

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
NOVEMBER 10, 1998, 6:00 P.M., COUNCIL CHAMBERS

The Regular Meeting was called to order by Homer Berry, Chairman, at 6:00 P.M.

MEMBERS PRESENT: Bertram, Brawner, Grantner, Berry, White, Perez and Walls.

MEMBERS ABSENT: Mayor Smiley and Howlett.

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

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

Moved by Walls, seconded by Perez to approve the minutes of the Regular Meeting of October 13, 1998, at 6:00 P.M., as printed. Motion carried 7-0.

B. SCHEDULE PUBLIC HEARINGS FOR DECEMBER 8, 1998 AT 6:00 P.M.

1. LS #98-68

BY: Marilyn M. Handa
4497 Howe Rd.
Grand Blanc, MI 48439

RE: Parcel #59-34-300-046
Section 34
R-1A Zoned

FOR: Residential

2. ZC #242

BY: Danyelle Williams
13318 S. Dixie Hwy., Lot 98
Holly, MI 48442

RE: Part of Lot 44 Supervisor's Plat #12
the West 195.00 ft. thereof.
Section 28
Zoning C-2 to R-1B

FOR: Residential Use.

Moved by Bertram, seconded by Grantner to schedule Lot Split #98-68 and Zoning Case #242 for first public hearing on December 8, 1998 at 6:00 P.M. Motion carried 7-0.

C. PUBLIC HEARING(S):

1. ZC #241

BY: Robert J. Reid, Chairman
Greater Flint Mental Health Facilities, Inc.
307 E. Court St.
Flint, MI 48502

RE: Vacant land behind 4047 S. Center Rd.
Section 34
Zoned RM to C-2

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C. PUBLIC HEARING(S) CONTINUED:

1. ZC #241 FOR: Parking of Motor Vehicle Inventory.

Robert Reid, Chairman, explained this is a parcel of land owned by the facility. The front half would be used for residential structure for a group home. The back half has a shed on it and they have no need for the property. Cook and Cook LLC, acts as the landlord. A purchase agreement has been entered into, contingent upon the zoning change. Cook and Cook said this will be used for parking or we wouldn't sell the property. By approving the zoning, it will put this property back on the tax rolls.

Audience Participation:

Pauline Dargel, 6119 Hugh, asked if there would be a lot split.

Mr. Reid said there would be a split of the two acres.

Mr. Strasser said their request is in harmony with the zoning around that area.

Mr. Perez asked if their intention is to pave the entire area.

Mr. Reid replied the amount of paving would be up to the property owner.

Mr. Berry said the zoning ordinance requires paving be done.

Moved by Bertram, seconded by Grantner to recommend approval of Zoning Case #241 contingent upon DPW recommendations. Motion carried 7-0.

1. LS #98-60 BY: Tony Ives & Bridgett Ives
6421 Saddle Ct.
Burton, MI 48509

RE: Parcel #59-27-400-009
Section 27
R-1A Zoned

FOR: Residential Use.

Darwin Ives, 1195 Sunnydale, said he is representing his son and daughter-in-law. He purchased the property and plans to build a house on one acres and would like to split the second acre and sell it in the future, if he so desires.

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

Mr. Strasser stated that both lots created exceeds the zoning ordinance requirements. The prospective purchaser would be responsible to put in their own sewer leads with total expense to the property owner.

Moved by Walls, seconded by Bertram to approve Lot Split #98-60, contingent upon DPW recommendations. Motion carried 7-0.

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D. AUDIENCE PARTICIPATION:

Shannon Williams, Rowe, Inc., gave a status report on the City of Burton Master Plan. She explained that the goals and policies adopted by the Planning Commission were used as a basis for deciding the three alternative scenarios, which were presented at the 3rd town meeting on November 4, 1998. She asked that the Planning Commission review the comments presented by the public and at the December meeting two meeting dates will be established for January, for workshops to review the future land use maps and criteria. She said she has brought each member a zoning map for their review.

Pauline Dargel, 6119 Hugh, said she appreciates the opportunity given to the public for their input at the master plan meetings. She said she was sorry to see a minimal amount of people attending the sessions. She spoke concerning the zoning ordinance and modular home parks being located in areas suitable to this type of housing. She also spoke concerning the issue of signs and numbers being placed on buildings. She stated there is a requirement for these numbers, but they are not enforced. She would also like to see this community look into a tree planting requirement by developers.

E. ADMINISTRATIVE SITE PLAN REVIEWS POSTPONED FROM OCTOBER 13, 1998 AT 6:00 P.M.

1. SPR #98-50

BY: Grand Blanc Moose Lodge #2344
4043 Howe Rd.
Grand Blanc, MI 48439

RE: Grand Blanc Moose Lodge #2344
4043 Howe Rd.
200 ft. wide x 780 ft. deep
Building is 60 ft. wide and 60 ft. long

FOR: Pavilion Addition.

Curtis Wickham, representative for Moose Lodge, was present. He said this is a family oriented organization and they would like the pavilion for use when having picnics, etc.

Mr. Berry asked if the pavilion was already built and if Mr. Wickham was aware that approval was needed from this Board.

Mr. Wickham said yes, the pavilion is already built. He explained that he didn't receive the meeting notices in time to attend the meetings. The Building Inspector said go ahead and start the building.

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

Mr. Strasser said the pavilion complies with the building code.

Mr. Bertram asked Mr. Wickham who told him to go ahead and build.

Mr. Wickham said it was one of the building inspectors. They told us we had to come before this Board, but we could also start our building.

Mr. Brawner asked how much notice is given to the applicants by mail.

