

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
FEBRUARY 16, 1995 AT 7:00 P.M.

MEETING CALLED TO ORDER AT 7:00 P.M. BY VICE CHAIRMAN H. BERRY.

MEMBERS PRESENT: W. DEPOTTEY, T. HAMMON, H. BERRY, S. WELLIVER, F. EDMONDS.

MEMBERS ABSENT: I. HOHLOCH, D. GOODING.

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 19, 1995, at 7:00 P.M.

Moved by Edmonds, supported by Welliver to approve the above minutes as printed. Motion carried 5-0.

B. YEARLY RENEWAL:

1. ZBA #95-1

By: Blessed Sacrament Church
6340 Roberta
Burton, MI 48509

Re. Q-129 A & B Sect. 13
R-1A Zoned

For: To conduct a C-3 Special Use
Festival Carnival in an R-1A

Zoned

Area. August 4, 5 & 6, 1995.
(5 Votes Required)

Father Dennis R. Spitzley explained this was their 17th Annual Festival and everything would be the same as previous years.

In the audience Pauline Dargel, 6119 Hugh, asked why it was necessary for any of the annual festivals to come before the Board year after year. She felt our City Council should grant special approval for these festivals without requiring a variance each year. T. Strasser explained that festivals do not fit the zoning of these areas and therefore require a variance each year. He said there have been no complaints on this request.

F. Edmonds explained that sometimes certain items such as signs, traffic,

parking must be discussed.

Moved by Edmonds, supported by DePottey to approve ZBA #95-1 as requested.

Motion carried 5-0. REGULAR ZONING BOARD OF APPEALS MINUTES
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C. NEW APPLICATIONS;

1. ZBA #95-2

By: Mrs. Laurene Jones
4144 S. Linden Road

Re: 6495 Bristol Road: Lot #3
ORourke Plat. Sect. 25
SE Zoned

For: To exceed the building height
requirements by 2'8". 14'

required,

16'8" requested.
(4 Votes required)

Jim Raleigh of J.F. Builders, 2272 Reid Rd., Flint represented Mrs. Jones.

He presented a drawing of the plans and explained. He said the pole barn would have vinyl siding to blend in with the main structure.

No one in the audience wished to speak.

T. Strasser said their property exceeds one acre therefore this barn does not exceed allowable storage space. He also said the vinyl siding will lower the profile on the barn. S. Welliver questioned the height of the garage doors. Mr. Raleigh explained. W. DePottey said he felt this was a reasonable request.

Moved by DePottey, supported by Hammon to approve ZBA #95-2 as written.
Motion carried 5-0.

2. ZBA #95-3

By: Joyce E. Doutre
2126 Caranome Dr.
Swartz Creek, MI 48473

Re: G-4510 S. Dort Hwy.
Q-357 Sect. 32

For: To conduct a used car sales lot,

not

sales.

in conjunction with new car

See Ord. 19 Sect. 16.03 Item F
C-3 Zoned.
(5 Votes Required)

Ms. Doutre explained that she wished to put in a Used Car Sales where there had previously been one. She owns Doutre Used Car Sales in Mt. Morris and wishes to expand. She has been in this business for the past ten years.
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C. NEW APPLICATIONS:

2. ZBA #95-3 (CONTD.)

In the audience, P. Dargel, 6119 Hugh, asked if this use is the same why must Ms. Doutre come before the Board. T. Strasser said the State requires a City signature for the license. W. DePottey explained that the previous variance had been granted so long as that owner owned the business.

Moved by Edmonds, supported by Hammon to approve ZBA #95-3 as written. Discussion followed: S. Welliver felt this variance should be restricted to Ms. Doutre as long as she owns this business. Moved by Edmonds, supported by Hammon to amend the motion to read: approve ZBA #95-3 with the stipulation it is for as long as Joyce E. Doutre owns this sales lot. Motion carried 5-0.

3. ZBA #95-4

By: Robert Campbell
3116 Shaw St.
Burton, MI 48529

Re: G-3425 S. Dort Hwy.
Burton, MI 48529
Lots 28-31 Hemphill Dort Comm.

Sites

Sect. 28 M-2 Zoned.

not

For: To conduct a used car sales lot,
in conjunction with new car

sales.

See Ord. 19 Sect. 16.03 Item

F.

M-2 Zoned.
(5 Votes Required)

Mr. Campbell was not present. His representatives asked that this request be postponed until the next regular meeting of March 16, 1995. REGULAR ZONING BOARD OF APPEALS MINUTES
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C. NEW APPLICATIONS: (CONTD.)

4. ZBA #95-5

BY: Tiny Tots 'n Tikes
5244 Lapeer Road
Burton, MI 48509

Re: 5249 Lapeer Road, Lot 2 of
Pinecrest Sub, Sect. 14
R-1A Zoned

For: To conduct an R-0 office use in
an R-1A Zoned Area, for a Day

Care

Center.
(5 Votes Required)

Mr. Ahmad Daraiseh explained his request. He said he will meet all city codes and requirements. The children at the center will be almost all part time.

In the audience, L. Stephens, 3049 Vineland, spoke against approval. P. Dargel, 6119 Hugh asked where this was located on Lapeer Road. F. Edmonds explained. L. Petrella, 1081 Howe Rd. asked if the neighbors had been notified. T. Strasser said yes, all within 300 feet. He said there have been no calls. He also said this has been before Planning Commission and was postponed until the next regular meeting of March 14, 1995.

Discussion followed on: parking, the driveway, proper inspections and other concerns. W. DePottey felt he could not make a decision until he had more information. T. Hammon asked Mr. Daraiseh if he understood that without a full Board present this evening, it would not be approved? Mr. Daraiseh said he understood and asked that this request be postponed until the next regular meeting of March 16, 1995.

D. AUDIENCE PARTICIPATION:

Pauling Dargel, 6119 Hugh said she appreciated the fact that on the Used Car variances that reference to Ord. 19 was included in the

explanation of what the variance was on. She would like to see such references included in all the variances. She also spoke on Day care centers.

E. BOARD DISCUSSION:

H. Barry explained about seminars that will be available to the Board if they wish to attend. Two members will be attending a seminar in Fenton

on Wednesday, March 8, 1995. The clerk of the Board will research the cost

of a seminar at Baker's College and poll and Board to see who would be

interested in attending this seminar.

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E. BOARD DISCUSSION (contd.)

Discussion on Day Care Centers and on Appeals to the Board followed.

The next regularly scheduled meeting of the Zoning Board of Appeals meeting will

be held on Thursday, March 16, 1995, 7:00 P.M.

Meeting adjourned 8:10 P.M.

Respectfully submitted by:

Jeanette Brown,
Clerk's Office