



BOARD OF ADJUSTMENT MEETING MINUTES

Monday, January 12, 2026 at 7:30 AM MT
City Hall – 38 1st Street West Dickinson, ND 58601

Board Members:

Chairman: Shawn Soehren
Vice Chairman: Trevor Ernst
Troy Bosch
Pat Bren
Bruce Burke

CALL TO ORDER

Meeting called to order at 7:30AM.

ROLL CALL

PRESENT

Trevor Ernst
Pat Bren
Bruce Burke
Shawn Soehren
Troy Bosch

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. STANDARD MOTIONS

A. NOVEMBER 2025 MINUTES

Motion to approve minutes as presented.

Motion made by Bren, Seconded by Bosch.

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

2. REGULAR AGENDA

A. 11478 34Y STREET SW

Variance request to reduce the front yard setback on a MH zoned lot from the required 25 feet to 18.2 feet located at 11478 34Y Street SW - L 7 B 4 LUTZ 4TH 25-140-97 LOT 235 X 190.

Chairman Shawn Soehren presents variance request.

Applicants Dana and John Kuntz explained they believed the property was outside city limits and therefore did not obtain a building permit. They placed the shop near an existing tree and bush line for driveway access and due to septic system limitations. The structure ended up at an angle because of how the builders installed it, and although they intended to align it with the mobile home, the framing was already completed before they noticed the angle. They stated they were trying to match the layout and style of other properties in the neighborhood, noting several nearby shops appear close to the street.

Board Member Bosch asked which portion of the building was out of compliance. The closest corner sits at approximately 18 feet, and the opposite corner may be only a

couple of feet farther back. Photos also indicate the existing mobile home may not meet the current 25-foot setback. Building Official Leonard Schwindt explained that some other structures in the subdivision may also be closer than allowed, and that Stark County previously handled permitting in this area before the City assumed ETZ permitting oversight. He clarified that the MH zoning reverts to R3 setbacks because the area is not a registered mobile home park; therefore, the required front setback is 25 feet rather than the reduced 20-foot standard used in designated parks.

Board Member Bruce Burke stated he had no further questions and made a motion to approve the variance.

Motion made by Burke, Seconded by Bosch.

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

B. 1141, 1197, 1257 23RD STREET W

Variance request to reduce the landscape depth on a R3 zoned lot from the required 15 feet to 0 feet located at 1141, 1197, 1257 23rd Street W – LOTS 26,27, 40, 41 & E 1/2 OF LOTS 28 & 39, BLOCK 5, COUNTRY OAKS ESTATES 2ND, REPLAT LOTS 5-11, BLOCK 1 & ALL BLOCK 5. LOTS 29, 30, 37, 38 & W 1/2 LOTS 28 & 39, BLOCK 5, COUNTRY OAKS ESTATES 2ND, REPLAT LOTS 5-11, BLOCK 1 & ALL BLOCK 5. LOT 31, EAST PART LOTS 32 & 35 & ALL LOT 36, BLOCK 5, COUNTRY OAKS ESTATES 2ND, REPLAT LOTS 5-11, BLOCK 1 & ALL BLOCK 5.

Chairman Shawn Soehren presents request for variance.

Andrew Shrank of Highlands Engineering, representing 23rd Street Apartments LLC, explained that the three apartment buildings, now operated as low-income housing by AEL Corporation, have garages but very limited off-street parking. He noted that on-street parking on the south side is heavily used by residents of the duplexes on the north side, leaving inadequate parking for apartment residents and staff, many of whom have limited mobility. The applicant proposed adding approximately 15 parking stalls along the north property line, the only available green space, which would require removing the 15-foot landscape buffer.

Shrank described the site plan and photos included in the application, explaining how added parking would reduce congestion, improve snow removal, and increase safety. Mike Klein, CFO of AEL Corporation, added that parking in front of garage units obstructs tenant access and that vehicles from neighboring properties frequently park along the apartment frontage. He emphasized the need for close parking for staff providing 24-hour support services and stated the owner would hire professional landscapers to enhance and unify the property. The board discussed existing green space behind the buildings, with the applicant clarifying that garages limit access to those areas, making them unusable for parking. Board members reviewed parking stall layout shown in the packet; Shrank explained that several proposed stalls would be accessed directly between garage units using existing pavement.

Further discussion addressed drainage, sight distance, and compliance with pre-application requirements. Shrank stated that all conditions had been met, including lot consolidation and previously vacated easements. Building Official Leonard Schwindt confirmed impervious coverage would remain compliant and noted that inquiries had been received about the request but no opposition. No public comments were submitted. The board acknowledged that staffing needs associated with the facility's current use likely increased parking demand. A motion was made recommending approval of the variance to reduce the landscape depth to zero feet,

subject to stated conditions, as meeting municipal code requirements and supporting public health, safety, and welfare.

Motion made by Bosch, Seconded by Ernst.

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

3. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

4. OTHER BUSINESS

5. ADJOURNMENT

Motion to adjourn at 7:53AM.

Motion made by Bren, Seconded by Ernst.

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

Link for viewing Board of Adjustment Meeting:

https://youtube.com/live/r_NqvbdFak8

This link will not be live until approximately 7:25 AM MT on January 12, 2026.

Teams Meeting: <https://tinyurl.com/yyt3245m>

Teams Meeting ID: 262 039 406 233 28

Teams Phone #: 1-701-506-0320

Local Phone #: 701-456-7006

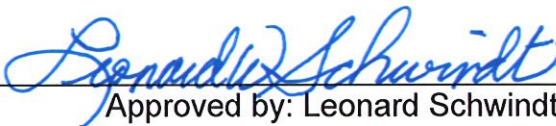
Meeting Passcode: GK6ac6ok

Phone Conference ID: 494 167 109#

Persons desiring to attend the meeting who require special accommodations are asked to contact the City Administrator at (701) 456-7744 by the Friday preceding the meeting.



Prepared by: Kylee Zastoupil, Administrative Assistant
Community Development & Engineering



Approved by: Leonard Schwindt, Building Official