



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

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.

Shonnelly 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.



CITY OF BURTON

BURTON ZONING BOARD OF APPEALS MEETING

SEPTEMBER 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	
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	Present	

C. STAFF PRESENT

Charles Abbey, Deputy DPW Director
Rik Hayman, Chief of Staff
Marcy Kimball, Clerk's Office

D. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Aug 16, 2018 5:00 PM

Minutes of August 16, 2018 approved as amended: Add meeting adjourned time.

RESULT:	ACCEPTED AS AMENDED [UNANIMOUS]
MOVER:	Terry Parker, Commissioner
SECONDER:	Deb Walton, Commissioner
AYES:	Conley, Hynes, Parker, Rapacz, Walton, Ward-Terry, Welch, Fuhst
EXCUSED:	Standel

E. VARIANCE

1. ZBA #18-20

By: Steve Campanella

6429 E. Hill Rd.
Grand Blanc, MI

Re: Vacant Lot on Vassar Rd. Burton, MI 48519
59-36-200-003, SE Zone

For: 1. To construct an addition to a pole barn that has non-confirming rights without a principal structure. 2. To exceed the allowable square footage of an accessory structures by 60 sq ft, 2,500 sq ft allowed, 2,560 sq ft requested. 3. To store and/or park a recreational vehicles in a yard without a principal rear yard

Steve Campanella from Grand Blanc stated we would like to purchase this building and use it for a hobby/woodshop. I have a project car and truck and I need a building to work on these. There will not be a noise issue. I am not doing any business out of it. There is almost two acres there and I would like to expand the building. I also have an RV that I would like to park outside behind the building. No one would see it.

Mr. Abbey went over the history on the property. He said the pole barn now has non-confirming rights to remain as it sits today. The need for the variance is the enlargement of a non-confirming structure. This is not allowed in the zoning ordinance. The allowable square footage of the accessory structure for this parcel is 2,500 sq. ft. Existing structure is 1,280 sq. ft. and the proposed addition is 1,280 sq. ft. The request is for 60 sq. ft. more than the allowable. The storage of recreational vehicles is required to be in the rear yard. Since there is no principle structure, there is technically no rear yard. Therefore, any outside storage of the RV would violate the zoning ordinance. Since the pole barn exists and is in good condition, the improvement with an addition to the pole barn would be acceptable. We have recently allowed for additional square footage for parcels over one acre. Therefore, allowing a variance even at a small amount would not be recommended. We would prefer that the RV be stored inside the structure, however, as long as the RV remains behind the rear of the pole barn we would recommend approval.

Motion amended to include #4. No outside storage other than an RV, which must be parked behind the building.

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

2. ZBA #18-21

By: Todd Stamm
4380 Meadows Ave.
Grand Blanc, MI 48439

Re: 4380 Meadows Ave. Grand Blanc, MI 48439
59-35-551-066, R-1A Zone

For: To construct deck that will be 20' from the rear property line, 35' required.

Mr. Stamm stated I have already started building my deck and I apologize for not pulling a permit. I have lived in the home for about three years and have one of the smallest lots on this road. My house is 60 feet from the road and I have 45 feet behind my house. The existing deck is not very secure so I wanted to rebuild the deck with composite and make it bigger.

Mr. Rapacz asked who chooses how many feet for the setback?

Mr. Abbey stated it is in our building ordinance. We have setback requirements on every type of building, every type of encroachment on property lines. This is to protect existing neighbor's property lines.

Mr. Abbey said the home was built in 2001 and there was never a permit pulled for the existing deck. The old deck was 11 ft. x 14ft. The current owner removed that deck and the new deck was started without a permit. Notice was given to the property owner to get a permit and that is when the rear setback encroachment was identified. There are not any rear neighbors at this time. The properties adjoining are woods and a farm field. The deck is 20 feet from the rear setback and requires 35 feet. If this were approved, the building official would need to inspect the deck. The administration recommends approval.

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

3. ZBA #18-22

By: AWS Khamis (Cricket Wireless)
2470 S. Center Rd
Burton, MI 48519

Re: 2470 S. Center Rd Burton, MI 48519
59-21-578-042, C-2 Zone

For: To allow temporary signs to be placed in front of the business.

Steve Clarfelt, District Manager of Cricket Wireless, said we have been at this location for five months. This is currently our eighth location that we have opened. There has been a lack of traffic and business at this location. At most of our other locations we have 12-foot Cricket flags. If this were allowed it would be on the other

side of the sidewalk so it would not block traffic. We are just trying to bring awareness to our new location in Burton.

