

Residents at odds with Burger King

Owners defend actions

By Casey Hane
staff writer

An old battle has heated up between two new River Glen Condominium residents, and those known for their flame-broiled burgers.

Conrad and Jane Beger said last week they are tired of excess garbage on the ground, and obscene language and smoke wafting into their bedroom from the Burger King restaurant on Grand River just east of downtown.

Burger King owners say the problems are not excessive, and they are working cooperatively with the condominium association to alleviate them. They have talked with the Begers, and say the complaints they could control are being handled.

THE BEGERS appeared before the Farmington City Council to complain about the neighboring restaurant, which faces Grand River and abuts the condominium complex in the rear.

Although Conrad Beger presented a petition to the council that he said contained 32 resident signatures, the number of signatures or the date he obtained them could not be verified; Beger did not leave the petition with the city clerk.

"Noxious fumes, noise and obscene language" come through the Begers' bedroom window nightly, Conrad Beger said, and garbage overflow is constantly coming over the brick wall, which separates the restaurant from the residential area.

"I don't think as residents of Farmington, we should have to put up with this," Beger said. "This is an on-going problem that, to this date, has not been resolved."

The Begers have lived in their unit since May. Jane Beger's parents lived there since the condominium was converted from apartments approximately 14 years ago, she said.

MAYOR WILLIAM Hartsock suggested the couple continue to work with restaurant management before bringing the problem back to council.

"We've gone as far as we can go with the problems," Hartsock added.

The Begers have already spoken with county health department officials, federal clean air officials, local managers, and have corresponded with the restaurant's regional manager, Ric McLellan.



River Glen Condos border this Burger King on Grand River to the north.

RANDY BORST/staff photographer

A recent letter from McLellan said he would take action and council members said they wanted to give him that time.

The Begers spoke during the public comment portion of Monday's council meeting. Since the issue was not on the agenda, no Burger King representatives were advised so they could speak on the restaurant's behalf.

But co-owners William Schonscheck and Charles Williams documented several changes made at the restaurant since they purchased it from the Burger King company in 1984 and spent \$400,000 to refurbish it.

AFTER THE Begers' most recent complaint — which involved teenagers driving into the lot late at night and honking their car horns — the owners said they placed chains across the driveway.

Nationally, the Burger King chain advertises their restaurants to be open until 4 a.m. The Farmington restaurant owners agreed, several

years ago, to limit the local restaurant's hours to midnight weeknights and 1 a.m. on Friday and Saturday nights, which could account for customer confusion, the owners said.

"Anything reasonable we can do, do it," Williams said. "We've tried to maintain the spirit. We've always been extremely responsive."

On the issue of garbage: "everyday, somebody is cleaning up the garbage that goes behind the wall," Williams added.

BEGER CONTENDS the problem is not solved. "The police record has a voluminous record of my calls," he said. "The faults have to be corrected." Beger complained that some of the employees don't leave the restaurant until 3 a.m. on weekends after cleaning it.

Jane Beger called on the restaurant to "close at a decent hour, so people can sleep. He (the manager) says he won't do it. I don't think the man should be closed. He should just run his business."

City manager Robert Deadman said the Beger complaint is not the first since the restaurant opened many years ago. The franchise has changed hands several times, and was eventually taken over by the Burger King company before being purchased by Williams and Schonscheck.

"It's been an on-going problem," Deadman said. He explained that neighbors sued to prohibit the building of the restaurant years ago, and lost. A drive-through with speaker box was allowed at the rear of the restaurant in 1984 with volume restrictions.

"They have a legal permit to do what they're doing," Deadman added. "We have no right to close down the business."

FARMINGTON PUBLIC Safety Director Frank Lauff said his department has responded to complaints involving city ordinances at the Burger King, including noise and garbage removal violations.

"Speeding and noise can be dealt with on an occurrence basis, and

overflowing dumpsters can be dealt with," Deadman added.

The city manager also said he didn't feel any restaurateur could be held responsible for occurrences after hours. Deadman said he would call the county health department for another review of the situation.

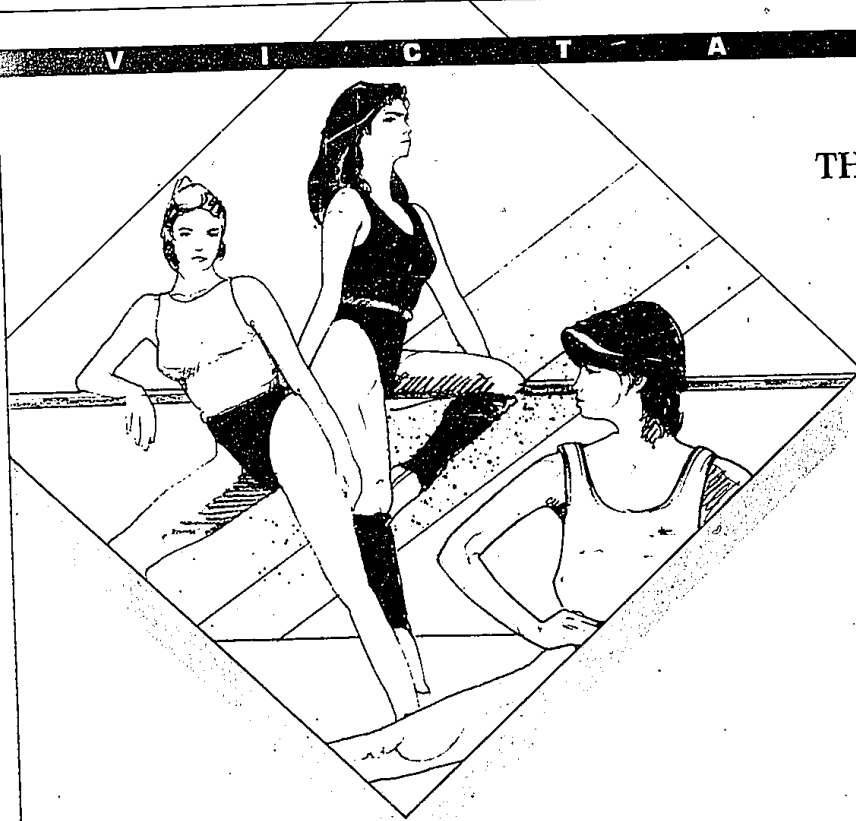
The condominium's manager, Del Cornwell, said the Begers were not speaking before council on behalf of the condominium's board of directors, but they were aware he was going before council to speak.

"Some were glad he was going, but he was not told to represent the board," Cornwell said.

He said the association is working with the restaurant owners to alleviate the current complaints, but believes some of the problems just come with living behind a restaurant.

"With a fast food place next to some residential, you're always going to have some arguments. This is an on-going situation. It's yet to be seen how well these (problems) are handled."

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