

CITY OF BURTON  
REGULAR ZONING BOARD OF APPEALS MINUTES  
JUNE 16, 2005, 6:00 P.M., COUNCIL CHAMBERS  
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Chairperson, Steve Welch called the Regular Zoning Meeting to order at 6:00 p.m.

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

MEMBERS ABSENT: None.

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

Mr. Parker moved and Scott seconded to approve the Regular ZBA Meeting minutes of May 19, 2005 at 6:00 p.m.

NEW APPLICATION (S):

1. ZBA #05-18

BY: Tri-City Aggregates / Genoak Construction  
3251 E. Bristol

RE: Lots 10-13 Follo Acres  
Section 28, M-2 zoned.

FOR: Stock piling and crushing of raw concrete  
and concrete recycling. (5 votes required)

Mark Petit 3251 E. Bristol stated the company is attempting to eliminate problems, fulfill demands and new sewer drain covers were installed.

AUDIENCE PARTICIPATION:

Michelle Bradburn 3266 E. Bristol noted health is the top concern due to the dust.

Mr. Strasser recommended denial. He referenced minutes reflecting a temporary winter use permit and said the proposal may diminish most of the problems. He offered improvement alternatives.

BOARD DISCUSSION:

The Board spoke regarding expenses to eliminate dust, crushing in the winter, enforcing action, downsizing the amount of concrete, dust prevention and precise evaluation.

BOARD RECOMMENDATIONS AND/OR ACTION:

Amendment:

Martinbianco moved and Weatherford seconded to amend ZBA #05-18 to begin work within thirty days inclusive to provisions given within the proposal, with daily dust control and a one-year renewable variance with reports to Mr. Strasser and the Zoning Board. Motion carried, 7-0.

Main motion as amended:

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Martinbianco moved and Weatherford seconded to approve ZBA #05-18 with stipulations of beginning work within thirty days inclusive to provisions given within the proposal, with daily dust control and a one-year renewable variance with reports to Mr. Strasser and the Zoning Board. Motion carried, 6-1. Terry Parker-no.

2. ZBA #05-23

BY: George Haight, 2231 Kenneth

RE: 2231 Kenneth

FOR: To build a 42' by 42' pole barn and exceed the allowable square footage for accessory structures by 234 sq. ft. 2250 allowed and 2484 sq. ft. proposed. (4 votes required)

George Haight, 2231 Kenneth stated he wants to build a pole barn for storage.

Mr. Strasser recommended denial.

AUDIENCE PARTICIPATION: None.

BOARD DISCUSSION:

Mr. Grantner stated the Board has upgraded the Ordinance standards to be accommodating.

BOARD RECOMMENDATIONS AND/OR ACTION:

Grantner moved and Mr. Parker seconded to approve ZBA #05-23. Motion failed, 7-0. Weatherford-no, Scott-no, Terry Parker-no, Martinbianco-no, Grantner-no, Tracy Parker-no, Welch-no.

3. ZBA #05-24

BY: James Kotsonis, 4050 S. Center

RE: 4050 S. Center

FOR: To waive the installation of a sidewalk required to be installed by Ord. 19 Section 5.37 item #8. (5 votes required)

James Kotsonis, 4050 S. Center asked to waive the sidewalk Ordinance or give a variance postponing the work for 2 years.

AUDIENCE PARTICIPATION:

Pauline Dargel 6119 Hugh St. said certain businesses have sidewalks and she prefers that all have them.

Mr. Strasser recommended denial but suggested giving Mr. Kotsonis a completion limit.

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BOARD DISCUSSION:

The Board spoke regarding the opening day of business, sidewalks being more desirable in certain instances and more businesses may be developed along with sidewalks.

BOARD RECOMMENDATIONS AND/OR ACTION:

Grantner moved and Scott seconded to deny waiving the variance of ZBA #05-24, with the stipulation of complying within two years. Motion carried, 6-1. Martinbianco-no.

4. ZBA #05-25

BY: Timothy Tyler, 1242 Adams Rd

RE: 1230 Adams Rd

FOR: To deny applicant at 1230 Adams a front yard fence. (5 votes required)

Tim Tyler 1242 Adams explained he is erecting a chain link fence and his neighbor plans to insert a wood fence. He is concerned about the lawn upkeep between the fences.

AUDIENCE PARTICIPATION:

The following residents spoke regarding the fence Ordinance, maintenance and neighbor disputes.

Herman and Peggy Martin, 1230 Adams

Tim Tyler, 1242 Adams

Pauline Dargel, 6119 Hugh

Mr. Strasser spoke regarding the maintenance concern and gave suggestions.

Mr. Tyler asked if the chain link fence was complete, if he would still erect his fence and Mr. Martin replied he would not.

BOARD DISCUSSION: None.

BOARD RECOMMENDATIONS AND/OR ACTION:

Mr. Parker moved and Grantner seconded to postpone ZC #05-25 until the next Zoning Meeting held on July 21, 2005 at 6:00 p.m. Motion carried, 7-0.

5. ZBA #05-26

BY: Lawrence Brochu

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551 Wah Wah Taysee Tr. Mio, MI. 48647

RE: 1324 Potter, Lot 410, N. half Lot 411 and  
Lot 409 Lapeer Heights.

FOR: Variance to construct 24' by 36' by 18"  
pole barn/garage and exceed height by 2'.  
18' requested, 16' required.  
(4 votes required)

Tammy Pettey who is representing Mr. Brochu asked for the variance due to height and an electric door opener.

AUDIENCE PARTICIPATION:

The following residents inquired about the site plan, and three buildings already in the vicinity.

Fawn Scarston, 1337 Potter  
Carrie Kincaid, 1312 Potter

Mr. Strasser denied recommendation and said variances should not be given for convenience.

BOARD DISCUSSION:

Mr. Parker noted the Ordinance is being updated and people still want to exceed the limits.

BOARD RECOMMENDATIONS AND/OR ACTION:

Mr. Parker moved and Grantner seconded to approve ZBA #05-26. Motion failed 7-0.  
Weatherford-no, Scott-no, Terry Parker-no, Martinbianco-no, Grantner-no, Tracy Parker-no,  
Welch-no.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on  
**Thursday, July 21, 2005 at 6:00 p.m.**

Meeting adjourned at 7:50 p.m.

mrs