

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

MINUTES OF JUNE 19, 2018 MEETING

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 19th day of June, 2018 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

REGULAR MEMBERS PRESENT: Covaleski, DeShano, Phelps

MEMBER (S) ABSENT: Banaszak, Corrion

Mr. Phelps called the meeting to order at 6:00 p.m.

The first item on the agenda was approval of minutes of the May 15, 2018 regular meeting. *Ms. Covaleski moved to approve the minutes of the May 15, 2018 regular meeting. Ms. DeShano seconded the motion. Three (3) ayes, no (0) nays. The motion passed.*

The next item on the agenda was a petition filed by Sarah Londry for property at 2853 N. Euclid which is on the East side of Euclid between Boy Scout and Lauria for the purpose of a variance to allow a lot depth to width ratio of 5.9 to 1 (4:1) is allowed. Parcel is zoned Residential-1.

The Department of Water and Sewer takes no exception to the petition.

The Fire Marshal had no comment.

Jim Lillo from the Bay County Road Commission wrote they do not have any comment on the petition. This is an item that is under the authority of the Township and N. Euclid is also under the jurisdiction of the MDOT, thus not an item reviewed by the BCRC.

MDOT wrote they will be required to apply for a permit for the new drive on the south property and uses remain residential.

Ms. Londry explained her property is "L" shaped. If the split is allowed, it will make both properties more conforming. They have not applied for a Land Division yet.

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

Ms. DeShano stated the split makes sense. Ms. Covaleski commented most of the properties in that area have deep lots. This will make the lots more conforming.

Ms. DeShano moved to approve the petition filed by Sarah Londry for property at 2853 N. Euclid which is on the East side of Euclid between Boy Scout and Lauria for the purpose of a variance to allow a lot depth to width ratio of 5.9 to 1 (4:1) is allowed. The variance will make the lot more in conformance. Ms. Covaleski seconded the motion. Three (3) ayes, no (0) nays. The motion passed. The petitioner has six (6) months to take action on the split or the variances are null and void.

The next item was a petition filed by John Pflueger & Marie Wendt for property at 2881 N. Euclid which is on the East side of Euclid between Boy Scout and Lauria for the purpose of a variance to allow a lot depth to width ratio of 5.8 to 1 (4:1) is allowed. Parcel is zoned Residential-1.

The Department of Water and Sewer takes no exception to the petition.

The Fire Marshal had no comment.

Jim Lillo from the Bay County Road Commission wrote they do not have any comment on the petition. This is an item that is under the authority of the Township and N. Euclid is also under the jurisdiction of the MDOT, thus not an item reviewed by the BCRC.

MDOT wrote they will be required to apply for a permit for the new drive on the north property and uses remain residential.

Ms. Pflueger lives next door to Ms. Londry. He stated most of the lots in the area are deep. He asked Ms. Londry if she would be willing to sell off the portion behind his property. The existing drive between the properties gives access to his pole building. He will improve the driveway. He has spoken to MDOT regarding permits.

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

Ms. Covaleski moved to approve the petition filed by John Pflueger & Marie Wendt for property at 2881 N. Euclid which is on the East side of Euclid between Boy Scout and Lauria for the purpose of a variance to allow a lot depth to width ratio of 5.8 to 1 (4:1) is allowed. The variance will make both lots more conforming. Ms. DeShano seconded the motion. Three (3) ayes, no (0) nays. The motion passed. The petitioner has six (6) months to take action on the split or the variances are null and void.

The next item was a petition filed by Dave & Alisa Day for property at 414 Ricoma Beach Road which is on the North end of Ricoma Beach Drive for the purpose of a variance for a 4' see through fence to be in the waterfront yard; a variance to have a 6' see through fence on the side yard of the waterfront yard; variance for a swimming pool to be in the waterfront yard; a variance to have a 36" high hot tub in the waterfront yard; a variance to have an 18" high planter box surrounding the hot tub; a variance for a 42" high built-in gas grill; a variance to have a 42" high stone bar; a variance for 7' high arbor over walkway; and a variance to have all the above listed variances closer than 40' from the average high water mark in the waterfront yard. Parcel is zoned Residential-2.

The Fire Marshal had no comment.

The Department of Water and Sewer takes no exception to the petition.

Jim Lillo from the Bay County Road Commission wrote they do not have any objection to the petition. From the information submitted, all construction activities are on the waterfront side of the lot and not the roadside, thus will not impact our maintenance activities.

Ms. Day stated they have an existing fence that is not high enough for a pool. She received consent from neighbors. The fence will be see-through.

