

FLINT ZONING BOARD OF APPEALS
Rescheduled Meeting Minutes
January 19, 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
Jacqueline Jordan
Ramie Yelle

Staff Present

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

Absent:

Lauren Coney

ROLL CALL:

Chairperson Telliga called the meeting to order at 6:02 p.m. Roll was taken and a quorum was present. The meeting was held through 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– Absent

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 – Remotely – City of Flint
Ramie Yelle – Remotely – City of Flint

ADOPTION OF JANUARY 19, 2021 AGENDA:

Commission Blower – Add under New Business: Passing of Freeman Greer.
Commissioner Kea – Add under New Business include dates on current and future Agendas

M/S - Yelle/Blower

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

ADOPTION OF DECEMBER 15, 2020 MINUTES

Commissioners Hardy and Stebbins attended the December 15, 2020 meeting. Commissioners McCaskill and Jordan did not attend the December 15, 2020 meeting. Commissioners (Jerry Kea and Johnnetta Ricks) asked spelling of their names be corrected.

M/S - Hardy/Kea

Motion to approve December 15, 2020 minutes with changes

Unanimously carried.

Public Forum: None

Reports: None

Communications: None

PUBLIC HEARING:

ZBA 20-2245: Lisa Adams requests a non-use variance to allow a D-2 in the D-1 district at 2744 Flushing Road (PID# 40-11-301-035).

Lisa Adams and Brianna Fuller from Sedgwick + Ferweda Architects presented the application. Mrs. Adams said she had previously been given approval for a daycare, but the building needed to be demolished and she needed zoning approval for the new building.

Commissioner Telliga opened the meeting to a Public Hearing. Commissioner Telliga asked if anyone wanted to speak in favor or opposition of ZBA 20-2245 – Lisa Adam's request for non-use variance. (None)

Commissioner McCaskill asked Mrs. Adams how long she had previously operated a daycare facility at the location. Mrs. Adams explained she had not operated a daycare at this location but had approval conditioned upon her installing an elevator. Mrs. Adams said the elevator was going to be too expensive so they demolished the building and were planning to build a one-story building.

Commissioner Kea asked Mrs. Adams about the location of the building, parking, and trees. Commissioner Kea asked about the setbacks from sidewalks. Commissioner Kea asked about the designated community center on the plan. Mrs. Adam said this area would be used for daycare use during the day and community activities in the evening.

Commissioner Hardy asked if the property was previous approved for daycare why did they lose the designation. Mr. Christensen said they lost their right to reuse as a Day Care after one year.

Commissioner Yelle made a motion to approve ZBA 20-2245: Noting, it complies with Standard 1 based on compliance resulting in closing and relocating the facility or making more costly repairs to bring the building into compliance with state and local laws.

It complies with Standard 2 based on the unavailability of similar uses in the area, and the particular building is in disrepair.

It complies with Standard 3 based on the use type not changing, and therefore not significantly altering the character of the surrounding area in terms of use.

It complies with Standard 4 based on the applicant continuing the land use, rather than changing it to another nonconforming use.

It complies with Standard 5 based on the proposed building retaining its use with the surrounding community and ensuring public health and welfare for users and the surrounding area.

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 - yes
Ramie Yelle - yes

M/S - Yelle/Kea

Motion carried - 9 yes and 1 absent

CITY ATTORNEY REPORT:

Mrs. Thompson updated the Commissioners on three current marihuana ordinances being brought before City Council. Mrs. Thompson said Council approved the first reading and they were in the middle of getting the ordinances amendments adopted. The citations are: 50-183, 12-95, 50-161, 50-163, 50-164 and 50-169. Mrs. Thompson said she would send the citations to the Commissioners.

Commissioner Kea asked Kelly if the new ordinances are adopted if the Zoning Board of Appeals would evaluate cases based on the approved ordinances. Mrs. Thompson said that's correct.

Mrs. Thompson informed the Commissioners that the draft zoning code approved by the Planning Commission would be coming before City Council on Monday 25, 2021. Mrs. Thompson said the draft code would not be brought all at one time but be broken down into six articles at a time. Mrs. Thompson said we are projecting that all of the ordinances will be reviewed and hopefully approved by mid-summer.

Commissioner Telliga said his greatest concern is always that cases like the one before us today which would have passed through the proposed draft ordinance may not have passed through the current ordinance. Then said he was concerned there will come a time when someone will get turned down under the current ordinance because City Council did not act upon approving the draft ordinance in a timely fashion.

Mrs. Thompson said because we are bringing the draft zoning code in groups of six article at a time, we have elected to make it effective upon publication. Commissioner Telliga asked Mrs. Thompson if she would share the citations with the Commissioners upon adoption. Mrs. Thompson said yes, but wanted the Commissioners to understand

that while some articles would be adopted they would not take effect until they are all published at the very end.

Commissioner Kea asked that Mrs. Thompson's full report be made a part of the minutes. Commissioners recognized the need for completeness and consistency in bringing materials (minutes and documents) before the Zoning Board of Appeals Commission.

Commissioner Kea said he wanted the Planning and Zoning Department to operate in the right way and if they are not providing Mr. Vandercook with the support and resources needed to do the job then there is a shortcoming that needs to be addressed. Commissioner McCaskill stated for the record we need a lot of the Planning and Zoning Department and more hands to do the work to have a functional city.

OLD BUSINESS:

Membership Roster:

Mr. Vandercook said he would send the roster out to the Commission before the next meeting. Mr. Vandercook said he would work with the City Clerk to update. Commissioner Telliga told Commissioner not to be alarmed if they are past their expiration dates as they are still a member unless your council person appoints someone else. Then said you can address this with your councilperson and ask to be reappointment for another three years. Commissioner Stebbins said her term was renewed last September. Commissioner Kea said he was reappointed and Commissioner Telliga said he was expecting to be reappointed by his council person.

Report on Training Materials:

Commissioner McCaskill said he thought Ms. Wilcox was going to put some training materials together for the Commissioners. Commissioner Kea said he thought we may need training sessions. Commissioner Kea said we had previously received an old handbook. Commissioner McCaskill said we are having more Zoning meetings and we need to be abreast of processes and roles.

NEW BUSINESS:

Passing of Freeman Thompson Greer, Architect: Commissioner Blower wanted to publicly acknowledge Mr. Greer's contributions to the City Flint and the City of Flint Planning and Zoning Office. Commissioner Telliga said he certainly was a valuable member of our community and he certainly will be missed. Commissioner Blower said Mr. Greer was passionate about developing and implementing the Cities arches in downtown Flint amongst many, many other projects he contributed on.

ADJOURNMENT:

M/S – Blower/Ricks

The meeting was adjourned at 6:39 pm.

Unanimously carried.