

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MINUTES
DECEMBER 19, 1996 AT 7:00 P.M.

MEETING CALLED TO ORDER AT 7:00 P.M. BY Vice-Chairman H. Berry.

MEMBERS PRESENT: B. Weatherford, W. Weatherford, S. Layman, B. Kalanquin,
H. Berry, T. Parker and C. Cross.

MEMBERS ABSENT: I. Hohloch.

OTHERS PRESENT: T. Strasser, Deputy Planning Official, J. Brown,
Clerk's
Office.

A. APPROVE THE MINUTES OF THE FOLLOWING MEETING:

1. Regular ZBA Meeting of November 21, 1996, at 7:00 P.M.

Moved by Cross, seconded by Kalanquin to approve the above minutes as printed.
Motion carried 7-0.

B. AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh asked about a variance for 6386 E. Atherton Rd. for over-night parking of a truck. She said she remembers it was a "yearly renewal" and when would it be coming before this Board again. T. Strasser said he would research this case and bring before this Board when it is due for renewal. She also felt that if ever there was an applicant who came before the Board and they were acquainted or related to any Member, this should be made a Public Record and possibly the Board member should not be able to vote on any issue involving that person. C. Cross stated that only when a Board member stood to gain financially from such a vote was it a conflict of interest.

C. BOARD DISCUSSION:

W. Kalanquin said some years ago the Zoning Board met at 6:00 each month. He asked the Board if they would like to resume meeting at 6:00.

Moved by Kalanquin, seconded by Layman to change the meeting time for the Zoning Board of Appeals to 6:00 P.M. each month. Motion carried 7-0.

C. Cross regretfully said this would be his last meeting as they were

conflicting with his employment. He said he enjoyed serving with this Board and said it was a very good Board.

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D. NEW APPLICATIONS:

1. ZBA #96-87	By: Flint Cellular Telephone Co. Matthew A. Gibb 1126 N. Main
	Re: Part of Parcel #59-11-300-005 M-1 Zoned
cellular 95' variance requested.	For: Permission to erect a 155' monopole antenna no nearer than from the south boundary line of parcel #59-11-300-005: A from section 5.29 of 60' is (4 Votes required)

Matthew Gibb said they are asking for one variance as they need it to erect a monopole to increase part of their infrastructure. They need it to maintain good coverage and capacity for this area. They are leasing this property. He explained if the tower fell, it would fall totally on this property and would not damage anything surrounding this pole. It is built to withstand 85 MPH winds and 100 MPH wind gusts. He presented a picture of the proposed mono-pole.

H. Berry said this has gone before Planning Commission and was approved unanimously contingent upon ZBA approval.

In the audience L. Petrella, 1081 Howe Rd. asked if this company was offering a financial gain to the City. H. Berry explained they would be paying from to \$2,000 to \$5,000 in taxes each year.

T. Strasser said the DPW had no problems with this request.

Moved by Kalanquin, seconded by W. Weatherford to approve ZBA #96-87 as written. Motion carried 7-0.

2. ZBA #96-88

By: Dale Matzke
2130 Webber
Burton 48529

Re: Lots 200 & 201 of Stratmoor Sub.
Sect. 32 R-1C Zoned.

For: Construct a 30' x 48' garage 1440
sq.
ft. Ordinance allows 864 sq. ft.
New garage exceeds allowable sq.
ft.
by 576 sq. ft.
(4 Votes required)

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Dale Matzke explained his present garage had to be torn down as a tree fell on it. He wished to construct a better, bigger garage. He owns 3 lots, they are on one tax bill.

No one in the audience wished to speak on this case.

C. Cross asked if this new garage would need a fire wall. T. Strasser said it would'nt as it is 10' away from the house. T. Parker asked what type of siding Mr. Matzke was using. He said it would be vinyl to match the house.

Moved by Parker, seconded by Cross to approve ZBA #96-88 as written. Motion carried 7-0.

3. ZBA #96-89

By: Charles L. Burch
5040 Raymond
Burton 48509

Re: 5040 Raymond; E 150' of lots 20

& 21

Vodden Little Farms.
Sect. 14 R-1B zoned

to
footage by
allowed

For: Request a 40' x 30' x 10' garage
exceed the allowable square
952' sq. ft. 864 sq. ft.
1,816 sq. ft. requested.
(4 Votes required)

Mr. Burch explained he needs storage for two boats, a camper and two antique cars. It will be for personal storage only.

No one in the audience wished to speak.

T. Strasser said no fire wall is needed, but it does exceed the ordinance.

C. Cross said he personally inspected this property and Mr. Burch has a large lot, there is plenty of room for this garage, he sees no problem with this request. T. Parker asked about the siding, Mr. Burch said it would be vinyl to match the house.

Moved by Cross, seconded by Kalanquin to approve ZBA #96-89 as written. Motion carried 7-0.

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C. 4. ZBA #96-90

By: Bruce E. Henderson
3360 S. Dort Hwy.
Burton, 48529

Re: 3360 S. Dort Hwy, 59-29-400-019.
C-2 Zoned

For: Build addition to property which
would be approximately 20 inches
from the front property line,
30' required.
(4 Votes required)

Mr. Henderson explained this is not exactly an addition, only putting in a bay window. He showed pictures of the front of the building.

L. Petrella, 1081 Howe Rd., said this was a clean operation, it looks good

to him.

T. Strasser said the DPW has no problems with this request. C. Cross asked about what would be displayed in the window and what type of siding. Mr. Henderson said it would be clothing; and the building sided in cedar.

Moved by Layman, seconded by Kalanquin to approve ZBA #96-90 as written. Motion carried 7-0.

