

CITY OF STERLING HEIGHTS  
BOARD OF ORDINANCE APPEALS  
REGULAR MEETING MINUTES  
August 8, 2022

The Board of Ordinance Appeals held a public hearing at 7:00 p.m. on August 8, 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

- Mr. Ervin called the meeting to order at 7:00 p.m.
- Roll Call: Robert Ervin – Chairman, James Mandl, Kathleen Martin, Justin Smith, Mike Stickney, and Jason Castor – City Development Director  
  
Absent: Julie Windhorst  
  
Also in attendance: Dana Vietto – Code Enforcement Coordinator
- 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: G22-0167, G22-0170, G22-0176, G22-0179, G22-0182, and G22-0185.**
- Removal of Consent Items to New Business
  - Moved item 3 to New Business 9a. G22-0164 Bronson, Cheryl J. – 5316 Fredrick Drive
  - Moved item 5 to New Business 9b. G22-0166 Brewer, Charles J. Jr. – 35707 Candlewood Drive
  - Moved item 8 to New Business 9c. G22-0169 Roossien, Douglas H. – 12875 Grand Haven Drive
  - Moved item 10 to New Business 9d. G22-0171 Licus, John – 34373 Dryden Drive
  - Moved item 14 to New Business 9e. G22-0175 Edwards, John – 37116 Alper Drive
  - Moved item 16 to New Business 9f. G22-0177 Ratkowski, Gary & Julia – 38102 Chatham Court
  - Moved item 17 to New Business 9g. G22-0178 Nicholson, John & Dana, Hunn, John & Francis– 38063 Forsdale Drive
  - Moved item 19 to New Business 9h. G22-0180 Fredal, Gregory – 5610 Noll Street
  - Moved item 20 to New Business 9i. G22-0181 Chatterjee, Soumen & Sujata – 42595 Beechwood Drive
  - Moved item 22 to New Business 9j. G22-0183 Chowdhury, Zaker & Fatema, Tafhima– 41347 Hamilton Drive
  - Moved item 25 to New Business 9k. G22-0186 Kovak, Irene – 13547 Mair Drive
  - Moved item 26 to New Business 9l. G22-0187 Ayoub, Joseph & Hayat – 41886 Ryan Road
  - Moved item 28 to New Business 9m. G22-0189 American Islamic Community Center – 5005 Fifteen Mile Road
  - Moved item 29 to New Business 9n. G22-0190 Eaton, Kristen – 43607 Gainsley Drive
- Approval of Agenda  
Motion by Mr. Stickney, supported by Ms. Martin, to approve agenda.  
  
Yes: All    Absent: Windhorst    Motion carried.
- Consent Agenda  
Moved by Mr. Stickney, supported by Ms. Martin, RESOLVED, to approve the Consent Agenda as amended.  
  
Yes: All    Absent: Windhorst    Motion carried.
- Approval of the Minutes  
Regular Meeting July 25, 2022

2. G22-0163 Francis, France – 15175 Congress Drive  
**RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **15175 Congress 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. G22-0165 Quayle, Dennis L. & Jacalyn -Trust – 15032 Rohan Drive  
**RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **15032 Rohan 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. G22-0168 Maci, Orland – 11876 Eldorado Drive  
**RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **11876 Eldorado 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. G22-0172 Fedhel, Ammar – 33359 McCoy Drive  
**RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **33359 McCoy 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.
6. G22-0173 Pavlos, L.L.C. – 33225 Mound Road  
**RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **33225 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.
7. G22-0174 Hannah, Robert W. – 33511 Swan Drive  
**RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **33511 Swan 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.
8. G22-0184 Almoussa, Jassim – 41359 Hamilton Drive  
**RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **41359 Hamilton 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.
9. G22-0188 EE Real Estate LLC – 42040 Ryan Road  
**RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **42040 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. Public Hearing

- a. G22-0161 Bonkoski, Marc & Nicole – 40745 Olympia Drive  
Requesting a variance to **install a 6’ privacy fence more than 10’ off the house** on a corner lot along Longview Drive – with a pool.

Marc Bonkoski, homeowner, addressed the Board. He indicated they recently installed an inground pool and for modesty reasons they would like to put up a privacy fence.

