

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING MINUTES
NOVEMBER 12, 2002, 6:00 P.M., COUNCIL CHAMBERS

Jerry Grantner, Chairman, called the Regular Meeting to order at 6:01P.M.

MEMBERS PRESENT: Bement, Grantner, Perez, Walls, White and Young.

MEMBERS ABSENT: Bertram, Hohloch and Mayor Charles Smiley.

OTHERS PRESENT: J. Major, DPW Director and C. Ladd, Deputy City Clerk.

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

Young moved and Perez seconded the motion to approve and authorize the Regular Meeting of October 8, 2002 at 6:00 P.M., as printed. Motion carried 5-0.

B. SCHEDULE PUBLIC HEARING FOR DECEMBER 10, 2002 AT 6:00 P.M.:

1. LS #02-52

BY: Delphi -/Robert J. Arrigo
5725 Delphi Drive, MC 483-400-155
Troy, MI 48098

RE: Parcel #59-10-100-027
Section 10

FOR: Commercial/Industrial

Moved by Young, seconded by Bement to schedule Lot Split #02-52 for public hearing to be held on December 10, 2002 at 6:00 P.M. Motion carried 6-0.

C. PUBLIC HEARING POSTPONED FROM 10-8-2002:

1. LS #02-44

BY: Fred Johnson/John K. Conley
6394 Pinebrook Lane
Burton, MI 48509

RE: Parcel 59-01-100-023
2292 N. Belsay Rd.
Section 01
R-1A Zoned

FOR: Residential

There was no one present to represent the request for a lot split.

Mr. Strasser said he spoke with one of the applicants and was assured there would be a representative at the meeting.

Moved by Young, seconded by Bement to move Lot Split #02-44 to the end of the agenda. Motion carried 6-0.

D. AUDIENCE PARTICIPATION:

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

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E. SITE PLAN REVIEW:

1. SPR #02-54

BY: Bud Design & Engineering Services
10775 S. Saginaw St.
Grand Blanc, MI 48439

RE: Jumbo Video
3085 S. Dort Hwy.
Parcel #59-28-501-151
Lots 266 thru 270 & 303 thru 310 of Chambers Sub.
Zoned C-2

FOR: Building Renovation.

There was no one present to represent the applicant for the site plan review.

Mr. Major noted that Mr. Strasser informed the applicant that someone was to attend the meeting this evening.

Moved by Perez, seconded by Young to postpone Site Plan Review #02-54 to the end of the meeting. Motion carried 6-0.

2. SPR #02-56

BY: Louis C. Dortch
6020 Fenton Rd.
Flint, MI 48507

RE: Subway
2424 Center Rd.
Part of Lot 69 Sup Plat #12
Section 21, C-2 Zoned

FOR: New construction for a take out restaurant.

There was no one present to represent the applicant for the site plan review.

Moved by Young, seconded by Bement to postpone Site Plan Review #02-56 to the end of the meeting. Motion carried 6-0.

F. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #02-51

BY: P. Mannor
203 Church Street
Flint, MI 48502

RE: Twins Coney Island, Inc.
3095 S. Dort Hwy.
Lots 264, 265 & 311 thru 314 Chambers Sub.
Section 28, C-2 Zoned

FOR: Change of Ownership.

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Mr. Major said a Coney Island is going into the old Wendy's location on Dort Highway. The site will be cleaned up and landscaped and the owner has agreed to the sidewalk program.

There was no further discussion regarding this case.

2. SPR #02-55

BY: Michael Disho
G-3352 S. Saginaw
Burton, MI 48529

RE: Mike's Pager and Cellular
3284 S. Saginaw
Burton, MI 45829

FOR: Retail Use.

Mr. Major indicated there is a change of ownership and we didn't know about this until just recently. The applicant is presently located on S. Saginaw Street and will be before the Board at the next meeting. No further discussion was held.

3. SPR #02-57

BY: Team Force Martial Arts
G-3223 S. Dort Hwy.
Burton, MI 48529

RE: Team Force Martial Arts
G-3223 S. Dort Hwy.

FOR: Change of Use.

Mr. Major gave an update indicating that the owner has agreed to a fence along the property line and has also agreed to the sidewalk program when we reach the required number of parcels. The property will be cleaned up with a new facade and it will be barrier free. No further discussion was held.

G. BOARD DISCUSSION:

Mr. Grantner suggested that the work session should be rescheduled as the previous one was displaced. The Board discussed how they would proceed with the zoning ordinance revisions and the costs involved.

Attorney Hamilton suggested that some of the Zoning Board of Appeal variance requests be reviewed from the past two or three years to determine what areas need to be addressed. This could be used to make changes in the existing zoning classifications.

