

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 6-20-11
Item No.: 12 . b

Department Approval



City Manager Approval



Item Description: **Community Development Department Request to Perform an Abatement for Unresolved Violations of City Code at 2941 Rice Street.**

BACKGROUND

- The subject property is a single-family detached home. The home is in foreclosure and the owners have stated they are to vacate the home July 11, 2011.
- The current owners are James Dunaway and Sheril Dunaway.
- Current violations include a dilapidated garage and shed in significant disrepair and in danger of partial collapse. This is a violation of City Code Sections:
 - o 407.02.D: Debris.
 - o 407.02.J: Building Maintenance and Appearance.
 - o 407.02.K: Standards.
 - o 906.05.C: Exterior Structure.
 - o 906.05.E: Interior Structure
 - o 906.05.G: Rubbish and Garbage.
- On May 6, 2011, following a complaint received from the public about a dilapidated detached garage and shed located at 2941 Rice Street, city staff inspected the two structures. Staff observed that the garage was extremely dilapidated with large holes in the roof, significant rot and decay throughout, and, the building in danger of partial collapse. The shed was observed to be in the same condition. City staff posted the garage structure Condemned and contracted to have the two structures fenced off to prohibit entry (per City Code Sections 906.03.H Unsafe Structures and Equipment, and 906.03.I Emergency Measures).
- On May 20, 2011 notice was sent to both the property owner on record and the bank holding the mortgage identifying the specific City Code violations, the act of condemnation, and, requesting the detached garage and shed be repaired or removed within 20 days.
- A follow-up inspection on June 9th revealed the violations continuing.
- A status update, including pictures, will be provided at the public hearing.

POLICY OBJECTIVE

- Property maintenance through City abatement activities is a key tool to preserving high-quality residential neighborhoods. Both Imagine Roseville 2025 and the City's 2030 Comprehensive Plan support property maintenance 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 chapter (Chapter 3) and the Housing and Neighborhoods chapter (Chapter 6) of the Comprehensive Plan support the City’s efforts to maintain livability of the City’s residential neighborhoods with specific policies related to property maintenance and code compliance. Policy 6.1 of Chapter 3 states that the City should promote maintenance and reinvestment in housing and Policy 2.6 of Chapter 6 guides the City to use code-compliance activities as one method to prevent neighborhood decline.

- City Code Sections pertaining to this case:
 - o 906.03.H - Unsafe Structures and Equipment: requires an unsafe structure to be posted condemned.
 - o 906.03.I – Emergency Measures: allows for the boarding of unsafe structures to make them temporarily safe.
 - o 906.03.J – Demolition: allows for requiring the owner to repair or demolish the structure. Furthermore, if the owner does not comply, allows the City to demolish the structure with the cost of demolition and removal to be charged against the real-estate.

FINANCIAL IMPACTS

- A City abatement would involve demolishing the dilapidated garage and shed, and, disposing of all structure debris and structure contents:
 - o Approximately - \$ 10,000.00
- In the short term, costs of the abatement will be paid out of the HRA budget, which has allocated \$100,000 for abatement activities. The property owner will then be billed for actual and administrative costs. If charges are not paid, staff is to recover costs as specified in Section 906.03.J. Costs will be reported to Council following the abatement.

STAFF RECOMMENDATION

Staff recommends that the Council direct Community Development staff to abate the above referenced unsafe structure violations at 2941 Rice Street by demolishing and removing the two structures.

REQUESTED COUNCIL ACTION

Direct Community Development staff to abate the unsafe structure violations at 2941 Rice Street by hiring a general contractor to demolish both the dilapidated garage and shed, and, to dispose of the structure debris and contents. The owner will first be given an additional 10 days to remove or repair the structures, or, remove any contents.

The property owner will then be billed for actual and administrative costs. If charges are not paid, staff is to recover costs as specified in Section 906.03.J.

