

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MEETING MINUTES
NOVEMBER 15, 2012, 5:00 P.M., COUNCIL CHAMBERS
www.burtonmi.gov

Chairman Steve Welch called the Meeting to order at 5:07 p.m.

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

MEMBERS ABSENT: Haskins and Tracy Parker.

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

Parker moved and Weatherford seconded to approve the Regular ZBA Meeting Minutes of October 18, 2012 at 5:00 p.m. Motion carried 6-0.

Mr. Welch mentioned upcoming reappointments and because there is not a full Board the applicants could choose to postpone their case.

NEW APPLICATIONS:

- | | |
|---------------|---|
| 1. ZBA #12-27 | BY: Maynard Argue
4307 Fern Ave.
Burton, MI 48529 |
| | RE: 4307 Fern Ave.
Parcel #59-32-551-029, R-1C Zone |
| | FOR: To convert a detached garage into another
single family residential home, 2 dwellings
on one parcel.
(5 votes required) |

Maynard Argue, 4307 Fern, said he lives on a dead end street and does not anticipate a parking issue. He and his wife would like to travel, which would leave the house empty so they would like their son to live there to look over the property.

AUDIENCE PARTICIPATION:

Mr. Welch read a letter from Michael Plasha, 2336 Brady, who was opposed to this variance.

Mrs. Abbey said there are 2 drives, one from Brady and the other from Fern Ave. so there should be no parking issue. The applicant is aware there will be sewer and water fees and the garage would need to be brought up to code. She recommended approval.

BOARD DISCUSSION:

Mr. Parker asked what things would need to be done to bring it to code and if the applicants could rent it out or not.

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Mrs. Abbey said things such as insulation, installing a bathroom, living space, etc., would need to be completed and inspected. She said if they rent it out it would probably go unknown and hard to enforce.

Mr. Walls said this would be like a duplex and the houses there are small. He said the City would receive fees for water and sewer and was in favor of this variance. He asked Mr. Argue if he would be doing the work himself or contracting it out.

Mr. Argue said he is not qualified to do most of the work that would need to be done. His first step was getting this variance and then seeing if he could even afford to start this project.

Mr. Rapacz asked what Mr. Argue's son is going to do with the current house he owns since he intends to move to this location.

Mr. Argue said his son would sell his home and eventually purchase this one from him.

Deborah Argue said part of the purpose for their son to move in with them is to help her if her health deteriorates due to her multiple sclerosis.

BOARD RECOMMENDATIONS AND/OR ACTION:

Walls moved and Weatherford seconded to approve ZBA #12-27. Motion carried 6-0.

2. ZBA #12-31

BY: Thomas Joubran
6093 Davison Rd.
Burton, MI 48509

RE: 6093 Davison
Parcel #59-01-651-007, R-1A Zone

FOR: To construct a deck that will be 23 ft.
from the rear property line, 35 ft. required.
(4 votes required)

Thomas Joubran, 6093 Davison Rd., had nothing to add.

AUDIENCE PARTICIPATION: None.

Mrs. Abbey said the houses were built right to the setback, which means each applicant has to come for a variance if they choose to add a deck.

BOARD DISCUSSION:

Mr. Welch said contractors knowingly build these homes right on the setback and then the homeowner has to get a variance just to build a deck.

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BOARD RECOMMENDATIONS AND/OR ACTION:

Parker moved and Walls seconded to approve ZBA #12-31. Motion carried 6-0.

3. ZBA #12-32

BY: Bubba O'Malley's
1076 S. Belsay Rd.
Burton, MI 48509

RE: 1076 S. Belsay Rd.
Parcel #59-14-526-035, C-2 Zone

FOR: To conduct an outdoor recreational use for a
beer tent December 27, 28, and 29, 2012 in
conjunction with Pond Hockey Event.
(5 votes required)

Carey Roberts, 2099 Balsam, Grand Blanc MI., said the event would be conducted the same as in the past.

AUDIENCE PARTICIPATION: None.

Mrs. Abbey said this event would be similar to the other occasions that are put on there. She had no issues with the request and recommended approval.

BOARD DISCUSSION: None.

BOARD RECOMMENDATIONS AND/OR ACTION:

Walls moved and Rapacz seconded to approve ZBA #12-32. Motion carried 6-0.

AUDIENCE PARTICIPATION: None.

BOARD DISCUSSION:

Mrs. Abbey said she had received an email on Wednesday, September 17, 2012 from someone objecting to the doggy daycare. She said the Board could vote to reconsider the case if they wanted or take no action.

Mr. Welch read the email aloud for the record.

Mr. Walls said there are no houses around the daycare and saw no need to take further action.

Mr. Parker agreed with Mr. Walls.

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Mrs. Abbey explained how the Outdoor Recreational Events Ordinance is going before Council to allow her to approve qualifying applicants without always coming before the Board, unless there are complaints or other issues.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on **Thursday, December 20, 2012 at 5:00 p.m.**

Meeting adjourned at 5:43 p.m.

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