



CITY OF BURTON

ZONING BOARD OF APPEALS

SEPTEMBER 18, 2014

Council Chambers

Regular Meeting

5:00 PM

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

This meeting was opened by Commissioner Steve Welch at 5:00 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

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

D. APPROVAL OF MINUTES

1. 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

1. ZBA #14-17

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

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

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.

G. BOARD DISCUSSION

None.

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