

**CITY OF EAST GRAND RAPIDS
NOTICE OF PUBLIC HEARING**

A public hearing will be held on the application of Dan and Jill Willey, the owners of 2624 Richards Drive, SE, to consider three zoning variances at that address. The applicants wish to reconstruct their detached garage, which was destroyed by a falling tree last winter, with a garage of the same dimensions and in the same location as the existing garage. The current garage is nonconforming with today's zoning requirements, having a setback of 1.0 feet at the narrowest point in the rear (south) and a setback of 1.3 feet on the side (east) instead of the required minimum setbacks of 3.0 feet as required for detached accessory buildings. The requested rear variance is 2.0 feet and the requested side variance is 1.7 feet, both pursuant to Section 5.70A7 of the East Grand Rapids Zoning Ordinance. They also request relief from Section 5.113A2a, which requires that if a nonconforming structure is damaged to an extent of more than 60 percent of its replacement value, it may be reconstructed only in conformance with current zoning ordinance requirements.

The application and plans may be viewed on the following pages or in person at the Public Works Administration and Engineering office at the Community Center.

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: Monday, June 6, 2016
TIME: 6:00 p.m.
PLACE: East Grand Rapids Community Center, Commission Chambers
750 Lakeside Drive, SE,
East Grand Rapids, Michigan 49506

Thomas A. Faasse
Zoning Administrator

Request for Zoning Ordinance Variance

Date: 4/26/16

Note to Applicant: Please pay careful attention to answer the questions in this application as accurately and completely as possible. This will give you the best possibility of your application appearing on the earliest agenda for action and for approval by the Board of Zoning Appeals.

All requests for a zoning variance are subject to a public hearing. The applicant will be advised of the hearing date, time and location and is requested to present a verbal summary of the request to the Board of Zoning Appeals prior to the public hearing. In addition, the City Services Office shall publish notice of the public hearing in a newspaper of general circulation in the local unit of government, as well as, provide notice of the public hearing to all property owners within a 300 foot radius of the subject property not less than fifteen (15) days before the date the application will be considered for approval.

A non-refundable filing fee of \$250.00 must accompany your application.

Applicant Name: Dan + Jill Willey

Address: 2624 Richards Dr. SE. Grand Rapids 49506

Property Address (if different than above):

Daytime Phone: 616. 443. 0804

Legal Description of Property**: W 51ft of lots 598 + 599, Paris Park No.3
City of East Grand Rapids, Kent County, MI, according to the record plat
there of.

**(Use Attachments if Necessary)

Permanent Parcel (Tax) Number: 41. 18. 03. 180. 016

Briefly State the Requested Variance (Citing the specific section(s) of the Zoning Ordinance from which you are seeking a variance):**

See attached narrative

**(Use Attachments if Necessary)

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.

X 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.

X d. Compliance with the Zoning Ordinance would unreasonably prevent you from using the property or would be unnecessarily burdensome.

Narrative Statement:

Please attach a narrative statement setting forth:

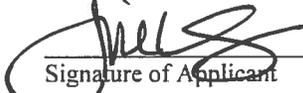
- a. What you wish to do with the property.
- b. Why you need the variance.
- c. The specific decision you seek
- d. The reason your project cannot be accomplished within the requirements of the zoning ordinance.

Site Plan:

Two (2) copies of a detailed, *scaled* site plan and elevation drawing showing the nature of the variance request, including, but not limited to: property boundaries, existing and proposed structures, the distance from the property lines of each existing building or structure and of each proposed building or structure, height of all proposed structures, and show and label abutting street(s). *Additional information may be required by the Zoning Administrator.*

The Board of Zoning Appeals may attach conditions to the granting of a variance.

Please be advised that substantial steps toward effecting the variance must be taken within twelve (12) months of approval of a variance, or the variance will become null and void per section 5.171-2 of the City Code.



Signature of Applicant

Jill Willey

Print Name

Signature of Property Owner
(If Different from Applicant)

Print Name



City of East Grand Rapids
City Services
750 Lakeside Dr. SE, East Grand Rapids, MI 49506
Phone 616.940.4817 FAX 616.831-6121

2624 Richards
Variance Narrative

On Friday, February 19 a large portion of a tree in our backyard fell on our garage (image of the accident can be found below).

