

**BURT TOWNSHIP**  
Zoning Board of Appeals  
Meeting Minutes, February 27, 2009

The regular meeting of the Burt Township Zoning Board of Appeals was called to order by Vice Chair Katie Parker on February 27, 2009 at 3 p.m. at the Burt Township Hall, Cheboygan, Michigan.

**Attendance:** Katie Parker, Harold Koviak, Gary Street.

Also attending: Dan Swantek (Zoning Administrator) and Joyce Hutto (Recording Secretary).

Absent: Walt Lindsay, Dave Poxson

Guests: Kim Kihnke and Joseph Ruicci.

**Minutes- December 12, 2008**

MOTION: Moved by Harold Koviak and seconded by Gary Street to accept the minutes of December 12, 2008 with the following correction. Add the word 'side' after the word south in the 5<sup>th</sup> sentence under new business of Gordon and Patricia Becker.

MOTION APPROVED

**Public Hearing**

**Joseph Ruicci, 893 Indian Point Trail, Brutus MI 49716-Case #245**

Joseph Ruicci appeared at 2:00 p.m. for an appeal hearing on an alleged zoning ordinance violation. At 2:00 p.m., only two of five members of the ZBA were present and this did not constitute a quorum of the ZBA. The procedures followed at that time have been found to be clearly erroneous by legal counsel and this matter is to be scheduled for a new hearing at the April 24, 2009 ZBA meeting at 7:00 p.m.

**Parker**

Note was taken that Jim Parker continues to fall short of fulfilling the agreements he has made with the ZBA to clean up his property. As one case in point, the trailer loaded with scrap material mentioned in the minutes of the Board's December 12, 2008 meeting remains on site. The Board reviewed correspondence received from the Township attorney. This matter will continue to be addressed.

**Zoning Administrator Report**

Dan Swantek requested an opinion on whether the following would require a variance: an accessory building with a footprint and roof larger than 1200 square feet but with a

covered yet open 7' x 13' "cutout" in one corner such that the walled-in structure would measure no more than 1200 square feet. The Board agreed that more discussion was needed before an opinion could be rendered.

**MOTION:** Moved by Gary Street and seconded by Harold Koviak to adjourn

**MOTION APPROVED**

Meeting adjourned at 4:15 p.m.

Respectfully submitted,

Joyce Hutto  
Recording Secretary