

1 ZONING BOARD OF APPEALS MEETING: City of Pontiac Zoning  
2 Board of Appeals Meeting Minutes on Monday, May 21,  
3 2018; Pontiac City Hall, 47450 Woodward Avenue, Pontiac,  
4 Michigan 48342

5  
6 COMMISSIONERS: Chair Ahmad Taylor  
7 Sam Anderson  
8 Elcine Kirkendolph  
9 Joseph Sinclair  
10 Laurie Bishop

11 FROM THE CITY: Arthur Mullen, City Planner

12 CHAIRMAN TAYLOR CALLED THE MEETING TO ORDER AT 7:03 P.M.

13 ROLL CALL:

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

16 Mr. Mullen reported a quorum present.

17 COMMUNICATIONS: None.

18 MINUTES FOR REVIEW: April 16, 2018

19 COMM. KIRKENDOLPH MADE A MOTION TO ACCEPT THE MINUTES

20 COMM. SINCLAIR SECONDED

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

23 NAYS: None.

24 ABSTAIN: None.

25 Vote 5-0-0 motion carries.

OLD BUSINESS:

PUBLIC HEARING AND VARIANCE REQUEST FOR FENCE HEIGHT,  
FRONT AND SIDE YARD SETBACK:

ZBA-18-03

1 PROPERTY ADDRESS: 1056 Golf Drive  
2 ZONE: C-1, Local Business Commercial  
3 LOCATION: Sidwell # 14-31-458-010  
4 APPLICANT: Greentech Engineering, Inc.  
Rep: Jason Fleiss  
5  
6 Presentation of facts given by Mr. Mullen.  
7 Mr. Jason Fleiss, for GreenTech Engineering, 51147  
Pontiac Trail, Wixom, Michigan, introduced himself.  
8 Mr. Greg Serio introduced himself as one of the owners.  
9 Mr. Fleiss indicated that they'd like to create more  
10 parking on the west and north side of the existing event  
11 center. He stated that the Fire Department is in  
support of this as long as they provide a fire lane. He  
then presented some renderings.  
12 Mr. Serio indicated that he did reach out to 18  
13 residents and only got 7 replies. He also stated that  
he reached out to Ms. Waterman 4 or 5 times and received  
14 no reply.  
15 Mr. Fleiss stated that the owner wants to clean up the  
property, provide landscaping and a nice, clean look for  
16 the new facility.  
17 CHAIR TAYLOR OPENED UP PUBLIC COMMENT.  
18 Mr. Robert Teddy, 1038 Golf Drive, Pontiac, Michigan,  
19 inquired if they were going to put a fence all the way  
around the property.  
20 Mr. Mullen answered that they are proposing an 8 foot  
fence.  
21 Mr. Teddy inquired if it's a solid fence.  
22 Mr. Serio affirmed.  
23 Mr. Teddy inquired if it's a vinyl fence.  
24 Mr. Serio affirmed.  
25 Mr. Teddy inquired how many entrances there will be and,

1

2 if there will be several, what difference does it make  
3 if it's 8 feet. He also inquired if it was going to be  
4 continually locked all the time. He inquired, if there  
5 is no gate to lock it, what difference does any fence  
6 mean.

7 CHAIR TAYLOR TOLD MR. TEDDY THAT HIS QUESTIONS WOULD BE  
8 ANSWERED AT A LATER TIME.

9

10 Mr. Teddy indicated that there used to be a lot of  
11 dumping on the property, so having someone responsible  
12 is a good deal.

13

14 Ms. Denice Hatter indicated she lives on Dover and was  
15 wondering if there was going to be access to the parking  
16 lot from her street.

17

18 Mr. Mullen answered that it would be totally fenced, and  
19 that the fence would be all the way to the sidewalk and  
20 abutting the houses.

21

22 Greg Albert, who also lives on Dover Street, stated that  
23 the property has been an eyesore for 30 years and  
24 inquired why the fence had to be 8 feet and if an event  
25 center equals a liquor license.

26

27 Barbara Ford, 1109 Dover Street, Pontiac, Michigan  
28 expressed concern about looking at a fence while sitting  
29 on her front porch, where now she can see all the way to  
30 Orchard Lake.

31

32 Mr. Serio stated that he is not trying to block anyone's  
33 view and is just trying to make the place look nice. He  
34 added that a 6 foot fence can be climbed over. He  
35 stated that the fence will be 6 feet from the sidewalk  
36 with added landscaping there on Dover Street as well as  
37 the retaining wall above the lot. He included that the  
38 fence will be the same type as a new fence that was  
39 erected in the area except instead of white it will be  
40 gray.

