

AGENDA

EAST GRAND RAPIDS PLANNING COMMISSION January 12, 2016 Community Center – Commission Chambers 5:30 PM

1. Call to Order
2. Approval of Minutes: November 10, 2015
3. Rezoning of 610 Lovett Avenue, SE (Coiffeteria)
(Action Requested – Discussion, Public Hearing and Recommendation to City Commission)
4. Report of the City Commission
5. Next Scheduled Meeting Date: February 9, 2016
6. Public Comment
7. Adjournment

PROCEEDINGS OF THE PLANNING COMMISSION
City of East Grand Rapids, Michigan

November 10, 2015
East Grand Rapids Community Center – Commission Chambers

Present: Chairman John Barbour, Commissioners John Arendshorst, Kevin Brant, David DeVelder, Jeff Dills, Sara Lachman and Mary Mapes.

Absent: Commissioners Tom Getz and Jeff Olsen

Also Present: Assistant City Manager Doug La Fave, City Zoning Administrator Tom Faasse, City Attorney John Huff and Recording Secretary Lynda Taylor

1. CALL TO ORDER

Chairman Barbour called the meeting to order at 5:36 PM.

2. APPROVAL OF MINUTES – MAY 12, 2015

A motion was made by Commissioner Dills and supported by Commissioner Brant to approve the minutes as written.

Yeas: Commissioners Arendshorst, Barbour, Brant, DeVelder, Dills and Mapes– 6

Nays: -0-

Commissioner Lachman arrived at 5:38 PM.

3. REZONING OF 610 LOVETT AVENUE, S.E. (COIFFETERIA)

Zoning Administrator Tom Faasse explained that a request for rezoning is a request for a map amendment to the zoning ordinance. The Planning Commission conducts a review and discussion session of the application, offers feedback to the applicant and sets a public hearing to be held at a future meeting after notification is sent to property owners within 300 feet.

The request for 610 Lovett Avenue is to rezone the property from R-3 Single Family to C-1 Commercial. The owner of the property, Marielle Shuster, owns and operates a beauty salon, Coiffeteria, in the building which originally was a two-family residence.

Mr. Faasse reviewed the four guidelines regarding amendments to the text of the zoning ordinance or to the zoning map which are governed by Chapter 50, Article 13.

1. *Whether or not the proposed rezoning is consistent with the goals, policies and future land use map of the City of East Grand Rapids Master Plan; or if conditions have*

changed significantly since the Master Plan was adopted, consistency with recent development trends in the area.

Mr. Faasse's comment: The Gaslight Village Subarea Master Plan Amendment which was adopted in 2006 recommends that the area on the east side Lovett north of Wealthy Street should be designated "to promote low intensity office and boutique retail uses, but only if incorporated into structures that also contain residential uses. This area was to serve as a transitional area between Gaslight Village and the mixed-density, all-residential areas that lie to the north and west. The trend being observed in this area is more upscale single family housing. There are six or so surviving legal, non-conforming uses where there is a two-family or three-family use on a lot. The City Commission recently denied a variance request to tear down a single-family home and replace a new duplex.

2. *Whether the proposed district and the uses allowed are compatible with the site's physical, geological, hydrological and other environmental features. The potential uses allowed in the proposed zoning district shall also be compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values and traffic impacts.*

Mr. Faasse's comment: There isn't a great deal of concern since the site is similar to other commercial sites in the area.

3. *Whether, if rezoned, the site is capable of accommodating the uses allowed, considering existing or planned infrastructure including streets, sanitary sewers, storm sewer, water, sidewalks, and street lighting.*

Mr. Faasse's comment: All of these items are in place.

4. *Other factors deemed appropriate by the Planning Commission or City Commission.*

Mr. Faasse reviewed a table showing the schedule of uses in the commercial district and noted that some uses are permitted on upper floors, but are not permitted on the ground floor.

Commissioner Brant asked what triggered the rezoning. Mr. Faasse responded that the applicant had requested it. He explained that an applicant in this position could apply for a new variance for the property instead of a rezoning, but if they wanted any kind of change, they would have to come back to the City Commission for a modification of the variance. With a rezoning, that is not necessary.

Commissioner DeVelder asked about any big differences if changed to commercial from residential. City Attorney Huff said the difference is the use itself is permitted if it is on the list. With the variance, every category and every change would require a hearing.

Commissioner Dills asked if a change to commercial would require a review of ADA compliance. Mr. Faasse explained that this would only be required if changes were made to the building.

Chairman Barbour invited the applicant, Marielle Shuster and her representative, Catherine Jacobs, to present any information they felt the commission should hear.

Ms. Jacobs gave some details about the current easement agreement between Ms. Shuster and Mr. Hoffman who owns Hoffman Jewelers. She said the agreement is one that runs with the land whether as it is now, or with a different zoning designation.

Ms. Jacobs explained that the application was precipitated when Ms. Shuster was going through the process of repairing some damage to the building. The contractor found out from the City that a variance had been granted to Coiffeteria to operate with three chairs only on the main floor. When Ms. Shuster purchased the property, the previous owners were operating on both floors. The variance had not been addressed in the purchase agreement and for ten years Ms. Shuster has been operating outside of her variance. In an effort to clean up the issues, it was decided to change from R3 to commercial zoning which might have a better value if sold.

Commissioner Mapes asked what would happen if the rezoning was not approved. Ms. Jacobs responded that they would ask for a variance to allow the number of chairs currently in place on both floors.

Commissioner Mapes asked if there was any benefit to the City as far as increased taxes or an assessment change. Attorney Huff answered that there might be some increase in value, but did not think it would be anything substantial.

Chairman Barbour requested comments from the commissioners.

- Commissioner Arendshorst: Said the area is very commercial, the property has been used as commercial for 35 years and there are no records of complaints from neighbors. He did not have any commercial use that he would be uncomfortable with.
- Commissioner Lachman: Thanked Ms. Shuster for being an excellent contributor to the vibrancy of Gaslight Village. She was surprised by the property rezoning request because she had assumed it was commercial.
- Commissioner Mapes: Agreed with Commissioner Lachman and because of the size limitations, did not see anything negative about zoning the property as commercial even if it did change use in the future
- Commissioner DeVelder: Changing to commercial zoning made sense. He said it was a beautiful building and that Ms. Shuster had done a nice job with it.
- Commissioner Brant: Changing zoning to commercial would increase the buildable area of the lot and would add a lot of land value to the property. He had no objection to rezoning.
- Commissioner Dills: He was on the Planning Commission when the Master Plan was approved and when revisions were made to the subarea master plan. In the subarea master plan the area on the east side of Lovett, north of Wealthy, was zoned as the potential expansion of the commercial district. The variance request for a multi-family home where a single family home exists was denied in part by the change in the neighborhood and immediate street. Some beautiful homes have been built on the west side of Lovett, fit in perfectly with the neighborhood and have raised property values in that area. It seems logical to rezone the property to commercial. He would not want to see any use that would generate high volume or high traffic.
- Commissioner Lachman: The market will dictate commercial use in the sense that if it comes before the City Commission for site plan review, the only use that would

make sense would be a use that can be accommodated with the parking that's available which is relatively limited.

- Chairman Barbour: The property is in the commercial core of the subarea map. He would not want to see a new use that changed the intensity of the use, but is comfortable at this point that there are safeguards in the future process to prevent that. The 2006 subarea revision was very specifically on Lovett on the east side. That subarea plan called for high density residential, such as townhouses and multi-family, however, there have been several single family, high quality tear-down and rebuilds. He said it was clear that the single family homes across the street have marketability while this business conducts itself.

4. SET PUBLIC HEARING DATE FOR 610 LOVETT AVENUE, S.E. (COIFFETERIA)

A motion was made by Commissioner Lachman and supported by Commissioner Arendshorst set a public hearing for December 8, 2015 to consider the rezoning of 610 Lovett Avenue, S.E. (Coiffeteria) as submitted.

