

**CHARTER TOWNSHIP OF BANGOR
ZONING BOARD OF APPEALS**

MINUTES OF APRIL 20, 2021 MEETING

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 20th day of April 2021 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

REGULAR MEMBERS PRESENT: Banaszak, Covaleski, Sheriff

MEMBER(S) ABSENT: Clements, DeShano

ALTERNATE MEMBER: Dore

Ms. Covaleski called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited.

The first item on the agenda was approval of minutes of the January 19, 2021 regular meeting. *Mr. Banaszak moved to approve the minutes of the regular meeting as presented. Ms. Covaleski seconded the motion. Four (4) ayes, no (0) nays. The motion passed.*

The next item on the agenda was the petition filed by James Wright for property at 506 S. Euclid which is on the West side of Euclid between Thomas and White Streets for the purpose of a 40' front yard variance to be 0' (40' is required) for the existing home. Property is zoned Office-1.

No one was present to represent the request, and no one was in the audience for or against the request.

MDOT has no issues with them enclosing the porch at this time.

Fire Marshal Jim Starkey had no concerns.

Ms. Covaleski had asked Building Official Tim Mark if the variance would stay with the property if the use changed. Building Official Mark stated it would stay with the property for a residential use but if the use changed, the variance would be voided.

Mr. Banaszak moved to postpone until the May 18, 2021 meeting, the petition filed by James Wright for property at 506 S. Euclid which is on the West side of Euclid between Thomas and White Streets for the purpose of a 40' front yard variance to be 0' (40' is required) for the existing home. Ms. Covaleski seconded the motion. A roll call vote was taken. Covaleski-aye, Banaszak-aye, Sheriff-aye, Dore-aye. Four (4) ayes, no (0) nays. The motion passed.

The next item on the agenda was the petition filed by Spartan Partners Properties, LLC for property at 3 & 9 State Park Drive (0901000840036000&0901000840035500) which is on the West side of State Park Drive between Old Kawkawlin and Wheeler Road for the purpose of: a variance of 20,420 square feet for minimum lot size to be 19,580 square feet (40,000 square feet is required); a front yard variance of 37.3' to be 2.7' along Old Kawkawlin (40' is required); a front yard variance of 23' to be 17' along State Park Drive (40' is required); and a variance of 2 parking spaces to have 21 parking spaces (23 is required). Parcel is zoned Commercial.

Reid Cooksey represented the request. He explained they are taking the existing building and putting on an addition. They were approved to combine 3 State Park Drive with 9 State Park Drive. Even with the parcels combined, the property is smaller than a traditional commercial lot. Parking will be to the North. There is a curbside pick-up area.

Ms. Covaleski asked if the variances were for the existing building or the new one. Mr. Cooksey stated variances

were needed for the old and new building. One variance is needed for the new building.

Mr. Banaszak asked how many handicap parking spaces there were. Mr. Cooksey stated only one was required.

The Bay County Road Commission wrote they have no comment on the petition. If the use of the property changes to the degree that it generates more traffic than the previous use or the driveway configurations change, the property owner will need to submit a site plan to the BCRC for review and approval. Any work within the road right-of-way will require a permit from the BCRC.

Fire Marshal Jim Starkey had no concerns.

Mr. Cooksey stated they would be contacting the Road Commission because they are proposing new curb cuts.

Mr. Sheriff questioned the screening fence along the residentially zoned adjacent properties. Mr. Cooksey stated they are proposing a 6' wooden fence.

Mr. Banaszak stated the property has an irregular shape and two front yards. That is a hardship. Mr. Cooksey added even after combining the lots, they did not meet the minimum size.

Jill and Thomas Delaney of 13 State Park Drive questioned the retaining wall that butts up to their property. Ms. Delaney stated construction crews damaged the wall. Their property is 7' lower than the adjacent property. She is concerned about the retaining wall, drainage, and the fence. She presented pictures. She is requesting that the wall be fixed. Ms. Covaleski instructed the Delaney's to attend the Planning Commission meeting and let them know her concerns.

Mr. Banaszak moved to approve the petition filed by Spartan Partners Properties, LLC for property at 3 & 9 State Park Drive (0901000840036000&0901000840035500) which is on the West side of State Park Drive between Old Kawkawlin and Wheeler Road for the purpose of: a variance of 20,420 square feet for minimum lot size to be 19,580 square feet (40,000 square feet is required); a front yard variance of 37.3' to be 2.7' along Old Kawkawlin (40' is required); a front yard variance of 23' to be 17' along State Park Drive (40' is required); and a variance of 2 parking spaces to have 21 parking spaces (23 is required). This is an irregular shaped lot with two front yards. The property is unbuildable with any variances. There will be adequate parking. Mr. Dore seconded the motion. *A roll call vote was taken. Sheriff-aye, Dore-aye, Covaleski-aye, Banaszak-aye. Four (4) ayes, no (0) nays. The motion passed. The applicant has six months to pull a building permit, or the variance is null and void.*

The last item on the agenda was a petition filed by Joseph Vrable for property at 100 West Drive which is on the East side of West Drive off Bay Shore Drive for the purpose of a 23.5' front yard variance to be 1.5' (25' is required) for an addition. Property is zoned Residential.

Heidi and Joe Vrable represented the request. Ms. Vrable stated they moved there in December. They would like a 12'x34' addition for a kitchen and bathroom. There is no other location to put an addition and they don't want a second story since they are getting older. The home currently is 856 square feet and the Township's minimum size is 1,200 square feet. Ms. Vrable added she heard there were concerns about some views being blocked. They want to be good neighbors but have nowhere else to put the addition.

Ms. Covaleski stated the line of sight is not an issue nor is the distance from the road.

Mr. Vrable added they didn't want to block anyone's view of the water, but the complaints come from people across the road.

The Bay County Road Commission wrote they have no objection to the petition. The location of the addition should not affect the maintenance activities of the BCRC.

Fire Marshal Jim Starkey had no concerns.

Kay & Carl Rowley of 285 Lagoon Beach object to the request due to view obstruction.

Mr. Banaszak stated the addition will not encroach into the roadway.

Pat Gray of 156 Bay Shore Drive stated he had no issues with the requests. View obstruction is a non-issue.

There was no one in the audience against the request.

Mr. Banaszak stated the property has two front yards. There is no where else to put on an addition. The addition will make the home more conforming.

Mr. Dore moved to approve the petition filed Joseph Vrable for property at 100 West Drive which is on the East side of West Drive off Bay Shore Drive for the purpose of a 23.5' front yard variance to be 1.5' (25' is required) for an addition. The property has two front yards. The addition will make the home more conforming. Mr. Sheriff seconded the motion. A roll call vote was taken. Covaleski-aye, Banaszak-aye, Sheriff-aye, Dore-aye. Four (4) ayes, no (0) nays. The motion passed. The applicant has six months to pull a building permit, or the variance is null and void.

Having no other business before the Board, Mr. Banaszak moved to adjourn the meeting. Ms. Covaleski seconded the motion. Four (4) ayes, no (0) nays. The motion passed and the meeting was adjourned at 6:30 p.m.

Respectfully submitted,



Barbara A. Potts
Zoning Board of Appeals Coordinator