

1 CITY OF PONTIAC
2 ZONING BOARD OF APPEALS MEETING
3 APRIL 21, 2015
4 7:00 p.m.

5 Meeting before a Zoning Board of Appeals
6 at 47450 Woodward Avenue, Pontiac, Michigan, on Tuesday,
7 April 21, 2015.

8 PRESENT FROM THE CITY:

9 Gordon Bowdell, Planner

10 C. James Sabo, Planner

11 PRESENT FROM THE BOARD:

12 Chairman Lee Todd

13 Ahmad Taylor

14 Carlos Bueno

15 Sam Anderson

16 Elcine Kirkendolph

17 Joseph Sinclair

18 Brent Sykes

19 OTHERS PRESENT:
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21 Jay Carmel

22 Samuel Scott

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24 REPORTED BY: Mona Storm, CSR# 4460

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Corrected 4-21-15 meeting (2)

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I N D E X

	ACTION	PAGE
1.	Called To Order	3
2.	Roll Call	3
3.	Communications	3
4.	Old Business, none	4
5.	New Business, ZBA Hearing 15-03 660 W. Huron	4
6.	Public Hearing	17
7.	Motion to Table	25
8.	Motion Passed	26
9.	Adjourned	27

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1 Pontiac, Michigan

2 Tuesday, April 21, 2015

3 7:00 p.m.

4 CHAIRMAN TODD: 7:00. Call the meeting to
5 order.

6 Roll call, please.

7 MR. SABO: Mr. Sykes?
Page 2

Corrected 4-21-15 meeting (2)

8 MR. SYKES: Here.
9 MR. SABO: Mr. Sinclair?
10 Not here.
11 Ms. Kirkendolph?
12 MS. KIRKENDOLPH: Here.
13 MR. SABO: Mr. Anderson?
14 MR. ANDERSON: Here.
15 MR. SABO: Mr. Taylor?
16 MR. TAYLOR: Here.
17 MR. SABO: Mr. Bueno?
18 MR. BUENO: Here.
19 MR. SABO: Chairman Todd?
20 CHAIRMAN TODD: Here.
21 MR. SABO: There's six. We have a quorum.
22 CHAIRMAN TODD: Any communication from staff?
23 MR. SABO: Oh, I have none, other than our
24 new stenographer, at least for this evening, Ms. Storm.
25 MS. KIRKENDOLPH: Welcome.

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1 CHAIRMAN TODD: Welcome.
2 Minutes are not available from the last
3 meeting so we are going to pass on that. Any Old
4 Business?
5 MR. SABO: I have none.
6 CHAIRMAN TODD: Hearing none, move to
7 New Business.
8 ZBA Hearing 15-03, 660 West Huron. Do we
9 have a finding of fact?
10 MR. SABO: Yes, Mr. Chairman. This is a
11 dimensional variance request, 660 West Huron, C-1,

Corrected 4-21-15 meeting (2)

12 there is a rezoning request in for C-3 for this parcel.
13 This is the site here, 660 West Huron. It's at the
14 corner of Monroe -- excuse me -- Monroe here and Huron.
15 This is the site plan, the existing building and
16 display area.

17 It's an auto repair facility now. They do
18 have a site plan and special exception permit approval
19 from the Planning Commission and that is contingent
20 upon zoning variances and rezoning by City Council as
21 well. The zoning is C-1 but, again, they have the
22 request in for C-3 zoning.

23 But before we do that, we're going to review
24 it here at the ZBA. The request is dimensional nonuse
25 variance related to proposed Retail Sales (unlimited

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1 outdoor), it's a vehicle sales lot. They request to
2 establish an auto display area that is going to
3 encroach ten feet into the required front setback on
4 the Monroe Street frontage.

5 The Zoning Board did grant a variance in
6 2000, ZBA 0007. And that was for the use, an
7 automobile service use in the C-1. So they -- that
8 auto service use is an approved use. That approval did
9 provide for limited overnight storage of vehicles,
10 five -- five vehicles that would be stored overnight
11 and the remainder inside the building.

