



CITY OF BURTON

ZONING BOARD OF APPEALS

AUGUST 21, 2014

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	Present	
Tracy Parker	Commissioner	Present	
Scott Hynes	Commissioner	Present	
Bobbie Weatherford	Commissioner	Absent	
Steve Welch	Commissioner	Remote	
Tim Rapacz	Alternate Commissioner	Excused	
Robert Olsen	Alternate Commissioner	Excused	

C. STAFF PRESENT

Amber Abbey, Deputy Planning Official
Lindsay Young, Clerk Typist

D. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Jul 17, 2014 5:00 PM

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

E. VARIANCE

1. ZBA #14-14

By: John Finch
2431 S. Belsay Rd.
Burton, MI 48519

Re: 2431 S. Belsay Rd.
Burton, MI 48519

59-24-551-032, R-1A Zone

For: To construct a detached garage that will be located in the front of the principal structure on an existing foundation. (4 Votes Required)

John Finch of Burton said the previous structure was demolished and a manufactured home was put on the property. He is not able to drive past his house to place a garage in the rear.

Mrs. Abbey recommended approval.

2. Approve and authorize ZBA#14-14

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

3. ZBA #14-15

By: Creative Wood Products
3201 W. Thompson Rd.
Fenton, MI 48430

Re: 2383 Maplelawn Dr.
Burton, MI 48519,
59-24-552-080, R-1A Zone

For: To construct a deck that will be 8' from the side property line, 10' required. (4 Votes Required)

Steve Darby said his existing deck is unsafe and would like to put a new one up back where it was.

Mrs. Abbey recommended approval.

4. Approve and authorize ZBA#14-15

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

5. ZBA #14-16

By: Karen Dykes
2051 McLean Ave.
Burton, MI 48529

Re: 2051 McLean Ave.
Burton, 48529,

59-32-503-056, R-1C Zone

For: To construct a deck that will be 7' from the front property line, 20' required. (4 Votes Required)

Karen Dykes said she would like to construct a deck to have access to her front porch.

Mrs. Abbey recommended approval.

6. Approve and authorize ZBA#14-16

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Terry Parker, Commissioner
SECONDER:	Duane Haskins, Council Representative
AYES:	Haskins, Walls, Parker, Parker, Hynes, Welch
ABSENT:	Weatherford
EXCUSED:	Rapacz, Olsen

7. 1142 : ZBA #14-17 POSTPONED UNTIL NEXT MEETING ON SEPTEMBER 18, 2014

By: Thomas Joubran
6093 Davison Rd.
Burton, MI 48509

Re: 4006 S. Dort Hwy and 2512 Bristol Rd.
Burton, MI 48529,
59-32-530-035 / 59-32-530-038, M-1 Zone

For: To conduct a medical marijuana dispensary and growing facility on one parcel.
(5 Votes Required)

8. ZBA #14-18

By: South Flint Tabernacle
P.O. Box 7008
Flint, MI 48507

Re: 1291 Maple Rd.
Burton, MI 48529,
59-31-400-103, HRM/R-1C Zone

For: 1. To have an ingress and egress directed onto a local thoroughfare (Greenly), major required. 2. To construct a 6' chain link fence with a 12" high 9 gauge tension wire, 5' allowed. (4 votes required)

Kevin Cleaver of Fleis and Vandenbrink said they are requesting the drive access for busses only.

The following people were against the variance:

David Wallace of Burton
Roxanne Cassidy of Burton
David Cook of Burton
John Pruitt of Burton
Jeff Farewell of Burton
Jean Webb of Burton

Ann Coranado of Burton
Carol Hamilton of Burton
Brenda Wallace of Burton
Mike Gwinn of Burton
Karimah Dhul-Qarnayn of Burton
Debra Wickham of Burton
Dave Coranado of Burton

The following people were in favor of the variance:

Anita Harrison of Burton
Steve Colter of Burton
Jerry Blair of Burton
Judy Larson of Burton
Judy Vaughn of Burton

9. Approve and authorize ZBA#14-18 (1.)

RESULT:	FAILED [0 TO 6]
MOVER:	Robert Walls, Planning Chairman
SECONDER:	Terry Parker, Commissioner
NAYS:	Haskins, Walls, Parker, Parker, Hynes, Welch
ABSENT:	Weatherford
EXCUSED:	Rapacz, Olsen

10. Approve and authorize ZBA#14-18 (2.)

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

F. AUDIENCE PARTICIPATION

Mike Norman of Holly said the church applied for the variance because of a time and money constraint.

G. BOARD DISCUSSION

The next regularly scheduled meeting will be held on Thursday September 18, 2014, at 5:00 p.m.

DRAFT

CITY OF BURTON

ZONING BOARD OF APPEALS

JULY 17, 2014

Council Chambers

Regular Meeting

5:00 PM

**4303 S. CENTER ROAD
BURTON, MI 48519**

This meeting was opened by Commissioner Steve Welch at 5:15 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	Absent	
Scott Hynes	Commissioner	Absent	
Bobbie Weatherford	Commissioner	Late	5:15 PM
Steve Welch	Commissioner	Present	
Tim Rapacz	Alternate Commissioner	Present	
Robert Olsen	Alternate Commissioner	Present	

C. STAFF PRESENT

Amber Abbey, Deputy Planning Official
Lindsay Young, Clerk/Typist

D. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Jun 19, 2014 5:00 PM

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

E. VARIANCE

1. Approve and authorize ZBA#14-12
 By: Valerie Allie
 4453 Deer Park Pass
 Grand Blanc, MI 48439

 Re: 6189 South Pond Pte
 59-36-559-031, R-1B Zone

Minutes Acceptance: Minutes of Jul 17, 2014 5:00 PM (Approval of Minutes)

For: To construct a new home that will be 10' from the front property line, 25' required.

