

FLINT ZONING BOARD OF APPEALS
Meeting Minutes
October 20, 2020

Board Members Present

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

Staff Present

Suzanne Wilcox, Director
Bill Vandercook, Planner I
Keizzy Anpalagan, GIS Technician
Kelly Thompson, Assistant City Attorney

Board Members Not Present

Jacqueline Jordan

ROLL CALL:

Chairperson Telliga called the meeting to order at 6:09 p.m. Roll was taken and a quorum was present. The meeting was held through Zoom meetings

Suzanne Wilcox read the State's revisions to the Open Meetings Act adopted in Senate Bill 1108, as passed on October 16, 2020, before the meeting beginning. Then stated that this agenda and future ZBA agendas are required to include this item.

ADOPTION OF THE AGENDA:

Commissioner Kea made a motion to add the statement of reading Open Meeting Act requirements of Senate Bill 1108 as passed on October 16, 2020, to the 10-20-2020 agenda and future agendas.

M/S –Kea/Blower

Motion to adopt the reading of Open Meeting Act requirements.

Unanimously carried by voice vote

Commissioner Kea made a motion to adopt the agenda as revised

M/S –Kea/Blower

Motion to adopt the meeting agenda.

Unanimously carried by voice vote

APPROVAL OF MINUTES:

The Board reviewed the minutes of 8-18-2020.
Commissioner Ricks made a motion to approve the minutes.

M/S – Ricks/Stebbins

Motion to approve the minutes of 8-18-2020.
Unanimously carried by voice vote.
Commissioner Blower abstained.

PUBLIC FORUM:

No one spoke during the Public Forum.

REPORTS:

None

COMMUNICATIONS:

None

PUBLIC HEARING:

ZBA 20-2238: Alex Zetouna requests a Use-Variance for 408 South Center Road (PID# 41-09-476-040, 41-09-476-022,41-09-476-021,41-09-476-020, 41-09-476-039) from 7.6 height fencing standard to12 feet high fencing. (This case was postponed at the applicant’s request).

ZBA 20-2239: Maryum Rasool, Sylvester Broome Empowerment Village located at 4119 N Saginaw St (PID # 46-36-428-059) request a Non-Use Variances for three items:

- 1) Request a Non-Use Variance from City code height standard of 35 feet to 56.6.
- 2) Request Non-Use Variance from street setback City code standard of 25 feet to a minimum of 10 feet.
- 3) Request a Non-Use Variance from the City code standard of 25 feet rear yard setback to 11 feet.

Doug Scott from Rowe Professional Services and John Asselin with Asselin McLane Architectural Group presented the application. Mr. McLane noted he had been working on this project for about 20 years with Coach McKinney who envisioned creating a devolvement for Flint’s youth. Coach McKinney’s idea turned into the current Sports Complex. The facility will be used for indoor youth and adult recreation activities.

Mr. Scott said due to building height and the fact that it is located closer to the side and front yard setback they were requesting the variances. Then said they were trying to fit the building on the lot which is tight. Mr. Scott discussed the setbacks required for the project.

Commissioner Kea discussed the proximity of the building to surrounding streets and asked the applicant if the west side of the building adjoins the city park. Mr. Scott said yes. Commissioner Kea noted the west side restriction goes down to ten feet. Commissioner Kea noted the north and south side setbacks fall inside of the sidewalks and do not go up to neighboring housing. Mr. Scott concurred. Commissioners discussed the location of the proposed building in relationship to the existing building on-site.

Commissioner McCaskill asked if project funding was contingent upon the board's decision of a variance. Maryum Rasool said no it is not.

Commissioner Telliga asked if there was anyone from the public who wished to speak in favor or opposition to the project. No one spoke.

Commissioner McCaskill made a motion to approve all three of the variances for:

ZBA 20-2239: Maryum Rasool, Sylvester Broome Empowerment Village located at 4119 N Saginaw St (PID # 46-36-428-059) request a Non-Use Variances for three items:

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Commissioner Hardy said he had concerns about parking; when looking at the design he did not see parking. Mr. Scott said they are in the process of submitting a site plan to the City of Flint Planning Commission. Mr. Scott noted they have acquired the additional property two blocks south of the facility and will be developing overflow parking. Mr. Scott said the site plan includes approximately sixty parking spaces and the overflow lot will have one hundred and forty spaces.

Commissioner Hardy asked if the community was approached to get feedback. Ms. Rasool said yes. We sent out 10,000 mailers to five different zip codes to inform them of a community forum, so they could provide feedback. Ms. Rasool noted the responses they received were positive.

M/S – McCaskill/Kea
Motion to approve ZBA 20-2239
Unanimously carried

ZBA 20-2240: J &S Group request a Use- Variance from the current zoning of D-3 to D-5 to allow for the warehouse as a principal permitted to use at 3701 Lapeer Rd. (PID # 41-16-401-015).

Omar Resack and Stewart Fine Architect presented and requested a variance from D-3 to D-5.

Commissioner Telliga asked if they were planning to have retail and warehousing at the location. Mr. Resack said both. Commissioner Telliga asked if the facility would be used for Ashley Furniture. Mr. Resack said yes. Mr. Telliga asked if the space was currently vacant. Mr. Resack said yes.

Commissioner McCaskill asked if the facility would be used as Ashley Furniture's delivery hub in Genesee County, and will semi-trucks be coming in and out from the location. Mr. Resack said yes the facility will be servicing their Linden road and Lansing MI store. Commissioner Kea said for clarity the facility will be housed in the old Target store. The applicants confirmed just the old Target store.

