

<p style="text-align: center;">CITY OF ANNARBOR BUILDING BOARD OF APPEALS</p>	<p style="text-align: center;">DECISION AND ORDER TO MELVIN ARONOFF REGARDING DANGEROUS BUILDINGS</p>	<p>SHOW CAUSE NO: BBA16-013</p>
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TO MELVIN ARONOFF:

THIS ORDER IS ISSUED IN THE MATTER OF THE SHOW CAUSE HEARING HELD ON JULY 14, 2016, CONCERNING THE BUILDINGS ON THE PROPERTY AT 132 HILL STREET, ANN ARBOR, MICHIGAN, ("THE BUILDINGS") OWNED BY YOU, TO DETERMINE WHY THE BUILDINGS SHOULD NOT BE DEMOLISHED. A COPY OF THE PROPERTY'S LEGAL DESCRIPTION IS ATTACHED TO THIS DECISION AND ORDER.

Hearing Officers present at the Show Cause Hearing were Building Board of Appeals members Paul Darling, Chair Kenneth J. Winters, Gordon Berry, Hugh A. Flack, Jr., and David Arnsdorf.

Presenting evidence and testimony on behalf of City staff was Ann Arbor Building Official Peter Pace.

Melvin Aronoff was present at the hearing to speak on behalf of himself, as owner of the property.

Having held the Show Cause Hearing in this matter, based on the evidence and testimony presented at the hearing, the Building Board of Appeals finds that the GARAGE is a dangerous building as defined in Chapter 101 of the Ann Arbor Code of Ordinances and orders it demolished, pursuant to the following motion and findings adopted by the Building Board of Appeals at the hearing:

Moved by Paul Darling, That in the matter of the Show Cause hearing for BBA-16-013, concerning the Buildings at 132 Hill Street, Ann Arbor, Michigan, owned by Melvin Aronoff, the Building Board of Appeals finds that the garage is a dangerous building as defined in Chapter 101 of the Ann Arbor City Code and that the owner shall cause the garage to be demolished. The owner shall commence the necessary work to demolish the garage by obtaining a permit and demolishing the garage within 30 days. The owner shall have 30 days to attempt to sell the house by owner. If there is not a signed sales agreement within 30 days, then the owner shall list the house for sale with a realtor. The matter shall return to the Building Board of Appeals if the house has not sold. If the owner does not

comply with this Order then the City will cause the garage to be demolished.

THIS ORDER IS BASED ON THE FOLLOWING FINDINGS:

- The garage is in total disrepair, a threat to the public, and an attractive nuisance to children.

The motion was seconded by Gordon Berry.

On a Voice Vote – MOTION PASSED – UNANIMOUS

FOR THIS REASON, THE BUILDING BOARD OF APPEALS ORDERS THAT you (Melvin Aronoff) shall **DEMOLISH** the garage on the property at 132 Hill Street, Ann Arbor, Michigan. You shall commence the necessary work to demolish the garage by obtaining a permit and demolishing the garage **by August 15, 2016.**


THE BUILDING BOARD OF APPEALS FURTHER ORDERS THAT if you fail to comply with this Order to demolish the garage by August 15, 2016, the City will cause the garage to be demolished.

THE BUILDING BOARD OF APPEALS FURTHER ORDERS THAT you shall have until **August 15, 2016**, to attempt to sell the house by owner. If there is not a signed sales agreement by August 15, 2016, then you shall list the house for sale with a real estate broker licensed as required under Michigan law.

THE BUILDING BOARD OF APPEALS FURTHER ORDERS THAT you shall return to the Building Board of Appeals for further proceedings on September 8, 2016, if the house has not sold by that time.

26 July 2016

Date


Kenneth Winters, Chairperson
Building Board of Appeals

You have limited rights to appeal the decision and order of the Building Board of Appeals. See Ann Arbor Code Sections 8:388, 8:387(6).

