



CITY OF BURTON
ZONING BOARD OF APPEALS MEETING
JANUARY 15, 2026
AGENDA

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. Call To Order

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

LED BY: Chairman Steven Welch

D. Roll Call

E. Staff Present

F. Nominations

1. 1. Approve and Authorize _____ for Zoning Board of Appeals Chairperson from January 2026 - December 2026.
2. Approve and Authorize _____ for Zoning Board of Appeals Vice Chairperson from January 2026 - December 2026.

G. 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.

H. Approval of Minutes

1. Zoning Board of Appeals Meeting Thursday, September 18, 2025 at 5:00 PM.
- Zoning Board of Appeals Meeting Thursday, October 16, 2025 at 5:00 PM.
- Zoning Board of Appeals Meeting Thursday, November 20, 2025 at 5:00 PM.

I. Variance

1. ZBA 25-28
By: Matthew King
145 S. Livernois Rd., Suite 193
Rochester Hills, MI 48307

Re: Parcel ID 59-22-100-041, Zoned HRM High Rise Multifamily Residential

For: 1.) To reduce required density of 574,000 square feet to 530,125 square feet. 2.) To reduce required parking spaces of 748, to 580.

2. ZBA 26-01
By: Simpkins Construction
4044 Corunna Rd., Flint MI

Re: 3076 Clarice Ave., Burton MI, Parcel ID 59-28-529-017 Zoned C-2 General Business

For: To allow the existing front deck and egress landing to remain within the front yard setback. The required front setback is 20 feet.

3. ZBA 26-02
By: Ella Lacey
5167 Lapeer Rd., Burton MI

Re: 5167 Lapeer Rd., Burton MI, Parcel ID 59-14-501-009 Zoned R-1A Single family residential

For: To allow (4) four dogs, when only allowed (3) three dogs.

J. Board Discussion

K. The next regularly scheduled meeting will be held on Thursday, February 19, 2026 @ 5:00 PM.

L. Meeting Adjournment

Agendas and minutes may be found at www.burtonmi.gov.



CITY OF BURTON
ZONING BOARD OF APPEALS MEETING
SEPTEMBER 18, 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, Council Member Vaughn Smith, Board Member Kevin Burge, Board Member Mitchell Young
Absent:

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 August 21, 2025 at 5:00 PM.

Voting Yes: Steve Welch, Rick Fuhst, Tim Rapacz, Vaughn Smith, Kevin Burge, Mitchell Young

Voting No: None

Motion Passed 6 - 0.

G. Variance

1. ZBA #25-25

By: Bryan Sorys
4259 Maplewood Meadows Grand Blanc, MI 48439

Re: 4259 Maplewood Meadows Grand Blanc, MI 48439
Parcel ID 59-35-577-027, Zoned R-1A Single Family Residential

For: To re-construct an existing deck that will exceed the rear setback requirement. Requesting 30 feet when required to be 35 feet from the rear property line.

Mr. Sorys stated I just wanted to highlight that it's an existing deck. I'm not changing one thing about it.

Mrs. Swayne gave details about the history of the property and stated that the administration does recommend approval.

Mr. Rapacz stated you said you weren't touching the deck at all. Are you moving the steps? What led you to go to the city in the first place?

Mr. Sorys stated I have an underground pool that I permitted and if I set that back, I'll have to do additional work, including landscaping. That's why I'm asking just to replace what is already there.

Discussion about the material that is going to be used to build the deck.

H. Board Discussion

Mr. Burge reminded everyone about the trick-or-treat trail happening October 18 at Bentley High School 12pm-2pm.

Mr. Welch welcomed the new alternate, Mitch Young, to the board.

I. The next regularly scheduled meeting will be held on Thursday, October 16, 2025 @ 5:00 PM.

[MIN_SIGNATURES]



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]



CITY OF BURTON
ZONING BOARD OF APPEALS MEETING
NOVEMBER 20, 2025
MINUTES

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

A. Call To Order

Mr. Rapacz called the meeting to order at 5:03 PM.

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

LED BY: Mr. Rapacz

C. Roll Call

Present: Board Member Rick Fuhst, Board Member Tim Rapacz, Board Member Joey Richvalsky, Board Member Kevin Burge, Board Member Gary Kautz, Board Member Jim Craig, Board Member Mitchell Young
Absent: None.

D. Staff Present

Racheal Boggs, City Clerk
Leandra Swayne, Deputy Planning and Zoning Official
Erica Rogers, Records Tech

E. Attention Applicant:

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F. 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.

