

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

**MINUTES OF JULY 18, 2017 MEETING**

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 18<sup>th</sup> day of July, 2017 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

REGULAR MEMBERS PRESENT: Banaszak, Corrion, DeShano, LaPlant, and Phelps

MEMBER (S) ABSENT: None

Mr. Banaszak called the meeting to order at 6:02 p.m.

The Pledge of Allegiance was recited.

**The first item on the agenda was approval of the minutes of a regular meeting held June 20, 2017.** *Ms. Corrion moved to approve the minutes as presented. Ms. DeShano seconded the motion. Five (5) ayes, no (0) nays. The motion passed.*

**The next item was a petition filed by Brandon & Bridget Curler for property at 3087 E. Beaver Road which is on the North side of Beaver Road between Two Mile and Euclid for the purpose of a 19' front yard variance to be 6' (25' is required) and a variance to have an accessory structure in the front yard. Parcel is zoned Residential-1.**

The Department of Water and Sewer wrote DWS takes no exception to the proposed plan.

The Fire Marshal had no comment.

The Bay County Road Commission wrote they do not have any comment on the petition. Based on the plan submitted, the accessory building will be well away from the roadway as not to interfere with any BCRC maintenance activities.

Mr. Curler stated the layout of the property is odd. The proposed location is the only feasible option. He would like to keep it away from the house.

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

Mr. LaPlant agreed the lot had an odd shape. Any other location would be difficult to get to. The location of the house blocks access to the entire property. This is a unique circumstance.

*Mr. LaPlant moved to approve the petition filed by Brandon & Bridget Curler for property at 3087 E. Beaver Road which is on the North side of Beaver Road between Two Mile and Euclid for the purpose of a 19' front yard variance to be 6' (25' is required) and a variance to have an accessory structure in the front yard. The property has a unique shape. The location of the house blocks access to the rest of the property. The property has no road frontage. Mr. Phelps seconded the motion. Five (5) ayes, no (0) nays. The motion passed. The applicant has six (6) months to pull a building permit or the variance is null and void.*

**The next item was a petition filed by Darrell & Jan Revette for property at 240 Lagoon Beach Drive which is on the South side of Lagoon Beach Drive at corner of Lincoln for the purpose of a 183 square foot variance to build a 768 square foot detached accessory building (585 square feet is allowed) and a 10' variance to be 15' from the Lincoln side property line (25' is required). Parcel is zoned Residential.**

The Department of Water and Sewer wrote DWS takes no exception to the proposed plan.

The Fire Marshal had no comment.

The Bay County Road Commission wrote they have the following comments on the petition. From the information received, the Bay County website aerial photography and Google Earth, is the petition to remove and replace the existing detached accessory building and build a larger one? Or is the petition to bring the existing detached building into conformance with Township regulations/ordinances? If it is just to bring the accessory building into conformance, they have no objection to the petition. If it is to remove and replace the existing accessory building with a larger one, they are concerned as to the proximity of the new building to the road edge. The drawing has two dimensions, one states a 23' driveway and another is 15' to a line they cannot discern. If the 15' is to the edge of the roadway, they object to the petition, as this is too close for BCRC road maintenance (snowplowing) and a vehicle cannot be parked in front of the building without being out in the roadway and it will impede snowplowing activities.

Mr. Revette explained he was to meet with someone from the Road Commission but they did not show up. The existing garage gets flooded. He would like to move the building to prevent flooding and he would also like more space. If he turns the building, there would be less green space but it would be further off the road.

Mr. LaPlant asked if the existing shed would be removed. Mr. Revette stated the shed and the existing garage would be removed. The driveway would also be removed.

Mr. Revette stated the proposed location would be 5' from the property line and the building would have eaves. His measurements were based on the lot dimensions. There is an additional 8' from the edge of the road to his property line. A discussion took place on the lot dimensions.

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

Mr. LaPlant stated he had no problem with the square footage. However, the size places the building too close to the road. There is not enough room to park a car.

Mr. Phelps stated a 24'x24' building would work.

Ms. DeShano stated the Road Commission has concerns with the location and so does she.

Mr. Banaszak commented the proposed building was too big for the lot.

