



CITY OF BURTON

BURTON ZONING BOARD OF APPEALS MEETING

AUGUST 20, 2015

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	Present	
Tracy Parker	Commissioner	Present	
Scott Hynes	Commissioner	Present	
Bobbie Weatherford	Commissioner	Present	
Steve Welch	Commissioner	Present	
Tim Rapacz	Alternate Commissioner	Excused	
Robert Olsen	Alternate Commissioner	Excused	

C. STAFF PRESENT

Bob Slattery - DPW

Teri McCrea - Clerk's Office

D. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Jul 16, 2015 5:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Terry Parker, Commissioner
SECONDER:	Robert Walls, Planning Chairman
AYES:	Haskins, Walls, Parker, Parker, Hynes, Weatherford, Welch
EXCUSED:	Rapacz, Olsen

E. VARIANCE

1. 1696 : ZBA #15-19 1. To conduct used car sales not in conjunction with new car sales. 2. To conduct a C-3 Highway Oriented Business special use in and M-1 Light Industrial Zone

By: John Cooper (Agent)
9408 Parkwood.
Davison, MI 48423

Re: 1096 N. Center Rd. Burton, MI 48509
59-10-551-043, M-1 Zoned

For: 1. To conduct used car sales not in conjunction with new car sales.

2. To conduct a C-3 Highway Oriented Business special use in an M-1 Light Industrial Zone

ZBA #15-19 had been tabled from July 16th, 2015 meeting due to applicant was a no show. ZBA #15-19 cancelled due to second no show of applicant.

2. 1734 : ZBA #15-20 To construct an intermittent 2' x 7' sign that will be within 100' of a residential property with the stipulation that the sign be turned off at 9:00 PM and turned on at 8:00 AM.

By: Bentley Wesleyan Church
6150 Lapeer Rd.
Burton, MI 48509

Re: 6150 Lapeer Rd. Burton, MI 48509
59-13-552-034, R-1C Zoned

For: To construct an intermittent 2' x 7' sign that will be within 100' of a residential property.

Mr. Leonard Ruggles of Davison, MI stated Church owns about 7 acres and owns residents on both sides of Church so there is no direct residential property within 100' of sign.

Mr. Slattery stated for administration that approval is recommended and requested condition that sign have a timer to shut off at 9:00 p.m. and turn back on at 8:00 a.m.

Mr. Walls asked if the sign automatically dims and brightens. Requested of Mr. Slattery to pass on to Mrs. Abbey that future applicants be cognizant on the full operation of the sign and if sign has the automatic dimming a brighten capability.

Mr. Ruggles stated the sign was controlled by a computer, but could not answer definitively; and also requested that the sign be able to operate up to 9:00 p.m.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Terry Parker, Commissioner
SECONDER:	Robert Walls, Planning Chairman
AYES:	Haskins, Walls, Parker, Parker, Hynes, Weatherford, Welch
EXCUSED:	Rapacz, Olsen

3. 1735 : ZBA #15-21 To construct a pole barn in the front yard of Lapeer Road.

By: Alfred & Jeanne Walsh
1325 Alcona Dr.
Burton, MI 48509

Re: 1325 Alcona Dr. and vacant lots on Lapeer Road Burton, MI 48509
59-14-551-039, 59-14-551-055, 59-14-551-056

For: To construct a pole barn in the front yard of Lapeer Road, rear yard
required

Mr. Walsh and Mrs. Walsh of Burton purchased two adjoining parcels of land, at that time they were not aware of a requirement that a variance was required to build a pole barn. The parcel with their house on it has flooding problems during inclement weather in the back yard, so much that FEMA allows the Walsh's to purchase flood insurance which also eliminates the potential to build a pole barn.

Mr. Ken Canada of Burton wanted to know size and where the pole barn will be built, understand it will be facing Alcona Dr., has no problem with it.

Mr. Macainish and Mrs. Macainish live directly across from where the pole barn will be constructed and have no issues with structure being built. Mr. Macainish further stated that the Walsh's take good care of their property and any improvements completed in the past have always been in good taste and feels that this will also be so for the pole barn.

Mr. Dennis Lacey of Burton inquired if it was for residential or commercial purposes, response from the Walsh's it would be residential. Mr. Lacey indicated he had no issue with the pole barn.

