

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

**MINUTES OF NOVEMBER 21, 2017 MEETING**

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 21<sup>st</sup> day of November, 2017 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

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

MEMBER (S) ABSENT: None

Mr. Banaszak called the meeting to order at 6:03 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 17, 2017.** *Ms. Corrion moved to approve the minutes as presented. Ms. DeShano seconded the motion. Five (5) ayes, no (0) nays. The motion passed.*

*Ms. Corrion moved to approve the 2018 meeting dates as presented. Mr. Phelps seconded the motion. Five (5) ayes, no (0) nays. The motion passed.*

**The next item was a petition filed by Mel Correa for property at 305 Donohue Drive which is on the North side of Donohue Drive East of Bangor Road for the purpose of a 7' side yard variance to be 1' (8' is required), a side yard variance of 11' to be 1' on opposite side, a variance of 18' to be 2' for total side yards (20' is required) and a front yard variance of 25' to be 0' (25' is required). Parcel is zoned Residential-2.**

No comments were received by the Department of Water and Sewer.

The Fire Marshal had no comment.

Jim Lillo from the Bay County Road Commission wrote it appears this structure has already been built. If that is the case, they assume this is coming before the Bangor ZBA for variance approval "after the fact". They have no objections to the petition.

Mr. Correa explained he planned on tearing down the existing garage and building a new two-story one. The East side is currently encroaching on the property line. The new garage will eliminate some of the encroachment and will also move the building off of the West property line.

Jennifer Jarvis of 307 Donohue Beach stated she was in favor of the petition. The proposal will help correct the encroachment and improve the site.

There was no one present against the request.

Ms. Covaleski stated this is an improvement and is consistent with the rest of the neighborhood. All the Board members agreed.

*Ms. Corrion moved to approve the petition filed by Mel Correa for property at 305 Donohue Drive which is on the North side of Donohue Drive East of Bangor Road for the purpose of a 7' side yard variance to be 1' (8' is required), a side yard variance of 11' to be 1' on opposite side, a variance of 18' to be 2' for total side yards (20' is required) and a front yard variance of 25' to be 0' (25' is required). She stated this type of variance is not normally approved. However, the proposal will make the building more conforming. Mr. Phelps seconded the motion. Five (5) ayes, no (0) nays. The motion passed. The applicant 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 Jenna Briggs & Ted Lind for property at 356 Killarney Beach which is on the West side of Killarney Beach Road for the purpose of a variance to permit an accessory building with no principal building, a side yard variance of 1' to be 4' (5' is required), and a variance of 551 square feet to be 864 square feet (313 square feet is allowed). Parcel is zoned Residential-2.**

No comments were received by the Department of Water and Sewer.

The Fire Marshal had no comment.

Jim Lillo from the Bay County Road Commission wrote they have no comment with regard to the request. Based on the plan submitted and the proposed accessory building will be well away from the roadway and will have minimal impact on BCRC maintenance activities.

Ms. Briggs explained they have no basement and three children. They would like the garage for storage and one of their vehicles.

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

Mr. Phelps stated the lot is long and narrow. There are similar buildings in the area. Ms. Covaleski agreed.

Ms. Corrion stated this type of variance is frequently requested in that area. Mr. Banaszak stated the lot is small.

*Mr. Phelps moved to approve the petition filed by Jenna Briggs & Ted Lind for property at 356 Killarney Beach which is on the West side of Killarney Beach Road for the purpose of a variance to permit an accessory building with no principal building, a side yard variance of 1' to be 4' (5' is required), and a variance of 551 square feet to be 864 square feet (313 square feet is allowed). This is a narrow lot and it would not be feasible to build next to the home. Ms. Covaleski seconded the motion. Five (5) ayes, no (0) nays. The motion passed. The applicant 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 Frankenmuth Credit Union for property at 800 N. Euclid which is on the East side of Euclid on the corner of Euclid and North Union for the purpose of a variance for 16,040 square feet for minimum lot size to be 23,960 square feet (40,000 square feet is required), a variance of 22.68' for minimum lot width to be 97.32 (120' is required), and a variance from the minimum setback between the parking area and the proposed right-of-way line and the required landscaping pursuant to Section 19.02 within the 15' setback as required in Article 16.00 Schedule of Regulations. Parcel is zoned Commercial-2.**

No comments were received by the Department of Water and Sewer.

The Fire Marshal had no comment.

Jim Lillo from the Bay County Road Commission wrote they have no comment on the petition. North Euclid (M-13) is a State trunkline and under the jurisdiction of the MDOT. The North Union right-of-way is under the jurisdiction of the City of Bay City. Therefore, the developer should contact the MDOT and City of Bay City to determine if either of them has any comments regarding the petition.

Rich Shepard, attorney for Frankenmuth Credit Union, represented the request. Mr. Shepard explained the preliminary site plan went before the Planning Commission in October. The lot is a non-conforming lot of record. The Planning Commission made some recommendations. The proposed site plan will make the building more in conformance. The existing building does not meet the setback requirements on three sides. The proposal will make a bad situation better.

Ms. Covaleski stated the Planning Commission gave a lot of feedback on the site plan.

John Lauderback, representing Washington Bay Opportunities, stated there was not an easement between them and Frankenmuth Credit Union. They are concerned with the access off of Euclid and the possibility of Frankenmuth Credit Union customers parking on their property.

Mr. Shepard commented the one-way drive exists. The site plan shows traffic coming in off of Euclid and out onto North Union. They have all the required parking spaces.

No one in the audience spoke in favor of the request.

Ms. Corrion stated this is a good use of the property. Mr. Phelps added it is an improvement. He did have concerns with the shared driveway.

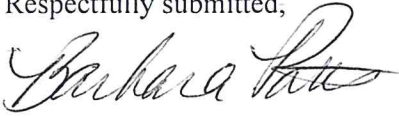
Mr. Shepard advised if need be, all traffic could come in and out of North Union. No easement is recorded nor can be found. They have no plans to close the Euclid access.

Bill Putman asked what the next step toward approval would be. He was told the site plan had to be approved by the Planning Commission.

Ms. Corrion moved to approve the petition filed by Frankenmuth Credit Union for property at 800 N. Euclid *which is on the East side of Euclid on the corner of Euclid and North Union for the purpose of a variance for 16,040 square feet for minimum lot size to be 23,960 square feet (40,000 square feet is required), a variance of 22.68' for minimum lot width to be 97.32 (120' is required), and a variance from the minimum setback between the parking area and the proposed right-of-way line and the required landscaping pursuant to Section 19.02 within the 15' setback as required in Article 16.00 Schedule of Regulations. This is an improvement to the corner. The proposed changes will make the building more in conformance. Ms. DeShano seconded the motion. Five (5) ayes, no (0) nays. The motion passed. The applicant has six (6) months to pull a building permit or the variances are null and void.*

*Having no other business before the Board, Ms. Corrion moved to adjourn. Mr. Banaszak seconded the motion. Five (5) ayes, no (0) nays. The motion passed and the meeting was adjourned at 6:25 p.m.*

Respectfully submitted,



Barbara A. Potts  
Zoning Board of Appeals Coordinator