



CITY OF FLINT
ZONING BOARD OF APPEALS
MATT TELLIGA, CHAIRMAN

Meeting Minutes
March 18th, 2025

Board Members Present:

Matthew Telliga, Chair
Jerry Kea, Vice-Chair
John Hardy
Ari McCaskill
Ramie Yelle
Lauren Coney
Derek Dohrman
Carol-Anne Blower, PC Liaison

Staff Present:

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

Absent:

Willie Buford

ROLL CALL:

Chairman Telliga called the meeting to order at 6:05 p.m. Roll was taken, and a quorum was present. The meeting was held in the Council Chambers at Flint City Hall as well as via Zoom.

Matthew Telliga, Chair – present

Jerry Kea, Vice-Chair – present

John Hardy – present

Ari McCaskill – absent (arrived at 6:11 p.m.)

Ramie Yelle – present

Willie Buford – absent

Lauren Coney – present

Derek Dohrman – present

Carol-Anne Blower – present

ADOPTION OF THE MARCH 18TH, 2025 AGENDA:

Chairman Telliga asked for any additions or changes to the agenda. Chairman Telliga requested the addition of “Election of Officers in April” to New Business.

Commissioner Coney made a motion to approve the agenda as amended. Commissioner Hardy seconded the motion.

M/S – Coney/Hardy

The motion carried.



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ADOPTION OF THE SEPTEMBER 17TH, 2024 MINUTES

The draft minutes of September 17th, 2024 were presented.

Commissioner Coney made a motion to approve the minutes of September 17th, 2024 as presented. Commissioner Kea seconded the motion.

Chairman Telliga called for a roll call vote.

Commissioner Hardy, yes
Commissioner Buford, absent
Commissioner Yelle, yes
Commissioner Dohrman, yes
Commissioner Kea, yes

Commissioner McCaskill, absent
Commissioner Coney, yes
Commissioner Blower, yes
Commissioner Telliga, yes

M/S – Coney/Kea

7 – yes, 0 – no, 0 – abstain

The motion carried.

PUBLIC FORUM:

Chairman Telliga opened the Public Forum. No one spoke.

Chairman Telliga closed the Public Forum.

REPORTS:

No reports at this time.

COMMUNICATIONS:

No communications were received.

PUBLIC HEARING:

ZBA 25-01: Consumers Energy, represented by Amy Gilpin of Contract Land Staff, requests two Non-Use Variances to provide relief from Article 8, §50-63(B)(3) and §50-63(C), to allow an eight (8) ft. tall chain-link fence in the front yard area for the property located at 2802 Leith St., (PID # 41-04-153-016).

Max read from the staff report.

Amy Gilpin of Contract Land Staff spoke on behalf of Consumers Energy. Erik Leavitt, Engineering Manager with Consumers Energy, also spoke. Ms. Gilpin explained there is currently an eight (8) foot tall, one (1) inch chain-link mesh fence, with the top one (1) foot consisting of barbed wire, located at the subject property. Ms. Gilpin stated that decorative metal fencing is not made with one (1) inch or less spacing between the rails.



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The requested height and material are to ensure there is no unauthorized access to the site and to keep the barbed wire above the average eye level of pedestrians.

Mr. Leavitt added that the overall effort is to improve and restore the electrical substation and to add a new access drive and mobile pad for crews to more quickly respond to power outages. The expansion of the fence is proposed to accommodate the mobile pad and will consist of new fencing and the replacement of plastic barriers near the top of the fence.

Chairman Telliga noted that in other municipalities there are facilities that use decorative metal fencing, including one on Ballanger Highway in Flint. Chairman Telliga asked if this was possible for the subject property as well. Ms. Gilpin asked if the facility is a gas distribution facility. Mr. Leavitt stated gas distribution facilities are concerned mostly with deterring the general public from entering, whereas electrical substations have a risk of critter intrusion. Mr. Leavitt added that the areas between the posts of the decorative metal fence used for the Ballanger Hwy. gas distribution facility are too wide and would allow small animals to enter.

Commissioner Kea asked where the front yard of the property is located. Max answered that the front yard is located along Leith St. and the corner side yard is located along Douglas Ave.

