

CITY OF BURTON  
REGULAR ZONING BOARD OF APPEALS MEETING MINUTES  
JANUARY 19, 2006, 6:00 P.M., COUNCIL CHAMBERS  
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Chairperson, Steve Welch called the Regular Meeting to order at 6:00 P.M.

MEMBERS PRESENT: Weatherford, Scott, Terry Parker, Bement, Grantner, Tracy Parker, and Welch.

MEMBERS ABSENT: None.

OTHERS PRESENT: A. Frost, DPW Representative, T. Strasser, Deputy Planning Official, and

J. Adams, Deputy City Clerk.

Mr. Welch welcomed Bob Bement to the Zoning Board.

BOARD DISCUSSION:

Mr. Welch asked for nominations for Chair and Vice- Chair.

Moved by Terry Parker, seconded by Grantner to elect Steve Welch as Chair.  
Motion carried 7-0.

Moved by Welch, seconded by Scott to elect Terry Parker as Vice-Chair. Motion carried 7-0.

Moved by Terry Parker, seconded by Scott to approve the Regular ZBA Meeting minutes of November 17, 2005 at 6:00 p.m., with the correction to change Chairperson to Steve Welch.  
Motion carried 7-0.

AUDIENCE PARTICIPATION: No audience participation at this time.

NEW APPLICATIONS:

1. ZBA #05-54

BY: Wal-Mart Stores Inc.  
2001 SE 10<sup>th</sup> St.  
Bentonville, AR. 72716

RE: 5323 E. Court St. North  
Parcel #59-11-400-014

FOR: Additional free standing sign on the property.  
Two allowed on Wal-Mart site, third sign requested. (4 votes required)

Robert Matco, 8164 Executive Court, Lansing, MI, stated he works for CESO, civil engineers representing Wal-mart. He is requesting a variance to allow a directional pylon sign in the Wal-mart parking lot for this project. The sign will be 20 ft. in height and 32 sq. ft. total, it will not be illuminated nor will it face Court St. It is for a directional use and not an advertisement.

Mr. Matco spoke further regarding the site.

REGULAR ZONING BOARD OF APPEALS MINUTES  
JANUARY 19, 2006 / 6:00 P.M.  
PAGE 2

AUDIENCE PARTICIPATION: No audience participation.

Ms. Frost requested that the sign be placed exactly as shown on the plans. She stated the DPW recommends approval.

BOARD DISCUSSION:

Terry Parker indicated the public knows the area for the tire lube express and feels the sign is not necessary. He cannot support the request.

Mr. Matco expressed they have had problems and this would make a safer flow of traffic. It is strictly for directional purposes.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Parker, seconded by Scott to approve ZBA #05-54.  
Motion carried 6-1. Terry Parker – no.

2. ZBA #05-55

BY: Richard Basner  
2265 Kosta  
Burton, MI. 48529

RE: 2265 Kosta, Parcel #59-32-552-302,  
R-1C zoned.

FOR: Variance for a pole barn addition to be  
12x48, existing accessory structures 2,108  
sq. ft., requesting 434 sq. ft. over, 2,250  
allowed. (4 votes required)

Richard Basner, 2265 Kosta, Burton, MI, stated the pole barn is needed for a number of antique vehicles, motor home and other miscellaneous items. His property involves 5 acres and the pole barn is in an area away from residents.

AUDIENCE PARTICIPATION:

The following residents spoke in favor of the request:

Joe LaRose, 4447 Fern  
Al Drevino, 4426 Fern

REGULAR ZONING BOARD OF APPEALS MINUTES

JANUARY 19, 2006 / 6:00 P.M.

PAGE 3

Mr. Strasser indicated the pole barn is already in place. The building inspector placed a stop-work-order when it was discovered the barn was oversized. They recommend denial.

BOARD DISCUSSION:

The Board felt the accessory structures were increased some time ago and approved by Council. They did not see a hardship and cannot support the request.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Scott, seconded by Weatherford to approve ZBA #05-55.

Motion carried 7-0 to deny. Weatherford – no, Scott – no, Terry Parker – no, Bement – no, Grantner – no, Tracy Parker – no, Welch – no.

3. ZBA #05-56

BY: James Manutes  
1188 Roman Dr.  
Flint, MI 48507

RE: 4370 Bristol Rd., Parcel #59-34-200-012.

FOR: To conduct a used car sales lot not in  
conjunction with new car sales.  
(5 Votes Required)

Tom Pyles, agent with James Motors, stated James Manutes is his father-in-law. They have been a small family owned business for over 25 years. They would like a small used car area at 4370 Bristol Rd. to conduct used car sales. The amount of cars would be minimal.

Ms. Frost stated due to the fact there is already a car repair place, it will not make much difference. The DPW recommends approval.

AUDIENCE PARTICIPATION:

Laurie Dalton, 419 W. 3<sup>rd</sup> St., Flint, MI, spoke regarding the State of Michigan guidelines on the number of cars allowed.

BOARD DISCUSSION:

Terry Parker inquired regarding the number of cars allowed and past problems with the property.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Weatherford, seconded by Scott to approve ZBA #05-56. Motion carried 7-0.

4. ZBA #05-57

BY: Fresh Start Used Cars  
G-3255 S. Dort Hwy

Burton, MI. 48529

RE: G-3255 S. Dort Hwy.

FOR: Used car sales not in conjunction with new  
car sales. (5 votes required)

Timothy Dalton, and Laurie Dalton of 419 W. 3<sup>rd</sup> St., Flint, MI. Mrs. Dalton stated the business is currently TNL Used Cars. They are entering into a partnership with them and changing the name. They will be leasing the property from TNL and this is the first process in getting their used dealer license. Zoning approval is needed with their application that goes to the State.

Ms. Frost stated they recommend approval.

AUDIENCE PARTICIPATION: No audience participation.

BOARD DISCUSSION:

Mr. Parker inquired regarding minutes from a November 20, 1997 meeting stating stipulations on the property.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Parker, seconded by Grantner to approve ZBA #05-57.  
Motion carried 7-0.

5. ZBA #06-01

BY: API (Anthony Patric Inc.) Keith Lutz  
8445 S. Saginaw  
Grand Blanc, MI. 48439

RE: Lot 20 Walli's Commercial and Industrial  
Park, 4101 and 4151 Lippincott.

FOR: Relief from rear yard setback from required  
30' to 15 ft. 6". (4 Votes Required)

Patrick Manor, CEO of Anthony Patric Co. Inc., 12202 Pinehurst, Grand Blanc, MI, along with Keith Lutz, Project Manager. Mr. Manor addressed the drawing and said they are trying to achieve a professional office complex that is geared towards medical or dental offices. He addressed various site problems and issues concerning parking, a utility easement, and storm water retention.

AUDIENCE PARTICIPATION: No audience participation.

REGULAR ZONING BOARD OF APPEALS MINUTES

JANUARY 19, 2006 / 6:00 P.M.

PAGE 5

Mr. Strasser stated Mr. Patric is a well known developer and builder and has always done a quality project. He suggests having a driveway access out onto Wallis Strass. Mr. Manor welcomed the suggestion.

BOARD DISCUSSION:

Discussion ensued regarding parking, surrounding buildings and underground retention.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Mr. Parker, seconded by Weatherford to approve ZBA#06-01.  
Motion carried 7-0.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on **Thursday, February 16, 2006 at 6:00 p.m.**

Meeting adjourned at 6:50 P.M.

jra