



# Schmidt Minor Subdivision Staff Report

To: City of Dickinson Board of Commissioners  
 From: City of Dickinson Community Development Services  
 Date: July 2, 2025  
 Re: FLP-006-2025 Schmidt Zoning Map Amendment

## OWNER/APPLICANT

Andy Schmidt  
 10520 Highway 10 East  
 Dickinson, ND, 58601  
 andypschiidt@hotmail.com  
 (701) 260-4737

<b>Public Hearing</b>	July 9, 2025	Planning and Zoning Commission
<b>Final Consideration</b>	July 15, 2025	City Commission

The applicant is requesting the approval of the Schmidt Minor Subdivision plat, located within the SE1/4 of Section 33, Township 140 North, Range 95 West, 5<sup>th</sup> Principal Meridian, Stark County, North Dakota; in the City of Dickinson's Extra-Territorial Zone. According to the applicant, the purpose of this subdivision is to divide a parcel of land out of the existing tract to construct a primary residence. The property is +/- 7.83 acres.

A companion zoning map amendment request is also scheduled for public hearing at the July 9, 2025 Planning and Zoning Commission meeting (REZ-005-2025).

Staff recommendation: Staff recommends approval of this minor subdivision plat contingent on approval of REZ-005-2025.

## LOCATION

The property is a previously unplatted tract located within the SE1/4 of Section 33, Township 140 North, Range 95 West, of the 5th Principal Meridian, Stark County, North Dakota in the City of Dickinson's Extra-Territorial Zone. This subdivision contains the existing business at 10524

Highway 10. The proposed Lot 3 contains an existing cell tower and building, and the proposed Lots 1 & 2 contain an outdoor storage area with significant scoria/gravel surface coverage.

<b>CURRENT ZONING</b>	<b>GC &amp; AG</b>
<b>FUTURE LAND USE MAP DESIGNATION</b>	<b>RESIDENTIAL</b>
<b>GROSS SITE ACREAGE</b>	<b>+/- 7.83 acres</b>
<b>LOTS PROPOSED</b>	<b>2</b>

<b>ADJACENT ZONING &amp; LAND USE</b>		
<b>Direction</b>	<b>Zoning</b>	<b>Land Use</b>
North	AG	Agriculture
East	GC	Commercial
South	AG	Water treatment plant; agriculture
West	GC; AG	Commercial; single-family residential

## CURRENT ORDINANCE REVIEW

According to Section 52-1 of the Municipal Code, a minor subdivision is a subdivision that meets the following requirements:

- 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 meets the requirements and is considered a minor subdivision plat.

The applicant has submitted an associated zoning map amendment request, which would rezone Lot 2 of Block 1 of the Schmidt Minor Subdivision from AG and GC into RR. This zoning map amendment cannot proceed without the approval of this minor subdivision due to Section 62-160 of the Municipal Code stating that "A site must be in one base district."

According to Section 62-162 of the Municipal Code, the minimum RR lot size is 1 acre and the minimum lot size for GC is 12,000 square feet. The six proposed lots all exceed the minimum lot

size requirement of their respective zoning district. No existing structures violate any use or setback requirements laid out in the Zoning Ordinance.

The Stark County Weed Control Office requests developers in the ETZ contact their office and arrange for an invasive weed inspection prior to submittal of building permit applications.

**Public Input:** As of the date of this report, City staff has not received any public comments.

**Staff Recommendation:** The City Development Team staff recommends approval of FLP-006-2025 contingent on the approval of REZ-005-2025.

**MOTIONS:**

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

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-006-2025: The Schmidt Minor Subdivision** as being consistent with the City of Dickinson Comprehensive Plan, as being compliant with the City of Dickinson Zoning Ordinance, and as 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-006-2025: The Schmidt Minor Subdivision** as NOT being consistent with the City of Dickinson Comprehensive Plan, as not being compliant with the City of Dickinson Zoning Ordinance, and as being contrary to the interest of the public health, safety and welfare."*