



Sheldon Neeley
Mayor

CITY OF FLINT

FLINT ZONING BOARD OF APPEALS

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Meeting Minutes

May 18, 2021

Board Members Present:

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

Staff Present:

Jeff Schiffman, Lead Planner
William Vandercook, Zoning Coordinator
Keizzy Anpalagan, GIS Technician
Joanne Gurley, Assistant City Attorney
Corey Christensen, ROWE Consultant

Absent:

Florlisa Stebbins
Jacqueline Jordan
Ari McCaskill

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. Assistant City Attorney Joanne Gurley 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 – Absent
Carol-Anne Blower – Remotely – City of Flint
Lauren Coney – Remotely – City of Flint
Florlisa Stebbins – Absent
Johnnetta Ricks – Remotely – City of Flint
John E. Hardy II – Remotely – City of Flint
Jacqueline Jordan – Absent
Ramie Yelle – Remotely – City of Flint



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ADOPTION OF May 18, 2021 AGENDA:

Chairman Telliga requests information on whether the meetings will continue to be on Zoom or in-person under new business.

M/S – Coney/Kea

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

ADOPTION OF February 16, 2021 MINUTES

Commissioner Ricks moves that we adopt the minutes or approve the minutes.

M/S – Ricks/Kea

Unanimously carried by voice vote.

Public Forum:

No one from the public spoke.

Reports:

No reports.

Communications:

No Communications.

PUBLIC HEARING:

ZBA 21-2252: Jaycee LLC requests a use variance to allow operation of a storage facility in the business D-3 District at 3402 Richfield Rd. Flint, Michigan (PID 47-33-452-052).

Attorney Brenda Williams, representing the applicant, presented the application. Attorney Williams stated that Jaycee LLC is requesting a use variance. Attorney Williams indicated that the City of Flint Zoning Ordinance provides a definition of the term storage facility, however, does not provide details on where storage facilities may be located. Attorney Williams stated that a storage facility will not change the character of the street due to the fact that there are businesses in the area with limited residential areas. Additionally, Attorney Williams stated that the storage facility does not cause any distress within the area, rather, the proposed storage facility will reduce blight by repurposing the vacant building. Attorney Williams stated that the property is located by a vacant apartment complex that she believes the City of Flint is shutting down due to blight.

Chairman Telliga opened the floor for public comment regarding the application.



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Deborah Bullock, Flint resident, addressed the Board and stated that she owns a storage facility on Richfield Road and opposes the proposed storage unit due to the fact that it will create more competition.

Linda Fortenberry, Flint resident, addressed the Board and stated that she supports the proposed storage facility due to the fact that the business owner has the right to own a business.

Chairman Telliga closed the public comment period.

Jeffrey Gappy, the applicant, stated that his research has shown that most of the storage facilities in the nearby area are at 80%-90% occupancy.

Commissioner Blower asked the applicant to provide details regarding the business operations of the facility and an idea of what the property will look like, hours of operation, number of units, and flow of traffic. Mr. Gappy shared that the facility would be open Monday through Friday 9 am to 6 pm, and Saturday and Sunday from 10 am to 3 pm. Mr. Gappy plans to have indoor temperature-controlled units and outdoor units totaling anywhere from 500 to 700 units.

Chairman Telliga asked the applicant if customers will have 24-hour access to their storage unit, and if so, how exactly would customers access the unit once the office is closed. Mr. Gappy stated that customers will only be allowed access to indoor and outdoor storage units during the hours of operation using a PIN code. Customers may make use of an exception if they notify the office manager.

Commissioner Ricks asked the applicant to provide details regarding security. Additionally, Commissioner Ricks asked the applicant to share what his plan B is in case the application is denied. Mr. Gappy stated the property has a barbed wire fence and is equipped with 24 to 36 cameras. Mr. Gappy shared that he does not have a plan B.

Commissioner Yelle asked the applicant if the outdoor storage containers will be closed or if stored items will be seen by surrounding residents and businesses. Mr. Gappy stated that he plans to install a mesh lining on the perimeter fence for privacy.

Commissioner Yelle asked the applicant if he ever planned to convert the storage facility into a parking lot in the future if the application was approved. Mr. Gappy stated that he plans to have a small section of the property used for the parking of large vehicles such as boats and RVs.

