

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

MINUTES OF MAY 17, 2016 MEETING

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 17th day of May, 2016 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

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

MEMBER (S) ABSENT: None

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 April 19, 2016. *Ms. Corrion moved to approve the minutes as presented. Mr. LaPlant seconded the motion. Five (5) ayes, no (0) nays. The motion passed.*

The next item was a petition filed by Nicholas & Megan Klein for property at 401 Ricoma Beach which is on the east side of Ricoma Beach off Killarney Beach Road for the purpose of a variance of 5.5' to be 14.5' for total side yards (20' is required) for an addition to existing house. Parcel is zoned Residential-2.

The Department of Water and Sewer wrote DWS records/files on the property show the property owner would be placing their garage over top of the sanitary sewer lead to the road.

The Fire Marshal had no concerns.

The Bay County Road Commission wrote with regard to Nicholas and Megan Klein for property at 401 Ricoma Beach, they have no objection to the petition. From the information submitted, the proposed addition and garage are no closer to Ricoma Beach Road than the existing home. As stated previously and as associated with petitions along the Saginaw Bay or Kawkawlin River, road right-of-way is at premium and structures should be located as far away from the road/road right-of-way as possible to allow the BCRC to perform maintenance activities. Since the proposed new construction is no closer than the existing home, we do not expect any adverse impacts on the existing BCRC road right-of-way or our maintenance activities.”

Mr. Klein stated they need additional space. The property is tight. It is a small lot. There are no changes to the plans presented last month. This request was to correct a measurement error.

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

Ms. Corrion moved to approve the petition filed by Nicholas & Megan Klein for property at 401 Ricoma Beach which is on the east side of Ricoma Beach off Killarney Beach Road for the purpose of a variance of 5.5' to be 14.5' for total side yards (20' is required) for an addition to existing house. There is no other place on the property for an addition. Mr. Phelps seconded the motion. Five (5) ayes, no (0) nays. The motion passed. The applicant has six months to pull a building permit.

The next item on the agenda was petition filed by Jeff Butcher for property at 355 River Road which is on the south side of River Road between Glendale Drive and Oakdale Drive for the purpose of a side yard setback variance of 1'8” (north side) to be 6'4” (10' is required) to attach existing garage to house. Parcel is zoned Residential.

The Department of Water and Sewer wrote DWS records show the sanitary sewer lead close to the north end of

existing building addition but should not be an issue.

The Fire Marshal had no concerns.

The Bay County Road Commission wrote with regard to Jeff Butcher for property at 355 River Road, they have no objection to the petition. From the information submitted, the existing garage is close to River Road and allowing it to be moved and connected to the house, will allow more space between the road and the garage. With space limited on this roadway, moving a structure away from the road/road-right-of-way is very beneficial from the BCRC's standpoint.

Mr. Butcher stated they would like to attach the garage. He lost his leg and the winters are hard on him. The change will create more parking. The garage was originally built 1' off the property line. Moving the garage will increase the setback.

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

Mr. LaPlant stated the variance would do justice to the area. The garage will be further off the lot line. Mr. Phelps commented the current location of the garage is close to the property line.

Mr. LaPlant moved to approve the petition filed by Jeff Butcher for property at 355 River Road which is on the south side of River Road between Glendale Drive and Oakdale Drive for the purpose of a side yard setback variance of 1'8" (north side) to be 6'4" (10' is required) to attach existing garage to house. This will be an improvement to the property. The setbacks will be increased. Mr. Schisler seconded the motion. Five (5) 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 Bay City Fireworks Festival for property at 1200 W. Thomas which is on the north side of Thomas between Gies and Euclid for the purpose of a side yard setback variance of 15' to be 5' and a rear yard variance of 15' to be 5' (20' is required) for a building. Parcel is zoned Commercial-1.

There was no one to represent the request. *Mr. Schisler moved to table the item until the end of the meeting. Ms. Corrión seconded the motion. Five (5) ayes, no (0) nays. The motion passed. The petitioner has six (6) months to pull a building permit.*

The next item was a petition filed by Dore Real Estate LLC for property at 3995 N. Oakbrook Drive which is on the east side of State Park Drive between Pembroke and Lagoon Beach Drive for the purpose of a variance of a variance to allow setbacks to property line for all sites to be 0' (100' is required) and a variance from minimum site size to be 1,200 square feet, the State minimum. (2,000 square feet is required). Parcel is zoned Residential-2.

The Department of Water and Sewer wrote the DWS has no conflict.

The Fire Marshal deferred to the State regulations and NFPA 1194 2011 edition standard for RV Parks and campgrounds.

The Bay County Road Commission wrote with regard to Dore Real Estate LLC for property at 3995 N. Oakbrook Drive, they have no objection to the variances.

A letter from Louis Wilson in opposition was received.

Steve Coppler represented the request. He gave the background of the project. A variance for the lot size was already received. The presented plan shows what exists on the site. RV's will not be against the rear setbacks. If they are not granted the variances, it would not be cost effective to proceed with the project. The State required campsite size is 1,200 square feet. They would lose 50% of the proposed campsites if they complied with the Township's requirements.

Lonny Higgins of 415 State Park Drive was in favor of the project. It's good for the economy.

Lou Wilson of 125 Roseland stated he submitted the letter. He is opposed to the requests. This is a residential property being used for commercial purposes. It does not fit into the Township Master Plan. He was opposed to the 100' setback variances. This is not a good fit for a residential area.

Mr. Phelps stated the prior use of the property was awful. This would be an improvement.

Mr. LaPlant stated the applicant has been working with the Planning Commission to get a set plan. He felt the 100' variance was excessive. Mr. Schisler commented the roads and lots exist.

Mr. Banaszak stated this would enhance the area.

Mr. Schisler moved to approve the petition filed by Dore Real Estate LLC for property at 3995 N. Oakbrook Drive which is on the east side of State Park Drive between Pembroke and Lagoon Beach Drive for the purpose of a variance of a variance to allow setbacks to property line for all sites to be 0' (100' is required) and a variance from minimum site size to be 1,200 square feet, the State minimum. (2,000 square feet is required). The property is being changed over from a mobile home park to an RV park. Improvements are being made to become compliant. Ms. Corrion seconded the motion. Five (5) ayes, no (0) nays. The motion passed. The petitioner has six (6) months to pull a building permit.

The petition from Bay City Fireworks Festival was taken off the table.

There was no one present to represent the request.

Mr. Schisler moved to approve the petition filed by Bay City Fireworks Festival for property at 1200 W. Thomas which is on the north side of Thomas between Gies and Euclid for the purpose of a side yard setback variance of 15' to be 5' and a rear yard variance of 15' to be 5' (20' is required) for a building. The building is being pushed back to make it more accessible. Mr. Phelps seconded the motion. Five (5) ayes, no (0) nays. The motion passed. The petitioner has six (6) months to pull a building permit.

Having no other business before the Board, Mr. Schisler moved to adjourn. Ms. Corrion seconded the motion. Five (5) 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