

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MEETING MINUTES
APRIL 20, 2006, 6:00 P.M., COUNCIL CHAMBERS
www.burtonmi.us

Chairman Steve Welch called the meeting to order at 6:00 P.M.

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

MEMBERS ABSENT: None.

OTHERS PRESENT: T. Strasser and A. Frost, DPW Representatives, M. Snow, Clerk's Office.

Moved by Weatherford, seconded by Scott to approve the Regular ZBA Meeting minutes of March 16, 2006 at 6:00 p.m. Motion carried 6-0.

NEW APPLICATION (S):

1. ZBA #06-13	BY: John Parks II 3106 Shabay Flushing, MI 48433
	RE: 1519 Brady Lot #318 of Webber Place
	FOR: Addition and garage. To construct a front porch at 11' from the front property line, 20' required. And an attached garage at 4' from the side property line, 9' required. (4 votes required)

John Parks, 3106 Shabay, said he wants to square up the front of the home, add a porch to the front and a garage on the side of the house since the backyard is small.

AUDIENCE PARTICIPATION: None.

Ms. Frost recommended approval and stated the home is small, in need of repairs and needs to be brought up to code.

BOARD DISCUSSION:

Discussion ensued regarding an addition to the existing home and it's condition, a variance for a porch and garage, the rear setback being 33 ft. and the empty lot next door.

BOARD RECOMMENDATIONS AND/OR ACTION:

Grantner moved and Weatherford seconded to approve ZBA #06-13. Motion carried 7-0.

2. ZBA #06-14	BY: Mark Bourdeau – JSL Carpentry. 2267 Pear Tree Dr
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Burton, MI 48519

RE: 2267 Pear Tree Dr
Lot #24 – Orchards condominium

FOR: To build a 12'x 20' deck in the rear setback,
18' rear setback requested, 30' required.
(4 votes required)

John Lawrence, 2267 Pear Tree Dr., the deck contractor said the deck won't be close to the storm drain, and the furthest digging will be out 10 ft. from the house. He said the association gave him initial approval to construct the deck.

AUDIENCE PARTICIPATION:

Mark Bourdeau, 2297 Pear Tree, said he is the homeowner and would like to add a deck on his home.

Mr. Strasser read a letter received from the condominiums association saying it is their decision whether or not the deck can be constructed and asked that the Board table the case until it has been reviewed. He said the Board's ruling has no bearing on whether the association approves the deck or not.

BOARD DISCUSSION:

The Board discussed homes being built on small lots that don't accommodate large structures such as decks and additions, which lead to variance requests.

BOARD RECOMMENDATIONS AND/OR ACTION:

Mr. Parker moved and Scott seconded to approve ZBA #06-14. Motion failed 4-3.
Weatherford-no, Scott-no, Terry Parker-no, Bement-no.

3. ZBA #06-15

BY: Nolan and Bonnie Farlow
5483 Pear Tree Dr
Burton, MI 48519

RE: 5483 Pear Tree Dr. Lot #4
Orchards condominium.

FOR: To construct a 12'x 16' addition to the rear
of the home at 26' from the rear property
line, 30' required. (4 votes required)

Bonnie Farlow, 5483 Pear Tree, explained she would like to add an addition to her home which will increase it's value and will be about the size of the existing deck that it will replace.

Nolan Farlow, 5483 Pear Tree, said he built the deck and the city inspector approved it.

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AUDIENCE PARTICIPATION: None.

Ms. Frost said they would be expanding the nonconforming setback and recommended approval.

BOARD DISCUSSION:

The Board discussed a past variance for the deck and for structures in small yards.

BOARD RECOMMENDATIONS AND/OR ACTION:

Weatherford moved and Grantner seconded to approve ZBA #06-15. Motion failed 5-2.
Weatherford-no, Scott-no, Terry Parker-no, Grantner-no, Welch-no.

4. ZBA #06-16
Covering

BY: Dennis Spears, Mid Michigan Floor

5226 N. Vassar Rd
Flint, MI 48506

RE: 1360 N. Belsay Rd
Lot 48 Supervisors Plat of Eastmoreland
Acres.

FOR: To conduct a C-1 use in an R-O zoned area
for a carpet sales store. (5 votes required)

Dennis Spears, 5226 N. Vassar, said he wants to open a carpet store, which will improve the area.

AUDIENCE PARTICIPATION:

Charles Brannam, 2260 Ridgemoor, the property owner stated Mr. Spears would offer carpet samples and accommodate a few cars at a time and there is tile and paint stores in the area.

Mr. Strasser said the building is for R-O uses and Mr. Brannam is leasing the building out, it is handicap accessible and has a partially paved drive, he has similar uses in the area and sidewalks would need to be installed.

BOARD DISCUSSION: None.

BOARD RECOMMENDATIONS AND/OR ACTION:

Mr. Parker moved and Scott seconded to approve ZBA #06-16. Motion carried 7-0.

AUDIENCE PARTICIPATION:

Art Jankowski, 4108 Leith, questioned a 4 ft. side property line being approved when 9 ft. is required by the Ordinance.

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Mr. Welch responded that the variance was given mainly because of the area being in the South end, which has small lots.

BOARD DISCUSSION:

Mr. Grantner complimented Mr. Welch's comment regarding the importance of sidewalks in the city.

Mr. Strasser noted the new form in the Board's zoning packet and said a zoning map is included.

The Board said they appreciated the area for comments from the city officials in their packet and referenced the mounds of concrete at Bristol Rd. businesses.

Mr. Strasser said Tri-City Aggregates and the business behind Grand Blanc Block Co. has had complaints and he was instructed to enforce the improvements the businesses had proposed to be done within the next month. He said Tri City Aggregates was forced to comply with a letter from Attorney Austin. The business has complied to a point but not satisfaction and are trying to work with Tiger Auto to use their driveway which will help eliminate dirt on the roadway.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on **Thursday, May 18, 2006 at 6:00 p.m.**

Meeting adjourned at 6:59 P.M.

mrs