



BOARD OF ADJUSTMENT MEETING MINUTES

Monday, October 09, 2023 at 7:30 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Larry Bares
Vice Chairman: Pat Bren
Trevor Ernst
Bruce Burke
Shawn Soehren

CALL TO ORDER

ROLL CALL

OPENING CEREMONIES:

1. STANDARD MOTIONS

- A. September 11, 2023 Final Meeting Minutes submitted for approval.

Motion made by Bren, Seconded by Burke.

Voting Yea: Bares, Ernst, Bren, Burke, Soehren

2. REGULAR AGENDA:

- A. 1575 37th Street E

A. Request to exceed the maximum square footage of a detached structure on an RR (rural residential) lot by 1800 square feet. This property is located at 1575 37th street East- Dickinson, ND.

Alfredo Herreman, the owner of 1575 37th Street East, did not show up to speak on his property. Jared Robinson from the audience spoke on this property. Mr. Robinson lives direct west of Mr. Herreman, he does not agree with this shop being built. Mr. Robinson stated that he has more concerns after looking at the blue prints. He stated that his concern is not only for him, but also his surrounding neighbors. They have called the sheriff on this property more than once for it being loud and noisy. He stated that this shop seems like its going to be built for way more reasons than just a garage for his daughter and storage. Mr. Robinson is wondering where the drainage for the

bathrooms will go since there will be two bathrooms in this shop. Mr. Robinson stated there is already a building on the property, that is the size of a garage. Mr. Robinson stated that in the meeting minutes in the prior Board of Adjustment meeting, it states that the lot Mr. Herreman bought, had 30-35 feet taken away but the lots were both for sale as is. One lot being 125 feet by 593 feet and the other lot 93 feet by 593 feet. These lots were surveyed in 2016. He stated that you should be able to purchase what you want but this will affect the surrounding neighbors. If later Mr. Herreman decides he does not want the toys he is storing in the shop, the shop will still be there. Mr. Robinson stated if they garage is in the parameters per code, than it should be allowed but if not he does not agree. Board Member Pat Bren asked Mr. Robinson if there is a rode behind the trees to have access to the the back yard. Mr. Robinson stated that it is a low maintenance gravel road. He says during the Winter he cannot access it. Daniel Folmer from the audience lives on the east side of Mr. Herreman. Mr. Folmer stated he thinks Mr. Herreman knew what he was buying. As soon as Mr. Herreman moved in he was asking the surrounding neighbors to sell part of their land to him. Chairman Larry Bares asks if there are any questions in the audience or over the phone.

Motion made to deny the variance by Pat Bren, seconded by Bruce Burke.

Voting Nay: Larry Bares, Trevor Ernst, Pat Bren, Bruce Burke, Shawn Soehren

B. 220 WEST BROADWAY STREET

1. To consider a variance request to reduce the west side yard setback on a GI zoned lot from the required 10 ft to a 6 ft setback
2. To request a variance request to reduce the rear yard setback on a GI zoned lot from the required 20ft to a 0 ft setback.

Aaron Grinsteinner from Venture Commercial is speaking on this property. Mr. Grinsteinner stated that he just wants to reduce existing setbacks. He stated that this property use to be the former Dickinson Public Schools bus barn. He is just wanting to replat the existing properties so they can sell off the combination of the buildings. Two of the existing structures are in violation of the required setbacks for the general industrial zoning district. Board Member Trevor Ernst clarifies that they are just replotting but not doing expansions. Mr. Grinsteinner states that he is correct, they plan to sell some property off to consolidated, they are adjacent to this property. Their

plan is to just keep them as is. Building Official Leonard Schwindt states these are existing buildings, and by replotting they would follow the current code. Mr. Schwindt states that if they were to rebuild, the buildings would need to be up to code as well. Mr. Grinsteinner stated that as a developer, he would acknowledge that. Mr. Ernst asked Mr. Schwindt that with the buildings encroaching on the railroad setbacks, is this going to be an issue for the city? Mr. Schwindt stated that these are existing buildings and they are not going to be taken down. The buildings serviced the railroad, so in a way they are trying to clean up the area. Chairman Larry Bares asks if there is anyone that is for or against this variance.

Motion to approve the variance made by Trevor Ernst, Seconded by Pat Bren.

Voting Yea: Larry Bares, Trevor Ernst, Pat Bren, Bruce Burke, Shawn Soehren
Aaron Grinsteinner is also here to speak on the second request to reduce the rear yard setback from 20 feet to a 0 ft setback on the 220 West Broadway. Mr.

Grinsteinner states that the property line is part of there proposed replat we need to obtain a variance. Mr. Chairman asks if anyone has any questions.

Motion to approve the variance made by Bruce Burke, seconded by Trevor Ernst.

Voting Yea: Larry Bares, Trevor Ernst, Pat Bren, Bruce Burke, Shawn Soehren

C. 300 WEST BRAODWAY STREET

A. To consider a variance request to reduce the east side yard setback on a GI zoned lot from the required 10 ft to a 0 ft setback.

Aaron Grinsteinner is here with Venture commercial to speak on this property. Mr. Grinsteinner states that this request is similar to the other property. He states that the current property line is part of the proposed replat they need to obtain a variance. In the PowerPoint you can see the building is right on the property line. Building Official Leonard Schwindt stated he only received one phone call from an individual wondering what they were doing.

Motion made to approve the variance by Trevor Ernst, seconded by Bruce Burke.

Voting Yea: Larry Bares, Trevor Ernst, Pat Bren, Bruce Burke, Shawn Soehren

3. OTHER BUSINESS

4. ADJOURNMENT

Link for viewing Board of Adjustment Meeting:

This link will not be live until approximately 4:20 p.m. on October 9, 2023.

Meeting Packet: <https://tinyurl.com/BOA-10-09-2023-Packet>

Stream Link: <https://tinyurl.com/BOA-10-09-2023-Stream>

Teams Meeting: <https://tinyurl.com/BOA-10-09-2023-Teams>

Meeting ID: 218 469 274 211

Meeting Passcode: xRkEir

Teams Phone #: 1-701-506-0320

Phone Conference ID: 933 399 623#


Local Phone #: 701-456-7006

Persons desiring to attend the meeting who require special accommodations are asked to contact the City Administrator by the Friday preceding the meeting.

Prepared By:

X 
Nicole Snyder

Approved By:

X 
Leonard W. Schwindt