

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
FEBRUARY 17, 2005, 6:00 P.M., COUNCIL CHAMBERS
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THE MEETING WAS CALLED TO ORDER BY CHAIRMAN STEVE WELCH AT 6:00 P.M

MEMBERS PRESENT: Terry Parker, Scott, Grantner, Tracy Parker, Welch,
Weatherford, Martinbianco

MEMBERS ABSENT: None

OTHERS PRESENT: T. Strasser, DPW Representative and M. Snow, Clerk Typist

Moved by Tracy Parker and seconded by Weatherford to approve the Regular ZBA Meeting minutes of January 20, 2005 at 6:00 p.m. Motion carried, 7-0.

AUDIENCE PARTICIPATION: None.

BOARD DISCUSSION:

Moved by Terry Parker, seconded by Martinbianco to appoint Steve Welch for President. Motion carried, 7-0.

Moved by Welch, seconded by Martinbianco to appoint Terry Parker for Vice President. Motion carried, 7-0.

NEW APPLICATION (S):

1. ZBA #05-02	BY: James Shustock 1346 Howe Rd, Burton MI. 48509
	RE: Suburban Homesites Lot #64 1346 Howe Rd. Section 15, R-1A zoned.
	FOR: To add on an 18 by 20 ft. family room to be 10 ft. from rear property line; 35 ft. required. (4 votes required)

Monica Shustock 1346 Howe Rd, Burton MI, explained her need for a variance.

AUDIENCE PARTICIPATION: None.

Mr. Strasser stated the request is similar to previously approved cases and recommended approval.

BOARD DISCUSSION:

Mrs. Weatherford asked the applicant why the plan was not considered to build across the back of the existing house. Mrs. Shustock replied, due to the sewer and water lines it would not be possible.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Martinbianco, seconded by Grantner to approve ZBA #05-02. Motion carried, 7-0.

2. ZBA #05-03

BY: Lorraine Barber
210 Oppression Lane. Flint, MI. 48507

RE: Block G; Lot 17 of Southgate Subdivision
Section 28, R-1C zoned.

FOR: Approval to move a manufactured HUD home
onto property. Only have 12 ft. for backyard
instead of 30 ft. House closest to backyard is
approximately 55-60 ft. (4 votes required)

Lorraine Barber, 210 Oppression Ln. Flint, MI. 48507 explained her need for a variance.

AUDIENCE PARTICIPATION: The following residents spoke regarding these issues: finding a more suitable lot to reside, opposition of granting the case, the governing Ordinance, footage of the house and lot, and applicant should have known the Ordinance before purchasing the lot.

Jacky Moore, 3073 S. Term St.
Judith Pierce, 3072 S. Term St.

Mr. Strasser said the lot is buildable. Similar requests were granted and he recommends approval.

BOARD DISCUSSION:

Mr. Parker asked if the house could be facing Leta St. instead of Term if this case is approved. Mr. Strasser replied the house would be a Leta St. address.

Mr. Grantner asked the hardship. Mrs. Barber said problems arose with the backyard footage.

Mrs. Weatherford inquired as to how much room there was to the neighbor on Term St. The applicant stated there was ample room, along with a vacant lot.

Jacky Moore said there is 12 ft. between her house and the applicants backyard and she should know the rules before purchasing a lot.

Mr. Martinbianco asked Mrs. Barber if the house inspection passed. She answered yes, but she wasn't aware of the footage problem until recently. Her intention is to fence in 12 by 60 ft.

Mr. Parker asked the advantage to having 10 ft. road frontage and 20 ft. in backyard. replied the case would be postponed to rewrite an application and notify neighbors for 2 variances.

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Mr. Strasser replied the case would be postponed to rewrite an application and notify neighbors for 2 variances and the road variance might be a suitable for all parties.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Mr. Parker, seconded by Grantner to approve ZBA #05-03. Motion carried, 5-2. With Weatherford and Scott voting no.

3. ZBA #05-05

BY: Sparkle Buggy Car Wash
2025 N. Genesee Rd. Burton, MI. 48509

RE: 1095 S. Belsay Rd

FOR: Variance to construct a new car wash building 3
ft. from the north property line. 20 ft. required.
(4 votes required)

Larry Moore, 2025 N. Genesee stated the need for a variance to build close to the property line.

AUDIENCE PARTICIPATION: None.

Mr. Strasser stated with a C-2 zoning, the car wash is able to be built up to the property line and recommends approval.

BOARD DISCUSSION:

Mr. Grantner asked the applicant his timetable and was answered, the first of May.

BOARD RECOMMENDATIONS AND/OR ACTION:

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

4. ZBA #05-04

BY: Donna M. Hutton
6270 E. Bristol Rd.

RE: 6270 E. Bristol. #59-36-200-029, SE zoned.

FOR: To exceed the number of miniature horses allowed
by Ordinance 19, 5 allowed and 27 requested. (4
votes required)

Donna Hutton, 6270 E. Bristol stated her request and explained to every acre allows three mini horses. She went over some grazing and care statistics and said she is more interested in showing them than breeding. Mrs. Hutton distributed pictures of her property and literature for the Board members.

AUDIENCE PARTICIPATION:

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Gayle Wilcox, 6227 E. Bristol advised she is concerned about the quantity of horses requested. She is not opposed to the idea but asked the Board to use caution when deciding.

BOARD DISCUSSION:

Mr. Strasser said in June of 2002 Mrs. Hutton was approved for 5 horses and has different ideas to offer to the case if the amount of 27 does not appeal to the Board. He does not have negatives on the case and thinks a compromise is applicable. He recommends the Board look at the animals first.

Mr. Welch called for a recess at 6:55 p.m.

Mr. Welch resumed the meeting at 7:03 p.m.

Mr. Parker and Mr. Martinbianco agree the number of 27 mini horses concerns them. More than 5 would be okay. 12 to 18 minis may be a more comfortable start.

Mr. Grantner inquired regarding the visibility from the road. Mrs. Hutton was answered only the house is visible and the horses sit 530 ft. back. He asked if selling horses constitutes a business along with stating he could see a parallel like a kennel license. Mr. Strasser replied he didn't think so.

Mr. Welch clarified that foals would be included in the amount of mini horses allowed. He would like to amend the addition of "miniature" in the motion.

Mr. Parker amended his motion to state "for a 1 year renewal of 16 miniature horses and foals."

Mr. Strasser asked the applicant to contact him in 1 year in accordance with the motion's requirement.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Mr. Parker, seconded by Grantner to amend the motion for 16 miniature horses and foals with a 1 year renewal. Motion carried, 5-2. Weatherford and Scott voting no.

Moved by Mr. Parker, seconded by Grantner to approve ZBA #05-04 with the stipulation for 16 miniature horses and foals with a 1 year renewal. Motion carried, 5-2. Weatherford and Scott voting no.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on **Thursday, April 21, 2005 at 6:00 p.m.**

MEETING ADJOURNED AT 7:32 P.M.

mrs