

CITY OF BURTON
REGULAR PLANNING COMMISSION MINUTES

The meeting was called to order by Homer Berry, Chairman, at 7:00 P.M.

MEMBERS PRESENT: Howlett, Bertram, Perez, Grantner, Berry, Mayor Smiley, White, Merrell and Walls.

MEMBERS ABSENT: None.

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

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

Howlett moved and Grantner supported the following motion:

Approve and authorize the Minutes of the Regular Meeting of December 13, 1994 at 7:00 P.M., as printed. Motion carried 9-0.

B. SCHEDULE PUBLIC HEARING FOR FEBRUARY 14, 1995 AT 7:00 P.M.:

1. LS #95-2

BY: Richard Lee Snyder
6137 E. Bristol Rd.
Burton, MI 48519

RE: 6137 E. Bristol Rd.
Lots 59, 25, 300-003
Section 25

FOR: Residential Use.

Moved by Howlett, supported by Perez to schedule public hearing for Lot Split #95-2 for February 14, 1995 at 7:00 P.M. Motion carried 9-0.

C. FIRST PUBLIC HEARING POSTPONED FROM DECEMBER 13, 1994:

1. ZC #205

BY: Louis Albert-Blake Rizzo, President
Rizzo Development
31511 Gratiot Ave.
Roseville, MI 48066

RE: Rizzo Development
Q-431, Q-432 Section 5
North side of Maple Rd. between
Genesee and Belsay Roads.

FOR: Residential Use.

Mr. Rizzo said the drain problem has been addressed by the Genesee County Drain Department. He said there is a report concerning the findings.

Mrs. Howlett said the report is the same as the one in 1993 and the only difference is that now there are sewers in the area.

Audience Participation:

Charles Dougherty, 4320 S. Belsay Rd., said the drainage problem was to be checked and reviewed. He asked who check the water drainage problems that are currently in his area now. He complained about the water he gets from Maple Pointe Subdivision.

Mr. Strasser said there was a study done in January of 1993 by Gould Engineering and this study has been reviewed. If the County was not satisfied with this engineering study, they would not approve of it. No one can block the natural flow of the water. Mr. Strasser said Mr. Rizzo is asking for a rezoning of the property and he can't build until he goes through all the necessary steps and gets his permits from the various agencies.

Mayor Smiley said Mr. Dougherty was in his office in the Spring of 1994 regarding the water problem. This was when Maple Pointe was just beginning their construction. Mayor Smiley said he sent Howard Throop, Road Supervisor, out and he wasn't certain what happened when Mr. Throop and Mr. Dougherty met.

Jim Delano, 5349 E. Maple, said since the report was made by the Drain Commission in 1993, there has been a soccer field built across the street in Grand Blanc Township and he has much more water there now. He said there may be a need for a new study if there is double the amount of water. Mr. Delano said he turned in petitions against the rezoning and some of those residents who signed the petition had other concerns. He said the only concern which has been addressed is the drainage issue.

Mr. Perez asked Mr. Strasser if he had talked to the Drain Commissioner since the last meeting.

Mrs. Howlett said Mr. Frank Yow brought a letter to the Clerk's Office to have his name removed from the petition.

Mayor Smiley said he would ask the City Council to set up a drainage district for this area.

Moved by Howlett, supported by Grantner to recommend approval of Zoning Case #205 to the Burton City Council. Motion carried 9-0.

D. PUBLIC HEARINGS:

1. LS #94-69

BY: Ron Nelson
1382 Calvin Dr.
Burton, MI

RE: 1382 Roat Ct.
Q-9559-A Part of Lot 31 Supervisor's
Plat #14
Section 14, R-1B Zoned

FOR: Residential Use.

Mr. Nelson said he would like to split the lot to sell for residential use.

Mrs. Howlett asked if he would be building a home on the lot.

Mr. Nelson replied no, he would sell the property and that person would probably build on the property.

Audience Participation:

Russell Jacko, 1398 Roat Ct., asked how the house would be situated on the property, as he is concerned about it being close to the property line. He wants to eventually build a garage and his property and wants to have enough room to do so.

Mr. Strasser said any home that is built is required to be 10 feet from the property line.

Craig Nelson, 205 Grant, Holly, MI, said he is the person interested in purchasing the lot and he won't be building so that it would interfere with Mr. Jacko's property.

Mr. Strasser then explained the Zoning Ordinance and Building Code requirements.

Moved by Howlett, supported by Perez to approve Lot Split #94-69 contingent upon DPW recommendations. Motion carried 9-0.

2. LS #94-70

BY: Gary L. Jackson
5244 Dortch Dr.
Burton, MI 48519

RE: 5206 & 5194 Lippincott Blvd.
Burton, MI 48519
Section 23

FOR: Residential Use.

Mr. Berry asked if Mr. Jackson had anything new to add to his request. He replied he had nothing.

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

Mr. Strasser said both lots have frontage on Lippincott and Dortch Drive, which is a private drive. As a rule, property bounding on a private drive cannot be split. Because of the amount of money involved in fees, etc., we asked Mr. Jackson to go before the City Council to see if they would consider allowing the split and they passed a resolution to allow the split.