As we began the process of wanting to replace the garage/structure in the exact same spot with the exact same specifications we learned the structure is now non-conforming. It has come to our attention the original garage was within a Consumers Energy easement therefore building a new garage in the exact same location within our property with the exact same specifications of the garage now no longer meets zoning ordinance.

We wish the city to approve rebuilding the nonconforming structure within the same footprint as it was prior to the accident, including...

- Relief from EGR Zoning Ordinance Section 5.70A7, for a rear garage setback of 1.0 feet at the narrowest point instead of 3.0 feet, a variance of 2.0 feet, and
- Relief from EGR Zoning Ordinance Section 5.70A7, for an east/side garage setback of 1.3 feet at the narrowest point instead of 3.0 feet, a variance of 1.7 feet.
- Relief from Section 5.113A2a to reconstruct garage in the same non-conforming location in spite of damage exceeding 60% of replacement value.

If we are unable to receive approval of the variance we would be faced with several additional issues. Specifically, if the garage were to be moved we would need to potentially replace the foundation, driveway, deck and reduce our already small backyard – all of these expenses are not covered by insurance and that we cannot afford. In addition, if we were to move the garage we would then be violating other zoning regulations/codes.

Sincerely,

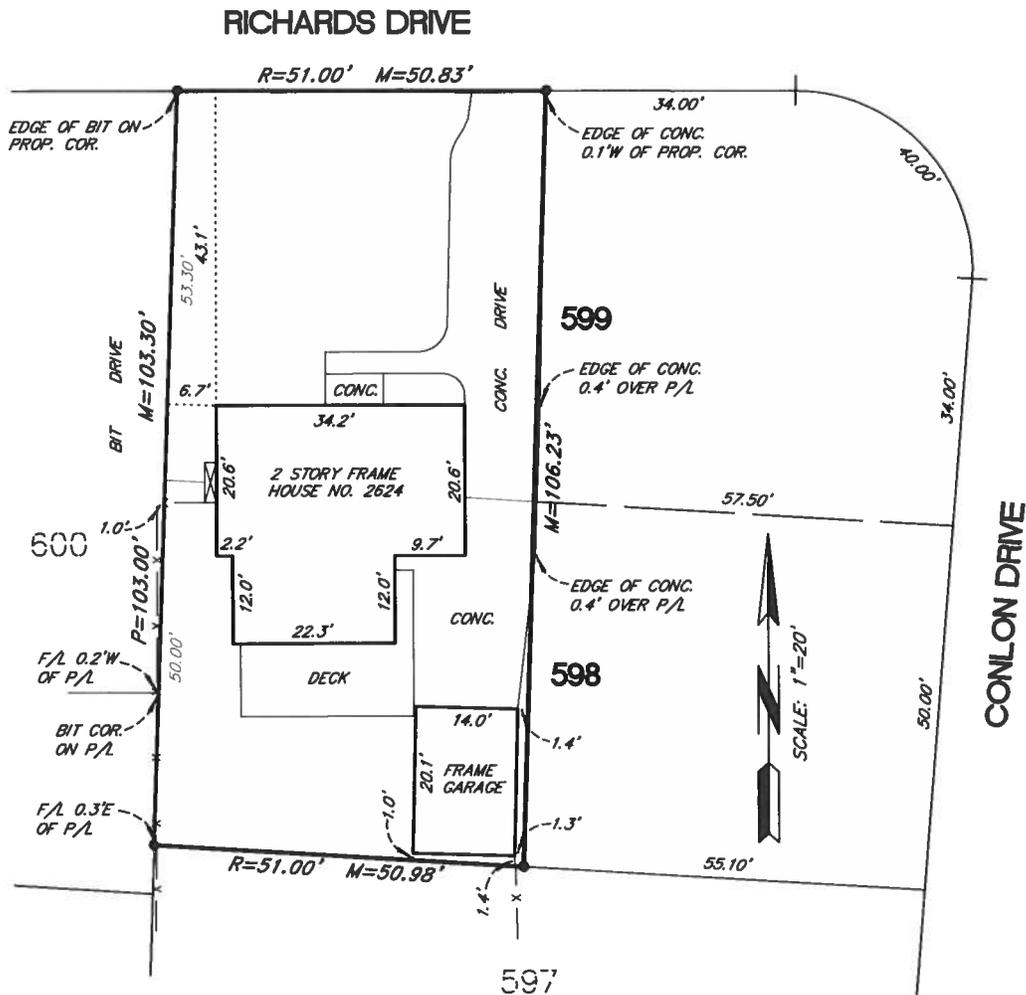
Dan Willey



Project No. 160357
 Date: April 8, 2016
 For: Jill Willey
 2624 Richards Dr SE
 Grand Rapids, MI 49506
 Prop. Address: 2624 Richards Dr SE

LEGAL DESCRIPTION FROM TAX RECORDS
 The West 51 feet of Lots 598 and 599, Paris Park No. 3, City of East Grand Rapids, Kent County, Michigan, according to the recorded plat thereof.

NOTE:
 A title insurance policy was not provided at the time of this survey. One should be obtained to compare for accuracy of legal description and easements of record.



I hereby certify that the buildings and improvements are located entirely thereon and that said buildings and improvements are within the property lines and that there are no existing encroachments upon the lands and property described unless otherwise shown hereon.

