



JERRY WILLIAMS FINAL MAJOR PLAT STAFF REPORT

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: April 2, 2025
Re: **FLP-001-2025 Jerry Williams Subdivision Final Major Plat**

OWNER/APPLICANT

Jerry Williams
 11015 40th Street SW
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 djohnson_55@hotmail.com
 (701) 290-7710

APPLICANT’S REPRESENTATIVE

Nick Jensen
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Public Hearing	February 12, 2025	Planning and Zoning Commission
Public Hearing	April 9, 2025	Planning and Zoning Commission
Final Action	April 15, 2025	City Commission

EXECUTIVE SUMMARY

The applicant is requesting approval of a final Major Subdivision Plat for the Jerry Williams Subdivision, located within the SE1/4 of Section 22, Township 139 North, Range 96 West, 5th Principal Meridian, Stark County, North Dakota; in the City of Dickinson’s Extra-Territorial Zone. According to the applicant, the purpose of the proposed subdivision is to divide the land into appropriate-sized lots for each of the residents currently living on the tract. The site is zoned Agriculture (AG), and the proposed subdivision is +/- 35.66 acres.

A public hearing in front of the Planning and Zoning Commission on the preliminary plat was held on February 12, 2025 (PLP-001-2025). The Planning and Zoning Commission recommended approval without conditions of the preliminary plat.

Staff Recommendation: Staff recommends approval of this plat.

LOCATION

The property is a previously unplatted tract located within the SE1/4 of Section 22, Township 139 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota in the City of Dickinson’s Extra-Territorial Zone. This subdivision contains the existing residences at 11025, 11027, and 11029 40th Street SW.

CURRENT ZONING	AG
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	+/- 35.66
LOTS PROPOSED	6

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG & RR	Single-family residence; Undeveloped
East	AG	Single-family residence; Undeveloped
South	AG	Undeveloped
West	AG	Undeveloped

STAFF ANALYSIS

CURRENT ORDINANCE REVIEW

According to Section 34.030 of the Municipal Code, a major subdivision is a subdivision that does not meet 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 does not meet the fourth requirement as it plans to create six lots. This means the proposed plat must be considered a major subdivision and is subject to the major subdivision process as outlined in Section 34.040.

According to Section 39.04 of the Municipal Code, the minimum AG lot size is 5 acres. 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.

There is a road located in a 66-foot private access/future utility easement. This road provides access to the proposed lots 3, 4, & 5, as well as to the applicant's residence at 11015 40th Street SW. Maintenance of this road will continue to be the responsibility of the property owners, and the property owners have submitted to the City of Dickinson a road maintenance contract that outlines the responsibilities of residents along the road and avoid future confusion. This agreement has been reviewed by the Stark County Road Department and will be recorded with the City Recorder prior to the recording of the final plat.

Staff reviewed the proposed final subdivision and found no changes from the preliminary plat heard on February 12, 2025.

PUBLIC COMMENT AND STAFF RECOMMENDATION

Public Input: Staff has not received any public input as of the date of this report.

Staff Recommendation: The Community Development staff recommends **approval** of this major plat.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-002-2025: The Jerry Williams Subdivision Final Major Plat** 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-002-2025: The Jerry Williams Subdivision Final Major Plat** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*