



MEDUNA FINAL MINOR  
PLAT STAFF REPORT

**To:** City of Dickinson Planning and Zoning Commission  
**From:** City of Dickinson Community Development  
**Date:** December 4, 2024  
**Re:** **FLP-020-2024 Meduna 1<sup>st</sup> Subdivision Final Minor Plat**

OWNER/APPLICANT	APPLICANT’S REPRESENTATIVE
Leonard and Sandra Meduna 1975 7th Avenue SW Dickinson, ND, 58601 (701) 227-0119	Andrew Schrank Highlands Engineering 319 24th Street East schrank@highlandseng.com (701) 483 2444

Public Hearing	December 11, 2024	Planning and Zoning Commission
Final Action	January 7, 2025	City Commission

EXECUTIVE SUMMARY

The applicant is requesting approval of a Minor Subdivision Plat for the Meduna 1<sup>st</sup> Subdivision, being a replat of Lots 1 and 2 in Block 2 of the Decker Third Addition as well as Lot 9 in Block 1 of the Southfork Acres Second Subdivision located within the SE1/4 of Section 16, Township 139 North, Range 96 West, in the City of Dickinson’s Extra-Territorial Zone. According to the applicant, the purpose of the proposed subdivision is to combine the south 207 feet of Lot 9 with Lots 1 & 2 in order to construct a detached garage behind the existing residence. Lots 1 & 2 are currently zoned Low-Density Residential (R-1) while Lot 9 is currently zoned Rural Residential (RR), and the proposed subdivision is +/- 6.08 acres.

A companion zoning map amendment application that would rezone Lot 9, Block 1 of the Southfork Acres Second Subdivision is also scheduled for a public hearing at the December 11, 2024 Planning and Zoning Commission meeting (REZ-007-2024).

Staff Recommendation: Approval contingent on the approval of REZ-007-2024.

## LOCATION

The property is a replat of Lots 1 and 2 in Block 2 of the Decker Third Addition as well as Lot 9 in Block 1 of the Southfork Acres Second Subdivision located within the SE1/4 of Section 16, Township 139 North, Range 96 West, of the 5th Principal Meridian, in the City of Dickinson's Extra-Territorial Zone, Stark County, North Dakota This subdivision contains an existing residence at 1975 7<sup>th</sup> Avenue Southwest as well as a currently-undeveloped lot.

<b>CURRENT ZONING</b>	<b>R-1 &amp; RR</b>
<b>FUTURE LAND USE MAP DESIGNATION</b>	<b>RESIDENTIAL</b>
<b>GROSS SITE ACREAGE</b>	<b>+/- 6.08</b>
<b>LOTS PROPOSED</b>	<b>3</b>

<b>ADJACENT ZONING &amp; LAND USE</b>		
<b>Direction</b>	<b>Zoning</b>	<b>Land Use</b>
North	R-1 & RR	Single-family residence; Undeveloped
East	AG	Undeveloped
South	AG	Undeveloped
West	R-1	Single-family residence

## STAFF ANALYSIS

### CURRENT ORDINANCE REVIEW

According to Section 34.030 of the Municipal Code, a minor subdivision shall meet the following criteria:

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

The proposed subdivision would not meet the third requirement of the criteria, as Section 39.04.003 of the City's Zoning Ordinance states that a lot or site within the City's planning

jurisdiction must be in one base district. The proposed Lot 1 of the Meduna 1<sup>st</sup> Subdivision, if approved, would be zoned partially R-1 and partially RR. However, REZ-007-2024, which is scheduled for public hearing at this Planning and Zoning Commission meeting, would rezone the portion of Lot 9 being combined with Lots 1 & 2 to R-1. This would make the proposed Lot 1 compliant with the City's Zoning Ordinance.

According to Section 39.04 of the Municipal Code, the minimum R-1 lot size is 7,500 square feet and the minimum RR lot size is one (1) acre. The three proposed lots all exceed the minimum lot size requirement of their respective zoning district.

### **PUBLIC COMMENT AND STAFF RECOMMENDATION**

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

**Staff Recommendation:** The Community Development staff recommends **approval** of this minor plat contingent on the approval of the corresponding Meduna Rezone (REZ-007-2024).

**MOTIONS:**

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

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-020-2024: the Meduna 1<sup>st</sup> Subdivision Final Minor Plat** 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 **FLP-020-2024: the Meduna 1<sup>st</sup> Subdivision Final Minor Plat** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*