

CITY OF BURTON
SPECIAL ZONING BOARD OF APPEALS MINUTES
DECEMBER 4, 1997 AT 5:00 P.M.

MEETING CALLED TO ORDER AT 5:00 P.M. BY CHAIRMAN HOHLOCH.

MEMBERS PRESENT: B. WEATHERFORD, S. LAYMAN, W. KALANQUIN, I. HOHLOCH,
H. BERRY, R. CENTILLI AND W. WEATHERFORD.

MEMBERS ABSENT: T. PARKER

OTHERS PRESENT: T. STRASSER, DEP. PLANNING OFFICIAL; J. BROWN, CLERK'S
OFFICE.

B. AUDIENCE PARTICIPATION:

P. Dargel, 6119 Hugh, commended the Board for their action taken at
the meeting of November 20, 1997.

C. BOARD DISCUSSION:

I. Hohloch reminded the Board of the Zoning and Planning Workshop
which will be held on Monday, December 15, 1997 at 5:30. Food and
refresh-ments will be served. He said this is a very worthwhile program
and he is hoping for a large attendance.

D. NEW APPLICATIONS:

1. ZBA #97-86

By: Millennium Mansions, Inc
c/o Tom Sumner
P.O. Box 511
Mt. Morris, MI 48458

Re: 5350 Davison Road
59-11-200-003
C-2 Zones

For: Extend Special Use variance
for indefinite period.
(5 Votes required)

Mr. Sumner asked the Board to extend his variance indefinitely for a
haunted house on Davison Road. He wishes to see if this venture will
be successful since Halloween is over. He is planning on sponsoring a
New Year's Eve party for teens. No alcohol will be served.

In the audience Mrs. P. Dargel, 6119 Hugh, asked how the notifications
were handled. T. Strasser said in the usual manner, with 48 hours
notification. Mrs. Dargel spoke on the signage also. T. Strasser said
the sign was temporary and has been taken down. He also said there are

a majority of problems. This set-up does not meet egress requirements. This request is now getting into "assembly" problems. He spoke on handicapped requirements. He said this does not meet building code requirements, and is getting away from "temporary use".

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1. ZBA #97-86 (CONTD.)

Discussion on ingress and egress followed. B. Kalanquin questioned the restrooms. Mr. Sumner said the bathrooms were up to code, the sprinkler system worked and the exits are easily accessible. S. Layman spoke on Mr. Sumner not taking care of this matter before the DPW checked on this venture. H. Berry said he was concerned about the New Years Eve party for teens. He asked how many teens they planned on and about security. Mr. Sumner said about 2 to 300 teens and yes, there would be uniformed security.

R. Centilli asked if the building was barrier free. I. Hohloch said it is barrier free and explained the layout. He said he personally felt in favor of this event and it is set up for safe exiting. He asked the Board if he could break this request into two parts. (1) would be for the Haunted House on week ends and (2) for the New Years Eve Party.

I. Hohloch said the word "indefinite" bothers him. S. Layman said if this is open every week-end it is not a temporary use. Mr. Sumner said it was a temporary variance. I. Hohloch suggested extending part (1) until March 1st. Further discussion continued.

Moved by Kalanquin, seconded by Berry to approve part (1) for week-end Haunted House for a period from December 4, 1997 to March 1, 1998 from 7 p.m. to midnight. Motion carried 5-2, B. Weatherford and S. Layman voting no.

The Board recommended that Mr. Sumner negotiate with the DPW to make the necessary adjustments to meet city requirements before approval is given for the New Year's party.

Moved by Layman, seconded by Kalanquin to deny part (2) for a Teen's New Years Eve Party. Motion carried 7-0.

2. ZBA #97-87

By: James & Ruthann Cox
1412 Martha Avenue
Burton, MI 48509

Re: Lot 189 and 190 Lapeer

Heights

1412 Martha Avenue

For: (1) To exceed the allowable square footage for accessory structures by 129 sq. ft.
(2) To construct an attached garage at 6'6" from the North property line, 10' required.
(4 Votes required)

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2. ZBA #97-87 (contd)

James Jaques, Builder, Swartz Creek spoke on behalf of James & Ruthann Cox. He explained they have a large family and need more room. The main concern is with part (2) of the variance. They would have to build the garage smaller if this is not granted.

Discussion followed. B. Kalanquin said he could not vote on this as he has not inspected the site. H. Berry felt this was unnecessary as there were drawings handed out of the proposed plans. Setting the date of another meeting as soon as possible was discussed. Mr. Jaques would like to get on with construction before the very cold weather sets in.

It was agreed another special meeting would be held on Thursday, December 11, 1997. Mr. Cox asked if he would have to pay again. Mr. Hohloch told him he would not.

Moved by Kalanquin, seconded by Layman to table ZBA #97-87 until Thursday, December 11, 1997 at 7:00 P.M. Motion carried 6-1, Berry voting no.

Meeting adjourned at 6:02 PM.

Jeanette Brown,

Clerk's Office