



Sheldon Neeley
Mayor

CITY OF FLINT

FLINT ZONING BOARD OF APPEALS

FLINT ZONING BOARD OF APPEALS Meeting Minutes February 16, 2021

Board Members Present

Matthew Telliga, Chair
Jerry Kea, Vice-Chair
Ari McCaskill
Carol-Anne Blower
Florlisa Stebbins
Johnnetta Ricks
John E. Hardy II
Carol-Anne Blower
Ramie Yelle
Lauren Coney

Staff Present

Jeff Schiffman, Lead Planner
William Vandercook, Zoning Coordinator
Keizy Anpalagan, GIS Technician
Kelly Thompson, Assistant City Attorney
Corey Christensen, ROWE Consultant

Absent:

Jacqueline Jordan

ROLL CALL:

Chairperson Telliga called the meeting to order at 6:01 p.m. Roll was taken and a quorum was present. The meeting was held via Zoom meetings. Kelly Thompson read the Open Meetings Act adopted in Senate Bill 1108, so Commissioners could provide the location they were calling in from and how they were accessing the meeting.

Matthew Telliga, Chair – Remotely – City of Flint
Jerry Kea, Vice-Chair – Remotely – City of Flint
Ari McCaskill – Remotely – City of Flint
Carol-Anne Blower – Remotely – City of Flint
Lauren Coney – Remotely – City of Flint

Florlisa Stebbins – Remotely – City of Flint
Johnnetta Ricks – Remotely – City of Flint
John E. Hardy II – Remotely – City of Flint
Carol-Anne Blower – Remotely – City of Flint
Jacqueline Jordan – Absent
Ramie Yelle – Remotely – City of Flint

ADOPTION OF JANUARY 19, 2021 AGENDA:

Commission Blower – Requests a report be added before ZBA case 21-2251.

M/S - Coney/Blower

Motion to adopt the meeting agenda
Unanimously carried by voice vote.



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ADOPTION OF JANUARY 19, 2021 MINUTES

Mr. Vandercook noted that the terms for the Zoning Board of Appeals roster have not yet been received from the City Clerk's office. Mr. Vandercook expects to get the information before next month to send out.

M/S - McCaskill/Ricks

Motion to approve January 19, 2021 minutes with changes.

Unanimously carried by voice vote.

Public Forum:

No public forum.

Reports:

No reports.

Communications:

No communications.

PUBLIC HEARING:

ZBA 21-2251: Sylvester Broome Empowerment Village requests a non-use variance to increase the maximum allowable lot coverage from 50.0% to 57% at 4119 N. Saginaw Street (PID 46-36-428-059).

Doug Scott, ROWE, presented the application. Mr. Scott stated that when the application was presented at the Flint Planning Commission, the applicants did not ask for a variance to increase the lot coverage from 50% to 57%. The project involves building an athletic complex with an indoor football field and several basketball courts.

Chairperson Telliga opened the floor for public comment. No public comments were given.

Commissioner Blower noted that the applicant previously presented their application to the Zoning Board of Appeals for three variances, which were approved. After approval by the Zoning Board of Appeals, the applicant completed a site plan review with the Flint Planning Commission. Following conversations with the applicant and planning staff, the Planning Commission noticed that a fourth request for the non-use variance increasing the maximum allowable lot coverage from 50% to 57% was missed. Commissioner Blower shared that the applicant's site plans were conditionally approved pending approval for the non-use variance from the Zoning Board of Appeals. Chairperson Telliga asked Commissioner Blower and planning staff if this case was an example of a self-created hardship. Commissioner Blower stated that seeing a property



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this large is not common for the Planning Commission and noted that the type of building, a sports complex, is not common either.

Chairperson Telliga asked his question again directly to William Vandercook. Mr. Vandercook stated that the city zoning ordinance has created hardship and noted special circumstances including the property being owned by a nonprofit. Additionally, the current zoning allows for nonprofit uses and community recreational services that benefit the community. Mr. Vandercook shared that the setbacks were previously allowed, there is room for parking, room for fire code emergency ingress and egress, and significant parking off-site.

Commissioner McCaskill asked if the provided parking, 200 spaces, was conforming with the zoning ordinance. Commissioner Blower confirmed this. Additionally, Commissioner McCaskill asked if this improvement interferes with future planning of infill housing, community development around the site, and the quality of life for residents. The applicant stated that much of the interference will be due to an increase in traffic. Adequate parking has been provided with spaces off of Saginaw Street. The applicant stated that considering a large portion of the block near the development is vacant, there should not be a detrimental impact due to the development.

Mr. Vandercook stated that during the first meeting held for variances, it was suggested that the director of the Sylvester Broome Empowerment Village conduct mass mailings and community meetings to build support from the community.

