

# ANN ARBOR BUILDING BOARD OF APPEALS

**Show Cause Hearing for Dangerous Buildings at 3786 PLATT ROAD,  
Ann Arbor, MI 48108 (Parcel Identification Number: 09-12-10-400-038)**

**Hearing date:** May 12, 2016

## STAFF REPORT

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

## DESCRIPTION AND DISCUSSION

### **Property Owner's Name and Address:**

Ehab A Samaha  
216 Nura Ct.  
Ypsilanti, MI 48197

**Other interested parties:** none known.

The buildings on the property are a vacant single family house with attached garage and a small shed.

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 to be 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:

- Buildings have been unoccupied for 180 days or more without being listed for sale or lease.
- Foundation at right front of house has collapsed.
- House is open to entry by animals.
- Small shed in back is open to vagrants, vermin.
- Buildings are an attractive nuisance to children and others.

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 3786 Platt Road to be 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 far longer than 180 days without being listed for sale or lease. Because of this, they are an attractive nuisance to children and others due to openings caused by deterioration and neglect. This also makes them open to entry by

animals and vagrants. The house has deteriorated over time to the point the foundation at the right front of house has collapsed.

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 3786 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 are an attractive nuisance to children or to other trespassers who could be injured if they enter them because they have been unoccupied for an extended period of time without being kept in good condition and appear to be abandoned.
- There are openings in the buildings that make them open to entry by animals and vagrants.
- Deterioration from abandonment and exposure to the elements has resulted in a partial collapse of the foundation of the house.
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