Ms. Covaleski asked what the dimensions of the arbor were. Ms. Day didn't know.

Mr. Phelps asked if the existing fence was being replaced. Ms. Day stated it would be replaced with higher fencing to be in compliance for the pool. Mr. Phelps commented the neighbors were further off the water.

Ms. Day showed the Board letters of support from: Dorothy Bickham of 408 Ricoma Beach; June Stevens of 412 Ricoma Beach; Lawrence Hurlburt of 416 Ricoma Beach and Eugene Clark 418 Ricoma Beach.

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

Ms. Covaleski had concern with the neighbor's view but letters were shown in support of the project. The fence is for pool safety. The layout of the property is unique.

Mr. Phelps stated the line of sight is not in jeopardy.

Ms. Covaleski moved to approve the petition filed by Dave & Alisa Day for property at 414 Ricoma Beach Road which is on the North end of Ricoma Beach Drive for the purpose of a variance for a 4' see through fence to be in the waterfront yard; a variance to have a 6' see through fence on the side yard of the waterfront yard; variance for a swimming pool to be in the waterfront yard; a variance to have a 36" high hot tub in the waterfront yard; a variance to have an 18" high planter box surrounding the hot tub; a variance for a 42" high built-in gas grill; a variance to have a 42" high stone bar; a variance for 7' high arbor over walkway; and a variance to have all the above listed variances closer than 40' from the average high water mark in the waterfront yard. The layout of the lot is unique. The fence is needed for pool safety. Ms. DeShano seconded the motion. Three (3) ayes, no (0) nays. The motion passed. The petition has six (6) months to pull a building permit or the variances are null and void.

The last item on the agenda was a petition filed by Kenneth Knoll for property at 858 Shady Shore which is on the South side of Shady Shore between Pine and Bay Road for the purpose of a variance for a 6' privacy fence on the front property line and in side yards (4' see through fence is allowed in the front yard; 5' from road right of way is required). Parcel is zoned Residential.

The Fire Marshal had no comment.

The Department of Water and Sewer takes no exception to the petition.

Jim Lillo from the Bay County Road Commission wrote they have no objection to the petition. From the information submitted and comparing it to the Bay County GIS information (aerial map) they understand the proposed fence will be 31' from the roadway, well away from any BCRC maintenance activities.

Mr. Knoll stated he would like a 6' fence for privacy. He's afraid his dogs would jump a 4' fence.

Ms. Covaleski was concerned the fence would not fit the area. Mr. Knoll stated the fence would be 30' off the road, 10' off his property line. Mr. Phelps commented there are homes in the area closer to the road than the fence would be.

Brandon Conley of 983 Pine Road stated he and Mr. Knoll spoke before the project began. He is in favor of the fence location. He may want to do the same thing. The fence does not block his view when backing out of his driveway.

There was no one against the variance.

Ms. Covaleski had concern with the neighbors but the fence won't have an impact. Ms. DeShano stated there are a lot of dogs in the area. Mr. Knoll has no back yard. Most of his open property is on the side and in front.

Ms. DeShano moved to approve the petition filed by Kenneth Knoll for property at 858 Shady Shore which is on the South side of Shady Shore between Pine and Bay Road for the purpose of a variance for a 6' privacy fence on the front property line and in side yards (4' see through fence is allowed in the front yard; 5' from road right of way is required). The majority of Mr. Knoll's property is in the front and side yards. Mr. Phelps seconded the motion. Three (3) ayes, no (0) nays. The motion passed. The petition has six (6) months to pull a building permit or the variances are null and void.

A letter was submitted by Gene Jacobs requesting that the approval of variances from the March 20, 2018 meeting be reversed. He also requested the requirement that the ZBA not reconsider a denied petition for three hundred sixty-five (365) days be waived. This is in regard to the petition that was denied at the May 15, 2018 meeting

Mr. Phelps moved to grant Gene Jacobs requests to have the approval of variances from the March 20, 2018 meeting be reversed and to waive the requirement that the ZBA not reconsider a denied petition for three hundred sixty-five (365) days. This is in regard to the petition that was denied at the May 15, 2018 meeting. Ms. DeShano seconded the motion. Three (3) ayes, no (0) nays. The motion passed.

Having no other business before the Board, Mr. Phelps moved to adjourn the meeting. Ms. Covaleski seconded the motion. The meeting adjourned at 6:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Barbara Potts". The signature is written in black ink and is positioned above the printed name.

Barbara A. Potts
Zoning Board of Appeals Coordinator