

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

To: White Lake Township Board of Trustees  
From: Nick Spencer, WLT Building Official  
Date: May 3, 2023  
Re: 9090 Buckingham Garage – Dangerous Buildings Show Cause Hearing May 16, 2023

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During the April 11, 2023 WLT Board of Trustee meeting, a show cause hearing was set for the dangerous garage at 9090 Buckingham. The property owner and Lakeside Loan Servicing have been sent a notice of the Show Cause Hearing scheduled for May 16, 2023 as required by Township ordinance.

**At the Show Cause Hearing for the garage at 9090 Buckingham, I am asking for the Dangerous Buildings Hearing Officer's decision from 11-30-22 to be enforced.**

The house and garage went to a Dangerous Buildings Hearing on 11-30-22. The Dangerous Building Hearing Officer ordered the demolition of the garage by January 31, 2023. The homeowner did not demolish the garage, and resident complaints about the dangerous structure are escalating. I have attached some photos of the garage and below, you will find a brief timeline for the garage.

11-5-21	Letter to homeowner notifying him of dangerous garage
12-6-21	Letter to homeowner notifying him of intention to begin Dangerous Buildings proceeding
11-7-22	Letter to homeowner notifying him of Dangerous Buildings hearing on 11-30-22.
11-30-22	The Dangerous Buildings Hearing Officer ordered the demolition of the garage by 1-31-23.

The homeowner was also ordered to meet with the Township to discuss the condition of the house by 1-31-2023, which he has not. The property owner was cited for rubbish by ordinance on 3-21-23 and that fine is unpaid.

If the garage is demolished by the Township, we estimate the cost to be approximately \$ 5,000. I would ask that the board allow us to award the demolition contract for the garage to the lowest bid received and we will secure three bids.

Thank you for your consideration.



**9090 BUCKINGHAM – DANGEROUS BUILDING – GARAGE**





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April 18, 2023

Via First Class and Certified Mail -  
Return Receipt Requested

Via Posting

Kurt Radyko  
9090 Buckingham  
White Lake, MI 48386-1512

Kurt Radyko  
9090 Buckingham  
White Lake, MI 48386-1512

Lakeview Loan Servicing, LLC  
5151 Corporate Drive  
Troy, MI 48098

Re: 9090 Buckingham  
Parcel ID 12-14-280-015

Dear Mr. Radyko:

As you know, a Dangerous Building Hearing was held at the White Lake Township Annex Boardroom, on the 30th day of November, 2022, in regard to the above-referenced matter. Shortly thereafter, based upon the testimony and facts presented to him, the Hearing Officer issued an Order that required you to demolish the garage by January 31, 2023. A copy of the Order is enclosed for your benefit.

This shall serve as your notice of the **Show Cause Hearing** scheduled before the Township Board. The Hearing will take place at **7:00 p.m., on the 16th day of May, 2023 at the White Lake Township Annex Boardroom**, located at 7527 Highland Road, White Lake, Michigan. At the hearing, you will be given the opportunity to Show Cause as to why the Order of the Dangerous Building Hearing Officer should not be enforced.

Sincerely,

WHITE LAKE TOWNSHIP

Nick Spencer, Building Official

NS/sab

December 7, 2022

Mr. Nick Spencer  
Building Official  
White Lake Township  
7525 Highland Rd  
White Lake, MI 48383

RE: DANGEROUS BUILDING HEARING

Dear Mr. Spencer:

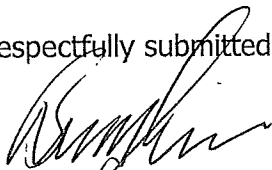
A Dangerous Building Hearing was held on November 30, 2022 at 6:00 P.M. The hearing was conducted in accordance with Chapter 8 Article V of the White Lake Township Code of Ordinances. There were five (5) cases on the agenda as listed below:

- |                         |                          |
|-------------------------|--------------------------|
| 1. 9090 Buckingham Rd   | Parcel ID: 12-14-280-015 |
| 2. 4325 Oakguard Dr     | Parcel ID: 12-07-176-018 |
| 3. 1328 Clearwater Blvd | Parcel ID: 12-35-402-006 |
| 4. 6831 Hitchcock Rd    | Parcel ID: 12-09-300-021 |
| 5. 8335 Pontiac Lake Rd | Parcel ID: 12-13-454-005 |

The Dangerous Buildings ordinance lists 10 circumstances when the Building Official can declare a building or structure dangerous. The circumstances are described in the ordinance definition of dangerous buildings and are provided at the end of this report for reference.

