

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

**MINUTES OF FEBRUARY 18, 2014 MEETING**

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 18<sup>th</sup> day of February, 2014 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

REGULAR MEMBERS PRESENT:            Banaszak, Corrion, Phelps, Schisler

MEMBER (S) ABSENT:                LaPlant

ALTERNATE MEMBERS PRESENT:      Castaneda

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 January 21, 2014.** *Ms. Corrion moved to approve the minutes as presented. Mr. Schisler seconded the motion. Five (5) ayes, no (0) nays. The motion passed.*

**The next item on the agenda was a petition filed by Cynthia Carroll-Kababik for property at 87 River Trail Drive which is on the North side of River Trail between Spruce Ridge and Golfside for the purpose of a variance of .78 feet to be 585.92 feet (NGVD 1929) surface elevation for an addition (586.7 feet is required). Parcel is zoned Residential-2.**

The fire department took no exception to the petition.

Bay County DWS wrote they take no exception to the proposed variance.

Jim Lillo from the Bay County Road Commission wrote with regard to the petition filed by Cynthia Carroll-Kababik, they do not have a comment on the elevation variance. However, the submitted information did not include the actual location of the proposed addition. If the addition is clear of the road right-of-way and any potential damage from routine road maintenance activities, they have no issue with the request. If the addition is located such that it could/will interfere with our routine operations, they request a copy of the addition's location for further review and object to the request.

Wayne Patterson represented the request. He stated the proposed additions were not on the road side, they would be on the water side. He showed a drawing of the proposal. The additions would be for a dining room and a master bedroom. The new rooms would square up with what exists.

Code Enforcement Officer Steve Hebert showed the Board an aerial view of the property. The line of sight would not be impacted.

Ms. Corrion questioned the elevation variance. Mr. Patterson stated the additions would be a little off from what was required.

Mr. Castaneda asked what effect the variance would have on the property at the time of sale. The variance stays with the property.

Mr. Phelps asked if all FEMA's requirements were met. Mr. Patterson stated they were met.

There was no one in the audience in favor of the request.

Jim Gath of 147 River Trail stated he had to deal with the DEQ for his project. He asked why this matter didn't have to. Mr. Patterson stated they received a permit from FEMA to do the work. Ms. Kababik's project fell within the guidelines.

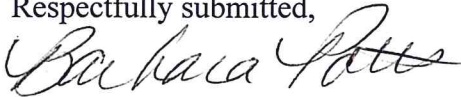
Mr. Hebert explained there was an improvement threshold. If Ms. Kababik was required to meet all the standards, it would be impractical. They would have to lift the entire house because of the two additions. The DEQ reviews the proposals and bases their determination on the scope of the project.

Mr. Hebert stated a variance should be granted if good and sufficient cause is shown. Failure to grant the variance would result in exception hardship to the applicant. A variance will not result in flood heights in excess of those permitted. This variance, if approved, would not create nuisances or conflict with existing laws or ordinances. It would be impractical to lift the entire house for the additions.

*Mr. Schisler moved to approve the petition filed by Cynthia Carroll-Kababik for property at 87 River Trail Drive which is on the North side of River Trail between Spruce Ridge and Golfside for the purpose of a variance of .78 feet to be 585.92 feet (NGVD 1929) surface elevation for an addition (586.7 feet is required). If the request is denied, it would result in a hardship for the petitioner. The variance will not result in excessive flood heights. Ms. Corrion 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 variance would be null and void.*

*Having no other business before the Board, Mr. Schisler moved to adjourn. Mr. Phelps seconded the motion. Five (5) ayes, no (0) nays. The motion passed and the meeting was adjourned at 6:10 p.m.*

Respectfully submitted,



Barbara A. Potts

Zoning Board of Appeals Coordinator