

**BURT TOWNSHIP  
ZONING BOARD OF APPEALS  
MINUTES  
November 20, 2020**

The Burt Township Zoning Board of Appeals was called to order by Chair Kim Kihnke on November 20, 2020, at 2:00 p.m. via teleconference.

**ATTENDANCE:** Kim Kihnke, Harold Koviak, Dennis Reimann, Jay Jontz, Dave Hutto

**ALSO ATTENDING:** Jim Larson, Bill Garlinghouse and Mary Yocum, Eric Rhadigan, Timothy and Cynthia Schoick, Keith Butkovich and Jaynee Handelsman, Brian Fulford, Jeff Jakeway, Tim Golding, Carolyn Hodulik – Recording Secretary

**ROLL CALL:** present Koviak, Jontz, Hutto, Reimann, Kinke

**Agenda: motion to accept meeting agenda by Koviak, supported by Jontz, MOTION APPROVED**

**AMEND MOTION FOR AGENDA: Koviak moved to correct start time to 2:00 p.m. for November 20, 2020, meeting, supported by Hutto MOTION APPROVED.**

**Conflict of Interest:** None

Approval of Prior Meeting Minutes (Friday, July 17, 2020)

**MOTION:** Moved by Jontz, supported by Hutto to approve the minutes as presented.

**PUBLIC COMMENT – None**

**Bill Garlinghouse and Mary Yocum, 2040Elmhurst Road, Brutus, MI 49716 PARCEL 120-021-300-019-00** request a variance for ordinance 6.02.3 to alter and rebuild two existing decks and an existing shed which are all non-conforming structures and do not conform to setback requirements. Two neighbors responded and approved.

**MOTION:** Moved by Koviak, supported by Reimann to approve variance with following setbacks: waterfront-38 feet; road-30 feet; south side-3 feet; north side-7 feet.

Roll Call taken: Koviak-yes; Jontz-yes; Hutto-yes; Reimann-yes; Kihnke-yes

**MOTION APPROVED**

Reasons: Rebuilding the decks and shed which are deteriorating and will make the property more appealing, and two neighbors approve. The footprint is not being changed. Building permit required from zoning administrator.

**Eric Rhadigan and Brian Brady owners of Blackhawk Farms LLC – 2111 University Park Dr., Suite 650, Okemos, MI 48864**, request a variance for 6688 Mullett-Burt Road, Cheboygan, MI 49721, Parcel 120-012-300-004-01 regarding ordinance 6.04.2 to build an oversize pole building with a footprint of 3200 square feet with a 960 square foot lean to for a total of 4160 square feet instead of building a separate pole building on different lots.

**MOTION:** Moved by Reimann, supported by Jontz to approve variance for an additional 2360 square feet for pole barn and the lean to. Pole barn will be constructed with a 50 foot setback from the north property line. There will be a 20 foot concrete entrance which was approved. In addition, there will be landscaping of evergreen trees and high grasses on the east side of the property in 2021.

Roll Call taken: Koviak-yes; Jontz-yes; Hutto-yes; Reimann-yes; Kinke-yes

**MOTION APPROVED**

Reasons: No second pole barn needed, neighbors approved, and landscaping will enhance the property.

**Timothy and Cynthia Van Schoick, 5275 Thames Court, Jackson, MI 49201** request a variance for 10145 Chickagami Trail, Brutus, MI 49716 Parcel 120-C17-000-025-02 regarding ordinance 3.09 which limits impervious surface coverage of a waterfront location to 10% maximum. Survey provided by Brian Fulford resulted in 13.7% impervious surface coverage. Permits and variances are required for driveway and fire pits. The 37 year old fence should comply with the 75 foot lake setback. Lengthy discussions ensued between the property owners and the zoning administrator.

**MOTION:** Jontz made a motion to table this case until the February, 2021, meeting, and it was supported by Reimann.

Roll Call taken: Koviak-yes; Jontz-yes; Hutto-no; Reimann-yes; Kinke-yes

**Keith Butkovich and Jaynee Handelsman, 5070 North Bay Way, Cheboygan, MI 49721**, parcel 120-003-415-18-00 request a variance for ordinance 3.09 waterfront setback to place deck within the waterfront setback and in addition, to a patio and firepit surround built without permits. A new site plan with all dimensions attached to the permit is required.. The firepit surround should be moved to be 25 feet from the high water mark (this may require a survey) with a 1 degree slant away from the lake. Lengthy discussion ensued on the definition of a firepit.

**OTHER BUSINESS:**

2021 meeting schedule: Feb. 26, April 16, May 28, July 16, Sept. 17, Nov. 19 , all at 2:00 p.m

**MOTION:** Moved as presented by Koviak, Supported by Jontz.

Private shared lake access licenses for Chickagami Heights: township clerk will send license package for multiple docks to Steve Post..

**REPORTS:**

Zoning Administrator observed a few construction sites without permits. Van Schoicks will return at the February meeting. A planning review of wording for the 25 foot setback required for firepits was omitted in zoning but adopted by township board.

Koviak updated the progress of the remodeling of the township hall entrance.

The township board now has a new clerk, Christy Kozlowski, who is doing an outstanding job.

The bi-annual township update letter included with property taxes will be mailed soon.

Jontz: planning discussed the zoning of size of accessory buildings and amount of acreage (to alleviate the work load on the ZBA) at the public hearing on January 14, 2021, @ 6:45 p.m. Kozlowski pursuing RFPs for high speed internet study. Consultant reformatting the zoning ordinance on line by adoption dates. Consultant working on short term rental ordinance.

**SITE VISITS:** Koviak, Hutto, Reimann – 5 visits; Jontz & Khinke – 4

**NEXT MEETING:** February 26, 2021, @ 2:00 p.m

**COMMENT:** Discussion of fines for lack of permits and sanctioning of contractors who do not get or fail to inform property owners of their responsibility to obtain the appropriate permits.

Adjourned at 4:48 p.m.

Respectfully submitted,

Carolyn Hodulik  
Recording Secretary



