

CITY OF BURTON
REGULAR PLANNING COMMISSION AGENDA
MARCH 10, 1992, 7:00 P.M., COUNCIL CHAMBERS

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

MEMBERS PRESENT: Howlett, Bertram, Millard, Grantner, Berry, Mayor Charles Smiley, White, Merrell and Hammon.

MEMBERS ABSENT: None.

OTHERS PRESENT: J. Major, DPW Director; T. Strasser, Dep. Planning Official and C. Ladd, Deputy City Clerk.

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

Howlett moved and Bertram supported the following motion:

Approve and authorize the minutes of the Regular Meeting of February 11, 1992 at 7:00 P.M., as printed. Motion carried 7-0.

B. FIRST PUBLIC HEARING POSTPONED FROM FEBRUARY 11, 1992:

1. LS #91-64

BY: Russ Caldwell
6252 W. Mt. Morris Rd.
Mt. Morris, MI 48458

RE: Lot 64 Garden Acres Subdivision
Section 13
R-1B Zoned

FOR: Residential Use.

Mr. Caldwell said the last time he was before this Commission he had family members in the audience who said he didn't own the property. Since then he has taken proof of ownership into the DPW for verification. He said he would like to get the lot split done and get the taxes records straightened out.

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

Mr. Strasser said the necessary information was brought into his office. At the time when he builds a house on the property, he will have to hook up to the sanitary sewer.

Moved by Howlett, supported by White to approve Lot Split #91-64 as requested. Motion carried 9-0.

C. FIRST PUBLIC HEARINGS:

1. Z.C. #193

BY: Roger Engstrom
600 Maple Leaf Road
Lapeer, MI 48446

RE: All of Lots 31 & 32 of Cardinal Gardens, except the east 250' thereof. West of 1184 S. Belsay Section 14.

C. FIRST PUBLIC HEARING CONTINUED:

1. Z.C. #193

FOR: Change zoning district from R-0
and C-2 to M-1.

Mr. Engstrom said he would like to put up a mini-storage building.

Mr. Strasser said according to the Comprehensive Development Plan, Light Industrial should not be in this area. The area is bounded by commercial and residential property. If the property is rezoned it does not limit the use to one specific type of business. The DPW does not think it is appropriate zoning for this area.

Mrs. Howlett said she agreed it would not be good for the area.

Moved by Howlett, supported by Bertram to recommend denial of Zoning Case #193.
Motion carried 9-0.

2. LS #92-8

BY: Dr. Donald Bosker
1198 N. Belsay Road
Burton, MI 48509

RE: Lots 5, 6, 7 of Laurelhurst Acres
Section 13, C-2 Zoned

FOR: Office Development

Dr. Bosker said there are presently two buildings completed on Lots 3, 4 and 1/2 of Lot 5 and a third building going up which St. Joe's will be moving into. He said the plans were first submitted in 1979-80 and we thought there would be an addition on the back so we are going to build another building.

Mr. Berry asked if the building would be the same as what is presently there. He was told yes.

Mr. Strasser said in the legal description which was supplied it is not clear for the ingress and egress to the building. If this Lot Split is approved, it should be with the understanding that the City would have an easement description.

No one in the audience wished to speak.

Moved by Howlett, supported by Grantner to approve Lot Split #92-8 contingent upon DPW receiving necessary paperwork on ingress and egress of easement.
Motion carried 9-0.

3. LS #92-11

BY: William Dover
2257 N. Vassar Rd.
Burton, MI 48509

RE: Lot 39 of Supervisor's Plat of
Davison Acres.
Section 1, R-1A Zoned

FOR: Residential Development

Mr. Dover said there are presently two houses located at that address and the rear house has no legal access and is landlocked. He would like to split it so there will be access to the house.

Audience Participation:

Richard Hamilton, 702 Church Street, Flint, MI said Mr. Dover is asking for two divisions in the lot split. The West 600 feet of lot also needs to be divided, so this would essentially create three (3) lots.

Bonnie Gusie, 6377 Brian Circle Lane, stated that the application she received said cluster building, not duplexes. What has been built in the past is very nice but now our privacy is being taken away, the birds are disappearing. When the duplexes were built, variances were granted and our neighborhood didn't say much, but I don't want buildings in our back yard. We were told that lots on the other side of the road were not deep enough to build.

Joe Thorpe, 2231 N. Vassar Rd., asked if the sewer capacity is sufficient for the additional buildings. He was told yes.

Carl Gusie, 6377 Brian Circle Lane, presented a petition to the Board of those against the lot split.

