

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
JANUARY 11, 2005, 6:00 P.M., COUNCIL CHAMBERS
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Jerry Grantner, Chairperson, led the Pledge of Allegiance.

Jerry Grantner, Chairperson, called the Regular Meeting to order at 6:00 P.M.

MEMBERS PRESENT: Grantner, White, Perez, Walls, Bertram, Cummings, Cross

MEMBERS ABSENT: Mayor Smiley, Young

OTHERS PRESENT: T. Strasser, Deputy Planning Official, M. Snow, Clerk Typist

A. APPROVAL AND AUTHORIZE THE MINUTES OF THE FOLLOWING MEETING (S):

White moved and Perez seconded the following motion:

Regular Planning Commission Meeting held on December 14, 2004 at 6:00 p.m. Motion carried, 7-0.

B. PUBLIC HEARING:

1. ZC# 296

BY: Dennis Strelchuk
650 Broadway
Davisburg, MI. 48350

RE: Parcel #59-26-400-007
5353 E. Bristol Rd.

FOR: Change of Use. Change zoning classification from SE to R-1B for the purpose of development of property for residential housing project.

Joe Kapelczak, Tri County Surveying, provided an illustration. Mr. Kapelczak went over plans for sewer and water main access, along with retention basin placement and lot size. He offered to answer any questions.

AUDIENCE PARTICIPATION:

The following residents spoke regarding excess traffic, current property owner, delinquent taxes, copy of Ordinance 19 to have on hand at meetings, possible need for privacy fence, who is responsible if lawn is damaged, and developers receiving equal treatment.

Ron Williams, 5281 E. Bristol, Burton MI.

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Pauline Dargel, 6119 Hugh, Burton MI.
Warren Berry, 5369 E. Bristol, Burton MI.
Ken Jackson, 5245 E. Bristol, Burton MI.

Mr. Strasser answered that the developer would pay if digging is required.

Mr. Grantner replied that some of these requests and concerns would go before the Zoning Board.

Mr. Strasser stated Mr. Grantner has said he is a recommending body and the decision this evening will go before Council. Mr. Strasser advised that there is a majority of properties R-1B zoned, and that some conform to requirements and some don't. He gave a recommendation for approval.

COMMISSION DISCUSSION:

Mr. Bertram asked what the minimum of a lot is for R-1A and R-1B; and Mr. Strasser responded that R-1A is 85 by 125 feet and R-1B is 75 by 120.

Mrs. Walls asked if the delinquent tax that Mr. Tucker owes will be factored in somehow to be paid.

Mr. Strasser answered that he was unsure, but that he did contact Mr. Tucker and was assured that arrangements are being made with the Assessor and Treasurer for a payoff.

Ralph Tucker, 5353 E. Bristol, Burton MI. explained that the assessor only showed that the delinquent taxes are the summer and winter and he has been given until February 1, 2005 to turn in the payment.

Mr. Perez said that the Assessor does not take care of delinquent taxes and Mr. Tucker needs to speak with the Treasurers office since there may be a penalty for the late payment.

Mr. Cummings expressed that the concern with the tax issue has no bearing at this time.

Mr. Cross explained that the tax is applicable, according to City Charter and will be taken care of.

Mr. Kapelczak Tri County Surveying, stated that the tax would be taken care of at the time of closing.

Mr. Perez and Mrs. Walls expressed the concern regarding personal and "real" taxes being addressed.

Mr. Bertram advised the Board that he would be voting no on the case.

Mr. Perez asked where the map is that they usually receive for surrounding zoning, and Mr. Strasser replied that the copies do not come out well due to the color in the original copy. He proceeded to show the map on hand.

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COMMISSION RECOMMENDATIONS AND/OR ACTION:

Moved by Walls, seconded by White to approve ZC #296. Motion failed, 6-1 with Cummings voting yes.

AUDIENCE PARTICIPATION:

Pauline Dargel 6119 Hugh St. Burton MI spoke regarding the rezoning of property referred to as Sherwood Forest, zoning change to R-1B for Mr. Rizzo along with concessions. She stated corporations should not receive agricultural consideration, and a parcel number ending in 010 has had this consideration. She has appealed this site plan review to the Council. She asked not to have Attorney Hamilton involved in certain issues due to conflict of interest. She requested elimination or addition of wording. Does not see equal treatment provided to all developers. She does not see preliminary site plan review in her ordinance. She questioned why the City has this review and stated Grand Blanc Township has added site plan review into their ordinance.

Mr. Grantner spoke regarding a mobile home and to schedule a meeting for it on January 17, 2005 to have on February 21, 2005 at 6:30 p.m. at the Special Council meeting. He will look into site plan review in the ordinance.

Mr. Strasser defined preliminary site plan review and explained that a developer would have one year to pull a permit or the approval from the Planning Commission would be void.

D. SITE PLAN REVIEW:

1. SPR #04-40

BY: Thomson Mohler Ltd.
8710 Cleveland Ave NW
N. Canton, OH. 44720

RE: 1375 N. Belsay Rd.,. Daly Ranch Homesites, Lot #16
and 17. Section 11
C-2 zoned.

FOR: Construction of Sherwin Williams paint store.

Les Mohler, 8710 Cleveland Ave NW. N. Canton, Ohio stated he wants to start construction for a paint store. The property meets the City requirements and he needs no variances. He would like approval.

AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh St Burton MI, stated this property had a zoning change in 2004, and she thinks this would be a good commercial use.

Mr. Strasser said that requirements have been met. They would need to submit storm water drainage plans and he recommends approval.

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BOARD DISCUSSION: None.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Walls, seconded by Bertram to approve SPR #04-40. Motion carried, 7-0.

2. SPR #05-01

BY: Zohair Kallabat
1860 Rockdale Ct
Bloomfield Hills, MI. 48302

RE: 5515 Davison. Part of Lot 10 Beechwood Estates.
Section 2.
C-1 zoned.

FOR: New construction for retail stores.

Zohair Kallabat, 1860 Rockdale Ct, Bloomfield Hills, MI explained that his site plan is to add approximately 3,600 sq. ft. to the original shopping center which is on the same property. He already has an existing parking lot and does not need a variance. The property is 28,000 sq. ft.

AUDIENCE PARTICIPATION: none.

Mr. Strasser commented that the property is attractive and will be a nice addition to the corner. Mr. Strasser gave recommendation for approval.

BOARD DISCUSSION:

Mr. Perez asked to confirm that this addition would be going in the present landscaping; Mr. Sekrenes responded the landscape plan diminished when the property was purchased.

Mr. Bertram inquired if tenants are scheduled to occupy the building and who they were. He was answered by Mr. Kallabat that there were prospective tenants and named the types of businesses.

Mr. Grantner asked for the time table: Mr. Kallabat answered that progress will be done quickly.

Mr. Cross directed the question to Mr. Sekrenes where the water would run off to and was answered that it was underground and to the Kearsley Creek.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by White, seconded by Perez to approve SPR #05-01. Motion carried 7-0.

3. SPR #05-02

BY: Courtland Center by Apex Sign

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4190 E. Court St
Burton, MI. 48509

RE: 4190 E. Court St. Courtland Center by Apex Sign
C-4 zoned.

FOR: Additional free standing sign

Gary Gebhardt, 6200 N. Dort, Flint MI. explained the desire to have an additional freestanding sign for Courtland Center Mall and that three more tenants will occupy the building. He noted details of how many tenants could occupy the sign and the steel structure for future use. He stated that the property is the largest in Burton and can support a new sign.

AUDIENCE PARTICIPATION: none.

Mr. Strasser gave recommendation for approval and noted that the mall is on three useable roads and the applicant has already been before the Zoning Board. A lot of money has been invested to improve the mall and this proposed sign would increase the improval process.

F: BOARD DISCUSSION:

Mr. Grantner asked who would occupy the Old Navy building and Mr. Gebhardt replied that he has been told "national tenants" but was not sure of this response.

Mr. Grantner then read aloud a pamphlet from Michigan State University Extension regarding a class for citizens appointed to Planning bodies.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Bertram, seconded by Cummings to approve SPR #05-02. Motion carried 7-0.

The next regularly scheduled meeting will be held on Tuesday, February 8, 2005, at 6:00 P.M.

MEETING ADJOURNED AT 6:50 P.M.

mrs