Mr. Slattery stated for the administration that the pole barn will be approximately 50' from the house, built on corner of Lapeer and Alcona and he does recommend approval.

Mr. Haskins asked where the layout and drawings were for the pole barn, and that he usually receives plans in advance.

Mr. Welch and other council members stated they received it in the mail from Mrs. Abbey.

Mr. Welch clarified that approval recommended as is, Mr. Slattery stated yes.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Robert Walls, Planning Chairman
SECONDER:	Bobbie Weatherford, Commissioner
AYES:	Haskins, Walls, Parker, Parker, Hynes, Weatherford, Welch
EXCUSED:	Rapacz, Olsen

F. AUDIENCE PARTICIPATION

Mr. Harry Brink requesting information on ZBA #15-19, he stated that Mr. Cooper was unable to purchase subject property and that he has an offer to purchase the land and requested information.

Mr. Welch explained that the board could not discuss Mr. Cooper's case.

G. BOARD DISCUSSION

Mr. Parker will be gone for the winter, does not want to resign. Will be absent for September meeting, however will be here for October and November and gone again for December 2015 through March 2016.

Mr. Welch stated that Mr. Parker will need to arrange for alternates to sit for him in his absence.

The next regularly scheduled meeting will be held on Thursday, September 17, 2015, at 5:00 p.m.

Meeting was adjourned at 5:29 PM.



CITY OF BURTON

BURTON ZONING BOARD OF APPEALS MEETING

JULY 16, 2015

MINUTES

Council Chambers

Regular Meeting

5:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by Commissioner Steve Welch at 5:08 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	Present	
Tracy Parker	Commissioner	Present	
Scott Hynes	Commissioner	Excused	
Bobbie Weatherford	Commissioner	Absent	
Steve Welch	Commissioner	Present	
Tim Rapacz	Alternate Commissioner	Present	
Robert Olsen	Alternate Commissioner	Present	

C. STAFF PRESENT

Amber Abbey, Planning and Zoning
Teri McCrea, City Clerk's Office

D. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Jun 18, 2015 5:00 PM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Robert Walls, Planning Chairman
SECONDER: Terry Parker, Commissioner
AYES: Haskins, Walls, Parker, Parker, Welch, Rapacz, Olsen
ABSENT: Weatherford
EXCUSED: Hynes

E. VARIANCE

1. 1693 : ZBA #15-16 To approve adding on to an existing sign that will exceed the allowable square footage by 6', 75 sq ft allowed,

By: Bill Carr Signs
719 W. Twelfth St.
Flint, MI

Re: 1501 S. Center Rd. Burton, MI 48519
59-15-553-013, C-2 Zone

For: To add to an existing sign that will exceed the allowable square footage by 6', 75 sq ft allowed.

Mr. Jamie Elfstrom of Bill Carr Signs addressing Board, sign has been up. When application was made there was an error on the square footage. Amber notified him that the sign is 6' over the square footage. Requesting variance for the additional 6', sign is currently operable.

Mr. Omar Shukairy of Artrageous Embroidery & Screen Printing stated the business opened May 18th, has functioned since then with no issues.

Mrs. Abbey stated she received an anonymous complaint that subject sign was in violation of the 100' from a residence ordinance; information received did not match what the application stated. Ms. Abbey notified Bill Carr Sign's who immediately applied for the variance. The square footage requested would not be detrimental to the area and recommends approval.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Robert Walls, Planning Chairman
SECONDER:	Terry Parker, Commissioner
AYES:	Haskins, Walls, Parker, Parker, Welch, Rapacz, Olsen
ABSENT:	Weatherford
EXCUSED:	Hynes

2. 1694 : ZBA #15-17 To allow an existing garage to remain on the property after the house is demolished. Motion made for a bond to cover the cost of the demolition of garage if house is not rebuilt.

By: Jerry Kaminer
2397 S. Belsay Rd.
Burton, MI 48519

Re: 1222 S. Vassar Rd. Burton, MI 48509
59-13-529-015, R-1A Zone

For: To allow an existing garage to remain on the property after the house is demolished.

Mr. Jerry Kaminer requested that the garage remain on the property since his house had caught on fire a few months ago. The garage is a two story house with a loft that is used as a residence and it should be grandfathered in from the current ordinance that there must be a house on the property in order to have a garaged structure.

