From:	Jim Nugent
To:	Grp. City Council and City Web Site; Dept. Mayors Office
Cc:	Dept. Attorney
Subject:	FW: 1525 Van Buren
Date:	Thursday, February 24, 2022 10:10:47 AM

From: Eran Pehan <PehanE@ci.missoula.mt.us>
Sent: Thursday, February 24, 2022 8:26 AM
To: Jim Nugent <NugentJ@ci.missoula.mt.us>
Subject: FW: 1525 Van Buren

FYI

Eran Pehan | She/Her
Director
Community Planning, Development & Innovation
406-552-6395 | pehane@ci.missoula.mt.us

Promoting equitable growth and a resilient, sustainable community.

From: Charmell Owens <OwensC@ci.missoula.mt.us>
Sent: Thursday, February 24, 2022 8:23 AM
To: Amber Sherrill <SherrillA@ci.missoula.mt.us>; Kristen Jordan <JordanK@ci.missoula.mt.us>
Cc: Eran Pehan <PehanE@ci.missoula.mt.us>; Walter Banziger <BanzigerW@ci.missoula.mt.us>
Subject: 1525 Van Buren

Good Morning to both of you.

Thank you for calling and inquiring about the case we have with 1525 Van Buren. Yesterday I was out at the ACS site working on a compliance issue and was unable to get back to both of you via phone.

When we investigated the case against 1525 Van Buren last September the complaint was for bees and a conversion of a residential home to a duplex. Neighbors were reporting that the owners were now living in Mexico and that the bees had become an attractant for Bears within the vicinity of 1525 Van Buren. They also reported that work had been done at this location, with a large entry point dug into the foundation.

When I arrived on site I discovered a large entrance to the basement dug out of the foundation and what appeared to be large windows installed. I researched for permits but did not find any for this address location. I also noted 2 mailboxes but nothing noted in the system for a duplex at this location. This is listed as a single family residential property. At that time, I also noted a large colony of bees in a bee box.

Normally our office only involves itself in bee issues, if we see a box that seems unattended, is attracting bears or creating a public nuisance. I made contact with the State Ag Department and they had no records of a current registration at the property. They were however, concerned that a large unattended hive in the Rattlesnake could result in a bear attractant that could be dangerous to neighbors.

I drafted a letter to the property owner asking them to contact us regarding the bees and the work done with no permits. I also told them that if we did not hear from them, the Dept of AG planned to inspect the hive in the Spring and would likely remove it, if it was not registered. This is their protocol when a hive seems unattended in a residential neighborhood. This is also how we handle bee complaints as directed by the City Attorneys office. We don't do any removal or inspection of the hive as we leave that to the Dept of Ag and their program.

Subsequently, we did not hear anything from the property owners for over 7 months. As the case lagged on, I instructed Long Moua, one of our Code Compliance Coordinators to issue a final letter to the property owners. We recently issued a final letter for compliance with building codes or we would be transferring the case to the City Attorneys office.

We were contacted this week by the property owners after our second letter. They said they had been out of the country and recently returned to find both letters. They have been advised to work with building to submit plans for the work that has been done on their property. This will involve submitting building plans and applying for all permits as well as a final inspection by building. They are claiming it is still a single family residence but we did find an ad that was placed that advertises a rental in the basement unit.

As I indicated in my email to the property owners yesterday, we are happy to drop the bee portion of this complaint, if they provide us with a copy of their registration from the Dept of Ag. We will however be pushing forward to bring them into compliance on the work with no permits portion of this case.

If you have any additional questions, please do not hesitate to contact me.

Charmell Owens;
Code Compliance Supervisor
Community Planning, Development and Innovation
435 Ryman
Missoula MT 59802
W - (406) 552-6104
C - (406) 552-2830
owensc@ci.missoula.mt.us

Promoting equitable growth and a resilient, sustainable community