

**City of South Lyon  
Planning Commission Meeting  
January 10, 2008**

Chairman Weipert called the meeting to order at 7:01 p.m.

All present recited the Pledge of Allegiance to the Flag

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

Also present were Ben Tallerico (Planning Consultant), Kristen Cunningham, Director of Community and Economic Development

**APPROVAL OF AGENDA:**

Cunningham suggested the order of agenda items be flipped so that new business goes first.

**Motion by Bradley, supported by Lanam**

**To approve the Agenda for January 10, 2008 as amended.**

**VOTE**

**MOTION CARRIED UNANIMOUSLY**

**APPROVAL OF MINUTES:**

**Motion by Culbertson, supported by Lanam**

**To approve of the Minutes for December 13, 2007 as amended.**

**VOTE**

**MOTION CARRIED UNANIMOUSLY**

**PUBLIC COMMENT**

Glenn Kivell, 235 West Lake

Mr. Kivell handed out pictures of downtown Milford and photocopies of Milford's sign ordinance in relation to last meetings decision to recommend eliminating projected signs in South Lyon. He noted the signs in Milford are scaled properly and calls attention to the business to the people walking the streets. He noted he was curious why the Planning Commission decided to recommend eliminating projection signs.

Leimbach stated there is very little control over them. Weipert stated originally the revision in the ordinance addressed pylon and pole signs. Projection signs have not worked out the way everyone hoped in town. Kivell noted a lot of communities want that kitschy look back in their towns. The signs add a certain visual element. Weipert noted in Milford the businesses have embraced it. That semblance of unity has not developed in South Lyon.

Kivell suggested maybe an oversight board may be helpful but he is going to do what he can to make sure the signs stay. Weipert stated the Commissioners want to see the ordinance go through as they proposed. Kivell stated he did not want to disrupt the process because he came in so late.

*approved in the form they*

Mosier asked if City Council can change the ordinance. Cunningham replied yes. Mosier suggested letting the ordinance recommendation go through and see what Council does with it. Cunningham noted the City Council will have a couple of readings of the ordinance. Weipert stated she will be attending the City Council meeting.

## NEW BUSINESS

Six-month Review of TLC Sobriety House Special Land Use Permit

Weipert stated at the July 12, 2007 meeting the special land use was approved with the caveat that there is a six-month, one-year and two-year review.

Ron Chapiewski from Sobriety House stated there have been zero incidence and complaints. Not one has been thrown out. They have helped fourteen men and for all intents and purposes the city does not even know they are there. Of the fourteen men eight are now out of the program. Everyone has been very pleased and they have stayed very low profile.

Weipert noted Chief Collins has received zero calls from or regarding the house and per a memo from Joe Veltri, there have been no building violations. She asked if they are waiting for funding in order to make changes to the building. Ron Chapiewski replied that was correct.

There was a general discussion regarding how they receive referrals, how they support the home, and the evaluation process of the tenants.

Weipert congratulated them on their success and asked them to carry-on.

## OLD BUSINESS

Discussion – Blight/Property Maintenance

Before reviewing the ~~matrix~~ ordinance Tallerico stated some things that were discussed he did not add yet but with five pages it is a starting point. He took a few sample ordinances and added more in some areas and eliminated items in other areas. The ~~matrix~~ ordinance is pretty in-depth so more may be taken out than added. The genesis behind this process was commercial properties but also the Commissioners wanted to get in front of any problems.

Tallerico reviewed each section and asked for feedback.

During the section of peeling paint Tallerico noted peeling paint can be difficult to enforce. Weipert asked if some of the signs that cause concern in town fall under this section. Tallerico replied yes. Bradley noted a broken hanging sign could be hazardous. Kivell stated one person in town spent a lot of money on an expert to prove a broken sign was not necessarily a hazard. That began a general discussion regarding rubbish.

Tallerico noted there may be a need to define buffering to defend the fire hazard and refuse sections. There was a general discussion regarding examples of whether or not items i.e. trash cans, etc, substantially detract from the aesthetic and economic value of someone's home.

