East suggests minimal additional CIP burden associated with providing services upon annexation.
- 8. Short-term and long-term fiscal impacts to the City:** Short-term: The annexation and rezoning will add property tax revenue to the City. Commercial development on the parcel is anticipated to generate additional sales tax and business revenue upon development. Long-term: Commercial designation of Lot 1, Block 1 supports the City's tax base and economic development goals. The parcel's location adjacent to existing developed areas and available infrastructure minimizes long-term infrastructure extension costs. Fiscal analysis specific to development plans will be provided through subsequent site plan review as commercial development is proposed.

ANNEXATION – POLICY 1.4 FISCAL IMPACT REPORT

- 1. City infrastructure to be extended to the annexation site:** No extension of City infrastructure is required. City water and sewer infrastructure is currently available in 4th Avenue East on the west side of the property. 4th Avenue East is an existing established roadway. An existing sanitary sewer line runs across the subject property as well as in 4th Avenue East. City services are effectively available to the annexation site through existing infrastructure.
- 2. New or enlarged City infrastructure facilities needed:** None required. Existing infrastructure adjacent to and traversing the parcel provides service availability at the property level.
- 3. Profile of planned development:** The parcel is being conveyed for future commercial development. Specific commercial uses, densities, and intensities have not been finalized. The concurrent rezoning application requests Gener

Commercial (GC) zoning. Specific development profile will be established through subsequent site plan and review processes at the time specific commercial development is proposed.

4. Estimated water demand: Specific water demand will be dependent on the commercial uses ultimately developed on the parcel. Water demand analysis will be provided as part of site plan review when specific commercial uses are proposed.

5. Estimated peak hour traffic: Specific traffic generation will be dependent on the commercial uses ultimately developed on the parcel. Traffic analysis will be provided as part of site plan review when specific commercial uses are proposed.

6. Police and Fire Department service evaluation: The property is located adjacent to existing developed and served areas of the City. Existing Police and Fire Department response capabilities serving adjacent properties will extend to the annexation area. Detailed service capability assessment will be coordinated with City departments as part of the annexation review process.

7. Cost of providing urban services to existing rural development: Not applicable. Lot 1, Block 1 is currently unimproved. No existing rural development on the parcel requires provision of urban services.

8. Engineer cost estimate for service extension: Not applicable. Per items 1 and 2 above, no extension of urban services is required, as existing City infrastructure is available adjacent to and traversing the parcel. Individual lot service connections at time of specific development will be addressed through standard development review processes at the developer's cost.

LOT 2, BLOCK 1 (SEPARATE):

Lot 2, Block 1 (8.745 acres) is not part of these applications. Lot 2, Block 1 will remain in the ETZ as Agricultural (AG) zoned property, with the variance approved by the Board of Adjustment on August 10, 2026 permitting the reduced lot size. Lot 2, Block 1's FLUM designation as Rural Reserve remains unchanged.

PRELIMINARY PLAT:

The preliminary plat previously submitted for Zowie Heights Subdivision has been tabled by the Planning and Zoning Commission. A revised preliminary plat will be submitted reflecting the annexation, rezone, and updated FLUM designation.

Thank you for your time and consideration of these applications. We appreciate any feedback you can provide during the review process.

Thanks,

Nicholas Jensen, PLS

Western Edge Surveying, PLLC

FEMA Mapping

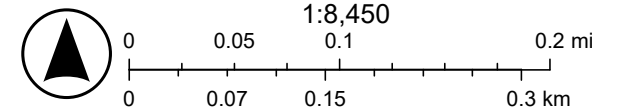
Section 3. Item F.



6/29/2026

- | | |
|--|---------------------------------|
| PLSS Description 12k Flood Hazard Boundaries | Regulatory Floodway |
| Dickinson Tax Parcels | 0.2% Annual Chance Flood Hazard |
| Stark Parcels | Municipal Boundary |
| Platted Lot Lines | Extra Territorial Boundary |
| Easement Lines | World Imagery |
| Limit Lines | |
| SFHA / Flood Zone Boundary | |
| Flood Hazard Zones | |
| 1% Annual Chance Flood Hazard | |

High Resolution 60cm Imagery
High Resolution 30cm Imagery
Citations



Dickinson Engineering Department, Engineering & Planning, Pictometry International, Eagleview, City of Dickinson, Vantor

City Parcel Map (ETZ)

Section 3. Item F.



