



CITY OF BURTON

ZONING BOARD OF APPEALS MEETING

AUGUST 21, 2025

MINUTES

Council Chambers

Regular Meeting

5:00 PM

**4303 S. Center Road
Burton, MI 48519**

A. 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: The difficulty must be unique to your property, not generally shared by others in the same zoning district, and would constitute a hardship. 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.

B. Pledge of Allegiance to the Flag of the United States of America

LED BY: Chairman Steven Welch

C. Roll Call

Present: Board Member Steve Welch, Board Member Rick Fuhst, Board Member Tim Rapacz, Board Member Joey Richvalsky, Board Member Kevin Burge, Board Member Gary Kautz, Board Member Jim Craig

D. Staff Present

Leandra Swayne, Deputy Planning and Zoning Official
Joy Roe, Deputy Clerk

E. 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, limit their comments to three (3) minutes, and speak on topics germane to City business.

None.

F. Approval of Minutes

1. Zoning Board of Appeals Meeting July 17, 2025 at 5:00 PM.

G. Variance

1. ZBA 25-19
By: Michael Weidenhammer and CO/Adam Reigle
G 4070 S. Dort Hwy., Burton, MI

Re: G 4070 S. Dort Hwy., Burton MI

Parcel ID 59-32-530-050
Zoned M-1 Light Industrial

For: To conduct an M-2 General Industrial special use in an M-1 Light Industrial zone, to allow outside storage of appliances for the sorting, processing, repair, and resale.

Adam Reigle of 2020 Crooked Ln asked what is allowed under M-2 General Industrial use and not an M-1 Light Industrial? I need clarification because we don't feel we need to apply for that variance. From what I can read, the wholesaling and warehousing is allowed under the ordinance. We think we are using the property appropriately because it matches what the Light Industrial Zone Ordinance states.

Mrs. Swayne answered the ordinance 157.047 (1). You have all your appliances located outside the building. That is why you need the variance, having them outside and not inside. Every property is case by case, and today we are looking at your property. In November 2023, we went out to the property for new business without approval. You did go through the process for new business. In March 2025, is when you received the violation for outside storage of the appliances. There was a ticket issued in July for noncompliance. The administration does recommend denying the variance and if the board denies the variance, the applicant will have thirty days to remove all items from the outside of the building.

Michael Weidenhammer of 614 Buckingham stated it was because the fire truck couldn't get through. It took an hour to move the appliances to make enough room. The fine is paid and everything is taken care of.

Discussion about the electrical components of the appliances, why they are stored outside instead of inside, and screening the area.

Mr. Kautz asked who or how the appliances get recycled, and what happens to the ones that you can repair?

Mr. Weidenhammer said we do. We take off the parts that are good and send the rest to the scrap yard. The ones we can repair go up for sale.

Mr. Kautz asked the administration if he had been in business for six years, why wasn't this an issue before?

Mrs. Swayne said we received a complaint, and on March 4, 2025 we went out and addressed it.

Further discussion about the screening and the other occupants.

Motion by Board Member Burge, second by Board Member Rapacz, to Approve ZBA 25-19 with the stipulation that if denied, all outside storage will be removed within 90 days.

Voting Yes: Rick Fuhst, Joey Richvalsky, Jim Craig

Voting No: Steve Welch, Tim Rapacz, Kevin Burge, Gary Kautz

Motion Failed 3 - 4.

2. ZBA 25-20

By: Jeffrey A. Felling
1272 Glendale, Burton, MI

Re: 1272 Glendale, Burton, MI
Parcel ID 59-14-527-142
Zoned R-1B Single Family Residential

For: To construct a 20 X 24 addition to the existing garage that will exceed buildable allowance by 33 square feet.

Jeffrey Felling of 1272 Glendale stated I have nothing to add at this time.

Mrs. Swayne stated this is located off of Lapeer Road between Belay and Genesee. It is zoned Single Family Residential and the surrounding land uses are Single Family Residential and C-2 General Business. At this time, the administration does not have a recommendation, but there is ordinance 157.070 going over the accessory structures with a buildable allowance of 1,512 square ft. The structure is 1065 square ft. and the proposed addition is 480 square ft. bringing the resident 33 square ft. above the buildable allowance.

