



CITY OF FLINT

ZONING BOARD OF APPEALS

MATT TELLIGA, CHAIRMAN

Meeting Minutes April 15th, 2025

Board Members Present:

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

Board Members Absent:

All present

Staff Present:

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

ROLL CALL:

Chairman Telliga called the meeting to order at 6:02 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 – present
Ramie Yelle – present

Willie Buford – present
Lauren Coney – present
Derek Dohrman – present
Carol-Anne Blower – present

ADOPTION OF THE AGENDA:

Commissioner Blower requested the addition of a report from Tyler Bailey, Deputy Director of Business Services, to Reports.

Commissioner Coney made a motion to approve the agenda as amended. Commissioner McCaskill seconded the motion. Chairman Telliga asked for a voice vote.

M/S – Coney/McCaskill

The motion carried via voice vote.

ELECTION OF OFFICERS

Chairperson

Chairman Telliga deferred the meeting to staff. Max asked if there were any nominations for the position of Chairperson. Commissioner Kea nominated Matt Telliga as Chairman. Commissioner Telliga accepted the nomination. Max asked if there were any other nominations for Chairperson, no one spoke. Commissioner McCaskill seconded the motion to nominate Matt Telliga as Chairman. Max asked for a roll call vote.

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

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

M/S – Kea/McCaskill

9 – yes, 0 – no, 0 – abstain

The motion carried.

Max deferred the meeting back to Chairman Telliga.

Vice-Chairperson

Chairman Telliga asked if there were any nominations for the position of Vice-Chairperson. Chairman Telliga nominated Jerry Kea as Vice-Chairman. Commissioner Kea accepted the nomination. Chairman Telliga asked if there were any other nominations for Vice-Chairperson, no one spoke. Commissioner McCaskill seconded the motion to nominate Jerry Kea as Vice-Chairman. Chairman Telliga asked for a roll call vote.

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

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

M/S – Telliga/McCaskill

9 – yes, 0 – no, 0 – abstain

The motion carried.

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

The draft minutes of March 18th, 2025 were presented.

Vice-Chairman Kea asked that the spelling of his name be corrected on Page 6.

Commissioner Coney made a motion to approve the minutes of March 18th, 2025 as amended. Commissioner McCaskill seconded the motion to approve the minutes of March 18th, 2025 as amended. Chairman Telliga asked for a voice vote.

M/S – Coney/McCaskill

The motion carried via voice vote.



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PUBLIC FORUM:

Chairman Telliga opened the public forum. No one spoke.

Chairman Telliga closed the public forum.

REPORTS:

Imagine Flint Comprehensive Plan Update

Tyler Bailey, Deputy Director of Business Services, gave an update on the action steps completed and meetings held for the Imagine Flint Comprehensive Plan (Comp Plan) Update. Tyler stated the process has stalled while a memorandum of understanding (MoU) between the Planning Commission, City Council, and Administration is pending agreement from all parties.

Chairman Telliga asked if Tyler would discuss the MoU with council members prior to the meeting of review. Tyler responded that City protocol is to not communicate with Council. Tyler asked that the board members consider discussing the Comp Plan and MoU with their council members to provide context for why the update is important. Tyler added that there are many Flint residents that have indicated they want to volunteer on the Steering Committee, but they are waiting for the MoU to be completed before members can be selected. Tyler offered to discuss the MoU with anyone who wanted to know more about it.

In summary, the Comp Plan update is being carried out by Zoning staff under the direction of the Planning Commission. The most recent MoU is a standard document detailing the roles and responsibilities of all parties. The MoU would allow each council member and the mayor to select one member of the Steering Committee, with the remaining members and co-chairs to be determined by the Planning Commission. Council members are encouraged to participate during the update process, and the final decision of adopting the draft updated Comp Plan will fall on City Council.

Commissioner Blower reiterated Tyler's point that this is a standard document based on the original MoU that allows the Steering Committee to be formed. Commissioner Blower stated that the City is now over a year and a half past when the Comp Plan update should have been completed.

COMMUNICATIONS:

No communications were received.

PUBLIC HEARING:

ZBA 25-04: *Glenn Wilson requests a Non-Use Variance to provide relief from §50-63(C), to allow a six (6) ft. tall privacy fence in the front yard area of the vacant lot identified as PID # 40-23-305-083, located at the intersection of Miller Rd. and Barney Ave.*

Max read from the staff report.

