

1           ZONING BOARD OF APPEALS MEETING: City of Pontiac  
2   Zoning Board of Appeals Meeting Minutes on Tuesday,  
3   January 16, 2018; Pontiac City Hall, 47450 Woodward  
4   Avenue, Pontiac, Michigan 48342

5  
6   COMMISSIONERS:       Vice-Chair Carlos Bueno  
7                            Sam Anderson  
8                            Laurie Bishop  
9                            Elcine Kirkendolph  
10                           Lucy Payne  
11                           Joseph Sinclair

12   FROM THE CITY: Arthur Mullen, Interim City Planner

13   VICE-CHAIR BUENO CALLED THE MEETING TO ORDER AT 7:06 P.M.

14   ROLL CALL:

15   PRESENT: Vice-Chair Bueno, Comm. Payne, Comm. Anderson,  
16           Comm. Bishop, Comm. Kirkendolph

17   Mr. Mullen reported a quorum present.

18   ARRIVED LATE: Comm. Sinclair

19   ABSENT: Chair Taylor

20   COMMUNICATIONS: None

21   MINUTES FOR REVIEW: 10-17-18

22   COMM. PAYNE MADE A MOTION TO APPROVE.

23   COMM. BISHOP SECONDED.

24   VOTE: AYES: Anderson, Bishop, Bueno, Payne,  
25                            Kirkendolph

26           NAYS: None

27           ABSTAIN: None

28   Vote 5-0-0, motion carries.

29   OLD BUSINESS: None



1 NEW BUSINESS:

2 PUBLIC HEARING AND VARIANCE REQUEST:

3 ZBA-17-23

4 PROPERTY ADDRESS: 970 E. Walton Boulevard

5 ZONE: R-1A Medium Lot One Family Dwelling

6 LOCATION: Parcel# 14-15-126-007

7 APPLICANT: Danial Florence

8 Presentation of facts given by Mr. Mullen.

9 Mr. Florence introduced himself and stated that he had a  
10 habit of collecting things but has since gotten over  
11 that. He stated that he has had 38 tons of stuff removed  
12 from his property but that there is a tent with a few  
13 antique cars in it that has to come down and tools that  
14 he needs this building for. He added that he needs this  
15 size because of various toys, like four-wheelers,  
16 motorcycles, etc., to keep his grandchildren happy. He  
17 stated that he needs three to four vehicles to make sure  
18 he doesn't have to call off work and listed more things  
19 he needs that size of a building for and then listed all  
20 the things he's disposed of.

15 VICE-CHAIR BUENO OPENED PUBLIC COMMENT.

16 Kevin Hintz, 965 E. Walton, Pontiac, MI, stated that he  
17 owns property across the street from Mr. Thomas' and that  
18 he is in favor of the variance.

18 VICE-CHAIR BUENO CLOSED PUBLIC COMMENT.

19 COMM. SINCLAIR STATED THAT HE WILL ABSTAIN FROM QUESTIONS  
20 ON THIS MATTER, SINCE HE ARRIVED LATE.

21 COMM. PAYNE INQUIRED OF THE APPLICANT IF HIS NEIGHBORS  
22 HAD ANY COMMENT ON THE ISSUE.

22 Mr. Florence reminded the Board about the neighbor that  
23 started this was a lady who was worried about the clutter  
24 outside his residence and, in hindsight, he feels she was  
25 right, thus he needs a large building.

25 COMM. PAYNE INQUIRED OF THE APPLICANT IF HE WAS EVER

1 CITED BY THE CITY IN REGARDS TO ITEMS ON HIS PROPERTY.

2 Mr. Florence answered affirmatively and stated that the  
3 City started an abatement program and, when he found out  
4 what that was, he started cleaning up the property.

5 COMM. PAYNE INQUIRED OF THE APPLICANT IF THE BUILDING  
6 SIZE HE IS PROPOSING WOULD ACCOMMODATE WHAT HE NEEDS TO  
7 PUT IN IT.

8 Mr. Florence answered affirmatively, adding except for  
9 his larger outside trailers.

10 COMM. PAYNE INQUIRED OF THE APPLICANT IF THE BUILDING WAS  
11 TO BE ATTACHED TO HIS HOME.

12 Mr. Florence answered negatively, stating that right now  
13 it will start off as cold storage.

14 COMM. BISHOP INQUIRED OF THE APPLICANT IF HIS PROPERTY IS  
15 1.4 ACRES.

16 Mr. Florence answered affirmatively, stating just shy of  
17 1 1/2.

18 VICE-CHAIR BUENO STATED THAT, SINCE IT IS A DEEP LOT, HE  
19 HAS NO PROBLEM WITH THE BUILDING SIZE BUT EXPRESSED  
20 CONCERN OVER COMMERCIAL USE IN THE BUILDING. HE THEN  
21 INQUIRED OF THE APPLICANT IF THE DOOR SIZE WAS 16 BY 10.