Mr. Ervin stated he was out at the property and asked for confirmation that he plans to take down the wrought iron fence before putting up the privacy fence around the permitter of their property. Mr. Bonkoski stated that was correct.

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

Moved by Stickney, supported by Martin, **RESOLVED**, to approve case **G22-0161** at **40745 Olympia 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 – The fence variance approved today does not take effect until the variance paperwork is returned to the City by the applicant and a fence permit is approved, and 4 –Any violation of these conditions will render the variance void.

Mr. Ervin asked for any comments from the Board. Being none, he asked for a roll call vote.

Yes: Stickney, Martin, Ervin, Mandl, Smith

No: None                                      Absent: Windhorst                                      Motion Carried.

- b. G22-0162 Andrews, Phillip – 13116 Concord Drive  
Requesting a variance to **install a 6’ privacy fence more than 10’ off the house** on a corner lot along Bond Court – no pool

Phillip Andrews, homeowner, addressed the Board. He indicated the way their lot is set up, you can see 19 Mile Road from their backyard and they would like more privacy, especially for the children.

Mr. Ervin stated he was out at the property and asked for confirmation he will have the 25-foot **triangle clearance for the neighbor’s driveway**. Mr. Andrews answered yes. Mr. Ervin asked if **they were going to go up to the neighbor’s wood privacy fence**. Mr. Andrews stated that was correct.

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

Moved by Stickney, supported by Martin, **RESOLVED**, to approve case **G22-0162** at **13116 Concord 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 – The fence variance approved today does not take effect until the variance paperwork is returned to the City by the applicant and a fence permit is approved, and 4 –Any violation of these conditions will render the variance void.

Mr. Ervin asked for any comments from the Board. Being none, he asked for a roll call vote.

Yes: Stickney, Martin, Ervin, Mandl, Smith

No: None                      Absent: Windhorst                      Motion Carried.

8. Old Business  
None.

9. New Business

a. G22-0164      Bronson, Cheryl J. – 5316 Fredrick Drive

Code Enforcement Coordinator, Dana Vietto, stated as of today there has been contact with the owner and there have been some changes to the property. Pictures were shown at this time.

Cheryl Bronson, homeowner, addressed the Board. She explained they are working on it and have made progress. Mr. Ervin asked if she understood about the outdoor storage. Ms. Bronson answered yes. Mr. Ervin asked how much time she needed to get it completed. Ms. Bronson asked for a week.

Mr. Ervin asked for any questions from the Board. Being none, asked for public participation.

A gentleman came to the podium to ask if the sidewalk to the curb belongs to the city. Mr. Castor explained in between the sidewalk and the curb is considered part of the property for the homeowner to maintain, it is city right of way.

Mr. Ervin asked for any further questions from the Board. Being none, he asked for a motion.

Moved by Mr. Stickney, supported by Ms. Martin, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **5316 Fredrick Drive** and to direct the Code Official to abate the violations identified in the attached staff reports which give rise to this finding by August 16, 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.

Mr. Ervin asked for any comments from Board members. Being none, he asked for a roll call vote.

Yes: Stickney, Martin, Ervin, Mandl, Smith

No: None                      Absent: Windhorst                      Motion carried.

b. G22-0166      Brewer, Charles J. Jr. – 35707 Candlewood Drive

Code Enforcement Coordinator, Dana Vietto, stated as of today there has been contact no from the owner and there have been no changes to the property. She asked the Board for a standing order for this property and explained this property has been sent to the Board 3 times just this year and over the last 4 years there have been 16 enforcement cases at this property, 12 of them were complaints. Most of the violations at this property have been landscape maintenance. This property is subject to ongoing monitoring by Code Enforcement due to the frequency of violations and complaints we receive. As of today, the City has billed the property owner over \$2,000 for code related issues. This property is vacant. The residents in the area are negatively impacted by the lack of regard for property maintenance at this site, and have regularly sought assistance from the City with enforcement of the Property Maintenance Code.