5. REPORT OF THE CITY COMMISSION

Commissioner Dills reported the following:

- A lot of work has been done on City roads because the street millage was approved by voters. Grinding and resurfacing was done to several streets through the Kent County bidding process. Because of the pricing, the city was able to do approximately 50% more streets than anticipated with the money that was allocated. Spray patching was done by city crews.
- Sidewalk repairs have been done by grinding the squares to make them level and eliminate trip hazards. Because of the cost effectiveness of the grinding process, the city is able to do miles compared to just sections of replacements.
- Water main replacements were done on San Jose and Audobon because of emergency repairs needed this summer.
- Several variances have been before the City Commission since the last Planning Commission meeting.
- A lot split at 2119 Lake Drive (Keystone Church) was approved.
- The lot coverage ordinance amendment was approved with changes to the Planning Commission's recommendation. Instead of 60% coverage for smaller lots a 50% total lot coverage was approved.
- An acquisition of property from East Grand Rapids Schools was approved. This is a section about 15 feet by 320 feet which is the right of way property at the middle school starting at Lakeside and Breton going east on the north side of the road. The land was acquired for \$1.00. Changes will be made to the intersection next summer and the property was needed to make the lanes proper width and safe for vehicles and bikes in order to receive Federal funding.
- Election results: Voted back into office were Mayor Anna Seibold and City Commissioner Brian Miller. New Commissioners: Ward 1 – Chad Zagel and Ward 2 – Karey Hamrick.

Assistant City Manager Doug La Fave added:

- The culvert and boardwalk projects were completed this summer. They were completed early and under budget.
- DTE Energy is doing some work at the intersection of Breton Road and Hall Street which may continue until November 20. They are doing repairs to a vault at the end of Beechwood which has a 36" gas main.

6. NEXT SCHEDULED MEETING DATE: December 8, 2015

7. PUBLIC COMMENT

No public comment was given.

8. ADJOURNMENT:

The meeting was adjourned at 6:26 PM.

Respectfully submitted,

Lynda Taylor
Recording Secretary



CITY OF EAST GRAND RAPIDS
750 LAKESIDE DRIVE SE • EAST GRAND RAPIDS, MICHIGAN 49506

Zoning Review Application

Project Name Rezoning Request from R-3 to
 Property Address 610 Lovett C-1
 Project Description _____

Type of Request (check)	Fee
<input checked="" type="checkbox"/> Site Plan Review (Administrative)	\$200
<input type="checkbox"/> Site Plan Review (Intermediate)	\$300*
<input type="checkbox"/> Site Plan Review (Complete)	\$500*
<input checked="" type="checkbox"/> Rezoning Application	\$800
<input type="checkbox"/> Special Use Permit	\$500
<input type="checkbox"/> Planned Unit Development	\$1,000*

(attach separate sheet if necessary)

*Escrow fees may also be required.

Permanent Parcel Number 41-14-33-216-013
 Zoning District R-3
 Current Property Use Hair/Beauty Salon

Contact Information (Please provide email addresses.)

	Company	Address	Contact Person	Daytime Phone
Applicant	Coiffeteria	610 Lovett	Catherine Jacobs, Atty	682-5574
Owner	Marielle Shuster	same	n/a	745-9737
Developer	n/a	n/a	n/a	n/a
Designer	n/a	n/a	n/a	n/a

See the back of this form for items that must be attached to this application at the time of submission.

Marielle Shuster
 Property Owner Signature

Catherine Jacobs
 Applicant Signature (if different)

10/26/15
 Date

10/26/2015
 Date

Attachments Required For Preliminary Review

	Site Plan Review			Rezoning Application	Special Use Permit	Planned Unit Development
	Administrative	Intermediate	Complete			
A narrative describing the overall objective of the proposed project	X	X	X	X	X	X
Site Plan Drawings showing:						
A. Name of Applicant	X	X	X	X	X	X
B. North arrow	X	X	X	X	X	X
C. Legend	X	X	X	X	X	X
D. Scale of drawing	X	X	X	X	X	X
E. A location map w/exact location of project and surrounding area	X	X	X	X	X	X
F. Location, size, appearance of any existing or proposed signs	X	X	X	X	X	X
G. Location and type of exterior lighting	X	X	X	X	X	X
H. Screening and buffering with reference to dimensions and character	X	X	X	X	X	X
I. Dimensions of setbacks, locations, heights and size of buildings and structures	X	X	X	X	X	X
J. Proposed parking areas with lines showing individual spaces – include all barrier-free parking.	X	X	X	X	X	X
K. Highlights of changes made from existing building(s), parking or site plans.	X					
L. Locations of fire hydrants, curbs, gutters, utility lines, easements.	X	X	X	X	X	X
M. Topography of site			X	X	X	X
N. Proposed grading			X	X	X	X
O. Drainage, storm and sanitary sewers			X	X	X	X
Environmental Impact			X		*	*
Fiscal Impact Analysis			X		*	*
Traffic Impact Analysis			X		*	*

* Depending on the scope of the development, these items may be required.

This list is provided as a summary of ordinance requirements, and additional information may be required in some cases. Please see the appropriate section of the City's zoning ordinance for complete details of all the above.

Application for Rezoning

Applicant: Coiffeteria Hair Salon/Marielle Shuster, Owner
Current Zoning Classification: Residential (R-3)
Request: Rezoning from R-3 to C-1 in the “Commercial Core” district

Applicable Zoning Regulations and EGR Master Plan

1. East Grand Rapids Zoning Ordinance

§5.13: Definitions M-N

Master Plan: The plan adopted by the City of East Grand Rapids in accordance with the Michigan Planning Enabling Act, Act 33 of 2008, as amended

2. §5.77 Minimum Parking Requirements

(B) C-1 District Parking Space Requirements

Use: Beauty parlor or barber shop

Required Parking Spaces: Two (2) Spaces for each beauty or barber shop chair

Currently, with the shared parking and the on street parking, there are 13 available parking spaces.

3. East Grand Rapids Zoning Ordinance

§5.108: Rezoning and Text Amendment Guidelines: the following guidelines shall be used by the Planning Commission, and may be used by the City Commission in consideration of amendments to the Zoning Ordinance:

(B) Map Amendments (Rezoning):

Below are the City’s requirements for a rezoning request. In blue, the applicant has responded to each requirement.

1. Whether or not the proposed rezoning is consistent with the goals, policies and future land use map of the city of East Grand Rapids Master Plan; or, if conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area.

The current Master Plan for EGR includes the subject property in the “CC” commercial core map.



The Applicant's property is located in the "CC" section, just above and to the left of the letter "A" in the orange circle. The "CC" designation is Commercial Core. Uses: Retail, offices, services, restaurants. Building Height: 2 stories, 28 feet maximum.

In the *Master Plan Amendment Map 4: Gaslight Village Subarea Plan*, adopted November 6, 2006.

2. Whether the proposed district and the uses allowed are compatible with the site's physical, geological, hydrological and other environmental features. The potential uses allowed in the proposed zoning district shall also be compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values and traffic impacts.

The subject property operates in the commercial district of the Gaslight Village, sharing its parking with the businesses that front Wealthy Street. The salon has been operating for many years and there have been no negative impacts on the residential neighbors. The traffic has not been an issue for either the residential neighbors or the neighboring business owners. Coiffeteria would fall under the permitted C-1 use of "service".

3. Whether, if rezoned, the site is capable of accommodating the uses allowed, considering existing or planned infrastructure including streets, sanitary sewers, storm sewer, water, sidewalks, and street lighting.

The operation of the salon, without incident or negative impact, demonstrates the site's capability of accommodating the use from an infrastructural impact.

4. Other factors deemed appropriate by the Planning Commission or City Commission.
4. **City of East Grand Rapids Master Plan adopted November 9, 1999
Chapter 3, as updated November 6, 2006**
Map 4: Gaslight Village Subarea Plan (the map is included in the text below)
5. **East Grand Rapids Zoning Ordinance Article 9: Off-Street Parking Requirements
§ 5.78 Modifications and Exemptions**
(A) **Exemptions.** Uses within certain locations in the Gaslight Village business district shall be exempt from parking requirements otherwise applicable, as specified in C-1 *district Parking Space Requirements* table.
 1. **Exempt Zone Defined.** For purposes of this section, the “exempt zone” shall include all properties zoned C-1 within the following described areas:
 - c. the east side of Lovett Street

The Coiffeteria Salon has been operating as a hair salon at 610 Lovett since 1993. The original owners/operators were Jon and Jennifer Clifford. The building out of which the salon operates, is zoned R-3.



