

ANN ARBOR BUILDING BOARD OF APPEALS

BUILDING OFFICIAL'S STAFF REPORT

**Show Cause Hearing for Dangerous Building at 2729 Lookout Circle,
Ann Arbor, MI 48104 Parcel Identification Number: 09-12-03-411-020.**

Hearing date: November 10, 2016

DESCRIPTION AND DISCUSSION

Theresa M. Roth
2729 Lookout Circle
Ann Arbor, MI 48104

The building on the property has been abandoned for more than 180 days and is in a serious state of neglect.

An inspection was conducted by staff on September 14, 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 September 27, 2016 to the owner stating that the Building Official has found the building to be a dangerous building and orders the owner to demolish, sell or otherwise make safe by October 19, 2016.

An Order to Show Cause was sent on October 28, 2016, to the owner to appear before the Building Board of Appeals to explain why the Board should not find the building dangerous and orders the owner to demolish, sell or otherwise make it safe.

STAFF REPORT

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

- Building has been unoccupied for 180 days or more without being listed for sale or lease (approximately 10 years).
- Water has been shut off since approximately December 2009, making the house unfit for dwelling purposes.
- Possible interior deterioration and infestation due to abandonment.
- Yard is extremely overgrown making the building an attractive nuisance for children and vagrants.

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 building on the property at 2729 Lookout Circle to be a dangerous building as defined in Section 8:382 of Chapter 101 of the Ann Arbor City Code and order the owner to demolish, sell or otherwise make it 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:

- (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.

This building meets all of these descriptions of dangerous buildings in the code. It has been unoccupied for more than 180 days without being listed for sale or lease, etc.

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





09/14/2016 12:40:19



09/14/2016 12:40:25



09/14/2016 12:40:29



09/14/2016 12:41:14



09/14/2016 12:41:26



09/14/2016 12:41:57



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

Theresa M. Roth
2729 Lookout Circle
Ann Arbor, MI 48104

Re: 2729 Lookout Circle, Ann Arbor, Michigan 48104
Parcel Identification Number: 09-12-03-411-020

Dear Ms. Roth:

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:

LOT 50 CONCORD VILLAGE

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 a large initial "P" and "P" for "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: 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

September 27, 2016

BY CERTIFIED MAIL, FIRST CLASS MAIL, & POSTING

Theresa M. Roth
2729 Lookout Circle
Ann Arbor, MI 48104

Re: 2729 Lookout Circle, Ann Arbor, Michigan 48104
Parcel Identification Number: 09-12-03-411-020

Dear Ms. Roth:

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 50 CONCORD VILLAGE

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] 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:

- **Building has been unoccupied for 180 days or more without being listed for sale or lease (approximately 10 years).**
- **Water has been shut off since approximately December, 2009, making the house unfit for dwelling purposes.**
- **Possible interior deterioration and infestation due to abandonment.**

- **Yard is extremely overgrown making the building an attractive nuisance for children and vagrants.**
- **See enclosed photos.**

It is requested that you contact the Building Official by the end of the business day on **October 19, 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,

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

Enclosure (Dangerous Buildings Ordinance; photos)

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