

**CITY OF EAST GRAND RAPIDS ZONING BOARD OF APPEALS
NOTICE OF PUBLIC HEARING**

A public hearing will be held on the zoning variance application of Tom LeBlanc and Nate Whitmore, on behalf of Laurie and Chris Blanchard, for the property address of 956 Maxwell Ave. SE. The applicant has applied for variances for the following:

- Area, Height, and Placement Requirements (Chapter 50, Section 5.28A) - The applicant is requesting to divide the existing conforming parcel in the R-2 Single Family Residential District into two parcels, each with a lot width of 50' where 72' is required and a lot area in the first 100' of lot depth of 5,000 s.f. where 7,200 s.f. is required. The Zoning Board of Appeals will only be considering relief from these zoning ordinance provisions and will not be deciding on any lot split request itself.

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

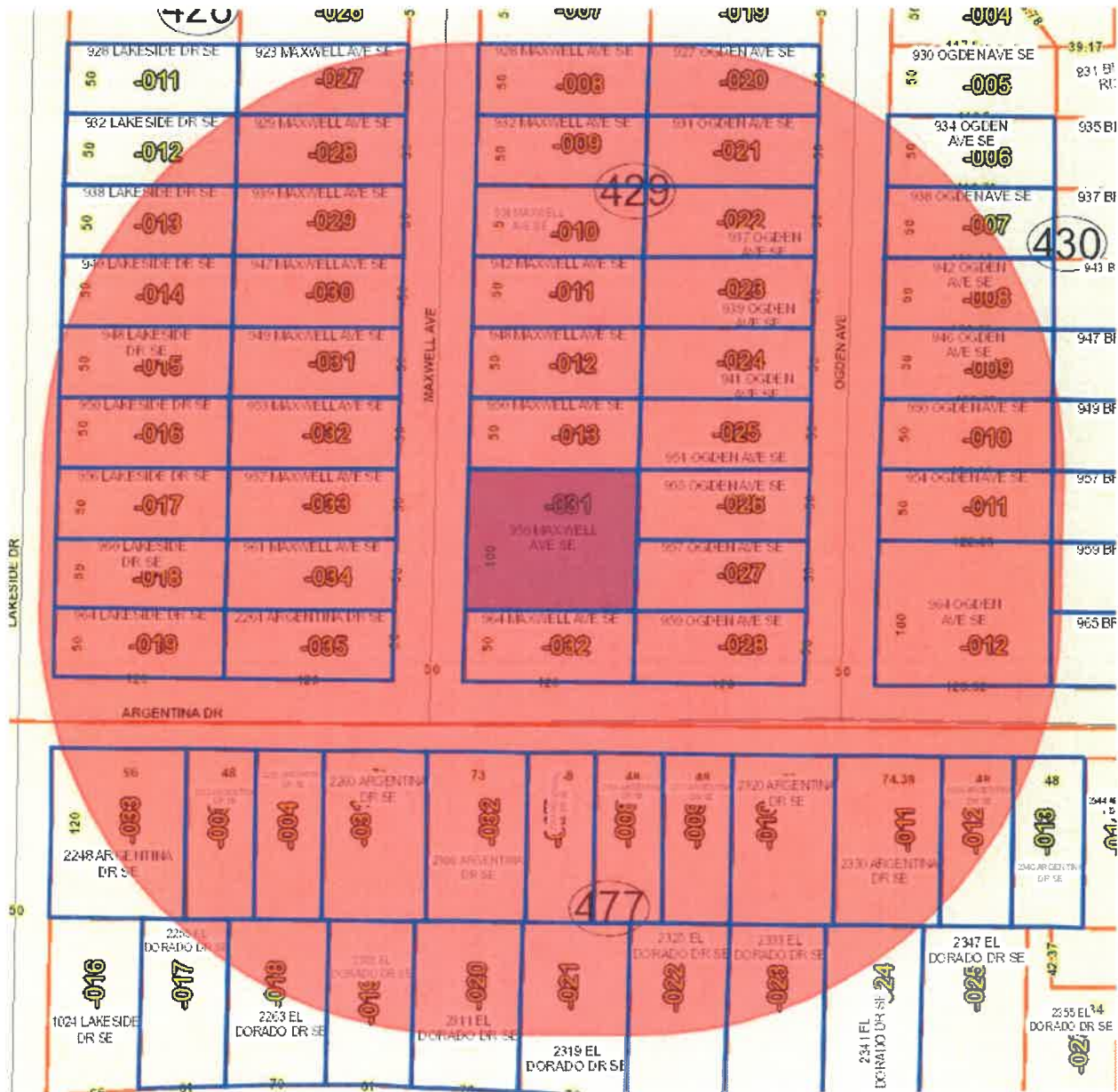
In accordance with the Michigan Zoning Enabling Act, you are receiving this notice because you live or own property within 300' of this address. The Zoning Board of Appeals invites those with any facts or evidence related to this request to present them at the scheduled meeting or by writing to the Zoning Board of Appeals at 750 Lakeside Drive SE, East Grand Rapids, MI 49506. To be included in the hearing, written communications must contain the sender's name and address. For more information on what evidence or materials the Zoning Board of Appeals can consider, please scan the QR code on the right to review the City's Variance FAQ.



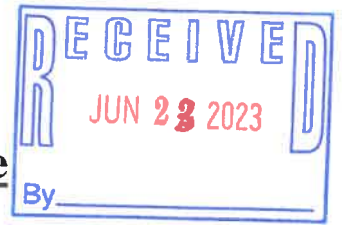
If you have any questions regarding this request, please contact the undersigned at (616)940-4817, or jgianotti@eastgr.org.

Date: Wednesday, July 26, 2023
Time: 5:30 p.m.
Place: East Grand Rapids Community Center Commission Chambers
750 Lakeside Drive SE, East Grand Rapids, MI 49506

Jay Gianotti, AICP
Zoning Administrator



VARIANCE
956 MAXWELL AVENUE, S.E.



Request for Zoning Ordinance Variance

City of East Grand Rapids

Date: June 22, 2023

Note to Applicant: Please pay careful attention to provide the necessary documents required and 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 consideration by the Zoning Board of Appeals. The City reserves the right to delay or withhold a public hearing for a variance request that does not meet the standards of submission.

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 required to present a verbal summary of the request to the Zoning Board of Appeals (ZBA) prior to the public hearing. In addition, the City Services Office shall publish a 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 per the Michigan Zoning Enabling Act. Decisions by the ZBA are considered final and are made pursuant to Section 5.103 of the East Grand Rapids Zoning Ordinance.

A non-refundable filing fee of \$500.00 must accompany your application. A \$700.00 post construction fee is also required for retroactive variance requests.

Applicant Name: Tom LeBlanc and Nate Whitmore on behalf of Laurie and Chris Blanchard

Address: 956 Maxwell Ave SE, East Grand Rapids, MI 49506

Property Address (if different than above):

Daytime Phone: 616-930-5298

Email: info@whitmorehomesllc.com

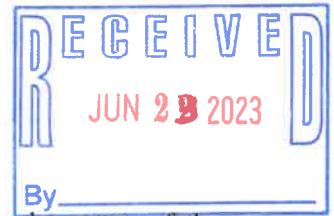
Legal Description of Property*: LOTS 88 & 89 * MASONIC HOME ADD

Permanent Parcel (Tax) Number: 41-14-33-429-031

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

5.28A

To request a width and area variance for 956 Maxwell Ave in order to split lots 88 and 89 into two individual parcels.



Submission Materials:

- 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, and height of all proposed structures. Please also show and label abutting street(s). Pictures may be attached with your application to better demonstrate your request. Additional information may be required by the Zoning Administrator.
- Narrative statement that explains your request, why you are seeking a variance, and addresses how you believe your request meets *all* the required standards of review. These criteria are listed in Sections 5.103(C) and 5.103(D) of the City’s Zoning Ordinance for dimensional and use variances, respectively.

Please note: variances are approved only when all of the relevant review criteria are met, and where there is a genuine practical difficulty or unnecessary hardship with the property. Variances are not to be granted solely to avoid compliance with the zoning ordinance or where there is another feasible option or use for your property. The City has prepared a Frequently Asked Questions (FAQ) document that outlines the variance process and explains the review criteria in more detail. Please contact the Zoning Administrator if you have any questions.