Mr. Abbey stated the business applied for their license on March 12, 2018. They put up temporary signs and the Code Enforcer gave them notice for the signs on March 26, 2018. The signs were removed before April 9, 2018. The business received occupancy April 16, 2018. Recent modification of the sign ordinance was made, however the sign ordinance did not allow for temporary signs, banners or flags. The Council is looking at proposed changes that would allow temporary signs for a certain amount of time. This time has not yet been determined. If the signs were approved tonight, we would strongly recommend the following 2 stipulations; the number of signs to be on the property and the time frame of no more than 90 days for the signs to be up. The signs cannot be placed in the public right of way.

Mr. Clarfelt stated if this were approved, the signs would be put up around 10:00 AM and removed every evening before 8 PM. We would like to be able to put up four signs.

Mr. Hynes and Ms. Walton expressed their concern with the distraction from the signs, the appearance and the amount of signs allowed.

Mr. Clarfelt stated we do have a box of brand new flags and would replace them if they became worn or faded.

Mr. Rapacz asked how much traffic the signs generate.

Mr. Clarfelt said they do make a difference. They generate about two times the customers.

Mr. Abbey stated we do get many complaints about banners and signs. I am not opposed to allowing them for a short term.

Motion amended to allow for no more than two signs to be up from 10 AM to 8 PM, Monday through Saturday, for a period of no more than 90 days.

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

4. ZBA #18-23

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

Re: 1227 Bristol Rd. Burton, MI 48529
59-30-300-014, R-1C Zone

For: To conduct an outdoor recreational event for the purpose of the Parish
Festival from May 30th through June 2nd, 2019

Mr. Abbey said the police chief has been notified. The recommendations for the 2019 festival are as follows; as long as they keep the same requirements as last year, if they are not given the stipulation of a one year approval the future festivals up to five years would go through an administrative approval. This would include an application for the festival at a lower rate from the ZBA. Notices sent to everyone within 300 feet of the property. They can object in writing within two weeks of the notice. If objection is received, the applicant will be denied administratively. Notices given to the police chief and the building official. If there is any objection from either of them, the applicant will be denied administratively. If denied administratively, the applicant may choose to move to the ZBA for a public hearing at full cost. If no objections are received or if no stipulations are requested, the administration can put any stipulations on the applicant. If the applicant does not agree to the stipulations, they may appeal to the ZBA for a public hearing. Administration recommends approval based on the Police Chief and the building officials recommendation to keep the same stipulations as the prior year. This approval is for one year.

Kenneth Jubar from Holly, MI. stated I am the business manager of Holy Redeemer. We are requesting another variance for the parish festival May 30 to June 2, 2019. For the 2018 festival, we established a youth supervision policy, which requires all visitors age 17, and under to be accompanied at all times by a parent or supervising adult 20 or older. A supervising adult who is not a parent cannot have more than 3 youths that they are responsible for. We also closed at 9 PM. We will continue to close at 9 PM each day if the variance for 2019 festival is granted. Security will be handled by on duty Burton Police Officers and DM Burr Private Security. Parking lots and surrounding community will be patrolled to provide additional security. Last year I discussed Holy Redeemer's Community Outreach Program. So far, in 2018, on average each month we provide food to 165 households through our partnership with the Food Bank of Eastern Michigan. This last fiscal year, we spent \$58,500 on our outreach program. We assist clients with application for grants from the Michigan Energy Assistance program. We have received approval for 68 grants worth \$45,346 for our clients. The ME Program makes a onetime payment to those families to catch them up on their utility bills. This festival provides funds that will assist us with our programs that enhance our community and provide support for those less fortunate within our parish boundaries. At last year's festival, we had one domestic incident. The Burton Police took care of the incident so quick; we did not even know it happened. We had extra security in the parking lots and extra patrol around the surrounding neighborhood and church. We are convinced that we have a safe, family friendly environment now. We would continue with the 9 PM shutdown and with the security that the Burton Police has suggested and offered.

Lisa Williams of Burton said she has seen many problems at the festival over the years, but last year was fantastic. With all the changes that they have made, we barely even knew it was going on.

Mr. Parker stated the whole idea behind this festival is for fundraising for a non-profit organization. It costs them \$450 every year to come here for approval and this takes away from their fundraising. They have already said that they would not have the festival if there were problems. They want it to work just as much as we do. In my opinion, I think we should give them the 5-year approval so they can save money and raise more money because that is what the whole thing is about anyway.

