

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
JANUARY 16, 2003, 6:00 P.M., COUNCIL CHAMBERS

THE MEETING WAS CALLED TO ORDER BY CHAIRPERSON JAMIE CURTIS AT 6:00 P.M.

MEMBERS PRESENT: Curtis, Weatherford, Scott, Terry Parker, Centilli, Grantner, Welch

MEMBERS ABSENT: None

OTHERS PRESENT: T. Strasser, Deputy Planning Official, J. Adams, Clerk's Office

The Zoning Board voted unanimously to approve the minutes of the Regular Zoning Board of Appeals Meeting held on November 21, 2002 at 6:00 p.m.

AUDIENCE PARTICIPATION: No audience participation at this time.

BOARD DISCUSSION: No Board discussion was held.

NEW APPLICATIONS:

1. ZBA #03-01	BY: Ray Monroe 1434 N. Genesee Burton, MI
	RE: 1434 N. Genesee
	FOR: To conduct a C-2 General Business Use in an R-1A zoned area for firearm sales. (5 Votes Required)

Ray Monroe, 1434 N. Genesee, Burton, MI, stated he wants to conduct a hobby business and sell firearms to friends and family. There would be no signs erected on the property or any advertising. He would not sell to the general public except at gun shows.

AUDIENCE PARTICIPATION:

Joe Couturier, 1444 N. Genesee, Burton, MI, said he does not believe residential property should be re-zoned for commercial use to operate a business from their home. It causes problems with noise, traffic, parking and expansion. Once we get one zoned it seems like it snowballs and other people try to get their property re-zoned. I feel there is plenty of property in the City of Burton or in the County already zoned for this use without re-zoning residential property in a subdivision. I personally do not want to live next door to any kind of retail business. Mr. Couturier asked the Board to turn down the request.

Susan Layman, 1079 Arrowhead Dr., Burton, MI, said she lives very close to this property and she is very much against the request. There are wetlands nearby and she is concerned someone may want to try out the guns there. Also, if approved, he can sell them to whomever he wants to and not just to family. Mrs. Layman stated further, there is a church right by the applicant. She hopes this request is denied.

Michelle Dumler, 1414 N. Genesee, Burton, MI, stated she has several signatures from surrounding neighbors that could not be here tonight, and they are opposed to this. She is concerned of the residential area becoming commercial, and the selling of firearms in the area is not good. There are many children in the area. Mrs. Dumler stated further, selling to family and friends is one thing, but if he gets this zoned C-2 he can do whatever he wants to.

Donna Glann, 1475 Ives, Burton, MI, said she is against the request. Gun sales should be kept in a commercial environment, one that has proper lighting, security and safety features. It does not belong in a neighborhood setting where you have children next door and a church down the street. Once they become C-2, he can sell the house and urge the neighbors to go C-2, and we will have another strip mall. I feel this is residential and it should remain so.

Brian Sanders, 1404 N. Genesee, Burton, MI, inquired regarding the property being re-zoned and stated he does not like the thought of firearms sales being close to his home.

Pauline Dargel, 6119 Hugh St., Burton, MI, inquired regarding a temporary use. She stated it would seem this would not be a place for firearm sales.

Mr. Strasser said the property is zoned R-1A, single family residential, and the adjoining property is zoned likewise. The request is for a commercial business to be conducted on the premises. We don't feel an operation of any type of commercial business is going to afford the adjoining properties the privacy that is entrusted to the City to grant to residential areas. Therefore, the recommendation is for denial.

BOARD DISCUSSION:

Mr. Parker spoke regarding the intent of the ordinance. He does not see a hardship and therefore, is not in favor of the request.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Parker, seconded by Scott to approve ZBA #03-01.

Motion carried to deny, 7-0. Weatherford – no, Scott – no, Parker – no, Centilli – no, Grantner – no, Welch – no.
Curtis – no.

2. ZBA #03-02

BY: Regent Communication
3338 Bristol Rd.
Burton, MI 48529

RE: Lots 7-13 of Supervisors Plat #41, Sect. 33
M-1 Zoned.

FOR: To place a single wide mobile home on site for
temporary office use during expansion of main
building. (5 Votes Required)

Mark Thomas, 3338 E. Bristol Rd., Burton, MI, stated he is General Mgr. of Regent Communications which includes WCRZ, WWBN, and other radio stations. They are planning an office expansion and would like to place a mobile home next to their current building to use as office space while the expansion is taking place. There will be no plumbing or water hooked up to the mobile home. It would be strictly used as office space with some desks and chairs. The expansion we are planning should be completed within the next 6 months. Upon completion, we will have the mobile home removed.

AUDIENCE PARTICIPATION: No audience participation.

Mr. Strasser recommends this be allowed on a time limit basis, either upon completion or a maximum of one year, whichever comes first. It should also be in compliance with local building codes.

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BOARD DISCUSSIONS:

Mr. Parker stated any time a business wants to stay in Burton and they want to expand, it is a plus for the City.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Parker, seconded by Weatherford to approve ZBA #03-02 for a one year variance, contingent upon DPW recommendations and it meets the zoning requirements.
Motion carried, 7-0.

3. ZBA #02-60

BY: Atherton Road Sales
6468 E. Atherton Rd.
Burton, MI

RE: Part of Parcel #59-23-400-010, C-2 Zoned.

FOR: Outdoor display of equipment and trailers related to
outdoor power equipment. (5 Votes Required)

Mr. Curtis stated this case has been post-poned until next month.

Mr. Parker inquired as to the post-ponement.

Mr. Strasser indicated this is a new site and it is post-poned because they do not have a legal description from a surveyor or engineer.

BOARD DISCUSSION:

Mr. Curtis said most of the Zoning Board members went to a recent seminar held in Grand Rapids. They learned a lot of useful information. He expressed thanks to the city for allowing them to attend it.

Mr. Curtis stated the next regularly scheduled meeting of the Zoning Board of Appeals will be held on **Thursday, February 20, 2003, at 6:00 p.m.**

MEETING ADJOURNED AT 6:20 P.M.

jra