



CITY OF BURTON

BURTON ZONING BOARD OF APPEALS MEETING

DECEMBER 20, 2018

MINUTES

Council Chambers

Regular Meeting

5:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

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

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Christina Conley	Council Representative	Present	
Scott Hynes	Commissioner	Present	
Tim Rapacz	Commissioner	Present	
Deb Walton	Commissioner	Present	
Michaeline Ward-Terry	Vice Chairperson	Excused	
Steve Welch	Chairman	Present	
Donald Standel	Alt. Commissioner	Excused	
Rick Fuhst	Commissioner	Present	

C. STAFF PRESENT

Amber Abbey, Planning/Zoning
Marcy Kimball, Records Tech

D. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Oct 18, 2018 5:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Scott Hynes, Commissioner
SECONDER:	Rick Fuhst, Commissioner
AYES:	Conley, Hynes, Rapacz, Walton, Welch, Fuhst
EXCUSED:	Ward-Terry, Standel

2. Zoning Board of Appeals - Regular Meeting - Nov 15, 2018 5:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Scott Hynes, Commissioner
SECONDER:	Rick Fuhst, Commissioner
AYES:	Conley, Hynes, Rapacz, Walton, Welch, Fuhst
EXCUSED:	Ward-Terry, Standel

E. VARIANCE

1. ZBA #18-28

By: Titan Properties
9572 Shelby Dr.
White Lake, MI 48386

Re: 4086 S. Dort Hwy. Burton, MI 48529
59-32-530-057, M-1 Zone

For: 1. To construct a building that will be within 16' of the rear property line, 35' required. 2. To construct an 8' high fence.

Steven Goff from White Lake, Michigan stated the rear setback variance that we are requesting borders a property that we own as well. It is a unique shape and the plan that the architect laid out was that the building would still be 42 foot away from the neighboring property, owned by Consumers Energy, which used to be the old railroad tracks. There is very little traffic back in that area. The additional 18 feet that we would be using for the building will help us create an environment to procure the best medicine possible for the patients in Burton and surrounding communities. The 8-foot fence will help us to create an environment that will deter possible theft or robbery as well as provide a privacy barrier.

Mrs. Abbey stated I have met with Mr. Goff several times over the past few months to discuss different configurations. Given that they have to connect to fire suppression, they had a certain way that they had to position the buildings, certain distances to keep the fire hydrant; they were not left with many options of configuration of their buildings based on the shape of their property. They are willing to take what was a dilapidated property and develop it into something. The back parcel that they are only 16-feet from is owned by them and will be a detention basin only. The fire separation requirements or need for the setback is not there because there is not going to be a building back there. This would be there detention basin for this property. The administration recommends approval on the rear yard setback. As far as the height of the fence, everything in front of the building will be 4-foot high and the 8-foot request is just from the buildings and back. This is for their own security. There is brush, trees and shrubs that will help to conceal it. The 8-foot high fence will not stand out because the building is going to be a two-story building. The administration recommends approval on the fence also.

Motion to approve ZBA #18-28, #1. To construct a building that will be within 16' of the rear property line, 35' required and #2. To construct an 8' high fence, based on the way they have it configured on their plan and according to the administrations recommendations.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Scott Hynes, Commissioner
SECONDER:	Deb Walton, Commissioner
AYES:	Conley, Hynes, Rapacz, Walton, Welch, Fuhst
EXCUSED:	Ward-Terry, Standel

F. AUDIENCE PARTICIPATION

None.

G. BOARD DISCUSSION

Mrs. Abbey stated the couple on Pebble Creek, with the four dogs, brought me a copy of all of the approved dog licenses. She also has a kennel license from the county. She had an inspection and they approved her. I think she will have to do this once a year. The neighbor asked me to mention two things to her. He did not want her to groom the dogs outside and to put a lock on the gate so that the dogs did not get out. I did mention this to them. They did put a lock on the gate and she said she would be more mindful where she grooms them. She will have to bring in her licenses every year to us and go before the Zoning board again in two years. She did follow through with the time frame that the board gave her.

Mrs. Conley asked what is happening with the place on Davison Road across from Taco Bell. They have been doing a lot of work on the parking lot. Mrs. Abbey said the houses are gone now. It looks a lot better. The vehicles that are there are from a separate property.

Mr. Rapacz stated my last meeting will be February 21, 2019.

Mr. Welch said we are in need of an alternate member for Zoning Board of Appeals and a committee member after February 2019. If anyone is interested, please contact the Burton City Hall Clerk's office.

Mrs. Abbey reminded the committee about the January 10, 2019 training class in the city hall community room at 5:00 PM. We do not have any applicants for the January 2019 ZBA meeting.

The Zoning Board of Appeals meeting for January is cancelled due to no applicants. The next Zoning Board of Appeals meeting is scheduled for February 21, 2019 at 5:00 PM.

Meeting was adjourned at 5:17 PM.



CITY OF BURTON

BURTON ZONING BOARD OF APPEALS MEETING

OCTOBER 18, 2018

MINUTES

Council Chambers

Regular Meeting

5:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by Commissioner Deb Walton at 5:00 PM.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Christina Conley	Council Representative	Present	
Scott Hynes	Commissioner	Present	
Terry Parker	Commissioner	Present	
Tim Rapacz	Commissioner	Present	
Deb Walton	Commissioner	Present	
Michaeline Ward-Terry	Vice Chairperson	Present	
Steve Welch	Chairman	Present	
Donald Standel	Alt. Commissioner	Excused	
Rick Fuhst	Commissioner	Excused	

C. STAFF PRESENT

Amber Abbey, Planning & Zoning
Rik Hayman, Chief of Staff
Racheal Boggs, Deputy Clerk

D. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Sep 20, 2018 5:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Terry Parker, Commissioner
SECONDER:	Michaeline Ward-Terry, Vice Chairperson
AYES:	Conley, Hynes, Parker, Rapacz, Walton, Ward-Terry, Welch
EXCUSED:	Standel, Fuhst

E. VARIANCE

1. ZBA #18-24

By: Sameer Dabish
1066 E. carpenter Rd.
Flint, MI 48505

Minutes Acceptance: Minutes of Oct 18, 2018 5:00 PM (Approval of Minutes)

Re: 2014 S. Center Rd. Burton, MI 48509
59-21-527-001, C-2 Zone

For: To conduct a medical marijuana provisioning center that will be within 200' of a residential property and within 1,000' of a church.

