



CITY OF BURTON

ZONING BOARD OF APPEALS

NOVEMBER 20, 2014

Council Chambers

Regular Meeting

5:00 PM

**4303 S. CENTER ROAD
BURTON, MI 48519**

This meeting was opened by Commissioner Steve Welch at 5:07 PM.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Duane Haskins	Council Representative	Present	
Robert Walls	Planning Chairman	Present	
Terry Parker	Commissioner	Present	
Tracy Parker	Commissioner	Absent	
Scott Hynes	Commissioner	Present	
Bobbie Weatherford	Commissioner	Present	
Steve Welch	Commissioner	Present	
Tim Rapacz	Alternate Commissioner	Excused	
Robert Olsen	Alternate Commissioner	Excused	

C. STAFF PRESENT

Amber Abbey, Deputy Planning Official
Teresa Karsney, Clerk

D. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Sep 18, 2014 5:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Robert Walls, Planning Chairman
SECONDER:	Bobbie Weatherford, Commissioner
AYES:	Haskins, Walls, Parker, Hynes, Weatherford, Welch
ABSENT:	Parker
EXCUSED:	Rapacz, Olsen

E. VARIANCE

1. 1273 : To Approve the variance for ZBA #14-22.

By: Tracie & Michelle Strange
3437 Brimfield Dr.
Flint, MI 48503

Re: 3433 Farley St.
Burton, MI 48509

59-21-527-031

For: 1. To conduct a RM, Multiple Family Residential use in an R-1C, Single Family Residential zone for a boarding house designated for homeless veterans. 2. To not have at least one property line that abuts a major thoroughfare.

Ms. Strange stated she didn't know how this program was going to work yet and that they were still working out the details.

Mrs. Colley of Burton said she is against this because she didn't know if this was going to bring a lot of people up and down the street. Wouldn't mind if they wanted to help a homeless family.

Mr. Colley of Burton asked how many people would be living at the house. He stopped by the Church who owns the property and asked how this program is going to work and who will maintain the house and yard? They had no answers for him.

Ms. Schaffer asked if this is just a temporary stop for the Veterans. Are they going to get counseling or some training to get back on their feet. The church does a great job of keeping the property maintained.

Ms. Strange said she didn't know how many cars would be there at the house. The house was small and only 3 bedrooms. She would like them to have their own rooms for privacy.

Mrs. Abbey stated that the basement could not be used for bedrooms until there is a egress windows put in each bedroom. The administration recommends approval.

Several of the commissioners would like the answers to the number of people that are going to be living in the home at one time. Is this just a temporary stop for them, are they getting counseling, how many cars would be there daily.

Ms. Strange stated she could not answer these question because they just don't know yet how the program is going to work.

The Zoning board of Appeals asked Ms. Strange if she would like to postpone the vote on this matter until she had more answers on how the program was going to work. Several of the board members would have to vote no because they would like to have the answers before they voted on the matter. The board stated they thought this was a great program but they would like more details on the program.

Ms. Strange stated no, she would like to vote on the matter tonight.

RESULT:	FAILED [0 TO 6]
MOVER:	Terry Parker, Commissioner
SECONDER:	Scott Hynes, Commissioner
NAYS:	Haskins, Walls, Parker, Hynes, Weatherford, Welch
ABSENT:	Parker
EXCUSED:	Rapacz, Olsen

F. AUDIENCE PARTICIPATION

None

G. BOARD DISCUSSION

The next regularly scheduled meeting will be held on Thursday, December 18, 2014, at 5:00 p.m.

DRAFT

CITY OF BURTON

ZONING BOARD OF APPEALS

SEPTEMBER 18, 2014

Council Chambers

Regular Meeting

5:00 PM

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Tracy Parker	Commissioner	Absent	
Scott Hynes	Commissioner	Present	
Bobbie Weatherford	Commissioner	Present	
Steve Welch	Commissioner	Present	
Tim Rapacz	Alternate Commissioner	Excused	
Robert Olsen	Alternate Commissioner	Excused	

C. STAFF PRESENT

A. Abbey, Deputy Planning Official
M. Snow, Clerk Typist

D. APPROVAL OF MINUTES

- Zoning Board of Appeals - Regular Meeting - Aug 21, 2014 5:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Robert Walls, Planning Chairman
SECONDER:	Terry Parker, Commissioner
AYES:	Haskins, Walls, Parker, Hynes, Weatherford, Welch
ABSENT:	Parker
EXCUSED:	Rapacz, Olsen

E. VARIANCE

- ZBA #14-17

By: Thomas Joubran
6093 Davison Rd.
Burton, MI 48509

Re: 4006 S. Dort Hwy and 2512 Bristol Rd.
Burton, MI 48529,

Minutes Acceptance: Minutes of Sep 18, 2014 5:00 PM (Approval of Minutes)

59-32-530-035 / 59-32-530-038, M-1 Zone

For: To conduct a medical marijuana dispensary and growing facility on one parcel.
(5 Votes Required)

Mr. Welch said there was not a full board and the applicants had the option to postpone.

