



PLANNING & ZONING MEETING MINUTES

April 19, 2023

Watch Planning & Zoning Meetings at www.dickinsongov.com

OPENING CEREMONIES AND PRESENTATIONS

CALL TO ORDER

Chairman, Jason Fridrich, called the meeting to order at approximately, 7:10am.

ROLL CALL

Present Were:

Chairman: Jason Fridrich

Vice Chairman: Scott Bullinger

Commissioners: Dean Franchuk, Troy Bosch, Val Decker, Rick Haugen, Aaron Johansen, Mike Schwab,
~~Jo Marie Kadrmas~~

Absent: Jo Marie Kadrmas

Ex-Officio Members: ~~Mayor Scott Decker~~, Interim Planner Steve Josephson, City Attorney
Christina Wenko

Staff Also Present: City Engineer/Community Development Director, Josh Skluzacek

I. ORDER OF BUSINESS

Chairman Fridrich asks if there are any additions or corrections to the Order of Business, there are no changes.

Motion to approve the order of business as presented.

MOTION BY: Scott Bullinger

SECONDED BY: Troy Bosch

DISPOSITION: Vote... Aye 8, Nay 0, Absent 1

Motion carried unanimously.

II. MINUTES – Meeting minutes dated March 15th, 2023.

Motion to approve meeting minutes as presented.

MOTION BY: Val Decker

SECONDED BY: Aaron Johansen

DISPOSITION: Vote... Aye 8, Nay 0, Absent 1

Motion carried unanimously.

III. AGENDA – ACTION ITEMS

1. **FUTURE LAND USE MAP AMENDMENT (FLM-001-2023)** - To consider a Future Land Use Map Amendment from INDUSTRIAL to RESIDENTIAL for a property legally described as Lot 2 Block 1 of the Browns Second Subdivision with an address of 4326 1st Avenue East located in the City of Dickinson's Extra Territorial Zone. The property consists of +/-6.09 acres.

Interim Planner, Steve Josephson presents the request to the commissioners. He explains this is currently zoned for future industrial, and the applicant would like to change it to rural residential so he can create a one-acre lot. Staff recommends denial. Henry Brown and his daughter are present. He explains they would like to build a second home on the six acres. This is all the property he owns in the area. This subdivision was recently split in order for them to split the shop from the home. Chairman Fridrich explains that spot zoning is difficult to get approved, and would have probably been grandfathered in before we adopted the comprehensive plan. Mr. Brown states he was not aware of the comp plan or FLUM.

Mr. Josephson presents the background on the property. He shows the commissioners a map showing where the property is on the FLUM. AG does not allow for one acre lots so it would need to be changed to RR. They would need to get the FLUM changed first in order to rezone. This property was originally platted by the applicant and was replatted in 2019, and rezoned one of the lots where the shop is located. Staff has visited the area and it is trending Industrial through that area. The city has recently approved expanding infrastructure to the land adjacent to that area. Staff found this to be incontinent with the comprehensive plan for approval. It would not be consistent with the adjacent land uses. There would be uses that would not be compatible with a residential area. The City did present an alternative to build an accessory dwelling on that structure. They would be limited to 900 sf, if they wanted a residence at that location.

Mr. Bosch asks if 900sf is the total, and that is the case. Mr. Josephson states they may be able to request a variance.

Mr. Josephson states Mr. Skluzacek received a call from an adjacent property owner that was in opposition to the item.

Mr. Brown states he doesn't want to cause problems, but the accessory structure might work for him, but he would like something bigger. Mr. Fridrich suggest he come in for a variance if he would like to go larger. Mr. Browns daughter hands out a packet to the commissioners showing that this is their home and the views from the home. She explains this was his dream home and they did not receive notice of the FLUM. The pictures show there are still homes in the area. They didn't realize what a fight this would be, and they would like to raise their family there. Mr. Schwab asks if they utilize the section line – Mr. Brown explains they do not.

Chairman Fridrich opens the public hearing. There being no comment the public hearing is closed.

Ms. Decker states this is a beautiful home, and with the option to build the 900 ft and ask for a variance she believes we could table this until he has the option to ask for that variance. Mr. Fridrich agrees they have a few different avenues available to them.

Motion to table the item.

MOTION BY: Val Decker

SECONDED BY: Scott Bullinger

DISPOSITION: Vote... Aye 8, Nay 0, Absent 1

Motion carried unanimously.



PLANNING & ZONING MEETING MINUTES

April 19, 2023

IV. PUBLIC ISSUES OF CITY CONCERN NOT ON THE AGENDA

V. ITEMS NOT ON THE AGENDA

- a. Fridrich asks for a work session on barndominiums and accessory structures ordinances. Mr. Skluzacek says we can look at that for the June or July meeting

VI. WORK SESSION

VII. ADJOURNMENT

MOTION BY: Decker

SECONDED BY: Schwab

Adjournment of the meeting at approximately 7:38 AM

DISPOSITION: Motion carried unanimously.

PREPARED BY:

Sylvia Miller

APPROVED BY: