

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
JANUARY 14, 2003, 6:00 P.M., COUNCIL CHAMBERS

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

Jerry Grantner, Chairman, lead the Pledge of Allegiance.

MEMBERS PRESENT: Bement, Bertram, Grantner, Hohloch, Perez, Mayor Smiley, Walls, White and Young.

MEMBERS ABSENT: None.

OTHERS PRESENT: T. Strasser, Deputy Planning Official and C. Ladd, Deputy City Clerk.

A. APPROVAL AND AUTHORIZE THE MINUTES OF THE FOLLOWING MEETING:

Young moved and Bement seconded the following motion:

Approve and authorize the Minutes of the Regular Meeting of December 10, 2002 at 6:00 P.M., as printed.
Motion carried 9-0.

B. SCHEDULE PUBLIC HEARING FOR FEBRUARY 11, 2003 AT 6:00 P.M.:

1. LS #03-02

BY: Marc Angus
5508 Statler Dr.
Burton, MI 48509

RE: E 324 of Lot 23 Madarasz Acres
Section 2
Zoned R-1A

FOR: Residential Use.

Moved by Bertram, seconded by Bement to schedule Lot Split #03-02 for a public hearing on February 11, 2003 at 6:00 P.M. Motion carried 9-0.

C. PUBLIC HEARING:

1. LS #02-59

BY: South Flint Tabernacle, Inc.
G-3450 S. Saginaw St.
Burton, MI 48529

RE: 1309 E. Maple
Parcel #59-31-400-059
Zoned R-1C

FOR: Residential Use.

Pastor Robert Henson, 8263 Creekwood Blvd., Grand Blanc, MI, said he is representing the South Flint Tabernacle Church. The request is to split the property, which currently has a home on the property and an extra lot. In past years there was a house on the other lot, but was torn down several year ago. The church owns another house at 1363 E. Maple Rd., and we would like to move this house and place it on the property at 1309 E. Maple Rd.

There was no one in the audience who wished to speak.

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Mr. Strasser commented that the paper work that was submitted exceeds all of the requirements of the zoning ordinance. The Assessor's Office has confirmed that the legal description is correct. He said he assumes there is a sewer lead on the vacant parcel and if not, then the property owner would be responsible for paying for a new sewer tap. DPW staff recommends approval of the lot split.

Mr. Hohloch inquired whether the 72-foot lot complies with the zoning requirements.

Mr. Strasser replied yes, that the zoning in that area is R-1C.

Mr. Bertram inquired about how the zoning would affect this area once the master plan is revised. He asked if the revised edition addressed this zoning at all?

Mr. Grantner asked if Mr. Bertram was referencing the entire R-1C zoning classification?

Mr. Bertram said no action has been taken on the zoning classifications at this time.

Mr. Young noted that the plat map shows that most of the lots are larger than 72-feet. He said he doesn't want to be in a position of approving smaller lots.

Mr. Bertram said he has concerns about allowing the smaller lot size when the master plan may be changed.

Mr. Grantner said he thinks the Board should continue to work on making the changes in the master plan, but at the same time, nothing has been changed. He doesn't think this case should be held in abeyance until the change is completed in the zoning classifications.

Mr. Hohloch said he is not in favor of smaller lot sizes, but since there have been no changes; the applicant is within his right to ask for the R-1C zoning.

Mr. Young inquired about the size of the house that would be moved to 1309 E. Maple.

Pastor Henson replied that the house is two-story and is approximately 28-1/2 feet squared.

Mr. Perez asked if the Church would retain ownership of Parcels A & B. He also asked if they owned the house next to these parcels, because looking at the plans, it looks like there would be a parcel landlocked.

Pastor Henson replied that the Church owns the property so there wouldn't be any landlocked parcels.

Moved by Young, seconded by Bement to approve Lot Split #02-59, contingent upon DPW recommendations. Motion carried 8-1 with Young voting no.

2. LS #02-60

BY: Jon & Antonette (Toni) Stoyak
4302 Pratt Ave.
Grand Blanc, MI 48439

RE: S 231 Ft. of Lot 14 Wagner Acres
Parcel #59-36-576-022
Section 36
Zoned SE

FOR: Residential Use.

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Mr. Grantner noted that this case has been before the Zoning Board of Appeals for a variance.