We have consulted with the City Attorney to address properties like this one that tend to have frequent violations, and the City Attorney has prepared motion language that the **Board can use, if it chooses to do so, in order to create a “standing order” for the City to** abate future violations with reduced notice time. That language has been handed out to each of you tonight for your consideration. The Board has the discretion to decide how long the ongoing review should last, and how much notice should be provided every time a new violation is found. Pictures were shown at this time.

Mr. Ervin stated no one was present representing the property and asked for a motion.

Moved by Mr. Stickney, supported by Ms. Martin, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **35707 Candlewood Drive** and to direct the Code Official to abate the following violations identified by the Code Official during the hearing on this matter. The violations shall be abated immediately. The Board further finds that the evidence demonstrates a history of ongoing violations at the property relating to property maintenance and other nuisance conditions, requiring frequent follow-up and three (3) prior meetings of this Board within the past year to address such conditions in order to ensure a safe and compliant site. The cost of remediating the frequent violations has exceeded **\$2,000.00**.

Therefore, due to the public interest in minimizing the significant public resources and staff time required to repeatedly address recurring and new violations at the site by scheduling additional hearings before this Board, as well as the public interest and the interest of the neighbors of this site in expeditiously eliminating public nuisance and blight conditions that are detrimental to the public health, safety, or welfare, the Code Official is hereby authorized and ordered to do the following:

1. Regularly monitor the site during the next **365 days**.
2. Upon discovering any new or recurring code violation(s) during that time period, the Code Official shall issue notice of the violation(s) to the owner or party responsible for the site in accordance with the notice requirements of Section 11-142 of the City Code, with the following modifications:
  - a. The notice shall afford one (1) full business day to cure the violation.
  - b. The Code Official shall conspicuously tag or sticker the item(s) that are to be removed or relocated (or affix the tag as near as possible to the item(s)) to achieve code compliance.
  - c. If the violation has not been cured upon re-inspection after expiration of the allotted timeframe, the Code Official shall cause the violation(s) to be abated without a need for another hearing before this Board, and the property owner shall be invoiced in accordance with Section 11-142(G) of the City Code.

The Board also authorizes and orders the imposition of a lien against the property, in the amount of the cost of abatement incurred by the City, for each abatement performed by the City pursuant to this Order of the Board, pursuant to Section 11-142(G) of the City Code.

Yes: Stickney, Martin, Ervin, Mandl, Smith

No: None                      Absent: Windhorst                      Motion carried.

c. G22-0169      Roossien, Douglas H. – 12875 Grand Haven 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.

Douglas Roossien, homeowner, addressed the Board. He stated everything has been rectified. He displayed photos of the changes.

Mr. Ervin asked the Board for any questions.

Mr. Stickney asked if he occupies the house. Mr. Roossien answered yes.

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

Moved by Mr. Stickney, supported by Ms. Martin, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **12875 Grand Haven 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.

Mr. Ervin asked for any comments from the Board. Being none, he asked for a roll call vote.

Yes: Stickney, Martin, Ervin, Mandl, Smith

No: None            Absent: Windhorst            Motion carried.

Mr. Roossien indicated he had reached out to Mark (code enforcement officer) through email.

d. G22-0171      Licus, John – 34373 Dryden Drive  
Code Enforcement Coordinator, Dana Vietto, stated as of today there has been contact no from the owner and there have been no changes to the property. She asked the Board for a standing order for this property and explained this property has been sent to the Board 9 times since 2014, with 6 times being over the last 3 years. Over the last 3 years there have been 45 enforcement cases at this property, 29 were for tall grass. Most of the violations at this property have been landscape maintenance, outdoor storage, and snow removal. This property is subject to ongoing monitoring by Code Enforcement due to the frequency of violations and complaints we receive. As of today, the City has billed the property owner over \$13,000 for code related issues. This property is vacant and the property owner resides in Sterling Heights. Residents in the area are negatively impacted by the lack of regard for property maintenance at this site, and have regularly sought assistance from the City with enforcement of the Property Maintenance Code. We have consulted with the City Attorney to address properties like this one that tend to have frequent violations, and the City Attorney has prepared motion language that the Board can use, if it chooses to do so, **in order to create a “standing order” for the City to abate future violations with reduced notice time.** That language has been handed out to each of you tonight for your consideration. The Board has the discretion to decide how long the ongoing review should last, and how much notice should be provided every time a new violation is found. Pictures were shown at this time.