A view of the front/side of the subject property from the parking lot.



Looking at the property from Lovett Street towards Reed Lake. The view shows the shared parking lot with Hoffman Jeweler's. Visible, to the right side of the photo, is the Lovett Street side of the jewelry store.

Zoning History

The property is presently zoned **R-3**. The property shares a parking lot with Hoffman Jewelers in the C-1 district.

In 1980, a variance was granted to allow a dental office to operate on the first floor of the subject property. In 1985, a variance was granted to allow an insurance agency to operate on the second floor. The dentist vacated the first floor in 1991 and the insurance office vacated the property in 1993.

In November of 1993, the East Grand Rapids City Commission approved a variance to allow the first floor of the salon to operate as a commercial use (beauty salon). The following were conditions of granting the variance:

1. Upon the approval of the variance request for the first floor, the 1985 variance grant for the second floor of the property will terminate immediately.
2. The existing wood sign located in the front yard of the parcel will be removed.
3. Future signage will be limited to one unlit sign placed on the exterior of the building, and shall be constructed so as to conform to Section 8.21 of Chapter 81 of the City Code as it relates to wall signs.
4. Changes to exterior of the building are prohibited, with the exception of the changes set forth in the initial variance application.
5. Parking requirements shall conform to the current City of East Grand Rapids parking ordinance.

6. The beauty salon shall be allowed only three chairs for business use.
7. A total of eight (8) parking spaces shall be provided for the property located at 610 Lovett SE, to be allocated as follows:
 - (a) A total of six (6) parking spaces shall be provided for beauty salon use only; and
 - (b) A total of two (2) parking spaces shall be provided for upper level property use only.

The conditions were met and the variance was granted.

Property Use History

At some time during the Clifford's ownership of the salon, they operated the salon using the three chairs on the first floor and also utilizing the second floor in different salon capacities. At the time of the sale from the Clifford's to the Applicant, the salon was using both floors for salon services.

Applicant began operating the salon in 2006. Since the time of Applicant's ownership, the salon has offered various salon services on both floors, in continuation of the operation of the previous owner.

Applicant Request

The Applicant is respectfully requesting a change in zoning from **R-3 to C-1** so that its zoning is not only compatible with the property's long-standing operating history, but more importantly to be compatible with the adjacent properties in the C-1 district.

While the subject property is zoned R-3, it actually lies within the C-1 commercial core "CC" district. This can be seen in Map 4 (included above) of the Amendments to the Master Plan which was adopted November 6, 2006.

When the Master Plan was amended in November of 2006, the Commercial Core district lines were drawn to include the subject property in the CC district which is all part of the C-1 district. In the City's wisdom, it recognized that the subject property should be included and a part of the C-1 district.

The salon shares its parking lot with Hoffman Jewelers. The parties have a parking agreement that runs with the land. The C-1 parking required for a beauty parlor or barber shop is two spaces for each beauty or barbershop chair. There are 22 available spaces between in the shared space with Hoffman Jewelers. There are two additional on-street parking spaces available on Lovett. The available parking is more than adequate for the salon purposes. The salon operates with 6 chairs, requiring 12 spaces. It should be noted that parking availability has not been an issue for the patrons of the salon or the jeweler. See the parking space drawing as attachment 2.

If the City grants the rezoning from R-3 to C-1, there must be a consideration of other potential future uses and the parking issues. The subject property is approximately 1,400 of usable square feet, which will control other possible future C-1 uses.

If, for example, the subject property were to become a restaurant, the parking requirement would be 1 parking space for every 100 feet of usable floor area. This may translate into the need for approximately 14 spaces for a restaurant use. Note that this calculation does not take into consideration any space that would be needed for commercial refrigeration or a commercial kitchen and that would ultimately reduce the “usable space” for parking calculations.

If the space were to become a health club or dance studio, there would be a need for 1 space for every 200 square feet of usable floor area, plus 1 space per employee. This may translate into the need for approximately 7 spaces plus the number of spaces needed for the number of employees.

If the space were to become a business office or professional service space, the requirements are 1 space for every 330 square feet of usable space. This may translate into the need for approximately 4 spaces for a professional office.

A dentist or medical office requires 1 space for each 200 square feet of usable floor area. This may translate into the need for approximately 7 spaces for a dentist or medical office space.

The above scenarios are merely illustrative to show the parking requirements for different uses in the C-1 district. None of the uses would require more parking than currently exists.

It should be noted that pursuant to Article 9 of the EGR Zoning Ordinance, § 5.78(A)(1)(c), which is spelled out above, the location of the subject property is exempted from the off street parking requirements.

Based upon the City’s requirements for rezoning, which have all been met, and the City’s inclusion of the subject property in the CC district in its Master Plan, the applicant requests the City rezone the property from R-3 to C-1.



CITY OF
EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE • EAST GRAND RAPIDS, MICHIGAN 49506

THOMAS A. FAASSE
ZONING ADMINISTRATOR

Memorandum

TO: East Grand Rapids Planning Commission

FROM: Tom Faasse, Zoning Administrator

DATE: December 2, 2015

RE: **Public Hearing – Rezoning – 610 Lovett Avenue, SE (Coiffeteria)
Currently R-3 Single Family with Use Variance, Requesting C-1 Commercial
PPN: 47-14-33-276-013**

ACTION REQUESTED:

That the Planning Commission conducts a public hearing on this application for rezoning, and votes to recommend that the City Commission approve the rezoning.

PROCEDURE FOR REZONING APPLICATIONS:

A request for rezoning of property is, in essence, a request for a map amendment to the zoning ordinance. The procedure is found in Chapter 50, Article 13 of the East Grand Rapids Zoning Ordinance, which in turn refers to the requirements of the Michigan Zoning Enabling Act. The Planning Commission is required to hold a public hearing following notice to property owners and occupants within 300 feet. The purpose of the hearing is to receive public comment and then to provide a “report and summary of public hearing comments” to the City Commission, which has final authority to act on the request to rezone. The City Commission also conducts a public hearing because this is an ordinance amendment. The Planning Commission conducted an introductory review of this application at its regular meeting on November 10, 2015. No members of the public commented at that meeting. Planning Commissioners responded favorably to the application at that time. Most of the information that follows in this report was included in the previous staff memorandum and is repeated here for the sake of convenience.

BACKGROUND:

Attorney Catherine Jacobs represents Marielle Shuster (Marielle Shuster Protection Trust), the owner the real property at 610 Lovett Avenue, SE, in this request to rezone the property at that address from R-3 Single Family to C-1 Commercial. The legal description and survey of the subject property are attached. Shuster owns and operates a beauty salon, Coiffeteria, in the building there, which is a former two-family residence. The City Commission granted a use

variance in 1980 to allow the ground floor to be used for a dentist's office, and a variance in 1985 to allow the second floor to be used for an insurance office. The dentist office use ended in 1991, and the insurance office use ended in 1993. In November 1993, then-owner Mike Hoffman applied for a use variance for a beauty salon to operate on the first floor only. This use variance was granted with seven conditions, including parking, signage, immediate termination of the second floor use variance, and a maximum of three chairs for the salon. The salon was under different ownership at that time, and according to the application, Shuster began operating the business in 2006, at which time the previous owner had already expanded the salon services to the second floor. City records show that the real estate was deeded from Hoffman to Shuster in 2008. The salon is currently operating with six chairs.

ANALYSIS:

Review of Guidelines

Amendments to the text of the zoning ordinance or to the zoning map (as here) are governed by Chapter 50, Article 13, which lists four guidelines that "...shall be used by the Planning Commission, and may be used by the City Commission in consideration of amendments."

