



CITY OF BURTON

ZONING BOARD OF APPEALS

APRIL 15, 2021

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.
2. 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. MEETING INFORMATION

Zoning Board of Appeals
Hosted by Racheal Boggs

<https://cityofburton.my.webex.com/cityofburton.my/j.php?MTID=m5fecb42c9dfe66e105ef67e1cd3c10ee>

Thursday, Apr 15, 2021 5:00 pm | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 182 187 4433

Password: Zone123 (9663123 from phones and video systems)

Join by video system

Dial 1821874433@webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-415-655-0001 US Toll

Access code: 182 187 4433

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. STAFF PRESENT

E. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Mar 18, 2021 5:00 PM

F. VARIANCE

1. ZBA #21-07
By: Adam Reigle
2020 Crooked Ln. Flint MI 48503

Re: 3189 Dort Hwy. Burton MI 48529
Parcel ID 59-28-501-190

For: To conduct an M-1 special use in a C-2 zone for auto repair facility.
2. ZBA #21-08
By: Edwards Brenner
3264 Card Dr Burton MI

Re: 3264 Card Dr. Burton MI
Parcel #59-33-100-013

For: To conduct a marijuana facility within 500 feet from another facility.
3. ZBA #21-09
By: RCB Enterprise Co. LLC
5042 Exchange Dr. Flint MI 48507

Re: G4211 Fenton Rd Burton MI
Parcel ID 59-31-501-086

For: To conduct an M-2 use in a C-2 Zone for auto repair facility including painting.
4. ZBA #21-10
By: Justin Carpenter
2182 Boatfield Ave. Burton MI 48529

Re: 2182 Boatfield Ave. Burton MI
Parcel ID 59-32-501-197

For: To construct a garage 2 feet closer to the front property line than the existing house.

G. AUDIENCE PARTICIPATION

Now is the time set-aside for members of the audience to address the 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.

Public comment may be sent to: publiccomment@burtonmi.gov. Comments received prior to the meeting will be read into the record.

H. BOARD DISCUSSION

The next regularly scheduled meeting will be held on Thursday, May 20, 2021, at 5:00 p.m.



CITY OF BURTON

ZONING BOARD OF APPEALS

MARCH 18, 2021

Council Chambers

Regular Meeting

5:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by Chairman Steve Welch at 5:04 PM.

A. MEETING INFORMATION

Zoning Board of Appeals
Hosted by Racheal Boggs

<https://cityofburton.my.webex.com/cityofburton.my/j.php?MTID=m6f388a79552c74fe80e1b841f8f2c6b5>

Thursday, Mar 18, 2021 5:00 pm | 2 hours | (UTC-05:00) Eastern Time (US & Canada)

Meeting number: 182 721 7457

Password: Zone123 (9663123 from phones and video systems)

Join by video system

Dial 1827217457@webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-415-655-0001 US Toll

Access code: 182 721 7457

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Attendee Name	Title	Status	Arrived
Kevin Burge	Planning Representative	Remote	
Gary Kautz	Alt. Commissioner	Excused	
Christina Conley	Council Representative	Remote	
Scott Hynes	Commissioner	Remote	
Tim Rapacz	Commissioner	Remote	
Michaeline Ward-Terry	Vice Chairperson	Remote	
Steve Welch	Chairman	Remote	
Joey Richvalsky	Alt. Commissioner	Excused	
Rick Fuhst	Commissioner	Remote	

D. STAFF PRESENT

Amber Abbey, Deputy DPW Director
Lindsey Bice, Records Tech, Clerk's Office
Leandra Swayne, Records Tech, DPW

E. APPROVAL OF MINUTES

Minutes Acceptance: Minutes of Mar 18, 2021 5:00 PM (Approval of Minutes)

1. Zoning Board of Appeals - Regular Meeting - Feb 18, 2021 5:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Michaeline Ward-Terry, Vice Chairperson
SECONDER:	Christina Conley, Council Representative
AYES:	Burge, Conley, Hynes, Rapacz, Ward-Terry, Welch, Fuhst
EXCUSED:	Kautz, Richvalsky

F. VARIANCE

1. ZBA #21-04

By: WJH LLC
41210 Bridge St. Novi MI

Re: 2282 Hunter Lane Burton MI
Parcel 59-24-502-094

For: To construct a new home that will extend 4.9' beyond building envelope.

Rimma Morrison 41210 Bridge Street, Novi, Michigan stated in regards to 2282 Hunter Lane, none of the model homes that we are building there fit due to the irregular shaped lot. We are asking to extend the building envelope so we can fit a house on the lot. No other house would be able to fit on this lot.

Mrs. Abbey stated this particular lot is the very definition of what a variance is for. This property is unique to that entire subdivision, the setback cannot be met unless they build a house that does not fit with the other houses. We would recommend approval because we believe this is exactly what the Zoning Board of Appeals is here for.

Mr. Burge stated there is a wetland area on top of the diagram, is there a distance on how far they have to stay from the wetlands?

Mrs. Abbey stated no, the wetlands are not the issue. You just cannot build within the wetlands or destroy the wetlands.

Mrs. Ward-Terry motioned to grant variance 21-04 due to the odd shape of the lot, which is done by case and property so we are not setting precedent.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Michaeline Ward-Terry, Vice Chairperson
SECONDER:	Tim Rapacz, Commissioner
AYES:	Burge, Conley, Hynes, Rapacz, Ward-Terry, Welch, Fuhst
EXCUSED:	Kautz, Richvalsky

2. ZBA #21-05

By: Spring Gardens Properties, LLC c/o Lauren Walter
P.O. BOX 182 Holly MI

Re: 3187 Dahlia Dr. Burton MI
Parcel ID 59-26-531-039

Minutes Acceptance: Minutes of Mar 18, 2021 5:00 PM (Approval of Minutes)

For: To Construct a new home, requesting 8.3' side setback, 10' required.

Lauren Walter 3187 Dahlia Drive, Burton, Michigan stated the house has been constructed already. We became aware of the fact that it was built within setback after the construction and basement had already been completed. The stakes were moved and therefore the pouring occurred outside of the envelope in which it was supposed to be poured in. We have approval from the Genesee County Drain Commission because we occupy a portion of their easement now.

Justin Harold with Atlas Real Estate stated he represents the developer. They will pay the surveyors to set pins in the footings so this problem should never happen again on future builds.

Kathy Walls 1419 Shaffer, Burton, Michigan stated she is here on behalf of her daughter Amanda, who would be the owner of the home. She would really appreciate the board taking this into consideration and helping her daughter get into her new home. Her daughter cannot be here tonight because she is a nurse and working.

Mr. Rapacz stated I am reading the agreement from the Drain Commission. The bottom of the agreement reads "if it becomes necessary to utilize the entire right of way at a future date. If structural removal is necessary, the structure will be removed without compensation or damages paid to The Owner." Does that mean they can tear down their house in the future if they need to?

Mrs. Abbey stated I am not an attorney but essentially, sort of. The chances of that happening are highly unlikely. They have the right to take down anything that is in the easement.

Mr. Rapacz stated the applicant is aware that if anything were to happen, they could potentially destroy their home and there is nothing they could do about it.

Mrs. Abbey stated I would hope before they purchase the home they would consult with an attorney as this is a recorded document with their deed. As you can see in your packet, the house plan that was approved by our department did meet the requirements. The City of Burton did not error in permitting the project as it was approved and met the setback requirements. It also has the drain easement identified on the approved plan. The house that has been built is actually a different house than what was actually approved, so that is why it's in the setback and why it is in the easement. We found out about this in November when they brought the as-built to us. At that point, I told them they are in the drain easement and have to call the Drain Commission. They have approval from the Drain Commission now but the house is still in the setback so that is the reason they are before you today. We did not approve the easement from the Drain Commission. I do not want to hold up the individual who is trying to buy the house, so we would recommend approval.

Mr. Welch asked, this is not because the footing stakes were moved, it's because a different house was approved. Is that correct?

Mrs. Abbey stated that is my opinion since the approved plan had a house that was 42 feet wide and the house that was built is 48 feet wide.

Mr. Welch asked, is the homeowner aware that in extreme circumstances they could lose access to their home?

Mrs. Abbey stated, yes. That easement is recorded with the Genesee County Register of Deeds, so it is a part of their deed.

Mr. Burge stated in the future, owners of this property would need to be made aware of the fact that this is here if they want to build an addition, such as a garage.

Mr. Rapacz asked, so basically you approved one plan and then another house was built, correct?

Mrs. Abbey stated, yes.

Mr. Rapacz asked, how does that happen?

Mrs. Abbey stated the city requires a foundation as-built to be submitted prior to occupancy. It is up to them when they submit it, we recommend they submit it before framing. It looks like this was done in July, so we don't know why they didn't submit it to us then and we could have caught it prior to framing.

Mrs. Walter stated on the storm owner easement survey that we submitted, it shows a 13 foot setback on the north side of the house because of the shift. Normally when they put that house in, they do it right in the middle of the envelope. So I do apologize, I was not aware the builder went with a different plan. I think we were doing about eight houses at the time that permit was pulled, so it may have been a little hectic on his end. I apologize he's not able to be here in this meeting to explain. We are on our 35th house in the subdivision and this is the first one where this has happened, and it will certainly be the last that this happens. We have to be a little more diligent and as stated earlier, the builder is putting in more safety guards.

Mrs. Ward- Terry motioned to grant a variance for ZBA case 21-05.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Michaeline Ward-Terry, Vice Chairperson
SECONDER:	Scott Hynes, Commissioner
AYES:	Burge, Conley, Hynes, Rapacz, Ward-Terry, Welch, Fuhst
EXCUSED:	Kautz, Richvalsky

3. ZBA #21-06

By: Greg Benjamin
1355 Blanch Ave, Burton MI

Re: 1355 Blanch Ave, Burton MI
Parcel 59-13-551-022

For: To Construct an addition. Requesting 5' rear setback when required 30' and requesting 15' front setback when required 20'.

Greg Benjamin 1355 Blanch Avenue, Burton, Michigan stated the main reason we want to do the addition is to build a basement for a tornado shelter. We thought about lifting the house and putting a basement under our crawl space but to be cost-efficient, it would be better to put an addition on.

Mrs. Abbey stated in this neighborhood, the lots are small and as you can see, a lot of them are already built in the setbacks. They were houses built prior to the zoning ordinance. If you look at his house, it appears to already be in the setback. It's a

very small lot and it's a corner lot which gives two deficiencies for him to be able to do anything with that property. Since there are no objections from the neighbor's, which would be ultimately affected by it, we would recommend approval.

Mrs. Ward-Terry asked, is this property already non-compliant to the setback because of the age of it?

Mrs. Abbey stated the one on Pearl Street, yes. I think that one is a 20-foot requirement.