Ms. Ward-Terry said we need to make sure our community is safe. The festival may have went great this past year, but we do not know what will happen each year. I think we owe it to the community to stay with the one-year approval for the 2019 festival.

Motion amended to include approval for a one-year period.

RESULT:	CARRIED [7 TO 0]
MOVER:	Terry Parker, Commissioner
SECONDER:	Scott Hynes, Commissioner
AYES:	Conley, Hynes, Parker, Rapacz, Ward-Terry, Welch, Fuhst
EXCUSED:	Standel
RECUSED:	Walton

F. AUDIENCE PARTICIPATION

None.

G. BOARD DISCUSSION

Mr. Parker said I will be out of state for 6-7 months so I will need to resign. Next month will be my last meeting. I have been on this committee since 1995 and have thoroughly enjoyed it.

Mr. Welch stated thank you for your service, you will be sorely missed. If anyone would like to apply for the position, please submit your intentions to the clerk's office.

Mr. Hayman said on behalf of the Mayor, she also wanted to thank you for your service.

Ms. Walton stated a class for the Zoning board would really make a big difference, especially with the new people coming on. It would answer many questions that we all have.

The next regularly scheduled meeting will be held on Thursday, October 18, 2018, at 5:00 p.m.

Meeting was adjourned at 6:05 PM.

Minutes Acceptance: Minutes of Sep 20, 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: 9-13-18
 Fee Paid: 450.00
 Receipt #: _____
 Check #: _____
 Received by: _____
 Date Mailed: 10-1-18

ZBA Case #: 18-24 4 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: Oct 18, 2018 AT 5:00 P.M.

APPLICANTS NAME: Sameer Dabish

APPLICANTS ADDRESS: 1066 East Carpenter Rd. Flint, MI 48505

CITY: Flint

APPLICANTS PHONE: Mobile: (810) 423-7056 Work: (810) 785-7598

ADDRESS AND PARCEL OR LOT NUMBER: 2014 Center Street, Burton, MI 48509 Parcel ID #59-21-527-001

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: The property is zoned correctly (C2) under Burton's Medical Marijuana Ordinance, but falls short of the buffering distance requirements for residential (just West) and religious institutions (just East).

68' - Residential, 200' required 185' - Church, 1,000' required
752' - Church, 1,000' required

