

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

MINUTES OF DECEMBER 18, 2018 MEETING

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 18th day of December, 2018 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

REGULAR MEMBERS PRESENT: Corrion, Covaleski, DeShano, Phelps, Banaszak

MEMBER (S) ABSENT: None

Mr. Banaszak 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 November 20, 2018 regular meeting. *Ms. Corrion moved to approve the minutes of the November 20, 2018 regular meeting. Ms. Covaleski seconded the motion. Five (5) ayes, no (0) nays. The motion passed.*

Ms. Covaleski moved to table the Eyre's hearing until the end of the meeting. Ms. DeShano seconded the motion. Five (5) ayes, no (0) nays. The motion passed.

A petition has been filed by Tom, Sherry & Brandon Korthals for property at 4946 Oak Street which is on the South side of Oak Street for the purpose of a variance to: have an accessory building without a primary structure; a variance to have accessory structure in the waterfront yard; 15' variance to have accessory structure 26' from waterfront line (40' minimum is required). Parcel is zoned R-2.

The Department of Water and Sewer had no comments.

The Fire Marshal had no comment.

The Bay County Road Commission wrote they have no objection to the petition, with the following exception; the proposed accessory building not be constructed any closer to Oak Street than those on the adjacent parcels. Based on review of the Bay County GIS aerials and the structures contained on the adjacent parcels, if the proposed construction aligns with them, it should be away from the road and not affect BCRC maintenance activities.

Sharon Mitchell of 101 Oak Street wrote she was against the building of a shed in front of her home.

Tom and Brandon Korthals represented the request.

Tom Korthals stated they would like a storage shed on their boat slip property. They own two slips. It would be a one story single shed for their fishing equipment.

Mr. Phelps asked if the building would be in line with the others in the area. Mr. Korthals stated it would be.

A discussion took place on how the Korthals owned 2/3 of the property.

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

Ms. Corrion stated the neighbor's concern should be considered but the request is normal for that area. Mr. Phelps stated it is only fair that Mr. Korthals be allowed to put a shed up.

Mr. Phelps moved to approve the petition filed by Tom, Sherry & Brandon Korthals for property at 4946 Oak Street which is on the South side of Oak Street for the purpose of a variance to: have an accessory building without a primary structure; a variance to have accessory structure in the waterfront yard; 15' variance to have accessory

structure 26' from waterfront line (40' minimum is required). The shed should be allowed so the property can be utilized. Ms. Corrion seconded the motion. Five (5) ayes, no (0) nays. The motion passed.

The last item on the agenda was a petition filed by Wayne & Sylvia Eyre for property at 490 Revilo Road (090103240037500) which is on the West side of Revilo Road between Pembroke and Lagoon Beach for the purpose of a variance of an additional 250 square feet for the existing carport. (1,613 square foot is allowed for attached accessory structures by variance approval in 2017; existing attached accessory structure square footage is 1,863.) Parcel is zoned Residential.

The Department of Water and Sewer had no comments.

The Fire Marshal had no comment.

The Bay County Road Commission wrote they have no objection to the petition. Based on the information submitted and review of the Bay County GIS aerials, the proposed construction is well away from the road and will not affect BCRC maintenance activities.

Janice Eyre of 362 River Road telephoned in that she was in favor.

Stephen Wiechec of 686 Revilo telephoned in that he had no problem with the request.

Jacqueline Korkus of 377 River Road wrote she was in favor.

Dave Who of 501 Revilo telephoned in that he had no objection.

Michael Michalak of 100 Northwood telephoned in he was in favor of the request.

Ms. Eyre presented a petition signed by 61 people in support of the request. She then apologized for not following the correct procedures. They should have asked for the additional square footage originally. The end of the carport is 87' off the road and does not obstruct the road view. The carport keeps snow off the driveway and adds to the taxable value. Ms. Eyre presented pictures of her property.

Bill Maul of 213 Oakdale stated this was a neighbor dispute. The Eyre's have been working to clean up the property.

Julie Reynolds of 370 Revilo stated they were against the request. The yard is not kept tidy. In 2016, the Eyre's were approved for a 20'x20' carport with no sides. They put up a 20'x32' carport with sides. In 2017, they were denied the additional square footage for the larger carport but never removed it.

Dennis Beyer of 302 Revilo agreed with Ms. Reynolds. A fence of pallets has been put up. Everything that was in the carport is now in the back yard. The building is too big.

Mr. Phelps explained that in 2016, the Eyre's were approved for a 20'x21' carport with no sides. They put up a 20'x32' carport with sides. They were told to remove the sides, and it took a long time. In 2017, they were denied the additional square footage for the larger carport but never removed it. Originally, the use of the carport was to be for their truck, but it wasn't used for that.

Ms. Eyre stated they have no intention of putting the sides back up. They did get a permit for the fence.

Ms. Covaleski asked how many accessory buildings were on the property. Ms. Eyre stated there were eight. Ms. Covaleski had concerns regarding their non-compliance.

Ms. Corrion asked what the status of the blight complaint was. Ms. Potts stated no action had been taken since the ZBA application was made. The Board had the most up to date report. Ms. Corrion stated if this gets approved, the Board would be enabling them to continue with their non-compliance.

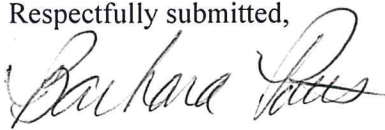
Ms. Covaleski asked who installed the carport. Ms. Eyre stated a company out of Grand Rapids put it up. They suggested a large size was needed to protect the driveway.

Mr. Banaszak stated the Eyre's knew a larger building was not what they were approved for. There is not hardship to allow the larger size.

Mr. Phelps moved to deny the petition filed by Wayne & Sylvia Eyre for property at 490 Revilo Road (090103240037500) which is on the West side of Revilo Road between Pembroke and Lagoon Beach for the purpose of a variance of an additional 250 square feet for the existing carport. (1,613 square foot is allowed for attached accessory structures by variance approval in 2017; existing attached accessory structure square footage is 1,863). There are outstanding enforcement issues. The Eyre's did not follow up on their previous denial. Ms. Corrión seconded the motion. Five (5) ayes, no (0) nays. The motion passed.

Having no other business before the Board, Mr. Phelps Banaszak adjourned the meeting at 6:37 p.m.

Respectfully submitted,



Barbara A. Potts
Zoning Board of Appeals Coordinator