



CITY OF BURTON

BURTON ZONING BOARD OF APPEALS MEETING

OCTOBER 19, 2017

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 - Sep 21, 2017 5:00 PM

E. VARIANCE

1. ZBA #17-14

By: Joseph Deering
1436 Kelly Dr.
Burton, MI 48509

Re: 1436 Kelly Dr. Burton, MI 48509
59-12-200-003, R-1A Zoned

For: To construct an accessory structure in the front yard

2. ZBA #17-15

By: Hazen Thayer
1404 Amy
Burton, MI 48509

Re: 1404 Amy Burton, MI 48509
59-15-577-049, R-1A Zoned

For: To construct a 30' x 50' detached garage that will exceed the allowable square footage of accessory structures by 624 sq ft, 876 sq ft allowed.

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 three (3) minutes and to speak on the topics germane to City business.

G. BOARD DISCUSSION

The next regularly scheduled meeting will be held on Thursday, November 16th, 2017, at 5:00 p.m.



CITY OF BURTON

BURTON ZONING BOARD OF APPEALS MEETING

SEPTEMBER 21, 2017

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 WAS LED BY

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Duane Haskins	Council Representative	Present	
Terry Parker	Commissioner	Present	
Scott Hynes	Commissioner	Present	
Steve Welch	Commissioner	Present	
Tim Rapacz	Commissioner	Present	
Deb Walton	Commissioner	Excused	
Michaeline Ward-Terry	Commissioner	Present	
Donald Standel	Commissioner	Present	
Timothy Miller	Commissioner	Excused	

C. STAFF PRESENT

Amber Abbey, Planning and Zoning
Marcy Kimball, Records Tech

D. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Jul 20, 2017 5:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
AYES:	Haskins, Parker, Hynes, Welch, Rapacz, Walton, Ward-Terry
EXCUSED:	Standel, Miller

E. VARIANCE

1. ZBA #17-12

By: Daniel Evans Jr.
1071 Forest Ave.
Burton, MI 48509

Re: 1071 Forest Ave. Burton, MI 48509
59-14-527-045, R-1B Zoned

For: To construct an 840 sq ft. addition to a pole barn that will exceed the allowable square footage of accessory structures by 638 sq ft., 202 sq ft. allowed.

Daniel Evans stated that he does not have a regular garage and needs additional storage space because he has run out of room in his existing buildings. His daughter is moving back home and he needs room to store her stuff.

Alan Vanorman, 1035 Forest, neighbor of Mr. Evans is for the addition and does not believe it will be detrimental to the neighborhood.

Rick Fuhst, 1072 Forest, the way the property is laid out you would not see it, wants to see it approved.

Mrs. Abbey stated that the applicant does not present a hardship and there is no unique situation to this property as it is the same size and shape as the other properties in the neighborhood therefore, recommends denial.

Mr. Haskins asked for clarification on if this was a new building or an addition.

Mr. Welch asked how square footage for an accessory structure is determined.

Mrs. Abbey said it is based on the size of the property.

Motion to construct an 840 sq. ft. addition to a pole barn that will exceed the allowable square footage of accessory structures by 638 sq. ft, 202 sq. ft allowed.

RESULT:	CARRIED [5 TO 2]
MOVER:	Scott Hynes, Commissioner
SECONDER:	Terry Parker, Commissioner
AYES:	Haskins, Hynes, Welch, Ward-Terry, Standel
NAYS:	Parker, Rapacz
EXCUSED:	Walton, Miller

2. ZBA #17-13

By: Communications Technologies, Inc.
5479 Lapeer Rd.
Burton, MI 48509

Re: 5479 Lapeer Rd. Burton, MI 48509
59-14-526-010, C-2 Zoned

For: To construct an addition to the building without the installation of sidewalks as required by site plan review

Jeff Alan stated that the company is doing an addition and sidewalks are required by code and the request is that there is not a sidewalk for a mile on his side of the road. So the sidewalk would be pointless and that is their hardship.

Mrs. Abbey stated that because Mrs. Walton is not here to represent the Planning Commission, I want to make sure to inform the Zoning Board of Appeals that with the Master Plan the Planning Commission has taken a stance on the need of sidewalks and creating a walkable community. However, the Planning Commission has also recognized that sidewalks are not always feasible in certain areas and they intend to create a map that will help guide the ZBA in these decisions. As for the administrations recommendation we believe that this is a very small project and the improvement that they are going to do to the building does not even compare cost wise to the cost of a sidewalk and could possibly kill the project altogether. With that being said, I would like to recommend approval with the contingency that when the adjoining property owners install sidewalks, the property owner will also install the sidewalks.