6/29/2026

Street Markers 45k



Highway 22

Public Street Names 25K

- Dickinson Tax Parcels
- Stark Parcels
- Platted Lot Lines

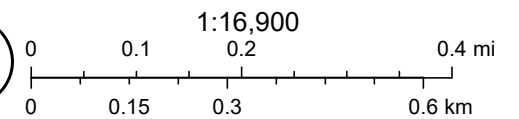
Easement Lines

- Municipal Boundary
- Extra Territorial Boundary
- World Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

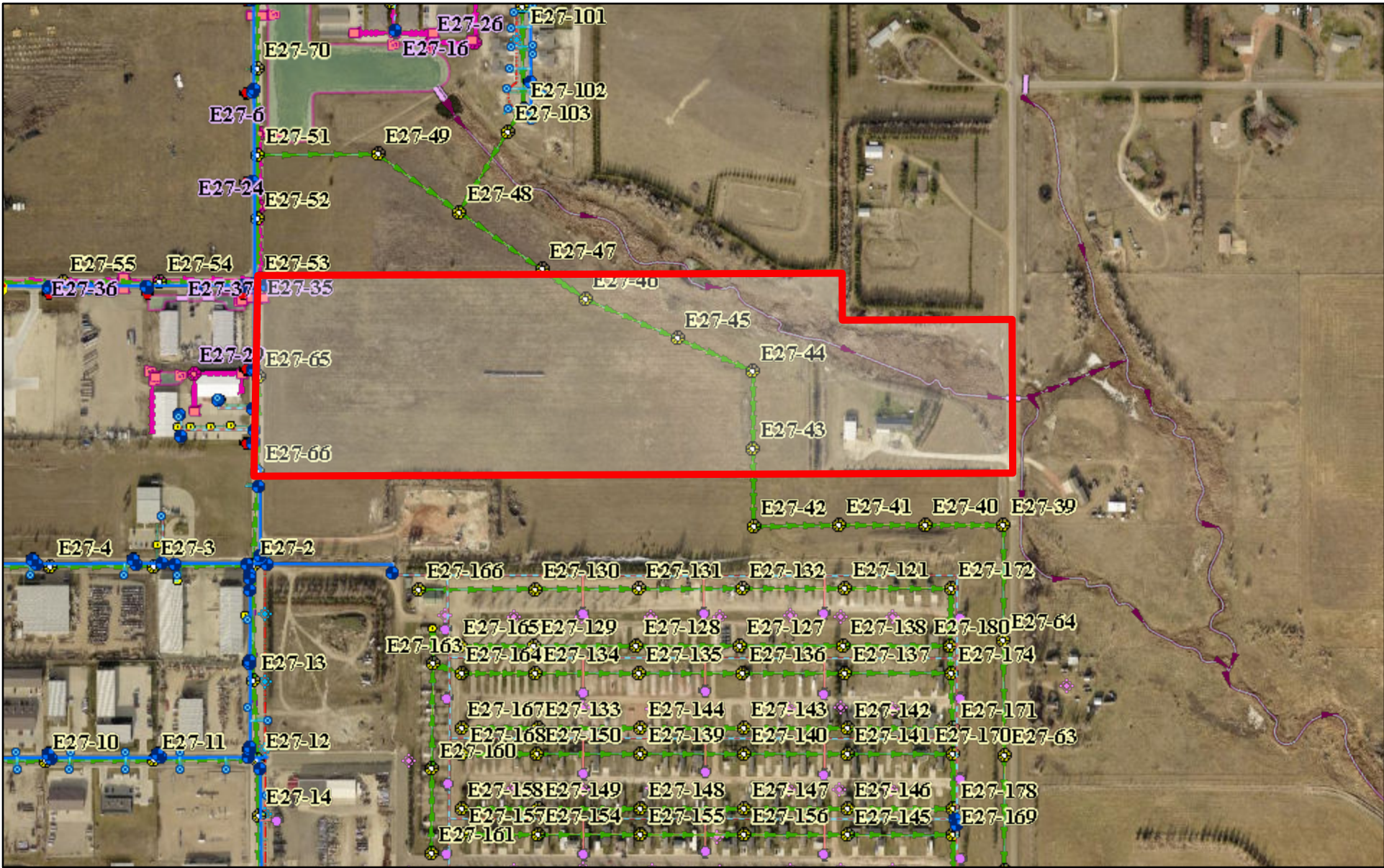
Citations



Dickinson Engineering Department, Engineering & Planning, Pictometry International, Eagleview, City of Dickinson, Vantor

Dickinson Utility Information Map

Section 3. Item F.

