

CITY OF STERLING HEIGHTS
BOARD OF ORDINANCE APPEALS
REGULAR MEETING MINUTES
January 24, 2022

The Board of Ordinance Appeals held a public hearing at 7:00 p.m. on January 24, 2022 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 from the following agenda.

AGENDA

1. Mr. Ervin called the meeting to order at 7:00 p.m.

2. Roll Call: Robert Ervin – Chairman, James Mandl, Kathleen Martin, Mike Stickney and Jason Castor – City Development Director

Absent: Julie Windhorst

Also in attendance: Dana Vietto – Code Enforcement Coordinator

3. Report from Jason Castor, City Liaison

All petitioners were notified by first class mail about tonight’s meeting. Remove the following item from the consent agenda as it has been cleaned up prior to the meeting: G22-0006.

4. Removal of Consent Items to New Business

- a. Moved item 8 to New Business 9a. G22-0007 Khoshaba, Khoshaba – 14171 Mary Grove Drive
- b. Moved item 9 to New Business 9b. G22-0008 Krisan, Andrea – 41305 North Central Drive

5. Approval of Agenda

Motion by Stickney, supported by Martin, to approve agenda.

Yes: All.

Absent: Windhorst.

Motion carried.

6. Consent Agenda

Moved by Stickney, supported by Martin, RESOLVED, to approve the Consent Agenda as amended.

Yes: All

Absent: Windhorst

Motion carried.

1. Approval of the Minutes

Regular Meeting December 13, 2021

2. G22-0001 Skelly, Jordan & Hinchey, Jennifer – 39158 Helena Avenue

RESOLVED, to declare that a public nuisance exists on the property commonly known as – **39158 Helena 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.

3. G22-0002 Sherfield, Larry – 36757 Vine Drive

RESOLVED, to declare that a public nuisance exists on the property commonly known as – **36757 Vine 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. G22-0003 Alloush, Maha – 34884 Beaver Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **34884 Beaver 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. G22-0004 Expo Properties LLC – 11700 Fifteen Mile Road
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **11700 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.
6. G22-0005 Gaiwa, Abeer – 44081 Ryan Road
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **44081 Ryan 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.
7. G22-0009 Van Sterling Property, LLC - 42300 Vandyke
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **42300 Vandyke** 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. G22-0010 Store Master Funding VII, LLC – 33032 Dequindre Road
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **33032 Dequindre 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.

7. Public Hearing
None

8. Old Business
None

9. New Business

- a. G22-0007 Khoshaba, Khoshaba – 14171 Mary Grove Drive
Code Enforcement Coordinator, Dana Vietto, stated as of today there has been no contact with the owner and there have been no changes to the property. Pictures were shown at this time.

Russell Nardi, 14183 Mary Grove, addressed the Board. He indicated **the Khoshaba's are very good neighbors and he thinks the problem is that they are foreigners and don't understand the laws and way of doing things.** His complaint is with their insurance company. He has called them three times to get them to make it look presentable. He explained how he's had to stand the board back up in front of the garage, pick up debris, and has watched raccoons and birds go into the upper level which is open. He indicated their insurance company sent someone out but when they were there, they **didn't really do anything. He is concerned for neighborhood kids getting hurt on the debris that is still in the backyard.**

Mr. Ervin asked if the homeowners have been to the property at all. Mr. Nardi indicated they just come and pick up the mail. He thinks even though there have been notices sent, **they don't understand they have to do something about it or push their insurance company to do something.** Mr. Ervin thanked him for coming to the meeting and explaining the situation.

Ms. Martin asked if he has any rapport with the **neighbor's** son. Mr. Nardi indicated he **thinks they will do what someone tells them to do but he never sees them and he doesn't** know where they currently live. Ms. Martin asked how the fire was started. Mr. Nardi explained it had started in the garage.

Mr. Ervin asked Mr. Castor if any permits have been pulled. Mr. Castor stated there were none on file.

Mr. Ervin asked the Board for any other questions. Being none, he asked for public participation. Also being none, he asked for a motion.

Moved by Stickney, supported by Martin, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **14171 Mary Grove 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: Stickney, Martin, Ervin, Mandl

No: None Absent: Windhorst Motion carried.

b. G22-0008 Krisan, Andrea – 41305 North Central Drive
Code Enforcement Coordinator, Dana Vietto, stated as of today there has been contact with the owner but there have been no changes to the property. She indicated the owner of the property sent an email about 6:00 p.m. and it stated the owner would not be able to attend the meeting due to inclement weather and that the oil stain would be removed when weather permits. Pictures were shown at this time.

Mr. Ervin confirmed they received an email and no one was present at the meeting for this property. He indicated the email did not address the entire violation, just the oil stain. He asked if there were any other questions from Board members.

Mr. Stickney indicated this is not the first time the property owner has been before the Board. He then stated the initial inspection was December 7th **and can't understand why** the trash and debris was not picked up. He feels there has been the opportunity to take care of the oil on the driveway and they just have not done it. He also made note that the Board received an email at 6:23 p.m. on the day of the meeting.

There was no one present for public participation.

Moved by Stickney, supported by Martin, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **41305 North Central 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: Stickney, Martin, Ervin, Mandl

No: None Absent: Windhorst Motion carried.

None.

11. Adjournment
Motion by Stickney, supported by Martin, to adjourn the meeting.
Yes: All. Absent: Windhorst Motion carried.

The meeting was adjourned at 7:19 p.m.

Respectfully submitted,

Robert Ervin – Chairman
Board of Ordinance Appeals

Mike Stickney – Acting Secretary
Board of Ordinance Appeals