ATTACHMENT TO DECISION AND ORDER TO MELVIN ARONOFF
BBA16-013


LEGAL DESCRIPTION

LOT 10 AND E 1/2 LOT 11 WILLIAM A BENEDICTS PLAT

Tax Parcel ID #: 09-09-32-111-012

Commonly known as: 132 HILL STREET, ANN ARBOR, MICHIGAN

I hereby certify that on July 28, 2016, I sent a copy of this Decision and Order by certified mail and first class mail, postage prepaid, to Melvin Aronoff at 607 Nelson Street, Rockville, MD 20850, and a copy of this Decision and Order was posted on the Building at 132 Hill Street, Ann Arbor, Michigan.


Ann MARIE HOWARD

ANN ARBOR BUILDING BOARD OF APPEALS

BUILDING OFFICIAL'S STAFF REPORT

**Show Cause Hearing for Dangerous Building at 132 Hill, Ann Arbor, MI 48104
(Parcel Identification Number: 09-09-32-111-012).**

DESCRIPTION AND DISCUSSION

Melvin Aronoff
607 Nelson Street
Rockville, MD 20850

The building is a dangerous building.

An inspection was conducted by staff on May 4, 2016. Based on the inspection the Building Official determined that the building is a dangerous building as defined in Section 8:382 of Chapter 101 of the Ann Arbor City Code.

A Notice and Order was sent on May 18, 2016 to the owner and other interested parties stating that the Building Official has found the building is a dangerous building and orders the owner to demolish or otherwise make safe by June 1, 2016.

An Order to Show Cause was sent on June 14, 2016 to the owner and interested parties to appear before the Building Board of Appeals to explain the owner's position in the matter.

STAFF FINDINGS

Upon initial inspection the Building Official determined that the building that is the subject of this show cause hearing is a dangerous building based on conditions that are included, but are not limited to, the following:

- Building has been unoccupied for 180 days or more without being listed for sale or lease.
- Garage is collapsing.
- Windows are missing.
- Rear porch cap needs to be replaced.
- Persons appear to have been living on house porches.
- Animals are living under the porches.
- Both buildings severely deteriorated in general.

Applicable sections of dangerous building ordinance, include, but are not limited to:

(3) A part of the building or structure is likely to fall, become detached or dislodged, or collapse and injure persons or damage property.

(5) The building or structure or any part, that because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for other reason is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.

(6) The building or structure or any part is manifestly unsafe for the purpose for which it is used.

(7) A building or structure is damaged by fire, wind, or flood, or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.

(8) A building or structure used or intended to be used for dwelling purposes, because of dilapidation, decay, damage, faulty construction or arrangement, or for other reason, is unsanitary or unfit for human habitation, is in a condition that is likely to cause sickness or disease when so determined by the health officer of the city or county or is likely to injure the health, safety or general welfare of those living within.

(9) A building or structure is vacant, dilapidated and open at door or window, leaving the interior of the building or structure exposed to the elements or accessible to entrance by trespassers.

(10) A building or structure remains unoccupied for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease, or rent with a real estate broker licensed under the state occupational code. For purposes of this subsection, "building or structure" includes, but is not limited to, residential and commercial buildings or structures. This subsection does not apply to any of the following buildings or structures, provided that the building or structure and adjoining grounds are maintained free from graffiti as defined in Chapter 106 (Nuisances) and in accordance with the City's Housing and Construction Codes and all other applicable ordinances and statutes:

STAFF RECOMMENDATION

Staff recommends that the Building Board of Appeals find the building on the property at **132 Hill Street** to be a dangerous building as defined in Section 8:382 of Chapter 101 of the Ann Arbor City Code and orders the owner(s) to make the necessary repairs to bring the property in compliance with local code ordinances and/or demolish or sell the property on or before a date to be specified in the order that the Building Official will recommend at the show cause hearing.

