

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 10-10-2011

Item No.: 12.f

Department Approval

City Manager Approval

PT/DM



Item Description: **Community Development Department Request to Issue a Ramsey County Court Citation for Unresolved Violations of Roseville's City Code at 2575 Dellwood Avenue.**

BACKGROUND

- The property at 2575 Dellwood Avenue is a single family home.
- The current owner is Mr. Andrew Lange who lives at the property.
- The City has received complaints of a business being conducted out of the home. The property owner advertises Trustworthy Glass and General Repair using 2575 Dellwood as the business address.
- Following an inspection of the property, the following violations were observed:
 1. An addition was constructed onto the back of the garage without required permits or inspections:
 - A violation of City Code Section 901.09.A (Permits Required) which requires permits for building additions.
 2. A large tent structure was installed in the rear yard and used for storage. Tent structures for storage purposes are not allowed:
 - A violation of Zoning Ordinance Section 1004.01 (Statement of Purpose) and 1004.02 (Accessory Buildings) which establishes specific building material criteria for accessory structures (which tents do not meet).
 - A violation of City Code Section 901.9.B (Permits Required) which requires permits for accessory structures (none was obtained).
 - A violation of the Minnesota State Building Code which requires year round structures to be built according to the building code (which tents do not meet).
 3. Outside storage of commercial equipment (a large dumpster-type trailer) and materials (stacks of glass) typically used in conjunction with a glass repair business:
 - A violation of City Code Section 407.02.M.4. (Unlawful Parking and Storage).
 - A violation of City Code Section 407.02.M.2. (Unlawful Parking and Storage).
 4. Outside storage of junk and debris (miscellaneous lumber, pipe, bricks, etc):
 - A violation of City Code Section 407.02.M.2. (Unlawful Parking and Storage).
- Following a review of the conditions observed and discussions with the property owner, the following violations were concluded:
 1. A business (Trustworthy Glass and General Repair) being operated from a residential property in violation of Roseville's Home Occupation ordinance, including the following:
 - A home occupation not being conducted entirely within the dwelling:

- 31 ▪ A violation of Zoning Ordinance Section 1004.01.G.2.a.
- 32 ○ Exterior alterations that have changed the residential character of the property:
- 33 ▪ A violation of Zoning Ordinance Section 1004.01.G.2.c.
- 34 ○ Exterior storage of business equipment and materials:
- 35 ▪ A violation of Zoning Ordinance Section 1004.01.G.2.d.
- 36 ○ Repair work involving power tools:
- 37 ▪ A violation of Zoning Ordinance Section 1004.01.G.2.j.2
- 38 ● A status update, including pictures, will be provided at the Council hearing.

39 **POLICY OBJECTIVE**

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

51 **FINANCIAL IMPACTS**

- 52 ● The City Code and Zoning Ordinance violations at 2575 Dellwood Avenue could negatively
- 53 impact the property values of the surrounding properties.
- 54 ● The issuance of a Ramsey County Court Citation would involve no monetary outlays by the
- 55 City as the prosecuting attorney handles these cases as part of their contract.

56 **STAFF RECOMMENDATION**

- 57 ● Staff recommends that the Council direct Community Development staff to issue a Ramsey
- 58 County Court Citation to Mr. Andrew Lange for violations of Roseville’s City Code and Zoning
- 59 Ordinance at 2575 Dellwood Avenue unless within 30 days:
- 60 ○ A building permit is issued for the construction of the addition.
- 61 ○ The tent structure is removed from the property.
- 62 ○ All commercial and other outside storage violations are corrected.
- 63 ○ The commercial trailer is removed from the property.
- 64 ○ The home occupation is operated within published guidelines of Roseville’s
- 65 home occupation ordinance, including:
- 66 ▪ The business is operated out of the dwelling and not the garage.
- 67 ▪ There is no exterior storage of equipment and/or materials.
- 68 ▪ There is no use of power tools on-site in conjunction with the business.

69 **REQUESTED COUNCIL ACTION**

- 70 ● Direct Community Development staff to issue a Ramsey County Court Citation to Mr. Andrew
- 71 Lange for violations of Roseville’s City Code and Zoning Ordinance at 2575 Dellwood Avenue
- 72 unless within 30 days:
- 73 ○ A building permit is issued for the construction of the addition.