12 That is somewhat different than what they
13 want here. This is a sales lot here. Their claimed
14 practical difficulty is the variance is based on the
15 particular existing conditions at the site. The
16 building was built in the 1960s, does not conform to

17 several of the current zoning ordinance provisions.
18 Building's only two feet from the rear property line,
19 for example. There's a 20-foot rear setback required
20 in this district.

21 And the size of the parcel is smaller than
22 many of the other commercial properties in the
23 immediate vicinity.

24 And the applicant also states there is an
25 existing retaining wall at the east property line,

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1 directly abutting the sidewalk at Monroe because
2 there's a grade change. And that does not conform to
3 the zoning ordinance either.

4 The applicant further states that the size of
5 the site creates difficulty conforming to the ordinance
6 provisions because compliance eliminates most or all of
7 his display area for vehicles on the Monroe Street
8 side. And they state that the Planning Commission used
9 their authority to reduce the setback for landscape
10 along Monroe to zero feet. However, the Planning
11 Commission does not have the authority to reduce or
12 eliminate the standards from section 2.514, which is
13 what he's looking for tonight. No other practical
14 difficulty information was provided.

15 Subject site is zoned C-1. A proposed
16 vehicle display area will not meet the zoning ordinance
17 provisions without a variance from the ZBA. The
18 existing building was constructed in '68. Setback
19 along Monroe Street for parking currently is zero feet.
20 The existing retaining wall is zero foot setback along

21 Monroe.

22 Minimum display area required along
23 Monroe Street is ten feet. And ZBA 0007 variance was
24 granted for use in 2000 and permits five vehicles of
25 storage overnight, authorization under Section 6.407 of

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1 the Zoning Ordinance.

2 The authority and the practical difficulty
3 required for granting a variance -- this is one --
4 compliance with the strict letter, governing the area
5 setback frontage, height, et cetera, will unreasonably
6 prevent the owner from using the property for a
7 permitted use. It does not meet the standard.

8 The property owner will not be unreasonably
9 prevented from utilizing the property. However, the
10 applicant has sought approval for a special exception
11 use, which has different standards than a permitted
12 use. The special exception use and the site plan were
13 approved by the Planning Commission, contingent upon
14 ZBA approval.

15 Granting the variance will do substantial
16 justice to the property owner as well as other property
17 owners, unless a variance will not provide substantial
18 relief. It meets the standard; the variance does
19 provide substantial justice to the applicant. The
20 existing building size and site configurations do limit
21 the site development possible at this location.

22 Plight of the applicant is due to the unique
23 circumstances of the property. It meets that standard.
24 There are unique circumstance here. Building location,
25 at least, nonconforming on east and parking on the east

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1 property line is nonconforming.

2 The problem not self-created, does not meet
3 the standard. The problem is self-created as the
4 Applicant's proposed use is not able to meet the
5 ordinance provisions. However, the existing
6 nonconforming site conditions for the building and the
7 parking area is not self-created.

8 Spirit of the ordinance will be observed. It
9 meets that standard. The spirit of the ordinance would
10 be observed. The proposed use was approved by the
11 Planning Commission for a special exception permit
12 subject to conditions and the proposed use will not
13 substantively change or enlarge the nonconformity.

14 6, meets that standard.

15 And 7, meets the standard. However, the
16 Planning Commission did require ZBA approval for the
17 Special Exception use variance to be allowed.

18 Recommendation here is to consider approval
19 of the dimensional variance for ZBA 15-03,
20 660 West Huron, in that Section 2.514 (B)(1),
21 Retail sales (unlimited outdoor) display area setback,
22 allowing used vehicle sales and parking display area
23 that encroaches the minimum setback along Monroe Street
24 and to approve a dimensional variance of ten feet, as
25 the request appears to meet the standard.

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1 That's my report. The applicant is here.
2 And I'll entertain any questions.

3 CHAIRMAN TODD: Questions for staff before we
4 proceed?

5 Can you clarify why this is before us prior
6 to a rezoning?

7 MR. SABO: Because if it -- he can't -- if
8 they -- without a ZBA variance, it doesn't matter if
9 the property is rezoned because he won't be able to
10 meet those standards. So it's kind of a chicken and an
11 egg. I mean, we could take it to the City Council and
12 have them rezone the property but he still would need a
13 variance. So we could take it here and either get or
14 not get a variance. He could still rezone the
15 property. But we just did it in this order.

