



# Staff Report

**To:** Board of Adjustment  
**From:** City of Dickinson Development Team  
**Date:** {01/12/2026}  
**Re:** Variance to reduce the Landscape depth on a R3 zoned lot from the required 15 feet to 0 feet.

**Owner/APPLICANT**

Owner  
 23<sup>rd</sup> Street Apartments, LLC  
 1951 1<sup>st</sup> ST W  
 Dickinson, ND 58601

**Public Hearings:** {01/12/2026} Board of Adjustment

**REQUEST**

- A. Request:** To reduce the Landscape depth on a R3 zoned lot from the required 15 feet to 0 feet.
- B. Project Address/Legal Description/Area:** 1141,1197, and 1257 23<sup>rd</sup> St W Dickinson, ND 58601 – Lots 26-31, Lots 36-41, and the East 38.23’ of Lots 32 & 35, Block 5 of “The Replat of Lots 5-11, Block 1 and all of Block 5 of Country Oaks Estates Second Addition” in the City of Dickinson, Stark County, ND.
- C. Project Description:** Requesting a Variance which would allow the owner to build concrete pads in multiple places in the Front Yard Setback allowing more Off-Street Parking.

**STAFF REVIEW AND RECOMMENDATIONS**

- A. Compatibility with Local Uses:** Landscape Depth requirement for R3 zoning is the first 15 feet of the Front Yard Setback. Pouring multiple concrete parking pad areas will not take the property over the Maximum Impervious Coverage of 75%.
- B. Compliance with Zoning and Subdivision Regulations:** The Depth of Landscaping Adjacent to Street Property Line is 15 feet on a R3 Zoned Lot. (Municipal Code Table 62-565-1)
- C. Public Input:** Inquiry by neighboring property.
- D. Staff Comments:** Lots combination approved by Planning & Zoning and City Commission.

Table I: Current Zoning and Use

<b>ZONING</b>	<b>R3</b>
<b>FUTURE LAND USE MAP DESIGNATION</b>	<b>R3</b>
<b>GROSS SITE ACREAGE</b>	<b>1.90 acres</b>

Table II: Current Adjacent Land Use/Zoning

<b>Direction</b>	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	<b>R3</b>	<b>Residential</b>
<b>East</b>	<b>R3</b>	<b>Residential</b>
<b>South</b>	<b>R2</b>	<b>Residential</b>
<b>West</b>	<b>R3</b>	<b>Residential</b>

**Attachments:**

- Provided in packet

**MOTIONS:**

**\*\*\*Approval\*\*\***

*“I move the City of Dickinson Board of Adjustment recommend Approval of (**Variance to reduce the required landscape depth on a R3 zoned lot**), subject to the conditions above, as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare “*

*(AND) the following additional requirements (**IF THE BOARD OF ADJUSTMENT RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE**):*

1. \_\_\_\_\_;
2. \_\_\_\_\_.

**\*\*\*Denial\*\*\***

*“I move the Dickinson Board of Adjustment recommend Denial of (**Variance to reduce the required landscape depth on a R3 zoned lot**) petition as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare.”*

**ATTACHMENTS**

