



CITY OF BURTON
BURTON PLANNING COMMISSION MEETING
MARCH 13, 2018
MINUTES

Council Chambers

Regular Meeting

5:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by Chairman Deb Walton at 5:00 PM.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Vaughn Smith	Councilman	Present	
Kevin Burge	Vice Chair	Present	
Tom Gorang	Commissioner	Present	
Deb Walton	Chairman	Present	
John Benthall	Commissioner	Present	
Kris Johns	Commissioner	Excused	
Robert Johnson	Commissioner	Absent	
Mary Ann White	Commissioner	Present	

C. STAFF PRESENT

Amber Abbey, Planning/Zoning

D. APPROVAL OF MINUTES

1. Planning Commission - Regular Meeting - Feb 13, 2018 5:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Kevin Burge, Vice Chair
SECONDER:	John Benthall, Commissioner
AYES:	Smith, Burge, Gorang, Walton, Benthall, White
ABSENT:	Johnson
EXCUSED:	Johns

E. PUBLIC HEARING

1. SPR #18-12 / ZC# 320

By: City of Burton
4303 S. Center Rd.
Burton, MI 48519

Re: Ord. Text Change – Accessory Structures

For: An ordinance to amend Chapter 157, the zoning ordinance of the code of ordinances of the City of Burton to amend the allowable square footage for accessory structures on residential parcels of land one acre or greater.

Mrs. Abbey gave a presentation on the purpose for the ordinance change as follows: When the Ordinance was originally put in place, for the allowable square footage of accessory structures, there was not consideration given for parcels that are larger than 1 acre. What this meant is that parcels that are 1 acre and parcels that are 10 acres are allowed the same amount of square footage for accessory structures. Over the past years, the ZBA has acted on several cases regarding this and have been torn in issuing approvals. The proposed ordinance will allow for an additional 250 square footage based on each acre that you have above 1 acre. To add to the ordinance, something that has never been put in place was to limit the number of detached accessory structures to two. Right now, the ordinance only limits the amount of square footage not the amount of detached structures. This ordinance change would limit the number of detached structures to two. The administration recommends approval. This would go to Council for the first reading on March 19, 2018.

Mr. Burge asked how this would affect agricultural properties.

Mrs. Abbey said the Right to Farm Act is not enforced by the City of Burton. Under this Act, they are not required to get a building permit from the City of Burton. They would not fall under the same zoning requirements that other properties would.

RESULT:	FAILED [UNANIMOUS]
MOVER:	Kevin Burge, Vice Chair
SECONDER:	Mary Ann White, Commissioner
AYES:	Smith, Burge, Gorang, Walton, Benthall, White
ABSENT:	Johnson
EXCUSED:	Johns

F. SPECIAL USE

1. SPR #18-09

By: BK Davis 2323 Bristol Rd., LLC.
2672 Reynolds Circle
Columbiaville, MI 48421

Re: 2323 Bristol Rd. Burton, MI 48529
59-29-400-011 / M-2 Zone

For: Special use to conduct an open storage yard to include the storage of dumpsters for the purpose of conducting a dumpster rental business

Motion to include the following stipulations:

- 8-Foot high fence
- Hours of operation 7 AM - 5 PM

- Closed lids
- Dust control for the parking lot
- Dumpsters cleaned once a week

Gary Porrett, owner of 2323 Bristol Road said he has owned this property since the 90's, it has always been zoned M-2. When we moved to this property, the buildings and businesses were already here. I believe these dumpsters are for construction.

Paul Taddinio from Otisville said I am the president of Community Disposal. The Associates Drive facility was a transfer station which is different from dumpster rental and there is privacy fence on the site. The dumpsters are not loaded. They employ a dozen people. I do not believe this use will have any more of an impact than any other use.

Mrs. Abbey said that this is a unique situation in the fact that there is a mix here of Industrial property and residential property. It is our responsibility to try to find a compromise between the two uses that works well. In this particular case, some stipulations that would be recommended would be to repair the fence, allow for a taller fence than the 6 foot allowed by ordinance. As for the smell, we are also concerned as to what the procedure is for cleaning the dumpsters. Traffic congestion is a difficult subject to restrict because this is a major highway and the permitted uses are industrial for this parcel. We can take care of the site issues, however, smell is a subjective matter and essentially unenforceable. One person may think something smells where the code enforcement officers may not smell it when he gets there. Auto repair facility is a permitted use for this property now.

