

CITY OF STERLING HEIGHTS
BOARD OF ORDINANCE APPEALS
REGULAR MEETING MINUTES
April 25, 2022

The Board of Ordinance Appeals held a public hearing at 7:00 p.m. on April 25, 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 Julie Windhorst

Absent: None

Also in attendance: Patrick Willis – Code Enforcement Officer
 3. Report from Patrick Willis, 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: G22-0031, G22-0032, G22-0033, G22-0035, G22-0040, G22-0042, G22-0045, G22-0046 and from Old Business G22-0011.
 4. Removal of Consent Items to New Business
 - a. Moved item 2 to New Business 9a. G22-0027 Alhusaini, Maha & Al-Naji, Wisam – 40845 Firesteel Drive
 - b. Moved item 5 to New Business 9b. G22-0030 Ahmed, Sunny & Sultana, Sakara – 4210 Bieber Drive
 - c. Moved item 12 to New Business 9c. G22-0037 Carmen, Charles C. – 33265 Sebastian Lane Drive
 - d. Moved item 13 to New Business 9d. G22-0038 Elia, Savan – 33167 Sherwood Forest Drive
 - e. Moved item 18 to New Business 9e. G22-0043 Muhsen, Muroj A. – 36212 Carriage Drive
 5. Approval of Agenda
Motion by Stickney, supported by Martin, to approve agenda.

Yes: All. Absent: None Motion carried.
 6. Consent Agenda
Moved by Stickney, supported by Martin, RESOLVED, to approve the Consent Agenda as amended.

Yes: All Absent: None Motion carried.
1. Approval of the Minutes
Regular Meeting March 28, 2022
 2. G22-0028 Vettrano, Angelo & Cathy A. – 36882 Gregory Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **36882 Gregory 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. G22-0029 Richardson, Yara – 13973 Renfrew Court
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **13973 Renfrew 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.
4. G22-0034 Basilisco, Irene L – 33967 Mound Road
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **33967 Mound 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. G22-0036 MTT, LLC – 34955 Schoenherr Road
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **34955 Schoenherr 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. G22-0039 Jaghleen, Razoog – 33237 Somerset Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **33237 Somerset 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. G22-0041 Deryavoush, Tara – 4700 Eighteen ½ Mile Road
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **4700 Eighteen 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 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. G22-0044 Zoma Properties, L.L.C. – 35950 Dequindre Road
RESOLVED, to declare that a public nuisance exists on the property commonly known as – **35950 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
a. G22-0011 Arondoski, Michael E. & Karen A. – 39750 Lembke Drive
During his report (item #3), Mr. Willis indicated this case was removed.

9. New Business

a. G22-0027 Alhusaini, Maha & Al-Naji, Wisam – 40845 Firesteel Drive
Code Enforcement Officer, Patrick Willis, stated violation notices were sent and gave a presentation of the property. Pictures were shown at this time.

Wisam Al-Naji, homeowner, addressed the Board. He explained he fixed the issues but **they didn't** give him much time from when he got the notice.

Mr. Ervin read notes from the file which stated he received three violation notices and the first was issued March 22, there was no contact from him but there were some changes. He then indicated there are six violations outstanding on the property. Mr. Al-Naji indicated he **doesn't know how to contact the city to fix the issues**. He then stated he already cleaned up the mess. **He displayed a video from his phone. Mr. Willis then showed the city's** pictures again and explained what still needs to be addressed. Mr. Ervin and Mr. Al-Naji went through the various violations and a timeframe of 10 days was discussed.

Mr. Ervin asked the Board for any questions.

Mr. Stickney asked Mr. Al-Naji **why he didn't call the city with his questions when he** received the notice. Mr. Al-Naji **indicated he thought if he took care of it, he wouldn't get** another notice.

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 – **40845 Firesteel Drive** and to direct the Code Official to abate the violations identified in the attached staff reports which give rise to this finding by May 5, 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, Mandl

No: None Absent: None Motion carried.

b. G22-0030 Ahmed, Sunny & Sultana, Sakara – 4210 Bieber Drive

Code Enforcement Officer, Patrick Willis, stated violation notices were sent and gave a presentation of the property. Pictures were shown at this time. He indicated the holiday lights have been taken down but are now on the porch. It is considered outdoor storage and needs to be put away.

Sakara Sultana, homeowner, addressed the Board. She explained this is a rental property and they have asked the tenant to take the lights down and clean up. She said the tenant is very rude and not cooperating. Mr. Ervin asked if they have a formal lease agreement, Ms. Sultana answered yes. She indicated the tenant's lease will be up in June.

