

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 09-24-2012

Item No.: 12.d

Department Approval

City Manager Approval



Item Description: **Community Development Department Request to declare the vacant accessory structure located at 2609 Snelling Curve a hazardous building and to order it's repair/removal or razing.**

BACKGROUND

- The subject property is a vacant accessory structure located behind a vacant single-family home.
- The current owner is Olta Holdings LLC which is currently attempting to sell the property for redevelopment. They have indicated they do not wish to repair the accessory structure or the single-family home because they anticipate a buyer would demolish both structures with redevelopment of the site.
- Under the Hazardous Building Law (Minn. Stat. 463.15-.23) the City may require a property owner to repair/remove hazardous conditions or raze the building if the structure meets the definition of “hazardous building” which is defined as: ‘Any building or property, which because of inadequate maintenance, dilapidation, physical damage, unsatisfactory conditions, or abandonment, constitutes a fire hazard or a hazard to public safety or health.’
 - The accessory structure located at 2609 Snelling Curve exhibits characteristics constituting a hazardous building due to the following conditions:
 - The roof covering of the building on the south side is significantly deteriorated with two large holes completely through the shingles and the roof boards. See pictures attached.
 - The structural elements supporting the roof are deteriorating and the roof is now sagging in these two areas. This indicates that the structural elements are compromised and the roof could collapse, most likely under the weight of a winter snow load. See inspection report attached.
 - The structure was observed unsecured with windows and doors open until it was boarded by the owner after requested by the city.
 - The above listed conditions constitute public safety hazards and public health hazards. Therefore, the accessory structure located at 2609 Snelling Curve qualifies as a Hazardous Building under Minnesota Statutes 463.15-.23 and the City may require the hazardous conditions be repaired/removed or the building razed through voluntary and/or court action.
 - The City did notify the property owner on May 3rd and June 7th of 2012 of these

29 conditions (which constitute City Code violations) and instructed the owner to abate the
30 violations within 30 days. No corrective actions were initiated by the property owner
31 (other than securing the structure) and the conditions described above remain.

- 32 ○ Note: The single family home is also in disrepair. The owner has stated that if they were
33 to demolish the accessory structure they would also demolish the home at the same time
34 to reduce overall costs.

- 35 ● A status update, including pictures, will be provided at the public hearing.

36 **POLICY OBJECTIVE**

- 37 ● Property maintenance through City abatement activities is a key tool to preserving high-quality
38 residential neighborhoods. Both Imagine Roseville 2025 and the City’s 2030 Comprehensive
39 Plan support property maintenance as a means by which to achieve neighborhood stability. The
40 Housing section of Imagine Roseville suggests that the City “implement programs to ensure safe
41 and well-maintained properties.” In addition, the Land Use chapter (Chapter 3) and the Housing
42 and Neighborhoods chapter (Chapter 6) of the Comprehensive Plan support the City’s efforts to
43 maintain livability of the City’s residential neighborhoods with specific policies related to
44 property maintenance and code compliance. Policy 6.1 of Chapter 3 states that the City should
45 promote maintenance and reinvestment in housing and Policy 2.6 of Chapter 6 guides the City to
46 use code-compliance activities as one method to prevent neighborhood decline.

47 **FINANCIAL IMPACTS**

- 48 ● A voluntary abatement of the hazardous conditions by the property owner would not result in
49 additional costs to the City.
- 50 ● A motion in court for summary enforcement abating hazardous conditions would result in
51 additional legal costs for Roseville because the City’s civil attorney does not perform these cases
52 as part of their contract:
 - 53 ○ If the City were to perform an abatement (under the direction of the court) and raze the
54 structure, approximate costs would include:
 - 55 ■ Demolition costs - \$12,000.00
 - 56 ■ Legal costs - \$3,000.00
 - 57 ■ Staff charges - \$2,000.00
 - 58 Total - \$17,000.00
 - 59 ○ The initial costs for a city initiated abatement would be paid from existing Community
60 Development funds. Any and all staff, city attorney and actual costs would be charged to
61 the property owner as specified in Minn. Stat. 463.15-.23 and 407.07.B.

62 **STAFF RECOMMENDATION**

- 63 ● Approve the attached resolution declaring the accessory structure, located at 2609 Snelling
64 Curve, a hazardous building under Minnesota’s Hazardous Building Law and requiring the
65 property owner to repair/remove the hazardous conditions or raze the building, or, the City will
66 motion for a summary enforcement of the order in Ramsey County District Court.

67 **REQUESTED COUNCIL ACTION**

- 68 • Approve the attached resolution declaring the accessory structure, located at 2609 Snelling
69 Curve, a hazardous building under Minnesota’s Hazardous Building Law and requiring the
70 property owner to repair/remove the hazardous conditions or raze the building, or, the City will
71 motion for a summary enforcement of the order in Ramsey County District Court.

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Prepared by: Don Munson, Permit Coordinator

Attachments: A: Map of 2609 Snelling Curve
B: Photo
C: Photo
D: Inspection Report
E: Resolution
F: Resolution Signature Page

ATTACHMENT B



ATTACHMENT C



Attachment D

REPORT ON ROOF AND STRUCTURAL CONDITIONS FOR - 2609 SNELLING CURVE

On Friday the 6th of July Code Enforcement Officer Gerald Proulx made an inspection of the accessory building at 2609 Snelling Curve at the request of the Building Official Don Munson with regards to its structural stability. Enclosed are the findings.

