



CITY OF BURTON
ZONING BOARD OF APPEALS MEETING
OCTOBER 16, 2025
MINUTES

Council Chambers	Regular Meeting	5:00 PM
4303 S. Center Road Burton, MI 48519		

A. Attention Applicant:

In order to prove you are entitled to a variance, you should be prepared to show how your property meets the conditions listed: The difficulty must be unique to your property, not generally shared by others in the same zoning district, and would constitute a hardship. The variance will not adversely affect the public health, safety, and welfare, or be contrary to the spirit and intent of the Ordinance. The burden of demonstrating that the above conditions exist on your property falls on you, the applicant. The Zoning Board of Appeals will not argue or present your case for you.

B. Pledge of Allegiance to the Flag of the United States of America

LED BY: Chairman Steven Welch

C. Roll Call

Present: Board Member Steve Welch, Board Member Rick Fuhst, Board Member Tim Rapacz, Board Member Joey Richvalsky, Council Member Vaughn Smith, Board Member Gary Kautz, Board Member Jim Craig
Absent: None.

D. Staff Present

Leandra Swayne, Deputy Planning and Zoning Official
Joy Roe, Deputy Clerk

E. Audience Participation

Now is the time set aside for members of the audience to address the Zoning Board of Appeals. I would ask each individual to give their name and address for the record, limit their comments to three (3) minutes, and speak on topics germane to City business.

F. Approval of Minutes

1. Zoning Board of Appeals Meeting Thursday, September 18, 2025 at 5:00 PM.

Motion by Board Member Richvalsky, second by Board Member Fuhst, to Approve.
Voting Yes: Steve Welch, Rick Fuhst, Tim Rapacz, Joey Richvalsky, Vaughn Smith, Gary Kautz, Jim Craig
Voting No: None

Motion Passed 7 - 0.

G. Variance

1. ZBA 25-26

BY: Richard Ward
2216 Bergin Ave., Burton MI 48529

RE: 2216 Bergin Ave., Burton MI 48529
Parcel ID 59-32-501-124, Zoned R-1C Single Family Residential

FOR: To construct a covered porch that will exceed 8 feet into the front setback. The required front setback is 20 feet.

Michael Rhoades of 2073 Brady Ave, here on behalf of Mr. Ward. Mr. Rhoades states it will not be any larger than any other covered porch on that road. It is six feet deep and nine feet wide.

Patrick Dargle of 6119 Hugh Street, in review of the neighborhood, had noticed a number of covered porches and was inquiring whether the applicant was proposing a larger amount than his neighbors and, if so, why.

Mrs. Swayne states this property is located between Fern and Columbine south of Bristol Road. The applicant's house is an older house that has a cement porch in the front. The front of the house is almost to the setback requirement and only has a couple of feet there to work with. So, with older homes in this case, they would have to get a variance due to that fact. With that said, the administration does recommend approval.

Motion by Board Member Fuhst, second by Board Member Kautz, to Approve SPR 25-26.
Voting Yes: Steve Welch, Rick Fuhst, Tim Rapacz, Joey Richvalsky, Vaughn Smith, Gary Kautz, Jim Craig
Voting No: None

Motion Passed 7 - 0.

2. ZBA 25-27
BY: Chance and William Hensley
3312 S. Center Rd., Burton MI

RE: 3312 S. Center Rd., Burton MI
Parcel ID 59-28-576-041, Zoned RO Restricted Office and C-2 General Business

FOR: To conduct a contractor's office in an RO restricted office zone, when required to be in C-2 General Business zone.

Mr. Chance Hensley of 2270 Champion Lane spoke on behalf of SPR 25-27.

Mr. William Hensley of 5421 Kimberly Drive spoke on behalf of SPR 25-27.

Mr. Richvalski asked if this property is zoned R-O and C-2 at the same time.

