

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
JUNE 20, 1996 AT 7:00 P.M.

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

MEMBERS PRESENT: L. FOUST, B. WEATHERFORD, B. KALAUQUIN, H. BERRY,
T. PARKER, C. CROSS AND I. HOHLOCH.

OTHERS PRESENT: R. LADUKE, BLDG. DEPT. SUPERVISOR; T. STRASSER, DEP.
PLANNING OFFICIAL; J. BROWN, CLERK'S OFFICE.

A. APPROVE THE MINUTES OF THE FOLLOWING MEETING:

1. Regular ZBA Meeting of May 16, 1996, at 7:00 P.M.

Moved by Berry, supported by Cross to approve the above minutes as printed.

Motion carried 7-0.

B. YEARLY RENEWAL

1. ZBA #96-45

By: Bentley Boosters
1150 N. Belsay Rd.
Burton, MI 48509

Re: 1150 N. Belsay
59-12-300-001

For: Yearly Carnival.
C-3 Use after special approval
in an R-1A zoned area.
(5 Votes required)

Doug Elkins represented the Bentley Boosters. He explained, the carnival is the primary fund raiser for them. There will be no beer tent or casino, just the carnival. There will be security. The dates are June 27th through the 30th.

In the audience, Pauline Dargel asked if this had to go before the Planning Commission. T. Strasser explained why it did not have to. He said the DPW have no problems with approval.

Moved by Berry, supported by Parker to approve ZBA #96-45 as written.
Motion carried 7-0.

C. AUDIENCE PARTICIPATION:

Discussion on postponement of variances was held.

P. Dargel, 6119 Hugh spoke on mobile homes temporarily parked in the street and code enforcement.

F. BOARD DISCUSSION:

There was none. REGULAR ZONING BOARD OF APPEALS MINUTES
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D. NEW APPLICATIONS POSTPONED FROM FEBRUARY 15, 1996.

1. ZBA #96-6
Tile, Inc.

By: Larry Noyce/Precision Ceramic

5094 Davison Road
Burton, MI 48509

the E
1/2 of
R73, City

Re: The N 250 ft. of the W 110 ft. of
440 ft of the N 396 ft of the W
the NW 1/4 of Section 11, T7N-
of Burton.

Show-

ft.

ft.

Ives,

requested,

For: (1) To expand a C-2 use in an R-0
District, Contractors Office and
room in an R0 "office" district.
(2) Construct parking places @ 8
from the side property line, 20
required.
(3) Front setback variance from
26' requested, 30' required.
(4) East side setback 0'
20' required.
(5 Votes required).

There was no one present to speak for this case. C. Cross suggested following the Planning Commission's example and deny this request due to a lack of interest.

Moved by Cross, supported by Parker to deny ZBA #96-6. Motion carried 7-0.

E. NEW APPLICATIONS:

1. ZBA #96-40

By: Richard Fifield
1360 Cutler
Burton, MI 48509

Re: Lots 338 & 339 of Lapeer Heights,
Section 14, R-1B Zoned.

footage

For: To exceed the allowable square
for accessory structures by 96

sq. ft.

with a 24' x 24' garage.
(4 Votes required)

Mr. Fifield explained he needed the garage for storage of personal items. If this is denied, it would be a hardship causing the loss of family heirlooms. No one in the audience wished to speak. T. Strasser said it was a reasonable request. B. Kalaquin said he visited the site and feels this would be an improvement.

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E. NEW APPLICATIONS (contd.)

1. ZBA #96-40 (contd.)

C. Cross said he had no problem with approval.

Moved by Kalaquin, supported by Cross to approve ZBA #96-40 as written.
Motion carried 7-0.

2. ZBA #96-41
McKittrick

By: Atherton Road Sales, James
6468 E. Atherton Road
Burton, Mi 48519

Lots 1

Re: 6468 E. Atherton Rd., Parts of
& 4, Thomas Replat of Lot 7,
Homesties, Section 25 R-1B zoned.

Burton

commercial

For: To expand a non-conforming
use in an R-1B zoned area.

Enclose,

outside storage areas. Ord. 19

Sect. 6.03 item 1. (5 Votes
required)

Mr. McKittrick explained he wants to enclose his outside storage sheds in order to clean up his property and for security also. His fence has been cut and he has had some losses in property.

