

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
FEBRUARY 10, 1994 AT 7:00 P.M.

MEETING CALLED TO ORDER AT 7:00 P.M. BY Chairman D. Gooding.

MEMBERS PRESENT: W. DePottey, I. Hohloch, T. Hammon, D. Gooding, and
H. Berry.

MEMBERS ABSENT: S. Welliver and F. Edmonds.

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

A. APPROVE THE MINUTES OF THE FOLLOWING MEETING:

1. Regular ZBA Meeting of January 13, 1994, at 7:00 P.M.

Moved by Berry, supported by DePottey to approve the above minutes
as written. Motion carried 5-0.

B. POSTPONED FROM DECEMBER 16, 1993 & JANUARY 13, 1994:

1. ZBA #93-65
By: Tony Truett
3206 S. Center Rd.
Burton, MI 48519

Re: Lot 4 Center Road Acres,
Section 28 C-2 Zoned.

For: To operate an M-2 Use in a
C-2 Zoned area.
For two (2) Dump Trucks,
Backhoe and Trailer.
(5 Votes Required)

There was no one to represent this case.

Moved by Hohloch, supported by DePottey to postpone ZBA #93-65 until the end of
the meeting. Motion carried 5-0.

C. NEW APPLICATIONS:

1. ZBA #94-4
By: Burton Neighborhood Housing
Services
1335 Kenneth St.
Burton, MI 48529

Re: 2094 Kenneth, Lot 85
Star Sub, Sect. 29

For: To remodel a single family home
into a duplex or 2 family
structure. RM Use in an R-1C
zoned area.
(5 Votes Required)

Shirley Hillaker, Director of BNHS explained this house has four bedrooms and
they would like to convert it into a duplex. One for handicapped and one

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regular apartment. She feels this would be the best use instead of placing a family with children as the yard is not large enough to play in. They would place another driveway on the north side of the house. She already has three applicants if this becomes a duplex.

In the audience, Beatrice K. Cosby, 2117 Kenneth St, submitted a letter protesting approval of this variance and she said she felt this may not have been a complete application after reviewing the zoning ordinance in an R-1C area.

Brenda Debus, 2069 Ala, said she had rental property across the street from this address and she is not in favor of approval. She feels parking could be a problem.

T. Strasser said parking could be a problem. He feels confident that the application is proper and he has had some telephone calls regarding the parking problem.

S. Hillaker said this home wouldn't be as good for a large family because of the small yard. If denied they will have to put a big family in the house and as the children become drivers, parking could become a problem in the future.

H. Berry said he was concerned about a duplex because of the parking problem. He doesn't feel there is room to add parking spaces. He would be opposed unless additional parking could be figured out. H. Hohloch stated that the home is close to the corner and an another driveway would be in the "right-of-way" line. W. DePottey concurred with the concerns over parking spaces. T. Hammon asked how many rental units BNHS owned. S. Hillaker said they had seventeen. He then asked if this home was over-priced for the neighborhood. S. Hillaker said no, they had homes in the \$50,000 to \$60,000 range in neighborhoods like this.

1. ZBA #94-4 (contd.)

Moved by Hohloch, supported by Berry to deny ZBA #94-4 due to the parking constraints. Motion carried 5-0.

2. ZBA #94-5

By: Family Dollar Stores of Michigan,
Charlotte, NC 28201-1017

Re: 4386 Saginaw Street
Lots 321-326 & 436-441
Greater Flint Sub.
Sect. 32 C-2 Zoned.

For: (1) To reduce the front setbacks
as follows: Saginaw St, from 30'
to 10', Proper Ave. from 30' to
8' and Ready Ave. from 30' to
27' for parking purposes only.
(2) To reduce the required park-
ing from 47 spaces to 39 spaces.
(4 Votes Required)

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Mr. Robert Geisey, architect, represented this variance request. He said he planned to construct a 7,000 sq. ft. retail store. This was an irregular shaped property and they would be short on the required number of parking spaces. He explained that this building would unify the entire block. He said they had been before Planning Commission and were approved contingent upon approval of this variance. He further explained, there would be large green belt areas on two streets. He presented drawings to the Board. The hardship is, the ordinance governing parking spaces was written based on gross square feet, if figured on net square feet the requirement would only be 23 spaces.

In the audience, Mr. & Mrs. Pollock, 2014 Proper, said they were the home directly in the back of this property and they were concerned about many things. Mr. Pollock questioned the screening and would it be on the back property line. Mr. Geisey said there was a triangular piece of property to the back of the proposed building and the screening could be placed on this line and therefore there would be a green area in between the screening and the property line.

T. Strasser explained that this plan was the best the DPW and Mr. Geisey could design for this property. He further explained that actually four more parking spaces could be placed in the plans but for safety reasons they were eliminated. They planned space for piling snow and more landscaping on this site. He feels this is a reasonable request.

2. ZBA #94-5 (contd.)

H. Berry said he liked the planned green belt area, this would eliminate the problem of cars hanging over the sidewalk. T. Hammon said the applicant has demonstrated that the ordinance is causing a hardship. He then asked about the buried tank that is on the print. Discussion followed, it was determined that the tank is a septic tank which would be less of a problem to have removed than buried gas storage tanks.

Moved by Hammon, supported by DePottey to approve ZBA #94-5 as written. Motion carried 5-0.

POSTPONED FROM BEGINNING OF MEETING:

1. ZBA #93-65 By: Tony Truett

Mr. Truett was not present. T. Strasser said he had been notified of this meeting. Berry asked about his recourse if this is denied, T. Strasser he could refile or comply with denial. H. Berry said the small buildings were supposed to come down. Discussion followed.

Moved by Hammon, supported by DePottey to deny ZBA #93-65. Motion carried 5-0.

C. AUDIENCE PARTICIPATION:

No one wished to speak.

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D. BOARD DISCUSSION:

Chairman Gooding thanked I. Hohloch for bringing in the reading materials for the Board.

The next regularly scheduled meeting of the Zoning Board of Appeals meeting will be held on Thursday, March 17, 1994, 7:00 P.M.

Meeting Adjourned 7:55 P.M.

Respectfully submitted by:

Jeanette Brown,
Clerk's Office