

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

Date: 09-27-2010  
Item No.: 12.9

Department Approval

City Manager Approval

PT/DM



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Item Description: **Community Development Department Request to Issue a Ramsey County Court Citation for Unresolved Violations of Roseville’s City Code and Zoning Ordinance at 850 Lovell Avenue.**

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**BACKGROUND**

- 850 Lovell Avenue is a single-family home located in an R-1 residential neighborhood.
- Property records indicate that 850 Lovell Ave is owned by Ms. Kathleen L. Weinke.
- A Mr. Ed Cosgrove resides at this residence.
- According to complaints received, Mr. Cosgrove has been repairing, detailing and selling cars at this property. This creates excessive noise at all hours of the day and night, thereby unreasonably annoying the neighbors (a violation of City Code Section 407.04 Public Nuisance). Similar complaints and code violations at this property date back to 2002.
- In 2007, Mr. Cosgrove was sentenced in Ramsey County Court to 45 days in jail for creating a public nuisance by unreasonably annoying neighbors (served 30 days and placed on one-year’s probation).
- While complaints from neighbors did subside for a while, they have accelerated over the last year. These complaints are mainly of excessive noises (from working on cars) at all hours of the day and night, including repeatedly waking neighbors in the middle of the night.
- City staff periodically inspects this site during the daytime. These inspections have revealed numerous instances of multiple vehicles in the driveway; many not owned by the property owner, some without license plates, and many with dealer plates.
- Police have also responded to complaint calls at this property. Mr. Cosgrove did inform a police officer that he has prospective car buyers look at cars for sale at this property (850 Lovell) because it is more convenient than meeting them at the business location (a violation of Zoning Ordinance Section 1004.01.G Home Occupations).
- Attached is a chronology of disturbances, observations and police reports concerning this property during the period of June through August, 2010. This chronology was compiled from journals kept by neighbors, observations by staff and reports from police.

**POLICY OBJECTIVE**

City Code enforcement is a key tool to preserving high-quality residential neighborhoods. Both Imagine Roseville 2025 and the City’s 2030 Comprehensive Plan support code enforcement as a means by which to achieve neighborhood stability. The Housing section of Imagine Roseville suggests that the City “implement programs to ensure safe and well-maintained properties.” In addition, the Land Use

31 chapter (Chapter 3) and the Housing and Neighborhoods chapter (Chapter 6) of the Comprehensive  
32 Plan support the City's efforts to maintain livability of the City's residential neighborhoods with  
33 specific policies related to property maintenance and code compliance. Policy 6.1 of Chapter 3 states  
34 that the City should promote maintenance and reinvestment in housing and Policy 2.6 of Chapter 6  
35 guides the City to use code-compliance activities as one method to prevent neighborhood decline.

36 **FINANCIAL IMPACTS**

37 The continuing city code and zoning ordinance violations at 850 Lovell Avenue negatively impact the  
38 property values of surrounding properties in the neighborhood.

39 The issuance of a Ramsey County Court Citation would involve no monetary outlays by the City as the  
40 prosecuting attorney handles these cases as part of their contract.

41 **STAFF RECOMMENDATION**

42 Staff recommends that the Council direct Community Development staff to issue a Ramsey County  
43 Court Citation to Mr. Ed Cosgrove for continuing public nuisance and home occupation violations of  
44 Roseville's City Code (Section 407.04) and Zoning Ordinance (Section 1004.01) occurring at 850  
45 Lovell Avenue.

46 **REQUESTED COUNCIL ACTION**

47 Direct Community Development staff to issue a Ramsey County Court Citation to Mr. Ed Cosgrove for  
48 continuing public nuisance and home occupation violations of Roseville's City Code (Section 407.04)  
49 and Zoning Ordinance (Section 1004.01) occurring at 850 Lovell Avenue.  
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Prepared by: Don Munson, Permit Coordinator

Attachments: A: Chronology  
B: Map of 850 Lovell Avenue



## Community Development Department

# Memo

**To:** City Attorney – Erickson, Bell, Beckman & Quinn, P. A.  
**From:** Don Munson, Building Official  
**Date:** 09-22-2010  
**Re:** June through August Chronology of events at 850 Lovell.

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**In June, 2010, a Code Enforcement Officer contacted three residents (who have complained of disturbances of the peace at this property) to keep a journal of instances of annoying activity emanating from 850 Lovell Avenue. Two journal entries, as well as Code Enforcement observations and Police reports are chronicled below.**

**June 2, 2010:**

- Journal – 4:30am - Cars being moved, loud noises, car door slamming.

