



CITY OF BURTON

BURTON ZONING BOARD OF APPEALS MEETING

MARCH 17, 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 - Nov 19, 2015 5:00 PM

E. VARIANCE

1. 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.

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, April 21, 2016 at 5:00 p.m.



CITY OF BURTON

BURTON ZONING BOARD OF APPEALS MEETING

NOVEMBER 19, 2015

MINUTES

Council Chambers

Regular Meeting

5:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by Commissioner Terry Parker at 5:00 PM.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Duane Haskins	Council Representative	Excused	
Robert Walls	Planning Chairman	Present	
Terry Parker	Commissioner	Present	
Tracy Parker	Commissioner	Excused	
Scott Hynes	Commissioner	Present	
Bobbie Weatherford	Commissioner	Present	
Steve Welch	Commissioner	Excused	
Tim Rapacz	Alternate Commissioner	Present	
Robert Olsen	Alternate Commissioner	Excused	

C. STAFF PRESENT

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

D. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Oct 15, 2015 5:00 PM

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

2. Zoning Board of Appeals - Special Meeting - Nov 5, 2015 5:00 PM

Minutes Acceptance: Minutes of Nov 19, 2015 5:00 PM (Approval of Minutes)

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

E. VARIANCE

1. ZBA #15-31

By: Michael Bully
4387 Great Oaks Dr.
Grand Blanc, MI 48439

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

For: 1. To conduct a C-3 Highway Oriented Business in a C-2 General Business zoning for used car sales. 2. To conduct used car sales not in conjunction with new car sales.

Michael Bully from Grand Blanc spoke regarding Best Car Company. Import Cars will be wholesale license only.

Mrs. Abbey stated our ordinance requires at least a C-3; this proposal is for a C-2 so administration recommends approval.

2. Motion to approve Item #1. To conduct a C-3 Highway oriented Business in a C-2 General Business zoning for used car sales.

Item #2. To conduct used car sales not in conjunction with new car sales, was removed as an action item because of ordinance change that made it no longer necessary. Ref: Zoning case 314.

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

3. ZBA #15-32

By: Jason Joubran
8045 E. Court St.
Davison, MI 48423

Re: 1396 Rizzo Ct. Burton, MI 48529
59-31-529-009, M-1 Zoned Lot 9 Rizzo Industrial Complex

For: To conduct medical marijuana grow facility that will be within 200' of residential homes.

Jason Joubran of Davison stated this industrial lot would suit this type of business appropriately. The trees will block the building out and the residents should not be affected. We will purchase carbon filters so that there will be no odor. We have had no problems in this area in the two years we have been here. There has been no break-in's or issues. I feel this business would be a nice addition to the area and more revenue for the city. There will be cameras in place; the plants will be inside and not visible through any windows.

Scott Cook from Green Planet Lawn Care in Swartz Creek stated he is in opposition of this variance. The school is 270 yards from the proposed business and is concerned about theft and odor.

Nathan Henry from Storage one is opposed to this ordinance. He is concerned about theft and the close proximity to the school.

Mrs. Abbey stated administration will not be making a recommendation.

Board discussion about adjoining property owner concerns and objections.

4. Motion to approve a medical marijuana grow facility that will be within 200' of residential homes.

RESULT:	FAILED [0 TO 5]
MOVER:	Bobbie Weatherford, Commissioner
SECONDER:	Tim Rapacz, Alternate Commissioner
NAYS:	Walls, Parker, Hynes, Weatherford, Rapacz
EXCUSED:	Haskins, Parker, Welch, Olsen

F. AUDIENCE PARTICIPATION

None.

G. BOARD DISCUSSION

The next Zoning Board of Appeals meeting will be held on Thursday, January 21, 2015, at 5:00 p.m.

Mrs. Abbey stated the Zoning By-Laws need to be amended from 2001. I will be including a copy along with some changes in your January 21, 2016 agenda packet. Please look over the By-laws so that we can discuss this at this meeting. There will not be a December meeting due to no applicants.

Meeting was adjourned at 5:30 PM.



