

CITY OF BURTON
ZONING MEETING MINUTES
JANUARY 20, 2012, 5:00PM, COUNCIL CHAMBERS
www.burtonmi.gov

The Pledge of Allegiance was led by Chairman Steven Welch.

The Zoning Meeting was called to order by Chairman Steven Welch at 5:00 PM.

MEMBERS PRESENT: Welch, Weatherford, Hynes, Terry Parker, Haskins, Walls and Tracy Parker.

MEMBERS ABSENT: None.

OTHERS PRESENT: A. Frost, Deputy Planning Official, and L. Young, Clerk's Office.

Mr. Welch welcomed Robert Walls as the newest member of the Zoning Board and Ron Groulx as the alternative.

POSTPONED FROM DECEMBER 15th MEETING

1. ZBA #11-20 BY: Elizabeth Nixon
2224 N. Center Rd.
Burton, MI 48509

RE: 2224 N. Center Rd. Parcel #59-03-551-002

FOR: To conduct an animal rescue out of a
residential home to house not more than
10 dogs at a time, 2 dogs allowed.
(5 votes required)

Elizabeth Nixon, 2224 N. Center Rd., said she is applying for a variance so she may foster dogs out of her home. She said ten dogs was just an arbitrary number and she currently only has seven dogs. She stated strays are a problem in the City of Burton and she is helping to alleviate a community issue. She said the dogs stay in the house and she never allows them to be a nuisance.

AUDIENCE PARTICIPATION:

Margaret Tankersley, 2214 N. Center Rd., spoke against the applicant's request stating it is hard to enjoy their property with the dogs barking and the smell. She said it will also decrease the value of their homes.

Randy Hendrick, 2204 N. Center Rd., spoke against the applicant's request stating he has grandchildren and is afraid of the dogs.

Gwen Mativa, 507 S. East St., Fenton, MI, spoke in support, stating the applicant provides a public service to the community by helping get dogs off of the street.

Kristine Evanish, 2238 N. Center Rd., spoke in support of the applicant's request stating she has never heard or smelled the dogs and the applicant is very attentive to the animals.

Delia Nicholls, 2228 Hills St., Flint, MI, spoke in support of the applicant and said she adopted a dog from the applicant. She said the applicant is not hoarding animals but keeping them on a temporary basis until

she can find them permanent homes. She added she and her sorority sisters would help the applicant with the upkeep of the animals.

Carrie Morse, 1035 Lorene Ave., Mt. Morris, MI, spoke in support of the applicant. She said she has never noticed an issue of smell or barking.

Leigh Balias, 1199 S. Seymour Rd., Flint, MI, spoke in support of the applicant stating stray dogs are a problem in Burton. She said the dogs are well behaved.

Michelle Allen, 6245 Ray Rd., Swartz Creek, MI, spoke in support of the applicant and asked to see all of the supposed complaints made against Elizabeth Nixon.

Martha Burton, 4212 Keene, spoke in support of the applicant stating there are many stray animals running loose all over Burton. She said these animals need somewhere to go and asked if the Board had any suggestions for a building.

Mr. Welch read letters of support for the applicant's request. He then read letters against the applicant's request.

Ms. Frost stated they own a small lot in a residential area and recommends denial.

BOARD DISCUSSION:

Mr. Walls asked if they could approve the applicant's request on a temporary basis.

Mr. Welch stated they can change the wording to anything.

Mr. Haskins stated he is an animal lover. He said if there weren't complaints from the neighbors he would be able to approve the applicant's request.

Mr. Welch said he loves dogs and animals but there is a dog Ordinance in the City.

BOARD RECOMMENDATIONS AND/OR ACTION:

Terry Parker moved and Weatherford seconded to approve ZBA #11-20. Motion denied 0-7 with Weatherford, Hynes, Terry Parker, Haskins, Walls, Tracy Parker and Welch voting no.

2. ZBA #12-01

BY: Bubba O'Malley's – John Fick
1076 S. Belsay Rd.
Burton, MI 48509

RE: 1076 S. Belsay Rd.
#59-14-526-035

FOR: To conduct an outdoor recreational use for a
beer tent on February 12th thru 14th, 2012.

(5 votes required)

John Fick, 1076 S. Belsay Rd., stated they wish to hold a pond hockey event.

Ms. Frost recommended approval.

AUDIENCE PARTICIPATION: None.

BOARD DISCUSSION:

Mr. Walls asked how the applicant was going to hold a hockey game with all the semi's parked in the back.

BOARD RECOMMENDATIONS AND/OR ACTION:

Terry Parker moved and Haskins seconded to approve ZBA #12-01. Motion carried 7-0.

3. ZBA #12-02

BY: Kyle R. Slater
4187 Somers Dr.
Burton, MI 48529

RE: 4187 Somers Dr.
#59-31-529-019

FOR: To conduct an additional
use of retail C-2, on a M-1 light
industrial zoned property for
sporting goods sales.

(5 votes required)

Kyle Slater, 4187 Somers Dr., said he would like to sell sporting goods. His family owned a business downtown.

Ms. Frost recommended approval since the building is not visible and you wouldn't know it was there.

AUDIENCE PARTICIPATION: None.

BOARD DISCUSSION:

Mr. Parker asked if it is possible to do a lighter use than what it is currently zoned.

Ms. Frost said it depends and some zonings are able to go back and forth.

BOARD RECOMMENDATIONS AND/OR ACTION:

Haskins moved and Weatherford seconded to approve ZBA #12-02. Motion carried 7-0.

4. ZBA #12-03 BY: Sammie Richardson
1412 S. Packard Ave.
Burton, MI 48509

RE: 1412 S. Packard
#59-13-555-040

FOR: To construct an addition to an existing
attached garage that will be 5' from the side
property line, 10'6" required.
(4 votes required)

Sammie Richardson, 1412 S. Packard Ave., stated she wanted to fit her new car into the garage.

Ms. Frost recommended approval.

AUDIENCE PARTICIPATION:

Becky McKone, 1406 S. Packard, said she doesn't want water from the applicant's downspouts to run onto her property.

BOARD DISCUSSION:

Mr. Parker said they approve similar cases in the south end of Burton all the time.

BOARD RECOMMENDATIONS AND/OR ACTION:

Hynes moved and Walls seconded to approve ZBA #12-03. Motion carried 7-0.

AUDIENCE PARTICIPATION:

Art Jankowski, 4108 Leith St., asked if Lowe's and Home Depot have to pull permits.

BOARD DISCUSSION:

Mr. Haskins said they have to have permits.

Mr. Hynes said they use sub-contractors.

Meeting adjourned at 6:30 PM.

ly