



**Sheldon Neeley**  
**Mayor**

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

**FLINT ZONING BOARD OF APPEALS**  
**Meeting Minutes**  
**January 16th, 2024**

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**Board Members Present:**

Matthew Telliga, Chair  
Jerry Kea, Vice-Chair  
Ramie Yelle  
Willie Buford  
Lauren Coney  
Derek Dohrman

**Staff Present:**

William Balcer, Legal Liaison  
Max Lester, Int. Zoning Coordinator  
Brian Acheff, Zoning Coordinator  
Dalton Castle, Planner I

**Planning Commission Representative:**

N/A

**Absent:**

Ari McCaskill

**ROLL CALL:**

Chairperson Telliga called the meeting to order at 6:07 p.m. Chairperson Telliga introduced the newest Board member Willie Buford. 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.

Matthew Telliga, Chair – present  
Jerry Kea, Vice-Chair – present  
Ari McCaskill – absent  
Lauren Coney – present

Willie Buford – present  
Derek Dohrman – present  
Ramie Yelle – present

**ADOPTION OF MINUTES OF THE AGENDA:**

Chairperson Telliga asked if there were any changes to be made to the agenda.

ZBA 23-17, 24-1, 24-2, & 24-3 were postponed to the next meeting due to there only being six Commissioners present while seven votes are needed to pass Use Variances. The application for ZBA 23-5 was withdrawn by the applicant.

Commissioner Coney made a motion to approve the agenda with changes. Commissioner Yelle seconded the motion.

**M/S – Coney/Yelle**

***Motion carried unanimously by voice vote.***



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**ADOPTION OF MINUTES OF PREVIOUS MEETINGS:**

The minutes of December 19<sup>th</sup> were not prepared at this time.

**PUBLIC FORUM:**

Commissioner Coney read the Rules of the Public Forum. No one spoke.

**REPORTS:**

No reports.

**COMMUNICATIONS:**

No Communications.

**PUBLIC HEARING:**

**ZBA 24-4:** C3 Construction, LLC requests Non-Use Variance relief of 5.2 feet from the required 40-foot rear setback minimum for a structure in a CE: Commerce and Employment zoned district located at 920 Tower St., Flint, MI 48503 (PID # 41-16-101-027).

Max Lester read the staff report.

Chairman Telliga expressed concern that the sample motion for approval provided by staff was not thorough enough for newer Commissioners. Max expressed concern that by making it more thorough it could be seen as staff leading the Commissioners. Chairman Telliga raised the point that it is a sample motion are Commissioners often stray from making a motion exactly the same as the provided samples. Max agreed that they could add more options while leaving the sample motions open to changes.

Scott Cardona presented on behalf of the applicant. Mr. Cardona explained the history of C3 Construction and their relation to the site, having been there for thirty years.

Chairperson Telliga asked that in the future site plans be given to the Board on larger paper with a larger font size. Mr. Cardona helped explain the layout of the site plan and the purpose of the expansion. Mr. Cardona stated that the expansion needed to fit within their existing lot while also taking into account the structural design of the current building. The applicants have around thirty employees who live in the area and they would like to expand and remain within the City. The business distributes automotive parts.

Chairperson Telliga discussed the various requested setbacks with the constraints of the site, keeping in mind circulation and their positive with relationship neighboring properties. Chairperson Telliga spoke in favor of the application believing the standards to have been met and asked if anyone would like to make a motion to approve.



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Commissioner Buford asked for assistance in understanding where the requested variances apply in relation to the building. Mr. Cardona pointed out where the setback reduction would be.

Chairperson Telliga opened the floor to public comment.

Max read a letter from Dan Calibatt, owner of Dort-Court Plaza, LLC. Mr. Calibatt’s letter was in favor of ZBA 24-4 & 24-6, noting he does not believe the expansion would negatively impact their property and noted their positive relationship with the applicants.

Commissioner Dohrman made a motion to approve **ZBA 24-4** based on the application meeting the following findings of fact:

- It complies with **Standard 1** because the subject property has unique characteristics as the width of the parcel is exceptionally narrow for industrial use.
- It complies with **Standard 2** the variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the neighboring area because the variance would allow the applicant to expand the existing building with current building design in mind without creating a significant expansion to the existing rear setback.
- It complies with **Standard 3** because the need for a variance was not self-created by the applicant or their predecessor in title because requirements have changed with new Zoning Requirements which require a 40-foot setback when abutting a CC zoned district.
- It complies with **Standard 4** because granting the variance would not cause substantial detriment to adjacent properties and the surrounding neighborhood because the requested variance is minimal with the existing building maintaining a rear setback of 38 feet.
- It complies with **Standard 5** because the proposed variance is consistent with and would not materially impair the purpose and intent of the Master Plan, Zoning Ordinance, and Zoning District because this variance will allow the building to expand while only exceeding the requirements of the Zoning District by 5.2 ft. It is not inconsistent with the Master Plan given the relatively narrow site in consideration with a 40-foot required rear setback and site maneuverability.

Commissioner Coney seconded the motion.

Chairperson Telliga called for a roll call vote.

