

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
MARCH 18, 1993, 7:00 P.M., COUNCIL CHAMBERS

ZBA Meeting called to order by Doug Gooding, Chairman, at 7:00 P.M.

MEMBERS PRESENT: DePottey, Berry, Hohloch, Welliver, Gooding, Edmonds, Cox.

MEMBERS ABSENT: None.

OTHERS PRESENT: J. Major, DPW Director; R. LaDuke, Building Supervisor and C. Ladd, Deputy City Clerk.

A. APPROVE THE MINUTES OF THE FOLLOWING MEETING:

Berry moved and Welliver supported the following motion:

Approve and authorize Regular ZBA Minutes of February 18, 1993 at 7:00 P.M., as printed. Motion carried 7-0.

B. YEARLY RENEWALS:

1. ZBA #93-9

By: Roy Hall
4020 Woodrow Ave.
Burton, MI 48509

Re: Lot 111 Greenlawn Plat
Section 3
R-1B Zoned

For: To operate a Landscaping and
Grounds Maintenance business from
above address. M-1 Light Industrial
Use in a Single Family Zoned Area.
(5 Votes Required)

Mr. Hall explained that he would like to keep his equipment at the above address. He said within the next year or so he would have a place of his own and have the storage spaced needed. Mr. Hall said the spring and summer is when he earns his livelihood and without the approval he would experience a financial hardship.

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

Mr. LaDuke said the proper notices were sent and the DPW hasn't received any complaints about this case. DPW recommends approval of ZBA #93-9.

Mr. Cox said he has seen this property and the equipment is always put away. The only thing out is the trailer.

Mr. Edmonds said he lives near this site and it is a clean operation.

Moved by Edmonds, supported by DePottey to approve ZBA #93-9 for a period of one (1) year to operate a landscaping and grounds maintenance business from Lot 111 Greenlawn Plat, Section 3. Motion carried 7-0.

B. YEARLY RENEWALS CONTINUED:

2. ZBA #93-10

By: Christopher Haag
4090 Lapeer Rd.
Burton, MI 48509

Re: Q-181-A
Section 15
C-4 Zoned

For: Request Multiple Family Use in a C-4
Zoned Area for a Fraternity.

Mr. Haag said he is currently renting the house with 12 other men living there while attending U of M Flint. The men are from other areas of the State and being able to rent the home is better for all of them than commuting each day. Mr. Haag said the hardship would be if all 13 men had to move back home and drive some distances, costing them to spend more than they pay now. It would also put a strain on their academic endeavors and a strain on their jobs because many of the men are working in the area.

Mr. Gooding asked if anything had been done about the trash problem they had last year. Mr. Haag replied they are renting their own dumpster.

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

LaDuke said the proper notices were mailed to the residents and DPW received no negative input. The trash has been picked up and the site looks much better. The cars should be parking on the driveway instead of the lawn, even though this may be an inconvenience. DPW recommends approval.

Mr. DePottey said he thinks the young men have done well and are learning responsibility by being away from home.

Mr. Hohloch questioned the number of people living in the house and asked if there had previously been a stipulation as to the maximum number of people living there. He was advised no set amount had been given. Mr. LaDuke said in the minutes of 1990, a request was made to expand the driveway to accommodate 18 parking spaces.

Moved by DePottey, supported by Welliver to approve ZBA #93-10 for a one (1) year variance for multiple family use in a C-4 zoned area for a fraternity. Motion carried 7-0 with a roll call vote.

3. ZBA #93-11

By: AC Rochester Division of General
Motors Corporation
1300 N. Dort Hwy.
Flint, MI 48556

Re: 1300 N. Center Road
Burton, MI 48509
Q-69, Section 10

ZBA #93-11

For: To place on (2) Mobile Office,
Double wide (24' x 50') on site for
general office purpose, located at
the Plant #7 facility - 1300 N.
Center Road, Q-69, Section 10.
(5 Votes Required)

Dave Whidden was present representing AC Rochester of G.M. He said their request is to continue operating in the two (2) mobile units outside Plant #7 as they do not have office space in that plant. Mr. Whidden explained the mobile office units are a necessity as they have not been able to make any changes up to this point. The units have been hidden out of site. If they are not allowed to maintain the units they wouldn't have a place for their employees to function.

