



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

**Draft Meeting Minutes**  
**September 17, 2024**

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**Board Members Present:**

Matthew Telliga, Chair  
Ramie Yelle  
Willie Buford  
Lauren Coney  
Jon Kingen  
Derek Dohrman  
Carol-Anne Blower, PC Liaison

**Staff Present:**

Tom Sparrow, Assistant City Attorney  
Max Lester, Zoning Coordinator  
Dalton Castle, Planner I

**Absent:**

John Hardy  
Ari McCaskill  
Jerry Kea, Vice-Chair

**ROLL CALL:**

Chairperson Telliga called the meeting to order at 6:00 p.m. Roll was taken, and a quorum was present. The meeting was held in Council Chambers at Flint City Hall as well as via Zoom.

Matthew Telliga, Chair – present  
Jerry Kea, Vice-Chair – absent  
John Hardy – absent  
Ari McCaskill – absent  
Ramie Yelle – present

Willie Buford – present  
Lauren Coney – present  
Jon Kingen – present  
Derek Dohrman – present  
Carol-Anne Blower – present

Commissioner Coney led the Pledge of Allegiance.

**ADOPTION OF SEPTEMBER 17<sup>TH</sup>, 2024 AGENDA:**

Chairman Telliga asked for any additions or changes to the agenda.

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

**M/S – Coney/Kingen**

***The motion carried via voice vote.***



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**ADOPTION OF PREVIOUS MEETING MINUTES:**

The minutes of July 16<sup>th</sup>, 2024 were presented.

Chairman Telliga requested a change on Page 3 to "...had a small business dealing...".

Commissioner Coney made a motion to approve the minutes of July 16<sup>th</sup>, 2024 as amended.  
Commissioner Blower seconded the motion.

Chairman Telliga called for a roll call vote.

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

Commissioner Kea, absent  
Commissioner McCaskill, absent  
Commissioner Coney, yes  
Commissioner Blower, yes  
Commissioner Telliga, yes

**M/S – Coney/Blower**

7 – yes, 0 – no

*The motion carried.*

**PUBLIC FORUM:**

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

**REPORTS:**

No reports.

**COMMUNICATIONS:**

A communication has been received for ZBA 24-13, to be read during that public hearing.

**PUBLIC HEARING:**

**ZBA 24-11:** Applicant Todd Stamper of Priority Waste, represented by Giovanni Lavigne, requests a Non-Use Variance to provide relief of 404 ft. from the required 500 ft. distance between the activities of a materials receiving and recycling use to a residential use, per §50-103. This request is for the properties located at 1420 E. Pierson Rd. (PID 47-32-101-033), 5125 N. Dort Hwy. (PID 47-32-101-032), and V/L Theftford Rd. (PID 47-31-226-005).

Max noted that when the case was first noticed the relief distance was written as 355 ft. but was amended to 404 ft. to reflect new data. Max read the staff report for ZBA 24-11.



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Giovanni Lavigne spoke on behalf of the applicant. Mr. Lavigne stated the conditions of the site are constrained when accommodating both the solid waste transfer and recycling transfer stations. Mr. Lavigne said the proposed uses will be conducted indoors and they believe noise will not be an issue. The main conflict that might be created is the truck circulation coming into the site on Pierson Rd.

Commissioner Blower spoke, noting she was involved with a separate request to the Planning Commission in which noise was considered and discussed. Commissioner Blower asked Mr. Lavigne to describe the truck circulation pattern and noise sources further. Chairman Telliga asked for clarification that the operations will from outdoors to indoors, Commissioner Blower confirmed.

Mr. Lavigne responded to the question, saying that non-contracted dumpers will use the westernmost entrance lane on Pierson Rd. and follow lane markings to access a specific scale. Adjacent to this lane is a lane for contracted garbage collectors who have a specific scale of their own. The next lane is for the non-contracted and contracted waste vehicles to exit onto Pierson Rd. Next is a lane for semi-trucks to pull into the building, receive the collected waste, then exit onto N Dort Hwy. Finally, there is a scale for recycling trucks dropping off collected materials, which then exit onto Pierson Rd. This route is also used for semi-trucks that collected bales of collected recyclable materials. Mr. Lavigne stated the heavy machinery used to collect, process, and load the collected waste will all be located inside the two buildings. A garage will also be on the site for maintaining fleet vehicles. A source of noise will be the diesel trucks coming in and out.

Commissioner Blower asked for clarification that most activities will be conducted indoors, apart from vehicle circulation. Mr. Lavigne confirmed. Chairman Telliga commented that this area is industrial in nature and the plan would be an improvement as it will bring the current outdoor activities indoors. Chairman Telliga asked if their hours of operation would be from 9:00 AM to 6:00 PM. Mr. Lavigne confirmed this is correct. Commissioner Yelle asked for clarification of what operations would cease at 6:00 PM. Mr. Lavigne responded that he could not rule out any clean-up activities or that straggling trucks may return after 6:00 PM. Chairman Telliga noted that these issues were also addressed by the Planning Commission.