By signing below, I acknowledge the following:

- I have reviewed all of the submission requirements and review standards for variances, including the City’s Variance FAQ document.
- The information submitted here is complete and accurate to the best of my knowledge.
- I permit any member of the ZBA and City Staff to enter onto my property for the purpose of considering this variance request. I further understand that ZBA members are not permitted to engage in any conversations during such site visits.
- The ZBA will only consider and vote on the specific request and site plan that is submitted with this application. Negotiations of this request during the meeting or public hearing are not permitted.
- The ZBA may attach reasonable conditions to an approved variance.
- If a variance is granted, substantial steps toward effecting the variance must be taken within twenty-four (24) months of approval, or the variance will become null and void per section 5.104 of the City Code.

Tom LeBlanc
 Signature of Applicant

dotloop verified
06/22/23 3:07 PM EDT
REIU-SWIY-QWIL-ZAQQ

Chris Blanchard
 Signature of Property Owner
 (If Different from Applicant)

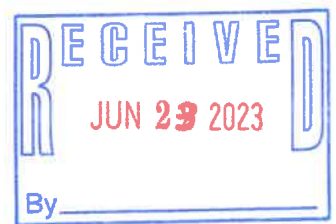
dotloop verified
06/22/23 3:42 PM EDT
E19R-YXZ8-K16M-NSLZ

Tom LeBlanc
Print Name

Chris Blanchard
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





The following is a narrative statement that describes the Blanchard request to seek a dimensional variance for their lot located on 956 Maxwell Ave. The narrative statement explains why we are seeking a variance and addresses how we believe our request meets all the required standards of review listed in Sections 5.103(C)

The Blanchards have owned 956 Maxwell Ave since 2008. The lot is zoned R2 and is 100 feet wide and 120 feet deep. The property is made up of lots 88 and 89 based on the East Grand Rapids legal description, and, to our knowledge, has always existed this way (Criteria 2 of 5.103C).

The Blanchards are seeking to split the property in half in the East/West direction to designate lots 88 and 89 as two individual 50' x 120' nonconforming lots according to the R2 zoning standards within the East Grand Rapids Zoning Ordinance. Therefore, the Blanchards are seeking a variance from Zoning Ordinance section 5.28A - Area, Height, and Placement Requirements - subheading titled Dimensional Requirements.

Specifically, the Blanchards request to be relieved from the area and width requirements of an R2 lot. The required width being 72' and the required area being 7,200 SF within the first 100' from the street. The resulting lots would be 50' in width and 5,000 SF in the first 100' from the street.

For additional simplification, here is a table highlighting what the Blanchards are applying for (designated by yellow):

	R2 minimum (5.28A)	Existing	Requirement for a 50' nonconforming lot (5.114)	Proposed lot 88 (Vacant)	Proposed lot 89 (House)
Lot width	72	100	50	50	50
Total square feet (first 100')	7200	10000	5000	5000	5000
Least side yard set back	7	8	5	6.25	6
Total side yard setback	18	64	12.5	12.5	14

Please also view the site plan provided as reference.

The existing circumstances of 956 Maxwell are exceptional and extraordinary because it is a property containing two lots - 88 and 89 (Criteria 1 of 5.103C). Therefore, authorizing a variance would be in congruence with the spirit and purpose of the zoning ordinance, because it allows the lots to operate to the standard of the immediate area (Criteria 3 of 5.103C).

To further this point, 956 Maxwell is twice the size of almost all lots in the surrounding blocks. 26 of the 28 lots on Maxwell Ave are exactly 50' wide. In addition, 28 of the 30 properties on Lakeside Dr and 20 of the 21 properties on Ogden Ave, which are the streets to the east and the west of Maxwell, are lots with the same or very similar square footages and widths as what this potential split would create. Therefore 956 Maxwell, as it stands today, is an exceptional and extraordinary circumstance and granting this variance would create two lots that conform to the surrounding area. We are not utilizing other nonconformities in and of themselves - as grounds for this variance, but rather, establishing that



the resultant lots would be of very normal size for this area of East Grand Rapids and would fit the community standard (Criteria 4 of 5.103C).

