

Rik Kowall, Supervisor  
Anthony L. Noble, Clerk  
Mike Roman, Treasurer



Trustees  
Scott Ruggles  
Liz Fessler Smith  
Andrea C. Voorheis  
Michael Powell

## WHITE LAKE TOWNSHIP

7525 Highland Road • White Lake, Michigan 48383-2900 • (248) 698-3300 • www.whitelaketwp.com

### MEMORANDUM

To: Rik Kowall, WLT Supervisor  
From: Nick Spencer, WLT Building Official  
Date: July 1, 2021  
Subject: Show Cause Hearing for 9910 Highland Road, 288 Tower Road, 11142 Windhurst Dr.

---

Rik,

We would like to place 9910 Highland Road, 288 Tower Road, 11142 Windhurst Dr. on the July, 2021 Township Board Meeting Agenda for a Show Cause Hearing for Dangerous Buildings.

Attached you will find a Notice of Noncompliance for each of the properties.

The Dangerous Buildings Hearing Officer and the Building Department recommend that the WLT Board of Trustees approve the order of the Dangerous Buildings Hearing Officer. We will need a resolution or written order for the approval, which will result in the demolition of the dangerous structures.

We have three bids for the demolition for each of the properties.

**BRUCE R. JOHNSON  
DANGEROUS BUILDING HEARING OFFICER**

May 9, 2021

Mr. Rik Kowall, Supervisor  
White Lake Township  
7525 Highland Rd  
White Lake, MI 48383

RE: 288 Tower Road, Parcel ID: 12-26-256-047  
Notice of Noncompliance

Dear Mr. Kowall:

A Dangerous Building Hearing was held on January 19, 2021 regarding the property referenced above. The hearing resulted in a determination that the structure at the location is dangerous and the property owner was ordered to demolish by May 1, 2021. As of this date the owner of the property owner has failed to comply with the order.

I am providing this report to you to in accordance with Chapter 8, Article V, Section 109 (c) of the White Lake Charter Township Code to forward to the Township Board. In consideration of the dangerous condition of the building at this property, I urge the Township Board to continue the proceedings outlined in the ordinance and take the necessary action to enforce the demolition order.

A copy of the proceeding and order for the property is attached for your use. Please do not hesitate contacting me if you have any questions or require additional information.

Best regards,



Bruce R. Johnson  
Dangerous Building Hearing Officer

**Dangerous Building Hearing  
January 19, 2021**

**288 Tower Road  
Property ID: 12-26-256-047**

**Proceedings:**

Building Official:

Building Official Nick Spencer testified that the property owner was removed from the home in 2019 and that it has been vacant since that time. The house has remained open to the elements during this time. The house meets several of the conditions listed in Section 8.107 of the ordinance making it a dangerous building. Mr. Spencer confirmed that a title search was conducted and notices of this hearing were sent to all interested parties and posted on the building in accordance with the ordinance.

Mr. Spencer noted that there are several holes in the roof and fascia where animals appear to be entering the structure. Power is on at the location and there are open electrical devices exposed to the weather.

Code Enforcement Officer Jason Hudson testified that the property owner was removed from the home for medical reasons. The house has been infested with fleas and numerous dead animals had been found inside and outside of the house. The department is receiving numerous complaints from residents about the vacant structure and overgrown property. Mr. Hudson stated the property owner is living with a relative at another location and has spoken with that individual about the property. He has not been able to speak with the owner.

Property Owner:

There were no interested parties present.

Public Comments:

There were no comments from the public.

**Findings:**

As a result of the house being vacant and open to the elements since July of 2019, and the lack of repairs or maintenance since that time, the house meets the Township's definition of a dangerous building as cited by the building official.

An unoccupied building without light, power and adequate ventilation will experience accelerated deterioration, especially when exposed to the elements. Demolition soon becomes the only viable option.

After a careful review of the record, inspection of the exterior structure, and testimony presented during the public hearing, it is my determination that the structure at this property is dangerous per the White Lake Township Ordinance and will pose risk to the public if corrective measures are not taken immediately.

**Decision and Order:**

It is my decision and order that the structures be demolished, all debris hauled away and properly disposed of, and the property be graded, seeded and mulched to the satisfaction of the Township Building Official by May 1, 2021. Further, the structures are secured and maintained secured to prevent entry until demolition.

