

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 10-10-2011
Item No.: 12.e

Department Approval

City Manager Approval

PT/DM



Item Description: **Community Development Department Request to perform an abatement for an Unresolved Violation of Roseville's City Code at 1756 Chatsworth Street.**

1 **BACKGROUND**

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- 3 • The property is a single family home owned by Mr. David Battisto who lives at the property.
 - 4 • The City continues to receive complaints from a neighbor about an unfinished driveway that does not have an approved hard surface installed (as required by City Code).
 - 5 • Due to financial hardships, the property owner states he cannot complete a hard surfaced
 - 6 driveway that was required as part of a 2008 garage addition. The garage was finished, but the
 - 7 driveway was not. Currently the driveway just has a gravel base.
 - 8 • The current violation is:
 - 9 ○ A driveway installed without an approved hard surface material. This is a violation of Roseville's City
 - 10 Code, Section 703.04.B.7 which specifically requires residential driveways to be hard surfaced with
 - 11 asphalt, concrete or pavers.
 - 12 • Use of the abatement process: City Code Section 102.01.C.9 (General Penalty – Failure to
 - 13 Comply) states: 'If a violation requires code compliance within a set period of time and
 - 14 compliance does not occur by the deadline specified, the City may initiate an abatement process,
 - 15 as provided for in Chapter 407 of the City Code, and/or charge the party with a misdemeanor.'
 - 16 While this section allows the City to use the abatement process for City Code violations other
 - 17 than public nuisances, neither City Code nor State Statute allows for assessing costs of these
 - 18 types of abatements for collection with taxes. Therefore, to use this section to abate this
 - 19 particular City Code violation, the City would have to enter into a written contract with the
 - 20 property owner whereby the owner voluntarily agreed to having the costs assessed for collection
 - 21 with taxes.
 - 22 • A status update, including pictures, will be provided at the public hearing.

23 **POLICY OBJECTIVE**

- 24
- 25 • Property maintenance through City abatement activities is a key tool to preserving high-quality
 - 26 residential neighborhoods. Both Imagine Roseville 2025 and the City's 2030 Comprehensive
 - 27 Plan support property maintenance as a means by which to achieve neighborhood stability. The
 - 28 Housing section of Imagine Roseville suggests that the City "implement programs to ensure
 - 29 safe and well-maintained properties." In addition, the Land Use chapter (Chapter 3) and the
 - 30 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

31 related to property maintenance and code compliance. Policy 6.1 of Chapter 3 states that the
32 City should promote maintenance and reinvestment in housing and Policy 2.6 of Chapter 6
33 guides the City to use code-compliance activities as one method to prevent neighborhood
34 decline.

35 **FINANCIAL IMPACTS**

- 36 • A City abatement involving installation of an asphalt driveway would cost approximately
37 \$4,500.00.
- 38 • In the short term, costs of an abatement would be paid out of the HRA budget, which has
39 allocated \$100,000 for abatement activities. Staff would recover costs as specified in a written
40 contract with the owner – with costs spread over 4 years at 8% interest. Costs would be
41 reported to Council following the abatement.

42 **STAFF RECOMMENDATION**

- 43 • Staff recommends that the Council direct Community Development staff to abate the above
44 referenced City Code violation at 1756 Chatsworth Street by hiring a contractor to install an
45 asphalt driveway; provided the property owner first enters into a written agreement with the
46 City. If the property owner does not enter into such an agreement, staff would then be
47 authorized to issue a Ramsey County Court Citation.

