

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held May 20, 2013

Mayor Seibold 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, Skaggs and Mayor Seibold

Absent: None

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Finance Director Mushong; Zoning Administrator Faasse; Captain Lark; Captain Williams; Assistant Parks & Recreation Director Perry; Public Works Superintendent Stehouwer; Account Clerk Ritzke; City Clerk Brower

2013-53. No public comment was received.

2013-54. Commissioner Johnson welcomed Claudine Duncan as a candidate for the 2nd Ward City Commission seat and noted what a great experience it will be for her.

Mayor Seibold also noted the three candidates that filed last week for the November election: Phil Skaggs in the 1st Ward, Claudine Duncan in the 2nd Ward, and Jeff Dills in the 3rd Ward. She noted that Commissioner Johnson's experience and insight will be missed on the City Commission when her term ends.

2013-55. Assistant Parks & Recreation Director Perry announced that Huntington Bank was the new title sponsor of the Reeds Lake Run in June. John Irwin, President of Huntington Bank, stated that Huntington was excited to be a part of the race and part of the East Grand Rapids community and looked forward to continuing the traditions of the area.

2013-56. A zoning variance hearing was held regarding the request of Mark and Lisa Saur, owners of 2727 Darby to allow the construction of a new home with a west side yard setback of 12' instead of the required 24', and to allow a front yard setback of 71.6' from the front property line instead of the established front yard setback of 73.6.'

Zoning Administrator Faasse explained the request to build a new home slightly off center on the lot to allow more space between the new home and the home to the east.

Rob Sears of Sears Architects noted the house could be placed on the lot to comply with the zoning requirements, but the applicants wished to shift the home to the west to fit better with the slope of the land and to allow as much space as possible between the new home and the home to the east. He stated the front yard setback variance was required because the home was angled slightly to match the curve of the road and this resulted in a corner of the home being closer to the street than allowed.

Scott Blauw of Scott Christopher Homes stated the proposed placement of the home would help with the drainage on the slope toward the lake and in the placement of the swimming pool.

Mayor Seibold opened a public hearing. No further public comment was received.

The following communications were received at City Hall concerning this variance request:

- Peter & Joan Secchia, 2833 Bonnell	In Favor
- Ted & Barb Etheridge, 2737 Darby	In Favor.
- J. Paul Janes, 2647 Lake Drive	In Favor.
- Melissa & J. Paul Janes, 2747 Lake Drive	In Favor.
- Pete & Anne Eardley, 2737 Bonnell	In Favor.

No other public comment was received. Mayor Seibold closed the public hearing.

- A. Dills-Johnson. That the request of Mark and Lisa Saur, owners of 2727 Darby to allow the construction of a new home with a west side yard setback of 12' instead of the required 24', and to allow a front yard setback of 71.6' from the front property line instead of the established front yard setback of 73.6' be approved.

Commissioner Graham supported the variance requests and noted the air conditioning units would have less effect on the neighbors with the proposed placement of the home.

Commissioner Skaggs noted he was usually hesitant to approve a variance on new construction, but felt the applicant had compelling reasons for the proposed location. He further noted Reeds Lake Blvd is a one-way seasonal road with little traffic that would not be affected by the placement of the home. He appreciated the effort to keep the trees along Reeds Lake Blvd to screen the garage from the roadway.

Commissioner Johnson felt the variance made sense given the topography of the lot and the effort to leave space between the homes.

Mayor Seibold noted that building a new home allowed applicants to start anew and to meet zoning district requirements that could not always be met with remodeling and additions. She asked whether, once the variance for a west side yard setback was granted, the architects could build closer to the east side yard setback than currently proposed. City Attorney Huff stated that unless conditioned by the City Commission with the variance approval, the home could be built as close as 12.0' to the east lot line.

- B. Skaggs-Miller. To amend 2013-56-A. to add a condition that the new home be no closer than 22.0' from the east side property line.

