

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
SEPTEMBER 19, 1996

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

MEMBERS PRESENT: M. Scott, S. Layman, B. Kalanquin, I. Hohloch, H. Berry,
T. Parker and C. Cross.

MEMBERS ABSENT: B. Weatherford

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 August 15, 1996, at 7:00 P.M.

Moved by Parker, seconded by Cross to approve the above minutes as
printed.

Motion carried 7-0.

B. AUDIENCE PARTICIPATION:

Larry Stephens, 3049 Vineland, spoke on the August 15, 1996 minutes, item
#ZBA #96-47 and item #ZBA #96-58. Chairman Hohloch spoke to Mr. Stephens
on obtaining funding for a new Master Plan, new Ordinances and
codification of ordinances.

C. BOARD DISCUSSION:

There was none.

D. TEMPORARY USE:

1. ZBA #96-72

By: Rebecca Warner
3292 S. Belsay Rd.
Burton, MI 48519

Re: The south 82' of Lot 41,
Eastgate #3 Section 26,
R-1B Zoned.

For: To place a 14' x 70' Mobile
Home on the lot temporarily
while home is being rebuilt
due to fire. See Sect. 5.14.
(5 Votes required)

Greg and Rebecca Warner said they had a house fire and are now living in
a one room motel. Their insurance will pay for a mobile home for them to
live in and they would like to park it on their property while the home
is

being repaired. The builder has said it will take two (2) months to repair their home.

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1. ZBA #96-72 (contd)

In the audience, Sandra Congdon, 3276 S. Belsay said the trailer was placed in their driveway on the 16th. She said it blocks the whole driveway and the workers will not have room to park in the driveway and therefore will have to park in the road. She spoke against approval.

The Warner's explained they will be moving the trailer to the back yard Monday, September 23rd.

T. Strasser said if this is not approved the Warner's will have to move the trailer off the property. Kalanquin asked the dimensions of their back yard.

Mr. Warner said approximately 385 feet. T. Parker said this case certainly meets the criteria as a hardship.

Moved by Parker, seconded by Kalanquin to approve ZBA #96-72 with three (3) stipulations: 1. Trailer on site for five months only; 2. Trailer placed in the rear yard only; 3. That no one reside in this trailer after the home is completed and the Warners move out. Motion carried 7-0.

E. NEW APPLICATIONS:

1. ZBA #96-63

By: Dale Weidenhammer
1056 Adams
Burton, MI 48509

Re: Lot 29, Dumler Acres
Sect. 13, R-1B Zoned.

For: (1)To construct a 22' x 28'
attached garage at 3' from the
side lot line, 10' required.
(2)To exceed the allowable

square

footage for accessory structures
by 116 sq. ft; 864 sq. ft.

allowed,

1,000 sq. ft. requested.

(4 Votes required)

Mr. Weidenhammer said he is 5 or 6 feet from the lot line, he has room to drive around his house into the back yard. Discussion followed on the placement of this garage. Mr. Weidenhammer said he is 10' away from the house. Mr. Strasser said that therefore item #1 is not necessary as part of this variance request. No one in the audience wished to speak. James Gilbert, 1052 Adams send a letter to the Board advising that he had no objections to this accessory structure. Mrs. Scott said she had visited the site.

Moved by Cross, seconded by Parker to approve ZBA #96-63 as written.
Motion
carried 5-2, Layman & Kalanquin voting no.
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2. ZBA #96-64

By: Mary Crawford
6203 Briggs
Burton, MI 48509

Re: The south 1/2 of Lot 97,
Garden Acres.
Sect. 13 R-1B Zoned

For: To construct an attached
garage within 3' of a side
lot line, 10' side lot line
required.
(4 votes required)

Mrs. Crawford explained that she is handicapped after a slight stroke. She needs a garage to park her car in during the colder months. No one in the audience wished to speak.

Mr. Strasser said the DPW have no problems with approval. Board discussion on placement of the garage followed. It must have a firewall built on the side closest to the house.

Moved by Parker, seconded by Cross to approve ZBA #96-64 as written.
Motion
carried 7-0.

3. ZBA #96-65

By: Ed DeKrueger
3243 S. Genesee Rd.
Burton, MI

Re: Lot 25 City Gardens
Sect. 26 R-1B Zoned

For: To exceed the allowable
square footage for accessory
structures by 968 sq. ft.
864 sq. ft. allowed; 1,832 sq.
ft. proposed.
(4 votes required)

Mr. DeKrueger explained he needs the garage for extra storage room for his personal items and for lawn equipment. He said he is .1 short of an acre. His neighbor has offered to give it to him.

No one in the audience wished to speak. Mr. Strasser said Mr. DeKrueger has a greenhouse which is considered an accessory structure. He said if this garage is built matching the house construction the DPW has no problem with approval.

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3. ZBA#96-65 (contd.)

Discussion followed. S. Layman said she visited the site and Mr. DeKreuger has referred to "his apartment" in the garage. Mr. DeKreuger said it is not an apartment, he has no apartments on this property.