22 Mr. Florence answered affirmatively and stated that he  
23 works for a company seven days a week and wouldn't have  
24 time for another business.

25 VICE-CHAIR BUENO INQUIRED IF ANYONE KNOWS THE SIZE OF THE  
BUILDING ON THE PROPERTY NEXT TO THE APPLICANT'S.

Mr. Florence answered that it is probably 30 or 40 by 44.

Mr. Mullen stated that it is smaller.

VICE-CHAIR BUENO INQUIRED OF THE APPLICANT IF IT IS ABOUT  
HALF THE SIZE OF WHAT HE IS REQUESTING.

Mr. Florence answered affirmatively, that it could be but  
he could downsize.

VICE-CHAIR BUENO INQUIRED OF THE APPLICANT THE HEIGHT OF  
THE BUILDING.

1 Mr. Florence answered 17 feet.

2 COMM. BISHOP CORRECTED THE VICE-CHAIR THAT IT IS 2,200  
3 SQUARE FEET, NOT 2,600.

4 VICE-CHAIR BUENO STATED THAT HE HAS AN EXISTING 24 BY 30  
5 GARAGE.

6 COMM. BISHOP MOTIONED TO APPROVE.

7 COMM. ANDERSON SECONDED WITH A STIPULATION OF  
8 NON-COMMERCIAL USE.

9 VOTE: AYES: Anderson, Bishop, Sinclair, Taylor,  
10 Kirkendolph

11 NAYS: Bueno

12 ABSTAIN: None

13 Vote 5-1-0, motion carries.

14 PUBLIC HEARING AND VARIANCE REQUEST:

15 ZBA-17-27

16 PROPERTY ADDRESS: 37 Turk

17 ZONE: M-1 Light Manufacturing

18 LOCATION: Parcel# 64-14-33-160-011

19 APPLICANT: 37 Adventures, LLC  
20 Rep: Trevor Salaski

21 Presentation of facts given by Mr. Mullen.

22 Mr. Trevor Salaski, 318 Milford Highland Drive, Milford  
23 MI, stated that he represents 37 Adventures but that the  
24 tenant is Hello Innovation. He stated that they are  
25 working on bringing the world's most talented people  
together to solve the world's biggest problems. He also  
stated that they are there to work with the community  
and the City. He states that they will work with the  
City to fix up obsolete properties and reuse them. He  
claims that they have a lot to fix up and they need the  
addition for storage.

VICE-CHAIR BUENO OPENED PUBLIC COMMENT.

1 Mr. Malcolm Campbell inquired about the 63 Norton matter.

2 VICE-CHAIR BUENO STATED THE BOARD HEARD HE MIGHT BE LATE  
3 SO THEY PUSHED HIS CASE BACK.

4 VICE-CHAIR BUENO CLOSED PUBLIC COMMENT.

5 COMM. PAYNE INQUIRED ABOUT THE BUSINESS AND INQUIRED OF  
6 THE APPLICANT WHAT KIND OF TALENT THEY WILL BE LOOKING  
7 FOR.

8 Mr. Salaski answered talented software developers,  
9 structural engineers, civil engineers, architects,  
10 sculptors, marketers.

11 COMM. PAYNE INQUIRED OF APPLICANT IF HE FORESEES THEM  
12 GROWING OUT OF THIS BUILDING.

13 Mr. Salaski answered that he hopes so but that they would  
14 keep it for smaller projects.

15 COMM. SINCLAIR INQUIRED OF THE APPLICANT IF BASICALLY  
16 THEY'RE JUST LOOKING AT RE-PURPOSING THE BUILDING.

17 Mr. Salaski answered in the affirmative.

18 VICE-CHAIR BUENO INQUIRED IF THIS HAD GONE TO PLANNING  
19 YET.

20 Mr. Salaski answered that it hasn't yet.

21 COMM. ANDERSON MOVED TO APPROVE.

22 COMM. PAYNE SECONDED.

23 VOTE: AYES: Anderson, Bishop, Bueno, Taylor,  
24 Kirkendolph, Sinclair

25 NAYS: None

26 ABSTAIN: None

27 Vote 6-0-0, motion carries.

28 PUBLIC HEARING AND VARIANCE REQUEST:

29 ZBA-17-13

30 PROPERTY ADDRESS: 63 Norton Street

1     ZONE:                   R-1 One Family Dwelling  
2     LOCATION:                Parcel#s 14-29-328-021 and  
                              14-29-328-022  
3  
4     APPLICANT:             Potter 4 Square, LLC  
                              Rep: Scott Shaw

5     Presentation of facts given by Mr. Mullen.

6     VICE-CHAIR BUENO OPENED PUBLIC COMMENT.

7     Mr. Scott Shaw, 656 Lincoln Road, Pontiac, MI, stated  
8     that he is working with Mark Thomas on this project. He  
9     also stated that they are working on staying consistent  
10    to the neighborhood. He also explained he worked with  
11    the neighbor to keep his driveway and that there should  
12    be no burden on the existing street and that they are  
13    removing two trees to add to safety of the street.

