



CITY OF BURTON

BURTON ZONING BOARD OF APPEALS MEETING

APRIL 21, 2016

AGENDA

Council Chambers

Regular Meeting

5:00 PM

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

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:

1. The difficulty must be unique to your property and not generally shared by others in the same zoning district, and would constitute a hardship.
1. 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.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. STAFF PRESENT

D. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Mar 17, 2016 5:00 PM

E. VARIANCE

1. ZBA #16-02

By: Best Car Company Importing
4199 Davison Rd.
Burton, MI 48509

Re: 4275 Davison Rd. Burton, MI 48509
59-03-582-011, C-2 Zoned

For: 1. To conduct a C-3 Special Use in a C-2 Zone for used car sales. 2. To conduct a used car sales lot on a property without a principal structure.

2. ZBA #16-03

By: Milissa Poisson
P.O. Box 190295
Burton, MI 48519

Re: 3438 Camden Ave. Burton, MI 48529
59-30-552-004, R-1C Zoned

For: To use a recreational vehicle for living space stored in the driveway until the house is rebuilt/repairs complete from a fire.

3. ZBA #16-04

By: David Visser
2025 N. Genesee Rd.
Burton, MI 48509

Re: 5053 E. Court St. Burton, MI 48509
59-11-300-006, C-2 Zoned

For: 1. To conduct C-3 Special use in a C-2 General Business zone for used car sales lot.
2. To conduct an M-1 Light Industrial use in a C-2 General Business zone for wholesale of vehicles.

F. AUDIENCE PARTICIPATION

Now is the time set-aside for members of the audience to address the Burton Zoning Board of Appeals. I would ask each individual to give their name and address for the record and to limit their comments to five (5) minutes and to speak on the topics germane to City business.

G. BOARD DISCUSSION

The next regularly scheduled meeting will be held on Thursday, May 19th, 2016, at 5:00 p.m.



CITY OF BURTON

BURTON ZONING BOARD OF APPEALS MEETING

MARCH 17, 2016

MINUTES

Council Chambers

Regular Meeting

5:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by Commissioner Steve Welch at 5:00 PM.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Duane Haskins	Council Representative	Present	
Robert Walls	Planning Chairman	Present	
Terry Parker	Commissioner	Excused	
Scott Hynes	Commissioner	Present	
Bobbie Weatherford	Commissioner	Present	
Steve Welch	Commissioner	Present	
Tim Rapacz	Commissioner	Present	
Michaeline Ward-Terry	Commissioner	Present	
Donald Standel	Commissioner	Excused	

C. STAFF PRESENT

Amber Abbey, Planning/Zoning
Marcy Kimball, Clerk's Office

D. APPROVAL OF MINUTES

- Zoning Board of Appeals - Regular Meeting - Nov 19, 2015 5:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Robert Walls, Planning Chairman
SECONDER:	Scott Hynes, Commissioner
AYES:	Haskins, Walls, Hynes, Weatherford, Welch, Rapacz, Ward-Terry

E. VARIANCE

- ZBA #16-01

By: Bruce Calhoun
1111 Creekwood Trl.
Burton, MI 48509

Re: 1070 Creekwood Trl. Burton, MI 48509
59-11-551-007, R-O Zoned

For: To construct a new office building that will be 16' from the rear property line, 30' required.

Bruce Calhoun of Burton stated we are looking at a new office building in the Creekwood Professional Village complex along Court St. We just purchased a lot from Showcase Cinema. There are two lots on the front half, leaving the back half vacant with a possible sale down the road. We will have a shared drive and dumpster. We are looking to match the existing setbacks throughout the complex in order to keep the same continuity of the buildings there. We are the first building within the complex that has to do underground detention. We are trying to place that under the front parking spaces not in the drive so that there is no traffic over top of the system. All of the utilities are in the first ten foot of the front yard. We don't want to put the asphalt or the detention area within those utilities in case there are issues with those in the future. We would end up being 16.87 feet off the property line and we are asking for 16 feet. I think this will meet pretty much all of the other complexes so I don't see where there would be an issue. The adjoining property is the old Showcase Cinema. There are rumors of a dealership coming in. Even if that is not the case there will probably be a drive along that property line so I don't think we will ever be looking at a building that close to the property line on that site.

Mrs. Abbey stated last month Mr. Calhoun brought this project before the Planning Commission and they did approve it contingent upon your approval tonight. If it is not approved they will have to move the building to the 30 foot setback and as he stated that will cause him to have to readjust some things. They may not have a sidewalk right there or have to move some parking spaces around. We do see that it lines up with the property directly to the north and it wouldn't be encroaching any closer to that property than that business already is so we recommend approval.

