



CITY OF BURTON

BURTON ZONING BOARD OF APPEALS MEETING

OCTOBER 15, 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

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

D. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Sep 17, 2015 5:00 PM

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

E. VARIANCE

1. ZBA #15-24

By: Holy Redeemer Catholic Church
1227 Bristol Rd.
Burton, MI 48529

Re: 1227 Bristol Rd., Burton, MI 48529

59-30-300-014

For: To conduct an outdoor recreational event for the parish festival on June 1st thru 5th, 2016.

Kenneth Jubar, Business Manager for Holy Redeemer Catholic Church in Burton stated the outreach program provides food and money to Burton and Flint families. Last year, the church serviced over 3,900 people. We handed out more than \$32,000 in food. We also made over 1700 distributions of toiletries to the homeless. This festival helps fund this outreach program. We are trying to make a difference in the community.

The commission received comments from the following residents:

Deb Walton of Burton disagrees with the festival due to vandalism, break-ins, vagrancy and noise.

Lisa Williams of Burton disagrees because of the noise, bad language and trash.

Mrs. Abbey suggested to add the number of years in the motion and recommends approval.

Mr. Haskins asked that the dumpsters be placed somewhere away from the residential property behind the church.

Mr. Jubar stated yes.

Council discussion on the hours of operation; they will be Wednesday, Thursday, and Sunday until 9:00 PM, Friday and Saturday until midnight.

2. Motion to Approve a One Year Permit for Five Days with No Beer Tent and Police Officers at the Recommendation of the Burton Police Chief.

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

3. ZBA #15-25

By: Amanda Grove
4394 Pebble Creek Blvd.
Grand Blanc, MI 48439

Re: 4394 Pebble Creek Blvd. Grand Blanc, MI 48439
59-35-578-019, R-1A Zoned

For: To construct a deck that will be 28' from the rear property line, 35' required

Amanda Grove of Grand Blanc wants to build a deck on the back of her house that is 28 feet from the rear property line instead of the required 35 feet because she has limited space.

Mrs. Abbey recommends approval.

4. Motion to Approve the Construction of a Deck that will be 28 ft. from the Rear Property.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Duane Haskins, Council Representative
SECONDER:	Terry Parker, Commissioner
AYES:	Haskins, Walls, Parker, Parker, Hynes, Weatherford, Welch
EXCUSED:	Rapacz, Olsen

5. ZBA #15-26

By: Denise Dostilio
2292 N. Belsay Rd.
Burton, MI 48509

Re: 2292 N. Belsay Rd. Burton, MI 48509
59-01-100-040, R-1A Zoned

For: To construct an additional house on a single family residential zoned property, only 1 house allowed

Denise Dostilio of Burton stated her sister had a head injury and has memory loss. She would like to construct the house for her to enable independent living in a way that she can be supervised. There will be alarms and cameras. She submitted a drawing of the proposed plan.

Mrs. Abbey stated the property is elevated from the road and it will not be an eye sore but an improvement. She recommends approval.

Board discussion regarding building an addition to the existing structure instead of a separate dwelling.

Ben High from High Construction Company in Davison stated the size, layout and trees on the property do not allow for an addition.

Board discussion on taxes and property value.

6. Motion to Approve Construction of an Additional House on a Property; Two Houses, One Parcel.

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

7. 1878 : ZBA #15-27 .

By: New Testament Church
3484 S. Belsay Rd.
Burton, MI 48519

Re: 3484 S. Belsay Rd. Burton, MI 48519
59-26-400-018, SE Zoned

For: To construct an addition to the parking lot without the installation of a required sidewalk.

David Graves, Lead Pastor and President of New Testament Church in Burton stated he is asking for a variance until an adjoining property is developed. The reasons for a variance are financial and public safety.

Mrs. Abbey stated this area is zoned SE, residential so the administration recommends approval.

Board discussion on City ordinance and the year sidewalks became a requirement.

8. Motion to Approve the Contruction of an Addition to the Existing Parking Lot Without the Sidewalk Requirement until an Adjoining Property and Sidewalk are Developed.

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

9. ZBA #15-28

By: Rick Rubio
9225 Perry Road.
Grand Blanc, MI 48439

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

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

Attorney Bruce Leach of Burton is representing Mr. Rubio. He stated the only issue is

the non-conforming property owned by the Delduca's that is located across the street. There will be no negative impact on their property or anyone around there. This will be a grow-only facility with no foot traffic and no risk.

The board received comments from the following:

Ella Delduca of Burton owns the property across the street. Her daughter and her three grandsons live there. She does not want a grow facility in her neighborhood.

Reverend Gregory Rowe from Atherton United Methodist Church in Burton is against this variance due to safety issues, air quality and the welfare of our youth.

Jessie Beaudin of Capac stated this really helps people and he is all for it.

Mr. Haskins called point of order. He stated this is about the variance not good/bad effects of marijuana.

Corey Garman of Burton is in support of this variance.

Mrs. Abbey stated the issue is the set back from the residential home. The owners are here to dispute it so we recommend denial.

10. Motion to Approve a Medical Marijuana Facility within 200 ft. of a Residential Home.

RESULT:	FAILED [2 TO 5]
MOVER:	Robert Walls, Planning Chairman
SECONDER:	Scott Hynes, Commissioner
AYES:	Parker, Parker
NAYS:	Haskins, Walls, Hynes, Weatherford, Welch
EXCUSED:	Rapacz, Olsen

11. ZBA #15-29

By: Jason Christain
6247 Springdale Blvd.
Grand Blanc, MI 48439

Re: 1453 Walli Strasse Blvd. Burton, MI 48509
59-15-553-001, M-1 Zoned

For: 1. To conduct a medical marijuana grow facility that will be within 1000' of three churches. 2. To conduct a medical marijuana grow facility that will be within 200' of a residential district.

Jason Christain of Grand Blanc has a background in clinical research at University of Michigan. He has developed three strains of marijuana. One of these is THCA which is non psycho active meaning it doesn't get you high. It is an anti-inflammatory 20 times stronger than aspirin. His partner, Michael is legally blind. In Michael, this chemical (THCA) has restored his peripheral vision. Currently, there is no other cure

for Michael. This building has been vacant for a year. Upon approval of this variance, we will invest another \$100,000.00 in the building. It will be 100% in compliance with laws and regulations. There will be no outside signage. It is clean and professional. The smell will go through proper filtration as we are investing \$20,000 in a filtration system. There will be a 24 hour monitored surveillance system with 12 cameras. Mr. Christian provided maps of the area to demonstrate distances from proposed property to each church building. He stated there will be no additional traffic on Walli Strasse Drive.

The board received comments from the following:

Patricia Crowder of Swartz Creek, CEO of Trialon Corporation stated her business is adjacent to the property. She stated they are the last automotive company left in the area and are long time stewards of the Burton community. She is against this variance.

Les Hadden of Lake Fenton, President of Trialon stated he is opposed to the variance because of the negative perception it may give to his customers who are Presidents of major corporations all over the world.

Mr. Welch read a letter of opposition into the record from M.H. Al-Midani, MD., F.A.C.P.

Mrs. Abbey stated it is about the residents in the area. They have objections so we recommend denial.

Board discussion on the city ordinance as it pertains to marijuana and how we compare with other municipalities.

12. Motion to Approve a Medical Marijuana Grow Facility within 1000' of two Churches and within 200' of a Residential District.

RESULT:	FAILED [0 TO 7]
MOVER:	Robert Walls, Planning Chairman
SECONDER:	Tracy Parker, Commissioner
NAYS:	Haskins, Walls, Parker, Parker, Hynes, Weatherford, Welch
EXCUSED:	Rapacz, Olsen

F. AUDIENCE PARTICIPATION

None.

G. BOARD DISCUSSION

Mr. Welch stated there is a Special Zoning Board of Appeals Meeting on November 5, 2015 at 5:00 PM. We are also taking letters of interest for term renewals for the Zoning Board of Appeals.

Clerk's office will send the Zoning Board information for the upcoming Zoning Amendment Seminar.

The next regularly scheduled meeting will be held on Thursday, November 19, 2015 at 5:00 PM.

Meeting was adjourned at 6:47 PM.