Mr. Ervin stated no one was present representing the property and asked for a motion.

Moved by Mr. Stickney, supported by Ms. Martin, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **34373 Dryden Drive** and to direct the Code Official to abate the following violations identified by the Code Official during the hearing on this matter. The violations shall be abated immediately. The Board further finds that the evidence demonstrates a history of ongoing violations at the property relating to property maintenance and other nuisance conditions, requiring frequent follow-up and six (6) prior meetings of this Board within the past three (3) years to address such conditions in order to ensure a safe and compliant site. The cost of remediating the frequent violations has exceeded **\$13,000.00.**

Therefore, due to the public interest in minimizing the significant public resources and staff time required to repeatedly address recurring and new violations at the site by scheduling additional hearings before this Board, as well as the public interest and the interest of the neighbors of this site in expeditiously eliminating public nuisance and blight conditions that are detrimental to the public health, safety, or welfare, the Code Official is hereby authorized and ordered to do the following:

1. Regularly monitor the site during the next **365 days**.
2. Upon discovering any new or recurring code violation(s) during that time period, the Code Official shall issue notice of the violation(s) to the owner or party responsible for the site in accordance with the notice requirements of Section 11-142 of the City Code, with the following modifications:
  - a. The notice shall afford one (1) full business day to cure the violation.
  - b. The Code Official shall conspicuously tag or sticker the item(s) that are to be removed or relocated (or affix the tag as near as possible to the item(s)) to achieve code compliance.
  - c. If the violation has not been cured upon re-inspection after expiration of the allotted timeframe, the Code Official shall cause the violation(s) to be abated without a need for another hearing before this Board, and the property owner shall be invoiced in accordance with Section 11-142(G) of the City Code.

The Board also authorizes and orders the imposition of a lien against the property, in the amount of the cost of abatement incurred by the City, for each abatement performed by the City pursuant to this Order of the Board, pursuant to Section 11-142(G) of the City Code.

Yes: Stickney, Martin, Ervin, Mandl, Smith

No: None          Absent: Windhorst          Motion carried.

e. G22-0175      Edwards, John – 37116 Alper 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.

Garret Edwards, son of John Edwards, addressed the Board. He indicated he and his uncle started working on the side of the house and his uncle passed. He wants to keep the rocks. He can get the painting of the porch railing done tomorrow. Mr. Ervin asked Mr. Castor to address putting rocks on the side of the house. Mr. Castor explained if they wanted to keep rocks, it would have to be improved as a landscape feature. If cars are going to park there, **it has to be paved. Mr. Edwards indicated the neighbor's weeds are very high and he feels he is getting harassed.** He explained he wants to keep the crushed concrete and believes by how the ordinance is worded he is allowed to use it. He also stated his lawyer is talking with the city regarding what can be used.

Ms. Martin asked what is there now and what is the intention for that area. Mr. Edwards indicated crushed concrete. He explained he wants to build a ramp in the back of his house for his son who has cerebral palsy.

Mr. Stickney asked if he can get the painting done. Mr. Edwards stated yes and indicated he did not get the letters and only saw the sign posted on the door.

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

Moved by Mr. Stickney, supported by Ms. Martin, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **37116 Alper 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, Smith

No: None          Absent: Windhorst          Motion carried.

**Mr. Edwards displayed pictures of two neighbor's property with nuisance growth and stated that is why he feels he is being harassed.**

f. G22-0177      Ratkowski, Gary & Julia – 38102 Chatham Court  
Code Enforcement Coordinator, Dana Vietto, stated as of today there has been contact with the owner and there have been some changes to the property. Pictures were shown at this time.

