

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

MINUTES OF JANUARY 21, 2014 MEETING

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 21st day of January, 2014 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

REGULAR MEMBERS PRESENT: Banaszak, LaPlant, Phelps

MEMBER (S) ABSENT: Corrion and Schisler

Mr. Banaszak called the meeting to order at 6:03 p.m.

The Pledge of Allegiance was recited.

The first item on the agenda was election of officers for 2014. *Mr. Phelps nominated Tim Banaszak as Chair and Kristal Corrion as Vice Chair. Mr. LaPlant seconded the nomination. Three (3) ayes, no (0) nays. The nominations passed.*

The next item on the agenda was approval of the minutes of a regular meeting held December 17, 2013. *Mr. LaPlant moved to approve the minutes as presented. Mr. Phelps seconded the motion. Three (3) ayes, no (0) nays. The motion passed.*

The next item on the agenda was a petition by Eldon Barney for property at 1600 W. Thomas Street which is on the North side of West Thomas Street between Gies and I-75 for the purpose of a variance of 5 square feet to be 981 square feet (976 square feet is allowed) for a garage. Parcel is zoned Office-1.

The fire department takes no exception to the petition.

Bay County DWS wrote they take no exception to the proposed variance.

Jim Lillo from the Bay County Road Commission wrote they have no comment on the petition. Based on the information received, the proposed site is not located along road right-of-way under the jurisdiction of the Bay County Road Commission (BCRC).

Mr. Barney stated his property is in a strange location between M-25. He wants to secure his property and keep his truck and car in a garage. His neighbor had her purse stolen out of her house while she was outside.

Mr. LaPlant stated a 16'x24' building is standard construction.

Mr. Barney said his truck is 22' long. Mr. Barney requested he be given an additional three months if this was approved.

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

Ms. Corrion entered the meeting at 6:08 p.m.

Mr. Phelps stated the property is between Thomas and Jenny. It is a heavily traveled area. He can see why Mr. Barney would want to keep his property safe.

Ms. Corrion stated this has been an issue in the past. Mr. LaPlant added it was a unique situation.

Mr. LaPlant moved to approve the petition by Eldon Barney for property at 1600 W. Thomas Street which is on the North side of West Thomas Street between Gies and I-75 for the purpose of a variance of 5 square feet to be 981 square feet (976 square feet is allowed) for a garage. The proposed size is standard. Mr. Barney needs to secure his property. The Board will allow an additional three months to pull a building permit. Four (4) ayes, no (0) nays. The motion passed. Mr. Barney was told he had nine (9) months to pull a building permit or the variance would be null and void.

The next item on the agenda was a petition filed by Barth Betzold for property at 3123 Boy Scout which is on the North side of Boy Scout between Brooks and Douglas for the purpose of a variance to allow a lot depth to width ratio greater than 4:1 and a variance to have a lot with 66' of road frontage (70' is required). Parcel is zoned Residential.

The Fire Department takes no exception to the petition.

Bay County DWS wrote they take no exception to the proposed variance.

Jim Lillo from the Bay County Road Commission wrote they have the following comment on the petition. From the documents submitted and a site review, it appears the driveway for the existing dwelling is shared between several properties. It is not stated whether or not a separate driveway will be constructed once (if) the variance is granted. If, at any point in the future, a separate driveway is constructed to 3123 Boy Scout Road, the property owner will be required to apply for and secure a driveway permit from the BCRC.

Mr. Betzold stated his house is accessed by a shared driveway with his mother in-law. They want to ensure they have access to the property if his mother in-law sells her property.

Mr. Phelps asked when they would put in a driveway. Mr. Betzold stated they would leave things the way they were until they had to make the change. He added his mother in-law wanted to change the frontage to 57' instead of 66'.

The Board explained the change could not take place without re-noticing everyone.

Kathleen Rechsteiner, owner and mother in-law, stated she was in favor of the request if it was for the 57'. She doesn't want them to end up with a landlocked piece of property.

There was no one in the audience against the request.

A discussion took place on the easement granting access to the property. Ms. Rechsteiner wasn't aware of the easement. Mr. Betzold stated he knew there was an easement to his property.

A discussion took place on postponing the request and changing the variance. Ms. Rechsteiner stated she would like to continue with the original request.

