



PRE-APPLICATION RESPONSE

COMMUNITY DEVELOPMENT

April 13th, 2026

Nick Jensen
Western Edge Surveying PLLC
PO Box 168
Dickinson, ND 58601

nick.jensen@westernedgesurveying.com

RE: March 31, 2026 Pre-application Meeting Response Letter Regarding: 2845 10th Avenue East, Dickinson, ND 58601. SE4 N697' Less N160'XE600' 27-140-96 40 Acres

Dear Mr. Jensen:

Thank you for meeting with City staff on March 31, 2026 for a discussion regarding your development request. This letter serves as an outline of the request, a summary of the pre-application meeting discussion, and responses from the following City of Dickinson departments:

- Planning;
- Building;
- Engineering;
- Fire;
- Assessing; and
- Public Works.

Please carefully review all the information provided within this letter. Staff will remain available to answer any further questions before, during, and after development applications. Links to resources regarding development application processes are located at the end of this letter.

In Attendance:

Nick Jensen - Surveyor

Jason Tormaschy - Owner

Natalie Birchak, City Planner

Leah Upchurch, Public Works

Chris Dickinson City Assessor

Deb Kirschenheiter, Deputy Assessor

Josh Skluzacek, City Engineer/Community Development Director

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Leonard Schwindt, City Building Official
Mark Selle, Deputy Fire Chief
Steve Josephson, City/County Planner
Matt Hanson, Deputy Police Chief
Kris Keller, Senior Engineer
Dan Minor, Project Engineer
Greg Melchior, Construction Project Manager
Sylvia Miller, Executive Assistant - Community Development
Ben Rae, Park and Rec Director

Executive Summary: The property owner is looking to subdivide the existing property into two separate lots. Both resulting lots will be less than 40 acres, and right-of-way must be dedicated on the eastern and western sides of the property, so a major subdivision will be required.

The applications required will include: **Major subdivision**

Project Description:

"We will be looking to split the existing parcel into two parcels. One containing 30 acres and the other 10-acre parcel will be around the existing house."

Requests/Questions from the applicant:

"Purpose is to sell off the 30-acre parcel, which is already under contract."

Documents provided to the City of Dickinson at the time of the development meeting:

- Pre-Application Request Form
- Site plan

Listed below are the City of Dickinson's comments related to your pre-submittal request:

Planning: The property owner has indicated they are looking to subdivide a property. According to the Municipal Code Section 52-1: Definitions, in order to be considered a minor subdivision, a plat has to meet the following four criteria:

- 1) *"Does not require the dedication of public rights-of-way or the construction of new public streets or public infrastructure;*
- 2) *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;*
- 3) *Does not violate any local, State or federally adopted law, ordinance, regulation, plan or policy; and*
- 4) *Consists of four lots or less."*

4th Avenue East is designated as a collector road. According to the updated Dickinson Transportation Master Plan, 10th Avenue E is planned to be designated as a collector. Based on

the updated collector road sections from the Transportation Master Plan, the property owner must dedicate 40 feet of right-of-way along 4th Avenue East and 50 feet of right-of-way along 10th Avenue East. As the property owner must dedicate right-of-way, the proposed subdivision will be considered a major subdivision. Major subdivisions require one public hearing as a preliminary subdivision plat in front of the Planning and Zoning Commission, then an additional public hearing as a final subdivision plat in front of the Planning and Zoning Commission before receiving final approval from the City Commission.

The site is currently zoned Agricultural (AG). According to Table 62-162-3a. Summary of Site Development Regulations, the minimum lot size for the AG zoning district is 10 acres. The property owner has proposed subdividing the lot into one 10-acre lot and one approximately 30-acre lot being the remainder of the overall property. The proposed subdivision meets the requirements of the AG zoning district and therefore will not require a rezone unless the applicant desires to reduce the proposed 10-acre lot to be less than the minimum acreage required.

The property is located in the Urban Reserve future land use map (FLUM) category. This category encourages urban developments adjacent to City limits and does not permit properties to rezone into the AG or Rural Residential (RR) zoning districts. In the event the 30-acre parcel is to be developed, the developer should be aware of this requirement. Annexation may be discussed prior to the approval of any further subdivision or rezone request.