Tanya Sassack of Burton spoke against the variance.

Elizabeth Moss of Burton said she would like to build a home that is comparable to the others in the neighborhood and needs the variance to do so.

Robin Rice of Burton spoke against the variance.

Lori Miller of Burton spoke against the variance.

Donna Johnston of Burton said she does not have a problem with the variance.

Amber Abbey said sales of City owned properties are not solicited, but listed on the City's website and in the local newspaper. The price for the property is based on the assessed value and everything is done by bid. The property is buildable and she recommends approval.

Mr. Haskins said the City does not solicit properties, the lot is buildable, so the City can't stop a house from being built on it and the variance is to make it conform to the neighborhood.

Mr. Walls asked if it was bid out.

Mrs. Abbey said it was and it was for sale for a while because no one wanted to deal with the variance.

Mr. Welch said the lots are for sale by bid and listed on the website.

Mr. Rapacz said it is the builder of the subdivision that people should be upset with.

Mr. Parker said he would rather see the house look like the other houses.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Terry Parker, Commissioner
SECONDER:	Duane Haskins, Council Representative
AYES:	Haskins, Walls, Parker, Weatherford, Welch, Rapacz, Olsen
ABSENT:	Parker, Hynes

2. Approve and authorize ZBA #14-13

By: James Cokley in c/o Blessed Sacrament Church
6340 Roberta St.
Burton, MI 48509

Re: 1504 S. Vassar Rd. Burton, MI 48509,
59-13-400-003, R-1C Zone

For: 1. To construct an RM-1, Multiple Family Residential use in an R-1C, Single Family Residential zone, for two senior priest housing development projects.
2. To construct two 6 unit dwellings that will exceed the maximum number of attached dwelling, 4 units allowed
3. To authorize no sidewalk requirement on Vassar Road.

4. To construct the required fence on the north and south property lines only.

James Cokley of Burton spoke regarding moving forward with construction and the reason for his hardship.

Diane Hayes of Burton said she has no objections to the project and asked what kind of fence would be constructed.

Mrs. Abbey said this is the same exact project that would have been off of Roberta. This is a better location because it has direct egress to a major road. There is no need for a sidewalk. She recommended approval contingent upon the combination of the two lots.

Mr. Parker said if anyone other than a religious institution wanted 4 variances it would get denied. He asked if retention ponds were required.

Mrs. Abbey said that is up to the Drain Commission.

RESULT:	CARRIED [5 TO 2]
MOVER:	Robert Walls, Planning Chairman
SECONDER:	Duane Haskins, Council Representative
AYES:	Haskins, Walls, Weatherford, Welch, Olsen
NAYS:	Parker, Rapacz
ABSENT:	Parker, Hynes

F. AUDIENCE PARTICIPATION

None.

G. BOARD DISCUSSION

Mrs. Abbey said she measured the signage at the corner of Center and Davison and it is fine.

The next regularly scheduled meeting will be held on Thursday, August 21, 2014 at 5:00 p.m.

H. MEETING ADJOURNED AT 5:57 P.M.

Minutes Acceptance: Minutes of Jul 17, 2014 5:00 PM (Approval of Minutes)



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1139)

Meeting: 08/21/14 05:00 PM

Department: Department of Public Works

Category: Variance

Prepared By: Amber Abbey

Department Head: Greg Kray

E.1

DOC ID: 1139

ZBA #14-14

By: John Finch
2431 S. Belsay Rd.
Burton, MI 48519

Re: 2431 S. Belsay Rd.
Burton, MI 48519
59-24-551-032, R-1A Zone

For: To construct a detached garage that will be located in the front of the principal structure on an existing foundation. (4 Votes Required)



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1140)

Meeting: 08/21/14 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Amber Abbey
Department Head: Greg Kray

E.3

DOC ID: 1140

ZBA #14-15

By: Creative Wood Products
3201 W. Thompson Rd.
Fenton, MI 48430

Re: 2383 Maplelawn Dr.
Burton, MI 48519,
59-24-552-080, R-1A Zone

For: To construct a deck that will be 8' from the side property line, 10' required. (4
Votes Required)



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1141)

Meeting: 08/21/14 05:00 PM

Department: Department of Public Works

Category: Variance

Prepared By: Amber Abbey

Department Head: Greg Kray

E.5

DOC ID: 1141

ZBA #14-16

By: Karen Dykes
2051 McLean Ave.
Burton, MI 48529

Re: 2051 McLean Ave.
Burton, 48529,
59-32-503-056, R-1C Zone

For: To construct a deck that will be 7' from the front property line, 20' required. (4
Votes Required)



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1142)

Meeting: 08/21/14 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Amber Abbey
Department Head: Greg Kray

E.7

DOC ID: 1142

ZBA #14-17

By: Thomas Joubran
6093 Davison Rd.
Burton, MI 48509

Re: 4006 S. Dort Hwy and 2512 Bristol Rd.
Burton, MI 48529,
59-32-530-035 / 59-32-530-038, M-1 Zone

For: To conduct a medical marijuana dispensary and growing facility on one parcel. (5
Votes Required)



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 1143)

Meeting: 08/21/14 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Amber Abbey
Department Head: Greg Kray

E.8

DOC ID: 1143

ZBA #14-18

By: South Flint Tabernacle
P.O. Box 7008
Flint, MI 48507

Re: 1291 Maple Rd.
Burton, MI 48529,
59-31-400-103, HRM/R-1C Zone

For: 1. To have an ingress and egress directed onto a local thoroughfare (Greenly),
major required. 2. To construct a 6' chain link fence with a 12" high 9 gauge
tension wire, 5' allowed. (4 votes required)