Mr. Hamilton said later in the agenda is a site plan review which is intertwined with this lot split. He said the lot is approximately 172 feet wide. Lot 138 is narrower and is about 165 feet wide. There is 12 feet which divides Lots 138 and 139. The road is 12 feet off the lot line. The extra width would allow us to set the units further off the road. We are only planning to build two buildings and they would be further off the road. There will be two ranches and two 2-story buildings. We will keep as much open space as possible. The sanitary sewers were constructed last year. The units to be built are exactly to be built in the same manner as we have done in the past. There will be more space between the buildings to deal with. We don't want to have anything detrimental in the neighborhood.

Mr. Major asked if they were single family units. Mr. Hamilton replied yes, either 2-story or ranch style.

Mr. Thorpe asked if the storm drain would be installed up to the road. Mr. Hamilton said there is presently one there which was installed last year.

Mr. Hamilton then explained the drainage system to the units.

John Isaac, 6347 Brian Circle Lane, said the buildings were beautiful. However, the construction noise is very disturbing. He asked to have set hours for the construction of the additional buildings. He also asked to have the site fenced off so children could not get in there to play.

Mr. Strasser said DPW has no problem with the lot split, but a revised description would have to be submitted to the DPW. Under the Site Plan Review, the utilities are in and this project is a benefit to the City.

Discussion was then held regarding construction hours.

Moved by Howlett, supported by Bertram to approve Lot Split #92-11 contingent upon DPW recommendations. Motion carried 9-0.

D. AUDIENCE PARTICIPATION:

No one in the audience wished to speak.

E. PUBLIC HEARING PERMITTED USE AFTER SPECIAL APPROVAL:

1. SPR #92-12

BY: Joseph Richvalsky
4387 S. Saginaw
Burton, MI 48529

RE: Lots 19-22 of Follo Acres 13 & B
and part of Lots 12 & 14 of Martin
Acres, Section 28

FOR: Construct an eating and drinking
establishment in an M-1 Zoned area
"Moose Lodge".

Mr. Strasser said they are asking is whether this board would consider approval of an eating/drinking establishment and if it would fit into this area. If you should approve this, they will have to come back before you for approval.

Mr. Berry asked if this would be similar to the Eagle's Club on Bristol Road.

Mr. Emery, Governor of the Moose Lodge, said they want to be certain the property is zoned properly and if approved, they will plan to build next year.

Audience Participation:

Ed Osterholzer, representing Flexible Automation, said he purchased the property to build an industrial complex. He said it took sometime to find the property with everything he needed. Mr. Osterholzer said they increased their employees from 9 to 15 plus 3 part-time and they are still growing. This is a prime industrial area for Burton as there is not a lot of M-1 area land in the area. There is a main artery for an industrial complex. As this would be drinking establishment, would the building be rented out for parties, etc., because we would be concerned about security of our building. He said he opposed this use for the property.

Mr. Strasser said he can see good points from both sides. Presently, we now have industrial use and an eating and drinking establishment. We haven't had anyone interested in this property in the last 2-3 years it has been for sale. Also, it is good for an industrial area. It would be up to the Planning Commission as to what they wish to do on this case. If you approve this, they will still have to come before you for the Site Plan Review.

Mr. Dycus, 6387 Brian Circle, said at one time the Moose Lodge was located in their neighborhood and they gave them a great deal of trouble.

Mr. Hammon said the City is not setting a precedent, as this is a social club and there is another one down the road. There are social clubs which do a great service in the community. If the Moose Lodge has to go into an area, it would be better for it to go into an area such as this.

Mr. Berry asked if the facility would be rented out for receptions, etc.

Mr. Emery said they wanted property in Grand Blanc but could not afford the property so they looked in Burton. The name of the lodge will be changed from Grand Blanc Moose to Burton-Grand Blanc Moose Lodge.

Moved by Howlett, supported by Hammon to approve Site Plan Review #92-12, contingent upon being used only as an eating/drinking establishment. Motion carried 8-1 with Millard voting no.

F. SITE PLAN REVIEWS:

1. SPR #92-13

BY: Vassar Road Associates
702 Church Street
Flint, MI 48502

RE: W 600 ft. of Lot 39 of Supervisors
Plat of Davison Acres.
Section 1, R-1A Zoned

FOR: Pinebrook Place #2
Development of a cluster subdivision

Mr. Bertram asked Mr. Hamilton what the square footage of each building will be.

