

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held December 1, 2014

Mayor Seibold called the meeting to order at 5:30p.m. in the City Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

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

Absent: None

Also Present: City Manager Donovan; City Attorney Huff; Public Safety Director Herald; Finance Director Mushong; Parks & Recreation Director Bunn; Zoning Administrator Faasse; City Clerk Brower

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

Yeas: Dills, Duncan, Graham, Johnson, Skaggs and Seibold – 6

Nays: -0-

2014-142. The meeting adjourned at 5:31 pm to conduct the executive session. Commissioner Miller arrived.

2014-143. The meeting reconvened at 6:15 pm following the executive session.

2014-144. Commissioner Skaggs congratulated his daughter and the Swim/Dive Team at the high school on their state championship over the weekend. Commissioner Graham also congratulated Miss Skaggs and the other members of the team.

Commissioner Duncan reported she had attended the Chris VanAllsburg event at the library last week with her family and felt it was a great event with many people attending.

Commissioner Dills remarked on what an honor it was to receive all the public comment at the November 17th meeting concerning historic preservation. He noted how respectful and professional everyone was, especially in light of how contentious the issue was over the last several months.

Mayor Seibold agreed the November 17th meeting was a great example of how citizens came together respectfully to advocate about an issue of great importance to the entire community. Mayor Seibold also reported there was a great turnout in Gaslight Village for the tree lighting ceremony on November 28th and everyone had a great time.

2014-145. A zoning variance hearing was held regarding the request of Cree Unit Properties, owner of 2604 Albert, to allow the construction of a detached garage with a separation between the house and garage of 8'2" instead of the required 10.0,' and for a side yard setback of 2.0' instead of the required 3.0'.

Zoning Administrator Faasse explained there was no garage currently at this property and the proposal to build a detached garage slightly closer to the home and the side yard than allowed by ordinance was due to the small rear yard.

Taylor Stonehouse of Cree Unit Properties explained many other homes in the neighborhood had one-stall detached garages. He noted the new garage would be built to match the house and the style of the area.

Mayor Seibold opened a public hearing. The following communications were received at City Hall concerning this variance request:

- R. Catherine Giguere, 2628 Richards In Favor.

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

- A. Johnson-Duncan. That the request of Cree Unit Properties, owner of 2604 Albert, to allow the construction of a detached garage with a separation between the house and garage of 8'2" instead of the required 10.0,' and for a side yard setback of 2.0' instead of the required 3.0' be approved.

Commissioner Johnson noted garages are important in Michigan and felt this was a reasonable request. She appreciated the use of pervious pavers to keep the lot coverage within the allowable range.

Commissioner Duncan also felt this was a reasonable request.

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

Nays: -0-

- 2014-146. A zoning variance hearing was held regarding the request of J. Peterson Homes, prospective owner of 2113 Wealthy, to allow the construction of a new home and detached garage with lot coverage of 59% instead of the allowed 40%.

Zoning Administrator Faasse explained the proposal to demolish the current two-story home and rebuild a new home of a similar size more centrally located on the lot with a detached two-car garage in the rear yard. The new home would have larger side yards than the current home, but would cover 59% of the lot instead of the 40% allowed when the garage was added.

Joel Peterson of J. Peterson Homes stated this home would be rebuilt on almost the same size footprint with only the addition of the garage to increase the lot coverage. He stated his intention to put up fencing during construction to assist the neighboring property. He further stated his willingness to use pervious pavers for the entire driveway to reduce the amount of lot coverage to approximately 46%.

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

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| - Mary-Margaret Munski, owner of 2115 Wealthy | No problem with the project, but requestes solid fencing during construction and a permanent fence around the window well to keep people from falling in. |
| - Andrew Howard, 606 Greenwood | Great project. Asked that the black locust tree on the rear property line be saved if possible. Stated a 2-car garage would seem very large on that lot. |
| - Dan Cunningham, 612 Greenwood | New home would be an improvement. Questioned if tree in the outlawn would have to be trimmed or removed to allow construction. |
| - Jean Pawlenty, 553 Lovett | Concerned about massive homes being built and loss of charm in the area. |

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

- Mary-Margaret Munski, of 2115/2121 Wealthy Requests for fencing and drainage plan.