1. Whether or not the proposed rezoning is consistent with the goals, policies and future land use map of the City of East Grand Rapids Master Plan; or, if conditions have changed significantly since the Master Plan was adopted, consistency with recent development trends in the area. The Gaslight Village Subarea Master Plan Amendment was adopted in 2006 on the heels of the approval of the Jade Pig PUD in late 2004. It recommends that the area on the east side of Lovett north of Wealthy Street should be designated "...to promote...low intensity office and "boutique" retail uses..." but only "...if incorporated into structures that also contain residential uses..." The intention is that this area should serve as a transitional area between Gaslight Village and the areas that lie to the north and west, which are recommended for mixed-density and single-family residential uses, respectively. Although there is a small number of existing nonconforming multi-family properties along both sides of Lovett Avenue, that area today is trending toward single-family, including some new upscale single-family residences which have replaced demolished older homes. The City Commission recently denied a use variance application to build a new two family residence to replace a single family tear-down. It can be argued that not all of the permitted commercial uses, especially high-intensity uses, would be compatible with the vision that was recommended in the 2006 subarea plan, but it can also be argued that conditions have changed significantly since its adoption, implying that a re-examination of the 2006 goals may be necessary. While it is true that these applicants are not applying to change the current use or site plan, a future owner would be entitled by right to use the property in any of the ways permitted in C-1 Commercial zoning. The application does not address this future compatibility issue.

2. Whether the proposed district and the uses allowed are compatible with the site's physical, geological, hydrological and other environmental features. The potential uses allowed in the proposed zoning district shall also be compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values and traffic impacts. There is nothing in the physical makeup of this site which would prevent it from being used for commercial uses, but the second sentence of this guideline is more broad in its sweep. In

its present use and configuration, there is no history of incompatibility with neighboring uses. Again, not all commercial uses would be suitable in this location. Commercial buildings and parking areas, even adjacent to a residential zone, do not require the same setbacks as are required for homes. However, a thorough Site Plan Review would be required for any new commercial building or any change of use, and in this process, compatibility and appropriate screening would be addressed.

3. Whether, if rezoned, the site is capable of accommodating the uses allowed, considering existing or planned infrastructure including streets, sanitary sewers, storm sewer, water, sidewalks, and street lighting. This guideline also overlaps, somewhat, with the two above. The infrastructure at this location is capable of accommodating all permitted commercial uses.

4. Other factors deemed appropriate by the Planning Commission or City Commission.

Other Factors:

A reciprocal easement agreement dated April, 2008, is attached. The agreement is between Michael S. Hoffman and Marielle Shuster as owners of the adjacent real property at 2135 Wealthy and 610 Lovett, respectively, regarding parking, ingress and egress to the sites. This agreement replaces previous similar agreements between the adjacent owners that date back to at least 1982, when Mutual Home Savings and Loan occupied the Hoffman site.

Article 9 of the Zoning Ordinance regulates off-street parking requirements for all types of uses. A beauty parlor or barber shop requires two spaces for each chair in the shop, so 12 spaces would be required for this use. There are 22 spaces currently shared by the jewelry store and the salon. On the other hand, Section 5.78 exempts permitted C-1 uses on “the east side of Lovett Street” from the otherwise-applicable parking requirements whole stating that existing parking shall not be reduced without Planning Commission approval according to certain guidelines. Since the salon was a recognized commercial use in that area at the time that this exemption was adopted, one could reasonably conclude that the intent of the ordinance was to include this property as part of the exempt zone.

The applicant was aware of the option to re-apply for the use ordinance in order to acknowledge the changed conditions, but sees the rezoning application as the better choice. One drawback of the variance option is that, although a variance “runs with the land”, any future change (for example, the addition of another chair or a change in signage) would always require a new variance application. A rezoning broadens the owner’s options considerably.

Attachment 1
Zoning Variance Request Documents
10 Pages



September 22, 1993

To: East Grand Rapids City Commissioners

I am requesting a variance to use the main floor of 610 Lovett as a beauty salon (a variance has been granted for a dentist office at this same address in the past). A variance is necessary because the property is zoned residential.

Attached is a floor plan of the beauty salon and the proposed parking plan. The parking plan has 25 parking spaces (including one limited access for apartment use). All spaces are 9' by 20'. To achieve this, three things must be done.

1. Angle fire escape on the rear of 610 Lovett in a different direction.
2. Remove part of the iron fence next to 610 Lovett to make access to the existing driveway.
3. Repaint parking lot.

All of these things are minor changes and will be done if the variance is passed.

Thank you,


Michael Hoffman



CITY OF
EAST GRAND RAPIDS, MICHIGAN

November 17, 1993

WILLIAM BARAGAR
DIRECTOR
CITY SERVICES

Mr. Michael Hoffman
610 Lovett, S.E.
E. Grand Rapids, MI 49506

Dear Mr. Hoffman:

The City Commission, at its regular meeting held on November 15, 1993, approved your application for a variance to allow the first floor of the building for commercial use (beauty salon).

Please be advised that this variance must conform with the conditions as specified in Section 5.171-2 (enclosed) of the City Code.

Sincerely,

William Baragar
Director City Services

WB:seb:1249

Enclosure



CITY OF
EAST GRAND RAPIDS, MICHIGAN

WILLIAM BARAGAR
DIRECTOR
CITY SERVICES

NOTICE

A zoning variance hearing will be held upon the request of Michael Hoffman, 2946 Pioneer Club Rd., to allow the first floor of the building, located at 610 Lovett, to be used as a Beauty Salon. Plans are on file in the City Services Department for review.

DATE: November 15, 1993
TIME: 7:30 PM
PLACE: East Grand Rapids Municipal Offices
750 Lakeside Drive, SE

William Baragar
Director of City Services

WB:seb:1230



CITY OF
EAST GRAND RAPIDS, MICHIGAN

WILLIAM BARAGAR
DIRECTOR
CITY SERVICES

MEMORANDUM

TO: Honorable Mayor and City Commissioners
FROM: Wm. Baragar, City Services Director
DATE: October 6, 1993

RE: Variance Request for 610 Lovett SE

Action Requested: It is requested that a zoning variance be granted, at the request of Mr. Michael Hoffman, to allow the operation of a beauty salon on the first floor of the property located at 610 Lovett SE.

Background: At its October 18, 1993 meeting, the City Commission tabled this matter and directed City staff to propose conditions to be considered by the City Commission for the granting of this variance. The conditions and Mr. Hoffman's response to those conditions are attached hereto. Also, the applicant has modified his original application to reflect three work stations in the beauty salon, instead of four. The amended application documents are attached for your consideration.

This property was granted two variances in the past. The first variance, granted in 1980, was to allow the operation of a dental office on the first floor. The second variance, granted in 1985, was to allow the operation of an insurance agency on the second floor. Prior to these variances, the property was a multi-family residence. The dental office vacated the property in 1991. Sections 5.171-2(A) and (B) provide for the termination of this first floor variance (see attached). The insurance agency vacated the second floor of the property in 1993. As the use of this floor has not been discontinued for a period of one year or more (see Section 5.171-2(A)), this variance is still in effect.

Conclusion: A beauty parlor is an allowed use within the business district. To my knowledge, this application meets all other requirements of the zoning ordinance.

WB:jfk/2515
Attachments

Brian Donovan, City Manager
750 Lakeside Drive S.E. • East Grand Rapids, Michigan 49506

Telephone 616-940-4817

CONDITIONS OF VARIANCE
REQUESTED FOR THE PROPERTY LOCATED AT
610 LOVETT SE

1. Upon approval of the variance request for the first floor, the 1985 variance granted for the second floor of the property will terminate immediately.
2. The existing wood sign located in the front yard of the parcel will be removed.
3. Future signage will be limited to one unlit sign placed on the exterior of the building, and shall be constructed so as to conform to Section 8.21 of Chapter 81 of the City Code as it relates to wall signs.
4. Changes to the exterior of the building is prohibited, with the exception of the changes set forth in the initial variance application.
5. Parking requirements shall conform to the current City of East Grand Rapids parking ordinance.
6. The beauty salon shall be allowed only three chairs for business use.
7. A total of eight (8) parking spaces shall be provided for the property located at 610 Lovett SE, to be allocated as follows:
 - (a) A total of six (6) parking spaces shall be provided for beauty salon use only; and
 - (b) A total of two (2) parking spaces shall be provided for upper level property use only.

