

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

MINUTES OF JULY 20, 2021 MEETING

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

REGULAR MEMBERS PRESENT: Banaszak, Clements, Covaleski, DeShano, LaPlant

MEMBER(S) ABSENT: None

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

The first item on the agenda was approval of minutes of the June 15, 2021 regular meeting. *Mr. Banaszak moved to approve the minutes of the regular meeting as presented. Mr. LaPlant seconded the motion. The motion passed.*

The next item on the agenda was the petition filed by Kevin Leinberger for property at 3576 Old Kawkawlin which is between N. Euclid and Old Kawkawlin for the purpose of a variance to increase the non-conforming building on the property, a variance of 23,052 square feet to have 20,508 square feet for minimum lot area for the existing lot (43,560 square feet is required), a 10' front yard variance to be 40' for the existing building setback (50' is required), a 12' side yard variance to be 8' for the existing building (20' is required). Property is zoned Industrial-1.

Ms. Covaleski reported Mr. Leinberger went before the Planning Commission for site plan review. During the review, it was discovered variances were needed to bring the existing building into conformity and to enlarge the non-conformity.

Mr. Banaszak asked what the hardship was. Mr. Leinberger stated the variances were for the existing lot and building. Mr. Banaszak stated the lot shape was irregular.

Ms. DeShano asked if the building was going to be enlarged. Mr. Leinberger stated it was. Building Official Tim Mark commented the variances were to bring the existing lot into conformity and to increase the non-conforming building.

Mr. LaPlant asked if the additional square footage was allowed. Mr. Mark stated it was allowed.

The Bay County Road Commission have no objection to the petition. The proposed building and paved area are outside the road right-of-way and not regulated by the BCRC. The site plan associated with this property was previously addressed by the BCRC.

Jody & Jodie Scott of Mile Marker Auto had no objection to the request.

There was no one in the audience for or against the request.

Mr. Banaszak advised the building was non-conforming. Variances were needed if it ever needed to be rebuilt.

Mr. Banaszak moved to approve the petition filed by Kevin Leinberger for property at 3576 Old Kawkawlin which is between N. Euclid and Old Kawkawlin for the purpose of a variance to increase the non-conforming building on the property, a variance of 23,052 square feet to have 20,508 square feet for minimum lot area for the existing lot (43,560 square feet is required), a 10' front yard variance to be 40' for the existing building setback (50' is required), a 12' side yard variance to be 8' for the existing building (20' is required). The lot is non-conforming. The building was built prior to the adopted Zoning Ordinance. The variance will make the property and building

legally non-conforming. Property is zoned Industrial-1. Mr. LaPlant seconded the motion. A roll call vote was taken. Covaleski-aye, Banaszak-aye, Clements-aye, DeShano-aye, LaPlant-aye. Five (5) ayes, no (0) nay. The motion passed. The applicant has six months to pull a building permit, or the variance is null and void.

The next item on the agenda was the petition filed by Valley City Sign for property at 3051 Kiesel Road which is on the North side of Kiesel between Euclid and Two Mile for the purpose of a variance to allow a wall sign on the East side of the building (wall signs shall be on walls parallel to road). Property is zoned Residential.

Kristin Houthoofd and Cody Deatsman represented the request.

Mr. Deatsman stated they would like to direct visitors to the proper area especially during an emergency. Ms. Houthoofd stated they want to place “ambulance” and “emergency” on the building.

Mr. Mark explained the reason for the variance was because a sign is not allowed on the side of a building that doesn’t front a road. The proposed size of the signs does not need variances.

The Bay County Road Commission wrote they have no comment on the petition.

Ms. Covaleski agreed there is a need for proper identification of the emergency area.

Mr. Banaszak commented the variance would not have an adverse effect on the area.

Mr. LaPlant moved to approve the petition filed by Valley City Sign for property at 3051 Kiesel Road which is on the North side of Kiesel between Euclid and Two Mile for the purpose of a variance to allow a wall sign on the East side of the building (wall signs shall be on walls parallel to road). Property is zoned Residential. The hardship is that strict compliance would limit the owner’s use of the property. The signs are needed to direct someone coming to the hospital. Ms. Covaleski seconded the motion. A roll call vote was taken. Clements-aye, DeShano-aye, LaPlant-aye, Covaleski-aye, Banaszak-aye. Five (5) 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, Ms. Covaleski moved to adjourn the meeting. Mr. LaPlant seconded the motion. Five (5) ayes, no (0) nays. The motion passed and the meeting was adjourned at 6:25 p.m.

Respectfully submitted,



Barbara A. Potts
Zoning Board of Appeals Coordinator