

CITY OF BURTON
REGULAR PLANNING COMMISSION MINUTES
OCTOBER 8, 1996, 7:00 P.M., COUNCIL CHAMBERS

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

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

MEMBERS ABSENT: Merrell.

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

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

Grantner moved and Bertram seconded the following motion:

Approve and authorize the minutes of the regular meeting of September 10, 1996 at 7:00 P.M., as printed. Motion carried 8-0.

B. SCHEDULE PUBLIC HEARINGS FOR NOVEMBER 12, 1996 AT 7:00 P.M.:

1. ZC #219

BY: The Tobin Group
31500 W. Ten Mile Rd.
Farmington Hills, MI 48336

RE: NW Corner of Atherton & Belsay Rds.
Section 23
Zoned R-1A & C-2 to RM and
from R-1A to C-2

FOR: Multi-family Residential and
Commercial.

2. LS #96-70

BY: Patrick H. Kaffenberger and
Joseph A. Kaffenberger
5516 S. Irish Rd.
Grand Blanc, MI 48439

RE: 59-36-100-033
Section 36
Zoned R-1B

FOR: Residential Use.

3. P-96-013

BY: John & Marcella Eads
6343 Samson Dr.
Grand Blanc, MI 48439

RE: 1/2 R.O.W. adjacent to Lot 1 of
Wagner Acres
4270 S. Vassar Rd.

FOR: Vacating of Right-of-Way.

B. SCHEDULE PUBLIC HEARINGS FOR NOVEMBER 12, 1996 AT 7:00 P.M.:

4. P-96-015

BY: Carol Hamilton
1505 Proper
Burton, MI 48529

RE: Unimproved R-O-W (Furey)
From north right-of-way line of
Proper Avenue to south right-of-way
line of unimproved Gram Avenue.

FOR: Vacating of Right-of-Way.

Moved by Howlett, seconded by Bertram to schedule ZC #219, LS #96-70, P-96-013 and P-96-015 for public hearing for November 12, 1996 at 7:00 P.M. Motion carried 8-0.

C. PUBLIC HEARINGS:

1. LS #96-59

BY: Curtis E. Lilly
4119 E. Maple Rd.
Burton, MI 48519

RE: 59-34-300-040
Section 34
Zoned SE

FOR: Residential use.

Mr. Lilly said he is asking for a lot split so his son can build a home next to his, as his daughter-in-law, as well as himself, are in bad health and this way they would be nearby should they need one another.

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

Mr. Strasser said the lot is substandard in the front so they would have to go before the Zoning Board for a variance if this is approved.

Mr. Perez asked if this has been done before. Mr. Strasser said yes.

Mr. Bertram asked if the variance would be permanent. Mr. Strasser said yes, the variance would stay with the property, not the owner.

Moved by Howlett, seconded by Walls to approve Lot Split #96-59 contingent upon DPW recommendations and a variance from the Zoning Board of Appeals. Motion carried 8-0.

2. LS #96-61

BY: Susan Handa & Larry Huber
4497 Howe Rd.
Grand Blanc, MI 48439

RE: 59-34-400-002
SW 1/4 of SE 1/4 except N 4 rods
of W 40 rods of Section 34.
Zoned SE

FOR: Residential Use.

Ms. Handa said she had nothing further to add to her request for a lot split.

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

Mr. Strasser asked if they were planning a single-family home. She said yes. He said they must pay for an additional sewer tap. Everything else exceeds what is required by ordinance.

Mrs. Walls said Ms. Handa is her niece and she would be voting in the affirmative.

Moved by Howlett, seconded by White to approve Lot Split #96-61 contingent upon DPW recommendations. Motion carried 8-0.

3. LS #96-62

BY: Michael Serra
PO Box 263
Davison, MI 48423

RE: Lot 50 Lapeer Manor #1
Section 14, Zoned R-1B

FOR: Residential Use.

Mr. Serra was not present. Mr. Strasser said he was aware of the meeting.

Moved by Bertram, seconded by Perez to postpone LS #96-62 until the end of the meeting. Motion carried 8-0.

LS #96-63

BY: Joseph Hanson
5520 Rushmore Pass
Grand Blanc, MI 48439

RE: 59-13-400-021
Section 13, Zoned R-1A

FOR: Residential Use.

Lisa Hanson was present representing her husband. She said she had nothing to add to their request.

Audience Participation:

Pauline Dargel, 6119 Hugh St., asked if there was a street address or if this is undeveloped property.

Mrs. Hanson said the property is at the corner of Lapeer and Vassar Roads and belongs to her mother-in-law. She wants to split the property so they can build a house on it.

Mr. Strasser said the lot exceeds the ordinance requirements, but Mrs. Hanson will have to pay for an additional sewer tap to the property.

Moved by Howlett, seconded by Perez to approve Lot Split #96-63, contingent upon DPW recommendations. Motion carried 8-0.

D. AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh, spoke concerning duties and types of variances brought before the Planning Commission. Also, she spoke concerning the rezoning of commercial property that will never be developed being changed back to residential.

Mr. Strasser said possibly the Planning Commission could take a look at that area rezone back to residential when updating the master plan. He also noted that reconsideration for a site plan is not spelled out in the zoning ordinance but there is a right to appeal to the City Council.

E. SITE PLAN REVIEWS POSTPONED FROM SEPTEMBER 10, 1996 AT 7:00 P.M.:

1. SPR #96-55

BY: Gregory M. Tomek
6204 East Knoll Dr.
Grand Blanc, MI 48439

RE: Americlean, Inc.
3172 E. Hemphill Rd.
Lot 4 of Palace Plat
Section 28
Zoned M-2

FOR: Change of Use.

Mr. Tomek said he had no problems with any of the DPW requirements. They will be changing the use to carpet cleaning.

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

Mr. Strasser said the use fits the zoning and the building is neat and clean and will make a nice addition to the neighborhood. The trucks will be parking inside the building.

Moved by Howlett, seconded by Grantner to approve Site Plan Review #96-55 contingent upon DPW recommendations. Motion carried 8-0.

2. SPR #96-58

BY: Heba Nannoshi
17554 Lincoln Dr.

RE: Center Market
3496 S. Center Rd.
Part of Lot 31 of Follo Acres
Section 28, Zoned C-3

FOR: Convenience Store.

Hadir Nannoshi. 17554 Lincoln Dr., Lathrup Village, MI, said he was representing Heba Nannoshi.

Mr. Bertram asked why no prints were required. Mr. Strasser replied everything is up to date and there are no changes.

Mr. Berry asked if there were any problems with the DPW requirements. Mr. Nannoshi said he had none.

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

Mr. Strasser said previously there was a problem with the number of signs at the site, but this problem has been corrected and everything is in compliance.

Moved by Howlett, seconded by Perez to approve Site Plan Review #96-58, contingent upon DPW recommendations. Motion carried 8-0.

3. SPR #96-66

BY: LaGarda Security
2123 S. Center Rd.
Burton, MI 48519

RE: LaGarda Security
2123 S. Center Rd.
59-22-100-005 and 59-22-100-006

FOR: Parking Lot Addition.

Michael Hall, 3394 E. Carpenter Rd., Flint, MI said he has no problems with the DPW requirements. They plan to eliminate the parking lot to the south of the building. They have applied for a \$250,000.00 loan and will put in a parking area for 50 cars. The property to the north of the existing business has been purchased and if at all feasible, the house will be saved. They would like to put in a retail store.

Mr. Berry asked when they propose to put in the parking lot. Mr. Hall said it all depends on when the loan is approved.

Mr. Bertram asked what would be done with the abandoned well that is shown on the drawing. Mr. Strasser said it would be capped.

Mrs. Howlett asked about the landscaping plans along Center Rd. Mr. Hall said this would be done.

Mr. Bertram asked what kind of retail business they are planning. Mr. Hall said it would be a uniform shop for police, fire and EMS supplies.

Mr. Strasser said there is a minimum setback of 30 feet required for parking area per the ordinance.

Moved by Howlett, seconded by Mayor Smiley to approve Site Plan Review #96-66 contingent upon DPW recommendations and abide by the 30 ft. setback as required by ordinance. Motion carried 8-0.

F. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #96-68

BY: Bernard Girard
7091 E. Coldwater Rd.
Davison, MI 48423

RE: Anchor Pipeline, Inc.
2122 E. Hemphill Rd.
59-29-551-025 & 59-29-300 011
Section 21
Zoned M-1

FOR: Change of Ownership.

Mr. Girard said he has been in business since 1969 in Flint and employs between 40 and 50 people.

Mr. Strasser said this is also a contracting business and Mr. Girard does understand that any equipment must be inside the building. This is a very nice looking site. It was remodeled in 1989.

Mr. Bertram asked what kind of business this is. Mr. Girard said they make gas lines for Consumers Power.

Moved by Howlett, seconded by Walls to approve Site Plan Review #96-68 contingent upon DPW recommendations and parking the equipment inside the building. Motion carried 8-0.

2. SPR #96-69

BY: Admiral Petroleum Company
13 Randall St., P.O. Box 198
Coopersville, MI 49404

RE: Admiral Petroleum Company
G-4232 S. Saginaw St.
Burton, MI 48529
Lots 142, 143, 144, 145, 146, 147
and 149 of WEBER PLACE
Section 32, Zoned C-2

FOR: Change of Ownership

Tom Clemons explained that he is planning to have a gas station and convenience store at this site. The hoist will be removed, as well as the waste oil and kerosene tanks, before opening.

Mr. Berry asked if he had any objections to the DPW requirements. Mr. Clemons said no.

