

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

MINUTES OF FEBRUARY 19, 2013 MEETING

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 19th day of February, 2013 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

REGULAR MEMBERS PRESENT: Corrion, Phelps, Pilarski, Schisler

MEMBER (S) ABSENT: Banaszak

Ms. Corrion called the meeting to order at 6:03 p.m.

The Pledge of Allegiance was recited.

The first item on the agenda was approval of the minutes of a regular meeting held January 15, 2013. *Mr. Pilarski moved to approve the minutes as presented. Mr. Schisler seconded the motion. Four (4) ayes, no (0) nays, one (1) absent. The motion passed.*

The next item on the agenda was a petition filed by Chad Dutton for property at 3512 Boy Scout which is on the South side of Boy Scout between Euclid and State Park Drive for the purpose of a side yard variance of 7' to be 5' (12' is required), a total side yard variance of 7' to be 13' (20' is required), and a rear yard variance to 17' to be 23' (40' is required) for a home and garage. Parcel is zoned Residential-1.

Jim Lillo from the Bay County Road Commission wrote with regard to the petition filed by Chad Dutton for property at 3512 Boy Scout Road for the purpose of a side yard variance to move an existing garage. They have no objection to the petition. Based on the information received, the garage will be moved directly west of its present location so it does not encroach on the neighbor's property. The parcel and garage is presently accessed by a gravel driveway and should remain the same even if the garage is moved.

Bradd Maki from the Bay County Department of Water and Sewer wrote the DWS takes no exception to the proposed variance. Note to customer that per records, the existing sanitary sewer service line appears to be located where the proposed expansion is planned.

The Fire Department wrote they believe if the side yard setback requirements cannot be met then, in the interest of fire safety, the building should be constructed with a one-hour fire separation wall on the side requiring the variance.

Mr. Dutton stated he had a fire at the house. He would like to renovate and put on an addition on the Boy Scout side. This would add value to the home. The existing home does not meet side or rear setbacks. He wants the home to be legal. The garage will be moved to 5' off the property line. The house and garage will be inline. Mr. Dutton added they will not be any closer than what exists.

Mr. Pilarski asked if Mr. Dutton was aware of the required one hour fire wall on the variance side. Mr. Dutton stated he was aware. He was also aware of the location of the sewer line.

Sandra Dutton of 3025 N. Euclid stated she was in favor of the request.

David Dutton of 3025 N. Euclid stated he owns the adjacent property on the South side. He is not affected by the variances. He would like to see the home improved. The house is small, only about 800 square feet. Since there was a fire, now is the time to do the work. Mr. Dutton stated he was purchasing the lot on the corner. He would then own the adjacent properties on the West and South.

Jim Dutton, Chad's grandfather, stated he was there for support. The house was built under the old code and now

has to meet the current one. Chad is not asking for more than is already is there. This is a narrow lot. The home has been burned out for months.

Tiffany Kostus, Chad's fiancée, stated she was in favor of the request. The addition will improve the value of the home.

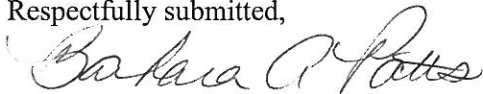
There was no one in the audience against the request.

Mr. Pilarski commented the home was built under the old restrictions. The new code must be met. The previous issue with the garage will be resolved.

Mr. Pilarski moved to approve a petition filed by Chad Dutton for property at 3512 Boy Scout which is on the South side of Boy Scout between Euclid and State Park Drive for the purpose of a side yard variance of 7' to be 5' (12' is required), a total side yard variance of 7' to be 13' (20' is required), and a rear yard variance to 17' to be 23' (40' is required) for a home and garage. Mr. Dutton will be continuing the existing conditions. The variances will update and improve the property. Mr. Phelps seconded the motion. Mr. Schisler added the ZBA usually allows homes to be built on the same footprint. Nothing could be done on the property without a variance. The Board appreciates Mr. Dutton being open about what is proposed. Four (4) ayes, no (0) nays, one (1) absent. The motion passed. Mr. Dutton was told he had six months to pull a building permit or the variance would be null and void.

Having no other business before the Board, Mr. Schisler moved to adjourn. Ms. Corrion seconded the motion. Four (4) ayes, no (0) nays, one (1) absent. The motion passed and the meeting was adjourned at 6:20 p.m.

Respectfully submitted,



Barbara A. Potts
Zoning Board of Appeals Coordinator