

## **ANN ARBOR BUILDING BOARD OF APPEALS**

### **BUILDING OFFICIAL'S STAFF REPORT**

**Show Cause Hearing for Dangerous Building at 610 Robin Road, Ann Arbor, MI 48103 (Parcel Identification Number: 09-09-20-206-024).**

#### **DESCRIPTION AND DISCUSSION**

Kevin J McKay  
610 Robin Road  
Ann Arbor, MI 48103

The building is a dangerous building.

An inspection was conducted by staff on June 28, 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 July 22, 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 August 1, 2016.

An Order to Show Cause was sent on August 19, 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:

- Garage is collapsing.
- Rear Room/enclosed porch also collapsing.
- Loose tarp hanging from chimney stack.
- Eaves troughs falling off.
- Soffits and fascia are damaged.

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.

### STAFF RECOMMENDATION

Staff recommends that the Building Board of Appeals find the building on the property at **610 Robin Road**, 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:**

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Respectfully,

Peter Pace  
Assistant Building Official

Date: \_\_\_\_\_



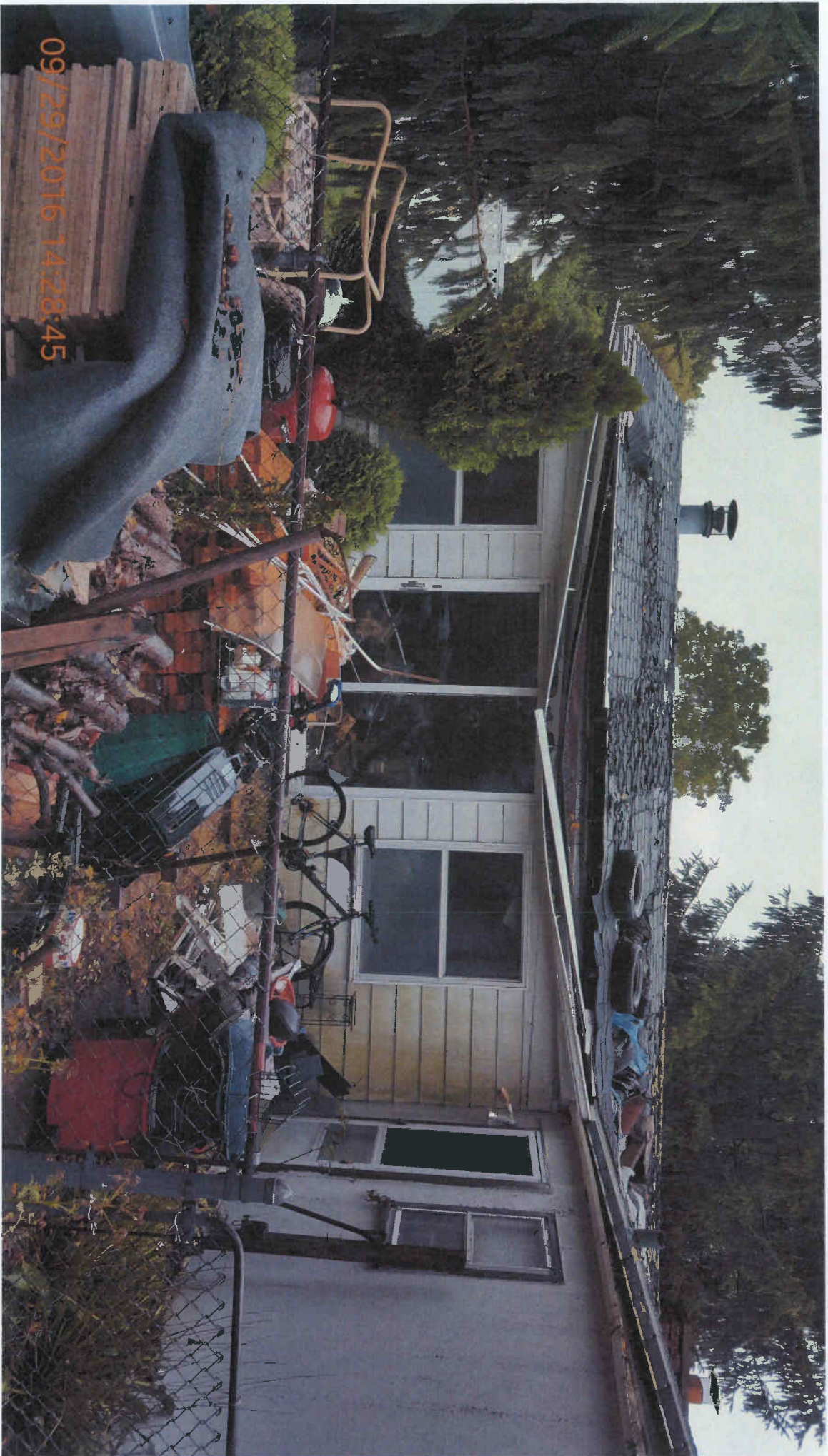




09/29/2016 14:29:21



09/29/2016 14:28:59



09/29/2016 14:28:45





## City of Ann Arbor

PLANNING & DEVELOPMENT SERVICES — PLANNING DIVISION

301 East Huron Street | P.O. Box 8647 | Ann Arbor, Michigan 48107-8647

p. 734.794.6264 | f. 734.994.8460 | [building@a2gov.org](mailto:building@a2gov.org)