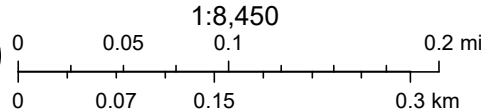


6/29/2026

- Water Curb Stop Valve
- Water System Valve
- Normally Closed
- Normal Operation
- Water Hydrant
- City of Dickinson
- Private or Other
- Water Lateral Lines
- Fire
- Hydrant
- Service
- Water Main Lines
- Polyvinyl Chloride - From 8 to 12 in

- Polyvinyl Chloride - Under 8 in
- Sanitary Clean Outs
- Sanitary Manhole
- Sanitary Lateral Lines
- Sanitary Gravity Mains
- Sanitary Pressurized Mains
- Storm Inlets
- Storm Discharge
- Storm Manholes
- Storm Gravity Mains
- Storm Culverts
- Storm Open Drains
- Storm Detention Structures
- Poles
- Streetlight, City of Dickinson
- Streetlight, Roughrider Electric
- Wire Access Points
- Electric-Service

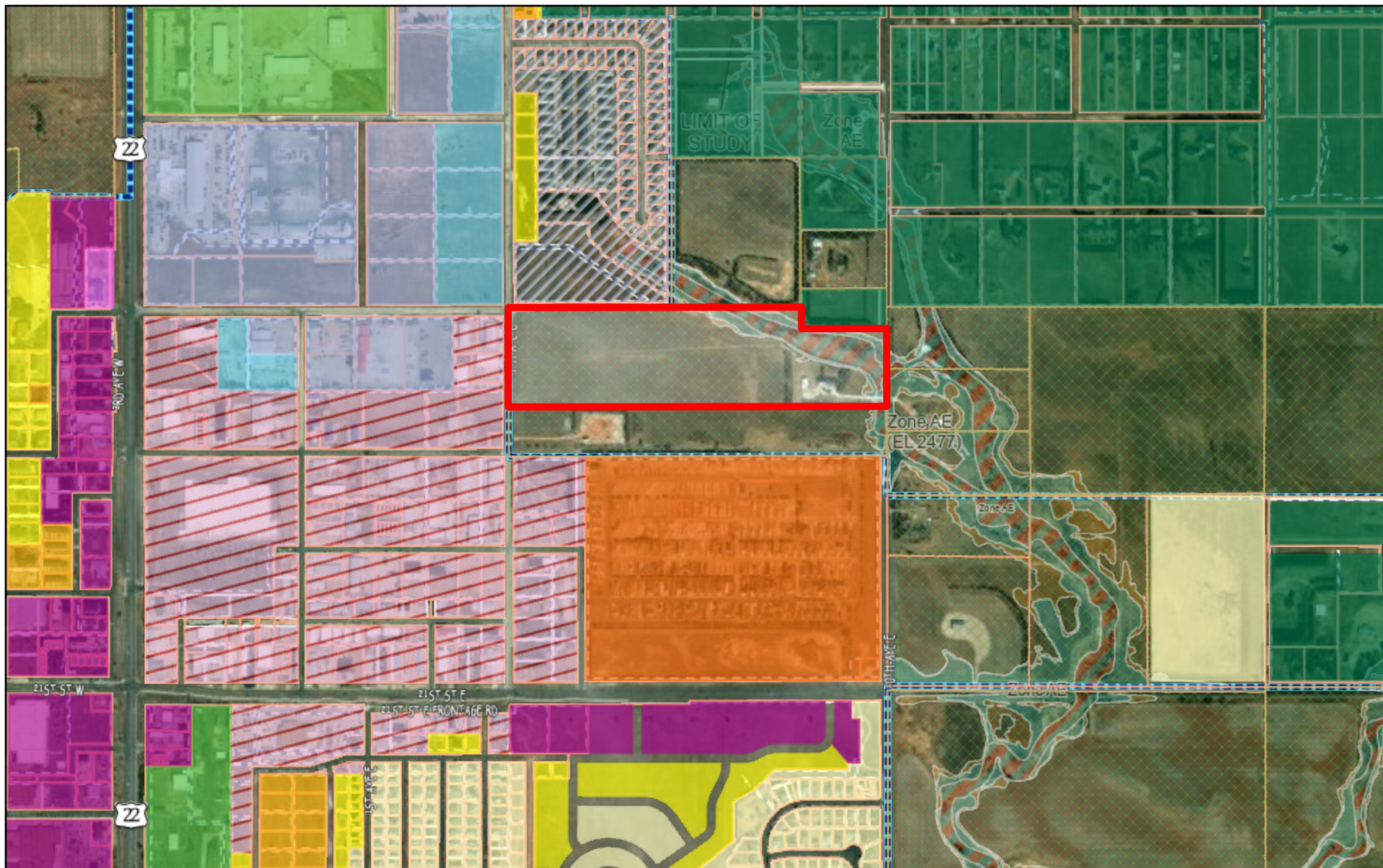
- Wire Lines
- Streetlight
- World Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations



