

ANN ARBOR BUILDING BOARD OF APPEALS

BUILDING INSPECTOR'S STAFF REPORT

**Show Cause Hearing for Dangerous Buildings at 415 Hamilton Place,
Ann Arbor, MI 48104. Parcel Identification Number: 09-09-29-426-019.**

Hearing date: November 10, 2016

Mary K Madden
Ann K. Cebulski
415 Hamilton Place
Ann Arbor, MI 48104

DESCRIPTION AND DISCUSSION

The buildings on the property are in a state of deterioration and neglect.

An inspection was conducted by staff on September 28, 2016. Based on the inspection the Building Official determined that the buildings are dangerous buildings as defined in Section 8:382 of Chapter 101 of the Ann Arbor City Code.

A Notice and Order was sent on October 4, 2016, to the owners stating that the Building Official has found the buildings are dangerous buildings and orders the owner to demolish or otherwise make them safe by October 18, 2016.

An Order to Show Cause was sent on October 27, 2016, to the owners, to appear before the Building Board of Appeals to explain why the Board should not find the buildings dangerous and order the owner to demolish, sell or otherwise make them safe.

STAFF REPORT

Upon initial inspection the Building Official determined that the buildings are dangerous buildings based on conditions that include, but are not limited to, the following:

- Extreme overgrowth of vegetation.
- Trees growing out of foundation.
- Broken windows on two sides of the house.
- Persons living on back porch.
- Mattress and garbage at rear of property.
- Garage is open on the side and the garage door is missing.

If there have been any changes since the initial inspection, staff will update Board members at the hearing.

STAFF RECOMMENDATION

Staff recommends that the Building Board of Appeals find the buildings on the property at 415 Hamilton Place are dangerous buildings as defined in Section 8:382 of Chapter 101 of the Ann Arbor City Code and order the owner to demolish them or otherwise make them safe on or before a date that the Building Official will recommend at the show cause hearing.

Under City Code Sections 8:382(5), (7), (8), (9), and (10), a building is a dangerous building if it is:

- (2) Structurally weakened or less stable and does not meet minimum code requirements due to damage by fire, wind, flood, deterioration, vandalism, etc.
- (3) Garage may collapse and injure persons or damage property.
- (4) Settling to an extent that walls or other structural portions have materially less resistance to wind than is required by applicable codes.
- (5) Likely to partially or completely collapse due to dilapidation, deterioration, or decay or some portion of the foundation is likely to fall or give way.
- (6) Manifestly unsafe for the purpose for which it is used.
- (7) An attractive nuisance to children or to other trespassers due to abandonment and damage by deterioration.
- (8) A dwelling place that is unsanitary or unfit for human habitation due to dilapidation, decay, damage, faulty construction, etc.
- (9) Exposed to the elements or entry by trespassers due to being vacant, dilapidated and open.
- (10) Unoccupied for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease, or rent.

These buildings meet all of these descriptions of dangerous buildings in the code. Note that the proposed motion provided below is merely a suggestion as the Board's ultimate decision is completely within the Board's discretion.

MOTION

I motion for the buildings to be demolished based on the findings listed above.