Mr. Burge stated I have been by the address, the neighbors get along, it's not going to interfere with the neighbors at all, he's just going to have a little less grass to mow.

Mrs. Conley motioned to approve ZBA case 21-06.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Christina Conley, Council Representative
SECONDER:	Tim Rapacz, Commissioner
AYES:	Burge, Conley, Hynes, Rapacz, Ward-Terry, Welch, Fuhst
EXCUSED:	Kautz, Richvalsky

G. AUDIENCE PARTICIPATION

Public comment may be sent to: publiccomment@burtonmi.gov. Comments received prior to the meeting will be read into the record.

No audience participation.

H. BOARD DISCUSSION

The board discussed when we may go back to regular meetings.

The next regularly scheduled meeting will be held on Thursday, April 15, 2021, at 5:00 p.m.

Minutes Acceptance: Minutes of Mar 18, 2021 5:00 PM (Approval of Minutes)



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 5039)

Meeting: 04/15/21 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Leandra Swayne
Department Head: Charles Abbey

F.1

DOC ID: 5039

ZBA #21-07

By: Adam Reigle
2020 Crooked Ln. Flint MI 48503

Re: 3189 Dort Hwy. Burton MI 48529
Parcel ID 59-28-501-190

For: To conduct an M-1 special use in a C-2 zone for auto repair facility.

ATTACHMENTS:

- ZC#21-07 (DOC)
- Backup 21-07 (PDF)

This is a notice for a Zoning Board of Appeals Request, for a variance from the terms of the City's zoning ordinance. You may join the virtual meeting through the link below and voice your opinion or concerns, be represented by counsel at the virtual meeting or submit a written statement prior to the start of the meeting to:

Department of Public Works
4093 Manor Dr.
Burton, MI 48519
Or email: publiccomment@burtonmi.gov

The meeting time & place is as follows:

Date: April 15, 2021
Time: 5:00 p.m.
Place: Virtual Meeting

Zoning Board of Appeals
Hosted by Racheal Boggs

<https://cityofburton.my.webex.com/cityofburton.my/j.php?MTID=m5fecb42c9dfe66e105ef67e1cd3c10ee>

Thursday, Apr 15, 2021 5:00 pm | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 182 187 4433

Password: Zone123 (9663123 from phones and video systems)

Join by video system

Dial 1821874433@webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-415-655-0001 US Toll

Access code: 182 187 4433

ZBA Case #: 21-07

Applicant's Name: Adam Reigle
Address: 2020 Crooked Lane
Flint MI 48503

Location of Request: 3189 Dort Hwy. Burton MI 48529
Parcel ID 59-28-501-190

Nature of Request: To conduct an M-1 special use in a C-2 zone for auto repair facility.

Attachment: ZC#21-07 (5039 : ZBA #21-07)



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

Date Filed: 2/24/202
 Fee Paid: 450
 Receipt #: _____
 Check #: _____
 Received by: Shayne
 Date Mailed: _____

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

ZBA Case #: 21-07 5 Votes Required

DATE OF ZONING BOARD OF APPEALS HEARING: APRIL 15 AT 5 P.M.

PLEASE PRINT

APPLICANTS NAME: Adam Reigle

APPLICANTS ADDRESS: 2020 Crooked Lane

CITY: Flint, MI 48503

APPLICANTS PHONE: 312-497-1166

APPLICANTS EMAIL: adam.reigle@gmail.com

ADDRESS AND PARCEL OR LOT NUMBER: 3189 S. Dext Hwy.

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: C2 to M1

I hereby certify that the proposed application is authorized by the owner of record and that I have been authorized by the owner to make this application as his agent. I agree the statements made on the attached application are true, and if found not to be true, any permit that may be issued may be void. Further, I agree to give permission to officials of the City of Burton to enter the property subject to this permit application for the purposes of inspections. Further I understand that this is an application and any fees paid will not be refundable regardless of the decision of the Commission. Mandatory attendance at the above meeting is acknowledged.

APPLICANTS SIGNATURE: Adam Reigle

Attachment: Backup 21-07 (5039 : ZBA #21-07)

APPLICANT:

Please explain your hardship or reason this variance is needed and attach to the application. Any information provided to the board will be public information and will be given to the board approximately 2 weeks prior to the meeting.

Variance is requested so that we are compliant with City of Burton zoning ordinances. I mis-understood the building's current zoning and request that the building be re-zoned to match the current use.

Code (building and fire) violations will be remediated prior to the April 15, 2021 Zoning Board of Appeals meeting.

OWNER ACKNOWLEDGMENT:

I, Adam Reigle am the owner of property
known as: 3189 S. Dort Hwy. located in the City of Burton. I give permission
to _____ to make an application to the Zoning Board of
Appeals on behalf of my property. I understand unless specified by the Zoning Board of Appeals, any action
taken by the board is permanently associated with this property in accordance with the State of Michigan
Zoning Enabling Act.

If I need to be contacted for any reason please contact me at:

Owner Name: Adam Reigle
Address: 2020 Crooked Lane
City: Flint, MI 48503
Phone: 312-497-1166
Email: adam.reigle@gmail.com

SIGNATURE: 

DATE: 2-23-21

Attachment: Backup 21-07 (5039 : ZBA #21-07)



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 5040)

Meeting: 04/15/21 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Leandra Swayne
Department Head: Charles Abbey

F.2

DOC ID: 5040

ZBA #21-08

By: Edwards Brenner
3264 Card Dr Burton Mi

Re: 3264 Card Dr. Burton MI
Parcel #59-33-100-013

For: To conduct a marijuana facility within 500 feet from another facility.

