



Sheldon Neeley
Mayor

CITY OF FLINT
FLINT ZONING BOARD OF APPEALS
MATTHEW TELLIGA, CHAIRMAN

FLINT ZONING BOARD OF APPEALS
Meeting Minutes
July 16th, 2024

Board Members Present:

Matthew Telliga, Chair
Jerry Kea, Vice-Chair
Ramie Yelle
Willie Buford
Lauren Coney
Derek Dohrman
Jon Kingen
John Hardy

Staff Present:

Tom Sparrow, Assistant City Attorney
Max Lester, Zoning Coordinator
Montel Meniffee, Marihuana Licensing Coordinator
Dalton Castle, Planner I

Planning Commission Representative:

Carol-Anne Blower

Absent:

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 in the City Council Chambers at the City of Flint City Hall as well as via Zoom meetings.

Matthew Telliga, Chair – present
Jerry Kea, Vice-Chair – present
Ari McCaskill – absent
Lauren Coney – present
Willie Buford – present

Jon Kingen – present
Derek Dohrman – present
Ramie Yelle – present
John Hardy – present
Carol-Anne Blower - present

ADOPTION OF JULY 16TH, 2024 AGENDA:

Chairman Telliga asked if there were any additions or changes to be made to the agenda.

Commissioner Kea noted that the Election of Officers for 2024 was held at the May 21st, 2024, Zoning Board of Appeals (ZBA) meeting and asked that it be struck from the agenda.

Commissioner Coney made a motion to approve the agenda as amended. Commissioner Kingen seconded the motion.

M/S – Coney/Kingen

Motion unanimously carried via voice vote.



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ADOPTION OF MAY 21ST, 2024 MINUTES

The minutes of May 21st, 2024 were presented.

Commissioner Kingen noted that his name was not included among the list of Board Members Present.

Commissioner Coney made a motion to approve the minutes of May 21st, 2024, as amended. Commissioner Kingen supported the motion.

Chairman Telliga called for a roll call vote.

Commissioner Buford, yes
Commissioner Kingen, yes
Commissioner McCaskill, absent
Commissioner Yelle, yes
Commissioner Dohrman, yes

Commissioner Kea, yes
Commissioner Coney, yes
Commissioner Telliga, yes
Commissioner Hardy, yes
Commissioner Blower, yes

M/S – Coney/Kingen

9 – yes, 0 – no, 0 – abstain

The motion carried.

PUBLIC FORUM:

Chairman Telliga read the Rules of the Public Forum. No one spoke.

REPORTS:

No reports.

COMMUNICATIONS:

No Communications.

PUBLIC HEARING:

ZBA 24-10: Lisa Dawdy, representing JARS Ventures 14, LLC dba JARS Cannabis, requests a Marihuana Facilities Variance to provide relief of 154 feet from the required 300-foot distance from a Group E Adult-Use Marihuana Retail business to a Residential Property or Residentially Zoned District. This request is for the property located at 808 S. Center Rd., Flint, MI 48506 (PID # 41-09-483-034).

Max read the staff report. Chairman Telliga requested clarification on the process and purpose of a Blight Elimination Plan. Max read the section of the ordinance regarding a Blight Elimination Plan which when approved by the Planning Commission can allow for a waiver from the 300 ft. distance from a Group E Adult-Use Marihuana Retail business to a Residential Property or Residentially Zoned District.



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Attorney Bruce Leach presented on behalf of the applicant. He noted that the location was originally “grandfathered” in until it had closed for a period in excess of 90 days in order to rectify an issue with a prior member who had committed a violation. Due to being non-operational for a period in excess of 90 days the license became void. Attorney Leach stated that the applicants have met with Mr. Brown from the City of Flint Blight Department twice, during which Mr. Brown indicated that there were no options for a Blight Elimination Plan in the area.

Lisa Dawdy discussed the business practices of JARS Cannabis. Joey Kejbou, general counsel for JARS Cannabis, commented that the company has done everything in their power to distance themselves from the individual Mr. Leach referred to that had committed violations.

Chairman Telliga disclosed that himself and Attorney Leach are personal friends and had a small business dealing in the past but noted that he did not believe a conflict of interest was present. He then opened the floor for public hearing regarding ZBA 24-10. No one spoke.

Chairman Telliga asked staff if the Blight Elimination Plan was limited to being within 300 ft. of the site. Max said that it is not.

Commissioner Dohrman asked if the applicants had reached out to the residential property owner within 300 ft. of their proposed location. Ms. Dawdy said that she cannot say for certain if a JARS representative has spoken to that specific resident, however their community engagement representative did canvas the area and speak to a lot of people.

Commissioner Kea asked why the applicant opted for a variance as opposed to a Blight Elimination Plan. Attorney Leach said that when they had met with Montel Meniffee, the City of Flint’s Marihuana Facilities Licensing Coordinator, as well as Mr. Brown from the Blight Department the applicants were told there are no options for blight elimination in the area. Chairman Telliga asked staff if there was any way to verify that. Max said the applicants could request a letter form the Blight Department regarding previous conversations. Chairman Telliga asked if the applicants had provided proof of these communications. Max said they had not received any proof of communication.

Chairman Telliga said he finds it unlikely that the Blight Department would say there is no blight in the city to work on, considering that the Blight Elimination Plan is not limited to within 300 ft. of the proposed location.

Commissioner Blower discussed several examples of Blight Elimination Plans seen by the Planning Commission which include, but are not limited to, cleaning up parks and providing additional dumpsters. These plans would include details on the costs and funding of the plan as well as detail their communications with the community.

Mr. Kejbou reiterated that JARS was told there was no blight to address in the area and said that they are open to the option of withdrawing their variance application to pursue a Blight Elimination Plan.



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Chairman Telliga asked Attorney Tom Sparrow of the City of Flint Legal Department if the applicant could withdraw their case to pursue a Blight Elimination Plan. Attorney Sparrow said that they may withdraw their application because the Board has not yet ruled on the case.

Mr. Leach asked how long they would have to wait to resubmit for a variance if they were to withdraw their application now or if they were to be denied by the ZBA. Attorney Sparrow stated he does not have an answer to that question at this time. Chairman Telliga clarified that if the application is denied the applicants could not come back for a variance for a year.

Mr. Kejbou requested that ZBA 24-10 be withdrawn.

ZBA 24-10 was withdrawn by the applicant.

CITY ATTORNEY REPORT:

No report.

OLD BUSINESS:

No old business was discussed at this time.

NEW BUSINESS:

No new business was discussed at this time.

ADJOURNMENT:

Commissioner Yelle made a motion to adjourn. Commissioner Coney supported the motion.

M/S –Yelle/Coney

Motion unanimously carried via voice vote.

The meeting was adjourned at 6:48 pm.