Commissioner McCaskill asked if the two lots have been legally combined, and if the area of the subject parcel along Miller Rd. is considered frontage. Max responded that the subject parcel has not been combined with the adjacent parcel along Hawthorne Dr., the two parcels have different zoning designations and cannot be combined.



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Commissioner Yelle asked if permits were required to construct the fence. Max responded that at this time permits for fencing are typically not required from Zoning or Building Safety & Inspections, but fences do need to comply with the zoning ordinance. Commissioner Yelle asked if the fence was constructed prior to the ordinance change. Max stated it was constructed after the ordinance change [in October 2022]. Max added that through lots which have frontages on two parallel streets have two front yards, however, this is a standalone lot with one front yard along Miller Rd.

Glenn Wilson spoke to his request. Mr. Wilson stated the fence ordinance allows a six-foot-tall fence in the backyard and there are other properties along Miller Rd. with a six-foot-tall fence up near the road. He added that there is a bus stop on Miller Rd. adjacent to the subject parcel, and there are no driveways on either immediate side of the fence that would require a clear vision area. Mr. Wilson said the fence is needed for his kids to play in the backyard safely. Mr. Wilson quoted a portion of the Traditional Neighborhood character description from the Imagine Flint Comprehensive Plan, *"It is where most people live and families are raised, in primarily detached single family homes."* He added that he spoke to all his neighbors before installing the fence and everyone agreed except one person.

Essence Wison also spoke, stating that she counts nine properties with similar fences along Miller Rd. and she believes this issue is due to Barney Avenue terminating into Miller Rd. where the subject property is located and is not a hardship that they created. She said their intent is to provide a safe place for their children to play without the risk of them running away or being grabbed by a stranger. Mrs. Wilson stated there are no adjacent driveways to worry about with setbacks. She added that prior to erecting the fence people had entered the subject property from the bus, along with one neighbor who entered without permission. Mrs. Wilson stated that they communicated with the neighbors about the fence.

Chairman Telliga opened the hearing to public comment.

Max read an email from Tana Lager expressing opposition to the variance.

Max read an email from Eric Lager expressing opposition to the variance.

Eric Lager of 3309 Miller Rd. spoke via Zoom in opposition to the variance. Mr. Lager stated the fence is in violation of the building code, there are no gaps between the fence which impedes vision of the neighbors backing out of their driveway, and the fence is a safety hazard.

Katherine Brooks of 3325 Miller Rd. spoke in opposition to the variance. Mrs. Brooks stated that when Mr. Wilson began constructing the fence the previous fall, she asked him if he had a building permit to take the fence all the way up to the road. Mrs. Brooks said Mr. Wilson confirmed he had a permit and that he told her he "could do what he wanted with his property." Mrs. Brooks added that the fence is a hazard, and she has not had any issues with the bus stop or transit passengers for the twelve years she has lived at her house. Mrs. Brooks believes the fence is too high and unattractive. Mrs. Brooks is concerned about having to back out of her driveway during winter because the fence creates a visual obstruction.



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Donna Shinn of 3412 Hawthorne Dr. spoke in opposition to the variance. Mrs. Shinn stated that Mr. Wilson cut down a line of trees between the subject property and the property with his house, leaving her backyard view open to the fence, likening it to a wooden box. Mrs. Shinn said many community members were confused about the fence and security cameras. Her first concern is a potential impact on her property value. Her second concern relates to the security cameras, whether they are necessary and the speculation it may cause about the area. Mrs. Shinn added that there are similar fences along Miller Rd., however they all have vegetation and are well landscaped. Mrs. Shinn expressed her belief that neighbors were not consulted as she said there was no neighborhood discussion about it previously.

Deborah Mastin of 4501 Cloverlawn Dr. spoke in favor of the variance. Ms. Mastin is the primary caregiver for her grandchildren who live at 3330 Hawthorne Dr with their parents, Glenn and Essence Wilson. Ms. Mastin stated she spoke with Mrs. Brooks on a separate matter and was told that the previous owner of the subject property attempted to sell the lot to Mrs. Brooks, but she was unable or unwilling to purchase it due to the price. Ms. Mastin countered previous statements on the appearance of the fence stating it is brand-new and has a gate that could allow utility or emergency crews to access the property.

Marc Rideout of 3402 Hawthorne Dr. spoke in opposition to the variance. Mr. Rideout stated he characterizes the communication that he received about the fence less as a discussion and more as a statement of what would be done. Mr. Rideout is primarily concerned that the applicant constructed the fence and then sought variances after the fact when the violations were noted. Mr. Rideout is also concerned that if more property owners develop property in ways that are not compliant with rules and regulations then seek variances afterwards it weakens those rules and regulations. Mr. Rideout stated the applicant has significant experience with building codes and that he doesn't understand how the applicant can claim ignorance of the fence regulations. Mr. Rideout continued by saying he is not against a privacy fence as he is a father and understands the need for safety, however, he believes the fence should be constructed according to code.

