

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

MINUTES OF JULY 20, 2016 MEETING

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 20th day of July, 2016 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, Schisler

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 the minutes of a regular meeting held June 21, 2016. *Mr. LaPlant moved to approve the minutes. Mr. Phelps seconded the motion. Three (3) ayes, no (0) nays. The motion passed.*

The next item was a petition filed by Alan Scott for property at 4391 Barted Road which is on the north side of Barted between Jean Road and Ace Commercial Court for the purpose of a front yard variance of 11' to be 14' (25' is required) for an addition to an existing non-conforming home. Parcel is zoned Residential-3.

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

The Fire Marshal had no concerns.

The Bay County Road Commission had no concerns.

Mr. Scott explained he would like to add on to his home. It is currently 800 square feet. The addition would make it 1,400 square feet and conforming. The home is at the dead end of the road.

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

Mr. Phelps stated the house would remain 14' off the road. Frontage is the issue and it exists. He has no problem with improving the property.

Mr. Banaszak added the addition will make the home conforming.

Mr. LaPlant moved to approve the petition filed by Alan Scott for property at 4391 Barted Road which is on the north side of Barted between Jean Road and Ace Commercial Court for the purpose of a front yard variance of 11' to be 14' (25' is required) for an addition to an existing non-conforming home. The setback exists for the home. This will bring the home into conformity. Mr. Phelps seconded the motion. Three (3) ayes, no (0) nays. The motion passed. The applicant has six months to pull a building permit.

The next item on the agenda was a petition filed by Timothy Teeple for property at 3404 E. Midland Road which is on the south side of Midland Road between Engelhardt and Woodbridge for the purpose of a variance to allow an a 6' privacy fence in the front yard, along the west and south property lines. Parcel is zoned Residential.

There was no one present to represent the petition. The Board will revisit it at the end of the meeting.

The next item on the agenda was a petition filed by Douglas & Tonia Pratt for property at 107 Bay Shore Drive which is on the south side of Bay Shore Drive between Revilo and East Drive for the purpose of a variance to allow a handicapped ramp in a waterfront yard (Section(s) 16.02/5.08E Parcel is zoned Residential.

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

The Fire Marshal had no concerns.

The Bay County Road Commission had no concerns.

Gerald Morin of 255 Lagoon Beach Road telephoned he had no objection.

Russel & Janice Sager of 109 Bay Shore Drive wrote a letter in favor of the request.

Mr. Pratt explained his wife had previously broken her hip and was not able to access the Lagoon or their boat. The ramp will allow her to do so.

Mr. LaPlant asked if the ramp would be the full length of the property. Mr. Pratt stated it would not be.

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

Mr. LaPlant commented that even at its highest point, the line of sight is not changed. The area is low. This is not an issue. Mr. Phelps added a wall to the west is closer to the water than the ramp.

Mr. Banaszak stated this is not a permanent structure.

Mr. Phelps moved to approve the petition filed by Douglas & Tonia Pratt for property at 107 Bay Shore Drive which is on the south side of Bay Shore Drive between Revilo and East Drive for the purpose of a variance to allow a handicapped ramp in a waterfront yard. Mr. LaPlant seconded the motion. Three (3) ayes, no (0) nays. The motion passed. The applicant has six months to pull a building permit.

The next item was a petition filed by Timothy Garcia for property at 3317 Bowman Road which is on the east side of Bowman between Kawkawlin River Drive and Kirchling for the purpose of a 3'2" side yard setback variance to be 4'10" on the south side (setback for existing house) (8' is required) for an addition to the rear of the home. Addition will be 6'10" on the south property line. Parcel is zoned Residential.

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

The Fire Marshal had no concerns.

The Bay County Road Commission had no concerns.

Herbert Frasier of 3333 Bowman Road telephoned he had no objections.

Mr. Garcia explained he would like to add on to the home to accommodate his expanding family. It is currently 800 square feet.

Sharon Garcia of 3331 Bowman Road stated she had no objection to it.

There was no one in the audience against the request.

Mr. Phelps stated the addition would be further off the building line than the existing building. It will be an improvement to the property.

Mr. LaPlant commented the variance is for the existing location of the home.

Mr. LaPlant moved to approve the petition filed by Timothy Garcia for property at 3317 Bowman Road which is on the east side of Bowman between Kawkawlin River Drive and Kirchling for the purpose of a 3'2" side yard setback variance to be 4'10" on the south side (setback for existing house) (8' is required) for an addition to the rear of the home. Addition will be 6'10" on the south property line. The addition will not encroach into the setback more than the existing house. Mr. Phelps seconded the motion. Three (3) ayes, no (0) nays. The motion passed. The applicant has six months to pull a building permit.

The next item was a petition filed by Doug Poling for property at 601 N. Euclid which is on the west side of Euclid for the purpose of a variance to allow 30' light poles in parking lot (20' is allowed) to allow the replacement of old poles to match height of existing. Parcel is zoned Commercial.

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

The Fire Marshal had no concerns.

The Bay County Road Commission had no concerns.

MDOT wrote they had no comment.

There was no one present to represent the request.

Mr. LaPlant stated LED lights have to be 30' high to be effective. Mr. Phelps was glad to see the older lights replaced.

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

Mr. LaPlant moved to approve the petition filed by Doug Poling for property at 601 N. Euclid which is on the west side of Euclid for the purpose of a variance to allow 30' light poles in parking lot (20' is allowed) to allow the replacement of old poles to match height of existing. The light poles exist and will only be replaced. The height is needed to properly light the parking lot. Mr. Phelps seconded the motion. Three (3) ayes, no (0) nays. The motion passed. The applicant has six months to pull a building permit.

The Board brought back the petition filed by Timothy Teeples for property at 3404 E. Midland Road which is on the south side of Midland Road between Engelhardt and Woodbridge for the purpose of a variance to allow an a 6' privacy fence in the front yard, along the west and south property lines. Parcel is zoned Residential.

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

The Fire Marshal had no concerns.

The Bay County Road Commission had no concerns.

No one was present to represent the request.

Arthur Joitke of 3402 Midland Road had no objection to the fence between the properties but didn't want the property to look like a compound.

Mr. LaPlant stated there were two front yards. Since there was opposition, he didn't feel comfortable making a decision without the applicant present.

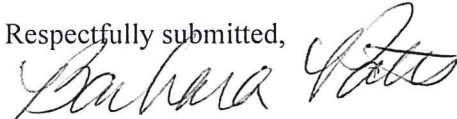
Mr. LaPlant moved to postpone until the August 16, 2016 meeting the petition filed by Timothy Teeples for property at 3404 E. Midland Road which is on the south side of Midland Road between Engelhardt and Woodbridge for the

purpose of a variance to allow an a 6' privacy fence in the front yard, along the west and south property lines. Parcel is zoned Residential. Mr. Phelps seconded the motion. Three (3) ayes, no (0) nays. The motion passed

Ms. Potts brought up the question regarding John VanOchten's 1987 variance for a deck. She explained Mr. VanOchten would like to replace the existing deck and replace the hand rails with vinyl. He wanted to make sure there would be no violation in doing so. Discussion took place. The consensus was that he could replace what he currently has.

Having no other business before the Board, Mr. LaPlant moved to adjourn. Mr. Phelps seconded the motion. Three (3) ayes, no (0) nays. The motion passed and the meeting was adjourned at 6:35 p.m.

Respectfully submitted,



Barbara A. Potts
Zoning Board of Appeals Coordinator