Alex Martin of 2418 Dunlap, Lansing, Michigan stated if this provisioning center were approved, we would hire five full time and five part time people. We plan to bring a lot of community outreach to the city, specifically with the neighborhood. We are proposing to do beautification projects in the neighborhood every month with the residents consent. We would donate 5% of our profits, up to \$50,000 annually, to nonprofit organizations in the City of Burton, focusing on housing and education. We have to operate within compliance or we are not going to be here. I want the family members of this community to drive past our provisioning center and be proud that it is there and that it is no longer a blighted convenience store. We want to do everything we can to give back to this community and we are committed in doing so.

Virgil Bernaro of 3000 N. Cambridge, Lansing, Michigan, stated I am a former Mayor of 12 years and I think this is a great project. I would never support a project that I did not want in my own city. In Lansing, we had 80 provisional centers. Crime and unemployment went down and property values went up. Great things are happening in the city of Lansing and the cannabis economy is part of it. People can get their meds right in Lansing; they do not have to drive to another city. I think that is very important. I believe it will add value, allow your residents to shop for their medication here and it will improve that corner.

Lance Washington of Flint stated I live near the location. My concern is that this is in violation of the zoning and there is a church right across the street and another church right down the street. I have a petition from our neighbors stating they do not want this facility in their neighborhood.

Scott Jenkins of Flint stated I am here representing Ebenezer Ministries in Burton. We are here tonight to speak against this provisioning center. Ebenezer Ministries was formed in 1969 and in 1970 we purchased land here in Burton. In 1972 we purchased the land that the church is on now and in 1999 we purchased 20 acres that sits right behind this particular location. Over the years we have developed the church, storage buildings, community center, playgrounds and basketball courts. We are working on a plan with Rowe Engineering to develop the 20 acres that we have for youth purposes. We do not think this is a good area for this type of business.

Susan Lechota of Burton stated my husband and I own a business across the street from this location. We have been there for many years and are against this type of business. This is not what we would like to see for Center Road and for the community.

Milton Tucker of Flint stated I live across the street from this location and am against this provisioning center. We do not want it in our neighborhood.

Monica Mansfield of Burton stated I live near this location and I am in approval of this provisioning center going in. My mother is 77 years old and has stage 4 cancer. She takes cannabis and it has halted the growth of her cancer and shrinking it.

Carol Mansfield of Burton stated I have stage four cancer and I take cannabis on recommendation from a doctor. I am in favor of this provisioning center and hope that it helps others like it has helped me.

Carolyn Shannon of Burton stated I am totally against provisioning centers being in our neighborhood because of the criminal element. With the new jobs coming to Burton, you do not want new families moving in with these kind of stores saturating your city. I am not against medical marijuana but I think this type of business should be in the rural areas and not in Genesee County.

Commissioner Ellen Ellenburg of Burton stated I am here on behalf of my constituent of the City of Burton and of the City of Flint. At the time that the ordinance was written I was on City Council and I did sit on the legislative committee for that. We set the restrictions very strategically to protect all neighbors and businesses. I feel that it should be followed by the ordinance and the variance should be a consideration that is very strategically thought out. It would be nice to have that building cleaned up but if the community does not want it then that is not the spot for this. I am not against medical marijuana but would like you to consider the ordinance that was put in place to protect all residents in our area and in Genesee County.

Iris Marable of Flint stated I am against this provisioning center going in my neighborhood and so close to my home.

Amber Abbey of Planning and Zoning stated in 2010 we approved the provisioning centers and the grow facilities prior to the state actually making the law. Our facilities have had no major police issues. The facilities that we have opened are within the realm of the ordinance. This particular facility is requesting the variance because they are too close to the churches and residential homes. Just a reminder, this property also has to go through a special use approval from the Planning Commission. The building is dilapidated and has been boarded up for a couple years now. Prior to that, there were always problems and police issues. Today we have several facilities in operation, two of which are still opened with the previous law and others that have not opened because they do not have their state approval yet. We have no police issues with the ones that we have today. The administration is not going to make a recommendation on this case.

Mr. Rapacz asked how many provision centers exist in Burton as of this time.

Ms. Abbey said we have seven approved facilities, two that are actually open, and five licenses for grow facilities. Some of these have both grow and provisioning centers.

Mr. Welch read a letter from M.H. Al-Midani, M.D., dated October 15, 20-18, stating he is opposed this marijuana provisioning center opening at this location. Mr. Welch said I just want to point out that each municipality has their own ordinances. There is no precedence set by decisions that we make. Each individual case is determined on its own merit.

Ms. Ward-Terry said I feel we are navigating a slippery slope by allowing distribution

centers within restricted areas simply because the building is dilapidated. The answer to Burton's blight problem is not in handing out variances to restrictions that were very sensibly put in place to begin with. This variance goes against two of our restrictions; it is within a residential area and close to the churches.

Mr. Parker stated I give Amber and the others in her office a lot of credit. We were kind of in uncharted territory and they decided to step up and write ordinances and descriptions before the state even decided what they were going to do. City of Burton was on the forefront of making an ordinance that would work for the City of Burton. The distances were put in place to protect the citizens and residents of the City of Burton. For us to give a variance because of the building being dilapidated is not the right reason.

Mr. Welch stated before anyone had any ordinances on this, Genesee County had a seminar that I attended. Everyone suggested being proactive and developing an ordinance so that it can be regulated rather than wait. There are other municipalities in Genesee County that used our ordinance.

Motion: To conduct a medical marijuana provisioning center that will be within 200' of a residential property and within 1,000' of a church.

