

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

**MINUTES OF APRIL 16, 2024 MEETING**

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 16<sup>th</sup> day of April 2024 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

REGULAR MEMBERS PRESENT: Covaleski, LaPlant, Meldrum, Weidner

MEMBER(S) ABSENT: DeShano

ALTERNATE MEMBER PRESENT: Willard

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 minutes of the February 20, 2024 regular meeting.** *Mr. LaPlant moved to approve the minutes as written. Mr. Willard seconded the motion. Five (5) ayes, no (0) nays, one (1) absent. The motion passed.*

**The next item on the agenda was a petition filed by Rachel Tijerina for property at 3310 State Street Road which is on the west side of State Street between Wheeler and dead end for the purpose of a 65' variance on the north property line to be 35' (100' is required), an 89' variance on the east property line to be 11', and an 89' variance on the south property line to be 11' for a horse barn. Property is zoned Residential.**

Ms. Covaleski clarified the variance is for the existing barn, not a new one.

Ms. Tijerina explained since her daughter wanted a horse, they purchased the adjacent property, so they had over the required five acres for a horse. She split off the home that was on the adjacent property but had to keep that home on one acre because it has a septic system and one acre is required. She also wanted to keep the barn on her property.

Ms. Covaleski advised the building permit for the barn was dated 1989.

Ms. Tijerina stated the pasture for the horses will not go all the way back to the rear of the property. She added she didn't want more than two horses. A minimum of five acres is required with one acre of pasture per horse.

Building Official Tim Mark advised the building could be moved and be conforming. Mr. LaPlant stated the issue is self-created.

The Bay County Road Commission wrote they have the following comments on the petition. From the drawing provided, it is unclear as to where on the property the new horse barn is to be located. From the description, it appears the barn will be behind the existing home. If this is the case, the BCRC has no objection or comment on the petition. If this is not the case, please provide a location with dimensions off the road right-of-way line, so we can review.

No comments were received from the BCDWS.

No comments were received from the Fire Marshal.

APPROVED

Patty Beson-Lickfelt stated she was in favor of the request. Having horses is great for kids.

Karen Stevenson of 3280 State Street stated she was renting the home that was split off. The barn is directly behind the house. She was in favor of it remaining for the horses.

Jason Clements of 232 State Park Drive was against the request. He did not want horses on the property. The smell would lower his property value.

Phyllis Sprague of 242 State Park Drive was against having horses. She stated the manure will pile up which brings smell and flies. The hay will bring rats and mice.

Mr. Weidner stated the hearing was only for the location of the existing barn. Ms. Tijerina is allowed to have horses.

Carolyn Hunt of 3301 State Street stated she lived across the street. She had no objections as long as the horses were to the north and not the east.

Susan Eagle of 3378 State Street Road was opposed to the request. The area was fine without horses.

Howard Eagle asked if the property was being rezoned. It was not.

Mr. LaPlant asked how many stables the building would have. Ms. Tijerino stated the building has two stalls. Mr. Mark stated the building is 24'x32'.

Ms. Covaleski commented that there are limitations on the property because the split had to be done to accommodate the septic system. Mr. Willard stated if the variance is denied, Ms. Tijerino could build a barn somewhere else. Mr. Mark added a barn could be anywhere on the property as long as it had 100' setback if there were horses. The number of horses is limited by the zoning ordinance.

*Mr. Weidner moved to approve the petition filed by Rachel Tijerina for property at 3310 State Street Road which is on the west side of State Street between Wheeler and dead end for the purpose of a 65' variance on the north property line to be 35' (100' is required), an 89' variance on the east property line to be 11', and an 89' variance on the south property line to be 11' for a horse barn. Property is zoned Residential. The hardship being the way the property had to be split in order to accommodate the existing septic system. The building has existed since 1989. Mr. LaPlant seconded the motion. A roll call vote was taken. Covaleski-aye, Meldrum-aye, Weidner-aye, LaPlant-nay, Willard-nay. Three (3) ayes, two (2) nays, one (1) absent. The motion passed. The applicant has six (6) months to pull a permit, or the variance is null and void.*

**The last item on the agenda was a petition filed by Kyle & Emma Nicodemus for property at 4111 E. Glenway which is on the east side of E. Glenway off of Shannon Lane for the purpose of a 6' privacy fence in the front yard (Shannon Lane) (4' see through is allowed). Property is zoned Residential.**

Ms. Nicodemus explained a split rail fence exists where they want to put a 6' privacy fence on the Shannon Lane side of the property. It will connect to their neighbor's fence. Mr. Nicodemus added that being on a corner lot makes them feel like they are in a fishbowl. The fence would give them privacy and maintain the size of their backyard.

The Bay County Road Commission does not have any objection to the petition. The fence location shown is well away from the Shannon Lane road right-of-way and will not interfere with BCRC maintenance activities

No comments were received from the BCDWS.

APPROVED

No comments were received from the Fire Marshal.

Cindy and John Phares of 3080 Shannon Lane were in favor of the request. There is a need for privacy.

John Theiler of 3072 Glenway Place represented the subdivision association. The proposed fence would not create a vision impairment. If the fence location is kept where it currently is, there should be no problem.

Mr. Willard stated he would not have an issue as long as the neighbors didn't. Mr. LaPlant added the property has two front yards plus there is an existing fence.

A discussion took place on how far off the property line the fence would be.

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

*Mr. LaPlant then moved to approve the petition filed by Kyle & Emma Nicodemus for property at 4111 E. Glenway which is on the east side of E. Glenway off of Shannon Lane for the purpose of a 6' privacy fence in the front yard (Shannon Lane) (4' see through is allowed). Property is zoned Residential. The property has two front yards. Mr. Willard seconded the motion. A roll call vote was taken. Weidner-aye, LaPlant-aye, Willard-aye, Covaleski-aye, Meldrum-aye. Five (5) ayes, no (0) nays, one (1) 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, *Mr. LaPlant moved to adjourn the meeting. Ms. Covaleski seconded the motion. Five (5) ayes, no (0) nays, one (1) absent.* The motion passed and the meeting adjourned at 6:45 p.m.

Respectfully submitted,



Barbara A. Potts  
Zoning Board of Appeals Coordinator

APPROVED