



City of Grand Forks

Staff Report

Planning & Zoning Commission – November 5, 2025

City Council – November 17, 2025

**APPROVED & ACCEPTED**  
by City Council

11/17/2025

*Maureen Storstad*  
Maureen Storstad  
City Auditor

**Item 3-2 (Final) – Variance to Subdivision Regulation Request**

**Title:** Resolution to amend access control for Lot 3, Block 1, Danks Fourth Resubdivision

**Applicant:** AE2S

**Owner:** Grand Forks Children’s Museum

**Prepared By:** Haylie Grasser, Planner

**Submitted By:** Ryan Brooks, Director of Planning & Community Development

**Purpose:** Allow for access control for driveway to be located west of current location

**Staff Recommendation**

**Staff recommends approval of a resolution to amend access control for Lot 3, Block 1, Danks Fourth Resubdivision.**

**Application Status**

**November 5, 2025 – Planning and Zoning Commission Recommended Action:** Motion by Arel, second by Matson for approval of request. Motion carried unanimously.

**November 17, 2025 – City Council Action:**

Motion by Sande, second by Vein to approve on consent agenda. Motion passed unanimously.

**Background and Discussion**

- The Grand Forks Children’s Museum is looking to amend the access control that was originally platted for Danks Fourth Resubdivision. The public right away on the south side of the property is currently platted for a 21.5 wide opening, 180 ft back from the corner of 17<sup>th</sup> Ave S and S 42<sup>nd</sup> St.
- The proposed change is increasing the access to a 26 feet opening and moving it further west bond to 218 feet from the intersection. The additional width is needed to accommodate bus turning radius and the additional distance from the intersection is preferred for traffic flows and safety.

**Findings of Fact**

- Request is to amend the access control allowing a driveway further west on 17<sup>th</sup> Ave S.
- Variance to subdivision regulations are permissible if conditions outlined in 18-0912 are met:

**18-0912. Variances.**

- (1) *General conditions.* The planning and zoning commission may grant a variance from the subdivision regulations of this chapter when, in its opinion, undue hardship may result from strict compliance. In recommending any variance, the planning and zoning commission shall prescribe only conditions that it deems necessary to or desirable for the public interest. In making its findings, as required hereinbelow, the planning and zoning commission shall take into account the nature of the proposed use of land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No variance shall be recommended unless the planning and zoning commission finds:
- (A) That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.
  - (B) That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
  - (C) That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.
  - (D) That the granting of the variance will not conflict with the intent of the Grand Forks Comprehensive Plan.
- Variance amendments require action by both the Planning and Zoning Commission and the City Council.
  - Resolutions are recorded and run with the property.

**Attachments**

- Variance Exhibit
- Plat of Danks Fourth Resubdivision
- Resolution to amend access control



# DANKS FOURTH RESUBDIVISION

LOT 2, BLOCK 1

S89° 33' 33"W  
442.20'

LOT 3, BLOCK 1

130,264 SF

294.59'  
S0° 00' 00"E

ACCESS CONTROL VARIANCE

20' UTILITY EASEMENT

26.0'

218'

442.20'

SOUTH 42ND STREET  
(LEVEL 4 ACCESS CONTROL)

30' UTILITY EASEMENT

294.59'

49.61'

183.74'

17TH AVENUE SOUTH  
(LOCAL ACCESS CONTROL)

