

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

MINUTES OF NOVEMBER 10, 2022 MEETING

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 10th day of November, 2022 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

REGULAR MEMBERS PRESENT: Banaszak, DeShano, LaPlant, Weidner

MEMBER(S) ABSENT: Covaleski

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

The first items on the agenda were approval of minutes of the October 18, 2022 regular meetings. Mr. Banaszak stated the motion for Goddard needed the vote to show “no (0) nays, four (4) ayes”. *Mr. Banaszak moved to approve the minutes with the changes. Mr. Weidner seconded the motion. Four (4) ayes, no (0) nays. The motion passed.*

The next item on the agenda was a petition filed by Bay Harbor Pointe II Limited Part for property on Bay Harbor Pointe Drive which is on the north side of Bay Harbor Marina between Bay Harbor Pointe Drive and the Saginaw River for the purpose of a minimum lot size variance of 6.2 acres to be 4.8 acres (10 acres is required), a front yard variance of 25’ to be 75’ (100’ is required) and a 37.8’ side yard setback variance to be 12.2’ (50’ is required) for condominiums. Property is zoned Industrial.

Troy Andrews of Wade Trim stated the project has a large, required setback due to the site being zoned industrial. There are also wetlands in the back of the property. The variances will allow a condo development.

There was no one in the audience in favor of the request.

Brad Alcon asked how the property was allowed to be split into a parcel that is less than what is required for that zoning. Mr. Mark stated it should not have been, but it was. The residential use is allowed with a special exception permit.

Mike Wilson stated he owned 15 of the 18 condos. He was concerned about the sewer lines. The road was recently paved and wanted to know if it would be replaced after the project.

Mr. Andrews stated a separate sewer pump station will be installed for the new development. Mr. Alcorn did not believe the sewer main was large enough to handle both sites. Building Official Tim Mark stated the Department of Water & Sewer stated the main was large enough. The lift station will be bypassed, and the line will be tied into.

Jim Lillo from the Bay County Road Commission wrote Bay Harbor Pointe is on a private drive and private property, thus the BCRC has no jurisdiction on said property.

No comments were received from the Bay County DWS.

No comments were received from the Fire Marshal.

A letter opposed to the request was received from Carol & Robert Stasser.

Mr. LaPlant stated he understood the need for the minimum lot size variance. However, if fewer units were developed, less variances would be needed. Mr. Banaszak stated the wetlands cause the need for variances.

Mr. Alcorn stated the parcel was too small for what was to be developed. Mr. LaPlant stated it is a unique location.

In order to make the site buildable, variances will be needed.

Mr. Alcorn wanted the rules enforced and wanted to know why the lot was allowed to be split.

Ms. DeShano commented that if the existing condos were to be built now, variances would be needed.

Mr. Banaszak moved to approve the petition filed by Bay Harbor Pointe II Limited Part for property on Bay Harbor Pointe Drive which is on the north side of Bay Harbor Marina between Bay Harbor Pointe Drive and the Saginaw River for the purpose of a minimum lot size variance of 6.2 acres to be 4.8 acres (10 acres is required), a front yard variance of 25' to be 75' (100' is required) and a 37.8' side yard setback variance to be 12.2' (50' is required) for condominiums. There are wetlands on the property, and they are limited to where the condos could be located on the site. Any development would need variances. The five criteria are met. Mr. LaPlant seconded the motion. A roll call vote was taken. Weidner-aye, DeShano-aye, Banaszak-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.

Having no other business before the Board, *Mr. LaPlant moved to adjourn the meeting. Mr. Weidner seconded the motion. Four (4) ayes, no (0) nays. The motion passed and the meeting was adjourned at 6:33 p.m.*

Respectfully submitted,



Barbara A. Potts
Zoning Board of Appeals Coordinator