RESULT:	FAILED [0 TO 7]
MOVER:	Terry Parker, Commissioner
SECONDER:	Tim Rapacz, Commissioner
NAYS:	Conley, Hynes, Parker, Rapacz, Walton, Ward-Terry, Welch
EXCUSED:	Standel, Fuhst

2. ZBA #18-25

By: Jason and Heide Fleury
4250 Pebble Creek Blvd.
Grand Blanc, MI 48439

Re: 4250 Pebble Creek Blvd. Grand Blanc, MI 48439
59-35-578-042, R-1A Zone

For: To conduct an M-1 special use in an R-1A Single Family Residential zone to allow more than 2 adult dogs.

Mr. Fleury stated we are here because of an ordinance that we were not aware of. We bought our home because it was a one-acre property and we could have room for our dogs. This is mostly fenced in with privacy fence. They are our family.

Abi Fleury said our dogs guard us.

Brooklyn Fleury said our dogs do everything with us, they are our family. We take them everywhere. This is very difficult. We have been living here for two years and this is just now becoming a problem. Our yard is fenced in and there has never been a problem with our dogs. They are my best friends and I do not want to spend a

moment without them.

Heide Fleury said my father always had this breed of dogs as I was growing up and now I have this breed. This is my life, just as my kids are. We have never had a nuisance problem. We paid a lot of money for that property and fencing so that our neighbors would not be bothered by any kind of sound. The privacy fence is on both sides. We also put down new sod.

Keli Rymil said they are directly behind the Fleury's. I work from home and my office directly faces their back yard. There has never been an issue with their dogs.

Shonnery Williams said he lives right next door to the Fleury's. For two summers, the dog waste was not picked up as it should have been. Since they moved in, their dogs have attacked my dog 13 times on my own property. Now they rush the fence, barking and growling at my dog. I may have issues trying to sell my house someday because of the dogs. In addition, she has mentioned to me that one of the dogs belong to her mother or father.

Jennifer Clark stated I live around the block from the Fleury family. I walk my dog in the neighborhood with no problem. Their dogs are like therapy dogs and they have been taken to the school on occasion. This is the best neighborhood I have lived in. There are many problems in this world and their dogs are not one of them, they are not bad dog owners. I have never heard them bark.

Alyssa Kipke said I live directly behind the Fleury's and have never had a problem with the dogs. They are very quiet and friendly. We have never had a run-in when Hiedi takes them for walks.

Heidi Hudson Ruper from Flint stated I am an admin on a group on Facebook of people that own bernese mountain dogs. We hosted a party last summer and that is when I met the Fleury's. There were 60 people and 30 dogs there. There were no issue with dogs fighting or barking.

Jovanna White said when we walk out onto our patio the dogs can see us and rush the fence.

Steven Swiastyn stated I live three doors down from the Fleury's. I have never seen their dogs loose.

Mr. Welch read a letter from Lauren and Ester Chiles. The letter states they live two doors down from the Fleury family and they disapprove of the variance to this ordinance. The Fleury family may be well intentioned to taking good care of their dogs and for them to not be a nuisance to their neighbors, but we cannot be certain of that. Our neighbor on the other side has as many as seven dogs in their backyard at times. Code enforcer has been advised but said nothing can be done unless he personally witnesses this type of infraction. The barking and smell is so bad outside that it drives us back inside. Since this ordinance is so difficult to enforce to begin with, it seems unwise to grant exceptions to the rule and create aggravation to the neighbors with no consequence. We wish that the council will deny this request and any further requests of this type put forward for Trailridge Subdivision in order to maintain order, minimize noise pollution and maintain sanitation.

Ms. Abbey stated the code enforcement office was contacted in April regarding the Fleury family's dogs. He went out to the site, gave notice, but did not witness the dogs. He went back on the 23rd of April and there was only two dogs there at that time. They indicated that the third dog was a visiting family member's dog. The complaint was closed. We received another complaint in August regarding dog waste. The code enforcer went out there again and did not see or smell dog waste. He did not see the dogs so the complaint was closed. A third complaint came in with a video of the dogs. We sent a letter to the owners regarding the fencing, dogs and dog waste. Since then they have taken care of the fencing issue, the orange fence was put up until their grass grows in and will be taken down as soon as the grass grows. The dog waste was cleaned up and they came in to apply for the variance. We tried to have this ordinance changed to allow for three dogs but it did not pass. The administration is not going to make a recommendation on this case.

Mr. Rapacz suggested adding an amendment to the motion allowing them to keep all the dogs. Once they are down to two dogs the variance would expire. They would not be able to add or replace any dogs. The dogs should also be licensed within 60 days.

Ms. Ward-Terry stated as a board collectively we review the variance on a case-by-case basis. By denying or granting a variance by one petitioner, in no way sets precedent. When people own pets, it is their responsibility to care for them. I feel the reason behind the pet restrictions was originally to protect the public from puppy mills, nuisance pets that roam, bark or are left out unsupervised, and abused or neglected pets. It is the responsibility of all family members to clean up after their pets so that other neighbors do not suffer. I will support granting this variance with the stipulations. I feel the property is large enough. However, the pet waste needs to be picked up on a regular basis and they need to try to keep the dogs from approaching the fence and barking when their neighbors are out.

Mr. Hynes said I think there should also be a time limit set on this variance.

Mrs. Abbey said if this is approved, we will need a copy of all four dog licenses to keep on file and in the event that they pass. We need some kind of acknowledgement of that. We will need to sign the document that authorizes them to get a kennel license from the county. I could require them to bring a copy of their dog licenses to me each year and I will make sure they are the exact same licenses as the year before and failure to do so would result in the loss of the variance.

Motion approved with the following stipulation: To allow four dogs for now and must reapply for the variance every two years if they still have over two dogs. Once extra dogs are no longer there, there will be no replacing and at that time, they will only be allowed two dogs as the ordinance states. They must show proof of dog licenses to the city administration every year, failure to do so would result in the loss of the variance. They must get dog licenses for the two unlicensed dogs within 60 days of the variance being granted.