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

City Zoning Map (ETZ)

Section 3. Item F.



6/29/2026

Street Markers 45k

Highway 22

Public Street Names 25K

Dickinson Zoning

Planned Unit Development - PUD

Community Commercial - CC

General Commercial - GC

Limited Commercial - LC

General Industrial - GI

Limited Industrial - LI

Low Density Residential - R1

Medium Density Residential - R2

High Density Residential - R3

Rural Residential - RR

Mobile Home - MH

Public - P

Agricultural - AG

Dickinson Tax Parcels

Stark Parcels

Platted Lot Lines

Easement Lines

Flood Hazard Boundaries

Limit Lines

SFHA / Flood Zone Boundary

Flood Hazard Zones

1% Annual Chance Flood Hazard

Regulatory Floodway

0.2% Annual Chance Flood Hazard

Municipal Boundary

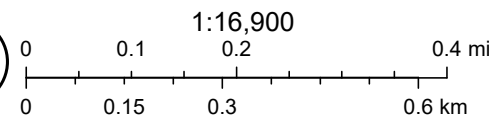
Extra Territorial Boundary

World Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations



Dickinson Engineering Department, Engineering & Planning, Pictometry International, Eagleview, City of Dickinson, Vantor



DEVELOPMENT AGREEMENT

THIS AGREEMENT (the Agreement), made on the ____ day of _____, 20____
("Effective Date") between the City of Dickinson, a political subdivision, hereinafter called "the CITY", and the
OWNER as identified herein;

OWNER Name and Address: Jason Tormaschy
2845 10th Avenue E
Dickinson, ND 58601

For the following described property:

LOT ONE (1) OF BLOCK ONE (1) OF *ZOWIE HEIGHTS ADDITION SUBDIVISION* TO THE CITY OF DICKINSON, STARK
COUNTY, ND.

SAID PARCEL CONTAINS 30.00 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS,
AGREEMENTS, CONVEYANCES AND SURVEYS.

Also referred to herein as "**Zowie Heights Addition**";

Also referred to herein as the "**Subject Property**";

RECITALS

WHEREAS, OWNER is the fee owner of the Subject Property, located in the City of Dickinson, Stark County, North Dakota, legally described as provided above; and

WHEREAS, OWNER and the CITY agree that the Subject Property will be improved and developed pursuant to the terms of this Agreement and all applicable City ordinances and regulations;

NOW THEREFORE, in mutual consideration of the promises, covenants and agreements of the parties contained herein, the parties hereby agree as follows:

1. **Annexation of Property.** The Subject Property shall be annexed into the City of Dickinson at the time of recording of this agreement and associated ordinance. Remedies contained in this Agreement shall be in addition to those otherwise provided by law to the CITY for other violations of the City of Dickinson Municipal Code.

2. **Master Plan – Infrastructure Requirement Acknowledgement.** OWNER is responsible for addressing the questions associated with annexation proposals as outlined below prior to the approval of any further permits and/or development applications. Responses to the following questions shall be provided by any future developers or applicants for any further permits:

- 1) Any and all City infrastructure (water, sewer and roads) that will need to be extended to the annexation site.
- 2) Any and all new or enlarged City infrastructure facility that will be needed to extend City services to the annexation site.
- 3) A master plan for the annexation site, including the approximate area of each proposed general land use type, the density of planned residential uses and the intensity of planned non-residential uses.
- 4) The estimated water demand of the planned development of the annexation site.
- 5) The estimated peak hour traffic that will be generated from the planned development of the annexation site.
- 6) An evaluation of City Police and Fire Department’s ability to safely provide service to the annexation site.
- 7) When applicable, the cost of providing urban services to existing rural development.
- 8) A cost estimate, prepared by a licensed engineer, of the cost of providing or extending urban services specified in above.

