



CITY OF BURTON

ZONING BOARD OF APPEALS

OCTOBER 15, 2020

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

Thursday, Oct 15, 2020 5:00 pm | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 126 288 8450

Password: cfXmfDW8H34 (23963398 from phones and video systems)

<https://cityofburton.my.webex.com/cityofburton.my/j.php?MTID=m714e824771ec0de207f5e31858589a09>

Join by video system

Dial 1262888450@webex.com <<mailto:1262888450@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: 126 288 8450

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. STAFF PRESENT

E. APPROVAL OF MINUTES

1. Meeting Minutes for the September 17th, 2020 meeting will be available for approval at the next scheduled Zoning Board of Appeals meeting.

F. VARIANCE

1. ZBA #20-05

By: Helios Security LLC
3075 Joyce St
Burton, MI 48529

Re: 3075 Joyce St., Burton MI 48529
59-28-553-016, M-2 Zoned

For: To conduct a secure transporter within a multi-tenant space

2. ZBA #20-08

By: Mario Lucaj
29793 Harrow Dr.
Farmington Hills MI

Re: 3365 Associates Dr Burton MI
59-29-551-023, M-1 Zoned

For: To conduct a marijuana establishment on a property with another use not associated with a co-location.

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, November 19, 2020, at 5:00 p.m.



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 4896)

Meeting: 10/15/20 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Amber Abbey
Department Head: Charles Abbey

F.1

DOC ID: 4896

ZBA #20-05

By: Helios Security LLC
3075 Joyce St
Burton, MI 48529

Re: 3075 Joyce St., Burton MI 48529
59-28-553-016, M-2 Zoned

For: To conduct a secure transporter within a multi-tenant space

ATTACHMENTS:

- Backup 20-05 (PDF)



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

Date Filed: 6-7-9-20
Fee Paid: 450.00
Receipt #: Casa
Check #: AA
Received by: AA
Date Mailed: 9-25-2020
300 ft. Notice Mailed

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

ZBA Case #: 20-05 4 Votes Required

DATE OF ZONING BOARD OF APPEALS HEARING: August 20, 2020 AT 5:00 P.M.

PLEASE PRINT

APPLICANTS NAME: Helios Security LLC - Alecia Dillon

APPLICANTS ADDRESS: 3075 Joyce St.

CITY: Burton

APPLICANTS PHONE: 231-571-3859

APPLICANTS EMAIL: Alecia.Dillon@Helios-srm.com

ADDRESS AND PARCEL OR LOT NUMBER: 3075 Joyce St., Burton MI 48529

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: We would like to split this property into Suite A and B due to the city ordinance and the nature of Helios's business. There will be 2 tenants - Helios Security & The Epoxy Guys.

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: Alecia Dillon

To conduct a secure transporter within a multi-tenant space.

Attachment: Backup 20-05 (4896 : ZBA #20-05)

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.

Helios Security is a security company who aims to serve + protect our Michigan Communities. One area we serve is providing secure transportation to local growers. We would like to have our current location split into Suite A and Suite B to be in compliance with the city of Burton zoning regulations. This location will serve as our main headquarters + will be staffed 24/7 and we will be installing multiple, top of the line security cameras. No one under the age of 18 will be permitted on the premises. Our other tenant uses the warehouse portion of the building for storage + uses this area 25%, only to pick-up + drop off their tools + supplies. We hope you consider our proposal so we can move forward in protecting the city of Burton.

Respectfully Submitted,
The Helios Security Team

OWNER ACKNOWLEDGMENT:

I, David Tougas am the owner of property
 known as: 3075 Joyce St. Burton MI located in the City of Burton. I give permission
 to Helios Security (Alecia Dillon) 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:

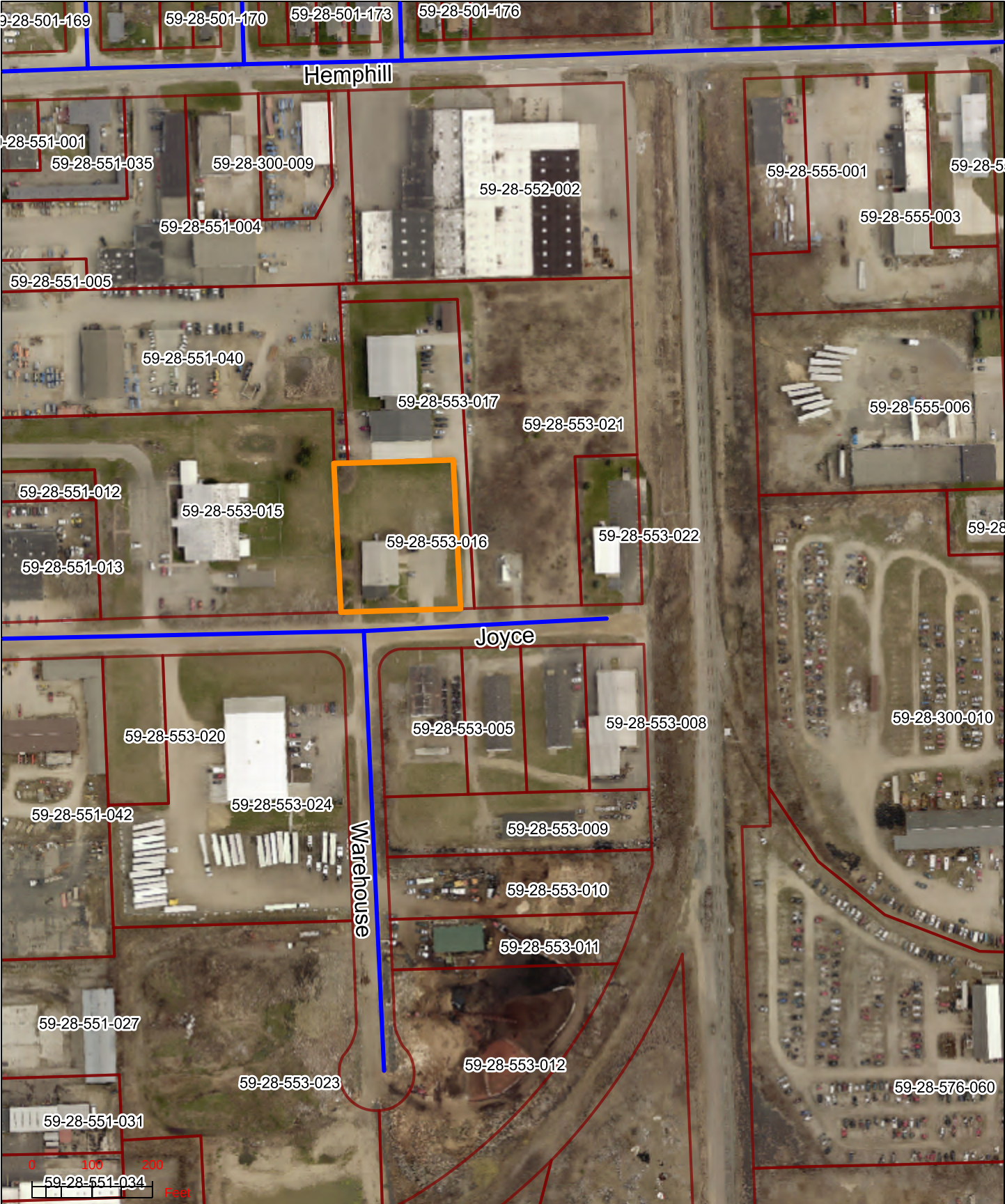
Owner Name: David Tougas
 Address: 3075 Joyce St.
 City: Burton
 Phone: 810-441-4494
 Email: mi epoxyguys@gmail.com

SIGNATURE: [Signature]

DATE: 6-29-20

Attachment: Backup 20-05 (4896 : ZBA #20-05)

BURTON



Attachment: Backup 20-05 (4896 : ZBA #20-05)



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

SCHEDULED

AGENDA ITEM (ID # 4898)

Meeting: 10/15/20 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Amber Abbey
Department Head: Charles Abbey

F.2

DOC ID: 4898

ZBA #20-08

By: Mario Lucaj
29793 Harrow Dr.
Farmington Hills MI

Re: 3365 Associates Dr Burton MI
59-29-551-023, M-1 Zoned

For: To conduct a marijuana establishment on a property with another use not associated
with a co-location.

ATTACHMENTS:

- Backup 20-08 (PDF)



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

Date Filed: 9/2/2020
 Fee Paid: 450
 Receipt #: _____
 Check #: 1550
 Received by: _____
 Date Mailed: 9-25-2020
300 FT 300 FT 300 FT

APPLICATION FOR ZONING BOARD OF APPEALS HEARING:

ZBA Case #: 20-08 4 Votes Required

DATE OF ZONING BOARD OF APPEALS HEARING: OCTOBER 15, 2020 AT _____ P.M.

PLEASE PRINT

APPLICANTS NAME: Mario Lucay

APPLICANTS ADDRESS: 29793 Harrow Dr

CITY: Farmington Hills

APPLICANTS PHONE: 734-612-1829

APPLICANTS EMAIL: Mario Lucay@gmail.com

ADDRESS AND PARCEL OR LOT NUMBER: 3365 Associates Drive

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: To conduct a marijuana establishment
on a property with another use not
associated with a co-location.

