

FLINT ZONING BOARD OF APPEALS
Meeting Minutes - *Approved*
July 16, 2019

Board Members Present

Matthew Telliga, Chair
Jerry Kea, Vice-Chair
John Hardy
Jacqueline Jordan
Mona Munroe-Younis
Carol-Anne Blower

Staff Present

Andy Aamodt, Zoning Coordinator
Andy Fedewa, Planner I
Reed Eriksson, Assistant City Attorney

Board Members Not Present

Chris Zuwala
Heather Kale

ROLL CALL:

Chairperson Telliga called the meeting to order at 6:07 p.m. Roll was taken and a quorum was present. The meeting was held in the Planning & Development Conference Room, South Building, Flint City Hall.

ADOPTION OF THE AGENDA:

‘Attendance of Board members’ added to Unfinished Business. ‘Revision of by-laws’ added to New Business.

M/S – Blower/Munroe-Younis

Motion to adopt the meeting agenda as revised.

Unanimously carried.

APPROVAL OF MINUTES:

The Board reviewed the minutes of 2-19-19 and of 4-16-19.

M/S – Hardy/Jordan

Motion to approve the minutes of 2-19-19 as presented.

Unanimously carried

M/S – Hardy/Jordan

Motion to approve the minutes of 4-16-19 as presented.

Unanimously carried

PUBLIC FORUM:

Councilperson Monica Galloway spoke about passing the new zoning code and the process to bring it to City Council.

REPORTS:

There were no reports.

COMMUNICATIONS:

There were no communications.

PUBLIC HEARING:

ZBA 19-2226: Monique Hendrix requests a Conditional Use permit for a group day care home at 1872 Springfield St. (PID # 41-16-427-024). Note: This is an appeal of Planning Commission's May 28, 2019 denial of Conditional Use permit.

Brenda Williams presented appeal on behalf of the applicant. Ms. Williams produced photographs of the basement that was said not to exist at the Planning Commission meeting of 5/28/2019. Ms. Williams also spoke on the fence that has been installed.

Monique Hendrix presented on her business and her application for a Conditional Use permit.

Board Member Blower asked who owns the house and who resides there currently. Ms. Hendrix answered that she is buying the house from her relative and that she and her son live in the house.

Board Member Kea asked about the fence and if there is a child pick-up service. Ms. Hendrix said the fence connects with a neighbor's fence in the rear and all sides are enclosed. Ms. Hendrix stated that only two families of kids are picked up currently and she does not work on weekends or holidays. Ms. Hendrix stated the business' van is kept in the garage.

Board Member Kea asked if there is only one parking spot in the driveway. Ms. Hendrix stated that there is room for up to four vehicles in the driveway and that she has clear rules for picking up and dropping off the children.

Board Member Telliga asked what are the approximate times of picking up and dropping off the children. Ms. Hendrix replied that it is in morning before school for a few minutes and in the evening to late evening for the family of five.

Board Member Blower asked if Ms. Hendrix is currently conducting a day care. Ms. Hendrix answered affirmatively. Board Member Blower also asked if the fence has been erected since the Planning Commission meeting and if there have been other changes. Ms. Hendrix replied only the fence has been installed since the meeting.

Staff explained the difference between a permitted-by-right 'home occupation' and a conditional use.

Board Member Munroe-Younis asked what the staffing plan is, their shifts, and if there have been changes since the Planning Commission meeting. Ms. Hendrix answered that staff consists of her and her mother and that there is a morning shift 8am – 3pm, and an afternoon shift 4pm – 10pm. Ms. Hendrix spoke on a change of her plans to not open a larger day care center earlier in the spring.

Crystal Williams spoke in opposition.

Scott Williams spoke in opposition.

Alleree Bilings spoke in support.

Odessia Peterson spoke in support.

Patricia Marshall asks for clarification on the 7-12 children group day care Conditional Use permit.

Johnnie Ricks spoke in opposition.

Johnnetta Ricks spoke in opposition.

Councilperson Galloway asked for clarification of the A-2 zoning district and other ordinances the Zoning Board of Appeals is using to decide the case.

Staff read aloud the 'Five Facts of Findings' used to consider the case.

Brenda Williams addressed the board and spoke on points raised by residents during the public hearing.

M/S – Kea/Jordan

Motion to approve ZBA 19-2226: Monique Hendrix requests a Conditional Use permit for a group day care home at 1872 Springfield St. (PID # 41-16-427-024) on the condition that the privacy fence is all-encompassing in the rear yard.

Yes: Kea, Jordan, Hardy, Telliga, Munroe-Younis

No: Blower

CITY ATTORNEY REPORT:

There was no city attorney report.

UNFINISHED BUSINESS:

Attendance of Board Members

A board member has missed too many meetings and a vote to recommend their removal will be added to the agenda of the next meeting.

Draft Zoning Code Update

Director of the Department of Planning and Development Suzanne Wilcox spoke on the process staff is taking to bring the Draft Zoning Code to City Council while conducting community meetings in August.

NEW BUSINESS:

Revision of Zoning Board of Appeals by-laws

Revising the by-laws in regards to how voting is conducted was discussed. Possible revisions will be drafted by Staff and discussed by the Board at the next meeting.

ADJOURNMENT:

M/S – Jordan/Kea

The meeting was adjourned at 7:53pm

Unanimously carried.