

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
JANUARY 17, 1991
7:00 P.M.

Meeting called to order at 7:05 P.M. by Chairman Gooding.

MEMBERS PRESENT: W. DePottey, T. Hammon, D. Priest, D. Gooding, H. Debus and F. Edmonds

MEMBERS ABSENT: H. Berry

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

A. APPROVE THE MINUTES OF THE FOLLOWING MEETING:

1. Regular ZBA meeting of December 20, 1990 at 7:00 P.M.

Moved by Priest, Supported by Edmonds to approve the above minutes. Motion carried 6-0.

B. YEARLY RENEWAL:

1. ZBA #91-05

BY: Claude Ash
1155 Adams Road
Burton, MI 48509

RE: 1155 Adams Road
Lot 156 of Garden Acres
Section 13
R-1B Zoned

FOR: Yearly Renewal for M-2 Industrial use in an R-1B District, storage of contractors equipment. Backhoe, lowboy, dump truck. (5 Votes Required)

Mr. Ash explained he has been at this location many years and must come before the Board yearly in order that he may park his equipment at his home. There have been no changes since last year. If this is denied, he must sell and move from this location.

There was no one in the audience who wished to speak on this case. Strasser said there have been no complaints. DePottey asked how many years he has been there. Mr. Ash said it has been seventeen (17) years, before Burton was a City.

Moved by Priest, supported by Debus to approve ZBA # 91-05 as written. Motion carried 6-0.

C. NEW APPLICATIONS:

1. ZBA #91-01

BY: Children's Castle Child Care Center
Atherton Community Schools
5283 Sitka
Burton, MI 48519

RE: 5283 Sitka
Q-288
Section 26
SE Zoned
@ "S.W. Corner of Sitka & Belsay"

FOR: To construct a non-accessory free-standing sign on the above mentioned parcel. Request is for an 8'x10' sign.
See Section 5.28 Item 1.F
(5 Votes Required)

Al DuBois, Superintendent of Atherton Schools and Jill Long, Director of the Children's Center explained that at present they merely have a small sign at the side of the road and many people have trouble finding the Center. They asked for an 8' x 10' sign to be placed on the corner of Belsay and Sitka. Ms. Long presented a drawing of the proposed sign. They further explained that if an emergency vehicle was summoned to the Center, they would have some trouble finding the building.

In the audience Allen Stevens, 3337 S. Belsay, spoke against the sign until it was explained to him how the sign would be placed. All he would view from his front windows would be the end of the sign.

Strasser said the DPW have no problem with the sign. Only if the Center should close, the sign should be removed. If this is approved, the small sign on the street should be removed.

Hammon said this request is a real need if only for directing emergency vehicles. He further stated that Mr. DuBois and Atherton School have always had a good rapport with the City. Edmonds asked that if the property on the corner is eventually developed would the sign come down. Mr. DeBois said it would.

Moved by Hammon, supported by DePottey to approve ZBA #91-01 as written. Motion carried 6-0.

2. ZBA #91-02

BY: Insta-Lube
3520 S. Saginaw Street
Burton, MI 48529

RE: 3520 S. Saginaw Street
Lots 862-866 of Baker Park #1
Section 30
C-2 Zoned

FOR: To exceed allowable square footage
of signage allowed by Ordinance by
18' allowed is 54' asking for 72'.
(4 Votes Required)

Kerry Matthew, 3022 Lahring Rd., Fenton and Norman Lang, 6509 W. Bristol, Swartz Creek explained that at present they have a small 4'x 8' sign and they would like to upgrade this to a 6' x 12' sign. They did not realize they must have a variance to put up this sign as other business's in the area have such large signs. If this is denied, they will be stuck with a large sign that already has their name on.

There was no one in the audience who wished to speak on this case.

Strasser said this sign does exceed the ordinance. He said there have been no calls on this request. If this is approved, there should be a stipulation that the three temporary signs be removed.

DePottey asked how long they have been on the corner. They said it has been 8 and 1/2 years. Hammon said he does not like to see businesses putting up larger and larger signs. He will be voting in the negative on this. Edmonds said he did not object to approval of this variance, he feels it would eliminate the 3 temporary signs. Gooding passed the gavel and spoke. He concurred with Hammond. He said he would also be voting in the negative.

Moved by Debus, supported by Edmonds to approve ZBA #91-02 with the stipulation that the three temporary signs be removed. Roll call showed motion failed 4-2, DePottey, Hammon, Priest and Gooding casting the no votes.

3. ZBA #91-03

BY: Michael G. Dickens
1413 Kettering
Burton, MI 48509

RE: 1413 Kettering
Part of Lot 212 of Seeley Sub. #5
Section 13
R-1B Zoned

FOR: To construct a garage within 2' of
the side setback 10' required by
Ordinance.
(4 Votes Required)

M. Dickens explained he now has an old garage that he would like to replace. He plans to attach the new garage to his home. When it is complete he will take down the old garage. The attached garage would be 2' from the lot line. If this is denied he wouldn't be able to have a decent garage.

There was no one in the audience who wished to speak on this case.

Strasser asked how Mr. Dickens planned to remove the old material. Mr. Dickens said he will build his garage with a double door in the back.

Moved by DePottey, supported by Edmonds to approve ZBA #91-03 with the stipulation that the old garage be torn down at the end of a year, (date of Building Permit). Roll call vote showed motion carried 6-0.

4. ZBA #91-04

BY: National Roofing & Sheet Metal Co.
4130 Flint Asphalt Drive
Burton, MI 48509

RE: 4130 Flint Asphalt Drive
Lot 25 Bristol Road Industrial Park
Section 33
M-2 Zoned

FOR: To construct new storage sheds @ 6'
from the south property line. 30'
required.
(4 votes required)

Gary Sova, 11180 Denton Hill, is asking to move the shed closer to the fence. He explained this will give the semi-trucks more room to turn around and also it should keep the area in a much neater appearance.

There was no one in the audience who wished to speak on this case.

Strasser said the DPW had no problem with this request.

Moved by Priest, supported by Edmonds to approve ZBA #91-04 as written. Motion carried 6-0.

5. ZBA #91-06

BY: Genesee County
1101 Beach Street
Flint, MI 48502

RE: 4094 Manor Drive
Section 34
SE Zoned

FOR: To construct parking in the front
setback area of Manor Drive 50'
required 30' requested.
(4 Votes Required)

Greg Mason of CHMP spoke on behalf of the County. He explained that additional parking spaces were requested. He said, at times when the Court is in session that there are excess vehicles that may otherwise utilize parking adjacent to the Court parking lot. Extra spaces should help minimize this problem.

In the audience Claude Ash asked about the Court. Mr. Mason explained.

Strasser said the DPW did encourage the planners to ask for this variance to maximize the parking.

ZBA #91-06 (cont.)

Hammon asked when they intended to have the building ready for occupancy. Mr. Mason said probably in one years time.

Moved by Priest, supported by DePottey to approve ZBA #91-06 as written. Motion carried 6-0.

D. AUDIENCE PARTICIPATION

There was no one in the audience who wished to speak.

E. BOARD DISCUSSION:

Discussion on a previously approved variance and temporary signs followed.

The next regularly scheduled meeting will be held February 21, 1991, at 7:00 P.M.

Meeting Adjourned at 8:38 P.M.

Respectfully Submitted by:

Jeanette Brown,
Clerk's Office