

CITY OF BURTON  
REGULAR ZONING BOARD OF APPEALS MEETING MINUTES  
NOVEMBER 16, 2000, 6:00 P.M., COUNCIL CHAMBERS

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

MEMBERS PRESENT: Kalanquin, Curtis, Scott, Parker, Cross, Grantner, Layman

MEMBERS ABSENT: None

OTHERS PRESENT: J. Major, DPW Director, J. Adams, Clerk's Office

Moved by Parker, seconded by Grantner to approve the Special ZBA Meeting of October 5, 2000, at 6:00 p.m., and the Regular ZBA Meeting of October 19, 2000, at 6:00 p.m.

Motion carried, 7-0.

ELECTION OF VICE-CHAIRPERSON:

Moved by Cross, seconded by Granter to elect Susan Layman for the ZBA Vice-Chairperson.

Motion carried, 7-0.

AUDIENCE PARTICIPATION: No audience participation.

BOARD DISCUSSION:

Mr. Cross welcomed Jamie Curtis to the ZBA.

D. YEARLY APPLICATION:

- |               |                                                                                   |
|---------------|-----------------------------------------------------------------------------------|
| 1. ZBA #00-68 | BY: Centennial Farms<br>401 S. Old Woodward Ave., STE 400<br>Birmingham, MI 48009 |
|               | RE: Parcel #59-12-400-007<br>6401 Court St., RMH Zoned                            |
|               | FOR: Second on-site sign, permit renewal.<br>(5 Votes Required)                   |

Richard Winkelman, Vice President of Operations for Brookside Communities, 401 S. Old Woodward Ave., STE 400, Birmingham, MI 48009, stated they own and operate Centennial Farms. A year or so ago, he came before the Board to request for a temporary sign to be erected to bring potential residents into the community. The sign was not erected due to a difference of opinions with the dealership. They now have a new dealer who has the same goals. Mr. Winkelman said the dimensions on the sign have not changed from last year's request.

AUDIENCE PARTICIPATION: No audience participation.

Mr. Major inquired regarding the size of the sign. Mr. Winkelman indicated it is 10 x 15. Mr. Major said the DPW does not have a problem with the request.

BOARD DISCUSSION: No Board discussion.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Scott, seconded by Layman to approve ZBA #00-68 with a yearly renewal.

Motion carried, 7-0.

REGULAR ZONING BOARD OF APPEALS MEETING MINUTES

NOVEMBER 16, 2000 / 6:00 P.M.

PAGE -2-

F. NEW APPLICATIONS:

Post-poned from ZBA Meeting of September 21, 2000 at 6:00 p.m.:

1. ZBA #00-44
- BY: Patricia Murphy  
1248 Wells  
Burton, MI
- RE: Lot 775 Baker Park, R-1C Zoned
- FOR: To obtain variance of 18 inches from the west property line; 8 ft. required. For an existing carport. (4 Votes Required)

Applicant was not present. Mr. Kalanquin tabled the case to the end of the meeting.

2. ZBA #00-69
- BY: Joseph Hardacre  
6321 Wagner Ave.  
Grand Blanc, MI 48439
- RE: Parcel #59-36-400-022
- FOR: To exceed the allowable height for accessory structures by 3 ft. 4 inches, 14 ft. allowed; 17 ft. 4 inches requested. (4 Votes Required)

Joseph Hardacre, 6321 Wagner Ave., Grand Blanc, MI, thanked the Board for approving his previous variance request on October 19<sup>th</sup>. When he applied for a building permit he was informed the building side walls did not conform to the building code as to the height. He needs to erect side walls at 14 ft. to store his equipment and RV unit. This building will be used for agricultural purpose and storage.

AUDIENCE PARTICIPATION:

David Hardacre, 350 E. Risting St., Davison, MI, said he is a State licensed contractor and will be putting the building up for his father. The house has a 5 12 pitch roof which puts the peak at 17 ft. 8 inches. Even with putting 14 ft. sidewalls on the building, we will still be approximately 3 inches lower than the house roof. Mr. Hardacre stated further, it should not be visible from the road.

Mr. Major said they have no objections to the variance request.

BOARD DISCUSSION:

Mr. Cross inquired as to the zoning and size of the property.

Mr. Hardacre replied the zoning was R-1A agriculture and the size is 10 acres.

Mr. Major said the zoning is SE.

REGULAR ZONING BOARD OF APPEALS MEETING MINUTES

NOVEMBER 16, 2000 / 6:00 P.M.

PAGE -3-

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Curtis, seconded by Cross to approve ZBA #00-69.  
Motion carried, 7-0.