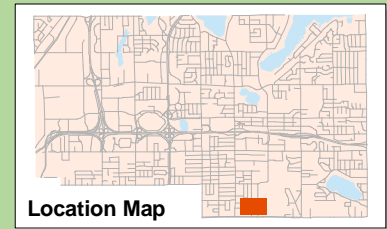
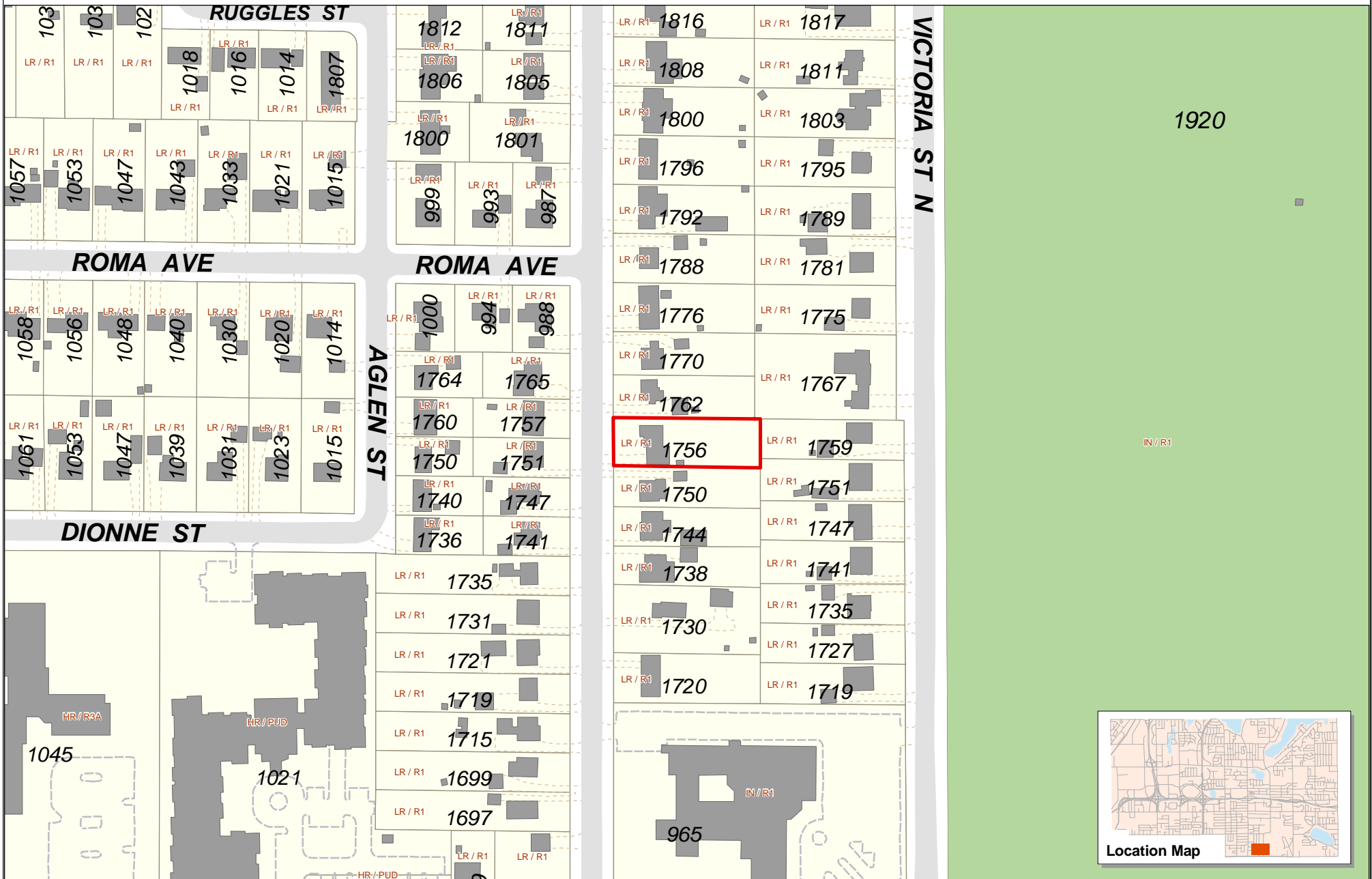
48 **REQUESTED COUNCIL ACTION**

- 49 • Direct Community Development staff to abate the above referenced City Code violation at 1756
50 Chatsworth Street by hiring a contractor to install an asphalt driveway; provided the property
51 owner first enters into a written agreement with the City. If the property owner does not enter
52 into such an agreement, staff is then authorized to issue a Ramsey County Court Citation.

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Prepared by: Don Munson, Permit Coordinator
Attachments: A: Map of 1756 Chatsworth Street

1756 Chatsworth St N



Prepared by:
Community Development Department
Printed: July 12, 2010

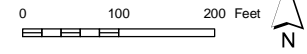


Site Location

LR / R1 Comp Plan / Zoning Designations

Data Sources
* Ramsey County GIS Base Map (7/1/2010)
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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