

September 12, 2024

APPEAL – 972 DELL AVE - WORLEY

Chapter 1 General Provisions of the City of Dickinson Municipal Code include the process of the Adoption of Code.

Section 39.01.003 Purpose. The purposes of the Zoning Ordinance of the City of Dickinson are to:

- a. Serve the public health, safety, and general welfare of the city and its jurisdiction.
- b. Classify property in a manner that reflects its suitability for specific uses.
- c. Provide for sound, attractive development within the city and its jurisdiction.
- d. Encourage compatibility of adjacent land uses.
- e. Protect environmentally sensitive areas.
- f. Further the objectives of the Comprehensive Development Plan of the City of Dickinson. (Ord. No.1171&1.)

The purpose of adopted codes is to safeguard the health, property and public welfare by controlling the design, location, use or occupancy of all buildings and structures through the regulated and orderly development of land and land uses within this jurisdiction. The provisions of this code shall apply to the construction, addition, alteration, moving, repair and use of any building, structure, parcel of land or sign within a jurisdiction, except work located primarily in a public way, public utility towers and poles and public utilities unless specifically mentioned in this code. In fulfilling these purposes, these ordinances are intended to benefit the public as a whole and not any specific person or administration and enforcement of this code, benefits and detriments will be enjoyed or suffered by specific individuals such is merely a byproduct of the overall benefit to the whole community.

City Staff is tasked with enforcement of adopted ordinances. In the event of non-compliance staff follows the City of Dickinson Municipal Code to bring properties into compliance. The noted property was found to be out of compliance, a notice was sent to the property for notification of the violations and the property owner chose to ask the Board of Adjustment for a variance and was denied on August 12, 2024. The owner has the right to appeal to the City of Dickinson Commission and has made the appeal.

City Code is location specific for off-street parking requirements. Section 39.09.008. On June 21, 2022 the City Commission approved ordinance 1754 to allow for additional parking on residential properties. The ordinance was developed based on the need to allow extra parking off street which allows for safer on street parking. A parking pad permit has no fee and is required prior to any work being started. The permit review conducted reviews the site for all relevant codes, including lot drainage, vision clearance, landscaping and percentage of lot coverage.

Staff is asking for adherence to the code and that the unpermitted parking pad be returned to landscape area.