CITY OF BURTON

BURTON ZONING BOARD OF APPEALS MEETING

SEPTEMBER 17, 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	Excused	
Tracy Parker	Commissioner	Present	
Scott Hynes	Commissioner	Present	
Bobbie Weatherford	Commissioner	Present	
Steve Welch	Commissioner	Present	
Tim Rapacz	Alternate Commissioner	Present	
Robert Olsen	Alternate Commissioner	Excused	

C. STAFF PRESENT

Amber Abbey - Planning and Zoning
Teri McCrea - Clerk's Office

D. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Aug 20, 2015 5:00 PM

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

E. VARIANCE

1. 1818 : ZBA #15-22 Motion to approve To Construct a Garage that will extend into the front yard of Valley Forge Corner Lot.

By: Leland Welch
2103 Valley Forge Dr.
Burton, MI 48519

Re: 2103 Valley Forge Dr.
Burton, MI 48519
59-24-501-175, R-1C Zoned

For: To construct a garage that will extend into the front yard of Crabtree,
corner lot.

Mr. Welch of Burton spoke briefly, clarified mix up in address, is on Valley Forge and not Crabtree.

Mrs. Abbey stated the location of the house on the subject lot is in a peculiar spot and makes this situation a prime candidate for a variance, and recommends approval.

Mr. Walls questioned what would be considered his front yard.

Mrs. Abbey referred to the drawings provided and added lines to indicate where the front yard is. Only a portion of the garage would extend into the front yard.

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

2. 1819 : ZBA #15-23 Applicant was a now show, motion to postpone item to October 15th Meeting.

By: Jasbir Singh
6101 Quartz Ln.
Grand Blanc, MI 48439

Re: 4396 S. Dort Hwy.
Burton, MI 48529
59-32-400-029, C-2 Zoned

For: To conduct an M-2 General Industrial special use in a C-2 General Business
zone for the overnight storage of semi-trucks.

Applicant not present, Mr. Welch stated it would be postponed to October's meeting.

Mr. Walls indicated it was standard for the board to provide 1 additional opportunity for the applicant to present their case and postponement in this case is warranted.

Mrs. Abbey stated a motion to postpone and vote is needed.

RESULT:	POSTPONED [UNANIMOUS]	Next: 10/15/2015 5:00 PM
MOVER:	Robert Walls, Planning Chairman	
SECONDER:	Bobbie Weatherford, Commissioner	
AYES:	Haskins, Walls, Parker, Hynes, Weatherford, Welch, Rapacz	
EXCUSED:	Parker, Olsen	

F. AUDIENCE PARTICIPATION

None.

G. BOARD DISCUSSION

Mr. Welch requested an updated contact list for the Zoning Board of Appeals member with term expiration dates.

The next regularly scheduled meeting will be held on Thursday, October 15th, 2015, at 5:00 p.m.

Meeting was adjourned at 5:10 PM.

Minutes Acceptance: Minutes of Sep 17, 2015 5:00 PM (Approval of Minutes)



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1875)

Meeting: 10/15/15 05:00 PM

Department: Department of Public Works

Category: Variance

Prepared By: Amber Abbey

Department Head: Rachael Boggs

E.1

DOC ID: 1875

ZBA #15-24

By: Holy Redeemer Catholic Church
1227 Bristol Rd.
Burton, MI 48529

Re: 1227 Bristol Rd., Burton, MI 48529
59-30-300-014

For: To conduct an outdoor recreational event for the parish festival on June 1st thru
5th, 2016.

ATTACHMENTS:

- Back up 15-24 (PDF)



ORIGINAL

E.1.a

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

Date Filed: 8-31-15
Fee Paid: 450.00
Receipt #: _____
Check #: 014808
Received by: AA
Date Mailed: 9-28-15

ZBA Case #: 15-24 5 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: October 15, 2015 AT 5:00 P.M.

APPLICANTS NAME: Holy Redeemer Catholic Church

APPLICANTS ADDRESS: 1227 E. Bristol Road,

CITY: BURTON, MI 48529

APPLICANTS PHONE: 810-743-3050

ADDRESS AND PARCEL OR LOT NUMBER: 1227 E. Bristol Road

BURTON, MI 48529 59-30-300-014

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: That we be Allowed To Hold Our
Parish Festival ON JUNE 1, 2, 3, 4,
AND 5 OF 2016.

APPLICANTS SIGNATURE: Kenneth A. Jubas Business Mgr
Kenneth A. Jubas

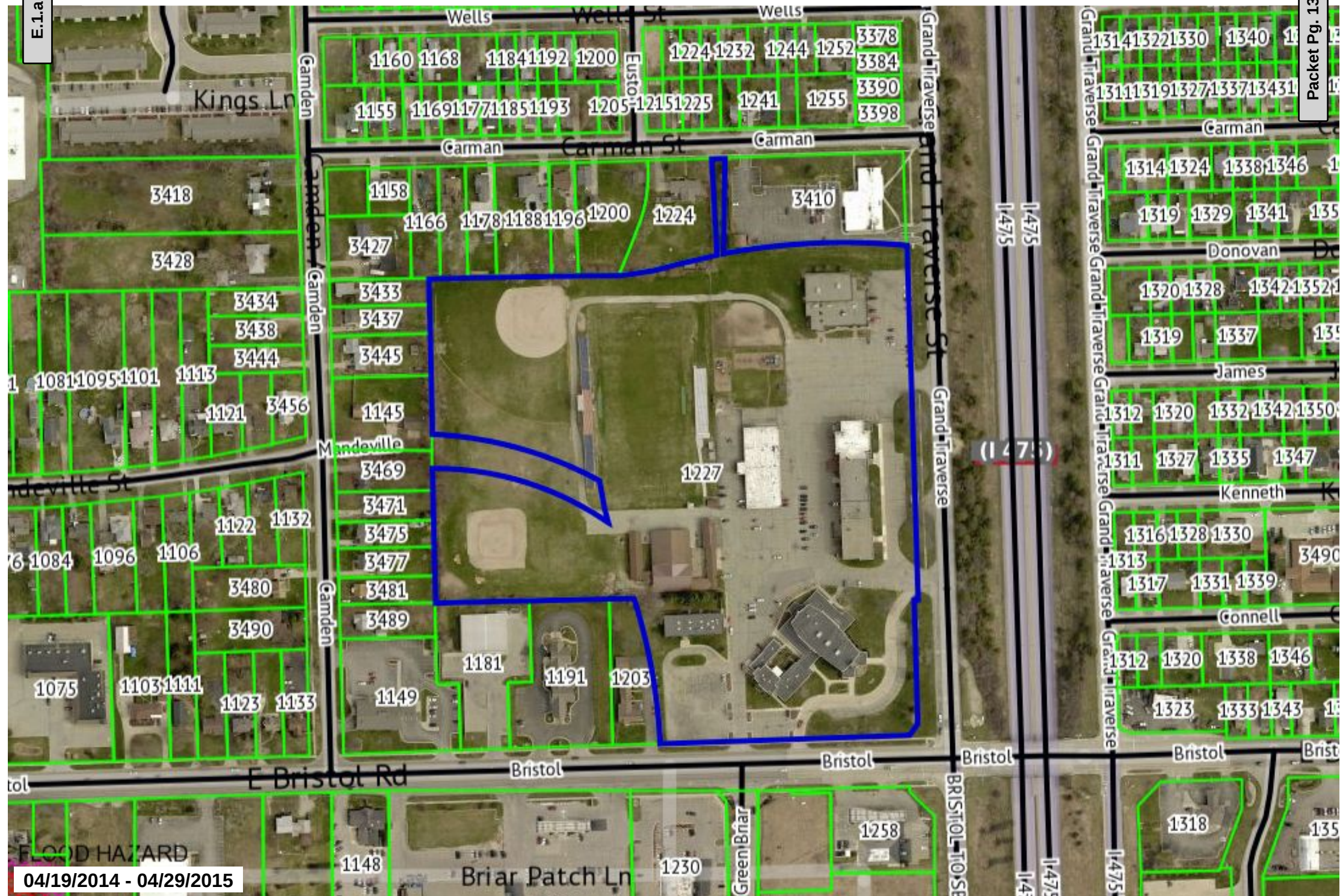
MANDATORY ATTENDANCE AT THE ABOVE MEETING IS ACKNOWLEDGED BY THE
APPLICANTS SIGNATURE.

