

CITY OF BURTON
REGULAR PLANNING COMMISSION MEETING

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

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

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:

Moved by Howlett supported by Perez to approve and authorize the Minutes of the Regular Meeting of January 10, 1995 at 7:00 P.M., as printed. Motion carried 9-0.

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

1. LS #95-5

BY: Ralph DeGayner by Robert Keely
Keely Realty, Inc. Agent
715 W. 12th Street
Flint, MI 48503

RE: The N 295' of the W 531.15' of
the NW 1/4 of the NE 1/4 of
Section 34, T7N, R7E. Commonly
known as 4284 E. Bristol Road
Parcel No. Q-391.

FOR: Residential Use.

Moved by Howlett, supported by Perez to schedule Lot Split #95-5 for First Public hearing on March 14, 1995 at 7:00 P.M. Motion carried 9-0.

C. FIRST PUBLIC HEARING:

1. LS #95-2

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

RE: 59-25-300-003
Q-266
Section 25

FOR: Residential Use.

Mr. Richard Snyder, 6137 E. Bristol Rd., said he would like to split the land to sell off three lot for residential use. He said there is a problem with snowmobiles and 4-wheelers riding in there and he would like to stop this.

Audience Participation:

Melody Hickmott, 6119 Nelson Ct., asked what he intended to do with the property once it is split. Would there be a subdivision built? There are also wetlands on the property.

Mr. Snyder said he would not be building a home, but would sell the property to someone else to build. He said there would not be a subdivision built, as there isn't enough land to do this.

Mrs. Hickmott said she is concerned about having a subdivision built because she doesn't want her street paved and have cars speeding up and down the street.

Lloyd Hodge, 6141 Nelson Ct., said he is opposed to the lot split.

Margaret Hickmott, 6107 Nelson Ct., said she is opposed to the lot split. She said she had spoken with Mr. Major and was told that Mr. Snyder plans to build five (5) houses on the property.

Mr. Snyder said he has no intentions of building on the lots.

Trudy Filberth, 6102 Nelson Ct., said she opposes cars going in on Bellingham and back out on Nelson Court.

Mr. Strasser said there is only a very small portion of the property that is considered wetlands. This would be on Parcel F. Two parcels are in excess of 10 acres and the three parcels he is asking to be split, if sold individually, could not consist of a subdivision. If the sewer isn't large enough, the home owners may have to put in a septic system. This would be up to the County Health Department.

Moved by Grantner, supported by Bertram to approve Lot Split #95-2 contingent upon DPW recommendations. Motion carried 9-0.

D. AUDIENCE PARTICIPATION:

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

E. SITE PLAN REVIEW POSTPONED FROM 1-10-95:

1. SPR #95-1

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

RE: Century Manufactured Homes
3347 S. Dort Hwy.
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. Mr. Strasser said he mailed a letter stating that they would have to be at the meeting to have the case considered and he received no response.

Moved by Howlett, supported by Perez to postpone Site Plan Review #95-1 to the end of the meeting to give the applicant ample time to arrive.
Motion carried 9-0.

F. SITE PLAN REVIEW:

1. SPR #95-9

BY: Ahmad Daraiseh
5249 Lapeer Rd.
Burton, MI 48509

RE: Tiny Tots ' N Tikes
5249 Lapeer Rd.
Lot 2 of Pinecrest Subdivision
Section 14
R-1A Zoned

FOR: Child Day Care Center.

Mr. Berry asked if Mr. Daraiseh had read the DPW recommendations and if he had any problems with them.

Mr. Daraiseh said he had read them and has no problems with the exception of the paving because of the weather. This will be done when the weather breaks.

Mr. Strasser asked how many children would be in the day care and what is the criteria from the Department of Social Services.

Mr. Daraiseh said there would be between 10 and 20 children with a maximum of 24 in the day care. He said if more space is required, he would be willing to expand.

Mr. Strasser said if the approval is granted, the City would like to know what the criteria is for the inside of the building, such as a certain amount of square footage for each child, etc. Mr. Strasser said this will also have to go before Zoning Board of Appeals this Thursday. He is asking for a use variance because if there is more than 12 children it can be considered one of two things: 1) Office Use - variance required; 2) Special Use Permit - residential; we went to ZBA because a specific use permit could be granted.