16 CHAIRMAN TODD: Okay.

17 MR. BUENO: I have a question on that: why
18 would we be looking at is there any variance for this
19 or not when that's allowed on the site at this stage?
20 Outdoor sales is not allowed in a C-1 district. So why
21 would we be giving any variance or any consideration at
22 this stage for --

23 MR. SABO: Well that's --

24 MR. BUENO: -- this use? I'm just asking
25 why.

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1 MR. SABO: That's --

2 MR. BUENO: I mean, this whole procedure is
3 going, like, backwards in my mind.

4 MR. SABO: Well --

5 MR. BUENO: You know, when the Zoning Board
6 looked at this in 2007, it is a gas station and it got
7 over -- well, excuse me. I will keep my comments --

Corrected 4-21-15 meeting (2)

8 CHAIRMAN TODD: Yeah, let's -- I have some of
9 the same questions. Let's go ahead and proceed.

10 Is the applicant here?

11 MR. SABO: Correct.

12 CHAIRMAN TODD: If the applicant would come
13 to the podium. State your name, please, name and
14 address.

15 MR. CARMEL: Good evening, Ladies and
16 Gentlemen. 660 West Huron. My name is Jay Carmel.

17 CHAIRMAN TODD: Is there anything you would
18 like to add from what staff has already presented to
19 us?

20 MR. CARMEL: No.

21 CHAIRMAN TODD: Okay. The state of
22 Applicant's -- I'm sure we'll have some questions. I
23 will open the hearing for public comment regarding this
24 issue, if anybody would like to speak on it.

25 Hearing none, we'll move to the Board for

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1 questions and we'll start with Mr. Bueno.

2 MR. BUENO: Okay. I guess, going back to
3 where I started. I didn't mean to get off on -- the
4 outside sales for the cars is not allowed on this site,
5 period.

6 when this came back in 2007, there was issues
7 on the site and it's just a lot worse now than it was
8 back then in 2007 with the outside storage of tires,
9 junk and the overcrowding of cars. The picture you
10 showed up there don't get anywhere near the mess -- not
11 that one but on the side. It's just really

12 Corrected 4-21-15 meeting (2)
overcrowded.

13 At that time, when he came before the
14 Zoning Board, it was a gas station and it was
15 determined to keep the use as an automotive repair, so
16 to speak. He was having the same issues of over a lot
17 of cars packed inside there, tires and all that stuff.
18 Can't say if it was Paul's Auto Sales but it was -- I
19 forget the name of what it was in 2007.

20 So it was he was asking for -- I believe he
21 was asking for outside storage also but that was
22 denied. And we did work with him on the site, for him
23 to park overnight of cars and we gave the variance on
24 Monroe Street because it is a gas station. You know,
25 it was a gas station and it's limited with the

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1 retaining walls and so forth. But that was a good use
2 for this corner. It's a buffer zone into the
3 residential areas behind this. And I think it would be
4 zoned night operations, it was not anything intrusive
5 more than a gas station would be.

6 Now, you must admit, your site is terrible
7 looking. It's overcrowded, there's junk. It's been
8 like that for a long time, it's not like just recently.
9 Because I live in the area and I have to drive by there
10 every single day and it seems like it's getting worse.

11 The operation of outside sales is not allowed
12 in a C-1 zone. The issues that we granted in 2007 was
13 dealing with what was permissible when we allowed for
14 automotive use at that particular site.

15 Now, with the Zoning -- I mean, with the
16 Planning Commission giving the special exception

17 permit, I guess, for the site plan, I'm not sure how
18 they can do that on a C-1 zone. They can't give a
19 permit on a use that's not allowed. So their special
20 exception permit is not applicable in my mind until if
21 the property's rezoned to C-3. And we can address it
22 at that time.

23 The outside storage is also not addressed in
24 anything that I read here or in the Planning Commission
25 notes that you have listed in here, what's going to

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1 happen.

