



CITY OF BURTON

BURTON PLANNING COMMISSION MEETING

JUNE 9, 2015

MINUTES

Council Chambers

Regular Meeting

5:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by Commissioner Kevin Burge at 5:05 PM.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Greg Kray	Alternate Commissioner	Excused	
Ellen Ellenburg	Councilwoman	Present	
Robert Walls	Chairman	Excused	
Kevin Burge	Commissioner	Present	
Robert Centilli	Commissioner	Present	
Mary Ann White	Commissioner	Present	
Robert Johnson	Commissioner	Present	
Tom Gorang	Commissioner	Present	
Deb Walton	Commissioner	Present	

C. STAFF PRESENT

Amber Abbey, Planning/Zoning
Racheal Boggs, Clerk's Office

D. APPROVAL OF MINUTES

1. Planning Commission - Regular Meeting - Apr 8, 2014 5:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Robert Johnson, Commissioner
SECONDER:	Mary Ann White, Commissioner
AYES:	Ellenburg, Burge, Centilli, White, Johnson, Gorang, Walton
EXCUSED:	Kray, Walls

E. PUBLIC HEARING

1. 1648 : SPR #15-15 Motion to Approve Proposed Zoning Ordinance Changes.

By: Burton City Planning Commission

Re: Ordinance No. 2015-___157, An Ordinance
Amending Zoning Ordinance, Chapter 157 of the
Code of Ordinances of the City of Burton.

For: Zoning text change for minor changes to several sections of the existing zoning ordinance along with additions of text for regulation of home occupations and a use matrix.

Mrs. Abbey will present the Proposed Zoning Ordinance Changes so the planning commission can make recommendations and send it to City Council for approval. She stated these proposed changes have already been approved by the City Attorney. She added, the changes are items that needed to be added and items that were out of date or didn't make sense. The first of these changes are definitions for the following: Approved Driveway Materials, Building Official (to include the inspector or an authorized agent), Building Permits (are not issued by the zoning administrator but by the building official), Home Occupation (a new ordinance is being proposed so we needed a definition), Kennel (changed from 3 dogs to 4 dogs), and Swimming Pool (to include any container holding water greater than 24 inches).

Under the Suburban Estate Residential District section it stated you could only have farm animals with a special use in a suburban estate zoning as well as having 5 acres, paying \$600.00, and bringing it to the planning commission for approval. Mrs. Abbey stated her thought process here is if the requirement is 5 acres then why do they also have to have a special use? Farm animal was removed as a special use and changed to a permitted use within that zoning. No other requirements were changed.

Under the Highway Oriented Business section we changed to "new and/or used" car sales in a C-3 zone. We also added that all automobiles offered for sale must be in good working condition.

Under the M-1 Light Industrial section we added open air business use. Under M-2 General Industrial District there was a typo that was corrected.

Under the Sale of Merchandise from Residential Zoned Property we removed the section regarding permits for yard sales. Mrs. Abbey said it was removed because we do not want to police yard sales.

In the Building Grades section the title "Zoning Administrator" was changed to "Building Official" in several instances.

In the Fence section an approved fencing materials section was added as well as a statement that no fence shall be attached to a neighboring fence.

Mrs. Ellenburg asked if we have something that states whether good/bad side has to be on the inside/outside?

Mrs. Abbey said no. it is a good-neighbor policy to have the good side out but we have nothing to back it up.

Mrs. Ellenburg would like to have it added. All members agreed to amend the recommendation for ordinance change to state the "smooth" side needs to be on the outside. Mrs. Abbey will construct the wording for this amendment.

Mrs. Abbey explained the Site Plan Review section changes. We removed the planned

shopping center and replaced it with "multiple tenant space". Also, Administrative site plan review (rather than a site plan review) is used for a change of ownership when there is no actual construction being done.

Mrs. Abbey stated Subsection (N) regarding numeric address guidelines was added per the Planning Commission's request.

Mr. Burge recommended instead of stating "black" numbers it should state offsetting/opposite color.

Mrs. Abbey recommended we handle this case by case or state "black or white" numbers.

Mrs. Abbey stated that under the Keeping of Chickens section the words were changed to reflect the actual issuer of the permits. It is, and has been the DPW, not the Clerk's Office that handles these permits.

Mrs. Abbey stated the entire Home Occupations section is a new ordinance. It includes most in-home occupations. It doesn't include working on cars out of a garage at your home. The Use Matrix is attached and will be added to the ordinance. It is a good tool for finding what type of zoning would be allowed for various types of business use.

Mr. Gorang complimented Mrs. Abbey on her hard work with these changes.

Mr. Burge suggested holding the recommendation of the ordinance until the July meeting when Mr. Walls, Planning Commission Chairperson can be present.

RESULT:	CARRIED [6 TO 1]
MOVER:	Ellen Ellenburg, Councilwoman
SECONDER:	Tom Gorang, Commissioner
AYES:	Ellenburg, Centilli, White, Johnson, Gorang, Walton
NAYS:	Burge
EXCUSED:	Kray, Walls

F. SPECIAL USE

G. SITE PLAN REVIEW

1. 1646 : SPR #15-13 Motion to Approve Change of Use with Privacy Fence Addition on West side up to the Front of House.

By: Lon & Victoria Neuville
4199 Davison Rd.
Burton, MI 48509

Re: 4238 Davison Rd.
Burton, MI 48509
59-10-100-032 / C-2 Zone

For: Best Car Company Importing LLC.

Mrs. Neuville of Burton, owner of Best Car Company Importing, LLC stated she has a business across the street from this property. They have been very busy and her lot is filling up. She purchased the property at 4238 Davison Road with the intent to use it as an additional parking facility. Mrs. Neuville handed out pictures of the property. There will be no business conducted on this property. There are two houses on the property that will be used as rentals. The zoning board requested her to put up a privacy fence on the West side of the property. She has received an estimate for the fence and work can begin in 2 weeks. She is asking for a change of use on the property.

Mrs. Abbey stated she would like the planning commission to address the placement of the fence. Both are commercially zoned properties. She recommends approval.

Mrs. Ellenburg stated a fence between the houses would give more privacy for the renters and create a separation between your business and their home.

Ms. White agreed that the fence needs to go between the houses.

Mrs. Abbey stated a six foot fence can only go to the front face of the house. A four foot fence can go beyond that.

Mrs. Ellenburg said a fence up to the house would be safer.

Mr. Johnson said this is the safest route and this may reestablish the lot line.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Robert Johnson, Commissioner
SECONDER:	Ellen Ellenburg, Councilwoman
AYES:	Ellenburg, Burge, Centilli, White, Johnson, Gorang, Walton
EXCUSED:	Kray, Walls

H. ADMINISTRATIVE SITE PLAN REVIEW

1. SPR #15-08

By: Jerry Drudi
4463 S. Dort Hwy.
Burton, MI 48529

Re: 4463 S. Dort Hwy.
Burton, MI 48529
59-33-300-013 / M-1 Zone

For: D & D Restoration

2. SPR #15-09

By: Taneika Lyles / Deirdra Walker
5411 E. Hill Rd.
Grand Blanc, MI 48439

Re: 1079 E. Bristol Rd.
Burton, MI 48529

For: Unique Elegance Salon

3. SPR #15-10

By: Ray Vinton
4436 Meadowbrook Dr.
Flint, MI 48506

Re: 2356 N. Center Rd.
Burton, MI 48509

For: It's New 2U, Secondhand Store

4. SPR #15-11

By: Aleshia LLC.
2124 S. Term St.
Burton, MI 48519

Re: 4225 S. Saginaw St.
Burton, MI 48529
59-32-503-309 / C-2 Zone

For: Burton Saloon, Bar & Grill

5. SPR #15-12

By: William Dempsey
9411 Fair Oaks
Goodrich, MI 48438

Re: 3481 S. Dort Hwy.
Burton, MI 48529
59-28-300-007 / M-2 Zone

For: Great Lakes Auto Importers

6. SPR #15-14

By: Advanced Safety & Energy
5055 Pilgrim Road
Flint, MI 48507

Re: 4463 S. Dort Hwy.
Burton, MI 48529
59-33-300-013 / M-1 Zone

For: Distribution / Light Assembly

I. AUDIENCE PARTICIPATION

None

J. BOARD DISCUSSION

The next regularly scheduled meeting will be held on Tuesday, July 14, 2015 at 5:00 p.m.

Meeting was adjourned at 6:22 PM.



