

**City of South Lyon  
Planning Commission Meeting**

June 11, 2009

Chairman Weipert called the meeting to order at 7:03 p.m.

All present recited the Pledge of Allegiance to the Flag

PRESENT: Commissioners Kurtzweil, Lanam, Mosier, Weipert, Leimbach, Subotich and Culbertson. Commissioners Tartaglia and Bradley were excused.

Also present were Ben Tallerico (Planning Consultant), Joe Veltri, Building and Zoning Official and Kristen Delaney, Director of Community and Economic Development

**APPROVAL OF AGENDA:**

**Motion by Mosier, supported by Culbertson**

**To approve the Agenda for June 11, 2009.**

**VOTE**

**MOTION CARRIED UNANIMOUSLY**

**APPROVAL OF MINUTES:**

**Motion by Lanam, supported by Leimbach**

**To approve the Minutes for March 26, 2009 as amended.**

**VOTE**

**MOTION CARRIED UNANIMOUSLY**

**PUBLIC COMMENT**

There was no public comment.

**OLD BUSINESS**

Abandoned Residential Building Ordinance – Open Forum Discussion

Veltri spoke with representatives from Chula Vista, CA and Farmington, MI. They have some problems with their ordinances. Veltri read the memo he wrote to South Lyon's City Manager. He noted South Lyon is much smaller and has fewer foreclosures. Weipert stated the foreclosures will increase. Veltri stated in Chula Vista the banks do not find out they have taken over a home for as long as six months. Farmington's ordinance includes inspection requirements and occupancy requirements that are very different. They are about to be challenged in court by the banks. Chula Vista's foreclosures are so high that they

have a city division to handle the problem. That division is the only part of the city hiring. Farmington is having trouble getting banks to register.

Tallerico stated two of Farmington's problems are it is not part of the planning code they are separate ordinances and they also do not define occupancy. Veltri stated Farmington's was written as more of a knee-jerk reaction by their council and it does not work. Tallerico noted it has only been in effect for sixty days. Veltri stated everything is on hold for them until the challenge of the banks is complete. We cannot compare South Lyon to Chula Vista because of the volume of foreclosures they have. Weipert stated it is going to get worse here. Tallerico added we will have a jobless recovery which will not help this problem. The way Farmington is written is not a planning issue it was their Council. He asked if South Lyon's City Council is as concerned.

Veltri stated currently the citations issued are yard care and they are the properties that are an issue every year. Only five lots have been cut.

Kurtzweil stated they have the option to address the future before it arrives. It is fairly clear what is going to happen she is just asking for a notice. Maybe the notice has to be posted five to ten days of the bank being notified. She does not think it is fair the citizens are being burdened with increased taxes. She feels that government officials have some responsibility in maintaining property values. Keeping up the properties stabilizes property value.

Veltri explained the laws of the state of California and in Chula Vista. Kurtzweil noted that Chula Vista is the model for the country. Veltri stated the city division that runs the foreclosure maintenance is the largest source of income for the city. Culbertson asked who pays the fees. Veltri answered fines to the banks.

Culbertson asked what an ordinance will cover that is missing from the current ordinances. Veltri replied South Lyon does not have a registry and added right now the city is maintaining. Culbertson stated the city has the ability to take action against whoever is in control of the property under the property maintenance ordinance. Kurtzweil stated the difference is between homeowner associations and the city requirements. This sort of ordinance gives power to the homeowner association to get the bank to the register the property manager. The homeowners' association standards are different. There was a general discussion regarding the notification process of the homeowners association and the city.

Veltri stated he cannot enforce the homeowners' association rules. Culbertson stated then they should change the city standards. Veltri noted he can make that recommendation.

Leimbach stated to maintain the value of the city he does not think they can hold foreclosed homes to a higher standard. That is the legal problem Farmington is having. Two things he likes is having a mechanism to post who is responsible and maintaining the properties to an even standard. He asked if they could add two or three things requirements so it will not be a burden to the city. Veltri stated the city is tied into the

county system and it can take six months or more to be notified and this is where the problems come in. Kurtzweil stated then make it ten days after all redemption opportunities are done. Veltri noted some neighbors remove the postings because they do not want people to know the home was foreclosed.

Subotich stated he respects everyone's concerns and noted the city has been fortunate so far however it would be nice to have some sort of posting. Homeowner associations and cities can post liens but what do all those liens do to a prospective buyer? It is a double edged sword. You can go too far or not far enough very easily. He is willing to continue the discussion but is not sure what the clear answer is going to be. Kurtzweil stated keep it simple.

Veltri stated he will keep checking and talking to people. Chula Vista is having an epidemic and Farmington has issues with the way they wrote theirs. Someone will come up with a good solution. Weipert stated Farmington's issue is the inspection. Kurtzweil noted they just want it posted or registered with the homeowners association. Weipert stated not every home is part of an association.

Kurtzweil noted there will be another wave. Tallerico stated he read that some banks are not taking back the home. People walk away because the foreclosure process started but the bank never finished the foreclosure. There is not going to be a perfection solution.

Lanam agrees with the direction and feels they just need to be more careful. Weipert is interested in posting and neighborhood standards but not inspections.

There was a general discussion regarding specific problems in the city.

### **STAFF REPORTS**

Veltri is reviewing plans for Taco Bell's permit. The state is working on a wind/solar package. He went to a one day conference regarding wind/solar development. There are eleven house under construction in the city and Clark's Crossing is projecting they will be complete by the end of the year.

Delaney asked for available days to schedule a Planning Commission training day run by Mr. Tallerico. They will also invite City Council and the Downtown Development Authority. The cost is twenty-five dollars per person. A date of July 18, 2009 was set with a begin time of 8:30am.

Weipert stated Commissioner Tartaglia is moving out of South Lyon in late July so there will be a vacancy on the Planning Commission beginning in August.

Tallerico noted there are some ordinances showing up across the area to deal with the issue of medical marijuana and the legal selling and distribution just to make everyone aware.

**ADJOURNMENT**

**Motion by Culbertson supported by Lanam**

**To adjourn the meeting at 8:21 p.m.**

**VOTE**

**MOTION CARRIED UNANIMOUSLY**

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Pam Weipert, Chairperson

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Jennifer Knapp, Recording Secretary

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Keith Bradley, Secretary