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

Our Parish Festival is our one big Fund
Raiser For Holy Redeemer.

Sent to Burton new 9-21-15

Attachment: Back up 15-24 (1875 : ZBA #15-24)





Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1876)

Meeting: 10/15/15 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Amber Abbey
Department Head: Rachael Boggs

E.3

DOC ID: 1876

ZBA #15-25

By: Amanda Grove
4394 Pebble Creek Blvd.
Grand Blanc, MI 48439

Re: 4394 Pebble Creek Blvd. Grand Blanc, MI 48439
59-35-578-019, R-1A Zoned

For: To construct a deck that will be 28' from the rear property line, 35' required

ATTACHMENTS:

- Back up 15-25 (PDF)



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

Date Filed: 9-3-14
 Fee Paid: 250.00
 Receipt #: _____
 Check #: 1176
 Received by: AM
 Date Mailed: 9-28-15

ZBA Case #: 15-25 4 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: October 15th, 2015 AT 5:00 P.M.

APPLICANTS NAME: Amanda Grove

APPLICANTS ADDRESS: 4394 Pebble Creek Blvd.

CITY: Grand Blanc (mailing) City of Burton

APPLICANTS PHONE: 734-845-6395

ADDRESS AND PARCEL OR LOT NUMBER: 4394 Pebble Creek Blvd, Grand Blanc, MI 484
Lot #19 Trail Ridge Estates 59-35-578-019 R-1A 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: A deck to be built passed the 35' setback line.

To construct a deck that will be 28' from the rear property line, 35' required.

APPLICANTS SIGNATURE: Amanda Grove

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

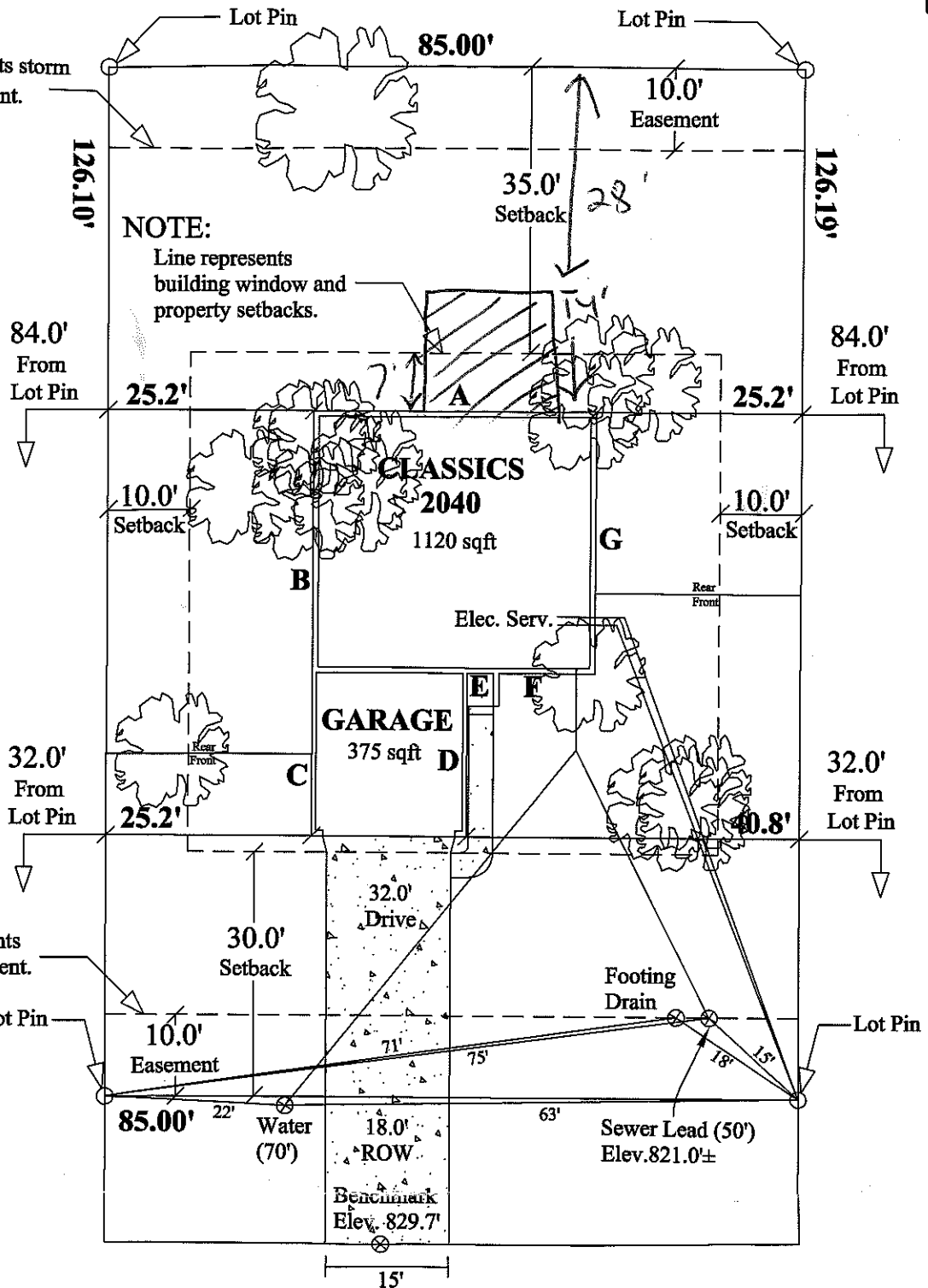
APPLICANT: Please explain your hardship or reason this variance is needed.

A deck off my home would increase the value of the area. I couldn't make use of a deck 7' so I am asking I can build passed the line 7 more feet.

Attachment: Back up 15-25 (1876 : ZBA #15-25)

NOTE:

Line represents storm
sewer easement.

**NOTE:**

Version 7.0

Scale: 1" = 20'-0"
Date: February 10, 2015
Front Yard: 4715 sqft
Rear Yard: 5200 sqft
Lot Coverage: 15%

SITE PLAN
LOT #19 TRAIL RIDGE
4394 PEBBLE CREEK BOULEVARD

ALLEN EDWIN HOMES
2186 EAST CENTRE
PORTAGE, MI 49002

ALLEN
EDWIN
HOMES

We value what you value.

Attachment: Back up 15-25 (1876 : ZBA #15-25)



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1877)

Meeting: 10/15/15 05:00 PM

Department: Department of Public Works

Category: Variance

Prepared By: Amber Abbey

Department Head: Rachael Boggs

E.5

DOC ID: 1877

ZBA #15-26

By: Denise Dostilio
2292 N. Belsay Rd.
Burton, MI 48509

Re: 2292 N. Belsay Rd. Burton, MI 48509
59-01-100-040, R-1A Zoned

For: To construct an additional house on a single family residential zoned property,
only 1 house allowed

ATTACHMENTS:

- Back up 15-26 (PDF)

Due back by 9-18

E.5.a



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

Date Filed: 9-4-15
Fee Paid: \$450.00
Receipt #: _____
Check #: 1082
Received by: AA
Date Mailed: 9-28-15

ZBA Case #: 15-26 4 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: October 15th AT 5:00 P.M.

APPLICANTS NAME: Denise Destilio

APPLICANTS ADDRESS: 2292 N. Belsay Rd.

CITY: Burton

APPLICANTS PHONE: 810-429-8691

ADDRESS AND PARCEL OR LOT NUMBER: same Prop. # 59-01-100-040
R-1A 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 construct an additional house
on a property, Two houses one parcel.

APPLICANTS SIGNATURE: Denise Destilio

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

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

Please see attached.

