

CITY OF BURTON
REGULAR PLANNING COMMISSION MINUTES
JUNE 11, 1991, 7:00 P.M., COUNCIL CHAMBERS

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

MEMBERS PRESENT: B. Howlett; H. Berry; C. Smiley; M. White; G. Grantner and J. Merrill.

MEMBERS ABSENT: Mayor Jane L. Nimcheski; B. Beggs and L. Bertram.

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 Grantner to approve the minutes of the following meetings: Regular Meeting of May 14, 1991 at 7:00 P.M. and Special Meeting of May 28, 1991 at 7:00 P.M., as printed. Motion carried 6-0.

B. FIRST PUBLIC HEARING POSTPONED FROM JANUARY 9, 1990:

1. L.S. #89-080

BY: Carol Jackson
5206 Lippincott Blvd.
Burton, MI 48509

RE: Q-241-D
Section 23
R-1A Zoned

FOR: Residential Development

Gary Jackson, 5206 Lippincott Blvd., said he is interested in having an approval of a lot split at the end of Dortch Drive.

There was no one in the audience who wished to speak concerning this lot split.

Mr. Strasser said Dortch Drive goes down on the west end of the 20 acres and it is the attorney's opinion that if this is split in half, it would create a landlocked piece of property, which is against the ordinance and doesn't constitute a buildable lot. There is no road frontage. The first 825 feet of Dortch Drive off Genesee Road is considered an unimproved right-of-way.

Mr. Smiley asked if Dortch Drive could be extended.

Mr. Strasser said he thinks the Council has a standing policy not to extend streets.

Mrs. Howlett asked if the proposed home would be for Mr. Jackson or himself. Mr. Jackson replied it would be for himself.

Mr. Berry said he doesn't think this lot split should be approved because of the piece of property which would be landlocked.

Mr. Smiley asked if this were to go before the City Council, could they extend Dortch Drive.

Mr. Strasser said if the Council chose to do so.

Moved by Howlett, supported by Smiley to postpone Lot Split #89-080 to give Mr. Jackson an opportunity to present this case before the Burton City Council. Motion carried 5-1 with Mr. Berry voting no.

C. FIRST PUBLIC HEARING:

1. L.S. #91-16

BY: Jerry Thomas
4057 S. Belsay Rd.
Burton, MI 48509

RE: Q-454-9
SE Corner of Belsay & Bristol Rd.
Section 36
R-1B Zoned

FOR: Creation of Additional Building Site

Mr. Thomas explained he would like to two acres split that run parallel to Gilkey Creek. He has a buyer who would like to build a house with a 165 foot frontage.

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

Mr. Strasser said a vast majority of the parcel lies in the flood plain of Gilkey Creek. He said he spoke with the City Assessor regarding this parcel and the City would like to go on record, if this is approved, the potential builder will have to go before the DNR and present the proposal to the Burton Flood Board of Appeals. Another option would be to widen the property so enough of the property is not in the flood plain to build a house.

Mr. Thomas said he has no problem widening the land, but he would have to speak with the buyer and see if he would like to buy an additional amount of the land. He said the buyer did, at one time, comment on purchasing additional land, so he may prefer to go this route instead of going before the DNR and the Burton Flood Board of Appeals. Mr. Thomas said he just doesn't want to sell land to where he, himself would have less than 10 acres.

Moved by Howlett, supported by White to approve Lot Split #91-16 contingent upon DPW recommendations and that all regulations of the DNR and Flood Board of Appeals, in the flood plain, be followed prior to building on the property. Motion carried 6-0.

D. AUDIENCE PARTICIPATION:

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

E. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #91-20

BY: Richard W. Adams
520 Clark St.
Davison, MI 48423

RE: 5472 Lapeer Rd.
Lots 49 thru 53 Lapeer Heights
Section 14

FOR: Change of Use Within A Tenant Space.

Mr. Strasser said Mr. Adams indicated the parking area will be paved and the zoning is appropriate. DPW recommends approval.

Mr. Berry asked if Mr. Adams agreed with the DPW requirements. He said he did.

Moved by Howlett, supported by Smiley to approve Site Plan Review #91-20, contingent upon DPW recommendations. Motion carried 6-0.

