

**BURT TOWNSHIP  
ZONING BOARD OF APPEALS  
MINUTES  
September 18, 2020**

The Burt Township Zoning Board of Appeals was called to order by Chair Kim Kihnke on September 18, 2020, at 7:00 pm at the Burt Township Hall, 7029 Birchwood Rd., Cheboygan, Michigan and also via teleconference.

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

Also Attending: Gene Hodulik, Ed Evers, Jerry Trudell, Paul Drayer, Carla & Bill Kanine, James Kochensparser, Kenneth Mohre (via teleconference), Jim Larson, Carolyn Hodulik/Recording Secretary

Board member Harold Koviak led in reciting the Pledge of Allegiance.

Roll call present, Koviak, Jontz, Hutto, Reimann (arrived late), Kinke (via teleconference)

**Agenda: motion to accept meeting agenda by Jay Jontz, supported by Dave Hutto, MOTION APPROVED**

**AMMEND 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**

**PUBLIC HEARING**

**William & Carla Kanine of 501 Kalamazoo Avenue, Petoskey, MI 49770**

Mr. & Mrs. Kanine attended the public hearing to request a variance for 10280 Hosta Trail, Brutus, MI 49716 (parcel #120-008-400-020-00) regarding Articles 3.09 and 6.04.1 to place a second accessory building less than 1200 square feet on a waterfront lot partially located within the 10' side setback. Neighbors had no objection.

**MOTION:** Moved by Koviak, supported by Jontz, to approve the variance for a setback of 3'6" into the 10' side setback (Article 3.09) and a second accessory building of 1200 sq. ft. to accommodate personal property storage.(Article 6.04.1)

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

**MOTION APPROVED**

Reasons: Due to the topography of the lot and no dissent from the neighbors, and a good addition to their lot.

**Ed Evers and Jelka Family LTD Partnership of 4849 Blue Rock, Cincinnati, OH 45297**

Mr. Evers requests a variance for 844 Cedar Point Drive, Indian River, MI 49749 (parcel #120-036-100-008-01) regarding Articles 6.04.1 that allows for a maximum 1800 sq. ft. footprint to build a 40' X 64' (2560 sq. ft. footprint) pole building. Mr. Evers will be rotating the building 90 degrees from the original drawing and needs a permit to cut down trees to build the structure. He is asking for 760 sq. ft. variance to the allowed size.

**MOTION:** Moved by Jontz and supported by Hutto to allow Jelka Family LTD Partnership the variance of an additional 760 sq. ft. for the pole building.

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

**MOTION APPROVED**

Reasons: building will be erected on a very large lot of 26 acres, there is positive feedback from neighbors and the building will be located on the property such that it will be appealing from the road.

**JERRY TRUDELL AND JOANNE GOLDEN, 4718 WEST BURT LAKE RD., BRUTUS, MI 49716**

Mr. Trudell requests a variance on the same property (parcel #120-008-400-013-00) regarding Article 6.04.1 to place a second accessory building of 960 sq. ft. on their waterfront lot. Mr. Trudell said the existing garage is being attached to his house at this time with permits. He wants a second accessory building 24' x 40' (1200 sq. ft. maximum size) which will be located on top of the hill near the road with landscaping. He will also remove a playhouse which is within the 20' setback between structures.

**MOTION:** Moved by Hutto and supported by Jontz to allow him the variance of an additional 960 sq. ft. second accessory building.

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

**MOTION APPROVED**

Reasons: Letters on file from neighbors all in agreement, the old garage (originally the second accessory building) is being attached to the home to prevent slips and falls in winter and they are removing a playhouse.

**Kenneth Mohre Jr., 415 Oak St., Rochester, MI 48307 requests a variance for 780 Stratford Lane, Indian River, MI 49749** requests a variance for property (parcel #16-120-C13-000-022-00) regarding Article 6.04.2 front setback of addition to existing building. Mr. Mohre (via teleconference) stated support from neighbors Jack Smith & John Doyle for requested a 12' x 32' addition on west side of existing building for principle use.

**MOTION:** Moved by Koviak and supported by Reimann to allow him a 33' front setback variance (Article 6.04.2) and a variance of 136 sq. ft. for a 12' x 44' addition (Article 6.04.1) instead of requested 12' x 32' addition because it would be more aesthetically pleasing.

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

**MOTION APPROVED**

Reasons: This addition will increase the size of the pole barn and does not affect the neighbors as well as being in a line with the other structures on the road. Neighbors Smith & Doyle approve.

NOTE: All ZBA members except Reimann made site inspections.

**OLD BUSINESS**

**Private Shared Lake Access Licenses**

**MOTION** Moved by Koviak, supported by Jontz to accept Needles and Sunset Beach documentation to approve 5 yr. licenses.

**MOTION APPROVED**

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

Dave Hutto will pursue Chickagami Heights regarding license for their private shared lake access.

**REPORTS**

**Zoning Administrator's Report** - Larson

Busy summer with 3 variances for the next meeting in November

**Board Representative Report** – Koviak

Donna McDougall resigned and Christy Kozlowski is the new clerk  
East Burt Lake Road resurfacing and Hoppie's boat ramp completed  
Phase 2 of Burt Lake Trail completed

Planning Commission Representative – Jontz

Non-conforming lots public hearing held, approved by Planning Commission.  
One acre minimum for accessory building not approved; more discussion needed.  
Allen Kozlowski set up Zoom meeting with Ben Fineman, consultant for high speed internet.  
RFP being drafted was approved by Planning Commission to forward to township board.

**ZBA Member Comments – None**

Next ZBA Meeting is November 20, 2020 at 2:00 p.m.

**PUBLIC COMMENT**

Hodulik asked that Recording Secretary receive all documentation including plans for variances before meetings. Larson agreed to do that.

**MOTION:** Moved by Jontz, supported by Hutto to adjourn

**MOTION APPROVED**

Adjourned at 8:15 p.m.

Respectfully submitted,

Carolyn Hodulik, Recording Secretary