CITY OF BURTON PLANNING COMMISSION

MINUTES

APRIL 8, 2014

Council Chambers

Regular Meeting

5:00 PM

**4303 S. CENTER ROAD
BURTON, MI 48519**

This meeting was opened by Chairman Robert Walls at 5:00 PM.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Greg Kray	Alternate Commissioner	Excused	
Ellen Ellenburg	Councilwoman	Present	
Robert Walls	Chairman	Present	
Kevin Burge	Commissioner	Present	
Robert Centilli	Commissioner	Absent	
Mary Ann White	Commissioner	Present	
Robert Johnson	Commissioner	Present	

C. STAFF PRESENT

S. Worthing, Building Inspector/Code Enforcer and L. Young, Clerk's Office

D. APPROVAL OF MINUTES

1. Planning Commission - Regular Meeting - Mar 11, 2014 5:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Kevin Burge, Commissioner
SECONDER:	Robert Johnson, Commissioner
AYES:	Ellenburg, Walls, Burge, White, Johnson
ABSENT:	Centilli
EXCUSED:	Kray

E. SPECIAL USE

1. 1455 : To approve special use SPR # 14-08.

By: 1416 LLC.
P.O. Box 518
Grand Blanc, MI 48480

Re: 3150 E. Maple Ave.
Parcel # 59-33-300-003 & 59-33-300-002

For: Outside storage of equipment and materials for Landscape Company

Rob Nudd, 6207 E. Hill Rd. Grand Blanc, said his business is at the end of a private drive.

Mr. Worthing recommended approval.

Mr. Burge suggested the applicant put an address marker at his business.

Mr. Johnson informed the applicant that he can get an address marker from the Burton Fire Department.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Kevin Burge, Commissioner
SECONDER:	Ellen Ellenburg, Councilwoman
AYES:	Ellenburg, Walls, Burge, White, Johnson
ABSENT:	Centilli
EXCUSED:	Kray

F. SITE PLAN REVIEW

1. 1456 : To approve SPR # 14-09 on the contingency of a lot combination approval by the City.

By: 1426 LLC.
P.O. Box 518
Grand Blanc, MI 48480

Re: Diamond Lawncare
3150 E. Maple Ave.
Parcel #59-33-300-003 & 59-33-300-002

For: Landscape Company

Mr. Worthing recommended approval with a contingency of a lot combination approval by the City.

Mr. Walls asked if the applicant would have any reason to be there at night.

Mr. Nudd replied only in the winter if they have to drop off equipment.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Kevin Burge, Commissioner
SECONDER:	Robert Johnson, Commissioner
AYES:	Ellenburg, Walls, Burge, White, Johnson
ABSENT:	Centilli
EXCUSED:	Kray

G. ADMINISTRATIVE SITE PLAN REVIEW

1. SPR # 14-05
By: Abdulla Farah
4296 W. Court St.

Re: Liquor Palace of Burton
4012 Davison Rd.

For: Change of ownership

2. SPR # 14-06

By: Fedrico Luna
4498 Mollwood
Flint, MI 48506

Re: Luna's Martial Arts
3557 S. Saginaw

For: Zoning Review

3. SPR # 14-07

By: Hector Garcia
G4127 S. Saginaw
Burton, MI 48529

Re: American Auto Works
G4111 S. Saginaw St.

For: Change of ownership

4. SPR # 14-10

By: Richard & Susan Gruwell
692 Thomas J. Dr.
Flint, MI 48506

Re: Curvy Consignments
5515 Davison Rd., Suite 13

For: Zoning Review

Mrs. White asked where 5515 Davison Rd. Suite 13 is located.

Mr. Worthing said it is in the plaza in the Northwest corner Consignment Shop.

H. AUDIENCE PARTICIPATION

None

I. BOARD DISCUSSION

None

The next regularly scheduled meeting will be held on Tuesday, May 13, 2014 at 5:00 p.m.

Minutes Acceptance: Minutes of Apr 8, 2014 5:00 PM (Approval of Minutes)



ADOPTED

AGENDA ITEM (ID # 1648)

DOC ID: 1648

SPR #15-15 / ZC 314

By: Burton City Planning Commission

Re: Ordinance No. 2015-____157, An Ordinance
Amending Zoning Ordinance, Chapter 157 of the
Code of Ordinances of the City of Burton.

For: Zoning text change for minor changes to several sections of the existing zoning
ordinance along with additions of text for regulation of home occupations and a
use matrix.

ATTACHMENTS:

- 15-15 (PDF)

RESULT:	CARRIED [6 TO 1]
MOVER:	Ellen Ellenburg, Councilwoman
SECONDER:	Tom Gorang, Commissioner
AYES:	Ellenburg, Centilli, White, Johnson, Gorang, Walton
NAYS:	Kevin Burge
EXCUSED:	Greg Kray, Robert Walls

Purposed Zoning Ordinance changes

Chapter 157 of Title XV shall be amended by the additions and/or modifications in the following sections:

§157.006 Definitions

APPROVED SERVICE DRIVEWAY. Constructed of concrete, asphalt, aggregate, or of a like material approved by the Department of Public Works

BUILDING OFFICIAL This term shall refer to the Building Official of the City, Building Inspector of the City or his or her authorized representative.

BUILDING PERMIT. The written authority issued by the ~~Zoning Administrator~~ Building Official permitting the construction, removal, repair, moving, alteration, or use of a building in conformity with the provisions of this ordinance.

HOME OCCUPATION. Any use customarily conducted entirely within a dwelling unit and carried on by the inhabitants thereof, ~~which use~~ An occupation, profession, activity, or use that is clearly an incidental and or secondary use of a residential dwelling unit and which does not alter the exterior of the property or affect the residential character or the neighborhood. to the use of the dwelling for dwelling purposes and does not change the character thereof and in connection with which:

- (1) Signs shall comply with requirements at Chapter 153. Subsection 153.10;
- (2) The ~~HOME OCCUPATION~~ is conducted wholly within the dwelling unit or garage by the residents thereof;
- (3) No article shall be sold or offered for sale from the home except as such as is produced in the home by the inhabitants thereof;
- (4) ~~HOME OCCUPATIONS~~ shall not be carried on to an extent so as to require parking in excess of that required for the residential structure in which it is located; and
- (5) Any ~~HOME OCCUPATION~~ that creates objectionable noise, fumes, odors, dust, electrical interference, or more than normal residential traffic shall be prohibited.

KENNEL. Any lot or premises on which ~~3~~ 4 or more dogs, 4 months or more old, are kept either permanently or temporarily boarded

SWIMMING POOL. Any permanent, non-portable structure or container intended for swimming or bathing, located either above or below grade, designed to hold water to a depth of greater than 24 inches.

§157.035 SUBURBAN ESTATE RESIDENTIAL DISTRICT, SE.

(B) *Principal permitted uses.* In the suburban estate residential district no uses shall be permitted, unless otherwise provided in this ordinance, except the following:

- (1) Single-family detached dwellings;
- (2) The growing of vegetables, fruit, flowers, trees, and shrubs;
- (3) Publicly owned and operated museums, parks, playfields, libraries, and other recreational facilities;
- (4) Public, parochial, or private elementary, intermediate, and high schools offering courses in general education, not operated for profit;
- (5) Cluster subdivisions pursuant to requirements of § 157.093 of this code;
- (6) Accessory buildings and uses customarily incidental to the above principal permitted uses;
- (7) Off-street parking in accordance with the requirements of §§ 157.110 *et seq.* of this code; and
- (8) Home occupations as defined in § 157.006 ~~of this code which comply with~~ §157.100(A) of this code;
- (9) Single-family farm dwellings;
- (10) Farm buildings and greenhouses;
- (11) (a) Farms, including livestock and poultry raising, dairying, horticulture, farm forestry, sod farming, and similar bona fide agricultural enterprises or use of land and structure, provided the farm shall be a minimum of 5 acres.
- (b) The keeping of horses for farming or for riding purposes, equines, cattle, or similar livestock shall be permitted only if 1 acre of land is provided for the use of each such animal. The keeping of fowl, poultry, and small livestock shall be regulated according to yard setbacks. All land so used for the keeping of livestock or fowl shall be located no nearer to the front street line than the rear building line of the dwelling on that lot and no closer than 50 feet from any adjacent property line. A suitable fence or other enclosure shall be erected around the entire premises for outside use by horses, cattle, or similar livestock. There shall be no obnoxious odors, flies, or other nuisances caused by the keeping of livestock or fowl, or by any agricultural operation.