Julia Ratkowski, homeowner, addressed the Board. She indicated she leaves at 5:30 a.m. **and doesn't return until about 7 p.m. and stated it's a lot worse than she thought it was.** She indicated she was out there all weekend cleaning things up and has been in contact with Mark (code enforcement officer) regarding one thing she is unclear about. She stated even though she knows the pool area needs to be addressed, it was never in any of the letters she received. She explained she had a big problem with the fence and did pay for a fence and installation from Lowes back in November of 2020. There were issues with them **being able to get the work done and they just refunded her money but she still hasn't** received the money back from the installer. She has contacted another company, paid for a new fence, and the installation is going to be on September 16<sup>th</sup>. Mr. Ervin asked how much time she needs to get the rest of maintenance issue done. Ms. Ratkowski asked for about a month. Mr. Ervin asked what plans she has for the pool. Ms. Ratkowski said she was unsure but would probably drain it. Mr. Castor stated draining the pool would be the number one priority.

Ms. Martin asked if she has cleared off the front porch. Ms. Ratkowski answered yes except for a cooler.

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

Moved by Mr. Stickney, supported by Ms. Martin, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **38102 Chatham Court** and to direct the Code Official to abate the violations identified in the attached staff reports which give rise to this finding as follows: outdoor storage, trash and debris, lawn maintenance and stagnant water by September 8, 2022; and the fence repair by September 30, 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, Ervin, Mandl, Smith

No: None          Absent: Windhorst          Motion carried.

Mr. Stickney asked that she secure the gate so no one can get in the yard. Ms. Ratkowski stated she put it back up and nailed it.



g. G22-0178 Nicholson, John & Dana, Hunn, John & Francis– 38063 Forsdale Drive  
Code Enforcement Coordinator, Dana Vietto, stated as of today there has been contact with the owner and there have been some changes to the property. Pictures were shown at this time.

Dana Hunn, homeowner, addressed the Board. She indicated she had a stroke and recently had back surgery. Her son is blind and they are limited on help. She recently got some help and the railing for the deck has been built and was going to be put up today but with **the rain they couldn't do it**. Regarding the fence, she and her neighbor will use the same fence company to make it uniform. Mr. Ervin asked if there is someone who can help her. Mr. Castor suggested she reach out to the Shine program. Ms. Hunn stated she called someone Ms. Vietto suggested multiple times **and hasn't received a call back**. Mr. Ervin **asked about the trim on the house. She indicated she shouldn't get on a ladder and doesn't** know of anyone to fix it. There was discussion regarding the debris by the fence and Ms. Hunn stated the fence company is going to get rid of the debris.

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

Moved by Mr. Stickney, supported by Ms. Martin, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **38063 Forsdale Drive** and to direct the Code Official to abate the violations identified in the attached staff reports which give rise to this finding by September 15, 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, Ervin, Mandl, Smith

No: None          Absent: Windhorst          Motion carried.

h. G22-0180 Fredal, Gregory – 5610 Noll Street  
Code Enforcement Coordinator, Dana Vietto, stated as of today there has been no contact with the owner but there have been some changes to the property. Pictures were shown at this time.

Gregory Fredal, homeowner, addressed the Board. He explained he has had health issues, a vehicle breaking down and indicated he has to finish things. Mr. Ervin asked how long he needs to get it all done. Mr. Fredal said he would have to try and get some help.

Mr. Stickney asked again how long he needs. Mr. Fredal asked for one month.

Mr. Ervin asked for any further questions from the Board. Being none, he stated there was no public present. He then asked for a motion.

Moved by Mr. Stickney, supported by Ms. Martin, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **5610 Noll Street** and to direct the Code Official to abate the violations identified in the attached staff reports which give rise to this finding by September 8, 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, Ervin, Mandl, Smith

No: None          Absent: Windhorst          Motion carried.

i. G22-0181 Chatterjee, Soumen & Sujata – 42595 Beechwood Drive

Code Enforcement Coordinator, Dana Vietto, stated as of today there has been no contact from the owner and there have been no changes to the property. Pictures were shown at this time.

Soumen Chatterjee, homeowner, addressed the Board. He indicated he called and talked to Craig (code enforcement officer) twice. He hired a lawn service but they changed dates **and such. He tried to put down some mulch himself but he couldn't do it. He explained he** works in Saginaw and comes home about every two weeks. He asked for a month to correct all the issues. He has someone coming to fix it but wants them to come when he is home so he can supervise the work being done.

