

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
JULY 15, 1993, 7:00 P.M. COUNCIL CHAMBERS

This meeting was called to order by Chairman D. Gooding at 7:10 p.m.

Members present: K. Cox, W. DePottey, D. Gooding, H. Berry, F. Edmonds.

Members absent: I. Hohloch, S. Welliver.

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 June 17, 1993 at 7:00 P.M.

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

B. NEW APPLICATIONS:

1. ZBA #93-42

By: Howard Hudson
3352 E. Hemphill Road
Burton, MI 48529

Re: Part of Lot 47 of Follo Acres
Section 28 M-1 Zoned

For: To expand the non-conforming
residential rights with a 24' x 32'
addition to the home. Property is
zoned M-1 light industrial.
(5 Votes Required)

Mr. Hudson explained he needs the variance so that he can add a bedroom to his house. He has a one bedroom home and has lived there since 1977. He is now married and is planning a family. If this is denied, he must think about moving.

There was no one in the audience who wished to speak on this request. T. Strasser said this was a fairly solid residential area and felt the request was reasonable. He has not received any calls from Mr. Hudson's neighbors. K. Cox reminded Mr. Hudson this area was zoned "light industrial".

Moved by DePottey, supported by Berry to approve ZBA #93-42 as written. Motion carried 5-0.

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C. POSTPONED FROM JUNE 17, 1993:

1. ZBA #93-38

By: Taco Bell
Michigan Fence Co., agent.
3441 Fenton Road
Burton, MI 48529

Re: 3441 Fenton Road

For: To replace existing 6' privacy
fence on the east property line
with an 8' privacy fence.
6' height maximum by ordinance.
(4 Votes required)

Mr. Thomas Petty, Michigan Fence Co., represented Taco Bell. He explained that the present fence needed to be replaced. They wished to put up an 8' wooden privacy fence to shield the neighbors in the rear from the lights from cars and the noise and also the litter. The neighbors want this fence also. In the audience, Tom Blue of Taco Bell said this was a 24 hour store and this fence would help keep the area cleaner and protect the neighbors from the noise, litter and lights. If this is denied, it will be a hardship on the neighbors.

T. Strasser said the present fence is in disrepair and needs to be replaced. He said the DPW has no problem with this request and it will help out the neighbors. The fence is going to be solid treated wood. H. Berry spoke in favor of the fence, he feels the two extra feet will protect the neighbors more adequately.

Moved by Edmonds, supported by Cox to approve ZBA #93-38 as written. Motion carried 5-0.

D. NEW APPLICATIONS (Contd.)

1. ZBA #93-39

By: Rajala Homes, Inc.
614 S. Grand Traverse
Flint, MI 48502

Re: 6371 E. Maple Rd.
Q-468, Section 36
SE Zoned

For: 1. To allow a substandard lot width
of 100'. 150' required.
2. To allow a 15' side setback on the
west side of the home.
(4 Votes Required)

Douglas Halstead said that they have 300' frontage but the original home was built in the middle of this piece of land. They are thinking of the years to come and would like to build a single story home. The new home will be set back slightly from the original home. If this is denied, the hardship will be that they will have to move to another area.

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D. NEW APPLICATIONS (contd.)

2. ZBA #93-39

There was no one in the audience who wished to speak on this request. T. Strasser said that he feels this ordinance should be revised as they are getting more and more requests for similar under sized lots. He feels this request is reasonable.

H. Berry said this lot split was approved by the Planning Commission on Tuesday, July 13, 1993. He felt this was a reasonable request since the sewers have gone through.

Moved by Berry, supported by Cox to approve ZBA #93-39, part 1 and 2, as requested. Motion carried 5-0.

3. ZBA #93-40

By: Dr. David Visser
4091 Richfield Rd.
Flint, MI 48506

Re: 5053 E. Court Street
Q-94-E, Section 11
C-2 Zoned

For: To construct an outside Golf
Driving Range. Special approval
C-3 use in a C-2 zoned area.
(5 Votes Required)

Dr. Visser presented prints of his plans to the Board. He said this is a large piece of property and as some of it is wet lands it couldn't be developed for much else than a driving range. There will be no lights, hours will be from 9 am til dark. There is natural screening so therefore he will not screen unless it becomes necessary.