Mr. Richvalsky stated it's only 33 square feet. If you go by the house, you will see that he is building this onto the back of the existing structure. It is not going to affect any of the surrounding areas or anyone. I think we should approve this because this will be a good addition to the house, and he will be able to utilize this area and the property. This is a well-taken care of house.

Mr. Rapacz asked is there no way to do this and be under the square footage? You can't design it to not need a variance because we're going to be allowing you to break the law, so I'd like to know you explored every possible avenue to have something designed under the variance requirement.

Mr. Felling said we looked at the different options. What we're trying to do is make the property a little more aesthetically pleasing by bringing the existing garage level with the back of our home on the west side of the property, which is consistent with what the neighbors have done with their properties. The majority of them have their secondary garages level with the backside of their home, and we're looking to level it off also. It's less expensive to build a 20 x 24 just because the materials are more readily available in that configuration when you're buying trusses. It is a little easier to build then if you modify it to a smaller configuration.

Discussion about the accessory structure in the back of the property.

Mr. Burge asked if you are approved, how are you going to get cement back there?

Mr. Felling said there is a 10.5 ft path with a privacy fence that we will remove, and my contractor will probably use a bobcat to carry the cement back there.

Mr. Craig said he just had work done up north and what he said is true. It cost us less to do a bigger area than it was to do a smaller area. Not that that should matter at all, but it's true. I will support this because it's going in the back. If it was going in the front, then it would bother me.

Mr. Felling stated the properties on both sides of me are rentals and the owner of the

properties is the gentleman across the street from me. I would not build on the front anyway, because then I would run into the variance issue with the footage from the road and the front of the building.

Motion by Board Member Burge, second by Board Member Fuhst, to approve ZBA 25-20..

Voting Yes: Steve Welch, Rick Fuhst, Joey Richvalsky, Kevin Burge, Gary Kautz, Jim Craig

Voting No: Tim Rapacz

Motion Passed 6 - 1.

3. ZBA 25-21

By: Express Investment Group Inc. Storage Sense
1942 S. Dort Hwy., Flint, MI 48503

Re: 4150 E. Bristol Rd., Burton MI
Parcel ID 59-34-100-011
Zoned C-3 Highway Oriented Business

For: To conduct an M-2 General Industrial special use in a C-3 Highway oriented Business zone, to allow outside storage of Boats and RVs at the rear of the existing mini storage facility.

Jennifer Howell of 3904 Deerfield Ave. stated I am a representative of Storage Asset Management, which is the management company that manages the Storage Sense on 4150 East Bristol Rd. I'm here today because we have a brand new, newly built facility, and we'd like to add some RV and boat storage to the back of the property. Here are some bullet points as far as revenue for the property and some good things for the city. There's revenue generation for the city, a consistent income stream, subject to local business sales tax, supports city service, maintenance and fraction improvements, optimizes land use, reduces street parking congestion, improves facilities security and traffic control, supports local businesses and community, and financial stability for the facility. It's scalable and easy to manage. Since this brand-new facility has been opened, we have had multiple requests for outdoor storage. Now we're looking to get approval. We will make sure this area is fully fenced in. We'll have drainage, lighting, security cameras, and the one thing about Storage Asset is that we've been in business for 15 years. We manage 581 properties, and we definitely try to maintain our properties to the best of the standards, and we follow all the rules of the cities that we're in. We're number two rated in the United States for management companies, so we do a superb job at managing these properties and making sure we stay in code with everything.

Mrs. Swayne stated this property is located on Bristol between Center and Howe Road. Just a little bit of history, they did come before the board and their case was approved for the use to conduct the mini-storage facility in the C-3 highway oriented business district when required to be in the M-1 light industrial zone. Currently, the property does have an open permit, and they are on a temporary Certificate of Occupancy for the office. I believe it's building four that they're finishing up for their final C of O. As you can see in the photos that they provided, and on their site plan, all the outside storage will be located to the rear of the property and will be fenced in. They have gone through site plan approval. Therefore, the site plan has supported the surface water management for phase 2 and for the outdoor storage. The administration does recommend approval.

