



FISHER EAST SIDE THIRD ADDITION SUBDIVISION STAFF REPORT

To: City of Dickinson Planning & Zoning Commission
From: City of Dickinson Planning Department
Date: May 8, 2024
Re: **FLP-009-2024 Fisher East Side Third Addition Minor Plat**

OWNER/APPLICANT

Venture Commercial, LLC
 P.O. Box 1316
 Dickinson, ND, 58601
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 701 290 1298

APPLICANT'S REPRESENTATIVE

Andrew Schrank
 Highlands Engineering
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Public Hearing	May 8, 2024	Planning and Zoning Commission
Final Consideration	May 21, 2024	City Commission

EXECUTIVE SUMMARY

Request

The applicant is requesting a preliminary final plat for the Fisher East Side Third Addition Subdivision being a Replat of Lot 1A, Block 4, of Fisher East Side Second Subdivision Section 2, Township 139 North, Range 96 West, of the 5th Principal Meridian, City of Dickinson, Stark County, North Dakota. The 0.65-acre property is generally located on the southeast corner of 15th Avenue East and Carroll Street. The applicant intends to create two lots for residential development.

CURRENT ZONING	R2
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	0.65
LOTS PROPOSED	2

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	R2	Undeveloped
East	R3	Multi-family residential

South	R2	Undeveloped
West	R1	Single-family residential

Compliance with Zoning and Subdivision Regulations: In Section 34.030 of the Subdivision of Land chapter of the City's Municipal Code, a minor subdivision plat is defined as follows:

A subdivision, platted pursuant to NDCC §40-50.1, that meets all of the following criteria:

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

The proposed Fisher East Side Third Addition Subdivision meets the definition of a minor subdivision (preliminary/final) plat. Also, as per Section 34.030 of the City's Municipal Code does not allow a lot split on a property that had been previously created through the administrative process. A lot split has already been completed for the Current Lot 1A which is why the minor subdivision (preliminary/final) plat is required. The applicant proposes to subdivide the existing lot into a 14, 814 square foot lot and a 13,622 square foot lot. According to Table 4-3a, as found in Chapter 39.04 of the Zoning Ordinance; the minimum lot areas for an R-2 lot are as follows:

- Single-family detached-7,000 square feet;
- Single-family attached-4,000 square feet;
- Duplex-10,000 square feet; and
- Townhouse and multi-family up to 4 units- 7,000 for the first unit and 3,000 thereafter.

The two proposed lots meet the R-2 minimum lot area requirements as found in Chapter 39 Zoning.

Staff Recommendation: City of Dickinson Community Development Services staff recommends approval of this request.

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

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-009-2024 Fisher East Side Third Addition Subdivision** 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-009-2024 Fisher East Side Third Addition Subdivision** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*