

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
JULY 27, 1995, 7:00 P.M., COUNCIL CHAMBERS

The Zoning Board of Appeals Meeting Was Called To Order By Ian Hohloch, Chairman, At 7:03 P.M.

MEMBERS PRESENT: DePottey, Weatherford, Hammon, Hohloch, Berry, Parker and Edmonds.

MEMBERS ABSENT: None.

OTHERS PRESENT: R. Stewart, Building Inspector and C. Ladd, Deputy City Clerk.

A. APPROVE THE MINUTES OF THE FOLLOWING MEETING:

Moved by Edmonds, supported by Berry to approve the minutes of the Regular ZBA Meeting of June 22, 1995 at 7:00 P.M., as printed. Motion carried 7-0.

B. NEW APPLICATION POSTPONED FROM JUNE 22, 1995:

1. ZBA #95-28

BY: 3M National Advertising Co.
6405 Hix Road North
Westland, MI 48185-6060

RE: Lot 327 Chambers Sub
Section 28, C-2 Zoned

FOR: To relocate existing 10'x30'
Billboard to Lot 327

exclusively.

327

Industrial

Present

rights.

Presently occupies lots 326 &

Chambers Sub. M-1 Light

Use in a C-2 Zoned area.

sign has non-conforming

(5 votes required)

Laverne Eubanks, 6405 Hix Road North, Westland, MI said she was representing 3M National Advertising Company. She presented a picture of the sign they plan to use and said the new structure would be safer for employees.

Audience Participation:

A.J. Fought, representing Northwest Tire, said they had received a letter from

just today and this was the first correspondence from 3-M. He said there is nothing in their proposal that talks about dimensions, size and this should be addressed. He asked if the front of the sign would have an overhang. He also stated that it appears that the sign is huge compared to other businesses in that area. He said he thinks the Ordinance should be followed.

Mr. Hohloch asked if the sign is doublebacked. He was advised yes.

Discussion was held concerning the size of the sign and the setback area.

Moved by Edmonds, supported by Berry to approve ZBA #95-28 with the stipulation that the setback and overhang conform to the City Ordinance. Motion carried 7-0.

REGULAR ZONING BOARD OF APPEALS MINUTES
JULY 27, 1995, 7:00 P.M.
PAGE -2-

C. TEMPORARY USE:

1. ZBA #95-46

BY: Inside Swing Sports Dome
5053 E. Court St.
Burton, MI 48509

RE: 59-11-300-006
5053 E. Court St.
Section 11, C-2 Zoned

FOR: To permit a temporary office

on site

"Length of time to be

designated"

See Ord. 19, Section 21.05

Item 2 E

(5 Votes Required)

David Visser, owner, said he would like to put in a temporary office as he presently does not have enough office space. They plan to erect a retail facility. The temporary mobile facility would be 14x50. This will not adversely affect the community and they plan to operate from the temporary structure for approximately two years.

Mr. Stewart said DPW has no problem with the request, as Mr. Visser has done a great job in the past.

Mr. Edmonds asked which side of the dome would this be located. Mr. Visser said on the west edge of the existing office.

Moved by Hammon, supported by DePottey to approve ZBA #95-46 with a two (2) year stipulation for a temporary office on site. Motion carried 7-0.

D. NEW APPLICATIONS:

1. ZBA #95-40

BY: Patrick Dinnan
4154 S. Vassar Rd.
Burton, MI 48519

RE: 59-36-200-021
Section 36, SE Zoned

square
structures by
by 2'6"
structure

FOR: 1. To exceed the allowable
footage for accessory
216 sq. ft.
2. Exceed height requirement
3. Placement of accessory
in front yard pertaining to a
30'x40' pole barn.
4. M-1 use in an SE Zoned
truck/tractor parking & use.
(5 Votes Required)

Area,

Debra Dinnan, 4154 S. Vassar Rd., explained the variance request. She said they are about 850 feet from the first house near them. They would like to build a pole barn in the front of their house for storage of truck. If this is denied, they would have to find another vehicle so her husband could drive to where he stored the truck.

Mr. Hohloch asked how many nights a month is the truck home. Mrs. Dinnan said her husband is usually home on the weekends.

