



Sheldon Neeley
Mayor

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

FLINT ZONING BOARD OF APPEALS
Meeting Minutes
March 19th, 2024

Board Members Present:

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

Staff Present:

Tom Sparrow, Assistant City Attorney
Max Lester, Int. Zoning Coordinator
Dalton Castle, Planner I

Planning Commission Representative:

Carol-Anne Blower

Excused:

Jon Kingen

ROLL CALL:

Chairperson Telliga called the meeting to order at 6:00 p.m. Roll was taken, and a quorum was present. The meeting was held in the Dome Auditorium at City Hall as well as via Zoom.

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

Jon Kingen – excused
Derek Dohrman – present
Ramie Yelle – present
Carol-Anne Blower - present

ADOPTION OF MARCH 19th, 2024 AGENDA:

Chairman Telliga asked for any changes to be made to the agenda. No edits or additions were requested.

Commissioner McCaskill made a motion to approve the agenda as written. Commissioner Coney supported the motion.

M/S – McCaskill/Coney

The motion carried via voice vote.



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ADOPTION OF FEBRUARY 20th, 2024 MINUTES

The minutes of February 20th, 2024, were presented. Commissioner Kea asked that on page 8 the line beginning with “Commissioner Kea asked about the fire lane...” to replace the usage of the word “he” with “the applicant” to prevent misinterpretations.

Commissioner McCaskill made a motion to approve the minutes of February 20th, 2024, with revisions. Commissioner Kea supported the motion.

Roll:	Commissioner Dohrman, yes
Commissioner Buford, yes	Commissioner Kea, yes
Commissioner Kingen, excused	Commissioner Coney, yes
Commissioner McCaskill, yes	Commissioner Telliga, yes
Commissioner Yelle, yes	Commissioner Blower, yes

M/S – McCaskill/Kea
8 – yes, 0 – no, 0 – abstain
The motion carried.

PUBLIC FORUM:

Chairman Telliga opened the floor for public forum. No one spoke.

REPORTS:

There were no reports presented at this time.

COMMUNICATIONS:

There have been no communications at this time.

PUBLIC HEARING:

ZBA 24-7: Adeliah Jones requests a Use Variance to allow for a ‘Group Child Care Home’ in a TN-2: Traditional Neighborhood Medium-Density zoned district located at 3113 Pencombe Pl., Flint, MI 48503 (PID # 40-14-180-015).

Max read the staff report. Max explained that the Michigan Zoning Enabling Act of 2006 requires cities to allow group child care home uses as either a permitted use or special land use in residential zoned districts and that the City of Flint Zoning Code does not currently permit group child care homes as a use in any form in the GN-1, GN-2, TN-1, TN-2, MR-1, MR-2, and GI-1 districts. Chairman Telliga asked Max if there were any pending text amendments to alter this. Max said there are currently text amendments on hold to be seen by the Planning Commission for recommendation to City Council.



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Max noted that approval of the variance does not constitute approval of the use and that the Board may specify in their motion to allow the use to be treated as a permitted use or a special land use for the purposes of approval. Max added that the applicant would also have to go through the State's approval process.

Chairman Telliga asked Max to clarify the difference between a permitted use and a special land use. Max explained a special land use would require a plot plan designed by a State certified architect, engineer, or surveyor and approval from the Planning Commission.

Chairman Telliga asked if the group child care home would be allowed to operate 24 hours a day. Max said they believe so.

Commissioner Kea commented that the issues causing the need for this variance seem to be caused by lack of clarity and mistakes in the Zoning Code and asked if staff had been working towards editing the ordinance. Max explained that for this issue specifically they have sent draft language to the Legal Department for review prior to going to the Planning Commission,

Adeliah Jones presented her application. She explained the goal of her business is to help families by providing a safe space to care for their children while they are at their jobs.

Chairman Telliga expressed concern that the lot is relatively small, and the amount of traffic may annoy the neighbors.

Commissioner McCaskill asked if Ms. Jones is allowed to submit this application as she is the tenant not the property owner. Max said that the property owner has submitted a notarized letter approving her to present.

Commissioner McCaskill expressed concern that once the lease is over the variance will live with the property. Max clarified that the State approval would be separate.

Commission Yelle asked about the hours of operation. Ms. Jones explained it will operate 24 hours however her license would only allow her to keep five children during the nighttime.

Commissioner Blower asked if there had been any communications received from neighbors. Max said there have been no communications received regarding ZBA 24-7.

Commissioner McCaskill expressed concern that the house is only 827 square feet. Chairman Telliga said that is part of State regulation. Ms. Jones clarified that the State requires 35 square feet per child. Commissioner McCaskill said he is worried this may cause undue hardship to the neighbors.



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Commissioner Yelle asked if the restriction to only allow for two group child care homes within 1500 feet of each other was a State or local law. Max said to the best of their knowledge that is only a local requirement.

Commissioner Kea commented that there is additional parking across the street which would make the traffic a non-issue.

Commissioner McCaskill said a point of consideration should be maintaining property values.

Commissioner Blower said the current Zoning Ordinance is out of compliance with State law to not allow for group child care homes in residential districts.

Chairman Telliga commented that his neighborhood is being overrun with group homes.

Commissioner Kea made a motion to approve ZBA 24-7 as permitted based on the following findings of fact:

- It complies with **Standard 1** because the subject property meets State requirements to permit this use.
- It complies with **Standard 2** because granting the variance would provide substantial justice to the applicant as well as the property owner in the same zoning district.
- It complies with **Standard 3** because the need for the variance was not self-created.
- 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 structure meets the goals in Chapter 9 of the City of Flint Master Plan and §50-25 (E) of the Zoning Ordinance.

Commissioner Coney seconded the motion.

Commissioner McCaskill asked staff to in the future include a signed affidavit of consent from the property owner in cases in which the applicant is not the property owner.

Roll:	Commissioner Dohrman, yes
Commissioner Buford, yes	Commissioner Kea, yes
Commissioner Kingen, excused	Commissioner Coney, yes
Commissioner McCaskill, no	Commissioner Telliga, no
Commissioner Yelle, yes	Commissioner Blower, yes

M/S – Kea/Coney

6 – yes, 2 – no, 0 – abstain

The motion failed.



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CITY ATTORNEY REPORT:

Attorney Sparrow had nothing to report

OLD BUSINESS:

Max said that City Council has received four or five names to temporarily fill the Ward 1 City Council vacancy.

NEW BUSINESS:

No new business was discussed at this time.

ADJOURNMENT:

Commissioner Kea made a motion to adjourn. Commissioner McCaskill seconded the motion.

M/S –Kea/McCaskill

Motion carried by voice vote

The meeting was adjourned at 6:52 pm.