



Zowie Heights Preliminary Major Subdivision Staff Report

To: City of Dickinson Planning and Zoning Commissioners
 From: City of Dickinson Community Development Services
 Date: August 5, 2026
 Re: PLP-005-2026 Zowie Heights 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 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 property owner obtaining a minimum lot size variance for the proposed 8.745-acre lot (Lot 2, Block 1) from the City's Board of Adjustment.

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, RR	Residential planned unit development; undeveloped
East	AG, RR	Single-family residential; undeveloped
South	AG, MH, GC	Undeveloped; mobile home park
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 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 has applied for a variance at the August 10th, 2026 Board of Adjustment (BOA) meeting to permit the minimum lot size reduction. Should the BOA grant the requested variance, the final major plat will be scheduled for public hearing at the September Planning and Zoning Commission meeting.

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 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 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."*