

CITY OF BURTON
REGULAR PLANNING COMMISSION MINUTES
OCTOBER 8, 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: H. Berry, M. White, J. Merrell, C. Smiley, B. Howlett,
L. Bertram and G. Grantner.

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

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

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

Howlett moved and Granter supported the motion to approve the Minutes of the Regular Meeting of September 10, 1991 at 7:00 P.M., as printed. Motion carried 7-0.

B. FIRST PUBLIC HEARING POSTPONED FROM SEPTEMBER 10, 1991:

1. I.S. #89-080

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

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

FOR: Residential Development

Mr. Berry said the lot split was postponed to give Mr. Jackson the opportunity to ask his neighbors about the maintenance of the road on Dortch Drive.

Mr. Jackson said some of the neighbors are skeptical about paying for the road but they are willing to give up the right-of-way. They are still trying to come to an agreement about the situation.

No one in the audience wished to speak concerning this lot split.

Mr. Strasser said he understood the road has been extended to the building site. Mr. Jackson said it had been.

Discussion was held by the board concerning the 50 foot radius circle to be constructed for the ingress and egress of emergency equipment.

Mr. Smiley stated this particular case has been ongoing for quite sometime and and the residents on the street have an agreement amongst themselves and sometimes contract with Genesee County. Mr. Jackson came before the City Council for a building permit. He must maintain the road and we should only be dealing with the lot split.

Mr. Bertram asked how many homes would be serviced by a fire truck. Mr. Jackson replied there are 6 home.

Moved by Howlett, supported by White to approve Lot Split #89-090 with a 50 foot radius circle turnaround and maintenance thereof. Motion carried 6-1 with Mr. Bertram voting no.

C. SCHEDULE FOR FIRST PUBLIC HEARING ON NOVEMBER 12, 1991 AT 7:00 P.M.

1. Z.C. #190

BY: Charles High
1315 Bush Creek
Grand Blanc, MI 48439

RE: 1350 N. Belsay Rd.
Lot 49 Supervisor's Plat of
Eastmoreland Acres
Section 12
R-1A to R-0

FOR: Counseling Office

Moved by Howlett, supported by Grantner to schedule Zoning Case #190 for First Public Hearing on November 12, 1991 at 7:00 P.M. Motion carried 7-0.

D. LOT SPLIT POSTPONED FROM SEPTEMBER 10, 1991 MEETING:

1. L.S. #91-27

BY: Ben Handa
2120 Kansas
Flint, MI 48506

RE: Q-397-F1
Section 34
Zoned R-0

FOR: Office Development

Mr. Handa was not present for the lot split.

There was no audience participation.

Mr. Strasser said the DPW has no problems with the request, but prior to last meeting, the applicant asked for a postponement and we haven't heard anything since. Possibly we could postpone once again and Mr. Strasser will call Mr. Handa to see what the status is on the request.

Moved by Howlett, supported by Bertram to postpone Lot Split #91-27 until the November 12, 1991 meeting. Motion carried 7-0.

E. AUDIENCE PARTICIPATION:

P. Dargel, 6119 Hugh St., spoke regarding the station as Belsay and Davison Roads being inoperative. She also spoke concerning Zoning Case #190.

F. FIRST PUBLIC HEARINGS:

1. L.S. #91-33

BY: Fezent Enterprises
P.O. Box 16
Washington, MI 48094

RE: Q-270-C
Section 25
SE Zoned

FOR: Residential Development

There was no one present for this case.

Mr. Strasser explained that on Vassar Road south of Atherton Road there is presently a farm field. The applicant is asking to split two parcels for residential development.

Moved by Howlett, supported by Grantner to approve Lot Split #91-33, contingent upon DPW recommendations. Motion carried 7-0.

2. L.S. #91-34

BY: Chris Lucckeman
3455 Townehill
Grand Blanc, MI 48439

RE: Q-2
Section 1
R-1A Zoned

FOR: Residential Use

Mr. Lucckeman said he would like to build a residential home.

Audience Participation:

Allen Schmidley, 6181 Greenview Dr., said he lives across the street from this property and he didn't know much about this, but it appears to be okay. He is not opposed as long as it meets all the standards.

