

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
June 25, 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: 6

Old Business:

It was moved by Brandt and seconded by Hudson to accept the minutes of May 7, 2010 as presented. Yes (4) No (0) Motion Passed.

Purpose:

Mr. Peter Gietzen has requested a variance to build an accessory building on Lot 8 of Block 6 with a primary residence. The accessory building would be 1344 square feet and the residence is 472 square feet. The zoning ordinance requires that the accessory building can be no larger than the primary residence.

Zoning Administrator Lambert stated that he had several conversations with Gietzen but they came to no conclusions based on the size of the main structure of 472 sq ft.

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

He also stated that all of the Board members have visited the site.

Correspondence:

1. Keith and Jan Penton wrote of no objection to the building of the accessory building.
2. Sherwood Frank wrote of no objection to the building of the accessory building.
3. Roger Carey, Commissioner of Lakes for Lincoln Township, wrote in opposition to building structures that would adversely affect the water shed.
4. Charlie Litwiller wrote of no objection to the building of the accessory building.
5. Janice Chapman wrote concerning the inconsistencies of the ZBA Notice.

Public Comment:

1. Gietzen stated that the actual square footage of the proposed building was 1344 and that he would build it on lot 8 using lot 7 as a buffer of trees from his neighbors. The size of the building is based on the number and size of the equipment he would like to store. Currently this equipment is under blue tarps which is not as esthetically pleasing as he would like nor well protected from the elements. There are many more pole barns in this area and his neighbors, on the whole, are in favor of his plans. The building will generate income for local contractors. Setbacks will be adhered to and it will be esthetically pleasing. He feels that previous ZBA decisions should not be considered in determining his outcome.
2. Smith asked if the cottage on the lot is currently vacant. Gietzen stated that it is.
3. Hudson asked if there will be an upstairs in the building. Gietzen stated that it will, because of the gambrel roof. Hudson asked if the building might be used for commercial purposes. Gietzen stated that it will be used for personal storage only.
4. Gietzen produced a drawing of the proposed building and landscaping. It will use sheet metal construction with vertical panels. It will be comparable to other pole barns in the area.
5. Chapman stated that the allowed size of an accessory building should not be based on the number of toys that the resident has.
6. Gietzen was asked if the square footage of the proposed building and the residence on lot 8 would exceed the total square footage percent allowed on a lot of that size. Brandt clarified that the proposed building was within the allotted percentage.
7. Hudson asked Chapman if he was concerned about the height of the

proposed building. Chapman stated that he is because he feels the building will be used as living space. He is also concerned that the building be only allowed on Lot 8 because of the Ross Drain. “ The man should be allowed to have a garage. I’m just concerned with the size of it.”

8. Gietzen stated that he will have no water in the building just electric and two windows, one in each dormer, for ventilation.
9. If he builds the accessory building, will he then tear down the cottage? Gietzen stated that he could turn it into a guest house as he understands that he must have a primary residence on the property in order to have an accessory building. Lambert stated that this particular variance request is for an accessory building on a property with a primary residence.
10. Brandt suggested that the color of the building be carefully considered in order for it to blend in to the surrounding area.
11. Husdon asked Gietzen if he would consider eliminating the second story. Geitzen stated that if that is what it would take then yes he would.
12. Szczepanski stated that two story accessory buildings are not allowed and in his opinion a floored gambrel roof structure would be a 2 story structure.
13. Smith stated the ordinance stipulates that the top plate be no more than 14’ but the trusses for the gambrel roof rest on the plate and there is no restriction on the pitch and height of the roof after that.

Chair Smith closed the Public Comment of the meeting.

Finding of Fact:

See Final Decision Form

Final Decision: It was moved by Brandt and seconded by Hudson to grant a variance to build a 40 x 30 pole structure on Lot 8 to be used for storage only, no occupancy is permitted. The structure must meet all zoning setbacks. A gambrel roof, if used, may be floored. Electric only, no connections to water service or sanitary connections to be allowed. Yes (3) No (1) Motion Passed.

Roll Call Vote/Reasons:

See Final Decision Form

Public Comment:

1. Chapman reminded the Board of what this decision means to the Township in regards to future variance requests. Smith suggested that he make these comments in writing to the ZBA and Township Board.

Motion to adjourn by Smith and seconded by Brandt at 8:37 pm. Motion Passed.

Respectfully Submitted,

Gary Szczepanski, Secretary