

1 ZONING BOARD OF APPEALS MEETING: City of Pontiac Zoning
2 Board of Appeals Meeting Minutes on Tuesday, December 20,
3 2016; Pontiac City Hall, 47450 Woodward Avenue, Pontiac,
4 Michigan 48342

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

12 FROM THE CITY: Derrick Dowdell, Assistant City Planner

13 CHAIRMAN TAYLOR CALLED THE MEETING TO ORDER AT 7:00 P.M.

14 ROLL CALL:

15 PRESENT: Chair Taylor, Comm. Payne, Comm. Kirkendolph,
16 Comm. Bishop, Comm. Anderson, Comm. Sinclair

17 ARRIVED LATE: Comm. Bueno

18 Mr. Dowdell reported a quorum present.

19 COMMUNICATIONS: None.

20 MINUTES FOR REVIEW: 11-15-16

21 VOTE: AYES: Payne, Bishop, Sinclair
22 Kirkendolph, Taylor, Anderson

23 NAYS: None.

24 ABSTAIN: None.

25 Vote 6-0-0 motion carries.

OLD BUSINESS: NONE.

NEW BUSINESS:

DIMENSIONAL VARIANCE AND PUBLIC HEARING NUMBER

1 ZBA-16-26

2 PROPERTY ADDRESS: 479 Raeburn Street

3 ZONE: R-1, Residential One-Family Dwelling

4 LOCATION: Parcel # 14-33-428-006

5 APPLICANT: Madge Lothery

6 Presentation of facts given by Mr. Dowdell.

7 CHAIR TAYLOR OPENED AND CLOSED PUBLIC COMMENT.

8 COMM. PAYNE INQUIRED OF MR. DOWDELL IF THE HEIGHT OF THE
9 FENCE IS THE SAME.

10 Mr. Dowdell affirmed.

11 COMM. PAYNE INQUIRED OF MR. DOWDELL IF THE ONLY COMPLAINTS
12 FROM THE NEIGHBORS WERE ABOUT THE COLOR.

13 Mr. Dowdell affirmed that it was in a phone call and the
14 neighbor said he would provide a letter but chose not to.

15 COMM. PAYNE ASKED IF THE FENCE COULD BE PAINTED IN A COLOR
16 THAT COINCIDES WITH THE NEIGHBORHOOD.

17 Mr. Dowdell advised that there is nothing in the ordinance
18 that dictates design standards.

19 COMM. BUENO INQUIRED OF MR. DOWDELL IF HE KNEW WHEN THE
20 ORIGINAL FENCE WAS BUILT.

21 Mr. Dowdell answered that he could not find any information.

22 Ms. Madge Lothery, Applicant, 479 Raeburn Street, Pontiac,
23 Michigan, arrived and introduced herself.

24 COMM. KIRKENDOLPH MOVED TO APPROVE THE VARIANCE REQUEST FOR
25 ZBA 16-26, 479 RAEBURN STREET FOR A DIMENSIONAL VARIANCE TO
ALLOW FOR A TWO FEET VARIANCE FOR AN OPAQUE FENCE AS THE
REQUEST FOR A VARIANCE TO SECTION 4.103(1)(A) MEETS THE
APPROVAL STANDARDS FOR SECTION 6.407 OF THE ZONING
ORDINANCE.

