

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
APRIL 21, 2005, 6:00 P.M., COUNCIL CHAMBERS
www.burtonmi.us

Chairman Steve Welch called the Regular Zoning Meeting to order at 6:00 P.M.

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

MEMBERS ABSENT: None.

OTHERS PRESENT: T. Strasser, DPW Representative and M. Snow, Clerks Office.

Grantner moved and Weatherford seconded to approve the Regular ZBA Meeting minutes of March 17, 2005 at 6:00 p.m. Motion carried, 7-0.

AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh St. Burton MI asked the zoning on cases.

BOARD DISCUSSION: None.

NEW APPLICATION(S):

1. ZBA #05-07

BY: Michael Denker, 2162 E. Judd

RE: 2162 E. Judd Rd. Lot #6, Block A,
Southmere, R-1C zoned.

FOR: To allow the parking of two commercial
vehicles on a residential property.
(5 votes required)

The applicant was not present at this time.

AUDIENCE PARTICIPATION: The following residents spoke regarding commercial vehicles residing at the home, safety issues, noise levels, and rules applying to all residential areas.

Chris Leineke 2174 E. Judd Rd. Burton MI 48529

Pauline Dargel 6119 Hugh St. Burton MI 48509

BOARD DISCUSSION:

The Zoning Board and Representative spoke regarding the number of times an applicant can be absent before a decision is rendered.

BOARD RECOMMENDATIONS AND/OR ACTION:

Martinbianco moved and Weatherford seconded to approve ZBA #05-07. Motion failed 4-3.
Terry Parker-no, Grantner-no, Welch-no.

Mr. Welch stated that the case would be up for reconsideration at the May 19, 2005 meeting.

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This case was moved up on the agenda.

2. ZBA #05-18

BY: Steve Bennett II

2295 E. Judd Rd. Burton MI. 48529

RE: 2255 Schumacher, Burton MI. 48529

FOR: Construct an addition that will be 10' front setback, 20' required. (5 votes required)

Steve Bennett 2295 E. Judd Rd. Burton MI, stated he would like to put an addition on the back of this house to make it more suitable for living and then sell it.

AUDIENCE PARTICIPATION: None.

Mr. Strasser recommended approval.

BOARD DISCUSSION: None.

BOARD RECOMMENDATIONS AND/OR ACTIONS:

Scott moved and Weatherford seconded to approve ZBA #05-18. Motion carried, 7-0.

3. ZBA #05-09

BY: Mark Schuette

6080 Streamside Ln. Goodrich, MI. 48438

RE: 6168 North Pond Pt. Lot #257
Parcel #59-36-559-036

FOR: Variance on front setbacks to decrease by 10', from 25' to 15'. (4 votes required)

Mark Schuette 6080 Streamside Ln. Goodrich MI, noted he would soften the numbers to make the request more desirable and that his hardship is due to the wetlands.

AUDIENCE PARTICIPATION: The following residents spoke regarding disapproval of the case, preserving the wetlands, the front setback of the homes and a conversation with the DEQ.

Rob Jakubos 6158 N. Pond Pt. Burton MI

James Purdo 6207 S. Pond Pt. Burton MI

Mr. Strasser stated he could not recommend approval.

BOARD DISCUSSION: None.

BOARD RECOMMENDATIONS AND/OR ACTION:

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Grantner moved and Terry Parker seconded to approve ZBA #05-09. Motion carried to deny, 7-0. Weatherford-no, Scott-no, Terry Parker-no, Martinbianco-no, Grantner-no, Tracy Parker-no, Welch-no.

4. ZBA #05-10

BY: Mark Schuette
6080 Streamside Ln. Goodrich, MI. 48438

RE: 6175 North Pond Pt. Lot #260
Parcel #59-36-559-039

FOR: Variance on front setbacks to decrease by
10', from 25' to 15'. (4 votes required)

The applicant was not present.

AUDIENCE PARTICIPATION:

Blair Nelson, 6165 N. Pond Pt. Burton MI stated he does not want the case to be approved.

Mr. Strasser stated he could not recommend approval.

BOARD DISCUSSION: None.

BOARD RECOMMENDATIONS AND/OR ACTION:

Scott moved and Martinbianco seconded to approve ZBA #05-10. Motion carried to deny, 6-1. Weatherford-no, Scott-no, Martinbianco-no, Grantner-no, Tracy Parker-no, Welch-no.

5. ZBA #05-11

BY: Rex Greenman
6494 Milano St. Burton, MI. 48519

RE: 2323 Eugene, Pioneer Acres.
Part of Lot 22. Section 24, R-1A zoned.

FOR: Construct a new home at 5' from the North
property line, 10' required. (4 votes required)

Rex Greenman 6494 Milano St. Burton MI 48519 explained his request to put a home about 30-40 ft. back on the property from the other houses.

AUDIENCE PARTICIPATION: The following residents spoke regarding disapproval of granting the case, the house being too close to others, and being undesirable.

Steve Wise 2319 Eugene, Burton MI. 48519

Nancy and Ray Linsey 2322 Eugene, Burton MI. 48519

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Mr. Strasser recommended approval.

BOARD DISCUSSION:

Mr. Parker noted that with the home setting back from other houses it is not such a fire threat.

BOARD RECOMMENDATIONS AND/OR ACTION:

Grantner moved and Terry Parker seconded to approve ZBA #05-11. Motion carried to deny, 3-4. Weatherford-no, Scott-no, Martinbianco-no, Grantner-no.

6. ZBA #05-12

BY: Richard Hardin
3084 Eugene, Burton MI. 48519

RE: 3084 Eugene, Burton, MI. 48519. Lot 27
Thomas Replat, Section 25, R-1B zoned.