Mrs. Abbey stated that the garage is in good condition, however the city would like assurance and that he post a bond for demolition of the garage until rebuild of house is completed; other than the request for bond she recommended approval.

Mr. Parker asked Mrs. Abbey if this was something new to the ordinance that you have to have a variance to keep the garage if you demolish the house, he stated he knew the ordinance covered accessory structures.

Mrs. Abbey confirmed the garaged structure should not be there.

Mr. Welch suggested a motion be made to include a bond be posted for the demolition of the garage in the event the house was not rebuilt.

Mrs. Abbey and Mr. Walls clarified questions from the board on how a bond works; basically its insurance in case of non-performance which protects the city in the event that the purchaser does not perform the task associated with the bond. In this case the bond ("insurance") would cover the cost of the demolition of the garage by the city in the event the land owner did not re-build or abandoned the property.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Robert Walls, Planning Chairman
SECONDER:	Terry Parker, Commissioner
AYES:	Haskins, Walls, Parker, Parker, Welch, Rapacz, Olsen
ABSENT:	Weatherford
EXCUSED:	Hynes

3. 1695 : ZBA #15-18 To construct an intermittent sign within 100' off residential homes. Motion made that the sign have a timer to turn the sign off at 8:00 p.m. and on at 8:00 a.m.

By: 2111 E. Bristol Rd. LLC/Larry Dail
2111 E. Bristol Rd.
Burton, MI 48529

Re: 2111 E. Bristol Rd. Burton, MI 48529
59-29-555-108, C-2 Zone

For: To construct an intermittent sign within 100' of residential homes.

Mr. Larry Dail stated they are in the process of opening a embroidery screen printing business at subject location. Would like to construct an intermittent sign out front, he is aware of the 100' ordinance Sign faces east and west, majority of homes are south of business and would not have an impact on residents.

Mr. Danny Lawrence of Burton stated he owns the property next to the business. Mr. Lawrence would like to know what the signs operable capabilities are in order to understand how it will affect his residence.

Mrs. Abbey stated the sign in question will not be any larger than the existing sign and would not be excessive in size according to the ordinance. Mrs. Abbey requested that the business owner install a timer that would turn the sign off at night.

Mr. Haskins requested information regarding the size of the sign, hours of operation

for the business, and intended hours of operation for the sign.

Mr. Dail stated a maximum of 3' X 5' for the intermittent portion, the hours of operation are 10:00 a.m. to 6:00 p.m., and that the sign automatically dims as dusk settles in. Mr. Dail also stated he was not opposed to turning the sign off at night.

Mr. Welch requested from Mr. Dail a time he was comfortable with in turning the sign off in the evening, and what time in the morning he would turn it on.

Mr. Dail stated 8:00 p.m. would be sufficient to turn it off.

Mr. Haskins pointed out that in the winter months it is dark by 5:00 p.m. and should be considered prior to making a motion.

Mr. Walls stated 8:00 p.m. is sufficient for turning the sign off, also asked what type of business Mr. Dail is opening in the subject location so he could make a determination of how it would affect passing traffic in respect to garnering future business.

Mr. Dail stated it is an embroidery and screen printing business mostly for sports apparel. He further explained that the sign is a \$20,000.00 investment and would like to utilize the sign to its full capacity.

Mr. Parker asked of Mrs. Abbey if the reason for variance is that it is in a residential area.

Mrs. Abbey stated it is a C-2 zone and that it is still a residential area and the sign is within 100' of a resident. There has been an influx in electronic signs over the last 10 years, every business wants one.

Mr. Dail stated that due to residents around him he needs the sign to let the community know the business is there.

Mr. Lawrence spoke again stating he did not want the sign to impact his home, not opposed to a programmable sign, no issue with the sign.

Mr. Rapacz requested information on the height of the sign.

Mr. Dail stated it is 1½' off the ground.

Mr. Parker asked Mrs. Abbey if there is verbiage in the zoning ordinance as to how bright a sign could be?