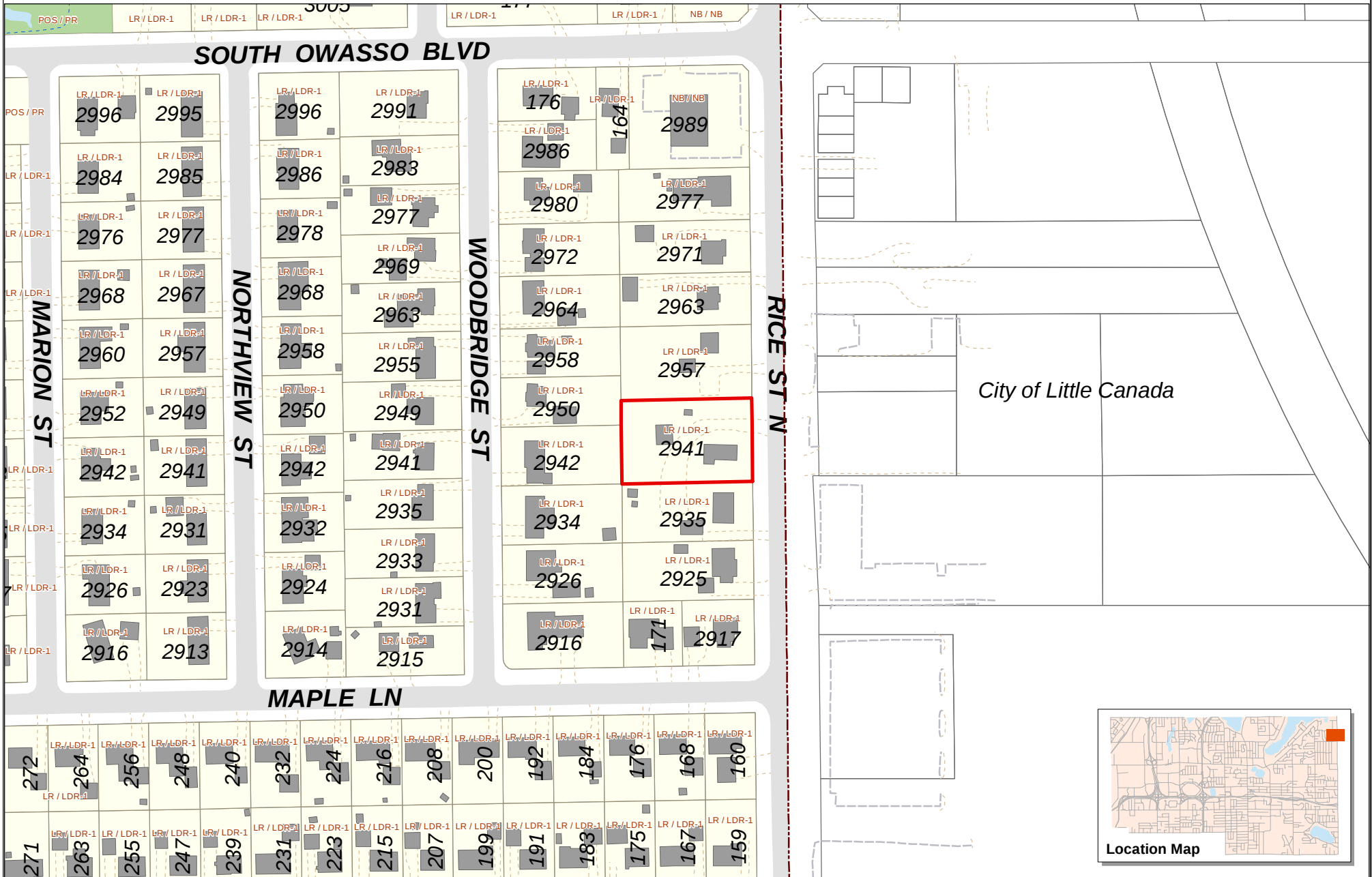
Prepared by: Don Munson, Permit Coordinator

Attachments: A: Map of 2941 Rice Street.

B: Resolution

C: Photographs

2941 Rice St N



Prepared by:
Community Development Department
Printed: May 16, 2011



Site Location

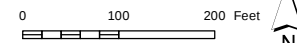
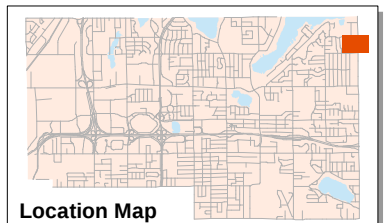
Comp Plan / Zoning
Designations
LR / R1

Data Sources

* Ramsey County GIS Base Map (5/2/2011)
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.



mapdoc: planning_commission_location.mxd

**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 20th day of June, 2011, at 6:00 p.m.

The following members were present:

the following were absent:.

Member introduced the following resolution and moved its adoption:

RESOLUTION NO.

**DECLARING THE GARAGE AND SHED LOCATED AT 2941 RICE STREET
UNSAFE STRUCTURES AND REQUIRING THEIR REPAIR OR
DEMOLITION.**

WHEREAS, pursuant to City Code Sections 906.03.H the City Council of Roseville finds the garage and shed located at 2941 Rice Street to be Unsafe Structures for the following reasons:

- The detached garage is extremely dilapidated with numerous large holes in the roof and significant rot in both the structural and non-structural members. The structure is in danger of partial collapse.
- The shed is extremely dilapidated with holes in the roof and significant rot in both the structural and non-structural members. The structure is in danger of partial collapse.

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

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

- That the owner must repair or remove the two unsafe structures within 10 days or the City will contract to have the two unsafe structures demolished and the structure contents disposed of.
- That the owner must remove all personal property and/or fixtures that will reasonably interfere with the work within the same 10 day period. If the property and/or fixtures are not removed, and the city enforces this order, the

city may sell or dispose of personal property, fixtures, and/or salvage materials 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 Roseville City Code Section 906.03.J.
- That city staff are authorized to serve this order upon the owner of the premises at 2941 Rice Street and all lien-holders of record.
- That city staff are authorized to proceed with the enforcement of this order as provided in Roseville's City Code Section 906.03.J.

The motion for the adoption of the foregoing resolution was duly seconded by Member , 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.

Declaration of the garage and shed located at 2941 Rice Street a hazardous building
under Roseville's Building Maintenance and Preservation Code

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville,
County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared
the attached and foregoing extract of minutes of a regular meeting of said City Council
held on the 20th day of June, 2011 with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 20th day of June, 2011.

William J. Malinen, City Manager

(Seal)

State of Minnesota - County of Ramsey
Signed or Attested before me on this

_____ day of _____ 20__

by: William J. Malinen

- 1 **ATTACHMENT C**
 - 2 **Photographs of Abatement for Unresolved Violations of City Code at 2941 Rice Street.**
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