**June 3, 2010:**

- Journal – 4:00pm - Power washer being run by a generator, very loud washed cars on and off until 7:00 PM.

**June 4, 2010:**

- Journal – 4:20am - Doors and hoods slamming, several cars being moved, revving (engines).
- Staff – 4 cars in driveway (pic):
  - D00829 – (dealer plate).
  - D00546 – (dealer plate).
  - D00549 – (dealer plate).
  - XVU 433 – (not a current plate).

**June 7, 2010:**

- Staff – 4 cars in driveway (pic):
  - D00829 – (dealer plate).
  - D00546 – (dealer plate).
  - D00549 – (dealer plate).
  - REZ 093 – (owned by party in Stillwater).

**June 11, 2010:**

- Staff – 4 cars in driveway (pic):
  - 1 vehicle without license plates.
  - D00546 – (dealer plate).
  - D00549 – Dealer plate).
  - REZ 093 – (owned by party in Stillwater).

**June 12, 2010:**

- Journal – 11:30am - Ed (Cosgrove) working on a car in the driveway, hood is up.

**June 13, 2010:**

- Journal - Hood up on car, not same as yesterday. (Ed) in driveway working on car.

**June 14, 2010:**

- Journal – 9:15am - Ed left with (transport) trailer on back of black SUV. His dad's car, I think. Dad was there.
- Journal – 1:00pm - Ed back with trailer loaded with small grey car.
- Journal – 8:00pm - Ed working on car in driveway, hood up, radio blaring.

**June 15, 2010:**

- Journal – 11:10am - Ed and some guy working on a car in driveway, hood up.

**June 19, 2010:**

- Journal – 10:15am – 5 cars in driveway, working on cars, hood up.
- Journal – 11:40pm - Honking several times in driveway for 15 minutes.

**June 21, 2010:**

- Journal - 7:30pm to 8:15pm - Ed and friend power washing engine on red truck with loud generator, also vacuuming.
- Journal – 11:30pm - Pounding on metal woke me up. Ed and friend working on truck in driveway, pushed truck into garage.
- Staff – 4 cars in driveway (pic);
  - 1 vehicle without license plates.
  - D90434 – (dealer plate).
  - XVU 433 – (not a current plate).

**June 22, 2010:**

- Journal – 12:30am - Woke up again, more pounding, Ed's dog barking.

**June 23, 2010:**

- Journal - Squealing in and out of driveway, yelling in driveway. Car alarm heard several times during the day.

**June 24, 2010:**

- Journal - 3:00AM - Car alarm sounding:
  - 1:00 PM - Squealing in and out of driveway in red VW.
  - 5:30 PM - More squealing.
  - 8:00 PM - More squealing.

**June 25, 2010:**

- Staff – no cars in driveway.

**June 26, 2010:**

- Journal - Sunday afternoon car alarm sounding.

**June 27, 2010:**

- Journal – 10:30pm - Squealing in and out of driveway.

**June 29, 2010:**

- Staff – 5 cars in driveway (pic):
  - 1 truck without license plates.
  - D90434 – (dealer plate).
  - 850 DAA – (owned by A Auto Sales, Inc).
  - XVU 433 – (not a current plate).
  - 076 DHN – (owned by party in Inver Grove Heights).

**June 30, 2010:**

- Journal – 7:30am - 7 cars in driveway, one parked in front on grass Plate #090434.

**July 1, 2010:**

- Journal – 7 cars, one still parked on grass.

**July 2, 2010:**

- Journal – 3:00pm - Yelling and fighting in driveway.
- Journal - 6 cars, one still on grass.

**July 3, 2010:**

- Journal - 8 cars, one still on grass with no plate.
- Journal – 5:45 to 6:30pm - Working on blue truck in driveway Ed revving loudly.

**July 4, 2010:**

- Journal – 11:45am - 6 cars, one on grass in front yard. Police stopped and talked to Ed.

**July 5, 2010:**

- Journal – 9:25am – 6 cars, one on grass. Revving a gray car for 20 minutes very loudly. Ed's dog barking one hour. Called police.
- Journal – 4:30pm - Squealing in and out of driveway.

