

CHARTER TOWNSHIP OF BANGOR  
ZONING BOARD OF APPEALS

MINUTES OF MARCH 20, 2018 MEETING

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 20<sup>th</sup> day of March, 2018 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

REGULAR MEMBERS PRESENT: Banaszak, Corrion, Covaleski, DeShano, Phelps

MEMBER (S) ABSENT: None

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

**The first item on the agenda was approval of minutes of the February 20, 2018 regular meetings.** *Ms. Corrion moved to approve the minutes of the February 20, 2018 meeting. Ms. Covaleski had a change to the January 16, 2018 minutes: change "Mr." Covaleski to "Ms." Covaleski. Ms. DeShano seconded the motion with the change. Five (5) ayes, no (0) nays. The motion passed.*

**The petition on the agenda was filed by Alan & Renee Gurski for property at 292 Killarney Beach Road which is on the East side of Killarney Beach for the purpose of a variance to have a 16" projection beyond the residential structure in the waterfront (6' high) and a side yard setback variance of 8' to be 0' (8' is required). Parcel is zoned Residential.**

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 work is being done on a road that is not under the jurisdiction of the BCRC.

Mr. Gurski presented a letter of support from his neighbors. It was signed by Chad & Deana Cunningham of 290 Killarney Beach, Sally Decker of 284 Killarney Beach, Janet Gougeon of 282 Killarney Beach, Dan & Karen Hazen of 294 Killarney Beach, Dave & Cynthia Brooks of 296 Killarney Beach and Jerry & Connie Eaton of 298 Killarney Beach.

Mr. Gurski reviewed the five criteria for variance approval. The property is long and narrow. It is 50' at its widest point on the water side. The property has two front yards. They would like to have seating in the side yard and a garden. Mr. Gurski explained the 16" projection in to the waterfront yard would be for the accordion gate when it is open. There would not be any projection when it was closed. Mr. Gurski added the project was designed by a professional and would be high quality. The plans would be consistent with the area and a lesser variance would not grant them the relief they needed. They didn't create the situation and there would be no negative impact on the area.

Mr. Gurski presented renderings of the design.

Mr. Phelps asked if the deck would be removed. Mr. Gurski stated it would be removed, fixed and the same composite decking put back on.

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

Ms. Covaleski stated she initially had questions but all of them have been answered. The proposal is fine with the neighbors.

Ms. Corrion commented line of sight is always a concern. This will not impact the neighbors and will be an improvement.

*Ms. Corrion moved to approve the petition filed by Alan & Renee Gurski for property at 292 Killarney Beach Road which is on the East side of Killarney Beach for the purpose of a variance to have a 16" projection beyond the residential structure in the waterfront (6' high) and a side yard setback variance of 8' to be 0' (8' is required). The line of sight is not impacted. The lot is only 50' wide and it has two front yards. Ms. Covaleski seconded the motion. Five (5) ayes, no (0) nays. The motion passed. The petitioner has six (6) months to pull a building permit or the variances are null and void.*

**The next item on the agenda was a petition filed by Gene Jacobs for vacant property on Killarney Beach Road which is on the West side of Killarney Beach for the purpose of a variance to permit an accessory building with no primary structure, a variance of 1,127 square feet to be 1,440 square feet (313 square feet is allowed), a variance of 2' to be 22' in height (20' is allowed), a variance of 2' to be 3' for a side yard setback (5' is required) and a rear yard variance of 5' to be 5' (10' is required) for a 30'x48' pole barn. Parcel is zoned Residential-2.**

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 objection to the petition. Based on the plan submitted, review of the site per the Bay County Planning Department's current aerials, the proposed accessory building will be well away from the roadway and will have virtually no impact on BCRC maintenance activities. The petitioner will need to secure a permit from the BCRC if they plan to construct a driveway between the accessory building and the road edge.

Mr. Jacobs stated he owns three properties across the street from his house. The building inspector told him he needed to put the accessory building on the one directly across from this house. He would rather have it on the middle lot but went along with what he was told. The lot is only 40' wide.

Ms. Corrion asked why such a big building was needed. Mr. Jacobs explained he would like to store his boat, trailer, jet skis, etc. in the building.

Ms. Covaleski asked if Mr. Jacobs would combine two of the lots. He stated no.

Mr. Phelps stated he did not see a hardship.

Mr. Jacobs explained if he could put the building on the middle lot, the setback variances would not be needed. It is a bigger lot.

Ms. Corrion stated the height request is an issue.

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

Mr. Phelps commented the building was very large. None of the five criteria to approve a variance are met.

Ms. DeShano stated she saw all the items that would be stored in the building. She asked what size was really needed. Mr. Jacobs stated he could make a 30'x40' building work.

Ms. Covaleski stated the proposed size was not consistent with the area. The height is a concern. She added Mr. Jacobs may have to store his things somewhere else.

A discussion took place on the size of Mr. Ferrio's building down the road. Mr. Ferrio was approved for a 1,536 square foot building, 32'x48'. Mr. Jacobs stated he purchased the same truss package as Mr. Ferrio. He

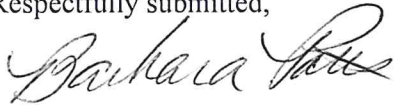
commented if Mr. Ferrio didn't need a height variance then he wouldn't either.

Mr. Jacobs stated the height variance could be eliminated. He also agreed to request a variance to have a 30'x40' accessory building.

Mr. Phelps moved to approve the petition filed by Gene Jacobs for vacant property on Killarney Beach Road which is on the West side of Killarney Beach for the purpose of a variance to permit an accessory building with no primary structure, a variance of 887 square feet to be 1,200 square feet (313 square feet is allowed), a variance of 2' to be 3' for a side yard setback (5' is required) and a rear yard variance of 5' to be 5' (10' is required) for a 30'x40' pole barn. The lot is very narrow. *Ms. Covaleski seconded the motion. Five (5) ayes, no (0) nays. The motion passed. The petitioner has six (6) months to pull a building permit or the variances are null and void.*

*Having no other business before the Board, Mr. Banaszak adjourned the meeting at 6:50 p.m.*

Respectfully submitted,



Barbara A. Potts  
Zoning Board of Appeals Coordinator