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

- A. Dills-Miller. That the request of J. Peterson Homes, prospective owner of 2113 Wealthy, to allow the construction of a new home and detached garage with lot coverage of 59% instead of the allowed 40% be approved with the condition that the driveway, walk and patio areas be constructed of pervious surfaces,

reducing the lot coverage to approximately 46%.

Commissioner Graham stated his support for the project as it would be only 86 square feet larger but more in keeping with today's standards with a modern home and a garage.

Commissioner Miller supported the variance because the reduction to 46% with the use of pervious pavers is in the same general range as the existing home.

Commissioner Johnson questioned how the lot coverage would be monitored in the future and whether a new owner would be able to replace the pavers with regular concrete without the city's knowledge. Zoning Administrator Faasse stated it would likely not be noticed if no other permits were required. City Manager Donovan agreed that permits are not required to install concrete, so if no other zoning review was needed, it was not certain it would be caught in the future. He stated that if the variance were approved, that city officials would make certain any conditions were adhered to during the initial construction. Commissioner Johnson stated she could not support the variance if there was no guarantee that the lot coverage could not be changed in the future.

Mayor Seibold felt it would be less expensive for someone to repair a few damaged or sunken pavers without having to replace an entire area of concrete.

Commissioner Skaggs felt that variances should not be granted lightly if the home was being demolished and the applicant was starting with a clean building site. He supported the lot coverage ordinance as written and felt the purchaser should have been willing to work within the ordinances when they bought the property.

Commissioner Dills felt the home would be an improvement and appreciated the use of pervious pavers, but stated to stay consistent with other variance denials in the past, he would not support the request.

Mayor Seibold noted that while a new home would be good for the area, she felt there were inherent limitations that come with smaller lots, and the ability to place a two-stall garage was one such issue. She felt a one-stall garage and the use of pervious pavers would be acceptable to her, but the two-stall garage was too much for this lot.

Yeas: Graham and Miller – 2

Nays: Dills, Duncan, Johnson, Skaggs and Seibold – 5

2014-147. Duncan-Graham. Motion to approve the consent agenda as follows:

- A. To approve the minutes of the regular meeting held November 17, 2014.
- B. To approve payroll disbursements of \$207,103.71; county and school disbursements of \$32,923.22, and total remaining disbursements of \$201,522.89.
- C. A resolution exercising the city's right to exempt itself from the requirements of Public Act 152 of 2011 as set forth in Exhibit "A" attached hereto.
- D. The reappointment of Aaron Smith of 1645 Laurel to the Interurban Transit Partnership Board for a two-year term ending December 31, 2016.
- E. Contracts with Symetra for stop loss insurance, Physicians Care as the PPO provider and Madison National Life for life/ADD insurance and long-term disability for the employee benefit programs, and to approve changes to benefit plans as outlined in the Finance Director's memo of October 27, 2014.
- F. The purchase and installation of audio and visual hardware components for the Community Center from Central Interconnect, Inc. in the amount of \$9,990.50.
- G. A contract with Sabo Communications to provide a part-time employee to assist with strategic communications services at a cost of \$40 per hour at an estimated 16 hours per week.

H. The substitution of Lite Lodes Inc. of Hamilton for the 2014 Road Repairs and Water Leak Restoration project.

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

Nays: -0-

2014-148. No public comment was received.

The meeting adjourned at 6:54 p.m., subject to the call of the Mayor until December 15, 2014.

Karen K. Brower, City Clerk

Attachments: A – Resolution exempting the City from the requirements of Public Act 152 of 2011.

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