



## Dvirnak FINAL MINOR PLAT STAFF REPORT

**To:** City of Dickinson Planning and Zoning Commission  
**From:** City of Dickinson Community Development  
**Date:** November 6, 2024  
**Re:** **FLP-019-2024 Dvirnak Final Minor Plat**

### OWNER/APPLICANT

Dwight Dvirnak/Gaye Dvirnak  
 2233 Country Oak Drive  
 Dickinson, ND 58601  
 Cleanright360@gmail.com  
 (701) 580-2919

### APPLICANT'S REPRESENTATIVE

Northern Plains Engineering/Jeremy Wood  
 441 23<sup>rd</sup> Street West  
 Dickinson, ND 58601  
 jwood@nplainseng.com  
 (701) 483-1858

<b>Public Hearing</b>	November 13, 2024	Planning and Zoning Commission
<b>Final Action</b>	November 19, 2024	City Commission

### EXECUTIVE SUMMARY

The applicant is requesting approval of a Minor Subdivision Plat for the Dvirnak Subdivision, being a replat of Lots 5A, 5B, and 6 in Block 3 of the Country Oaks Estates Second Addition, located within the SW1/4 of Section 28, Township 140 North, Range 96 West, of the 5<sup>th</sup> Principal Meridian, in the City of Dickinson, Stark County, North Dakota. According to the applicant, the purpose of the proposed subdivision is to divide Lot 5B and combine the south 58 feet with Lot 6 to construct a detached garage. The lot is currently zoned Medium-Density Residential (R-2), and the proposed subdivision is +/- 0.72 acres.

Staff Recommendation: Staff recommends approval of the Dvirnak Subdivision.

### LOCATION

The property is a replat of Lots 5A, 5B, and 6 in Block 3 of the Country Oaks Estates Second Addition, located within the SW1/4 of Section 28, Township 140 North, Range 96 West, of the 5<sup>th</sup> Principal Meridian, in the City of Dickinson, Stark County, North Dakota. This subdivision

contains the existing residence at 2233 Country Oaks Drive as well as two currently-undeveloped lots.

<b>CURRENT ZONING</b>	<b>R-2</b>
<b>FUTURE LAND USE MAP DESIGNATION</b>	<b>Residential</b>
<b>GROSS SITE ACREAGE</b>	<b>+/- 0.72</b>
<b>LOTS PROPOSED</b>	<b>2</b>

<b>NEARBY ZONING &amp; LAND USE</b>		
<b>Direction</b>	<b>Zoning</b>	<b>Land Use</b>
North	R-2	Single-family residence
East	R-2 & R-3	Single-family residence; Townhouses
South	R-2	Undeveloped; Multi-family residence
West	R-2	Single-family residence; Duplex

## STAFF ANALYSIS

### CURRENT ORDINANCE REVIEW

Lots 5A and 5B were previously created through an administrative lot modification. As such, the reconfiguration of the lots requires City Commission approval of a minor subdivision plat, as stated in Section 34. of the City of Dickinson's Municipal Code.

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 Dvirnak Subdivision meets those criteria.

According to Section 39.04 of the Municipal Code, the minimum R-2 lot size is 7,000 square feet. Both of the proposed lots meet that requirement and therefore would be legally conforming.

## **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-019-2024 Dvirnak 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-019-2024 Dvirnak 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."*