Patrick Dargel of 6119 Hugh Street stated that the special meeting regarding the Master Plan has been moved to January 13, 2026, and hopes the public will attend.

G. Approval of Minutes

1. Zoning Board of Appeals Meeting October 16, 2025 at 5:00 PM.

Motion by Board Member Kautz, second by Board Member Richvalsky, to Approve Minutes 10/16/25.

Voting Yes: Rick Fuhst, Tim Rapacz, Joey Richvalsky, Kevin Burge, Gary Kautz, Jim Craig,

Mitchell Young
Voting No: None
Motion Passed 7 - 0.

H. Variance

1. ZBA 25-28
By: Matthew King
145 S. Livernois Rd., Suite 193
Rochester Hills, MI 48307

Re: Parcel ID 59-22-100-041
Zoned HRM High Rise Multifamily Residential

For: 1.) To reduce required density of 574,000 square feet to 530,125 square feet.
2.) To reduce required parking spaces of 748, to 580.

Mr. Rapacz stated that he would like to read a letter from the applicant that was submitted to postpone until the next meeting for the record since they are not here tonight.

2. ZBA 25-29

By: Christopher & Lisa Coron
1214 Kra-Nur Dr., Burton MI 48509

Re: 1214 Kra-Nur Dr., Burton MI 48509
Parcel ID 59-12-526-065
Zoned R-1A Single Family Residential

For: 1.) To exceed the buildable allowance for accessory structures by 802 square feet, allowed 2,750 square feet and requesting 3,552 square feet. 2.) To construct three accessory structures, when allowed two.

Mr. Christopher and Lisa Coron of 1214 Kra-Nur Drive stated that my wife Lisa and I are here to ask for approval of an additional 802 square feet for a total of 3,552 square feet and one additional outbuilding structure for a total of three. I apologize for going through this process backwards. Having the barn built before, was an error on my part and I take full responsibility. I have reached out to all my surrounding neighbors that border our property and none of them have any issues with any of our structures and three of our neighbors have written letters of support.

Lisa Brown of 1338 North Packard Avenue stated that Mr. and Mrs. Coron keep their property looking beautiful and very well-kept all the time and I have no problem with the extra structure.

Mrs. Swayne stated that Kra-Nur Drive is located off of Davison Road between Belsay and Vassar Road. The building allowance is based off the square footage of the property. So, with this property, their allowance is 2,750 square feet. The allowance for structures is two and they have three. They are over their footage allowance by 802 square feet. The property history shows that the property owner pulled a permit in 2012 for the barn closest to the house. This proves that he understands the permit process. The property

owners neglect to communicate with the city to receive proper approval as they did for the first structure, leading the administration to believe that the property owner is aware that permitting is required. Since the owner is in violation, the administration can not support his request.

Mr. Rapacz asked the applicant why he applied for a permit the first time in 2012, but not for this time?

Mr. Coron stated that it was built about three years ago. It was during the time of COVID, and it was just an over site on my part.

Mr. Rapacz stated that pulling a permit the first time and not this time gives the appearance that you knew you were only allowed two structures and built three structures anyway, hoping that no one would notice and if it looked nice enough that no one would complain. But unfortunately, there are processes to this and if we don't respect the processes, then what's the point of even having these rules in place.

Discussion and ideas on how to help the applicant while still adhering to the ordinance.

Motion by Board Member Burge, second by Board Member Richvalsky, to Approve SPR 25-29 #1.

Voting Yes: Joey Richvalsky, Jim Craig

Voting No: Rick Fuhst, Tim Rapacz, Kevin Burge, Gary Kautz, Mitchell Young

Motion Failed 2 - 5.

Discussion about adding stipulations to the motion for the second part of the applicant's variance while allowing the third structure. The stipulations are: the applicant must get the permit by May 31, 2026, comply with the allowed square footage, and complete the project by November 30, 2026.

Motion by Board Member Rapacz, second by Board Member Fuhst, to Approve SPR 25-29 #2 with stipulations.

Voting Yes: Rick Fuhst, Tim Rapacz, Joey Richvalsky, Kevin Burge, Gary Kautz, Jim Craig

Voting No: Mitchell Young

Motion Passed 6 - 1.

I. Board Discussion

Mr. Burge stated at Bendle High School on Saturday, December 6th, there will be the Pizza with Santa at noon. Later that same day, at 6:00 PM, at Fire station #1 is the tree lighting.

J. Meeting Adjournment

The next regularly scheduled meeting will be held on THURSDAY, DECEMBER 18, 2025 @ 5:00 PM.

The meeting was adjourned at 5:54 PM.

[MIN_SIGNATURES]