APPLICANTS SIGNATURE: _____

AuthenticSign

Sameer Dabish

8/29/2018 2:48:56 PM EDT

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

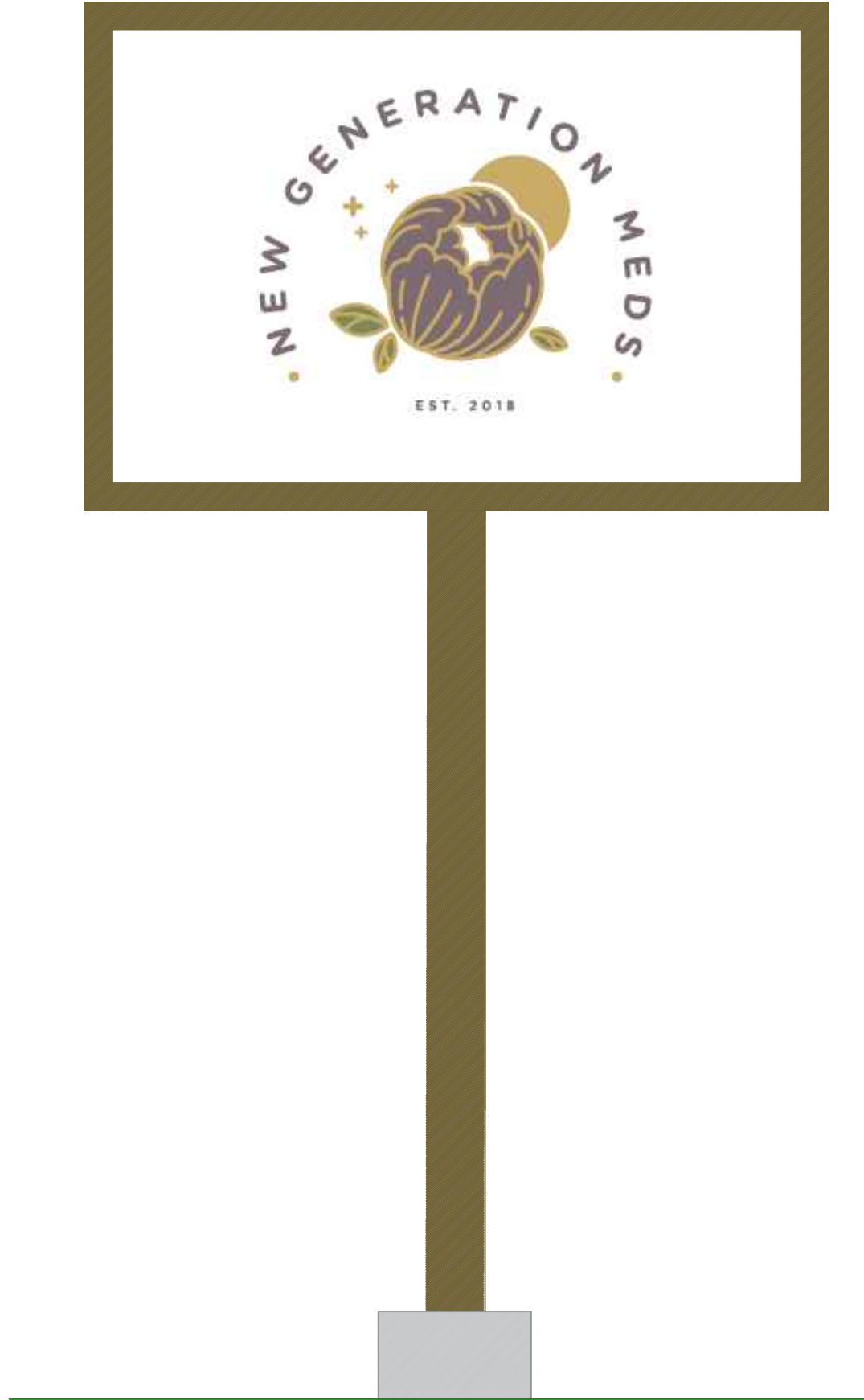
APPLICANT: Please explain your hardship or reason this variance is needed.

The property is a prime location for a provisioning center. The property is blighted and was witness to a robbery/ homicide and has been
shuttered since the incident nearly 3 years ago. MGM Facility Management is in talks with the surrounding resident(s) and the
religious institution to arrive at a true partnership to transform the property into a aesthetically pleasing provisioning center, that works for
all concerned parties. MGM Facility managements goals is to add stability and security to the surrounding community while providing
a valued professional service to patrons living in and around the City of Burton.

Attachment: Back up 18-24 (4056 : ZBA #18-24)



