

CITY OF STERLING HEIGHTS

NOTICE OF PUBLIC HEARING

The Ordinance Board of Appeals held a public hearing at 7:00 p.m. on October 24, 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 (excused), Robert Ervin, Benjamin McMartin, Paul Zdzieblowski, Michael Stickney, 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 - G16-0286, G16-0287, G16-0288, G16-0289, G16-0291, G16-0293, G16-0294, G16-0296 & G16-0301
4. Removal of Consent Items to New Business
 - a. Moved item 8 to New Business 9a. G16-0292 Mousa, Dilib Nuri - 37234 Almont Drive West
 - b. Moved item 11 to New Business 9b. G16-0295 Brzyski, Stanley & Priscilla - 8715 & 8675 Metropolitan Parkway
 - c. Moved item 14 to New Business 9c. G16-0298 Alnaraey, Roni & Reta - 40103 Kristen Drive
 - d. Moved item 15 to New Business 9d. G16-0299 Everitt, Mark & Shari - 35259 Hatherly Place
5. Approval of Agenda
Motion by Ervin, supported by McMartin, to approve agenda
Yes: All. Motion carried.
6. Consent Agenda
Moved by Ervin, supported by Zdzieblowski, RESOLVED, to approve the Consent Agenda as amended:
 1. To approve the minutes of the regular meeting of September 26, 2016, as presented.
 2. G16-0290 Alam, Muhammad - 34778 San Paulo Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as 34778 San Paulo 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. G16-0297 Shields Holding LTD, LLC - 5510 Gatewood Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as 5510 Gatewood 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. G16-0300 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.
 5. G16-0302 Sterling Shops, LLC - 2390 Metropolitan Parkway
RESOLVED, to declare that a public nuisance exists on the property commonly known

as 2390 Metropolitan Parkway 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. G16-0292 Mousa, Dilib Nuri - 37234 Almont Drive West
Code Enforcement Officer, Paul Geiger, stated as of today there were some changes to the property. Pictures were shown at this time.

Yousif Nuri, owner's son, was present. Mr. Pitrone stated that the violation is simple enough to fix. Mr. Nuri stated that they will try to work on the weeds and grass. Mr. Pitrone stated that they could have had the weeds removed by the time it took to come to the meeting. Mr. McMartin asked Mr. Nuri if they could have it done by tomorrow. Mr. Nuri stated, "No."

Moved by Zdzieblowski, supported by McMartin, RESOLVED, to declare that a public nuisance exists on the property commonly known as 37234 Almont Drive West 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, Stickney, Zdzieblowski
No: None. Absent: Sala. Motion carried.

- b. G16-0295 Brzyski, Stanley & Priscilla - 8715 & 8675 Metropolitan Parkway
Code Enforcement Officer, Paul Geiger, stated as of today there were some changes to the property. Pictures were shown at this time.

Stanley & Priscilla Brzyski, owners, were present. Mr. Brzyski stated that they have cleaned up 80% of the property. They are donating the RV and sold the trailer. Mr. Pitrone stated that everything in the pictures needs to be cleaned up. Ms. Brzyski stated that they tried to sell the RV but no one wants it. They will put the pavers in when they can afford it. The garage is going to be painted by a contractor in the fall. Mr. Zdzieblowski asked Mr. Brzyski how much time they need. Mr. Brzyski stated that they need two to three months or whatever it takes. Mr. Pitrone stated that he would reluctantly vote for one month. Mr. Geiger stated that no outdoor storage is allowed in a residential area at all.

Moved by Zdzieblowski, supported by Stickney, RESOLVED, to declare that a public nuisance exists on the property commonly known as 8715 & 8675 Metropolitan Parkway and to direct the Code Official to abate the violations identified in the attached staff reports, which give rise to this finding after November 24, 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, Stickney, Zdzieblowski
No: None. Absent: Sala. Motion carried.

- c. G16-0298 Alnaraey, Roni & Reta - 40103 Kristen Drive
Code Enforcement Officer, Paul Geiger, stated as of today there were some changes to the property. Pictures were shown at this time.

Roni Alnaraey, owner, was present. Marium Cano, translator, was present. Mr. Pitrone stated that the nuisance growth was taken care of and asked her how long they needed to fix the shed roof. Ms. Cano stated that they need one month. Mr. McMartin stated that they have no previous OBA's and they only have the shed roof left. Mr. Pitrone stated that he has no issues with one month.

Moved by Stickney, supported by Zdzieblowski, RESOLVED, to declare that a public

nuisance exists on the property commonly known as 40103 Kristen Drive and to direct the Code Official to abate the violations identified in the attached staff reports, which give rise to this finding after November 24, 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, Stickney, Zdzieblowski
No: None. Absent: Sala. Motion carried.

- d. G16-0295 Everitt, Mark & Shari- 35259 Hatherly Place
Code Enforcement Officer, Paul Geiger, stated as of today there were no changes to the property. Add installation of pool safety cover to agenda statement. Pictures were shown at this time.

Property owner was not present. Ms. Gerstenberg stated that the administration moved this to New Business so the Board could see it. This will be a costly clean up and the property is a safety hazard. The neighbor was present. The neighbor stated that the parents don't live in the house. The daughters husband lives there with dogs and they don't want to communicate.

Moved by Ervin, supported by McMartin, RESOLVED, to declare that a public nuisance exists on the property commonly known as 35259 Hatherly Place and to direct the Code Official to abate the violations identified in the attached staff reports, which give rise to this finding immediately and add installation of pool safety cover. 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, Stickney, Zdzieblowski
No: None. Absent: Sala. Motion carried.

10. Public Participation

- a. Gary Blake, Sterling Heights resident, was present. Mr. Blake stated that his neighbor Dr. Steve is squatting in the house at 8777 18 Mile Road for three years and the Board voted to remove the dead tree on his property and it is not removed. Ms. Gerstenberg stated that she has spoken to Mr. Blake and the City Attorney has spoken to him. The City cannot proceed until they are directed by the City Attorney.

11. Adjournment

Motion by McMartin, supported by Jablowski to adjourn the meeting.

Yes: All. Motion carried.

The meeting was adjourned at 7:45 pm

Respectfully submitted.

John Pitrone

Juli Sala

John Pitrone- Chairman
Ordinance Board of Appeals
Appeals

Juli Sala - Secretary
Ordinance Board of