

ANN ARBOR BUILDING BOARD OF APPEALS

Show Cause Hearing for Dangerous Buildings at 3802 Platt Road, Ann Arbor, MI 48108 (Parcel Identification Number: 09-12-10-400-039)

Hearing date: May 12, 2016

STAFF REPORT

Staff recommends: that the Building Board of Appeals find the buildings are dangerous buildings and order that they be demolished for reasons explained below.

DESCRIPTION AND DISCUSSION

Property Owner's Name and Address:

Ehab Samaha
216 Nura Ct
Ypsilanti, MI 48197

Other interested parties: None known.

The buildings on the property are a single-family house with an attached garage and an outbuilding.

An inspection was conducted by staff on April 5, 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 April 8, 2016, to the owner stating that the Building Official has found the buildings are dangerous buildings and orders the owner to demolish or otherwise make them safe by April 22, 2016.

An Order to Show Cause was sent on May 2, 2016, to the owner to appear before the Building Board of Appeals to explain why the Board should not find the buildings are dangerous and order the owner to demolish or otherwise make them safe.

STAFF FINDINGS

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:

- Building has been unoccupied for 180 days or more without being listed for sale or lease.
- House is a deteriorating and is an attractive nuisance.
- House has envelope penetrations, foundation is crumbling.
- Attached garage in disrepair.
- Outbuilding is open, attractive nuisance.

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 3802 Platt Road 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 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:

- (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.
- (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. They have been unoccupied for well over 180 days without being listed for sale or lease. The resulting deterioration of the house and the outbuilding from neglect makes them an attractive nuisance. The deterioration of the house has led to envelope penetrations, the crumbling foundation of the house compromises its structural integrity and the attached garage is also in disrepair.

Note that the proposed motion provided below is merely a suggestion as the Board's ultimate decision is completely within the Board's discretion.

PROPOSED MOTION

I move that in the case of the Show Cause hearing for BBA Case # _____, concerning the Buildings at 3802 Platt Road, Ann Arbor, Michigan, the Building Board of Appeals finds that the buildings are dangerous buildings as defined in Section 8:382 of Chapter 101 of the Ann Arbor City Code and orders that the owner shall cause the buildings to be demolished. 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 buildings to be demolished.

THIS ORDER IS BASED ON THE FOLLOWING FINDINGS:

- The buildings have been unoccupied for a period of more than 180 consecutive days without being made available for sale, lease, or rent.
- The buildings conditions make them an attractive nuisance.
- The buildings appear to be abandoned as they have been neglected and exposed to the elements leading to deterioration.
- Portions of the foundation of the house are crumbling.

- _____

- _____