RESPONSE TO CONDITIONS OF VARIANCE FOR 610 LOVETT SE

1. The current lease on the second floor is binding until 9-30-94.
After September 1994 I suggest limiting the use to anything requiring 2 or less parking spaces. For example, a business office requiring only one space.
2. Sign was removed on October 20, 1993.
3. Agreed
4. Agreed.
5. Agreed.
6. Agreed.
7. Agreed.



CITY OF
EAST GRAND RAPIDS, MICHIGAN

WILLIAM BARAGAR
DIRECTOR
CITY SERVICES

NOTICE

A zoning variance hearing will be held upon the request of Michael Hoffman, 2946 Pioneer Club Rd., to allow the first floor of the building, located at 610 Lovett, to be used as a Beauty Salon. Plans are on file in the City Services Department for review.

DATE: October 18, 1993
TIME: 7:30 PM
PLACE: East Grand Rapids Municipal Offices
750 Lakeside Drive, SE

William Baragar
Director of City Services

WB:seb:1183

CITY OF EAST GRAND RAPIDS, MICHIGAN
REQUEST FOR ZONING ORDINANCE VARIANCE

DATE: 7.22.93

NOTE TO APPLICANT: You should pay careful attention to answering the questions in this application as accurately and completely as you possibly can. This will give you the best possibility of your application appearing on an early agenda for action and for approval by the Board of Zoning Appeals. Upon receipt of your application, the Engineering Services Office will mail no less than ten (10) days advance notice of hearing to all property owners within a 300 foot radius of the property involved in the variance request. You should arrange to be present at the hearing. A filing fee of seventy-five (\$75.00) dollars must accompany your application (a check or money order is preferable).

1. Name of Applicant: MICHAEL HOFFMAN
2. Address of Applicant: 2946 PIONEER CLUB
3. Address of property involved, if different from above:
GIO LOVETT
4. Permanent Parcel number of property on which variance is requested:
41-14-33-276-013
5. Cite the specific section(s) of the Zoning Ordinance from which you are asking a variance: 5.81, 5.111
6. Please check all the items below which are applicable to your request for variance:
 - a. The situation which causes you to seek a variance does not result from any action of yours.
 - b. A grant of the variance would do substantial justice to you as well as to other property owners and will not be of substantial detriment to neighboring properties.
 - c. The request for variance is based upon conditions and circumstances described on the attached sheet which are unique to your property and not generally applicable to others in your neighborhood.
 - d. Compliance with the Zoning Ordinance would unreasonably prevent you from using the property or would be unnecessarily burdensome.

In the space provided below you must provide a narrative statement setting forth: (1) what you wish to do with the property; (2) why you need the variance; (3) the specific decision you seek; and (4) the reason your project cannot be accomplished within the requirements of the Zoning Ordinance. Please feel free to use an additional sheet, if necessary.

see attached letter

You must also provide a legible sketch of your proposed project and such other information as may be required by the Engineering Services Director. (Conditions may be attached to the granting of the variance by the Board of Zoning Appeals.)

Date of Hearing (office use only)

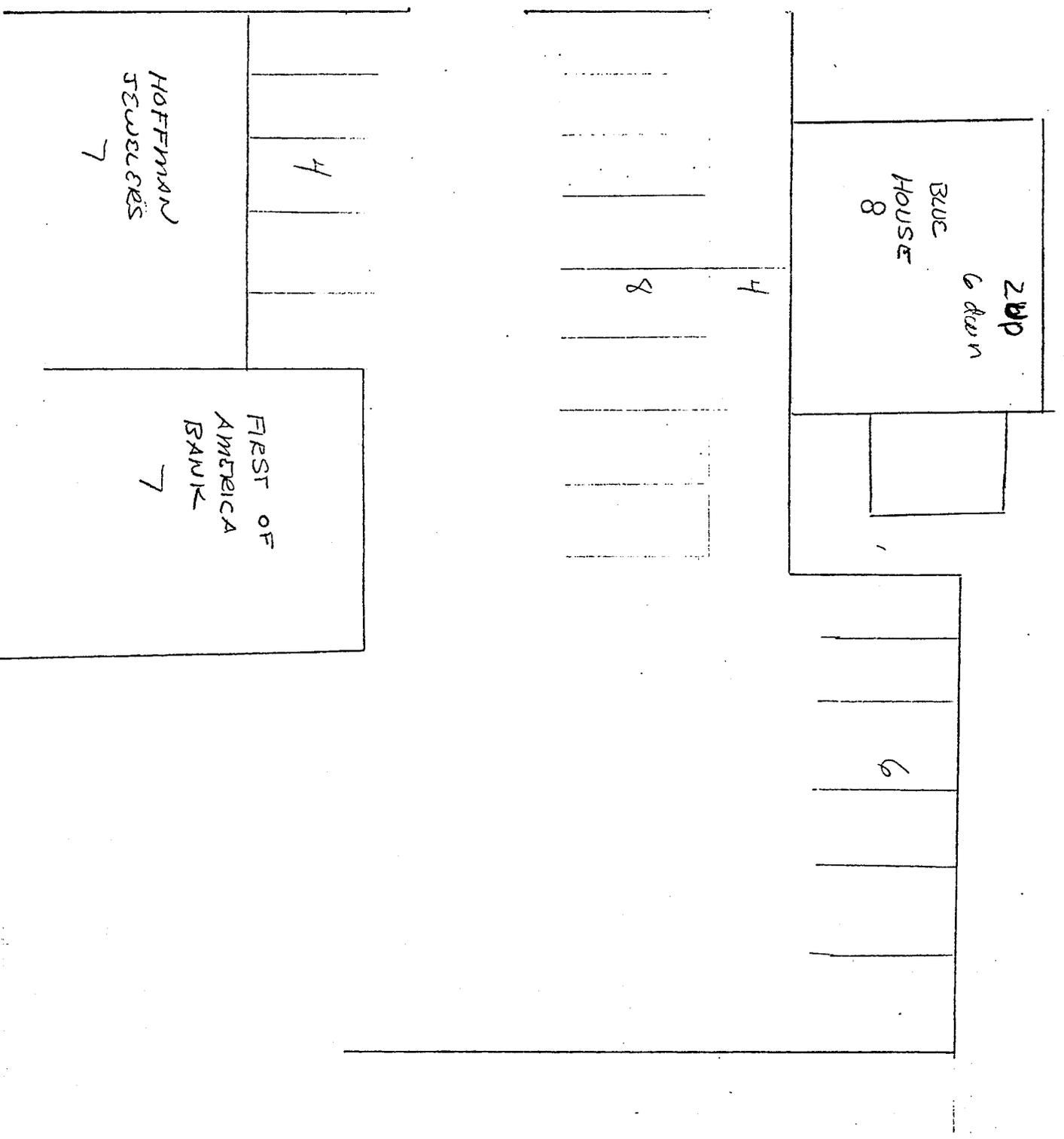
Michael R. Hoffman
Applicant Signature

c:600

Attachment 2
Parking Map

ALL SPACES ARE 9x20

22 TOTAL



Attachment 3
Cross- Easement Agreement
for Parking

(3 pages)

CROSS-EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT, made and entered into this 8 day of JANUARY, 1982, by and between MUTUAL HOME FEDERAL SAVINGS AND LOAN ASSOCIATION, an association organized and existing under the laws of the United States, whose address is 171 Monroe Avenue, N.W., Grand Rapids, Michigan ("Mutual Home"), and ENID PACKARD, whose address is 9081 Grange, N.E., Rockford, Michigan ("Enid Packard").

W I T N E S S E T H :

WHEREAS, Mutual Home is a tenant and has a leasehold interest in a certain parcel of land located in the City of East Grand Rapids, County of Kent, and State of Michigan, legally described as follows:

The West 40.3 feet of Lots 17 and 24 of Judd's Subdivision of Boynton & Judd's Lake Addition to the City of East Grand Rapids, according to the recorded plat thereof,

and

WHEREAS, Enid Packard is the owner of a certain parcel legally described as follows:

Part of the West 88 feet of Lots 17 and 24, commencing at a point on the South line of Lot 17, which is 88 feet East of Southwest corner said lot, thence West along said South line approximately 47.7 feet to East wall of the building formerly owned and occupied by the East Grand Rapids State Bank and later by the Grand Rapids Savings Bank, thence North to North line of Lot 24 at the point 40.3 feet East of Northwest corner Lot 24, thence East along said North line 47.7 feet, thence South to beginning, of Judd's Subdivision of Boynton and Judd's Lake Addition, City of East Grand Rapids, Kent County, Michigan, according to the recorded plat thereof.