Mr. Young commented that the administrative staff should come to the Planning Commission with a list of problem items they deal with on a daily basis and then each individual give their own suggestions or input.

After a lengthy discussion concerning several problem areas in the zoning ordinance, there was a consensus of the Planning Commission to hold a work session on Thursday, November 21, 2002 from 9:00 a.m. to 11:00 a.m. in Council Chambers to review and prioritize some of the main concerns in the zoning ordinance.

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C. PUBLIC HEARING POSTPONED FROM 10-8-2002:

1. LS #02-44

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6394 Pinebrook Lane
Burton, MI 48509

RE: Parcel 59-01-100-023
2292 N. Belsay Rd.
Section 01
R-1A Zoned

FOR: Residential

There was still no representative present.

Mr. Major said the DPW has spoken with the applicant and they know the urgency of being at the meeting. The land was sold and then discovered they had to go through a lot split. They are unaware of our procedure. There is still a sale pending and there isn't a problem with the lot split other than there are some internal disagreements, which need to be settled.

Mr. Hamilton commented that he was involved in this case. There were three separate zoning approvals that were required. One was permission from the Council to build a house on a private road, which is required by the zoning ordinance. The next thing was a lot split procedure and finally, a variance from the Zoning Board of Appeals that is required by the zoning ordinance because the property did not abut a public road. In addition, the private road was originally designed to service the three lots on the south side and not the lot on the north side. In addition, where the property sits, it was all one deep lot. Mr. Conley is taking a portion of the property he received from the original owner and dividing that off for his in-laws.

Mr. Major said there is heavy involvement in this request because of all the steps they have already taken. There must be a good reason for the applicants not being present so he would like to see this case postponed.

Mr. Hamilton said he would call the applicant to see what the delay is and the Board could continue with the next case.

E. SITE PLAN REVIEW:

1. SPR #02-54

BY: Bud Design & Engineering Services
10775 S. Saginaw St.
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RE: Jumbo Video
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Moved by Young, seconded by Perez to postpone Site Plan Review #02-54 to the next regular meeting of December 10, 2002 at 6:00 P.M. Motion carried 6-0.

2. SPR #02-56

BY: Louis C. Dortch
6020 Fenton Rd.
Flint, MI 48507

RE: Subway
2424 Center Rd.
Part of Lot 69 Sup Plat #12
Section 21, C-2 Zoned

FOR: New construction for a take out restaurant.

Louis Dortch, 6020 Fenton Rd., Flint, MI, explained that he is requesting preliminary approval to get the construction started before it snows.

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

Mr. Major noted that Mr. Strasser did the review and there are no problems with the request. The driveway access out to Center Road and road approvals would come from the County. Neither the City nor the Road Commission has any objections with the request. Mr. Major said the retention area is a concern as this is being placed in the parking area. We have no approvals from the Drain Commission because they are approximately six to eight weeks behind. This is a county storm drain and we have to make certain it is acceptable by the Drain Commission. The Planning Commission could approve this site plan contingent upon the Drain Commission approval. This is what we are hoping for. The landscaping meets all of the requirements of the ordinance.

Moved by Perez, seconded by White to approve Site Plan Review #02-56, contingent upon the applicant agreeing to whatever the Drain Commission recommendations are in regards to the storm water. Motion carried 6-0.

The Board recessed at 6:47 P.M.
Reconvened at 7:00 P.M.

Fred Johnson, 6394 Pinebrook Ln., Burton, MI, arrived and explained that he is requesting a lot split to build a house on this property.

There was no audience participation.

Mr. Major said the recommendation from the DPW staff is for approval. They have secured necessary authority from the City Council and Zoning Board of Appeals to build on a private street. They will have to alleviate any internal problems. This will create an additional tax base for the City.

Mr. Young asked if the property was considered to be landlocked?

Mr. Hamilton replied that it may be other than the private street that was put in to the public road and easement rights have been given.

A brief discussion was held concerning the width of the easement.

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Mr. Young asked if the property owners could come back and request another lot split.

Mr. Hamilton replied yes, if it is within the confines of the plat act.

Mr. Young inquired whether Parcel B would be vacant land. He was advised yes.

Mrs. White asked Mr. Johnson if they would be building east of the garage. He said he would be building on Belsay Road.

Moved by Perez, seconded by Bement to approve Lot Split #02-44 contingent upon DPW recommendations. Motion carried 6-0.

The next regularly scheduled meeting will be held on Tuesday, December 10, 2002, at 6:00 P.M.

Meeting Adjourned at 7:10 P.M.

Cheryl M. Ladd, CMC
Deputy City Clerk

CML