

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

MINUTES OF AUGUST 24, 2011 MEETING

A special meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 24th day of August, 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, Schisler
MEMBER (S) ABSENT: None
ALTERNATE MEMBER PRESENT: LaPlant

Mr. Banaszak called the meeting to order at 5:30 p.m.

The Pledge of Allegiance was recited.

The first item on the agenda was a petition filed by Patrick Gray for property at 156 Bay Shore Drive which is on the West side of Bay Shore Drive between East Drive and West Drive for the purpose of a 1' variance to be 39' for a waterfront setback (40' is required) and a 5' variance to be 15' for a front yard setback (20' is required). Parcel is zoned Residential-2.

Bradd Maki from the Bay County Department of Water & Sewer wrote that the DWS takes no exception to the proposed variances.

Jim Lillo from the Bay County Road Commission wrote with regard to the petition filed by Patrick Gray for property at 156 Bay Shore Drive, they have the following comments. Based on the petition and field review this is a new home which will require a new driveway abutting a road under the jurisdiction of the Bay County Road Commission. With regard to the roadside setback variance (15' vs. the required 20'), they do not believe this to be an issue. Based on the location of the garage face for the existing home to the east, all portions of the proposed home appear to be no closer to the roadway. Damage to the new home due to roadway maintenance (snow removal) does not appear to be a concern.

George McPeak of 293 Lagoon Beach telephoned that he had no objection.

Jeff Smith from Westwood Homes represented the request. He stated about a year ago, when he spoke to the Building Inspector, he was told he had to stay behind the line of sight. When he came back to the Township to get the permits, Steve Hebert told him the home must have a 40' setback or not be past the line of sight, whichever was greater. The house was built to the original restriction. Mr. Smith added both of the neighbors are closer to the water. In order to meet the waterfront setback, the front yard setback also needs a variance.

Darryl Steiner of 158 Bay Shore Drive stated he had no objection to the variances. The existing homes are within the same range. The seawall is angled but the home is still within the line of sight.

Anthony Forgash of 151 Bay Shore Drive stated he was Mr. Gray's uncle and lives across the street. He had no objection to the variances.

Bob McDonald of 152 Bay Shore Drive stated he lives next door. He stated in the past, people were allowed to build to the property line. He had no problem with the request. He did question the survey

that was done.

There was no one in the audience opposed to the requests.

Mr. Pilarski stated there is no issue with the line of sight. This is the best use of the lot.

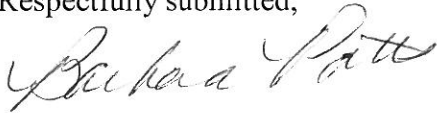
Mr. Schisler stated there are unusual lots on the waterfront. The ZBA has been liberal with variances in the waterfront as long as the line of sight is not impeded.

Mr. LaPlant added the proposal conforms to the area. For the line of sight not to be affected, a front yard variance is needed.

Ms. Corrion moved to approve the petition filed by Patrick Gray for property at 156 Bay Shore Drive which is on the West side of Bay Shore Drive between East Drive and West Drive for the purpose of a 1' variance to be 39' for a waterfront setback (40' is required) and a 5' variance to be 15' for a front yard setback (20' is required). The proposed home fits within the property properly. The line of sight is not affected. So not to affect the lint of sight, the front yard setback is affected. Mr. Phelps seconded the motion. Five (5) ayes, no (0) nays. The motion passed. Mr. Gray was given 6 months to pull a building permit or the variances would be null and void.

Having no other business before the Board, Mr. LaPlant moved to adjourn. Mr. Schisler seconded the motion. Five (5) ayes, no (0) nays. The motion passed and the meeting was adjourned at 5:45 p.m.

Respectfully submitted,



Barbara A. Potts
Zoning Board of Appeals Coordinator