



CITY OF BURTON

BURTON ZONING BOARD OF APPEALS MEETING

NOVEMBER 5, 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	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
Marcy Kimball, Clerk's Office

D. VARIANCE

Daryl Simpson of JND Ventures Limited, LLC. stated we are proposing a Commercial Medical Marijuana grow facility in Burton for the purpose of providing patients with medical marijuana cultivated in a well-controlled, clean, professional and compliant environment.

The commission received comments from the following residents:

Tom Kopec from Kopec Plumbing and Heating, 3327 Associates Dr. Burton, disagrees with having a grow facility so close to his business because of the smell. He stated if they only have 12 plants at this time what's going to happen when they get 72 plants in there? They are supposed to get some kind of ozone machines to eliminate the smell. I don't want to smell the pot.

Mr. Simpson replied to ease Mr. Kopec's concern about the smell; if we are granted the variance we will be putting in the ozone machines so that there will be no smell.

Mrs. Abbey, Planning and Zoning Official, stated we received a call regarding the odor issue, contacted the business and asked if they were growing in the building. They stated that they had a few home plants. We told them the plants had to be removed and gave them the information about the correct procedure to apply for a variance. The only medical marijuana grow facility that they are within 500 feet from is the one that they actually own.

If this variance is approved we will monitor them to ensure all ventilation systems are properly in place as proposed in their plan. As long as this is done we would recommend approval. If this is passed, they wouldn't get occupancy until everything is in place such as the ventilation system. They would have an inspection done before they receive occupancy and cannot have any plants until this time.

1. ZBA #15-30

By: JND Ventures Limited, LLC. // Daryl Simpson
3309 Associates Dr.
Burton, MI 48529

Re: 3323 Associates Dr. Burton, MI 48529
59-29-551-003, M-1 Zoned

For: To conduct a medical marijuana grow facility that will be within 500' of an existing medical marijuana dispensary.

Motion to Approve ZBA #15-30, To conduct a medical marijuana grow facility that will be within 500 feet of an existing medical marijuana dispensary.

RESULT:	CARRIED [4 TO 3]
MOVER:	Terry Parker, Commissioner
SECONDER:	Scott Hynes, Commissioner
AYES:	Haskins, Parker, Parker, Welch
NAYS:	Walls, Hynes, Weatherford
EXCUSED:	Rapacz, Olsen

E. AUDIENCE PARTICIPATION

None.

F. BOARD DISCUSSION

Mrs. Abbey distributed a copy of the by-laws for the committee to look over. She said I recently attended a training class and learned that each Board should have Bi-Laws. Mr. Parker presented these a few years ago. Each member can look these over and we can discuss this at the next meeting.

Mr. Parker stated I will be able to attend the next meeting but after that I will not be in attendance for a few months. Many years ago I attended a class that MML put on and they did say that every committee should have Bi-Laws. Some were in agreement and some were not. In 2008 the Zoning Enabling Act also suggested that all boards have Bi-Laws.

Mr. Haskins said he thinks having Bi-Laws would be a great idea. This would reinforce and enable City Council to make the decisions that are needed in the future.

Mr. Welch said the next Zoning Meeting will be November 19, 2015 at 5:00 PM.

Meeting was adjourned at 5:33 PM.