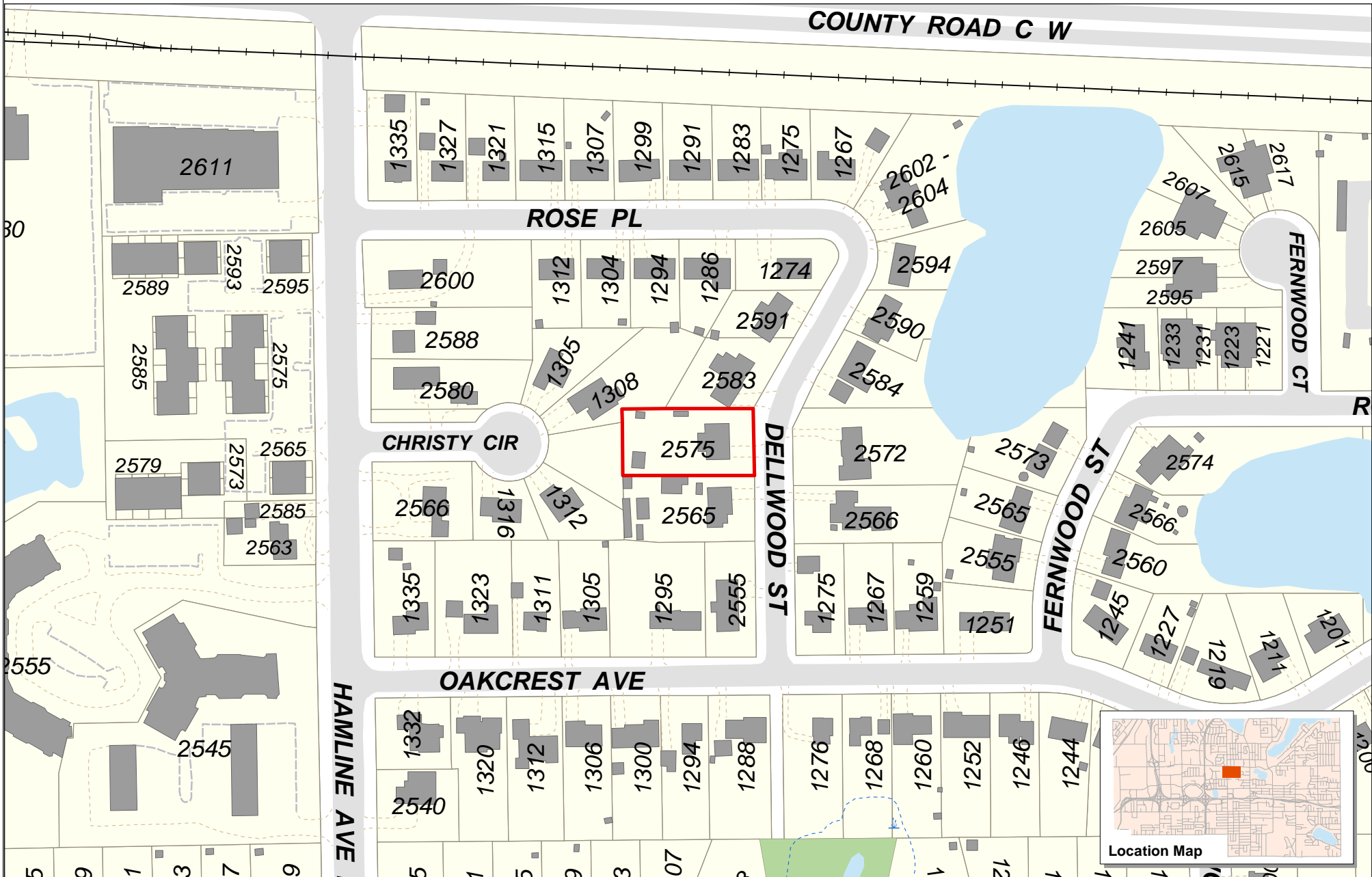
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- All commercial and other outside storage violations are corrected.
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- The home occupation is operated within published guidelines of Roseville’s home occupation ordinance, including:
 - The business is operated out of the dwelling and not the garage.
 - There is no exterior storage of equipment and/or materials.
 - There is no use of power tools on-site in conjunction with the business.

Prepared by: Don Munson, Permit Coordinator

Attachments: A: Map of 2575 Dellwood Avenue

2575 Dellwood Ave




Prepared by:
Community Development Department
 Printed: September 12, 2011

Site Location
 LR / R1 Comp Plan / Zoning
 Designations

Data Sources
 * Ramsey County GIS Base Map (9/1/2011)
 For further information regarding the contents of this map contact:
 City of Roseville, Community Development Department,
 2660 Civic Center Drive, Roseville MN

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