

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

MINUTES OF FEBRUARY 20, 2024 MEETING

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 20th day of February 2024 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

REGULAR MEMBERS PRESENT: DeShano, LaPlant, Meldrum

MEMBER(S) ABSENT: Covaleski, Weidner

ALTERNATE MEMBER PRESENT: Willard

ALSO PRESENT: Building Official, Tim Mark

Ms. DeShano 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 minutes of the January 16, 2024 regular meeting. *Mr. LaPlant moved to approve the minutes as written. Ms. Meldrum 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 Greg Reinhardt for property at 3020 State Street Road which is on the west side of State Street between Wheeler and dead end for the purpose of a variance to allow an accessory structure and a swimming pool in the front yard (rear or side yard allowed) and a variance to have a 6' privacy fence in the front yard (rear or side yard is allowed). Property is zoned Residential.

Mr. Reinhardt explained he would like a barn and a pool. The way the property is laid out, he can't put either one behind or alongside his house. The septic field takes up his back yard.

Mr. Willard asked if the barn size was 40'x'60'. Mr. Reinhardt stated that would be the biggest he would build. He added the fence is for privacy on the deck.

The Bay County Road Commission wrote from the drawing provided, the driveway to the proposed barn will require a permit from the BCRC and the Bay County Drain Commissioner's office, as the proposed driveway crosses a County drain, not a roadside ditch. They have no objection or comment on the proposed swimming pool.

No comments were received from the BCDWS.

The Office of the Fire Marshal has no objections to either petition being brought before the Township Zoning Board of Appeals.

Letters of concern were submitted from Jerry Klosowski of 3031 State Street.

Mr. Reinhardt was asked about the lean-to. He explained he would use it mostly as a porch because it was by the pool. He may occasionally store things under it but not use it for permanent storage.

Building Official Tim Mark stated the lean-to is considered in the square footage of the pole barn.

Mr. LaPlant stated he saw the hardship for the locations of the pool and pole barn but not for the privacy fence. He was not in favor of a 6' privacy fence in the front yard. A railing on the deck should be

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sufficient. A discussion took place.

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

Mr. Laplant moved to approve the petition filed by Greg Reinhardt for property at 3020 State Street Road which is on the west side of State Street between Wheeler and dead end for the purpose of a variance to allow an accessory structure and a swimming pool in the front yard (rear or side yard allowed). Property is zoned Residential. There is no other location to place on the property for the pool or pole barn. Mr. Willard seconded the motion. Four (4) ayes, no (0) nays, two (2) absent. The motion passed. The applicant has six (6) months to pull a permit, or the variance is null and void. No action was taken on the fence request.

The last item on the agenda was a petition filed by Washington Bay Opportunities for property at 802 North Euclid which is on the east side of North Euclid between W. Fulton and W. North Union for the purpose of: 1) a 110' road frontage variance to be 90' (200' is required, existing lot of record); 2) a 22,000 square foot variance for minimum lot area to be 18,000 square feet (40,000 square feet is required, existing lot of record); 3) a 15' front yard parking setback variance to be 0' from the road right of way (15' is required); 4) a 2 square foot variance for a wall sign on the west to be 58 square feet (56 square feet is allowed); 5) a variance for a second wall sign of 58 square feet on the north side of the building (one wall sign is allowed); and 6) an 8-vehicle stacking space variance to be two spaces (10 spaces are required). Property is zoned Commercial-2.

Vincent Tomina represented the request as the tenant and franchisee. They have done business in the area and would like to continue business here. They are proposing a Cinnabon/Auntie Ann's in the building along with the existing T-Mobile.

Mr. Mark explained the first two variances are to make the existing lot of record legal non-conforming.

Mr. LaPlant asked if the existing structure would be used. Mr. Tomina stated the owner was willing to make a big investment in the façade, interior, parking, and sign. Mr. Mark added the existing sign structure would remain, but landscape would be added to it.

Mr. LaPlant questioned the need for the wall sign on the north if the pole sign faced north and south. Mr. Tomina stated it was a brand standard. They required a second wall sign. Mr. LaPlant added there is no hardship for the second sign. Mr. Tomina stated he would check to see if the second sign could be smaller. Mr. Mark suggested postponing the second sign variance until Mr. Tomina has the actual brand/franchise requirements.

Mr. Mark explained why the stacking variance was needed. Mr. Tomina stated a study was done on the busiest Cinnabon/Auntie Ann's. The study showed stacking past the "order board" was not needed.

The Bay County Road Commission did not have any comments on the petition. North Euclid Avenue is under the jurisdiction of MDOT, and they recommend the developer contact MDOT to determine their requirements.

No comments were received from the BCDWS.

The Office of the Fire Marshal has no objections to either petition being brought before the Township Zoning Board of Appeals.

No comments were received from MDOT.

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

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Mr. LaPlant moved to postpone until not later than the April 16, 2024 meeting, the petition filed by Washington Bay Opportunities for property at 802 North Euclid regarding a variance for a second wall sign of 58 square feet on the north side of the building (one wall sign is allowed). Mr. Willard seconded the motion. Four (4) ayes, no (0) nays, two (2) absent. The motion passed.

Mr. LaPlant then moved to approve the petition filed by Washington Bay Opportunities for property at 802 North Euclid which is on the east side of North Euclid between W. Fulton and W. North Union for the purpose of: a 110' road frontage variance to be 90' (200' is required, existing lot of record); a 22,000 square foot variance for minimum lot area to be 18,000 square feet (40,000 square feet is required, existing lot of record); a 15' front yard parking setback variance to be 0' from the road right of way (15' is required); a 2 square foot variance for a wall sign on the west to be 58 square feet (56 square feet is allowed); and an 8-vehicle stacking space variance to be two spaces (10 spaces are required). Property is zoned Commercial-2. Mr. Willard seconded the motion. Four (4) ayes, no (0) nays, two (2) absent. 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. Ms. Meldrum seconded the motion. Four (4) ayes, no (0) nays, two (2) absent. The motion passed and the meeting adjourned at 6:45 p.m.

Respectfully submitted,



Barbara A. Potts
Zoning Board of Appeals Coordinator

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