

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MEETING MINUTES
JULY 19, 2007, 6:00 P.M., COUNCIL CHAMBERS
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Chairman Steve Welch called the meeting to order at 6:00 p.m.

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

MEMBERS ABSENT: Major.

OTHERS PRESENT: A. Frost, DPW Representative and M. Snow, Clerk's Office.

Moved by Weatherford, seconded by Scott to approve the Regular ZBA Meeting of June 21, 2007 at 6:00 p.m. Motion carried 7-0.

NEW APPLICATIONS:

1. ZBA #07-09

BY: Patrick and Christina Russell
4350 Maplewood Meadows
Grand Blanc, MI 48439

RE: Maplewood Meadows Lot #73
Parcel #59-35-577-014. R-1A zoned.

FOR: Addition to be built on the house is 22' from the property line-although it is in line with the house and fence. 30' required by the Ordinance. (4 votes required)

Patrick Russell, 4350 Maplewood Meadows. The applicant did not speak.

AUDIENCE PARTICIPATION: None.

Ms. Frost said the addition was built without a permit. The purpose the addition will be used qualifies it to be moved to a different location on the property that does not put it in the setback area. She recommended denial of the case.

BOARD DISCUSSION:

Mr. Parker said this home had been before the Board before to erect a fence and there was much discussion about granting that variance. He thinks the home looks out of place due to the pitch of the roof and asked if there is a ruling regarding the pitch.

Ms. Frost said the Building Department could answer that question, and if not built to code, it would need to be corrected because DPW has not issued a building permit or viewed plans.

Mr. Grantner asked if Mr. Russell was the homeowner at the time the fence was erected. Mr. Russell responded he was.

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Discussion ensued regarding the deck contractor, the fence being acceptable to stay but any structures needing to be within the 30 ft. setback. Also discussed was the Council or Planning Commission addressing possible fines being issued to residents who build on the weekends to avoid purchasing permits.

Mr. Russell said he left the location of the fence to the builders.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Mr. Parker, seconded by Scott to approve ZBA #07-09. Motion carried to deny 7-0. Scott-no, Welch-no, Hynes-no, Weatherford-no, Parker-no, Parker-no, Grantner-no.

2. ZBA #07-10

BY: Elizabeth Nixon
2224 N. Center Rd.
Burton, MI 48509

RE: 2224 N. Center Rd.
Lot 2 Center Wood Sub.
Section 3. C-2 zoned.

FOR: To expand the non-conforming residential
use of the property with an addition.
(5 votes required)

Elizabeth Nixon, 2224 N. Center. The applicant did not speak.

AUDIENCE PARTICIPATION: None.

Ms. Frost stated the house is in a commercial zoning and the applicant only wants to add an addition. She recommended approval.

BOARD DISCUSSION:

Mr. Parker questioned the drawing that specified 5 ft. from the side.

Ms. Frost clarified there is no side setback for commercial.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Mr. Parker, seconded by Hynes to approve ZBA #07-10. Motion carried 7-0.

AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh, questioned why there was 3 legal notices in the newspaper but only 2 applicants on the agenda.

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Ms. Frost responded it was discovered the third applicant did not need to request a variance but only purchase a permit and therefore did not need to go before the Board.

BOARD DISCUSSION:

The Board discussed penalties to residents who do not purchase permits to build, having the Legislative Committee review the situation along with sidewalk plans. Also discussed was the lack of sidewalks in front of Dakota Lodge, the desire to fill in sidewalks on Center Rd., and the sign Ordinance rules regarding flashing signs.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on **Thursday, August 16, 2007 at 6:00 p.m.**

Meeting adjourned at 6:37 p.m.

mrs