



STAFF REPORT

To: City Commission
From: City of Dickinson Building and Codes Department
Date: 12/5/2023
Re: Demolition – 405 2nd Avenue West, Dickinson, ND 58601

OWNER/APPLICANT

Williams County Detention Center
 Attn: Joshua Olson
 223 East Broadway
 Williston, ND 58801

Joshua Olson
 405 2nd Ave West
 Dickinson, ND 58601

PennyMac Loan Services, LLC
 3043 Townsgate Road, Suite 200
 Westlake Village, CA 91361

Halliday Watkins & Mann, PC
 Attn: Benjamin Mann
 376 East 400 South, Suite 300
 Salt Lake City, UT 84111

Public Hearings: {12/5/2023}

City Commission

REQUEST

- A. Request:** to demolish the structures on an R3 zoned lot per section 7.030, 7.030.010, 7.030.020 & 7.030.030 of the Dickinson Municipal Code
- B. Project Address/Legal Description/Area:** 405 2nd Avenue West / E101' Lot 6, Block 29, Original Plat

STAFF REVIEW AND RECOMMENDATIONS

- A. Public Input:** Code enforcement has been contacted by neighboring property owners approximately 8 times with concerns, Code enforcement has dispatched police department one time
- B. Staff Recommendation:** approval of the demolition of the structures on noted property

Table I: Current Zoning and Use

ZONING	R3
FUTURE LAND USE MAP DESIGNATION	R3

GROSS SITE ACREAGE	.116
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Table II: Current Adjacent Land Use/Zoning

Direction	Zoning	Land Use
North	R3	Single family detached
East	R3	Single family detached
South	R3	Single family detached
West	R3	Single family detached

Attachments:

- A - Application Material

MOTIONS:

*****Approval*****

“I move the City of Dickinson Commission recommend the demolition of the structures located at 405 2nd Avenue West, subject to the conditions above, as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare “

(AND) the following additional requirements (IF THE CITY COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*“I move the Dickinson Commission recommend Denial of **the demolition of the structures located 405 2nd Avenue West** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare.”*

APPLICATION MATERIALS

ATTACHMENT A

Aerial Photo:



Attachment B:**405 2nd Ave W Timeline**

5/17/2017 – PD dispatched for mental health check

8/9/2017 – First violation letter sent for property maintenance (Sections 24.08.020 & 39.06.009 of the Dickinson Municipal Code (DMC))

5/23/2018 – Grass and weed letter sent - completed (Section 302.4 of the International Property Maintenance Code (IPMC))

7/11/2018 – 2nd letter for sent for property maintenance (Sections 302.1, 308.1, 308.2 & 308.3 of the IPMC)

5/22/2019 – Grass and weed letter sent (section 302.4 of the IPMC) – was not completed

6/3/2020 – 3rd property maintenance letter sent (Section 24.08 of DMC, Sections 302.1, 308.1, 308.2, 308.2.1 & 308.3 of IPMC), noted sticker from Safeguard Properties (property management company for the mortgage company)

1/12/2021 – letter to Safeguard Properties (Steve Neal) for property maintenance (Section 24.08 of the DMC) & listing property as a Dangerous Building (water off since 2015 – unfit for human occupancy, Sections 7.030 & 7.030.030 of DMC & Section 108.1.3 of IPMC), requested inspection to determine if the home could become habitable

2/19/2021 – interior access granted by Safeguard Properties; inspection completed

3/9/2021 – based on findings from inspection, letter sent deeming the structure as a Dangerous Building per section 7.030 & 7.030.030 of DMC, condemnation process began, Building placarded as unfit for human occupancy due to no water

6/14/2021 – grass and weed letter sent (section 302.4 of IPMC) – was not completed

6/22/2021 – Notice of Demolition per sections 7.030, 7.030.010, 7.030.020 & 7.030.030 of the DMC sent to Penny Mac Loan Services (no known address for property owner, contacted legal to find most current address)

6/15/2022 – PD dispatched due to vandalism

7/12/2022 – Property owner address acquired; all previous notices forwarded to new address

8/11/2022 – Grass and weed letter sent (section 302.4 of IPMC) – completed

10/13/2022 – information sent to Legal team

11/11/2022 – email from legal team requesting City Administrator to work case into a commission meeting & a flash drive with information, flash drive was delivered same day

6/29/2023 – grass and weed letter sent – was not complete

7/28/2023 – confirmation from Police Department that they have officers checking on property regularly

Attachment C:









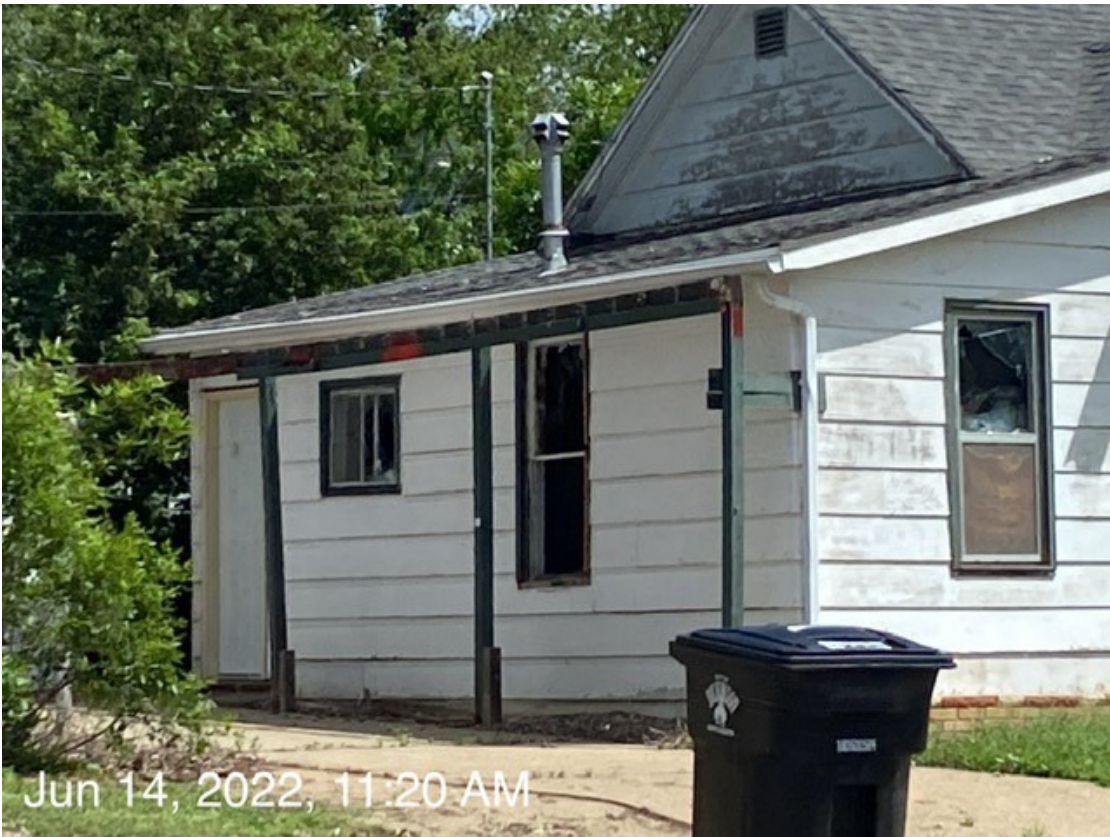








Jun 14, 2022, 11:19 AM



Jun 14, 2022, 11:20 AM





