

**BURT TOWNSHIP
ZONING BOARD OF APPEALS
MINUTES
July 17, 2020**

The Burt Township Zoning Board of Appeals was called to order by Chair Kim Kihnke on July 17, 2020 at 7:00 pm at the Burt Township Hall, 7029 Birchwood Rd., Cheboygan, Michigan and via teleconference.

Attendance: Kim Kihnke, Harold Koviak, Dennis Reimann, Jay Jontz, Dave Hutto (via teleconference)

Also Attending: John Calk, Jerry Trudell, Jim Larson, Donna McDougall, Clerk/Recording Secretary

Chair Kihnke led in reciting the Pledge of Allegiance.

Agenda:

MOTION: Moved by Jontz, supported by Hodulik to approve the Agenda as presented.

MOTION APPROVED

Conflict of Interest: None

Minutes: May 22, 2020 Minutes

MOTION: Moved by Jontz, supported by Hutto to approve the minutes of May 22, 2020 as presented.

PUBLIC COMMENT – None

PUBLIC HEARING

John & Kathleen Calk, 2001 Southmeadow Ln., Lake Forest, IL 60045

Mr. Calk attended the public hearing to request a variance for 8703 Francine Ln, Cheboygan, MI 49721 (parcel #120-N36-000-003-00) regarding a non-conforming property and Articles 6.12.1 and 6.12.3 to replace and build a patio within the 75' waterfront setback.

Mr. Calk has already started his project and installed the footings. The patio is 1' longer than the previous patio. It is 26' from the high water mark. The property is part of an association and Mr. Calk has the approval of the association board.

Jim Larson said no variance was ever given for the original patio from 2007. Mr. Calk purchased the property in 2018.

MOTION: Moved by Koviak, supported by Jontz, to approve a new patio for 8703 Francine Lane, Cheboygan, MI, that replaces an old, unsafe existing patio with an increase in size of 90 sq.ft. for a total of 468 sq.ft. per the drawings submitted and a 49 ft. waterfront setback variance.

Roll Call vote taken: Koviak – yes; Reimann – yes; Jontz – yes; Hutto – yes; Kihnke – yes

MOTION APPROVED

Reasons: The owner cannot be penalized for a previous owner's misdoings; the previous unapproved patio was unsafe. Furthermore, this is not to be interpreted as a precedent for the association and the rest of the township.

A letter will be sent to the association advising of the decision and reasons.

NOTE: All ZBA members made site inspection.

Private Shared Lake Access Sites – Kihnke

The following associations submitted their information for renewing licenses:

1. Arrowhead Shores – No changes
2. White Goose Bay – No changes
3. Holiday Homes – No changes
4. Cottage Shores Condominium Assoc. – No changes
5. Beauwood Association – No changes
6. Burt Lake Springs Circle – No changes
7. Sunrise Association – No changes

MOTION: Moved by Jontz, supported by Reimann to approve licenses for 2020-2024 for the listed Private Shared Access Sites.

MOTION APPROVED

Follow-up letters will be sent to Sunset Beach, Needles Road and Chickagami Heights.

Reports

Zoning Administrator’s Report - Larson

7 or 8 possible variances for next meeting

Board Representative Report – Koviak

- Mullett-E. Burt Lake Boat launch is complete
- E Burt Lake Road is under construction
- Roads are brined
- Big dump day was a big success
- Election is August 4th – with millages for Roads, Fire, and General Operations up for renewal

Planning Commission - Jontz

The Planning Commission met on July 9, 2020. Discussion topics:

- Non conforming lots language and accessory structure language with a Public Hearing at the September meeting.
- Talked with Merit about process for high speed internet in Burt Township
- Ordinance has been reformatted and will be adding time stamps when they were changed

Next meeting - September 10, 2020 – Public Hearings at 6:30 – meeting to follow.

ZBA Member Comments

Jontz explained that by changing the Ordinance to allow pole barns on one acre lots versus two acre lots, there will be fewer variance requests. He noted that the Planning Commission requests that variances should be carefully considered before given for the one-acre lots.

Hutto said landscape screening should be part of plans for pole barns in residential areas. Jontz said he will bring it up at the next Planning Commission meeting.

Next ZBA meeting is September 18, 2020 at 7:00 pm.

PUBLIC COMMENT - None

MOTION: Moved by Koviak, supported by Jontz to adjourn.
MOTION APPROVED

Adjourned at 8:13 pm.

Respectfully submitted,

Donna McDougall, Clerk/Recording Secretary