Commissioner Yelle asked the applicant if they have reached out to residents to get input on how this development will impact their view of the park. Additionally, Commissioner Yelle asked for clarity on how many feet the additional 7% would equate to and which direction the additional lot coverage would go. Chairperson Telliga stated that the applicant is required to notify any residents within 300 feet. Additionally, Chairperson Telliga stated that the lot coverage doesn't necessarily refer to the building covering the lot in one specific direction. Commissioner Yelle asked if the request for additional lot coverage referred to the lot lengthwise or widthwise and if the residents know if there is a possibility that their view of the park will be blocked.

Gianni Asselin, Asselin Mclane Architectural Group (AMAG), stated that he was present at the community meeting with residents which had over 150 participants. Mr. Asselin stated that he shared drawings of the building, the size of the building relative to the site, and answered questions from residents.

Mr. Vandercook stated that planning staff shared similar concerns as Commissioner Yelle and ensured that the applicant went above and beyond to involve the community in the process.



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Commissioner McCaskill asked Mr. Vandercook to discuss height variance versus lot variance in an attempt to help Commissioner Yelle orient himself. Mr. Vandercook stated that there was a variance on the front yard closer to the road, a variance on the side yard closer to the park, and that there is a park on the west side of the building where the lot is increased.

Commissioner Kea asked the applicant if there were any physical changes to the dimensions of the building since the first time the application was presented. The applicant stated that there have been no physical changes made.

Commissioner Hardy asked the applicant where the 200 onsite parking spots are located and where the offsite parking spots are located. Commissioner Blower stated that there is onsite parking located between the existing building and the proposed Fieldhouse Building. The offsite parking lot is located one block away. Mr. Scott stated that there are 65 spaces located onsite and 140 within a lot located one block south of the site off of Saginaw Street. Mr. Vandercook asked the applicant if the property of the offsite parking lot has been purchased. Mr. Scott confirmed that the lot has been purchased by the Sylvester Broome Empowerment Village.

Commissioner Blower noted that the applicant did not change their application and that during the original Planning Commission meeting, four variances should have been requested instead of three. The Planning Commission caught the variance for the increase of lot coverage during the review and did not have the authority to grant the variance, which is why it was brought back to the Zoning Board of Appeals.

Commissioner Stebbins made a motion to approve ZBA 21-2251 Sylvester Broome Empowerment Village to increase the maximum allowable lot coverage requirement from 50% to 57% based on the fact that the existing standard would unreasonably prevent the owner from using the property to its highest potential, standard two based on the fact that it is the minimum variance necessary to provide adequate relief, it complies with standard three based on the fact that the size of the property in relation to the size of the existing structure on the site renders the variance necessary, it complies with standard four based on the fact that the zoning ordinance unreasonably restricts the property from being used to its fullest potential which is not a hardship created by the property owner or the previous property owners but was created by the City of Flint, it complies with standard five based on the fact that the variance requested by the applicant meets the spirit of the ordinance by providing adequate space to use the property for its highest use.



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Roll Call:

Matthew Telliga, Chair - yes
Jerry Kea, Vice-Chair - yes
Ari McCaskill - yes
Carol-Anne Blower - yes
Florlisa Stebbins - yes

Johnnetta Ricks - yes
John E. Hardy II - yes
Carol-Anne Blower - yes
Jacqueline Jordan - absent
Ramie Yelle - yes

M/S - Stebbins/Kea

Motion carried - 9 yes and 1 absent

CITY ATTORNEY REPORT:

Mrs. Thompson stated that all three marijuana ordinances were adopted by City Council on February 8th, 2021. These ordinances include the amended ordinance 5183, the amended ordinance 12-95, and ordinances 5161, 5163, 5164, and 5169. This includes all the amendments reflecting the expansion to include adult-use and microbusinesses. Mrs. Thompson noted that Jeffery Schiffman caught a discrepancy regarding the zoning designations which is being looked into. Mrs. Thompson shared that once she has clarity on what the final ordinances will be, she will make them available for the commissioners.

Mrs. Thompson provided an update on the zoning code sharing that there are a total of 18 articles that will be presented to the City Council in installments of 6 each time. City Council passed the first 6 articles for the first reading. Mrs. Thompson is projecting the full zoning code will be adopted this summer.

OLD BUSINESS:

Mr. Schiffman shared that there are credits from the Michigan Association of Planning for planning and zoning essentials workshops next month. There are two sessions in the evening of March 3rd and March 4th. Additionally, there are two sessions in the afternoon on March 23rd and March 24th. The credits allow for two people to be attend the training. Chairperson Telliga asked Mr. Schiffman to send the workshop information to the commissioners who were interested in attending the trainings.

Mr. Vandercook asked Commissioner McCaskill for assistance in compiling training materials to distribute to the Zoning Board of Appeals. Commissioner McCaskill shared a hyperlink in the Zoom chat to the Michigan Enabling Act 110 noting that it is foundational information to give contextual understanding to the Zoning Board of Appeals.



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NEW BUSINESS

No new business.

ADJOURNMENT:

M/S – McCaskill/Blower

The meeting was adjourned at 6:59 pm.

Unanimously carried.