(C) *Permitted uses after special approval.* The following uses shall be permitted subject to the conditions hereinafter imposed and subject further to site plan review and approval of the City Planning Commission:

- (1) ~~Single family farm dwellings;~~
- (2) ~~Farm buildings and greenhouses;~~

~~(3) (a) Farms, including livestock and poultry raising, dairying, horticulture, farm forestry, sod farming, and similar bona fide agricultural enterprises or use of land and structure, provided the farm shall be a minimum of 5 acres.~~

~~(b) The keeping of horses for farming or for riding purposes, equines, cattle, or similar livestock shall be permitted only if 1 acre of land is provided for the use of each such animal. The keeping of fowl, poultry, and small livestock shall be regulated according to yard setbacks. All land so used for the keeping of livestock or fowl shall be located no nearer to the front street line than the rear building line of the dwelling on that lot and no closer than 50 feet from any adjacent property line. A suitable fence or other enclosure shall be erected around the entire premises for outside use by horses, cattle, or similar livestock. There shall be no obnoxious odors, flies, or other nuisances caused by the keeping of livestock or fowl, or by any agricultural operation.~~

~~(1)(4)~~ Roadside stands for the display and sale of produce raised on the same premises, which shall be located not less than 25 feet from the street or highway right-of-way line and further provided that an open space for parking, 25 feet off the highway or street right-of-way, be provided for patrons of the roadside produce stand. A maximum of 1 roadside stand shall be permitted on any premises;

~~(2)(5)~~ Private parks, country clubs, golf courses, and golf driving ranges, when located on a continuous parcel of 5 acres or more in area; when any structure on that parcel is located at least 250 feet from a lot line of any adjacent residential district; and when all ingress and egress from that parcel is directly onto a major thoroughfare;

~~(3)(6)~~ Churches and other facilities normally incidental thereto, subject to the following conditions:

(a) Unless established prior to the enactment of this ordinance, a church site shall contain an area of at least 2 acres;

(b) The site shall be so located as to have at least 1 property line abutting a major thoroughfare. All ingress and egress to the site shall be directly onto the major thoroughfare; and

(c) Wherever the off-street parking area is adjacent to land zoned for residential purposes, a continuous and obscuring wall not less than 5 feet in height shall be provided along the sides of the parking area adjacent to the residentially zoned land in accordance with § 157.087.

~~(4)(7)~~ Publicly owned buildings, public utility buildings, telephone exchange buildings, electric transformer stations and substations, and gas regulator stations, but not including storage yards, when operating requirements necessitate locating within the district to serve the immediate vicinity, and the use is not injurious to the surrounding neighborhood;

~~(5)(8)~~ Nursery schools, day nurseries, and child care centers (not including dormitories), provided that for each child so cared for, there shall be provided and maintained a minimum of 200 square feet of outdoor play area. This play space shall have a total minimum area of at least 1,000 square feet and shall be screened from any adjoining lot in any residential district in accordance with § 157.087;

~~(6)~~(9) Cemeteries, subject to the following conditions:

- (a) The cemetery site shall contain an area of at least 20 acres;
- (b) The site shall be so located as to have at least 1 property line abutting a major thoroughfare. All ingress and egress to the site shall be directly onto the major thoroughfare;
- (c) The perimeter of the site shall be fenced in accordance with § 157.087;
- (d) Any structure located on the site shall be at least 100 feet from any lot line; and
- (e) Any burial plot located on the site shall be located at least 50 feet from any lot line.

~~(7)~~(10) Temporary buildings for use incidental to construction work for a period not to exceed 1 year.

(D) *Area, height, and placement requirements.* Area, height, and placement requirements, unless otherwise specified, are as provided in Appendix A, Schedule of Regulations.

§157.036 SINGLE-FAMILY RESIDENTIAL DISTRICTS; R-1A, R-1B, AND R-1C

(B) *Principal permitted uses.* In the R-1A, R-1B, and R-1C districts, no uses shall be permitted unless otherwise provided in this ordinance except the following:

- (1) Single-family detached dwellings;
- (2) Publicly owned and operated parks, playfields, museums, libraries, and other recreation facilities;
- (3) Public, parochial, or private elementary, intermediate, and high schools offering courses in general education, not operated for profit;
- (4) Accessory buildings and uses customarily incidental to the above principal permitted uses;
- (5) Off-street parking in accordance with the requirements of §§ 157.110*et seq.* of this code;
- (6) Cluster subdivisions in R-1A districts pursuant to requirements of § 157.093; and
- (7) Home occupations as defined in § 157.006, and which comply with §157.100(A) of this code;
- (8) Single-family farm dwellings;
- (9) Farm buildings and greenhouses; and
- (10) (a) Farms, including livestock and poultry raising, dairying, horticulture, farm forestry, sod farming, and similar bona fide agricultural enterprises or use of land and structure, provided the farm shall be a minimum of 5 acres.

(b) The keeping of horses for farming or for riding purposes, equines, cattle, or similar livestock shall be permitted only if 1 acre of land is provided for the use of each such animal. The keeping of fowl, poultry, and small livestock shall be regulated according to yard setbacks. All land so used for the keeping of livestock or fowl shall be located no nearer to the front street line than the rear building line of the dwelling on that lot and no closer than 50 feet from any adjacent property line. A suitable fence or other enclosure shall be erected around the entire premises for outside use by horses, cattle, or similar livestock. There shall be no obnoxious odors, flies, or other nuisances caused by the keeping of livestock or fowl, or by any agricultural operation.

§157.044 HIGHWAY ORIENTED BUSINESS DISTRICT, C-3

(B) *Principal permitted uses.* In the C-3 district, no uses shall be permitted, unless otherwise provided in this ordinance, except the following:

- (1) All principal permitted uses in the C-2 district;
- (2) Hotels and motels;
- (3) Assembly halls or other places of assembly;
- (4) New and/or used car sales rooms;

(C) *Permitted uses after special approval.* The following uses may be permitted subject to the conditions hereinafter imposed and subject to the review and approval of the City Planning Commission pursuant to § 157.177 of this code:

- (1) All permitted uses after special approval in the C-2 district subject to the terms and conditions imposed therein;
- (2) Automobile car wash establishments including steam-cleaning, but not rustproofing, provided off-street waiting space is provided in accordance with § 157.111;
- (3) Open air business uses as follows, in conformance with § 157.086:
 - (a) Retail sale of trees, shrubbery, plants, flowers, seed, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment, and other home garden supplies and equipment;
 - (b) Retail sale of fruits and vegetables;
 - (c) Tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving range, children's amusement park, or similar recreation uses;
 - (d) Bicycle, trailer, motor vehicle, boat, or home equipment rental services;
 - (e) Outdoor display and sale of garages, swimming pools, and similar uses; and

(f) Outdoor sales space for sale of new and/or used automobile or of new and/or used house trailers or boats; provided that all automobiles offered for sale are in good working condition. ~~there may be sales space for used vehicles only if carried on in conjunction with a regularly authorized new car or trailer sales agency which is housed in a permanent building on the same lot.~~

§157.046 Light Industrial District, M-1

(B) *Principal permitted uses.* Any of the following uses when the manufacturing compounding or processing is conducted entirely within a completely enclosed building. That portion of the land used for open storage facilities for materials or equipment used in the manufacturing, compounding, final product storage, or processing shall be totally obscured by a 6-foot masonry wall on those sides abutting any residential district:

(1) *Wholesale and warehousing.* The sale at wholesale or warehousing of automotive equipment; dry goods and apparel; groceries and related products; raw farm products except livestock; electrical goods; hardware, plumbing, heating equipment and supplies; machinery and equipment; petroleum bulk stations and terminals; tobacco and tobacco products; paper and paper products; furniture and home furnishings, and any commodity the manufacture of which is permitted in this district; truck terminals;

(2) *Industrial establishments.*

(a) The assembly, fabrication, manufacture, packaging, or treatment of such products as food products (excluding butchering, animal slaughtering), candy, drugs, cosmetics and toiletries, musical instruments, optical goods, toys, novelties, electrical instruments and appliances, radio and phonographs, or pottery and figurines or other ceramic products using only previously pulverized clay.

(b) The assembly, fabrication, manufacture, or treatment of products from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, felt, fiber, glass, horn, leather, paper, plastics, precious or semi-precious metals or stones, sheet metal (excluding large stampings such as automobile fenders or bodies), shell, textiles, wax, wire, wood (excluding saw and planing mills), and yarns.

(c) Tool and die shops; metal working machine shops involving the use of grinding or cutting tools; manufacturing of tools, dies, jigs, and fixtures; publishing, printing, or forming of box, carton, and cardboard products.

(d) Laboratories; research or testing.

(e) Central dry cleaning plants and laundries.

(3) *Public utility uses.* Electric transformer station and substation; electric transmission towers; municipal buildings and uses; gas regulator and municipal utility pumping stations; and

(4) *Accessory buildings and uses.* Accessory buildings and uses customarily incidental to the above principal permitted uses.

(5) Medical marijuana dispensary that stores and sells or dispenses medical marijuana shall not be permitted:

- (a) Within 500 feet of any other medical marijuana dispensary;
 - (b) Within 200 feet of a residential district or use;
 - (c) Within 1,000 feet of any school, nursery, licensed day care center or other building used for the care or instruction of children under 18 years of age;
 - (d) Within 1,000 feet of any church, house of worship or other religious facility or institution;
 - (e) Within 1,000 feet of any public or municipal park, and
 - (f) Shall be subject to all requirements as set forth in § 157.092 of this code for site plan review.
- (6) Medical marijuana growing facility that does not sell or dispense medical marijuana to qualifying patients shall not be permitted:
- (a) Within 500 feet of any other medical marijuana dispensary or growing facility;
 - (b) Within 200 feet of a residential district or use;
 - (c) Within 1,000 feet of any school, nursery, licensed day care center or other building used for the care or instruction of children under 18 years of age;
 - (d) Within 1,000 feet of any church, house of worship or other religious facility or institution;
 - (e) Within 1,000 feet of any public or municipal park; and
 - (f) Shall be subject to all requirements as set forth in § 157.092 of this code for site plan review.
- (7) Medical marijuana club (also known as compassion club), provided that the club shall not be permitted:
- (a) Within 500 feet of any other medical marijuana dispensary or club;
 - (b) Within 500 feet of a residential district or use;
 - (c) Within 1,000 feet of any school, nursery, licensed day care center or other building used for the care or instruction of children under 18 years of age;
 - (d) Within 1,000 feet of any church, house of worship or other religious facility or institution;
 - (e) Within 1,000 feet of any public or municipal park; and
 - (f) Shall be subject to all requirements as set forth in § 157.092 of this code for site plan review.

(8) Open air business uses as follows, in conformance with § 157.086:

(a) Retail sale of trees, shrubbery, plants, flowers, seed, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment, and other home garden supplies and equipment;

(b) Retail sale of fruits and vegetables;

(c) Tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving range, children's amusement park, or similar recreation uses;

(d) Bicycle, trailer, motor vehicle, boat, or home equipment rental services;

(e) Outdoor display and sale of garages, swimming pools, and similar uses; and

(f) Outdoor sales space for sale of new and/or used automobile or of new and/or used house trailers or boats; provided that all automobiles offered for sale and in good working condition.

§157.047 GENERAL INDUSTRIAL DISTRICT, M-2

(C) Permitted uses after special approval. The following uses may be permitted subject to the conditions hereinafter imposed and subject further to the review and approval of the ~~Board of Zoning Appeals~~ City Planning Commission pursuant to §157.177:

§ 157.073 SALE OF MERCHANDISE FROM RESIDENTIAL ZONED PROPERTY.

~~(A) No person, firm or corporation shall display for sale, sell, purchase or exchange any goods, wares or merchandise from any residentially zoned property for more than 6 calendar days during any 1 calendar year period.~~

~~(B) Despite the restrictions contained in subparagraph (A) above, any person, firm or corporation may be allowed to conduct a rummage sale or garage sale for an additional 6 calendar days each year by the issuance of a permit. Only 1 permit shall be issued for any 1 parcel during any calendar year. The City Council may establish and amend a permit fee by resolution.~~

§ 157.076 BUILDING GRADES.

~~(C) Final grade shall be approved by the Zoning Administrator~~ Building Official only after a certificate of grading and location of building within the city has been duly completed and certified by a registered engineer or land surveyor.

§ 157.079 EXCAVATION, REMOVAL, FILL, OR DEPOSIT

(A) The use of land for the excavation, removal, filling, or depositing of any type of earth material, topsoil, gravel, rock, garbage, rubbish, or other wastes or byproducts, is not permitted in any zoning district except under a certificate from, and under the supervision of the Zoning Administrator in accordance with a topographic plan, approved by the City Engineer, submitted by the feeholder owner of the property concerned. The topographic plan shall be drawn at a scale of not less than 1 inch equals 50 feet and shall show existing and proposed grades and

topographic features and other data as may from time to time be required by the City Engineer. The certificate may be issued in appropriate cases upon the filing with the application of a cash bond or surety bond by a surety company authorized to do business in the state running to the city in an amount as established by the City Engineer which will be sufficient in amount to rehabilitate the property upon default of the operator or other reasonable expenses. This regulation does not apply to normal soil removal for basement or foundation work when a building permit has previously been duly issued by the ~~Zoning Administrator~~ Building Official.

§ 157.080 RESTORING UNSAFE BUILDINGS

Nothing in this ordinance shall prevent the strengthening or restoring to a safe condition of any part of any building or structure declared unsafe by the ~~Zoning Administrator~~ Building Official or required compliance with his or her lawful order.

§ 157.085 RADIO AND TELEVISION TOWERS

All commercial radio, television, and other transmitting or relay antenna towers shall be permitted in any business, commercial, or industrial district which has access upon a major thoroughfare. The setbacks for these towers from all abutting streets or adjacent property shall be a distance equal to the height of the tower. The structural plans must be approved by the ~~Zoning Administrator~~ Building Official.

§157.089 FENCES, WALLS, AND OTHER PROTECTIVE BARRIERS

All fences, walls, and other protective barriers (referred to in this section as “fences”) of any nature, description located in the city, shall conform to the following regulations.

(A) Fences in other than M-1 or M-2 districts, unless specifically provided otherwise, shall conform to the following requirements.

(1) (a) No fence shall hereafter be located in the front yard without the prior written approval of the Director of the Department of Public Works or his or her designate. Upon the request for a permit to construct a fence in a front yard, the Director of the Department of Public Works or his or her designate shall notify the persons to whom the adjacent real property is assessed of the proposed fence. The adjoining property owner shall, within 7 days of the notice, request a hearing before the Zoning Board of Appeals if he or she has an objection to the construction of the fence in the front yard. If no objection is received within 7 days of the date of notice, the Director of the Department of Public Works or his or her designate may issue a permit to construct the fence; provided, however, the fence shall be of an ornamental nature and of a design so as to be non-sight-obscuring and not in excess of 48 inches in height.

(b) Bushes and hedges must be kept trimmed to a maximum height of 42 inches. Setbacks of bushes and hedges must be at least 3 feet from the edge of any sidewalk and must be kept trimmed back to this setback. Fences may have up to 50% screen, and be of decorative design as required in § 157.089(A)(2). There shall be a 20-foot free vision zone measured from a street curb and private driveway intersection if no sidewalk exists;

also, observance of a 30-foot free vision zone requirement at intersecting streets per § 157.066.

(2) (a) Fences of an ornamental nature which may be located in a front yard and ~~any other yard~~ shall be of approved materials, of a fence type listed below; ~~design so as to be non-sight obscuring, and of a fence type listed below as promulgated in the city's Specifications Governing the Granting of Permits for Commercial or Residential Driveways and Site Improvements, adopted November 3, 1980:~~

1. Post and rail;
2. Split rail;
3. Picket;
4. Wrought iron; ~~or~~
5. Chain link; ;
6. Wood; or
7. Vinyl.

(b) Fences of ~~an ornamental~~ a type not listed above must be approved by the City Zoning Board of Appeals before placement in a ~~front~~ any yard.

(3) Barbed wire, spikes, nails, or any other sharp instruments of any kind are prohibited on top of or on the sides of any fence, except that barbed wire cradles may be placed on top of fences enclosing public utility buildings or equipment in any district or wherever deemed necessary by the City Zoning Board of Appeals in the interests of public safety or protection of private property.

(4) No chain link or wire fence shall hereafter be erected in any required yard space in excess of 5 feet in height above the grade of the surrounding land, unless the Zoning Board of Appeals shall give its special approval as provided in §§ 150.152 *et seq.* of this code.

(5) Wooden fences may hereafter be erected in all residential districts to enclose property within a required side or rear yard, shall not exceed 6 feet in height above the natural, average existing grade or ground adjacent thereto, and shall not extend toward the front of the lot nearer than the front of the house or the required minimum front yard, whichever is greater.

(B) No fence shall be erected, established, or maintained on any corner lot which will obstruct the view of a driver of a vehicle approaching the intersection, with the exception that shade trees shall be permitted where all branches are not less than 8 feet above the road level.

(C) Fences in M-1 or M-2 districts with a maximum height of 6 feet may be located on property or road right-of-way lines of a lot, provided that those fences shall be located on parcels with an approved industrial use, maintained in good condition, and shall not constitute an unreasonable hazard. The fences shall be of an approved type located within the city's

Specifications Governing the Granting of Permits for Commercial or Residential Driveways and Site Improvements, adopted November 3, 1980.

(D) Required walls and screening barrier shall have no openings for vehicular traffic or other purposes, except as otherwise provided in this ordinance and except such openings as may be approved by the Chief of Police and the Zoning Administrator. All walls herein required shall be constructed of materials approved by the City Planning Commission to be durable, weather resistant, rustproof, and easily maintained; constructed in accordance with city specifications.

(E) Screen plantings may be approved to be utilized to comply with screening requirements set forth in this ordinance. Individuals wishing to utilize plantings are to submit a landscaping detail to the City Planning Commission for approval.

(1) Screen plantings shall consist of plant materials which shall constitute a closed planting strip and height of 5 feet within 2 years after planting

(2) Owners of required screen plantings have the obligation to replace or maintain the condition of the plantings.

(3) Screen plantings shall be placed in a planting strip of at least 5 feet in width.

(F) All required walls, fences, trash container enclosures, and screening barriers are to be maintained in a good condition, shall not constitute an unreasonable hazard, and shall comply with the intent for which they were required.

(G) Fencing for lots or parcels of land which abut more than 1 street frontage (private or public) shall maintain front yard setback requirements unless special approval of Zoning Board of Appeals is granted.

(H) (1) Fences must be maintained so as not to endanger life, property, or be in a stage of disrepair in the opinion of the Code Enforcement Officer. No fence shall be attached in any way to a neighboring fence. Any fence which, through lack of maintenance or type of construction or otherwise, imperils life or property, shall be deemed a nuisance. No fence, regardless of the zoning district in which it is located, shall be constructed in such a manner as to interfere with the vision of any motorist or pedestrian on any street. No hedge shall be erected or grown in excess of 42 inches in height in front of the setback line for that property which shall unreasonably interfere with the visibility from any street or adjoining property. If any fence or hedge shall constitute a nuisance or otherwise violate this ordinance, the owner of the property on which that fence or hedge is located shall abate the nuisance within 10 days of written notice thereof.

(2) If the nuisance is not abated within 10 days after the owner of the land is notified by the Code Enforcement Officer, then the city may perform the necessary work to eliminate the nuisance at the expense of the property owner; and in the event the property owner fails to reimburse the city within 30 days after receiving notice of the amount due from the City Treasurer, then the amount shall become a lien upon the property and be collected in the same manner as collection of city real property taxes.

§ 157.092 SITE PLAN REVIEW.

(B) Zoning review (rather than site plan review) is required whenever there is a change of ownership or change of use within a ~~planned shopping center~~ multiple tenant space having previously received site plan approval, so long as the use does not differ from an approved use for that zoning. In instances where this applies, the Department of Public Works or authorized representative is hereby authorized to make the review and issue an approval or disapproval. Any interested party may appeal any decision made during this zoning review to the Planning Commission within 7 days of notification of the decision.

(C) (1) Administrative site plan review (rather than site plan review) is required whenever there is a change of ownership ~~to~~, or change of use within the parameters of a permitted use within that zoning district when exterior construction is not being done or the construction of an enclosed structure to be used exclusively for storage provided that the structure does not exceed the following size limitations. Where the parcel is less than 5 acres, the structure cannot exceed 2% of the area of the subject parcel. Where the parcel exceeds 5 acres, the structure cannot exceed 2% of the first 5 acres plus ½% per acre, but in no event shall the structure exceed 10,000 square feet in total size. In the event the structure does exceed these size limitations then site plan review shall be required. Administrative site plan review is also applicable to the construction of structures used for recreational purposes that are unenclosed except for columns supporting the roof, or exterior construction that does not require a building permit.

(2) The Director of the Department of Public Works, City of Burton, or his authorized representative, is hereby authorized to make the review and issue an approval or disapproval. Any interested party may appeal any decision made during the administrative site plan review of the Director of the Department of Public Works or his designate to the Planning Commission within 7 days of notification of the decision.

(D) Site plan review with Planning Commission approval is required when there is a change of use in conjunction with exterior construction that requires a building permit, additional use of an attached building or portion of building with a prior approved site plan on file of a use permitted in the same zoning district, development of a property, or construction of a previously developed property, except as provided in subsections (B) and (C) hereof. Whenever a site plan review is required by the provisions of this ordinance, 12 copies of the site plan to an architectural or engineering scale, including all items required together therewith, shall be submitted to the Planning Commission to permit study of all elements of the plan. The Planning Commission may prepare forms and require the use of such forms in site preparation.

(N) Every site that requires zoning review, administrative site plan review, or site plan review approval shall be designed to provide for a numeric address with a minimum of 6" high, black numbers on the front face of the building visible from the street. (example: 1234).

§ 157.098 KEEPING OF CHICKENS.

(B) (1) Any person who keeps chickens on non-agriculturally zoned property shall first obtain a permit. An application shall be submitted to the ~~office of the~~ Department of Public Works City Clerk and a fee paid as shall be established, and from time to time be amended, by resolution of the Burton City Council. Initially this fee shall be set at \$25.00

§ 157.100 HOME OCCUPATIONS

The intent of this section is to ensure that any home occupation is compatible with other permitted uses in residential districts and to maintain and preserve the residential character of the surrounding neighborhood by the following requirements:

(A) A home occupation permit may be granted by the Department of Public Works within a single-family residential dwelling unit when a home occupations application, provided on forms furnished by the City, has been submitted subject to all of the following conditions and provided all of such conditions are agreed to by the applicant.

(1) No person, other than members of the family residing on the premises shall be engaged in such occupation. Non-resident persons shall not be employed.

(2) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25% of the total first floor area of the dwelling unit (exclusive of an attached garage, breezeway, and enclosed or unenclosed porches) shall be used for the purposes of the home occupation and the home occupation shall be carried out completely within such dwelling. No accessory building (attached or detached) shall be used in the home occupation.

(3) There shall be no change in the outside appearance of the structure or premises, or other visible evidence of the conduct of such home occupation other than 1 sign that shall comply with requirements at Chapter 153. Subsection 153.10;

(4) No home occupation shall be conducted upon or from the premises, which would constitute a nuisance or annoyance to adjoining residents by reason of noise, dust, glare, heat, smoke, fumes, odor, vibrations or electrical disturbances. There shall be no discharge of polluting materials, fluids, or gases into the ground or surface water, soil or atmosphere.

(5) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood. Any need for parking generated by the conduct of such home occupation shall be provided by an off-street parking area, located in other than in a required front or side yard setback area. There shall be no deliveries to or from a home occupation with a vehicle with a rated capacity of greater than 1 ton.

(6) There shall be no sale of any goods manufactured elsewhere in connection with such home occupation. The outdoor storage of goods and materials shall be prohibited. No interior displays shall be visible from the exterior of a dwelling unit used for the purposes of a home occupation.

(7) The home occupation shall not be open to the public earlier than 8:00 a.m. or later than 8:00 p.m.

(8) No more than 1 home occupation per dwelling unit shall be permitted.

(9) No home occupation may be carried out without a valid permit issued by the Building Official. Home occupation permits shall be reviewed and obtained annually. Fees for any required reviews, public hearings and permits shall be established by resolution of the City Council.

(B) When in the opinion of the Zoning Administrator any proposed or existing home occupation that will not or does not currently comply with the specific items as listed in division (A) above, a home occupation application or renewal shall be submitted for review and approval through the City Planning Commission for a Special Use Permit. Home occupations reviewed and approved by the Planning Commission would be subject to compliance with the additional divisions below. The Planning Commission shall conduct a public hearing in compliance with the City's public hearing notification requirements for a Special Use Permit prior to approving or renewing a home occupation permit.

(1) No persons other than family members of the family residing on the premises, or up to 3 non-family members not residing on the premises, shall be engaged in such home occupation.

(2) No more than 2 home occupations per dwelling unit shall be permitted.

(3) The use of an attached or detached accessory structure shall be limited to 30% of the total first floor area of the dwelling unit exclusive of attached garages, breezeways and enclosed or unenclosed porches.

(4) There shall be no change in the outside appearance of the structure or premises, or other visible evidence of the conduct of such home occupation other than 1 sign that shall comply with requirements at Chapter 153. Subsection 153.10;

(5) Home occupations approved for a Special Use Permit by the Planning Commission shall be renewed annually through the Building Department. In the event that complaints have been received by the Building Department on a home occupation, the Building Official may require an additional public hearing prior to renewal consideration by the Planning Commission. Fees for any required reviews, public hearings and permits shall be established by resolution of the City Council.

