

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MEETING MINUTES
MARCH 21, 2002, 6:00 P.M., COUNCIL CHAMBERS

THE MEETING WAS CALLED TO ORDER BY TERRY PARKER AT 6:00 P.M.

MEMBERS PRESENT: Scott, Layman, Weatherford, Centilli, Grantner, Welch, Parker

MEMBERS ABSENT: Curtis

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

Mr. Parker stated they will move approving the minutes of the Regular Zoning Board of Appeals meeting held on February 21, 2002, at 6:00 p.m. till the next meeting of April 18, 2002 at 6:00 due to the fact not all of the members received the minutes in time.

AUDIENCE PARTICIPATION: No one wished to speak from the audience at this time.

BOARD DISCUSSION:

Mrs. Layman inquired regarding a used car lot on Belsay Rd. She said last fall the applicant was before the Board. There were not to be cars placed by the e-way nor flags allowed, but the business has allowed both. Mrs. Layman also indicated Church's on Davison Rd. also have flags and they were told they could not. She asked Mr. Strasser to look into both matters.

Mrs. Scott spoke regarding a "turn on red" south bound on Center Rd. by the I-69 expressway. She indicated people are not aware that they can turn there, and they are coming to a complete stop. She asked what could be done to rectify the situation and who would be responsible for it.

Mr. Strasser said Center Rd. is a County road. It is an unusual situation and the County Road Commission does not know how to rectify it.

YEARLY APPLICATIONS:

- | | |
|---------------|---|
| 1. ZBA #02-07 | BY: Tri-City Aggregates Inc. / Genoak Constr.
3251 E. Bristol Rd.
Burton, MI |
| | RE: Lots 10 – 13, Follow Acres |
| | FOR: Stock piling raw concrete and crushing concrete,
concrete re-cycling (5 Votes Required) |

Mark Petit, 3251 Bristol Rd., Burton, MI, said he is representing Tri-City Aggregates. They are asking for a renewal on the variance for stockpiling of raw concrete and recycling. Mr. Petit briefly described the business operation.

AUDIENCE PARTICIPATION: No audience participation.

Mr. Strasser said there are no documented complaints and they recommend approval.

BOARD DISCUSSION:

Mr. Centilli said the business is kept very neat and he sees no problem with the request.

BOARD RECOMMENDATIONS AND/OR APPROVAL:

Moved by Grantner, seconded by Layman to approve ZBA #02-07.
Motion carried, 7-0.

2. ZBA #02-09

BY: Greg Staley “ American Sewer Cleaners”
2458 N. Center
Burton

RE: Parcel #59-03-100-004
2458 N. Center
R-1B Zoned

FOR: To operate a commercial business out of a residentially
zoned area, “sewer cleaning business”.
(5 Votes Required)

Greg Staley, 2458 N. Center, Burton, MI, said he is requesting a yearly renewal that has been going on since 1996. They are sewer cleaners and use the location for parking trucks mainly at night. We have an office and dispatch our serviceman. Mr. Staley said he believes there has been no complaints.

AUDIENCE PARTICIPATION:

Arthur Jankowski, 4108 Leith, Burton, MI, asked how the business received approval because it is by a residential area.

Mr. Parker responded the applicant came before the ZBA and received a yearly renewal. The Board thought the business would not be detrimental to the spirit and intent of the ordinance.

Mr. Strasser said there are no documented complaints and we do not see any reason to deny approval.

BOARD DISCUSSION:

Mrs. Scott said when driving by you almost have to look twice to see the trucks in the back. It is kept very nice.

Mrs. Layman re-iterated Mrs. Scott comments and said she sees no problem with the request.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Layman, seconded by Scott to approve ZBA #02-09.
Motion carried, 7-0.

D. NEW APPLICATIONS:

1. ZBA #02-06

BY: Kathleen Wolfe
2195 Buder
Burton, MI

RE: 2195 Buder, Lot 416 Durant Hts.
R-1C Zoned

FOR: To construct a carport at 2 ft. from the west property
line; 8 ft. required. (4 Votes Required)

Kathleen Wolfe, 2195 Buder, Burton, MI, said she is requesting a variance to build a carport on the side of her house. Her granddaughter has to wear a helmet and it is getting harder for her to go up and down steps. To step from the front of the house, you go out the door and down the steps. If I have a carport I can take her down the back steps which would be in the house and out the door, she will then be on level ground and with a roof to protect her from inclement weather.

AUDIENCE PARTICIPATION: No audience participation.

Mr. Strasser said this is a common request of homes in the south end of the City, they are on smaller lots. As long as they keep the water run off on their property, it does not shed onto the neighbors, and they obtain a building permit for the structure, we have no problem with the request.

BOARD DISCUSSION:

Mr. Centilli inquired to the applicant if she will have eavestroughes to have water run off the front.

Mrs. Wolfe indicated there will be eaves and it will probably run off the back because it goes down hill.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Grantner, seconded by Scott to approve ZBA #02-06.
Motion carried, 7-0.

2. ZBA #02-08

BY: Dale A. Dunsmore
2156 Judd Rd.
Burton, MI

RE: 2156 Judd Rd., Lot 5 Blk A Southmere Sub.
R-1C zoned. (4 Votes Required)

FOR: To construct an attached garage at 2 ft. from
the west property line; 8 ft. required.
(4 Votes Required)

Dale Dunsmore, 2156 Judd Rd., Burton, MI, said he wants to attach a one car garage on the side of his house with a bedroom over it. It will conform completely to the existing house and the reason for it is additional living space. Mr. Dunsmore said he will have the water run-off to the front side.

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AUDIENCE PARTICIPATION: No one from the audience wished to speak.

Mr. Strasser said this case is similar to the previous one, a house in the south end on a small lot. Because this is an enclosed garage attached to the house, it will need a firewall. They see no problem with the request.

BOARD DISCUSSION: No Board discussion.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Grantner, seconded by Layman to approve ZBA #02-08.
Motion carried, 7-0.

3. ZBA #02-11	BY: Karen Morey 3330 N. Henderson Davison, MI
	RE: 4545 E. Court St.
	FOR: To conduct a C-3 special approved use "Gymnasium" in a R-0 restricted office area. (5 Votes Required)

Karen Morey, 3330 N. Henderson, Davison, MI, said she would like to open a business, Curves for Women located at 4545 E. Court St., Burton. It is a women's work-out facility. She has a lot of money already invested and feels it would be an asset to the businesses around the area.

AUDIENCE PARTICIPATION: No audience participation.

Mr. Strasser said according to our Zoning Ordinance, the closest definition to her business is gymnasium. A work-out room, fitness center, or whatever you want to call it, still equates to the same special approved use in a C-3 zoning. It is zoned R-0. Mr. Strasser said they do not have a problem with the request.

BOARD DISCUSSION:

Mrs. Layman said Dutchman's Deli was previously there and it has been vacant for quite awhile. She lives in the neighborhood and would like to see something there instead of vacant.

Mr. Grantner said he assumes this business will be successful, but should the business change does this go back to R-0.

Mr. Strasser replied it stays R-0, this would be considered a special use.

Mr. Parker asked for further clarification.

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Mr. Strasser said this is for her only, and specifically this use.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Scott, seconded by Weatherford to approve ZBA #02-11.
Motion carried, 7-0.

Mr Parker stated the next regularly scheduled meeting of the Zoning Board of Appeals will be held on **Thursday, April 18, 2002, at 6:00 p.m.**

Meeting adjourned at 6:18 p.m.

jra