Tallerico asked if the building department puts tablets that kill mosquitoes in the pools of vacant homes. Cunningham did not know but stated the Department of Public Works does use them in the storm drains. Kurtzweil asked if item #8 regarding bodies of water applies to retention ponds. Tallerico stated they are part of the planning process and should be maintained. Kivell stated it is standing water. Bradley noted it is not abandoned. Kurtzweil stated it is unfiltered. Tartaglia noted it is required. Mosier stated they are engineered to work a certain way. Lanam agreed and stated they are designed for some sort of aeration.

Leimbach stated he had a question but noted it may not apply to the item at hand. He asked if anything could be done to get the Post Office to shovel their sidewalks in a timelier manner. Kivell stated the city has very little to impose on them. Cunningham stated because of the timing of the last big snowfall the building department gave everyone more time to get their walks shoveled.

Cunningham asked if all definitions could be put in the beginning of the matrix. Tallerico replied yes.

Tallerico suggested having an option to add-in that cars should be covered when not in use on a residential property. Culbertson noted the length of time seems excessive to him. Tallerico was trying to be considerate of people who do not have the economic means to fix a car. He suggested shortening the commercial timeline and leaving the residential. Cunningham stated a Commercial Overlay District may be a better way to address this sort of issue by eliminating the uses of those businesses. Leimbach stated if the vehicles are not licensed it should not matter. Cunningham stated she believe residential and commercial should be separated. Weipert asked if the state has any laws or definitions that address this issue. There was a general conversation regarding specific businesses with cars on their property and the commercial overlay district.

Weipert noted under section D there should be a time frame for broken windows so people can deal with their insurance companies to make repairs if necessary. Tallerico stated he will match the building code.

Bradley questioned the reason for section F. Tallerico replied it was in case something was started but not finished.

Culbertson asked if the \$100 fine is per week or per occurrence. Tallerico replied it was per violation. Cunningham noted the city does have something in place with a fee schedule. Tallerico will rewrite the ~~matrix~~ to reflect that.

*Ordinance*

Kivell asked if the violation is a misdemeanor will the court oversee if the person's obligation has been fulfilled. Kurtzweil stated the court will confer with the city to work together for the solution. Kivell stated he was hoping they will be able to assign the city the ability to take care of a problem at the expense of the owner. Kurtzweil stated that is a civil issue. Tallerico stated with a civil complaint the city has more control and may be handled faster however with a criminal complaint there is a better result even if it will take longer. Weipert stated the current civil punishment does not seem to be enough. Leimbach asked if it could be mixed with civil and criminal. Cunningham stated she will check with the city attorney to see what he recommends.

Kivell discussed the Michigan Municipal League pamphlet that pulled together information so there is a more comprehensive solution. Kurtzweil stated there are several specific issues that the Planning Commission wants to address. Ypsilanti is a great example of how to fix the problem because they developed a program that allowed for financial assistance to help homeowners clean-up.

Culbertson stated he did not understand why they were going through all this work if it will not fix the problems. Cunningham stated it will correct some of them. Tallerico stated this body wanted to be proactive. Leimbach noted it also provides a jumping off point and sends a message.

There was a general discussion regarding the mobile home park.

Weipert asked Mr. Tallerico if he talked to Ypsilanti regarding how they enforce their code. Tallerico

replied he did not get a hold of his contact in Ypsilanti but he did talk to Canton and they do have a matrix. He also noted he has not spoken to anyone at Brighton yet.

*ordinance*

**STAFF REPORTS**

Weipert asked Ms. Cunningham if should will provide pictures to help with the matrix. Cunningham replied yes and asked if anyone has additional input to give it to Mr. Tallerico.

Cunningham reported the next meeting will cover the building matrix and more blight information.

Bradley provided an update on the last Zoning Board of Appeals meeting.

Culbertson asked if the letter regarding the Meijer proposal was sent. Cunningham replied yes, it was sent in early November. Culbertson asked if the Commission should show the same concern with similar developments in the township. Tallerico stated there is very little that this body can do. Dialogue is always good but it comes from the elected officials. Ultimately the most impact is from the governor.

**ADJOURNMENT**

**Motion by Culbertson supported by Kurtzweil**

**To adjourn the meeting at 9:03 p.m.**

**VOTE**

**MOTION CARRIED UNANIMOUSLY**

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Pam Weipert, Chairperson

*Jennifer Knapp*  
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Jennifer Knapp, Recording Secretary

*Keith Bradley*  
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Keith Bradley, Secretary