

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
FEBRUARY 15, 1996 AT 7:00 P.M.

MEETING CALLED TO ORDER AT 7:00 P.M. BY CHAIRMAN HOHLOCH.

MEMBERS PRESENT: C. CROSS, B. WEATHERFORD, W. DEPOTTEY, I. HOHLOCH,
H. BERRY, T. PARKER and L. FOUST.

MEMBERS ABSENT: NONE.

OTHERS PRESENT: T. STRASSER, DEP. PLANNING OFFICIAL; J. BROWN, CLERK'S
OFFICE.

A. APPROVE THE MINUTES OF THE FOLLOWING MEETING:

1. Regular ZBA Meeting of January 18, 1996, at 7:00 P.M.

Moved by Berry, supported by Parker to approve the above minutes as
printed. Motion carried 7-0.

B: YEARLY RENEWAL

1. ZBA #96-4

By: Holy Redeemer Church
1227 E. Bristol Rd.
Burton, MI 48529

Re: Q-379-6 Sect. 30
R-1C Zoned

For: Yearly Festival, May
16, 17, 18 & 19, 1996.
C-3 Special approved Use
in an R-1C Zoned Area for
an outdoor festival.
(5 Votes required)

Timothy Allen spoke on behalf of Holy Redeemer. He said everything will
be
the same, there will be no changes.

No one in the audience wished to speak on this case. T. Strasser said
there
have been no complaints in the past.

Moved by DePottey, supported by Cross to approve ZBA #96-4 as requested.
Motion carried 7-0.

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C. NEW APPLICATIONS:

1. ZBA #96-5

By: David Atkinson
3047 Eugene St.
Burton, MI 48509

Re: Part of lot 17, Thomas
Replat of Lots 5 & 6 of
Burton Homesites.
Sect. 25 R-1B Zoned.

ducks

Permitted

an

8.03

For: To keep 10 chickens and 4
in an R-1B Zoned Area.
use after special approval in
SE zoned area. See Sect.
Item 3.
(5 Votes required)

Mr. Atkinson said these are his sons pets, when he bought the house there was one chicken and one duck.

In the audience, L. Stephens, 3049 Vineland, Sherry Hancock, 3048 Vineland, Barbara Haus, 3068 Vineland; Leona Stephens, 3049 Vineland all spoke against approval. P. Dargel, 6119 Hugh spoke on the relevance of "permitted use". T. Strasser explained this is not an SE zoned area and the Board must determine whether these are pets or livestock. He has had several calls against approval.

C. Cross asked how this came to the attention of the DPW. T. Strasser said they had received a complaint from a neighbor. C. Cross said he had visited the site and found it to be small but neat. He feels the homes are too close to permit this type of variance. H. Berry said Mr. Atkinson failed to show a hardship. Discussion on removal of these animals followed.

Moved by Weatherford, supported by Cross to deny ZBA #96-5. Roll call showed motion carried 7-0.

2. ZBA: 96-6
Tile,

By: Larry Noyce/Precision Ceramic
Inc.
5094 Davison Road
Burton, MI 48509

110 Re: The North 250 ft. of the West
the ft. of the East 440 ft. of
the North 396 ft. of the W 1/2 of
R7E, NW 1/4 of Section 11, T7N-
County, City of Burton, Genesee
Michigan.

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C. NEW APPLICATIONS (contd.)

2. ZBA #96-6

office For: (1) To expand a C-2 Use in an
"office" R-0 District, contractors
and showroom in an R-0
District.
property (2) Construct parking places
at 8 feet from the side
line, 20 feet required.
(4 and 5 Votes Required)

Larry Noyce explained he needs a pole barn 50' x 60' for storage of vehicles and business supplies. He said this will give a professional new look to his business. The hardship is that he needs more storage space in order to continue to operate at this site. He also stated that the second part of the variance was not needed.

In the audience the following residents spoke on this variance.

Beverly and Russell Sherman, 1486 Ives

Donna Glann, 1475 Ives

L. Stephens, 3049 Vineland

Debra Iverson, 1468 Ives

They oppose business traffic using Ives Street.

P. Dargel, 6119 Hugh spoke on size and height of pole barn.

T. Stasser said there were no problems with this request. He stated it would be a tough call in that a business needed to expand and on the reverse side, trying to protect the privacy of the neighboring residents. Lengthy discussion followed. Board members were concerned with

heavy traffic on Ives and how the new pavement would hold up. W. DePottey asked about the number of employees they had, (12 now, about 20 plus in the summer) he feels it is an asset to the city, he will vote in the affirmative. Remodeling of one of the existing structures was discussed and when this would be completed.

Moved by DePottey, supported by Parker to approve ZBA #96-6 with the stipulation that the redesigning be finished as soon as possible.

Chairman Hohloch passed the gavel and spoke. He said there were too many "holes" in the plan, such as the lighting. He moved to table ZBA #96-6 until the next regular meeting so that Mr. Noyce could bring in a lighting plan, etc. Seconded by Cross, Roll call showed motion to table carried 7-0.

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C. NEW APPLICATIONS (contd.)

3. ZBA #96-7

By: B.G.B. Pet Supply
1234 N. Center Road
Burton, MI 48509

Re: 59-10-300-004
M-2 Zoned

For: To construct an addition at
1.5 feet from the south
line, 30 feet required. 3
from the north property
30 feet required and 2 feet
the rear property line, 50
feet required.
(4 Votes required)

property
feet
line,
from
feet

Mr. G. McCord explained that his business must build additional storage room or

move. He hopes to clean up the site by moving some the supplies stored outside
can, inside the new building.

Mr. Kent Jones said he owns the property on the south side and he doesn't feel
this area can support the amount of traffic his business will generate if he
adds on. He doesn't feel this property can provide room for a large building.
He said traffic and parking is a problem.

T. Strasser said Mr. Jones comment was with merit. It is already a very congested area. T. Parker said he visited the site three times this week and
he has noted three violations. Discussion on truck accessability to the buildings followed. T. Parker feels Mr. McCord is doing too much business on
this property. Mr. McCord explained his prints to the Board. Lengthy discussion followed.

Moved by Berry, supported by DePottey to approve ZBA #96-7 with the stipulation
there be no outside storage after the day the occupancy permit is issued.
Motion carried 6-1, Parker voting no.
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D. POSTPONED FROM JANUARY 18, 1996:

1. ZBA #96-1

By: Robert Palmateer
3242 Alpena
Burton, MI 48529

Re: 3241 Berent
Lots 105 & 106 Holland Heights
Sect. 28 R-1C Zoned

For: To exceed the allowable square
Footage for accessory structures
by 144 sq. ft. with a 28' x 36'
Pole Barn. 864 sq. ft. allowed,
1008 sq. ft. requested.
(4 votes required)

Richard Vickrey spoke for Mr. Palmateer. He explained at length why Mr. Palmateer needed the Pole Barn. He wishes to store his motor home and lawn equipment in the barn. It will be for personal use only.

In the audience Ken Plamondon, 3426 Berent spoke against approval. He

said Mr. Palmateer has a shed there now and it is not finished or painted.

T. Strasser said Mr. Palmateer could build a 24' x 36' garage with no variance needed. C. Cross asked the length of the motor home. He said he had visited this address and the yard was unsightly. He feels the Pole Barn is too big for the property and will be voting no on this request. I. Hohloch explained to Mr. Palmateer he could build within ordinance requirements and get the height he needs without a variance. Lengthy discussion followed.

Moved by Cross, supported by Parker to deny ZBA #96-1. Motion carried 6-1, DePottey voting against denial.

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E. AUDIENCE PARTICIPATION:

Donna Glann, 1475 Ives said she appreciated the Boards interest in the resident's concerns about ZBA #96-6. She spoke about the variance and revamping the parking on this site. Leona Stephens, 3049 Vineland, spoke on the truck traffic on Ives and also stated that there was only one chicken in the beginning on (#96-5) Eugene Street.

F. BOARD DISCUSSION:

I. Hohloch welcomed and introduced the new alternate ZBA members, Sue Layman and Bill Kalanquin.

Discussion followed on the method of notification and rotation to be used when the alternates are needed to serve on the Board.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on Thursday, March 21, 1996, 7:00 P.M.

Meeting adjourned at 9:10 PM.

Jeanette A. Brown,
Clerk's Office