

ANN ARBOR BUILDING BOARD OF APPEALS

Show Cause Hearing for Dangerous Building at 836 BROOKWOOD, Ann Arbor, MI 4810 (Parcel Identification Number: 09-09-33-216-022).

Hearing date: May 12, 2016

STAFF REPORT

Staff recommends: that the Building Board of Appeals find that the building is a dangerous building and order that it be demolished for reasons explained below.

DESCRIPTION AND DISCUSSION

Property Owner's Name and Address:

Gordon Otto Larsen
JPMorgan Chase Bank,N.A.
TCF Bank:

Other interested parties: None known.

The building on this property is a single family house.

An inspection was conducted by staff on April 5, 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 April 8, 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 April 22, 2016.

An Order to Show Cause was sent on May 2, 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.
- Front door unlocked and partially open.
- Rear 2nd fir window is missing.
- Back porch collapsing and open.
- Small trees growing out of back porch roof cap.

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 836 Brookwood 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 on or before a date that the Building Official will recommend at the show cause hearing.

Under City Code Sections 8:382 (3), (5), (6), (7), (8), (9), and (10), a building is a dangerous building if it is:

- (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 (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:

This building meets all of these descriptions of dangerous buildings in the code. It has been unoccupied for well over 180 days without being listed for sale or lease. The resulting deterioration of the house from neglect makes this an attractive nuisance. The deterioration of the house has led to envelope penetrations, the crumbling foundation of the house compromises its structural integrity.

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 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:
