



CITY OF BURTON

ZONING BOARD OF APPEALS

OCTOBER 20, 2022

Council Chambers

Regular Meeting

5:00 PM

4303 S. CENTER ROAD
BURTON, MI 48519

This meeting was opened by Chairman Steve Welch at 5:00 PM.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

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

C. STAFF PRESENT

Joy Roe, Clerk's Office
Amber Abbey, Deputy DPW Dir.
Leandra Swayne, DPW Clerk Code/Building

D. AUDIENCE PARTICIPATION

None.

E. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Sep 15, 2022 5:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Vaughn Smith, Council Representative
SECONDER:	Kevin Burge, Planning Representative
AYES:	Smith, Burge, Hynes, Rapacz, Ward-Terry, Welch, Fuhst
EXCUSED:	Kautz, Richvalsky

F. VARIANCE

1. ZBA #22-18
By: Joshua Beaudry
6280 E. Atherton Rd., Burton MI

Re: 6280 E. Atherton Rd., Burton MI
59-25-552-002, Zoned SE (Suburban Estate Residential District)

For: To conduct a M-2 (General Industrial District) special use, in a SE zone, to store construction contractor equipment and supplies, only.

My name is Joshua Beaudry, 6280. E. Atherton Rd. I'm here to apply for the variance and I'm trying to store contracting equipment for fence installation. I have one crew that comes in and out, we leave at 8am every day and we get back around 6. It is my business. I tore down the house originally and didn't have any issues until this year. I'm not sure what the complaint was, but we are here just trying to make everything work and get the proper approval for it. We have one truck that comes in and out every day. It doesn't affect traffic flow or have any issues like that.

James Rogers, 6429 E. Atherton Rd. stated I own the barber shop; I've been there over 50 years. I've seen that property where Josh is, and it needed major repair until he got there. He has done a great job on it, and he keeps it looking good. I think I have a pretty good cross section of the neighbors and I have never heard a complaint. We need to encourage small business here in Burton. Thank you for your time.

Glen Biggs, 6238 E. Atherton Rd. I have a question about the variance. Is the variance tied to the property? If he moves, is it the same variance for the next owner?

Mr. Welch stated that we will address that when it comes to the administration.

Mr. Welch read the comment from Brenda Nowlen, 6185 Golfview Dr., who spoke in favor of Joshua Beaudry getting the variance.

Mrs. Swayne discussed the variance and how it would be attached to the property unless the board puts a stipulation on the variance for some reason where it would move or change ownership.

Discussion about the history of the property, the complaint that happened in August, and the quick response to the complaint from Mr. Beaudry.

Discussion ensued about how the materials get delivered to the house or the project site.

Mrs. Swayne said if board approves, administration recommends stipulations be placed on variance.

Discussion about the fencing around the property and the above ground fuel tank getting permitted.

Motion to approve with the stipulations: the above ground fuel tank be permitted by LARA if required, the variance becomes void if or when new ownership takes place of the property, must install a gate to enclose the front fencing by the deadline given of December 31st, 2022, and add to existing fence along the East property line if and when business equipment or storage of material are to extend any further than the existing fence.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Kevin Burge, Planning Representative
SECONDER:	Vaughn Smith, Council Representative
AYES:	Smith, Burge, Hynes, Rapacz, Ward-Terry, Welch, Fuhst
EXCUSED:	Kautz, Richvalsky

- 2. Motion to approve ZBA #22-19 to construct wall signs that will be 187.2 sq ft, 36 sq ft allowed.

By: Alicia Walton
4825 E. Kearney St., Springfield, MO 65803

Re: 1242 E. Bristol Rd., Burton MI 59-31-100-032, Zoned C-4 (Planned Shopping Center District)

For: 1. To construct wall signs that will be 187.2 sq ft, 36 sq ft allowed.
2. To construct an additional freestanding sign, 1 allowed.

Rob Allen, 1242 E. Bristol Rd stated I'm representing the owner of Scooters Coffee, the owner was on speaker phone so she could hear and answer questions if needed.

Discussion about the wall signs, additional freestanding sign, history about the property, permits for the sign that is already there, and the size of the frontage along Bristol Road.

Recommendation from administration: Mrs. Abbey stated approval on the free-standing sign, and approval on the wall signs.

Motion to approve ZBA #22-19 to construct wall signs that will be 187.2 sq ft.

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

- 3. Motion to approve ZBA #22-19 to construct an additional freestanding sign.

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

G. TABLED ITEMS

- 1. ZBA #22-16
By: Vash Investment Group
4040 E. Bristol Rd., Burton MI 48519

Re: 4244 E. Bristol Rd., Burton MI 48519

59-34-100-012, Zoned C-2, SE

For: To conduct an M-1 special use in a C-2, SE zone, for warehouse storage units 1200-1500 sq ft units.

Mrs. Swayne stated the applicant for Vash Investments postponed for the November meeting. So, November 17th is when the case will come back before you.

RESULT: WITHDRAWN

H. BOARD DISCUSSION

Mr. Burge stated he attended a class at Rowe Engineering with Mr. Fuhst and Mr. Welch, and it was pretty good.

Mr. Welch stated the class was very informative, he learned a lot, and he wanted to personally thank Rowe Engineering.

Mr. Hynes and Mrs. Abbey spoke about the fencing that is falling down at the cinema and the code enforcement officer would be sent out and a letter sent to the owner.

The next regularly scheduled meeting will be held on Thursday, November 17, 2022, at 5:00 p.m.