There was no one in the audience to speak on this request. T. Strasser said this area is wetlands and flood plain, and not much could be developed here. He feels this is a reasonable request. He hasn't had any calls on this case. H. Berry said this was before Planning Commission on Tuesday, July 13th. Parking will not be a problem and the entrance will be the one used for the Golf Dome. He could see no problem with approval. K. Cox asked about signs. Dr. Visser said he would be using the same sign used for the Golf Dome.

Moved by Edmonds, supported by Cox to approve ZBA #93-40 as written. Motion carried 5-0.

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D. NEW APPLICATIONS (contd.)

4. ZBA #93-43

By: Wal-Mart Stores, Inc.
Randy Hull - BSW International
P.O. Box 21890
Tulsa, Oklahoma 74121-1890

Re: 4250 E. Court St.
E. Court St. and Howe Rd.
Q-173-1 Section 15

For: Wall Sign Variance to exceed the
allowable square footage of wall
signs allowed by Ordinance:
200 sq. ft. allowed, 432.15 sq. ft.
requested.
(4 Votes Required)

The applicant has asked that this be post-poned until the next regular meeting of August 19, 1993.

In the audience, Douglas Allen, 1105 Howe; asked if this sign was going to be a large sign with flashing lights. Chairman Gooding explained it would be painted on the building. Larry Petrella, 1081 Howe; voiced his concern over changing the sign ordinance. T. Strasser said he did not have a draft of the proposed ordinance. K. Cox said Council hasn't received a draft on this ordinance, he suggested they wait and see what is proposed. William Calloway, 4295 E. Court; spoke on his opposition to the sign and said he will be at the next meeting to speak again.

5. ZBA #93-44

By: Signs by Crannie
3538 Flushing Roat
Flint, MI 48503

Re: 1227 E. Bristol Road
Corner Lot, Q-329-C
Section 30
R-1C Zoned

For: To exceed the allowable square
footage for signage by 28 sq. ft.
32 sq. ft. allowed, 60 sq. ft.
proposed.
(4 Votes Required)

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D. NEW APPLICATIONS (contd.)

Norman Roberts, 5492 Raymond; represented Crannie Signs. He explained that this area was zoned commercial except this parcel that the Church is on. They need a larger, clearer sign to post the hours of the Masses and other church activities. He said two people called and said they did not object. He said there is ample set back. Three other signs will be removed if this is approved. He feels a smaller sign will be a traffic hazard as people will have to slow to read the sign.

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

T. Strasser said this area was zoned single family dwelling when the church was built. This area has since been zoned commercial except the parcel that the church sets on. He doesn't feel this is an unreasonable request if the other three signs are removed. H. Berry asked where the sign would be placed. He has no objections for approval as long as the portable sign is removed. He also asked if this would be a changeable reader board. Mr. Roberts said it would. K. Cox felt it was a good trade-off, removal of the other signs for one nice sign.

Moved by Edmonds, supported by DePottey to approve ZBA #93-44 as written, with the stipulation that the portable sign and two other signs be removed. Motion carried 5-0.

E. AUDIENCE PARTICIPATION:

No one wished to speak.

F. BOARD DISCUSSION:

K. Cox asked about re-organization of the Board and when this should be done. J. Brown said she would check with the Clerk.
K. Cox also asked about ordinances that needed to be changed.

W. DePottey said that city ordinances couldn't be written to cover every situation that arises, so therefore it was necessary to establish boards such as the Planning Commission and the Zoning Board of Appeals.

D. Gooding spoke on the "function of the Board" and updating ordinances.

The next regular scheduled meeting of the Zoning Board of Appeals meeting will be held on Thursday, August 19, 1993 at 7:00 P.M.

Meeting adjourned at 8:10 P.M.

Respectfully submitted by:

Jeanette Brown,
Clerk's Office