The property is located within the City of Dickinson's Extra-Territorial Zone (ETZ). The property owner shall reach out to Stark County Weed Control Officer Travis Jepson prior to the submittal of any application to ensure an inspection can be conducted prior to approval.

According to the applicant, no additional development is taking place on the resulting lots. If the 30-acre lot is ever further subdivided, the applicant will be required to provide Will Serve letters from all utilities and service providers; i.e. US Postal Service, electric, natural gas, communications, Southwest Water Authority, etc. Additionally, if the 30-acre lot is further subdivided, the dedication of right-of-way along 29th Street East may be required, and the developer may be required to annex into the City of Dickinson.

Engineering:

- Floodplain: The northeast portion of the proposed subdivision within W90' X S127.4' of Lot 3 of Block 5 of the Hilliard & Manning 3rd Addition is in the FEMA Zone AE, as per FIRM Panel Number 38089C-0192F. The applicant shall include the location of the floodplain on the proposed subdivision plat as a drainage easement.
- Streets: The applicant shall dedicate 40 feet of right-of-way along 4th Avenue East and 50 feet of right-of-way along 10th Avenue East. Access from the approximate 30-acre

parcel onto either 4th Avenue East or 29th Street East would be decided at the time of either a building permit submittal or if the property is ever further subdivided.

- **Traffic:** No additional development is being proposed at this time. This subdivision will not require a traffic study. A traffic impact study will likely be required at the time of future development of the proposed 30-acre lot.
- **Water:** The property is currently serviced by Southwest Water. The property owner shall include an exhibit with any subdivision application indicating the location of Southwest Water infrastructure to ensure no utility easements will be required.
- **Sanitary Sewer:** The property is currently serviced by an existing septic system. The property owner shall include an exhibit with any subdivision application indicating the location of the existing septic system to ensure it is entirely contained within one proposed lot. Additionally, the property owner shall include a utility easement following the existing sanitary sewer main's location through the property if one is not already filed at the Stark County Courthouse.
- **Storm Sewer:** The applicant shall include a drainage easement along the portion of the property located within the floodplain. A stormwater plan will be required if the proposed 30-acre parcel further develops.

Assessing:

No comments.

Fire Department: The property is located in the City of Dickinson's Extra-Territorial Zone (ETZ). Fire service is provided by the Dickinson Rural Fire Department in the ETZ. The property owner shall verify with Rural Fire Chief Jeff Thompson that the property can be serviced.

Parks & Recreation: Park land dedication will not be required of the applicant at this time. However, if the 30-acre parcel is further subdivided and developed in the future, the applicant developing the property can expect to be required to pursue parkland dedication or payment-in-lieu.

Public Works:

No comments.

Buildings: Building fire suppression requirements by the City of Dickinson are no more stringent than the International Building Code. A building permit application will be required to follow the City of Dickinson Municipal Code. Plumbing inspections will be provided by the City of Dickinson. Electric inspections will be provided by the State of North Dakota.

Thank you once again for discussing this development concept with City of Dickinson staff and please do not hesitate to contact staff if you have any questions.

Planning: 701.456.7812 / natalie.birchak@dickinsongov.com

Community Development Administration: 701.456.7020 / sylvia.miller@dickinsongov.com

Sincerely,



Natalie Birchak
City Planner



Joshua M. Skluzacek
Engineering and Community Development
Director

City GIS maps:

<https://cityofdickinson.maps.arcgis.com/home/index.html>

Municipal codes directory:

<https://www.dickinsongov.com/government/page/municipal-code>

Upcoming Planning & Zoning / City Commission meetings:

<https://www.dickinsongov.com/meetings>

Applications Portal:

<https://www.dickinsongov.com/government/page/application-portal>

SCAM ALERT: The City of Dickinson has been made aware of an ongoing scam campaign targeting businesses and citizens with regards to the payment of application fees. The City of Dickinson does not send invoices regarding fees associated with the Planning & Zoning Commission and has no fees outside of the application fee. If you receive any invoices or have questions regarding the validity of an electronic message regarding application fees, please contact City staff at 701-456-7020 or email sylvia.miller@dickinsongov.com to verify it.