2. SPR #91-21

BY: Committee to Elect Charles Smiley
2253 McLaren
Burton, MI 48529

RE: 5314 Lapeer Rd.
Lots 13-23 of Lapeer Heights
Section 14, C-1 Zoned

FOR: Change of Use Within A Tenant Space.

Mr. Strasser explained this request is the same situation as in any mall only this particular establishment is zoned C-1. There is adequate parking and DPW recommends approval.

Moved by Howlett, supported by Grantner to approve Site Plan Review #91-21, contingent upon DPW recommendation. Motion carried 5-0 (Mr. Smiley did not vote).

3. SPR #91-22

BY: Brough Carpets
4205 S. Saginaw St.
Burton, MI 48529

RE: Brough Carpets
4205 S. Saginaw St.
Lots 20-23 Durant Heights
Section 31, C-2 Zoned

FOR: Change of Use Within A Tenant Space.

Mr. Brough said he is aware of the number of complaints on the property line. The people in the back of the store have complained about the trucks blocking the driveway and since then I have turned trucks around to correct the problem and the people have put in 4 by 4's on the property.

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Mr. Strasser stated the only item that needs to be addressed on this site plan is the screening along the back of the property line and DPW urges the Planning Commission to enforce that some type of screening be placed at the property line.

Mr. Berry asked if there is any special type if screening required.

Mr. Strasser said there are different types of screening that could be put on the property.

Mr. Brough said the loading dock at the back does not leave enough room for trucks to get in and out without destroying a fence.

Mrs. Howlett said there has to be some type of screening there. She then asked Mr. Brough if he had any problem with putting in screening.

Mr. Brough said he would like to remove the loading dock altogether and this would make it much easier to put in screening that would not be destroyed by vehicles coming in and out of the drive. To remove the loading dock, I would have to speak with the landlord and it could be quite expensive to have the dock removed. At the present time I am just leasing the building and don't want to put that kind of money into a building I don't own.

Mr. Berry said he was in the business and had difficulty maneuvering his van in and out with the loading dock there. The real solution would be to get the dock removed.

Mr. Brough said the loading dock is not used by his people.

Mrs. Howlett asked how many complaints have been made.

Mr. Strasser replied there have been a few. It's going to be difficult to please everyone. The Ordinance requires the screening of residential property from commercial property to give residential property privacy.

Discussion continued regarding the screening requirements.

Moved by Howlett, supported by Smiley to approve Site Plan Review #91-22, contingent upon DPW recommendations and Mr. Brough talking to his neighbors and working out some type of screening for the two properties. Motion carried 6-0.

Moved by Howlett, supported by White to add Site Plan Review #91-19 and Zoning Case #189 to tonight's agenda. Motion carried 6-0.

ADMINISTRATIVE SITE PLAN REVIEW:

1. SPR #91-19

BY: Wesley Toll
3002 E. Court St.
Flint, MI 48506

RE: 3325 Kleinpell St.
Lots 125 & 126 Holland Heights
Section 28, R-1C Zoned

FOR: Change of Ownership.

Mr. Strasser said there is an existing industrial building on the site and Mr. Toll wished to buy it and is proposing to have the parking lot on Kleinpell Street.

Moved by Howlett, supported by Grantner to approve Site Plan Review #91-19, contingent upon DPW recommendations. Motion carried 6-0.

SCHEDULE FOR FIRST PUBLIC HEARING FOR JULY 9, 1991 AT 7:00 P.M.

2. ZC #189

BY: Wesley Toll
3002 E. Court St.
Flint, MI 48506

RE: Lots 125, 126 and 127
156, 157 and 158 Holland Heights
Section 29, R-1C Zoned

FOR: Rezoning to M-2 for Industrial
Expansion.

Moved by Howlett, supported by Grantner to schedule Zoning Case #189 for First Public Hearing to be heard on July 9, 1991 at 7:00 P.M. Motion carried 6-0.

F. BOARD DISCUSSION:

Mrs. Howlett inquired about the property on Bristol and Howe Roads as to whether any notice had been given to them.

Mr. Strasser said they were issued a ticket and now in the system.

The Board further discussed the problems of Site Plan Review #91-22.

The next regularly schedule meeting will be held July 9, 1991 at 7:00 P.M.

Mr. Berry adjourned the meeting at 8:02 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC
Burton City Deputy Clerk

cml