Commissioner McCaskill asked what percent of the store would be used for sale and warehousing. Mr. Resack explained the building is approximately 120,000 square feet and approximately 30,000 square feet will be used for retail.

Commissioner Telliga asked if anyone from the public would like to speak in favor or opposition of the project. No one spoke.

Commissioner McCaskill made a motion to approve **ZBA 20-2240: J & S Group request a Use- Variance from the current zoning of D-3 to D-5 to allow for the warehouse as a principal permitted use at 3701 Lapeer Rd. (PID # 41-16-401-015).**

M/S – McCaskill/Ricks

Motion to approve ZBA 20-2240

Unanimously carried

ZBA 20-2241: A&S Properties – Bob Rollinger requests a Use Variance for Ohio Avenue (PID# 41-08-239-001) and N. Meade Street (PID# 41-08-239-002) from the current zoning of B to D-6.

Robert Rollinger, Attorney, and Alex Orman, Engineer for A&S Properties presented the application. Mr. Rollinger noted the case involves four parcels. Two of the parcels lying along N. Dort Hwy have a partially demolished building. Mr. Rollinger noted the four parcels are separated by a fifteen-foot public alleyway that is subject to being vacated by the City of Flint Planning Commission. The intent of the project is a new Walgreen pharmacy/retail store with a drive-through. Mr. Rollinger explained they need the zoning changed to D-6 to allow for the Walgreen development.

Commissioner McCaskill asked Mr. Rollinger if Walgreen intends to close their store on Davison and Dort Hwy when opening this store. Mr. Rollinger explained that was his understanding. Commissioner McCaskill asked what the square footage of the new store was. Mr. Orman said the building will be approximately 2560 square feet.

Commissioner McCaskill noted he was concerned about the loss of the current store for the community, but the variance made sense.

Mr. Thompson made the Commission aware that the applicant's upcoming alleyway vacation case to be heard before the City of Flint Planning Commission had been postponed from a previous meeting. The meeting was postponed to confirm adjoining property owners were contacted. Mr. Thompson noted the applicant's rezoning request will have to be conditional upon the Planning Commission's approval of the alleyway vacation.

Commissioner Telliga asked if anyone from the public wanted to speak in favor or opposition of the project. No one spoke.

Commissioner Kea made a motion to approve **ZBA 20-2241**: A&S Properties – Bob Rollinger requests a Use Variance for Ohio Avenue (PID# 41-08-239-001) and N. Meade Street (PID# 41-08-239-002) from the current zoning of B zoning to D-6, contingent upon the alleyway vacation reach approval through the Planning Commission process.

M/S – Kea/Ricks

Motion to approve ZBA 20-2240

Unanimously carried

CITY ATTORNEY REPORT:

None

OLD BUSINESS:

None

NEW BUSINESS:

Election of Officers

a. Chairman

Commissioner Kea made a motion to nominate Commissioner Telliga for the Chairman for the next term. The nomination was seconded by Commissioner Stebbins.

Commissioner Telliga opened the meeting up to discussion. Commissioner Telliga accepted the nomination.

M/S – Kea/Stebbins

Motion to nominate Commissioner Telliga as Chairman

The motion carried

Commissioner Telliga abstained

b. Nomination for Vice-Chair

Commissioner Ricks nominated Commissioner Kea for Vice-Chair. The nomination was supported by Commissioner McCaskill. Commissioner Kea accepted the nomination.

M/S – Ricks/McCaskill

Motion to nominate Commissioner Kea as Vice Chairman

The motion carried.

Commissioner Kea abstained

Commissioner McCaskill voiced his concerns about community deficits. Then said the Commission needs to be aware and cautious because as drugs become more profitable and household supplies less profitable there is a shift and we need to be on the offense not the defense for the community.

Commissioner Hardy asked if he should be concerned about Planning Commission decisions and do we need a report from the Planning Commission as to their decisions. Commissioner Blower explained that the alleyway vacation application to Planning Commission for this particular site was postponed by the Commission due to a lack of information provided and that is why the case was postponed. Commissioner Blower said normally you would be hearing a case where the applicant was appealing the decision of the Planning Commission.

Commissioner Ricks asked if Zoning Board of Appeals Commissioners should be receiving minutes from their meeting for review. Keizzy Anapalagan noted the minutes regarding this case had not been approved because the meeting was postponed due to the violation of the Open meetings Act. Commissioner Blower concurred and said she is the Zoning Boards resource and liaison between the two boards, so feel free to reach out to her before or during a meeting.

Ms. Wilcox said as a general practice staff should be able to provide minutes of previous Planning Commission meeting minutes once they have been approved by the Commission. Commissioner Kea said as long as we have a representative from the Planning Commission that makes us aware of issues we can do our work and make decisions conditional upon the Planning Commission's decisions. Ms. Wilcox said staff can provide minutes to Commissioners who want them and just as Commissioner Kea stated Carol Ann Blower is here to provide Planning Commission meeting updates, as needed.

Commissioner Hardy wanted staff to be aware the Zoning Board membership roster needs to be updated. Ms. Wilcox said staff is working on updating the information in conjunction with the City Clerk's office.

Commissioner Stebbins discussed the I-475 project. Commissioner concurred they should keep apprised of plans for I-475.

ADJOURNMENT:

M/S – Blower/McCaskill

Unanimously carried.

The meeting was adjourned at 7:04 pm.