

CITY OF STERLING HEIGHTS
BOARD OF ORDINANCE APPEALS
REGULAR MEETING MINUTES
March 28, 2022

The Board of Ordinance Appeals held a public hearing at 7:00 p.m. on March 28, 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, Kathleen Martin, Justin Smith, Mike Stickney, Julie Windhorst and Jason Castor – City Development Director

Absent: James Mandl

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 items from the consent agenda as they have been cleaned up prior to the meeting: G22-0022 and G22-0026.

4. Removal of Consent Items to New Business
 - a. Moved item 6 to New Business 9a. G22-0021 Gumma, Norman & Kinaya, Faith L. – 37054 Mariano Drive
5. Approval of Agenda
Motion by Stickney, supported by Martin, to approve agenda.

Yes: All. Absent: Mandl Motion carried.

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

Yes: All Absent: Mandl Motion carried.

1. Approval of the Minutes
Regular Meeting February 28, 2022
2. G22-0017 18 Mile Vandyke, LLC – 40688 Van Dyke
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **40688 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.
3. G22-0018 Mekhail, Magda/Madona/Cyril – 33495 Ashton Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **33495 Ashton 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. G22-0019 Sherwood Plaza Properties, LLC – 4155 Fourteen Mile Road
RESOLVED, to declare that a public nuisance exists on the property commonly known as –**4155 Fourteen 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.

5. G22-0020 Campbell, Pamela – 5620 Plymouth Street
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **5620 Plymouth Street** 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. G22-0023 Forman, Bryant – 41312 North Central Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **41312 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.

7. G22-0024 Store Master Funding VII, LLC/Lube Express of MI, Inc. – 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.

8. G22-0025 Lin, Dan Dan – 43200 Gainsley Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **43200 Gainsley 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
None

8. Old Business
a. G22-0011 Arondoski, Michael E. & Karen A. – 39750 Lembke Drive
Mr. Castor indicated this case will be postponed until the April meeting.

9. New Business

a. G22-0021 Gumma, Norman & Kinaya, Faith L. – 37054 Mariano Drive
Code Enforcement Coordinator, Dana Vietto, stated as of today there was contact with the owner but there have been no changes to the property. Pictures were shown at this time.

Faith Kinaya, homeowner, addressed the Board. She explained they just bought the house and have **contacted a plumbing company through her homeowner's insurance**. She indicated the contract started December 17th which was about a week after the issue was brought to their attention. She displayed the report from the plumbing company and it indicated they believed it to be a backed-up sump pump problem. **She's had a hard time getting them to come back consistently**. When they find new issues, they have to open up a new **claim with the insurance**. **She's talked with the homeowner's adjuster and they are trying to get it done**. She also indicated this is the seventh plumbing company she had contacted and they are the only ones who figured out what was going on.

Mr. Ervin asked Mr. Castor if permits need to be secured. Mr. Castor replied without knowing the full extent of the issues, it is hard to say if a permit would be required. He indicated if they will be working in the right of way, they would need a permit. He suggested the plumbing contractor contact the code enforcement officer and let them know the issues.

Mr. Ervin asked the Board for any other questions.

Ms. Martin asked Ms. Kinaya if the plumbing company gave them an estimate of when they will start. Ms. Kinaya indicated she has been trying to get that information. She explained she's submitted a couple checks and they are supposed to contact her this week.

Mr. Ervin asked how much time she would need to resolve the issue. **She said she wasn't** sure how long it would take.

Mr. Ervin asked for any further questions. Being none, 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 – **37054 Mariano Drive** and to direct the Code Official to abate the violations identified in the attached staff reports which give rise to this finding by April 28, 2022. 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, Windhorst, Ervin, Smith
No: None Absent: Mandl Motion carried.

10. Public Participation
None.

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

The meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Robert Ervin – Chairman
Board of Ordinance Appeals

Julie Windhorst – Secretary
Board of Ordinance Appeals