Attachment: Back up 15-26 (1877 : ZBA #15-26)

I am requesting this variance to construct an "in-law" single story dwelling on my property for my 68 year old handicapped sister. At age 15, Carolyn was struck by a car which left her with a closed head injury, limp, and minor paralysis on her left side. Her closed head injury has resulted in short term memory loss. Carolyn currently utilizes a cane for stability but will soon be required to use a walker. Until approximately 3 years ago, Carolyn lived with and cared for our mother, who passed away in February, 2013. Carolyn does well with her activities of daily living as routines are established. While she very much wants to continue to live on her own, I feel that it is in her best interest to have more supervised surroundings. We have discussed her living in an assisted living facility, but Carolyn is vehemently opposed to this as she wants to continue to live independently. I have concerns that she would have a more rapid decline if she were living in an assisted living as she would be doing less for herself. Carolyn has never been able to drive, so I take her to all of her appointments, social events as well as spend time with her regularly doing her grocery shopping, personal shopping, eating out and general socialization. I also manage all of her finances and maintenance on her current condo. I will continue these responsibilities while she lives closer to me. My current home is older, very small and not equipped with the room that she will require managing a walker (and possibly a wheel chair in future years). The dwelling that we are looking to build for her will be ADA compliant and a comfortable and safe home for Carolyn. It will enable me to check on her more regularly while offering her independence. We fully intend to install an intercom type communication device as well as home security alarm and cameras.

I am confident that with using both Creekwood Architecture Inc. and Hyatt Construction, we will have an addition to the property that is both esthetically pleasing and fits within the current design of the existing home.

In closing, let me state that I am all Carolyn has for a caregiver. I am the most familiar with her abilities, disabilities and limitations and have only ever wanted what was best for her. I truly believe that with Carolyn living with me on my property, will be the safest and overall best living situation for her.

Sincerely,



Denise Dostilio
2292 N. Belsay Rd.
Burton, MI 48509
810-429-8691

Attachment: Back up 15-26 (1877 : ZBA #15-26)





Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1878)

Meeting: 10/15/15 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Amber Abbey
Department Head: Rachael Boggs

E.7

DOC ID: 1878

ZBA #15-27

By: New Testament Church
3484 S. Belsay Rd.
Burton, MI 48519

Re: 3484 S. Belsay Rd. Burton, MI 48519
59-26-400-018, SE Zoned

For: To construct an addition to the parking lot without the installation of a required sidewalk.

ATTACHMENTS:

- Back up 15-27 (PDF)

Due by Sept 18th

E.7.a



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

Date Filed: 9-18-15
Fee Paid: 450.00
Receipt #: _____
Check #: 7625
Received by: AA
Date Mailed: _____

ZBA Case #: 15-27 4 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: October 15th AT 5:00 P.M.

APPLICANTS NAME: NEW TESTAMENT CHURCH LAVERN MORSE

APPLICANTS ADDRESS: 3484 BELSAY RD 4422 E. VIENNA RD
BURTON MI 48519 610 MI 48420

APPLICANTS PHONE: 810 577 4603

ADDRESS AND PARCEL OR LOT NUMBER: 3484 BELSAY RD
59-26-400-018

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 an addition to the
parking lot with out putting in sidewalks

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.

ZONING AT BOTH ENDS OF PROPERTY CONECTING TO NEIGHBORS
IS RESIDENTIAL, THERE FOR SIDEWALK WILL LEED NOWHERE
BUT IF OTHER PROPERTY'S CONECTING TO OURS ARE EVER
DEVELOPED AND SIDEWALKS ARE REQUIRED WE WILL ADD TO
THEM AT THAT POINT CREATING A SIDEWALK FOR PRINTS
AND CODES

Attachment: Back up 15-27 (1878 : ZBA #15-27)

GENERAL NOTES

1. THREE (3) WORKING DAYS PRIOR TO ANY EXCAVATION, THE CONTRACTOR SHALL TELEPHONE MISS DIG (800-482-7171) FOR THE LOCATION OF UNDERGROUND GAS AND CABLE FACILITIES AND SHALL NOTIFY REPRESENTATIVES OF OTHER UTILITIES LOCATED IN THE VICINITY OF THE WORK. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY AND/OR OBTAIN ANY INFORMATION NECESSARY REGARDING THE PRESENCE OF UNDERGROUND UTILITIES THAT AFFECT THIS JOB.
2. CHMP, INC. SHALL NOT BE RESPONSIBLE FOR MEANS, METHODS, PROCEDURES, TECHNIQUES, OR SEQUENCES OF CONSTRUCTION, NOR THE SAFETY ON THE JOB SITE, NOR SHALL CHMP, INC. BE RESPONSIBLE FOR THE CONTRACTOR'S FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH THESE DOCUMENTS.
3. THE CONTRACTOR SHALL INDEMNIFY AND HOLD HARMLESS THE OWNER, ENGINEER, CITY OF BURTON, GENESEE COUNTY, AND THE STATE OF MICHIGAN FROM ALL LIABILITIES FOR INJURY TO PERSONS, OR DAMAGE TO OR LOSS OF PROPERTY, OR ANY OTHER LOSS, COST OR EXPENSE, AS A RESULT OF THE ACTIONS OF THE CONTRACTOR, HIS EMPLOYEES, AGENTS, OR SUBCONTRACTORS.
4. THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT LOCATION AND ELEVATION OF EXISTING UTILITIES AND PROPOSED UTILITY CROSSINGS IN THE FIELD PRIOR TO CONSTRUCTION. FURTHER, THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES, WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
5. THE CONTRACTOR SHALL OBTAIN A PERMIT FROM THE CITY OF BURTON FOR ALL WORK PERFORMED WITHIN THE PUBLIC ROAD RIGHT-OF-WAY, INCLUDING APPLICATION, FEES, BONDS, AND INSURANCE.
6. THE CONTRACTOR SHALL NOTIFY THE PERMIT ISSUING AGENCIES THREE (3) DAYS PRIOR TO CONSTRUCTION FOR REQUIRED INSPECTIONS. THE CONTRACTOR SHALL PAY FOR ALL NECESSARY PERMITS, BONDS, AND INSURANCE.
7. ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE CITY OF BURTON, GENESEE COUNTY DRAIN COMMISSION, AND MICHIGAN DEPARTMENT OF TRANSPORTATION. WORKMANSHIP AND MATERIALS FOR ALL BITUMINOUS PAVING SHALL BE IN ACCORDANCE WITH MDOT STANDARD SPECIFICATIONS, 2012 EDITION.
8. PAVEMENT MARKINGS SHALL BE PROVIDED IN ACCORDANCE WITH MDOT SPECIFICATION, SECTION 811.
9. CONTRACTOR SHALL KEEP ALL PHASES OF CONSTRUCTION CLEAN OF CONSTRUCTION MATERIALS, STOCKPILES, AND DEBRIS.
10. THE CONTRACTOR SHALL COMPLY WITH ALL PROVISIONS OF ACT 451 OF 1994 SOIL EROSION AND SEDIMENTATION, AND WILL BE RESPONSIBLE FOR ALL MAINTENANCE UNTIL THE FINAL ACCEPTANCE OF THE PROJECT.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANING UP THE PREMISES, AND UPON COMPLETION OF THE PROJECT, LEAVE THE SITE IN AN ACCEPTABLE CONDITION AS DETERMINED BY THE LOCAL MUNICIPALITY.
12. EXISTING SURFACE DRAINAGE SHALL BE MAINTAINED AT ALL TIMES.

