

RIVERVIEW COTTAGES PLANNED UNIT DEVELOPMENT (PUD)

1. Legal Description of Property

Current: Lots 20-24, Block 1 of the Replat of Riverview Addition and Lots 15-20, Block 2 of Fischer's Addition City of Dickinson, ND

Proposed: Lots 1-5, Block 1 of Riverview Cottages 1st Addition and Lots 1-5, Block 1 of Riverview Cottages 2nd Addition in the City of Dickinson, ND.

2. Purpose Statement

The provisions of this PUD are intended to allow for existing duplex buildings along 2nd Ave SW to be subdivided so that each existing building can be located on its own lot. Creating the ability to own individual buildings on this property, as opposed to leasing, has the "pride of ownership" effect that encourages continued investment and maintenance of property by each owner since this investment can pay owners back as increased property value.

3. Underlying Zoning District

The underlying zoning district for this Planned Unit Development (PUD) is *Medium Density Residential (R2)*. In accordance with §39.05.008 *Site Development Regulations* of the City of Dickinson Municipal Code, this property shall conform to the requirements of this underlying zoning district except as otherwise indicated within this PUD document.

4. Minimum Lot Size

The following shall be the minimum lot size and widths allowed within this PUD property:

- Minimum Lot Area Allowed: 7,750 square feet
- Minimum Lot Width Allowed: 39 feet

5. Building Setback Requirements

All existing and future buildings shall meet the setback requirements of the current City of Dickinson code at the time of construction, with the exception of the existing legally nonconforming structures on this site.

Five (5) of the existing structures within this site (having house numbers 328, 335, 344, 360, and 363) do not meet the current 25-foot minimum front yard building setback requirement of the City of Dickinson Zoning Code. These structures have front yard building setbacks that vary from ±8.1-foot minimum to ±12.3-foot maximum. These existing duplex structures that do not meet the R-2 minimum front yard setback requirements shall be considered legally nonconforming structures in accordance with Section 39.11.004 of the Zoning Ordinance, and they shall be allowed to remain as constructed as allowed by the City's Zoning code. According to Section 39.11.005.f., should a structure occupied by a lawful nonconforming use be damaged to the extent that the cost of restoration exceeds 50% of the replacement cost of the structure, the nonconforming use shall no longer be permitted. Therefore, all future structures will need to meet the minimum building setback requirements of the City's code at the time of construction.

6. Off-street Parking Requirements

The minimum number of parking stalls required for each lot shall be in accordance with the following table. This parking shall be owned and maintained by the lot that they are located within or the lot that they adjoin where parking is partially within the City right-of-way at the front of the lots.

Table 1: Required Off-Street Parking Stalls

Lot	Block	Subdivision	Minimum Off-Street Parking Stalls
1	1	Riverview Cottages 1 st Addition	2
2	1	Riverview Cottages 1 st Addition	3
3	1	Riverview Cottages 1 st Addition	2
4	1	Riverview Cottages 1 st Addition	3
5	1	Riverview Cottages 1 st Addition	2
1	1	Riverview Cottages 2 nd Addition	Per City Code
2	1	Riverview Cottages 2 nd Addition	5
3	1	Riverview Cottages 2 nd Addition	0
4	1	Riverview Cottages 2 nd Addition	5
5	1	Riverview Cottages 2 nd Addition	2

This parking count ensures that the existing number of parking stalls on this site is maintained, and two new parking stalls are added for the two northernmost lots of this PUD. This will maximize parking off-street parking for this property in locations where it is feasible due to the existing building locations.

Should a structure within one of these proposed lots be damaged to the extent that the cost of restoration exceeds 50% of the replacement cost of the structure, this reduction in off-street parking shall no longer be permitted and off-street parking shall be provided in accordance with the current code of the time of reconstruction.