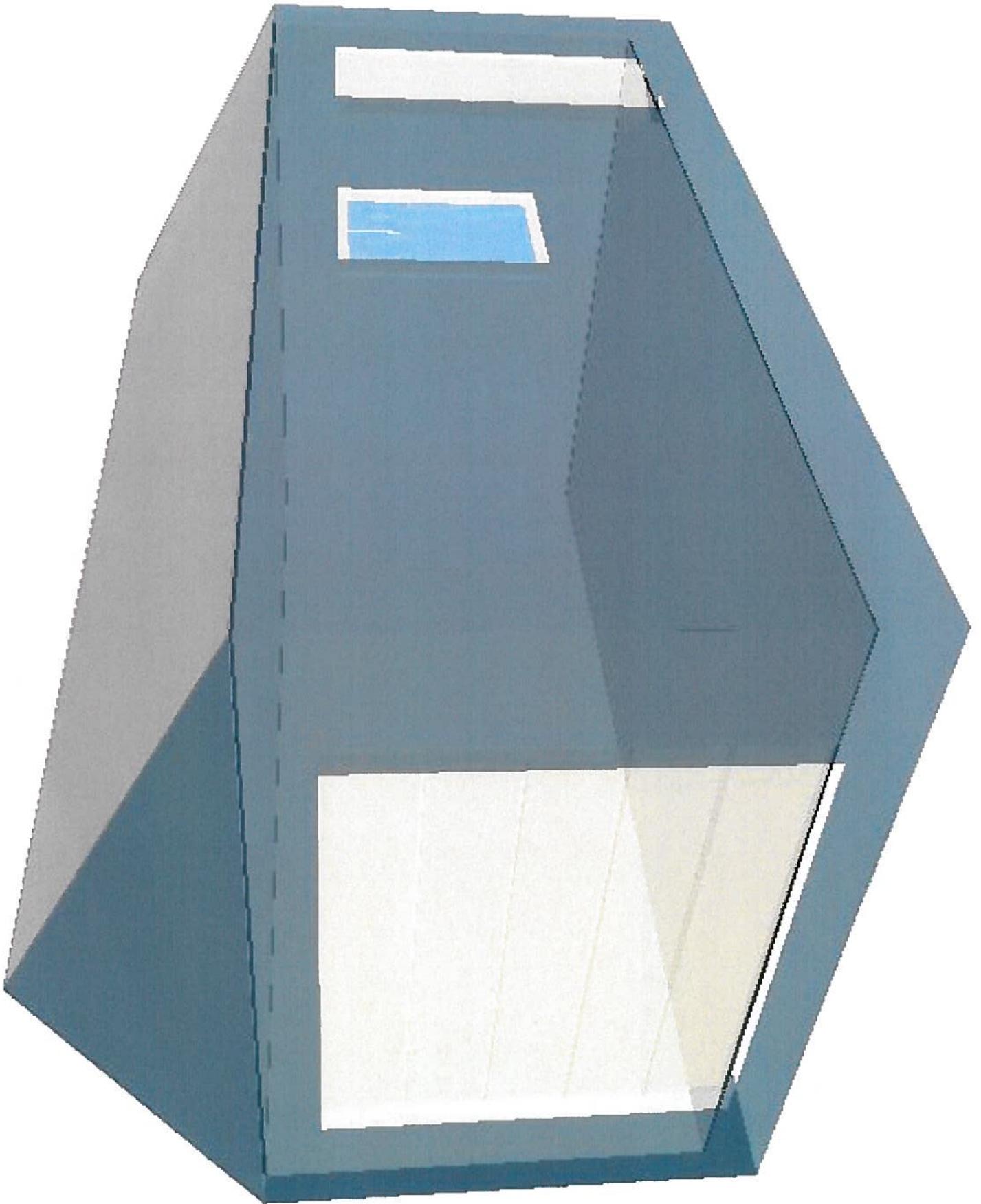
LEGEND

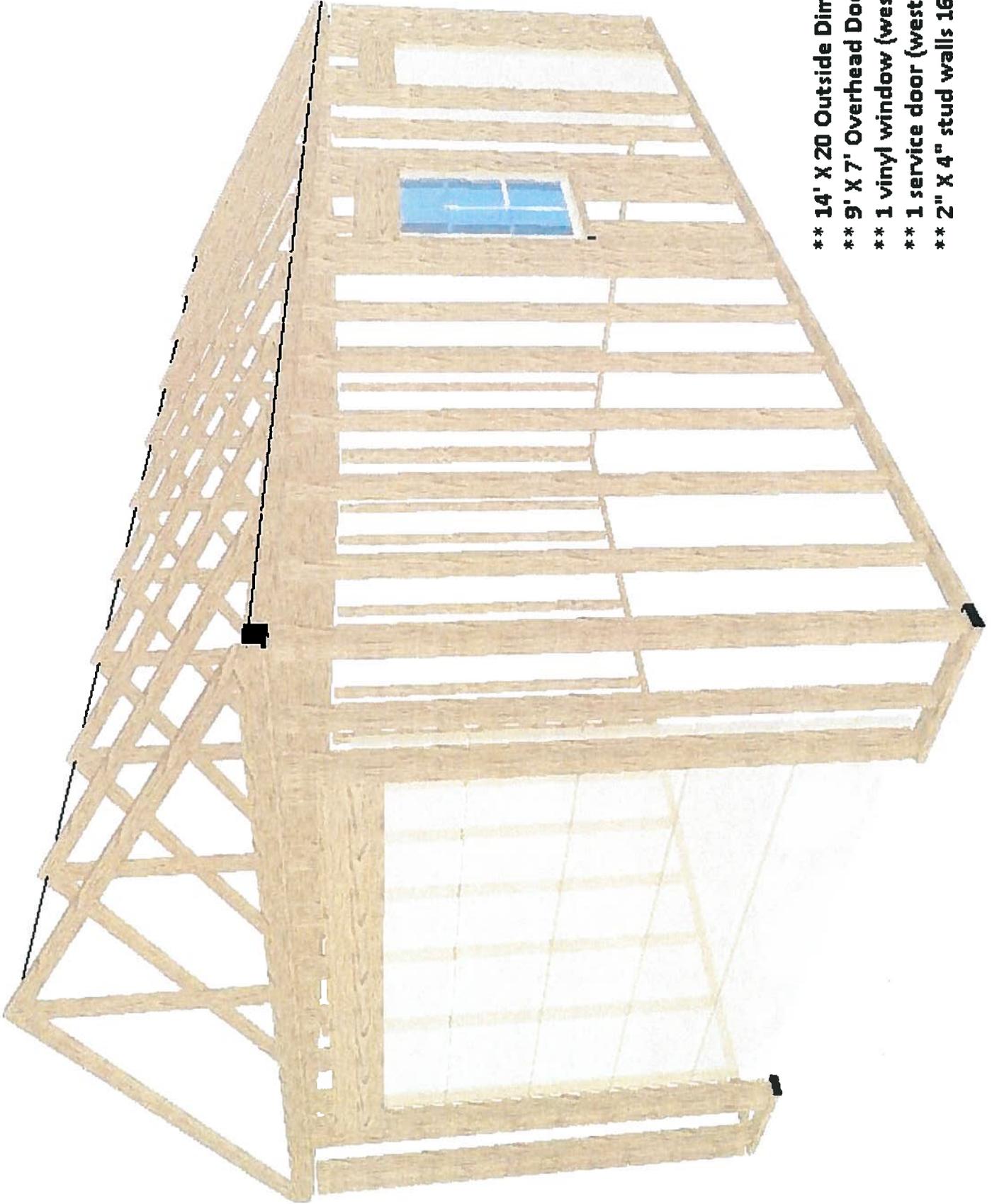
- - IRON STAKE - SET
- - IRON FOUND
- - WOOD STAKE
- R - RECORDED DIMENSION
- D - DEED DIMENSION
- P - PLATTED DIMENSION
- M - MEASURED DIMENSION
- ⊕ - CENTERLINE
- x-x - FENCE LINE

