

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS AGENDA
SEPTEMBER 20, 1990, 7:00 P.M., COUNCIL CHAMBERS

This Meeting was called to order by Chairman, Douglas Gooding at 7:00 P.M.

Members Present: Gooding, Berry, Priest, Edmonds, DePottey, DeBus and Hammon.

Members Absent: None.

Others Present: T. Strasser, Dep. Planning Official and C. Ladd, Deputy Clerk.

A. APPROVE THE MINUTES OF THE FOLLOWING MEETING:

Berry Moved and Edmonds supported the following motion:

Approve the minutes of the Regular ZBA Meeting of August 16, 1990 at 7:00 P.M., as printed. Motion carried 7-0.

B. YEARLY RENEWALS:

1. ZBA #90-47

BY: Ace Asphalt & Paving
3401 E. Court St.
Burton, MI 48509

RE: 3178 E. Bristol Rd.
Lots 5-8 of Bristol Rd.
Industrial Park
Section 33, M-2 Zoned

FOR: Yearly Renewal for an Off Site
Sign, constructed on Carter Lumber
Property (5 Votes Required)

Mark Marshall, 3178 E. Bristol Road, said he works at Ace Asphalt and the plant is located on Jimbo Drive without the sign located where it is, the customers have a difficult time locating the business and this would result in the loss of customers.

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

Mr. Strasser said there was an agreement signed between Ace Asphalt and Carter Lumber Company and it was agreed to by the City of Burton. We are asking that the sign be straightened out as one of the poles is not straight.

Mr. Gooding asked if there was any communication with Carter Lumber regarding this renewal. Mr. Strasser said they have been mailed a notice of tonight's meeting.

Moved by DePottey, supported by Priest to approve ZBA #90-47, with the restriction that the sign be straightened out. Motion carried 7-0.

2. ZBA #90-49

BY: Troy Richardson
1440 N. Belsay Rd.
Burton, MI 48509

RE: Lot 40, Supervisor's Plat
Eastmoreland Acres
Section 12
R-1A Zoned

FOR: C-1 Use in an R-1A "Residential"
District, Locksmith Service.
Requests Permanent Variance.
(5 Votes Required)

Mr. Richardson said he needs the variance to run the business out of his home. He would only have a phone at the residence to take calls and the van is parked there at night. If the request is denied, it would be difficult for me to make a living and my family would suffer a great hardship. Mr. Richardson also said he would like to have this be a permanent variance as he has come before this Board for a yearly variance since 1986.

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

Mr. Strasser said DPW recommends this continue to be a yearly variance. Discussion was held in regards to the types of business which could operate in the residence if a permanent variance was issued.

Mr. Berry suggested the variance for one year be extended for a period of five (5) years.

Mr. DePottey said he travels by this residence often and there are never any trucks or a large number of cars in the driveway.

Mr. Priest said he feels the variance should not exceed two (2) years.

Moved by Priest, supported by DePottey to approve ZBA #90-49, for telephone office use for a period of two (2) years. Motion carried 7-0.

NEW APPLICATIONS:

1. ZBA #90-48

BY: Model Laundries
William J. Banacki
4058 N. Linden Road
Flint, MI 48504

RE: 1366 E. Bristol Road
Q-335 E & F, Section 31
C-4 Zoned
"Bristolwood Plaza"

FOR: To construct a building within the
rear setback. 25' required, 6'
requested.
(4 Votes required)

Mr. William Banacki, 4058 N. Linden Rd., said the setback is requested to allow

for more parking and to take advantage of putting in an easement under the walkway and this will give us two (2) common ingresses and egresses between the commercial buildings. This will help the traffic problem. If the variance is denied, we will not have enough parking and will have no easement under the walkway without giving up some parking spaces.

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

Mr. Strasser said Mr. Banacki was before the Planning Commission last week and we don't feel the request is unreasonable. There are two buildings in the front to be lined up and we did review different designs and this one give him parking spaces to meet the Ordinance.

Mr. Berry said the Planning Commission reviewed the site plan and approved it unanimously.

Mr. DePottey said he is acquainted with the site and sees no problem with the request.

Moved by Edmonds, supported by Debus to approve ZBA #90-48, as requested. Motion carried 7-0.

2. ZBA #90-50

BY: Mary O'Mara
3130 S. Eugene St.
Burton, MI 48519

RE: Lot 10 - Thomas Replat of Lots 5 &
6. Burton Homesites
Section 25, R-1B Zoned

FOR: To exceed the allowable square
footage for Accessory Structures
by 336 Sq. Ft.
(4 Votes Required)

Mrs. O'Mara was present and explained they would like to build a storage building 30x40, which exceeds the City Ordinance. They do not have a garage nor a basement to store large items in and for parking their cars. There is woods and a swampy area behind their home. She spoke with the neighbors on both sides of them and they have no objections to the variance. We would like to build it to resemble a barn and place it on a cement slab. If this request were denied, we would have to continue to store our bikes and extra items in our attic, which makes it very inconvenient for us to use.

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

Mr. Strasser said there is some debris which needs to be cleaned up by the driveway and this building is for residential use only. There is nothing stored outside at this time.