The accessory structure in question is a 40 foot by 22 foot 2 level structure with a main and loft level. It has a hand framed gambrel roof as is commonly seen in the Midwest used for barns. The ridge runs in an east/west direction along the structure length presenting a roof face directly to the north and south. The main level exterior walls consist of concrete block with wood frame interior partitions and a dimensional lumber floor creating a loft just below the rafters.

An observation from the exterior of the structure shows that the south facing side of the roof has deteriorated to a much greater extent than the north side. Several layers of shingles have been deteriorating over the years and have now exposed the wood framing of the compound rafters. This direct exposure to the weather and the preceding years of saturation from failing shingles has compromised the structure through rot of the rafters themselves and additionally their connections to the wall and floor system that ties the building together. Two large openings in the roof are present and have exposed the interior directly to the sky with no resistance to the elements. Presently I would estimate that the south facing half of the roof has approximately 25% of its rafters visibly exposed and completely severed somewhere along their length through the action of decay. Additionally the visible deflection in 25% to 30% of the rafters adjacent to the openings also appear to indicate that they are severed as well. These rafters also are not performing their intended purpose and are most likely not benefitting the roof for support in any fashion.

Gambrel framed roofs typically follow a similar pattern of collapse to other roofs but are often subject to asymmetrical failure. The roof openings in this case on the south side will allow heavy winds to enter the structure and weaken it further. Heavy rain and snow loads take advantage of the decay of the wood members at the floor, roof and wall intersection causing the exterior wall to become detached at the top of the wall and forcing it out of plumb to the exterior. This will eventually cause a collapse that can be sudden in a concrete block wall. The remaining structure will leave large voids on the interior that could be attractive to persons who may be curious and enter the partially collapsed building. Additional collapses are not uncommon and can also be sudden.

The structure may be repaired with considerable effort and expense by an experienced contractor. Demolition of the structure will be more rapid and most likely be the most cost effective process to produce a hazard free environment.

**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

* * * * *

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota was duly held on the 24th day of September, 2012, at 6:00 p.m.

The following members were present: _____ and the following were absent: _____.

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION No.

**DECLARING THE ACCESSORY STRUCTURE LOCATED AT 2609 SNELLING
CURVE A HAZARDOUS BUILDING AND REQUIRING ITS REPAIR OR
RAZING.**

WHEREAS, pursuant to Minn. Stat. 463.15 and 463.261 the City Council of Roseville finds the accessory building located at 2609 Snelling Curve to be a hazardous building for the following reasons:

- The roof covering of the building on the south side is significantly deteriorated with two large holes completely through the shingles and the roof boards.
- The structural elements supporting the roof are deteriorating and the roof is now sagging in these two areas. This indicates that the structural elements are compromised and the roof could collapse, most likely under the weight of a winter snow load.
- The structure was observed unsecured with windows and doors open until it was boarded by the owner after notice by the city.

WHEREAS, the conditions listed above are more fully documented in the inspection report, photographs and, the Request for Council Action which are attached to this resolution as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
ROSEVILLE, MINNESOTA, AS FOLLOWS:**

- That pursuant to the foregoing findings and in accordance with Minn. Stat.463.15 and 463.261, the council orders the record owners of the above hazardous building or their representatives to make the following corrections on the property at 2609 Snelling Curve:

- Repair/replace all compromised structural elements in the accessory structure supporting the roof.
- Repair/replace all compromised roof sheathing in the accessory structure.
- Replace all deteriorated roofing on the accessory structure.
- Repair and re-secure all exterior doors, windows and entrances to the building and remove all plywood boarding;
- That repairs listed above must all be made within 60 days after the order is served upon the property owner. The repairs must be completed in compliance with all applicable codes and ordinances, pursuant to proper permits from the city.
- That if repairs are not made within the time provide above, the building is ordered to be razed, the foundations filled, and the property left free of debris, in compliance with all applicable codes and ordinances, pursuant to proper permits from the city. This must be completed within 30 days after the initial time period provided above has expired.
- That a motion for summary enforcement of the order will be made to the District Court of Ramsey County unless corrective action is taken, or unless an answer is filed within the time specified in Minn. Stat. 463.18, which is 20 days.
- That in accordance with Minn. Stat. 463.24, the owner must remove all personal property and/or fixtures that will reasonably interfere with the work within 30 days. If the property and/or fixtures are not removed and the city enforces this order, the city may sell personal property, fixtures, and/or salvage materials at a public auction after three days posted notice.
- That if the city must take actions to enforce this order all enforcement costs, including attorney fees, will be specially assessed against the property and collected in accordance with Minn. Stat. 463.22, 463.161 and 463.21.
- That the city attorney is authorized to serve this order upon the owner of the premises at 2609 Snelling Curve and all lien-holders of record.
- That the city attorney is authorized to proceed with the enforcement of this order as provided in Minn. Stat. 463.15 and 463.261.

The motion for the adoption of the foregoing resolution was duly seconded by _____; and upon a vote being taken thereon, the following voted in favor thereof _____; and the following voted against the same: _____.

WHEREUPON said resolution was declared duly passed and adopted.