(C) (1) All home occupation permits administratively approved and issued by the Zoning Administrator under division (A) above shall be forwarded to the Planning Commission within 30 days of the date of issuance. When in the opinion of the Planning Commission that a home occupation may not be in compliance with the requirements of division (A), as issued by the Zoning Administrator, the Planning Commission, by a majority vote, may require that the licensee appear at the next regular scheduled meeting of the Planning Commission to address any concerns.

(2) After the hearing set forth in division (C) (1) above, if the Planning Commission concludes the licensee cannot, or will not, comply with all of the requirements of division (A) above, the Planning Commission may revoke an administratively approve home occupation permit.

(D) Home occupation approved for a Special Use Permit by the Planning Commission may be revoked by the Planning Commission after notice to the licensee at least fifteen (15) days prior to a hearing by the Planning Commission called to consider the revocation of the permit.

§ 157.130 REPAIRS AND MAINTENANCE; LIMITATIONS

On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done in any period of 12 consecutive months on ordinary repairs, or on repair or replacement or non-bearing walls, fixtures, wiring, or plumbing, to an extent not exceeding 25% of the current city assessed value of the nonconforming structure or nonconforming portion of the structure as the case may be, provided that the cubic content existing when it became nonconforming shall not be increased. If a nonconforming structure or portion of a structure containing a nonconforming use becomes physically unsafe or unlawful due to a lack of repairs and maintenance, and is declared by the ~~Zoning Administrator~~ Building Official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the district in which it is located.

§ 157.172 PERMIT REQUIREMENTS

The following shall apply in the issuance of any permit.

(A) *Permits required.* It shall be unlawful for any person to commence excavation for, construction of any building or structure, structural changes or repairs in any existing building or structure, or moving of an existing building, without first obtaining a building or site permit from the ~~Zoning Administrator~~ or Building Official. No permit shall be issued for construction, alteration, or remodeling of any building or structure until an application has been submitted in accordance with the provisions of this ordinance showing that the construction proposed is in compliance with the provisions of this ordinance, with the Building Code, and with other applicable ordinances.

(1) No plumbing, electrical, drainage, or other permit shall be issued until the Zoning Administrator or Building Official has determined that the plans and designated use indicate that the structure and premises, if constructed as planned and proposed, will conform to the provisions of this ordinance.

§ 157.173 CERTIFICATES OF OCCUPANCY

(A) It shall be unlawful to use or permit the use of any land, building, or structure for which a building permit and site permit is required and to use or permit to be used any building or structure hereafter altered, extended, erected, repaired, or moved until the Building Official and/or Zoning Administrator shall have issued a certificate of occupancy stating that the provisions of this ordinance have been complied with.

(B) The following provisions shall apply.

(1) *Certificate validity.* The certificate of occupancy, as required for new construction or of renovations to existing buildings and structures in the Building Code, shall also constitute a certificate of occupancy.

(2) *Records of certificates.* A record of all certificates of occupancy shall be kept in the office of the Building Official and/or Zoning Administrator and copies of the certificates of occupancy shall be furnished upon request to a person or persons having a proprietary or tenancy interest in the property involved.

(3) *Certificates for accessory buildings to dwellings.* Accessory buildings or structures to dwellings shall not require a separate certificate of occupancy, but rather, may be included in the certificate of occupancy for the principal dwelling, building, or structure on the same lot when the accessory buildings or structures are completed at the same time as the principal use.

(4) *Temporary certificates.* Certificates of temporary occupancy may be issued for a part of a building or structure prior to the occupation of the entire building or structure, provided that the certificate of temporary occupancy shall not remain in force more than 120 days, nor more than 5 days after the building or structure is fully completed and ready for occupancy, and provided further that those portions of the building or structure are in conformity with the provisions of this ordinance.

(5) *Application for certificates of occupancy.* Any person applying for a site permit or building permit shall at the same time apply to the Building Official and/or Zoning Administrator, in writing, for a certificate of occupancy. It shall be the duty of that person to notify the Building Official and/or Zoning Administrator upon completion of the building or structure. The Building Official and/or Zoning Administrator shall, within 5 business days after actual receipt of that notification, inspect the building or structure, and if he or she shall determine that the building or structure or part thereof or the proposed use of the premises is in conformity with this and other applicable ordinances and laws, the Building Official and/or Zoning Administrator shall determine that a violation exists, he or she shall not issue a certificate of occupancy and shall forthwith notify the applicant of that refusal and the cause therefor.

§ 157.174 BUILDING PERMIT; FINAL INSPECTION

The recipient of any building permit and site permit for the construction, erection, alteration, repair, or moving of any building, structure, or part thereof shall notify the Building Official and/or Zoning Administrator or Public Works Director immediately upon the completion of the work authorized by that permit for a final inspection.

Appendix C : Use Matrix

PU = Permitted Use SU = Special Use WR = With Restrictions	C-1 - Local Business	C-2 - General Business	C-3 - Highway Oriented	C-4 - Planned Shopping	RO - Restricted Office	M-1 - Light Industrial	M-2 - General Industrial	R-1A - Single Family Residential	R-1B - Single Family Residential	R-1C - Single Family Residential	RM - Multiple Family Residential	SE - Suburban Estate Residential	HRM - High Rise / Multiple Family Residential
Accessory Structure to Principal	PU	PU	PU	PU		PU	PU	PU	PU	PU	PU	PU	PU
Apartments											PU		PU
Arcade		SU	SU										
Assembly Halls			PU										
Assisted Living Homes	PU	PU	PU		PU						PU		PU
Automobile Repair		SU	SU			SU	PU						
Banks / Credit Union	PU	PU	PU	PU	PU								
Beauty Parlor or Barber	PU	PU	PU	PU		SU	PU						
Bowling Alley		SU	SU										
Carry out Restaurant	PU	PU	PU	PU			SU						
Cemetery (20 Acres Required)								SU	SU	SU	PU	SU	PU
Churches	PU	PU	PU		PU			SU	SU	SU	PU	SU	PU
Convalescent Homes	PU	PU	PU		PU						PU		PU
Daycare Center	PU	PU	PU		PU			SU	SU	SU	PU	SU	PU
Dog Kennel						SU	PU						
Dwelling, Multi Family											PU		PU
Dwelling, Single Family								PU	PU	PU	PU	PU	PU
Fabrication						PU	PU						
Family Care Center (less than 6)								PU	PU	PU	PU	PU	PU
Farm Animals (5 Acres Required)								PU	PU	PU		PU	
Furniture/ appliance repair shop		PU	PU	PU									
Gasoline Station		PU	PU	WR									
Golf Courses (5 Acres Required)								SU	SU	SU	PU	SU	PU
Gym		PU	PU	PU									
High Rise Multi-Family													PU
Home Occupation								PU	PU	PU	PU	PU	PU
Hospitals		SU	SU								PU		PU
Housing for Elderly	PU	PU	PU		PU						PU		PU
Industrial Park						SU	PU						
Junk Yard							SU						
Landscaping Yard							SU						
Laundromats / Dry Cleaning	PU	PU	PU	PU		PU	PU						
Manufacturing - Automobiles							PU						
Manufacturing - not automobiles						PU	PU						

Attachment: 15-15 (1648 : SPR #15-15)

PU = Permitted Use SU = Special Use WR = With Restrictions	C-1 - Local Business	C-2 - General Business	C-3 - Highway Oriented	C-4 - Planned Shopping	RO - Restricted Office	M-1 - Light Industrial	M-2 - General Industrial	R-1A - Single Family Residential	R-1B - Single Family Residential	R-1C - Single Family Residential	RM - Multiple Family Residential	SE - Suburban Estate Residential	HRM - High Rise / Multiple Family Residential
Medical / Dental Offices or Clinics	PU	PU	PU		PU								
Medical Marijuana Club		SU	SU			PU	PU						
Medical Marijuana Dispensary		SU	SU			PU	PU						
Medical Marijuana Grow Facility						PU	PU						
Mobile Homes / Parks													
Motel, Hotel or Lodging			PU			SU	PU						
Office - Professional (not medical)	PU	PU	PU	PU	PU								
Open Air Business			SU			PU	PU						
Open Storage Yards - Contractor							SU						
Photography Studio	PU	PU	PU	PU	PU								
Planned Unit Development								WR	WR		PU		PU
Private Clubs (5 Acres Required)								SU	SU	SU	PU	SU	PU
Recreational use - Indoor			SU			PU	PU						
Recreational use - Outdoor		SU	SU										
Recreational Vehicles Sales			PU			SU	PU						
Restaurant - Completely Enclosed	PU	PU	PU	PU		SU	PU						
Restaurant with a Drive Thru		SU	SU	WR									
Retail Stores	PU	PU	PU	PU									
Schools - Private	PU	PU	PU		PU								
Schools - Public	PU	PU	PU		PU			PU	PU	PU	PU	PU	PU
Self-Storage Facility						SU	PU						
Shopping Center - Mall				PU									
Tailor	PU	PU	PU	PU	PU								
Tanning Salons		PU	PU										
Theaters - Completely Enclosed				PU									
Theaters - Drive-in						SU	PU						
Tool and Die Shop						PU	PU						
Towing Facility							SU						
Townhouses											SU		
Vehicle Sales - Inside			PU			PU	PU						
Vehicle Sales - Outdoor			SU			PU	PU						
Veterinarian Hospital		SU	SU										
Warehouse		SU	SU			PU	PU						
Welding							PU						
Wholesale Establishment		SU	SU			PU	PU						



ADOPTED

AGENDA ITEM (ID # 1646)

DOC ID: 1646

SPR #15-13

By: Lon & Victoria Neuville
4199 Davison Rd.
Burton, MI 48509

Re: 4238 Davison Rd.
Burton, MI 48509
59-10-100-032 / C-2 Zone

For: Best Car Company Importing LLC.

