

CITY OF STERLING HEIGHTS

NOTICE OF PUBLIC HEARING

The Ordinance Board of Appeals II held a public hearing at 3:00 p.m. on Wednesday September 21, 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 D'Angelo called the meeting to order at 3:00 pm
2. Roll Call: Derek B. D'Angelo - Chairman, Michael Sauger - Secretary, Al L. Kollmorgen, Michael Stickney, Denice Gerstenberg - City Development Director, Pat Willis - Code Enforcement Officer, Dana Vietto - Recording Secretary
3. Report from City Liaison - Denice Gerstenberg
 - a. All petitioners were notified by first class mail about today's meeting. Remove the following items from the consent agenda as they have been cleaned up prior to the meeting - G16-0230, G16-0235, G16 -0236, G16-0237 & G16-0238
 - b. Recreating Recreation Video
4. Removal of Consent Items to New Business-
 - a. Moved item 4 to New Business 9a. G16-0228 Casey, Patrick & Jennifer - 8855 Sixteen ½ Mile Road
 - b. Moved item 5 to New Business 9b. G16-0229 Lannoo, George & Alice - 40614 Colony Drive
 - c. Moved item 7 to New Business 9c. G16-0231 Kowalski, Jeanie - 11303 Regal Drive
5. Approval of Agenda
Motion by Kollmorgen, supported by Sauger to approve agenda.
Yes: All. Motion carried.
6. Consent Agenda
Moved by Stickney, supported by Kollmorgen, RESOLVED, to approve the Consent Agenda as amended:
Yes: All. Motion carried.
 1. To approve the minutes of the regular meeting of August 17, 2016, as presented.
 2. G16-0226 Dugan, Lynn Athena - 33700 Curcio Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as 33700 Curcio 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. G16-0227 PSN Enterprise, Inc - 8100 Fifteen Mile Road
RESOLVED, to declare that a public nuisance exists on the property commonly known as 8100 Fifteen Mile Road 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. G16-0232 Slioah, Abir - 39717 Salvatore Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as 39717 Salvatore 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. G16-0233 Berishaj, Lule - 39417 Van Dyke
RESOLVED, to declare that a public nuisance exists on the property commonly known as 39417 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.

6. G16-0234 Metro Church of Christ - 44899 Brockton Avenue
RESOLVED, to declare that a public nuisance exists on the property commonly known as 44899 Brockton 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

7. Public Hearing

a. G16-0225 Betleja, Adam & Jadwiga - 8393 Remie Drive
Fence Variance - Asking Board approval to allow a 6 foot wood privacy fence on a corner lot
along Ashton Avenue with a 4 foot panel and a 3 foot panel in the front yard.

Jadwiga Betleja, owner, was present. Ms. Betleja stated that they want to build a wood fence in the front yard as far as they can. She stated that they have issues with dogs and deer eating their plants. They want it for safety and privacy. Mr. D'Angelo stated that he has never seen a privacy fence be allowed in the front yard. Ms. Betleja stated that they will be willing to accept a 6ft privacy fence along the back and side and where the 6ft privacy fence ends at the edge of house they want to continue with one panel 4ft high and one panel 3ft high. The two panels will lead into the front yard. Mr. Kollmorgen asked why the application was denied. Ms. Gerstenberg stated that anytime a petitioner wants a privacy fence on a corner lot they need a variance because there are safety clearance issues. Mr. D'Angelo stated that he is not in favor of the fence going to the corner in the front yard.

Moved by Sauger supported by Kollmorgen, RESOLVED, to approve case G16-0225 at 8393 Remie 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, 3- that the 4 foot and 3 foot panel cannot exceed 16 feet in length from the end of the house.

Yes: D'Angelo, Kollmorgen, Sauger, Stickney
No: None. Absent: None. Motion carried.

8. Old Business

9. New Business

a. G16-0228 Casey, Patrick & Jennifer - 8855 Sixteen ½ Mile Road
Code Enforcement Officer, Pat Willis, stated as of today there have been some changes. Pictures were shown at this time.

Jennifer Casey, owner, was present. Ms. Casey stated that she has been working on fixing all the violations. Mr. D'Angelo asked Ms. Casey how long she needs. She stated she needs a month to get it all done. Ms. Casey stated that she needs clarification on weeds and plant growth.

Moved by Kollmorgen supported by Sauger, RESOLVED, to declare that a public nuisance exists on the property commonly known as 8855 Sixteen ½ Mile Road and to direct the Code Official to abate the violations identified in the attached staff reports,

which give rise to this finding after October 19, 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: D'Angelo, Kollmorgen, Sauger, Stickney
No: None. Absent: None. Motion carried.

- b. G16-0229 Lannoo, George & Alice - 40614 Colony Drive
Code Enforcement Officer, Pat Willis, stated as of today there have been no changes. Add repair garage door and remove debris on property to the agenda statement. Pictures were shown at this time.

Property owner was not present. Neighbor was present. The neighbor stated that this property has had no maintenance for many years. The homeowner feeds all the animals in the area. The garage door will not shut and skunks live in it. The homeowner cuts the grass once in a while and doesn't weed or trim. The roof has holes in it. Another neighbor stated that the property is a mess and is taking down the neighborhood. In the winter the snow is never removed. Mr. Stickney asked if the house is occupied. The neighbor stated, "Yes." Ms. Gerstenberg stated that after the meeting we will contact animal control and have them trap the animals and notify them about the food bag. There are programs that could possibly help the homeowners. This property has had previous abatements.

Moved by Stickney, supported by Kollmorgen, RESOLVED, to declare that a public nuisance exists on the property commonly known as 40614 Colony 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: D'Angelo, Kollmorgen, Sauger, Stickney
No: None. Absent: None. Motion carried.

- c. G16-0231 Kowalski, Jeanie - 11303 Regal Drive
Code Enforcement Officer, Pat Willis, stated as of today there have been some changes. Pictures were shown at this time.

Property owner was not present. Son in law and daughter were present. The son in law apologized for the weed overgrowth. It is all taken care of. They hired SAS Waterproofing in 2015 to fix the sump discharge issue and the City approved the permit.

No action required from Board. All violations were taken care of.

10. Public Participation

11. Adjournment

Motion by Sauger, supported by Kollmorgen to adjourn the meeting.

Yes: All. Motion carried.

The meeting was adjourned at 4:12 pm

Respectfully submitted.

Derek D'Angelo

Michael Sauger

Chairman Derek D'Angelo
Ordinance Board of Appeals II

Secretary Michael Sauger
Ordinance Board of Appeals II