



CADEN & HOLLY TUHY FINAL MINOR PLAT STAFF REPORT

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: September 4, 2024
Re: **FLP-016-2024 Caden & Holly Tuhy Final Minor Plat**

OWNER/APPLICANT

Cory Tuhy/Caden Tuhy
 11523 33rd Street SW
 Dickinson, ND 58601
 Ctuhy97@gmail.com
 (701) 260-8110

APPLICANT'S REPRESENTATIVE

Highlands Engineering/Andrew Albrecht
 319 24th Street East
 Dickinson, ND 58601
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 (701) 793-2422

Public Hearing	September 11, 2024	Planning and Zoning Commission
Final Action	September 17, 2024	City Commission

EXECUTIVE SUMMARY

The applicant is requesting the approval of a Minor Subdivision Plat for the Caden and Holly Tuhy Subdivision located in the SE ¼ of the SE ¼ of Section 14, Township 140 North, Range 97 West, of the 5th Principal Meridian, Stark County, North Dakota, within the City of Dickinson's ETZ. According to the applicant, the purpose of the proposed subdivision is to convey a parcel of land from the owner to the applicant to allow for the construction of a single-family residence. The lot is currently zoned Agriculture (AG), and the proposed subdivision is +/- 5 acres.

Staff Recommendation: Staff recommends approval of the Caden and Holly Tuhy Subdivision.

LOCATION

The property is located in the SE ¼ of the SE ¼ of Section 14, Township 140 North, Range 97 West, of the 5th Principal Meridian, Stark County, North Dakota on the north side of 33rd Street

SW. The property is situated between two existing properties with the addresses of 11523 33rd Street SW and 11525 33rd Street SW.

CURRENT ZONING	AG
FUTURE LAND USE MAP DESIGNATION	AGRICULTURE
GROSS SITE ACREAGE	+/- 5.00
LOTS PROPOSED	1

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG	Undeveloped
East	AG	Undeveloped
South	AG	Undeveloped; Single-family residence
West	AG	Single-family residence; Agricultural uses

STAFF ANALYSIS

CURRENT ORDINANCE REVIEW

According to Section 39.04 of the Municipal Code, the minimum AG lot size is five acres. This proposed lot meets that requirement and therefore would be legally conforming. Additionally, Table 4-2: Permitted Uses by Zoning Districts, permits the construction of a primary residence in AG-zoned districts.

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.

Staff finds the proposed Caden and Holly Tuhy Subdivision meets those criteria.

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 development project.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-016-2024 Caden & Holly Tuhy 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-016-2024 Caden & Holly Tuhy 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."*