

**AN ORDINANCE TO AMEND SECTIONS 5.12, 5.28, 5.62,
AND 5.63 OF CHAPTER 50 OF TITLE V OF THE CODE OF
THE CITY OF EAST GRAND RAPIDS**

THE CITY OF EAST GRAND RAPIDS ORDAINS:

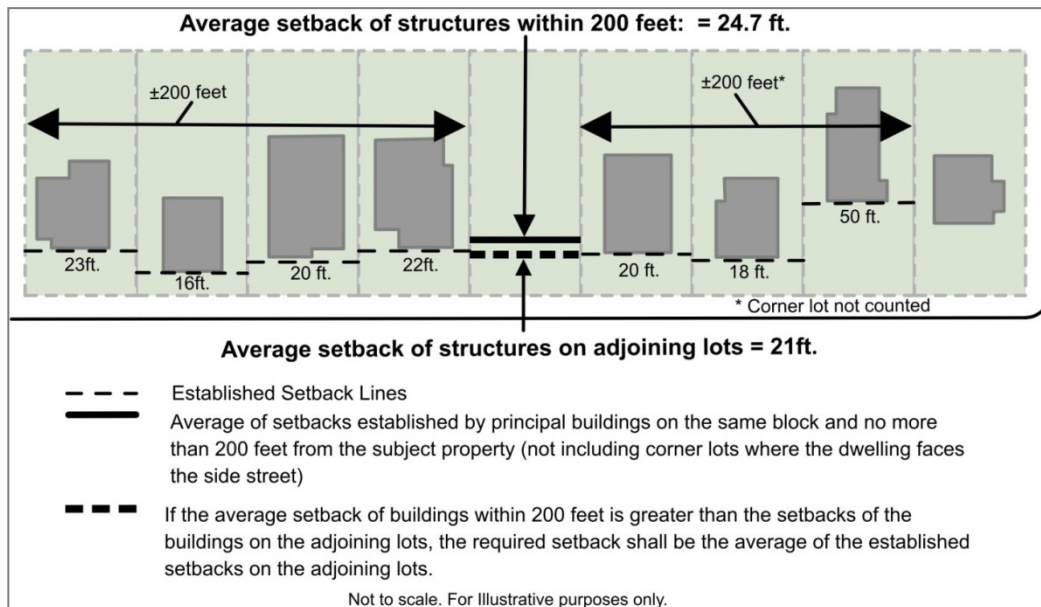
Section 1. Section 5.12 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended to restate the definition of “Lot, Double Frontage or Through” as follows:

“H. Lot, Double Frontage or Through. An interior lot bordered by two, more or less, parallel streets. For the purpose of this definition, if one side of the lot is bordered by an alley opposite of a street the lot is not considered a through lot.”

Section 2. Section 5.28 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended to restate subsection B. and to add subsection E. to read as follows:

“B. **Established Front Yard Setback (See Figure 1).** In the R-1, R-2 and R-3 districts, if 25 percent or more of all of the parcels on one side of a street between two intersecting streets contain a principal structure, the minimum front yard setback shall be the average of the front yards established by the principal structures located on lots on the same side of the street within the same block that are within 200 feet in each direction from the subject property (not including corner lots where the front setback is on the intersecting street), provided:

Figure 4-1: Established Front Setback, Single Family Districts



1. If this average results in a setback that is greater than the established front yard setbacks of the principal structures on both of the lots adjacent to the property in question, the required setback shall be the average of the established setback of the adjacent lots.
2. For a double frontage (through) lot, the requirements of this subsection shall apply only to the established setbacks from the street upon which the lot is addressed. In the case of a row of three or more contiguous double frontage lots, these requirements shall apply only to the established setbacks from the street upon which the majority of the lots are addressed.
3. If less than 25 percent of the parcels on one side of a street between two intersecting streets contain a principal structure, the required front setback shall be as required for the zoning district.”

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“E. **Through Lots.**

1. Primary Front Yard. The Director of Public Works shall designate the primary front street upon which the principal structure shall face and be addressed. The primary front yard shall abut the primary front street and the opposite street shall be the secondary front street. The primary front yard setback shall be determined through Section 5.28 B, Established Front Yard Setback. The designation of primary front street will consider the following:
 - a. Location and orientation of existing or proposed buildings on the through lot in relation to existing buildings on properties in the same general neighborhood, historic development patterns, and existing developed through lots.
 - b. Location and impact of existing vegetation, water, or other natural features affecting the location of buildings or structures on the lot in question.
2. Secondary Front Yard. The secondary front yard setback shall be a line parallel to the secondary street and shall be established by a line that is the continuation of a required rear setback line of an adjacent interior lot addressed on the primary street. In the case of two differing rear setback lines on adjacent lots, the more restrictive shall apply.
3. Established Through Lot Development. In the case of three or more contiguous through lots recorded prior to the date of adoption of this ordinance, the secondary front setback shall be established

by the minimum front setback requirements of the zoning district in which the lots are located.”

Section 3. Section 5.62 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

“Section 5.62 Corner Lots

- A. A corner lot with two street frontages shall have a front lot line and front yard, a street side lot line and street side yard, an interior side lot line and interior side yard and a rear lot line and rear yard, except as noted in Section 5.28. The front lot line and front yard shall be determined by the Director of Public Works or designee, according to one or more of the following considerations:
1. The narrower of the street lines shall be the front lot line;
 2. The front lot line shall be adjacent to the street upon which the building is addressed;
 3. The front lot line shall be adjacent to the street upon which the front of the building, including its main entrance, is oriented;
 4. A street line has been designated on the plat of subdivision as the front lot line.
- B. For corner lots with two street frontages, if the Director of Public Works or designee cannot determine the front lot line according to the above criteria, the Zoning Board of Appeals shall determine the front lot line under its powers to interpret the meaning and intent of this chapter, according to Article 12.
- C. A corner lot with street frontage on three sides shall have the following lot lines and yards:
1. If the dwelling is oriented toward one of the two parallel streets, the lot shall have two front lot lines and two front yards, a street side lot line and street side yard, an interior side lot line and interior side yard, and no rear lot line and rear yard. The Director of Public Works or designee shall consider the following when determining orientation of the dwelling:
 - a. Location and orientation of existing or proposed buildings on the through lot in relation to existing buildings on properties in the same general neighborhood, historic development patterns, and existing developed through lots.

- b. Location and impact of existing vegetation, water, or other natural features affecting the location of buildings or structures on the lot in question.
2. If the dwelling is oriented toward the middle street, the lot shall have three front lot lines and three front yards abutting the streets, and a rear lot line and rear yard.”

Section 4. Section 5.63 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

“Section 5.63 Through Lots

- A. A through lot shall have two front lot lines and two front yards, two interior side lot lines and two interior side yards, and no rear lot line or rear yard.
- B. Access to the lot shall only be from the primary street. Where a driveway or other access to the lot exists from the secondary street, such driveway or access shall be removed prior to a Certificate of Occupancy.”

Section 5. This Ordinance shall be effective on February 27, 2015.

Section 6. This Ordinance shall be published in full pursuant to the provisions of Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.