Commissioner Yelle asked the applicant if he has already started to clean up the property in preparation for the storage facility. Mr. Gappy stated that he plans to remove debris from the inside and outside of the building in preparation for the storage facility. Commissioner Yelle asked the applicant to provide a timeline for when he plans to have the business started. Mr. Gappy stated that he plans to start the business immediately, starting with the outdoor then



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incorporating the indoor later.

Commissioner Yelle asked the applicant to provide details on the potential number of employees working at the facility. Mr. Gappy shared that he will potentially have 3 to 5 employees. Commissioner Yelle asked Mr. Gappy if he lives in the City of Flint. Mr. Gappy stated that he is not a resident of Flint.

Commissioner Blower asked for details regarding ingress and egress. Mr. Gappy stated that he plans to use a gated entry near the neighboring business and another gated entry near the residential area.

Commissioner Kea asked the applicant if the fencing will secure the entire building. Mr. Gappy confirmed this. Mr. Vandercook stated that commercial properties adjoining residential districts are required to have a wall or solid fence that acts as a buffer. Mr. Gappy shared that he is aware of this.

Commissioner Hardy asked how high the fence is. Mr. Gappy shared that the fence is 6 feet with barbed wire. Mr. Vandercook stated that 1.5 feet of barbed wire on a six-foot fence at this property meets the code.

Commissioner Hardy asked if there is currently an ordinance that provides details on where a storage facility can be located. Mr. Vandercook stated that the ordinance is clear in stating that storage facilities and warehouses must be located in a D-5 zoning district.

Commissioner Kea made a motion to approve ZBA 21-2252 Jaycee LLC requests a use variance to allow operation of a storage facility in the business D-3 District at 3402 Richfield Rd. Flint, Michigan (PID 47-33-452-052) on the condition that: 1) the facility is completely enclosed with a security fence equipped with barbed wire on top; 2) security and lighting are included in the infrastructure upgrades that the applicant has spoken to. It complies with standard two based on the fact that it is the minimum variance necessary to provide adequate relief. It complies with standard four, based on the fact that the zoning ordinance unreasonably restricts the property from being used to its full potential, which is not a hardship created by the property owner or previous property owners, but was created by the City of Flint. This motion was not supported.

Commissioner Yelle made a motion to deny **ZBA 21-2252** Jaycee LLC requests a use variance to allow operation of a storage facility in the business D-3 District at 3402 Richfield Rd. Flint, Michigan (PID 47-33-452-052) based on the findings that the property is zoned D-3 where the applicant wants to do a D-5 business. Commissioner Hardy supported this motion.



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M/S – Yelle/Hardy

Motion carried - 7 yes and 3 absent

ZBA 21-2253: Flint Plaza LLC requests a use variance to allow operation of a self-storage use in the D-3 District at 4811 Fenton Rd. Flint, Michigan (PID 41-30-302-004).

Arthur Kalajian, the Architect representing the applicant, presented the application. Mr. Kalajian shared that the property is ideal for an indoor storage facility. There are also plans for an outdoor storage facility that will be used for rental vehicles or storage pods. There is a rear entrance where larger materials will be driven through an existing ramp system. There is an existing masonry fence along the rear of the property. Mr. Kalajian stated that 55% of the 95,000 square foot building would be viable to become a small storage facility. The storage pods range in size from 8x10 to 10x12. Customers will have a common entranceway that leads to an office manager. The office manager will guide customers to their storage pod.

Mr. Kalajian stated that the outside façade will be improved by installing awnings, canopies, and fixing broken windows. Mr. Kalajian stated that the indoor storage is a viable use due to the fact that there are three large buildings that have been gutted out.

David Johnson, the applicant, stated that they have cleaned the exterior of the property. The parking lot will be completed within the month and the grass has been maintained.

Ron Nizan, the property owner, stated that the property is 277,000 square feet and is only 15% occupied. This company has a total of 14 storage facilities throughout Michigan. The hours of operation will be 9 am to 5 pm. Tenants will be able to gain entry to the storage facility with a key code.

Chairman Telliga opened the floor for public comment.

Linda Fortenberry, Flint resident, asked for a clarification on the difference between ZBA 21-2252 and ZBA 21-2253. Mrs. Fortenberry shared her support for the project referencing new jobs and improved property conditions.

Mr. Kalajian stated in response to Mrs. Fortenberry that this project will primarily be an indoor storage facility with outdoor rental equipment, rather than an indoor storage facility and outdoor facility.