PROPOSED MOTION

I move that in the case of the Show Cause hearing for BBA Case # _____, concerning the Building at _____, Ann Arbor, Michigan, the Building Board of Appeals finds that the building[s] is [are] dangerous building[s] as defined in Section 8:382 of

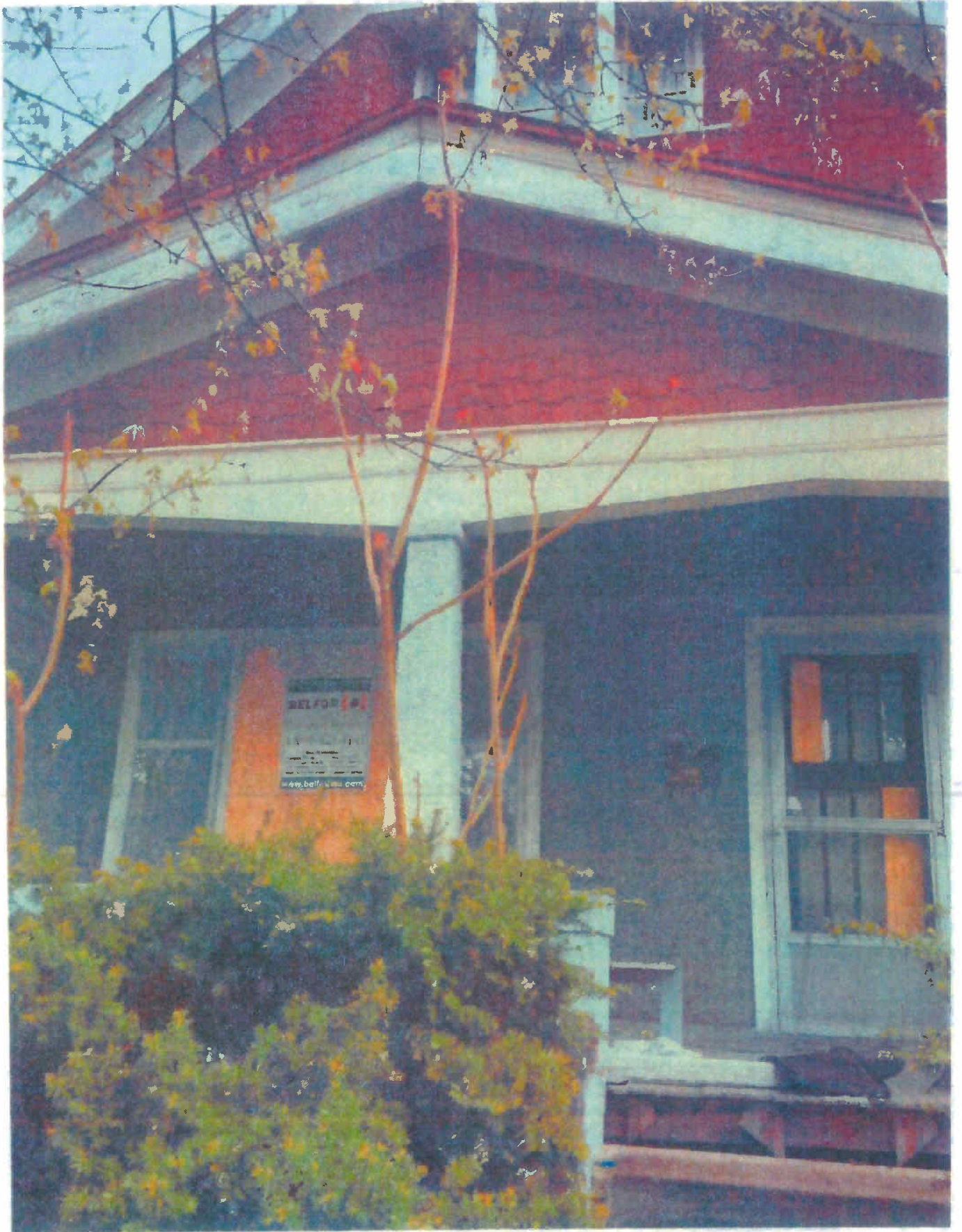
Chapter 101 of the Ann Arbor City Code and orders that the owner shall cause the building to be demolished or be otherwise made safe. The owner shall commence the necessary work by _____, 2016 and shall complete the work by _____, 2016. If the owner fails to comply with this Order then the City may cause the Building to be demolished.