Mr. Leavitt stated that decorative metal fencing complies with the National Electrical Safety Code, however the one (1) inch spacing is the tightest to deal with small animal infiltration. Chairman Telliga asked if other municipalities have required decorative metal fencing for electrical substations. Ms. Gilpin stated she permits approximately thirty sites a year and has never seen material other than chain-link be permitted.

Commissioner Hardy asked if the street parcels are addressed to indicate the location of the front yard. Max answered that typically this is correct.

Commissioner Yelle asked if the existing chain-link material would also be replaced. Mr. Leavitt stated the scope of the project is to expand the fenced area and to replace existing fence material and polycarbonate panels.

Commissioner Hardy asked if the existing entrance on Leith St. would remain in addition to the new entrance on Douglas Ave. Mr. Leavitt confirmed there would be two entrances to the site with the main entrance on Leith St. and another on Douglas Ave. to access the planned mobile pad.

Chairman Telliga asked if alternatives to barbed wire have been used previously. Ms. Gilpin stated she has not seen any alternatives for electrical substations, only for gas distribution facilities. Mr. Leavitt added that some of the existing Consumers electrical substations in Flint use concertina



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wire, however, that is not being requested for this facility. Commissioner Yelle said he believes these facilities have a right to barbed wire. Max confirmed there is an administrative waiver available to public utilities to request barbed wire on fencing.

Commissioner Blower asked for the height of the existing fence and identification of the graffitied material shown in the provided photographs. Mr. Leavitt answered that the existing chain-link is seven (7) feet tall with an additional one (1) foot of barbed wire. The additional and replacement fence material will be the same anodized-aluminum material. Mr. Leavitt continued, saying the two foot tall material near the top of the fence are a quarter (1/4) inch thick clear polycarbonate panels to prevent animals from climbing over the fence. The panels have a lifespan of eighteen years.

Commissioner McCaskill made a motion to approve ZBA 25-01, for the two non-use variances requested by Consumers Energy, represented by Amy Gilpin of Contract Land Staff, to provide relief from Article 8, §50-63(B)(10)(ii) and §50-63(C), to allow an eight (8) ft. tall chain-link fence in the front yard area for the property located at 2802 Leith St., (PID # 41-04-153-016), based on staff materials, the discussion held, and the following findings of fact:

- It complies with **Standard 1** because there are exceptional or extraordinary circumstances applicable to the subject property that do not apply generally to other properties in the same zoning district or the general vicinity.
- It complies with **Standard 2** because 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.
- It complies with **Standard 3** because the need for the variance was not created by the applicant or the applicant's predecessor in title.
- It complies with **Standard 4** because the variance will not cause substantial detriment to adjacent property and the surrounding neighborhood.
- It complies with **Standard 5** because the variance will be consistent with, and not materially impair, the purpose and intent of the Master Plan and Zoning Ordinance.

Commissioner Yelle seconded the motion.

Chairman Telliga opened the hearing to public comment.
No one spoke. No communications were received by staff.
Chairman Telliga closed public comment.



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Chairman Telliga called for a roll call vote.

Commissioner Hardy, yes
Commissioner Buford, absent
Commissioner Yelle, yes
Commissioner Dohrman, yes
Commissioner Kea, no

Commissioner McCaskill, yes
Commissioner Coney, yes
Commissioner Blower, yes
Commissioner Telliga, yes

M/S – McCaskill/Yelle
7 – yes, 1 – no, 0 – abstain
The motion carried.

ZBA 25-02a: Larry Moon of Lawrence E. Moon Funeral Home, represented by Charles Sawdon of AMAG LLC, requests a Use Variance to allow an expansion of the existing 'Funeral Home' use in a GN-1 Green Neighborhood Low Density zone for the property located at 906 West Flint Park Blvd., (PID # 46-35-277-030).

Max read from the staff report.

Commissioner Coney disclosed to the Board that the applicant Larry Moon is her cousin, and they are not closely associated.

Charles Sawdon of AMAG, LLC spoke on behalf of the applicant. Mr. Sawdon explained the existing funeral home has acquired multiple properties around its facility. Mr. Sawdon questioned if rezoning the properties would be more appropriate due to the number of properties they now have. Chairman Telliga asked staff to weigh in. Max responded that the status of rezonings at the present time may be more complicated due to the zoning designations within the overall neighborhood, among other factors.

Mr. Sawdon continued, stating the applicant would like to construct a chapel with capacity for one-hundred people, in addition to the existing chapel space which seats two-hundred people, to provide for a smaller space for services. Commissioners discussed the location of the existing facility within a neighborhood as well as the vacant parcels surrounding the facility. Commissioner McCaskill commented on an existing garage that is currently located within the area of proposed expansion which will be removed if the expansion proceeds.

Commissioner Blower asked about the facility's closest neighbors and the type of buffering or screening currently in place. Mr. Sawdon answered the park is to the west and there is a six (6) foot tall chain-link fence along that boundary. There is a house adjacent to the north with a



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six (6) foot-five (5) inch wide alley between their vinyl privacy fence and the building. Commissioner Blower asked about traffic flow and parking for the existing facility and the proposed expansion. Mr. Sawdon explained the proposed expansion will use the same main entrance and parking as the existing facility. The two exterior doors of the expanded chapel are for egress only.

Commissioner Kea asked staff what 'maximum impervious lot coverage' means. Max answered that maximum impervious lot coverage refers to the maximum amount of impervious surface area that may be allowed on a property, including buildings and paved parking lots. Non-residential uses in the GN-1 zone district are allowed up to eighty (80) percent maximum impervious lot coverage.

Chairman Telliga opened the hearing to public comment.
No one spoke. No communications were received by staff.
Chairman Telliga closed public comment.

Commissioner McCaskill made a motion to approve ZBA 25-02a, for the use variance requested by Larry Moon of Lawrence E. Moon Funeral Home to allow an expansion of the nonconforming 'Funeral Home' use in a GN-1 Green Neighborhood Low Density zone district for the property located at 906 West Flint Park Blvd., (PID # 46-35-277-030), based on staff materials, the discussion held, and the following findings of fact:

- It complies with **Standard 1** because the condition, location, or situation of the specific property or intended use of the property that creates an unnecessary hardship is unique to that property and the zoning district.
- It complies with **Standard 2** because the need for the variance was not created by the applicant or the applicant's predecessors in title.
- It complies with **Standard 3** because the use variance will not alter the essential character of the neighborhood, nor be a detriment to adjacent properties.
- It complies with **Standard 4** because the land, building, or structure cannot be reasonably used for the permitted uses in the zoning district.
- It complies with **Standard 5** because the variance shall be consistent with, and not materially impair, the purpose and intent of the Comprehensive Plan and Zoning Ordinance.

Commissioner Blower requested an addition to the motion to include the recommended condition of approval. Commissioner McCaskill acknowledged the request and continued the motion by stating the use variance shall be limited to the 1,360 square foot area of expansion as proposed in the attached plan set.

Commissioner Blower seconded the motion.



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Chairman Telliga called for a roll call vote.

Commissioner Hardy, yes
Commissioner Buford, absent
Commissioner Yelle, yes
Commissioner Dohrman, yes
Commissioner Kea, yes

Commissioner McCaskill, yes
Commissioner Coney, yes
Commissioner Blower, yes
Commissioner Telliga, yes

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

ZBA 25-02b: Larry Moon of Lawrence E. Moon Funeral Home, represented by Charles Sawdon of AMAG LLC, requests a Non-Use Variance to provide relief from Article 3, Table 50-24(A), to allow an expansion within 6ft-5in. of the rear lot line for the property located at 906 West Flint Park Blvd., (PID # 46-35-277-030).

Max read from the staff report.

Chairman Telliga asked what the setback from the existing garage to the rear property line is currently. Max responded that they do not have that number available, however the garage appears to be closer to the property line than the proposed expansion.

Charles Sawdon of AMAG, LLC spoke on behalf of the applicant. Mr. Sawdon explained the existing building has a six (6) foot-five (5) inch setback to the rear property line and the variance is needed to construct the proposed expansion with the same setback.

Chairman Telliga opened the hearing to public comment.
No one spoke. No communications were received by staff.
Chairman Telliga closed public comment.