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

Moved by Mr. Stickney, supported by Ms. Martin, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **42595 Beechwood Drive** and to direct the Code Official to abate the violations identified in the attached staff reports which give rise to this finding by August 29, 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, Ervin, Mandl, Smith

No: None          Absent: Windhorst          Motion carried.

j. G22-0183 Chowdhury, Zaker & Fatema, Tafhima– 41347 Hamilton Drive

Code Enforcement Coordinator, Dana Vietto, stated as of today there has been no contact with the owner but there have been some changes to the property. Pictures were shown at this time.

Zarif Chowdhury, son of the homeowner, addressed the Board. He explained they were out of the country for two and one-half months. They paid someone before they left to take care of things but they only cut the grass and did not do the weeding. The wood fence was cut so the lawn guys could get into the backyard. Then they had to leave for an emergency **and that's why it was left** unfinished. He explained there is a door handle on the back of the wood fence and they will add one to the front. He displayed pictures of the back of the fence showing there was a handle and hinges. He also displayed the area where he cleaned up weeds and the painted shed. Mr. Ervin asked how long to complete the cleanup. Mr. Chowdhury asked for two or three days.

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

Moved by Mr. Stickney, supported by Ms. Martin, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **41347 Hamilton Drive** and to direct the Code Official to abate the violations identified in the attached staff reports which give rise to this finding by August 12, 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, Ervin, Mandl, Smith

No: None          Absent: Windhorst          Motion carried.

k. G22-0186 Kovak, Irene – 13547 Mair Drive

Code Enforcement Coordinator, Dana Vietto, stated as of today there has been no contact from the owner and there have been no changes to the property. Pictures were shown at this time.

Ashley Kovak, granddaughter of the homeowner, addressed the Board. She explained her grandmother is 80 and they go there every two weeks and are trying to keep it up. There were told the pool was fine and they got someone to do the fence which was over \$10,000. Then because of covid the company said they **couldn't** do it. They dug up where all the pine trees were and **also had to have it leveled. She indicated the code officer wasn't** pleasant.

Melissa Romita, granddaughter of homeowner, addressed the Board and indicated she felt the code officer was harassing them. **They explained they can't restore the pool until they** get the fence up. They reached out to another company and are waiting for the estimate. It was then explained the previous chain link fence was damaged from an accident and had **to be removed. They were told the pool could stay up as long as it didn't have water in it.** Mr. Ervin asked how much time they need. Ms. Romita asked for about 60 days to get the quote and start scheduling things. She asked for a couple weeks to get the nuisance growth taken care of.

Mr. Ervin asked for any questions from the Board.

Mr. Castor asked about the shared island. The granddaughter's **explained they usually take** care of all of it even though only half is theirs. Mr. Castor suggested they should clean out the nuisance growth in the pool and start to think about getting a liner, filling it, and covering it. Ms. Kovak asked if they could do that without having a fence. Mr. Castor indicated they needed to provide the city with a plan, find out the cost, and see what options are out there.

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

Moved by Mr. Stickney, supported by Ms. Martin, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **13547 Mair Drive** and to direct the Code Official to abate the violations identified in the attached staff reports which give rise to this finding as follows: landscape maintenance by August 22, 2022; and the pool repair by September 15, 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, Ervin, Mandl, Smith

No: None            Absent: Windhorst            Motion carried.

l. G22-0187 Ayoub, Joseph & Hayat – 41886 Ryan Road

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. Pictures were shown at this time.

Joseph Ayoub, homeowner, addressed the Board. He indicated he is the owner but it is a rental property. Johnathan Ayoub, son of owner, addressed the Board. He explained they **didn't know about the rule for having only two trailers** and they will inform their tenant. He asked for about a month for his father to correct the issues. Mr. Ervin asked who does the lawn/landscape maintenance. Joseph Ayoub indicated he does it. Mr. Ervin asked if there is a contractual agreement with the tenant. Johnathan Ayoub answered yes.

Mr. Ervin asked for any questions from the Board. Being none, he asked for public participation.

Mike Gretel, 4885 15 Mile Road, addressed the Board. He asked if one of the trees hanging over the trailer was on Mr. Ayoub's property and if he was allowed to cut it. It was stated it is on Mr. Ayoub's property.

