

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
FEBRUARY 22, 1990
7:00 P.M.

This meeting was called to order by Vice-Chairman H. Berry.

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

MEMBER ABSENT: D. Gooding

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

A. APPROVE THE MINUTES OF THE FOLLOWING MEETING:

1. Regular ZBA meeting of January 18, 1990 7:00 P.M.

Moved by Priest, supported by Debus to approve the above minutes as written.
Motion carried 6-0.

B. YEARLY RENEWAL (Postponed from 12-7-89)

1. ZBA #89-059

BY: Napoleon D & Joyce E. Grouleau
G-4299 Fenton Road
Burton, MI 48509

RE: G-4299 Fenton Road
Section 31
R-1B Zoned

FOR: To park construction equipment at
above named property. (Bob-Cat
and Trailer), misc. (2x4's ect.)
M-2 use in an R-1B Zoned Area.
(5 Votes Required)

Attorney Larry Saxe represented the Grouleau's. He explained that the Grouleau's maintain this property in a very neat and clean way. Mr. Grouleau is a small individual contractor and would like to store his equipment at his home. The way the property is screened this equipment cannot be seen from the road. It would be a hardship if Mr. Grouleau had to rent storage space for his equipment.

There was no one in the audience who wished to speak on this variance. Strasser said there have been no complaints and if it is maintained as it is now he could see no problems with this variance.

Moved by DePottey, supported by Debus to approve ZBA # 89-059 for a period of one year. Motion carried 6-0.

PAGE 2

C. YEARLY RENEWALS:

1. ZBA #90-005

BY: Beulah Nelson
4270 Lapeer Road
Burton, MI 48509

RE: 4270 Lapeer Road
Lot 36 Suburban Homesites
Section 15
R-1A Zoned

FOR: RM use (Multiple Family) in an
R-1A zoned area.
(5 Votes Required)

Judy Clark represented her mother. She explained that she has been coming before the Board for many years and nothing has changed. This is the way her Mother makes her living. It would be a financial hardship if this variance was denied.

There was no one in the audience who wished to speak on this variance. Strasser asked if this home was for sale. Ms. Clark said no. Strasser said if approved this use does not pass on with the home if it is sold.

Moved by Priest, supported by DePottey to approve ZBA #90-005 for a period of one year and with the stipulation that if this home is sold the variance will be null and void and the zoning would be R-1A again. Motion carried 6-0.

2. ZBA #90-008

BY: Michael J. Pratt
4367 Chicory Drive
Burton, MI 48519

RE: 5318-2 Lapeer Road
Lot 13 - 23 Lapeer Heights
Section 4
C-1 Zoned

FOR: To operate a Fitness Center
"C-3 special approved use in a C-1
zoned area." (Weight lifting
Equipment).
(5 Votes Required)

M. Pratt explained he is trying to build a Fitness Center. It would be a hardship if this variance is denied as he would have to locate another building and he has limited resources.

There was no one in the audience who wished to speak on this variance. Strasser said this was Zoned C-1 but he feels that this type of business would not be a detriment to the neighborhood. Berry asked if this would be a "massage parlor" type of business. Mr. Pratt said emphatically no.

Moved by Priest, supported by Edmonds to approve ZBA #90-008 for a period of one year. Motion carried 6-0.

PAGE 3

D. NEW APPLICATIONS:

1. ZBA #90-004

BY: Dale Dunsmore
2156 E. Judd Road
Burton, MI 48529

RE: 2156 E. Judd Road
Lot 5, Blk A, Southmere Sub'd.
Section 32
R-1C Zoned

FOR: To construct an attached garage
@ 6" off the side property line
(8' required).
(4 Votes Required)

There was no one present to represent this case.

Moved by DePottey, supported by Debus to postpone this case until the end of this meeting. Motion carried 6-0.

2. ZBA #90-006

BY: Brannam Realty
5517 Davison Road
Burton, MI 48509

RE: 1360 N. Belsay Road
Lot 48 Supervisors Plat -
Eastmoreland Acres
Section 12
R-1A Zoned

FOR: RO use "Office in an R-1A residential
zoned area, for a Realtors Office.
(5 Votes Required)

Chuck Brannam explained that his current location is too small and he must move to larger quarters. He said there is commercial and office use all around this site. Mrs. Brannam said she feels this is a good location for "light office" space.

In the audience Sanford Tyler, owner of the property said he spoke with the neighbor adjoining this property and he has no objections to an office going in here. Mr. Curtin, 1371 N. Belsay said he owns the property directly across from this home and he has no objections to this variance.

Strasser explained this was a single family home and if this Board approved this variance this must go before the Planning Commission for a Site Plan Review. This commercial use could start a trend in this area. Board discussion followed. Debus asked if this would be approved permanently, Strasser said yes it would. Hammon asked what determines where this case goes first. Strasser explained. DePottey asked if this were approved, would the Board be changing the zoning. Strasser explained the process for changing zoning.

PAGE 4

Moved by Priest, supported by DePottey to approve ZBA #90-006 for a Realty Office only with the stipulation that it revert back to its original zoning in the event that Mr. Brannam shall move out of this location; also approval contingent upon Site Plan Review approval. Motion carried 5-1, Hammon casting the one no vote.

3. ZBA #90-007

BY: Dan Wineman
1406 Parkwood
Burton, MI 48529

RE: 1406 Parkwood
Lot 55 - Wilson Homestead
Section 31
R-1C Zoned

FOR: To construct an attached garage
1' off the east property line
8' required.
(4 Votes Required)

Mr. Wineman explained he has a construction crew and needs this garage for storage of his equipment, he also needs the garage for security reasons. He explained how his house is situated on this lot. He said his neighbor does not object to this variance.

There was no one in the audience who wished to speak on this variance. Strasser asked about the property next to the proposed garage. He stated that the neighbor could possibly build a house on this vacant property. Debus asked if Mr. Wineman operates a business out of his home. Mr. Wineman said no, he meets his crew on the job site, there is no parking of employee cars at his home.

Moved by DePottey, supported by Edmonds to approve ZBA #90-007. Motion carried 6-0.

4. ZBA #90-009

BY: Dave Ricketts
6110 Richfield Road
Flint, MI

RE: 4119 East Court Street
Q-83-C
Section 10
C-4 Zoned

FOR: To use the setback area adjacent
to commerce parkway as parking
space, 20' required, 0' requested.
(4 votes required)

PAGE 5

James Vliet, Realtor represented this case. He explained the reason for this variance. He was now asking for less than what the variance application stated. He would like 10' and 15' respectively instead of 0'.

There was no one in the audience who wished to speak on this variance. Strasser explained with a layout, where this property was located and where the setback area was. He also said this must go before the Planning Commission for Site Plan Review approval.

Board discussion followed on where this should be considered first, either the Planning Commission or the Zoning Board. Mr. Vliet explained that to the rear of this property was a Consumers Power High line and also a Pan Handle gas line. Dennis Colton, associate realtor explained their plans for the type of business that would be going in at this location. He said it would be "light" car care.

Moved by Debus, Supported by Priest to approve ZBA #90-009 for a 15' setback between the proposed driveway and the Court Street setback area, also a 10' setback between the property driveway and the NW corner of the property; contingent upon Planning Commission approval of the Site Plan. Motion carried 6-0.

NEW APPLICATION POSTPONED FROM BEGINNING OF MEETING

1. ZBA #90-004 By: Dale Dunsmore

As there was no one present to represent this case, moved by Priest, supported by DePottey to post-pone ZBA #90-004 until the March 22, 1990 meeting. Motion carried 6-0.

E. AUDIENCE PARTICIPATION:

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

F. BOARD DISCUSSION:

T. Strasser spoke on the need for a Workshop with Brandon & Rogers to work out some problems with some commercial property sites within Burton. He would advise the Board when a workshop would be held.

The next regularly scheduled Zoning Board of Appeals meeting will be held on Thursday, March 22, 1990 7:00 P.M.

The meeting adjourned at 8:35 P.M.

Respectfully submitted by:

Jeanette Brown,
Clerk's Office