2 The back of the property is sort of like a
3 hill. This property is in the back, it is a funny site
4 and it slopes up. So it's hard to buffer it from the
5 street, from Huron Street. So that's why it was denied
6 originally back in 2007 to have any outside storage.

7 That -- I don't know what's going on with
8 that portion of it. It's not -- it's not allowed
9 anyways. But I don't know if it's allowed in a C-3
10 zone if it's rezoned. But I did have the issue with
11 the -- back then of eliminating the buffer on
12 Monroe Street as Automotive Sale because it's kind of
13 like that's what it is. There's not much you can do
14 there. But I do have concerns of making this as
15 outside car lot sales, especially the way it's been
16 looking. That's my only comments. Thanks.

17 CHAIRMAN TODD: Mr. Taylor?

18 MR. TAYLOR: I just -- my question is
19 directed to -- first to the staff. And would a
20 variance request be needed for rezoning, anyway?

Corrected 4-21-15 meeting (2)

21 MR. SABO: The Planning Commission approved a
22 special exception permit and site plan contingent upon
23 both a rezoning approval by the City Council and
24 approval of the display area setback variance by the
25 Zoning Board of Appeals. So with respect to your

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1 question and Mr. Bueno's comment, so all those
2 approvals and recommendation are conditional.

3 MR. BUENO: Okay.

4 MR. SABO: So if any of those conditions --
5 and I made Mr. Carmel aware of this. If any of those
6 conditions are not met, then, you know, the process
7 would be -- would be stalled.

8 So the site plan and the special exception
9 permit are conditioned upon ZBA and rezoning. And the
10 rezoning is -- is based on that as well. So the reason
11 that this is before you tonight is to take the entire
12 package to the City Council as a package that is either
13 approvable or not approvable.

14 MR. BUENO: Sure.

15 MR. SABO: So that's the reasoning behind it.

16 MR. BUENO: No other questions.

17 CHAIRMAN TODD: Mr. Anderson?

18 MR. ANDERSON: I don't have any question.

19 CHAIRMAN TODD: Ms. Kirkendolph?

20 MS. KIRKENDOLPH: I drive down Huron quite a
21 bit and that -- actually, that lot is kind of a -- kind
22 of an eyesore, really. So that's pretty much it.

23 CHAIRMAN TODD: Mr. Sinclair?

24 MR. SINCLAIR: I want to concur with
25 Mr. Bueno. I have questions. Now, in District 4,

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1 along Baldwin, if I'm correct, there are several
2 shuttered used auto sale shops that were currently, I
3 think, about five or ten years ago they were in use.
4 Had you looked at another location within the City to
5 do these sales and continue the mechanical work there
6 and then, also, make improvement to the property, too?

7 MR. CARMEL: On the same location or a
8 different location?

9 MR. SINCLAIR: Different location, as to
10 sales. I believe most of that, going down
11 Baldwin Street, the used auto lots, I think there are
12 four to five that are literally shuttered. The grass
13 and the weeds are up for the last two or three years.
14 Had you looked at looking at another location that's
15 already zoned for your purpose?

16 MR. CARMEL: That will be something down the
17 line. The only reason we have so many cars on this lot
18 is because I have my dealers license. I already had it
19 originally in a Pontiac back at my old location at
20 608 Auburn, trying to bring it back. We have a lot of
21 junk cars we're trying to get rid of, without a
22 license, without the whatever, we can't get rid of
23 them. A lot of them were abandoned on the lot. We
24 can't do anything with these vehicles. They're going
25 to impound them and lose a lot of money; that's why I

1 want to re-bring this license back to my new location.

2 Down the road, of course we will be expanding

Corrected 4-21-15 meeting (2)

3 later on. But as far as this location now, I want to
4 bring the license back.