Thomas Joubran of Burton said he has two buildings that are connected by a breezeway, which could be separated from each other.

Mrs. Abbey said the ordinance states the buildings are to be 500 ft. apart from each other. She sees no issue with the applicant's request.

Mr. Walls said the City required the lots to be joined.

Mrs. Abbey said the property line ran through both buildings.

RESULT:	CARRIED [5 TO 1]
MOVER:	Robert Walls, Planning Chairman
SECONDER:	Duane Haskins, Council Representative
AYES:	Haskins, Walls, Parker, Hynes, Welch
NAYS:	Weatherford
ABSENT:	Parker
EXCUSED:	Rapacz, Olsen

2. ZBA #14-19

By: Auto Refinishers
3374 E. Atherton Rd.
Burton, MI 48529

Re: 3374 E. Atherton Rd.
Burton, MI 48529,
59-28-528-012 & 59-28-528-231 (combined), C-2 Zone

For: To conduct an M-2 General Business use in a c-2 Zone for an automobile refinisher (5 votes required)

Barb Fields on behalf of Auto Refinishers had nothing to add.

Mrs. Abbey said the business is open but they weren't aware they were in violation. The two parcels were required by the Sewer Department to be combined. She recommended approval.

Mr. Parker said T-Rods had a stipulation of having an exhaust fan.

Mrs. Abbey said that was for the painting they did.

Ms. Fields said they do light painting right now.

David McCallum of Burton said he would eventually like to take on more painting at the facility.

Mr. Welch said the business has to go by what the state rules say.

Mrs. Abbey said she would call the state if a resident complained.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Robert Walls, Planning Chairman
SECONDER:	Bobbie Weatherford, Commissioner
AYES:	Haskins, Walls, Parker, Hynes, Weatherford, Welch
ABSENT:	Parker
EXCUSED:	Rapacz, Olsen

3. ZBA #14-20

By: Herald Arias
1470 Wells St.
Burton, MI 48529

Re: 1470 Wells St. Burton, MI 48529,
59-30-576-302, R-1C Zone

For: To construct an addition that will be 22' from the rear property line, 30' required. (4 votes required)

Herald Arias of Burton had nothing to add.

Mrs. Abbey said the addition is existing and his fines were paid. He is improving the property. She recommended approval.

RESULT:	CARRIED [5 TO 1]
MOVER:	Robert Walls, Planning Chairman
SECONDER:	Duane Haskins, Council Representative
AYES:	Haskins, Walls, Hynes, Weatherford, Welch
NAYS:	Parker
ABSENT:	Parker
EXCUSED:	Rapacz, Olsen

4. ZBA #14-21 This case was dismissed with no action.

By: Tiffany & Damien Garcia
1440 N. Belsay Rd.,
Burton, MI 48509

Re: 1440 N. Belsay Rd., Burton, MI 48509
59-12-502-040

For: To keep an African Serval cat, this is deemed as an exotic animal in our ordinance (5 votes required)

After discussion and speaking with the City Attorney via a phone call it was discovered that in regards to this variance, Ordinance 133.05 is a police powered ordinance so the Building Board of Appeals was unable to act on this.

F. AUDIENCE PARTICIPATION

None.

Minutes Acceptance: Minutes of Sep 18, 2014 5:00 PM (Approval of Minutes)

G. BOARD DISCUSSION

None.

The next regularly scheduled meeting will be held on Thursday, November 20, 2014, at 5:00 p.m.

Minutes Acceptance: Minutes of Sep 18, 2014 5:00 PM (Approval of Minutes)



Burton Zoning Board of Appeals

4303 S. Center Road
Burton, MI 48519

Meeting: 11/20/14 05:00 PM
Department: Department of Public Works
Category: Variance
Prepared By: Amber Abbey
Department Head: Greg Kray

E.1

DEFEATED

AGENDA ITEM (ID # 1273)

DOC ID: 1273

ZBA #14-22

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