THIS ORDER IS BASED ON THE FOLLOWING FINDINGS:

Respectfully,

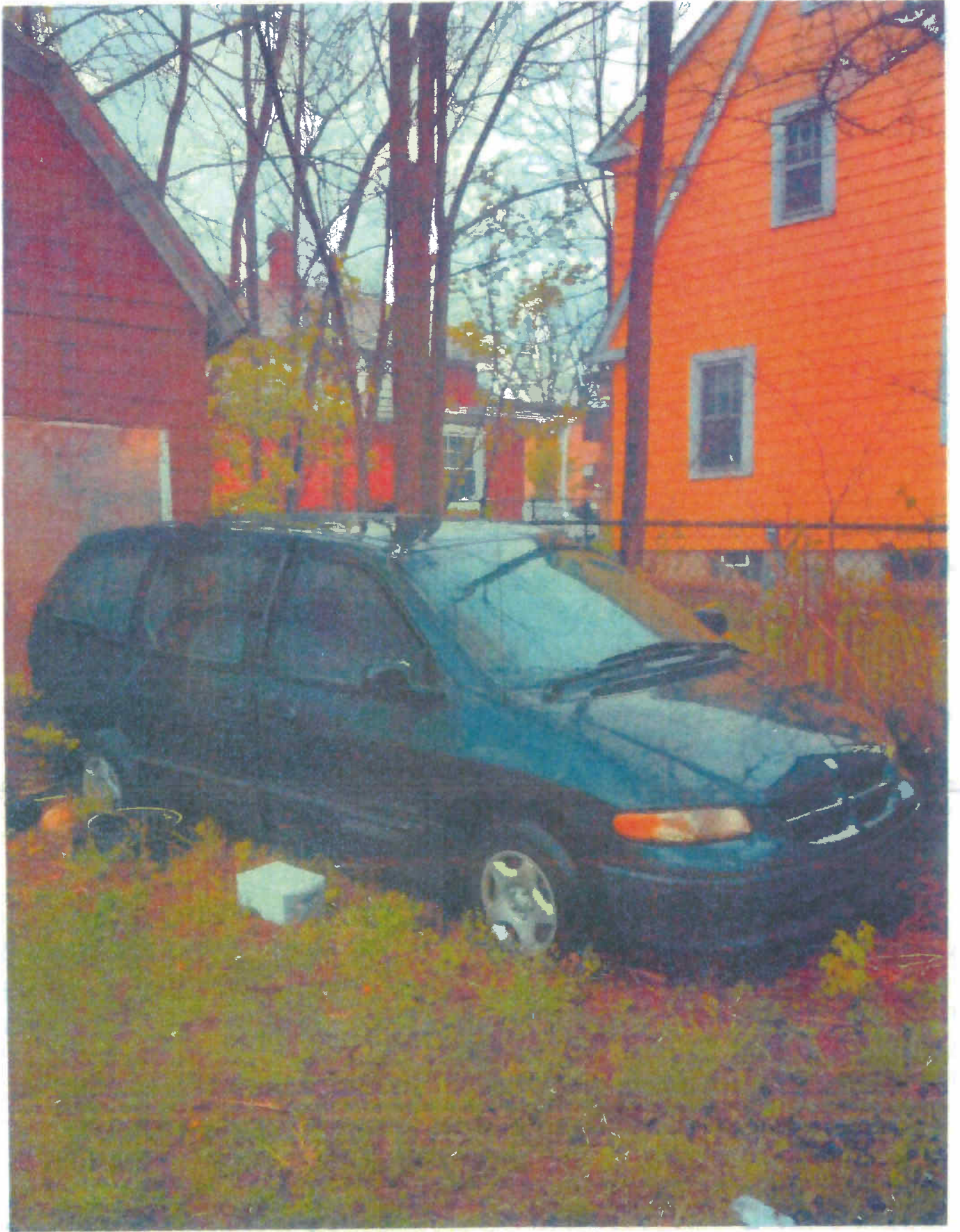
Peter Pace
Assistant Building Official

