

CHARTER TOWNSHIP OF BANGOR
ZONING BOARD OF APPEALS

MINUTES OF NOVEMBER 20, 2012 MEETING

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 20th day of November, 2012 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

REGULAR MEMBERS PRESENT: Banaszak, Corrion, Schisler

MEMBER (S) ABSENT: Phelps, Pilarski

ALTERNATE MEMBER PRESENT: LaPlant

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 October 16, 2012. *Mr. Schisler moved to approve the minutes as presented. Ms. Corrion seconded the motion. Four (4) ayes, no (0) nays, two (2) absent. The motion passed.*

The next item on the agenda was a petition filed by Edward Dore for property at 265 Northwood Drive which is on the East side of Northwood Drive between Lincoln Road and River Road for the purpose of a variance to have an accessory building on a lot without a principal building. Parcel is zoned Residential-2. (5.03A1)

Jim Lillo from the Bay County Road Commission wrote with regard to the petition filed by Edward Dore for property at 265 Northwood Drive, they have no objection to the petition. Based on the information received and site visit, it appears the driveway will be maintained to the garage which Mr. Dore is requesting to remain. If the driveway entrance is moved or a new driveway installed, a permit for such is required by the Bay County Road Commission.

Bradd Maki from the Bay County Department of Water and Sewer wrote the DWS takes no exception to the proposed variance.

The Fire Department takes no exception to the petition filed by Edward Dore for the property located at 265 Northwood Drive.

James Sloan of 405 Lincoln telephoned he was against the request.

Mr. Dore stated the residence was damaged when a water main burst in the house. He would like to tear down the house and leave the barn. He has no plans to rebuild the house at this time.

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

Mr. Schisler commented the house is damaged but in order to stay in compliance, the house needs to remain.

Mr. Dore stated water ran in the home for days. There is mold. The floors and cabinets are ruined.

Ms. Corrion asked if the house was condemned. Mr. Dore stated it was not. Ms. Corrion stated the hardship is the house is dangerous and not habitable.

Mr. Banaszak commented he did not see a hardship. Mr. Dore stated the house was not repairable. The mold is significant. The garage will only be used for storage.

Ms. Corrion asked why the house was not going to be rebuilt. Mr. Dore explained the home was a rental and he doesn't want another one. He didn't want to tear down both buildings.

Mr. Schisler clarified this was not self-created. Historically the ZBA does not allow someone to have a garage without a primary structure. If this is not approved, Mr. Dore can keep both buildings or tear them down.

Mr. Dore stated there were lots out by the Bay that have garages on them without houses. Mr. Schisler commented the referred to lots are narrower and the area is unique.

Mr. LaPlant commented the garage could be there indefinitely if this was approved. There are other options.

Mr. LaPlant moved to deny the petition filed by Edward Dore for property at 265 Northwood Drive which is on the East side of Northwood Drive between Lincoln Road and River Road for the purpose of a variance to have an accessory building on a lot without a principal building. Although this is not a self-created issue, there is no hardship for the property. Ms. Corrion seconded the motion. Four (4) ayes, no (0) nays, two (2) absent.

The next item on the agenda was a petition filed by Case Architecture Inc. for property at 3850 S. Huron Road which is on the West side of S. Huron between Wheeler Road and Alarie Road for the purpose of a 20' rear yard variance to be 20' (40' is required). Parcel is zoned Commercial-2. (16.01)

Jim Lillo from the Bay County Road Commission wrote with regard to the petition filed by Case Architecture, Inc. for property at 3850 S. Huron Road, they have no comment to the petition. The proposed variance request is for a property located along road right-of-way that is not under the jurisdiction of the Bay County Road Commission. S. Huron Road is under the jurisdiction of MDOT, which should be contacted to determine if they have any comments to this petition.

Bradd Maki from the Bay County Department of Water and Sewer wrote the DWS takes no exception to the proposed variance.

The Fire Department has the following comment on the petition filed by Case Architecture Inc. for the property located at 3850 S. Huron; the proposed building shall have a one-hour fire resistance rating from the existing building.

Tim Beebe of CMS & D represented the request. He stated the existing structure is 20' from the property line. The proposed building needs a variance to be the same distance from the property line. They are extending the building along the property line, not any closer to it. The business needs the space. Currently, the business is renting space for storage. They would like to stay in the same location.

Mr. Beebe added the hardship is the parcel has size limitations and pre-existing conditions. They are not increasing the non-conformity.

Greg Becker, the owner, was in support of the request. He is also the owner of the adjacent parcel.

Joe Yax, from the dealership, commented there was an existing building the same distance from the property line. They would like an 80' building to house their merchandise.

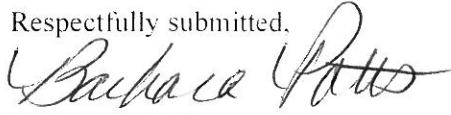
There was no one in the audience against the request.

Mr. Schisler moved to approve the petition filed by Case Architecture Inc. for property at 3850 S. Huron Road which is on the West side of S. Huron between Wheeler Road and Alarie Road for the purpose of a 20' rear yard variance to be 20' (40' is required). The non-conformity is not being increased. It will be in-line with the existing

building. The lot creates the hardship. Mr. LaPlant seconded the motion. Ms. Corrion added it was nice to see a business expanding. Four (4) ayes, no (0) nays, two (2) absent. The motion was approved.

Having no other business before the Board, Mr. Schisler moved to adjourn. Mr. LaPlant seconded the motion. Four (4) ayes, no (0) nays, two (2) absent. The motion passed and the meeting was adjourned at 6:35 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Barbara A. Potts".

Barbara A. Potts
Zoning Board of Appeals Coordinator