ACCESS CONTROL ON PLAT

100 YEAR FLOOD PLAIN LINE



## NOTES

LEGAL DESCRIPTION:  
LOT 3, BLOCK 1, DANKS FOURTH  
RESUBDIVISION

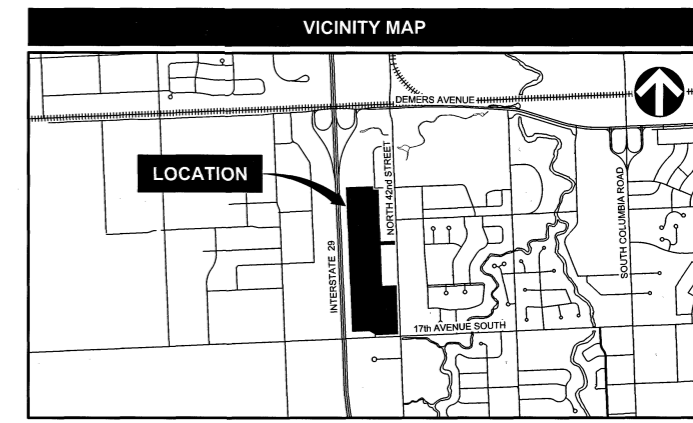
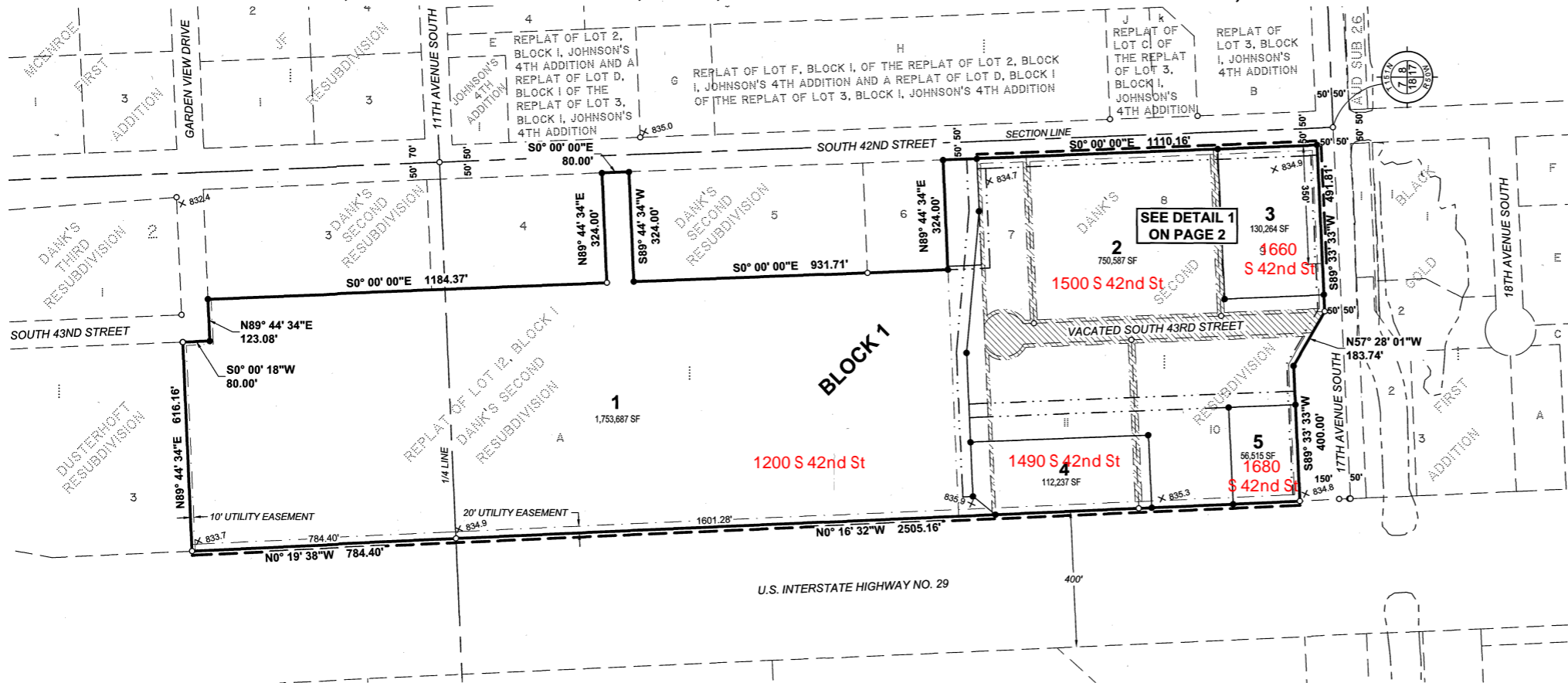
1. A SINGLE 26' WIDE OPENING IN THE ACCESS CONTROL ALONG 17TH AVENUE SOUTH WILL BE ALLOWED TO PROVIDE ACCESS FROM WEST BOUND 17TH AVENUE SOUTH ONLY TO THE SITE. NO EGRESS WILL BE ALLOWED FROM THE SITE THROUGH THIS OPENING.



