

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
OCTOBER 20, 1994 AT 7:00 P.M.

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

MEMBERS PRESENT: F. Edmonds, S. Welliver, H. Berry, D. Gooding, T. Hammon,
and W. DePottey.

MEMBERS ABSENT: I. Hohloch

OTHERS PRESENT: T. Strasser, Dep. Planning Official, J. Bown, Clerk;s
Office.

A. APPROVE THE MINUTES OF THE FOLLOWING MEETINGS:

1. Regular ZBA Meeting of September 15, 1994, at 7:00 P.M.
2. Special ZBA Meeting of September 22. 1994, at 7:00 P.M.

Moved by Hammon, supported by DePottey to approve the above minutes as
printed. Motion carried 6-0.

B. POSTPONED FROM SEPTEMBER 15, 1994 MEETING:

1. ZBA #94-58

By: Melba Davidson
5354 Lippincott Blvd.
Burton, MI 48519

Re: Q-230-5 R-1A Zoned
Section 23

For: Permanent request to keep 4 horses,
S.E., Permitted Use after special
approval in an R-1A zoned area.
Sect. 8.03 item #3 Ord. 19.
(5 Votes Required)

Terry Davidson explained that he does not keep horses yet but wishes to keep a
variance to have at least 4 horses as that is how many members in his family.
He has two sons which he would like to keep a horse for each one. He will
install proper fencing before he purchases any horses. He has seven and one
half acres. If this is denied it will be a hardship because the purpose for
buying this home was so that they could keep horses.

No one in the audience wished to speak. T. Strasser said this was a request for
a permanent variance to keep 4 horses. Discussion followed on permanent
variances. H. Berry said he wasn't comfortable with a permanent variance as
when and if Mr. Davidson sells his property the variance would go with the
property forever. F. Edmonds concurred. W. DePottey said he had one call
against approval for a permanent variance.

Moved by Edmonds, supported by Berry to approve ZBA #94-58 for a period of five
(5) years contingent on proper and secure fencing being installed. Motion
carried 6-0.

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C. NEW APPLICATIONS:

1. ZBA #94-62

By: Keith Shilling
4238 Thom St.
Burton, MI 48509

Re: Part of Lot 28, Supervisors Plat
of Copenhagen Sub. Sect. 3
R-1B Zoned.

For: To exceed allowable sq. ft.
864 sq. ft. by 288 sq. ft, for a
total of 1152 sq. ft., with the
construction of an overhang.
(4 Votes required)

He said he recently purchased this home and there are no shade trees and he would like the overhangs to provide some shade. He feels this will be an improvement to his home. If this is denied he will not have any shade around his home.

No one in the audience wished to speak. T. Strasser explained that this was not the regular request for additional sq. footage, this was simply an overhang on a home. He feels this is a reasonable request.

S. Welliver complimented Mr. Shilling on the nice drawing each member was presented. F. Edmonds asked about the support of the overhang on the garage. Mr. Shilling explained that the trusses were self bearing.

Moved by Welliver, supported by Hammon to approve ZBA #94-62 as written.
Motion carried 6-0.

2. ZBA #94-63

By: Chris C. Thorsby
1321 Clairwood
Burton, 48509

Re: 4206 Risedorph, Lots 174 & 175
Greenlawn, Sect. 3, R-1B Zoned.

For: For a multiple family use in a
single family zoned area, Duplex.
(5 Votes Required)

Mr. Thorsby explained that he recently purchased this home from his Aunt and wished to have it approved for use as a duplex. This home has always housed two families but when the water was installed, it only had one water lead into the home and so was on the tax rolls as a single family dwelling. This house is placed in the middle of two lots. He presented a petition to the Board signed by his neighbors stating that they do not object to this request.

In the audience Helen Roy. 4220 Risedorph spoke for approval of this variance, she said Mr. Thorsby took good care of this home.

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T. Strasser said this was built as a duplex but on the Assessor's file it is listed as a single family dwelling. He can see no problem with approval, the garbage fee will be raised to reflect this change.

F. Edmonds said he has lived in this area and was surprised because it has always been a duplex. He stated that the Board would not be changing the zoning, only granting a variance for this home. He has no problem with approval of this request. He asked if the tax billing will change, T. Strasser said no there is only one tax statement for this home. T. Hammon told the applicant it was refreshing to have him come forward on his own volition and ask that his property be approved as a duplex.

Moved by DePottey, supported by Welliver to approve ZBA #94-63 as written. Motion carried 6-0.

3. ZBA #94-64

By: Clarence Parkin
1111 S. Packard
Burton, MI 48509

RE: Lot 51 - Garden Acres
Sect. 13 R-1B Zoned

For: To exceed the square footage for
accessory buildings by 448 sq. ft.
with a 16' x 28' addition to the
existing garage.
(4 Votes Required)

3. ZBA #94-64

Mr. Parkin explained that he is now renting storage space for his antique car. He needs space for his wood working shop and for his car. He will reside to match his home and the roof will also match. If this is denied, it will be a financial hardship as he will have to keep renting storage space.

There was no one in the audience who wished to speak. T. Strasser said this was a large lot and this was only an addition to the garage.

Moved by Barry, supported by Edmonds to approve ZBA #94-64 as written. Motion carried 6-0.

4. ZBA #94-65

By: George Hatchew
3093 S. Genesee Rd.
Burton, MI 48509

RE: Lot 14 - City Gardens
Sect. 26 R-1B Zoned

For: To exceed the allowable square
footage for aaccessory structures by
2,008 sq. ft. 864 sq. ft. allowed,
2,560 sq. ft. requested with a

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40' x 64' pole barn.
(4 votes required)

Mr. Hatchew explained he needs the pole barn for storage of his cars. He restores classic cars as a hobby. He now has an attached 13'x 24' garage that he intends to convert into living space. If this is denied, it will be a hardship as he has had much vandalism in the past year. He presented a petition signed by his neighbors and they do not object to this barn.

T. Strasser said he felt the barn would dwarf the house, although the side walls will be only 10' high. He has received no calls on this request.

DePottey reviewed what it was Mr. Hatchew wished to do. He said he had no problems with this request. Gooding recalled a variance similar to this where the applicant was going to convert his garage into living space and didn't. H. Berry felt this was excessive, he can recall problems the City has had with too large of pole barns. S. Welliver concurred with Berry. F. Edmonds spoke on postponing this giving Mr. Hatchew time to reconsider his plans, perhaps changing the position it will be on his property. Discussion on postponement followed.

Moved by Edmonds, supported by Welliver to postpone ZBA #94-65 until the next regular Zoning Board of Appeals Meeting of November 10, 1994 at 7:00 P.M.
Motion carried 6-0.

Chairman Gooding called a ten minute recess at 8:05 PM. Meeting reconvened at 8:15 PM.

5. ZBA #94-66

By: Burton Neighborhood Housing Service
1331 Kenneth St.
Burton, MI 48529

Re: 2086 Bergin, Lots 234, 235, 236
Bendlecrest. Sect. 32 R-1C Zoned

For: To conduct an R-0, "Office Use" in an
R-1C Zoned Area.
(5 Votes Required)

Mike Ellithorpe represented BNHS. He explained that they are now located at 1335 Kenneth and must vacate the premises as they only had a five (5) year commitment on this home. They need a larger building as they are losing the space they have at Bendle School for their clothes closet and food pantry. There is plenty of parking space. If this is denied it will be a hardship as they will have to move elsewhere.

No one in the audience wished to speak.

T. Strasser said this was a very reasonable request. He said this had been a church and was now for sale. He thinks it is a great use for this building. Discussion followed.

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Moved by Berry, supported by DePottey to approve ZBA #94-66 for as many years as Burton Neighborhood Housing Services occupies this building. Motion carried 6-0.

6. ZBA #94-67

By: Linda Woods
4065 Manor Drive
Burton, MI 48519

Re: 4065 Manor Drive
Southeast Post Office

For: Expand parking spaces at the
Southeast Post Office, 4065 Manor Dr.
Request 1' Front Setback,
16' existing.
(4 Votes Required)

Linda Woods said she is Manager of Customer Services at Southeast Post Office. She said due to the growth pattern of the annex that they need more parking area. The curbing will be changed along with the exit to allow a safer exit. If this is denied, it will add to the congestion problem.

No one in the audience wished to speak. T. Strasser said this variance is needed, the DPW approves of this request.

Short discussion followed.

Moved by Edmonds, supported by Welliver to approve ZBA #94-67 as written. Motion carried 6-0.

D. AUDIENCE PARTICIPATION:

No one wished to speak.

E. BOARD DISCUSSION:

It was determined that four (4) Board members would be absent on the date of the next regularly scheduled meeting. Discussion on setting a different date followed. The next regularly scheduled meeting of the Zoning Board of Appeals meeting will be held on Thursday, November 10th, 1994, 7:00 p.m.

Meeting adjourned at 8:40 P.M.

Respectfully submitted by:

Jeanette Brown,
Clerk's Office