ATTACHMENTS:

- ZC#21-08 (DOC)
- Backup 21-08 (PDF)

This is a notice for a Zoning Board of Appeals Request, for a variance from the terms of the City's zoning ordinance. You may join the virtual meeting through the link below and voice your opinion or concerns, be represented by counsel at the virtual meeting or submit a written statement prior to the start of the meeting to:

Department of Public Works
4093 Manor Dr.
Burton, MI 48519
Or email: publiccomment@burtonmi.gov

The meeting time & place is as follows:

Date: April 15, 2021
Time: 5:00 p.m.
Place: Virtual Meeting

Zoning Board of Appeals
Hosted by Racheal Boggs

<https://cityofburton.my.webex.com/cityofburton.my/j.php?MTID=m5fecb42c9dfe66e105ef67e1cd3c10ee>

Thursday, Apr 15, 2021 5:00 pm | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

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Join by phone

+1-415-655-0001 US Toll

Access code: 182 187 4433

ZBA Case #: 21-08

Applicant's Name: Edward Brenner
Address: 3264 Card Dr.
Burton MI

Location of Request: 3264 Card Dr. Burton MI 48529
Parcel ID 59-33-100-013

Nature of Request: To conduct a marijuana facility within 500 ft of another facility.

Attachment: ZC#21-08 (5040 : ZBA #21-08)



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

Date Filed: 3-9-2021
Fee Paid: 450
Receipt #: _____
Check #: 1056
Received by: [Signature]
Date Mailed: _____

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

ZBA Case #: 21-08 5 Votes Required

DATE OF ZONING BOARD OF APPEALS HEARING: APRIL 15 2021 AT 5 P.M.

PLEASE PRINT

APPLICANTS NAME: Edward Brenner

APPLICANTS ADDRESS: 3264 Card Drive

CITY: Burton

APPLICANTS PHONE: 810-691-2079

APPLICANTS EMAIL: ed-brenner@msn.com

ADDRESS AND PARCEL OR LOT NUMBER: 3264 Card Drive, Burton
Parcel Code # - 59-33-100-013

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: For Cannabis Use

I hereby certify that the proposed application is authorized by the owner of record and that I have been authorized by the owner to make this application as his agent. I agree the statements made on the attached application are true, and if found not to be true, any permit that may be issued may be void. Further, I agree to give permission to officials of the City of Burton to enter the property subject to this permit application for the purposes of inspections. Further I understand that this is an application and any fees paid will not be refundable regardless of the decision of the Commission. Mandatory attendance at the above meeting is acknowledged.

APPLICANTS SIGNATURE: [Signature]

Attachment: Backup 21-08 (5040 : ZBA #21-08)

APPLICANT:

Please explain your hardship or reason this variance is needed and attach to the application. Any information provided to the board will be public information and will be given to the board approximately 2 weeks prior to the meeting.

The reason for the rezoning is for Cannabis use because our property has lost considerable value because we were not able to use the property for Cannabis use. We have a cash offer on the table - if we can get the property zoned properly. You let the gentlemen across the street build a Cannabis facility within 200 feet of our home. It would be greatly appreciated if we could get this property zoned properly so we could move on.

Thank you very much

Edward A. Brenner

Attachment: Backup 21-08 (5040 : ZBA #21-08)

OWNER ACKNOWLEDGMENT:

I, Edward A. Brenner am the owner of property
 known as: 3264 Card Drive located in the City of Burton. I give permission
 to _____ to make an application to the Zoning Board of
 Appeals on behalf of my property. I understand unless specified by the Zoning Board of Appeals, any action
 taken by the board is permanently associated with this property in accordance with the State of Michigan
 Zoning Enabling Act.

If I need to be contacted for any reason please contact me at:

Owner Name: Edward A. Brenner
 Address: 1235 Clubhouse Drive
 City: Lake Isabella, Mi.
 Phone: 810-691-2079
 Email: ed-brenner@msn.com

SIGNATURE: _____

DATE: April 8, 2021

Attachment: Backup 21-08 (5040 : ZBA #21-08)



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 5041)

Meeting: 04/15/21 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Leandra Swayne
Department Head: Charles Abbey

F.3

DOC ID: 5041

ZBA #21-09

By: RCB Enterprise Co. LLC
5042 Exchange Dr. Flint MI 48507

Re: G4211 Fenton Rd Burton MI
Parcel ID 59-31-501-086

For: To conduct an M-2 use in a C-2 Zone for auto repair facility including painting.

ATTACHMENTS:

- ZC#21-09 (DOC)
- Backup 21-09 (PDF)

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Burton, MI 48519
Or email: publiccomment@burtonmi.gov

The meeting time & place is as follows:

Date: April 15, 2021
Time: 5:00 p.m.
Place: Virtual Meeting

Zoning Board of Appeals
Hosted by Racheal Boggs

<https://cityofburton.my.webex.com/cityofburton.my/j.php?MTID=m5fecb42c9dfe66e105ef67e1cd3c10ee>

Thursday, Apr 15, 2021 5:00 pm | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

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Join by phone

+1-415-655-0001 US Toll

Access code: 182 187 4433

ZBA Case #: 21-09

Applicant's Name: RCB Enterprises Co. LLC
Address: 5042 Exchange Dr
Flint MI 48507

Location of Request: G4211 Fenton Rd Burton Mi
Parcel ID 59-31-501-086

Nature of Request: To conduct an M-2 use in a C-2 Zone for auto repair facility including painting.

