

CITY OF STERLING HEIGHTS

NOTICE OF PUBLIC HEARING

The Ordinance Board of Appeals held a public hearing at 7:00 p.m. on Monday May 23, 2016 at the Sterling Heights Municipal Center, 40555 Utica Road, Sterling Heights, MI in the Council Chambers, 586-446-2360. At this meeting the Board (1) considered variance requests of petitioners and (2) conducted hearings on abatement of nuisances relating to the property and property owners itemized on the following agenda.

AGENDA

1. Chairman Pitrone called the meeting to order at 7:03 pm
2. Roll Call
John Pitrone - Chairman (excused), Joseph DiGaetano
Secretary, Robert Ervin- Acting Chairman, Kathryn Jiles, Juli
Sala, Denice Gerstenberg - City Development Director, Paul
Geiger - Code Enforcement Officer, Dana Vietto - Recording
Secretary
3. Report from City Liaison - Denice Gerstenberg
 - a. All petitioners were notified by first class mail about tonight's meeting. Remove the following items from the consent agenda as they have been cleaned up prior to the meeting - G16-0049, G16-0052, G16-0053, G16-0054, G16-0055 & G16-0056.
4. Removal of Consent Items to New Business
 - a. Moved item 4 to New Business 9a. G16-0051 Van Hollenbeck, Robert & Pamela - 37071 Andrew Drive
5. Approval of Agenda
Motion by Jiles, supported by DiGaetano, to approve agenda
Yes: All. Motion carried.
6. Consent Agenda
Moved by Jiles, supported by DiGaetano, RESOLVED, to approve the Consent Agenda as amended:
 1. To approve the minutes of the regular meeting of April 25, 2016, as presented.
 2. G16-0050 Shaker, Wafik - 34894 Carbon Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as 34894 Carbon Drive and to direct the Code Official to abate the violations identified in the attached staff reports which give rise to this finding immediately. The Board also authorizes and approves the imposition of a lien against the property, in the amount of the cost of abatement incurred by the City, as permitted by the applicable city ordinance.
7. Public Hearing
 - a. G16-0048 Selliman, Theodore - 40266 Lexington Park Drive
Concrete Variance - Asking Board approval to allow an asphalt driveway instead of a concrete driveway.

Mr. Selliman stated that he has contacted over thirty contractors and none of them want to put concrete in properly. He stated that he wants an asphalt driveway because he has a drainage issue. In the winter ice freezes in his garage. The last contractor did everything wrong. There is standing water, water puddles on the lawn and the back of the house is full of ice. Mr. Selliman showed pictures. Mr. Selliman stated that an asphalt company will not come out until the variance is approved. Mr. Sala asked Mr. Selliman what the reasoning is for wanted an asphalt driveway instead of a concrete driveway. Mr. Selliman stated that he has had thirty contractors out and no one will lower down his grade. They want to put concrete down as it is. Mr. Selliman wants the concrete flat to the fence post and then pitched. Mr. Sala stated that Mr. Selliman will get the same results with asphalt and concrete. It sounds like it is about the grade. Mr. Selliman stated that he will have to move the soil out.

Mr. Purgatori, neighbor, was present. Mr. Purgatori stated that he is concerned about property values with an asphalt driveway. The properties are on small lots and it won't look good with asphalt. Mr. DiGaetano stated that from the testimony he has heard today he doesn't hear anything compelling enough to grant this variance. Mr. DiGaetano told Mr. Selliman that it is unfortunate that the contractor he hired did not do

the job to his satisfaction. Mr. Sala stated that he wants to make a motion to not approve.

Moved by Sala, supported by Jiles, RESOLVED, to deny case G16-0048 at 40266 Lexington Park Drive.

Yes: DiGaetano, Ervin, Jiles, Sala
No: None. Absent: Pitrone. Motion carried.

8. Old Business

9. New Business

- a. G15-0051 Van Hollenbeck, Robert & Pamela - 37071 Andrew Drive
Code Enforcement Officer, Paul Geiger, stated as of today there were some changes to the property.

Robert Van Hollenbeck and Pamela Van Hollenbeck, owners, were present. Mr. Van Hollenbeck stated that a lot of the items have been taken care of. Ms. Van Hollenbeck stated that she has no privacy in her backyard. Mr. Ervin stated that there is no outdoor storage allowed. Fencing runs along property lines. You are not allowed to section off your property. Mr. Van Hollenbeck stated that he has to reinstall the gutter. Ms. Van Hollenbeck stated that the garbage cans should not be there. Ms. Jiles stated that she would like to acknowledge that they have done a lot. The fence still needs repair. The fence structure, outdoor storage and trim and gutters still need to be taken care of. Mr. Van Hollenbeck stated that his garage is packed and he has nowhere to put the stuff. Ms. Van Hollenbeck stated that the enclosed area by the house is her garden area. Mr. Geiger stated that a 6 foot privacy fence is not used around a garden area. This is clearly a storage area and it needs to come down. The fence must be removed. Ms. Jiles asked Mr. Van Hollenbeck when he can have everything completed. Mr. Van Hollenbeck stated next spring. Ms. Jiles stated that he would need to have it done sooner than that. Mr. Geiger stated that there is no outdoor storage allowed. The homeowner asked if he could apply for a variance. Mr. Geiger stated that no variance would be allowed the fence structures must be removed.

Moved by Jiles, supported by Sala, RESOLVED, to declare that a public nuisance exists on the property commonly known as 37071 Andrew Drive and to direct the Code Official to abate the violations identified in the attached staff reports including the gutters and trim missing, which give rise to this finding after June 13, 2016. The Board also authorizes and approves the imposition of a lien against the property, in the amount of the cost of abatement incurred by the City, as permitted by the applicable city ordinance.

Yes: Ervin, Jiles, Sala
No: DiGaetano. Absent: Pitrone. Motion carried.

10. Adjournment

Motion by Sala, supported by DiGaetano to adjourn the meeting.

Yes: All. Motion carried.

The meeting was adjourned at 7:46 pm

Respectfully submitted.

Robert Ervin

Acting Chairman
Ordinance Board of Appeals
Appeals

Joseph DiGaetano

Joseph DiGaetano, Secretary
Ordinance Board of