SOIL EROSION/SEDIMENT CONTROL NOTES

1. CONSTRUCTION OPERATION SHALL BE SCHEDULED AND PERFORMED SO THAT PREVENTATIVE SOIL EROSION CONTROL MEASURES ARE IN PLACE PRIOR TO EXCAVATION IN CRITICAL AREAS AND TEMPORARY STABILIZATION MEASURES ARE IN PLACE IMMEDIATELY FOLLOWING BACKFILLING OPERATIONS.
2. SPECIAL PRECAUTIONS SHALL BE TAKEN IN THE USE OF CONSTRUCTION EQUIPMENT TO PREVENT SITUATIONS THAT PROMOTE EROSION.
3. CLEANUP SHALL BE DONE IN A MANNER TO ENSURE THAT EROSION CONTROL MEASURES ARE NOT DISTURBED.
4. THE PROJECT SHALL CONTINUALLY BE INSPECTED FOR SOIL EROSION AND SEDIMENT CONTROL COMPLIANCE. DEFICIENCIES SHALL BE CORRECTED BY THE CONTRACTOR WITHIN 24 HOURS.
5. PERMANENT STABILIZATION SHALL BE COMPLETED WITHIN 5 DAYS OF FINAL GRADE. IF PERMANENT STABILIZATION CANNOT BE COMPLETED WITHIN 5 DAYS, TEMPORARY SOIL EROSION CONTROL MEASURES MUST REMAIN IN PLACE AND BE MAINTAINED UNTIL PERMANENT STABILIZATION IS ACHIEVED.
6. THE CONTRACTOR SHALL CONFORM TO PART 91 OF ACT 451 OF THE PUBLIC ACTS OF 1994 OF THE MICHIGAN COMPILED LAWS ENTITLED "THE SOIL EROSION AND SEDIMENT CONTROL ACT" DURING CONSTRUCTION AND CURRENT LOCAL ORDINANCES FOR EROSION AND SEDIMENTATION CONTROL.
7. SILT FENCE LOCATION IS ALSO THE PHYSICAL LIMITS OF THE PROPOSED EARTH CHANGE.
8. BURLAP IS NOT ALLOWED AND STRAW BALES CAN ONLY BE USED TO BACKUP SILT FENCES.
9. THE GROSS ACREAGE OF THE SITE IS 1.188 ACRES. THE GROSS ACREAGE DISTURBED IS 1.0 ACRES.
10. THE CONTRACTOR SHALL PAY A FEE AND A BOND IS REQUIRED PRIOR TO ISSUANCE OF THE SOIL EROSION AND SEDIMENTATION CONTROL PERMIT.
11. THE BOND RELEASE CONDITIONS FOR VEGETATIVE STABILIZATION ARE 97% COVER AND ONE INCH IN GROWTH. THE BOND SHALL NOT BE RELEASED UNTIL THE SITE IS PERMANENTLY STABILIZED.
12. ON ALL SIDE SLOPES OF THE DETENTION BASIN AND THE RE-ROUTED SWALE PLACE STRAW BLANKET MULCH 0.5 LBS/ SY WITH A PHOTODEGRADABLE NETTING ON TOP SIDE SEWN ON 2 INCH CENTERS. FOR SLOPES EXCEEDING 3:1 USE A STRAW BLANKET WITH NETTING ON BOTH SIDES SEWN ON 2 INCH CENTERS.
13. ALL PROPOSED AND EXISTING CATCH BASINS SHALL BE PROTECTED.

SOIL EROSION CONTROL SEQUENCE

1. INSTALL ALL TEMPORARY EROSION AND SEDIMENTATION CONTROL MEASURES.
2. EXCAVATE SITE TO REMOVE ORGANIC MATERIALS.
3. INSTALL STORM DRAINAGE SYSTEM, INCLUDING PARKING LOT INLET FILTERS.
4. MAINTAIN EROSION AND SEDIMENTATION CONTROL MEASURES, AS REQUIRED.
5. BACKFILL SITE WITH ENGINEERED FILL.
6. BRING PAVEMENT AREAS TO SUB-BASE GRADE AND INSTALL CONCRETE CURB AND GUTTER.
7. INSTALL PAVEMENT COMPLETE, REPAIR OR REPLACE INLET FILTER AS REQUIRED.
8. FINISH GRADE, DISTRIBUTE TOP SOIL, SEED AND MULCH ALL DISTURBED AREAS (PERMANENT STABILIZATION) WITHIN 5 DAYS OF FINAL GRADE.
9. REMOVE ALL TEMPORARY SOIL EROSION AND SEDIMENTATION CONTROL MEASURES.

SOIL EROSION/SEDIMENT CONTROL MAINTENANCE

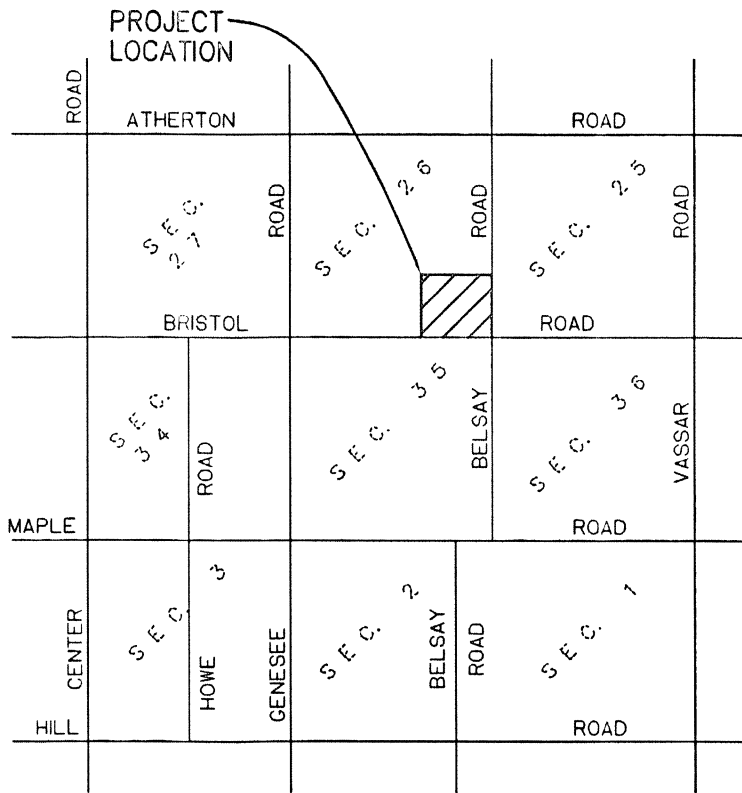
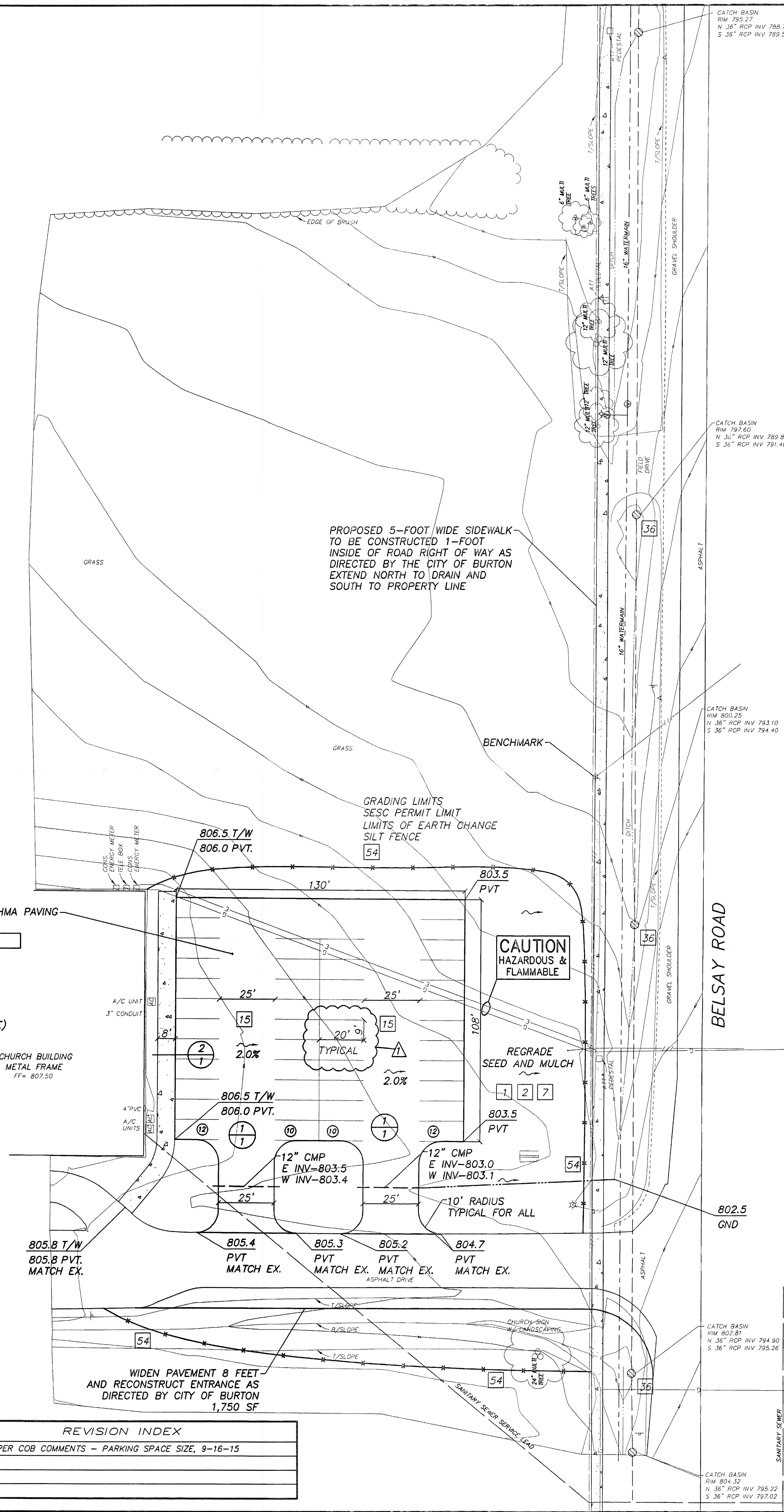
1. CONTRACTOR SHALL INSPECT THE SOIL EROSION/SEDIMENT CONTROL DEVICES ONCE EACH WEEK AND/OR WITHIN 24 HOURS OF A PRECIPITATION EVENT WHICH RESULTS IN A STORM DISCHARGE FROM THE SITE. THE FOLLOWING STEPS SHALL BE IMPLEMENTED IF ANY DAMAGE HAS RESULTED FROM CONSTRUCTION OR WEAR.
2. SEEDING SHALL BE PREPARED ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS. THE CONTRACTOR/INSPECTOR SHALL INSPECT THE AREA AFTER SEEDING IS COMPLETED. AREAS THAT ARE BARE OR NOT MULCHED PROPERLY SHALL BE SPOT SEEDDED AND/OR RE-MULCHED.
3. SILT FENCE SHALL BE TRENCHED IN, BACK-FILLED, AND STAPLED OR STAKED ACCORDING TO THE MANUFACTURER'S SPECIFICATIONS. MAINTENANCE INCLUDES THE REMOVING OF BUILT-UP SEDIMENT WHEN THE SEDIMENT ACCUMULATES TO 1/3 THE HEIGHT OF THE FENCE. CONTRACTOR SHALL REMOVE, REPLACE, RETRENCH, OR RE-BACKFILL THE FENCE IF IT FAILS. CONTRACTOR SHALL RE-INSTALL IF ANY PORTION OF THE FENCING WAS DAMAGED BY CONSTRUCTION MACHINERY.
4. STOCK PILES SHALL BE SEEDDED AND MULCHED AND RESEEDDED IF SEEDING DOES NOT TAKE.
5. ACCESS ROADS SHALL BE MAINTAINED AS NECESSARY. TO KEEP THEM EFFECTIVE, NEW LAYERS OF STONE SHALL BE ADDED AS OLD LAYERS BECOME COMPACTED. STEPS SHALL BE TAKEN TO REPAIR IF RUTS OR POOLING WATER APPEAR.
6. INLET FILTERS SHALL BE INSPECTED FOR BUILD-UP OF SILT AND OTHER DEBRIS. THIS IS EVIDENT IF GEOTEXTILE/STONE STRUCTURE IS CAUSING FLOODING. MAINTENANCE SHALL CONSIST OF REMOVING OF SEDIMENTS WITH A STIFF BRISTLE BROOM OR SQUARE POINT SHOVEL. IF INLET FILTER IS BEYOND THIS LEVEL OF REPAIR, CONTRACTOR SHALL REPLACE BOTH THE STONE AND GEOTEXTILE FILTER.
7. ANY TRACKING OF MUD OR DIRT ONTO PUBLIC OR PRIVATE ROADS SHALL BE REMOVED PROMPTLY.
8. IF DUST BECOMES A PROBLEM, SPECIAL WATERING TECHNIQUES SHALL BE USED TO CONTROL DUST.
9. A TEMPORARY RISER PIPE SHALL BE PLACED AT THE OUTLET OF ALL SEDIMENT BASINS DURING CONSTRUCTION. PRIOR TO THE COMPLETION OF THE PROJECT, THE STONE AROUND THE STAND PIPE STRUCTURE SHALL BE REFRESHED WITH CLEAN STONE.



