

Peggy Gorham, 5420 E. Bristol, Burton, MI, said she is next to the property and she did not receive notification. She is very much against the car wash. Her concern is persons hanging around there and changing their oil while at the car wash. He is not building houses, he is selling lots. She cannot imagine anyone buying a lot with all the expense next to a car wash, so what is that going to do to his subdivision. It will pull the houses right down. Mrs. Gorham stated further she has lived there for 37 years and she feels it will ruin the neighborhood and devalue our houses. She asked the Board if they would like to live next door next to a car wash. She feels this is a fine business but belongs down on Center Road and not in our neighborhood.

Kenneth Caldwell, said he is a trustee of New Testament General Baptist Church. Our whole congregation is against the car wash for many of the reasons already mentioned.

Dan Forsythe, 5485 E. Bristol Rd., Burton, MI, said he is against the car wash and if he had known they were going to build one in his front yard, he would not have moved there in the first place. Like the other concerns expressed, there will be people congregating and it will be just about in my front yard. It is good that Burton is building, but not a car wash in our area.

Leigh Gabriel, 5455 E. Bristol Rd., Burton, MI, said she spoke to Mr. Ashley a few times about his development. She built a new house there five years ago because of the rural area, we plan on raising our family there. She feels a car wash will ruin property values, also the concerns of people loitering, trash, people cleaning their cars out and dumping stuff. She also feels it will be a deterrent for someone wanting to build a new home in the proposed subdivision with the car wash there.

Ward Feather, 3472 Dallas, Burton, MI, said he moved there in 1955 and is a long time resident of the area. It has been a really great area to live in. I am like the rest of the residents that spoke and don't feel we need the car wash and all the problems it will create, especially at night when you want to sleep.

Karen Hawrylo, 5372 E. Bristol Rd., Burton, MI, said she loves the area as it is now and prefers to keep it that way. I like progress and think car washes are neat, however, I don't want it here.

Michelle Gorham, 5401 E. Bristol Rd., Burton, MI, said she also was not notified of this meeting. All the 21 years they lived there it has always been suburban estates and that is what we like to think of it. We have an old farm house and have 7 acres, and in 21 years there has been five or six houses built in the immediate vicinity of our home. They all have a nice big chunk of land and we all like to think we are a little bit in the rural. She does not think a car wash which is something more fitting for downtown has any place in our subdivision. We made concessions the last time for him to build a subdivision and have the corner commercialized to a family business, maybe a dentist office or something like that to tie in with the neighborhood. I don't think any of us dreamed we would have to fight something such as a car wash right outside of our front window. Mrs. Gorham said she is very much against this.

Dax Yow, 3437 S. Belsay Rd., Burton, MI, said he bought his house about six months ago to get out of the city, and when I found out about this I came to the meeting. I don't want to see a car wash go in because I think it will attract a lot more people. I have the same concerns as everyone else.

Duncan Wooster, 5218 E. Bristol Rd., Burton MI said there have been seven new houses built in the last few years in that mile of Bristol Road from Genesee to Belsay. A lot of us have invested a lot of money in that area and the general feeling of the area is we really do not need a car wash. A dentist or doctor's office that is fine, when you win an award on a most beautiful car wash, it is still a car wash.

Pauline Dargel, 6119 Hugh St., Burton, MI, inquired if this is a re-hearing or a new application.

Mr. Kalanquin said it is a new application.

Mrs. Dargel said there was a zoning case #98-45 at Davison and Belsay Road that had the same type of zoning there that you do here, and at that time the request was the same thing, to put in a car wash. That was denied to Mr. Sekrenes. The zoning at this corner was changed less than one year ago, the Planning Commission heard it in November and said to make the whole thing residential. However, when it got to Council, the request had remained the same and Mr. Ashley made the request to a C-2 but was given a C-1. Now, there is a great effort to put into this commercial request. A year ago it was presented that the zoning change was needed to put in the subdivision.

Mrs. Dargel spoke further of maintaining the City's ordinances, and stated that Ordinance #19 would put this request with a special use at a much different type of highway. In order to be consistent as with your denial of request at Davison and Belsay, you need to deny a request for a car wash that backs up to a residential area. Most of us have taken part in the proposed Master Plan change, and the map showing this area is for open space residential. It does not show it should be heavy use commercial. The grocery store is for a neighborhood, and the C-1 is for neighborhood.

Michele Trafas, 6054 E. Bristol Rd., Burton, MI, said she has lived there for a little over a year. She does not feel the car wash would generate any more traffic than what they have already. Kids do not hang out at Nehrings Market and drink after hours and she does not think they would do that there.

Mr. Cool addressed the Board again. He said the picture of the car wash looks nice, but after 2 or 3 years it will not look like that. It will look trashy and dirty and I don't want it in my neighborhood.

Mr. Ashley indicated some residents were not notified because of the legal description of the property. There will be on-site management and he is not going to spend a million dollars on an operation and have teenagers drinking and hanging around in the parking lot. Most of the residents that have expressed concerns live close to a mile away from this intersection. Mr. Ashley introduced Brian Krygier and stated he would be the owner/operator.