Mr. Bertram asked if there are a certain number of employees required per child.

Mr. Daraiseh said one employee for every four to six children. The employee is trained in this field.

Mr. Grantner said said 24 children is a high number and he is concerned about the parents dropping off and picking up their children because of the traffic on Lapeer Road. The parking would be a problem during this time and the parents would be parking along Lapeer Road, which could lead to a safety hazard.

Mrs. Howlett asked if any of the neighbors in that area had made any complaints about the day care going in. Mr. Daraiseh said none.

Mr. Bertram asked if there is a report from the Department of Social Services that the Board could review. Mr. Strasser replied he doesn't have one, but he will call and ask for one.

Mr. Grantner said he would hope that the ZBA would consider the questions and concerns of this Board that was asked this evening.

Mayor Smiley said the Planning Commission representative can relay this information to the ZBA.

Mr. Daraiseh said he has everything in order with the exception of the Board approvals from the City and the fencing of the yard.

Moved by Howlett, supported by Bertram to postpone Site Plan Review #95-9 until the March 14th meeting and a report is received from the Department of Social Services. Motion carried 9-0.

G. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #95-3

BY: Matthew A. Cummings
5336 S. Sycamore
Burton, MI 48509

RE: Mac Lawn Care, Inc.
4284 E. Bristol Rd.
Q-391
Section 34
C-3 Zoned

FOR: Change of Use.

Kate Cummings, sister and partner of Matthew Cummings, said she is here to represent her brother. She explained that they have purchased a building at the Bristol Road address for storage of two trucks and trailers. There would be an office and the only activity would be during the daytime hours.

Mrs. Howlett asked if Ms. Cummings had any problem with any of the DPW requirements. Ms. Cummings said she hadn't had an opportunity to review them.

Mr. Strasser said when he spoke with Mr. Cummings, he didn't indicate that there was a problem with any of the requirements.

Mr. Bertram asked if they were involved with winter snow removal. He was advised yes.

Moved by Howlett, supported by White to approve Site Plan Review 95-3 contingent upon DPW recommendations. Motion carried 9-0.

2. SPR #95-7

BY: Joyce E. Doutre
2126 Caranome Dr.
Swartz Creek, MI 48473

RE: Doutre Auto Sales
G-4510 S. Dort Hwy.
Burton, MI 48529
Q-357
Section 32
C-3 Zoned

FOR: Same Use. Change of Ownership.

Mr. Berry asked Mrs. Doutre if she had read the DPW requirements and if there is any problem with any of them. She had no problem with them.

Mr. Strasser said this has to go before the Zoning Board of Appeals Thursday.

Moved by Howlett, supported by Bertram to approve Site Plan Review #95-7 contingent upon DPW recommendations and approval of the Zoning Board of Appeals. Motion carried 9-0.

G. ADMINISTRATIVE SITE PLAN REVIEWS CONTINUED:

3. SPR #95-4

BY: Printing Associates, Inc.
3495 S. Saginaw St.
Burton, MI 48529

RE: Printing Associates, Inc.
3218 Kleinpell St.
Lot 65 Supervisor's Plat Atherton
Gardens, Section 28
M-2 Zoned

FOR: Change of Ownership & Use -
Printing Company.

Robert Banks, 915 E. Main St., Flushing, MI, said he has no problem with any of the DPW requirements except the paving and that will be done when the weather permits. He explained that they have outgrown the present building and want to stay in this area.

Mr. Strasser said DPW has no problem with the site plan.

Mayor Smiley asked Mr. Strasser if the "Right to Know" law had been complied with. Mr. Strasser said they are working on this.

Mr. Perez suggested that a "Right to Know" Law be attached to the applications and turned in at the same time.

Moved by Howlett, supported by Grantner to approve Site Plan Review #95-4 contingent upon DPW recommendations. Motion carried 9-0.

4. SPR #95-6

BY: Charles Antcliff
16182 Silver Shore
Fenton, MI 48430

RE: Antcliff Aluminum Products
2417 E. Judd Rd.
Lots 5 & 6 Industrial Sub & Lots
7 & 8 except a parcel of land beg at
SE corner of Lot 7 thence W
124.50 ft. thence N 200 ft. thence E
123.04 ft. thence S 08 32 Min E
200 ft. Lot 11 Industrial Sub No. 1
Section 32, M-1 Zoned

FOR: Storage Barn.