Commissioner Buford, yes  
Commissioner McCaskill, absent  
Commissioner Yelle, yes  
Commissioner Dohrman, yes

Commissioner Kea, yes  
Commissioner Coney, yes  
Chairperson Telliga, yes

**M/S – Dohrman/Coney**  
*6 – yes, 0 – no, 0 – abstain*  
**The motion carried.**



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**ZBA 24-6:** C3 Construction, LLC requests a Non-Use Variance from the Sidewalk Construction requirements of Section 50-68 located at 920 Tower St., Flint, MI 48503 (PID # 41-16-101-027).

Max read the staff report.

Mr. Cardona again presented for this request. Mr. Cardona cited the intent of the ordinance to connect sidewalks to bicycle or walking paths which is not feasible as the property is on a dead-end road. He expressed safety concerns of having trucks consistently transporting materials on and off the site creating a potential safety hazard for pedestrians.

Commissioner Kea clarified with the applicant the location of the incoming and outgoing trucks. Commissioner Kea noted the intent of the ordinance to have future development of sidewalks.

Chairman Telliga noted that the sidewalk would dead end into the applicant's building. He asked if the variance were to fail to pass, could applicant not just scribe the paved area as a sidewalk. Mr. Cardona said they could, but he expressed that he has concerns that the existence of a sidewalk could create a false sense of safety.

Chairman Telliga stressed he would normally let the sidewalk requirements stand but given it would dead end into the building he is much more open to approval. Commissioner Kea said he is conflicted on this application because a variance runs with the land, however he acknowledged that the site may have unique conditions relating to size, location, and use.

Commissioner Dohrman asked the applicant what would change fundamentally about the site if approval was granted. The applicant explained the change would be minimal as their intent was to lay concrete regardless, the variance would just determine whether or not said concrete would be scribed into a sidewalk. Commissioner Dohrman noted his belief that sidewalks are very beneficial to the community and expressed concerns about setting precedent by approving this application. Chairperson Telliga noted that each case must stand on its own.

Chairperson Telliga opened the floor to public comment.

Max re-read the letter from Dan Calibatt, owner of Dort-Court Plaza, LLC, which spoke in favor of ZBA 24-4 & 24-6.

Chairperson Telliga closed the floor to public comment.

Mr. Cardona added that he is not against putting in sidewalks and that if this was a new industrial park, he would fully understand adding sidewalks, but he believes the existing conditions are not conducive to pedestrian travel.



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Commissioner Coney made a motion to approve **ZBA 24-6** based on the application meeting the following findings of fact:

- It complies with **Standard 1** because there are unique circumstances related to subject property.
- It complies with **Standard 2** because the variance is necessary for the preservation and enjoyment of substantial property rights similar to those possessed by other properties in the same zoning districts and neighboring area.
- It complies with **Standard 3** because the need for a variance was not self-created by the applicant to the applicant’s predecessor in title.
- It complies with **Standard 4** because granting the variance would not cause substantial detriment to adjacent properties and the surrounding neighborhood.
- It complies with **Standard 5** because the proposed variance is consistent with the purpose and will not materially intent of the Master Plan, Zoning Ordinance, and Zoning District.

Commissioner Kea seconded the motion.

Chairman Telliga called for a roll call vote.

Commissioner Buford, yes  
Commissioner McCaskill, absent  
Commissioner Yelle, yes  
Commissioner Dohrman, no

Commissioner Kea, yes  
Commissioner Coney, yes  
Chairperson Telliga, yes

**M/S – Coney/Kea**  
*5 – yes, 1 – no, 0 – abstain*  
***The motion failed.***

**CITY ATTORNEY REPORT:**

No report.



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**OLD BUSINESS:**

**Appointment of Planning Commissioner to ZBA**

Chairperson Telliga said the letter discussed in the previous meeting is currently in progress. He left a message to Emily Doerr, Director of Planning & Development, regarding the letter.

**ZBA Commissioner Expired Terms and Vacancies**

Chairperson Telliga said he had made plans to have a meeting with Councilmember Mays regarding the opening on the Board for Ward 1. Unfortunately, Councilman Mays was suspended before the meeting could happen.

Commissioner Dohrman asked a question regarding the Secretary of State ruling that any recall signatures must be within the old boundaries to recall an official. He asked if the logic is that the new ward boundaries do not come into effect until the next election, could that same logic be applied for the purposes of Commissioner Hardy no longer living in Ward 2 due to the redrawn ward divisions. Chairman Telliga clarified they are requesting a legal opinion on this to be presented at the next meeting.

**NEW BUSINESS:**

Commissioner Kea asked staff by proxy through Chairman Telliga if they have a line of communication with City Councilmembers in order to handle appointments to the Zoning Board of Appeals.

Max explained that staff communication with City Council must go through Director Doerr.

Chairman Telliga requested there are no absences at the February 20<sup>th</sup> meeting to ensure they have enough votes to hear the Use Variance applications that were postponed.

Commissioner Dohrman noted he may have a conflict causing him to miss the February 20<sup>th</sup> meeting.

**ADJOURNMENT:**

Commissioner Yelle made a motion to adjourn. Commissioner Coney seconded the motion.

Commissioner Buford, yes  
Commissioner McCaskill, absent  
Commissioner Yelle, yes  
Commissioner Dohrman, yes

Commissioner Kea, yes  
Commissioner Coney, yes  
Commissioner Telliga, yes

***M/S –Yelle/Coney***

*The meeting was adjourned at 7:11 pm.*