Know what's below.
Call before you dig.

LOCATION OF ALL UNDERGROUND UTILITIES AS SHOWN ARE APPROXIMATE. ALL LOCATIONS MUST BE FIELD VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION.

REVISION INDEX	
1.	PER COB COMMENTS - PARKING SPACE SIZE, 9-16-15

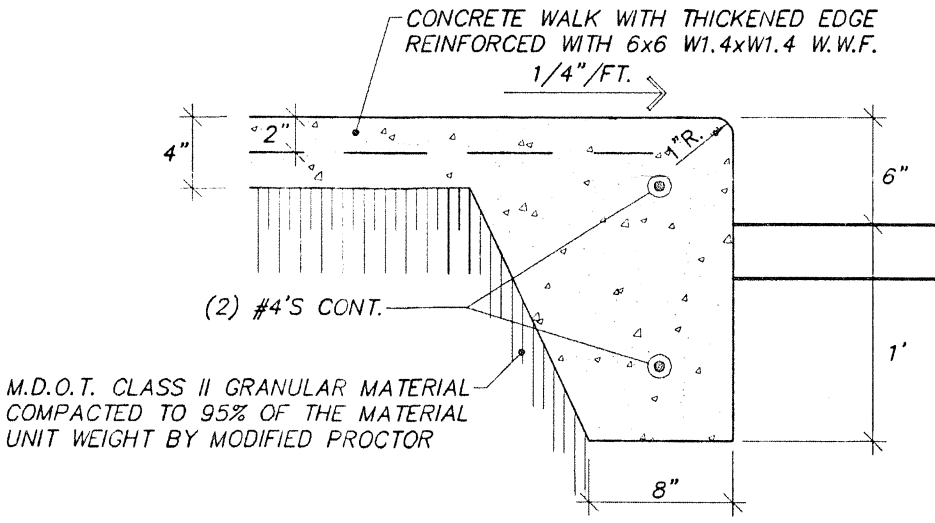


SITE LOCATION MAP
NOT TO SCALE

SOIL EROSION AND SEDIMENTATION CONTROL

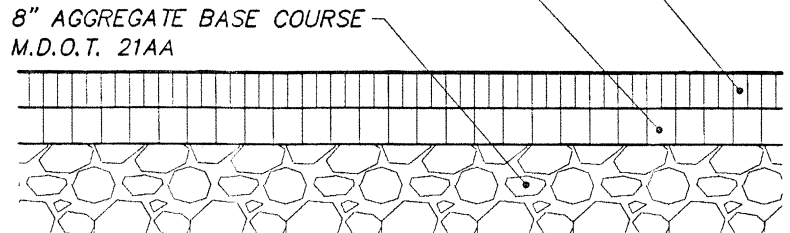
MICHIGAN UNIFIED KEYING SYSTEM

KEY	DETAIL	CHARACTERISTICS
1	Storm Water	Storm water shall be collected and stored in a catch basin to be used for irrigation or other purposes. It shall not be discharged to any water body.
2	Grass	Grass shall be planted in the area of the catch basin to prevent erosion.
7	Grass	Grass shall be planted in the area of the catch basin to prevent erosion.
15	Grass	Grass shall be planted in the area of the catch basin to prevent erosion.
33	Grass	Grass shall be planted in the area of the catch basin to prevent erosion.
54	Grass	Grass shall be planted in the area of the catch basin to prevent erosion.



