



BOARD OF ADJUSTMENT MEETING MINUTES

Monday, August 11, 2025 at 7:30 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Shawn Soehren
Vice Chairman: Trevor Ernst
Troy Bosch
Pat Bren
Bruce Burke

CALL TO ORDER

Meeting called to order at 7:30 AM

ROLL CALL

PRESENT

Trevor Ernst
Pat Bren
Bruce Burke
Shawn Soehren
Troy Bosch

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. STANDARD MOTIONS

A. JULY 2025 MINUTES

Motion to approve minutes as presented.

Motion made by Bren, Seconded by Bosch

Voting Yea: Ernst, Bren, Burke, Soehren, Bosch

2. REGULAR AGENDA:

A. 343 & 359 9TH AVENUE E - REQUEST TO REDUCE THE MINIMUM SQUARE FOOTAGE REQUIREMENT ON A R3 ZONED LOT FOR MULTIFAMILY

1). Request to reduce the minimum requirement on a R3 zoned lot for multifamily from 16000 square ft. to 10,619 square ft. on proposed L1, B1, SILVERGATE ADDITION currently defined as S185' N270' E125' BLOCK C, MESSERSMITH & SIMPSON 2ND ADDITION.

2). Request to reduce the minimum requirement on a R3 zoned lot for multifamily from 16000 square ft. to 13,619 square ft. on proposed L2, B1, SILVERGATE ADDITION currently defined as S185' N270' E125' BLOCK C, MESSERSMITH & SIMPSON 2ND ADDITION.

Variance request presented by Chairman Shawn Soehren. Nick Jensen with Western Edge Surveying explains his request for the variance. Jensen states that with this Board of Adjustment meeting the request will also be presented to the Planning and Zoning Commission.

Board Member Trevor Ernst inquires if the applicant is requesting to separate lots or units within the building. Jensen states they are requesting to separate the buildings on the lots, not individual units. Board Member Bruce Burke inquires if the Board of Adjustment has visited this property before. Building Official Leonard Schwindt answers that we have not yet visited this property. Schwindt explains that our current process through Planning and Zoning catches discordances such as these before lots or buildings can be sold.

Soehren and Schwindt discuss the third lot to the north of the properties in the application. The third lot is already split off and is also non-conforming and has not gone through this process. In order for the third lot to the north to be sold, it would also be required to go through the variance request process.

Board Member Bruce Burke asks about the other repercussions, if any, if this were to be approved. Schwindt responds it will only be the splitting of the lots. Soehren confirms with Jensen that the applicant has already met with city staff in regard to the request.

Dave Bauer, associated with the applicant, explains the process of sales and why they are making the request. Bauer explains when the properties were originally purchased, each lot had its own separate PIN number. The Assessor requested that all three lots be combined into one, and the owner of the properties agreed. From there, the owner decided he would like to begin selling the individual properties, which requires each property again be on its own separate lot.

Josh Skluzacek, City Engineer, explains PIN numbers and legal sales. The lot to the north was a separate legal lot that did sell. However, the lot being discussed in the application is not a legal lot in record and therefore must be split off. Soehren and Schwindt discuss what the future of these properties could look like and what the process would be for any upcoming potential changes.

Soehren inquires if there have been any comments from the public to this regard. Schwindt responds that there have been no comments from the public received by the Building Department in regard to the variance request.

Motion to approve the variance to reduce the minimum square footage requirement of an R3 zoned lot subject to the conditions above and the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety, and welfare.

Motion made by Bosch, Seconded by Burke.

Voting Yea: Ernst, Bren, Burke, Soehren, Bosch

Soehren presents the second part of the variance request for this application, in relation to the first portion of the request for the same property.

Motion to approve the variance to reduce the minimum square footage requirement of an R3 zoned lot subject to the conditions above and the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety, and welfare

Motion made by Bosch, Seconded by Bren.
Voting Yea: Ernst, Bren, Burke, Soehren, Bosch

3. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

4. OTHER BUSINESS

5. ADJOURNMENT

Motion to adjourn at 7:48AM

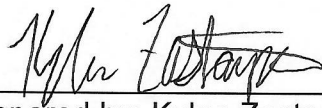
Motion made by Bren, Seconded by Ernst.

Voting Yea: Ernst, Bren, Burke, Soehren, Bosch

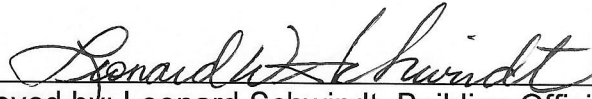
Link for viewing Board of Adjustment Meeting:

<https://youtube.com/live/vNKbBUQ5H30>

This link will not be live until approximately 7:25 AM MT on August 11, 2025.



Prepared by: Kylee Zastoupil, Administrative Assistant
Community Development & Engineering



Approved by: Leonard Schwindt, Building Official