Commissioner McCaskill made a motion to approve ZBA 25-02b, for the non-use variance requested by Larry Moon of Lawrence E. Moon Funeral Home to provide relief from Article 3, Table 50-24(A), to allow an expansion within six (6) feet and five (5) inches of the rear lot line for the property located at 906 West Flint Park Blvd., (PID # 46-35 277- 030), based on staff materials, the discussion held, and the following findings of fact:



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- It complies with **Standard 1** because there are exceptional or extraordinary circumstances applicable to the subject property that do not apply generally to other properties in the same zoning district or the general vicinity.
- It complies with **Standard 2** because 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.
- It complies with **Standard 3** because the need for the variance was not created by the applicant or the applicant's predecessor in title.
- It complies with **Standard 4** because the variance will not cause substantial detriment to adjacent property and the surrounding neighborhood.
- It complies with **Standard 5** because the variance will be consistent with, and not materially impair, the purpose and intent of the Master Plan and Zoning Ordinance.

Further, in order to ensure compliance with these standards, the following conditions were made part of the motion to approve:

- The non-use variance shall be limited to the forty (40) linear foot expansion in line with the existing six (6) foot-five (5) inch setback as proposed in the attached plan set.
- The existing six (6) foot tall vinyl privacy fence shall be extended to screen the rear yard area adjacent to the building expansion.

Commissioner Blower seconded the motion.

Chairman Telliga called for a roll call vote.

Commissioner Hardy, yes
Commissioner Buford, absent
Commissioner Yelle, yes
Commissioner Dohrman, yes
Commissioner Kea, yes

Commissioner McCaskill, yes
Commissioner Coney, yes
Commissioner Blower, yes
Commissioner Telliga, yes

M/S – McCaskill/Yelle

8 – yes, 0 – no, 0 – abstain

The motion carried.

ZBA 25-03: James Collins of NAIS LLC, represented by Nicholas Buzzetta of NAIS LLC, requests a Use Variance to allow for a new 'Vehicle Import and Sales' use in a GI-2 Green Innovation High Intensity zone for the property located at 2525 S. Dort Hwy., (PID # 41-21-151-016).

Max read from the staff report.



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Chairman Telliga asked staff if they knew what the property was previously zoned. Max responded they do not know the exact designation, but they believe much of Dort Highway was previously D-4 or D-5 and above.

Nicholas Buzzetta spoke for NAIS, LLC. Mr. Buzzetta began by introducing himself and his background in banking and transactions, then as a manager of an automotive business and owner of an auto dealership, which evolved into a partnership into a vehicle importing business. Mr. Buzzetta stated his partner purchased the property the previous April without knowing the zoning had changed to the GI-2 zone district, believing the property to be best suited for their uses due to the automotive uses in the vicinity. Mr. Buzzetta stated they purchased the property with the intent of using the property as it currently exists.

Mr. Buzzetta explained the activities of the proposed use. They intend to operate during standard business hours, with the examples given from 9:00 am to 5:00 p.m., or 8:00 am to 6:00 p.m. Cars will be parked on the property until their titles are cleared. Transport trucks have access to two access points to pull completely into the property from Dort Highway. Mr. Buzzetta said he anticipates one to two transport trucks arriving per day. Once on the property, the cars are logged into the system, the information clusters are updated, then the cars await to be picked up by another transport truck. Mr. Buzzetta stated they are amenable to adding barriers or screening to the front of the property. Any minor work that may need to be done on a vehicle such as tires, alternators, or batteries can be quickly addressed with the existing automotive businesses near the property.

Commissioner McCaskill compared the activities of this requested use to that of ADESA on Richfield Rd. in terms of transportation and logistics. Mr. Buzzetta clarified that ADESA likely has more of an impact on traffic as they hold weekly auctions. Mr. Buzzetta stated NAIS, LLC will receive vehicles typically from Canada, hold them on-site for fourteen to thirty days, then the vehicles will be removed via transport truck to be delivered to a domestic automotive dealer or rental company.

Commissioner Blower spoke of a similar facility in Flint that often has trucks stopped in roadways while waiting to enter the lot, then asked for an explanation of truck traffic and maneuvering into the site. Mr. Buzzetta explained that there are two access points to the property from Dort Highway, with one being a thirty (30) foot wide entrance and the other being a thirty (30) foot wide exit. Mr. Buzzetta does not anticipate any impact to traffic on Dort Highway during normal traffic conditions. Mr. Buzzetta added that he cannot guarantee there will be no impact to traffic during times where Dort Highway is heavily congested. Commissioner Blower asked if there would be a gate at the entrance where truck drivers must check-in before entering. Mr. Buzzetta stated there will be gates that are opened at the start of the working day and closed at the end of the working day and transport drivers would have free access into and out of the property.