14    VICE-CHAIR BUENO OPENED PUBLIC COMMENT.

15    Malcolm Campbell, 52 Norton, Pontiac, MI, states he lives  
16    across the street and that it should be denied on the  
17    basis of a garage should not be built next to a sidewalk.  
18    He then stated that there are people in the neighborhood  
19    who have concerns but did not receive proper notice of  
20    this hearing and that the ones who did get notice, it  
21    said Wednesday, January 16, 2018, instead of Tuesday. He  
22    then spoke of several reasons he is not for the  
23    variance.

24    Mr. Mullen stated that, since there was not a previous  
25    proper denial, it was within the six months required to  
26    come back.

27    Mr. Campbell stated that it was not a new application,  
28    there is no change in the ordinance, therefore it is  
29    invalid and that they have to explore the possibility of  
30    building without extending the lot lines first.

31    Mr. Shaw indicated that the garage is not next to the  
32    sidewalk and that they will repair a part of the sidewalk  
33    that is in disrepair. He also stated that many houses on  
34    Porter do not abide by the 25-foot setback and recited  
35    the distances for many.

36    Mr. Campbell informed the Board that, if they come  
37    tomorrow night, since the notice said Wednesday, they

1 might find many people wishing to object to this.

2 VICE-CHAIR BUENO CLOSED PUBLIC COMMENT.

3 COMM. SINCLAIR THINKS THERE SHOULDN'T BE ANY MORE  
4 QUESTIONS BECAUSE OF THE NOTICE ISSUE AND THAT WOULD GIVE  
5 THE BOARD MORE TIME TO DO THEIR DUE DILIGENCE.

6 COMM. ANDERSON STATED THAT AT THE LAST MEETING THE  
7 CONCERN WAS ONE OF THE HOUSES ON THE END BEING TOO BIG,  
8 AND THE SAFETY HAZARD OF NOT SEEING AROUND IT. HE THEN  
9 INQUIRED IF THIS HAD BEEN APPROVED BY PLANNING.

10 VICE-CHAIR BUENO ANSWERED THAT HE DOESN'T THINK SO.

11 Mr. Mullen stated that Planning cannot do a site plan  
12 review because there is not a lot, which is why it is  
13 before the Board.

14 COMM. ANDERSON STATED HE WOULD LIKE MORE TIME TO VISUALLY  
15 INVESTIGATE.

16 COMM. KIRKENDOLPH STATED SHE BELIEVES IT SHOULD BE TABLED  
17 BECAUSE OF THE IMPROPER NOTICE.

18 COMM. BISHOP STATED THAT THEY FIXED THE TRAFFIC SAFETY  
19 CONCERNS FROM LAST TIME BY REMOVING TREES AND WOULD LIKE  
20 TO TABLE BECAUSE OF IMPROPER NOTICE PLUS SHE WANTS THE  
21 DEPUTY MAYOR AT THE NEXT MEETING BECAUSE SHE BELIEVES  
22 THIS SHOULD NOT BE DENIED.

23 COMM. PAYNE AGREES IT SHOULD BE TABLED DUE TO THE NOTICE.

24 Mr. Shaw asked if there is anything the Board would like  
25 to see, that they let him know and stated that this is  
their fourth time at City Hall.

VICE-CHAIR BUENO SUGGESTED HIM OBTAINING A PLOT PLAN.

COMM. BISHOP MOTIONED TO TABLE.

COMM. ANDERSON SECONDED.

VOTE: AYES: Anderson, Bishop, Bueno, Taylor,  
Kirkendolph, Sinclair

NAYS: None

ABSTAIN: None



1 Vote 6-0-0, motion carries.

2 VICE-CHAIR BUENO CALLED FOR ROLL CALL TO ADJOURN.

3 VOTE: AYES: Anderson, Bishop, Bueno, Taylor,

4 Kirkendolph, Sinclair

5 NAYS: None

6 ABSTAIN: None

7 Vote 6-0-0, motion carries.

8 ADJOURNMENT: 9:02 p.m.

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