

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

MINUTES OF SEPTEMBER 19, 2023 MEETING

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 19th day of September, 2023 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

REGULAR MEMBERS PRESENT: DeShano, LaPlant, Meldrum

MEMBER(S) ABSENT: Covaleski, Weidner

ALTERNATE(S) PRESENT: Ruff

ALSO PRESENT: Building Official Tim Mark

Ms. DeShano 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 the minutes of the July 18, 2023, regular meeting. *Mr. LaPlant moved to approve the minutes as presented. Mr. Ruff seconded the motion. Four (4) ayes, no (0) nays, two (2) absent. The motion passed.*

The next item on the agenda was a petition filed by Lauren Smith for property at 4266 Hushen Drive which is on the south side of Hushen on the corner of Bangor Road and Hushen for the purpose of a 3' rear yard variance to be 37' (40' is required) for an addition . Property is zoned R-3.

Ms. Smith explained she would like an addition at the back of her home. There is a Consumers easement at the rear of the property taking several feet off her property. The home currently is less than the 1,200 square foot minimum. The addition will bring it into compliance. The addition will bring her utilities up to the first floor.

Mr. Ruff commented that if the easement wasn't there, a variance wouldn't be needed.

Ms. Smith stated the pool shown on the aerial has been removed and the shed will be taken down.

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

Mr. LaPlant stated the easement took some of her property. The houses in the area are closer to the property line than what is proposed.

Jim Lillo from the Bay County Road Commission wrote they have no comment on the petition. From the drawing provided, the variance is not along the road right-of-way side of the addition.

The BCDWS took no exception to the proposal.

No comments were received from the Fire Marshal.

Mr. Ruff moved to approve the petition filed by Lauren Smith for property at 4266 Hushen Drive which is on the south side of Hushen on the corner of Bangor Road and Hushen for the purpose of a 3' rear yard variance to be 37' (40' is required) for an addition The easement at the rear of the property causes the need for a variance. Mr. LaPlant seconded the motion. Four (4) ayes, no (0) nays, two (2) absent. The motion passed. The applicant has six (6) months to pull a permit, or the variance is null and void.

The next item on the agenda was a request filed by Nona Batkins-McKay for property at 337 River Road

which is on the east side of River Road between Glendale and Oakdale for the purpose of a 16' waterfront yard setback to be 24' (40' is required) for a sunroom . Property is zoned R-2.

Ms. McKay requested a sunroom on the waterside of the property.

Ms. Meldrum asked what the hardship was.

Mr. LaPlant commented that the house is currently non-compliant regarding the waterfront setback. If the variance is approved, he would like it stipulated the line of sight will not be crossed.

Mr. Ruff added Ms. McKay's line of sight is being impeded right now. The variance would put her in line with the neighbors.

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

Mr. LaPlant stated the sunroom would not obstruct the neighbor's view. Mr. Ruff added a precedent was set by neighboring houses.

Jim Lillo from the Bay County Road Commission wrote they have no objection to the petition. Per the application, the proposed sunroom will be located on the river side of the lot, not on the roadside.

The BCDWS took no exception to the proposal.

No comments were received from the Fire Marshal.

Mr. LaPlant moved to approve the petition filed by Nona Batkins-McKay for property at 337 River Road which is on the east side of River Road between Glendale and Oakdale for the purpose of a 16' waterfront yard setback to be 24' (40' is required) for a sunroom. There is no other location for the sunroom and approval will do justice to the neighborhood. The sunroom shall not cross the established line of sight. Property is zoned R-2. Mr. Ruff seconded the motion. Four (4) ayes, no (0) nays, two (2) absent. The motion passed. The applicant has six (6) months to pull a permit, or the variance is null and void.

The next item on the agenda was a request filed by Midway Signs for property at 4211 N. Euclid which is on the east side of Euclid between Shrestha and Kiesel for the purpose of a variance for three (3) additional wall signs to have four (4) (one is allowed). Property is zoned Commercial.

Joe Thelen represented the request. He explained Subaru mandates which signs are required on the dealership. They are under the square footage for signs but need a variance for the number of signs.

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

Mr. LaPlant commented that the brands are specific for what they require. The square footage is within the limits.

The BCDWS took no exception to the proposal.

No comments were received from the Fire Marshal.

Mr. Ruff moved to approve the request filed by Midway Signs for property at 4211 N. Euclid, which is on the east side of Euclid between Shrestha and Kiesel for the purpose of a variance for three (3) additional wall signs to have four (4) (one is allowed). Property is zoned Commercial. The franchise requires the additional signs. Total square footage is under what is allowed. Mr. LaPlant seconded the motion. Four (4) ayes, no (0) nays, two (2) absent. The motion passed. The petitioner has six months to pull a building permit, or the variances are null and void.

The last item on the agenda was a request filed by Heather Petrimoulx for property at 3065 Lazarowicz Drive which is on the east side of Lazarowicz between Lemuel and Lauria for the purpose to allow an accessory

building in the front yard (accessory buildings are allowed in the side and rear yards). Property is zoned Residential.

Ms. Petrimoulx requested a pole barn in the front yard. The existing garage is currently in the front yard. The rear of the property is wetlands and unbuildable. Their previous property had a large pole barn, and they would like one here so they can store items inside.

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

Mr. LaPlant stated this is a large property. They technically own the road. With wetlands in the back, there is no other location for the pole barn.

Jim Lillo from the Bay County Road Commission wrote they have no comment on the petition. Lazarowicz Drive is private, and the BCRC has no jurisdiction, nor right-of-way in the vicinity of the proposed accessory building

The BCDWS took no exception to the proposal.

No comments were received from the Fire Marshal.

Mr. LaPlant moved to approve the request filed by Heather Petrimoulx for property at 3065 Lazarowicz Drive which is on the east side of Lazarowicz between Lemuel and Lauria for the purpose to allow an accessory building in the front yard (accessory buildings are allowed in the side and rear yards). Property is zoned Residential. The hardship is the wetlands taking up the entire rear of the property. There is no other location for the building. Mr. Ruff seconded the motion. Four (4) ayes, no (0) nays, two (2) absent. The motion passed and the petitioner has six months to pull a building permit, or the variances are null and void.

Having no other business before the Board, Ms. DeShano moved to adjourn the meeting. Mr. Ruff seconded the motion. Four (4) ayes, no (0) nays, two (2) absent. The motion passed and the meeting adjourned at 6:25 p.m.

Respectfully submitted,



Barbara A. Potts
Zoning Board of Appeals Coordinator