Ms. Martin asked if they will be leaving when the lease is up. Ms. Sultana answered yes.

Mr. Stickney suggested she take someone with her and go over to the house and tell them to remove the things from the porch or the city will come do it. Mr. Ervin suggested to have her manager handle it.

Ms. Windhorst indicated the house was purchased on April 8, 2020 and showed it is 100 percent homestead. She asked Ms. Sultana where she lives. Ms. Sultana said she updated her address with the city and explained she bought another house and lives in Hamtramck.

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 – **4210 Bieber 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 27, 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, Mandl
No: None Absent: None Motion carried.

c. G22-0037 Carmen, Charles C. – 33265 Sebastian Lane Drive
Code Enforcement Officer, Patrick Willis, stated violation notices were sent and gave a presentation of the property. Pictures were shown at this time.

Charles Carmen, homeowner, addressed the Board. Mr. Carmen explained the drain pipe used to go to the street before they put in new sidewalks. Mr. Ervin stated it had to be removed. There was explanation and discussion regarding all the debris on the property, the hot tub and pool in disrepair, and the illegal shed on the property. Mr. Ervin indicated the pool is a safety hazard and must be taken care of. Mr. Carmen indicated some of the debris is from AAA contractors removing an aluminum handicap ramp when a new wood one was installed. He explained the dealings with AAA has been going on for one and half years and a new contractor is supposed to be coming out.

Mr. Ervin asked the Board for any questions.

Ms. Martin asked if the pool was there when he bought the house. Mr. Carmen said he had the pool built and has no idea how it got built over the size requirement.

Mr. Ervin asked for any further questions. Being none, asked for public participation.

A man from the audience indicated he had a contractor who could remove the debris. Mr. Carmen stated **he didn't have the money to pay.**

Mr. Carmen asked when he starts removing the debris, where does he put it. Mr. Ervin said he should contact DPW and they would instruct him where to put it. Mr. Carmen also asked where he is supposed to drain the water from the pool. Mr. Ervin indicated he needs to contact the building or engineering department to have an inspector out to look at it.

Mr. Ervin asked for any further public participation. 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 – **33265 Sebastian Lane 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, Windhorst, Ervin, Mandl
No: None Absent: None Motion carried.

d. G22-0038 Elia, Savan – 33167 Sherwood Forest Drive
Code Enforcement Officer, Patrick Willis, stated violation notices were sent and gave a presentation of the property. Pictures were shown at this time.

Savan Elia, homeowner, addressed the Board. He explained there was some work being done in the basement so they took things out. He said his family moved out. Mr. Ervin asked if the house was vacant. Mr. Elia answered no, he and his sister live in the home. He indicated he understood the items have to be cleaned up. Mr. Ervin indicated he needed to clean up the landscaping and fix the grass on both sides of the driveway. He also explained there is no outdoor storage allowed in Sterling Heights. Mr. Ervin asked how much time he needed to correct the issues. Mr. Elia stated three days.

Mr. Ervin asked for any 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 – **33167 Sherwood Forest 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, Mandl
No: None Absent: None Motion carried.

e. G22-0043 Muhsen, Muroj A. – 36212 Carriage Drive
Code Enforcement Officer, Patrick Willis, stated violation notices were sent and gave a presentation of the property. Pictures were shown at this time.

Muroj Mushen, homeowner, addressed the Board. She indicated this is a rental property **now. They didn't have any issues when they lived there for about 12 years. She indicated** she has been going by the property and when she went today it has been cleaned up. She displayed pictures from her phone which showed the debris has been picked up. Mr. Ervin asked how long they need to fix the lattice around the deck. **Ms. Mushen's husband asked** for three weeks.

Mr. Ervin asked the Board for any questions.

Mr. Stickney asked if they work on the weekends. Ms. Mushen answered they both do sometimes. Mr. Stickney asked if they were working the upcoming weekend. Ms. Mushen said yes and her husband indicated he was not.

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 – **36212 Carriage Drive** and to direct the Code Official to abate the violations identified in the attached staff reports which give rise to this finding by May 3, 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, Mandl
No: None Absent: None Motion carried.

10. Public Participation
None.

11. Adjournment
Motion by Stickney, supported by Martin, to adjourn the meeting.
Yes: All. Absent: None Motion carried.

The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Robert Ervin – Chairman
Board of Ordinance Appeals

Julie Windhorst – Secretary
Board of Ordinance Appeals