Mr. Antcliff said he has no problems with the DPW requirements. He would like to build a storage barn between the front and rear buildings and this would leave 70 feet to turn the trucks around. There will be no outside storage.

Mr. Strasser said there could be a potential problem in hooking to the sanitary sewer because there isn't enough depth coming down Quinlan Drive to extend the sewer. He just wanted to make Mr. Antcliff aware that there may be a need for a sludge pump.

Mrs. Howlett asked if the building would have a need for water or plumbing. She was advised no, this is only for storage.

Moved by Howlett, supported by Grantner to approve Site Plan Review #95-6, contingent upon DPW recommendations and if the building changes and has a need for plumbing, there may have to be a sludge pump put in the building. Motion carried 9-0.

5. SPR #95-8

BY: Robert Campbell
3116 Shaw St.
Burton, MI 48529

RE: Campbell's Auto Repair
G-3425 S. Dort Hwy.
Lots 28-31 Hemphill-Dort Commercial
Sites.
Section 28
M-2 Zoned

FOR: Change of Ownership & Use -
Auto Repair.

Jim McCann, 1000 E. Main Street, Flushing, said Mr. Campbell couldn't be present tonight so he brought Mrs. Debra Campbell, 3116 Shaw St., Burton and Jim Judson, 3195 E. Bristol Rd., Burton. Mr. McCann said trees were growing through the paving and the building will be repaired.

Mrs. Campbell said all vehicles will be behind the fencing and will meet all of the City specifications listed.

Mr. Bertram asked if DPW had any problems. Mr. Strasser replied no.

Moved by Howlett, supported by Grantner to approve Site Plan Review #95-8, contingent upon DPW recommendations. Motion carried 9-0.

6. SPR #95-10

BY: Michael S. McMahon
P.O. Box 388
Flushing, MI 48433

RE: 5006 Lapeer Rd.
Lot 1 Supervisor's Plat #14
Section 14
C-1 Zoned

FOR: Same Use - Change of Ownership.

Michael McMahon, 16067 Knob Hill, Linden, MI said the only problem is with the completion of the asphalt due to the weather.

Mr. Strasser said he asks that Mr. Campbell has the building inspector go through the building and gets an occupancy permit and complies with the sign requirements.

Mayor Smiley asked if Mr. McMahon had purchased or leased the building. Mr. McMahon said he is leasing the building at this time, but has had some conversation about possibly purchasing the building in the future.

Moved by Howlett, supported by Grantner to approve Site Plan Review #95-10 contingent upon DPW recommendations and make certain the building inspector does an inspection and Mr. McMahon follows through with the sign requirements. Motion carried 9-0.

H. BOARD DISCUSSION:

Mayor Smiley gave a progress report on the Maple Pointe Subdivision and the financial affect this has had on the General Fund and Water and Sewer Funds. He explained that it is crucial to bring in development to the City to help increase the revenues to the General Fund.

Mr. Perez said the City no longer get State revenue monies.

Mrs. Howlett asked Mayor Smiley if he had spoken with the gentleman living on Belsay Road who complained about the Maple Pointe Subdivision and the water coming onto his property.

Mayor Smiley said yes, he had the Inspection Department go out and the water is going northeast, away from his property. He said he has contacted the County Drain Commission and asked them to establish a drainage district.

Mrs. Walls said that Mr. Martz reported he has had requests for homes in the \$200,000 figure.

Mrs. Walls asked why there were concerns about the day care being in a residential area.

Mr. Grantner replied he is concerned about he parents dropping off and picking up in an area where there isn't a lot of room. Another issue being that if one of the children should get out of the backyard and wander onto Lapeer Road, what a tragedy that would be.

Mr. Bertram said his concern is that 24 seems like a large number of children for an area of 1500 square feet.

Mr. Berry said there is going to be land use workshops at several locations in the State but the closest one is going to be held at Fenton High School on March 8, 1995 from 6:30 p.m. to 8:30 p.m. with no charge. If anyone is interested in attending, please look at the brochure.

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

Meeting Adjourned at 8:25 P.M.

Respectfully Submitted,

REGULAR PLANNING COMMISSION MINUTES
FEBRUARY 14, 1995/7:00 P.M.
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Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML