

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MEETING MINUTES
APRIL 18, 2013, 5:00 P.M., COUNCIL CHAMBERS
www.burtonmi.gov

Chairman Steve Welch called the Meeting to order at 5:00 p.m.

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

MEMBERS ABSENT: None.

OTHERS PRESENT: A. Abbey, Deputy Planning Official, R. Frost, Clerk Typist and M. Snow, Clerk Typist.

Weatherford moved and Walls seconded to approve the Regular ZBA Meeting minutes of February 21, 2013 at 5:00 p.m. Motion carried 7-0.

NEW APPLICATIONS:

1. ZBA #13-06
- BY: Universal Med Access, LLC.
4205 Davison Rd.
Burton, MI 48509
- RE: 4199 Davison Rd.
Parcel #59-03-300-062, C-2 Zoned
- FOR: 1. To conduct used vehicle sales not in
conjunction with new vehicles sales.
2. To conduct a C-3, Highway Oriented
business in a C-2, General Business
zoning. (5 votes required)

Terry Hatfield, 1312 Lynch, Flint, MI., had nothing to add.

AUDIENCE PARTICIPATION: None.

Mrs. Abbey said we have had many requests for similar wholesale businesses. She recommended approval.

BOARD DISCUSSION:

Mr. Parker asked if there was a limit to the number of people that can have the same business on the same property and if all they could do there is wholesale.

Mrs. Abbey said they change so often. She said the State has made it so there must be a commercial business simply to hang a license.

Ms. Hatfield said the ambulance company parks there and all the cars are coming from Canada and are parked there for dealers. They are not for sale and there would be nothing out front.

BOARD RECOMMENDATIONS AND/OR ACTION:

REGULAR ZONING BOARD OF APPEALS MINUTES

APRIL 18, 2013 / 5:00 P.M.

PAGE 2

Mr. Parker moved and Haskins seconded to approve ZBA #13-06. Motion carried 7-0.

2. ZBA #13-07

BY: Dust Out of Michigan
4251 Davison Rd., Suite B
Burton, MI 48509

RE: 4251 Davison Rd.
Parcel #59-03-554-011, C-2 Zoned

FOR: 1. To conduct an M-2 General Industrial special use in a C-2, General Business zone for outdoor storage of equipment.
2. To conduct an outdoor storage yard on a property that is within 200 ft. of a residential district.
3. To eliminate the requirement of a fence around the area where the equipment is to be stored. (5 votes required)

David George, 4251 Davison, Suite B, had nothing to add.

AUDIENCE PARTICIPATION: None.

Mrs. Abbey recommended approval on all 3 items stating that #1 falls under an M-2 Use, #2 has no opposing neighbors in the audience and on #3 they are leasing the property and the owners do not want a fence there.

BOARD DISCUSSION: None.

BOARD RECOMMENDATIONS AND/OR ACTION:

Walls moved and Mrs. Parker seconded to approve ZBA #13-07. Motion carried 7-0.

3. ZBA #13-08

BY: Bristol Auto Recycling
8290 Linden Rd.
Mt. Morris, MI 48458

RE: 4144 Jimbo Dr.
Parcel #59-33-501-030, M-2 Zoned

FOR: 1. To construct a 10 ft. high fence made out of sheet metal panels, 6 ft. chain link allowed.
2. To exceed the allowable square foot of signage by 1,050 sq. ft., 200 sq. ft. allowed. (4 votes required)

Neil Martz, 15408 Fording, Chesaning, MI., said he was representing the owners of Bristol Auto Recycling, who want to open a recycling center. He explained they want to modify the barrier to

REGULAR ZONING BOARD OF APPEALS MINUTES

APRIL 18, 2013 / 5:00 P.M.

PAGE 3

prevent theft and to enhance the area so the scrap is not visible. They would like to increase the sign dimensions so a banner could be viewed from Bristol Rd.

AUDIENCE PARTICIPATION: None.

Mrs. Abbey said due to the height and type of fencing requested, she recommended denial. She feels they could use a 6 ft. high fence with slats. She understands that they want the sign to be seen from Bristol Rd., but recommended denial due to the size requested.

BOARD DISCUSSION:

Mr. Walls asked what Mrs. Abbey suggested denial on.

Mrs. Abbey replied the extreme amount of signage.

Mr. Haskins said they want to erect a taller fence to lessen thievery. Scrap yards appear junky so this fence seems like it would help with that and would hide blight.

Mrs. Abbey said she could not see a hardship and also went by what the Ordinance says.

Joey Richvalsky, G-4387 S. Saginaw, of the Downtown Development Authority referenced Burton Auto Parts fence looking run down. He said a chain fence with slats is not for this purpose and is also a big maintenance item.

Mr. Walls agreed with Mr. Richvalsky. He said the business cannot prove a hardship unless being open for a while and then after proving a hardship would be able to upgrade but that is very costly. He said if they put up a 10 ft. fence he requested it be painted the same color as the buildings.

Mr. Martz said the owners would be painting it the buildings color and the fencing they requested is about 3-4 times more than a regular fence.

Mr. Parker said he respects Mrs. Abbey's recommendations but this company really needs a high fence to prevent thievery and unsightly blight.

Mr. Hynes said no one else seems to have such a big sign.

Mr. Walls sees nothing wrong with a sign at the north end of the building but on a fence would be too big and industrial however there is no housing in that area.

Mr. Parker said a sign on the building is probably sufficient and if the company does PR work people would be aware that the business is there and wouldn't need another sign. He mentioned they would probably need a business sign somewhere as well.

Mrs. Weatherford didn't think a sign that size would be too unsightly being seen from Bristol Rd., when it would be over a ¼ mile away.

REGULAR ZONING BOARD OF APPEALS MINUTES

APRIL 18, 2013 / 5:00 P.M.

PAGE 4

Mr. Parker said he would rather have a business there instead of an empty eyesore. He feels 700 ft. for the sign would be alright.

BOARD RECOMMENDATIONS AND/OR ACTION:

Walls moved and Weatherford seconded to approve ZBA #13-08 Item #1 with the condition that the fence is blended to match the existing buildings. Motion carried 7-0.

Mr. Parker moved and Hynes seconded to approve ZBA #13-08 Item #2 with the stipulation that the allowable sq. footage of signage on the north side of the building be up to 500 sq. ft. and the allowable sq. footage for frontage on Jimbo be up to 200 sq. ft. Motion carried 7-0.

AUDIENCE PARTICIPATION: None.

BOARD DISCUSSION:

Mrs. Abbey introduced Mrs. Frost saying she would be attending upcoming meetings temporarily while she is on leave. She asked that the Board call ahead for any in depth questions.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on **Thursday, May 16, 2013 at 5:00 p.m.**

Meeting adjourned at 5:43 p.m.
ms