Attachment: ZC#21-09 (5041 : ZBA #21-09)



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

Date Filed: 3-19-2021
 Fee Paid: 450
 Receipt #: _____
 Check #: cash
 Received by: [Signature]
 Date Mailed: _____

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

ZBA Case #: 21-09 5 Votes Required

DATE OF ZONING BOARD OF APPEALS HEARING: April 15 2021 AT 5 P.M.

PLEASE PRINT

APPLICANTS NAME: RCB Enterprises Co. LLC dba Spoiler & Wing King
 APPLICANTS ADDRESS: 5042 Exchange Drive Christina A. Burns
 CITY: Flint MI 48507 Sole member
 APPLICANTS PHONE: 810 733 9464
 APPLICANTS EMAIL: cjillman0513@aol.com
 ADDRESS AND PARCEL OR LOT NUMBER: 64211 Fenton Rd. Burton

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: M2 Use in a C2 Zone

I hereby certify that the proposed application is authorized by the owner of record and that I have been authorized by the owner to make this application as his agent. I agree the statements made on the attached application are true, and if found not to be true, any permit that may be issued may be void. Further, I agree to give permission to officials of the City of Burton to enter the property subject to this permit application for the purposes of inspections. Further I understand that this is an application and any fees paid will not be refundable regardless of the decision of the Commission. Mandatory attendance at the above meeting is acknowledged.

APPLICANTS SIGNATURE: Christina A. Burns sole member

Attachment: Backup 21-09 (5041 : ZBA #21-09)

APPLICANT:

Please explain your hardship or reason this variance is needed and attach to the application. Any information provided to the board will be public information and will be given to the board approximately 2 weeks prior to the meeting.

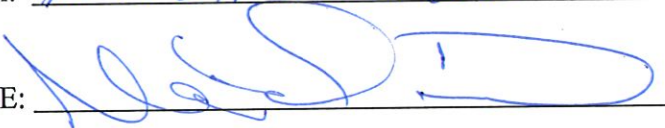
See attached

OWNER ACKNOWLEDGMENT:

I, NAHIDAH meiou am the owner of property
 known as: G 4211 Fenton Rd located in the City of Burton. I give permission
 to RCB Enterprises Co. LLC to make an application to the Zoning Board of
Christina Burns sole member
 Appeals on behalf of my property. I understand unless specified by the Zoning Board of Appeals, any action
 taken by the board is permanently associated with this property in accordance with the State of Michigan
 Zoning Enabling Act.

If I need to be contacted for any reason please contact me at:

Owner Name: Nahidah meiou
 Address: 12270 E Atherton
 City: Dawson mi 48423
 Phone: 810 397 7285
 Email: meiou Nahidah@gmail - com

SIGNATURE: DATE: 3.19.21

Who We Are: RCB Enterprises Co., LLC. dba Spoiler and Wing King

Inception Date: May, 2006

What We Do: Painted Factory Style Spoilers and Universal Body Side Moldings

Brief History: RCB Enterprises Co., LLC was the umbrella company in which two companies worked under: Advanced Auto Sound and Accessories and Spoiler and Wing King. Advanced was sold in 2010 so time could be devoted to the growing automotive aftermarket parts industry.

Why We're Here: We are requesting a M2 use in a C2 Zone to move our operation to G4211 Fenton Road. This same M2 use was granted to Professional Auto Collision, located at G4179 Fenton Road which is approximately 600 ft north of the location for which we are asking.