Mrs. Abbey stated she's researched the ordinances and there is nothing written on limitations to the brightness of a sign.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Robert Walls, Planning Chairman
SECONDER:	Tim Rapacz, Alternate Commissioner
AYES:	Haskins, Walls, Parker, Parker, Welch, Rapacz, Olsen
ABSENT:	Weatherford
EXCUSED:	Hynes

4. 1696 : ZBA #15-19 1. To conduct used car sales not in conjunction with new car sales. 2. To conduct a C-3 Highway Oriented Business special use in an M-1 Light Industrial Zone

By: John Cooper (Agent)
9408 Parkwood
Davison, MI 48423

Re: 1096 N. Center Rd. Burton, MI 48509
59-10-551-043, M-1 Zoned

For: 1. To conduct used car sales not in conjunction with new car sales.

2. To conduct a C-3 Highway Oriented Business special use in an M-1 Light Industrial Zone.

Applicant was a no show.

Mr. Welch asked Mrs. Abbey if the applicant had to be present to act on request.

Mrs. Abbey recommended as a courtesy to post pone it for one meeting.

Postponed for next Zoning Board of Appeals Meeting.

RESULT:	TABLED [UNANIMOUS]	Next: 8/20/2015 5:00 PM
MOVER:	Robert Walls, Planning Chairman	
SECONDER:	Terry Parker, Commissioner	
AYES:	Haskins, Walls, Parker, Parker, Welch, Rapacz, Olsen	
ABSENT:	Weatherford	
EXCUSED:	Hynes	

F. AUDIENCE PARTICIPATION

None.

G. BOARD DISCUSSION

No City Business Discussed.

Good Luck to Mr. Haskins softball team.

The next regularly scheduled meeting will be held on Thursday, August 20th, 2015, at 5:00 p.m.

Minutes Acceptance: Minutes of Jul 16, 2015 5:00 PM (Approval of Minutes)

Meeting was adjourned at 5:46 PM.



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

Meeting: 08/20/15 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Amber Abbey
Department Head: Greg Kray

E.1

TABLED

AGENDA ITEM (ID # 1696)

DOC ID: 1696

ZBA #15-19

By: John Cooper (Agent)
9408 Parkwood.
Davison, MI 48423

Re: 1096 N. Center Rd. Burton, MI 48509
59-10-551-043, M-1 Zoned

For: 1. To conduct used car sales not in conjunction with new car sales.

2. To conduct a C-3 Highway Oriented Business special use in an M-1 Light Industrial Zone

HISTORY:

07/16/15 Zoning Board of Appeals **TABLED**

Next: 08/20/15

By: John Cooper (Agent)
9408 Parkwood
Davison, MI 48423

Re: 1096 N. Center Rd. Burton, MI 48509
59-10-551-043, M-1 Zoned

For: 1. To conduct used car sales not in conjunction with new car sales.

2. To conduct a C-3 Highway Oriented Business special use in an M-1 Light Industrial Zone.

Applicant was a no show.

Mr. Welch asked Mrs. Abbey if the applicant had to be present to act on request.

Mrs. Abbey recommended as a courtesy to post pone it for one meeting.

Postponed for next Zoning Board of Appeals Meeting.

ATTACHMENTS:

- Back up 1096 N. Center (PDF)



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

Date Filed: 6-19-15
 Fee Paid: \$ 450.00
 Receipt #: _____
 Check #: 1922
 Received by: AA
 Date Mailed: 6-25-15

ZBA Case #: 15-19 5 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: July 16th AT 5:00 P.M.

APPLICANTS NAME: JOHN G COOPER AGENT

APPLICANTS ADDRESS: 9408 Parkwood

CITY: DAVISON MI 48423

APPLICANTS PHONE: 810-347-5429

ADDRESS AND PARCEL OR LOT NUMBER: 1096 N CENTER Rd
BURTON MI 48509, 59-10-551-043, m-120

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: 1. TO conduct used car sales
not in conjunction with new car sales;
2. To conduct a C-3 Special Use in an
m-1 light Industrial Zone.