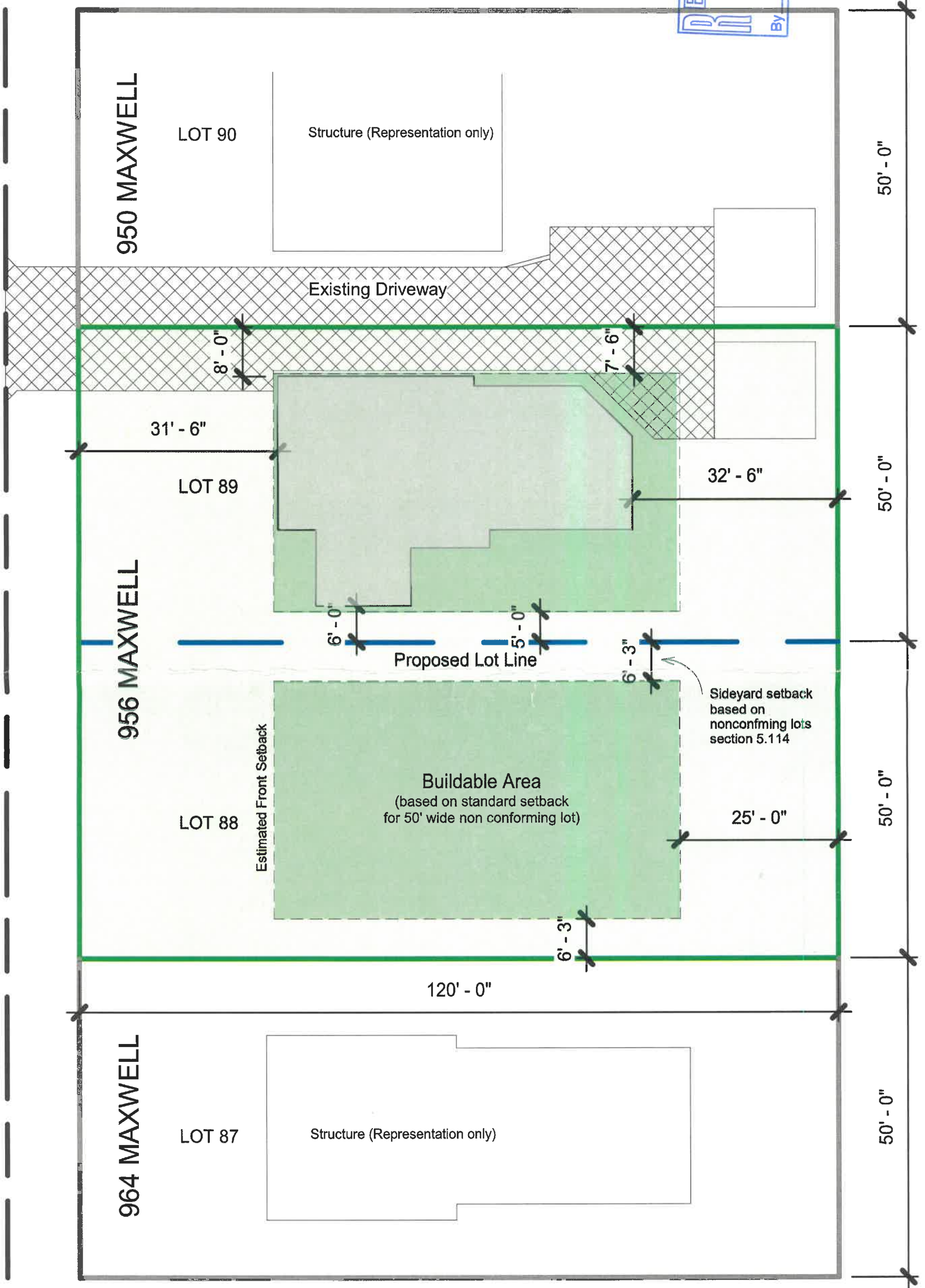
The Blanchards already have a contract in place to partner with Whitmore Custom Homes, a local gaslight village business, to build a high-quality home on the vacant lot to be split. This home will not only fit the neighborhood aesthetic but will also raise home values in the neighborhood while bringing in more than \$20,000 tax dollars for the city annually (based on similar past homes Whitmore Custom Homes has built in the area). This is not to reference any financial impact of the applicant, rather, to further highlight the benefit to the community.

We strongly believe this request is not out of the ordinary, but rather, is the minimum necessary variance to alleviate the extraordinary circumstances that exist today (Criteria 5 of 5.103C).

Therefore, we trust this variance meets all of the standard criteria necessary for a dimensional variance spelled out in Sections 5.103(C) – and beyond that is a benefit to the East Grand Rapids community.

RECEIVED
JUN 28 2023
By

MAXWELL AVE



① Siteplan
1/16" = 1'-0"