RESULT:	CARRIED [6 TO 1]
MOVER:	Tim Rapacz, Commissioner
SECONDER:	Christina Conley, Council Representative
AYES:	Conley, Hynes, Rapacz, Walton, Ward-Terry, Welch
NAYS:	Parker
EXCUSED:	Standel, Fuhst

3. ZBA #18-26

By: Vash Investments Group, LLC.
4040 Bristol Rd.
Burton, MI 48519

Re: 4040 Bristol Rd. Burton, MI 48519
59-34-100-004, C-2 Zone

For: To conduct an M-1 special use in C-2 General Business zone to allow outside storage of Recreational Vehicles

Mike Wizynajty of 602 Fenton Commons Lane in Fenton, Michigan stated Vash Investments Group asked me to come here on their behalf to present this to you tonight. We are asking for a one year variance to store some vehicles and RV's in the back of the property. This would only be temporary. Our company is designing a warehouse in the back for the RV's.

Mrs. Abbey stated the RV's are currently being stored there and a complaint was filed. We went out there, gave them notice and they immediately applied for the variance. The property is not zoned for that type of use. They want to be able to temporarily store them until they get the structures built. I reminded him once the structures are built he would still have to ask for a variance to have self storage there, even if they are inside. We recommend approval with a one year stipulation.

Mr. Parker asked since this property is zoned C-2 and he is asking for a variance to have M-1 special use, in that C-2 zoned area, if he decides to put up a building he will be coming back to this board for an M-1 variance for that building.

Mrs. Abbey stated that is correct. The building that they intend to build is for inside self storage. The use itself is still not allowed there, outside storage or not. They would still have to apply for a variance for that use. Inside self storage facilities are considered M-1 industrial uses.

Mr. Rapacz asked when the last time this land was used.

Mrs. Abbey said there was a business in there prior to this occupancy.

Motion approved with the following stipulations: The variance would be dated October 19, 2018 and expire October 19, 2019.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Michaeline Ward-Terry, Vice Chairperson
SECONDER:	Deb Walton, Commissioner
AYES:	Conley, Hynes, Parker, Rapacz, Walton, Ward-Terry, Welch
EXCUSED:	Standel, Fuhst

F. AUDIENCE PARTICIPATION

None.

G. BOARD DISCUSSION

Mr. Welch stated a flyer was sent out regarding the seminar on ordinance enforcement at Rowe Engineering. This class will be held on Tuesday, Oct. 30, 2018 from 7:00 PM to 9:00 PM. at 540 S. Saginaw St., Suite 200, Flint MI. 48502. Please RSVP by noon October 23, 2018 if you plan to attend this class.

Mrs. Abbey said I emailed this flyer to everyone a couple of weeks ago, but will email it again in case you have not received it.

Mr. Hayman stated I would like to speak on behalf of Mayor Zelenko who could not be here tonight. The Mayor wanted to thank Mr. Parker for his many years of service to the City of Burton. She wished you the best of luck.

Mrs. Abbey said I would also like to thank Mr. Parker. You have been a great asset to this board and we will miss you.

Mr. Parker stated I just want to say that it is important to speak up and voice your concerns, reservations, ideas, thoughts, reasons you support or do not support, etc. Have it on record in case something comes up down the road and it needs to be looked at again.

Discussion ensued regarding the date for the upcoming Zoning class. It was decided among the board to set the tentative date of Thursday, January 10, 2019 @ 5:00 PM in the City Hall Community Room.

The next regularly scheduled meeting will be held on Thursday, November 15, 2018, at 5:00 p.m.

Meeting was adjourned at 6:58 PM.

Minutes Acceptance: Minutes of Oct 18, 2018 5:00 PM (Approval of Minutes)



CITY OF BURTON

BURTON ZONING BOARD OF APPEALS MEETING

NOVEMBER 15, 2018

MINUTES

Council Chambers

Regular Meeting

5:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

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

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Christina Conley	Council Representative	Present	
Scott Hynes	Commissioner	Present	
Terry Parker	Commissioner	Excused	
Tim Rapacz	Commissioner	Excused	
Deb Walton	Commissioner	Excused	
Michaeline Ward-Terry	Vice Chairperson	Present	
Steve Welch	Chairman	Present	
Donald Standel	Alt. Commissioner	Present	
Rick Fuhst	Commissioner	Present	

C. STAFF PRESENT

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

D. APPROVAL OF MINUTES

None.

E. VARIANCE

1. ZBA #18-27

By: Cynthia Truman Reynolds
1289 N. Belsay
Burton, MI 48509

Re: 1289 N. Belsay Rd. Burton, MI 48509
59-11-200-010, RM Zoned

For: To conduct an M-1 Light Industrial use in an RM Multi Family Zone for used vehicle sales.

Ron Gentry of 1031 Elm, Lake Orion, Michigan stated I do business at one of Cynthia Reynolds facilities. I mostly wholesale cars. There will be no displaying of cars for sale. This is just a storage area for the cars.

Minutes Acceptance: Minutes of Nov 15, 2018 5:00 PM (Approval of Minutes)

Mrs. Abbey stated Mr. Gentry doesn't intent to retail any vehicles there. The state law they require that anyone who holds a wholesale license that they have a commercial business address. The administration recommends approval with the stipulation that he does not retail any vehicles from that property.

Motion: To approve ZBA #18-27 with the stipulation that there will be no retail sales on this property.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Donald Standel, Alt. Commissioner
SECONDER:	Scott Hynes, Commissioner
AYES:	Conley, Hynes, Ward-Terry, Welch, Standel, Fuhst
EXCUSED:	Parker, Rapacz, Walton

F. AUDIENCE PARTICIPATION

None.

G. BOARD DISCUSSION

Mr. Welch said I would like to welcome Mr. Fuhst, who was our alternate and is now a member of this board.

Mr. Hynes asked if there was any movement on the marijuana facility that was going in by Southmoor Golf Course.

Mrs. Abbey said no, I have not spoken to them in quite a while. It was never a medical marijuana facility, it was a rezoning case. They would need to apply for a license through the state. There was no actual plan; the only thing they have done is the rezoning.

The next regularly scheduled meeting will be held on Thursday, December 20, 2018, at 5:00 p.m.

Meeting was adjourned at 5:10 PM.

Minutes Acceptance: Minutes of Nov 15, 2018 5:00 PM (Approval of Minutes)



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

Date Filed: 11-20-18
 Fee Paid: 450.00
 Receipt #: _____
 Check #: 863
 Received by: AA
 Date Mailed: _____

ZBA Case #: 18-28 4 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: December 20, 2018 AT 5:00 P.M.