Mr. Richvalsky asked what kind of surface is there going to be? Is it going to be gravel or is it going to be paved? Also, I noticed a retention pond and the berm in the back when I was out there looking. Is all of that going to be in a landscaping scheme?

Ms. Howell said we are looking at crushed asphalt, so it's not going to be a hard surface.

Discussion about the location of the outdoor storage and the different phases.

Mike Kazaha of 1942 S. Dort Highway said the outdoor storage is going to be in the second phase. The third phase is going to be ready for buildings in the future. It could be next year, or it could be in a few years. It all depends on the occupancy. We are going to construct the drains for everything in phase 2 and phase 3. People like our facility because we have a manager on site. We have two full-time employees working at the facility.

Discussion about the policies in place for the facility, what the buildings will look like, and the requirements of the tenants.

Mr. Fuhst stated one stipulation I think should be added is that no repair work will be done on the boats or RVs while in the storage facility.

Ms. Howell said in our parking lease it states that they will not do any mechanical work. They're not to switch out vehicles that shouldn't be there. If they rent a space for an RV, that has to be the RV that's in that space. They're not going to double up in the space either. Meaning, if they rent a space for a boat, then they aren't going to put the car in front of it. We have a lot stated in our leases as they are very thorough. They all go through a lawyer, we have them all checked out, and we follow those policies. The managers are trained on that lease. They know what they're supposed to be looking for and if you know somebody's not following the lease at the property, then they get an eviction letter from us. They have so many days to remove their items and be off the property. We are a gated facility and every tenant has an excess code in order to be able to get in.

Motion by Board Member Burge, second by Board Member Richvalsky, to approve ZBA 25-21.

Voting Yes: Steve Welch, Rick Fuhst, Tim Rapacz, Joey Richvalsky, Kevin Burge, Gary Kautz, Jim Craig

Voting No: None

Motion 7 - 0.

4. ZBA 25-22
By: South Flint Tabernacle
G3450 S. Saginaw St., Burton, MI

Re: 1291 E. Maple Rd., Burton MI
Parcel ID 59-31-400-111
Zoned R-1C Single Family Residential

For: To construct an illuminated sign within 100 feet of a residential use.
(153.07(A)(4))

Ja Mcghee of 8064 Lark Lane stated we are here today asking for a variance. We did not want to purchase a new sign as I said in my variance letter, but our sign was hit by a drunk driver. In purchasing a new sign, we would like to modernize it in looks and make it better for the community. We have a day care, a catering business, and a great start readiness program that will be able to benefit from this. The house that is within the variance is a house that we own. It is the garage that is within 100' and the bedrooms are in the back of the house. We also own the next five houses. So, we already own all that property and are planning to build a new church. We are working on that and have already applied. I talked with the sign company that will be putting in the sign and there will be timers and dimmers on the LEDs. The name of the church will be on the top in the lighted portion, the rest of the facility will be in the rotating portion.

Mrs. Swayne stated this property is located on Maple Ave between Saginaw Street and Fenton Road. She is correct, that they own the residential uses around them, but we have to look at it as if they were to sell tomorrow. We are talking about use, not ownership. The administration does recommend approval with a screening of a 48" fence, so it will screen the residential use from the sign.

Discussion about the screening and the sign.

Motion by Board Member Richvalsky, second by Board Member Rapacz, to Approve ZBA 25-22.

Voting Yes: Steve Welch, Rick Fuhst, Tim Rapacz, Joey Richvalsky, Gary Kautz, Jim Craig
Voting No: Kevin Burge

Motion Passed 6 - 1.

5. ZBA 25-23

By: Chance and William Hensley
3312 S. Center Rd., Burton, MI

Re: 3312 S. Center Rd., Burton MI
Parcel ID 59-28-576-041
Zoned C-2 General Business, RO Restricted office

For: 1.) To construct an accessory structure in a RO restricted office zone, when not allowed in this zone. 2.) To construct an accessory structure in the front yard, when required to be located in the rear yard.

Mrs. Swayne stated the applicant requested to be Postponed to October.

