

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

MINUTES OF OCTOBER 19, 2021 MEETING

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 19th day of October, 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, DeShano, LaPlant

MEMBER(S) ABSENT: Clements

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 September 21, 2021 regular meeting. Ms. Covaleski stated during the first hearing, her first comment should read “Ms. Covaleski stated the property was zoned office and splitting it would make it more non-conforming.” *Mr. Banaszak moved to approve the minutes of the regular meeting with the amendment. Ms. DeShano seconded the motion. Four (4) ayes, no (0) nays. The motion passed.*

The next item on the agenda was a petition filed by Kevin Leinberger for property at 3576 Old Kawkawlin which is between N. Euclid and Old Kawkawlin for the purpose of an additional 3’ front yard variance to be 37’ for the existing building setback (50’ is required). A 10’ front yard variance was granted July 2021. The measurement at that time was incorrect. Property is zoned Industrial-1.

John Billette represented the request. He explained he drew the site plan in 2019. Unfortunately, the measurements were off. The variance is for the setback to the existing building.

The Bay County Road Commission wrote they 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.

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

Mr. LaPlant 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 an additional 3’ front yard variance to be 37’ for the existing building setback (50’ is required). A 10’ front yard variance was granted July 2021. The measurement at that time was incorrect. Property is zoned Industrial-1. The hardship is the non-conforming building exists on the site. The variance is to make it legally non-conforming. Mr. Banaszak seconded the motion. A roll call vote was taken. Covaleski-aye, Banaszak-aye, DeShano-aye, LaPlant-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 Brad Estabrook for property at 400 Ricoma Beach which is on the west side of Ricoma Beach between Killarney Beach and the dead end for the purpose of a 904 square foot variance to have a total of 1,672 square feet (768 square feet was previously approved) and a 5’ height variance to be 25’ high (20’ is allowed) for an addition to accessory structure. Property is zoned Residential.

Ms. Covaleski asked what the purpose of the height variance was. Mr. Estabrook explained he needed more storage.

Mr. Banaszak stated different truss packages are made to give more room without going up higher. He added he did not see a hardship. Mr. Estabrook stated his neighbor has a building higher than 20’ and he would like one also. Mr. Banaszak stated the height of approved accessory buildings is 20’ or 21’.

Mr. LaPlant asked what the hardship was. He was in favor of the additional square footage but didn't see the reason for the height. Mr. Estabrook explained they were moving from a larger home and a very large pole barn. He would like to add on to the existing building.

Ms. Covaleski stated the building would have to have eave troughs in order to be 5' from the property line. Mr. Estabrook stated the existing building had them and the addition would too.

Building Official Tim Mark commented the neighbor's accessory building was approved "as built" by the previous building inspector.

A discussion took place on the need for storage and what a hardship was.

The Bay County Road Commission wrote they have the following comment on the petition. As with virtually all roads within subdivisions along Saginaw Bay and the Kawkawlin River, space is at a premium. Based on the plans submitted, it appears the proposed carport will be at least 35' from the road or road right-of-way. If this is the case, the new structure will not conflict with BCRC winter or routine maintenance. Locating structures as far off the road as practicable, is highly recommended.

Ron & Cathy Jankoska of 402 Ricoma Beach wrote they were in favor of the structure.

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

After discussing the possibility of different trusses, Mr. LaPlant moved to approve the petition filed by Brad Estabrook for property at 400 Ricoma Beach which is on the west side of Ricoma Beach between Killarney Beach and the dead end for the purpose of a 904 square foot variance to have a total of 1,672 square feet (768 square feet was previously approved) for an addition to an accessory building. The property is non-conforming in size. There is a need for storage. Mr. Banaszak seconded the motion. A roll call vote was taken. DeShano-aye, LaPlant-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.

Mr. Banaszak then moved to postpone, for up to two months, the petition filed by Brad Estabrook for property at 400 Ricoma Beach which is on the west side of Ricoma Beach between Killarney Beach and the dead end for the purpose of a 5' height variance to be 25' high (20' is allowed) for an addition to accessory structure. Ms. Covaleski seconded the motion. A roll call vote was taken. Covaleski-aye, Banaszak-aye, DeShano-aye, LaPlant-aye. Four (4) ayes, no (0) nays. The motion passed.

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 6:32 p.m.

Respectfully submitted,



Barbara A. Potts
Zoning Board of Appeals Coordinator