

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  
May 7, 2010**

The meeting was called to order by Chair Kim Smith at 7:00 pm.

**Roll Call:** Chair Smith, Liaison/Secretary Szczepanski, Hudson, Brandt,  
Zoning Administrator Lambert, Recording Secretary House

**Absent:** 0

**Public:** 9

**Old Business:**

It was moved by Brandt and seconded by Hudson to accept the minutes of March 12, 2010 as presented. Motion Passed.

**Purpose:** To consider the request of Mr. David Deleeuw seeking a variance to build an accessory building on contiguous vacant lots. The accessory building is to be built prior to building the proposed new home. The proposed new home would be 4100 square feet. The accessory building would be 4000 square feet. The zoning ordinance requires that the accessory building be constructed after the main dwelling is constructed and that the accessory building be no larger than the main dwelling.

Chair Smith reviewed the issues in light of the Lincoln Township Ordinances and the procedures followed by the Zoning Board of Appeals.

**Correspondence:**

1. A letter from Thomas and Michelle Flood in opposition to granting the variance.

2. A letter from Dale Majewski in opposition to granting the variance.
3. A letter from Roger Carey, Lincoln Township Lakes Commissioner, in opposition to granting the variance with attached literature about large structures and the adverse effect they have on the quality of the lakes and the effect of such structures on property values.

**Public Comment:**

1. Lambert explained why he had told Mr. Deleeuw that a variance request was needed including outlining the ordinances in place.
2. Deleeuw reviewed his plans and intents. He explained the timeline for construction of the storage building, construction of the main home to follow, and the sale of the existing home on the property as the end of the project. He explained how his plans would not interfere with the ordinances on the books. The footprint of the proposed home would be 1500 sq feet because the lot with setbacks would not allow for more. The entire house would be 4100 sq ft because it will be three floors. All of the required permits have been obtained. He also displayed a large detailed map of their proposed building site.
3. Smith asked for clarification on the overhang of 16 ft on the storage structure. Deleeuw stated that part of it would be enclosed but not all of it and the enclosed portion is part of the storage building square footage.
4. Is the walkout basement included in the square footage of the proposed home? (Is it not included in Deleeuw's figures.) "I'm concerned about his changing his mind and what's to keep him from asking for another variance when he gets ready to build his home. It's hard for us to see the changes. Why did he cut down all the trees before he got the variance? This building looks like a commercial venture in a residential area."
5. What will be the roof height? (The pitch will be 4 x 12 with a height to the peak of 37'.) Smith said that the roof cannot exceed 14' to the top of the wall plate according to the ordinances.
6. Carey stated that he'd heard that overhangs are included in sq footage.
7. Lakeside accessory buildings were questioned but Smith clarified that there are very specific regulations about them and overhangs are considered part of sq footage.
8. What are the setback requirements? (10 ft to right of way - right of way is 33ft - so 33 + 10) He has so much land why not put the building back farther?
9. Has he got all of his permits for the future home? If he can't get them

then how would he build and then we have a storage building without a primary residence. We had trouble getting our permits when we built.

10. Even if he builds the house he says he is, the footprint won't be enough so why are we here discussing this? Lambert said that yes, the ordinance says no larger than the first floor for determining sq footage for the accessory building.

Chair Smith closed the Public Comment of the meeting.

**Finding of Fact:**

See Final Decision Form

**Final Decision:** Brandt moved and Hudson seconded that the variance requested be denied. Yes (4) No (0) Motion Passed.

**Roll Call Vote/Reasons:**

See Final Decision Form

Motion to adjourn by Smith and seconded by Hudson at Brandt at 8:42 pm.  
Motion Passed.

Respectfully Submitted,

Gary Szczepanski, Secretary