Mr. Hamilton replied the ranches will be about 1,475 sq. ft. and the 2-stories about 1,800-2,000 sq. feet. He said they try to keep the outside the same as far as the facade, but the insides are custom built. There is almost 3/4 of an acre for each unit.

Mrs. Howlett asked if the construction hours could be from 7:00 a.m. to 7:00 p.m. as suggested under the public hearing section of this agenda.

Mr. Hamilton said he doesn't see a problem with those hours. The last thing they want is to have problems with the neighbors.

Mr. Berry also asked about securing the excavation of basements. Mr. Hamilton said this also would be done.

Mr. Strasser said the Building Code calls for a fence around an excavation area. We will enforce the fencing code.

Further discussion continued regarding noise due to construction.

Moved by Howlett, supported by Bertram to approve Site Plan Review #92-13 and make sure a fence is put around the excavating area, there is to be no burning and keep the noise down as much as possible during construction. Motion carried 9-0.

2. SPR #92-15

BY: Mr. Gary Sabo "Future Homes"
430 S. State Road
Davison, MI 48423

RE: "Stonehedge Estates"
Milano and Vassar Roads
Section 24, R-1A Zoned

FOR: Development of a site condominium.

Dave Bordein, CHMP, said this would be a single family subdivision. A site condominium is nothing more than a condo. There are more restrictions written into the master deeds.

Audience Participation:

None.

Mr. Strasser said the site-condominium is a relatively fast way to do a subdivision, without having to go through the platting process. CHMP took our plat ordinance and designed this. There have been two homes already started. This will be the way of the future. If we could have your approval to have these homes built prior to your approval as long as everything meets code and if I can sit down with the DPW Director, Ralph LaDuke and Mr. Hamilton and incorporate site condos into our Ordinance 19, I would like this brought back in front of this board.

Mr. Major said with the approval tonight, they could have someone in there tomorrow staking out the property. It would be understood that the Administration has the approval from the Planning Commission to work with the developers.

Mr. Hammon said the City Council has done something unorthodox in regards to this project as this is something new. They are houses that are built for young people and there is a future for these homes in Burton. People are paying the same for apartments as what the payments would be on these homes.

Mayor Smiley said he met with Mr. Sabo and did approve transfer money for sewers and blacktop for Stonehedge. Everything is moving so fast and they want to use this for a model project. We perceive this to be a positive move for the City.

Moved by Howlett, supported by Bertram to approve Site Plan Review #92-15, contingent upon DPW Recommendations. Motion carried 9-0.

3. SPR #92-16

BY: Joseph R. Gibbons
604 Westover Pass
Grand Blanc, MI 48439

RE: Lot #23 Supervisors Plat of
Atherton Gardens
Section 28, M-2 Zoned

FOR: New Construction for a
Contractor's Warehouse.

Mr. Gibbons presented a site plan to build a 20x50 polebarn to be used for storage of building materials. There will be no office, just storage use.

Mr. Howlett asked if he agreed with DPW requirements. Mr. Gibbons said yes.

Mr. Strasser said this would be a cold storage only. The site plan shows a retention area and this is not necessary. The area needs a swale.

Mr. Gibbons said he will have a gravel drive and parking area and he will pave at the end of the building season.

Moved by Howlett, supported by Millard to approve Site Plan Review #92-16 contingent upon DPW recommendations and the retention pond is not necessary. The building is to remain a cold storage building and paving is to be done by the end of the paving season. Motion carried 9-0.

G. ADMINISTRATIVE SITE PLAN REVIEW:

1. SPR #92-14

BY: Robert J. Petriches
5196 Roscommon
Burton, MI 48509

RE: Lot 2 of 14 Associates
Commercial Sites
Sites 29, M-2 Zoned

FOR: Change of Ownership.

Mr. Berry said this is a change of ownership. What about the storage of vehicles?

Mr. Petriches said the vehicles will be fenced.

Mrs. Millard inquired about the clean up since the last business moved out.

Mr. Major said there is to be no storage outside the fences and only employees cars should be on the paved area.

Moved by Howlett, supported by Smiley to approve Site Plan Review #92-14 contingent upon DPW recommendations. Motion carried 9-0.

H. BOARD DISCUSSION:

Mr. Berry announced there would be a Planning Commission and Zoning Board of Appeals seminar on March 24, 1992 at Frankenmuth, Michigan. If anyone is interested, please contact the Clerk's Office.

Mayor Smiley thanked the members for coming out on such a snowy night.

The next regularly scheduled meeting will be held on April 14, 1992 at 7:00 P.M.

Mr. Berry adjourned the meeting at 8:50 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC
Burton City Deputy Clerk

CML