**July 6, 2010:**

- Journal - Car finally out of front yard. 6 cars in driveway.
- Staff – 4 cars in driveway (pic):
  - 1 vehicle without license plates.
  - 076 DHN – (owned by party in Inver Grove Heights).
  - 850 DAA – (owned by A Auto Sales, Inc).

**July 7, 2010:**

- Journal - Pit bull yelping.
- Journal – 6 cars in driveway.
- Staff – 3 cars in driveway (pic):
  - 1 vehicle without license plates.
  - 076 DHN – (owned by party in Inver Grove Heights).
  - 850 DAA – (owned by A Auto Sales, Inc).
- Police - Code enforcement complaint received by police.

**July 8, 2010:**

- Journal - Pit bull yelping.
- Journal - 6 cars in driveway. Compressor running loud for 40 minutes.
- Staff – 4 cars in driveway (pic):
  - 076 DHN – (owned by party in Inver Grove Heights).
  - XVU 433 – (not a current plate).
  - 850 DAA – (owned by A Auto Sales, Inc).
  - 1 vehicle without license plates.

**July 9, 2010:**

- Journal - 7 cars in driveway.

**July 12, 2010:**

- Journal – 9:30pm - Squealing in and out of driveway.

**July 13, 2010:**

- Journal – 9:30am - Yelling and swearing in driveway.
- Staff – 3 cars in driveway (pic):
  - D90434 – (dealer plate).

- 076 DHN – (owned by party in Inver Grove Heights).
- 850 DAA – (owned by A Auto Sales, Inc).

**July 14, 2010:**

- Journal – 10:30pm - Mega bass audio heard.

**July 16, 2010:**

- Journal – 12:00pm - Ed and friend in and out of garage looking at gray car. Price on windshield \$2995. Gray car revving.
- Journal – 1:30am - Ed and two friends. Woke up by revving and honking. All standing by truck parked in front by garage. Truck door open. Ed hands small brown lunch bag to tall guy; looking around a lot—nervous. Handles bag carefully. Truck and car parked at end of driveway. Both guys leave quickly. Try and go back to sleep. Hear cars being moved. Get up—now 2 new cars in front of garage. Ed moves car in from street. Gets out of car, walks around the entire outside of house, then goes into garage (always locked, no windows, camera mounted on front) comes out with small black bag 12” by 12”. Keeps bag with him while he makes phone call.
- Journal - 2:00AM - Long call, moves bag by back door. Finishes call, goes in house. Gets in car, leaves. Note: Another neighbor has also seen this black bag.
- Journal – Mid July - Saw a man quickly carrying a black satchel into Ed’s garage. Suspicious.
- Staff :
  - 1 truck on street (XVU 433) with flat tire attached to a car transport hauler holding a wrecked blue car (505 CEU).
  - 4 cars in driveway:
    - 1 vehicle without license plates.
    - DOO 549 – (dealer plate).
    - TDC 446 – (owned by party in Vadnais Heights).
    - 850 DAA – (owned by A Auto Sales, Inc).
  - Mr. Cosgrave saw inspector and made an obscene gesture.

**July 17, 2010:**

- Journal - am - Ed working on car in driveway, hood up.
- Journal – 9:30pm - Ed working on car in driveway, radio blaring for 20 minutes.
- Police - Code enforcement complaint received by police.

**July 18, 2010:**

- Journal – 12:30pm - Ed working on cars in driveway. Radio blaring, hoods up on cars.

**July 19, 2010:**

- Journal – 12:30pm - Ed working on cars in garage, revving engines.

**July 20, 2010:**

- Journal – Early am hours - Woke three times during the night. Cars being moved in and out of driveway. Ed and friends doing loud talking, revving engines, slamming doors and hoods.
- Journal – early morning - Ed working on car in driveway plus car in garage, always loud revving.
- Journal – 5:00pm - Car parked in front yard on grass:
  - 071 ALY – (owned by party in Roseville).
- Journal – 11:30pm - Lights on in driveway, Black SUV with hood up, Ed in garage working on car, revving engine.

**July 21, 2010:**

- Journal – 1:15am - Woke up, Ed revving cars, moving cars in and out of driveway.
- Journal – 5:35pm - 35 minutes of revving cars.
- Staff – 4 cars in driveway:
  - XVU 433 – (not a current plate).
  - 505 CEU – (owned by party by in Mpls).
  - 850 DAA – (owned by A Auto Sales, Inc).
  - 918 DCH – (owned by party in West St. Paul).

**July 22, 2010:**

- Journal – 5:45pm - Ed and friend hooked up trailer (car transport) on black SUV Lic# XVU 433, left –returned later with blue Ford on trailer Lic. #505 CEU. Left trailer out on street with SUV. Friend in driveway working on orange car revving.

**July 23, 2010:**

- Journal - 5:00am - 15 minutes of mega bass heard.
- Journal – 6:00pm - Squealing in and out of driveway; screaming and swearing at wife.
- Journal - Ed unhooked SUV and left trailer with car in street. Both trailer and car have flat tires, dangerous.

**July 24, 2010:**

- Journal – 12:30pm - Trailer still in street. Ed talking with guy walking around blue car on trailer. Looked like Ed was selling it. Called police. Car on trailer not anything attached to anything is dangerous.

**July 25, 2010:**

- Journal – Car still in street on trailer.
- Journal - Squealing in and out of driveway; screaming and swearing at wife in driveway.

**July 26, 2010:**

- Journal - Car finally out of street.
- Staff – 7:30 – 8 cars at residence.

**July 27, 2010:**

- Journal – am - 7 cars in drive, one in alley. Alley is supposed to be used for utility vehicles.
- Journal – pm - Compressor, washing of cars, very loud. Ed and friend working on orange car in drive; revving.

**July 29, 2010:**

- Journal – am - Ed and father working on car, always revving.

**July 30, 2010:**

- Journal – 12:15pm - Ed and dad working on car in drive, revving.
- Staff – 4 cars in driveway (pic):
  - 505 CEU – (owned by party by in Mpls).
  - 401 DYL – (plate not on file).
  - TPN 019 – (owned by party in Apple Valley).
  - XVU 433 – (not a current plate).

**July 31, 2010:**

- Journal - 2:00am - Revving engine.
- Journal – 5:00am - Cars in and out of driveway.
- Journal – 12:30am - Ed and friend in drive. Woke up. Went on all night until 8:30AM. Awful night.

- Journal - 10:00am - Ed and 2 friends working on 2 cars, always revving. Green truck in alley. Ed drives truck into driveway. Now Ed, dad and friend working on 2 cars and 1 truck. REVVING!
- Disturbance/noise complaint received by police.

**August 1, 2010:**

- Journal – 9:05am - 7 cars in drive. One in alley Lic#071 ALY in alley. Ed loud revving for 20 minutes. Always loud.
- Police - Complaint of suspicious activities received by police – 9:16pm:
  - Police observed 6 vehicles in driveway, lights on in house and garage.
  - Adult male on the property stated to police he was to meet Ed Cosgrove at the property to look at a car Ed had for sale and possibly purchase it.

**August 2, 2010:**

- Journal – 6:15am - Woke up. Ed revving and moving those (cars) around in driveway, does this all the time, always! One car in garage.
- Staff – 5 cars in driveway (pic):
  - MLK 317 – (owned by party in Columbia Heights).
  - 076 DHN – (owned by party in Inver Grove Heights).
  - 401 DYL – (plate not on file).
  - REZ 093 – (owned by party in Stillwater).

**August 5, 2010:**

- Journal – 8:45pm - Loud revving on and on

**August 6, 2010:**

- Journal – 2:00am - Revving cars in and out of driveway
- Police – Pro-active police visit with Ed Cosgrove:
  - Ed Cosgrove was working on a classic car in his driveway.
  - Ed Cosgrove stated he has prospective car buyers look at cars at his home (850 Lovell) because it is more convenient than going to the business location.

**August 6, 2010:**

- Journal – 5:00am - Revving cars in and out of driveway
- Staff – 5 cars in driveway (pic).
  - 850 DAA – (owned by A Auto Sales, Inc).
  - 401 DYL – (plate not on file).