### GFCM ACCESS CONTROL VARIANCE REQUEST

# DANKS FOURTH RESUBDIVISION

## A REPLAT OF LOTS 7-11, BLOCK 1 AND THE ADJACENT VACATED SOUTH 43RD STREET RIGHT-OF-WAY, DANKS SECOND RESUBDIVISION AND LOT A, BLOCK 1 OF THE REPLAT OF LOT 12, BLOCK 1, DANKS SECOND RESUBDIVISION TO THE CITY OF GRAND FORKS, NORTH DAKOTA



- LEGEND**
- EXISTING IRON MONUMENT
  - SET MONUMENT THIS SURVEY
  - 5/8 DIA. REBAR WITH CAP
  - MARKED LS-4185
  - PLAT BOUNDARY
  - NEW LOT LINE
  - EXISTING LOT LINE
  - NEW EASEMENT LINE
  - EXISTING EASEMENT LINE
  - ACCESS CONTROL
  - 100 YEAR FLOOD PLAIN
  - SECTION LINE
  - SPOT GROUND ELEVATIONS (NAVD 1988)
  - VACATE STREET AND UTILITY EASEMENTS PER DOC NO. 845878

**NOTES**

**BASIS OF BEARING:** EAST LINE OF DANKS SECOND RESUBDIVISION TO THE CITY OF GRAND FORKS, NORTH DAKOTA. ALL DISTANCES ARE GROUND DISTANCES.

**VERTICAL DATUM:** NAVD88

**FLOODPLAIN:** 100 YEAR FLOOD PLAIN ELEVATION 825.00 IS BASED ON FIRM PANEL 0589 OF 1045, COMMUNITY PANEL NUMBER 38035C0589E DATED DECEMBER 17, 2010. NO LANDS WITHIN THE PLAT BOUNDARY LYE WITHIN THE 100 YEAR FLOOD PLAIN.



### OWNERS CONSENT AND DEDICATION

We, the undersigned, being all the owners of the land platted herein, to be known as "DANKS FOURTH RESUBDIVISION TO THE CITY OF GRAND FORKS", do hereby voluntarily consent to the execution of said plat, containing 2,803,290 square feet or 64.35 acres, more or less. We hereby dedicate the streets, alleys, parks and public grounds as shown thereon, including all sewers, culverts, bridges, water distribution lines, sidewalks and other improvements on or under such streets, alleys, parks and public grounds, whether such improvements are shown or not, to the public use forever. We agree not to vacate any portion of this plat without the consent of the Planning and Zoning Commission and the City of Grand Forks. We also hereby dedicate easements, to run with the land, for access and water, sewer, gas, electric, telephone, or other public utility lines or services under, on, or over those certain strips of land designated hereon as "Utility Easements", "Sidewalk & Utility Easements", and "Access Easements". We consent to any access control to the property designated on the plat and further agree to prohibit any and all ingress or egress across those lot lines designated hereon as having "access control." Said parcel is described as follows:

LOTS 7-11, BLOCK 1 AND THE ADJACENT VACATED SOUTH 43RD STREET RIGHT-OF-WAY, DANKS SECOND RESUBDIVISION AND LOT A, BLOCK 1 OF THE REPLAT OF LOT 12, BLOCK 1, DANKS SECOND RESUBDIVISION TO THE CITY OF GRAND FORKS, NORTH DAKOTA

Owner:  
THE CITY OF GRAND FORKS, A NORTH DAKOTA MUNICIPAL CORPORATION

By: *Brandon Bochenski*  
Brandon Bochenski, Mayor

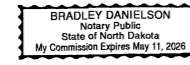
Attest: *Maureen Storstad*  
Maureen Storstad, City Auditor



STATE OF NORTH DAKOTA )  
COUNTY OF GRAND FORKS )

On this 27<sup>th</sup> day of January, 2025, before me, a notary public, personally appeared Brandon Bochenski, Mayor, and Maureen Storstad, City Auditor, City of Grand Forks, a North Dakota Municipal Corporation and acknowledged the execution and signing of the above certificate.

*Bradley Danielson*  
Notary Public  
State of North Dakota  
My commission expires: May 11, 2026



### CERTIFICATE OF SURVEY

I, Steven E. Swanson, Professional Land Surveyor in the State of North Dakota, hereby certify that this map is a true and correct representation of a survey performed by me or under my direct supervision on or before October 15, 2024. All distances and measurements are true and correct to the best of my knowledge and belief and all monuments are placed in the ground as shown.

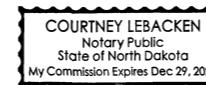
*Steven E. Swanson*  
Steven E. Swanson, PLS  
North Dakota Professional Land Surveyor, LS-4185



STATE OF NORTH DAKOTA )  
COUNTY OF GRAND FORKS )

On this 23<sup>rd</sup> Day of January, 2025, before me, a Notary Public in and for said County and State, Personally appeared Steven E. Swanson, and acknowledged the execution and signing of the above certificate.