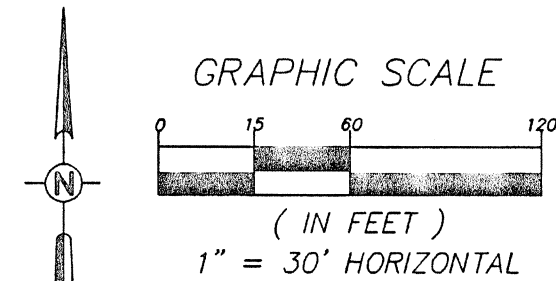
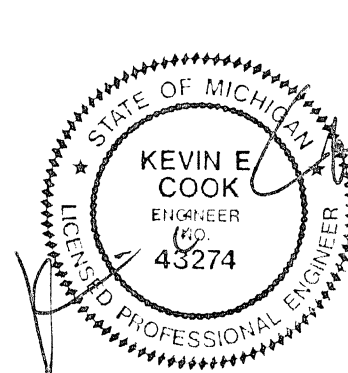
1-1/2" BITUMINOUS SURFACE COURSE
M.D.O.T. 36A (165 LBS/SYD)

2" BITUMINOUS LEVELING COURSE
M.D.O.T. 13A HMA (220 LBS/SYD)



HMA PAVING SECTION

NOT TO SCALE
SN=2.63

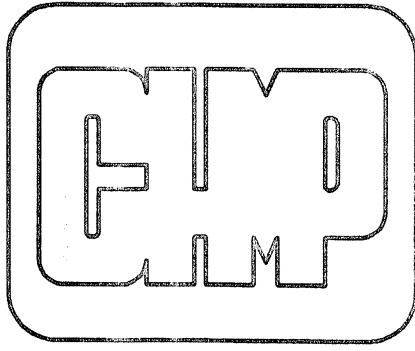


LEGEND

- STORM SEWER & MANHOLE
- SANITARY SEWER & MANHOLE
- WATERMAIN, HYDRANT, & VALVE
- GAS MAIN & VALVE
- BURIED TELEPHONE & MANHOLE
- UNDER GROUND ELECTRIC & MANHOLE
- OVERHEAD ELECTRIC POLE & GUY WIRE
- CATCH BASIN (CURB & ROUND)
- WATER MANHOLE
- FOUSE
- GUARD RAIL
- LIGHT POLE
- STREET SIGN
- WALKBOX
- MONITOR WELL

BENCHMARK
BENCHMARK #1 - SET MAG NAIL
IN WEST FACE OF POWER POLE
ELEVATION = 800.31 NAVD83

CHMP INC.
5188 TERRITORIAL ROAD
GRAND BLANC, MI 48408
TELEPHONE 810/686-5810



ARCHITECTURE
ENGINEERING
LANDSCAPE ARCHITECTURE
SURVEYING

THIS MATERIAL IS THE EXCLUSIVE
PROPERTY OF CHMP INC. AND CANNOT
BE REPRODUCED, COPIED, OR USED IN
ANY MANNER WITHOUT THE PRIOR
WRITTEN CONSENT OF CHMP INC.
© 2015

NEW TESTAMENT CHURCH - PARKING LOT EXPANSION

3484 BELSAY ROAD
BURTON, MICHIGAN 48519
SECTION 26, T7N, R7E, CITY OF BURTON, GENESEE COUNTY

PREPARED FOR

JIM RAYBURN
6044 MCCANDLISH ROAD
GRAND BLANC, MICHIGAN 48439
(810) 397-9357

PROJECT NO. 15002400
DATE DRAWN: 9-15-15
DATE REVISED: 9-17-15
AS-BUILT DATE:

SHEET NUMBER

1



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1879)

Meeting: 10/15/15 05:00 PM

Department: Department of Public Works

Category: Variance

Prepared By: Amber Abbey

Department Head: Rachael Boggs

E.9

DOC ID: 1879

ZBA #15-28

By: Rick Rubio
9225 Perry Road.
Grand Blanc, MI 48439

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

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

ATTACHMENTS:

- Back up 15-28 (PDF)



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

Date Filed: 9-18-15
 Fee Paid: \$450.00
 Receipt #: _____
 Check #: 7372
 Received by: [Signature] A
 Date Mailed: 9-28-15

ZBA Case #: 15-28 4 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: Oct., 15 2015 AT 5⁰⁰ P.M.

APPLICANTS NAME: Rick Rubio

APPLICANTS ADDRESS: 9225 Perry Rd., Grand Blanc, MI 48439

CITY: Burton, MI 48519

APPLICANTS PHONE: 810-391-3763

ADDRESS AND PARCEL OR LOT NUMBER: 4463 S. Dort Hwy., Burton MI
59-33-300-013, M-1 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 Conduct a medical marijuana
Grow facility that will within 200' of
a residential home

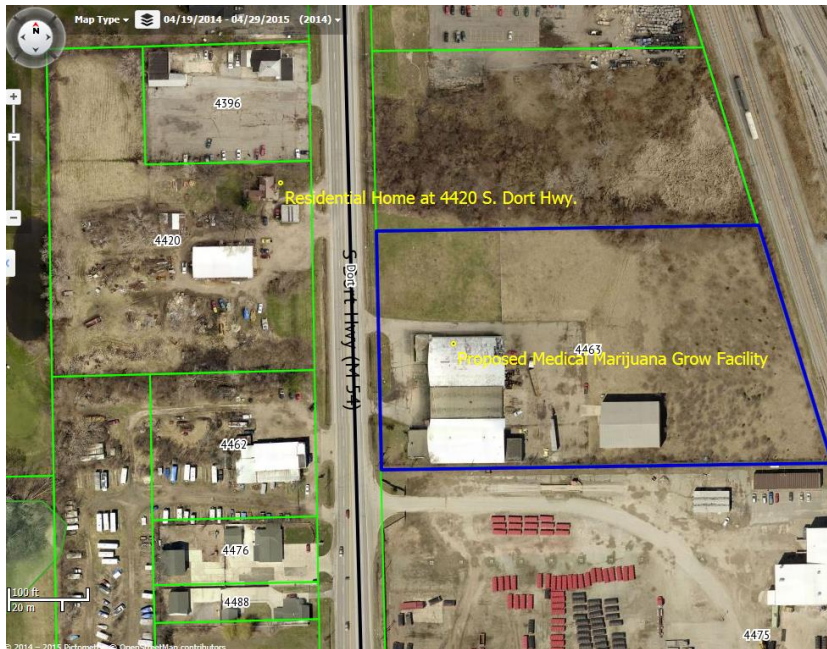
APPLICANTS SIGNATURE: [Signature]

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

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

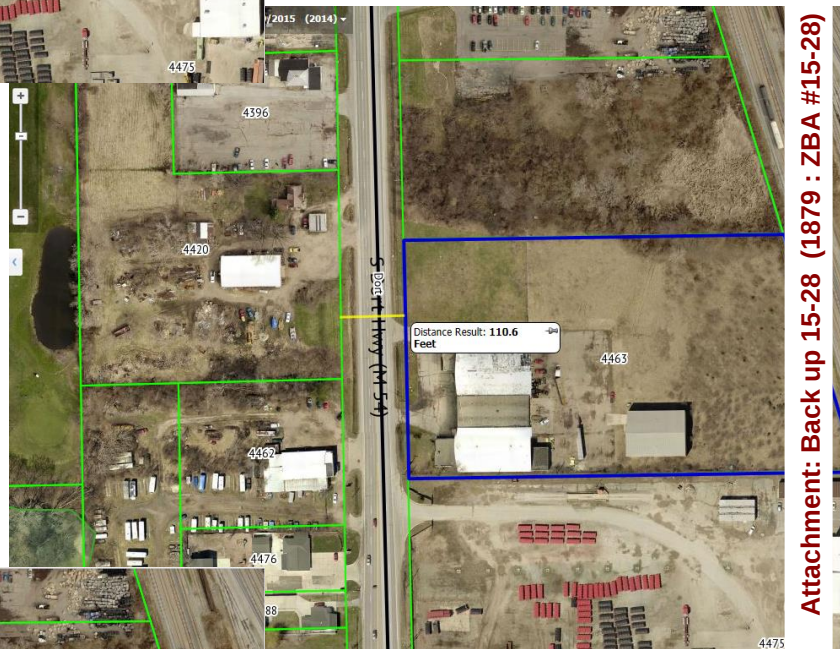
Proximity to Deluca's non-conforming use, residential use on industrial lot.

Attachment: Back up 15-28 (1879 : ZBA #15-28)



#1: Shows the location of the house and the proposed Medical Marijuana Grow Facility

#2: Distance of property line to property line.



