

BOARD OF ADJUSTMENT MEETING MINUTES

Monday, August 10, 2026 at 7:30 AM MT
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 7:30AM.

ROLL CALL

PRESENT

Trevor Ernst

Pat Bren

Bruce Burke

Troy Bosch

ABSENT

Shawn Soehren

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. STANDARD MOTIONS

A. APPOINTMENT OF BOARD MEMBERS

Appointment of Board Members Pat Bren & Bruce Burke.

B. JANUARY 2026 MINUTES

Motion to approve minutes as presented.

Motion made by Bosch, Seconded by Bren.

Voting Yea: Ernst, Bren, Burke, Bosch

2. REGULAR AGENDA

A. 2845 10TH AVENUE E

Request to reduce the minimum Agriculture (AG) lot size of 10 acres to 8.745 acres.

This property is located at 2845 10th Avenue East - a tract of land situated in the SE ¼ of Section 27, Township 140 N, Range 96 West of the 5th Principal Meridian, Stark County, ND 58601

Vice Chair Trevor Ernst presents the variance request.

Applicant Jason Tormaschy took the stand and explained he was proposing the 8.745-acre parcel as part of a land division. Nick Jensen with Western Edge Surveying attended virtually and clarified that a pre-application meeting had already been completed with City of Dickinson Planning and Zoning. He noted that a private sale for the companion 30-acre parcel is pending and had been agreed upon prior to the

municipal code update. Jensen stated the required right-of-way dedications along 4th Street and 10th Avenue reduced the smaller parcel below the minimum 10-acre agricultural lot size, prompting the need for a variance. He further explained that because of existing flood areas and land constraints, no additional development would be feasible that would justify or support any type of rezoning.

City Planner Natalie Birchak reviewed the relevant municipal code and zoning requirements. She explained that agricultural zoning requires a minimum lot size of 10 acres, and the proposed 8.745-acre parcel does not meet that standard. Birchak noted the property sits within the Rural Reserve Future Land Use designation, meaning the City would not support rezoning the parcel to Rural Residential, which has a 1-acre minimum. She stated that maintaining agricultural zoning is the intended path, and Planning and Zoning could only recommend approval if the Board of Adjustment grants the variance. Birchak also clarified that no future development is expected on the 8-acre parcel, while the 30-acre parcel could potentially be developed but only through a future rezoning process.

Board Member Pat Bren asked what would happen if the Board did not approve the request. Birchak explained that Planning and Zoning would be required to recommend denial during the subdivision review because the lot would not meet the municipal code's agricultural minimum.

Board Member Bruce Burke asked if any concerns had been raised by neighboring properties. Building Official Leonard Schwindt stated that only general inquiries were received, with no objections. Birchak added that one resident had questions but was satisfied once the proposal was explained.

Community Development Coordinator Joshua Skluzacek added that the minimum agricultural lot size was recently updated to 10 acres through a municipal code change. The applicant's land division plans were established before this update, which created the conflict with current code. Birchak also explained the right-of-way dedications along 4th Street and 10th Avenue reduced acreage on both sides, resulting in the 8.745-acre figure.

Burke asked whether anything should be added to an approval to clarify future expectations for the property. Schwindt explained that any future development would require a formal rezoning process, and no additional conditions were necessary; any changes to municipal code would follow standard procedures.
Motion to approve.

Motion made by Burke, Seconded by Bosch.

Voting Yea: Ernst, Bren, Burke, Bosch

3. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

4. OTHER BUSINESS

5. ADJOURNMENT

Motion to adjourn at 7:41AM.

Motion made by Bosch, Seconded by Bren.

Voting Yea: Ernst, Bren, Burke, Bosch

Link for viewing Board of Adjustment Meeting:

<https://youtube.com/live/Vfm7YxkzB7g>

This link will not be live until approximately 7:25 AM MT on August 10, 2026

Teams Meeting: <https://tinyurl.com/BOA08102026>

Teams Meeting ID: 262 539 088 997 78

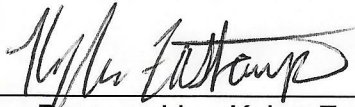
Meeting Passcode: AX2Gp3Na

Teams Phone #: 1-701-506-0320

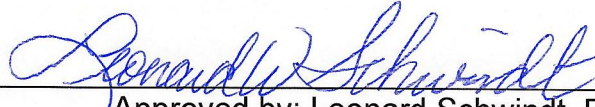
Phone Conference ID: 478 606 616#

Local Phone #: 701-456-7006

Persons desiring to attend the meeting who require special accommodations are asked to contact the City Administrator at (701) 456-7744 by the Friday preceding the meeting.



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



Approved by: Leonard Schwindt, Building Official