APPLICANTS NAME: Titan Properties

APPLICANTS ADDRESS: 9572 Shelby Dr

CITY: White Lake, MI 48386

APPLICANTS PHONE: 248-672-7794

ADDRESS AND PARCEL OR LOT NUMBER: 4086 S. Dort Hwy, Burton,
MI, 48529 59-32-530-057 M-1 Zone

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 construct a building that will
be within 16' of the rear property line, 35'
required. 2. To construct an 8' high fence

APPLICANTS SIGNATURE: St. Goff

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 18-28 (4124 : ZBA #18-28)

SITE LAYOUT NOTES:

- COORDINATES AND/OR DIMENSIONS SHOWN ON THIS DOCUMENT ARE TO BACK OF CURB, OUTSIDE FACE OF BUILDING FOUNDATIONS, EDGE OF PAVEMENT, CENTER OF STRUCTURE, CENTERLINE OF STRIPING UNLESS NOTED OTHERWISE.
- NO DIMENSIONS SHALL BE SCALED OFF THE DOCUMENTS. REFER UNCLEAR ITEMS TO THE ENGINEER FOR INTERPRETATION.
- PROVIDE ADEQUATE BARRICADES AT DRIVES, ENTRANCES, EXCAVATIONS AND OTHER OPENINGS TO KEEP OUT UNAUTHORIZED PERSONS AND FOR PUBLIC SAFETY AND TRAFFIC CONTROL. SAFETY PROVISIONS OF APPLICABLE LAWS SHALL BE OBSERVED AT ALL TIMES. BARRICADES LEFT IN PLACE AT NIGHT SHALL BE LIGHTED.
- NO EQUIPMENT OR MATERIAL STORAGE IS PERMITTED WITHIN THE ROAD RIGHT-OF-WAY.
- CONTRACTOR'S MANNER AND METHOD OF INGRESS AND EGRESS WITH RESPECT TO THE PROJECT AREA SHALL IN NO WAY PROHIBIT OR DISTURB NORMAL PEDESTRIAN OR VEHICULAR TRAFFIC IN THE VICINITY AND IS SUBJECT TO REGULATION AND WRITTEN APPROVAL OF APPROPRIATE GOVERNING AGENCIES.
- RESTORE ALL STREET SURFACES, DRIVEWAYS, CULVERTS, ROADSIDE DRAINAGE DITCHES, AND OTHER PUBLIC OR PRIVATE STRUCTURES THAT ARE DISTURBED OR DAMAGED AS A RESULT OF CONSTRUCTION ACTIVITIES TO A CONDITION EQUAL TO OR BETTER THAN EXISTING CONDITIONS AND TO THE SATISFACTION OF THOSE HAVING JURISDICTION.
- REFER TO ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS, SLAB AND UNDERBED THICKNESS.
- THE CONTRACTOR IS RESPONSIBLE TO PROVIDE ALL CONSTRUCTION LAYOUT AND GRADE ELEVATIONS FOR THEIR WORK IN ACCORDANCE WITH DATA SHOWN ON DOCUMENTS.
- VERIFY EXACT LOCATION OF UNDERGROUND UTILITIES PRIOR TO BEGINNING CONSTRUCTION.
- EXCAVATED AREAS WITHIN PROPOSED BUILDING AND PAVEMENT AREAS SHALL BE BACKFILLED TO FINISHED SUBGRADE ELEVATION WITH STRUCTURAL FILL (MOOT CLASS II SAND). THE SAND SHALL BE COMPACTED IN CONTINUOUS LAYERS NOT EXCEEDING 8 INCH LOOSE LIFTS, COMPACTED TO 95 PERCENT OF MAXIMUM DENSITY IN ACCORDANCE WITH ANSI/ASTM D 1557 MODIFIED PROCTOR.

LAND USE INFORMATION:

CURRENT ZONING:	M-1 (LIGHT INDUSTRIAL)
PROPOSED ZONING:	M-1 (LIGHT INDUSTRIAL)
CURRENT USE:	COMMERCIAL
PROPOSED USE:	WAREHOUSE/RETAIL
TOTAL SITE AREA:	72,554 SF
TOTAL BUILDING AREA:	19,331 SF
LOT COVERAGE BY BLDG:	26.6%

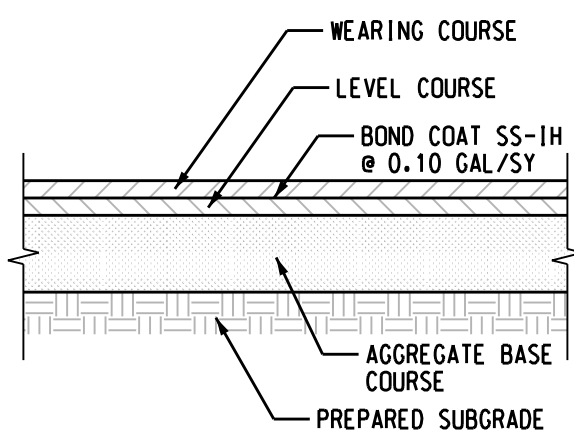
YARD SETBACKS:	BUILDING
FRONT YARD	35LF
SIDE YARD	20LF
REAR YARD	35LF (VARIANCE REQUEST)

MARKING / SIGNAGE LEGEND:

- STOP SIGN (R1-1)
 - 4" SINGLE SOLID LINE, YELLOW
 - 24" WIDE STOP LINE, WHITE
 - ACCESSIBLE SIGN (R7-8)
 - ACCESSIBLE SIGN W/ VAN ACCESSIBLE (R7-8 & R7-8A)
 - NO PARKING - LOADING ZONE (R7-6)
 - NO PARKING - FIRE LANE
- NO PARKING / NO DRIVING AREAS
4" WIDE WHITE PAINT STRIPING
2" ON CENTER @ 45° - REFER TO PAVEMENT MARKING NOTE #2 FOR BARRIER FREE PARKING

PAVEMENT MARKING & SIGNAGE NOTES:

- PARKING STALL WIDTH DIMENSIONS ARE TO CENTERLINE OF STRIPING.
- ALL PAVEMENT MARKINGS SHALL BE 4" WIDE WHITE PAINT STRIPING UNLESS OTHERWISE INDICATED. ALL BARRIER FREE STRIPING SHALL BE COLORED BLUE AND IN ACCORDANCE WITH THE LATEST ADA STANDARDS FOR ACCESSIBLE DESIGN.
- CONTRACTOR SHALL NOT APPLY TRAFFIC MARKING PAINT ON NEW ASPHALT UNTIL PAVEMENT HAS CURED A MINIMUM OF SEVEN (7) DAYS.
- PAINT SHALL BE APPLIED WITH MECHANICAL EQUIPMENT TO PRODUCE UNIFORM STRAIGHT EDGES. APPLY IN TWO COATS AT MANUFACTURER'S RECOMMENDED RATES TO PROVIDE MINIMUM 10.0 TO 15.0 MILS NET THICKNESS.
- ALL TRAFFIC CONTROL SIGNS SHALL CONFORM WITH ALL REQUIREMENTS AS STIPULATED IN THE MICHIGAN MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
- NUMBER OF PARKING SPACES (FOR INFORMATION ONLY)



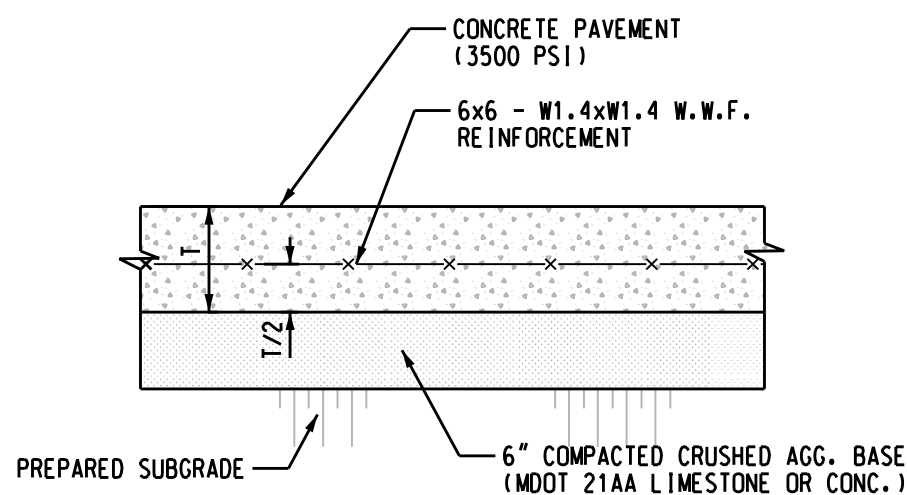
ON-SITE PAVEMENT SECTION

WEARING COURSE - 1.5" MOOT 13A
LEVEL COURSE - 3" MOOT 3C
AGGREGATE BASE - 8" MOOT 21AA CRUSHED LIMESTONE

ROAD R/W PAVEMENT SECTION

WEARING COURSE - 1.5" MOOT 13A
LEVEL COURSE - 1.5" MOOT 13A
ASPH. BASE COURSE - 3" MOOT 11A
AGGREGATE BASE - 6" MOOT 22A
SAND SUB-BASE - 6" MOOT CLASS 11

NOTE: AS AN ALTERNATE, CONTRACTOR IS ALLOWED TO SUBSTITUTE MOOT 21AA CRUSHED CONCRETE FOR THE AGGREGATE BASE FOR ON-SITE PAVEMENT SECTION.

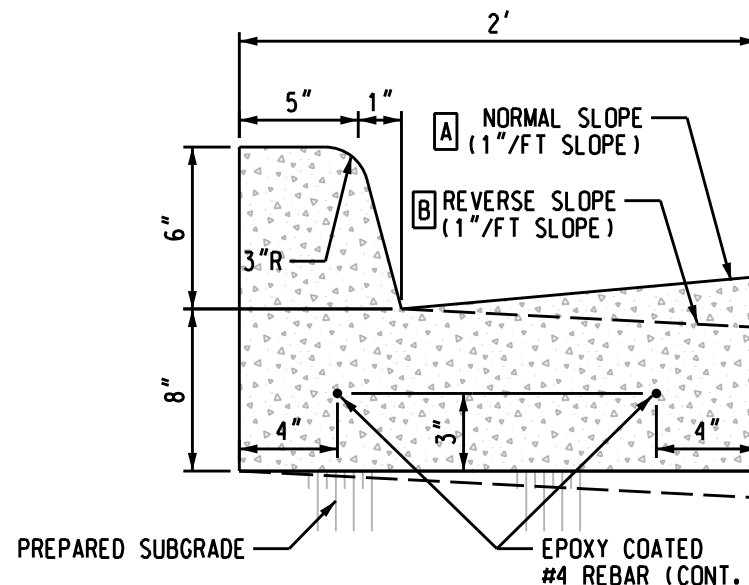


PAVEMENT THICKNESSES (1"): PAVEMENT TRASH ENCLOSURE SIDEWALK

PAVEMENT 8"
TRASH ENCLOSURE 8"
SIDEWALK 4"