Commissioner Ricks asked the applicant what their backup plan is if the application is denied. Mr. Johnson stated that they would come back and try again if they were denied.

Commissioner Yelle asked the applicant what type of vehicles were going to be parked



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on the property. Mr. Johnson stated that there will be pods with budget rental trucks. There will be anywhere from five to seven rental vehicles available. The areas where rental vehicles will be parked are indicated on the site plan.

Commissioner Yelle asked if the buildings are ready to start a business or if more time is needed. Mr. Nizan stated that the building is ready for business.

Commissioner Yelle asked if this property will need fencing. Mr. Nizan stated that the apartment complex in the rear of the property is building a fence that will address the buffer requirement. Additional fencing around the entire property would not be feasible due to the other business in the plaza.

Commissioner Hardy asked how will rental units be accessed in the two buildings. Mr. Johnson stated that the units will be accessed through the front door and customers will be accommodated with a cart to transport their items.

Commissioner Ricks asked if the facility will be able to be accessed after business hours. Mr. Johnson stated that customers will only be able to access the facility during business hours.

Commissioner Telliga asked if security will prevent illegal dumping. Mr. Johnson stated that since adding a 24-hour security patrol, illegal dumping has slowed down.

Commissioner Hardy made a motion to approve **ZBA 21-2253** Flint Plaza LLC requests a use variance to allow operation of a self-storage in compliance with the site plan. It complies with standard one, based on the fact that the existing standard would prevent the owner from using the property for its proposed use. It complies with standard two based on the fact that it is the minimum variance necessary to provide adequate relief. It complies with standard four, based on the fact that the zoning ordinance unreasonably restricts the property from being used to its full potential, which is not a hardship created by the property owner or previous property owners, but was created by the City of Flint. It also complies with standard number five, based on the fact that the variance requested by this applicant meets the spirit of the ordinance by providing adequate space to use the property for its highest use, self-storage is a permitted use in Flint's future master plan. This parcel is designated City Corridor in the future master plan. Commissioner Ricks supported this motion.



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Roll Call:

Matthew Telliga, Chair – Yes
Jerry Kea, Vice-Chair – Yes
Ari McCaskill – Absent
Carol-Anne Blower – Yes
Florlisa Stebbins – Absent

Johnnetta Ricks – Yes
John E. Hardy II – Yes
Jacqueline Jordan – Absent
Ramie Yelle – Yes
Lauren Coney – Yes

M/S – Hardy/Ricks

Motion carried - 7 yes and 3 absent

CITY ATTORNEY REPORT:

Attorney Gurley announced she will be replacing former Assistant City Attorney Kelly Thompson.

OLD BUSINESS:

Michigan Association of Planning training and training materials

Mr. Telliga asked the staff if there were any more trainings available to Commissioners through the Michigan Association of Planning. Mr. Vandercook stated that he will research this and provide an update at the next meeting.

Zoning Board of Appeals Roster

Commissioner Blower informed the Board that the Planning Commission has re-appointed her as a Planning Commission representative of the Zoning Board of Appeals.

NEW BUSINESS

Zoning Board of Appeals Meetings

Chairperson Telliga asked Attorney Gurley if the Zoning Board of Appeals meetings will continue remotely or convert to in-person meetings.

Attorney Gurley noted that the City is still operating under an emergency order which allows them to continue to have virtual meetings. City Council has not altered this stance yet. Additionally, Attorney Gurley noted that due to changes made within the State of Michigan regarding capacity limits and mask orders, virtual meetings are still in place.



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Commissioner Kea asked Attorney Gurley if in the case that Zoom meetings are not used in the future, would those who couldn't attend in person be able to call in.

Attorney Gurley stated that this decision will be up to City Council on whether or not hybrid meetings will be an option.

Commissioner Blower asked Commissioner Telliga if staff could take a look at ZBA bylaws to see if there is any information regarding calling into meetings. Commissioner Blower noted that the Planning Commission amended its bylaws to accommodate this option.

Commissioner Kea asked Mr. Vandercook to include Commissioner Yelle at the bottom of the agenda with the rest of the Commissioners. Mr. Vandercook noted that staff will make that change.

ADJOURNMENT:

M/S –Blower/Ricks

The meeting was adjourned at 7:39 pm.

Unanimously carried.