5 MR. SABO: Mr. Chairman, if I could piggyback
6 on what Mr. Carmel said.

7 Your located was 608 Auburn, correct?

8 MR. CARMEL: Correct.

9 MR. SABO: And the road was widened at Auburn
10 and MLK so you were forced to close your business and
11 moved it to Auburn Hills for --

12 MR. CARMEL: Moved it to Rochester.

13 MR. SABO: Rochester?

14 MR. CARMEL: Yes.

15 MR. SABO: And now you are wanting to move
16 that same business back to Pontiac?

17 MR. CARMEL: Correct.

18 MR. SABO: But your old location is gone
19 because it's now part of a road right-of-way?

20 MR. CARMEL: Yes.

21 MR. SABO: And you've chosen this location as
22 where you want to reopen your business?

23 MR. CARMEL: Correct.

24 MR. SABO: Okay. So I just wanted to give a
25 little bit of background of why you're here to begin

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1 with. Because you were already here --

2 MR. CARMEL: Yes.

3 MR. SABO: -- but the road got widened and
4 you got kind of bumped out?

5 MR. CARMEL: Right, I got thrown out,
6 basically. I was in a different location, fire
7 happened and I was left to come back to Pontiac, which

Corrected 4-21-15 meeting (2)

8 I want to bring everything back. I had no location at
9 my old location, found this one, so I'm just trying to
10 bring everything back together, make it legal and make
11 it perfect.

12 CHAIRMAN TODD: Okay. Thank you. Mr. Sykes,
13 no questions?

14 MR. SYKES: No comment. No questions.

15 CHAIRMAN TODD: Mr. Scott, I don't know if
16 you missed it. Did you have something you wanted to
17 say at Public Hearing? I did call for it earlier.

18 MR. SCOTT: Oh, I didn't hear you.

19 CHAIRMAN TODD: That's okay. Go ahead and go
20 to the podium.

21 State your name and address, please.

22 MR. SCOTT: My name is Samuel Scott,
23 204 Ferry Avenue, Pontiac, Michigan.

24 CHAIRMAN TODD: Thank you.

25 MR. SCOTT: I'd just like to say, you know, I

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1 served in the capacity of a Planning Commissioner for
2 12 years, one year as the Chair. So I understand
3 what's going on here. What bothers me about this is
4 that, instead of looking at this as a growing business,
5 the first thing that came out of everybody's mouth is,
6 "Oh, it's esthetically bad, it looks bad" and "you
7 can't do this in a C-1 zoning." But when are we ever
8 going to change?

9 I mean, this man fought to bring his business
10 back to Pontiac. And the only thing that you can say
11 is, "Oh, it looks bad." It won't look bad if he's

Corrected 4-21-15 meeting (2)

12 granted this variance where he can get rid of the cars
13 and help his business to grow.

14 I thought we were supposed to be here trying
15 to help bring business to Pontiac and not throw up all
16 types of roadblocks when somebody is trying to bring a
17 business here. And the roads block that you're
18 throwing up is -- I mean, it's minimum.

19 And you would take him down because you think
20 it's too many cars there? It -- that's just totally
21 ridiculous to me. And -- and, even though it's a C-1
22 zoning and it's not supposed to be there, when are we
23 going to move into the future?

24 Some -- sometimes you change things to make
25 things better. You know, a law that was made or an

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1 ordinance that was made 40, 50 years ago, we still want
2 to keep it into effect when we're walking into the 21st
3 Century. It's time to wake up and do the right thing
4 for people.

5 Now, Pontiac has had a representation for
6 running business out of the city for I don't know how
7 many years. It's time for that reputation to change.
8 And you can help this gentleman by helping change that
9 representation. It's a very simple thing to do.

10 And, I mean, you just need to open your minds
11 and your hearts. And he's a good businessman. It's
12 crowded there because his business is growing. Let the
13 business grow. Thank you.

14 CHAIRMAN TODD: Thank you, Mr. Scott.

15 Question for staff: The current arrangement is for, I
16 think you said, five vehicles stored on -- in the

17 building; is that correct?

18 MR. SABO: That is for overnight storage
19 related to the auto service use that was approved by
20 the ZBA in 2000.

21 CHAIRMAN TODD: But nothing for exterior
22 vehicles stored there under the current zoning?

23 MR. SABO: Correct. If -- if he is
24 successful with his variance request and successful
25 with his rezoning request to City Council, that would

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1 change the dynamic at this site because then it would
2 then become unlimited outdoor retail, a vehicle sales
3 lot, in which case the vehicles would be there parked,
4 displayed until they are sold. It would not be
5 storage, it would be part of the permitted and approved
6 special exception use.