41

42 Mr. Fleiss indicated where the entrances would be but  
43 said the one to the east would be eliminated and showed  
44 everyone where the fence would be, adding no entrance on  
45 Dover.

46

47 CHAIR TAYLOR CLOSED PUBLIC COMMENT.

1 COMM. ANDERSON INDICATED THAT HE WAS BORN IN THAT AREA  
2 AND HAS LIVED THERE SINCE. HE STATED THAT THEY WILL  
3 WANT TO PUT SOME STIPULATION ON THIS. HE THEN INQUIRED  
4 HOW TALL THE FENCE WOULD BE OFF GOLF DRIVE.

5 Mr. Serio answered 4 feet.

6 COMM. ANDERSON INQUIRED, WHERE THE HOUSES SIT WAY UP, IF  
7 THEY WERE GOING TO PUT A FENCE THERE.

8 Mr. Serio affirmed.

9 COMM. ANDERSON STATED THAT EVEN AN 8 FOOT FENCE WOULDN'T  
10 BLOCK THEIR VIEW IF THEY PUT THE FENCE AT THE BOTTOM.

11 Mr. Serio stated that the fence was going to be put at  
12 the top.

13 Mr. Fleiss added it will be at the top of the retaining  
14 wall and added that he will butt it up to their fence or  
15 if they want theirs taken down, they will.

16 COMM. ANDERSON INQUIRED IF HE TALKED TO ANYBODY ABOUT  
17 REPLACING THEIR FENCE.

18 Mr. Fleiss stated he hasn't gotten any responses from  
19 knocking on doors or sending letters.

20 COMM. ANDERSON MADE A RECOMMENDATION THAT THE FENCE BE 6  
21 FEET IN THE BACK TO PREVENT BLOCKING THE HOMEOWNERS'  
22 VIEWS.

23 Mr. Serio inquired if the Board wanted him to just put a  
24 6 foot fence all the way around.

25 COMM. ANDERSON AFFIRMED.

19 COMM. SINCLAIR INDICATED THAT HE GREW UP IN THE AREA, HE  
20 INVESTIGATED THE SCENE AND TALKED WITH THE APPLICANTS  
21 AND THEY AGREED TO A 4 FOOT FENCE IN SOME AREA WITH  
22 LANDSCAPING. HE STATED THAT 75 PERCENT OF THE FENCES  
23 ARE BROKEN DOWN, THERE IS OVERGROWN SHRUBBERY, ELECTRIC  
24 LINES DOWN ON TREES THAT ARE ALMOST TOUCHING THE FENCE.  
25 HE THEN ADDED THAT HE THINKS WHITE WOULD BE A BETTER  
COLOR. HE STATED THAT, IN HIS COMMUNICATIONS WITH THE  
APPLICANTS, THEY TALKED ABOUT MAKING PEGGY A ONE-WAY TO  
PREVENT BOTTLENECKING FROM TRAFFIC COMING OFF OLD  
TELEGRAPH AND FROM GOLF DRIVE. HE THEN GAVE SOME  
HISTORY ABOUT THE AREA.

1 CHAIR TAYLOR EXPRESSED CONCERN OVER THE HEIGHT OF AN 8  
2 FOOT FENCE. HE ADDED THAT, WITHOUT A PRACTICAL  
3 DIFFICULTY, IT WOULD BE HARD TO GRANT THE VARIANCE.

4 Mr. Mullen stated that, since the applicant agreed to a  
5 6 foot fence, that eliminates that issue, so there is  
6 only the 25 and 10 foot setbacks to determine if there  
7 is practical difficulty for those and having no buffer  
8 on the parking lot.

9 COMM. SINCLAIR STATED THAT THE APPLICANTS AGREED WITH  
10 HIM, FOR CANTERBURY AND DOVER STREET, HE WOULD NOT BUTT  
11 THE FENCE UP TO THE SIDEWALK AND ADD LANDSCAPING.

12 Mr. Serio stated he agreed to back it up 6 feet.

13 COMM. SINCLAIR MADE A MOTION FOR A 20 FOOT INSTEAD OF 25  
14 FOOT SETBACK.

15 Mr. Fleiss expressed concern over losing parking spaces.

16 MS. KIRKENDOLPH MADE A MOTION TO DENY ALL THREE REQUESTS.

17 CHAIR TAYLOR MADE A MOTION TO APPROVE BOTH SETBACKS.

18 COMM. SINCLAIR SECONDED.

19 Mr. Mullen stated that the Chair cannot make a motion.

20 COMM. BISHOP MOTIONED TO APPROVE A 19 FOOT SETBACK FOR  
21 THE FRONT AND TO APPROVE THE REQUEST FOR THE SIDE  
22 SETBACK.

