

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
JUNE 22, 1995 AT 7:00 P.M.

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

MEMBERS PRESENT: B. WEATHERFORD, T. HAMMON, I. HOHLOCH, H. BERRY, T. PARKER,
F. EDMOND.

MEMBERS ABSENT: W. DEPOTTEY.

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

Vice-Chairman H. Berry called for nominations for a Chairman.

Moved by Hammon, supported by Parker to nominate I. Hohloch for Chairman.
Motion carried 5-0 to elect I. Hohloch for Chairman.

Vice Chairman Berry passed the gavel to Chairman Hohloch.

A. APPROVE THE MINUTES OF THE FOLLOWING MEETING:

1. Regular ZBA Meeting of May 18, 1995 at 7:00 P.M.

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

Bobbie Weatherford entered at 7:10 PM.

B. NEW APPLICATION POSTPONED FROM MAY 18, 1995

1. ZBA #95-28	By: 3M National Advertising Co. 6405 Hix Road Westland, MI 48185-6060
	Re: Lot 327 Chambers Sub. Sect. 28 C-2 Zoned.
exclusively. 327 Industrial Present	For: To relocate existing 10' x 30' Billboard to Lot 327 Presently occupies lots 326 & Chambers Sub. M-1 Light Use in a C-2 Zoned area. sign has non-conforming rights.

(5 votes required).

Lavern Eubanks and John Tobin represented this case. They explained they wished to replace the sign for three reasons. 1. For internal safety, 2. To add direction on the billboard and 3. It overhangs the adjacent property. They presented pictures of the old sign and of the proposed sign. If this is denied it will be a hardship for the above three reasons.

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1. ZBA #95-28 (contd.)

James Faught, Northwest Tire Co. spoke against approval of this request. He said the proposed sign will block their sign and business from potential customers.

T. Strasser explained the DPW asks only if a Mono-pole type system could be constructed. H. Berry said this sign was grandfathered in when Burton became a city. He is unhappy with the old sign and will be voting in the affirmative for a new sign. T. Hammon asked if they were leasing the property that the sign was on. They said yes. F. Edmonds said he could not vote in favor of this sign until he knows whether it will block Northwest Tire Co. sign and business. Board discussion followed on sign size and height. I. Hohloch asked how long their safety phase had been in effect. They said about 2 years. Hammon and Hohloch felt both parties should try to work out something that was agreeable to both parties. Moved by Hammon, supported by Weatherford to postpone ZBA #95-28 until the next regular meeting. Motion carried 6-0.

C. NEW APPLICATIONS:

1. #95-35

By: Winans, Inc.
1460 E. Hemphill
Burton, MI 48529

Re: Lots 55, 56, 57, 58, 59, 60, 61,
62, 64, 65 and 66 of Baker Park,
Sect. 30 C-2 Zoned.

For: To conduct used car sales not in conjunction with a new car sales lot. C-3 Special Use in a C-2 Zoned Area. See Ord. 19 Sect.

16.03

Item F.
(5 Votes required)

Steve Wiens explained he would not be putting in a full service used car lot. He would likely not have more than three cars for sale at one time. He would not have any flags or banners, etc. He has been there for ten years. In order to get a class B license he must have city approval. He wholesales cars also. If this is denied he will have to stop selling cars.

There was no one in the audience who wished to speak on this case. T. Strasser said the way the ordinance is written, they must have new car sales in order to sell used cars without Board approval. He said they keep a very nice establishment.

T. Parker said he was concerned with the view being obstructed for cars pulling out of neighboring parking lots. Mr. Wiens said the cars would be parked well back out of the way.

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C. NEW APPLICATIONS (contd.)

Berry asked how many cars would be for sale at one time, Mr. Wiens again stated it would be about 3 at one time. H. Berry asked where the employees park. Mr. Wiens explained. F. Edmonds said he has no problem with this business.

Moved by Hammon, supported by Edmonds to approve ZBA #95-35 with the stipulation it be for three (3) cars for sale at one time. Motion carried 6-0.

2. ZBA #95-36

By: Robert Winter
6515 E. Atherton
LBurton, MI 48519

Re: The East 95' of Lot 1 of
Pioneer Acres, Sect. 24
R-1A Zoned.

For: To demolish a 20' x 20' garage
and

exceed

build a 26' x 32' garage and

the allowable square footage for
accessory structures by 648 sq.

ft.

(4 Votes required)

Mr. Winter explained that his garage is old and delapidated and he wishes to tear it down and build a larger one with an automatic garage door opener.

His wife is not well and he needs the convenience of a modern garage.

There was no one in the audience who wished to speak. T. Strasser said this does exceed the ordinance. F. Edmonds said this is a neat area and he

does have a good size lot. He feels he can approve this request. T. Parker

asked about a small outbuilding, Mr. Winter said he would be moving it or taking it down. T. Hammon said he concurs with Mr. Edmonds on this request.

