

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

MINUTES OF DECEMBER 20, 2011 MEETING

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 20th day of December, 2011 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, Pilarski and Schisler
MEMBER (S) ABSENT: None

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 November 7, 2011. *Mr. Pilarski moved to approve the minutes as presented. Ms. Corrion seconded the motion. Five (5) ayes, no (0) nays. The motion passed.*

The next item on the agenda was a petition filed by Gordon Jankens for property at 387 Ricoma Beach which is on the West side of Ricoma Beach between Killarney Beach Road and the end of Ricoma Beach for the purpose of a variance to allow an accessory building on a vacant parcel (no accessory building allowed to be constructed on a parcel unless there is a principal building) and a 620 square foot variance to have a 1200 square foot accessory building (600 square feet is allowed). Parcel is zoned Residential-2.

Jim Lillo from the Bay County Road Commission wrote with regard to the petition filed by Gordan Jankens for property at 387 Ricoma Beach Road for a variance to construct a detached garage – they do not have any objection to the petition. The submitted plan indicates the front of the proposed building will be 50’ west of the road edge and, therefore not conflict with traffic patterns. It appears the structure will be used for storage of vehicles and recreational craft. If a driveway is proposed (none are shown on the submitted plans) a permit for such is required from the Bay County Road Commission.

Bay County Department of Water and Sewer takes no objection to the proposed variance. Underground water and sanitary sewer mainlines are located within the property west of Ricoma Beach Road, but more than 20 feet away from the planned building location, based on their records and the information provided.

Fire Marshal Bailey wrote any construction must meet the International Fire Code 2006 edition.

Mr. Jankens stated he would like a building on the property. If he were to combine the properties, he could have 1500 square feet of accessory buildings. On his proposed building, he would like a single door and a double door. He tried to stay within the code but needs storage. He will not have a driveway.

Mr. Jankens stated he spoke to the adjacent neighbor and she asked if the proposed building could be moved further from the property line. Mr. Jankens is proposing to move the building from 6’ to 14’ from the property line.

There was no one in the audience against the request.

Gayle Reaume of 394 Ricoma Beach was in favor of the request.

Ms. Corrion commented there was no room on the other property for the building.

Mr. Pilarski stated it was the property owner’s responsibility to take care of any damage caused by a water or sewer line break. Mr. Jankens stated he knew where the lines were.

Mr. Pilarski commented the area was tight on space. Most of the adjacent parcels have accessory buildings.

Mr. Schisler moved to approve the petition filed by Gordon Jankens for property at 387 Ricoma Beach which is on the West side of Ricoma Beach between Killarney Beach Road and the end of Ricoma Beach for the purpose of a variance to allow an accessory building on a vacant parcel (no accessory building allowed to be constructed on a parcel unless there is a principal building) and a 620 square foot variance to have a 1200 square foot accessory building (600 square feet is allowed). Approval is due to the unique circumstances of the property. If the properties were combined, a larger building could be built. There is a 16' private drive going through the properties. The building could not be built anywhere else. Mr. Phelps seconded the motion. Mr. Pilarski stated an updated plan has to be given to the Building Inspection office before a permit is pulled. Five (5) ayes, no (0) nays. The motion passed. Mr. Jankens has 6 months to pull a building permit or the variances will be null and void.

The next item on the agenda was a petition filed by Midway Signs, Inc. for property at 3636 E. Wilder Road which is on the South side of Wilder Road between N. Euclid and Shrestha Drive for the purpose of a variance to allow two (2) wall signs (one is allowed) and a variance to allow a directional sign to be 22"x18.5' (direction signs shall not exceed 4 square feet in area or 3 feet in height) Parcel is zoned Commercial-2.

Jim Lillo from the Bay County Road Commission wrote with regard to the petition filed by Midway Signs, Inc. for property at 3636 E. Wilder Road (Graff Chevrolet) for a sign variance – they do not have any comments with regard to the petition. Based on the information received, Graff Chevrolet is requesting a variance to place new building signage only and none of which will be located within any right-of-way under the jurisdiction of the Bay County Road Commission.

Bay County Department of Water and Sewer has no objection to the proposed variance.

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Chuck Crump from Midway Signs represented the request. They would like to increase the number of allowed wall signs and have a directional sign for Graff. The sign issue was caught after the plan review. They are proposing a reduction in the square footage. Mr. Crump explained the presented picture of the proposal.

Lisa Kusey of Graff was in favor of the request.

There was no one in the audience against the request.

Mr. Pilarski appreciated the thorough information presented. He felt the ordinance may need to be updated for situations like this that are caused by remodeling. There is a reduction in the overall square footage. There is no reason this should not be approved. The signs will better serve the customers.

Ms. Corrion was very happy to see businesses investing in the area.

Mr. Schisler commented the building exists. The remodeling is causing the need for a variance. Even though the signage will be less than what exists, it is still in violation of the ordinance.

Ms. Corrion moved to approve the petition filed by Midway Signs, Inc. for property at 3636 E. Wilder Road which is on the South side of Wilder Road between N. Euclid and Shrestha Drive for the purpose of a variance to allow two (2) wall signs (one is allowed) and a variance to allow a directional sign to be 22"x18.5' (direction signs shall not exceed 4 square feet in area or 3 feet in height). This will be a benefit to the business and the community. The proposed signage is less square footage than what exists. Mr. Schisler seconded the motion. Five (5) ayes, no (0) nays. The motion passed. Midway Signs has 6 months to pull a building permit or the variances will be null and void

The last item on the agenda was a petition filed by Perkowitz & Ruth Architects for property at 3921 E. Wilder Road which is on the North side of Wilder Road between State Park Drive and State Street Road for the purpose of a variance to allow four (4) wall signs (one is allowed). Parcel is zoned Commercial-2.

Jim Lillo from the Bay County Road Commission wrote with regard to the petition filed by Perowitz & Ruth Architects for property at 3921 E. Wilder Road (Walmart) for a sign variance – they do not have any comments with regard to the petition. Based on the information received, Walmart is requesting a variance to place new building signage only and none of which will be located within any right-of-way under the jurisdiction of the Bay County Road Commission.

Bay County Department of Water and Sewer has no objection to the proposed variance.

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Barb Behmlander from the Bay City Mall telephoned they have no objections to the request.

James Damron of Perkowitz & Ruth Architects represented the request. He stated Walmart will be remodeling and they want to upgrade their signs. The signage would be reduced by 300 square feet.

Mr. Pilarski commented this is the same condition as the previous request. They have multiple entrances and would like to direct their customers.

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

Ms. Corrion stated she appreciated the investment back into the community.

Mr. Schisler moved to approve the petition filed by Perkowitz & Ruth Architects for property at 3921 E. Wilder Road which is on the North side of Wilder Road between State Park Drive and State Street Road for the purpose of a variance to allow four (4) wall signs (one is allowed). This would reduce the signage's current 758 square footage and 14 signs to a proposed 461 square footage for signs and 4 signs. The proposed 428 square footage is for the logo and new directional signs to guide customers to their desired portion of the store. Mr. Phelps seconded the motion. Five (5) ayes, no (0) nays. The motion passed. Perkowitz & Ruth Architects have 6 months to pull a building permit or the variances will be null and void

A discussion took place on updating the sign ordinance.

Having no other business before the Board, Mr. Schisler moved to adjourn. Mr. Pilarski seconded the motion. Five (5) ayes, no (0) nays. The motion passed and the meeting was adjourned at 6:30 p.m.

Respectfully submitted,

Barbara A. Potts
Zoning Board of Appeals Coordinator