STATE OF MICHIGAN
COUNTY OF KENT
RECEIVED FOR RECORD

JAN 14 9 16 AM '82

Maurice J. DeJong

REG. OF DEEDS

NOW, THEREFORE, it is agreed as follows:

to use the existing driveway traversing the eastern and northern portions of said leased parcel for ingress and egress to drive motor vehicles from Wealthy Street to the present established parking area located on the Packard parcel.

2. Enid Packard does hereby grant to Mutual Home and their employees, tenants, invitees, guests and customers the right to use the existing driveway traversing the northern portion of her parcel for ingress and egress to drive motor vehicles from Lovett Avenue to the present established parking area located on the Mutual Home parcel.

3. The easements thus granted are not exclusive, but are subject to the equal right of both parties, and that of their employees, tenants, invitees, guests and customers, of ingress and egress over and upon the same driveway, which right is hereby expressly reserved.

4. Each of the parties herein shall be responsible for the costs and expenses incurred in the use for driveway purposes of that part of the easements which traverse their owned or leased parcel, including, but not limited to, maintenance, repair or snow removal.

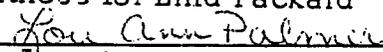
5. This Agreement shall be binding only so long as Mutual Home remains a tenant on said property. As soon as the tenancy shall cease, the provisions of this Agreement shall be terminated.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands on the day and year first above written.

MUTUAL HOME FEDERAL SAVINGS
& LOAN ASSOCIATION

Signed in the presence of:

By 
Date H. Houston
Its Vice President

ana F. West 
Witness for Enid Packard

Ann Palmer

STATE OF MICHIGAN)
: ss.
COUNTY OF KENT)

On this 8th day of January, 1982, before me,
a notary public in and for said County, personally appeared Enid Packard,
who executed the foregoing document and acknowledged the same to be
her free act and deed.

Diana Lynn Weh
Diana Lynn Weh
Notary Public; Kent County, Michigan
My Commission Expires: 04 10, 1984

STATE OF MICHIGAN)
: ss.
COUNTY OF KENT)

On this 11th day of January, 1982, before me,
a notary public in and for said County, personally appeared Dale H.
Houston, the Vice President of Mutual Home
Federal Savings and Loan Association, who executed the foregoing docu-
ment on behalf of said corporation, and acknowledged the same to be
the free act and deed of Mutual Home Federal Savings and Loan Association

James R. Scoville
Notary Public; Kent County, Michigan
My Commission Expires: _____

JAMES R. SCOVILLE
Notary Public, Kent County, Michigan
My Commission Expires May 28, 1985

Prepared By:

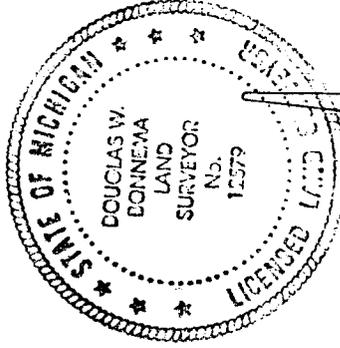
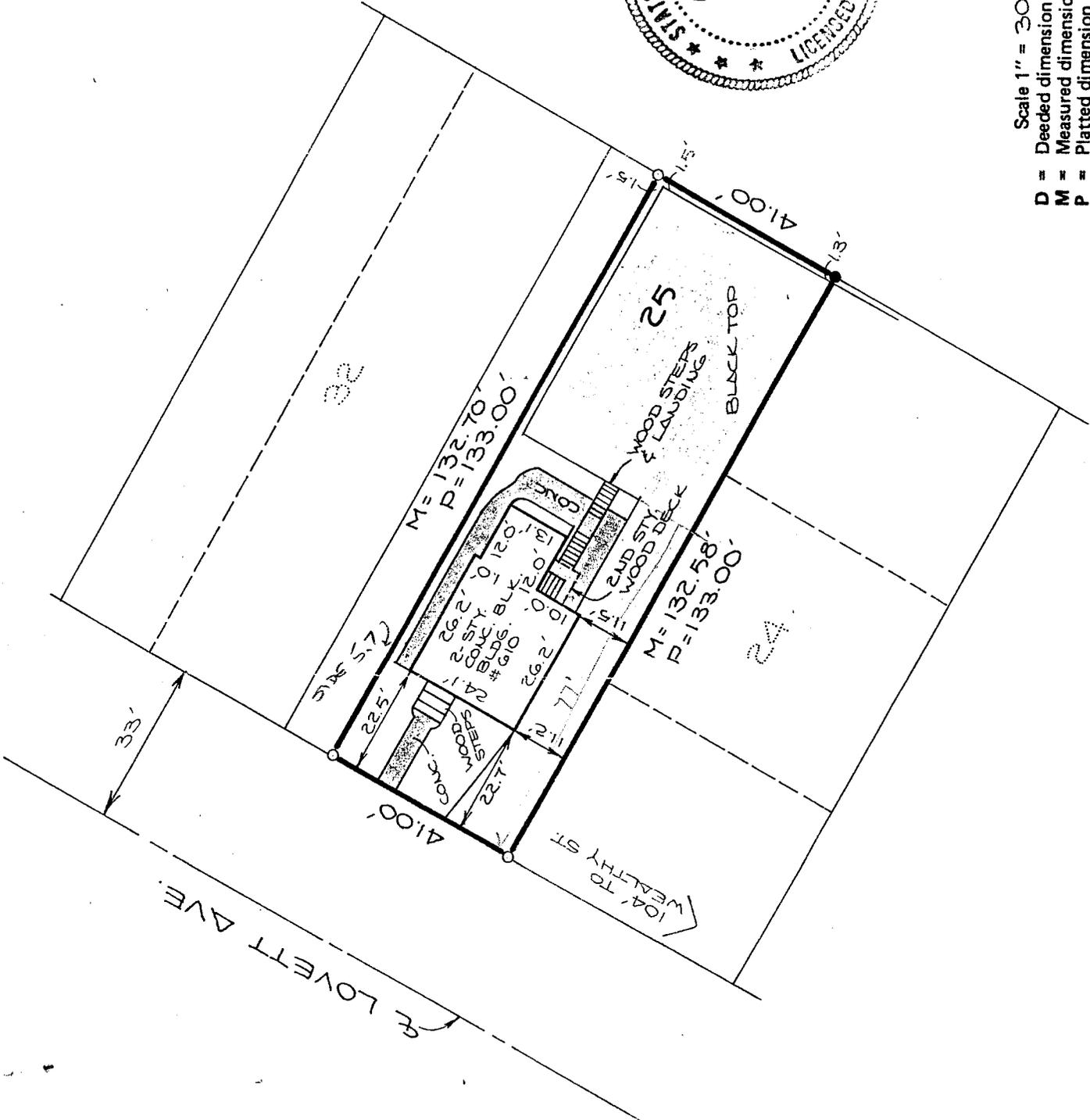
John G. Cameron, Jr.
Warner, Norcross & Judd
900 Old Kent Building
Grand Rapids, Michigan 49503

Attachment 4
Survey of Subject Property

Mortgage survey for: Mrs. En
9081 Gr
Comstock

Description:

The Southerly 41 feet of Lot
33, T7N, R11W, City of East Gr



- Scale 1" = 30'
- D = Deeded dimension
 - M = Measured dimension
 - P = Platted dimension
 - = Set iron stake
 - = Found iron stake
 - ⊗ = Concrete monument
 - X- = Fence Line

EX 3951 PHO

File No.: 90191

RECIPROCAL EASEMENT AGREEMENT

THIS RECIPROCAL EASEMENT AGREEMENT is made as of the 4TH day of April, 2008, between MICHAEL S. HOFFMAN, TRUSTEE OF THE MICHAEL S. HOFFMAN TRUST UNDER TRUST AGREEMENT DATED APRIL 10, 1991, AS AMENDED AND RESTATED IN ITS ENTIRETY BY RESTATED TRUST AGREEMENT DATED SEPTEMBER 16, 1992, AS AMENDED APRIL 25, 1994 AND DECEMBER 30, 1997, AS AMENDED AND RESTATED IN ITS ENTIRETY BY RESTATED TRUST AGREEMENT DATED JUNE 14, 1999 ("Hoffman") and MARIELLE RIDAY SHUSTER, a married woman, whose address is 1122 Spice Bush Drive, S.E., Ada, MI 49301 ("Shuster"), with reference to the following facts:

RECITALS

A. Hoffman is the owner of real property located at 2135 Wealthy Street, S.E., Grand Rapids, Michigan 49506, and legally described as:

The West 40.7 Feet of Lots 17 and 24 of Judd's Subdivision of Boynton and Judd's Lake Addition to the City of Grand Rapids (now East Grand Rapids), according to the recorded plat thereof. (The "Hoffman Property").