ATTACHMENTS:

- 15-13 (PDF)

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Robert Johnson, Commissioner
SECONDER:	Ellen Ellenburg, Councilwoman
AYES:	Ellenburg, Burge, Centilli, White, Johnson, Gorang, Walton
EXCUSED:	Greg Kray, Robert Walls



City of Burton
Department of Public Works
4093 Manor Drive
Genesee County, Burton, Michigan 48519
(810) 742-9230



APPLICATION FOR SITE PLAN REVIEW

DATE FILED: 5-11-15
FEE: \$ 200.00
RECEIPT NO: _____
CHECK NO: 13529

SPR #: 15-13

PLEASE PRINT

DATE OF PLANNING COMMISSION MEETING: June 9, 2015
APPLICANTS NAME: Lon & Victoria Neville
APPLICANTS ADDRESS: 4199 Davison Rd, Burton, MI 48509
APPLICANTS PHONE NO: 810-691-0873
PROPOSED NAME OF BUSINESS: Best Car Company Importing LLC
SITE ADDRESS: 4238 Davison Rd, Burton, MI 48509
SUBDIVISION & LOT # OR PARCEL NUMBER: See Attached
parcel - 59-10-100-032
RE: Change of use - Used car Sales

APPLICANT: IT IS TO YOUR ADVANTAGE TO ATTEND THE ABOVE SCHEDULED MEETING. THE PLANNING COMMISSION MAY HAVE QUESTIONS THAT DIRECTLY AFFECT APPROVAL, DENIAL, OR POSTPONING UNTIL THESE QUESTIONS CAN BE ANSWERED.

APPLICANTS SIGNATURE: Victoria Neville

NOTE: All site plans must be filed at least two (2) weeks prior to the Planning Commission hearing and **MUST** comply with the procedures set forth in Section 157.092 of Codified Ordinance as attached. Must include **twelve (12) sets** of prints in order to process the application.

FIRST AMERICAN TITLE INSURANCE COMPANY

Commitment Number: 15-112019

SCHEDULE C
PROPERTY DESCRIPTION

The land referred to in this Commitment is located in the City of Burton, County of Genesee, State of Michigan, described as:

PARCEL 1: Beginning on the North Section line 8 rods West of the Northeast corner of the East 1/2 of the Northwest 1/4 of Section 10, Township 7 North, Range 7 East, as the place of beginning; thence Southerly parallel to the East line of the East 1/2 of the Northwest 1/4 of said Section, 40 rods; thence Westerly parallel to the North Section line, 12 rods; thence Northerly parallel to the East line of the East 1/2 of the Northwest 1/4 of said Section to the North line of said Section; thence Easterly along the North Section line, 12 rods to the place of beginning. EXCEPTING THE FOLLOWING: Beginning on the North Section line 132 feet West of the Northeast corner of the East 1/2 of the Northwest 1/4 of Section 10, Township 7 North, Range 7 East, as the place of beginning; thence Southerly parallel to the East line of the East 1/2 of the Northwest 1/4 of said Section, 200 feet; thence Westerly parallel to the North Section line, 60 feet; thence Northerly parallel to the East line of the East 1/2 of the Northwest 1/4 of said Section to the North line of said Section; thence Easterly along the North Section line 60 feet to the place of beginning.

PARCEL 2: The West 1/2 of the East 8 rods of the North 40 rods of the Northeast 1/4 of the Northwest 1/4 of Section 10, Township 7 North, Range 7 East.

PARCEL 3: Part of the Northwest 1/4 of Section 10, Township 7 North, Range 7 East, described as beginning on the North line of Section 10, 132 feet West of the Northeast corner of Northwest 1/4 of said Section; thence South 200 feet; thence West 60 feet; thence North 200 feet; thence East along North Section line 60 feet to the place of beginning.

PARCELS 1, 2 AND 3 COMBINED AND LEGALLY DESCRIBED ON TAX ROLLS AS: A parcel of land beginning 66 feet West of the Northeast corner of the Northwest 1/4 of Section 10, Township 7 North, Range 7 East; thence West 264 feet; thence South 660 feet; thence East 264 feet; thence North 660 feet to the place of beginning.

Attachment: 15-13 (1646 : SPR #15-13)

May 7, 2015

Amber,

on the drawing I didn't show a privacy fence along the west side - Because the lot that we will be using starts behind the house & garage that is on the west side. Next to us is just vacant land. Please let me know if you think I still need a privacy fence on that side.

Thanks for your help.

Vicki Neville

810-691-0873

Attachment: 15-13 (1646 : SPR #15-13)

Site MAP - 4238 DAVISON Rd



Attachment: 15-13 (1646 : SPR #15-13)



Burton Planning Commission

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1641)

Meeting: 06/09/15 05:00 PM

Department: Department of Public Works

Category: Administrative Site Plan Review

Prepared By: Amber Abbey

Department Head: Greg Kray

H.1

DOC ID: 1641

SPR #15-08

By: Jerry Drudi
4463 S. Dort Hwy.
Burton, MI 48529

Re: 4463 S. Dort Hwy.
Burton, MI 48529
59-33-300-013 / M-1 Zone

For: D & D Restoration

ATTACHMENTS:

- 15-08 (PDF)



City of Burton
 Department of Public Works
 4093 Manor Drive
 Genesee County, Burton, Michigan 48519
 (810) 742-9230



APPLICATION FOR ADMINISTRATIVE SITE PLAN REVIEW

DATE FILED: 2-13-15

FEE: \$75.00

RECEIPT NO: _____

CHECK NO: 1003

SPR #: 15-08

PLEASE PRINT

DATE: 2-14-15

APPLICANTS NAME: JERRY DRUDI

APPLICANTS ADDRESS: 4463 S. Doat Hwy

APPLICANTS PHONE NO: 810-931-4900

PROPOSED NAME OF BUSINESS: D+D SE MICH LLC

SITE ADDRESS: 4463 S. Doat Hwy

SUBDIVISION & LOT # OR PARCEL NUMBER: 59-33-300-013

M-1 zone.

TYPE: ☒ CHANGE OF OWNERSHIP ☐ CONSTRUCTION LESS THAN 2%

USE OF STRUCTURE: office space + storage for Restoration

SQ FOOTAGE OF PROPERTY: Approx 6 acres

SQ FOOTAGE OF STRUCTURE: App 30,000

NUMBER OF EMPLOYEES/SEATS: 10

APPLICANTS SIGNATURE: [Signature]

*** ALSO ATTACH A FLOOR PLAN OF THE EXISTING AND PROPOSED BUSINESS.

Attachment: 15-08 (1641 : SPR #15-08)



Burton Planning Commission

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1642)

Meeting: 06/09/15 05:00 PM

Department: Department of Public Works

Category: Administrative Site Plan Review

Prepared By: Amber Abbey

Department Head: Greg Kray

H.2

DOC ID: 1642

SPR #15-09

By: Taneika Lyles / Deirdra Walker
5411 E. Hill Rd.
Grand Blanc, MI 48439

Re: 1079 E. Bristol Rd.
Burton, MI 48529

For: Unique Elegance Salon

ATTACHMENTS:

- 15-09 (PDF)



City of Burton
Department of Public Works
4093 Manor Drive
Genesee County, Burton, Michigan 48519
(810) 742-9230



APPLICATION FOR ZONING REVIEW

DATE FILED: 2-13-15

FEE: \$40.00

RECEIPT NO: _____

CHECK NO: cash

SPR #: 15-09

PLEASE PRINT

DATE: FEBRUARY 13, 2015

APPLICANTS NAME: TANEIKA LYLES / DEIRDRA WALKER

APPLICANTS ADDRESS: 5411 E. Hill Rd. 48439

APPLICANTS PHONE NO: (810) 820-5920

PROPOSED NAME OF BUSINESS: Unique Elegance

PROPOSED TYPE OF BUSINESS: 1079 E. Bristol Rd.