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

Mr. LaDuke said the neighbors were notified and DPW received no complaints about the mobile units. They are out of public view and DPW recommends approval.

Moved by Welliver, supported by Edmonds to approve ZBA #93-11 for two (2) Mobile Office Double wide (24' x 50') on site for general office purpose, located at the Plant #7 facility, 1300 N. Center Rd., Burton, MI 48509. Motion carried 7-0 with a roll call vote.

NEW APPLICATIONS:

1. ZBA #93-14

By: Lucas Cirtek Corp.
3027 Airpark Drive North
Flint, MI 48507

Re: 5350 Davison Rd.
Q-89-F
C-2 Zoned

For: To conduct a light manufacturing
use in a commercially zoned area.
For manufacturing of electronics
assembly and electro mechanical
switch assembly.
(5 Votes Required)

Mr. Tom Schilling said he was representing the Lucas Cirtek Corp. He explained they are asking to conduct a light manufacturing use in a commercially zoned area. The building would be upgraded and landscaping would be put in. Also, the roof would be replaced along with many other improvements. The facial structure of the building would be upgraded. Mr. Schilling said they have some new product lines coming into their business. If they are unable to move their business to Burton, they would be taking the jobs out of the area. They don't have enough time to build a new building and found this building to be available.

Mr. Gooding asked if the parking area would be expanded. He was advised no.

Mr. Schilling said the receiving dock in back would be refurbished and there would be five or six semi's coming in and out taking goods. They would most likely use the Belsay Road access.

Mr. Gooding asked how many people they employ. Mr. Schilling said about 200 employees on two shifts, four (4) days per week, Monday through Thursday.

Audience Participation:

Bob Keely, 715 W. 12th St., gave a brief history of the building and asked that the Board consider approval of the request, so the building will not continue to set empty as the building is no longer viable for a retail store.

Mr. LaDuke said Cirtek has a 6 to 8 minutes tape they would like to share with the Board. After discussion, the Board said they would view the tape after completion of the audience participation.

The following people spoke against the variance:

Frank Weir, 2036 Crestline Cr., stating property value would decrease and the increase in traffic.
Kenda Hudson, 5382 S. Sycamore, doesn't want to live this close to industry.
Evelyn Dick, 2017 Crestline Dr., wants to retain park-like area, concerned about environment and resale value of her home.
Lottie Weir, 2036 Crestline Cr., opposes variance.
Barbara Clapp, 2032 Crestline Dr., doesn't want to look at parking lot.
Don Clapp, 2032 Crestline Dr., doesn't want factory in the neighborhood.
Kathy Weir, 5123 Moceri Ln., Grand Blanc, objected to receiving the notice only 48 hours prior to the meeting. She also said many of the residents were not able to attend tonight's meeting to voice their objections. She said the City should stay consistent with the master plan. She asked if a traffic study had been done.

Dargel, 6119 Hugh St., said she agrees with Ms. Weir regarding the master plan as these people have an investment in their property. She also questioned how this case came to the ZBA prior to Planning Commission.

The following people spoke in favor of the variance:

Bud Hosner, 1420 Schafer Dr., said jobs are hard to come by and this would bring jobs and tax base to Burton and would be good for community as a whole.
Russ Brown, 3365 Shannon Rd., said this business is a clean operation and he can't see where area roads couldn't handle traffic. Also, the City has a need for the tax base and jobs.

The Board viewed the tape by Cirtek.

Mr. LaDuke said hopefully the tape explained a little more about the Cirtek operation. There is no noise problems. Mr. LaDuke listed the following uses which fit under C-2 Zoning: Distribution Terminal, Rollerink, service station, bowling alley, arcades, etc. The Cirtek Corp has agreed to put in a buffer to screen the parking area from the subdivision across the street. After discussion with the DPW Staff, we feel the business would be an asset to the City of Burton.

Discussion was held regarding the traffic situation at the corner of Belsay and Davison Roads. Mr. LaDuke indicated that Cirtek would be willing to discuss an alternative should traffic become a problem during the change in shifts. Mr.

LaDuke said there should be no more and possibly even less traffic than what they had when they occupied the building.

Mr. Major said there is the possibility that the area would be eligible for an Urban Grant. He will contact Road Commission for a report prior to the Planning Commission Meeting.

