

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MEETING MINUTES
JUNE 15, 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: Grantner, Tracy Parker, Welch, Scott, Terry Parker, Bement

MEMBERS ABSENT: Weatherford

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

Bement moved and Scott seconded to approve the Regular ZBA Meeting minutes of May 18, 2006 at 6:00 p.m. Motion carried 6-0.

NEW APPLICATION (S):

1. ZBA #06-22

BY: Kathryn Burt
1428 Merle
Burton, MI 48509

RE: 1428 Merle
Parcel #59-14-577-002
Part of lot 664, 665 and 666 Lapeer Heights.

FOR: To construct a deck in the front of the home
at a 17' setback, 20' required.
(4 votes required)

Kathryn Burt, 1428 Merle, said she would like to have an 8 ft. wide wraparound porch added to her home.

AUDIENCE PARTICIPATION: None.

Mr. Strasser recommended approval and said there are similar situations in the City that older homes are in the rear or side setbacks in which case a variance is needed for additional structures.

BOARD DISCUSSION:

Discussion ensued regarding the contractor and whether the home will be in the setback with a porch.

BOARD RECOMMENDATIONS AND/OR ACTION:

Mr. Parker moved and Grantner seconded to approve ZBA #06-22. Motion carried 6-0.

2. ZBA #06-23

BY: Bruce McCoy
1337 Norton St.
Burton, MI 48529

RE: 1337 Norton, Lot 310 Baker Park

FOR: To build a pole barn 6' from the neighbors

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rather than 10'. (4 votes required)

Bruce McCoy, 1337 Norton, explained his difficulty of driving to the garage.

AUDIENCE PARTICIPATION: None.

Mr. Strasser recommended approval of the request.

BOARD DISCUSSION:

The Board asked who owns the rear property, the number of structures on the land and criteria asked when applying for a building permit.

BOARD RECOMMENDATIONS AND/OR ACTION:

Grantner moved and Mrs. Parker seconded to approve ZBA #06-23. Motion carried 6-0.

3. ZBA #06-24

BY: Jeffery and Krista Wieling
4303 Columbine
Burton, MI 48529

RE: 4303 Columbine
Lots #24, 25, 26 Block E Southmere

FOR: To place a 6' privacy fence in the front yard
area of Brady. (4 votes required)

Jeff Wieling, 4303 Columbine, stated he wasn't aware his property is not zoned for a front yard fence and needs a variance to erect one and a fence would cut down noise from his dogs.

AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh, did not understand why this case required 4 votes and another case required 5 votes.

Ms. Frost replied the cases ask for different size fences so they require different vote counts.

Christopher Hamilton, 4319 Columbine, said he is in favor of the fence going up.

Mr. Strasser said DPW is not directly affected by the request and if neighbors do not object he sees no reason for the variance not to be granted.

BOARD DISCUSSION:

Mr. Parker said that if the neighborhood does not oppose, he is for the fence to be erected.

BOARD RECOMMENDATIONS AND/OR ACTION:

Mr. Parker moved and Scott seconded to approve ZBA #06-24. Motion carried 6-0.

4. ZBA #06-25

BY: Russell and Karla Rioux
3337 E. Bristol
Burton, MI 48529

RE: Lot 17 of Martin Acres

FOR: To expand the non-conforming residential
use with a 24' x 32' pole barn.
(5 votes required)

Russell Rioux, 3337 E. Bristol, stated he needs a pole barn for storage.

AUDIENCE PARTICIPATION: None.

Mr. Strasser said there is industry around the home and doesn't oppose a pole barn.

BOARD DISCUSSION:

The Board discussed a business sign in front of the home and urged the applicant to remove it.

BOARD RECOMMENDATIONS AND/OR ACTION:

Scott moved and Grantner seconded to approve ZBA #06-25. Motion carried 6-0.

5. ZBA #06-26

BY: Norman Brackins
1081 Zuni Dr.
Burton, MI 48509

RE: 1082 Arapaho
Parcel #59-10-576-017
Lot 56 Maple Court No. 2.

FOR: To object to the installation of a front yard
fence located at 1082 Arapaho.
(5 votes required)

Norman Brackins, 1081 Zuni, objects to a fence being put up in Mr. Silks yard.

AUDIENCE PARTICIPATION:

Robert Hughes, 1121 Arapaho, said he didn't see an application and he objects to an 8 ft. fence.

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Ulus Silk, 1082 Arapaho, said he would like an 8ft chain link in front of his home due to debris blowing in the yard and incidences occurring at his home.

Mr. Strasser stated he has no objection or approval.

BOARD DISCUSSION:

The Board discussed the location of the fence.

BOARD RECOMMENDATIONS AND/OR ACTION:

Mr. Parker moved and Mrs. Parker seconded to approve ZBA #06-26. Motion carried to deny 6-0.

6. ZBA #06-27

BY: Cynthia Kitchen
3104 Falcon 48519
Burton, MI 48519

RE: Unit 24 Hawkshire Meadows,
Parcel #59-27-626-024, R-1B zoned.

FOR: To construct a deck that will be 17'9" from
the rear property line, 30' required.
(4 votes required)

Cynthia Kitchen, 3104 Falcon, said she would like to add a deck to the rear of her condo.

AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh, commented on the case.

Mr. Strasser recommended approval and explained the home backs up to a Consumers Energy area so there are no neighbors. He said builders have made large homes that don't accommodate decks without a variance.

BOARD DISCUSSION:

The Board spoke regarding the homes size and builders building homes that require a variance for a structure without the homebuyer realizing.

BOARD RECOMMENDATIONS AND/OR ACTION:

Mr. Parker moved and Scott seconded to approve ZBA #06-27. Motion carried 6-0.

7. ZBA #06-28

BY: Donny and Louise Whitaker
3108 Falcon
Burton, MI 48519

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RE: 3108 Falcon, Parcel #59-27-626-025
Unit 25 Hawkshire Meadows, R-1B zoned.

FOR: To construct a deck that will be 17'9" from
the rear property line, 30' required.
(4 votes required)

Donny Whitaker, 3108 Falcon, said he would like a deck added to the back of his home.

AUDIENCE PARTICIPATION: None.

Mr. Strasser said his views are the same as the previous case.

BOARD DISCUSSION: None.

BOARD RECOMMENDATIONS AND/OR ACTION:

Scott moved and Mrs. Parker seconded to approve ZBA #06-28. Motion carried 6-0.

AUDIENCE PARTICIPATION: The following spoke regarding codification of DPW Ordinances, The Home Depot on Court St. conducting business at various times through the day and night and needing a solution to the noise issue that disturbs the neighborhood surrounding it.

Pauline Dargel, 6619 Hugh
Michael Medich, 1091 Arapaho

BOARD DISCUSSION:

The Board discussed the City Council being the best advocate for neighbors of The Home Depot, with the Zoning officials contacting the Police department and the corporate office, introducing Zoning By-laws and a new bill that requires 6 weeks before an applicant can be scheduled for a hearing and an increased fee that will cover the newspaper publication for the applicant.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on **Thursday, August 17, 2006 at 6:00 p.m.**

Meeting adjourned at 7:40 P.M.
mrs