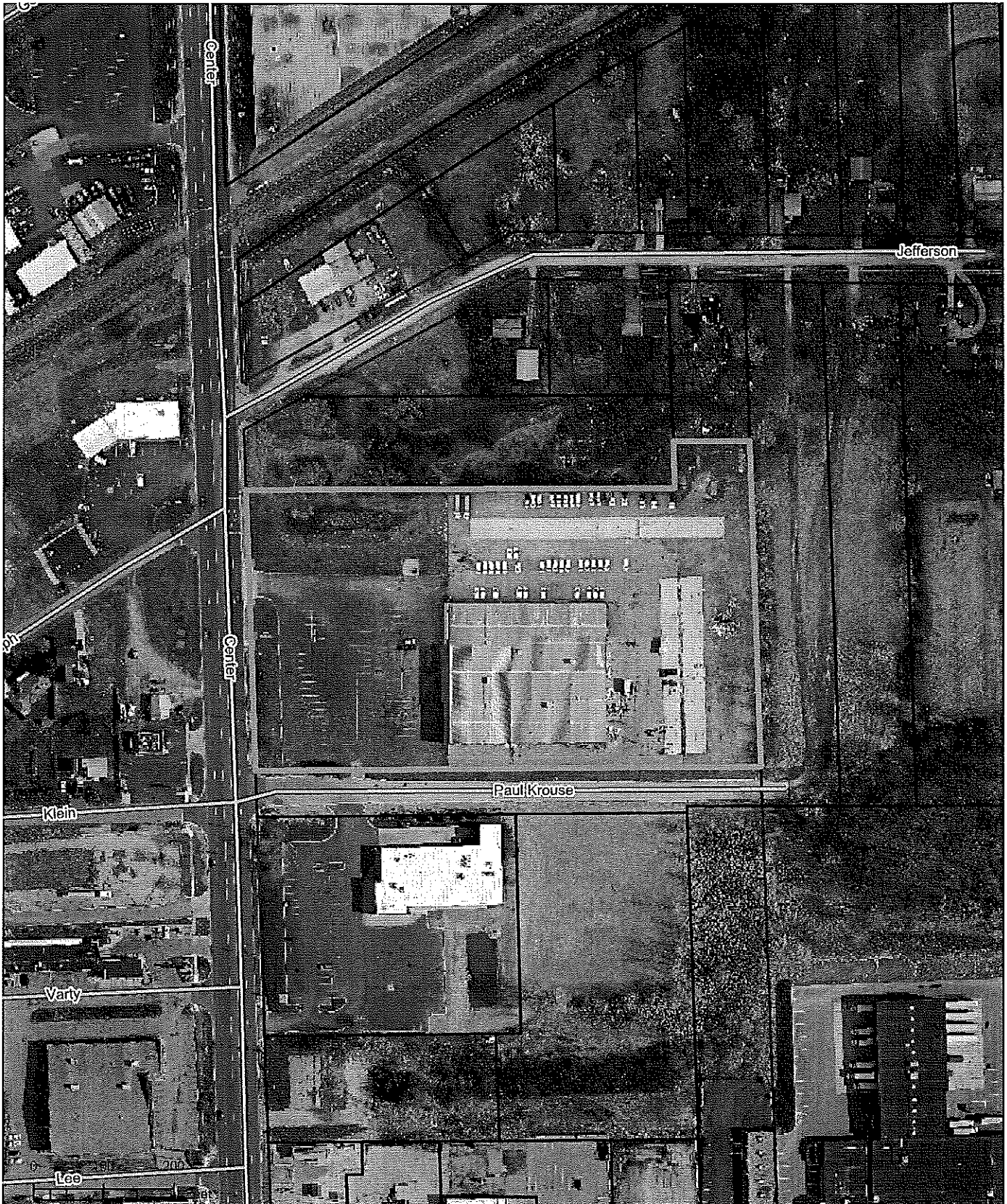
APPLICANTS SIGNATURE: [Signature] AGENT

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 1096 N. Center (1696 : ZBA #15-19)

BURTON



Attachment: Back up 1096 N. Center (1696 : ZBA #15-19)



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

Meeting: 08/20/15 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Amber Abbey
Department Head: Greg Kray

E.2

ADOPTED

AGENDA ITEM (ID # 1734)

DOC ID: 1734

ZBA #15-20

By: Bentley Wesleyan Church
6150 Lapeer Rd.
Burton, MI 48509

Re: 6150 Lapeer Rd. Burton, MI 48509
59-13-552-034, R-1C Zoned

For: To construct an intermittent 2' x 7' sign that will be within 100' of a residential property.