NEW EAST ELEVATION



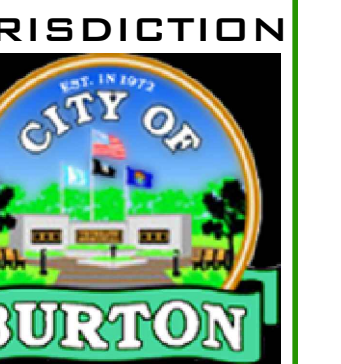
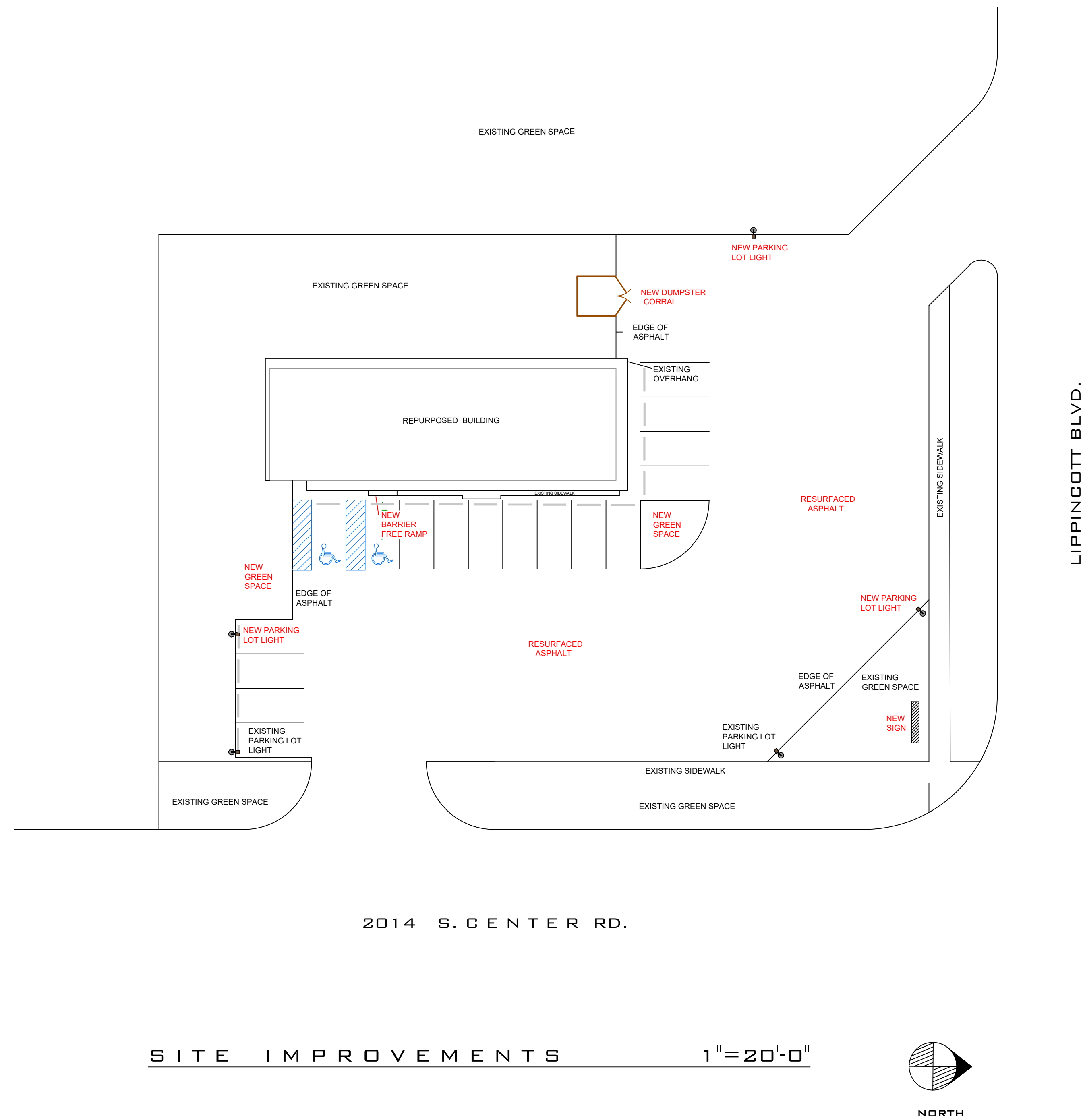
NEW PYLON SIGN



EXISTING EAST ELEVATION



EXISTING PYLON SIGNS





Attachment: Back up 18-24 (4056 : ZBA #18-24)



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

Date Filed: 9-19-18
 Fee Paid: \$ 450.00
 Receipt #: -
 Check #: Cash
 Received by: [Signature]
 Date Mailed: 10-1-18

ZBA Case #: 18-25 5 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: Oct 18, 2018 AT 5:00 P.M.

APPLICANTS NAME: Jason and Heidi Fleury

APPLICANTS ADDRESS: 4250 Pebble Creek Blvd.

CITY: Grand Blanc

APPLICANTS PHONE: 810-391-6527

ADDRESS AND PARCEL OR LOT NUMBER: 4250 Pebble Creek Blvd.

Grand Blanc MI 48439 / 59-35-578-042

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: Allow more than two dogs
To conduct an m-1 Special Use in
an R-1A Single Family Residential Zone
to allow more than 2 adult dogs.