Mrs. Swayne stated that is correct. The front is R-O and the rear of the property is C-2. This property is located North of Bristol Road. In the R-O, it is not permitted to have an accessory structure. They are requesting to have a contractor's office, which leads into their next request as well. The administration wants to stress that our biggest concern is that there is no outside storage accumulating with a contractor's office. It often happens and this is not an industrial zone. We would recommend, with approval, there be a stipulation that if there are any violations reported to us with any outdoor storage,

including equipment, trailers, anything outdoors being stored, it is brought back before you, so if we need to revoke it, we can.

Mr. Rapacz stated, so, for the first part of it, your main concern is if they violate any outdoor storage whatsoever, they would have to come back before the board.

Mrs. Swayne stated that is our main concern with it being approved. Anything to do with business has to be conducted inside.

Mr. Craig asked for clarification from the applicants. For one thing, you say that we are not operating a traditional contracting business with daily on-site activity. Our operations are decentralized: employees clock in remotely and work directly at residential job sites. This will not function as a storefront, or daily operational hub. There will be no regular foot traffic or client visits. But then, for the other one you say, our operations require consistent access to building materials and tools. That tells me you are going to be going in and out on a daily basis.

Mr. Chance Hensley responded with the first one, referring to the office space, saying we are not operating that space like a storefront. The second one refers to the use of that potential building. It will be just to store our supplies. The purpose of the storage facility is to house things like windows, bathroom units that we order from other companies and need to place them somewhere until we are ready to install them.

Mr. William Hensley stated we don't have big equipment and stuff like that. We do have a dump trailer and there is a parking spot for that. We usually have it on a job site though.

Mr. Rapacz stated you want to keep payroll and things like that in the office space. So, you really just want to use that building as an office building. Actual customers you plan on getting their payments at their home, not at the office.

Mr. William Hensley said that is correct. This will give us an address for the State of Michigan.

Mr. Chance Hensley stated this gives us a formal front to interview new employees.

Mrs. Swayne stated to be clear, the dump trailer can not be stored outside. It must be stored inside the building.

Mr. Richvalsky asked how big is the building going to be.

Discussion ensued about where the building is going to be built, needing to add an extra bay for the dump trailer, and how strict the stipulation of no outside storage is going to be.

Mr. Richvalsky asked if there would be complications with changing the dimensions of the building besides changing the dollar amount.

Mrs. Swayne stated we need to see how close it is going to be to the flood plain in the back. That is why they can't use the C-2 zone back there.

Motion by Board Member Rapacz, second by Council Member Smith, to Approve SPR 25-27.

Voting Yes: Steve Welch, Rick Fuhst, Tim Rapacz, Joey Richvalsky, Vaughn Smith, Gary Kautz, Jim Craig

Voting No: None

Motion Passed 7 - 0.

3. ZBA 25-23

By: Chance and William Hensley
3312 S. Center Rd., Burton, MI

Re: 3312 S. Center Rd., Burton MI
Parcel ID 59-28-576-041
Zoned C-2 General Business, RO Restricted office

For: 1.) To construct an accessory structure in a RO restricted office zone, when not allowed in this zone. 2.) To construct an accessory structure in the front yard, when required to be located in the rear yard.

Mrs. Swayne states they are asking for the approval of an accessory structure in an R-O zone. So, with the stipulation that there is to be no outdoor storage of any kind. The administration does recommend approval for the accessory structure.

Motion by Board Member Kautz, second by Board Member Rapacz, to Motion to Approve SPR 25-23.

Voting Yes: Steve Welch, Rick Fuhst, Tim Rapacz, Joey Richvalsky, Vaughn Smith, Gary Kautz, Jim Craig

Voting No: None

Motion Passed 7 - 0.

H. Board Discussion

Mr. Welch states this will be Mr. Smith's last meeting, and everyone on the board thanks him for his service.

Mr. Smith thanks everyone.

The meeting was adjourned at 5:43 PM.

I. The next regularly scheduled meeting will be held on Thursday, November 20, 2025 @ 5:00 PM.

[MIN_SIGNATURES]