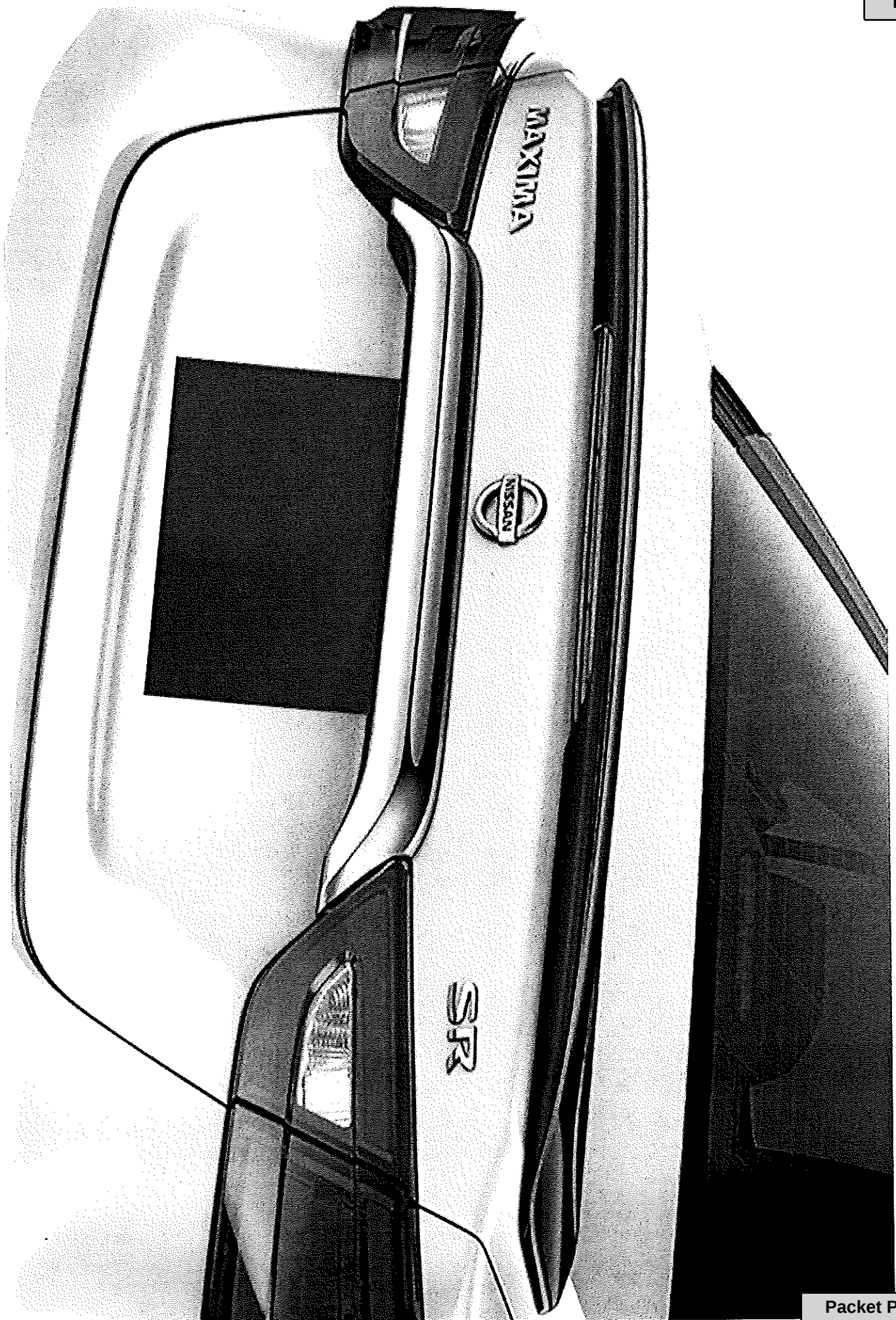
All equipment and procedures follow all strict guidelines set forth including but not limited to:

- State of Art Global downdraft paint booth and self-contained paint mixing room with fire suppression system (which includes bi-annual inspections). All oversprays are disbursed through specially designed pocket filters, which minimizes exhaust fumes. (specification sheet attached). The paint booth and paint mixing room are OSHA, NFPA, ETL, EPA and ICC Code Compliant.
- Current DEQ Site ID # MID037741113 We are a low waste generator and all wastes are picked up and disposed by environmental cleanup companies (Safety Kleen and Americhem)

If further information is necessary, please feel free to reach out to us:

Christina Burns, Sole Member
cgillman0513@aol.com
(810) 733-9464 Office
(810) 397-9315 Cell

Bob Burns, General Manager
rburns6153@aol.com
(810) 733-9464 Office
(810) 814-4993 Cell



Paint Pockets®

Best Spray Booth Overspray Arrestor!

Paint Pockets® is the best performing, single-stage overspray arrestor, bar none. Paint Pockets excels in arresting both liquid and powder coating overspray generated in industrial, automotive, and aerospace applications. Paint Pockets knocks down and retains more overspray than any arrestor. It keeps overspray out of your exhaust stack and off the booth floor. Paint Pockets is your best value for production spray booths.

Its unique design holds up to five times more overspray than other filters, enabling you to cut your filter changes by up to 80%. The three-dimensional "pockets" embedded in the front face of Paint Pockets more than double its surface area, allowing the arrestor to capture and hold very large quantities of overspray. Paint Pockets arrestors have superior wet tensile strength. Arrestors loaded with wet overspray do get heavy, but they won't tear or sag.

Paint Pockets arrestors slash disposal costs. Fewer filter changes means less waste. Your savings are significant, particularly if you use hazardous waste processors.

Arrests Virtually All Overspray

Independent laboratory test reports confirm Paint Pockets excels at capturing the very small 2.5 to 10 micron particles that typify overspray produced in most spray finishing operations. The arrestor effectively captures and retains these particles, preventing them from contaminating downstream equipment. Paint Pockets removes far more particles from the booth exhaust than any other high performance, single-stage overspray arrestor.

Its 99.84% arrestance efficiency means only 0.16% of the overspray actually penetrates the arrestor. At first glance, Filter X, a competitive arrestor, with a 99.5% overall arrestance efficiency might seem comparable. In reality though, three times as much overspray penetrates Filter X.

More importantly, Paint Pockets captures more of the smaller particulates than any other single-stage arrestor. The Fractional Arrestance Efficiency chart shows Paint Pockets arrests smaller overspray particulates that penetrate other arrestors.

Stable Air Flow

Its unique pockets enable Paint Pockets to accumulate significant quantities of overspray before it begins to noticeably restrict booth airflow. This feature permits you to "tune" your entire finishing process for maximum transfer efficiency and, more importantly, to operate in the optimum efficiency zone. Increased transfer efficiency means more parts coated per quantity sprayed and longer intervals between filter changes. A higher percentage of the finish is coating parts instead of the arrestors.

Low Run-Off

Paint Pockets now only removes overspray from your booth's exhaust air stream, its pockets assist in retaining overspray with the arrestor. Reduced run-off means less booth floor clean-up and quicker filter changes.