**BRUCE R. JOHNSON**  
**DANGEROUS BUILDING HEARING OFFICER**

June 12, 2021

Mr. Ric Kowall, Supervisor  
White Lake Township  
7525 Highland Rd  
White Lake, MI 48383

RE: Notice of Noncompliance

Dear Mr. Kowall:

A Dangerous Building Hearing was held on February 25, 2021 regarding the properties listed below. The hearing resulted in determinations that the structures at each location are dangerous and the property owners were ordered to demolish them by June 1, 2021. As of this date the owners of each of the properties have failed to comply with the orders to demolish.

1.	9910 Highland Road	Parcel ID: 12-23-101-011, 012
2.	11142 Windhurst Drive	Parcel ID: 12-33-476-013

I am providing this report to you to in accordance with Chapter 8, Article V, Section 109 (c) of the White Lake Charter Township Code to forward to the Township Board. In consideration of the dangerous conditions of these properties, I urge the Township Board to continue the proceedings outlined in the ordinance and take the necessary action to enforce the demolition orders.

A copy of the proceedings and orders for each property are attached for your reference. Please do not hesitate contacting me if you have any questions or require additional information.

Best regards,



Bruce R. Johnson  
Dangerous Building Hearing Officer

**Dangerous Building Hearing  
February 25, 2021**

**9910 Highland Rd.  
Property ID: 12-23-101-011 & 012**

**Proceedings:**

**Building Official:**

Building Official Nick Spencer testified that the house was damaged by fire in September of 2016, and this is the second Dangerous Building Hearing for this property. The first hearing was on June 26, 2019. In accordance with the order from the first hearing, a structural engineering report was provided and a building permit to repair the home was issued. However, other than securing the hole in the roof with plywood and a tarp, the property owner did not proceed with repairing the house. The tarp has deteriorated and along with other openings the structure remains open to the elements. The building permit became invalid after 180-days days without any work being completed. The house still meets several of the of the conditions listed in Section 8.107 of the ordinance making it a dangerous building.

**Property Owner:**

The property owner Steven Hutch was present and spoke at the hearing. He explained that he intending to get started on the project after the building permit was issued, however he did not have the funds. He stated that it has been difficult financially to find the funds to repair the house while maintaining another residence. Further, he stated that injuries he sustained in an auto accident and restrictions surrounding the COVID-19 pandemic has prevented him from working harder to secure the funds necessary to begin construction. Mr. Hutch stated that he now has the money necessary for Chase Bank to release the first draw of funds for him to begin reconstruction.

Mr. Hutch's brother Michael was in attendance and spoke in support of his brother. He stated that at this time last year he was prepared to get the money together to help his brother with the project and then COVID hit and was not able to do so. He stated that he and his brother have experienced hardships and setbacks, but are now ready to proceed with the rebuilding of the house. He stated that he sent proof of funds available to Nick Spencer. Mr. Spencer stated that he did receive a computer screenshot that was not very specific.

I stated that I appreciated the statements of Mr. Hutch and his brother. However, the structure has existed in a dangerous condition for several years and they did not comply with the first order. I explained that I have to base my decision on the past history of this case. If my order resulting from this hearing is to demolish the structure and they choose to pursue rebuilding the house they will still have an opportunity to present their case to the Township Board.

Public Comment:

There were no comments from the public.

**Findings:**

As a result of the fire in September of 2016 and the lack of repairs or protection since that time the house meets the Township's definition of a dangerous building as cited by the Building Official. The Building Official has tried working with the owner by issuing a building permit after the first Dangerous Building Hearing to make the necessary repairs. However, the property owner failed to act on that permit which became invalid in accordance with the building code due to lack of progress.

The first dangerous building hearing was on June 26, 2019, almost three years after the fire that severely damaged the house. The hearing officer at that time ordered the owner to obtain a permit to rebuild the house or to demolish it within a specified time period. The property owner did what was necessary to obtain the building permit, but did not have the necessary funds to actually make the required repairs. The structure was not rebuilt or demolished in accordance with the order.

An unoccupied building left open and exposed to the elements will soon experience accelerated deterioration. The fire-damaged house at this location has existed in its current open and exposed state for over four years. Based on this Hearing Officers experience with similar cases, demolition is most likely the only viable option at this time.

The property owner's claim that he has secured the funds necessary to rebuild the home is not verified by the screenshot provided to the Building Official. Further, there was no evidence provided at the hearing that the property owner or his brother had been activity communicating their intentions to the Building Official regarding the expired building permit until just before the hearing date.