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 2189)

Meeting: 03/17/16 05:00 PM

Department: Department of Public Works

Category: Variance

Prepared By: Amber Abbey

Department Head: Robert Slattery

E.1

DOC ID: 2189

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.

ATTACHMENTS:

- Back up 16-01 (PDF)



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

Date Filed: 1-27-16
Fee Paid: \$450.00
Receipt #: _____
Check #: 107
Received by: OS
Date Mailed: 2-9-16

ZBA Case #: 16-01 4 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: MAR 17 2016 AT 5 P.M.

APPLICANTS NAME: BRUCE CALHOUN

APPLICANTS ADDRESS: 1111 CREEK WOOD TRAIL

CITY: BURTON MI. 48504

APPLICANTS PHONE: 810 919 8535

ADDRESS AND PARCEL OR LOT NUMBER: 1070 CREEK WOOD TRAIL
#59-11-551-007

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: REDUCTION OF REAR YARD SETBACK

FROM 30'-0" TO 16.87'

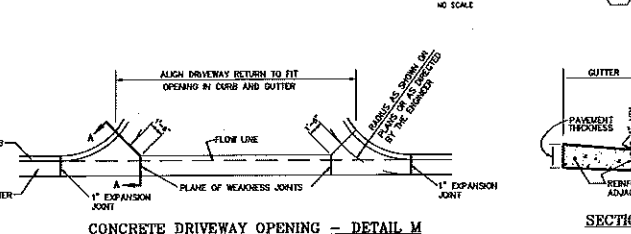
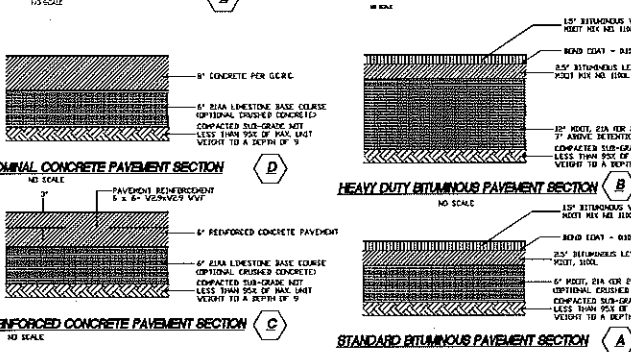
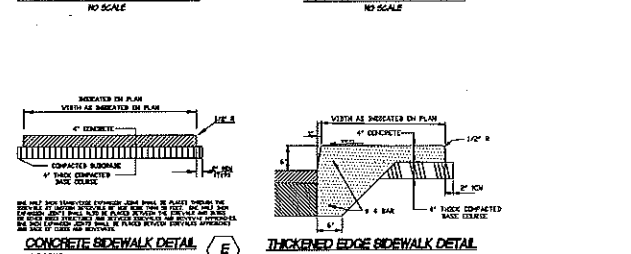
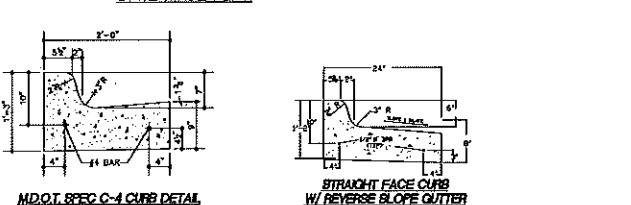
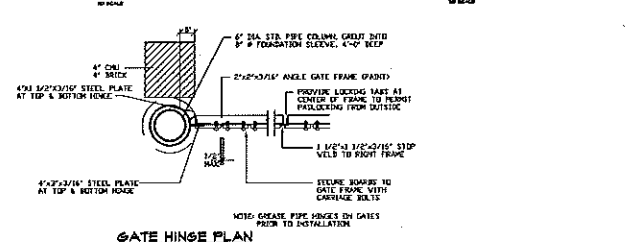
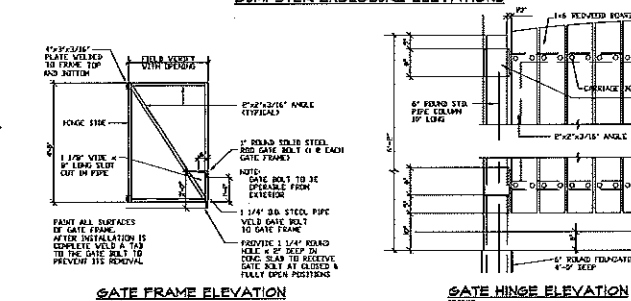
TO construct a new office building that will be
16' from the rear property line, 30' required.

