

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MEETING MINUTES
JULY 20, 2000, 6:00 P.M., COUNCIL CHAMBERS

THE MEETING WAS CALLED TO ORDER BY WILLIAM KALANQUIN AT 6:00 P.M.

MEMBERS PRESENT: Grantner, B. Weatherford, Layman, Kalanquin, Scott, Parker, W. Weatherford

MEMBERS ABSENT: T. Hammon

OTHERS PRESENT: T. Strasser, Deputy Planning Official, J. Adams, Clerk's Office

Moved by Parker, seconded by Layman to approve the minutes of the Regular ZBA Meeting of June 1, 2000, at 6:00 p.m., and the Regular Meeting of June 15, 2000, at 6:00 p.m.
Motion carried, 7-0.

AUDIENCE PARTICIPATION: No audience participation.

BOARD DISCUSSION: No Board discussion at this time.

NEW APPLICATIONS:

1. ZBA #00-36

BY: Terry Robinson
2005 Friel St.
Burton, MI 48529

RE: Lot 684 Greater Flint Subdivision
Section 31
R-1C Zoned

FOR: To construct a Michigan Room @ a 7 ft. front
Setback from Furey St., 20 feet required.
(4 Votes Required)

Gary Robinson, 3288 Grand Blanc Rd., Swartz Creek, MI, said he is representing his brother Terry Robinson. He wants to build a Michigan room that is 18 ft. x 18 ft. on the front of the house. He presented pictures to the Board members.

AUDIENCE PARTICIPATION: No audience participation.

Mr. Strasser indicated the house is located on two streets, it has two front yards. This would be the side street as opposed to the location of the home. They do not have any objection to the placement of this. If there was a door there, it would be required by building code to have minimal 4 x 5 ft. landing outside the door. In this particular case, it would exceed it by 2 ft. They do not see this as a hindrance to the neighborhood.

BOARD DISCUSSION:

Mrs. Weatherford inquired as to the hardship.

Mr. Robinson responded that to his knowledge, his brother would like a sun room.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Parker, seconded by Scott to approve ZBA #00-36.
Motion carried, 6-1. B. Weatherford – no.

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2. ZBA #00-37

BY: Tamra Bates
5453 Raymond Ave.
Burton, MI 48509

RE: Lot 33 Raymond Sub.
Section 14
R-1A Zoned

FOR: To exceed the allowable square footage for accessory structures by 168 sq. ft. with a 16'x24' addition to the attached garage. (4 Votes Required)

Tim Bates, 2075 S. Term, Burton, MI, said he is present at the meeting for his sister who would like to build on the back of her garage a 16 ft. x 24 ft. addition. She has no room to park her vehicle and she wants to make the garage longer.

AUDIENCE PARTICIPATION: No audience participation.

Mr. Strasser said there is an ordinance that has been passed by City Council to allow larger accessory structures to try and alleviate some of the problems they have had in the past. Once that is finalized, the size of the addition requested would be within the ordinance, and so they would not be here before the Board. While we are in this process, anything that fits the guidelines they are agreeing with.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Parker, seconded by B. Weatherford to approve ZBA #00-37.
Motion carried, 7-0.

3. ZBA #00-38

BY: Stephen R. Pariseau
3274 Connecticut
Burton, MI 48519

RE: 3274 Connecticut

FOR: 1. To exceed the allowable square footage for accessory structures by 548 sq. ft. with a 26'x32' detached garage.
2. Construct garage at 5' in front of dwelling.
(4 Votes Required)

Stephen Pariseau, 3274 Connecticut, Burton, MI, said he recently purchased the home and the mortgage survey was off as far as where the house sets, so the figures he gave were incorrect. Directly behind where the new garage will be, is a chain link fence and large cherry tree which he hates to remove. The right edge of the house to the street is 80 ft. and not 58 ft. The garage is correct at 68 ft. His pickup truck will not fit into the existing garage.

AUDIENCE PARTICIPATION: No audience participation.

Mr. Strasser said this lot size fits under the new guidelines.

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BOARD DISCUSSION:

Mrs. Scott asked if this property is all on one tax roll.

Mr. Pariseau responded that it is.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Layman, seconded by Scott to approve ZBA #00-38 for Parts 1 & 2, as written.
Motion carried, 7-0.

4. ZBA #00-39

BY: The Lockwood Group
30100 Telegraph Rd., STE 426
Bingham Farms, MI

RE: 2173 S. Center Rd.
Parcel #59-22-100-009-010

- FOR: 1. Request reduction in the required 850 sq. ft. for a
2 bedroom apartment to 805 sq. ft.
2. Request to place carports in south setback at
10 feet from property line, 40 ft. required. North
setback at 5 ft. from property line, 40 ft. required.
(4 Votes Required)

Kristen Hershberger, Lockwood Group, 30100 Telegraph Rd., STE 426, Bingham Farms, MI, said they designed their 2 bedroom units to be 800 sq. ft. The City of Burton requires 850 sq. ft. They are requesting this variance due to the amount of common space that they provide to the use of the residents such as a beauty salon, health care clinic, large dining room, various seating rooms, arts and craft room, library and other areas. There are 30 different rooms that are available for the use of the residents. This is not including any corridors, mechanical or storage space, an additional 15,000 sq. ft., or 121 additional sq. ft. per apartment. So they are actually exceeding the 850 sq. ft. if you include that. The reason for the hardship is if they have to increase the 2 bedroom apartments to 850 sq. ft., they will lose a lot of common area space.

Ms. Hershberger stated the second request is to place the carports in the south setback. For the south property line they face the car wash, and they provide car ports for the seniors. The Fire Chief is requiring they have a lead road around the property and we cannot place the carports close to the building because they will deter the Fire Department's capability to reach the building and stretch the ariel truck to get to the residents. So they have moved the carports to the south property line.

AUDIENCE PARTICIPATION:

Walter Borkovich, 6228 Greenview Dr., Burton, MI, said he is surprised a development the size of Lockwood would present this to a variance Board and expect them to make a decision because there are no numbers or measurements. He does not see where they can arrive at an intelligent decision. Mr. Borkovich stated further, he feels the placement of the carports will be an eyesore for the church and Center Road. The carports could be moved to the southeast, they might lose one parking space, but it would alleviate the 5 ft. variance that is being requested.

Pastor and Priest, Paul Jannakos of St. Nicholas Parish, 1117 Old Town Ct., Grand Blanc, MI, said they hope to be in good cooperation and communication with the Lockwood corporation. He would like to express some concerns on behalf of his parish council and also his own interests in the parish community and this Center Road corridor at large. At the last meeting where the zoning was passed, questions was presented to you about problems with traffic and remarks were made about the possibility of a service road being extended up from behind Meijers. He asks the Board to consider this, as he thinks it would alleviate some of the problems. The pastor re-iterated esthetical concerns, parking and safety issues.

Paul Hildreth, 2364 Meadowcroft Dr., Burton, MI, inquired regarding the number of car spots, and mentioned concerns of the parking lot.

Ms. Hershberger responded that there will be 126 parking spots.

Pauline Dargel, 6119 Hugh St., Burton, MI, inquired regarding the zoning, and if they have approval for 126 units with MSHDA funding. She said she understands the church's views and stated our Zoning Ordinance requiring 850 sq. ft. is not an exorbitant number of square feet, and feels we should stick with what we have in the ordinance.

Ms. Hershberger said the reason for the 5 ft. from the property line on the church side is because the County Drain Commission has an 80 ft. easement that we cannot build in. If it would make the church happy, we would be more then willing to eliminate one or two carports so they have the 10 ft. variance.

Mr. Strasser said some of the questions and concerns that were brought up deal with the site plan review process in front of the Planning Commission. This property is encumbered by physical limitations. They have to fit this development between Center Road and the Curtis Drain. He has questions concerning the Fire Chief's comments with regards to the placement of the carports.

BOARD DISCUSSION:

Mrs. Layman said she has been to a lot of senior citizens complexes for the census, and their apartments are very small. They are so crowded in these apartments that she would not agree to go smaller.

Mrs. Scott re-iterated Mrs. Layman's comments and stated the seniors have no storage space.

Ms. Hershberger said they have provided ample storage space with coat and linen closets, and a pantry. She commented on the downsizing of the common spaced areas if more room is added to the units.

Mr. Parker inquired as to the size of the two bedroom apartments that are next to Meijers.

Ms. Hershberger indicated they are 700 sq. ft.

Brief discussion followed regarding what is covered at site plan review and the elimination of some carports.

BOARD COMMISSION RECOMMENDATIONS AND/OR ACTION:

Moved by Parker, seconded by W. Weatherford to act on Part 1 of the request, and postpone Part 2 of the request until after site plan review.

Motion carried, 7-0.

Moved by Parker, seconded by W. Weatherford to approve Part 1 as written.

Motion carried, 5-2. Layman – no, Scott – no.

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10229 N. State Rd.
Otisville, MI 48463

RE: 4234 S. Dort Hwy.
Leased from Consumer's Energy (James Feahr)

FOR: To temporarily park new vehicles on site for storage
only. Section 21.05

Mr. Strasser said this is an invalid application. The applicant has asked for a Special Meeting for next Thursday, July 27th at 6:00 p.m.

6. ZBA #00-41

BY: Kirby Metal Corp.
4072 Flint Asphalt Dr.

RE: Parcel #59-33-100-011

FOR: To place a temporary office on site.
(5 Votes)

James Kirby, 4072 Flint Asphalt Dr., Burton, MI, said the building is pretty much completed now. He has spent quite a bit of money, and would like everyone to come by and look at it. They have poured 5,000 yards of concrete, and it will be a nice operation. He is requesting to have a double wide for an office temporarily for a year or two.

Mr. Strasser indicated DPW does not have a problem with his request, it will be a professional type office brought in and not a modular home. It will fit in nicely with the development.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Layman, seconded by Scott to approve ZBA #00-41 for two years with option to renew at no additional fees. Motion carried, 7-0.

Mr. Grantner indicated he cannot attend the August 17th meeting.

A Special ZBA Meeting will be held on Thursday, July 27, 2000, at 6:00 p.m.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on **Thursday, August 17, 2000 at 6:00 P.M.**

MEETING ADJOURNED AT 7:17 P.M.

Julie R. Adams
Clerk's Office