Mr. Ervin asked for any further public participation. Being none, he asked for a motion.

Moved by Mr. Stickney, supported by Ms. Martin, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **41886 Ryan Road** and to direct the Code Official to abate the violations identified in the attached staff reports which give rise to this finding by August 29, 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, Ervin, Mandl, Smith

No: None            Absent: Windhorst            Motion carried.

m. G22-0189      American Islamic Community Center – 5005 Fifteen Mile Road  
Code Enforcement Coordinator, Dana Vietto, stated as of today there has been contact with the owner and there have been some changes to the property. Pictures were shown at this time.

Mr. Ervin stated the property owner was not present and indicated a neighbor was present to speak about the property.

Beth Hall, 35120 Koch Ave, addressed the Board. With her was Thomas Hall. Ms. Hall explained they share an easement with this property since the AICC bought it. She was surprised to hear the first complaint is from May as she has been sending emails for close to two years. The site has looked like this for a very long time. She asked what they do about **properties like this when the owners don't show up to the meeting**. Mr. Ervin explained if **they don't show up, they are in default so there is an immediate abatement for the property** and indicated that is a lien on the property.

**Ms. Hall displayed pictures and explained they were told the development wouldn't be allowed to use the Koch road easement and they have used it over and over and now it is damaged. She explained all the nuisances from the property and doesn't understand why something isn't being done to correct the issues. She also stated there are times they block Koch Ave and she can't get to her house.**

Mr. Castor explained he is familiar with the site and they have been in communication with the developers in regards to clean up on the site. He explained what happens when there is an immediate abatement. Mr. Hall also indicated they crushed the culvert because they take their heavy equipment down the road. He asked how they are doing things without a road maintenance agreement. Mr. Castor explained that agreement would have to be between the property owners. He stated the city can try to get a meeting set up between the owners and the homeowners to bring an agreement to a final process.

Ms. Hall indicated they have tried to talk to them and because of the lack of curtesy and have been sworn at, they need help from the city.

Mike Gretel, 4885 15 Mile Road, addressed the Board. He explained he has lived there for 40 years and its grandfathered in. The land was there and they gave it to the cousins in the back. He got permission to put a culvert in and also use the road. His mailbox is also there because it kept getting hit on 15 Mile Road. He has been maintaining the road for the last 40 years and now they have come in with their heavy equipment and messed everything up. **The AICC said they would bring in a load of gravel but it didn't happen.**

He also explained with the mound of dirt there, they are not getting a breeze and the water is not drying up. He asked why they **aren't** screening the side fence also. He also stated there are still ruts in the ground from trees they cut down.

There was no further public participation. Mr. Ervin asked for any questions from the Board. Being none, he asked for a motion.

Moved by Mr. Stickney, supported by Ms. Martin, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **5005 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.

Yes: Stickney, Martin, Ervin, Mandl, Smith

No: None          Absent: Windhorst          Motion carried.

n. G22-0190      Eaton, Kristen – 43607 Gainsley Drive  
Code Enforcement Coordinator, Dana Vietto, stated as of today there has been no contact with the owner but there have been some changes to the property. Pictures were shown at this time.

Bryan Jones, husband of the homeowner Kristen Jones, addressed the Board. He explained when they bought the house, he was unaware of the 30-inch rule for the shrubs down to **the sidewalk. He expressed he's had some health issues. He has been feeling a little better** with a new medication and is trying to get things cleaned up. He painted the chimney today. He asked for about a week to complete the cleanup.

Mr. Ervin asked for any questions from the Board. Being none, he asked for public participation. There was no one present. He asked for a motion.

Moved by Mr. Stickney, supported by Ms. Martin, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **43607 Gainsley Drive** and to direct the Code Official to abate the violations identified in the attached staff reports which give rise to this finding by August 15, 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, Ervin, Mandl, Smith

No: None          Absent: Windhorst          Motion carried.

10. Public Participation  
None

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

The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Robert Ervin – Chairman  
Board of Ordinance Appeals

Mike Stickney – Acting Secretary  
Board of Ordinance Appeals