



CITY OF BURTON

BURTON ZONING BOARD OF APPEALS MEETING

APRIL 30, 2015

MINUTES

Council Chambers

Special 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	Excused	
Robert Walls	Planning Chairman	Present	
Terry Parker	Commissioner	Present	
Tracy Parker	Commissioner	Present	
Scott Hynes	Commissioner	Excused	
Bobbie Weatherford	Commissioner	Present	
Steve Welch	Commissioner	Present	
Tim Rapacz	Alternate Commissioner	Present	
Robert Olsen	Alternate Commissioner	Present	

C. STAFF PRESENT

D. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Apr 16, 2015 5:00 PM

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

E. VARIANCE

Steve Welch advises those parties seeking a variance the variance advisement of rights.

Victoria Neuville of Burton advises board they were already in the process of purchasing the property when they learned the lot was zoned for C-2 and not C-3. Requesting variance for C-3 use.

Mrs. Frost advised the board that the land had been previously utilized as a Landscape Business; recommends a privacy fence on the west end of the property line and also recommends board approval for variance requested.

Mr. Parker addresses Mrs. Neuville for her acknowledgment and understanding of the requirement for a 6ft high privacy fence at her expense. He also advised the fence is a stipulation of the variance and it will be at Mrs. Neuville's expense.

Mrs. Neuville acknowledged the fence will be her responsibility and that it is also needed in order to secure the intended car lot. Non-issue.

1. 1472 : ZBA #15-08 To Approve Variance to conduct a C-3 business in a C-2 zone and conduct used car sales not in conjunction with new car sales, will erect 6ft privacy fence at west end of property.

1. ZBA #15-08

By: Lon & Victoria Neuville
4199 Davison Rd. Burton, MI 48509

RE: 42368 Davison Rd. Burton, MI48509
59-10-100-032, C-2 Zone

- For: 1. To conduct a C-3 use in a C-2 zone.
2. To conduct used care sales not in conjunction with new car sales.

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

F. AUDIENCE PARTICIPATION

None.

G. BOARD DISCUSSION

None.

The next regularly scheduled meeting will be held on Thursday, May 21, 2015, at 5:00 p.m.

Meeting was adjourned at 5:06 PM.



CITY OF BURTON

ZONING BOARD OF APPEALS

APRIL 16, 2015

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	

C. STAFF PRESENT

D. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Mar 19, 2015 5:00 PM

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

E. VARIANCE

Mr. Welch offered option to delay variance request(s) due to being one board member short, if you choose to move forward today, the decision will be final.

Both parties agreed to continue.

1. 1443 : ZBA #15-05 to approve variance to conduct used car sales not in conjunction with new car sales.
 By: William H. Dempsey
 9411 Fair Oaks Goodrich, MI 48438

 Re: 3481 S. Dort Hwy. Burton, MI 48529
 59-28-300-007, M-2 Zone

For: To conduct used car sales not in conjunction with new car sales.

Attorney Mark Newman of 2351 Stonebridge Drive, Flint, MI 48532, representing William H. Dempsey due to illness and could not make it to the variance meeting. Mr. Dempsey's daughter Jill who is also the General Manager for the company has accompanied me tonight. This is not to be a retail used car lot, the company deals in the purchase and sale of cars through auction and wholesale to dealers. There will be no adverse affect from this business; there will be no increased traffic. There will be only employee traffic and cars being moved on and off the lot. No trespassing signs have been posted and not for sale signs will be posted immediately. Property has no other purpose other than to store vehicles off the street as dictated in local ordinances. Hardship indicators through a non-approval of the variance would be that the property would be useless to the owner.

Mrs. Rachel Frost from Administration stated: This is an industrial zone parcel, at one time the property's purpose was for a used car sale lot. The property is fenced in and recommends approval from the board.

Mr. Walls stated he drove by the property; requested information as to how long the property has been in use as a business since the lot is full of cars. Why are we just now receiving this request?

Mrs. Frost stated to my knowledge a few weeks, they were advised that the business needed to apply for the variance.

Attorney Newman said the property has been in use for a few weeks, when the lease was signed the items were then submitted for variance approval which was just over a month ago. Cars usually stored offsite at locations that Mr. Dempsey has access to. Initially the need for a variance was unknown and there was no ill intent on Mr. Dempsey's part.

Mr. Walls stated to the daughter of the owner that 6" numerical numbers indicating the address needs to be posted on the building.

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

2. 1444 : ZBA #15-06 To exceed the allowable square footage for accessory structure by 634 square feet for the purpose of construction a 40' x 60' pole barn, 484 sq. ft existing.

By: Robert Furno
1484 S. Belsay Rd. Burton, MI 48509

Re: 5376 Lippincott Blvd. Burton, MI 48519

For: To exceed the allowable square footage for accessory structures by 634 sq. ft. for the purpose of constructing a 40'x60' pole barn, 484 sq. ft. existing.

Mr. Robert Furno requested the variance to erect a pole barn to store vintage cars that are currently being stored elsewhere. He also indicated the need for additional storage space due to combining of his and his wife's households.

Mrs. Frost stated there had been a pole barn previously on the referenced parcel which had been demolished prior to Mr. Furno purchasing the property. Recommends approval.

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

F. AUDIENCE PARTICIPATION

None.

G. BOARD DISCUSSION

Mr Welch announced there would be a Special Meeting on Tuesday, April 30th. Duane Haskins and Scott Hynes indicated the need for alternates for this meeting as they are unable to attend. Duane Haskins also indicated he would not be present for the May regularly scheduled meeting.

The next special scheduled meeting will be held on Thursday April 30th, 2015 at 5:00 p.m.



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

Meeting: 04/30/15 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Rachel Frost
Department Head: Greg Kray

E.1

ADOPTED

AGENDA ITEM (ID # 1472)

DOC ID: 1472

ZBA #15-08

By: Lon & Victoria Neuville
4199 Davison Rd. Burton, MI 48509

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

For: 1. To conduct a C-3 use in a C-2 zone.
2. To conduct used car sales not in conjunction with new car sales.

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