

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
NOVEMBER 21, 1991
7:00 P.M.

This meeting was called to order at 7:00 PM by Vice-Chairman H. Berry.

Members present: H. Berry, W. DePottey, T. Hammon, S. Welliver and F. Edmonds.

Members absent: D. Gooding, D. Priest

Others present: T. Strasser, Deputy Planning Official and J. Brown, Clerk's Office.

A. APPROVE THE MINUTES OF THE FOLLOWING MEETING:

1. Regular ZBA Meeting of October 17, 1991, at 7:00 P.M.

Moved by DePottey, supported by Hammon to approve the above minutes as written. Motion carried 5-0.

B. YEARLY RENEWAL:

1. ZBA #91-69

By: Ralph Tucker
5353 E. Bristol Rd.
Burton, MI

Re: Q-287-G Sect. 26
SE Zoned

For: Yearly Renewal M-2 use in an
SE District. Contractor's
Storage yard in a residentially
zoned area.
(5 votes required)

Mr. Tucker was not present.

Moved by DePottey, supported by Hammon to table this case until the end of the agenda. Motion carried 5-0.

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C. YEARLY RENEWALS TABLED FROM OCTOBER 17, 1991:

1. ZBA #91-64

By: Apple Manufactured Homes
9192 N. Saginaw Rd.
Mt. Morris, MI

Re: 4396 S. Dort Hwy.
Q-356-6 Section 32
C-2 Zoned.

For: To conduct an M-1 use "Mobile Home
Sales Lot" on a C-2 zoned parcel.
(5 votes require)

Wayne Ritter represented this case. He explained that this business has been there for over fifty years, but has changed ownership several times. He said that he would like a change of zoning at this location. Discussion followed on a change of zoning. Edmonds, DePottey and Berry stated they had no problem with this variance. After some consideration, Mr. Ritter said he would like this case postponed until the next meeting and possibly a full board would be present.

Moved by Edmonds, supported by DePottey to postpone ZBA #91-64 until the next regular meeting of December 19, 1991. Motion carried 5-0.

2. ZBA #91-66

By: Paul Raymond
4090 Lapeer Road
Burton, MI 48509

Re: Q-181-A Sect. 15
C-4 Zoned

For: Permanent request for a multiple
family use in a C-4 zoned area for
a fraternity.
(5 votes required)

Paul Raymond asked; if this case was postponed could someone else be the representative? H. Berry said they could. Mr. Raymond talked about rezoning this property and said the Fraternity hoped to purchase the home from Mr. Walli. He then asked that this case be postponed until the next regular meeting.

Moved by Hammon, supported by Edmonds to postpone ZBA #91-66 until the meeting of December 19, 1991. Motion carried 5-0.

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D. YEARLY RENEWAL:

3. ZBA #91-71

By: Beulah Nelson
4270 Lapeer Road
Burton, MI 48509

Re: Lot 36 Suburban Homesites
Sect. 15 R-1A Zoned

For: To conduct a RM "Multiple Family"
use in an R-1A zoned area. Permanent
variance requested.
(5 votes required)

There was no one present to represent this case.

Moved by Edmonds, supported by Hammon to postpone ZBA #91-71 until the end of
the meeting. Motion carried 5-0.

1. ZBA #91-70

By: William M. Clark
4067 E. Court St.
Burton, MI 48509

Re: Lot 4 Supervisor's
Plat #39 Sect. 10
C-2 Zoned

For: Satellite Dishes to remain in
same location in front yard
setback.
(4 Votes required)

Mr. Clark explained that last year when he was before the Board, it was required
that he move one of his satellite dishes off the neighboring property line. He
replaced this dish with a smaller one. He said there have been no problems.

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

Strasser said there have been no complaints on this property. The DPW have no
problems with this request.

DePottey and Welliver said they have no problems with approval of this case,
they commented on how nicely the property was kept.

Moved by Hammon, supported by DePottey to approve ZBA #91-70 as written. Motion
carried 5-0.

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2. ZBA #91-72

By: Joyce Fensom
4227 S. Belsay Road
Burton, MI 48509

Re: 4227 S. Belsay Rd.
Q 454-4A
Sect. 36 SE Zoned

For: To place a second dwelling unit
on the parcel of land.
(5 Votes required).

Joyce Fenson said she wished to have this case postponed until the next regular ZBA meeting of December 21, 1991.

Moved by Edmonds, supported by Welliver to postpone ZBA #91-72 until the next regular meeting. Motion carried 5-0.

E. NEW APPLICATION:

1. ZBA #91-67

By: Allen J. Hatch
3090 Coin Street
Burton, MI 48519

Re: Lot 37 City Gardens
Sect. 26 R-1B Zoned

For: Proposed pole barn for storage use
only. No utilities at this time.
Will be required to exceed square
footage by 1732 sq. ft. Existing
garage 1120 sq. ft. Asking for
additional garage of 1476 sq. ft.
(4 votes required).

Mr. Hatch presented a petition signed by his neighbors who do not object to his proposed pole barn. He explained this is the second time he has applied for this variance. It will be for storage of his motor home and antique cars.

In the audience, Donald Bair, 3038 Coin St., spoke in favor of approval of this variance. He said that Mr. Hatch keeps his home and yard very neat.

Strasser stated only that this does exceed the ordinance.

DePottey asked about the construction. Mr. Hatch said it would blend in with his house. Welliver asked if he was planning on adding another garage. Mr. Hatch said no. Edmonds questioned the "no utilities". Strasser said he could have electricity but no water and sewer to the barn. DePottey said he had no problems with this request. Berry said that at present this barn may not be a problem in the neighborhood but if every home on the block added a barn it could become a real problem, he would be voting in the negative on this case.

Moved by Edmonds, supported by Hammon to approve ZBA #91-67. Motion carried 4 yes, 1 no, Berry voting no.

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F. NEW APPLICATIONS: (CONTD)

1. ZBA #91-68

By: Donald Bair
3038 Coin
Burton, MI 48519

Re: Lot 41 City Gardens
Section 26
R-1B Zoned

For: To exceed allowable sq. footage
of accessory structures by
1152 sq. ft. Existing garage is
576 sq. ft. Asking for additional
garage of 1440 sq. ft.
(4 votes required).

Mr. Bair said he would be using the barn for personal storage. He will place it at the very back of his property. If approved, he will remove the present 24' x 40' garage now standing in the back. He said the petition presented to the Board by Mr. Hatch also applies to his pole barn.

In the audience Allen Hatch spoke for approval of this request. He feels the barn will be an asset to the neighborhood as they will then be able to move their personal items inside the barn and out of sight.

Strasser said this also exceeds the ordinance.

Moved by Hammon, supported by DePottey to approve ZBA #91-68 as written.
Motion carried 4-1, Berry voting no.

2. ZBA #91-73

By: Giovanni Cardella
52544 Bordeaux Way
Utica, MI 48315

Re: Q83E
Courtyard Mall
Sect. 10 C-4 Zoned.

For: To conduct C-3 Special Approval
Use in a C-4 District. Outdoor
sales lot for Christmas trees.
(5 Votes required).

Mr. Cardella explained he wished to sell Christmas trees. There was no one in the audience who wished to speak. Strasser said the location was very suitable, and the parking was very good. Edmonds asked if there was any obstruction of view for motorists. Strasser explained where the sales would be located and said there would be no obstruction, he also thanked Mr. Cardella for applying for this variance early in the season.

Moved by DePottey, supported by Welliver to approve ZBA #91-73 as written.
Motion carried 5-0.

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3. ZBA #91-74

By: Good Shepherd Lutheran Church
5496 Lippincott Blvd.
Burton, MI 48519

Re: 2020 S. Belsay Road
Q229-11 Sect. 23
R1B Zoned

For: To construct a sign at 50' from
center line of road. 65' required.
(4 votes required)

Mr. Ralph Nehring, 6405 Meadowwood, Grand Blanc represented this case. He explained that due to the trees on the property it would be necessary to place the sign where it would not be difficult to be seen. He said it would be a low 4' x 16' brick, lighted sign. It would be attractive. He also said the old sign would be taken down.

There was no one in the audience who wished to speak on this case. Strasser said he only had a question about exactly where the sign would be placed. Mr. Nehring said it would be north between first two trees. Discussion followed on the placement of the sign. Strasser asked that if this was approved that it be stipulated in the motion the exact location of the sign.

Moved by DePottey, supported by Hammon to approve ZBA #91-74 with the stipulation that the sign be located by the building protrusion as indicated on the drawing. Motion carried 5-0.

G. APPLICATIONS TABLED DURING THIS MEETING:

1. ZBA #91-69

By: Ralph Tucker

Mr. Tucker was still not present.

Moved by Edmonds, Supported by Welliver to table ZBA #91-69 until the next regular meeting of December 19, 1991. Motion carried 5-0.

2. ZBA #91-71

By: Beulah Nelson

Beulah Nelson was represented by her attorney and daughter. After conferring they decided to ask that this case be postponed until the next regular meeting of December 19, 1991.

Moved by Edmonds, supported by Welliver to postpone ZBA #91-71 until the meeting of December 19, 1991. Motion carried 5-0.

H. AUDIENCE PARTICIPATION:

In the audience Pauline Dargel, 6119 Hugh St., asked if her letter of October 17, 1991 regarding her complaint pertaining to Brannon Realty's sign was on file in the DPW. Strasser said it was.

The next regularly scheduled meeting will be held December 19, 1991 at 7:00 P.M.

Meeting adjourned at 7:55 P.M.

Respectfully submitted
Jeanette Brown, Clerk's Office