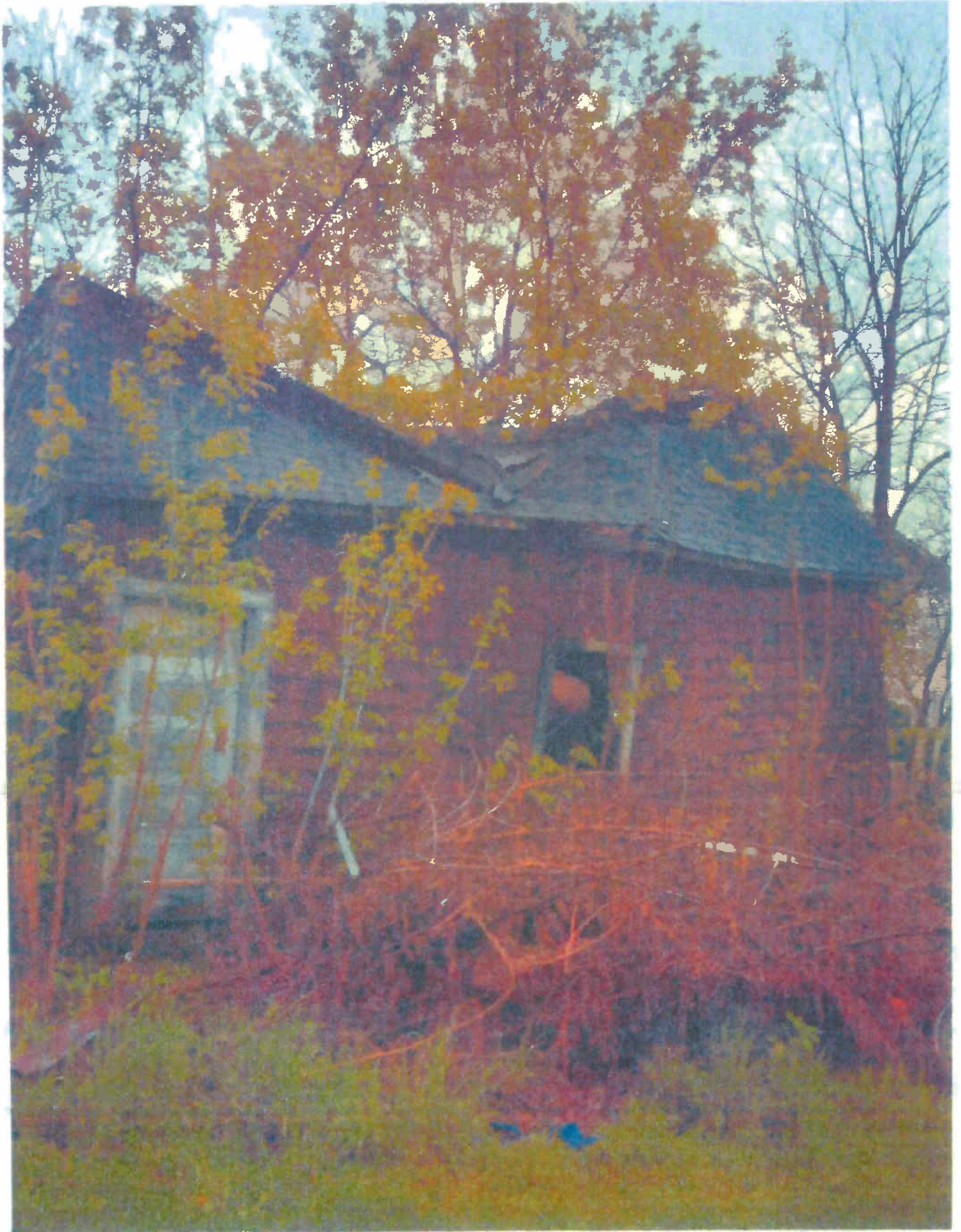
Date: _____



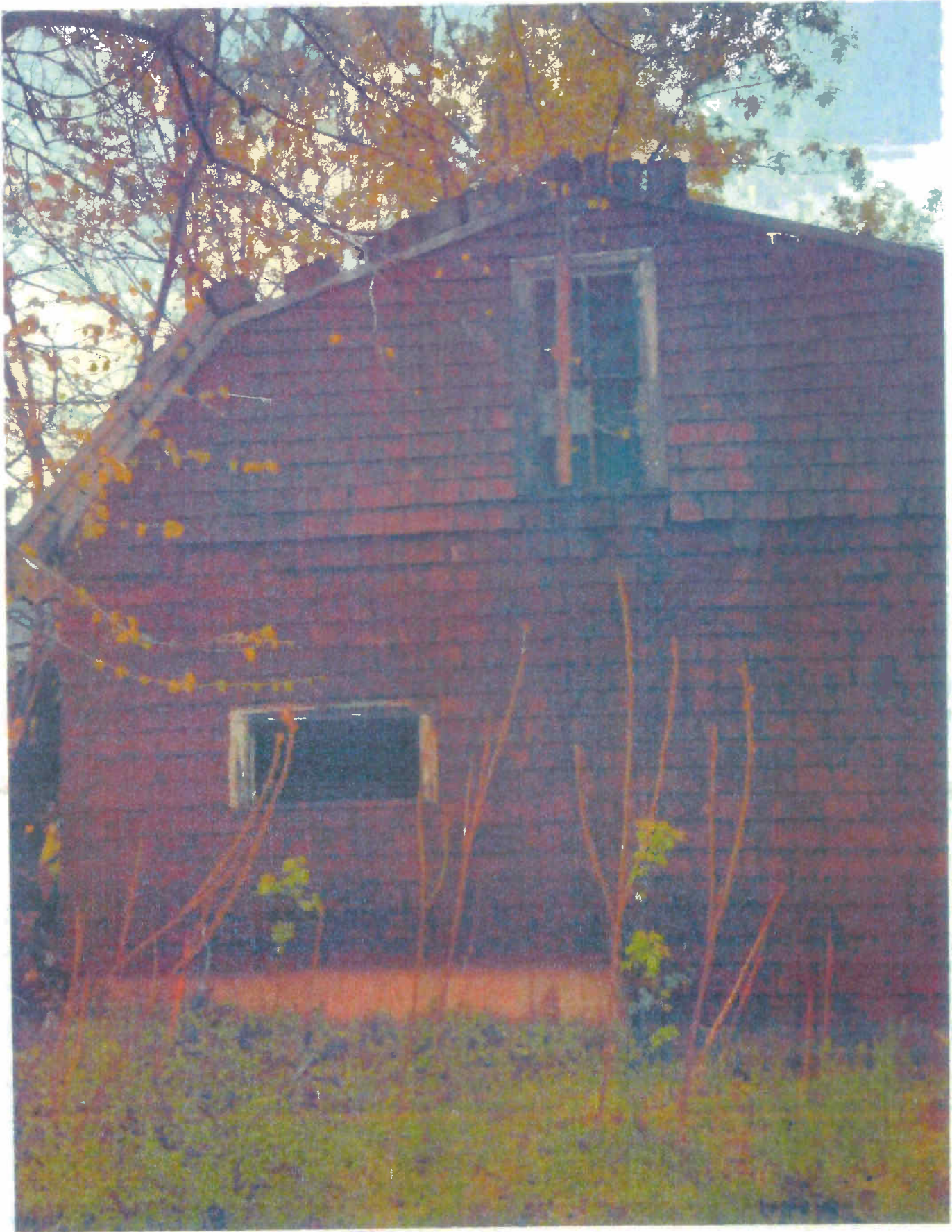














CITY OF ANN ARBOR, MICHIGAN

Community Services Area
Planning & Development Services Unit
301 East Huron, P.O. Box 8647,
Ann Arbor, Michigan 48107-8647
Phone: (734) 794-6261
Fax: (734) 994-8460