SITE ADDRESS: 1079 E. Bristol Rd. 48529

USE OF STRUCTURE: Salon and Day Spa

SQ FOOTAGE OF PROPERTY: 2400 Sq. Ft.

SQ FOOTAGE OF STRUCTURE: 2400 Sq. Ft.

NUMBER OF EMPLOYEES/SEATS: 12-13

APPLICANTS SIGNATURE: Taneika Lyles Deirdra Walker

*** ALSO ATTACH A FLOOR PLAN OF THE EXISTING AND PROPOSED BUSINESS.

Attachment: 15-09 (1642 : SPR #15-09)



Burton Planning Commission

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1643)

Meeting: 06/09/15 05:00 PM

Department: Department of Public Works

Category: Administrative Site Plan Review

Prepared By: Amber Abbey

Department Head: Greg Kray

H.3

DOC ID: 1643

SPR #15-10

By: Ray Vinton
4436 Meadowbrook Dr.
Flint, MI 48506

Re: 2356 N. Center Rd.
Burton, MI 48509

For: It's New 2U, Secondhand Store

ATTACHMENTS:

- 15-10 (PDF)



City of Burton
 Department of Public Works
 4093 Manor Drive
 Genesee County, Burton, Michigan 48519
 (810) 742-9230



APPLICATION FOR ZONING REVIEW

DATE FILED: 3-25-15

FEE: \$40.00

RECEIPT NO: _____

CHECK NO: 1158

SPR #: 15-10

PLEASE PRINT

DATE: 3-25-15

APPLICANTS NAME: Ray W Vinton

APPLICANTS ADDRESS: 44136 Meadowbrook Drive Flint, MI 48506

APPLICANTS PHONE NO: (810) 240-0046

PROPOSED NAME OF BUSINESS: It's New 2 U

PROPOSED TYPE OF BUSINESS: Secondhand Store

SITE ADDRESS: 2356 N Center Rd Burton

USE OF STRUCTURE: Secondhand Store

SQ FOOTAGE OF PROPERTY: 24,000 sq ft

SQ FOOTAGE OF STRUCTURE: 3,360 sq ft

NUMBER OF EMPLOYEES/SEATS: 2-3

APPLICANTS SIGNATURE: Ray W Vinton

*** ALSO ATTACH A FLOOR PLAN OF THE EXISTING AND PROPOSED BUSINESS.

Attachment: 15-10 (1643 : SPR #15-10)



Burton Planning Commission

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1644)

Meeting: 06/09/15 05:00 PM

Department: Department of Public Works

Category: Administrative Site Plan Review

Prepared By: Amber Abbey

Department Head: Greg Kray

H.4

DOC ID: 1644

SPR #15-11

By: Aleshia LLC.
2124 S. Term St.
Burton, MI 48519

Re: 4225 S. Saginaw St.
Burton, MI 48529
59-32-503-309 / C-2 Zone

For: Burton Saloon, Bar & Grill

ATTACHMENTS:

- 15-11 (PDF)



City of Burton
Department of Public Works
4093 Manor Drive
Genesee County, Burton, Michigan 48519
(810) 742-9230



APPLICATION FOR ADMINISTRATIVE SITE PLAN REVIEW

DATE FILED: 4-6-15

FEE: \$75.00

RECEIPT NO: _____

CHECK NO: Cash

SPR #: 15-11

PLEASE PRINT

DATE: 4/6/2015

APPLICANTS NAME: Alesha LLC

APPLICANTS ADDRESS: 2124 S Team st, Burton, 48519

APPLICANTS PHONE NO: 989 32658110

PROPOSED NAME OF BUSINESS: Burton Saloon

SITE ADDRESS: G-4225 S. Saginaw

SUBDIVISION & LOT # OR PARCEL NUMBER: 5952503309

TYPE: ☒ CHANGE OF OWNERSHIP ☐ CONSTRUCTION LESS THAN 2%

USE OF STRUCTURE: Bar & Grill

SQ FOOTAGE OF PROPERTY: 21840

SQ FOOTAGE OF STRUCTURE: 3,860'

NUMBER OF EMPLOYEES/SEATS: 145

APPLICANTS SIGNATURE: [Signature]

*** ALSO ATTACH A FLOOR PLAN OF THE EXISTING AND PROPOSED BUSINESS.

Attachment: 15-11 (1644 : SPR #15-11)



Burton Planning Commission

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1645)

Meeting: 06/09/15 05:00 PM

Department: Department of Public Works

Category: Administrative Site Plan Review

Prepared By: Amber Abbey

Department Head: Greg Kray

H.5

DOC ID: 1645

SPR #15-12

By: William Dempsey
9411 Fair Oaks
Goodrich, MI 48438

Re: 3481 S. Dort Hwy.
Burton, MI 48529
59-28-300-007 / M-2 Zone

For: Great Lakes Auto Importers

ATTACHMENTS:

- 15-12 (PDF)



City of Burton
 Department of Public Works
 4093 Manor Drive
 Genesee County, Burton, Michigan 48519
 (810) 742-9230



APPLICATION FOR ADMINISTRATIVE SITE PLAN REVIEW

DATE FILED: 5-5-15

FEE: \$75.00

RECEIPT NO: _____

CHECK NO: 3017

SPR #: 15-12

PLEASE PRINT

DATE: 5-5-15

APPLICANTS NAME: William H. Dempsey

APPLICANTS ADDRESS: 9411 FAIR OAKS

APPLICANTS PHONE NO: 810 691 2491

PROPOSED NAME OF BUSINESS: Great Lakes Auto Importers

SITE ADDRESS: 3481 S. DONT

SUBDIVISION & LOT # OR PARCEL NUMBER: _____

TYPE: ☒ CHANGE OF OWNERSHIP ☐ CONSTRUCTION LESS THAN 2%

USE OF STRUCTURE: Office

SQ FOOTAGE OF PROPERTY: _____

SQ FOOTAGE OF STRUCTURE: 800sq ft

NUMBER OF EMPLOYEES/SEATS: _____

APPLICANTS SIGNATURE: [Signature]

*** ALSO ATTACH A FLOOR PLAN OF THE EXISTING AND PROPOSED BUSINESS.

Attachment: 15-12 (1645 : SPR #15-12)



Burton Planning Commission

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1647)

Meeting: 06/09/15 05:00 PM

Department: Department of Public Works

Category: Administrative Site Plan Review

Prepared By: Amber Abbey

Department Head: Greg Kray

H.6

DOC ID: 1647

SPR #15-14

By: Advanced Safety & Energy
5055 Pilgrim Road
Flint, MI 48507

Re: 4463 S. Dort Hwy.
Burton, MI 48529
59-33-300-013 / M-1 Zone

For: Distribution / Light Assembly

ATTACHMENTS:

- 15-14 (PDF)



City of Burton
Department of Public Works
4093 Manor Drive
Genesee County, Burton, Michigan 48519
(810) 742-9230



APPLICATION FOR ADMINISTRATIVE SITE PLAN REVIEW

DATE FILED: 5-19-15

FEE: \$75.00

RECEIPT NO: _____

CHECK NO: 3049

SPR #: 15-14

PLEASE PRINT

DATE: May 19, 2015
APPLICANTS NAME: Advanced Safety & Energy
APPLICANTS ADDRESS: 5055 Pilgrim Road, Flint, MI 48507
APPLICANTS PHONE NO: 8103339833
PROPOSED NAME OF BUSINESS: _____
SITE ADDRESS: 4463 Dort Hwy., Burton, MI 48529
SUBDIVISION & LOT # OR PARCEL NUMBER: _____

TYPE: ☒ CHANGE OF OWNERSHIP ☐ CONSTRUCTION LESS THAN 2%

USE OF STRUCTURE: Distribution / light assembly

SQ FOOTAGE OF PROPERTY: 7

SQ FOOTAGE OF STRUCTURE: 7500

NUMBER OF EMPLOYEES/SEATS: 1.5

APPLICANTS SIGNATURE: [Signature]

*** ALSO ATTACH A FLOOR PLAN OF THE EXISTING AND PROPOSED BUSINESS.

Attachment: 15-14 (1647 : SPR #15-14)