CONCRETE PAVEMENT SECTION

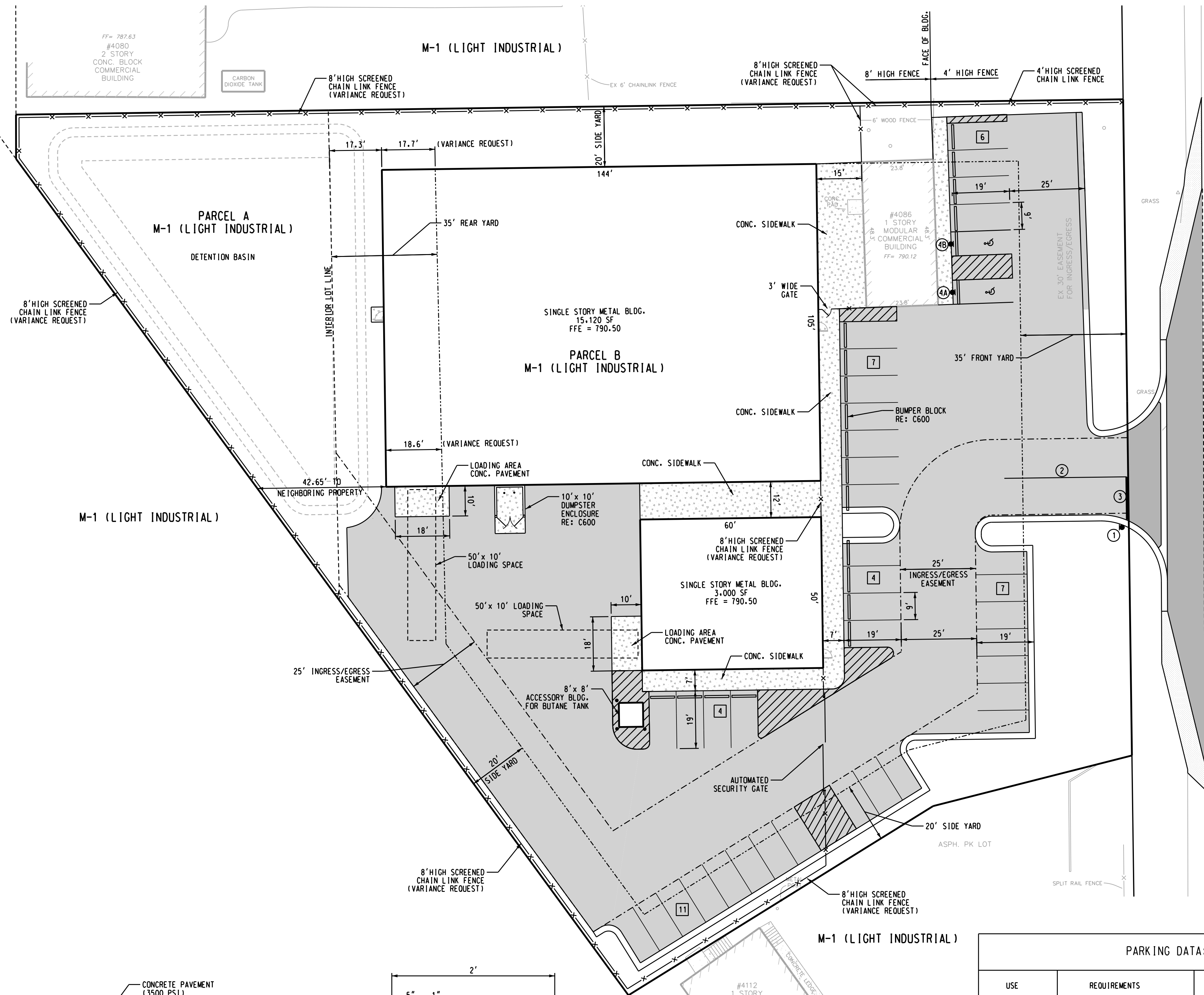
NO SCALE



PROVIDE CONTROL JOINTS AT 10 FEET MAXIMUM SPACING AND DOWELED EXPANSION JOINTS AT 100 FEET MAXIMUM INTERVALS AND AT RADIUS POINTS

CURB & GUTTER DETAIL

NO SCALE ON-SITE ONLY

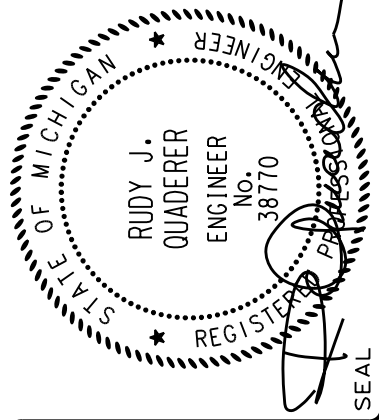
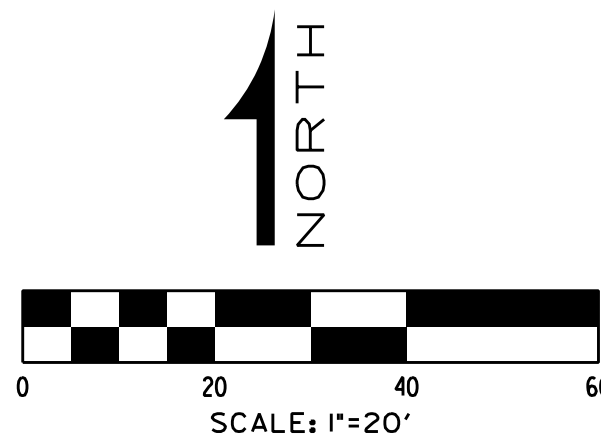


PARKING DATA:

USE	REQUIREMENTS	PARKING REQUIRED	PARKING PROVIDED
RETAIL STORE	1 SPACE/200 SF OF GFA 1,152 SF/200 =	6 SPACES	6 SPACES
WAREHOUSE	5 PLUS 1 SPACE/EMPLOYEE 5 + 20 EMPL. =	25 SPACES	33 SPACES
BARRIER FREE	25 - 50 SPACES	2 SPACES	2 SPACES
TOTAL		31 SPACES	39 SPACES

LEGEND:

- ASPHALT PAVEMENT (ON-SITE RE: C200)
- ASPHALT PAVEMENT (WITHIN ROAD R/W RE: C200)
- CONCRETE PAVEMENT (RE: C200)
- AGGREGATE SHOULDER



NO.	DATE	SUBJECT
11-27-18	TO CITY - VARIANCE REQUEST	
10-30-18	TO CITY - SITE PLAN APPROVAL	
NO.	DATE	SUBJECT
	REVISION OR ISSUE	

DRAWN	DESIGNED	CHECKED	FIELD CREW
BRZEZINSKI	QUADERER		

GP40 CAMPUS

4086 S. DORT HIGHWAY
CITY OF BURTON, COUNTY OF GENESEE, STATE OF MICHIGAN

SITE LAYOUT PLAN

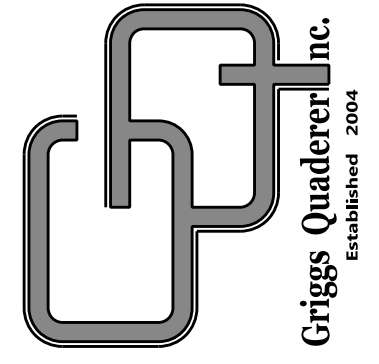
DATE: 11/27/2018 TIME: 11:54:02 AM

Griggs Quaderer, Inc.

