

CITY OF STERLING HEIGHTS

NOTICE OF PUBLIC HEARING

The Ordinance Board of Appeals held a public hearing at 7:00 p.m. on August 8, 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, Juli Sala - Secretary, Robert Ervin,  
Benjamin McMartin, Paul Zdzieblowski, 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 - G16-0159, G16-0160, G16-0163, G16-0167, G16-0168, G16-0169, G16-0171, G16-0172 & G16-0175.
4. Removal of Consent Items to New Business
  - a. Moved item 7 to New Business 9a. G16-0164 Miller, Dolores D. - 34723 Giannetti Drive
  - b. Moved item 22 to New Business 9b. G16-0179 Kniga, B. & Jerome J. - 37865 Hanson Drive
5. Approval of Agenda  
Motion by Ervin, supported by Sala, to approve agenda  
Yes: All. Motion carried.
6. Consent Agenda  
Moved by Ervin, supported by Sala, RESOLVED, to approve the Consent Agenda as amended:
  1. To approve the minutes of the regular meeting of July 25, 2016, as presented.
  2. G16-0161 Dicicco, Antonio (Trust) - 3840 Eclipse Court  
RESOLVED, to declare that a public nuisance exists on the property commonly known as 3840 Eclipse Court 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. G16-0162 Nguyen, Thoia T. & Nguyen, Ngoc Nga - 3048 Mangrove Drive  
RESOLVED, to declare that a public nuisance exists on the property commonly known as 3048 Mangrove 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. G16-0165 Gibbs, James H. Jr. - 5311 Mansfield Avenue  
RESOLVED, to declare that a public nuisance exists on the property commonly known as 5311 Mansfield Avenue 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. G16-0166 Finney, Joseph Mitchell & Heather - 34407 Preston Drive  
RESOLVED, to declare that a public nuisance exists on the property commonly known as 34407 Preston 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.

6. G16-0170 Kryza, Raymond H. - Trust - 39834 Baker Drive  
RESOLVED, to declare that a public nuisance exists on the property commonly known as 39834 Baker 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. G16-0173 Devitt, Laura - 11546 Diamond Drive  
RESOLVED, to declare that a public nuisance exists on the property commonly known as 11546 Diamond 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.
8. G16-0174 Rinc, LLC - 43313 Interlaken Drive  
RESOLVED, to declare that a public nuisance exists on the property commonly known as 43313 Interlaken 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.
9. G16-0176 Z & A Holdings, LLC - 43401 Van Dyke  
RESOLVED, to declare that a public nuisance exists on the property commonly known as 43401 Van Dyke 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.
10. G16-0177 Zappa, Salvatore - 43216 Westview Drive  
RESOLVED, to declare that a public nuisance exists on the property commonly known as 43216 Westview 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.
11. G16-0178 Depaul, Antwan - 2316 Fox Hill Drive  
RESOLVED, to declare that a public nuisance exists on the property commonly known as 2316 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

8. Old Business

9. New Business

- a. G16-0164 Miller, Dolores D. - 34723 Giannetti Drive  
Code Enforcement Officer, Paul Geiger, stated as of today there were some changes to the property. Pictures were shown at this time.

Dolores Miller, owner, was present. Ms. Miller stated that they started taking care of the weeds and they just need to finish. The weeds keep coming back. They can have it done by the weekend. Mr. Pitrone told Ms. Miller to put a couple of gallons of roundup on the weeds and after about 24 hours pull the weeds out. Mr. Pitrone stated

that he would be in favor of an immediate abatement because this was a complaint and the property was in front of this Board in 2015 and they voted for an immediate abatement.

Moved by Sala, supported by Ervin, RESOLVED, to declare that a public nuisance exists on the property commonly known as 34723 Giannetti Drive and to direct the Code Official to abate the violations identified in the attached staff reports, which give rise to this finding after August 15, 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, McMartin, Pitrone, Sala, Zdzieblowski  
No: None. Absent: None. Motion carried.

- b. G16-0179 Kniga, B. & Jerome J. - 37865 Hanson Drive  
Code Enforcement Officer, Paul Geiger, stated as of today there were some changes to the property. Need to add reconnect downspout. Pictures were shown at this time.

Daughter of Jerome and B. Kniga was present. Ms. Kniga stated that her parents are deceased and she has resided in the home since 2015. Ms. Kniga stated that the battery died on the weed whipper and they haven't fixed it. Her husband talked to someone today and they will be getting it fixed. Mr. Ervin pointed out that there is a downspout off of the house and it needs to be added to the agenda. Mr. Pitrone stated that the property had an immediate abatement in 2014.

Moved by McMartin, supported by Zdzieblowski, RESOLVED, to declare that a public nuisance exists on the property commonly known as 37865 Hanson 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: Ervin, McMartin, Pitrone, Sala, Zdzieblowski  
No: None. Absent: None. Motion carried.

10. Public Participation

11. Adjournment

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

Yes: All. Motion carried.

The meeting was adjourned at 7:15 pm

Respectfully submitted.

John Pitrone

John Pitrone - Chairman  
Ordinance Board of Appeals  
Appeals

Juli Sala

Juli Sala - Secretary  
Ordinance Board of