*Mr. Phelps moved to deny the petition filed by Darrell & Jan Revette for property at 240 Lagoon Beach Drive which is on the South side of Lagoon Beach Drive at corner of Lincoln for the purpose of a 183 square foot variance to build a 768 square foot detached accessory building (585 square feet is allowed). The proposed building is too large for the lot and would be too close to the road. Mr. LaPlant seconded the motion. Three (3) ayes, two (2) nays. The motion passed and the square footage was denied.*

*Mr. LaPlant moved to approve the petition filed by Darrell & Jan Revette for property at 240 Lagoon Beach Drive which is on the South side of Lagoon Beach Drive at corner of Lincoln for the purpose of 2' variance to be 23' from the Lincoln side property line (25' is required). The back of the lot is narrower than the front. Ms. Corrión seconded the motion. Five (5) ayes, no (0) nays. The motion passed. The applicant has six (6) months to pull a building permit or the variance is null and void.*

**The last item was a petition filed by Petsmart for property at 4101 E. Wilder Road which is on the North side of Wilder Road between Wilder Road and Cambria for the purpose of a wall sign variance of 79.5 square feet to be 159.5 square feet (80 square feet is allowed); a variance to have an additional three (3) wall signs, two of the wall signs would be 200 square feet each and the third wall sign would be 15.8 square feet (one wall sign is allowed). Total sign square footage would be 575.3 (80 square feet is allowed). Parcel is zoned Commercial-3.**

The Department of Water and Sewer wrote DWS takes no exception to the proposed plan.

The Fire Marshal had no comment.

The Bay County Road Commission wrote they have no comment with regard to the request. Based on the plan submitted, the petition deals with signage issues that are regulated under the jurisdiction of the Township.

Gary Dutsky of 3828 State Street telephoned he was opposed to the size of the signs.

Erin Buehler from MC Sign Company and Steve Jordan from Barrett Sign represented the request.

Ms. Buehler presented site plans. She stated the hardship was how far off the road the business is. The entrance of Petsmart is blocked by shape of the mall. The Petsmart logo is standard size. The two proposed pictures would not be illuminated nor have external lighting. Ms. Buehler added another option would be to put the pictures on the wall to the south of their entrance.

Mr. Phelps asked if the pictures would be changed. Mr. Jordan stated they could be.

Ms. Corrion stated having pictures on the exterior of the mall is not the norm. Mr. Banaszak asked if the mall approved the proposal. Ms. Buehler stated they have.

Mr. LaPlant asked if there would be an entrance inside the mall. There would be.

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

Mr. Phelps agreed the logo needed to be larger due to the distance from the roadway. Ms. DeShano was not against the pictures going on the wall as the second option showed.

Mr. LaPlant did not have an issue with the Petsmart logo. He was not in favor of the animal signs. The mall has a nice brick façade. The pictures would clash. The pictures can be put inside the mall. Ms. Corrion agreed.

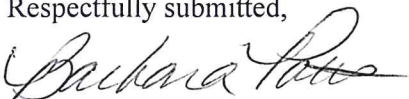
Mr. Banaszak commented only the names of businesses in the mall were on the building. If the pictures get approved, will others come in to request them.

*Mr. LaPlant moved to approve the petition filed by Petsmart for property at 4101 E. Wilder Road which is on the North side of Wilder Road between Wilder Road and Cambria for the purpose of a wall sign variance of 79.5 square feet to be 159.5 square feet (80 square feet is allowed); a variance to have an additional one (1) wall sign, the addition wall sign would be 15.8 square feet (one wall sign is allowed). Total sign square footage would be 175.3 (80 square feet is allowed). The entrance is far off the road and needs to be seen. Ms. Corrion seconded the motion. Five (5) ayes, no (0) nays. The motion passed. The applicant has six (6) months to pull a building permit or the variance is null and void.*

Mr. LaPlant presented his letter of resignation. Mr. Banaszak thanked him for serving.

*Having no other business before the Board, Mr. LaPlant moved to adjourn. Ms. Corrion seconded the motion. Five (5) ayes, no (0) nays. The motion passed and the meeting was adjourned at 6:47 p.m.*

Respectfully submitted,



Barbara A. Potts  
Zoning Board of Appeals Coordinator