ATTACHMENTS:

- Back up 15-20 (PDF)

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Terry Parker, Commissioner
SECONDER:	Robert Walls, Planning Chairman
AYES:	Haskins, Walls, Parker, Parker, Hynes, Weatherford, Welch
EXCUSED:	Tim Rapacz, Robert Olsen



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

Fee Paid: \$7.23-15
Receipt #: 450.00
Check #: 4470
Received by: AA
Date Mailed: _____

E.2.a

ZBA Case #: 15-20 4 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: Aug 20th AT 5:00 P.M.

APPLICANTS NAME: Bentley Wesleyan Church

APPLICANTS ADDRESS: 6150 Lapceet Rd

CITY: Burton, Mi 48509.

APPLICANTS PHONE: 1-810-743-0550.

ADDRESS AND PARCEL OR LOT NUMBER: 59-13-552-034.

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: Permission to install LED colored sign measuring 22" x 79" 2' x 7'

TO construct a intermittent sign that will be within 100' of a residential property

APPLICANTS SIGNATURE: Leonard Ruggles

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

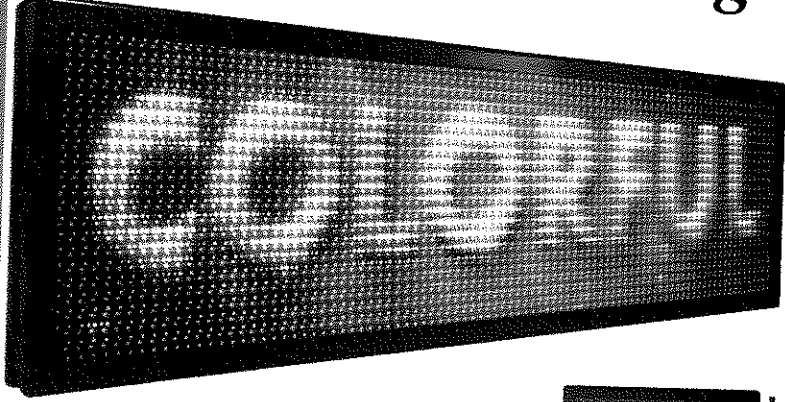
APPLICANT: Please explain your hardship or reason this variance is needed.

Attachment: Back up 15-20 (1734 : ZBA #15-20)

Olive LED Signs Full Color, P30, 21.75"x78.75" Storefront ...

OLIVE

Programmable LED Sign



Made in U.S.A




BBB Rating - A
ACCREDITED
BUSINESS




T
COLOR
True Color



P.C Not Included

YOU NAME THE SIZE, WE MAKE THE SIGN

Attachment: Back up 15-20 (1734 : ZBA #15-20)

Attachment: Back up 15-20 (1734 : ZBA #15-20)





Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

Meeting: 08/20/15 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Amber Abbey
Department Head: Greg Kray

E.3

ADOPTED

AGENDA ITEM (ID # 1735)

DOC ID: 1735

ZBA #15-21

By: Alfred & Jeanne Walsh
1325 Alcona Dr.
Burton, MI 48509

Re: 1325 Alcona Dr. and vacant lots on Lapeer Road Burton, MI 48509
59-14-551-039, 59-14-551-055, 59-14-551-056

For: To construct a pole barn in the front yard of Lapeer Road, rear yard required

ATTACHMENTS:

- Back up 15-21 (PDF)

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Robert Walls, Planning Chairman
SECONDER:	Bobbie Weatherford, Commissioner
AYES:	Haskins, Walls, Parker, Parker, Hynes, Weatherford, Welch
EXCUSED:	Tim Rapacz, Robert Olsen



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

Date Filed: 7-23-15
Fee Paid: \$ 250.00
Receipt #: _____
Check #: 4541
Received by: AA
Date Mailed: _____

ZBA Case #: 15-21 4 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: Aug 20th AT 5:00 P.M.

APPLICANTS NAME: Alfred & Jeanne Walsh

APPLICANTS ADDRESS: 1325 ALCONA

CITY: Burton, Michigan

APPLICANTS PHONE: 810 - 742 - 3102

ADDRESS AND PARCEL OR LOT NUMBER: 1325 Alcona and #25-59-14-551-05
#25-59-14-551-056, ~~#25-59-14-300-003~~ / 59-14-551-039

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 construct a Pole Barn
in the front yard (Lapeer Road),
rear yard required.