Moved by Cross, seconded by Kalanquin to approve ZBA #96-65 as written Motion carried 7-0.

4. ZBA #96-66

By: Bill Gwinn
2195 E. McLean St.
Burton, MI 48529

Re: Lots 448 - 449, Durant Heights.
Sect. 32 R-1C Zoned.

For: To construct a carport at 6"
from the house, 10' required.
(4 votes required)

Mike Gwinn represented his father on this case. He said his Dad needs the carport in the winter to park their car under. His father is out of town at the present. Mr. Strasser said there is no problem with approval of this request as long as they build according to code.

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

Discussion followed on the closeness of the carport to the house next door.

Mr. Strasser said it would be 3' from the property line.

Moved by Parker, seconded by Cross to approve ZBA #96-66 as written.

Motion

carried 7-0.

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5. ZBA #96-67

By: Donald M. Carroll
4440 Riske #3
Flint, MI 48532

Re: 2363 Willowdale, Lot 8
Brookwood Pointe
Sect. 1 R-1A Zoned.

For: To exceed the allowable square
footage for accessory structures
by 416 sq. ft. with a 24' x 24'
detached garage. 864 sq. ft.
allowed, 1,280 sq. ft.

requested.

(4 votes required)

Mr. Carroll explained he wishes to have a garage in which to have a work shop for his wood working hobby. He said it would match the house. In the audience Chuck Sekrenes spoke in favor of approval of this request.

T. Stasser said it is over ordinance, but if constructed to match the house the DPW has no problem with approval. T. Parker asked if there would be a driveway to the garage, Mr. Carroll said no.

Moved by Kalanquin, seconded by Layman to approve ZBA #96-67 as written. Motion carried 7-0.

6. ZBA #96-69

By: Steve Graham, Agent for
Betty Carr
1133 S. State St.
Davison, MI 48423

Re: The west half of Lot 45,
Supervisors Plat #12.
Sect. 28 C-2 Zoned

For: To construct a single family
home on a C-2 Commercially
zoned property.
(5 votes required)

Mr. Graham explained he is Betty Carr's realtor and this is a vacant lot which runs off Atherton Road. He feels it should be zoned residential. If this is denied, Mr. Graham won't be able to sell the property. There was no one in the audience who wished to speak. T. Strasser said this is a unique situation, it is a dead end gravel road. The property is not in a flood area and should be zoned back to residential. Discussion followed.

Moved by Kalanquin, seconded by Layman to approve ZBA #96-69 as written. Motion carried 7-0.

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7. ZBA #96-70

By: Robert L. Cull
4412 Lawnwood Court
Burton, MI 48509

Re: Lot 55 Shenandoah Estate #2
Sect. 31 R-1B Zoned.

For: To construct a 24' x 32'
accessory garage in rear yard
area which will exceed the
allowable square footage by 387
sq. ft. Ordinance allows 864

sq.ft.,

requesting 1,248 sq. ft.
(4 votes required)

Norman and Robert Cull explained they wished to build a garage for personal storage. They have down-sized their plans and now plan on building a 20' x 32' garage.

In the audience, Ray Gray, 4386 Brunswick said she did not oppose the garage but she did not want cement and lumber trucks using her private drive to get to the construction site.

T. Strasser said the DPW have no problems with this request. Discussion followed. W. Kalanquin asked about widening the gate, T. Parker asked if the steel shed would be gone, the Culls said it would be.

Moved by Kalanquin, seconded by Cross to approve ZBA #96-70 as written. Motion carried 7-0.

8. ZBA #96-71

By: Kenneth Howarth
1425 Lyle St.
Burton, MI 48509

Re: Lot 52 Supervisors Plat of
Eastmoreland Acres
Sect. 12 R-1A Zoned

garage

req.

square

by

allowed,

For: (1) To construct an attached
5' from the side lot line, 10'
(2) To exceed the allowable
footage for accessory structures
607 sq. ft. 864 sq. ft.
1,471 sq. ft. requested.
(4 Votes required)

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8. ZBA #96-71 (contd.)

Mr. Howarth said he would like to add to his garage and make it a double garage. He feels it will enhance the house, it will have a brick front and vinyl siding.

In the audience, Wilma Triplett, 1435 Lyle spoke against approval. She feels it will be too close to the property line and water run-off will be a problem. It will only be 17' from her living room.

T. Strasser said it does exceed the ordinance, but he said generally water runs off to the front and to the back, he sees no problem with approval.

Discussion followed, C. Cross asked which way the pitch of the roof would run. Mr. Howarth explained. B. Kalanquin did not like the North water run-off. I. Hohloch asked about the distance from the edge of the eaves to the property line.

Moved by Kalanquin, seconded by Layman to deny ZBA #96-71 as written.
Roll
call showed motion carried 6-1, Berry voting no.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on Thursday, October 17, 1996, 7:00 P.M.

Meeting adjourned at 8:10 PM.

Jeanette Brown,
Clerk's Office