R
 Roosien & Associates
 SURVEYING AND ENGINEERING
 5055 PLAINFIELD AVENUE, NE
 GRAND RAPIDS, MICHIGAN 49525
 TELE. (616) 361-7220
 FAX (616) 361-1822

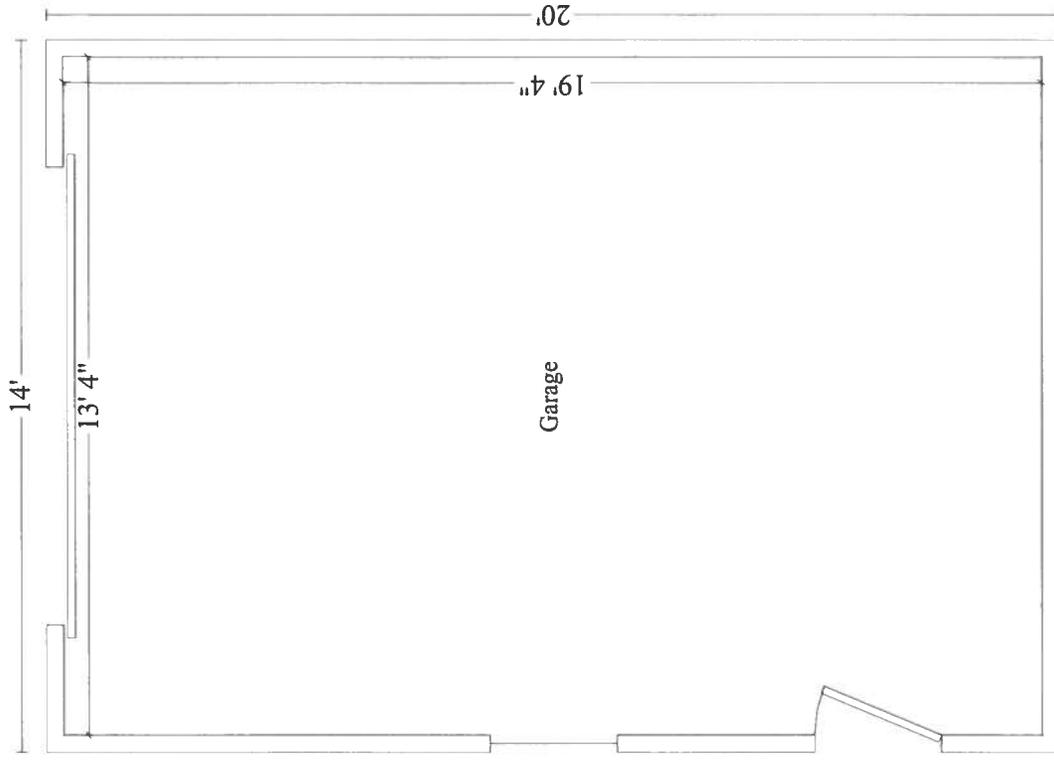


BY *Kevin Roosien*





- ** 14' X 20 Outside Dimensions**
- ** 9' X 7' Overhead Door**
- ** 1 vinyl window (west elevation)**
- ** 1 service door (west elevation)**
- ** 2" X 4" stud walls 16" on center**



*14' X 20' Outside Dimensions
*Remove and rebuild garage on existing foudation/slab