August 1, 2016

Melvin Aronoff
607 Nelson Street
Rockville, MD 20850

Re: 132 Hill Street, Ann Arbor, Michigan
Parcel Identification Number ("PIN"): 09-09-32-111-012

Dear Mr. Aronoff:

Please consider this as a reminder to attend the Ann Arbor Building Board of Appeals meeting for your Dangerous Building Notice and Order for the conditions at 721 South Division Street.

The meeting will take place on Thursday, August 11, 2016 at 1:30 PM on the 2nd floor of City Hall in the Council Chambers. Please bring materials and interested parties to the meeting if needed.

Sincerely,

Peter Pace, Deputy Building Official
City of Ann Arbor Construction Services
Ppace@a2gov.org

August 1, 2016

<<Prospective Purchaser>>

<<Address>>

<<City, State, ZIP>>

Dear Mr./Mrs. <<Last Name>>

My name is Melvin A. Aronoff. I own a property located at 132 Hill Street, Ann Arbor, MI 48106. I am putting this property up for sale.

This property is located six-to-eight block south of downtown. Two blocks north of University of Michigan Stadium (the Big House), and one and a half block east of Main Street.

The property is approximately sixty six feet wide and one hundred seventy four feet deep, which is about one quarter of an acre or 11,500 square feet (plus or minus). The property is zoned R4C. The surrounding area is primarily (95%) multi-unit student housing. The lot is of sufficient size to accommodate a multi-unit structure. Zoning permits and the lot qualifies for five-plus units.

The property currently has two buildings resting on it - a detached garage and a house. Neither building is habitable. The city has determined that the garage is unsafe and ought to be torn down. The house has been unoccupied for a significant period of time. It is my opinion and the city's that the property be razed to its best use, which is vacant land. The city's opinion is that this goal ought to be achieved by the sale of the property.

I hold the property free and clear. I am primarily looking for a cash sale.

Enclosed is an Arbor City Zoning Map indicating the zoning of the property and a GIS aerial photograph of the property and excerpts of the city's zoning code and the Washtenaw County Parcel Summary.

Sincerely,

Melvin A. Aronoff



CITY OF ANN ARBOR, MICHIGAN

Community Services Area
Planning & Development Services Unit
301 East Huron, P.O. Box 8647,
Ann Arbor, Michigan 48107-8647
ppace@a2gov.org
734-794-6000 ext. 42660

**DANGEROUS BUILDING
ORDER TO SHOW CAUSE ON JULY 14, 2016 at 1:30 p.m**

June 14, 2016

BY CERTIFIED MAIL, FIRST CLASS MAIL, & POSTING

Melvin Aronoff
607 Nelson St
Rockville, MD 20850

Re: 132 Hill Street, Ann Arbor, Michigan 48104
Parcel Identification Number: 09-09-32-111-012

Dear Mr. Aronoff:

A Dangerous Building Notice and Order, a copy of which is enclosed and made part of this Order to Show Cause, was served on you on the date indicated informing you that the building that you own and/or have an interest in at the above-referenced address is a dangerous building, as defined in Section 8:382 of the Ann Arbor City Code. Your building was deemed dangerous pursuant to the provisions listed in the enclosed Notice and Order due to the conditions listed therein.

Inspection reveals that you have not undertaken the work necessary to demolish the building or to otherwise make it safe.