5. ZBA #96-91

By: Louis Stornello
1440 N. Belsay Rd.
Burton, 48509

Re: Lot 40 Supervisors Plat of
Eastmoreland Acres
Sect. 12 R-0 Zoned.

For: To expand the non-conforming
Residential Use of the property
with a Bedroom Addition, In an
R-0 Zoned District.
(5 Votes required)

L. Stornello explained his elderly, ailing mother is living with them and he would like to add a large bedroom and bath for her on to the front of his home.

P. Dargel, 6119 Hugh said she had received two calls about this request. She asked why add on in front, why not in back. She spoke about the parking area in front, and the tanning salon. Mr. Stornello said the tanning salon was a failed business and his mother wanted to be able to sit and look out the front window.

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5. zba #96-91 (contd.)

H. Berry read a letter from Julia Peck, 1434 N. Belsay who opposed approval of this variance. T. Strasser said the DPW had no problem with this request.

W. Kalanquin said he had no problem with approval of this request.

Moved by Kalanquin, supported by W. Weatherford to approve ZBA #96-91 as written. Motion carried 7-0.

6. ZBA #96-92

By: Christina Hippensteel
4026 Yeager Dr.
Burton, 48519

Re: Part of Lot 14 Schram Acres
Sect. 27 C-2 Zoned

1/2'

the

For: (1)To construct an addition 4

feet from an accessory structure,
10 feet required. (2)To expand

non-conforming Residential Use of
property C-2 Zoned.
(4 Votes required)

C. Hippensteel said she has 4 children and needs to add on two bedrooms
and
a family room. It will be 4.5 feet from garage.

No one in the audience wished to speak on this request.

T. Strasser said the DPW had no problems with this request. T. Parker
asked why this was zoned commercial. T. Strasser explained the method
used when the Master Plan was drawn up and why this resulted in being
zoned commercial. W. Weatherford said he inspected this site and has
no problem with this request.

Moved by Weatherford, seconded by Cross to approve ZBA #96-92, Parts 1
and
2 as written. Motion carried 7-0.

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D. NEW APPLICATIONS (CONTD.)

7. ZBA #96-93

By: David Bleicher
5055 Lapeer Road
Burton 48509

Re: Lot 3 of Vodden Little Farms Sub.
Sect. 14 R-1B Zoned.

structure

ft.

For: To construct an accessory

36' x 48' in rear yard; 2088 sq.

864 sq. ft. allowed by ordinance.

1,224 sq. ft. over the allowable
amount by ordinance.
(4 Votes required)

D. Bleicher explained he needs a larger garage as he has a small house
with
no basement or attic for storage. It will be for personal items only.

In the audience, Kevin Powell, 5046 Lapeer spoke in favor of approval of
this
variance.

T. Strasser asked why so far back on the property. D. Bleicher explained
he
did not want to cut down the trees in back of his house and also he may
want
to add on to his home some day.

C. Cross said he inspected this site and has no problem with approval.
Mr. Bleicher said it would be vinyl sided.

Moved by Cross, seconded by W. Weatherford to approve ZBA #96-93 as
written.
Motion carried 7-0.

8. ZBA #96-94

By: Lehmon Crawford
2050 E. McLean
Burton, 48529

Re: Lots 110 & 111 Durant Heights
Sect. 32 R-1C Zoned

For: To conduct a gunsmithing
business, C-2

Use in an R-1C Zoned area.
(5 Votes required)

Mr. Crawford explained he has a heart condition and does gun repairs in
his
home. He will need a firearms license in order to compete with other
business's in this area. He has been doing this in his home for many
years
for his friends.

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8. ZBA #96-93 (contd.)

No one in the audience wished to speak. T. Strasser asked if he sold firearms. Mr. Crawford said no, he has no sales of any kind, only gun repairs. T. Strasser explained that the ATF has an application that Mr. Crawford must fill out and in order to do this he must be granted a variance for his gunsmithing business.

H. Berry asked if Mr. Crawford stored any ammunition on his property. He said he did not, only his own personal ammunition. W. Kalanquin said he visited this site and asked Mr. Crawford if he stored ammo in his garage. Mr. Crawford said he did not. S. Layman asked if he got a license he could then sell firearms. T. Strasser explained that the ATF would specify exactly what Mr. Crawford could do. T. Parker asked how often is this renewed. Mr. Crawford said every three years. T. Parker said he feels this should be a three (3) year renewal variance. Discussion followed.

Moved by Parker, seconded by Weatherford to approve ZBA #96-94 with the stipulations that it be for gunsmithing and stock work only, no sales of firearms and on a three (3) year renewal. Roll call showed motion failed 4-3, with Cross, Layman and Kalanquin voting against approval.

Mr. Crawford asked the Board if they would re-consider.

Moved by Kalanquin, seconded by Parker to approve ZBA #96-94 with the stipulations that it be for gunsmithing and stock work only, no sales of firearms or ammunition and on a three (3) year renewal. Roll call showed motion carried 6-1, Layman voting against approval.

9. ZBA #96-95	By: Tod A. & Sheryl A. Maples 3030 S. Irish Road
008	Re: 1264 N. Belsay Road, 59-12-100- M-1 Zoned.
Zoned	For: To conduct an M-2 Use in an M-1 area for a collision shop. (5 Votes required)

There was no one present to represent this case.

Moved by Cross, seconded by Kalanquin to table this request until the next regular meeting of January 16, 1997 at 6:00 P.M.

The next regular meeting will be held January 16, 1997, at 6:00 p.m.

Meeting adjourned 8:12 P.M.

Submitted by Jeanette Brown, Clerk's Office