APPLICANTS SIGNATURE: [Signature]

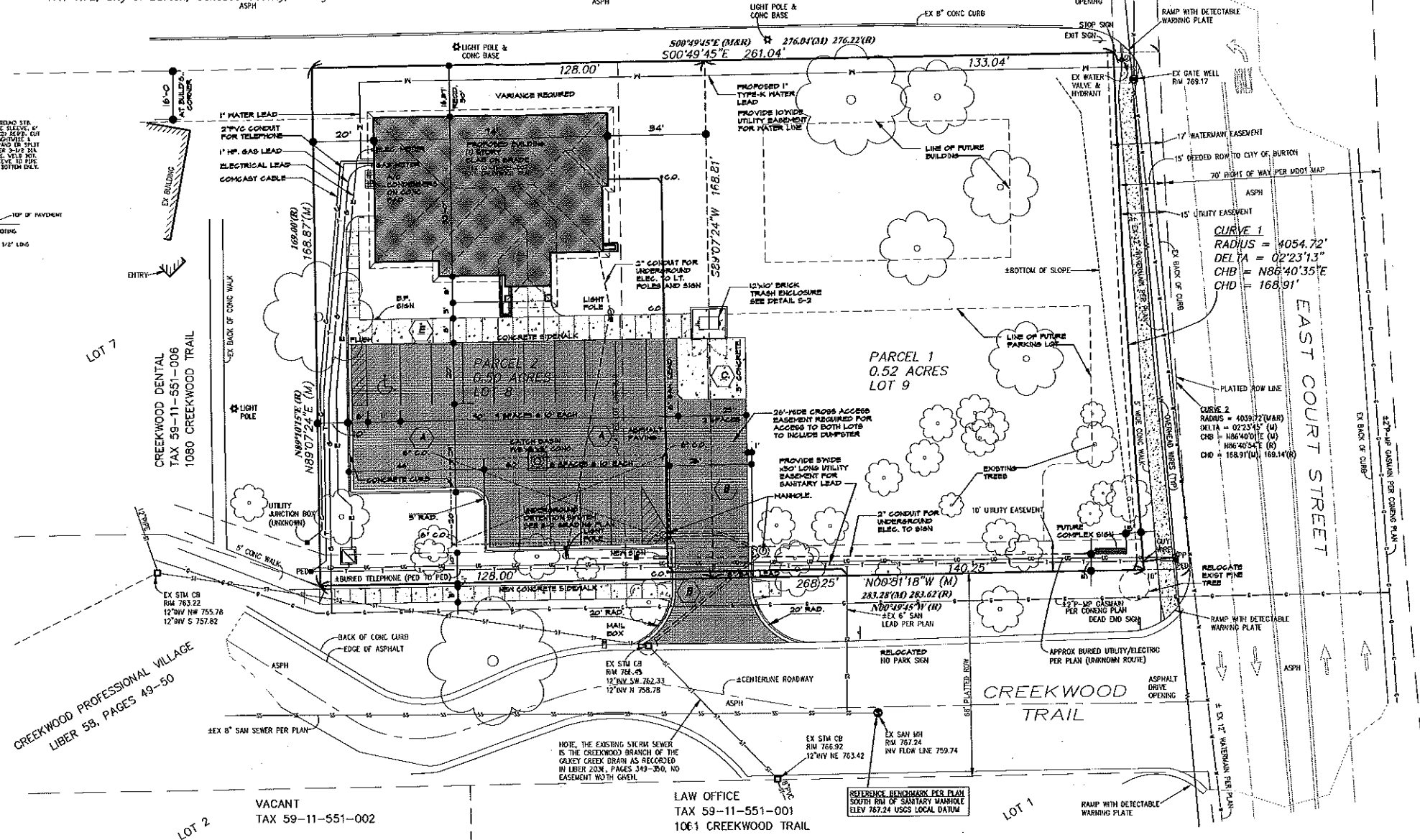
MANDATORY ATTENDANCE AT THE ABOVE MEETING IS ACKNOWLEDGED BY THE APPLICANTS SIGNATURE.