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Mr. Strasser said the notices are mailed the same day that the Board Members' packets are mailed.

Moved by Grantner, seconded by White to approve Site Plan Review #98-50, contingent upon DPW recommendations. Motion carried 6-1 with Bertram voting no.

2. SPR #98-54

BY: Larry Cool
3497 N. Vassar Rd.
Flint, MI

RE: American Building Co., Inc.
5479 Lapeer Rd.
Burton, MI 48509
East 30 ft. of Lot 13 and Lots 14 & 15
Cardinal Gardens

FOR: Change of Use.

Mr. Cool explained they plan to move the business to the Lapeer Road address and sell the one on Vassar Road.

Mr. Berry asked if he had read all of the DPW requirements and had any problems with them.

Mr. Cool said he has no problem with the requirements.

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

Mr. Strasser said there is no problem with the request. The property is zoned commercial and the use fits the zoning in this area.

Moved by Bertram, seconded by Grantner to approve Site Plan Review #98-54, contingent upon DPW recommendations. Motion carried 7-0.

F. ADMINISTRATIVE SITE PLAN REVIEW:

1. SPR #98-65

BY: Tony T. Cao
2453 Northdale Dr.
Grand Blanc, MI 48439

RE: Top Nails
4037 A E. Court St.
Burton, MI 48509
Part of Lot 7 Supervisor's Plat #39
C-2 Zoned

FOR: Change of Use.

Mr. Cao said he plans to open a nail salon.

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

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Mr. Strasser remarked that the building Mr. Cao is going into has another use, which is Buddy's Carpet. All of the DPW requirements have been met, as the business was just opened.

Moved by Walls, seconded by Perez to approve Site Plan Review #98-65 contingent upon DPW recommendations. Motion carried 7-0.

2. SPR #98-67

BY: Evan's Equipment Co., Inc.
G-3283 S. Dort Hwy.
Burton, MI 48529

RE: Evan's Equipment Co., Inc.
G-3283 S. Dort Hwy.
Lots 7 thru 10 & N 10 ft. of Lot 11 Hemphill
Dort Commercial Sites
Section 28
M-2 Zoned

FOR: Pole Barn

Rodney Page, 10171 Perry Rd., Goodrich, MI, said he would comply with the DPW requirements.

Mr. Strasser stated the barn will be used for storage and the driveway area will be paved. DPW has no problem with their request.

Mrs. Walls asked if this building is already under construction. She was advised no.

Moved by Perez, seconded by Bertram to approve Site Plan Review #98-67, contingent upon DPW recommendations. Motion carried 7-0.

3. SPR #98-69

BY: Edward R. Brennen
3264 Card Dr.
Burton, MI 48529

RE: Nash Trenching
3264 Card Dr.
Parcel #59-33-100-009
M-2 Zoned

FOR: Construct 38x48 cold storage barn in rear area.

Mr. Brennan said this barn will be located about 100' from Thread Creek and will be used for cold storage for equipment.

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

Mr. Strasser said DPW has no problem with the request.

Moved by Bertram, seconded by Grantner to approve Site Plan Review #98-69, contingent upon DPW recommendations. Motion carried 7-0.

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G. C-ADMINISTRATIVE SITE PLAN REVIEW:

1. SPR #98-66

BY: Neil V. Helmkey
13145 Torrey Rd.
Fenton, MI 48430

RE: Angelo's
Courtland Center
4190 E. Court St.
Burton, MI 48509

FOR: New Restaurant

Mr. Helmkey was not present.

Mr. Strasser said they moved into the building because all of the requirements have been completed.

Mr. Brawner said they will be going into the Subway place and this will be only a takeout.

Moved by Walls, seconded by Perez to postpone Site Plan Review #98-66 until the next regular meeting on December 8, 1998. Motion carried 7-0.

H. BOARD DISCUSSION:

Mrs. Walls expressed her displeasure of applicants already having their projects started or completed without getting approval from the Planning Commission. She would like these situations to stop, because it makes us look like fools.

Mr. Strasser said Mr. Wickham was told by the building inspector that he could begin his project.

Mr. Bertram said if they start building prior to approval, they should be fined.

Mr. Strasser noted that during the review process of the zoning ordinance, possibly the wording should be changed so there are no misunderstandings about cases coming before this Board for approval.

Mrs. Walls stated that if the one of the inspectors told Mr. Wickham to go ahead with the project, then why did he come before us tonight? Another concern, is how do they get put on the tax rolls? Are projects built without building permits?

Mr. Strasser said the issue of getting the improvements on the tax rolls would have to be discussed with the Assessor's Office. He said buildings do get built without permits sometimes, because people are not always aware that a permit is required. However, neighbors have turned other neighbors in for building without a permit.

Mr. Brawner noted they received all necessary permits, but didn't appear before this Board.

Mr. Strasser said the applicants are given ample notice, both verbally and written, that they must attend the meetings to represent their request.

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Mr. Grantner said there are two issues of concern, one that residents will thumb their nose at getting the proper permits and the other an internal issue. He said it seem that this body could give direction to stop this practice. This could be very embarrassing and the City doesn't need to aid and abet this behavior.

Mr. Brawner said he faults the people from Moose Lodge more than the inspectors, because they know they have to come before this Board for approval.

Mr. Perez asked to have Mr. Piggott from Rowe Engineering, Inc. and one the City Attorneys attend the Special Meeting on November 12th.

Mr. Berry noted the next regularly scheduled meeting will be held on December 8, 1998, at 6:00 P.M.

Meeting Adjourned at 6:45 P.M.

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML