

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
JULY 21, 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, S. Hynes, S. Bennett, Grantner, Scott.

MEMBERS ABSENT: Weatherford, Tracy Parker, Martinbianco.

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

Grantner moved and Hynes seconded to approve the Regular ZBA Minutes of June 16, 2005 at 6:00 p.m. Motion carried, 6-0.

AUDIENCE PARTICIPATION: Pauline Dargel, 6119 Hugh inquired regarding ramp requirements.

BOARD DISCUSSION: None.

NEW APPLICATION (S):

1. ZBA #05-25	BY: Timothy Tyler, 1242 Adams
	RE: 1230 Adams Rd Parcel #59-13-503-026
	FOR: To deny applicant at 1230 Adams a front yard fence. (5 votes required)

Mr. Welch stated this case was settled at the previous meeting.

2. ZBA #05-27	BY: Winans Inc. 1460 E. Hemphill Burton MI.
	RE: 1460 E. Hemphill Lots 63 and 64 Baker Park C-2 zoned.
	FOR: To construct an addition to an existing building that will be 20' from the rear property line, 25' required. (4 votes required)

Barry Catrell, 1460 E. Hemphill stated he wants to add to his present building and gave dimensions.

AUDIENCE PARTICIPATION: None.

Mr. Strasser recommended approval.

BOARD DISCUSSION:

Mr. Parker referenced a case on Morrison/Allen Streets and discussed the outcome.

BOARD RECOMMENDATIONS AND/OR ACTION:

Grantner moved and Bennett seconded to approve ZBA #05-27. Motion carried, 6-0.

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3. ZBA #05-28

BY: Henry Rieman 1355 Blanch, Burton MI.

RE: 1180 Allen St. Lots 633 and 634 Baker Park.

FOR: To construct an addition to the rear of the home at 15' from the rear property line, 30' required. (4 votes required)

Henry Rieman, 1355 Blanch expressed his hardship, being his home is small and feels the need to add two bedrooms to the rear of the home.

AUDIENCE PARTICIPATION: None.

Mr. Strasser noted Mr. Rieman's lot is small and due to similar situations, recommended approval.

BOARD DISCUSSION:

Mr. Bennett inquired as to the square footage of the present house, but the applicant was unsure.

BOARD RECOMMENDATIONS AND/OR ACTION:

Grantner moved and Scott seconded to approve ZBA #05-28. Motion carried, 6-0.

4. ZBA #05-29
MI.

BY: Michele L.S. Padilla 3051 S. Belsay Burton

RE: 3051 S. Belsay, Parcel #59-25-501-018
Lots #31 of Eastgate No. 2.

FOR: Approval to operate pet grooming business at home residence.
C-2 use in an R-1B zone. (5 votes required)

Michele Padilla, 3051 S. Belsay stated she is moving her business elsewhere and asked for a temporary use permit to work out of her home until her business is relocated in 2006.

AUDIENCE PARTICIPATION: Ellen Pyles, 6024 E. Atherton said she is a neighbor and approves of the variance.

Mr. Strasser said due to heavy traffic, adjustment of bills and other downfalls he cannot recommend approval. He cautioned the Board about giving temporary and yearly variances.

BOARD DISCUSSION:

Mr. Parker feels residential areas should stay just that.

Mr. Welch asked the applicants current business location.

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BOARD RECOMMENDATIONS AND/OR ACTION

Grantner moved and Mr. Parker seconded to approve ZBA #05-29. Motion failed, 6-0. Scott-no, Mr. Parker-no, Bennett-no, Grantner-no, Hynes-no, Welch-no.

5. ZBA #05-30
MI.

BY: Simmy Kasuas 1117 S. Belsay, Burton

RE: 1117 S. Belsay Lots 1-5 Dumler Acres.

FOR: Class B used vehicle dealer to operate a used car sales lot not in conjunction with new car sales. C-3 use in a C-2 zoned area.
(5 votes required)

Simmy Kasuas, 1117 S. Belsay assured he would have only four cars in the lot at the most.

AUDIENCE PARTICIPATION: The following resident spoke regarding the property presently not in compliance, noise control, cutting through residents yards, car lots being undesirable, limited traffic lanes and a privacy fence if the variance is passed.

Matt Molloseau, 1133 Brabbs
Sarah Bredou, 1142 Brabbs
Teresa Ledger, 1121 Brabbs
Dora Garcia, 1138 Brabbs

Mr. Kasuas stressed there is no night parking and the noise is controlled. He asked that residents call him to resolve any further issues.

Mr. Strasser said the location is not prime for such a business and improvements may help.

BOARD DISCUSSION:

Mr. Parker agreed the location is undesirable for a car lot but the Board could grant restrictions.

BOARD RECOMMENDATIONS AND/OR ACTION:

Grantner moved and Mr. Parker seconded to approve ZBA #05-30. Motion failed, 6-0. Scott-no, Mr. Parker-no, Bennett-no, Grantner-no, Hynes-no, Welch-no.

6. ZBA #05-31

BY: Scott Beutler 5483 Raymond, Burton MI.

RE: 5483 Raymond Lot 38 Raymond Sub.

FOR: 1.) To expand the non-conforming residential use of the property with an addition. Residential use in a C-2. zoning.

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2.) Expand non-conforming side setback
of 5'. 10' required. (5/4 votes required)

Scott Beutler, 5483 Raymond St. said he doesn't have an attached garage and wants to add to his current structure, which will be inline to the existing home.

AUDIENCE PARTICIPATION: None.

Miss Frost recommended approval since the addition won't expand past the existing home.

BOARD DISCUSSION:

Mr. Parker inquired if Raymond St. is commercial. Mr. Strasser replied it ends at this residential lot.

BOARD RECOMMENDATIONS AND/OR ACTION:

Mr. Parker moved and Hynes seconded to approve ZBA #05-31 parts 1 and 2. Motion carried, 6-0.

7. ZBA #05-32

BY: Russell Franks 6051 Crabtree, Burton MI.

RE: 6051 Crabtree, Lot 25 of Holiday Villa.

FOR: 1.) To construct an accessory building in a
front yard setback.
2.) At 16' from the front property line of
Crabtree and 12' from the front property line
of Valley Forge. (4 votes required)

Russell Franks, 6051 Crabtree stated his hardship is no storage. He asked for a variance to build a detached garage and explained the driveway is paved and has a spot for the garage to be constructed.

AUDIENCE PARTICIPATION:

Mr. Welch read a letter of disapproval from Alex Sak, 2072 Valley Forge.

Mr. Strasser explained the stop work order that was issued. He said space is limited to construct a garage. Mr. Strasser recommended approval.

BOARD DISCUSSION:

Mr. Parker asked if the structure could be moved back further.

Mr. Franks and Mr. Strasser discussed front setback footage.

RECOMMENDATIONS AND/OR ACTION:

Grantner moved and Scott seconded to approve ZBA #05-32. Motion carried, 6-0.

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8. ZBA #05-33

BY: TDM Inc. George Masters President of Corp.
521 W. Court St. Flint, MI. 48503

RE: 5200 Lapeer Rd. Parcel #59-14-300-002

FOR: To convert building into a single family home
or a duplex. Residential use in a commercial
zoning. (5 votes required)

George Masters, 3432 Victoria Station, Davison MI. 48423 explained the property he purchased was residential turned commercial. He asked to convert it back to residential and possibly into a duplex.

AUDIENCE PARTICIPATION: None.

Miss Frost noted it was an existing home and recommended approval.

BOARD DISCUSSION: None.

BOARD RECOMMENDATIONS AND/OR ACTION:

Grantner moved and Hynes seconded to approve ZBA #05-33. Motion carried, 6-0.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on **Thursday, August 18, 2005 at 6:00 p.m.**

Meeting adjourned at 6:50 p.m.

mrs.