

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MEETING MINUTES
MAY 18, 2006, 6:00 P.M., COUNCIL CHAMBERS
www.burtonmi.us

Chairperson Steve Welch called the Regular Zoning meeting to order at 6:00 P.M.

MEMBERS PRESENT: Bement, Bennett, Hynes, Weatherford, Scott, Welch, Tracy Parker.

MEMBERS ABSENT: Grantner, Terry Parker.

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

Weatherford moved and Scott seconded to approve the minutes of the Regular ZBA Meeting of April 18, 2006 at 6:00 p.m. with the correction that Grantner moved, not Welch.
Motion carried 7-0.

NEW APPLICATION (S):

1. ZBA #06-17

BY: Sharron Proctor
610 S. Dort
Flint, MI 48503

RE: 4250 S. Saginaw
Lots 202-206 of Webber Place

FOR: To conduct a C-3 special use in a C-2 zoned
area for a car and truck rental agency.
(5 votes required)

Sharron Proctor, 610 S. Dort, said the building she would like to utilize is an old flower shop and needs to be changed to a C-3 special use to fit her needs.

AUDIENCE PARTICIPATION:

The following spoke regarding the business location, limited driving sight from driveways, keeping the area clean and the neighborhood staying in good state.

Carol LaCross, 1515 E. Judd
Genella Gwinn, 1515 E. Judd
Andrew Green, 4412 Dublin

Mr. Strasser stated if the variance is approved it would be only for this applicant and recommended a privacy fence be put up. He said businesses are appreciated in the city but residential and commercial properties don't always work well together.

BOARD DISCUSSION:

Discussion ensued regarding size and number of trucks, times of operation, parking lot size for customers and privacy fencing.

BOARD RECOMMENDATIONS AND/OR ACTION:

REGULAR ZONING BOARD OF APPEALS MINUTES

MAY 18, 2006 / 6:00 P.M.

PAGE 2

Weatherford moved and Bennett seconded to approve ZBA #06-17 with the inclusion of a new privacy fence and to be applied only to this applicant. Motion failed 4-3. Weatherford-no, Scott-no, Hynes-no, Bement-no.

2. ZBA #06-18

BY: Clyde L. Myers
1210 Adams Rd
Burton, MI 48509

RE: 1210 Adams, Part of Lot 31 Supervisors Plat
#8. R-1B zoned.

FOR: To build an addition at 8' from the north
property line, 10' required.(4 votes required)

Clyde Myers, 1210 Adams, explained he would like to expand his home, which would increase the homes value and his driveway would be on the opposite side from his neighbor.

AUDIENCE PARTICIPATION: None.

Ms. Frost said there is ample room to access the backyard and recommended approval.

BOARD DISCUSSION: None.

BOARD RECOMMENDATIONS AND/OR ACTION:

Scott moved and Weatherford seconded to approve ZBA #06-18. Motion carried 7-0.

3. ZBA #06-19

BY: Dale Butler
3509 S. Genesee Rd
Burton, MI 48519

RE: 5460 Lapeer Rd., Lots 46, 47, 48 of Lapeer
Heights.

FOR: To operate an automotive repair facility in a
C-1 zoned area, C-2 special use.
(5 votes required)

Dale Butler, 3509 S. Genesee, said he would like to reopen a vacant facility to repair vehicles.

AUDIENCE PARTICIPATION: None.

Mr. Strasser mentioned the facility was a gas station and automotive shop and there may be fuel in the ground. He said Mr. Butler missed the previous Planning meeting and needs to attend the June 13th Planning meeting.

REGULAR ZONING BOARD OF APPEALS MINUTES

MAY 18, 2006 / 6:00 P.M.

PAGE 3

BOARD DISCUSSION: None.

BOARD RECOMMENDATIONS AND/OR ACTION:

Scott moved and Parker seconded to approve ZBA #06-19. Motion carried 7-0.

4. ZBA #06-20

BY: Harlan Bryan
2340 N. Center Rd.
Burton, MI 48509

RE: Lot 61 Supervisors Plat Copenhaver
Subdivision, C-2 zoned.

- FOR: 1. To exceed the allowable square footage for accessory structures by 998 sq. ft. with a 40'x 50' pole barn, 1402 sq. ft. allowed, 2400 sq. ft. requested.
2. To exceed the height by 3 ½ ft., 16' allowed, 19 ½ ft. requested.
3. Expand non-conforming residential in C-2 zone.
4. Accessory building on property without a principle structure. (5 votes required)

Harlan Bryan, 2340 N. Center, introduced himself as the applicant.

AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh, mentioned the quantity of requests, location and size.

Ms. Frost said the department cannot recommend approval and stated the requests exceed the allowance by a large number. There is no issue with expanding the nonconforming use, and if approved two parcels would be combined as one.

BOARD DISCUSSION:

The Board inquired regarding the two parcels and the size of the barn.

BOARD RECOMMENDATIONS AND/OR ACTION:

Weatherford moved and Scott seconded to approve ZBA #06-20. Motion failed 7-0.
Weatherford-no, Scott-no, Hynes-no, Bement-no, Bennett-no, Parker-no, Welch-no.

5. ZBA #06-21

BY: Charles Wogaman
1176 Peach Blossom Circle
Burton, MI 48509

RE: 5400 Lapeer Rd.
Lots 34-38 of Lapeer Heights.

REGULAR ZONING BOARD OF APPEALS MINUTES

MAY 18, 2006 / 6:00 P.M.

PAGE 4

FOR: To put a residential home on commercial property, C-1 zoned. (5 votes required)

Trina and Charles Wogaman, 1176 Peach Blossom Circle, said they would like to build a residential home on a commercial parcel, they were not aware it was a commercial property and are already financed through the bank.

AUDIENCE PARTICIPATION: None.

Ms. Frost said the property is located in a residential area and recommended approval.

Mr. Strasser said he has an Ordinance for the Wogaman's to give to the bank if a concern arises.

BOARD DISCUSSION: None.

BOARD RECOMMENDATIONS AND/OR ACTION:

Weatherford moved and Hynes seconded to approve ZBA #06-21. Motion carried 7-0.

AUDIENCE PARTICIPATION: The following residents spoke regarding a carpet store not storing carpet roles, the Board visiting sites and the procedure to be put on the agenda.

Bruce McCoy, 1337 Norton
Art Jankowski, 4108 Leith
Pauline Dargel, 6119 Hugh

BOARD DISCUSSION:

Mr. Strasser explained that Tri-City Aggregates will be going before the Planning Commission and there are several issues with the business but is in the process of being corrected and Tri-City is arranging an agreement with Tiger Auto for use of their roadway, which will lessen the dirt and debris and allow the trucks to exit onto Dort Highway instead of Bristol Rd.

Mr. Welch said Sunoco bought property on Bristol Rd. and removed the shed from the premises.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on **Thursday, June 15, 2006 at 6:00 p.m.**

Meeting adjourned at 6:46 P.M.

mrs