In the audience, Leona Stephens, Lloyd Stephens and Larry Stephens of 3049 Vineland spoke against approval of this variance. Donna Glann, 1475 Ives; Larry Petrella, 1081 Howe Rd.; and Pauline Dargel, 6119 spoke against approval.

T. Strasser said he had received some phone calls against approval and one in favor of not allowing anything to set outside.

C. Cross asked about a "stop work" order that was issued. Mr. McKittrick said that after a theft, they hastily began covering the back of the shed and that was when they were issued a stop work order. C. Cross asked what assurances he could give that there would be no more outside storage. Mr. McKittrick said that the pallets accumulate outside but they are moved out every 5 to 6 weeks. He would like to put up a privacy fence. Lengthy Board discussion followed.

Moved by Berry, supported by Kalaquin to deny ZBA #96-41. Motion carried 7-0.

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D. NEW APPLICATIONS (contd.)

3. ZBA #96-42

By: Vincent Vizcarra
6472 Brian Circle
Burton, MI 48509

Re: Lot 55 Brookwood Est. #1
Section 1 R-1A Zoned

fence For: Install a six foot privacy
in the front yard area.

(4 Votes required).

Mr. Vizcarra explained he has an "L" shaped lot and he would not be blocking the view for the cars in the street. At night cars headlights shine into his house. A privacy fence would stop this.

In the audience, Shirley Kozloski, 6441 Brian Circle said it would bring down property values. T. Strasser said it was not an unreasonable request. He is not asking for the whole corner.

T. Parker said circumstances are unique to this piece of property, he said Mr. Vizcarra keeps a neat yard.

Moved by Parker, supported by Cross to approve ZBA #96-42 as written. Motion carried. 7-0.

4. ZBA #96-43

By: Mike & Tracy Parker
1131 Davenport Court
Burton, Mi. 48529

Re: Lot 18 Shenandoah Estate.
Section 31 R-1B Zoned
(4 Votes required)

fence in
Davenport Dr

For: To construct a 5' chainlink
the front yard area of
and Lawnwood Drive.
(4 Votes required).

Mr. Parker explained that he wishes to enclose his back yard, he is on a corner lot. His neighbors all have 5' fences.

No one in the audience wished to speak. T. Strasser said the DPW has no objection to approval of this variance.

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D. NEW APPLICATIONS (contd.)

C. Cross said he has a unique situation since he is on a court. He can see no problems with this request. B. Kalaquin concurred.

Moved by Parker, supported by Cross to approve ZBA #96-43 as written.

Motion carried 7-0.

5. ZBA #96-44

By: Vickie Netzloff
2118 Covert Rd.
Burton, MI 48509

Re: Lot 48 Hammond Homesites #1
Section 3 R-1A Zoned.

For: To exceed the allowable square
footage for accessory

structures

to

ft

requested.

by 224 sq. ft. with an addition

the existing garage, 864 sq.

allowed, 1088 sq. ft.

(4 Votes Requested)

Dave Netzloff explained he wishes to make a uniform structure. It will
match
his house. He will remove the shed that is there now.

T. Strasser said this does exceed the ordinance. Board discussion
followed.

Moved by Cross, supported by Parker to approve ZBA #96-44 as written.
Motion
carried 7-0.

6. ZBA #96-46

Rep-

By: Al Serra,
THA Architects & Engineers,
representative.
6167 S. Saginaw St.
Grand Blanc, MI 48439

Re: 4274 E. Court St, 59-15-100-018
SW Corner of Court & Howe.

For: (1) To conduct a used car

sales lot,

car

4

auto-

center.

M M.

not in conjunction with new

sales, C-3 special use in a C-

Zoning. (2) To operate an

mobile service facility not in
conjunction with a shopping

See Ord. 19 Sect. 27.02 Item

(5 Votes required)

T. Strasser reported that Mr. Serra has requested this be tabled until the next regular meeting.

Moved by Cross, supported by Parker to table until July 18, 1996 ZBA #96-46.

Motion carried 7-0.

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The next regularly scheduled meeting of the Zoning Board of Appeals will be held on Thursday, July, 18, 1996, 7:00 P.M.

Meeting adjourned at 8:13 p.m.

Respectfully submitted by:

Jeanette Brown,
Clerk's Office