26 COMM. SINCLAIR SECONDED.

1 VOTE: AYES: Kirkendolph, Sinclair,
2 Anderson, Taylor, Bishop,
3 NAYS: Bueno.
4 ABSTAIN: Payne.
5 Vote 5-1-1 motion carries.
6 USE VARIANCE AND PUBLIC HEARING:
7 ZBA-16-27
8 PROPERTY ADDRESS: 174 Branch Street
9 ZONE: R-1, One-Family Dwelling District
10 LOCATION: Parcel # 14-33-182-005
11 APPLICANT: New Bethel Church, Everlyn Payton
Rep: Keyon Payton
12 Presentation of facts given by Mr. Dowdell.
13 Mr. Keyon Payton, Senior Pastor, for New Bethel Missionary
14 Baptist Church, 174 Branch Street, Pontiac, Michigan, stated
15 that he has served in that capacity for ten years. He also
16 stated that Pontiac has a crisis of high school students who
have had babies and cannot find childcare, as well as ones
17 CHAIR TAYLOR OPENED UP PUBLIC COMMENT.
18 Ms. Dayna McFall, Parishioner, New Bethel, 27311 Wrigley
19 Lane, Southfield, Michigan 48076 introduced herself and
20 stated that if they get approved for this, it will
definitely help them to continue to fulfill the purpose they
have for their church.
21 Ms. Josie Busbee, Senior Minister, New Bethel, 6340 Pepper
22 Hill, West Bloomfield, Michigan 48322 introduced herself,
indicated that they have State approval and spoke in favor
of the project.
23 CHAIR TAYLOR CLOSED PUBLIC COMMENT.
24 COMM. SINCLAIR ASKED IF 20 CHILDREN IS A STATE MINIMUM OR
MAXIMUM.
25

1 Mr. Payton answered that it is neither and is based on the
size of the facility.

2
3 COMM. ANDERSON SPOKE IN FAVOR OF THE PROJECT, INDICATING
4 THAT THEY HAVE A GYM, A KITCHEN, KEEP IT CLEAN, IT IS BIG
ENOUGH FOR PARKING, THEY HAVE A FENCED-IN AREA WHERE THE
KIDS CAN GO OUT TO PLAY.

5 COMM. BUENO INQUIRED OF THE APPLICANT WHO HAS THE LICENSE
WITH THE STATE, THE CHURCH OR A NON-PROFIT ORGANIZATION.

6
7 Mr. Payton indicated that the church owns the non-profit
8 organizations but that the license is through New Bethel
9 Youth and Children Development Corporation. He also
indicated that they do not plan to teach religious
education, but to be for childcare only and stated the hours
they would like to be open and the times of their services.

10 COMM. BISHOP INQUIRED WHAT THE AGES OF THE CHILDREN WOULD
BE.

11
12 Mr. Payton answered that they're looking to start with ages
0 - 2 and would build out from there. He also spoke about
other programs they have for the local youth.

13
14 COMM. PAYNE INQUIRED ABOUT THE OPERATIONAL HOURS.

15
16 Ms. Everlyn Payton answered that they would be from
7:00 a.m. until 6:30 p.m.

17
18 COMM. PAYNE INQUIRED OF MS. PAYTON IF THE STATE HAS ALREADY
APPROVED THIS.

19
20 Ms. Payton affirmed.

21
22 COMM. PAYNE INQUIRED IF THIS GOES TO CITY COUNCIL.

23
24 CHAIR TAYLOR SAID NO AND STATED THAT THE ZONING BOARD IS IT.

25
26 COMM. BISHOP MOVED TO APPROVE A USE VARIANCE FOR ZBA-16-27,
174 BRANCH STREET, SECTION 2.203 PRINCIPAL PERMITTED USES BY
DISTRICT; TO ALLOW A CHILDCARE CENTER, (20 CHILDREN) AT NEW
BETHEL MISSIONARY BAPTIST CHURCH IN AN R-1 ONE-FAMILY
DWELLING DISTRICT, AS THE REQUEST MEETS THE STANDARDS FOR
6.408 OF THE ZONING ORDINANCE; A VARIANCE FOR USE IS
GRANTED.

27
28 COMM. PAYNE SECONDED.

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

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NAYS: None.

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ABSTAIN: None.

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Vote 7-0-0 motion carries.

5

6 CHAIR TAYLOR OPENED AND CLOSED PUBLIC COMMENT, THEN ASKED
FOR A VOTE FOR ADJOURNMENT.

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

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NAYS: None.

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ABSTAIN: None.

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Vote 7-0-0 motion carries.

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ADJOURNMENT: 7:33 P.M.

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