*Courtney Lebacken*  
Notary Public  
State of North Dakota  
My commission expires: 12-29-28



### APPROVAL BY CITY COUNCIL

The City of Grand Forks, North Dakota has approved the subdivision of land shown hereon on this 21<sup>st</sup> day of January, 2025; has accepted the dedication of all streets, alleys, easements, and other public ways shown hereon lying within the corporate limits of the City of Grand Forks; has accepted and has ordered the vacation of streets, alleys, easements and public ways of a subdivision previously recorded with the Register of Deeds of Grand Forks County.

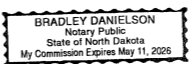
*Maureen Storstad*  
Attest: Maureen Storstad, City Auditor



STATE OF NORTH DAKOTA )  
COUNTY OF GRAND FORKS )

On this 27<sup>th</sup> Day of January, 2025, before me, a Notary Public in and for said County and State, Personally appeared Maureen Storstad, Auditor for the City of Grand Forks, North Dakota and acknowledged the execution and signing of the above certificate.

*Bradley Danielson*  
Notary Public  
State of North Dakota  
My commission expires: May 11, 2026



### PLANNING AND ZONING COMMISSION APPROVAL

The Subdivision of land shown hereon has been approved by the Planning and Zoning Commission of the City of Grand Forks, on this 27<sup>th</sup> day of January, 2025 in accordance with the laws of the State of North Dakota, ordinances of the City of Grand Forks, and regulations of said Planning and Zoning Commission. In witness thereof are set the hands and seals of the President and Secretary of the Planning and Zoning Commission of the City of Grand Forks.

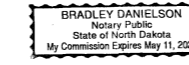
*Steven Wasvick*  
Steven Wasvick, President

*Meggen Sande*  
Meggen Sande, Secretary

STATE OF NORTH DAKOTA )  
COUNTY OF GRAND FORKS )

On this 5<sup>th</sup> Day of February, 2025, before me, a Notary Public in and for said County and State, Personally appeared Steven Wasvick, President and Meggen Sande, Secretary of the City of Grand Forks Planning and Zoning Commission and acknowledged consent and dedication to have been executed at the direction and on behalf of the City of Grand Forks Planning and Zoning Commission.

*Bradley Danielson*  
Notary Public  
State of North Dakota  
My commission expires: May 11, 2026



### APPROVAL OF THE CITY ENGINEER

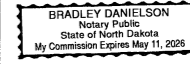
On this 6<sup>th</sup> day of Feb., 2025, I, Allen R. Grasser, City Engineer for Grand Forks, North Dakota, hereby certify that I have reviewed this plat and find that it meets applicable design criteria as specified by City ordinances and the North Dakota Century Code.

*Allen R. Grasser*  
Allen R. Grasser, City Engineer

STATE OF NORTH DAKOTA )  
COUNTY OF GRAND FORKS )

On this 10<sup>th</sup> Day of February, 2025, before me, a Notary Public in and for said County and State, Personally appeared Allen R. Grasser, The City Engineer for the City of Grand Forks, North Dakota and acknowledged the execution and signing of the above certificate.

*Bradley Danielson*  
Notary Public  
State of North Dakota  
My commission expires: May 11, 2026