Attachment: Back up 15-28 (1879 : ZBA #15-28)



#3: Distance of building to building



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1880)

Meeting: 10/15/15 05:00 PM

Department: Department of Public Works

Category: Variance

Prepared By: Amber Abbey

Department Head: Rachael Boggs

E.11

DOC ID: 1880

ZBA #15-29

By: Jason Christain
6247 Springdale Blvd.
Grand Blanc, MI 48439

Re: 1453 Walli Strasse Blvd. Burton, MI 48509
59-15-553-001, M-1 Zoned

For: 1. To conduct a medical marijuana grow facility that will be within 1000' of three churches. 2. To conduct a medical marijuana grow facility that will be within 200' of a residential district.

ATTACHMENTS:

- Back up 15-29 (PDF)



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

Date Filed: 9-18-15
 Fee Paid: \$450.00
 Receipt #: _____
 Check #: Cash
 Received by: AA
 Date Mailed: 9-28-15

ZBA Case #: 15-29 4 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: October 15th 2015 AT 5:00 P.M.

APPLICANTS NAME: Jason S. Christain

APPLICANTS ADDRESS: 6247 Springdale Blvd.

CITY: Grand Blanc, MI, 48439

APPLICANTS PHONE: (810) 853-8624

ADDRESS AND PARCEL OR LOT NUMBER: 1453 Walli Strasse Dr. Burton, MI
Parcel ID-59-15-553-001

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 a medical marijuana
Grow facility that will be within 1000' of
three churches. 2. To conduct a medical
marijuana Grow facility that will be within 200' of
a residential district.

APPLICANTS SIGNATURE: Jason S. Christain

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

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

I am a medical marijuana grower that provides a specific type
of marijuana that provides relief for critically ill autoimmune disease,
eye and ~~neuro~~ neurocellular degeneration and digestive problems.
This building would provide me a clean space to provide people that
have severe reactions to any impurities in their medicine. My current
growing situation does not allow me the necessary environment
to treat such sensitive people in an completely organic way
a living environment is not a place to also make medicine.

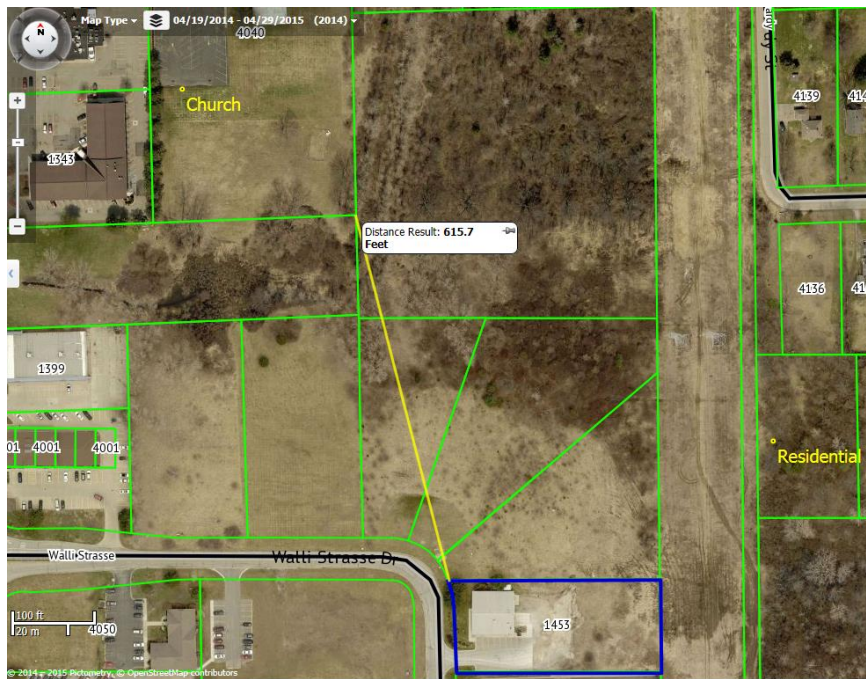


Attachment: Back up 15-29 (1880 : ZBA #15-29)

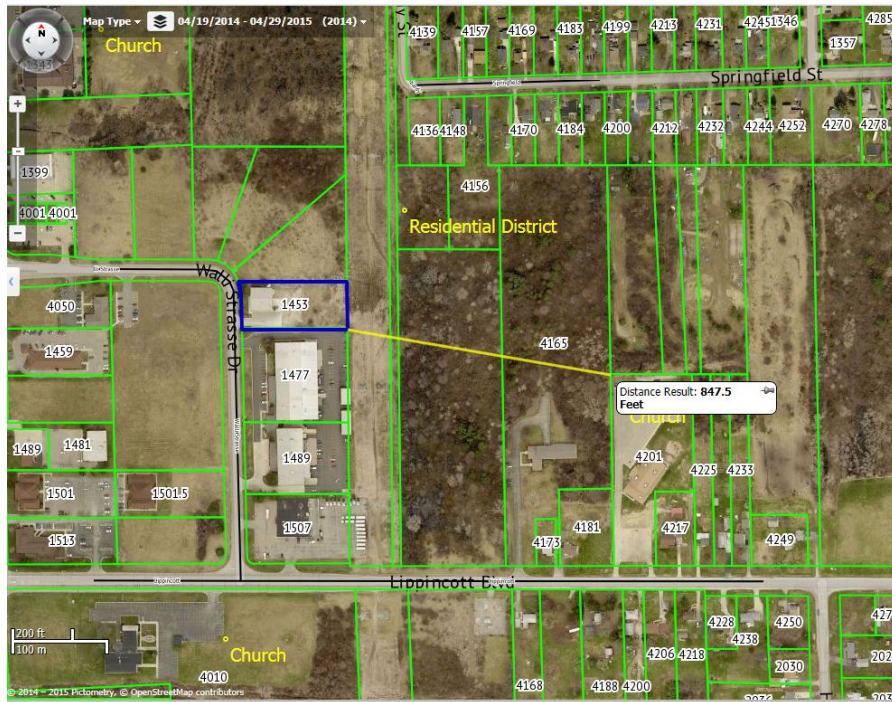
#1: Distance to Residential District R-1A



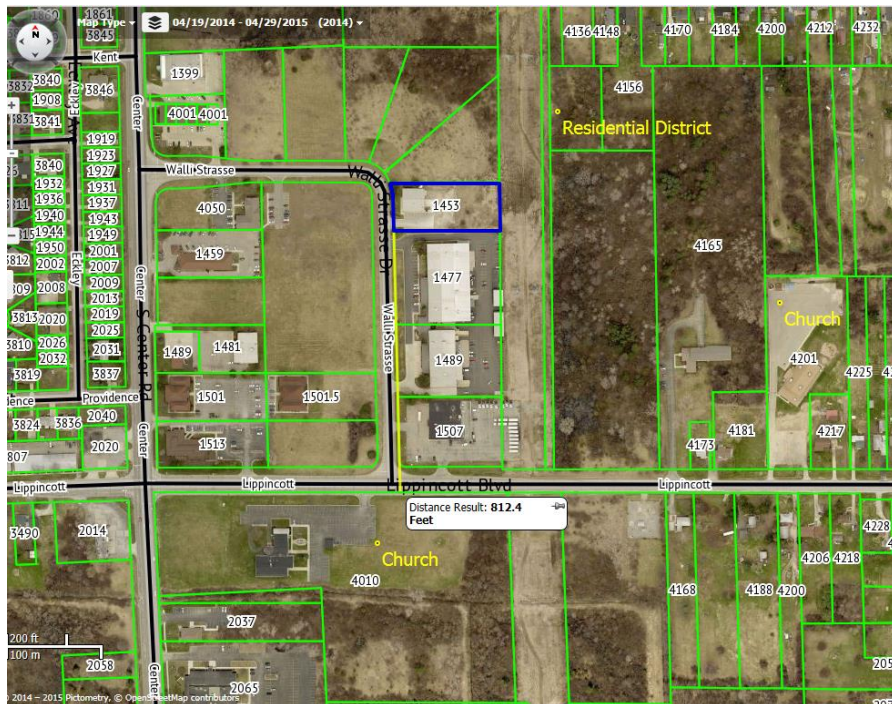
#2: Distance to church located at 4040 Lapeer



#3: Distance to church at 4201 Lippincott



#4: Distance to church at 4010 Lippincott



Attachment: Back up 15-29 (1880 : ZBA #15-29)