Mr. Strasser said the site is in tact and DPW recommends approval.

Mr. Perez asked if the site had been checked for any leaks. Mr. Clemons there are no leaks.

Moved by Howlett, seconded by Perez to approve Site Plan Review #96-69, contingent upon DPW recommendations. Motion carried 8-0.

G. PLAT APPROVAL POSTPONED FROM SEPTEMBER 10, 1996 AT 7:00 P.M.:

1. SPR #96-65

BY: Louis Albert Blake Rizzo
Development, Inc.
31511 Gratiot Avenue
Roseville, MI 48066

RE: Maplewood Meadows No. 2
North of Maple Rd.
Section 35, T7N, R7E
City of Burton
59-35-300-011 400-028

FOR: Preliminary Plat Final.

Blake Rizzo was present and said he meets all the requirements of the City and is ready to proceed with Maplewood Meadows No. 2.

Mrs. Howlett complimented Mr. Rizzo on the beautiful homes he is building.

Mr. Strasser said the lots that are involved exceeds what is required by the ordinance. Mr. Rizzo is leaving the level of the land as it is and not changing the aesthetics.

Moved by Howlett, seconded by White to approve Site Plan Review #96-65 contingent upon DPW recommendations. Motion carried 8-0.

H. RECONSIDERATION FOR EXISTING SITE PLAN REVIEW:

1. SPR #95-45

BY: Mary Moss O'Mara
3130 Eugene St.
Burton, MI 48519

RE: O'Mara Dance Arts School
6435 E. Atherton Rd.
E 76 ft. of the S 91.70 ft. of
Lot 6 Pioneer Acres

FOR: Change of Ownership & Use and
Expansion of Building.

Ed O'Mara, 3130 S. Eugene St., represented his wife, Mary. He said they want to pave around the building and would like to have a drive off Eugene Street for the safety of the children when being dropped off and picked up by their parents. Presently the parents are having to back out onto Atherton Road.

Mrs. Howlett said the building has been upgraded and look better than what was there before.

Mr. Bertram asked if there is a problem with the Barber Shop, if cars park in their lot. Mr. O'Mara said there isn't a problem because the hours are different.

Mayor Smiley said he met with Mr. O'Mara and recently Council accepted a petition from the residents for the paving of Eugene Street. Mr. O'Mara has agreed to pay for his portion on Eugene Street. He said he has had no resident on Eugene Street contact him about this request. He explained that if this street is paved, there would be no parking allowed on the paved street.

Larry Stephens, 3049 Vineland, said he is concerned about the property being non-conforming, as this area on Atherton Road is zoned residential. He is also concerned about cars being parked in all different directions and the No Parking signs not being obeyed.

Pauline Dargel, 6119 Hugh, said she didn't think the site plan had been submitted as of Monday, p.m. She asked if a professional engineer had approved this driveway culvert so close to Atherton Road. She also inquired about screening for the neighbor to the north.

Mr. Berry said on the original site plan, he didn't see a requirement for screening.

Mr. O'Mara said the resident to the north, verbally requested that no screening be installed.

Mrs. Howlett asked when the parking area would be paved. Mr. O'Mara said as soon as the entrance is okayed. He would like to have one continuous piece of pavement.

Mr. Strasser said the driveway had to be realigned and DPW has no problems with the request.

Mr. Bertram asked if there would be any commercial traffic would be involved and he was advised no.

Moved by Howlett, seconded by Mayor Smiley to approve Site Plan Review #95-45 contingent upon DPW recommendations. Motion carried 8-0.

C. PUBLIC HEARING:

3. LS #96-62

BY: Michael Serra
PO Box 263
Davison, MI 48423

RE: Lot 50 Lapeer Manor #1
Section 14, Zoned R-1B

FOR: Residential Use.

The applicant was not present to explain his lot split.

Moved by Bertram, seconded by Howlett to postpone LS #96-62 until the next regular meeting of November 12, 1996 at 7:00 P.M. Motion carried 8-0.

I. BOARD DISCUSSION:

Mayor Smiley said in the next two or three weeks the Planning Commission and ZBA members will be contacted to have a picture ID taken, so when reviewing cases you will have City identification.

Mayor Smiley also informed the members that on May 26, 1997, there will be a 25 year celebration for Burton becoming a City and a parade will also be held that day. Anyone interested in helping is welcome.

Mr. Berry said he thinks the C-2 zoning of the property on Clarice Street should be changed back to residential.

Mr. Strasser said there has been talk about going through the comprehensive plan and if and when we do, there are other areas similar to this situation that should also be changed.

Mayor Smiley commented that there seems to be quite a number of lot splits being done in the City. Mr. Strasser said many of the people who own the large lots, are selling them for profit.

Mr. Berry announced that the next regularly scheduled meeting will be held November 12, 1996 at 7:00 P.M.

Meeting Adjourned at 8:14 P.M.

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML