

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

**Regular Meeting Held June 16, 2014**

Mayor Seibold called the meeting to order at 6:02 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Duncan, Goebel, Graham, Miller, Skaggs and Mayor Seibold

Absent: None

Also Present: City Manager Donovan; City Attorney Huff; Acting Public Works Director Lark; Finance Director Mushong; Public Safety Director Herald; City Clerk Brower; Zoning Administrator Faasse

2014-70. Commissioner Dills congratulated those who took part in the Reeds Lake Run on June 7<sup>th</sup> and thanked the city employees and volunteers who organized the event.

Commissioner Miller thanked those who attended the Zoning & Development meeting prior to the City Commission meeting.

Commissioner Goebel complimented Commissioner Miller, City Attorney Huff and Mayor Seibold on their presentations on zoning and the information shared with residents.

2014-71. Kent District Library Director Lance Werner, KDL Board Member Craig Wilson and EGR Branch Manager Dawn Lewis were present to give an update on KDL operations and statistics for 2013.

2014-72. A zoning variance hearing was held regarding the request of Katharine Koeze of 3211 Bonnell to allow the construction of an attached garage with a front yard setback of 50.6' instead of the required 71.3.'

Zoning Administrator Faasse explained the request to construct additional garage stalls in front of the current garage.

Jeff Stolz, contractor for Ms. Koeze, was present to explain the request and answer questions. He noted there are many trees and landscape features that screen the garage from view on the street and other properties.

Mayor Seibold opened a public hearing. The following people were present to express their opinions:

- Nyna Sykes, 3205 Bonnell

Requested a deed restriction be added to prohibit any type of storage behind the new garage that would be seen from her property. City Attorney Huff stated a deed restriction of this type would be a private agreement and could not be a condition of city approval of the variance. Mr. Stolz stated the homeowners were agreeable to some type of deed restriction and were willing to install additional landscape screening behind the garage.

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

- Patricia Pease, 3175 Bonnell

Opposed.

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

- A. Dills-Goebel. That the request of Katharine Koeze of 3211 Bonnell to allow the construction of an attached garage with a front yard setback of 50.6' instead of the required 71.3' be approved.

Commissioner Graham stated he could not support the variance because he did not feel it would fit with the neighborhood. Commissioner Duncan also expressed concern about the aesthetics of the addition.

Commissioner Skaggs reviewed the average setbacks of homes on both sides of the property and felt this home served as a transition between smaller setbacks on the north and larger setbacks on the south.

Commissioner Miller and Mayor Seibold expressed some concerns about the garage being prominent in the front yard and seen by those driving along the street.

Commissioners Dills noted that although he was not originally in favor of the garage addition, but since it now appeared the garage itself was not a significant issue with the neighbors, he did not oppose the variance.

Yeas: Dills, Goebel, Skaggs and Seibold – 4  
Nays: Duncan, Graham, Miller – 3

- 2014-73. The zoning variance hearing regarding the request of Allison Sevensma of 3055 Manhattan Lane to allow the construction of a detached garage with a total area of 614 square feet instead of the permitted 336 square feet was continued.

Zoning Administrator Faasse explained this request had been discussed and tabled on May 19<sup>th</sup> pending receipt of deed restriction language from when the lot was originally platted. The deed restriction on lots in this plat specifies that the lots may be split on a line 150 feet south of the northern property line, creating lots of approximately .9 acres and .4 acres.

- A. Miller-Duncan. Motion to take Item 2014-57-A. from the table for discussion.

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

Mayor Seibold opened a public hearing. The following people were present to express their opinions:

- Allison Sevensma, 3055 Manhattan Lane Offered to answer questions from the City Commission.

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

Commissioner Graham felt the garage would fit well and would not be an issue in the neighborhood.

Commissioner Skaggs stated that if the lot is divided in the future, the property containing the home and outbuildings will be overbuilt by ordinance standards. He felt this variance request was too much to ask given that the lot will likely be divided in the future.

Mayor Seibold noted this was a very large lot and while she would prefer the garage be attached to the home, the location of the pool and other structures made that impossible. She felt the additional garage structure would not make the lot feel overcrowded.

- B. Graham-Goebel. That the request of Allison Sevensma of 3055 Manhattan Lane to allow the construction of a detached garage with a total area of 614 square feet instead of the permitted 336 square feet be approved as requested.

Yeas: Dills, Duncan, Goebel, Graham, Miller and Seibold – 6  
Nays: Skaggs – 1

City Manager Donovan stated the ordinance may need to be reviewed in the future to determine if this section is overly restrictive due to the size of the average lot in East Grand Rapids.

- 2014-74. Introduction of an ordinance amendment to amend Section 8.61 of Article I of Chapter 83 of Title VIII of the City Code pertaining to fence regulations.