### BUILDING BOARD OF APPEALS MEETING OCTOBER 13, 2016 NOTICE OF CONTINUATION OF HEARING

September 22, 2016

**BY CERTIFIED MAIL, FIRST CLASS MAIL & POSTING**

Kevin McKay  
610 Robin Road  
Ann Arbor, MI 48103

RE: 610 Robin Road, Ann Arbor, Michigan 48103  
Parcel Identification Number ("PIN"): 09-09-20-206-024

Dear Mr. McKay:

This letter is to inform you of a Notice of Continuation Hearing of the Ann Arbor Building Board of Appeals. The meeting will take place on **October 13, 2016 at 1:30 p.m.** in the 2<sup>nd</sup> flr Council Chambers of Ann Arbor City Hall. For the hearing please present your update on progress to Mr. Peter Pace, Building Official, for a continuation of your appeal to the Building Board of Appeals, prior to the meeting. At this time, you are not required to appear back in person.

The Ann Arbor City Hall is located at 301 East Huron, Ann Arbor, Michigan. If you have any questions, please contact me by email.

Sincerely,

Peter Pace, Deputy Building Official  
City of Ann Arbor Construction Services  
[ppace@a2gov.org](mailto:ppace@a2gov.org)



**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](mailto:ppace@a2gov.org)  
734-794-6000 ext. 42660

**DANGEROUS BUILDING  
ORDER TO SHOW CAUSE ON SEPTEMBER 8, 2016 at 1:30 p.m**

August 19, 2016

**BY CERTIFIED MAIL, FIRST CLASS MAIL, & POSTING**

Kevin J. McKay  
610 Robin Road  
Ann Arbor, MI 48103

Re: 610 Robin Road, Ann Arbor, Michigan 48103  
Parcel Identification Number: 09-09-20-206-024

Dear Mr. McKay:

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 **September 8, 2016, at 1:30 p.m.** on the **2<sup>nd</sup> 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:

**E 10 FT LOT 26 & ALL LOT 27 TWIN OAKS SUBD OF SUNSET HGTS**

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 black ink, appearing to read "Peter Pace". The signature is fluid and cursive, with the first name "Peter" and last name "Pace" clearly distinguishable.

Peter Pace, Building Official  
City of Ann Arbor Construction Services  
[ppace@a2gov.org](mailto:ppace@a2gov.org)  
734-794-6000 ext. 42660

Enclosures (Dangerous Building Notice & Order)

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

Standard Federal Bank  
2600 W. Big Beaver Road  
Troy, Michigan 48084

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](mailto:ppace@a2gov.org)  
734-794-6000 ext. 42660

**DANGEROUS BUILDING NOTICE AND ORDER**

July 22, 2016

**BY CERTIFIED MAIL, FIRST CLASS MAIL, & POSTING**

Kevin J. McKay  
610 Robin Road  
Ann Arbor, MI 48103

Re: 610 Robin Road, Ann Arbor, Michigan 48103  
Parcel Identification Number: 09-09-20-206-024

Dear Mr. McKay:

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:

**E 10 FT LOT 26 & ALL LOT 27 TWIN OAKS SUBD OF SUNSET HGTS**

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, and 5. A copy of Chapter 101 is enclosed. Specific defects that render the building[s] dangerous include, but are not limited to, the following:

- Collapsed garage
- Rear room/porch also collapsing
- Loose tarp hanging from chimney stack
- Eaves troughs falling off
- Soffits and fascia are damaged
- See enclosed photos

It is requested that you contact the Building Official by the end of the business day on **August 3, 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](mailto:ppace@a2gov.org)  
734-794-6000 ext. 42660

Enclosure (Dangerous Buildings Ordinance; photos)

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

Standard Federal Bank  
2600 W. Big Beaver Road  
Troy, Michigan 48084

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

## Howard, Ann

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**From:** Pace, Peter  
**Sent:** Tuesday, October 04, 2016 12:38 PM  
**To:** Howard, Ann  
**Subject:** FW: Telephone message on 10/4/2016  
**Attachments:** 20161003\_171318.jpg; 20161003\_171417.jpg

For file

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**From:** Kevin McKay [mailto:kjmckayina2@aol.com]  
**Sent:** Tuesday, October 04, 2016 2:32 AM  
**To:** Pace, Peter  
**Subject:** Telephone message on 10/4/2016

Good morning Peter,

Thank you for your letter received September 26, and your voicemail message on October 4. I have attempted to contact you by phone without success in reaching you or in leaving a voicemail. I will call in again tomorrow morning and will speak to Ann if you are unavailable.

I was surprised and perhaps a bit miffed by your comment in that message that on a recent past visit to the site it had looked like nothing had changed, as well as were some of my neighbors and the friends that have spent many hours over the past month in helping me to meet the expectations made at the September Building Board of Appeals meeting. I hope we have an opportunity to talk soon. Again, I am thinking that you are possibly visiting the wrong residence, perhaps the vacant property, or the newly rented property at the opposite end of our block. While I could understand and respond to a comment such as " what in the world was going on at my place", I do not understand your comment as such.

While I may not fully reach 100% percent compliance with the expectations by the end of the month period, significant compliance has been realized at this time, and there is still about a week left; week with more favorable weather predictions than the past week with considerable rain. I have made significant effort and have every intention in meeting the expectations as completely as possible in the time I been given. I have every intention on continuing to following through until 100% compliance is met.

I hope to speak to you tomorrow. I have attached a few photos with respect to my property as of the end of the day today. I look forward to meeting the city's expectations in the near future and to working with you in doing so.

Thank you again for your contacts,

Kevin