

# CITY OF PONTIAC, MICHIGAN

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ZONING BOARD OF APPEALS

REGULAR MEETING MINUTES (VIRTUAL MEETING)

MONDAY, MAY 17, 2021

6:00 P.M.

ZBA BOARD MEMBERS:

Laurie Bishop, Chairperson

Carlos Bueno, Vice Chairperson

Sam Anderson, Member

Lucy Payne, Member

Claudia Buckley, Member

Reginald Hayes, Member

Joseph Sinclair, Member

Elcine Kirkendolph, Member

FROM THE CITY:

Vern Gustafsson, City Planner

Donovan Smith, City Planner

MINUTES RECORDED BY:

Quentina R. Snowden, (CSR-5519)

Certified Shorthand Reporter & Notary Public

QRS Court Reporting, LLC

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MEMBERS OF THE PUBLIC ADDRESSING THE BOARD:

Kathleen Carter, Donald Russell

1. CALL TO ORDER: Chair Bishop called the meeting to order at 6:02: p.m.

2. ROLL CALL (PRESENT):

Laurie Bishop, Chairperson (Pontiac, MI)

Carlos Bueno, Vice Chair (Taylor, MI)

Lucy Payne, Member (Pontiac, MI)

Sam Anderson, Member (Pontiac, MI)

Reginald Hayes, Member (Pontiac, MI)

ABSENT:

Claudia Buckley, Member

Elcine Kirkendolph, Member

Joseph Sinclair, Member

(Quorum present.)

3. COMMUNICATIONS: (None.)

4. ADOPTION OF MINUTES: March 22, 2021

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**Motion to approve the minutes as presented.**

**Motion: Hayes**

**Support: Anderson**

**Abstained: Payne**

**Opposed: (None)**

**(Motion passed 4-1-0.)**

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5. OLD BUSINESS: (None.)

6. NEW BUSINESS:

6.1 ZBA 21-02

**Applicant:** Donald Russell  
**Address:** 720 Collier  
**Parcel Number:** 64-14-09-426-011  
**Zoning District:** R-1A Single Family Dwelling District  
**Appeal Request:** Accessory Structure  
Dimensional Variance

**(Presentation of facts given by Mr. Smith.)**

**(Public hearing opened; no one wished to address the Commission.)**

Member Payne asked if Ms. Kathleen Carter is near the property.

Ms. Carter stated they are in back of the property in the Stirling Lake Estates sub. Her concern was there was a variance granted to someone right behind this property and it was a very large structure that was put up; it's not very quiet, a large RV parked there and bright lights. She asked what this structure would be used for and the lighting of it.

Member Payne stated there are trees, and asked if that acted as a buffer in that area.

Ms. Carter stated there is a buffer, however, the lights are so bright that even with the trees it does not help.

Mr. Gustafsson clarified that the property she is referring to is on Brooks.

Mr. Smith stated written comments from Ms. Carter were received, as well.

**(Public hearing/comment was closed.)**

Mr. Russell stated this is only going to be used for storage, no RVs or anything like that. He stated he

has a neighbor who has a 40x50 pole barn and he's only 200 feet over.

Chairperson Bishop asked if there would be any special lighting.

Mr. Russell stated there would not be a lot of light, that's not going to happen. He stated he understands that's a privacy issue. He stated it would be a yellow light.

Vice Chair Bueno stated they are allowed a 30x30 and the applicant already has the attached garage. He asked what would be stored in this building.

Mr. Russell stated it would be his son's toolbox and explained he's a sheriff's deputy, as well. He stated there would not be anything commercial or anything like that; just lawn equipment.

Member Payne asked where the structure would be built, she could not tell by the drawing.

Mr. Russell stated it is going to be right where the shed is, but it will be over. He stated he has 1.8 acres of land.

Member Anderson asked if the 10 feet would be close to someone else's house or over.

Mr. Russell stated the neighbor is "so far over." And he is far away from his house.

Mr. Smith drew on the site picture showing where it would be built.

Mr. Gustafsson stated the structure does have to adhere to certain setback requirements.

Member Payne asked how large the old storage shed is.

Mr. Russell stated it is 12x14, which would be removed.

Members Hayes and Anderson stated there is a lot of room.

Mr. Gustafsson stated when they come in for planning, they do verify that it will meet accessory structure setbacks and so forth, so there is another chance to look at it again when it's all said and done.

Member Hayes asked if there would be a drive going up to the structure.

Mr. Russell stated a very small cement leading to the entrance.

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**Motion to approve dimensional variance ZBA 21-02 petition for 720 Collier, Parcel ID Number 64-14-09-426-014 to grant a dimensional variance of 300 square feet accessory structure.**

**Motion: Payne**

**Support: Hayes**

**Abstained: (None.)**

**Opposed: (None.)**

**Motion table 5-0-0**

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7. PUBLIC COMMENT:

Vice Chair Bueno discussed the Brooks case.

Mr. Gustafsson stated he is working with the residents and Code Enforcement by gathering photographs and to see what is going on, on an ongoing basis. He stated the neighbors are concerned about the general health, welfare and safety of the community due to noise, fumes, outdoor storage of a lot of equipment on a regular basis.

Member Hayes stated that the concerns that Vice Chair Bueno when this first came before them seem to have been valid.

Mr. Gustafsson further stated he discussed the lighting with the homeowner previously.

Member Payne asked if they have that same situation happen where a commercial operation is found to be going on with this property, what recourse does the City have.

Mr. Smith stated the ZBA does play a role in if a property is being used for a home-based business. He stated if it is determined that he is using it as a home-based business, the City does have authority in that regard and they can be more strict about how the property is being used.

Mr. Gustafsson stated they are not saying you cannot have a home-based business, but they can't have one that turns out to be a nuisance.

Chair Bishop discussed she spoke with Code Enforcement about bringing properties up to compliance for people who do not have business licenses, who have a home-based business.

Mr. Smith stated all businesses are supposed to be registered, per Ordinance. He stated Code Enforcement has the responsibility of accepting and processing applications and issuing renewals. She is not checking to see if they are home-based businesses, but more so are they registered with the City.

He discussed the upcoming training, but it was not for Pontiac, but a different community. He does not have the information for the new training date yet, but he will share it when he receives the information.

8. MISCELLANEOUS: (None.)

9. ADJOURNMENT: (Meeting adjourned at 6:43 p.m.)

Minutes certified by:



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/s/ Quentina Rochelle Snowden, CSR-5519

Certified on: June 20, 2021

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