3. **City Engineer Approval Required.** No improvements within the Subject Property shall be made unless and until necessary plans and specifications therefore have been submitted to and approved by the City Engineer in accordance with the City of Dickinson Municipal Code for the Subject property covered by such plans and specifications to include all State of North Dakota permits from the North Dakota Department of Environmental Quality and/or the North Dakota Department of Transportation.

4. **Establishment of Easement.** OWNER or any future owners shall indicate if any easements or public right-of-way dedications will be required in a submitted development master plan.

5. **Permits and/or Development Applications.** CITY recommends OWNER schedules a development meeting once a master plan has been initiated. It is the responsibility of the OWNER to get all permits and/or development applications submitted, reviewed, and approved prior to any form of development or construction taking place on the Subject Property.

6. **Agreement Runs with the Land.** This Agreement shall be binding on, and shall inure to the benefit of, the parties hereto and their respective heirs, administrators, representatives, successors, and assigns. This Agreement shall run with the land and shall be recorded with the Office of the Stark County Recorder against the Subject Property. All obligations, promises and covenants of OWNER contained herein shall similarly be binding upon purchasers of lots within the Subject Property.

7. **Severability.** In the event that any provision of this Agreement shall be held invalid, illegal or unenforceable by any court of competent jurisdiction, such holding shall pertain only to such section and shall not invalidate or render unenforceable any other section or provision of this Agreement.

8. **Non-waiver.** Each right, power or remedy conferred upon the CITY or OWNER by this Agreement is cumulative and in addition to every other right, power or remedy, express or implied, now or hereafter arising, or available to the CITY or OWNER at law or in equity, or under any other agreement. Each and every right, power and remedy herein set forth or otherwise so existing may be exercised from time to time as often and in such order as may be deemed expedient by the CITY or OWNER and shall not be a waiver of the right to exercise at any time thereafter any other right, power or remedy. If either party waives in writing any default or nonperformance by the other party, such waiver shall be deemed to apply only to such event and shall not waive any other prior or subsequent default.

9. **Governing Law – Venue.** This Agreement shall be governed by and construed according to the laws of the State of North Dakota. The parties hereby stipulate and agree that the District Court, Southwest Judicial District, State of North Dakota, shall have personal jurisdiction over the parties hereto, and that such District Court, Southwest Judicial District, State of North Dakota, is the appropriate and proper venue for resolving any dispute under this Agreement.

10. **Entire Agreement.** This Agreement contains the entire agreement between and among the parties hereto, and supersedes all prior and contemporaneous discussions, negotiations, understandings, and agreements, whether oral or written, express or implied, between or among them relating to the subject matter of this Agreement. This Agreement may not be amended orally, nor shall any purported oral amendment (even if accompanied by partial or complete performance in accordance therewith) be of any legal force or effect or constitute an amendment of this Agreement, but rather this Agreement may be amended only by an agreement in writing signed by the parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

CITY OF DICKINSON

By: _____

Title: President of the Board of City Commissioners

Signature: _____

ATTEST:

By: _____

Title: City Administrator

Signature: _____

STATE OF NORTH DAKOTA)
) ss
COUNTY OF STARK)

On this _____ day of _____, 20____, before me personally
appeared _____ and _____
known to me to be, respectively, the President of the Board of City Commissioners and the City Administrator of the
City of Dickinson, the persons who are described herein and who executed the within and foregoing instrument and
acknowledged to me that the City of Dickinson executed the same.

Notary Public
Stark County, North Dakota

OWNER – Jason H. Tormaschy and Lisa Tormaschy

By: _____

Title: _____

Signature: _____

STATE OF _____)
) ss
COUNTY OF _____)

By: _____

Title: _____

Signature: _____

STATE OF _____)
) ss
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared _____, the **OWNER** described herein, known to me, and who executed the within and foregoing document and acknowledged to me that such entity executed the same.

ZOWIE HEIGHTS ADDITION ANNEXATION REQUEST (ANX-001-2026)





Zowie Heights Addition Annexation Request Staff Report

To: City of Dickinson Planning and Zoning Commission
 From: City of Dickinson Community Development
 Date: September 2, 2026
 Re: ANX-001-2026 Zowie Heights Addition Annexation Request

APPLICANT

Jason Tormaschy
 2845 10th Avenue East
 Dickinson, ND, 58601

APPLICANT'S REPRESENTATIVE

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

Public Hearing	September 9, 2026	Planning and Zoning Commission
Final Consideration	October 6, 2026	City Commission

To consider an annexation request for a 30-acre property legally described as Lot 1, Block 1 of the Zowie Heights Addition Subdivision, located in the SE ¼ of Section 27, Township 140 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). The applicant seeks to amend the future land use map (FLUM) from the Agricultural to Commercial designation, and to rezone the subject lots from Agricultural (AG) to General Commercial (GC).