After a careful review of the record, inspection of the exterior structure, and testimony presented during the public hearing, it is my determination that the structure at this property is dangerous per the White Lake Township Ordinance and that it should be demolished within a reasonable period.

**Decision and Order:**

It is my decision and order that the structures be demolished, all debris hauled away and properly disposed of, and the property be graded, seeded and mulched to the satisfaction of the Township Building Official by June 1, 2021. Further, the structures are secured and maintained secured to prevent entry until demolition.

**Dangerous Building Hearing  
February 25, 2021**

**11142 Windhurst  
Property ID: 12-33-476-013**

**Proceedings:**

**Building Official:**

Building Official Nick Spencer testified that the house has been vacant for several years. There is no gas service to the building. The electrical service is deteriorated and DTE is in the process of disconnecting the power. The roof structure is in very poor condition and the trusses appear to be failing. There are several broken windows, the front door has been boarded up for years and back door to the lower level is rotten. The interior of the house is in disarray and it appears that wood stanchions are in place holding up portions of the structure. The Township has received many complaints/calls from residents about the poor condition of the house and property.

Code Enforcement Officer Jason Hudson stated that he was at the building in 2016 regarding a fuel oil smell coming from the lower level. He entered the lower level at that time to address the complaint and noted that the lower level is accessed at the rear of the home and there is no interior stair connecting the two levels of the house. He has sent several violation letters over the years to the owners without receiving a response.

**Property Owner:**

Attorney John Munger spoke on behalf of the Slabiak estate. He stated that Walter Slabiak who is deceased owned the property. The property has been in probate without any progress. The heirs to the estate are now motivated to resolve this matter after receiving notice of this hearing. Mr. Munger stated that he understands the Townships concern. He has contacted a local builder to inspect and access the existing house to determine if it is worth repairing or if demolition is the best option for the estate. He said he would have estimates to review within two weeks.

I noted that it was good the estate matters are being resolved and it appears that there is motivation to get this matter resolved. I recommended that Mr. Munger provide the names and contact information for all interested parties in the estate to the Building Department so they can provide further communications to them as well.

**Public Comments:**

Trina Slabiak spoke to provide her name and address for the record.  
Corky Lederer (11136 Windhurst) spoke as a representative of his side of the lake and stated they are excited to finally see movement on this property.



**Findings:**

As a result of the of the house being vacant for several years and the lack of repairs or maintenance during that time, the house meets the Township's definition of a dangerous building as cited by the building official.

An unoccupied building without light, power and adequate ventilation will experience accelerated deterioration, especially when exposed to the elements. While a layer of rolled roofing was recently installed over the existing roofing, pictures in the Building Department file show a severely deteriorated roof with several hole that were allowing rain, snow and animals to enter the structure. This condition apparently existed for a long time.

The property owner's representative is actively seeking expert advice to determine if the building can still be restored or if demolition is the best alternative.

After a careful review of the record, inspection of the exterior structure, and testimony presented during the public hearing, it is my determination that the structure at this property is dangerous per the White Lake Township Ordinance and is a risk to the public if corrective measures are not taken immediately.

**Decision and Order:**

It is my decision and order based on the findings in this case that the property owner restore the property and building or demolish the structures as directed below.

1. The property owner restores the building and property in accordance with the following schedule:
  - a) The property owner actively pursues a building permit to make the necessary repairs to the structure. In seeking this permit, the owner must hire an engineer to inspect the building and provide an acceptable report to the building official detailing the necessary repairs. The application for building permit along with the report from the engineer must be submitted to the building official by April 16, 2021. The building official will review the application and report within three business days and, if acceptable, issue the permit. If not acceptable, the building official will inform the owner what must be done for the permit to be issued.
  - b) The property owner will diligently work to ensure the building permit can be issued no later than May 1, 2021. The work must begin immediately upon permit issuance and actively continue until completed. Work not commencing within 30-days of permit issuance or work ceasing for a period of 30-days is a violation of this order.
2. If the property owner fails to receive a new building permit by May 1, 2021, the structures be demolished, all debris hauled away and properly disposed of, and the property be graded, seeded and mulched to the satisfaction of the Township Building Official by June 1, 2021. Further, the structure is secured and maintained secured to prevent entry until demolition.