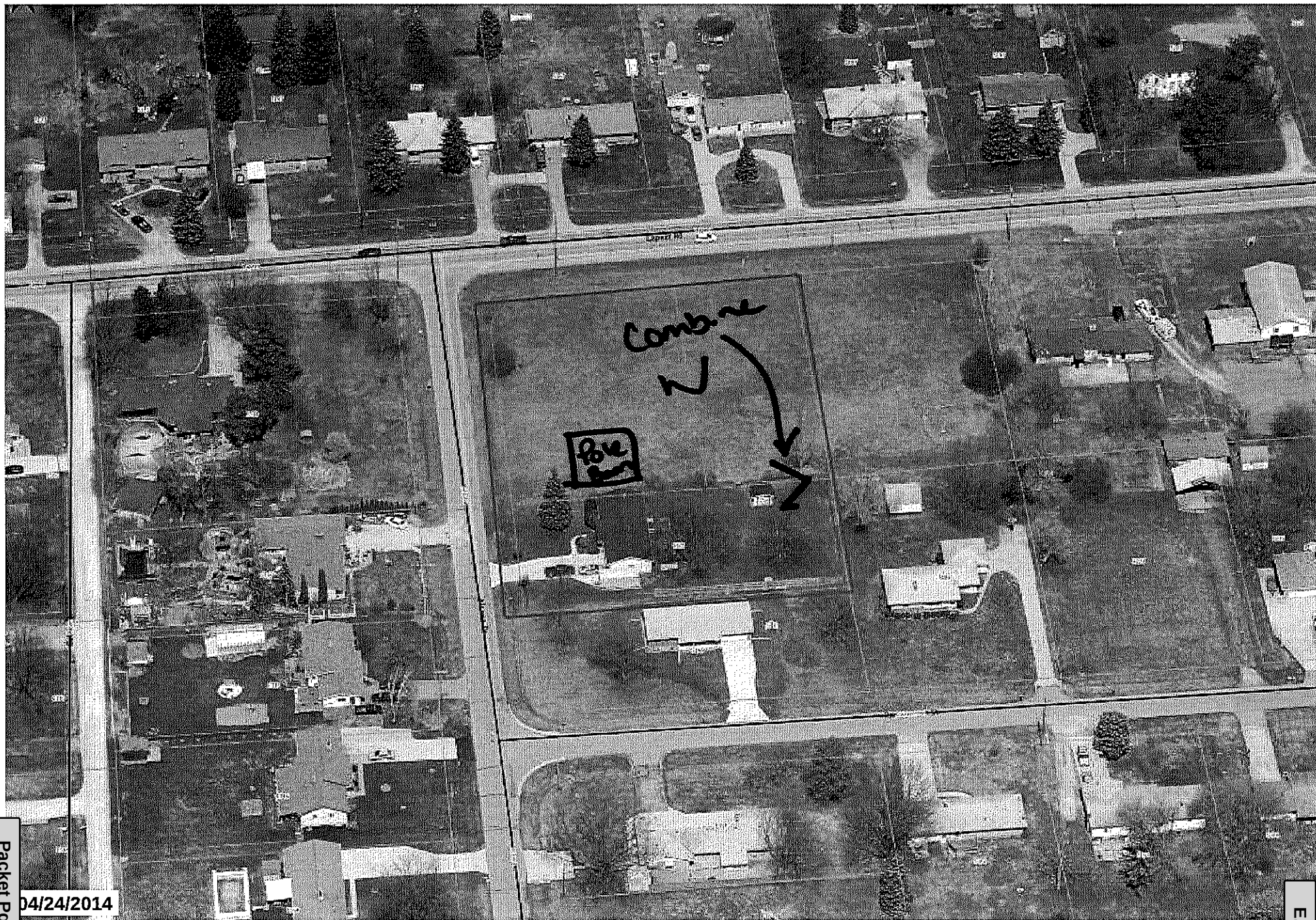
APPLICANTS SIGNATURE: Alfred M. Walsh, Jeanne T. Black-Walsh

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

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

Limited access to rear of property which floods
so frequently that we have not built there for
the 22 years we have lived at 1325 Alcona. The
adjoining property we have purchased has never
flooded.

Attachment: Back up 15-21 (1735 : ZBA #15-21)



04/24/2014