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]

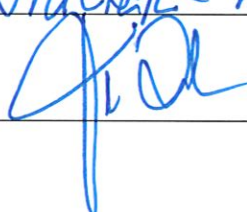
Attachment: Backup 20-08 (4898 : ZBA #20-08)

OWNER ACKNOWLEDGMENT:

I, JAMES TUCKER am the owner of property
 known as: 3365 ASSOCIATES located in the City of Burton. I give permission
 to MARIO LUCAJ 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: JAMES TUCKER
 Address: 6600 15 MILE RD
 City: STERLING HEIGHTS
 Phone: 248.755.4853
 Email: JTUCKER@MACOMBGROUP.COM

SIGNATURE: 

DATE: 9/1/2020

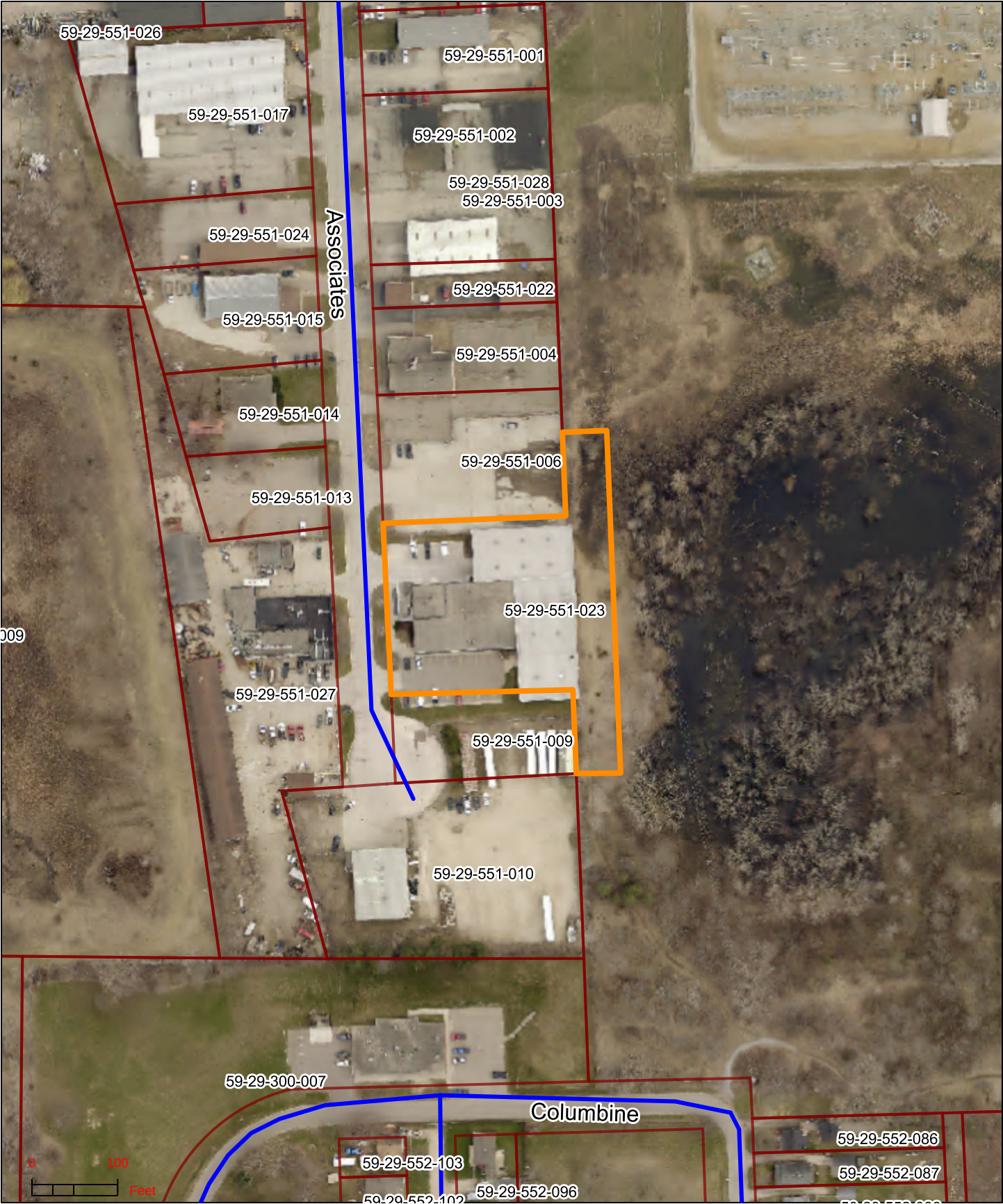
Attachment: Backup 20-08 (4898 : ZBA #20-08)

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 two weeks prior to the meeting.

Applicant applied and received a medical marijuana facility license for 3365 Associates drive with the intent of applying for a recreational marijuana retail license to service the recreational market. The addition of a recreational license at the same medical marijuana facility will not have a negative impact on the tenant/business that is co-located on the same property. Not receiving a recreational retail license will severely hurt the business. The owner of the building, who is also the tenant/owner of the business that is co-located on the same property fully supports our intended purchase of both a medical marijuana provisioning center and a recreational retail facility.

Attachment: Backup 20-08 (4898 : ZBA #20-08)

BURTON



Attachment: Backup 20-08 (4898 : ZBA #20-08)