Commissioner Buford referenced the staff report which states the Site Plan has been conditionally approved by the Planning Commission and asked if it is waiting on the variance. Chairman Telliga confirmed it cannot move forward without the variance.

Commissioner Dohrman asked if the property creating the need for a variance is zoned commercial and was a nonconforming use. Chairman Telliga confirmed.



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Chairman Telliga opened the floor for public comment. No one spoke. Chairman Telliga closed the public comment period.

Commissioner Blower spoke on public comments received through the Planning Commission that were questions the applicant answered in a satisfactory manner.

Mr. Lavigne added that he believes everyone will be pleasantly surprised with the standards Todd Stamper upholds at his facilities.

Commissioner Dohrman made a motion to approve the dimensional variance requested by 5125 N. Dort, LLC for relief of 404 ft. from the required 500 ft. distance between the activities of a materials receiving and recycling use to a residential use, based on staff materials, the discussion held, and the following findings of fact:

- It complies with Standard 1 because there are unique conditions to the subject property.
- It complies with Standard 2 because the variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the neighboring area.
- It complies with Standard 3 because the immediate practical difficulty causing the need for the variance was not created by the applicant or the applicant's predecessors in title.
- It complies with Standard 4 because the variance shall not cause substantial detriment to adjacent property and the surrounding neighborhood.
- It complies with Standard 5 because the variance shall be consistent with, and not materially impair, the purpose and intent of the Comprehensive Plan and Zoning Ordinance.

Commissioner Kingen seconded the motion.

Chairman Telliga called for a roll call vote.

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

Commissioner Kea, absent  
Commissioner McCaskill, absent  
Commissioner Coney, yes  
Commissioner Blower, yes  
Commissioner Telliga, yes

**M/S – Dohrman/Kingen**

*7 – yes, 0 – no*

***The motion carried via roll call vote.***



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**ZBA 24-12:** Applicant Daniel Smith of Flint Development Center requests a Use Variance to allow the multi-family dwelling use for eight single-family apartment units in a GN-1 Green Neighborhood Low Density district. This request is for the property located at 4121 Martin Luther King Ave., (PID 46-36-326-001).

Max read the staff report for ZBA 24-12.

Jordan Brown, Vice=President of Social Impact Philanthropy Investment (SIPI), which represents the Flint Development Center (FDC), introduced the development and requested variance. They are seeking a variance to allow eight single-family apartment units as part of their third phase of development. The intent is to rent to those who may also benefit from the various services offered in the same building such as the literacy lab, tutoring services, childcare, and youth programs.

Mike Siwek, of Siwek Construction, spoke further on the development. In adding apartments, the intended impact of the overall services may be directed to those that need them while also using the funds from those apartments to support those services.

Commissioner Dohrman asked about the progress of their phased development plan. Mr. Siwek answered that the first two phases are complete and operational.

Commissioner Blower asked Max to explain Standard 4 in the staff report, where staff notes “the structure is not suitable for single-family detached or two-family dwellings.” Adding that the request is for apartments, not single-family residential. Max clarified that single-family residential is one of the few permitted uses in the GN-1 district, but the structure is not reasonably suitable for use as a single-family residential structure.

Chairman Telliga asked for clarification on who SIPI intends to rent the spaces to. Ms. Brown replied that the housing would be open to any applicant, however, their intent is to partner with St. Luke [N.E.W. Life Center] to support families who are working to get back on their feet. These apartments are not intended to act as transitional housing. Ms. Brown stated there is a need for this type of housing in the North End and the wrap-around services offered in the same building will be an additional benefit for struggling families.

Chairman Telliga opened the floor for public comment. No one spoke. Chairman Telliga closed the public comment period.

Commissioner Dohrman commented that he is familiar with the adjacent park and believes the proposed Phase 3 development from SIPI is a great addition to the structure. Commissioner Buford agreed with Commissioner Dohrman.



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Commissioner Buford made a motion to approve the use variance requested by the Flint Development Center to allow the multi-family dwelling use for eight single-family apartment units in a GN-1 Green Neighborhood Low Density district, based on staff materials, the discussion held, and the following findings of fact:

- It complies with **Standard 1** because there are unique conditions to the subject property.
- It complies with **Standard 2** because the variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the neighboring area.
- It complies with **Standard 3** because the immediate practical difficulty causing the need for the variance was not created by the applicant or the applicant's predecessors in title.
- It complies with **Standard 4** because the variance shall not cause substantial detriment to adjacent property and the surrounding neighborhood.
- It complies with **Standard 5** because the variance shall be consistent with, and not materially impair, the purpose and intent of the Comprehensive Plan and Zoning Ordinance.

