

CITY OF BURTON
REGULAR ZONING BOARD OF APPEALS MEETING MINUTES
APRIL 17, 2008, 6:00 P.M., COUNCIL CHAMBERS
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Steve Welch called the meeting to order at 6:00 p.m.

MEMBERS PRESENT: Welch, Parker, Bennett, Grantner, Weatherford, Scott, and Haskins.

MEMBERS ABSENT: Tracy Parker.

OTHERS PRESENT: T. Strasser, and A. Frost, DPW Representatives and M. Snow,
Clerk's Office.

Weatherford moved and Scott seconded to approve the Regular ZBA Meeting of February 21, 2008 at 6:00 p.m. Motion carried 7-0.

NEW APPLICATIONS:

1. ZBA #08-03

BY: Jodi Hohman (Jonathan Cannon)
2123 S. Center Rd.
Burton, MI 48519

RE: 2123 S. Center Rd.
Parcel #59-22-100-045

FOR: To operate a C-2 commercial use in an R-0
office zoned area, with outdoor storage for
an ice cream business. (5 votes required)

Attorney Dominic Hamdon, 18 W. Main St., Milan, MI 48160 explained Pot O' Gold ice cream is operating in Detroit and partially in Burton and that the surrounding properties are zoned business-office. His client needs to store the ice cream at the location in coolers rather than in Flint. This is a small operation running 10 trucks for about 7 months, which also generates jobs.

AUDIENCE PARTICIPATION: None.

Mr. Strasser said the hardship is the applicant's choice to operate there and how college is relevant as a hardship. He asked if the trucks are leased or owned, where they are stored after the season and how many trucks there are. He said a cooler is an accessory structure, which needs further approval and asked if the office manager runs the company out of an office or the truck.

Mr. Hamdon replied the location would be the home office base and clarified that Jodi Hohman is the owner of Pot O' Gold and Lagarda Security, which is next to this property.

Garrett Fairchild, 2123 S. Center, said there's 10 owned trucks stored in Detroit after the season.

Mr. Grantner clarified that just north of the property was the District Court, which is R-O.

BOARD DISCUSSION:

Mr. Parker asked about filing an application for cooler approval, whether ice cream trucks can be stored in an R-O office and clarification of what the applicant is requesting approval of.

Mr. Strasser said the parking lot exceeds the requirements and the operation is already underway. He suggested including stipulations within the motion.

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Mrs. Weatherford felt the hardship was misrepresented due to the statement regarding college.

Mrs. Scott asked if the request is put on hold if the applicant can still add the cooler request later.

Mr. Strasser said the cooler can be added but he would need notification

Mr. Fairchild suggested the request be withdrawn and start over with the cooler request included.

BOARD RECOMMENDATIONS AND/OR ACTION:

Parker moved and Scott seconded to table ZBA #08-03 until the May 15, 2008 zoning meeting.
Motion carried 7-0.

2. ZBA #08-04

BY: Creekwood Architecture, Inc.
1111 Creekwood Trail
Burton, MI 48509

RE: 1350 N. Belsay Rd. Lot 49 Supervisors Plat
of Eastmoreland Acres-Always Learning
Daycare. R-0 zoned.

FOR: Sideyard setback (north side)
4' requested, 20' required. (4 votes required)

Rick Swihart, 1111 Creekwood Trail, Burton, MI 48509 requested a variance to add an addition to the daycare for a larger playground.

Mr. Strasser recommended approval.

AUDIENCE PARTICIPATION: None.

BOARD DISCUSSION:

Mr. Grantner asked if the addition would add more clientele and Mr. Swihart said it could add 20 or more children to the daycare.

BOARD RECOMMENDATIONS AND/OR ACTION:

Parker moved and Bennett seconded to approve ZBA # 08-04. Motion carried 7-0.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on **Thursday, May 15, 2008 at 6:00 p.m.**

Meeting adjourned at 7:09 p.m.

ms.