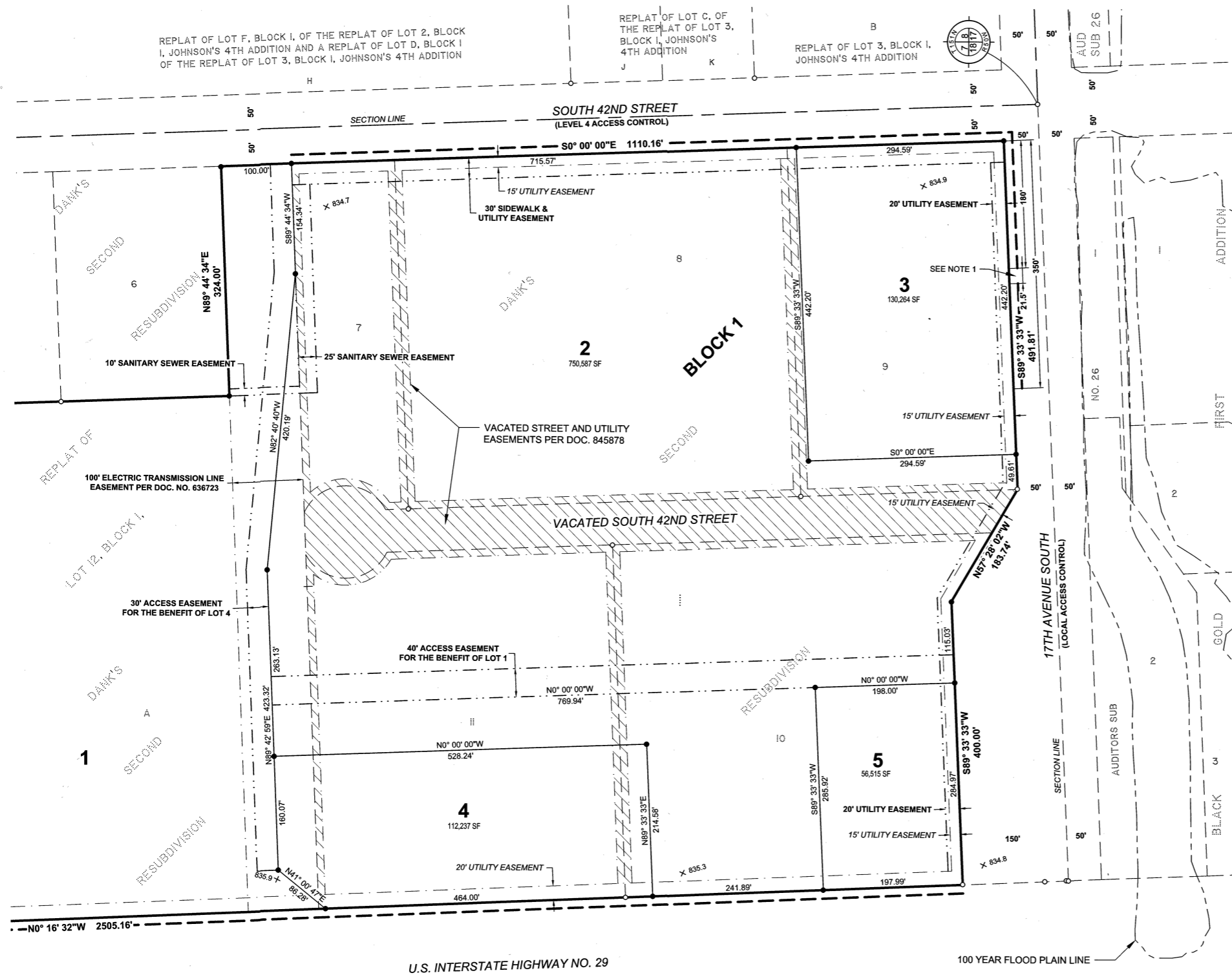
AUDITOR'S OFFICE  
COUNTY OF GRAND FORKS, NORTH DAKOTA  
February 10 20 25  
TRANSFER ENTERED  
*Heather Damas*  
Auditor  
Deputy

846235 1 of 2  
GRAND FORKS COUNTY Recorded: 2/10/2025 at 11  
Return To: OFFICE RECORDS (GRAND FORKS CITY)  
151 S. 4TH ST  
GRAND FORKS, ND 58201  
846235 \$20.00  
RECORDER'S OFFICE, GRAND FORKS CO., ND 2/10/  
I certify that this instrument was filed for record in the  
GARLYNN HELMOSKI, County Recorder  
BY: *Heather Damas*



# DANKS FOURTH RESUBDIVISION

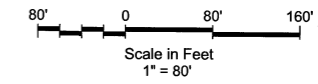
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### DETAIL 1



NORTH



### LEGEND

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846235 2 of 2  
 GRAND FORKS COUNTY Recorded: 2/10/2025 at 11  
 Return To: OFFICE RECORDS (GRAND FORKS CITY)  
 151 S. 4TH ST  
 GRAND FORKS, ND 58201





Maureen Storstad, Mayor and Director of Finance and Administrative Services, respectively, of the City of Grand Forks, known to me to be the persons named herein and who executed the foregoing Resolution.

\_\_\_\_\_  
Notary Public

The foregoing having been approved by the Grand Forks Planning and Zoning Commission on the \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
President – Steve Wasvick

\_\_\_\_\_  
Secretary – Meggen Sande

STATE OF NORTH DAKOTA    )  
  ) SS  
COUNTY OF GRAND FORKS    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, a Notary Public within and for said County and State, personally appeared Steve Wasvick and Meggen Sande, the President and Secretary, respectively, of the Grand Forks Planning & Zoning Commission, known to me to be the persons named herein and who executed the foregoing Resolution.

\_\_\_\_\_  
Notary Public