Commissioner Coney seconded the motion.

Chairman Telliga called for a roll call vote.

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

Commissioner Kea, absent  
Commissioner McCaskill, absent  
Commissioner Coney, yes  
Commissioner Blower, yes  
Commissioner Telliga, yes

**M/S – Buford/Coney**

7 – yes, 0 – no

***The motion carried via roll call vote.***

**ZBA 24-13:** Applicant Mr. Raidh Dado, represented by Rick Swihart, requests two Non-Use Variances to provide relief of 8 ft. to Hamilton Ave. and 4 ft. to Saginaw St. for the required 15 ft. distance of fuel pumps and a detached canopy from a street right-of-way, per §50-121. This request is for the property located at 2102 N. Saginaw St., (PID 41-06-304-004).

Max read the staff report and supplemental material for ZBA 24-13.



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Rick Swihart spoke on behalf of Mr. Dado, explaining that the owners have operated a small repair shop in the existing building but wish to demolish the structure and operate a gas station and convenience store from a newly constructed structure. Mr. Swihart said they received feedback from fuel suppliers who stated they would need more room to maneuver trucks into the property. Commissioner Blower asked staff if there is a reason fuel pumps were included with the canopy in the motion. Max answered that the Zoning Ordinance language groups the two together in the same subsection.

Commissioner Dohrman asked for clarification on what it means for the application to still be in the review process. Max answered that the proposed development is under Zoning Coordinator Review procedures and is waiting for a decision on the variance to determine if final approval can be given or if a new layout is needed.

Commissioner Blower asked for a walkthrough of the intended traffic layout. Mr. Lavigne responded saying trucks would likely enter via Hamilton Ave. and drive to the tank for filling, before exiting onto N. Saginaw St. [Part of Mr. Lavigne's response cannot be heard].

Chairman Telliga opened the floor for public comment.

Rosco Bond, a member of the Church of Christ North Central said that when the church received the notice letter they had concerns of potential trash and littering in relation to a group of people who frequent their parking lot at night. Mr. Bond stated they had no specific opposition to a gas station being at this location and that he just wanted to express their concerns. Mr. Bond also expressed concerns of traffic and the frequency of accidents near this intersection. Chairman Telliga asked Max what the best way for Mr. Bond to provide feedback about his concerns is. Max responded that Mr. Bond may bring his concerns directly to Traffic Engineering.

Max acknowledged a letter that was received from Jim Hudgens of New Paths, Inc. and Daniel Moore of Shiloh Missionary Baptist Church of Flint to voice opposition to a gas station being built at this location. Max clarified that the requested variance is not for the use of the gas station but only the setback distances of the fuel canopy and pumps.

Chairman Telliga closed the public comment period.

Max clarified the two variances are for Saginaw St. and Hamilton Ave., adding that both include the gas pumps and canopy with the required fifteen-foot setback.

Commissioner Blower said that the comments received from the public are not within the scope of the requested variance, but she hopes the applicant considers these concerns moving forward.





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Commissioner Coney made a motion to approve the request by Mr. Raidh Dado for two dimensional variances to provide relief of 8 ft. to Hamilton Ave. and 4 ft. to Saginaw St. for the required 15 ft. distance of fuel pumps and a detached canopy from a street right-of-way, per §50-121, based on staff materials, the discussion held, and the following findings of fact:

- It complies with **Standard 1** because there are unique conditions to the subject property.
- It complies with **Standard 2** because the variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the neighboring area.
- It complies with **Standard 3** because the immediate practical difficulty causing the need for the variance was not created by the applicant or the applicant's predecessors in title.
- It complies with **Standard 4** because the variance shall not cause substantial detriment to adjacent property and the surrounding neighborhood.
- It complies with **Standard 5** because the variance shall be consistent with, and not materially impair, the purpose and intent of the Comprehensive Plan and Zoning Ordinance.

Commissioner Buford seconded the motion.

Chairman Telliga stated he has some concerns, but none that were addressed as part of this request and hearing.

Chairman Telliga called for a roll call vote.

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

Commissioner Kea, absent  
Commissioner McCaskill, absent  
Commissioner Coney, yes  
Commissioner Blower, yes  
Commissioner Telliga, yes

**M/S – Coney/Buford**

7 – yes, 0 – no

***The motion carried via roll call vote.***





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**CITY ATTORNEY REPORT:**

No report.

**OLD BUSINESS:**

No old business.

**NEW BUSINESS:**

Chairman Telliga asked staff to check-in with Commissioner Hardy and ensure he is receiving communications.

**ADJOURNMENT:**

Commissioner Blower made a motion to adjourn. Commissioner Dohrman supported the motion.

***M/S –Blower/Dohrman***

***The motion carried via voice vote.***

***The meeting was adjourned at 7:11 pm.***