23 COMM. SINCLAIR SECONDED.

24 VOTE: AYES: Kirkendolph,, Sinclair,  
25 Anderson, Taylor, Bishop

NAYS: None.

ABSTAIN: None.

Vote 5-0-0 motion carries.

NEW BUSINESS:

PUBLIC HEARING AND VARIANCE REQUEST FOR 3 DIMENSIONAL  
SIGN VARIANCES:

25

1 ZBA-18-04

2

PROPERTY ADDRESS: 585 E. South Boulevard

3

4 ZONE: M-1, Light Manufacturing

5 APPLICANT: Pontiac Center Investment, LLC

6 Rep: Kevin Kamat, VP of Bldg

Operations

7 Presentation of facts given by Mr. Mullen.

8 Ms. Laura Lawson, introduced herself as the Chief People  
Officer and Executive VP of United Shore.

9

Mr. Kevin Kamat, 585 S. Blvd. E, introduced himself.

10

Ms. Molly Smith, 1371 Souter Dr., Troy, Michigan, Signs  
& More, introduced herself and stated they were  
contracted to build the signs.

11

12

Mr. Kamat added to the findings that the signs are only  
7 percent of the overall building.

13

14 CHAIR TAYLOR OPENED AND CLOSED THE PUBLIC HEARING.

15 COMM. KIRKENDOLPH MOTIONED TO APPROVE ALL 3 VARIANCES.

16 COMM. BISHOP SECONDED.

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

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NAYS: None.

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ABSTAIN: None.

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Vote 5-0-0 motion carries.

21

VARIANCE REQUEST FOR BUILDING HEIGHT VARIANCE, 10.5 FEET:

22

ZBA-18-05

23

PROPERTY ADDRESS: 245 S. Paddock

24

25 ZONE: R-3, Multiple Family Dwelling  
(proposed)

1 APPLICANT: Pontiac Center Investment, LLC

2 Rep: Kevin Turner

3 Presentation of facts given by Mr. Mullen.

4 Mr. Kevin Turner, 1560 Lincoln Rd., Grosse Pointe,  
5 Michigan, stated that they'd like to rebuild the site  
with additional height.

6 CHAIR TAYLOR OPENED PUBLIC COMMENT

7 Mr. Zane O'Neill, 123 Wood, Pontiac, Michigan stated he  
8 lives right across the street from the project and is  
happy they've added a fire lane but showed concern over  
9 lighting on the second floor disturbing the neighbors  
and he wishes they'd move their dumpster from the front  
10 of the building, where it's an eyesore for the  
neighbors, to the back. He added that the security they  
11 will have is much needed. He further added that he's  
been there since 1967 and built the home himself.

12 Ms. Yvette Cass introduced herself and stated that the  
13 previous building was made of plastic and burnt quickly  
and that the seniors are anxious to get back to their  
14 home so she appreciates that they build good and  
quickly.

15 Mr. O'Neill added that he'd appreciate they let the  
16 neighbors know when they're going to start and he'd like  
to have a community meeting.

17 Mr. Mullen answered that the lighting would be dim off  
18 the property line.

19 Mr. O'Neill inquired if it would affect the sewer system.

20 Mr. Mullen answered that that would be an issue to  
address with the DPD Dept. He also answered that the  
21 rezoning has a requirement for a public notice and that  
there will be a fire sprinkler system in the building.

22 Mr. Turner added that the fire was caused by a resident  
23 barbecuing on their deck and that they are considering  
fire-proofing the eaves and soffits.

24 CHAIR TAYLOR CLOSED PUBLIC COMMENT.

25 THE BOARD SHOWED APPRECIATION FOR THEM REBUILDING.

1 COMM. SINCLAIR MOTIONED TO APPROVE THE 10.5 FOOT  
VARIANCE.

2

COMM. ANDERSON SECONDED.

3

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

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NAYS: None.

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ABSTAIN: None.

7

Vote 5-0-0 motion carries.

8

CHAIR TAYLOR OPENED AND CLOSED PUBLIC COMMENT.

9

CHAIR TAYLOR MOVED TO ADJOURN.

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

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NAYS: None.

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ABSTAIN: None.

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Vote 5-0-0 motion carries.

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ADJOURNMENT: 8:43 P.M.

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