

**ROSEVILLE**  
**REQUEST FOR COUNCIL ACTION**

Date: 09-14-09  
Item No.: 12.b

Department Approval

City Manager Approval



Item Description: **Community Development Department Request to issue a Ramsey County Court Citation for Unresolved Violations of City Code at 2433 Simpson Street.**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**BACKGROUND**

- The subject property is a single-family detached home.
- The current owners live in the property while it is being remodeled.
- The property owners began an addition to their property in 2003. A basement was dug and a foundation erected that summer. Construction halted at that point. In 2005, following complaints from neighbors, the City threatened legal action if the open hole was not backfilled or protected in some manner. Subsequently the property owner erected a fence around the back yard.
- In 2007 the property owner began further construction on the project. The basement walls were backfilled, a two-story addition was framed, it was roofed and the walls wrapped in Tyvek. However, no siding or soffits were installed. In November of 2007 construction again halted.
- Since November of 2007 no additional exterior work has been completed and the City has again been receiving complaints from the neighbors who claim the property is an eyesore, a public nuisance and affecting property values.
- In November of 2008, May of 2009 and again in July of 2009 notices were sent to the property owner identifying the lack of siding and soffits on the home as a public nuisance violation, a violation of the Building Maintenance and Preservation Code and a violation of the Minn. State Building Code. The City requested the property be brought into compliance by having siding and soffits installed. The City's July correspondence also included the names and phone numbers of a number of organizations that possibly could assist the owner in completing this exterior work. However, an inspection on September 1st, 2009 revealed that no additional exterior work has been completed and the violation remains uncorrected.
- A status update, including pictures, will be provided at the public hearing.

26 **POLICY OBJECTIVE**

27 The City goals within the Comprehensive Plan are to protect and improve property values (Goal 3, 4,  
28 and 5; page 6 and, Section 3) and to adhere to performance standards which protect the integrity of the  
29 housing units and the neighborhood (Policy 6, page 8, Section 3).

30 **FINANCIAL IMPACTS**

31 Ramsey County Court Citation:

32 A court citation would not result in additional legal costs for the city as the prosecuting attorney  
33 performs these cases as part of their contract. If the court does direct the City to abate the violations, as  
34 will be requested, the approximate costs would include:

- 35 • \$6,000.00 Purchase siding/soffit materials
- 36 • \$10,000.00 Labor to install siding/soffits
- 37 • \$2,500.00 Install permanent electrical service
- 38 • \$3,000.00 Complete chimney beyond roof line
- 39 ○ \$21,500.00 Total

40 **STAFF RECOMMENDATION**

41 Staff recommends the Council direct Community Development Department to issue a Ramsey County  
42 Court Citation to the property owner to ensure that City Code and building code violations are abated  
43 within a reasonable timeframe. In this instance a court citation is preferable to the abatement process  
44 due to the level of opposition anticipated from the property owner. The court process will likely be  
45 needed to access the property, and, will afford the City additional protections both during and after any  
46 work is performed. The City would request of the court that if the violations are not corrected by a  
47 specific date, that the court direct the City to access the property and correct the violations.