Mr. Walls stated this did come before the Planning Commission and we approved it. We thought it would be a great addition to the community. It does fit in with what's over there and we saw no problems with it. I would like to make a recommendation to approve as is.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Robert Walls, Planning Chairman
SECONDER:	Bobbie Weatherford, Commissioner
AYES:	Haskins, Walls, Hynes, Weatherford, Welch, Rapacz, Ward-Terry

F. AUDIENCE PARTICIPATION

G. BOARD DISCUSSION

The next regularly scheduled meeting will be held on Thursday, April 21, 2016 at 5:00 p.m.

Meeting was adjourned at 5:10 PM.



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 2248)

Meeting: 04/21/16 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Amber Abbey
Department Head: Robert Slattery

E.1

DOC ID: 2248

ZBA #16-02

By: Best Car Company Importing
4199 Davison Rd.
Burton, MI 48509

Re: 4275 Davison Rd. Burton, MI 48509
59-03-582-011, C-2 Zoned

For: 1. To conduct a C-3 Special Use in a C-2 Zone for used car sales. 2. To conduct a used car sales lot on a property without a principal structure.

ATTACHMENTS:

- Back up 16-02 (PDF)



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

Date Filed: 3-18-16
 Fee Paid: \$ 450.00
 Receipt #: _____
 Check #: 15304
 Received by: AA
 Date Mailed: 3-29-16

ZBA Case #: 16-02 5 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: April 21 AT 5:00 P.M.

APPLICANTS NAME: Best Car Co. Importing

APPLICANTS ADDRESS: 4199 Davison Rd Ste A

CITY: Burton, MI 48509

APPLICANTS PHONE: 810-691-0873

ADDRESS AND PARCEL OR LOT NUMBER: 4275 Davison Rd

59-03-582-011 C-2 zoned. Burton MI 48509

NOTE: ZBA meets on the 3rd Thursday of each month. All applications and associated drawings must be on file at least six (6) weeks prior to the meeting. Notification of property within 300' must be postmarked at least 15 days prior to the meeting. Including publication in local newspaper.

VARIANCE REQUESTED: From C-2 to used car Dealer.

1. To Conduct a C-3 Special use in a C-2 zone for used car sales. 2. To conduct a used car sales lot on a property w/o a Principal structure.

APPLICANTS SIGNATURE: Vicente Nemele

MANDATORY ATTENDANCE AT THE ABOVE MEETING IS ACKNOWLEDGED BY THE APPLICANTS SIGNATURE.

APPLICANT: Please explain your hardship or reason this variance is needed.

We are going to use this lot for our Recall Vehicles only. As an Importer we have to get any recalls done on the vehicles we import. There will be "NO" Transporters Loading or unloading on this lot. It will only be used to park our recalls until they can be taken to the Dealership to get the Recall Done.

Attachment: Back up 16-02 (2248 : ZBA #16-02)

Packet Pg. 7

BURTON

E.1.a



Attachment: Back up 16-02 (2248 : ZBA #16-02)



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 2249)

Meeting: 04/21/16 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Amber Abbey
Department Head: Robert Slattery

E.2

DOC ID: 2249

ZBA #16-03

By: Milissa Poisson
P.O. Box 190295
Burton, MI 48519

Re: 3438 Camden Ave. Burton, MI 48529
59-30-552-004, R-1C Zoned

For: To use a recreational vehicle for living space stored in the driveway until the house is rebuilt/repairs complete from a fire.

ATTACHMENTS:

- ZC#16-03 (DOC)
- Back up 16-03 (PDF)

This is a notice for a Zoning Board of Appeals Request, for a variance from the terms of the cities zoning ordinance. You may appear at the meeting and voice your opinion or concerns, be represented by counsel or submit a written statement prior to the meeting to:

Department of Public Works
4093 Manor Dr.
Burton, MI 48519

The meeting time & place is as follows:

Date: April 21, 2016
Time: 5:00 p.m.
Place: Burton City Hall
4303 S. Center Rd.
Burton, MI. 48519
Council Chambers

ZBA Case #: 16-03

Applicant's Name: Milissa Poisson

Address: P.O. Box 190295 Burton, MI 48519

Location of Request: 3438 Camden Ave. Burton, MI 48529
59-30-552-004, R-1C Zoned

Nature of Request: To use a recreational vehicle for living space stored in the driveway until the house is rebuilt/repairs complete from a fire.

Attachment: ZC#16-03 (2249 : ZBA #16-03)



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

Date Filed: 3-18-16
 Fee Paid: \$250.00
 Receipt #: Cash
 Check #: City Hall
 Received by: 3-24-16
 Date Mailed: 3-24-16

ZBA Case #: 16-03 4 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: April 21st 2016 AT 5:00 P.M.