Peter Pace
Assistant Building Official



09/28/2016 10:29:20



09/28/2016 10:29:32





09/28/2016 10:30:33

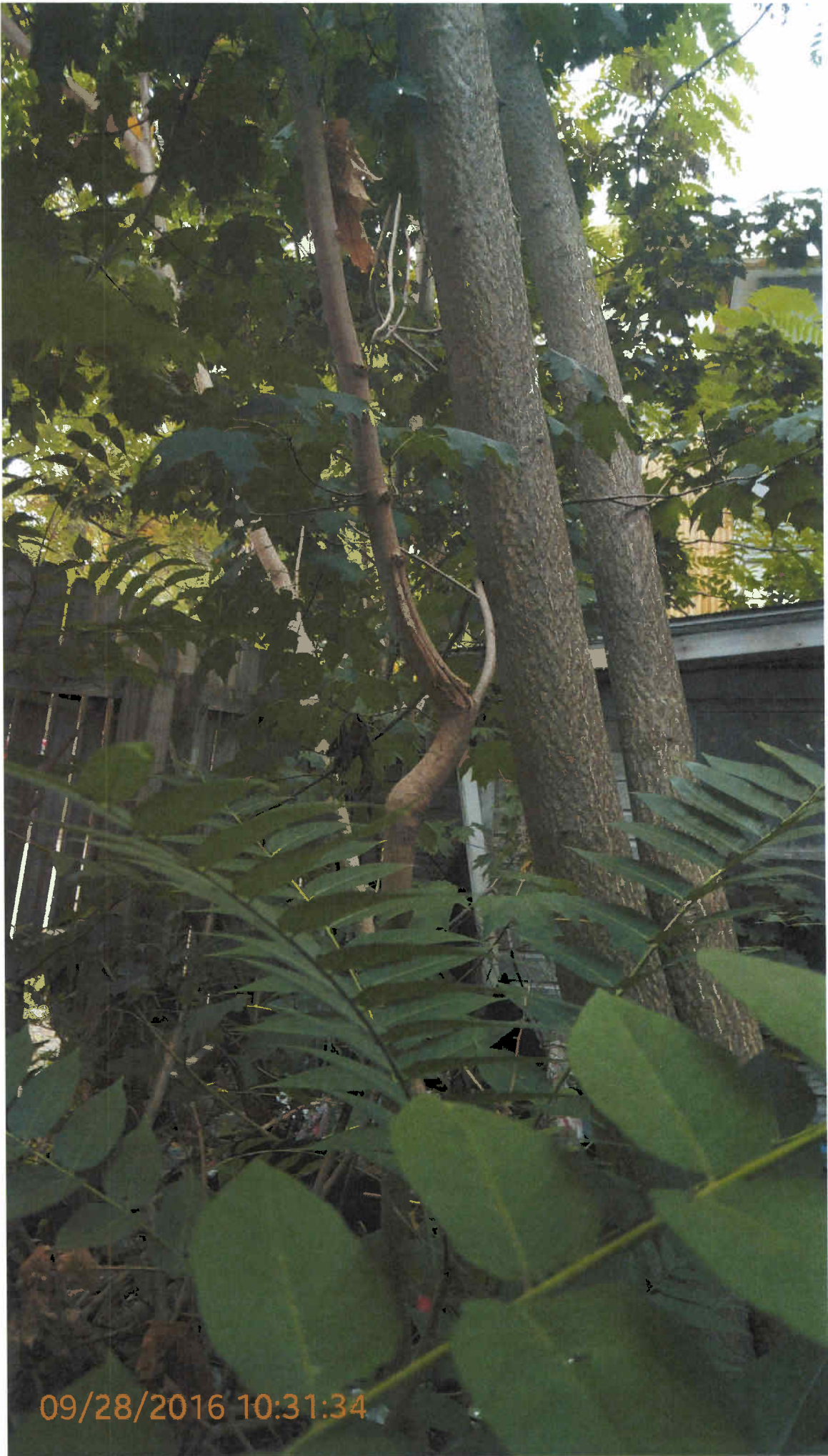


09/28/2016 10:29:49





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09/28/2016 10:35:57



09/28/2016 10:35:29



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

December 28, 2016

Mary Madden
415 Hamilton Place
Ann Arbor MI 48104

Re: 415 Hamilton Place, Ann Arbor, Michigan
Parcel Identification Number ("PIN"): 09-09-29-426-019

Dear Ms. Madden:

Please consider this as a reminder to attend the Ann Arbor Building Board of Appeals meeting for your Continuation Hearing for the Dangerous Building Notice and Order for the conditions at 415 Hamilton Place.

The meeting will take place on Thursday, January 12, 2017 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,

Glen Dempsey, Building Official
City of Ann Arbor Construction Services
Gdempsey@a2gov.org



CITY OF ANN ARBOR, MICHIGAN

Community Services Area
Planning & Development Services Unit
301 E. Huron St, P.O. Box 8647,
Ann Arbor, Michigan 48107-8647
Phone: (734) 794-6264
Fax: (734) 994-8460

November 23, 2016

Mary Madden
415 Hamilton Place
Ann Arbor, MI 48104

Re: 415 Hamilton Place, Ann Arbor, Michigan, 48103
Parcel Identification Number ("PIN"): 09-09-29-426-019

Dear Ms. Mary Madden:

Please consider this as a notice to attend the Ann Arbor Building Board of Appeals meeting for your continued Show Cause hearing. You will have the opportunity to address the Board.

This meeting will take place on Thursday, December 8, 2016 at 1:30 PM on the 2nd floor of City Hall in the Council Chambers.

If you are planning to support your hearing with information or evidence, please submit your additional information to the City Building Department staff either by email at ahoward@a2gov.org or in person no later than the Friday before the meeting to allow time for distribution to the Board members

Sincerely,

Peter Pace
Assistant Building Official



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 NOVEMBER 10, 2016 at 1:30 p.m**

October 27, 2016

BY CERTIFIED MAIL, FIRST CLASS MAIL, & POSTING

Mary K. Madden
Ann K. Cebulski
415 Hamilton Place
Ann Arbor, MI 48104

Re: 415 Hamilton Place, Ann Arbor, Michigan 48104
Parcel Identification Number: 09-09-29-426-019

Dear Ms. Madden and Ms. Cebulski:

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 **November 10, 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:

**BEG E L HAMILTON PL 141.9 FT S OF S L WILLIAM ST TH E 66.15 FT S 41 FT W
66.15 FT N 41 FT TO POB B4S R6E ORIGINAL PLAT OF ANN ARBOR**

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
734-794-6000 ext. 42660

Enclosures (Dangerous Building Notice & Order)

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

October 4, 2016

BY CERTIFIED MAIL, FIRST CLASS MAIL, & POSTING

Mary K. Madden
Ann K. Cebulski
415 Hamilton Place
Ann Arbor, MI 48104

Re: 415 Hamilton Place, Ann Arbor, Michigan 48104
Parcel Identification Number: 09-09-29-426-019

Dear Ms. Madden and Ms. Cebulski:

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:

**BEG E L HAMILTON PL 141.9 FT S OF S L WILLIAM ST TH E 66.15 FT S 41 FT W
66.15 FT N 41 FT TO POB B4S R6E ORIGINAL PLAT OF ANN ARBOR**

This letter is to provide notice that the City finds that the building[s] on the property is a [are] dangerous building[s] as defined in provisions of **Section 8:382** of **Chapter 101** of the Ann Arbor City Code, including but not limited to subsection[s] 6, 7, 8, 9, and 10. A copy of Chapter 101 is enclosed. Specific defects that render the building[s] dangerous include, but are not limited to, the following:

- **Extreme overgrowth of vegetation.**
- **Trees growing out of foundation.**
- **Broken windows on two sides of house.**
- **Persons living on back porch.**
- **Mattress and garbage at rear of property.**
- **Garage is open on the side and garage door is missing**

- See enclosed photos.

It is requested that you contact the Building Official by the end of the business day on **October 18, 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: Derek Delacourt, Community Services Area Administrator
Kristen D. Larcom, Senior Asst. City Attorney