B. Shuster is the owner of real property located at 610 Lovett Avenue, S.E., Grand Rapids, Michigan 49506, and legally described as:

The Southerly 41 feet of Lot 25, of Judd's Subdivision of Boynton and Judd's Lake Addition, City of East Grand Rapids, Kent County Michigan, except a right of way forever over the Northerly 4 feet of said premises for a driveway and granting a right of way forever over a strip of land 4 feet wide along the North side of said premises. The 8 feet of land above referred to, to be used as a driveway for the joint use of said premises and the premises lying directly north of said premises. (The "Shuster Property")

C. Prior to signing this Agreement, Hoffman conveyed by deed to Shuster the Shuster Property.

D. Shuster's agreement to purchase the Shuster Property from Hoffman was conditioned upon Shuster and Hoffman's mutual agreement that a reciprocal easement be

created over the existing driveway and parking areas located on the Hoffman and Shuster properties.

E. As referenced above, the existing driveway presently provides ingress and egress from Wealthy Street and Lovett Avenue to the parking areas located on the Hoffman Property and the Shuster Property. Such ingress and egress and parking areas are also the subject of an Easement Agreement dated November 5, 1998, recorded at Liber 4580, Page 1079, Kent County records.

F. Pursuant to the conditions of the sale of the Shuster Property to Shuster, Hoffman and Shuster desire to grant and receive a non-exclusive ingress and egress easement over the existing parking lot and driveway areas of their respective properties (the "Easement Property") for the mutual benefit of both parties, the purpose of which is to continue the present and future commercial uses of the Hoffman or the Shuster properties.

G. This Agreement has been entered into to set forth the parties' respective understandings, rights, and obligations concerning the easement.

NOW, THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, the following grants, agreements, covenants, and restrictions are made:

1. Creation of Reciprocal Easement. The parties do hereby establish and create for the mutual benefit of each other, and their respective heirs, representatives, successors, grantees, assigns, employees, tenants, invitees, guests, and customers, a reciprocal, nonexclusive, appurtenant, and perpetual easement over their respective properties for the following purpose:

- a. Pedestrian and vehicular ingress and egress from Lovett Avenue and Wealthy Street to the Shuster Property and Hoffman Property, as well as for parking vehicles in the parking areas located on the Shuster Property and the Hoffman Property.

The owners, owner representatives, employees, tenants, invitees, agents, licensees, clients, and customers of the Shuster Property and Hoffman Property shall have equal rights to use the other party's property solely for pedestrian and vehicular ingress and egress and parking purposes described herein.

2. Dominant Estate. The Hoffman Property shall be the dominant estate for use of the ingress and egress and parking in the parking areas located on the Shuster Property and the Shuster Property shall be the dominant estate for use of the ingress and egress and parking in the parking areas located on the Hoffman Property.

3. Damage to Property and Indemnity. Each party to this Agreement shall repair any damage to any real property of the other party caused by or in connection with the easement rights granted in this document, and shall indemnify and hold harmless the other party from all claims or liability arising from the acts or omissions of the indemnitor and its employees, tenants, invitees, agents, licensees, clients, or customers in connection with the exercise of any easement rights described herein, unless caused by or occasioned wholly or in material part by any act or omission of the other party, or its employees, tenants, invitees, agents, licensees, clients, or customers .

4. Maintenance, Repair, and Improvement Each party shall be solely responsible for all costs of maintenance, repair, and replacement of any portion of the Easement Property that is located on their respective property, so as to keep the Easement Property in a good state of repair and free of snow, ice, and debris.

5. Default. If any party defaults in the full, faithful, and punctual performance of any obligation hereunder to be performed by such party, then the party or parties to be benefitted by the performance of the obligations, will, in addition to all other remedies they may have at law or in equity, have the right if such alleged default is not cured within 30 days of service of written notice (or immediately, if an emergency), to perform such obligation on behalf of such defaulting party and be reimbursed by such defaulting party for the cost thereof.

6. Dispute Resolution.

6.1 Any controversy or claim between the parties arising out of or related to this Agreement, or the breach thereof (other than the failure to pay for an approved cost or expense) may, at the option of any party, be settled by arbitration which shall be conducted by either the Better Business Bureau of Western Michigan or the American Arbitration Association, under their respective rules which are then in effect. Arbitration of any claim or controversy arising out of or relating to this Agreement or the breach thereof must be filed within such time as would be permitted by law for the filing of a suit on such claim in any Court, and, any arbitration which is filed late shall be dismissed and, if not dismissed, the late filing may be presented as a defense in any suit to enforce the arbitration award.

6.2 Each party to this Agreement specifically agrees, by signing this Agreement, or by otherwise becoming subject to it, that it is giving up any right to file suit and have a trial by a judge or a jury of any claim or controversy arising out or relating to this Agreement or the breach thereof (other than the failure to pay for an approved cost or expense and except for any suit to enforce an arbitration award) and that said parties are agreeing to provisions of this Agreement freely and voluntarily. The award rendered by the arbitrator or arbitrators shall be final and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof.

7. Binding Effect. The parties declare that this Agreement will be binding upon the parties, their members, grantees, successors, and assigns, and that the easements, rights, powers and obligations created herein will run with the land. Each owner of any portion of, or interest in the Hoffman Property or the Shuster Property, by acceptance of a deed, land contract, or other conveyance to any part of the property benefitted or burdened by this Agreement does thereby agree to all terms, provisions, obligations, and conditions of this Agreement.

8. Amendment and Termination. This Agreement may be amended, altered, modified or terminated by, and only by, the mutual written agreement of all persons then owning or having an interest of record in the properties affected by the amendment or by all parties owning or having an interest of record in the easement right or power that is to be terminated.

9. Miscellaneous.

9.1 No Gift or Dedication. Nothing herein contained will be deemed to be a gift or dedication of any portion of the Hoffman Property or the Shuster Property to the general public or for any public purposes whatsoever.

9.2 No Third Party Beneficiaries. No third party, except grantees, or heirs, representatives, successors and assigns of the parties will be a beneficiary of any provision of this Agreement.

9.3 Notices. Every notice, demand, request, or other communication which is required or which any party desires to give or make or communicate upon or to any other party, will be in writing and will be given or made or communicated or by mailing the same by postage prepaid registered or certified mail, return receipt requested, to the party at that party's last known address. Every notice, demand, request, or other communication sent will be deemed to have been given, made or communicated, on the third business day after the same will have been deposited, registered or certified, properly addressed as aforesaid, postage prepaid, in the United States mail.

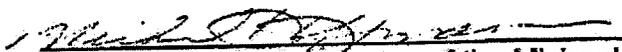
9.4 No Waiver. No waiver of any default by any party will be implied from any omission by the other party hereto to take any action in respect to such default if such default continues or is repeated. One or more waivers of any default in the performance of any term, provisions, or covenant of this document will not be deemed to be a waiver of any subsequent default in the performance of the same term, provision, or covenant, or any other term, provision or covenant of this document.