7. Water and Sanitary Sewer Services

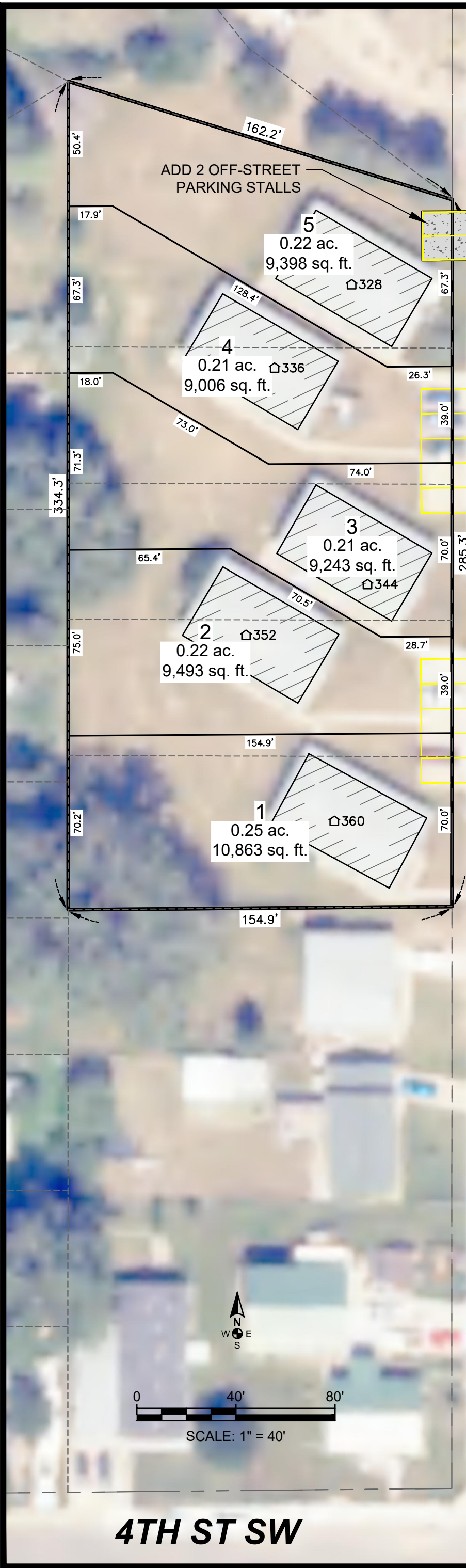
According to as-built utility information provided by the City, each existing building has an individual water and sanitary sewer service line. Each lot within this PUD shall continue to have its own individual water and sanitary sewer service line.

ENCLOSURES:

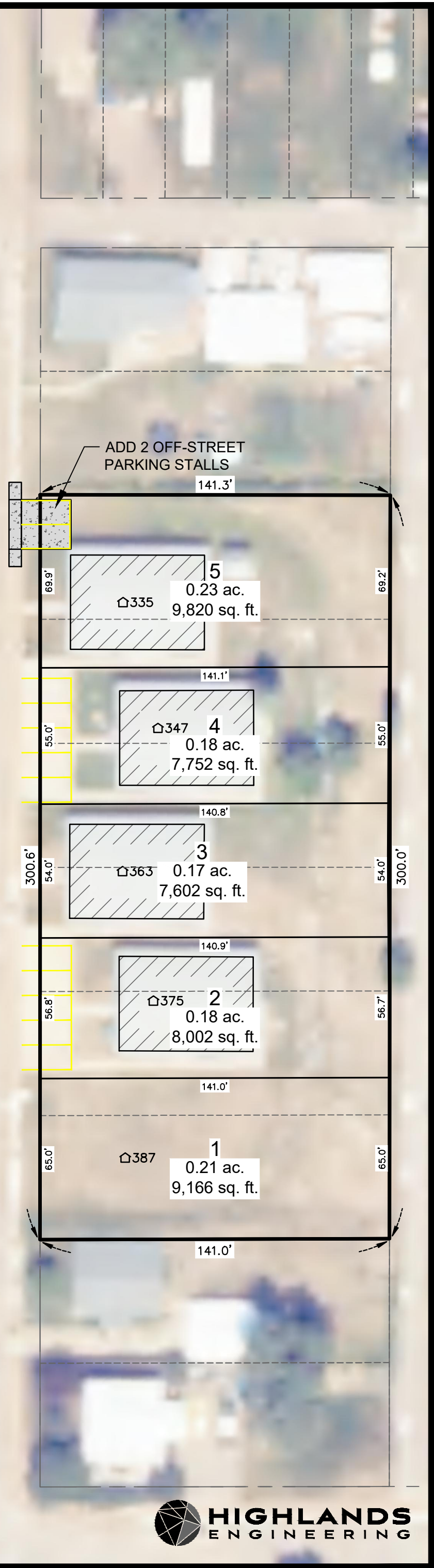
Enclosure A: PUD Site Layout

ENCLOSURE A

PUD Site Layout



2ND AVE SW



4TH ST SW