Staff recommendation: Staff recommends **approval** of this annexation request contingent on the approval of the associated REZ-005-2026, PLP-005-2026, FLM-001-2026, and the associated development agreement.

The companion Zowie Heights Addition preliminary major subdivision is scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (PLP-005-2026).

The companion Zowie Heights rezone request is also scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (REZ-005-2026).

The companion Zowie Heights future land use map amendment is also scheduled for public hearing at the September 9, 2026 Planning and Zoning Commission meeting (FLM-001-2026).

LOCATION

The property is generally located to the east of 4th Avenue East and is legally described as Lot 1, Block 1 of the proposed Zowie Heights Addition Subdivision, located in the SE ¼ of Section 27, Township 140 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson's Extra-Territorial Zone (ETZ).

CURRENT ZONING	AG
FUTURE LAND USE MAP DESIGNATION	AGRICULTURAL/RURAL RESERVE
GROSS SITE ACREAGE	+/- 30.00 acres
LOTS PROPOSED	N/A

ZONING & LAND USE IN THE GENERAL VICINITY		
Direction	Zoning	Land Use
North	PUD, AG, RR	Residential planned unit development; undeveloped
East	AG, RR	Single-family residential; undeveloped
South	AG, MH, GC	Undeveloped; mobile home park
West	GC	Commercial

STAFF ANALYSIS

BACKGROUND

The subject property is located in the Rural Reserve category in the Dickinson future land use map (FLUM). According to page 77 of the 2050 Comprehensive Plan Update, properties located in the Rural Reserve category are reserved for future annexations. The proposed annexation meets the requirements outlined in the 2050 Comprehensive Plan Update.

CONSISTENCY, COMPATIBILITY, AND RECOMMENDATIONS

Consistency with Comprehensive Plan

Policy 1.4 of the Chapter 4 Land Use of the City of Dickinson Comprehensive Plan states that all annexation requests must address the following questions:

- 1) Any and all City infrastructure (water, sewer and roads) that will need to be extended to the annexation site.

- 2) Any and all new or enlarged City infrastructure facility that will be needed to extend City services to the annexation site.
- 3) A master plan for the annexation site, including the approximate area of each proposed general land use type, the density of planned residential uses and the intensity of planned non-residential uses.
- 4) The estimated water demand of the planned development of the annexation site.
- 5) The estimated peak hour traffic that will be generated from the planned development of the annexation site.
- 6) An evaluation of City Police and Fire Department's ability to safely provide service to the annexation site.
- 7) When applicable, the cost of providing urban services to existing rural development.
- 8) A cost estimate, prepared by a licensed engineer, of the cost of providing or extending urban services specified in above.

The proposed subdivision is expected to be further developed in the future. At this time, the property owner has not submitted a master plan for the property to the City. Community Development staff does not have major concerns with water, sanitary sewer, and stormwater capacity for the property.

Community Development staff is proposing a development agreement with the property owner that runs with the land, which shall require the property owner to submit a master plan prior to the approval of any development applications or building permits.

Compatibility with Local Uses

Lot 1, Block 1 of the proposed Zowie Heights Addition preliminary major subdivision is 30 acres. The property owner is requesting to rezone the property into the General Commercial (GC) zoning district. According to Table 62-162-3b: Summary of Site Development Regulations, the minimum lot size for the GC zoning district is 12,000 square feet. Factoring in an estimated ten (10) percent of the lot to be dedicated as public right-of-way, the property owner may be able to subdivide the lot into approximately 96 total lots.

STAFF RECOMMENDATIONS

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

Staff Recommendation: City of Dickinson Community Development staff recommends **approval** of ANX-001-2026 contingent on the approval of PLP-005-2026, FLM-001-2026, REZ-005-2026, and the associated development agreement.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **ANX-001-2026: The Zowie Heights Addition Annexation Request** as being consistent with the City of Dickinson Comprehensive Plan, 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 **ANX-001-2026: The Zowie Heights Addition Annexation Request** as NOT being consistent with the City of Dickinson Comprehensive Plan, NOT meeting all the requirements of the Dickinson Municipal Code, and as being contrary to interest of the public health, safety and welfare."*