City Attorney Huff outlined the major changes proposed for the fence ordinance, including raising the height allowed in front yards to 36” with no more than 50% of the fence being opaque, adding options for corner lots, and including landscaping walls in the definition of fences. Mr. Huff noted additional language may be necessary to address swimming pool fences in front or side yards; he will have amended language for the final reading at the next meeting.

City Manager Donovan noted this new ordinance would apply to double-frontage lots. He also noted the change from 30” to 36” was made because most standard fencing available commercially is 36” tall.

Attorney Huff noted that the language requiring “clear vision areas” had been removed because all fencing in front yards is now required to be able to see through.

The following people were present and expressed their thoughts on this ordinance:

Bruce Smith, 915 Orchard	Questioned how the grade of the lot was measured. Mr. Huff answered the measurement is from the final grade. He stated this issue has been hard to define and regulate in the past.
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- A. Miller-Duncan. That an ordinance amendment to amend Section 8.61 of Article I of Chapter 83 of Title VIII of the City Code pertaining to fence regulations be introduced as set forth in Exhibit “A” attached hereto.

Commissioner Miller stated the issue with raising the grade of the lot was still problematic in some instances, but that this ordinance amendment was a good step.

Yeas: Dills, Duncan, Goebel, Graham, Miller, Skaggs and Seibold – 7

Nays: -0-

- 2014-75. Skaggs-Miller. Motion to approve the consent agenda as follows:

- A. To approve the minutes of the regular and special meetings held June 2, 2014.
- B. To approve payroll disbursements of \$212,314.27; county and school disbursements of \$-0-, and total remaining disbursements of \$135,966.62.
- C. A resolution amending the FY 2013-14 Budget as set forth in Exhibit “B” attached hereto.
- D. The purchase and installation of upgraded equipment for the weather siren warning system in the amount of \$7,620.00 from West Shore Services of Allendale.
- E. The purchase and installation of upgraded equipment for the seven sewer left stations from Drew Wireless of Grand Rapids in the amount of \$46,600.00.
- F. A contract with Rusche Trucking of Comstock Park in the amount of \$20,625.00 for the purchase of sand, gravel and topsoil and the disposal of excavated earth.
- G. A contract in the amount of \$69,190.00 with Superior Asphalt Inc. for road repairs and watermain break street patching.
- H. The preliminary minutes of the Parks & Recreation Commission meeting held May 12, 2014.
- I. The preliminary minutes of the Joint Facilities Committee meeting held May 29, 2014.
- J. The Joint Facilities program budget for FY 2014-15 as recommended by the Joint Facilities Committee.

Yeas: Duncan, Goebel, Graham, Miller, Skaggs and Seibold – 6  
Nays: -0-

2014-76. Rob Deane, 700 Plymouth, educated those present about the Senior Millage Request on the August 5<sup>th</sup> ballot and urged everyone to support the millage renewal and increase proposals.

Elizabeth & John Goede, 417 Cambridge, thanked the city commissioners who toured their new home and invited others to contact them if they wished to view the home and hear about the renovations planned.

Erin Frederickson, 400 Cambridge, thanked the City for the information presented at the 5:00 pm zoning meeting. She spoke against the proposed historic district and asked the city to find another way to preserve historic elements while not infringing on people's property rights.

Valerie Schultz, 401 Lakeside, had questions on the agenda item regarding the lift stations. City Manager Donovan offered to explain the repairs after the meeting.

Steve Ratliff, 435 Cambridge, spoke in favor of continuing to research the formation of a historic district.

Bruce Smith, 915 Orchard, thanked the City Commission for the zoning information presented earlier and for the dialogue started with residents. He felt the fence ordinance was a good step and asked that everyone continue the discussions on these issues.

Scott Gorsline, 958 San Jose, opposed a historic district but appreciated the public dialogue. He felt a historic district would be very divisive as he believed many people were opposed to it.

Rob Deane, 700 Plymouth, did not have a personal opinion, but understood both sides of the issue. He suggested city officials contact the City of Grand Rapids for advice and sample materials.

John Constantelos, 1727 Franklin, stated the study was worthwhile because the teardowns and unbridled development were troubling to him.

John Inhulsen, 615 Cambridge, felt EGR neighborhoods were not the same as the Heritage Hill area. He stated EGR streets are very connected communities and imposing too many restrictions would erode property rights unnecessarily. He favored other zoning methods to preserve aesthetics of the neighborhoods and significant homes. He also urged the commission to engage people on all sides of the issue and look several years down the road to gauge the long-term impact of a historic district.

Joerg Picard, 508 Cambridge, stated a historic district would imprison current property owners and limit the number of buyers interested in properties within the district.

The meeting adjourned at 7:15 p.m., subject to the call of the Mayor until July 7, 2014.

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Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Section 8.61 of Chapter 83 pertaining to fence regulations.  
B – Resolution approving final budget amendments for FY 2013-14.

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