

CITY OF STERLING HEIGHTS

NOTICE OF PUBLIC HEARING

The Ordinance Board of Appeals held a public hearing at 7:00 p.m. on Monday June 13, 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 7:00 pm
2. Roll Call
John Pitrone - Chairman, Joseph DiGaetano - Secretary, Robert Ervin, 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 - G16-0061, G16-0062, G16-0065, G16-0068, G16-0069, G16-0070, G16-0071, G16-0072, G16-0073, G16-0075 & G16-0077
4. Removal of Consent Items to New Business
 - a. Moved item 2 to New Business 9a. G16-0059 Chase Home Finance, LLC - 35806 Impala Drive
 - b. Moved item 3 to New Business 9b. G16-0060 Saeed, Ashfaq & Mahmood, Ayesha - 2502 Mill Pond Drive
 - c. Moved item 10 to New Business 9c. G16-0067 Adamo, Mark P. & Sandi - 12459 Plumbrook Road
 - d. Moved item 17 to New Business 9d. G16-0074 GMC Investments LLC - 13173 Stratford Drive
 - e. Moved item 21 to New Business 9e. G16-0078 Abdallah, Hassan - 2625 Michael Drive
 - f. Moved item 22 to New Business 9f. G16-0079 Weaver, Daniel & Diane - 3719 Veronica Drive
5. Approval of Agenda
Motion by Ervin, supported by Jiles, to approve agenda
Yes: All. Motion carried.
6. Consent Agenda
Moved by Ervin, supported by Jiles, RESOLVED, to approve the Consent Agenda as amended:
 1. To approve the minutes of the regular meeting of May 23, 2016, as presented.
 2. G16-0063 Miah, Mohammed - 34850 Dryden Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as 34850 Dryden 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.
 3. G16-0064 Ishaq, Arak - 38606 Cottonwood Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as 38606 Cottonwood 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.
 4. G16-0066 Mui, Arthur T. & Li, Bi - 10947 Lesure Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as 10947 Lesure 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.

5. G16-0076 Saffo, Souad - 2815 Fox Hill Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as 2815 Fox Hill 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. G16-0057 Chomoro, Sarmad - 37008 Gary Drive
Fence Variance - Asking Board approval to allow a 6 ft. wood sight obscuring fence in the side yard along 16 Mile Road and a 3 ft. non-sight obscuring fence in the front yard along 16 Mile Road.

Sarmad Chomoro, owner, was present. Mr. Chomoro stated that he has a metal fence along 16 mile road now and wants to replace it with a wood privacy fence. He has kids and dogs and doesn't want them running into the road and trash is thrown onto his property often. Mr. Ervin stated that a 16 foot landscape fence is allowed in a front yard. Mr. Pitrone stated that he normally would be against a fence in the front yard but the property is along 16 mile road. Mr. Chomoro stated that the house next to him has a three foot fence in the front yard. Mr. Ervin asked if the fence will be natural wood. Mr. Chomoro stated it will be a natural wood fence.

Moved by Sala, supported by Ervin, RESOLVED, to approve case G16-0057 at 37008 Gary Drive with the following conditions: 1 - that the petitioner agrees to abide by and comply with all applicable rules and regulations and orders of every lawful agency or governing authority having jurisdiction, 2 - that the decision of the Board will remain valid and in force only as long as the facts and information presented to the Board in public hearing are found to be correct and that the conditions upon which the motion is based are maintained as presented to the Board.

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

- b. G16-0058 Sulejmani, Nimisha - 11399 Pacentro Court
Fence Variance - Asking Board approval to allow a 6 ft. PVC sight obscuring fence in the side yard along San Angelo Drive.

Marcelo Sulejmani, husband of owner, was present. Mr. Sulejmani stated that he wants a 6 foot vinyl fence along his property. Mr. Ervin stated that he noticed that he moved the fence back 25 feet along Plumbrook and 23 feet along Plumbrook. Mr. Sulejmani stated that his property is at an angle and Plumbrook is not straight. Mr. Ervin stated that he has two front yards and he would need to be 25 feet back from the property line along Pacentro. Mr. Pitrone stated that the first 25 feet from the sidewalk toward the gate should not have any sight obstruction. Mr. Ervin stated that the fence along Plumbrook will be off by 2 feet and might look strange. Mr. Ervin would need more information regarding the dimensions from Pacentro Court to see if he meets the corner requirements. Mr. Pitrone stated that if Mr. Sulejmani is confident they could go back 25 feet which would be about half way to the depth of the garage. Mr. Ervin stated that he needs to be 25 feet back from the corner of San Angelo and Pacentro Court so the site distance is maintained at the corner. He can angle the fence to meet the city ordinance. Mr. Sulejmani stated he understood. Mr. DiGaetano wanted to know if both fences will be self-latching. Mr. Sulejmani stated, "Yes."

Moved by Ervin, supported by DiGaetano, RESOLVED, to approve case G16-0058 at 11399 Pacentro Court with the following conditions: 1 - that the petitioner agrees to abide by and comply with all applicable rules and regulations and orders of every lawful agency or governing authority having jurisdiction, 2 - that the decision of the Board will remain valid and in force only as long as the facts and information presented to the Board in public hearing are found to be correct and that the conditions upon which the motion is based are maintained as presented to the Board, 3- the petitioner will have to meet corner clearance on Plumbrook Road, San Angelo Drive and Pacentro Court.