Harold Brock, 6245 Golfview Dr., said he does not oppose the development.

Moved by Smiley, supported by Howlett to approve Lot Split #91-34, contingent upon DPW recommendations. Motion carried 7-0.

G. SITE PLAN REVIEWS:

1. SPR #91-41

BY: Thomas & Gail Spence
3190 Carr St.
Flint, MI

RE: 4235 Davison Road
The West 15 feet of Lot No. 1 of
Hammond Gardens
C-2 Zoned

FOR: Renovation of existing structure
for an office.

Mr. Strasser said there is a small building on Davison Road with a lot that is deep and narrow. There is no formal parking in front of building. Mr. Spence is trying to get a curb cut but the County didn't think it would be adequate. Mr. Spence is trying to work out the parking situation with one of the neighbors on either side, but the situation hasn't been fully resolved yet.

Mr. Bertram asked how many parking spaces are required. Mr. Strasser replied there are two parking spaces required.

Mr. Grantner said the applicant should be here to clarify any questions the board may have. We need to take a conservative approach when the applicants do not attend the meetings.

Moved by Grantner, supported by Bertram to postpone SPR #91-41, until the next meeting of November 12, 1991. Motion carried 7-0.

2. SPR #91-45

BY: Charles High
1315 Bush Creek Dr.
Grand Blanc, MI 48439

RE: Lot 49 of Supervisor's Plat of
Eastmoreland Acres
R-1A Zoned

FOR: Remodeling of residential structure
for an office.

Mr. Berry asked Mr. High if he had planned on getting the site plan approved prior to getting his variance request approved?

Mr. High explained that the variance was denied, and he decided to try to get the site plan approved and ask for rezoning of the property. He would like to start remodeling in January of 1992.

Mr. Berry said the rezoning of this property would cause strip zoning.

Mr. High said on either side of this property, they owners are not against the rezoning. He said he would place another row of pines for screening of the residential property in the back.

Mrs. Howlett said the people in the area should be contacted regarding this site plan. We could act on the site plan and reschedule zoning case for November 12th. She then asked Mr. High if he had considered the cost involved if he should be start the remodeling and don't get the rezoning approved.

Mr. High said he understood the chance is he taking. He also stated that he agreed with all of the DPW recommendations.

Moved by Howlett, supported by Bertram to approve Site Plan Review #91-45 contingent upon DPW recommendations and property zoning. Motion carried 7-0.

G. SITE PLAN REVIEWS CONTINUED:

1. SPR #91-47

BY: Tom Sheroski
9505 E. Atherton Rd.
Davison, MI 48519

RE: Little Caesar's
1063 E. Bristol Rd.
Lots 59 & 60 Burton Gardens
Section 30
C-2 Zoned

FOR: New construction for a carry out
pizzeria.

There was no one present representing Mr. Sheroski.

Mr. Strasser said the site plan completely meets all criteria of Ordinance. The Little Ceasars on Bristol Road and I-475 will be closed as well as the one on Fenton Road. There will be a drive-thru and the house on the property will be torn down.

Mr. Berry said possibly NHS could move the house to a vacant lot, as it is a nice house.

Mr. Strasser said he would discuss it with them.

Discussion was held regarding curb cuts along Bristol Road should other businesses go into this area.

Mr. Strasser said a joint drive-way would be a solution. He would like to try to set a meeting with the County and get this resolved.

Moved by Howlett, supported by White to approve Site Plan Review #91-47, contingent upon DPW recommendations. Motion carried 7-0.

H. C-4 CONSIDERATION FOR ADDITIONAL SIGNAGE:

1. SPR #91-42

BY: Forest City Enterprises
10800 Brook Park Rd.
Cleveland, OH 44130-1199

RE: VG's Food Center
4165 E. Court St.
Courtyard
C-4 Zoned

FOR: Additional free-standing sign on
site. (Refer to Sect. 5.28, Item E)

Gary Kephardt, Forest City Enterprises, explained they would like an additional sign on the west side which would be 15 feet from the West entrance into the Courtyard.

Mr. Strasser said this is the first request we have had such as this. We don't see a problem with the request, particularly when we have large vacant buildings. The site is big enough to accomodate two signs.