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

ALL BUILDING WITHIN COMPLEX ARE 17' OR LESS ON REAR SETBACK
WE ABUT COMMERCIAL ZONING. ADHERING TO SET BACK WOULD
NOT ALLOW SEPARATION OF LOTS.



PARCEL 2
Lot 8 and the North 28.00 feet of Lot 9 of CREEKWOOD PROFESSIONAL VILLAGE, according to the recorded Plat thereof as recorded in Liber 58 of Plats on Pages 49 and 50, Genesee County, Michigan Records. All being part of Section 11, T7N-R7E, City of Burton, Genesee County, Michigan.



SESG APPLICATION & ASSOCIATED FEES
TO BE PAID BY CONTRACTOR PRIOR
TO START OF CONSTRUCTION

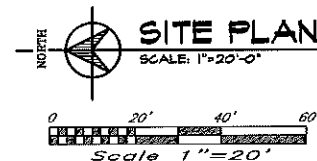
CCIP CHARGES ARE TO BE PAID FOR THE
WATER AND SANITARY SERVICES BY THE
CONTRACTOR PRIOR TO START OF CONSTRUCTION

CONTRACTOR MUST OBTAIN A PERMIT FROM
THE GENESSEE COUNTY WATER & WASTE DIVISION
PRIOR TO ANY RELOCATION OF FIRE HYDRANTS,
AND ANY MANHOLE ADJUSTMENTS.

SANITARY SEWER TO BE CONNECTED W/
NEW 6" SDR-26 PVC SAN. LEAD.
THE DEVELOPER SHALL
OBTAIN THE REQUIRED MUNICIPALITY SANITARY
SEWER PERMIT AND PAY THE DIVISION OF WWS
THE REQUIRED FEE.

SEE DETAIL NO. SD-3 ON GCMWS DETAIL SHIT
FOR SANITARY SEWER CONNECTION

PROVIDE SANITARY SEWER CLEANOUTS
EVERY 40' MAX. AND AT ALL BENDS
(SEE PLAN FOR LOCATIONS)



Know what's below.
Call before you dig.

SITE DATA
 PRESENT ZONING _____ R0 (RESTRICTED OFFICE)
 ADJACENT ZONING _____ G2 (GENERAL COMMERCIAL)
 PROPERTY SIZE _____ 126.0'x168.81'
 21612 SQ. FT. = .50 ACRES
 BUILDING AREA _____ 3,494 SQ. FT.
 UNDER 50 OCCUPANT LOAD
 % OF LAND COVERAGE _____ 16% BUILDING
 80% HARD SURFACE INCLUDING
 BUILDING
 PARKING REQD. _____ ONE (1) SPACE PER EVERY 200 SQ. FT.
 OF GROSS FLOOR AREA =17 SPACES
 PARKING _____ 17 SPACES INCLUDING (1) BARRIER FREE
 PROVIDED SPACE
 DUMPSTER _____ DUMPSTER PICK UP BEFORE BUSINESS
 PICK UP HOURS

PROJECT NEW OFFICE BUILDING for WALKER JUNE CALHOUN CPA's CREEKWOOD TRAIL BURTON, MI.	SHEET TITLE SITE PLAN MISC DETAILS		CREEKWOOD ARCHITECTURE, INC. 11111 s. creekwood burton, michigan 48509 tel (810) 742-0480 fax (810) 742-8393	REVISIONS
JOB NO. 190001-0 DATE 12 OCT 2019 SHEET NO.	19			

BURTON

E.1.a



Attachment: Back up 16-01 (2189 : ZBA #16-01)