3. ZBA #00-70

BY: Auto Market  
2101 S. Dort Hwy.  
Flint, MI 48507

RE: 3437 S. Dort

FOR: Used car sales lot not in conjunction with new car sales.  
C-3 special use in an M-2 zoned area.  
(5 Votes Required)

Carrie Dershem, 3437 S. Dort Hwy., Burton, MI said her request is to have the zoning for a used dealership. They were located at 2101 S. Dort Hwy. in Flint for 5 years. They were able to find this location and like the upgrade of clientele they are getting. The building has been vacant for five years and they would like to go in and clean it up. They want to keep cars there no older than 5 years old.

AUDIENCE PARTICIPATION: No audience participation.

Mr. Major said they came before the Planning Commission Tuesday night and they approved the site plan. There are problems with the site which will be discussed with the landlord. Mr. Major said they have no problem with the request and recommend approval.

BOARD DISCUSSION:

Mr. Cross inquired regarding how many cars to be on the site and the hardship.

Ms. Dershem responded 60 cars, and as to the hardship, that is their livelihood. They would have to move and find another location. Ms. Dershem stated further they will keep it clean, and their hopes are to motivate the landlord to clean up his area too. They are excited to keep the business in the Burton area, they have brought customers down from their old location, and they feel this will be an asset.

Mrs. Scott asked if they have other cars on the lot now.

Ms. Dershem replied that they do. They were told it was zoned for a used car dealership when they signed the lease. Apparently it was zoned only for the former owner's license, and when we signed the contract, we assumed it was zoned the same.

Mrs. Layman expressed that she would like to see this as a year variance in case there are any problems. Mr. Parker disagreed that there should be any stipulations.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Parker, seconded by Grantner to approve ZBA #00-70 without stipulations.  
Motion carried, 5-2. Kalanquin – no, Layman – no.

REGULAR ZONING BOARD OF APPEALS MEETING MINUTES  
NOVEMBER 16, 2000 / 6:00 P.M.  
PAGE –4–

NEW APPLICATIONS:

Post-poned from ZBA Meeting of September 21, 2000 at 6:00 p.m.:

1. ZBA #00-44

BY: Patricia Murphy  
1248 Wells  
Burton, MI

RE: Lot 775 Baker Park, R-1C Zoned

FOR: To obtain variance of 18 inches from the  
west property line; 8 ft. required. For an  
existing carport. (4 Votes Required)

Applicant was not present. Mr. Major indicated the carport is already up. He will call them tomorrow and notify them that if they do not show at the next meeting, our recourse is to issue them a ticket and ask the Judge to have the carport taken down. Mr. Major stated further that they did do a good job with the construction, but they need the variance.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Parker, seconded by Cross to postpone ZBA #00-44 till the next meeting.

ADDITION TO THE AGENDA

1. ZBA #00-71

BY: Tracy Powell  
2135 Sandalwood Dr.  
Burton, MI 48519

RE: 3273 S. Dort

FOR: Tattoo & Body Piercing Shop  
C-1 use in an M-2 zoned area  
(5 Votes Required)

Discussion followed concerning postponing the case due to the ZBA members not having enough time to check out the site before making a decision.

Tracy Powell, 2135 Sandalwood Dr., Burton, MI, expressed the need to have her case heard due to signing of the lease and timeframe in opening the building. She said she misunderstood and thought the location was in the Flint area. She signed the lease, and indicated it is her first business. She went to DPW to find out how she can make all the legalities correct. Ms. Powell stated further there are things she must do to the building before she is opened up for business.

Mr. Major said they are granting an administrative review because it is an existing lease space within a building that is up to code. The only problem is the property is zoned M-2 and it really is a commercial corner.

BOARD DISCUSSION:

Mr. Curtis asked when she would be open for business.

Ms. Powell replied December 1<sup>st</sup>.

REGULAR ZONING BOARD OF APPEALS MEETING MINUTES

NOVEMBER 16, 2000 / 6:00 P.M.

PAGE -5-

Mr. Parker said he normally likes to go out and look at the site, but information has been given that the building inspector has been out there and the parking is up-to-date.

Mr. Cross inquired as to the type of body piercing that is done. There is a closed off section for areas that need privacy.

BOARD RECOMMENDATIONS AND/OR ACTION:

Moved by Curtis, seconded by Layman to approve ZBA #00-71.  
Motion carried, 7-0.

Mr. Kalanquin stated a **Special ZBA Meeting** is scheduled for **Thursday, November 30, 2000 at 6:00 p.m.** Due to the upcoming holiday, the **Regular ZBA Meeting of Thursday, December 21, 2000 at 6:00 p.m. is cancelled.** It will be announced if it will be re-scheduled in early December or moved to January.

MEETING ADJOURNED AT 6:34 P.M.

jra