



SULLIVAN FIRST SUBDIVISION STAFF REPORT

To: City of Dickinson Planning & Zoning Commission
From: City of Dickinson Planning Department
Date: May 8, 2024
Re: **FLP-011-2024 Sullivan First Subdivision**

OWNER/APPLICANT

James Sullivan
 Sullivan Properties, Inc.
 P.O. Box 1496
 Dickinson, ND, 58601
 Baklot5@gmail.com
 701 571-5970

APPLICANT'S REPRESENTATIVE

Jeremy Wood
 Northern Plains Engineering
 441 23rd Street West
 Dickinson, ND 58601
 Jwood@nplainseng
 701 690-8076

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 Sullivan First Subdivision being a Replat of Lot 2B, Block 4 of Country Oaks Estates Second Addition. The 0.325-acre property is generally located on the south side of 24th Street West approximately 185 east of Country Oaks Drive. The applicant wishes to create three separate lots for three townhome units. The proposed lots range in area from 3,375 square feet to 5,626 square feet.

CURRENT ZONING	R3
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	0.3250
LOTS PROPOSED	3

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	R2	Undeveloped
East	R3	Undeveloped

South	R3	Single-family attached
West	R3	Multi-family residential

Compliance with Zoning and Subdivision Regulations: The current Lot 2B, Block 4 was created through an administrative lot split (a.k.a. an Irregular Plat).

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 Sullivan First 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 2B which is why the minor subdivision (preliminary/final) plat is required.

The applicant proposes to subdivide the existing lot into a 3,375 square foot lot, a 5,171 square foot lot, and a 5,626 square foot lot. According to Section 39.06.003 Supplemental Use Regulations: Residential Use of the Zoning Ordinance; the minimum site area for a townhouse per unit is 3,000 square feet, and the minimum width for any townhouse lot sold individually is 25 feet. The three proposed lots exceed the minimum site and width.

The applicant is recommended to present the legal description for the plat to the Stark County Recorder being there has been prior concerns about utilizing a document number in the legal description for plats.

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-011-2024 Sullivan First 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-011-2024 Sullivan First 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."*