Mr. Strasser said Dortch Drive has several homes on it now and we do not maintain the road. The City's concern is that more and more homes are being built on a private drive, which causes more traffic on the road. DPW is not recommending approval or denial, but would like the Commission to consider the possible future impacts of having more homes on a private drive.

Mr. Jackson said he has no one interested in purchasing the property at this time.

Mr. Perez asked Mr. Jackson if he lived on Dortch Drive himself and if there is any concern about the fire trucks getting down Dortch Drive should there be a need.

Mr. Jackson said there is no problem with this.

Mayor Smiley said Mr. Jackson came before the Commission four (4) years ago and he has spoken with Mr. Throop regarding the road problem.

Mr. Bertram asked where Dortch Drive ends. Mr. Strasser said there is a cul-de-sac in front of Mr. Jackson's yard and it ends there.

Moved by Howlett, supported by Perez to approve Lot Split #94-70 with Mr. Jackson being fully aware of the expense of the maintenance of Dortch Drive. Motion carried 9-0.

3. LS #94-72

BY: Richard Hamilton
702 Church St.
Flint, MI 48502

RE: Lot 38 Supervisor's Plat
Davison Acres
Section 1
R-M Zoned

FOR: Residential Use.

Mr. Hamilton said that the property north of the house he is presently building on Pinebrook and Ridgemoor, all of the lots have been sold in the Ridgemoor development. He would like to turn the road to the north of the property line and split off one lot which would be 110x200 feet. Sanitary sewers and Water is available.

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

Moved by Howlett, supported by Bertram to approve Lot Split #94-72 contingent upon DPW recommendations. Motion carried 9-0.

E. AUDIENCE PARTICIPATION:

Larry Stephens, 3049 Vineland, said the Commission's main focus is to add tax base at any price. He thinks the residents feelings and concerns should be considered more when development is being done in their area.

Pauline Dargel, 6119 Hugh St., spoke about residents who have already established homes finding themselves caught up into problems when development is being done in their areas.

F. SITE PLAN REVIEWS:

1. SPR #95-1

BY: Century Manufactured Homes
3408 S. Dort Hwy.
Burton, MI 48529

RE: Century Manufactured Homes
Lots 24 thru 27 of Hemphill-Dort
Commercial Sites
Section 28, M-2 Zoned

FOR: Sales Lot For Manufactured Homes.

There was no one present to represent this site plan.

F. SITE PLAN REVIEWS CONTINUED:

Mr. Strasser said the applicant was aware of the meeting tonight, both verbally and by copy of their application.

Mr. Grantner said he has stated previously that if an applicant is not present for their site plan, he would like to see a postponement until the next meeting.

Moved by Howlett, supported by Perez to postpone Site Plan Review #95-1 until the February 14th meeting and advise applicant to be present at the meeting, so this case can be heard. Motion carried 9-0.

G. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #94-73

BY: OSKAR'S II, Inc.
1323 E. Bristol Rd.
Burton, MI 48529

RE: Oskar's Pizza Plus
1323 E. Bristol Rd.
Lots 1308 thru 1312 Baker Park #1
Section 30, C-1 Zoned

FOR: Change of Ownership & Use.

There was no one present for this site plan. Mr. Strasser said the applicant was made aware of the meeting.

Mr. Strasser said this is the old Abbott's Meat building on the corner of Bristol and Grand Traverse. There are no plans to do any outdoor improvements at this time because of the weather. There will be a take out window.

Mayor Smiley asked if anyone from the house east of the lot had called regarding this use. Mr. Strasser said no.

Mr. Berry asked if any of the Connell Street residents had call and he was advised no.

Mrs. Howlett asked if the applicant had any problems with any of the DPW requirements and Mr. Strasser said no, they are in agreement with all of them.

Mr. Berry asked if the temporary sign issue had been addressed and if the westerly drive by Grand Traverse be changed in any way.

Mr. Strasser said not at this time on the drive-thru. If there is going to be a drive-thru window, there will be a drive behind the building.

Mr. Bertram said the previous case was postponed because the applicant wasn't present and he thinks this one should be also.

Mr. Grantner said this is an Administrative Site Plan and that is why the Commission is listening to the case.

Moved by Howlett, supported by White to approve Site Plan Review #94-73 contingent upon DPW recommendations. Motion carried 8-1 with Mr. Bertram voting no.

H. BOARD DISCUSSION:

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Mrs. Walls asked if the residents are still allowed to tile into storm drains to get rid of water. She was advised yes. She then asked if Mr. Dougherty could to this and was advised that he could.

Mr. Strasser said Mr. Dougherty's property sits so low that the water can't get out.

Mr. Bertram asked if it would be a big expense for Mr. Dougherty to do this. He was advised yes.

Mr. Perez said if a drainage district is created, he isn't certain that all of the residents would be willing to pay for this.

The next regularly scheduled meeting will be held February 14, 1995 at 7:00 P.M.

Meeting Adjourned at 8:18 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

cml