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

8. Old Business

9. New Business

- a. G15-0059 Chase Home Finance, LLC - 35806 Impala Drive
Code Enforcement Officer, Paul Geiger, stated as of today there were no changes to the property.

Property owner was not present. Ms. Gerstenberg stated that a letter was received from the property manager requesting an additional two weeks to research the fence. This property has had two previous abatements and the City has been waiting since April 19, 2016 for the fence to be fixed.

Moved by Jiles, supported by Sala, RESOLVED, to declare that a public nuisance exists on the property commonly known as 35806 Impala 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.

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

- b. G15-0060 Saeed, Ashfaq & Mahmood, Ayesha - 2502 Mill Pond Drive
Code Enforcement Officer, Paul Geiger, stated as of today there were no changes to the property.

Ashfaq Saeed, owner, was present. Mr. Saeed stated that he bought the property last year. He contracted a company to get rid of the weeds in May. He stated that the weeds would go away in about 5 to 6 months. Mr. Pitrone stated that all he needs is round up and to pull the weeds 48 hours later. Mr. Ervin stated that the landscape weeds need to be removed. Mr. Saeed stated that the weeds are getting smaller. Mr. Pitrone stated that the entire property should be weed free. If not then a city contractor will be out and the property owner will have to pay for it. Mr. Saeed stated that he will take care of it.

Moved by Sala, supported by Ervin, RESOLVED, to declare that a public nuisance exists on the property commonly known as 2502 Mill Pond Drive and to direct the Code Official to abate the violations identified in the attached staff reports, which give rise to this finding after June 20, 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: DiGaetano, Ervin, Jiles, Pitrone, Sala
No: None. Absent: None. Motion carried.

- c. G15-0067 Adamo, Mark P. & Sandi - 12459 Plumbrook Road
Code Enforcement Officer, Paul Geiger, stated as of today there were some changes to the property.

Mark Adamo, owner, was present. Mr. Adamo apologized for wasting the Boards time. He stated that he needs three weeks for his contractor to finish it.

Moved by Jiles, supported by Ervin, RESOLVED, to declare that a public nuisance exists on the property commonly known as 12459 Plumbrook Road and to direct the Code Official to abate the violations identified in the attached staff reports, which give rise to this finding after July 4, 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: DiGaetano, Ervin, Jiles, Pitrone, Sala
No: None. Absent: None. Motion carried.

- d. G15-0074 GMC Investments LLC - 13173 Stratford Drive
Code Enforcement Officer, Paul Geiger, stated as of today there were some changes to the property.

A representative for GMC Investments LLC was present. He stated that this has been an ongoing problem. The siding will be fixed by a contractor by June 22, 2016. Mr. Sala stated that if a City contractor is sent out to do the work the homeowner will be billed.

Moved by Ervin, supported by Jiles, RESOLVED, to declare that a public nuisance exists on the property commonly known as 13173 Stratford Drive and to direct the Code Official to abate the violations identified in the attached staff reports, which give rise to this finding after June 23, 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: DiGaetano, Ervin, Jiles, Pitrone, Sala
No: None. Absent: None. Motion carried.

- e. G15-0078 Abdallah, Hassan - 2625 Michael Drive
Code Enforcement Officer, Paul Geiger, stated as of today there were some changes to the property. Add open basement window to the agenda statement.

Hassan Abdallah, owner, was present. Mr. Abdallah stated that the house has fire damage and the basement window is open so the sump pump can be drained so the basement doesn't flood. He asked the Board to give him until the weekend. Mr. Geiger stated that he needs to fix the board so a small child can't fall in. He just needs to cut a small hole for the pump to go out and secure the board safely.

Moved by Jiles, supported by Sala, RESOLVED, to declare that a public nuisance exists on the property commonly known as 2625 Michael Drive and to direct the Code Official to abate the violations identified in the attached staff reports, which give rise to this finding after June 20, 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: DiGaetano, Ervin, Jiles, Pitrone, Sala
No: None. Absent: None. Motion carried.

- f. G15-0079 Weaver, Daniel & Diane - 3719 Veronica Drive
Code Enforcement Officer, Paul Geiger, stated as of today there were some changes to the property.

Diane Weaver, owner, was present. Ms. Weaver stated that she has been working on her home for over a year and a half now because a pipe burst and flooded her home. She stated that her grandson will help her clean up the property. She needs two weeks.

Moved by Ervin, supported by Sala, RESOLVED, to declare that a public nuisance exists on the property commonly known as 3719 Veronica Drive and to direct the Code Official to abate the violations identified in the attached staff reports, which give rise to this finding after June 27, 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: DiGaetano, Ervin, Jiles, Pitrone, Sala
No: None. Absent: None. Motion carried.

10. Adjournment
Motion by Ervin, supported by Jiles to adjourn the meeting.

Yes: All. Motion carried.

The meeting was adjourned at 8:09 pm

Respectfully submitted.

John Pitrone
John Pitrone, Chairman
Ordinance Board of Appeals

Joseph DiGaetano
Joseph DiGaetano, Secretary
Ordinance Board of