7 CHAIRMAN TODD: I want to -- I want to add
8 some comments to what Mr. Scott had to say and just --
9 just some comments in general. There -- there is no
10 bigger advocate of bringing in business to the City of
11 Pontiac than me. I've been here for 36 years. That's
12 my day job; that's what I do is try to bring the
13 business in. But part of that is also to make sure
14 that the business we bring in doesn't do any harm to
15 the business that's already here.

16 And there is something to be said for
17 planning and -- and having a plan. And my personal
18 opinion is that Huron Street is not the right location
19 for an automotive shop, let alone sales.

20 And I also go by the site every day. There's

21 a hundred tires sitting outside. There's a storage
22 container that's been outside for six months or more.
23 There's 25 to 30 vehicles there. It -- it is not
24 visually appealing and I believe it's a deterrent to
25 the other businesses that are in that area. And I

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1 think it's been a deterrent to bringing in some other
2 business to that area.

3 And without getting specific, there are
4 several buildings within a few blocks from there that
5 are vacant, have been vacant and, although I'm not
6 personally involved in any of them, I've heard comments
7 from those that are that they're having a problem
8 attracting new business in because of the general
9 landscape in the area, not specifically this business
10 but the other stores that are vacant across from the
11 Post Office that are boarded up, that have graffiti on
12 them, that look bad. But this one's been mentioned as
13 well.

14 And I think I'm all for bringing in new
15 business to the City or to help assisting business
16 that's already here or welcoming business that was here
17 and ran into problems and wants to come back. But that
18 doesn't mean we should necessarily approve anything,
19 anywhere. And that's why there has to be some
20 planning.

21 And I -- I personally do have some problems
22 with the esthetics. It is a gateway into the City. I
23 want to bring in more business but I don't want to
24 accommodate one and harm a dozen. And I'm struggling
25 with -- because I am an advocate for bringing in new

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1 business and developing the areas, what I'm struggling
2 with is, this has come before us and it seems to look
3 worse to me every day, more tires, more vehicles
4 sitting out there. It's -- it's not an attractive
5 business for that location.

6 Going back to what Mr. Sinclair said,
7 there -- we have some areas in the City that are zoned
8 for that, like Baldwin, that would probably accommodate
9 more. This is such a small site. I think it's going
10 to be overcrowded, unsightly and I think it's going to
11 detour other business in the area and I -- and I'm --
12 quite frankly, I'm surprised that we don't have other
13 people here in the audience to comment from that area.
14 I -- I would have actually expected that we have more
15 people here tonight.

16 But that's my comments. I'm going to look to
17 the Board for a motion.

18 MR. TAYLOR: I am going to make a motion but
19 I'm going to state the reason for my motion.

20 The applicant stated some scenarios that he
21 encountered that I think we've ignored and as well as
22 the contingency or the variable that he's facing in
23 which he needs a variance request to improve the
24 situation or his business practice there or to resolve
25 many of the complaints that we have.

1 And if this is just a one step to step two --
2 and I think there's another step once this is achieved

3 Corrected 4-21-15 meeting (2)
or denied, if you will.

4 But I'm going to make a motion to approve ZBA
5 15-03.

6 CHAIRMAN TODD: Is there a second?
7 No second. The motion fails.
8 Is there anyone else that would like to make
9 a motion?

10 MR. BUENO: I'll make a motion to deny the
11 request. And if the applicant gets the property
12 rezoned, then he can come back and then we can address
13 the site plan.

14 MR. SINCLAIR: Support.

15 CHAIRMAN TODD: Support from Mr. Sinclair.

16 MR. SABO: Mr. Chairman?

17 CHAIRMAN TODD: Roll call.

18 MR. SABO: All right. If I can just --

19 CHAIRMAN TODD: I'm sorry.

20 MR. SABO: -- add a comment. Mr. Bueno, the
21 motion to deny --

22 MR. BUENO: Uh-huh.

23 MR. SABO: -- with the qualifier, if the
24 property is rezoned, to return, correct?

25 MR. BUENO: If it's rezoned, he already has

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1 the Planning's approval of it, an exception on the
2 permit, so then we'll just review the site plan if
3 everybody -- City Council, everybody else thinks it's
4 okay to rezone the property back to C-3 or to C-3.