Motion by Board Member Burge, second by Board Member Kautz, to Postpone until the October meeting..

Voting Yes: Steve Welch, Rick Fuhst, Joey Richvalsky, Kevin Burge, Gary Kautz, Jim Craig

Voting No: Tim Rapacz

Motion Passed 6 - 1.

6. ZBA 25-24

By: Mark Coon II
2079 Delaney St., Burton, MI

Re: 2079 Delaney St., Burton, MI
Parcel ID 59-03-300-035
Zoned R-1B Single Family Residential

For: 1.) To allow a shipping container to temporarily be used as storage while constructing an accessory structure, when shipping containers are not allowed (157.070(I)) 2.) To allow chickens on a parcel of land that is .483 acres, when required .5 acres.(157.098)

Mark Coon II of 2079 Delaney Street stated the first point of business is when we applied for the permit. We have a container on our property. We had to make a snap decision because my mother was in financial distress and this was the best option until the building could be built, so we have somewhere to store her belongings. It is just temporary storage. I have the rental agreement to pass around as more support for this case to show it is just temporary. We don't want it there longer than it has to be. We talked with our neighbors about putting it on the property, and we put it in the back as far as possible so it would be as least visible as possible. If a permit is approved, we would need three weeks for the cement to cure and then time for the structure to be constructed. Then, we intend for the storage container to be removed within thirty days after that. We moved in a couple of years ago, and we keep updating it with things that need to be done. Prior to us, it sat vacant for years, so many things needed to be done.

Susan Cook of 2079 Delaney Street stated we have letters from the neighbors in support of both issues: the storage container and the chickens. One of the neighbors is here tonight as well. We thought we had 0.5 acres, but according to the city, we are just under. We deliver eggs to neighbors and it helps everyone.

Mr. Coon said as far as the chickens, we have made a conservative effort to keep the smell down and the sound. We have chicken wire around their area, we put grapevine up for a sound barrier and to provide shade for them. Twice a year, we put five bales of straw down to keep the smell and moisture down as well as litter. Then we put it in trash cans and use it mulch which we give to the neighbors too.

Discussion about having the neighbors come to speak.

Cheryl Dushane of 2117 Delaney Street spoke in support of this variance.

Ms. Boggs, Burton City Clerk, 4303 S. Center Road stated it is the job of this board to determine if there is a hardship and if the variance for both of these items will adversely affect the health and welfare of the public. I believe, for the first point, there is in fact a hardship, and it will not adversely affect anyone in the neighborhood. Moving on to the second point, 0.483 acres is pretty darn close to 0.5 acres and in this day and age with this economy when eggs are almost \$7 a dozen, we can overlook some of these tiny details. That is my opinion, and also, who doesn't like chickens? This property on Delaney had been vacant for quite some time, and it looked terrible. You have the pictures in front of you and now it is looking much nicer. We should be happy we have wonderful residents that want to add to the aesthetics of our neighborhoods and not place too much concern on accessory structures and chickens.

Mrs. Swayne stated Delaney is off of Davison Road between Center and Genesee Roads. The applicant came in to apply for the Accessory Structure Permit and that is when we learned about the shipping container and the chickens. The administration does not have

a recommendation for approval or denial.

Discussion about how long the container is going to be needed.

Motion by Board Member Burge, second by Board Member Fuhst, to approve ZBA 25-24 1.) with the stipulation the container be removed by December 31, 2025.

Voting Yes: Steve Welch, Rick Fuhst, Tim Rapacz, Joey Richvalsky, Kevin Burge, Gary Kautz, Jim Craig

Voting No: None

Motion Passed 7 - 0.

Motion by Board Member Burge, second by Board Member Rapacz, to approve ZBA 25-24 2.)

Voting Yes: Steve Welch, Rick Fuhst, Tim Rapacz, Joey Richvalsky, Kevin Burge, Gary Kautz, Jim Craig

Voting No: None

Motion 7 - 0.

H. Board Discussion

None.

Meeting adjourned at 6:22pm.

I. The next regularly scheduled meeting will be held on Thursday, September 18, 2025 @ 5:00 PM.

[MIN_SIGNATURES]