Best Value

You get up to an 80% reduction in filter changes, a corresponding reduction in waste disposal costs, more than a 50% reduction in backsection and exhaust stack cleanouts, significantly less runoff, and improved transfer efficiency - all in an easy-to-change, user-friendly, polyester filter.

Paint Pockets is the most effective and most economical way to manage the overspray produced by common coatings including medium and high solids paints, powder coatings, water reduced paints, plural component coatings, stains, and adhesives.



*Cut Operating Costs
While Improving
Performance*

Attachment: Backup 21-09 (5041 : ZBA #21-09)

Paint Pockets overspray arrestor is the best single-stage arrestor technology currently available for production spray booths. It is the lowest total cost solution for responsible overspray management.

Specifications

Overall Arrestance Efficiency:	99.84%
Fractional Arrestance Efficiency	
20 microns	100.0%
10 microns	99.8%
5 microns	84.5%
2.5 microns	4.2%
Holding Capacity	Up to 6 lbs/sq ft
Maximum Tested Air Velocity	700 FPM
Initial Pressure Drop (@100 FPM)	0.06 in W.C.
Maximum Pressure Drop	1.00 in W.C.
Flammability Rating	UL Class II
Filter Construction	High Loft, Multi-Ply, Non-woven Polyester

European Patent No. 0724473

U.S. Patent No. 6,071,419

Paint Pockets Co. is committed to the continued improvement of its products and processes. Therefore, specific specifications are subject to change without advance notice.

Attachment: Backup 21-09 (5041 : ZBA #21-09)



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



DAN WYANT
DIRECTOR

April 28, 2014

Bob Burns
RCB Enterprises Co LLC
5042 Exchange Dr
Flint, MI 48507-2906

Dear Bob:

SUBJECT: Application Submitted to Obtain a Site Identification (ID) Number

This letter confirms that the Michigan Department of Environmental Quality (MDEQ) received the information you submitted on an EQP5150 (Site ID form) to obtain a Site ID number issued under Part 111, Hazardous Waste Management, or Part 121, Liquid Industrial Waste, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA).

The Site ID number **MID037741113** has been issued for the site located at: **5042 Exchange Dr, Flint, MI 48507**. Please note you may be contacted for additional information.

If you wish to review the information on record regarding this site you can log onto the MDEQ Web site at <http://www.michigan.gov/deq>. Click on "WASTE", then under "Featured Online Services" click on "Waste Data System". Enter the Site ID number in the "Quick Search" and click "GO". This will bring up all of the information for this site under the Hazardous Waste or Liquid Industrial Waste Programs.

If you need to make any corrections, changes, or additions to the site data, or change the site contact information, please do so on the Site ID Form and fax, e-mail, or mail it to the MDEQ. If you need to obtain a new Site ID number because the business moved to another location (Site ID number is assigned to the physical location), please go to the Waste Data System as noted above and follow the instructions on the first page to print a Site ID form and pay on-line with a credit card. Then fax your completed Site ID form and credit card receipt to 517-373-4797.

If you do not have access to the Internet you can obtain a blank copy of the form by contacting the MDEQ at 517-284-6597 to request a paper copy of the Site ID form be sent or faxed to you.

If you have any questions feel free to contact Mr. Gerry Kelly at 517-284-6596 or kellyg@michigan.gov.

Sincerely,

Jack Schinderle, Chief
Management and Tracking Unit
Hazardous Waste Section
Office of Waste Management and Radiological Protection

cc: Lansing District Office

Attachment: Backup 21-09 (5041 : ZBA #21-09)

QUALITY PERFORMER[®] XP1

The Performer XP1 is the fully loaded version of GFS' affordable paint booth line. With added features such as an integrated AdvanceCure System, two-row pit, best-in-class heater and LOGIC 3 control panel, the Performer XP1 takes the standard paint booth to a new level.

Airflow	Inside Dimensions			Outside Dimensions*			No. of Light Fixtures		Product Door Opening	Air Heater	Dual-Row Pit Length
	Width	Height	Length	Width	Height	Length	Ceiling	Sidewall			
Downdraft	14'	9'	27'	14' 5"	11'	27' 5"	8	4	9' 8" W x 8' 8" H	GUL	24'

*Floor-mounted air heater dimensions are not included in the outside dimensions. Additionally, if a floor leveling system is used, booth height may increase beyond the dimensions listed.

BOOTH FEATURES

AIRFLOW

- High-Performance Airflow Ceiling
- Fully integrated AdvanceCure Blade Accelerated Airflow System
- 90/10 air recirculation during cure cycle

CONSTRUCTION

- White pre-coated galvanized steel
- Dual-skin insulated panels
- Industry standard 10-foot-wide, 2-foot-high plenum
- Floor leveling system

LIGHTING

- Six-tube, T8 LED light fixtures

DOORS

- Three-wing entry door with three observation windows
- Personnel door with observation window

HEATER

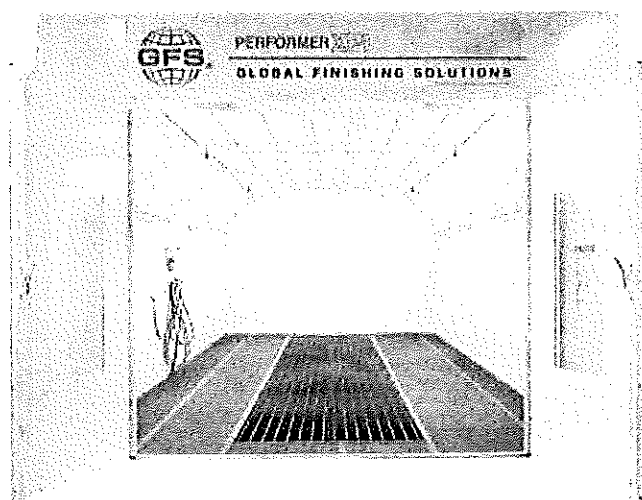
- Dual VFD
- 10 hp intake and exhaust motors
- 1.2 MBTU direct-fire burner