REGULAR ZONING BOARD OF APPEALS MINUTES
JULY 27, 1995, 7:00 P.M.
PAGE -3-

Audience Participation:

Arthur Rodammer, 4156 S. Vassar Rd., said he has lived at this address for the past 40 years and is concerned that this may decrease the value of his property. He would like the property to remain residentially zoned.

Larry Stephens, 3049 Vineland, asked how many property owners were notified and also asked if the pole barn had already been built? He said if approved, DPW should see that all stipulations are adhered to and only one truck to be parked there.

Mr. Stewart said there were 7 residents notified and all were within 300 feet.

Mrs. Dinnan said the barn had not yet been built.

Mr. Stewart said they are asking for four (4) variances. He said they try to keep this limited M-1 use, as it creates a problem for DPW. He said this is a prime residential development area and if an industrial use is given, it should be made clear exactly what is and isn't to be done, so when a problem arises, the DPW will know how to handle the situation.

Mr. DePottey said he has no problems with the height requirement, but he is concerned about the barn being placed in front of the house and would recommend the barn be built in the back of the house.

Mrs. Dinnan explained that if they were to build the pole barn in the back of the house, they would need a great deal of fill before building and this would be more costly.

Mr. Edmonds said he also has concerns about the pole barn in the front yard because the rest of that area could become subdivided and also, if the business were to expand, it could become a potential problem to control. He would like to see the pole barn built in the back of the property.

Mr. Parker asked what the allowable footage is between the house and structure.

Mr. Stewart said 10 feet.

Moved by DePottey, supported by Parker to approve the variance to exceed the allowable square footage for accessory structures by 216 sq. ft., as requested.

Motion carried 7-0.

Moved by DePottey, supported by Berry to approve the variance to exceed height requirement by 2'6", as requested. Motion carried 7-0.

Moved by Hammon, supported by Edmonds to approve variance for the placement of the 30'x40' pole barn accessory structure behind the front plane of the house.

Motion carried 7-0.

Moved by Hammon, supported by Berry to approve variance for M-1 use in an SE Zoned Area, for a period of one (1) year. The variance is only for the present owner and when the house is sold, the variance is null and void. Motion carried 7-0.

REGULAR ZONING BOARD OF APPEALS MINUTES

JULY 27, 1995, 7:00 P.M.

PAGE -4-

D. NEW APPLICATIONS CONTINUED:

2. ZBA #95-43

BY: Dennis & Sherri Stephen
2061 Woodland Pass
Burton, MI 48519

RE: 2061 Woodland Pass
Lot 69 of Holiday Villa
Section 24, R-1B Zoned

zoning to

from the

FOR: Requesting a variance in
build an attached garage 5'
lot line. 10' required.
(4 Votes Required)

Mr. Stephen, 2061 Woodland Pass, said he is requesting to build a 24x24 attached garage on the south side of the house and will then have the house and garage aluminum sided all at the same time. He currently has no garage and is parking on the grass and ruining the yard.

There was no audience participation.

Mr. Stewart said there is no problem with the request.

Mr. Parker asked if there would be an overhead door on the back of the garage.

Mr. Stephen said no.

Moved by Berry, supported by Hammon to approve ZBA #95-43 variance to build an attached garage 5' from the lot line. Motion carried 7-0.

3. ZBA #95-44

BY: Yvonne Lamphier
3463 S. Belsay Rd.
Burton, MI 48519

RE: 3463 S. Belsay Rd.
Lot 12 & Part Lot 11 Myrtle

Replat

Section 25, R-1B Zoned

chain link

FOR: Variance to install a 6'

east

fence in rear yard on north &

sides. 5' chain link maximum.
Section 5.33, Item 2 D
(4 Votes Required)

Mrs. Lamphier, 3463 S. Belsay Rd., said she is requesting a 6' chain link fence to keep her dog from jumping over.

There was no audience participation.

Mrs. Lamphier said she spoke with her neighbors and they have no objections to her request.

Mr. Stewart said they haven't had any calls concerning this request.

Moved by Hammon, supported by Berry to approve ZBA #95-44 for a variance to

install a 6' chain link fence in rear yard on north and east sides.

Motion

carried 7-0. REGULAR ZONING BOARD OF APPEALS MINUTES

JULY 27, 1995, 7:00 P.M.

