

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

MINUTES OF NOVEMBER 21, 2023 MEETING

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 21st day of November, 2023 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

REGULAR MEMBERS PRESENT: Covaleski, DeShano, LaPlant, Meldrum, Weidner

MEMBER(S) ABSENT: None

ALSO PRESENT: Building Official Tim Mark

Ms. Covaleski called the meeting to order at 6:00 p.m. Roll call was taken. The Pledge of Allegiance was recited.

The first item on the agenda was approval of the minutes of the October 17, 2023, regular meeting. *Mr. Weidner moved to approve the minutes as presented. Ms. Covaleski seconded the motion. Five (5) ayes, no (0) nays. The motion passed.*

The next item on the agenda was a request by Roger Harmon for property at 165 River Trail Drive which is on the west side of River Trail between Spruce and Birch Ridge for the purpose of a side yard setback variance of 3’ to be 5’ (8’ is required), an 10’ total side yard setback variance to be 10’ (20’ is required), a waterfront setback variance of 17’ to be 23’ to stay within the line of sight (40’ is required) and a front yard variance to 15’ to be 10’ (25’ is required) for a modular home to be placed on a new foundation. The garage will remain. Property is zoned R-2.

Mr. Harmon stated he purchased the home without an inspection. They then discovered a foundation issue. Mr. Harmon stated he decided to have a stick built house instead of a modular. He added a survey was done recently and it was discovered the existing garage is 6” onto the neighbor’s property. Mr. Harmon advised the garage is to remain where it is.

Mr. Harmon stated the new home will be 5’ from each side yard and will be offset from the garage.

Jim Lillo from the Bay County Road Commission wrote with regard to the petition filed by **Roger Harmon** for property at 165 River Trail Drive, they have the following comment on the petition. From the drawing provided, the existing garage will remain, with the new home attached to it. The BCRC trusts the existing garage, or a new one, if things change, will not be any closer to River Trail Drive than the garage is now. These roadways are difficult for the BCRC to maintain, especially during snow plowing, when structures are constructed close to the roadway.

No comments were received from the BCDWS.

No comments were received from the Fire Marshal.

167 River Trail stated there was an encroachment issue with the garage

There was no one in the audience for or against the request. However, Ruthann Palmer of 167 River Trail was present. She had concerns about the location of the garage.

Mr. LaPlant asked if the offset would cause a problem. Building Official Mark stated the neighbor was not opposed to the garage staying if the house is moved 5’ off the property line. The garage cannot be altered or enlarged. If it is, it would have to be moved.

Mr. LaPlant moved to approve the petition filed by Roger Harmon for property at 165 River Trail Drive which is on the west side of River Trail between Spruce and Birch Ridge for the purpose of a side yard setback variance of 3' to be 5' (8' is required), an 10' total side yard setback variance to be 10' (20' is required), a waterfront setback variance of 17' to be 23' to stay within the line of sight (40' is required) and a front yard variance to 15' to be 10' (25' is required) for the home only to be placed on a new foundation. The garage will remain. The existing home and garage were built before the current zoning laws. The hardship is created by trying to improve the property in any way. The variances will make the home more conforming. Ms. DeShano seconded the motion. A roll call vote was taken. Covaleski-aye, Meldrum-aye, Weidner-aye, DeShano-aye, LaPlant-aye. Five (5) ayes, no (0) nays. The motion passed. The applicant has six (6) months to pull a permit, or the variance is null and void.

Having no other business before the Board, Ms. DeShano moved to adjourn the meeting. Mr. Weidner seconded the motion. Five (5) ayes, no (0) nays. The motion passed and the meeting adjourned at 6:18 p.m.

Respectfully submitted,



Barbara A. Potts
Zoning Board of Appeals Coordinator