

**TOWNSHIP OF LINCOLN  
CLARE COUNTY P.O. BOX 239  
LAKE GEORGE,MI. 48633**

Supervisor Zimmerman  
Clerk Majewski  
Treasurer Carey  
Trustee Hardin  
Trustee Tobin

**Lincoln Township Zoning Board of Appeals  
Public Open Meeting  
March 12, 2010**

The meeting was called to order by Chair Kim Smith at 7:03 pm

**Roll Call:** Chair Smith, Liaison Szczepanski, Hudson, Brandt, Inspector Mantei, Zoning Administrator Lambert

**Absent:** 1

**Public:** 3

**Approval of Minutes:** ZBA Meeting, June 2, 2009 – It was moved by Hudson and seconded by Szczepanski to accept the minutes as read. Motion Passed.

**Purpose:** To consider the request of Mr. Aaron Smalley of 153 Arbor Drive, Lake George (Property # 18-010-100-004-00) for a variance for the more than 51% removal of an existing structure which makes it non-compliant and to add a new deck to the lake front of the home that is 14' X 10' which would be in violation of the 50' setback requirement.

Chair Smith reviewed the issues in light of the Lincoln Township Ordinances and the procedures followed by the Zoning Board of Appeals. Both Al Lambert and Werner Mantei reviewed their reasons for requiring a variance due to the nature of the construction. Smalley cited problems with the construction and Larry Jimkoski added problems and that they are not trying to hide anything. Both Lambert and Mantei recommended granting a variance.

**Correspondence:**

1. A letter from Donald Hubbard for the approval of the requested variance.
2. A letter from Carol Majewski with the Notice of Public Meeting.
3. A letter from the Township Attorney concerning the variance.

**Public Comment:**

1. Hudson would like to see a survey be obtained, and a firewall added.
2. Mantei would like to see a firewall and ceiling firewall
3. Smith asked if Mr. Smalley had an issue with firewalling the garage.
4. Brandt asked if there were any stipulations given at the time of the building permit.
5. Lambert, it is a safety issue Smalley should be made to firewall.

6. Mantei, Smalley should be made to firewall.
7. Hudson, the deck won't be any closer than the neighbors.
8. Szczepanski, Smalley shall obtain all the proper health and building trade permits.
9. Smith, The deck cannot be enclosed.

Chair Smith closed the Public Comment of the meeting.

**Finding the Fact:**

See Final Decision Form.

**Final Decision # 1:**

It was moved by Hudson to grant the variance providing there is firewall protection on the south side wall of the house, north side wall and ceiling of the garage. Require a zoning Permit, and that the Building Permit be updated, require a Health Department Permit, and that all other permits be obtained. Seconded by Szczepanski.

**Roll Call Vote/ Reasons:**

See Final Decision Form

**Final Decision # 2:**

It was moved by Brandt that an approval be given to construct a 14 ' X 10' deck on the lake side of the residence and when elevation is determined a railing be constructed according to code. Seconded by Hudson.

**Roll Call Vote/ Reasons:**

See Final Decision Form

Chair Smith called this session to an end.

**New Business:**

It was moved by Smith, seconded by Hudson to appoint Szczepanski as the Secretary of the Board. Motion Passed.

Motion to adjourn by Smith at 8:45 pm. Motion Passed.

Secretary,

Gary Szczepanski