CONTROLS

- LOGIC 3 control panel

BOOTH OPTIONS

- Three-row pit
- Raised basement
- Drive-thru configuration
- Six-tube corner light fixtures
- Additional six-tube sidewall light fixtures
- Sidewall observation windows
- Control panel upgrade



CODE COMPLIANCE

GFS guarantees that our products meet or exceed all of the applicable codes related to the equipment. Our engineers regularly follow and contribute to the advancement of codes and standards that affect the industries that we work in. One of our engineers currently serves on the NFPA Technical Committee on Finishing Processes, a key standard in the finishing industry.

- OSHA
- NFPA
- ETL
- EPA
- ICC

Attachment: Backup 21-09 (5041 : ZBA #21-09)



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 5042)

Meeting: 04/15/21 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Leandra Swayne
Department Head: Charles Abbey

F.4

DOC ID: 5042

ZBA #21-10

By: Justin Carpenter
2182 Boatfield Ave. Burton MI 48529

Re: 2182 Boatfield Ave. Burton MI
Parcel ID 59-32-501-197

For: To construct a garage 2 feet closer to the front property line than the existing house.

ATTACHMENTS:

- ZC#21-10 (DOC)
- Backup 21-10 (PDF)

This is a notice for a Zoning Board of Appeals Request, for a variance from the terms of the City's zoning ordinance. You may join the virtual meeting through the link below and voice your opinion or concerns, be represented by counsel at the virtual meeting or submit a written statement prior to the start of the meeting to:

Department of Public Works
4093 Manor Dr.
Burton, MI 48519
Or email: publiccomment@burtonmi.gov

The meeting time & place is as follows:

Date: April 15, 2021
Time: 5:00 p.m.
Place: Virtual Meeting

Zoning Board of Appeals
Hosted by Racheal Boggs

<https://cityofburton.my.webex.com/cityofburton.my/j.php?MTID=m5fecb42c9dfe66e105ef67e1cd3c10ee>

Thursday, Apr 15, 2021 5:00 pm | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 182 187 4433

Password: Zone123 (9663123 from phones and video systems)

Join by video system

Dial 1821874433@webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-415-655-0001 US Toll

Access code: 182 187 4433

ZBA Case #: 21-10

Applicant's Name: Justin Carpenter
Address: 2182 Boatfield Ave
Burton MI 48529

Location of Request: 2182 Boatfield Ave
Parcel ID 59-32-501-197

Nature of Request: To construct a garage 2 feet closer to the front property line than the existing house.

Attachment: ZC#21-10 (5042 : ZBA #21-10)



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

Date Filed: 3-19-202
 Fee Paid: 250
 Receipt #: _____
 Check #: CARD
 Received by: Swaine
 Date Mailed: _____

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

ZBA Case #: 21-10 4 Votes Required

DATE OF ZONING BOARD OF APPEALS HEARING: APRIL 15, 2021 AT 5 P.M.

PLEASE PRINT

APPLICANTS NAME: Justin Carpenter

APPLICANTS ADDRESS: 2182 E Boatfield Ave

CITY: Burton MI 48529

APPLICANTS PHONE: 810 293 0370

APPLICANTS EMAIL: justinborton51@yahoo.com

ADDRESS AND PARCEL OR LOT NUMBER: _____

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: Approval for garage.

I hereby certify that the proposed application is authorized by the owner of record and that I have been authorized by the owner to make this application as his agent. I agree the statements made on the attached application are true, and if found not to be true, any permit that may be issued may be void. Further, I agree to give permission to officials of the City of Burton to enter the property subject to this permit application for the purposes of inspections. Further I understand that this is an application and any fees paid will not be refundable regardless of the decision of the Commission. Mandatory attendance at the above meeting is acknowledged.

APPLICANTS SIGNATURE: Justin Carpenter

Attachment: Backup 21-10 (5042 : ZBA #21-10)

APPLICANT:

Please explain your hardship or reason this variance is needed and attach to the application. Any information provided to the board will be public information and will be given to the board approximately 2 weeks prior to the meeting.

Garage is less than 2ft past the house does not obstruct any view. I attached photos. Garage 27ft from road. House is 28 1/2 from road

OWNER ACKNOWLEDGMENT:

I, Justin Carpenter am the owner of property
known as: 2182 E Boatfield located in the City of Burton. I give permission
to _____ to make an application to the Zoning Board of
Appeals on behalf of my property. I understand unless specified by the Zoning Board of Appeals, any action
taken by the board is permanently associated with this property in accordance with the State of Michigan
Zoning Enabling Act.

If I need to be contacted for any reason please contact me at:

Owner Name: Justin Carpenter
Address: 2182 E Boatfield
City: Burton
Phone: 810-293-0370
Email: Justinhorton51@yahoo.com

SIGNATURE: 

DATE: 3-19-2021

Attachment: Backup 21-10 (5042 : ZBA #21-10)



F.4.b

Attachment: Backup 21-10 (5042 : ZBA #21-10)