Mr. Gooding asked about the signs for the business and if the existing sign could be taken down. He also asked if there would be any change in the lighting of the parking lot. Mr. Major replied the sign will be removed and Cirtek will be putting in a ground mounted sign. The lighting will remain the same.

Mr. Major noted that the Board received correspondence from the Mayor's Office and Mr. Gooding read that correspondence to the audience.

Mr. Gooding asked what environmental affect the plant would have on the area. Mr. Major said the EPA is well within the limits of the guidelines.

Mr. Gooding inquired about the Board deviating from the zoning and the types of uses which could go into the building. Mr. Major said when dealing with an existing structure, the Board is dealing with a specific use for a specific building and this has nothing to do with the zoning. Mr. Gooding said every time a proposal has been made for this building, it is always unpopular, no matter what the business may be. He said the property is falling apart and something needs to be done, so he would support this request for a variance.

Mr. Welliver said he has heard glowing reports about the Cirtek Corporation. Dort Federal Credit Union has serviced the employment group for many years and he thinks they would be an asset to the City.

Mr. DePottey said this company would be an asset to Burton and would be better than having the building empty. There are semi's parking in the lot. He asked what kind of waste is generated by the plant.

Mr. Schilling said the dumpster are emptied every day. He said they have one of the cleanest plants in the world. The employees are happy and feel good about what they do and about themselves.

Mr. DePottey said he thinks the City will benefit from Cirtek and is honored they have considered moving their business into Burton.

Mr. Edmonds said the City does need jobs and this will upgrade the community. However, he does have concerns about the neighbors. After viewing the video, it seems they run a very clean operation. He asked what type of buffer zone could be placed between the plant and the subdivision.

Mr. Berry said he hasn't seen the site plan yet, but there are several things which can be done. Many of the questions asked here tonight will be dealt with when this comes before the Planning Commission for the site plan. Mr. Berry said he thinks it would be much better for the business to get a variance than to have the property rezoned.

Mr. Hohloch said this building has had many uses over the years and they have all been unsuccessful. If Michigan is going to move away from the Rust Belt, the local areas need to be flexible for the market changes. He said there should be some constraints on the business because of the sensitive area and issue.

Mr. Cox said compared to the unoccupied building presently there and the potential this business has and the jobs it could bring to Burton, he thinks the business would be an asset to the City and would give the City a good tax base.

AUDIENCE PARTICIPATION:

P. Dargel, 6119 Hugh St., said she is concerned about the cases heard by the Zoning Board of Appeals.

K. Hudson, 5382 S. Sycamore, said she is concerned that the overall plan is not being followed.

F. BOARD DISCUSSION:

Mr. Hohloch said after speaking with the City Council, there is available money if any of the Board wishes to attend any continuing education seminars.

Mr. Berry said in the past those wishing to go, notify the Clerk's Office and arrangements are made for the members.

Mr. LaDuke said those who wish to attend any seminars can contact himself or Tom Strasser and arrangements will be made. Also, if anyone has a question on any of the agendas, please contact himself or Tom so the questions can be addressed prior to the meeting.

Mr. Gooding asked that the DPW not give a recommendation on any of the cases in the future, as the Zoning Board is an independent Board. Mr. LaDuke agreed.

Mr. DePottey said he thinks the Board did the community a lot of good by approving the variance for Lucas Cirtek Corporation.

Moved by Edmonds, supported by Welliver to approve ZBA #93-14 to conduct a light manufacturing of electronics assembly and electro mechanical switch assembly and based on the premise of a deceleration lane (one presently exists on Davison Road); Planning Commission to set up a buffer zone (landscaping area in public right-of-way of Davison Road and adjacent to the front setback area); and the existing sign to be removed and with a sign to be placed for Lucas Cirtek Corporation.

Moved by Edmonds, supported by Welliver to amend the motion to include that the use variance would be in effect as long as Lucas Cirtek Corporation is the tenant and the use is for manufacturing electronics assembly and electro mechanical switch assembly.

Amendment carried 7-0 with a roll call vote.

Original Motion, as amended, carried 7-0 with a roll call vote.

The next regularly scheduled meeting of the Zoning Board of Appeals meeting will be held on Thursday, April 15, 1993 at 7:00 P.M.

Meeting Adjourned at 9:36 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC/AAE
Deputy City Clerk

CML