Moved by Hammon, supported by Berry to approve ZBA #95-36 as written.

Motion

carried 6-0.

3. ZBA #95-37

By: James Quaderer
2033 McLean St.
Burton, MI 48529

Re: 2033 McLean, Lot 105
Durant Hgts, Sect. 32
R-1C Zoned.

For: Waive 8' set back requirement
for attached garage from side

lot.

Wishes to build 2 1/2 off side

lot

line. (4 Votes required)

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3. ZBA #95-37 (contd.)

Mr. Quaderer explained he wished to build an attached garage and it would be close to the lot line. He intends to tear down his porch and put up a new one. It would be a hardship if this is not approved because he would not be able to have the storage room he needs.

In the Audience, Robert McCullough, 2028 McLean St spoke against approval of this request.

T. Strasser explained he has enough room on the west side of his garage to get into the back yard.

T. Parker asked for clarification, would Mr. Quaderer remove his porch. He said he would. Then Mr. Quaderer explained that the alley has been vacated and this gives him more room to get into his back yard. Discussion on drainage followed.

Moved by Hammon, supported by Parker to approve ZBA #95-37 as written. Motion carried 6-0.

4. ZBA #95-39

By: Mary Moss O'Mara
3130 Eugene St.
Burton, MI 48519

Re: E 76 ft of the S 91.7 ft of
lot 6 Pioneer Acres
6435 E. Atherton Rd.
R-1A Zoned Sect. 24

For: (1) To conduct an R-9 use
"Dance Studio" in an R-1A
zoned area. (2) To expand
a non-conforming building
with an 8' x 16' addition.
(5 Votes required)

Ms. O'Mara explained the building has been vacant for three years. She plans to rehab the building. She needs the addition for a waiting room, etc and the main building for her students. If this is denied it will be a hardship on her students.

In the audience, Larry Stephens, 3049 Vineland spoke for approval of this building. He feels she will do well here and she will clean up the building.

T. Strasser said this is a residential area. Any business would have to have approval. Discussion on parking followed. Ms. O'Mara said she had an agreement with the barber next door and her students can use that parking lot. H. Berry said she has been before the Planning Commission and was approved. I. Hohloch
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4. ZBA #95-39 (contd.)

said he would like to see a stipulation in the motion, if this is approved, that a sound engineer be brought in if there are any complaints on this studio.

Moved by Edmonds, supported by Berry to approve ZBA #95-39, parts 1 and 2 with the stipulations that if the loud music becomes a problem that a sound engineer be brought in to solve the problem and a letter from the owner of the barber shop giving Ms. O'Mara permission to use his property for parking. Motion carried 5-1, T. Parker casting the no vote.

5. ZBA #95-40

By: Patrick Dinnan
4154 S. Vassar
Burton, MI 48509

Re: 59-36-200-021
Sect. 36 SE Zoned

For: (1) To exceed the allowable
square footage for accessory
structures by 216 sq. ft.
(2) To exceed the height
by 2'6" (3) Placement of
structure in front yard. All
pertain to a 30' x 40' Pole
(4/5 Votes required)

requirement

accessory

items

Barn.

Debra Dinnan explained they have 8 1/2 acres and her husband needs this pole barn to park his truck in and to have space to service the truck. He also needs space to store parts for his truck. They have trees and shrubs and the pole barn will not be seen from the road.

No one in the audience wished to speak. T. Strasser said he did not know Mr. Dinnan would be parking his truck there. Mrs. Dinnan said only on week-ends. T. Strasser said this application was invalid, Mrs. Dinnan should re-apply for an M-1 Use in a residential area. Discussion followed on re-applying.

Moved by Edmonds, supported by Hammon to table ZBA #95-40 until Mrs. Dinnan re-applies for an M-1 Use. Motion carried 6-0.

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6. ZBA #95-41
Flint

By: Gannett Outdoor Sign Co. of
6083 Taylor Dr.
Flint, MI 48507

Re: 4532 S. Saginaw St.
59-32-300-001
Sect. 32 C-2 Zoned.

advertising

For: To construct off site

"M-1 use" in a C-2 Zoned area.
Sign dimensions are 14' x 24' =
336 sq. ft. by 40 feet high.
Current sign at 4523 S. Saginaw
to be removed.
(5 votes required)

T. Strasser advised the Board that the applicant wished to have this
tabled
indefinitely.

Moved by Hammon, supported by Berry to table ZBA #95-41 indefinitely.
Motion carried 6-0.

D. AUDIENCE PARTICIPATION:

P. Dargel, 6119 Hugh, spoke on time limits for building pole barns after
a variance is granted.

E. BOARD DISCUSSION:

Discussion on the date for the July meeting took place.

The next regularly scheduled meeting of the Zoning Board of Appeals
meeting will
be held on Thursday, July 27, 1995, 7:00 P.M.

Meeting adjourned 8:40 PM.

Respectfully submitted by:

Jeanette Brown,
Clerk's Office