FOR: To exceed the allowable square footage for
accessory structures by 544 sq. ft.
1,824 sq. ft. allowed, 2,368 sq. ft. proposed.
(4 votes required)

Richard Hardin, 3084 Eugene, Burton MI 48519 stated his need for a larger building for storage.

AUDIENCE PARTICIPATION: None.

Mr. Strasser stated Mr. Hardin's lot is large and the land could probably support his request.

BOARD DISCUSSION: None.

BOARD RECOMMENDATION AND/OR ACTION:

Terry Parker moved and Grantner seconded to approve ZBA #05-12. Motion carried to deny, 7-0. Weatherford-no, Scott-no, Terry Parker-no, Martinbianco-no, Grantner-no, Tracy Parker-no, Welch-no.

7. ZBA #05-13

BY: Jamie Ramsey
4433 S. Center Rd. Burton MI. 48519

RE: Parcel #59-34-300-019 Section 34
R-O zoned.

FOR: To conduct a lawn care and snowplow
business out of a residential house.
(5 votes required)

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Jamie Ramsey, 4433 S. Center Rd. Burton MI 48519 stated he would like approval to store his business equipment at his residence.

AUDIENCE PARTICIPATION: None.

Mr. Strasser stated he could not recommend approval.

BOARD DISCUSSION:

The Board discussed the applicant's citation, restrictions and the number of vehicles.

BOARD RECOMMENDATIONS AND/OR ACTION:

Terry Parker moved and Scott seconded to approve ZBA #05-13 with the stipulations of a yearly renewal and the equipment be kept in the rear setback. Motion carried, 6-1. Weatherford-no.

8. ZBA #05-14

BY: Wally's Auto Sales
4199 Davison Rd. Burton MI. 48509

RE: 4199 Davison Rd
Parcel #59-03-300-062, C-2 zoned.

FOR: Used car sales lot. (5 votes required)

Brian Compton, 5089 Mclean Swartz Creek, MI 48473 asked for approval to conduct a car lot.

Mr. Strasser recommended approval.

AUDIENCE PARTICIPATION: None.

BOARD DISCUSSION:

The Board discussed the owner taking responsibility.

BOARD RECOMMENDATIONS AND/OR ACTION:

Mr. Parker moved and Scott seconded to approve ZBA #05-14. Motion carried 7-0.

9. ZBA #05-15

BY: American Broadcar Leasing Inc.
4199 Davison Rd. Burton MI. 48509

RE: 4199 Davison Rd

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Parcel #59-03-300-062, C-2 zoned.

FOR: Used car sales lot. (5 votes required)

Brian Compton, 5089 Mclean Swartz Creek, MI 48473 asked for approval to operate a car lot.

AUDIENCE PARTICIPATION: None.

Mr. Strasser recommended approval.

BOARD DISCUSSION: None.

BOARD RECOMMENDATION AND/OR ACTION:

Terry Parker moved and Weatherford seconded to approve ZBA #05-15. Motion carried, 7-0.

10. ZBA #05-16

BY: Albert Jones
4029 Lapeer Rd. Burton MI. 48509

RE: 4029 Lapeer Rd. Part of lot 2 and 3 Cooks
Plat. Section 15 R-O zoned.

FOR: 1) Expand the previously approved office use
2) A side setback of 15', 20' required.
(4 votes required)

Albert Jones, 4029 Lapeer Rd. Burton MI 48509 stated his plans need more expansion space.

AUDIENCE PARTICIPATION: None.

Mr. Strasser recommended approval.

BOARD DISCUSSION:

The Board discussed the zoning of the home and a previous grant.

BOARD RECOMMENDATIONS AND/OR ACTION:

Grantner moved and Scott seconded to approve ZBA #05-16 parts 1 and 2. Motion carried, 7-0.

11. ZBA #05-17

BY: Edward Abbott
PO Box 4040, Flint, MI. 48504

RE: 1323 Bristol Rd, Burton MI. 48529
Parcel #59-30-578-286

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FOR: To conduct a used car lot. (5 votes required)

Mike Joliat, 140 E. 2nd St. Flint MI stated he represents Mr. Abbott and accompanied Steve Sleeva. He stated Mr. Abbott would like to lease the property to Mr. Sleeva for a car lot.

AUDIENCE PARTICIPATION: None.

Mr. Strasser recommended approval and noted that any inside alterations would require a permit.

BOARD DISCUSSION:

The Board discussed site improvements, a paved lot, privacy fence, the number of cars, the care of the property and DPW being responsible to make applicant follow through on stipulations.

BOARD RECOMMENDATIONS AND/OR ACTION:

Terry Parker moved and Grantner seconded to approve ZBA #05-17 with the stipulations of a privacy fence to encompass the backyard and a maximum of 20 cars to be on the pavement. Motion carried, 6-1.

12. ZBA #05-19

BY: Stanley and Deborah Butler
3140 S. Center Rd. Burton MI. 48519

RE: Center Rd Acres lot 8
Parcel #59-28-526-011

FOR: 1) To construct an addition that will be 7 feet from the garage, 10 feet required.
2) To expand the nonconforming residential use of the property. (5 votes required)

Stanley Butler, 3140 S. Center Rd. Burton MI 48519 explained he would like to put an addition on his home for his father-in-law to live in. He will install all necessary requirements.

AUDIENCE PARTICIPATION:

George North 2044 E. Mclean Burton MI 48519 stated the applicant needs this variance and he is not opposed.

Mr. Strasser recommended approval.

BOARD DISCUSSION: None

BOARD RECOMMENDATIONS AND/OR ACTION:

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Martinbianco moved and Weatherford seconded to approve ZBA #05-19 parts 1 and 2. Motion carried, 7-0.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on **Thursday, May 19, 2005 at 6:00 p.m.**

MEETING ADJOURNED AT 7:45 P.M.

mrs