Brian Krygier, 1227 Hidden Lake, Bloomfield, MI, said he would be the owner/operator and heading up the project with Gary Ashley. He will be the on-site attendant and guarantees it will be clean. Over 55% of the business is women that use it, and therefore, it has to be clean, look nice, well maintained, well lit, and women feel secure there. Mr. Krygier stated further, if there are people hanging out and not using the facility, I am going to move them along. Ed Ross & Sons are the largest apartment and condo developers in Michigan and they specifically asked Great Lakes Car Wash to build next to them because of the esthetics and what it brings to the community. The picture presented was taken five years after it was built. So to say it will not be maintained and kept up is not a valid argument.

Mr. Krygier commented further regarding the availability of City water and sewer at the location, and the different types of zoning that can go in there. He indicated he submitted a study to the Board of traffic flow generators, and compared to party stores, banks and other commercial uses, car washes is way below their averages. Mr. Krygier addressed the noise concerns and stated the City Ordinance is at .69 decibels at commercial lines versus residential lines, and the vacuums fall way below that, he believes .54 to .56 decibels. He is in business not only to make money but also to be part of the community, and feels this is a great location.

Mr. LaDuke complimented the audience on being the most orderly group he has seen. He appreciates their professionalism even though they oppose this. He said the DPW had the opportunity to review the site, and he looked at C-1 and C-3 zoning. He indicated further there is a lot of interpretation in zoning and the C-1 local business district is intended to permit retail business and service use, and you could say that it is a service to the community. The developer could lean towards that in his request. It definitely falls into a C-3 with a permitted use, but this Board has the capability to allow a permitted use in a C-1. The DPW looked at the site plan, and it was approved by the Planning Commission. Mr. LaDuke read aloud the DPW recommendations and indicated the Board members have a copy of them also. The updated version of the DPW recommendation for the Master Plan will indicate commercial property on all four corners there.

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Mr. Major said the southeast corner was a gas station and is owned by an oil company. The northwest corner is owned by an auto company. So we are going to see other site plans come through for those other two corners. Our zoning ordinance is 30 years old. The type of car wash that zoning ordinance is speaking to in a C-3 area is probably your top

hat style car wash where they say steam cleaning and those kind of uses.. The new style car washes, he does not believe are a C-3 use, they are more of a neighborhood use. He feels there should be some consideration for this variance at the corner.

BOARD DISCUSSION:

Mrs. Layman inquired regarding the hours of operation.

Mr. Krygier said he would not have a problem till 12:00 a.m. or if the Board felt it should be some other time.

Mrs. Layman asked if there would be someone there for the full time it is operating.

Mr. Krygier said it can run by itself but he will be the on-site attendant. If he is not there then someone else will be there.

Mr. Parker said this case was before the Board a month ago and I voted no. In looking through the Ordinance, I have to look back and see what the intent of the Ordinance is and why. I spoke to a couple of the City Council people today, and the information I received if correct, this piece of property was originally zoned agricultural and then the Ordinance was changed in 1984, and the property was zoned SE because the Master Plan was updated. Then Mr. Ashley bought this piece of property and he went before the Planning Commission to have it zoned R-1A, for the purpose of building homes. It went to the Planning Commission and they recommended it be approved with that whole piece of property being R-1A. When it got to the Council, the application was they would like that corner to be C-2. The Council determined C-2 would be too heavy of a use for a neighborhood project, so they decreased it down to C-1. If you look in the Zoning Ordinance at C-1, there is still a lot of stuff that I would not want to live next door to, but it is a lot more innocuous than a car wash. Although I have some tendency to agree with Mr. Major from the standpoint that I don't think a car wash is the same as it was 30 years ago, as I drive through Genesee County and look where car washes are, there is one on Bristol Road next to McDonalds in Flint Township on a five lane highway. There is one going in on Dort Hwy. south of Hill on a five lane highway, and all those are in commercial development areas where there is not a residential area.

Mr. Parker stated further, it is my feeling a car wash is not suited to residential area and I cannot support this. As I stated in the last meeting, in twenty years there may be enough traffic there, or Bristol Rd. may become five lanes and in twenty years it may be a good corner for a car wash, but I do not think it is now. I think the intent of the ordinance for C-1, and I guess I have to go back to the Council in their wisdom, they determined it should be C-1. I don't think this Board should go against what they thought is the right thing for that corner, so I cannot support this.

Mr. Cross spoke in reference to comments made on problems with car washes at night. He said they no longer have homes by the car wash on Belsay Road and I-69, because of the Road Runner project going in there, but the home that was directly adjacent to it had problems. He had the opportunity two or three times to be there when the police officers were called out because kids were hanging out there making noise and causing trouble. The resident was happy when he got bought out. I am not saying it would happen at this one, but he is staying with the zoning that was approved at Council which was C-1.

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BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Parker, seconded by Cross to deny ZBA #00-73.
Motion carried to deny, 4-3. Grantner – no, Curtis – no, Kalanquin – no.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on **Thursday, January 18,**

2001at 6:00 P.M.

MEETING ADJOURNED AT 6:52 P.M.

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