Moved by Bertram, supported by Howlett to approve Site Plan Review #91-42, contingent upon DPW recommendations. Motion carried 7-0.

I. SPECIAL USE APPROVAL:

1. SPR #91-44

BY: Hazen Thayer & Robert Petriches
1311 Potter Blvd.
Burton, MI 48509

RE: 1256 S. Belsay Rd.
N 57.5 feet of E 152.5 feet of Lot
22 & Lot 23 of Cardinal Gardens
C-3 Zoned

FOR: Automotive Repair Facility
"Permitted Use After Special
Approval"

Mr. Thayer said he would like to move his business to Belsay Road.

Mr. Berry asked about front yard use. Mr. Thayer replied the plans show no outside parking.

Mr. Thayer agreed to DPW recommendations.

Mr. Strasser said this is a two-fold situation. The Site Plan and Permitted Use After Special Approval. One use is being sold off and the new owner going in with same basic use but more intense use.

Mr. Strasser said the School buses and recreational vehicles are to be removed from the site. Under the Ordinance, the use is more intense than what is normally occupied under C-2 use. The gentlemen want to have their business in Burton and have been looking for one which would allow this zoning. The front yard of the house will be turned back into grass and landscaped area. All vehicles under repair must be out behind the house, nothing out in the front. There will also be no parking spaces in the front.

Moved by Howlett, supported by Bertram to approve Site Plan Review #91-44, contingent upon DPW recommendations with all vehicles under repair to be in back of house. Motion carried 7-0.

J. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #91-40

BY: Apple Manufactured Homes
9192 N. Saginaw Street
Mt. Morris, MI 48458

RE: Apple Manufactured Homes
4396 S. Dort Hwy.
Q-356-6
Section 32
C-2 Zoned

FOR: New Use Within A Tenant Space

Mr. Strasser said this site had many different uses. The gentleman is already in the building and it is zoned C-2. This type of use requires M-1 so he needs a variance or M-1 Zoning. He has signed up for the ZBA meeting next week. We didn't authorize him to go in there prior to approval. I spoke with the owner of the property and if possible, the City could initiate a zoning change. If the uses don't fit the commercial zoning, we will have to put him on notice.

Moved by Howlett, supported by Smiley to approve Site Plan Review #91-40, contingent upon ZBA approval. Motion carried 7-0.

K. C-4 ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #91-43

BY: Midi to Go III
1235 S. Center Rd.
Burton, MI 48509

RE: Midi to Go III
1235 S. Center Rd.
Park Place Centre

FOR: Change of use within a tenant space
"Musical Instrument Store"

Moved by Howlett, supported by Smiley to approve Site Plan Review #91-43, contingent upon DPW recommendations. Motion carried 7-0.

L. BOARD DISCUSSION:

Mr. Strasser said the automotive repair business located at Bristol and Howe Rd. has been issued a violation notice and is going before the judge.

Mr. Bertram inquired about the trucking company located on Bristol Road. He said there are more trucks than what was supposed to be there and they have now moved to the East of where they originally started.

Mr. Strasser said they have gone way overboard with the number of trailers on the property.

Mr. Berry said they are consistently dragging limestone and dust out onto Bristol Road.

Discussion was held regarding rezoning property at Davison and Belsay Roads. Mr. Berry said if the property is rezoned that one area will constitute strip zoning.

Mr. Bertram asked what the steps would be to get the zoning done properly.

Mr. Berry said Mr. Strasser could institute a petition for rezoning from the Planning Commission.

Mr. Strasser said it is up to the Board and City Council whether it should be rezoned. There is much more commercial use than residential use in that area.

Mr. Grantner said he is disappointed in people who had business scheduled tonight and didn't appear at the meeting. We should send a reminder to them about the meeting or devise a system that explains what we are planning to do. Mr. Grantner asked Mr. Strasser to bring a draft of a document to the next meeting to try and eliminate scheduling cases which will not be heard.

Moved by Howlett, supported by Bertram to instigate a zoning petition from M-1 to R-O on Davison and Belsay Road, north to Blanche Bekkerring building. Motion carried 7-0.

The next regularly scheduled meeting will be held November 12, 1991 at 7:00 P.M.

Meeting Adjourned at 8:38 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC
Burton City Deputy Clerk

CML