APPLICANTS NAME: Melissa Marie Poisson } Temp. Address

APPLICANTS ADDRESS: 63438 Camden Ave. } P.O. Box 190295

CITY: Burton Mi. 48529 } Burton, Mi 48519

APPLICANTS PHONE: 810-391-7037

ADDRESS AND PARCEL OR LOT NUMBER: 63438 Camden Ave

59-30-552-004 , B-1C zoned ,

NOTE: ZBA meets on the 3rd Thursday of each month. All applications and associated drawings must be on file at least six (6) weeks prior to the meeting. Notification of property within 300' must be postmarked at least 15 days prior to the meeting. Including publication in local newspaper.

VARIANCE REQUESTED: To live in an RV in the
driveway until the house is rebuilt /
repaired from a fire

APPLICANTS SIGNATURE: Melissa M. Poisson

MANDATORY ATTENDANCE AT THE ABOVE MEETING IS ACKNOWLEDGED BY THE APPLICANTS SIGNATURE.

APPLICANT: Please explain your hardship or reason this variance is needed.

Attachment: Back up 16-03 (2249 : ZBA #16-03)

BURTON

E.2.b



Attachment: Back up 16-03 (2249 : ZBA #16-03)



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 2250)

Meeting: 04/21/16 05:00 PM

Department: Department of Public Works

Category: Variance

Prepared By: Amber Abbey

Department Head: Robert Slattery

E.3

DOC ID: 2250

ZBA #16-04

By: David Visser
2025 N. Genesee Rd.
Burton, MI 48509

Re: 5053 E. Court St. Burton, MI 48509
59-11-300-006, C-2 Zoned

For: 1. To conduct C-3 Special use in a C-2 General Business zone for used car sales lot.
2. To conduct an M-1 Light Industrial use in a C-2 General Business zone for
wholesale of vehicles.

ATTACHMENTS:

- ZC#16-04 (DOC)
- Back up 16-04 (PDF)

This is a notice for a Zoning Board of Appeals Request, for a variance from the terms of the cities zoning ordinance. You may appear at the meeting and voice your opinion or concerns, be represented by counsel or submit a written statement prior to the meeting to:

Department of Public Works
4093 Manor Dr.
Burton, MI 48519

The meeting time & place is as follows:

Date: April 21, 2016
Time: 5:00 p.m.
Place: Burton City Hall
4303 S. Center Rd.
Burton, MI. 48519
Council Chambers

ZBA Case #: 16-04

Applicant's Name: David Visser

Address: 2025 N. Genesee Rd. Burton, MI 48509

Location of Request: 5053 E. Court St. Burton, MI 48509
59-11-300-006, C-2 Zoned

Nature of Request: 1. To conduct C-3 Special use in a C-2 General Business zone for used car sales lot. 2. To conduct an M-1 Light Industrial use in a C-2 General Business zone for wholesale of vehicles.

Attachment: ZC#16-04 (2250 : ZBA #16-04)

Due by march 24th

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

Date Filed: 3-28-16
 Fee Paid: ~~800~~ 7450.00
 Receipt #: _____
 Check #: 2514
 Received by: NA
 Date Mailed: 3-29-16

ZBA Case #: 16-04 5 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: April 21st 2016 AT 5:00 P.M.

APPLICANTS NAME: DAVID VISSER

APPLICANTS ADDRESS: 2025 N. GOMES RD

CITY: BURTON 48509

APPLICANTS PHONE: 1-810-569-0104

ADDRESS AND PARCEL OR LOT NUMBER: 5053 E. COURT ST.

BURTON - 59-11-300-006

NOTE: ZBA meets on the 3rd Thursday of each month. All applications and associated drawings must be on file at least six (6) weeks prior to the meeting. Notification of property within 300' must be postmarked at least 15 days prior to the meeting. Including publication in local newspaper.

VARIANCE REQUESTED: To conduct C-3 special use
in a G-2 General Business Zone for used
car sales lot. & to conduct an M-1 light
industrial use in a C-2 General Business for
vehicle wholesale

APPLICANTS SIGNATURE: David Visser

MANDATORY ATTENDANCE AT THE ABOVE MEETING IS ACKNOWLEDGED BY THE APPLICANTS SIGNATURE.

APPLICANT: Please explain your hardship or reason this variance is needed.

This would allow us to conduct the
desired business without changing to
a C-3 zoning. Thank you

Attachment: Back up 16-04 (2250 : ZBA #16-04)

BURTON

E.3.b



Attachment: Back up 16-04 (2250 : ZBA #16-04)