Mr. Burge asked if the dumpsters that are stored there will be empty, would you be able to do something with the dust and spray the dumpsters so they are clean at the end of the day.

Mr. Davis of Columbiaville said possibly once a month, if they are not able to make it to the landfill, there may be a full dumpster on the property but it would stay on the truck. We would not be able to do something with the dust before a dumpster went in. We should be able to clean the dumpsters at the end of the day. Our properties are very well kept.

Mrs. Walton asked Ms. Abbey if there has been complaints for Shamrocks or for their property on Industrial Dr.

Mrs. Abbey said she would have to look it up when she gets back to the office.

Mrs. Walton reminded the residents that they can call the DPW and make complaints when they have a problem with items in their neighborhood. She also asked because the property is zoned industrial does that mean the Planning Commissions hands are tied.

Mrs. Abbey said for permitted uses yes, however this is a special use which means the planning commission gets to take into account the surrounding uses and make a decision based on those uses.

Mr. Burge said I believe this could be a good business if there are restrictions put

with it.

Mrs. White was concerned with them working on the trucks at night.

Mr. Benthall asked how many dumpsters would be on this site. Mr. Davis said 20.

Mrs. Walton said that the fence is not completely enclosed because she drove by there and can see into the property. Ms. Abbey said that typical industrial properties might request 8-foot high fences.

Ten residents from Pringle St., Bristol Rd., Laurel St., and Connell St. spoke regarding traffic congestion, effect on property values, dumpsters and dilapidated fencing.

RESULT:	FAILED [1 TO 5]
MOVER:	Kevin Burge, Vice Chair
SECONDER:	John Benthall, Commissioner
AYES:	Burge
NAYS:	Smith, Gorang, Walton, Benthall, White
ABSENT:	Johnson
EXCUSED:	Johns

G. ADMINISTRATIVE SITE PLAN REVIEW

1. SPR #18-07

By: James Owensby
5341 E. Hill Rd.
Grand Blanc, MI 48439

Re: 3048 Hemphill Burton, MI 48529

For: Automotive dealer – wholesale

2. SPR #18-08

By: Alfred Fasho
2280 S. Center Rd.
Burton, MI 48519

Re: 2280 S. Center Rd. Burton, MI 48519

For: Change of ownership – Restaurant

3. SPR #18-10

By: Josh Lord
2700 Robert T Longway Blvd. Ste B
Flint, MI 48503

Re: 2065 S. Center Rd. Burton, MI 48519

For: Medical Office – Michigan Health Specialist

4. SPR #18-11

By: Case Construction Company
6235 Corunna Rd.
Flint, MI 48532

Re: 2303 S. Center Rd. Burton, MI 48519

For: Construction less than 2% for a stand-alone ATM Kiosk

H. AUDIENCE PARTICIPATION

Residents spoke regarding rezoning the area on Bristol Road at least between Saginaw and the railroad tracks. This business is too close to the houses and it has been an eyesore for the residents that live there. This business does not go with the residential area that it is in. The traffic on Bristol Road is horrendous, the speed limit should be reduced, and more enforcement of the speed limit and limit the truck traffic around the school areas.

I. MASTER PLAN UPDATE

Mrs. Abbey said the next step is to move forward with the Central Business district. After reviewing, I think the Grand Blanc City example would be best for Burton. I suggest that we work together with the DDA. We want to keep them in the loop when we are developing the central business district ordinance language. You could develop a committee with them to start or I can reach out to them for ideas. I have the final copies of the Master Plan for you tonight.

Mr. Gorang said I think Mrs. Abbey could reach out to the DDA and get some ideas to bring back to us.

Mrs. Abbey said I could attend the DDA meeting and tell them our intentions, go over some options and see what ideas they have. I also have their Vision Plan. I would then develop an ordinance and bring it to you.

Mrs. Walton said she would like to go the DDA meeting also.

J. BOARD DISCUSSION

Training will be discussed and possibly scheduled at the next month Planning meeting.

Mrs. Abbey said this is for a rezoning case. This will be for the property on the southwest corner of Davison and Genesee Road. We currently have the frontage of Davison Road zoned M-2 and C-3. This would be to zone the entire parcel M-2. A Site Plan may be coming before the board at the next regular meeting where you will not know the applicant's name but will have all the rest of the information. The City of Burton does not

act on individual clients, we only act on uses and site plans. This is what you make your decisions on.

The Planning Commission scheduled a special Planning meeting will held Monday, April 2, 2018 @ 6:30 PM in the community room.

Meeting was adjourned at 6:26 PM.