Appendices:

- A) Completed Application Requirements and Associated Fees. All applications must be complete and submitted by the first Friday of the month prior to the desired public hearing date.**

Plat (check for additional major plat requirements): \$350.00

Required Documentation:

- Pre-Application Date / Response Letter
- Transmittal letter / narrative describing reason for the application.
- Title Opinion reflecting ownership by Applicant(s)
 - If applicant does not own the subject property, also include affidavit of interests / agent of owner statement indicating legal interest by the property owner.
- Proposed plat map satisfying the following criteria:
 - Name of the subdivision plat (if in City use "addition," if in ETZ use "subdivision").
 - Location of subdivision plat by section, township, and range (to the quarter section).
 - Names and addresses of property owner(s) and registered land surveyor. d. Scale of 1" = 100' or less, shown graphically. e. Date.
 - North point indication (arrow or compass rose).
 - Basis of bearings, as derived from State Plane Coordinates.
 - Indication of both vertical datum and horizontal datum used for the plat.
 - Boundary line of subdivision plat based on an accurate traverse, with angular and linear dimensions.
 - Legal description of property being platted, including any section line right-of-way not previously deeded for subdivision plats within the ETZ.
 - Accurate locations of all monuments. One monument shall be placed at each corner and at each change of direction in the boundary line of the subdivision plat. In addition, one monument shall be noted/ placed at each block corner; at each point of deflection in the interior lot lines; and at the point of curvature and point of tangency of each curve in a street line on both sides of the street. Whether monuments are to be noted or placed prior to recording the plat is based on the location of the subdivision plat.
 - True angles and distances to the nearest official monuments. For subdivision plats adjacent to or within the current corporate limits, a tie to at least one official monument is required. For subdivision plats within the ETZ, ties to two

official monuments are required. For purposes of this requirement, an official monument is an official government monument, such as a section corner or quarter section corner.

- Ties to a minimum of two accepted State Plane Coordinate monuments based on NAD 83 horizontal datum (adjusted 86), units of measurement international feet, ND south zone 3302.
- Elevations referenced to a durable benchmark described on the plat within its location to the nearest hundredth of a foot, with indication of datum used (NAVD88 required for areas with current floodplain information in that datum).
- Exact location, width, and name of all rights-of-way within and adjoining the subdivision plat, and the exact location of all alleys and multi-use trails within the subdivision plat.
- Accurate outlines and legal descriptions of any areas (not including streets, alleys, or public utility easements) to be dedicated or reserved for public use, with the purposes indicated; and of any areas to be reserved by deed covenant for common use of all property owners within the subdivision plat.
- All easements for rights-of-way provided for public services and public utilities.
- All lot numbers and block numbers and lot lines, with accurate dimensions in feet and hundredths.
- Square footage or acreage of land within the subdivision plat, each individual lot, each subplot created by ghost platting, and the total area in streets. If the subdivision plat crosses a quarter-section line, the acreage within each quarter section must also be noted.
- Radii, deltas, and lengths of all curves based on arc definitions.
- Location and dimensions of non-access lines and access points within a continuous non-access line.
- 100-year floodplain and floodway elevations and topographic contours with a minimum contour interval of 2 feet for any portion of the subdivision plat within a designated floodplain, with indication of datum used (NAVD88 required for areas with current floodplain information in that datum).
- For any waterways or bodies of water within or adjacent to the subdivision plat, the present shoreline locations (relative to the meander line).
- Certification by the registered surveyor that the subdivision plat represents a survey made by him/her, or under the surveyor's direct supervision, and that the monuments shown thereon are accurate, all required monuments have been set, and that all dimensional and geodetic details are correct.
- Notarized certification by all owner(s) of the land of adoption of the subdivision plat and dedication of sewers, water distribution lines, streets, public areas, and

other improvements. If there are multiple owners, the specific lot(s) owned by each must be specified.

- All easements for stormwater management facilities shall be shown and dedicated.
- Final Plat Recording (after approval)
 - Must be printed on 24x36 Mylar (2 copies)
 - Must use all **BLACK** ink. Blue ink is not allowed per Century Code.
 - Please have County Recorder, Kim Kasian, review plat before producing for recording. [Kim Kasian <KKasian@starkcountynd.gov>](mailto:KKasian@starkcountynd.gov)