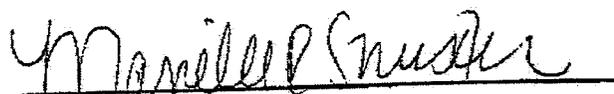
9.5 Construction. This Agreement shall be governed by the laws of the State of Michigan. The headings contained herein are for convenience only and shall not

be used to define, explain, modify, or aid in the interpretation or construction of the contents of this Agreement.

9.6 No Transfer Tax. This instrument is exempt from the county real estate transfer tax pursuant to the provisions of MCLA 207.505(a), MSA 7.456(5)(a), and from the state real estate transfer tax pursuant to the provisions of MCLA 207.526(a), MSA 7.456(26)(a), since the value of the consideration given is less than \$100.00.

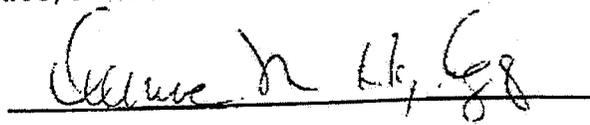
IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first written above.


Michael S. Hoffman, Trustee of the Michael S. Hoffman Trust, u/a/d 4/10/91, as amended and restated in its entirety by Restated Trust Agreement dated 9/16/92, as amended 4/25/94 and 12/30/97, as amended and restated in its entirety by Restated Trust Agreement dated 6/14/99


Marielle Riday Shuster

STATE OF MICHIGAN)
)ss
COUNTY OF)

The foregoing instrument was acknowledged before me this 4th day of April, 2008, by Michael S. Hoffman, Trustee of the Michael S. Hoffman Trust u/a/d 4/10/91, as amended and restated in its entirety by Restated Trust Agreement dated 9/16/92, as amended 4/25/94 and 12/30/97, as amended and restated in its entirety by Restated Trust Agreement dated 6/14/99, on behalf of the Trust.


Notary Public, _____ County, MI
Acting in and for _____ County, MI
My Commission Expires: _____

STATE OF MICHIGAN)
) ss
COUNTY OF)

The foregoing instrument was acknowledged before me this 4th day of April, 2008, by Marielle Shuster

Stacey A. George

Notary Public, _____ County, MI
Acting in and for _____ County, MI
My Commission Expires: _____

THIS INSTRUMENT PREPARED BY
AND AFTER RECORDING RETURN TO:
Stacey A. George
Charron & Hanisch, PLC
4949 Plainfield Avenue
Grand Rapids, MI 49525
(616) 363-0300



City of East Grand Rapids, Michigan

CITY OF EAST GRAND RAPIDS PLANNING COMMISSION NOTICE OF PUBLIC HEARING

NOTICE: This is a postponement of the December 8, 2015, date that was previously published in Cadence.

A public hearing will be held at the date, time, and location listed below, on the application of Marielle Shuster of Coiffeteria (Marielle Shuster Protection Trust), the owner the real property at 610 Lovett Avenue, SE, on a request to rezone the property at that address from R-3 Single Family to C-1 Commercial. A use variance for a beauty salon was granted to a former owner of the property in 1993. The applicant has not submitted plans to alter the site or the current use in any way at this time. The purpose of the hearing is to receive public comment and then to provide a report and a summary of the public hearing comments to the City Commission, which ultimately acts on the request to rezone.

The application may be viewed in the Public Works Administration office at the Community Center, or by linking from this notice at www.eastgr.org/notices.

The City Commission welcomes your views in this matter. You may express your views at the scheduled meeting or by writing to the Mayor and City Commission at 750 Lakeside Drive, SE, East Grand Rapids, Michigan 49506 or by email to the City Clerk at kbrower@eastgr.org. To be included in the hearing, written communications must contain the sender's name and address.

If you have any questions regarding this request, please contact the undersigned at 940-4817, or tfaasse@eastgr.org.

DATE: Tuesday, January 12, 2015
TIME: 5:30 p.m.
PLACE: East Grand Rapids Community Center Commission
Chamber
750 Lakeside Drive, SE,
East Grand Rapids, Michigan 49506

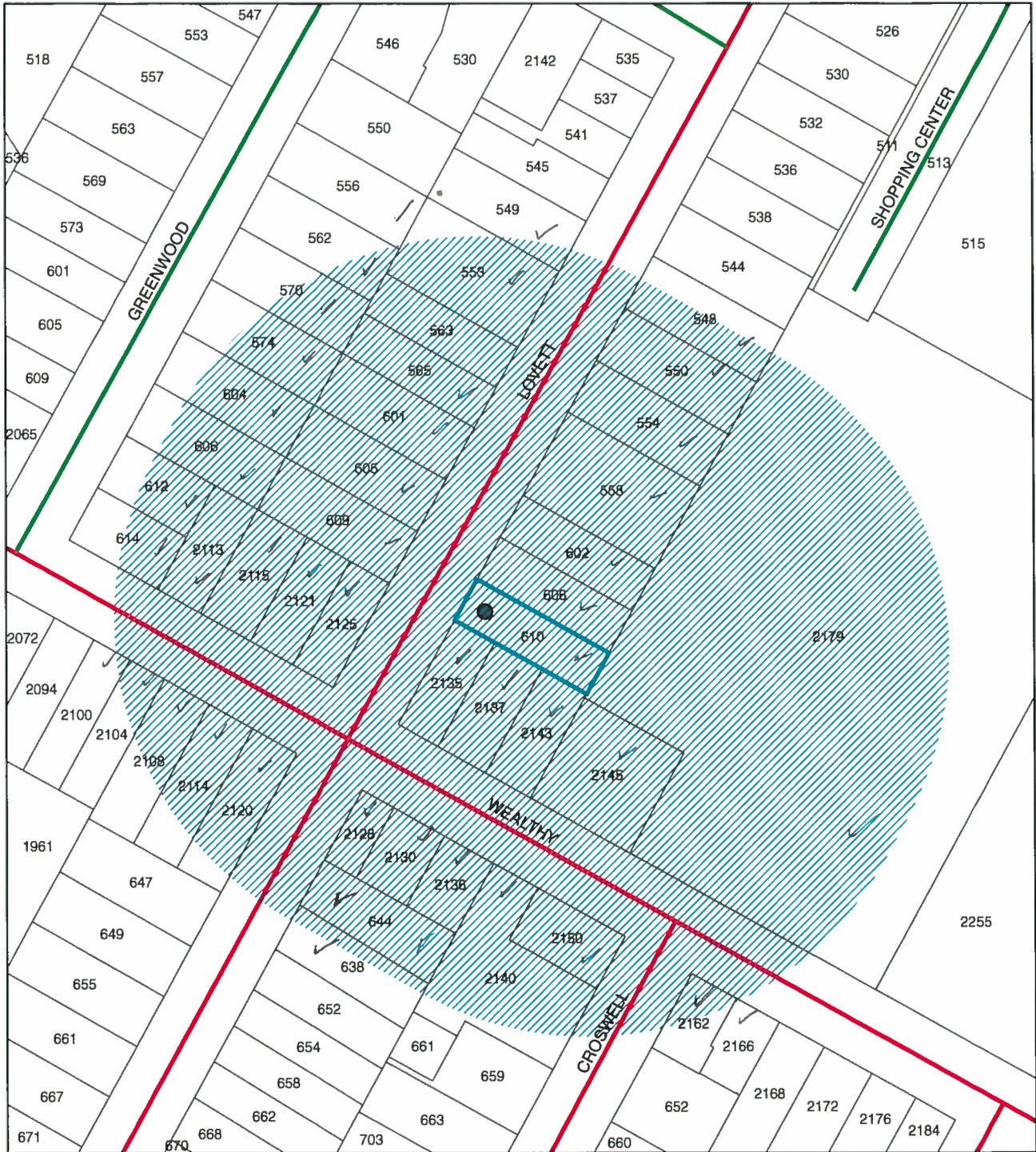
Thomas A. Faasse
Zoning Administrator

PUBLIC WORKS DEPARTMENT – ENGINEERING DIVISION

750 Lakeside Drive, SE • East Grand Rapids, Michigan 49506
Telephone (616) 940-4817 Fax (616) 831-6121 www.eastgr.org



65
SENT



Site Plan Review
 610 Lovett Avenue, S.E.
 East Grand Rapids, MI