**August 11, 2010:**

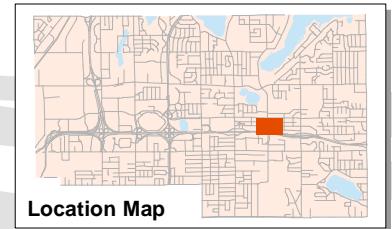
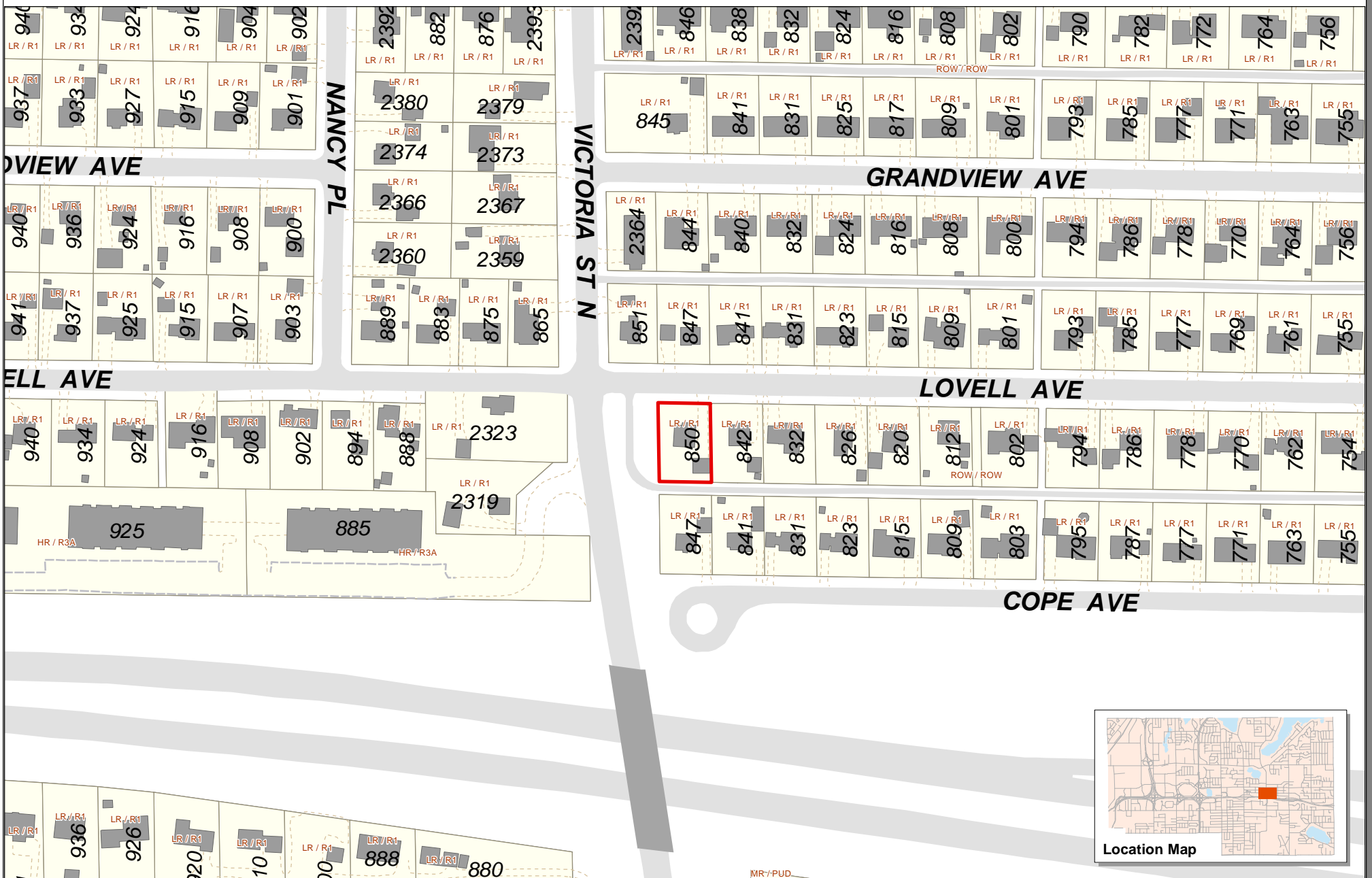
- Staff – 4 cars in driveway (pic).
  - UPN 626 – (owned by party in White Bear Lake).
  - 505 CEU – (owned by party by in Mpls).
  - 401 DYL – (plate not on file).
  - XVU 433 – (not a current plate).

**August 23, 2010:**

- Staff – 7 cars observed, Ed Cosgrove and father working on cars (pic).



# 850 Lovell Ave



Prepared by:  
Community Development Department  
Printed: September 17, 2010



**Site Location**  
LR / R1 Comp Plan / Zoning Designations

**Data Sources**  
\* Ramsey County GIS Base Map (8/30/2010)  
For further information regarding the contents of this map contact:  
City of Roseville, Community Development Department,  
2660 Civic Center Drive, Roseville MN

**Disclaimer**  
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