5 MR. SABO: Then he can return?

6 CHAIRMAN TODD: Would it be --

7 MR. BUENO: I guess it would come

8 automatically back, I would assume.

9 CHAIRMAN TODD: Procedurally, then, would it
10 be better to table?

11 MR. SABO: That's what -- that's what I'm
12 thinking that maybe a motion to postpone, maybe.

13 MR. BUENO: Okay.

14 MR. SABO: Because then he doesn't have to
15 reapply.

16 CHAIRMAN TODD: And I don't want him to do
17 any more than --

18 MR. BUENO: Okay. That's --

19 CHAIRMAN TODD: I mean, he's heard our
20 comments. I think it might go a long way toward
21 addressing some of those concerns, depending on what
22 the site looks like. My -- I don't want to get back
23 into doing comments. But my concern is that it
24 shouldn't have got to this stage. We shouldn't already
25 have a hundred tires there. We shouldn't already have

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1 30 vehicles; it's not allowed. It's something that
2 should have come to us for permission before.

3 And again, it's another situation where the
4 Board is put into a situation of feeling guilty, like
5 we're trying to deny something to somebody that they've
6 already got. But they shouldn't have already had it
7 because it shouldn't be there.

8 So if I understood correctly, Mr. Bueno's
9 going to change his motion to table?

10 MR. BUENO: Table.

11 CHAIRMAN TODD: Is there support?

Corrected 4-21-15 meeting (2)

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MR. SINCLAIR: Support.

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MR. TAYLOR: Now we're tabling it to what

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time, next --

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CHAIRMAN TODD: Until -- we're tabling

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indefinitely, without a set date, with the

17

understanding that with Council and zoning -- or --

18

yeah, rezoning, that then it would be more properly

19

back before us.

20

MR. TAYLOR: So we can table it contingent on

21

a vote from Council, a rezoning from Council; is that

22

what you're saying?

23

CHAIRMAN TODD: Yeah. Because they have to

24

have that, anyway.

25

MR. SABO: Correct. And they need your

26

1 variance as well, so --

2

CHAIRMAN TODD: Right. Understood. Is there

3

a second?

4

MR. SINCLAIR: I support.

5

MR. ANDERSON: Second.

6

CHAIRMAN TODD: Mr. Sinclair supported.

7

Roll call.

8

MR. SABO: Mr. Bueno?

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MR. BUENO: Yes to table.

10

MR. SABO: Mr. Sinclair?

11

MR. SINCLAIR: Yes to table.

12

MR. SABO: Mr. Taylor?

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MR. TAYLOR: Yes, table.

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MR. SABO: Ms. Kirkendolph?

15

MS. KIRKENDOLPH: Yes, table.

16

MR. SABO: Mr. Anderson?

Page 22

♀

Corrected 4-21-15 meeting (2)

17 MR. ANDERSON: Yes to table.
18 MR. SABO: Mr. Sykes?
19 MR. SYKES: Yes, to table.
20 MR. SABO: And Chairman Todd?
21 CHAIRMAN TODD: Yes.
22 MR. SABO: Motion to table is passed.
23 CHAIRMAN TODD: Thank you. Is there any
24 miscellaneous business?
25 MR. SABO: I have none.

†

27

1 CHAIRMAN TODD: I'll entertain a motion to
2 adjourn.
3 MR. SINCLAIR: Support motion to adjourn.
4 Sorry.
5 CHAIRMAN TODD: All in favor?
6 THE BOARD: Aye.
7 CHAIRMAN TODD: We're adjourned.
8 (Meeting was concluded at 7:33 p.m.)
9 * * * *

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C E R T I F I C A T E

I, Mona Storm, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the meeting, at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of (28) pages, is a true and correct transcript of my said stenographic notes.

Date

Mona Storm
CSR-4460

Corrected 4-21-15 meeting (2)

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