

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

MINUTES OF MAY 17, 2011 MEETING

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 17th day of May, 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

MEMBER (S) ABSENT: Schisler

Mr. Banaszak called the meeting to order at 6:01 p.m.

The Pledge of Allegiance was recited.

The first item on the agenda was approval of the minutes of a regular meeting held February 15, 2011. *Mr. Pilarski moved to approve the minutes as presented. Mr. Phelps seconded the motion. Four (4) ayes, no (0) nay, one (1) absent. The motion passed.*

The next item on the agenda was a petition filed by Randall Minnick for property at 3374 Hidden Road (0901000620055000) which is on the South side of Hidden Road between N. Euclid and the end of Hidden Road for the purpose a variance to extend a non-enclosed addition crossing the line of sight. (Section 5.08, 16.02). Parcel is zoned Residential.

Paul Colbeck from the Bay County Department of Water & Sewer wrote that the DWS takes no exception to the proposed variance request.

Jim Lillo from the Bay County Road Commission wrote with regard to the petition filed by Randall Minnick for property at 3374 Hidden Road, south side, between North Euclid and the western end of Hidden Road for a line-of-sight variance – they have no comment on the petition. As received, the proposed site improvements have no impact on Hidden Road or any road under the jurisdiction of the Bay County Road Commission.

Fire Marshal Ken Bailey stated that any work must meet the International Fire Code.

Doug Maillette of 3260 Barnett Lane telephoned that he had no objections.

Mr. Minnick would like to build a 12' roof off the house. It is a two-story home that faces the South. They get direct sun in the summer and the snow swirls in front of the patio doors in the winter. The roof would provide shade and help keep the house cool in the summer plus help with the snow in the winter.

The area would not be enclosed. The roof will be held up by posts and have a small pitch. The roof will be 8' at the low point and 11' at the house.

Mr. Pilarski asked if it would need a foundation. Mr. Minnick stated that the posts would be cemented in. He was told to request the variance then talk to the Building Inspector if it was approved.

Mr. Minnick presented photos of his property from different angles. He stated the roof would improve the

home aesthetically because currently it has a flat front.

Mr. Pilarski stated if the variance is approved, there is nothing to stop Mr. Minnick from enclosing the structure. Ms. Corrion agreed stating conditions can't be placed on a variance approval. Mr. Pilarski added each variance request is based on its own merit.

Mr. Pilarski requested Section 16.02.1. of the Zoning Ordinance be read aloud: Any lot or parcel of land that abuts a lake, pond, stream, or other water body shall provide a setback along such waterfront as well as along every public or private road. The setback adjacent to the waterfront for all principal and accessory structures, including original construction, reconstruction, extensions, enlargements, or other alterations on such waterfront lot shall not extend closer to the water than the waterfront building line established by the location(s) of the principal structures in closest proximity to and adjacent to the lot. In no instance shall the principal structure or any accessory structures be located within forty (40) feet of the waterfront property line or high water mark, whichever is to the structure.

Howard Sprung of 3369 Hidden Road stated he had no objection. Mr. Minnick should be able to do what he wants.

There was no one in the audience against the request.

Mr. Banaszak asked if the request met the criteria needed for approval. Only the line of sight is affected by the variance. There is no negative impact on the property to the East.

Mr. Minnick stated the existing trees have more effect on the line of sight than what he is proposing.

Mr. Phelps inquired if the proposed roof could be enlarged if the variance was approved. No, it could not be enlarged.

A discussion took place on the five criteria for variance approval.

Mr. Minnick explained the house belonged to his parents before he purchased it. It had a second story balcony on the South side but it was rotted and removed. Ms. Corrion stated it would have been similar to what is proposed.

Mr. Pilarski stated there is a lot of frontage to use without creating a negative impact on the neighbors. There is an established residence on the West closer to the Hidden Road.

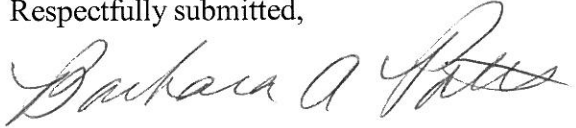
Mr. Minnick explained they tried to put up a temporary awning but it rusted and the fabric wore out. This would be a permanent fix.

Ms. Corrion moved to approve the petition filed by Randall Minnick for property at 3374 Hidden Road (0901000620055000) which is on the South side of Hidden Road between N. Euclid and the end of Hidden Road for the purpose a variance to extend a non-enclosed addition crossing the line of sight. The request is unique due to the home facing the South causing issues with heat in the summer and snow in the winter. The variance does not negatively impact any adjacent neighbors. Mr. Pilarski seconded the motion with an amendment. He added the house to the West is established to Hidden Road and will not be impacted nor will the house to the East. Four (4) ayes, no (0) nays, one (1) absent. The motion passed. Mr. Minnick was told he had six months to pull a building permit or the variance would be null and void.

Mr. Banaszak reported Paul Colbeck for the Department of Water and Sewer was retiring and requested a thank you letter for years of service be sent on behalf of the ZBA.

Having no other business before the Board, Ms. Corrion moved to adjourn. Mr. Banaszak seconded the motion. Four (4) ayes, no (0) nays, one (1) absent. The motion passed and the meeting was adjourned at 6:35 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Barbara A. Potts". The signature is fluid and somewhat stylized, with the first letters of each name being capitalized and prominent.

Barbara A. Potts
Zoning Board of Appeals Coordinator