

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

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

**Show Cause Hearing for Dangerous Building at 706 South Seventh St, Ann Arbor, MI 48103 (Parcel Identification Number: 09-09-29-324-019).**

### **DESCRIPTION AND DISCUSSION**

Kathleen L. Huster  
2004 Pauline Blvd #1A  
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:

- Building has been unoccupied for 180 days or more without being listed for sale or lease.
- House is deteriorating.
- House appears full of clutter.
- Front porch is overgrown with ivy.
- Extensive overgrowth elsewhere on property increasing danger as an attractive nuisance.
- No utilities.
- Abandoned vehicle overgrown with ivy.

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 **706 South Seventh St** 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 29, 2016

Kathleen L. Huster  
2004 Pauline #1A  
Ann Arbor, MI48103

Re: 706 South Seventh Street, Ann Arbor, Michigan  
Parcel Identification Number ("PIN"): 09-09-29-324-019

Dear Ms. Huster:

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 706 South Seventh Street.

The meeting will take place on Thursday, September 8, 2016 at 1:30PM 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



**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**

Kathleen L. Huster  
706 S Seventh St  
Ann Arbor, MI 48103

Re: 706 S. Seventh St, Ann Arbor, Michigan 48103  
Parcel Identification Number: 09-09-29-324-019

Dear Ms. Huster:

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:

**N 45 FT OF S 58 FT OF E 132 FT LOT 18 THOMPSON SPOOR AND THOMPSON  
ADDITION**

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,



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:

Kathleen L. Huster  
204 Pauline #1A  
Ann Arbor, MI 48103

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**

Kathleen L. Huster  
706 S Seventh St  
Ann Arbor, MI 48103

Re: 706 S. Seventh St, Ann Arbor, Michigan 48103  
Parcel Identification Number: 09-09-29-324-019

Dear Ms. Huster:

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:

**N 45 FT OF S 58 FT OF E 132 FT LOT 18 THOMPSON SPOOR AND THOMPSON ADDITION**

This letter is to provide notice that the City finds that the building on the property is a dangerous building as defined in provisions of **Section 8:382** of **Chapter 101** of the Ann Arbor City Code, including but not limited to subsections 2, 5, 6, 7, 8, and 10. A copy of Chapter 101 is enclosed. Specific defects that render the building dangerous include, but are not limited to, the following:

- **Building has been unoccupied for 180 days or more without being listed for sale or lease.**
- **House is deteriorating.**
- **House appears full of clutter.**
- **Front porch is overgrown with ivy and extensive overgrowth elsewhere on property increasing danger as an attractive nuisance.**
- **No utilities.**

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





6-15-02-52









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