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Commissioner Yelle commented on the number of parking lots being utilized for similar uses and that he does not believe there will be no impact on traffic. Commissioner McCaskill said this stretch of Dort Highway is predominantly commercial in nature and has not had a traffic jam since Howard Johnson's was located on Dort Highway. Commissioner Yelle brought up other examples of trucks stopping traffic at similar properties. Commissioner McCaskill stated that he believed the provisioning centers will likely have a larger impact on traffic than the proposed used. Chairman Telliga asked how many transport trucks are anticipated each day. Mr. Buzzetta responded that he anticipates one to two trucks per day. The only traffic generated will be from the employees and transport trucks. Mr. Buzzetta added that there are no residential neighborhoods in the area. There is an abandoned motor home community behind the property.

Commissioner Blower asked if there is a difference in how automotive uses are treated in the GN-1 and GI-2 districts. Max answered that automotive uses are not permitted in GI-1 or GI-2 zone districts.

Chairman Telliga opened the hearing to public comment.

Gary Drago of Drago Automotive, located at 2330 and 2501 S. Dort Highway, spoke in favor of the applicant. Mr. Drago stated his belief that the proposed use will be a benefit to Dort Highway by improving the appearance of the property and keeping it in active use.

No communications were received by staff.

Chairman Telliga closed public comment.

Commissioner McCaskill made a motion to approve ZBA 25-03, for the use variance requested by James Collins of NAIS LLC, represented by Nicholas Buzzetta of NAIS LLC, to allow a new 'Vehicle Import and Sales' use in a GI-2 Green Innovation High Intensity zone district for the property located at 2525 S. Dort Hwy., (PID # 41-21-151-016), based on staff materials, the discussion held, and the following findings of fact:

- It complies with **Standard 1** because the condition, location, or situation of the specific property or intended use of the property that creates an unnecessary hardship is unique to that property and the zoning district.
- It complies with **Standard 2** because the need for the variance was not created by the applicant or the applicant's predecessors in title.
- It complies with **Standard 3** because the use variance will not alter the essential character of the neighborhood, nor be a detriment to adjacent properties.
- It complies with **Standard 4** because the land, building, or structure cannot be reasonably used for the permitted uses in the zoning district.
- It complies with **Standard 5** because the variance shall be consistent with, and not materially impair, the purpose and intent of the Comprehensive Plan and Zoning Ordinance.



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Further, in order to ensure compliance with these standards, the following conditions were made part of the motion to approve:

- The use variance shall be limited to the existing building and parking lot areas.

Commissioner Coney seconded the motion.

Chairman Telliga called for a roll call vote.

Commissioner Hardy, yes
Commissioner Buford, absent
Commissioner Yelle, no
Commissioner Dohrman, yes
Commissioner Kea, yes

Commissioner McCaskill, yes
Commissioner Coney, yes
Commissioner Blower, yes
Commissioner Telliga, yes

M/S – McCaskill/Yelle
7 – yes, 1 – no, 0 – abstain
The motion carried.

CITY ATTORNEY REPORT:

Attorney Sparrow stated there was no new information to report.

OLD BUSINESS:

Appointment of Planning Commissioner to the Zoning Board of Appeals

Commissioner Blower communicated that she was recommended for reappointment as the Planning Commission Liaison to the Zoning Board of Appeals at a prior Planning Commission meeting. The timeline for a City Council decision on the recommendation is not yet known.

Informational and Binder Update Materials from February 18th, 2025 Meeting

Max stated all members have received the materials from the February 18th, 2025 meeting and that staff are available to assist if any help is needed to add the materials to their binders.

Chairman Telliga asked staff where the best location for the reformatted Marihuana Ordinance is. Max said it can be placed within Article 9, near §50-80.1 where there is existing placeholder text for the Marihuana Ordinance.

NEW BUSINESS:

Election of Officers in April

Chairman Telliga reminded everyone that the election of officers will be conducted during the regularly scheduled meeting in April.



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ADJOURNMENT:

Commissioner Coney made a motion to adjourn. Commissioner Hardy supported the motion.

M/S –Coney/Hardy

The motion carried via voice vote.

The meeting was adjourned at 7:24 p.m.