PAGE -5-

D. NEW APPLICATIONS CONTINUED:

4. ZBA #95-45

BY: Joe Kinzel
6013 E. Maple
Burton, MI 48519

RE: Lots 1 & 14 Maple Bel Manor
Section 36, R-1B Zoned

FOR: To exceed the allowable

square

footage for accessory

structures by

1,080 sq. ft. 2000 sq. ft.

allowed

with a 30x36 garage.

(4 Votes Required)

Mr. Kinzel, 6013 E. Maple, said last year he removed the garage next to the house and would like to relocate to the end of the driveway and enlarge the size for a place to park his vehicles. The hardship is the vehicles being left outside in the weather. The accessory building would be for the storage of snowmobiles, jet skis, etc.

Mr. Stewart said this property has a history of junk and debris on the property. He reviewed the history of the property with the board. Mr. Stewart said he has been working on cleaning up the property.

Mr. Hammon said he has a big lot and there is room for the building, but he is concerned about the problem of the cleanup of the property.

Mr. Hohloch said it looks as though most of the items do not work.

Moved by Hammon, supported by DePottey to approve ZBA #95-45 for a variance to exceed the allowable square footage for accessory structures by 1,080 sq. feet with a 30x36 garage, contingent upon DPW being fully satisfied with the cleanup of the property, prior to building permit being issued. Motion carried 7-0.

5. ZBA #95-47

BY: Carla Detroyer
1333 Audrey
Burton, MI 48509

RE: Q-7089
59-14-577-030
Section 14, R-1B Zoned

FOR: To construct a 26'x24' garage

which

ft. of will exceed the allowable sq.
ft. by accessory structures (864 sq.
358 sq. ft.)
(4 Votes Required)

Mrs. Detroyer, 1333 Audrey, said she recently married and have brought two families together. There are five (5) children so they have many toys and a boat is sitting in the yard along with a 3-Wheeler, which they would like to store in the barn.

Mr. Detroyer said there would be an 8 foot sidewall with a gambro, which is still under what the ordinance allows.

Discussion was held concerning the roof.

REGULAR ZONING BOARD OF APPEALS MINUTES
JULY 27, 1995, 7:00 P.M.
PAGE -6-

Mr. Parker asked if they would be keeping the 10x10 building. He was advised yes.

Moved by Hammon, supported by Berry to approve ZBA #95-47 to construct a 26'x24' garage which will exceed the allowable square footage of accessory structure.
Motion carried 7-0.

6. ZBA #95-48

BY: Gannett Outdoor
6083 Taylor Dr.
Flint, MI 48507

RE: Lots 56-67 Stratmoor
G-4523 S. Saginaw
Section 32, C-2 Zoned

panel
current
structure.
for a
Zoned Area

FOR: To place an additional poster
(242 sq. ft.) under the
panel on the existing
Expand non-conforming rights
billboard. M-1 Use in C-2
(5 Votes Required)

Larry Brown, 6083 Taylor Dr., Flint, MI, said he was representing Gannett Outdoor. He explained they would like to erect an additional poster panel under the current structure that is the same size. We had moved a structure on Dort and Atherton 30 feet south because of a development and when we had to move that, we took into consideration what the City was asking and put in a manifold structure instead.

There was no audience participation.

Mr. Stewart said the new sign would be an asset. He has received no calls concerning this case.

Mr. Edmonds said he has no problem with the request.

Moved by Parker, supported by DePottey to approve ZBA #95-48 to place an additional poster pane (242 sq. ft.) under the current panel on the existing structure and expand non-conforming rights for a billboard with M-1 use in C-2 zoned area. Motion carried 7-0.

E. AUDIENCE PARTICIPATION:

Mr. Stephens, 3049 Vineland, thanked the Board for listening to his comments.

F. BOARD DISCUSSION:

Mr. Hammon said the dedication to the Memorial Library Expansion will be held on Thursday, August 3rd at 6:00 P.M. and everyone is invited to attend.

The next regularly scheduled meeting of the Zoning Board of Appeals meeting will be held on Thursday, August 17, 1995 at 7:00 P.M.

Meeting Adjourned at 8:52 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC/AAE
Deputy Clerk

cc: ZBA Members
City Attorney
Mayor
Suburban News
DPW Director

Fire Chief
BCC Members
Flint Journal
Clerk