APPLICANTS SIGNATURE: Heidi Fleury

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

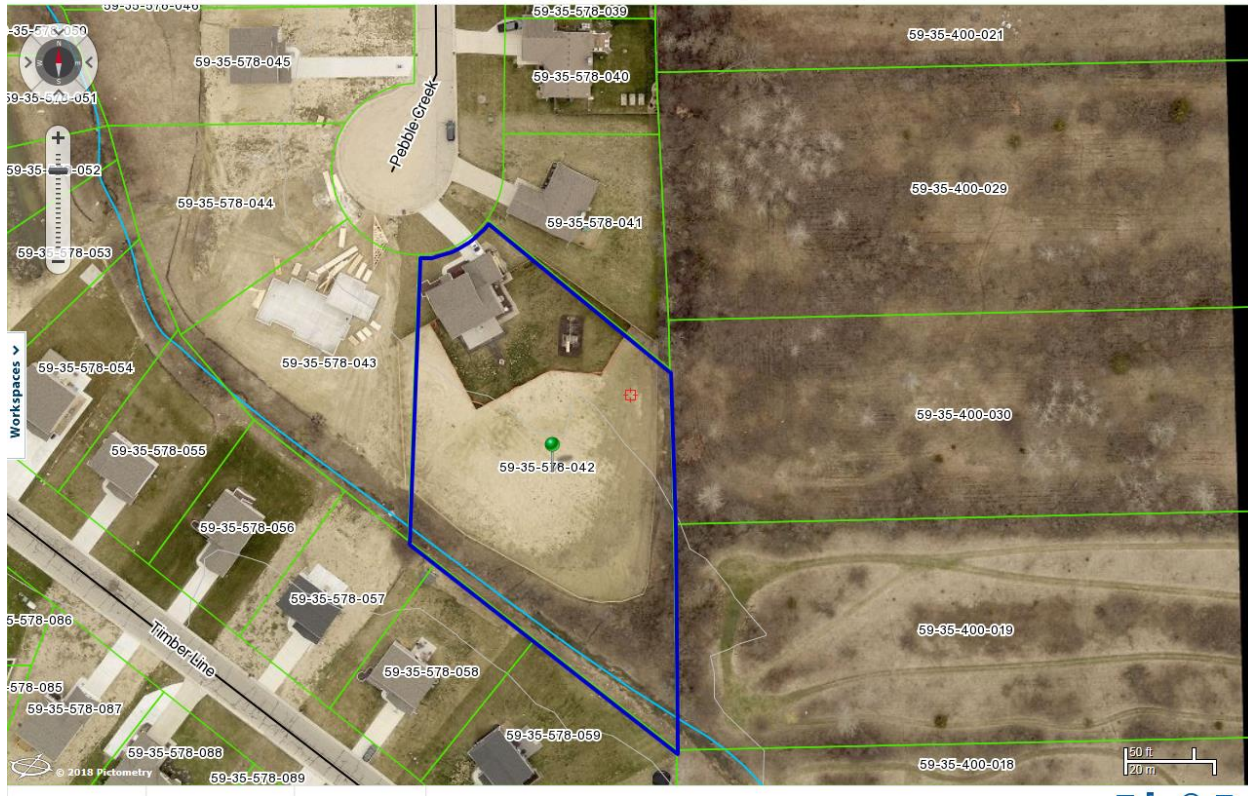
APPLICANT: Please explain your hardship or reason this variance is needed.

Our dogs are our family and we have children who love
and care for them on a daily basis. We have
two senior dogs (Bernese mountain dogs) a miniature Aussie who
is 3 1/2 years old and a Bernese mountain dog puppy. We have
an acre fenced in with privacy fence on both sides of our
neighbors. NO neighbors have addressed us with concern with

Attachment: Back up 18-25 (4057 : ZBA #18-25)

Dogs being a nuisance. Dogs live inside our home and are never housed outside. They are also well trained. In our community and are apart of many Biker groups. Our puppy visits the kids at Myers Elementary so that the kids can have a ready buddy. Removing them from our home would be emotionally hard on our family and our Subdivision (Friends who all know our dogs and kids and what they mean to us). Thank you for your time and we look forward to meeting you all.

Oct + 18th





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

Date Filed: 9-20-18
 Fee Paid: \$450.00
 Receipt #: _____
 Check #: 21418
 Received by: [Signature]
 Date Mailed: 10-1-18

ZBA Case #: 18-26 5 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: Oct 18, 2018 AT 5:00 P.M.

APPLICANTS NAME: Vash Investment Group LLC

APPLICANTS ADDRESS: 4040 E. Bristol Rd

CITY: Burton, MI. 48519

APPLICANTS PHONE: (810) 820-8028

ADDRESS AND PARCEL OR LOT NUMBER: 4040 E. Bristol Rd Burton, MI.

48519. Parcel # 59-34-100-004 / C-2 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: TO UTILIZE VACANT PROPERTY LOCATED
BEHIND OFFICE BUILDING WAREHOUSE FOR TEMPORARY OUTSIDE
STORAGE.

APPLICANTS SIGNATURE: _____

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

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

LIKE TO UTILIZE VACANT PROPERTY SUCH AS MY
NEIGHBORS

Attachment: Back up 18-26 (4058 : ZBA #18-26)



Attachment: Back up 18-26 (4058 : ZBA #18-26)