



## PRE-APPLICATION RESPONSE

COMMUNITY DEVELOPMENT

**August 14<sup>th</sup>, 2025**

Andrew Schrank  
Highlands Engineering  
319 24th Street E  
Dickinson, ND 58601

(701) 483-244  
schrank@highlandseng.com

**RE:** August 5, 2025 Pre-application Meeting Response Letter Regarding: 1141, 1197, and 1257  
23rd St W

Dear Mr. Schrank:

Thank you for meeting with City staff on August 5<sup>th</sup> for a discussion regarding your development request. This letter serves as an outline of the request, a summary of the pre-application meeting discussion, and responses from the following City of Dickinson departments:

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

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

**In Attendance:**

Andrew Schrank – Highlands Engineering

Mike Klein – CFO Able

Natalie Birchak, City Planner

Aaron Praus, Public Works Director

Deb Kirschenheiter - Assessing

Josh Skluzacek, City Engineer/Community Development Director

Leonard Schwindt, City Building Official

38 1<sup>st</sup> Street W | Dickinson ND 58601 | 701.456.7020  
www.dickinsongov.com | Fax: 701.456.7723 | www.facebook.com/cityofdickinsonnd



Mark Selle, Deputy Fire Chief  
Brandon Stockie - PD  
Kris Keller, Senior Engineer  
Greg Melchior, Construction Project Manager  
Sylvia Miller, Executive Assistant - Community Development

**Executive Summary:** The applicant is looking to add additional parking spaces located throughout the property. Due to the locations of existing lot lines, the properties would need to be replatted to either provide access easements to the parking spots, or to create one large lot. Easement vacations will be required for easements that have been built over.

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

**Project Description:**

“Able is looking to add parking for three recently purchased apartment buildings along 23rd St W. The on-street parking is taken up in front of these apartments most days, and there is limited parking available on the north side of the street due to the amount of driveway into the duplex units. They are needing an additional ±12 parking stalls. They would like to add parking where able in this site as shown by the sketch. However, much of this parking falls within the 15' landscape buffer required by City ordinance.”

**Requests/Questions from the applicant:**

“Will this parking be allowed in the landscape buffer? Are there any special approvals required for parking to be placed as shown by the sketch? Will any permitting be necessary to complete these improvements?”

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

- Pre-Application Request Form
- Site Plan
- Photos

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

**Planning:** The existing buildings encroach into lot lines and existing utility easements. Prior to the issuance of any building permit by the City, the property owner shall submit a petition of vacation to request all three easements be vacated. Additionally, the property owner shall submit a minor subdivision application that reconfigures the lot lines and either places each building on an individual lot, or combines all three existing parcels into one lot.

According to Section 52-1: Definitions, in the City of Dickinson Municipal Code, a minor subdivision is defined as “a subdivision, platted pursuant to N.D.C.C. Ch. 40-50.1 that meets all of the following criteria:

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

The proposed project would meet this definition and would be considered a minor subdivision. In order to be recorded, a minor subdivision must face a public hearing in front of the Planning and Zoning Commission, then receive final approval from the City Commission.

The property is currently zoned as High-Density Residential (R-3). The development standards for multi-family housing in the R-3 zoning district are listed below:

- Minimum lot size 7,000 for the first unit, 3,000 for the next three units and 1,000 thereafter
- Minimum lot width 75 feet
- Minimum building setbacks:
  - Front yard 25 feet
  - Street side yard 15 feet
  - Interior side yard 6 feet
  - Rear yard 20 feet
- Maximum building coverage 70%
- Maximum impervious coverage 75%

The City has concerns with the impervious surface coverage of the proposed lot. If the property owner is looking to combine the lots into one, they shall verify the current impervious surface coverage, then consider the coverage in the event any additional parking is provided. If the property owner’s proposal exceeds the maximum impervious surface coverage of 75%, they will need to obtain a variance from the Board of Adjustments prior to final approval of the plat. In accordance with Section 62-61 of the City’s Zoning Ordinance, variances from the strict application of the zoning ordinance shall only be granted where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the zoning regulations; or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, such strict application would result in peculiar and exceptional practical difficulties to or exceptional and undue hardships upon the owner of such property.

Also, per Section 62-61, no such variance shall be authorized by the Board of Adjustment unless it finds that:

- *“Strict application of this chapter will produce undue hardship.*
- *Such hardship is not shared generally by other properties in the same zoning district and in the same vicinity.*
- *The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance.*
- *The granting of such variance is based upon reason of demonstrable and exceptional hardship as distinguished from variations for the purposes of convenience, profit, or caprice.*
- *The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable a general regulation to be adopted as an amendment to this chapter.*
- *The granting of the variance will not cause substantial detriment to the public good and will not substantially impair the intent and purpose of any ordinance or resolution.”*

The applicant has indicated the existing buildings fall under both Multifamily residential and Group residential uses. As outlined in Table 62-589-1. Minimum Off-Street Parking Requirements in Section 62-589: Schedule of off-street parking requirements, the off-street parking requirements for a multifamily residential use is 1.5 spaces per efficiency or 1-BR unit; 2 spaces per other units; 1 space per 2 units for elderly housing, and the requirements for a group residential is 1 space for each two residents. The applicant shall verify that these parking minimums have been met.

**Engineering:**

- Floodplain: N/A
- Streets: The property is located along 23<sup>rd</sup> Street West. Parking along the street is currently permitted in the City’s Municipal Code for up to 48 hours.
- Traffic: Parking spots located across a lot line from the driveway shall require an access easement in order to be utilized by any residents, employees, or visitors for buildings not located on the same lot. The number of new ADA-designated parking spaces required shall be dependent on the total number of new spots.
- Water: The existing lots are serviced by individual water curb stops. In the event all three lots are combined into one lot, the existing water curb stop use will be permitted.
- Sanitary Sewer: The City has no records of the locations of the sanitary sewer connections for 1257 or 1197 23<sup>rd</sup> Street West. These shall be located prior to final approval of any proposed subdivision. Some additional research will be required to verify how the sanitary sewer is servicing these buildings.
- Storm Sewer: N/A

**Assessing:**

No comments.

**Fire Department:**

No comments.

**Parks & Recreation:**

No comments.

**Public Works:** The property owner shall ensure any trash receptacles are located in a space accessible by Public Works. Trash receptacles shall not be permanently located in the front yard of the property or directly adjacent to public right-of-way.

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

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

Planning: 701.456.7812 / natalie.birchak@dickinsongov.com

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

Sincerely,



Natalie Birchak  
City Planner



Joshua M. Skluzacek  
Engineering and Community Development  
Director

---

City GIS maps:

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

Municipal codes directory:

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

Upcoming Planning & Zoning / City Commission meetings:

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

Applications Portal:

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



## COMMUNITY DEVELOPMENT

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

**Appendices:**

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

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

**Required Documentation:**

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

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

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

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

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