8308 OFFICE PARK DRIVE
GRAND BLANC, MI 48439
PH: (810) 695-0154
FX: (810) 695-0158

CIVIL ENGINEERING - LAND SURVEYING

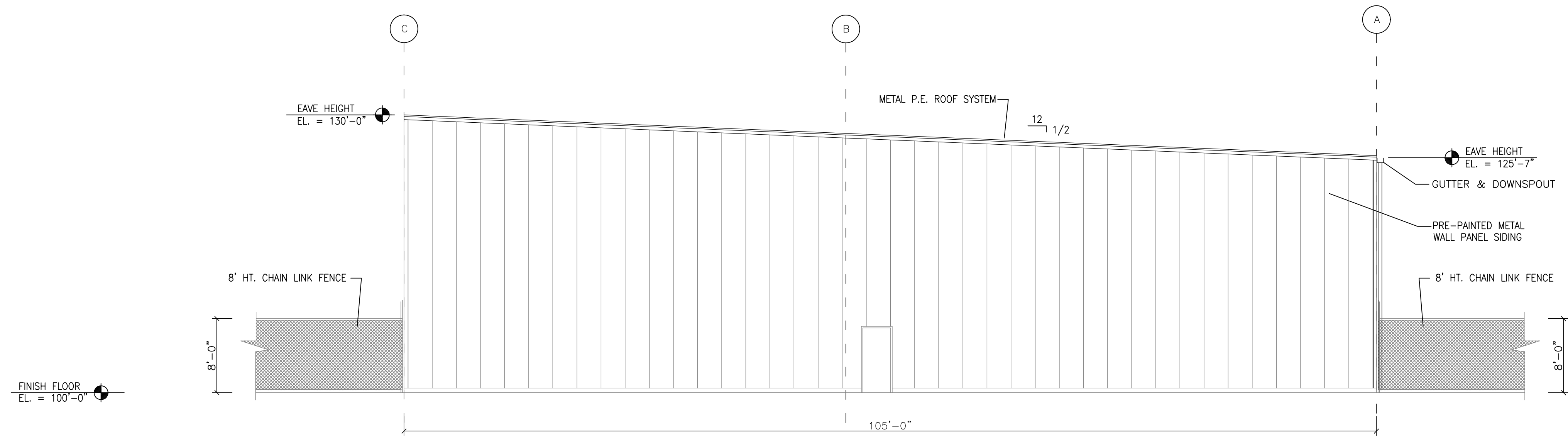
SITE PLANNING



PHASE: SPA

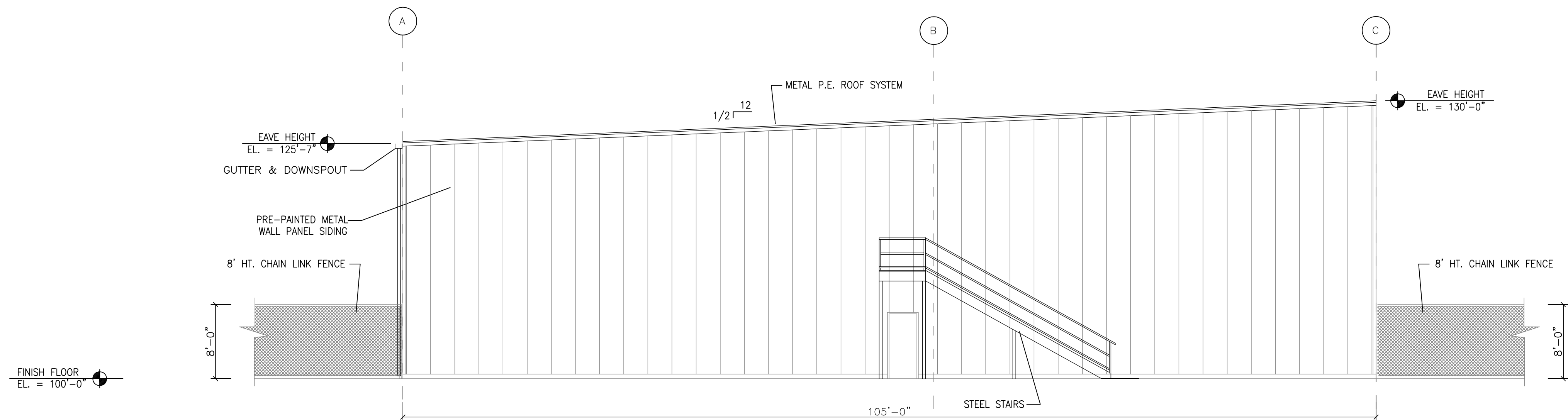
JOB NO.: 180905

C200



PRIMARY BUILDING
PROPOSED EAST (FRONT) ELEVATION

SCALE: 1/8" = 1'-0"



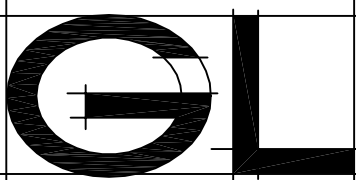
PRIMARY BUILDING
PROPOSED WEST (BACK) ELEVATION

SCALE: 1/8" = 1'-0"

Handwritten signature

DRAWN	CHECKED	REVISED DATE	DATE
			10/17/18
REVISIONS			
▲			
▲			
▲			
▲			

GAZALL, LEWIS & ASSOCIATES ARCHITECTS, INC.
MOTT FOUNDATION BUILDING
503 SOUTH SAGINAW STREET SUITE 100
FLINT, MICHIGAN 48502
• PHONE (810) 238-4681
• FAX (810) 238-5191
• GAZALL-LEWIS.COM



NEW DEVELOPMENT FOR
TITAN PROPERTIES
4086 S. DORT HWY, CITY OF BURTON, MI

COMMISSION
1815

SHEET
A3.0