

CITY OF STERLING HEIGHTS
NOTICE OF PUBLIC HEARING

The Ordinance Board of Appeals II held a public hearing at 3:00 p.m. on August 19, 2020 at the Sterling Heights Municipal Center, 40555 Utica Road, Sterling Heights, MI in the Community Room, 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. Mr. Stickney called the meeting to order at 3:00 p.m.
2. Roll Call: Ben Ancona, Michael Stickney, Roman Stojalowsky, and Steve Ujkic
Jason Castor – City Development Director
Absent: None

Also in attendance: Dana Vietto – Code Enforcement Coordinator
3. Report from Jason Castor, City Liaison
 - 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: G20-0110, G20-0116, and G20-0117.
4. Removal of Consent Items to New Business
 - a. Moved item 4 to New Business 9a. G20-0112 Jerges, Jacob & Sheebo, Akteefa – 37442 Evergreen Drive
5. Approval of Agenda
Motion by Mr. Stojalowsky, supported by Mr. Ancona, to approve agenda.

Yes: All. Motion carried.
6. Consent Agenda
Moved by Mr. Ancona, supported by Mr. Stojalowsky, RESOLVED, to approve the Consent Agenda as amended:

Yes: All. Motion carried.
 1. Approval of the Minutes
Regular Meeting July 22, 2020
 2. G20- 0111 Aljebori, Sarah Haider -39701 University Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as – 39701 University 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. G20-0113 Jazrawi, Luay B. & Esho, Luay – 37246 Ryan Road
RESOLVED, to declare that a public nuisance exists on the property commonly known as – 37246 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.
 4. G20-0114 Garreffa, Bruno & Leia -13980 Amada Drive
RESOLVED, to declare that a public nuisance exists on the property commonly known as – 13980 Amada 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. G20-0115 MI Real Estate JW, LC – 41229 North Central Drive

RESOLVED, to declare that a public nuisance exists on the property commonly known as – 41229 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. Public Hearing

a. G20-0109 Korkis, Salam & Eva – 11078 Forrer Drive

Requesting a variance for a privacy fence on a corner lot along Ackley Drive more than 10' off the house – no pool.

The homeowner explained there was a wood privacy fence there when he bought the house in 2017. It was damaged so they changed it to a vinyl fence.

Mr. Stickney asked Mr. Castor to address the concern. Mr. Castor stated the question is in regards to the fence along Ackley Drive. He asked if the homeowner knew if there is 25 feet minimum from the back of the neighbor's driveway to the back of his fence. The homeowner stated he just changed it from wood to vinyl. Mr. Castor stated, from an aerial photo, it appears to be far enough away.

Moved by Mr. Stojalowsky, supported by Mr. Ancona, **RESOLVED**, to approve case **G20-0109 at 11078 Forrer 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, 4 – Any violation of these conditions will render the variance void.

Yes: Stojalowsky, Ancona, Ujkic, Stickney

No: None. Absent: None Motion Carried.

8. Old Business

a. Election of Officers

Mr. Stickney stated the Election of Officers would take place after New Business.

9. New Business

a. G20-0112 Jerges, Jacob & Sheebo, Akteefa – 37442 Evergreen Drive

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

The homeowner stated he didn't know about the dead shrubs. He knew about the driveway, the sidewalk, and the weeds and he cleaned them up. Mr. Stickney asked how long he needed to get the shrubs replaced. The homeowner said he could do it on the weekend. Mr. Ancona asked Mr. Castor how immediate it is if the move to abate. Mr. Castor explained the process is started immediately and the contractors are notified.

Moved by Mr. Stojalowsky, supported by Mr. Ancona, **RESOLVED**, to declare that a public nuisance exists on the property commonly known as – **37442 Evergreen 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 26th. 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: Stojalowsky, Ancona, Ujkic, Stickney
No: None. Absent: None Motion Carried.

8a. Election of Officers

Mr. Ancona nominated Mr. Stickney for Chairman, supported by Mr. Stojalowsky.
Yes: All. Motion carried.

Mr. Ancona self-nominated for Vice-Chairman, supported by Mr. Stojalowsky.
Yes: All. Motion carried.

Mr. Ujkic self-nominated for Secretary, supported by Mr. Stojalowsky.
Yes: All. Motion carried.

10. Public Participation
None

11. Adjournment
Motion by Mr. Stojalowsky, supported by Mr. Ancona to adjourn the meeting.
Yes: All. Motion carried

The meeting was adjourned at 3:19 p.m.

Respectfully submitted,

Michael Stickney – Chairman
Board of Ordinance Appeals II

Steve Ujkic - Secretary
Board of Ordinance Appeals II