

'Showplace' home turns neighborhood into nightmare

Residents on Winchester ask for relief from neighbor who charges harassment, racism

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You could call it "The Nightmare on Winchester."

Three years ago, the Shah family began building what they hoped would be a beautiful home in Farmington Hills' Oxford Estates subdivision.

An interior designer by trade, Bette Shah had definite ideas about how she wanted her home to look.

"I want this to be a show place," she said. "I love doing this."

The house still isn't finished and acrimonious disagreements over homeowners' association rules have escalated, leaving the family at war with neighbors.

The Farmington Hills Police Department has been called dozens of times to deal with harassment, vandalism and even an alleged physical assault.

After ticketing the Shahs several times for living in the home without a temporary certificate of occupancy, the City of Farmington Hills finally obtained a court order to do \$24,000 worth of landscaping so the TCO can be issued.

"This is an extraordinary effort for us," city manager Steve Brock said after officials authorized the expenditure Monday.

Brock explained if the Shahs haven't completed berming and landscaping, including establishing a lawn, within the next few weeks, the city's contractor will begin work around the end of July. Any costs incurred will be tacked on to property taxes.

Neighbors showed up at Monday night's meeting to find out

when the situation would be resolved; a homeowners' association representative said they felt "helpless" to deal with the situation.

Racism charged

Bette Shah has accused her neighbors of racism and intolerance, of trespassing on her property and inside her home. She believes neighbors or their children are responsible for graffiti spray-painted on siding and bricks.

Bristling at the racial accusations, her neighbors say she has threatened them, screaming obscenities and taking photographs of some children. They complain about frequent police calls, garbage left out and unsightly conditions around the house.

They've asked not to be identified by name, because they fear reprisals.

The Shahs don't stand entirely alone. While they build their new home, Susan Miller has moved out of hers. She filed a police report after a member of the homeowners' association came to her door and refused to leave, attempting to push his way in.

"I got phone calls saying I was an Indian lover, and 'You're not part of the group because you're Jewish,'" she said. "I'm from England. I've never come up against racial issues."

Residents say their neighborhood is far more diverse than the rest of the community. About 10 people showed up to voice their concerns Monday night. While they noted the on-going dispute, association president Jim Simp-

kins (one of four African-American residents who attended) said neighbors just want the exterior of the home cleaned up.

Building issues

The Shah home is the last to be built in the subdivision. The developer had a select list of builders, so the rest of the homes were built to a certain standard, Simpkins said. The homeowners' association rules require detailed plans be submitted to an architectural committee for approval.

That's pretty much where the real trouble started with the Shahs - although Bette claims from the beginning, she was discouraged from purchasing the property.

Her emotions run the gamut from anger and fear to frustration and sadness when she talks about the house. She said acting as her own general contractor has been stressful; the external battles have left her with an ulcer and in poor health.

According to the bylaws for the Oxford Estates Homeowners' Association, anyone who plans to build a home must submit architectural plans for approval. If the committee approves them or doesn't respond within 30 days, the homeowner can proceed.

There's an on-going dispute over what, exactly, happened to

the Shahs' plans. They say they submitted them and waited the 30 days without a response. However, the association claims the home's exterior doesn't conform with many of their architectural standards.

"All the homes have wood-frame windows," Simpkins said, adding there are only a few exceptions. "Most have wood siding, which has to be painted. She went with vinyl siding."

From the beginning, city staffers spent a lot of time helping Shah through the process. When the structure went up, city manager Brock said, representatives from the homeowners' association called to say it wasn't in conformance with their standards.

"Our building people already had involvement," he said, adding that he tried to facilitate the dispute and steered both parties toward mediation. The city doesn't usually get involved in this type of issue, Brock added. "A safe building is one thing. How it looks is another."

On Monday night, he told residents city staff had been through the inside of the house and found it to be habitable and safe. The landscaping work would address health and safety issues outside.

Harassment

Bette claims certain members of the homeowners' association trespassed onto her property, even into the house, to see what she was doing and claims some interfered with the subcontractors she hired.

Most recently, the Shahs have reported several break-ins, and vandals spray-painted graffiti on the brick, vinyl siding and front door. The incidents have affected her children's peace of mind, Bette said.

"My 12-year-old daughter wakes up in the middle of the night and asks me about the house, if it is all right. For months, she wouldn't come in the house. The graffiti scared us even more."

A neighbor, who requested anonymity, said Shah photographed her children and harassed them. Others said they have had vile obscenities screamed at them.

They're most concerned about the impact on the neighborhood - and the fact that the construction process has dragged on for so long. Those who attended the council meeting said they felt "abandoned" by the city, because nothing has been done to remedy the problems.

City attorney John Donohue said several citations have been issued, but it's up to the courts to order an eviction.

"It's very rare the court would issue an injunction, unless there were immediate public health and safety issues," he said.

Bette attributes the delays to her illness, having to return to India when a family member died, as well as the challenge of keeping the money flowing and contractors moving.

Brock said as long as there's activity on the property, a building permit is valid. Once a TCO is issued, the Shahs have six months to complete the project. He said the city has been actively involved from the beginning.

"It's not easy," Brock said. "This is one lot. The rest are all built out in that immediate area. It can get disruptive in those cases. People want to get the place looking good, and it's frustrating because the hasn't gotten things done."

While he tried to get both sides into the mediation process, dates were made and broken. Brock believes once the house is built, the issues will be resolved.

It's just getting there that has taken a toll on the family and the neighborhood. Brock said he's never had issues like this come to his attention or rise to this level of acrimony.

"I've never dealt with anything like this," he said.

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Road project begins Monday

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Plans for the annual Farmington Founders Festival in July influenced the Oakland County Road Commission's decision to divide the Farmington Road construction over a two-year period.

The festival annually draws large crowds from throughout the metropolitan Detroit area.

"We worked with the city to be as unobtrusive as possible," said Craig Bryson, RCOC public information officer.

"We understand the concerns of the community." **Craig Bryson** —County Road Commission

The road commission expects to begin work Monday on the widening and construction of Farmington Road from Eight Mile Road to Nine Mile Road. This portion of the project is expected to be completed in November.

Farmington Road is on the border of both Farmington and Farmington Hills.

"This section of Farmington Road will be widened from four lanes to five, with the addition of a center left-turn lane," Bryson said. "During construction, two lanes, one in each direction will remain open to through traffic at all

times but an alternate is recommended, due to expected traffic delays."

Access to all businesses will be maintained at all times, though some side streets will be closed at Farmington Road.

About two weeks after the project starts, traffic will shift to the westerly two lanes of the existing road, so that the contractor can construct the new northbound easterly lanes.

Next year, the road commission will reconstruct Farmington Road from the end of this project just south of Nine Mile Road, north to Grand River. Farmington Road will be widened to five lanes north to Slocum only. Bryson anticipates that the stretch between Slocum and Grand River will be finished prior to July 15, 2002, in time for next year's Founder's Festival.

Safety and road capacity concerns drove the decision to widen areas to five lanes, Bryson said. "We don't like four-lane roads in general anymore," he said.

The commission prefers a center turn lane rather than having motorists making left turns from a through lane.

The total project cost for both this year's and next year's portions is about \$7.8 million.

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