The meeting was called to order at 6:00 P.M. The following pages will describe the proceedings and findings for each case followed by a final decision and order.

Respectfully submitted,



Bruce R. Johnson  
Dangerous Building Hearing Officer

Dangerous buildings mean a building or structure that has one or more of the following defects or is in one or more of the following conditions:

1. A door, aisle, passageway, stairway or other means of exit does not conform to the approved fire code of the township in which the building or structure is located.
2. A part of the building or structure is damaged by fire, wind, flood or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and the building or structure does not meet the minimum requirements of the public Act No. 167 of 1917 (MCL 125.401 et seq.) or the state construction code.
3. A part of the building or structure is likely to fall, become detached or dislodged, or collapse and injure persons or damage property.
4. A part of the building or structure has settled to such an extent that walls or other structural portions of the building or structure have materially less resistance to winds than is required in the case of new construction by Public Act No. 167 of 1917 (MCL 125.401 et seq.) or the state construction code.
5. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction or the removal or movement of some portion of the ground necessary for the purpose of support, or for other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building is likely to fall or give way.
6. The building or structure, or any portion of the building or structure, is manifestly unsafe for the purpose for which it is used.
7. The building restructure is damaged by fire, wind or flood, or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.
8. A dwelling, because of dilapidation, decay, damage or faulty construction or arrangement or otherwise, is unsanitary or unfit for human habitation, is in a condition determined by the director of the county health division to be likely to cause sickness or disease, or is likely to injure the health, safety or general welfare of the people living in the dwelling.
9. A building or structure is vacant, dilapidated and open, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.
10. A building or structure remains unoccupied for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease or rent with a real estate broker licensed under Article 25 of the Occupational Code, Public Act No. 299 of 1980 (MCL 339.2501 et seq.).

**Dangerous Building Hearing  
November 30, 2022**

**9090 Buckingham Rd.  
Property ID: 12-14-280-015**

**Proceedings:**

Building Official:

Building Official Nick Spencer testified that the house and detached garage were damaged by a tornado in 2021. He stated that the building department has been receiving complaints about the property before the tornado damage. The house and garage meet several of the conditions listed in Section 8.107 of the ordinance making them dangerous. The garage is leaning and has no structural integrity. There is a hole in the roof and is open to the elements. Several violation notices have been sent to the property owner with no result or action by the owner to make necessary repairs to the buildings or maintain the property.

Property Owner:

The property owner was not present.

Public Comment:

Three residents commented on poor condition of the house and garage and the lack of maintenance of the property. They encouraged the Township to take action to abate the violations.

**Findings:**

The house appears to not have been occupied for several years evidenced by the utilities being disconnected and testimony by the Building Official. An open window, broken and missing siding, gutters falling and deteriorated soffit and fascia boards were noted during inspection. An unoccupied building without power and adequate ventilation will experience accelerated deterioration, especially with exposed to the elements. However, I was unable to view the interior of the house, so the extent of any deterioration could not be determined.

The detached garage has holes in the roof, an open door and is leaning towards the street. This building is structurally unsound and beyond repair.

After a careful review of the record, inspection of the buildings, and testimony presented during the public hearing, it is my determination that the detached garage at this property is dangerous per the White Lake Township Ordinance and poses risk to the public if corrective measures are not taken immediately. The house, other than an open

window, is secure at this time. Without knowing the condition of the interior of the structure is cannot be determined at this time if demolition is the only option.

**Decision and Order:**

It is my decision and order based on the findings in this case that the property owner demolish the detached garage and make necessary repairs to the house as directed below.

1. The detached garage be demolished, all debris hauled away and properly disposed of, and the area be graded, seeded and mulched to the satisfaction of the Building Official by January 31, 2023. Further, that the structure be secured to prevent entry until demolition.
2. Schedule a meeting at the site with the Township Building Official and inspectors to inspect the condition of the interior of the house to determine the necessary repairs to bring the interior and exterior of the house into compliance with the 2018 Edition of the International Property Maintenance Code. The Building Official will advise the owner of the permits required to make the repairs and the owner will submit those applications to the building department by January 31, 2023. All work to bring the house into compliance must be completed by May 31, 2023.