Therefore, this is your notice that a public hearing, which you and/or your attorney are ordered to attend, will be conducted by the Ann Arbor Building Board of Appeals on **July 14, 2016, at 1:30 p.m.** on the **2nd floor City Council Chambers** in the Ann Arbor City Hall. At the hearing you will have an opportunity to show cause why you should not be required to demolish or otherwise make safe the building at the above-referenced address, which is more specifically described as follows:

LOT 10 AND E 1/2 LOT 11 WILLIAM A BENEDICTS PLAT

The Building Board of Appeals will take your testimony and the testimony of any other interested persons. Please bring any evidence you wish to submit to the Board.

A copy of this Dangerous Building Order to Show Cause is being filed with the Washtenaw County Register of Deeds. If there are any other parties known to the City who may have an interest in your property, a copy is also being sent by certified and first class mail to the addresses indicated below.

The Ann Arbor City Hall is located at 301 East Huron, Ann Arbor Michigan.

If you have any questions please contact me by e-mail or phone.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter Pace".

Peter Pace, Building Official
City of Ann Arbor Construction Services
ppace@a2gov.org
734-794-6000 ext. 42660

Enclosures (Dangerous Building Notice & Order)

cc (w/ enclosure) by certified and first class mail to:

Rhoda Beth Rosenthal
607 Nelson Street
Rockville, MD 20850

cc: Derek Delacourt, Community Services Area Administrator
Kristen D. Larcom, Senior Asst. City Attorney



CITY OF ANN ARBOR, MICHIGAN

Community Services Area
Planning & Development Services Unit
301 East Huron, P.O. Box 8647,
Ann Arbor, Michigan 48107-8647
ppace@a2gov.org
734-794-6000 ext. 42660

DANGEROUS BUILDING NOTICE AND ORDER

May 18, 2016

BY CERTIFIED MAIL, FIRST CLASS MAIL, & POSTING

Melvin Aronoff
607 Nelson St
Rockville, MD 20850

Re: 132 Hill Street, Ann Arbor, Michigan 48104
Parcel Identification Number: 09-09-32-111-012

Dear Mr. Aronoff:

Records of the Ann Arbor City Assessor and the Washtenaw County Register of Deeds indicate that you are the owner of the property located within the City of Ann Arbor at the above-referenced address. The property is more fully described in the Assessor's Records as follows:

LOT 10 AND E 1/2 LOT 11 WILLIAM A BENEDICTS PLAT

This letter is to provide notice that the City finds that the buildings on the property are dangerous buildings as defined in provisions of **Section 8:382 of Chapter 101** of the Ann Arbor City Code, including but not limited to subsections 2, 3, 4, 5, 7, 9, and 10. A copy of Chapter 101 is enclosed. Specific defects that render the buildings dangerous include, but are not limited to, the following:

- Buildings have been unoccupied for 180 days or more without being listed for sale or lease. The house has been vacant and has had no utilities for at least 3 years.
- Garage is collapsing.
- Windows are missing.
- Rear porch roof cap needs to be replaced.

- Persons appear to have been living on house porches.
- Animals are living under the porches.
- Both buildings severely deteriorated in general.
- See enclosed photographs.

It is requested that you contact the Building Official by the end of the business day on **June 1, 2016**, to discuss your intentions for demolishing or repairing the buildings listed above.

If there are any other parties known to the City who may have an interest in your property, a copy of this Notice and Order is being sent by certified and first class mail to the addresses indicated below.

Failure to respond and/or to remedy the violations will result in a recommendation for you to appear at a future meeting of the Building Board of Appeals.

Because of the immediacy of these health and safety concerns, it is highly recommended that a dialogue be initiated at the earliest instance between the property owner/parties in interest and the Building Official. I can be reached by email or telephone.

Sincerely,



Peter Pace, Building Official
City of Ann Arbor Construction Services
ppace@a2gov.org
734-794-6000 ext. 42660

Enclosure (Dangerous Buildings Ordinance; photos)

cc (w/ enclosure) by certified and first class mail to:

Rhoda Beth Rosenthal
607 Nelson Street
Rockville, MD 20850

cc: Derek Delacourt, Community Services Area Administrator
Kristen D. Larcom, Senior Asst. City Attorney