48 **REQUESTED COUNCIL ACTION**

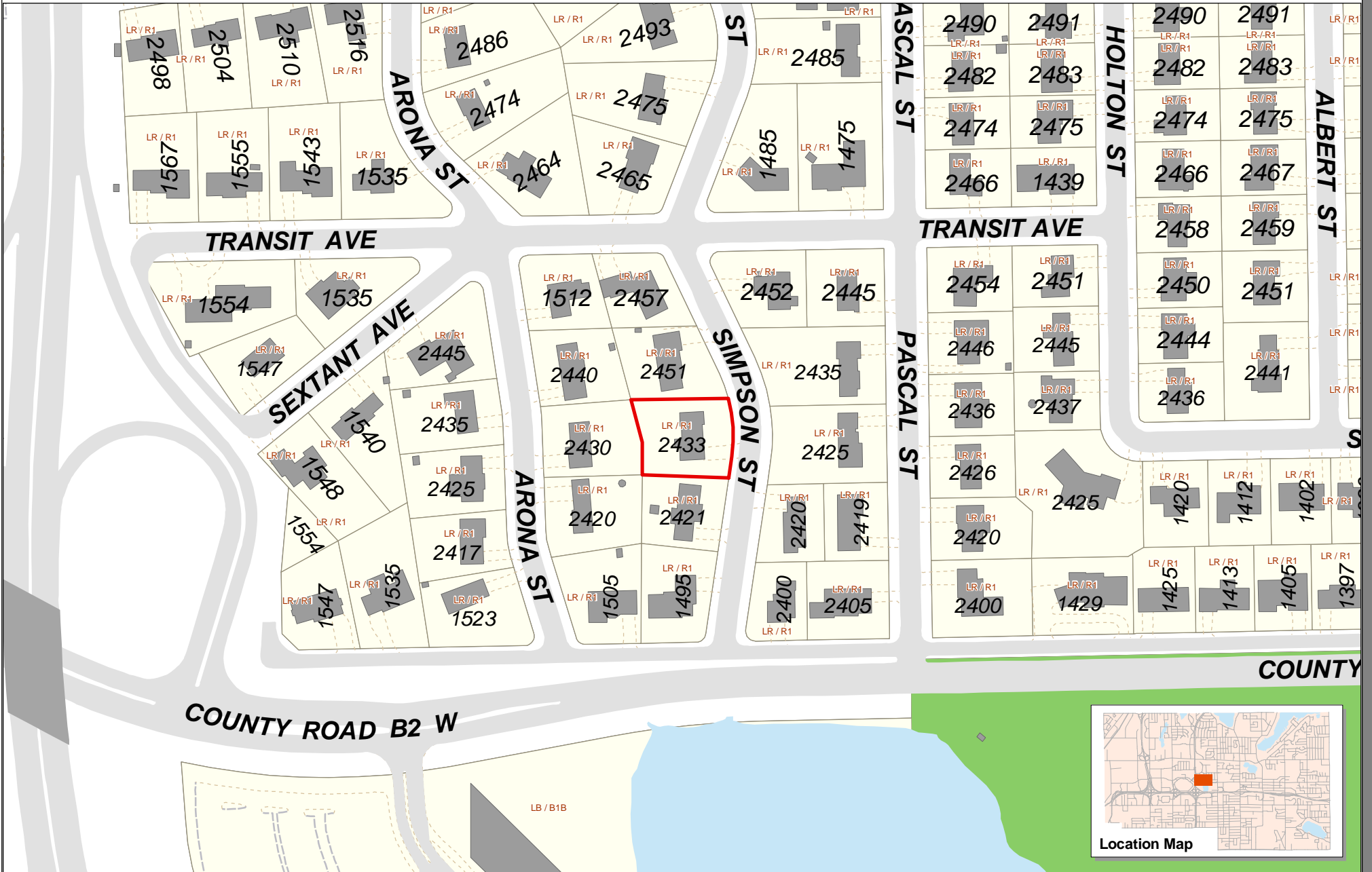
49 Direct the Community Development Department to abate City Code and building code violations at  
50 2433 Simpson Street by issuing a Ramsey County Court Citation to the owner of 2433 Simpson Street.  
51 The property owner will then be billed for actual and administrative costs. If charges are not paid, staff  
52 is to recover costs as specified in Section 407.07B.

53

Prepared by: Don Munson, Permit Coordinator

Attachments: A: Map of 2433 Simpson Street

# 2433 Simpson St



Prepared by:  
Community Development Department  
Printed: June 5, 2009



**Site Location**

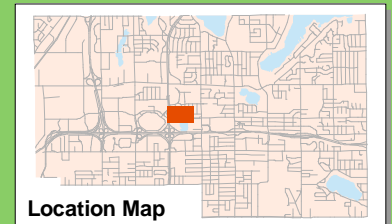
LR / R1 Comp Plan / Zoning Designations

**Data Sources**

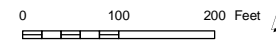
\* Ramsey County GIS Base Map (6/1/2009)  
For further information regarding the contents of this map contact:  
City of Roseville, Community Development Department,  
2660 Civic Center Drive, Roseville MN

**Disclaimer**

This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.



Location Map



mapdoc: planning\_commission\_location.mxd