Sherry Iske said she is representing the applicants, who reside at 4302 Pratt Ave., Grand Blanc, MI. They are requesting a lot split after receiving approval for a variance from the Zoning Board of Appeals. The property would be used for residential use.

There was no one in the audience who wished to speak.

Mr. Strasser commented that there are non-conforming lot widths approved by the Zoning Board and both lots exceed 100-feet. One lot would have to pay for a sewer lead. These are standard lot sizes for this area.

Mayor Smiley asked if they were planning to build on the lot?

Mr. Stoyak replied they would be building a stick-built home and a sale is in progress.

Moved by Walls, seconded by Hohloch to approve Lot Split #92-60 contingent upon DPW recommendations. Motion carried 9-0.

D. AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh St., spoke concerning the master plan and asked how the work session would be conducted. She said she would like to have the City employ the services of a professional planner. She asked that the Planning Commission inquire whether the City is in compliance with the open space per state statute.

Mr. Grantner said the list of items will be reviewed and the Board will devise a strategy on how to handle the concerns. He said he doesn't think this project would be anything long and drawn out. He noted that the legislative body would have the final say on the zoning text changes.

Pastor Robert Henson, South Flint Tabernacle, Inc., thanked the Board for their consideration this evening. He said he has been Pastor of the Church for the past 23 years and the Church has always been encouraged and been given local support. He said he appreciates the fact that the churches are treated well in the City. His church is planning to build a new sanctuary at the Maple Road property.

E. ADMINISTRATIVE SITE PLAN REVIEW:

1. SPR #03-03

BY: Mike Hanschmann
8326 E. Bristol Rd.
Davison, MI 48423

RE: Hanschmann Masonry
2487 E. Bristol Rd.
Burton, MI 48529
Parcel #59-29-400-008
Zoned M-2

FOR: New storage building for Hanschmann Masonry

There were no questions concerning Site Plan Review #03-03.

F. BOARD DISCUSSION:

Mr. Young spoke concerning the finalization of the master plan and zoning ordinance. He said that prior to taking this before the City Council, possibly a planning organization could look at the changes that have been made to make sure we have met all federal and state laws.

Mayor Smiley invited the Board to the Vision Study that will be held on January 22, 2003 at 6:00 P.M. at the Burton Senior Citizen Center. He suggested that the Board visit other cities, not townships, and pay close attention to their lot sizes. He said Burton is a City, not a Township.

Mrs. White noted that there is a second scrolling sign located on Davison Road and she has turned this in to Mr. Strasser.

G. UPDATES TO ORDINANCE 19 ZONING ORDINANCE:

Mr. Grantner said there would be a work session held on Tuesday, January 28, 2003 from 9:00 a.m. to 11:00 a.m. This should not be a lengthy process. Several members of the Zoning Board attended a seminar and we should be reviewing the zoning ordinance throughout the year to see if there are changes that need to be addressed.

Mr. Strasser said he was presented a plan by the developers of the Maple Creek Condominiums. The majority of the condos have an optional deck that can be built on the backside. The decks that go around the perimeter extend into what would be the setback area. As it is now in our ordinance, decks are not regulated by setbacks and can go up to the property line. One of the corrections that we want to make in the zoning ordinance is that a deck is a structure and would have to abide by the setbacks. The developers are concerned that they would have to go before the Zoning Board of Appeals every time they build a deck. At this time they don't, but if the Ordinance were passed, then they would have to go before the Zoning Board for a deck. The developer asked that with the decks being on the plans, is there such a thing as a non-conforming situation. He said he thinks they have a non-conforming situation and told the developer that he would bring this issue before the Planning Commission. He said he isn't looking for formal action but this is information for this Board to ponder.

Mayor Smiley invited the Board to attend the Audit Meeting on Monday, January 27, 2003 at 6:00 P.M. at the Police Fire Facility to hear the facts. This year we received our A- rating again. You need to hear what the auditors say and they will explain the revenue sharing and what the loss means to the City.

The Work Session for the Zoning Ordinance will be held on Tuesday, January 28, 2003 from 9:00 a.m. to 11:00 a.m. at Burton City Hall Council Chambers.

The next regularly scheduled meeting will be held on Tuesday, February 11, 2003, at 6:00 P.M.

Meeting Adjourned at 6:37 P.M.

Cheryl M. Ladd, CMC
Deputy City Clerk

CML