

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MEETING MINUTES
APRIL 19, 2012, 5:00 P.M., COUNCIL CHAMBERS
www.burtonmi.gov

Chairman Steve Welch called the Meeting to order at 5:00 p.m.

MEMBERS PRESENT: Parker, Welch, Weatherford, Groulx, Walls, Hynes and Parker.

MEMBERS ABSENT: Haskins.

OTHERS PRESENT: A. Frost, Deputy Planning Official and M. Snow, Clerk's Office.

Weatherford moved and Terry Parker seconded to approve the Regular ZBA Meeting minutes of March 15, 2012 at 5:00 p.m. Motion carried 7-0.

NEW APPLICATIONS:

- | | |
|---------------|---|
| 1. ZBA #12-08 | BY: James Paulus Jr.
4071 Saginaw St.
Burton, MI 48529 |
| | RE: 4071 Saginaw St., Parcel #59-32-501-005. |
| | FOR: To utilize a commercial business for both
commercial and residential.
(5 votes required) |

James Paulus Jr., 4071 Saginaw St., explained he has health issues that debilitate him at times and would like the option of staying at his place of business on occasion if and when his disease attacks him.

AUDIENCE PARTICIPATION: None.

Ms. Frost said the Assessor shows the property was used for residential and commercial purposes before. She said the Building Inspector had no issues with the request and she recommended approval.

Mr. Parker asked if the motion should include that this request is specifically for Mr. Paulus so if he sold the business it wouldn't be carried to the next owner.

Ms. Frost replied use variances are specific to the person it is intended for.

BOARD DISCUSSION:

Mr. Walls asked if small children would be staying there as well.

Mr. Paulus replied no children would be staying with him.

REGULAR ZONING BOARD OF APPEALS MINUTES

APRIL 19, 2012 / 5:00 P.M.

PAGE 2

BOARD RECOMMENDATIONS AND/OR ACTION:

Terry Parker moved and Tracy Parker seconded to approve ZBA #12-08. Motion carried 7-0.

2. ZBA #12-09

BY: William Dempsey
9411 Fair Oaks
Goodrich, MI 48438

RE: 2441 Bristol Rd., Parcel #59-29-400-014.

FOR: To conduct a used car sales not in
conjunction with new car sales, for
wholesale purposes. (5 votes required)

William Dempsey, 9411 Fair Oaks, said he is not selling cars but simply takes them to auction.

AUDIENCE PARTICIPATION: None.

Ms. Frost said the variance is requested for wholesale purposes only and recommended approval.

Mr. Parker wanted to be clear the only reason Mr. Dempsey is here is because he would like an office at the location since it is required by the State.

Ms. Frost said if the State didn't require the City to sign off and Mr. Dempsey hung his license there, we would probably not even know he was there. The State requires the City to say the zoning is ok before approval.

BOARD DISCUSSION:

Mr. Walls asked for clarification on the location of the property.

BOARD RECOMMENDATIONS AND/OR ACTION:

Terry Parker moved and Weatherford seconded to approve ZBA #12-09. Motion carried 7-0.

3. ZBA #12-10

BY: Dan McAvoy
3338 S. Grand Traverse
Burton, MI 48529

RE: 3338 S. Grand Traverse
Parcel #59-30-577-033

FOR: 1. Expand non-conforming residential use
for an addition to a garage, C-2 Zoned.
(5 votes required)
2. To construct the addition that will match
the existing height of the garage at 20 ft.;
16 ft. allowed. (4 votes required)

REGULAR ZONING BOARD OF APPEALS MINUTES

APRIL 19, 2012 / 5:00 P.M.

PAGE 3

Dan McAvoy, 3338 S. Grand Traverse, said the addition would be built for storage only.

AUDIENCE PARTICIPATION:

Bruce Watts, 1252 Decamp, expressed his approval for the variance.

Ms. Frost said the property is residential but because of the C-2 zoning anytime he does anything new to his property he would have to come before the Board to expand his nonconforming right. The existing garage is already at 20 ft. so to match it wouldn't be a concern. She recommended approval on both requests.

Mr. Parker wanted to verify that because this property is zoned C-2, when Mr. McAvoy has to deal with setbacks, it is based on the C-2 zoning not residential.

Ms. Frost verified that fact. She said this is a detached accessory structure and even in a C-2 zone there would only be a 5 ft. setback.

Mr. Groulx asked if there are plans to side the building.

Mr. McAvoy said he would be siding and roofing it.

BOARD DISCUSSION: None.

BOARD RECOMMENDATIONS AND/OR ACTION:

Terry Parker moved and Walls seconded to approve ZBA #12-10 part 1. Motion carried 7-0.

Terry Parker moved and Walls seconded to approve ZBA #12-10 part 2. Motion carried 7-0.

AUDIENCE PARTICIPATION: None.

BOARD DISCUSSION: None.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on **Thursday, May 17, 2012 at 5:00 p.m.**

Meeting adjourned at 5:17 p.m.

ms