Ted Shinn of 3412 Hawthorne Dr. spoke in opposition to the variance. Mr. Shinn stated his belief that the Woodcroft neighborhood is a safe neighborhood, the fence gives the appearance as though something is being hidden and the fence is an eyesore. Mr. Shinn said he could not understand how someone with experience developing properties in Flint would not get a permit and then apply for variances.

Chairman Telliga closed public comment.

Mr. Wilson spoke, stating that he did give courtesy check-ins with his neighbors and looked at the rules prior to building the fence, however, he doesn't believe the issue of double frontage was under his control. He mentioned two texts on his phone which he claims are from adjacent neighbors in support of the fence. Mr. Wilson expressed that he does not believe the fence is close enough to any adjacent driveways to pose a visual obstruction. He shared that he helped neighbors with their fence upgrades, trim trees, and clear rubble. Mrs. Wilson added that a permit is not required prior to installation and the fence is not immediately adjacent to any driveways.



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Commissioner Yelle asked if the gate is in-line with the required setback. Chairman Telliga answered that it is not and is further up within the setback. Commissioner McCaskill pointed to Figure 1 which shows the setback line and the areas where four (4) ft. tall fences and six (6) ft. tall fences may be located on the property.

Commissioner Blower asked if the fence is in violation in any aspects other than the height and setback issue and commented that if this parcel had been combined into their residential lot it would have been compliant. Chairman Telliga stated that even if the parcels were combined the fence would still not be compliant. Max clarified that under the existing ordinance a property which has two frontages, in this case if it was on Hawthorne Dr. and Miller Rd., both yards would be considered front yards where the maximum fence height is four (4) ft. tall. Commissioner Blower restated her first question and asked if the properties were combined would the fence be in compliance. Max answered that even if the properties were combined the same issue would be present, and there is the issue of the required clear vision area in addition to the height and setback issue.

Chairman Telliga commented on the visual obstruction the fence creates as well as the points raised by the applicants that a fence is needed on the property for safety. Commissioner McCaskill stated he is more concerned about the setbacks than the height itself.

Commissioner Dohrman drew attention to the applicant's response to Standard 2, stating there are neighbors on the Michigan Sex Offender Registry and safety is a concern.

Commissioner McCaskill made a motion to conditionally approve ZBA 25-04, for the non-use variance requested by Glenn Wilson to provide relief from §50-63(C), to allow a six (6) ft. tall privacy fence in the front yard area in a TN-2 zone district, at the vacant lot identified as PID # 40-23-305-083, based on staff materials, the discussion held, and the following findings of fact:

- It complies with **Standard 1** because compliance with the strict letter of the Zoning Ordinance will unreasonably prevent the owner from using the property for a permitted purpose or will render conformity with such restrictions unnecessarily burdensome.
- It complies with **Standard 2** because the plight is due to unique circumstances of the property and does not apply generally to the same zone district or to general neighborhood conditions.
- 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 properties 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.

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Commissioner McCaskill added that in order to ensure compliance with these standards, the following condition is made part of the motion:

- The fence shall have a minimum setback of thirty (30) ft. from the front property line.

Commissioner Yelle seconded the motion.

Chairman Telliga called for a roll call vote.

Commissioner Hardy, yes
Commissioner Buford, yes
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
9 – yes, 0 – no, 0 – abstain
The motion carried.

Vice-Chairman Kea asked Mr. Wilson if he understood the approval that was given. Mr. Wilson responded yes and began discussing the clear vision area. Chairman Telliga reminded him that his time to discuss the case has closed. Mr. Wilson said he wasn't trying to question the decision, but he wanted it clarified that Max had told him that a six (6) ft. tall fence can abut the rear lot line. Commissioner Yelle clarified that the built fence must be at least thirty (30) ft. from the front lot line. Chairperson Telliga added that it must be in-line with the houses on Miller Rd.

CITY ATTORNEY REPORT:

Attorney Sparrow stated there was no new information to report.

OLD BUSINESS:

No old business.

NEW BUSINESS:

No new business.

ADJOURNMENT:

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

M/S – McCaskill/Coney
The motion carried via voice vote.
The meeting was adjourned at 7:06 p.m.