

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
August 18, 1994 AT 7:00 P.M.

MEETING CALLED TO ORDER AT 7:00 P.M. BY CHAIRMAN D. GOODING.

MEMBERS PRESENT: W. DEPOTTEY, I. HOHLOCH, T. HAMMON, D. GOODING, H. BERRY,
F. EDMONDS.

MEMBERS ABSENT: S. WELLIVER.

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

A. APPROVE THE MINUTES OF THE FOLLOWING MEETING:

1. Regular ZBA Meeting of July 21, 1994, at 7:00 P.M.

Moved by Berry, supported by Edmonds to approve the above minutes.
Motion carried 6-0.

B. NEW APPLICATIONS:

1. ZBA #94-48

By: Bernard Dzido
5235 Lahring Rd.
Linden, MI 48451

Re: Lot 28 - Supervisors Plat
Atherton Gardens. Section 28
M-2 Zoned. 3105 Kleinpell.

For: To construct a storage building at
5 feet from the North property
line. (4 Votes required)

Mr. Dzido explained that he wished to build a 40' pole barn on an 80' lot. The requirement is that they be 30' from the property line. The building next door is 5' off the line. He needs the pole barn for storage of his equipment.

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

T. Strasser said the lots are narrow, this type of variance has been granted in the past and he feels this is a reasonable request. Chairman Gooding asked about the water run-off. T. Strasser said this will not be a problem. H. Berry said this has been approved unanimously by the Planning Commission.

Moved by Berry, supported by Edmonds to approve ZBA #94-48 as written. Motion carried 6-0.

2. ZBA #94-49

By: Wayne Gaither
4073 E. Bristol Rd.
Burton, MI 48519

Re: Lot 17 Schram Acres
Section 27 C-2 Zoned.

For: To expand the non-conforming
Residential rights in a C-2

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zoned area with an addition.
(5 Votes Required)

There was no one present to represent this case. Moved by Edmonds, supported by Hohloch to table ZBA #94-49 until the end of the meeting. Motion carried 6-0.

3. ZBA #94-50

By: Brian, Deborah Bostwick
6495 Milano Street
Burton, MI 48519

Re: 6495 Milano Street
Lot #1 Stonehedge
Section 24 R-1A Zoned

For: To build an attached garage.
Asking for 3 foot variance
from garage to side boundary
Ten feet required, 7 feet
requested.
(4 Votes required)

Brian Bostwick explained he wished to build a 21' x 24' attached garage. He explained the problems with the size of the lot and why he needed a variance. He needs the extra space for storage of his lawn equipment. It would be a hardship because he would not have the storage space he needs.

There was no one in the audience who wished to speak. T. Strasser said this sub-division is all new construction and the lots are only 70' wide. Other variances have been previously granted on other homes. This is a reasonable request. F. Edmonds said he has visited the site and found it to be a nice place, he feels this is reasonable.

Moved by Edmonds, supported by DePottey to approve ZBA #94-50 as written. Motion carried 6-0.

4. ZBA 94-51

By: Russell A. Hart, Jr.
2458 Egleston
Burton, MI 48509

Re: Lot 148, Richfield Gardens
Section 2 R-1A Zoned.

For: To allow 3 adult dogs,
(Dog Kennel)
M-1 Use in an R-1A zoned area.
(5 Votes Required)

Mr. Hart explained that he has three Doberman adult dogs. These are show dogs and are registered with the AKC. They are house dogs and are outside only occasionally. He has them fenced and he does not consider them dangerous. He plans to put up a privacy fence around the entire back yard, he feels this will cut down on their barking. Mr. Hart has lived at this address five years and

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has had the dogs for three years. If this is denied he will have to get rid of his daughter's dog which she has had all of her life.
In the audience:

Theresa Olson, 2464 Egleston
Shirley Washington, 2463 Stockbridge
Betty Cotton, 2452 Egleston
Garry Kildow, 2483 Egleston
James Burton, 2486 Egleston
Mary Ehrhart, 2439 Egleston
Deanna Verbeck, 2461 Stockbridge
Bob Olson, 2464 Egleston
Mary Kewin, 2465 Egleston
Mr. Brown, 2425 Egleston
Roy Travis, 2497 Stockbridge

All of the above are tired of hearing the dogs barking all day and all are fearful of being attacked by these dogs. B. Cotton said Mr. Hart was a good neighbor, but she was bothered by the barking dogs early in the morning. Mr. Hart said his dogs would not jump over the fence and he was doubtful that they would attack anyone or anything.

T. Strasser said he has received several calls against approval. He explained that Mr. Hart can still keep two of these dogs and any puppies for up to four months. F. Edmonds thanked the residents for coming to the meeting and expressing their views. He said this was helpful. W. DePottey concurred, he feels a duty to the residents, he will be voting in the negative. T. Hammon asked if this was granted, could Mr. Hart have more than three dogs. T. Strasser said, no only three. T. Hammon said he will be voting in the negative also.

Moved by Edmonds, supported by Hammon to deny ZBA #94-51 entirely. Motion carried 6-0.

5. ZBA #94-52

By: Phil Davidson
1255 Carman St.
Burton, MI 48529

Re: Lot 824 - Baker Park
Section 30 R-1C Zoned.

For: (1) To exceed the allowable
square footage for accessory
structures by 494 sq. ft.
(2) To encroach into the rear
setback, 30' required, 22'
requested.
(4 Votes Required)

Mr. Davidson explained he wished to build a 20 x 20 garage and a 10' extension. He needs this space for storage of his collector's cars. The steel shed in the back yard will come down if approved by the Board. If this is denied, his cars must sit outside and rust.

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

T. Strasser said he has changed his request substantially since the last meeting. He feels this is a reasonable request. He has had no calls from the neighbors. H. Berry said he likes this request, it is more reasonable.

Moved by Berry, supported by Hammon to approve ZBA #94-52 as written. Motion carried 6-0.

6. ZBA #94-53

By: Donald Hodgeson
3148 S. Genesee Rd.
Burton, MI 48519

Re: Q-292-D Section 27,
R-1A Zoned.

For: To exceed the allowable square
footage for accessory structures
by 186 sq. ft. 2000 sq. ft. allowed.
2,186 sq. ft proposed with addition of
14' x 22' carport.
(4 Votes required).

Mr. Hodgeson explained he wishes to add a carport to help protect his antique cars from the weather. If this is denied he will have to leave the cars outside in the weather. He has five acres of property.

There was no one in the audience who wished to speak. T. Strasser said there were no problems with this request, there had been no calls.

Moved by Hohloch, supported by Hammon to approve ZBA #94-53 as written. Motion carried 6-0.

C. POSTPONED FROM BEGINNING OF THE MEETING:

1. ZBA #94-49

By: Wayne Gaither

Mr. Gaither explained that he wished to add to his kitchen and bedroom. He has a small house and they need the room. The hardship is that they are uncomfortable in this small home.

There was no one in the audience who wished to speak. T. Strasser said this is in a commercially zoned area. It is a very reasonable request. There have been no calls.

Moved by Hohloch, supported by DePottey to approve ZBA #94-49 as written. Motion carried 6-0.

D. AUDIENCE PARTICIPATION:

No one wished to speak.

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E. BOARD DISCUSSION:

There was no discussion.

The next regularly scheduled meeting of the Zoning Board of Appeals meeting will be held on Thursday, September 15, 1994, 7:00 P.M.

Meeting adjourned 8:00 P.M.

Respectfully submitted by:

Jeanette Brown, Clerk's Office