Ms. Corrion moved to approve the petition filed by Barth Betzold for property at 3123 Boy Scout which is on the North side of Boy Scout between Brooks and Douglas for the purpose of a variance to allow a lot depth to width ratio greater than 4:1 and a variance to have a lot with 66' of road frontage (70' is required). The lot split will let both lots have proper road frontage. Mr. Phelps seconded the motion. Four (4) ayes, no (0) nays. The motion passed. The petitioner has six (6) months to pull a building permit or the variance would be null and void.

The next item on the agenda was a petition filed by Kathleen Rechsteiner for property at 3125 Boy Scout which is on the North side of Boy Scout between Brooks and Douglas for the purpose of a variance to allow a lot depth to width ratio greater than 4:1. Parcel is zoned Residential.

The Fire Department takes no exception to the petition.

Bay County DWS wrote they take no exception to the proposed variance.

Jim Lillo from the Bay County Road Commission wrote they have the following comment on the petition. This petition is related to the previous petition submitted by Barth Betzold. Again, from the documents submitted and a site review, it appears the driveway for the existing dwelling is shared between several properties. It is not stated whether or not a separate driveway will be constructed once (if) the variance is granted. If, at any point in the future, a separate driveway is constructed to 3125 Boy Scout Road, the property owner will be required to apply for and secure a driveway permit from the BCRC.

Ms. Rechsteiner explained the situation during the previous hearing. She wants her son in-law to have frontage along Boy Scout Road.

There was no one for or against the request.

Mr. LaPlant moved to approve the petition filed by Kathleen Rechsteiner for property at 3125 Boy Scout which is on the North side of Boy Scout between Brooks and Douglas for the purpose of a variance to allow a lot depth to width ratio greater than 4:1. The variance will give the property road frontage and access. Ms. Corrion seconded the motion. Four (4) ayes, no (0) nays. The motion passed. The petitioner has six (6) months to pull a building permit or the variance would be null and void.

The last item on the agenda was a petition filed by Sunrise Family Credit Union for property at 404 S. Euclid which is on the West side of Euclid between Jenny and Thomas for the purpose of a 3'9" variance to be 6'3" along the West property line and a 1' variance to be 9' along the East property line for parking setbacks (10' is required). Parcel is zoned Office and Commercial.

The Fire Department takes no exception to the petition.

Bay County DWS wrote they take no exception to the proposed variance. The new building addition on the West end of the existing building appears to avoid any conflict with the existing water main easement.

Jim Lillo from the Bay County Road Commission wrote they have no comment on the petition. Based on the information received, the proposed site is not located along road right-of-way under the jurisdiction of the Bay County Road Commission (BCRC).

John Schwark of Barber McCalpin Associates represented the request. In April, they presented a plan to the Planning Commission. They are proposing an addition on the existing building. This causes the parking to be moved. The house on the property will be demolished. Mr. Schwark went over the site plan. The existing parking is encroaching into the setback. The additional parking will be extended but will not be any closer to the property line.

Mr. Schwark explained there is a 2'6" divider to direct the semis through the parking lot. He didn't believe this would need a variance but if the Board thinks a variance is needed, they will remove it.

Ms. Corrion asked where access to the property was. Mr. Schwark stated there is access from Thomas, Jenny and Euclid. The property is unique and has two different zonings.

A discussion took place on the size of parking spaces.

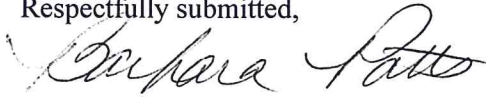
Jack Tobias from the Electrical Workers building stated they welcome new construction in the area. He had concerns about where the construction trailers would be and if construction would disturb their classes.

There was no one in the audience against the request.

Mr. Phelps moved to approve the petition filed by Sunrise Family Credit Union for property at 404 S. Euclid which is on the West side of Euclid between Jenny and Thomas for the purpose of a 3'9" variance to be 6'3" along the West property line and a 1' variance to be 9' along the East property line for parking setbacks (10' is required). The property is unique. There is a tight area to work in. The additional building in the area is helping the economy. Mr. LaPlant seconded the motion. Four (4) ayes, no (0) nays. The motion passed. The petitioner has six (6) months to pull a building permit or the variance would be null and void.

Having no other business before the Board, Mr. LaPlant moved to adjourn. Ms. Corrion seconded the motion. Four (4) ayes, no (0) nays. The motion passed and the meeting was adjourned at 6:50 p.m.

Respectfully submitted,



Barbara A. Potts
Zoning Board of Appeals Coordinator