Yeas: Dills, Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 7
Nays: -0-

Commissioner Dills stated he was not in favor of granting a request for a reduced side yard when this was new construction and could comply with the ordinances. He felt this was different than requests for additions on smaller lots or established neighborhoods where space was tight.

Mayor Seibold agreed with Commissioner Dills and felt there was not a compelling reason to grant the variance when there was enough room to locate the home without a variance.

Vote on 2013-56-A., as amended:

Yeas: Goebel, Graham, Johnson, Miller and Skaggs – 5
Nays: Dills and Seibold – 2

- 2013-57. A zoning variance hearing was held regarding the request of Diane and Damien Maher, owners of 2929 Bonnell, to allow the enlargement of a nonconforming detached accessory building.

Zoning Administrator Faasse noted the applicants had applied for two variances for separate projects near the Reeds Lake shoreline. The first request is to enlarge and improve an existing non-conforming building near the shore, and the second to build a new storage building in the platted road right-of-way. Mr. Faasse noted the applicants have agreed to meet the requirements of a new ordinance that will be brought to the City Commission soon adding requirements for improvements along the shore.

Mayor Seibold questioned whether the proposed projects would impact the drainage and erosion of the slope above the area. Public Works Director Feldt reported the situation would be reviewed extensively during the building permit process, but he did not think the slope or the drainage would be affected.

Commissioner Skaggs questioned whether the accessory building could be used as living quarters. City Attorney Huff noted the plans do not show any sleeping areas and it would be illegal to have a second home on the property. Mr. Faasse reported the plans did not show a kitchen or sleeping facilities.

- A. Miller-Goebel. That the request of Devon Norman, owner of both parcels, to transfer approximately 800 square feet of land from 1140 Cambridge to the adjoining parcel at 1125 Plymouth Road, consistent with the application materials and legal descriptions submitted, be approved with the following conditions:
1. The split complies with the surveys presented in the land division application; and
 2. The relevant deed(s) or land contract(s) be recorded with the Kent County Registrar of Deeds within 90 days of approval.
 3. Prior to any property transfer, the applicant must record an easement with the Kent County Register of Deeds granting the right for the property at 1125 Plymouth to discharge storm water drainage onto and across the property at 1140 Cambridge.

Commissioner Dills noted that this court is virtually invisible from the street and will not affect any of the adjoining property owners.

Yeas: Dills, Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 7
Nays: -0-

- 2013-60. Consider request to adopt a resolution regarding transportation funding.

City Manager Donovan noted that while the City transfers over \$1 million each year from the General Fund to the Street Fund for operations and improvements to our local roads, the funding is not sufficient to keep pace with the deterioration of the roads and infrastructure.

- A. Johnson-Graham. That a resolution supporting the need for additional state funding for the repair of Michigan's roads and transportation systems be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Dills, Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 7
Nays: -0-

- 2013-61. Johnson-Graham. Motion to approve the consent agenda as follows:

- A. Minutes of the regular meeting held May 6, 2013.
- B. Payroll disbursements of \$424,398.09; county and school disbursements of \$-0-, and total remaining disbursements of \$95,916.95.
- C. The renaming of the baseball field at Remington Park as "Rusty Swaney Field at Remington Park" to honor the donation of the Swaney family to the improvement project.
- D. The announcement of a Class 5 rating from the Insurance Service Office (ISO) for East Grand Rapids.
- E. The preliminary minutes of the Planning Commission meeting held April 9, 2013.
- F. The preliminary minutes of the Joint Facilities Committee meeting held May 2, 2013.
- G. The Joint Facilities Committee budget for FY 2013-14.

Yeas: Dills, Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 7
Nays: -0-

The meeting adjourned at 7:00 p.m., subject to the call of the Mayor until June 3, 2013.

Karen K. Brower, City Clerk

Attachments: A – Resolution supporting transportation funding.

Attachments listed above are available for inspection at the office of the City Clerk.