



CITY OF BURTON

ZONING BOARD OF APPEALS

JUNE 17, 2021

Council Chambers

Regular Meeting

5:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by Chairman Steve Welch at 5:03 PM.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

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

C. STAFF PRESENT

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

D. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - May 20, 2021 5:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Tim Rapacz, Commissioner
SECONDER:	Rick Fuhst, Commissioner
AYES:	Burge, Kautz, Conley, Rapacz, Ward-Terry, Welch, Fuhst
EXCUSED:	Hynes, Richvalsky

E. VARIANCE

1. 5113 : ZBA #21-12 part 1 to construct a detached accessory structure that will exceed the allowed accessory structures.
By: Nora Petriches
1430 Amy St. Burton MI

Re: 1430 Amy St. Burton MI

- For: 1. To construct a detached accessory structure (Gazebo) that will exceed the allowed accessory structures, two existing already. 2. To exceed the buildable square footage by 216 square foot.

Nora Petriches of 1430 Amy St., Burton, MI stated she would like to add a gazebo to her existing patio. She currently has a pole barn and a shed on her one acre of land.

John Bessolo of Burton stated he is a neighbor of Mrs. Petriches and sees no problem with them adding a gazebo to their property.

Mrs. Abbey stated the first part of this variance is to allow a third structure to be built on the property. They already have two structures, the shed and pole barn. Adding the gazebo will exceed the allowable accessory structures. The intention of the ordinance is to prevent residents from putting up multiple sheds and garages. Seeing that this request is to add a gazebo, we would feel comfortable recommending approval. For the second part of the variance request, in 1997 Robert Petriches applied for a variance to build the pole barn which made it exceed the allowable square footage. Anything new that they want to put up will require a variance. We recommend approval on item number two as well.

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

2. ZBA #21-12 part 2 to exceed the buildable square footage by 216 square foot.

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

3. 5114 : ZBA #21-13 part 1 to conduct a M-1 light industrial use in a C-2 general business zone and remove the barbed wire fence immediately.

By: Sukhi Narwal / MPL Holdings LLC
48495 Central Park Dr. Canton MI 48188

Re: 3408 S. Dort Hwy Burton MI 48529
59-29-400-017, Zoned C-2

- For: 1. To conduct a M-1 light industrial use in a C-2 general business zone for a truck terminal. 2. To convert the existing accessory structure into the principle structure for office use, the structure does not meet setback requirements.

Hamoodi Khalaf of 7277 Rawsonville Rd., Belleville, MI stated they feel this property is able to meet the zoning requirements and would bring out its best use. Their company is a transportation company and an industry leader for General Motors. We service the nearby General Motors Flint Plant. There are many nearby and neighboring properties that are zoned M-1. There are no residential homes within

600-800 feet of this property and minimal pedestrian traffic. This makes the property favorable to a business such as ours. Our trucks are 2020-2021 and emission friendly. We would provide 24-hour video surveillance.

Mrs. Abbey stated there are two parts to this request. The first is for an M-1 use in a C-2 zone. We recommend approval on this part based on the fact that the property is located on a state highway and there are similar uses in the area. A ticket was issued in 2016 for the 6-foot high chain link fence with barbed wire. Portions of the fence remain that the previous owner would not take down. Any approval tonight, I would like to make the recommendation that it is on the contingency that the fence is removed immediately. As for item number two, the building does not meet the requirements and it sits at the back corner of the property. From the road, you would only see trucks, not a viable business. I am going to recommend denial on item number two. That will cause them to have to construct a building that meets the requirements.

Mr. Burge questioned the applicant regarding the office space.

Mr. Khalaf stated we want to bring in a mobilized trailer office unit that meets compliance for the office staff to use.

Mr. Burge asked if the trailer has to be permanent or temporary.

Mrs. Abbey stated it would have to be permanently placed through site plan review.

Mr. Burge asked how many trucks will be coming in and out of the business and if they will all be at the same time.

Mr. Khalaf stated there will be between 15-20 trucks. They will be parked at the same times and exiting at the same times.

Mr. Kautz asked for an explanation of a drop yard.

Mr. Khalaf stated it is a centralized hub where drivers will park their trucks after their runs. Some trucks will be empty, some will have metal racks.

Mr. Rapacz asked how the trailer would work for the business as opposed to the shed.

Mrs. Abbey stated it would have to meet setback requirements and have all the utilities. It would have to be put on a foundation and permanently placed.

Discussion ensued regarding the placement of the modular structure.

Mr. Rapacz motioned to approve ZBA case #21-13 part 1 to conduct a M-1 light industrial use in a C-2 general business zone and remove the barbed wire fence immediately.

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

4. ZBA #21-13 part 2 to convert the existing accessory structure into the principle structure for office use.

Mr. Burge motioned to approve ZBA case #21-13 part 2 to convert the existing accessory structure into the principle structure for office use.

Mr. Welch restated the motion for clarification.

RESULT:	FAILED [0 TO 5]
MOVER:	Kevin Burge, Planning Representative
SECONDER:	Rick Fuhst, Commissioner
NAYS:	Burge, Kautz, Rapacz, Welch, Fuhst
ABSENT:	Conley, Ward-Terry
EXCUSED:	Hynes, Richvalsky

F. AUDIENCE PARTICIPATION

No audience participation.

G. BOARD DISCUSSION

No board discussion.

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