Mrs. O'Mara said they are planning to get a windsurfer and the other items are in the attic.

Mr. Gooding said he does not see a specific need for this variance and was not in favor of the request.

Mr. DePottey said this residence is not in a subdivision and the neighbors do not object to this.

Moved by Priest, supported by Hammon to approve ZBA #90-50, as requested. Roll Call Vote: DePottey, yes; Hammon, yes; Priest, yes; Gooding, yes; Berry, yes; Debus, yes; and Edmonds, yes. Motion carried 7-0.

3. ZBA #90-51

BY: Rose Charlton
4359 Haas Dr.
Burton, MI 48519

RE: Lot 103 - Dexel Park #1
Section 22, R-1B Zoned

FOR: To exceed the allowable square
footage for accessory structure
by 600 sq. ft.
(4 Votes required)

Mrs. Charlton said she would like to build a 24x30 2-car garage on her vacant lot to house her garden tractor, lawnmower, boat and small trailer and a car which she stores in the winter months. At the present time, these items are stored outdoors, chained to a fence. I have two shed on the property which will be taken down to build the garage. When I mow the lawn, I have to move the boat and tractors around to mow under them and I am a widow and do this myself.

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

Mr. Strasser said DPW would like to see a conventional garage instead of a pole barn type structure.

Moved by Hammon, supported by Debus to approve ZBA #90-51, as requested. Motion carried 7-0.

4. ZBA #90-52

BY: Donald R. Townsend
4303 Pratt Avenue
Burton, MI 48519

RE: Part of Lots 11 & 12 of Wagner
Acres, Section 36
SE Zoned

FOR: To exceed the allowable square
footage for accessory structures
by 182 sq. ft.
(4 Votes required)

Mr. Townsend said he would like to build another garage to park another car and in the near future, he wants to purchase an 18-20 foot boat that will also be stored in the garage. If I were to build a smaller garage, it may not large enough to store everything and I would then have to store something outdoors.

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

Mr. Strasser said there is not problem with the size of the structure, as the area is wide open.

Moved by Debus, supported by Berry to approve ZBA #90-52, as requested. Motion carried 7-0.

THE BOARD RECESSED AT 7:49 P.M. AND RECONVENED AT 7:56 P.M.

5. ZBA #90-53

BY: Ken & Janette Werth
4026 Vassar Road
Burton, MI 48509

RE: 4026 Vassar Road
SW Corner of Vassar & Bristol
Section 36, SE Zoned

FOR: To locate an attached satellite dish
in the front yard area of Bristol
Road (4 Votes required)

Mrs. Werth said they have a satellite dish attached to the side of their home on the side yard towards the back of the house. This is the only place the company could place the dish to get good reception. Our house is located on the corner of Vassar and Bristol Roads. If this request is denied, we have a \$2,500.00 satellite dish that we can't use.

Mr. Strasser said the location of the satellite dish is against the ordinance, but because of the way the house sets on the property, there isn't a problem with the location of the satellite dish.

Mr. Hammon asked if the Company who installed the dish wasn't aware they had to have a permit. She said they are paying for the permit and things have been taken care of now that they are aware of the need for a permit.

Moved by Priest, supported by DePottey to approve ZBA #90-53, as requested. Motion carried 7-0.

6. ZBA #90-54

BY: Universal Restaurants, Inc. dba
Hot 'n Now
2801 E. Beltline Ave., N.E.
Grand Rapids, MI 49505

RE: 1096 E. Bristol Road
Q-337-4, Section 31
C-2 Zoned

FOR: To exceed the square footage for
sign by 7 sq. ft.
(4 Votes required)

Mr. Fred Shoffstall, 2801 E. Beltline, N.E., Grand Rapids, MI, said they would like to get approval to exceed the zoning ordinance requirements for their sign. They have consistency in the size of the signs to keep the cost down. If we use a smaller sign, our visibility would not be as good and this would not be good for business.

George Piggott, 1074 E. Bristol Rd., said he was present representing Joyce Piggott. He asked if the lights would be bright and if the signs would be large.

Mr. Shoffstall said the sign would be approximately 22 feet to the top.

Mr. Strasser said there can't be temporary signs brought in on the property.

Mr. Priest asked how late the lights would be lit. Mr. Shoffstall said until approximately midnight.

Moved by Edmonds, supported by Debus to approve ZBA #90-54, as requested. Motion carried 7-0.

7. ZBA #90-55

BY: Celia Paris
3074 E. Atherton Road
Burton, MI 48519

RE: Lot 12 Chambers Sub
Section 28, C-2 Zoned

FOR: To expand the non-conforming
"residential rights" in a C-2
zoned area, with an addition to
the home.
(5 Votes required)

Mr. Strasser announced that the applicant withdrew and there is no action required.

D. AUDIENCE PARTICIPATION:

No one wished to speak.

E. BOARD DISCUSSION:

Discussion was held in regards to the next regular meeting. Some of the members plan to be out of town on the regular meeting date for October and the next meeting will be held on Thursday, October 11, 1990, at 7:00 P.M.

Meeting Adjourned at 8:25 P.M.

Respectfully Submitted,

Cheryl M. Ladd
Deputy City Clerk

CML