Mr. Rapacz asked if either of the adjoining property owners have been given this same variance.

Mrs. Abbey said no, both of the adjoining properties are residential therefore would not be required to install sidewalks under the current ordinances.

Mr. Hynes wants to know if the Planning Commission could designate the areas they would want priority sidewalks.

Mrs. Abbey said that is the intent of the Planning commission through the implementation of the Master Plan.

Motion to construct an addition to the building without the installation of sidewalks as required by site plan review with the contingency that when the adjoining property owners install sidewalks, the property owner will also install the sidewalks.

RESULT:	CARRIED AS AMENDED [UNANIMOUS]
MOVER:	Terry Parker, Commissioner
SECONDER:	Michaeline Ward-Terry, Commissioner
AYES:	Haskins, Parker, Hynes, Welch, Rapacz, Ward-Terry, Standel
EXCUSED:	Walton, Miller

F. AUDIENCE PARTICIPATION

G. BOARD DISCUSSION

Mr. Hynes asked Mrs. Abbey if they are tearing down the old school house on Center and Maple because there is a C/P on it.

Mrs. Abbey said we believe the previous owner intended to tear it down, however it is now owned by the Genesee County Treasurer. The City has applied for a out-county blight grant to have it demolished.

Mr. Hynes also asked about the old Northwest Tire, he believed that we only approved it for 6 vehicles.

Mrs. Abbey said she would look into it.

Mr. Welch asked Mrs. Abbey what is the status of Dr. Adams office on Lapeer Rd.

Mrs. Abbey said that we have sent the predemo letter to the owners.

Mr. Haskins asked how to organize a parade.

Mrs. Abbey stated that there is no zoning authority on parades located in the road right of way.

Mr. Welch asked if they need a parade permit.

Mrs. Abbey stated that yes, a permit is required for activities in the road right of way.

The next regularly scheduled meeting will be held on Thursday, October 19th, 2017, at 5:00 p.m.

Meeting was adjourned at 6:00 PM.

Minutes Acceptance: Minutes of Sep 21, 2017 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: 9-12-17
 Fee Paid: 250.00
 Receipt #: Cash
 Check #: JA
 Received by: JA
 Date Mailed: 9-25-17

ZBA Case #: 17-14 4 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: October 19th, 2017 AT 5:00 P.M.

APPLICANTS NAME: JOSEPH DEERING

APPLICANTS ADDRESS: 1436 KELLY DR-

CITY: BURTON

APPLICANTS PHONE: 810 955-6534

ADDRESS AND PARCEL OR LOT NUMBER: 1436 KELLY DR. BURTON,
PART OF SECTION 12, CITY OF BURTON, GENESSEE
59-12-200-003 R-1A

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: BUILD A 30' X 45' POLE BARN
To construct a pole barn in the front yard.

APPLICANTS SIGNATURE: Joseph Deering

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

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

Attachment: Back up 17-14 (3254 : ZBA #17-14)





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

Date Filed: 9-13-17
 Fee Paid: \$250.00
 Receipt #: _____
 Check #: 5860
 Received by: AA
 Date Mailed: 9-25-17

ZBA Case #: 17-15 4 Votes Required

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

PLEASE PRINT

DATE OF ZONING BOARD OF APPEALS HEARING: October 19th AT 5:00 P.M.

APPLICANTS NAME: HAZEN C THAYER

APPLICANTS ADDRESS: 1404 AMY ST

CITY: BURTON

APPLICANTS PHONE: 810 449 1937

ADDRESS AND PARCEL OR LOT NUMBER: 1404 AMY ST

59-15-577-049 , 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: To construct a 30' x 50' @ @ @

Be a Detached Garage that will exceed
the allowable square footage by 624 sq
ft, 876 sq ft allowed.

APPLICANTS SIGNATURE: Hazen C Thayer

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

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

Attachment: Back up 17-15 (3255 : ZBA #17-15)

BURTON



Attachment: Back up 17-15 (3255 : ZBA #17-15)