

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

**Regular Meeting Held November 19, 2012**

Commission President Graham called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Goebel, Graham, Johnson, Miller, and Skaggs

Absent: Mayor Seibold

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Finance Director Dood; Zoning Administrator Faasse; City Clerk Brower

2012-134. No public comment was received.

2012-135. Commissioner Skaggs congratulated City Clerk Brower and all of the election workers on a very well run Presidential Election on November 6<sup>th</sup>.

Commissioner Johnson invited all residents to attend the Tree Lighting Ceremony in Gaslight Village on Friday, November 23<sup>rd</sup> beginning at 6:30 pm. President Graham agreed it was a wonderful community event.

2012-136. A zoning variance hearing was held regarding the request of Joe & Leisa Gallagher, owners of 2511 and 2517 Richards, to allow the two nonconforming lots to remain as separate parcels and to be permitted to use and occupy each of the lots as permitted in a single family residential zoning district, instead of considering them to be an undivided parcel for zoning purposes.

Zoning Administrator Faasse explained the ordinance required the lots be combined for zoning purposes unless a variance was granted.

Joe and Leisa Gallagher, 2517 Richards, were present to explain the request and answer questions. Mr. Gallagher stated the lots are very similar in size to many others on the street and in the 500' radius and asked that they be kept as separate lots.

President Graham opened a public hearing. The following people were present to express their opinions:

- Don Lawless, 2539 Albert	Stated he owned two very similar parcels and has always considered them one property due to the zoning district requirements. Noted the Gallagher properties did not meet size requirements and asked the Commission to deny the variance request.
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The following communications were received at City Hall concerning this variance request:

- Bruce Courtade	In Favor.
-Mimi Fuger, 1521 Lake Grove	In Favor.
- Bruce Sherpenisse, 2505 Richards	In Favor.
- Bill & Astrida Molenaar, 1453 Lake Grove	In Favor.

No other public comment was received. President Graham closed the public hearing.

A. Dills-Goebel. That the request of Joe & Leisa Gallagher, owners of 2511 and 2517 Richards, to allow the two nonconforming lots to remain as separate parcels and to be permitted to use and occupy each of the lots as permitted in a single family residential zoning district, instead of considering them to be an undivided parcel for zoning purposes be approved.

City Manager Donovan added the zoning district requirements are the core of the city's zoning ordinances and the goal of the commission has always been to meet or exceed the requirements of the district. He noted these two lots did not individually meet the requirements of the A-2 District and granting a variance to allow them to remain separate would set a dangerous precedent.

Commissioner Johnson agreed the minimum lot sizes were not met and the vacant lot was actually smaller than the median and the average of other lots in the area. She was also concerned about setting a precedent.

Commissioner Skaggs questioned whether combining the two lots into one would create a parcel that conformed to the zone district requirements. Zoning Administrator Faasse confirmed the combined lot would meet the A-2 district requirements of 7,200 sq. ft. in the first 100' of depth and a width of 72.'

Commissioner Dills noted the lot containing the home was only roughly 75% of what was allowed in this zoning district, and the vacant lot was smaller yet. He respected that there were many small lots in this area, but felt the ordinance had been in effect for many years and this property should be brought into compliance with the standards of the zoning district. He stated he would not be supporting the request.

Commissioner Goebel stated he originally was inclined to grant the variance, but upon further review agreed the lots were too small to be kept as separate parcels.

Commissioner Graham noted the City was working to standardize many similar situations throughout the City. He felt the parcel with the house on it was already non-conforming and granting a variance to keep the two lots separate would further compound the original problem and likely create more issues.

Yeas: -0-

Nays: Dills, Goebel, Graham, Johnson, Miller and Skaggs – 6

2012-137. Miller-Johnson. Motion to approve the consent agenda as follows:

- A. Minutes of the regular meeting held November 5, 2012.
- B. Payroll disbursements of \$-0-; county and school disbursements of \$-0-, and total remaining disbursements of \$229,807.06.
- C. A contract with Blue Water Pools of Grand Rapids to repair tile at Wealthy Pool in the amount of \$5,100.00 plus contingencies of \$510.00 for a total not-to-exceed \$5,610.00.
- D. The purchase of two claw buckets from Hoekstra Truck Equipment Company in the amount of \$18,692.00.
- E. Ratification of traffic signal work performed by the City of Grand Rapids at Plymouth and Lake Drive in the amount of \$5,365.50.
- F. The purchase of an A/C Refrigerant Handling System from NAPA Auto Parts in the amount of \$4,279.96.
- G. The requisition of road salt for winter maintenance operations in the amount of \$63.20 per ton from the North American Salt Company through the MIDEAL purchasing program.
- H. The purchase of computer equipment for various departments from Civitas-IT in the amount of \$4,854.00 and from Ocean Inc. in the amount of \$1,777.00 for a total of \$6,631.00.
- I. The preliminary minutes of the Parks & Recreation Commission meeting held September 10, 2012.
- J. The preliminary minutes of the Library Commission meeting held September 24, 2012.
- K. The preliminary minutes of the Parks & Recreation Commission meeting held October 8, 2012.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Skaggs – 6  
Nays: -0-

- L. Johnson-Dills. Motion to enter into an executive session to discuss to discuss pending litigation in accordance with Section 8(e) of the Open Meetings Act. A roll call vote was taken.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Skaggs – 6  
Nays: -0-

The meeting adjourned at 6:26 p.m., subject to the call of the Mayor until December 3, 2012.

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Karen K. Brower, City Clerk