



Sheldon Neeley
Mayor

CITY OF FLINT
FLINT ZONING BOARD OF APPEALS
MATTHEW TELLIGA, CHAIRMAN

FLINT ZONING BOARD OF APPEALS
Meeting Minutes
August 29th, 2023

Board Members Present:

Matthew Telliga, Chair
Ramie Yelle
Florlisa Stebbins
Lauren Coney
Derek Dohrman
John E. Hardy II

Staff Present:

Joanne Gurley, Assistant City Attorney
Tom Sparrow, Assistant City Attorney
Max Lester, Int. Zoning Coordinator

Planning Commission Representative:

N/A

Absent:

Jerry Kea, Vice-Chair
Ari McCaskill

ROLL CALL:

Chairperson Telliga called the meeting to order at 6:17 p.m. Roll was taken, and a quorum was present. The meeting was held in the Dome Auditorium at the City of Flint City Hall as well as via Zoom meetings.

Matthew Telliga, Chair – appearing in person	Florlisa Stebbins – appearing
Jerry Kea, Vice-Chair – absent	John E. Hardy II – appearing via Zoom from Flint, MI
Ari McCaskill – absent	Derek Dohrman – appearing in person
Lauren Coney – appearing in person	Ramie Yelle – appearing in person

ADOPTION OF AUGUST 29, 2023 AGENDA:

Chairman Telliga asked for any changes/comments to be made to the agenda.

Commissioner Coney made a motion to approve the agenda as presented. Commissioner Yelle supported the motion.

M/S – Coney/Yelle

The motion carried via voice vote.

ADOPTION OF JULY 18, 2023 MINUTES

The draft minutes for July 18th, 2023 were not prepared in time for this meeting. They will be presented at the next regular meeting.



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PUBLIC FORUM:

Chairman Telliga opened the Public Forum. No one spoke.

REPORTS:

No reports.

COMMUNICATIONS:

Max read a letter from Bishop International Airport Authority (BIAA) noting an agreement was reached with the property owners of 3039 Airpark Drive North, and that there are no objections to the request for a special regulated use with conditions of received materials from the property owner.

Max read letters from E&L Construction Group, Industrial Alliance, ARCO Systems, Quantum Industrial Supply, Ridgeline CNC, and Richfield Industries Inc., expressing opposition to the proposed marijuana grow facility in the upcoming public hearing.

PUBLIC HEARING:

ZBA 23-14: Consumer's Energy requests a Non-Use Variance from Section 50-155 Building Foundation Zone Landscaping at 3525 Chicago Blvd., Flint, MI 48503 (PID # 40-23-301-002).

The applicants requested that this case be withdrawn.

Court Remanded to ZBA – Case No. 21-2256: Native X, LLC request an appeal of the Planning Commission's decision on June 22, 2021 to deny a Group F Special Regulated Use Permit for Adult Use (Growing) marijuana facility at 3039 Airpark Drive North., Flint, MI (PID 40-34-100-031).

Chairman Telliga asked Legal what number of votes is needed for a motion to pass. Attorney Sparrow answered that six votes are needed.

Bruce Leach, attorney representing Austin Barr and Native X, LLC, spoke to the communications in opposition being the same ideas expressed previously and stated the facts of the case are more valuable than the accusations levied, and they are meritless. Mr. Leach expressed the previous prior concern primarily being whether Bishop International Airport would be impacted, which is addressed in their agreement with the BIAA, despite any prior access not having been in effect for over 30 years.

Mr. Leach continued that concerns over security and theft from nearby businesses is unwarranted as the proposed facility would be adding security measures to the area, will not generate retail traffic as it is a grow facility, and there is no access to the airport.



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Chairman Telliga noted that there is clarified information being presented that changes the facts of the case from when it was last heard, based on the information provided by the BIAA.

Commissioner Yelle discussed the previous decision being based on the through fence access concerns, which are now addressed by the BIAA.

Commissioner Yelle made a motion to approve the Special Regulated Use Permit based on new information provided by the Bishop International Airport Authority stating there is an agreement to remove any potential through fence access, and in consideration of the ruling of the 7th Circuit Court. Commissioner Coney supported the motion.

Commissioner Yelle and Commissioner Coney agreed to an amendment to add that the applicants are to follow proposed provisions regarding fencing as noted in the minutes of the September 21st, 2021, including the physical security plan, permitted security plan, internal access, and video security.

Chairman Telliga called for a roll call vote.

Commissioner Stebbins, yes
Commissioner Hardy, yes
Commissioner McCaskill, absent
Commissioner Yelle, yes

Commissioner Dohrman, yes
Commissioner Kea, absent
Commissioner Coney, yes
Commissioner Telliga, yes

M/S – Yelle/Coney

6 – yes, 0 – no, 0 – abstain

The motion carried.

CITY ATTORNEY REPORT:

No report.

OLD BUSINESS:

Appointment of Planning Commission Representative to the Zoning Board of Appeals

Max stated they are looking to schedule a meeting with the Chair and Vice-Chair of both the Planning Commission and Zoning Board of Appeals to work out concerns.

NEW BUSINESS:

No new business.

ADJOURNMENT:

Commissioner Yelle made a motion to adjourn. Commissioner Stebbins supported the motion.

M/S – Yelle/Stebbins

The meeting was adjourned at 6:44 pm.