

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held February 15, 2016

Commission President Dills called the meeting to order at 6:01 p.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, Hamrick, Miller and Skaggs

Absent: Commissioners Duncan, Zagel and Mayor Seibold

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Herald; Assistant City Manager LaFave; Zoning Administrator Faasse; City Clerk Brower; Staff Sgt. Schweitzer; Sgt. Davis; PSO's Bradley, Olney, Moore and Brown

2016-14. No public comment was received.

2016-15. Commissioner Miller wished everyone a happy President's Day.

2016-16. Jennifer Franson of Resurrection Life Church in Wyoming presented the Public Safety Department with an appreciation banner to thank and acknowledge law enforcement officers for their service to the community.

2016-17. A zoning variance hearing was held regarding the request of Geoff & Julie Laham of 2621 Elmwood to allow lot coverage by buildings and impervious surfaces of 5,025 square feet instead of the maximum allowed 4,800 square feet, and to allow a second accessory building of 473 square feet instead of the allowable 336 square feet.

Zoning Administrator Faasse explained the applicants had built an addition onto the home containing an attached garage and had indicated the detached garage was to be removed as part of the project. Following the completion of the addition, the homeowner decided to keep the detached garage. The detached garage creates the need for a variance request to address the lot coverage square footage cap and the size allowed for an accessory building. Mr. Faasse noted the pavement is the primary reason the lot coverage by buildings and surfaces calculation is over the square footage allowed.

Geoff Laham, 2621 Elmwood, explained there was a miscommunication with the contractor he hired to draw up the plans and begin the project about the garage being labeled as being removed. He requested to be allowed to keep the garage for extra storage and because it would be expensive to remove or renovate the garage to meet the requirements.

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

- Achilles Spagnuola, 2630 Oakwood	In Favor.
- Kathleen Lennon, 2622 Oakwood	In Favor.
- Edward & Virginia Rode, 2615 Elmwood	In Favor.
- Matt Bertke, 2621 Oakwood	In Favor.

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

2016- -A. Miller-Skaggs. That the request of Geoff & Julie Laham of 2621 Elmwood to allow lot coverage by buildings and impervious surfaces of 5,025 square feet instead of the maximum allowed 4,800 square feet, and to allow a second accessory building of 473 square feet instead of the allowable 336 square feet be approved.

Commissioner Miller noted this project was not compliant with the current or former ordinance. He stated he did not feel he could approve it if the garage were being built as a new structure instead of an existing structure in the current situation. Mr. Miller also noted the variance would run with the land and a new garage could be built in the same location in the future without any new approval process.

Commissioner Skaggs sympathized with the applicant's wish for more storage, but noted this building was out of compliance with even the newer, more lenient lot coverage ordinance that was enacted since the project began. He stated that even though the city staff did not notice the garage had not been removed at the time the project was completed, it was the owner's responsibility to finalize the project as shown on the plans.

Commissioner Hamrick also sympathized, but stated the ordinance was adopted for many reasons, including drainage issues that would be exacerbated by the additional pavement and building areas.

Commissioner Dills agreed, saying that the rules had been relaxed to allow homeowners some flexibility with their projects, but this project was over even the new limits.

Yeas: -0-

Nays: Dills, Hamrick, Miller and Skaggs – 4

- 2016-18. A zoning variance hearing was held regarding the request of Andrew & Sara Baudo, owners of 725 Croswell, to allow the construction of a new home with a front yard setback of 10' instead of the required 15'.

Zoning Administrator Faasse explained this vacant lot was the result of a land division for the former Keystone Church property. The applicants wish to build a new home 10' from the front property line instead of the 25' required in the multi-family zone to better match other homes on the street. Mr. Faasse noted the home, as proposed, would comply with the lot coverage and other ordinances in place.

Joel Peterson of J. Peterson Homes, stated the homeowners wish to have their new home line up with the properties to the north to match the look and feel of the neighborhood. He noted the home could be built at the 25' without a variance, but felt it would look better if it was set closer to the street as the other homes were. Matt Gerard of Visbeen Architects, showed variations of the site plan with the house set at the 25' setback and at the proposed 10' setback.

President Dills opened a public hearing. No other public comment was received. President Dills closed the public hearing.

- 2016- -A. Miller-Skaggs. That the request of Andrew & Sara Baudo, owners of 725 Croswell, to allow the construction of a new home with a front yard setback of 10' instead of the required 15' be approved.

President Dills noted that although the property next door is not yet before the commission for discussion, it needs to be kept in mind for context. He noted some type of variance request will likely be made for side yard relief on the property at 2119 Lake Drive, and it would look better to allow the home at 725 Croswell to be built at the 10' requested. He felt this property would provide a good transition between single family and multi-family on this street.

Commissioner Skaggs noted the property was zoned multi-family but was going to be used as single-family. He further noted his reluctance to grant variances when dealing with vacant land, but noted that building a house at the 25' required setback would make this home stand out as different. He agreed to support the request so the homes would line up along the street.

Commissioner Miller agreed that vacant lots should not automatically be given variances, but felt that was not entirely realistic on a small lot on this street where the established setback was much closer. He felt this was a practical solution to keep the aesthetics of the neighborhood intact.

Commissioner Hamrick stated that while she would like to see a multi-family home on this lot, she understood and supported the request for a front yard setback variance.

Commissioner Skaggs suggested discussing a front yard setback of 8' to match the homes to the north and avoid this new home sitting 2' farther back than those next to it. The commission discussed the proposed overhang above the front porch, the wall extension on the south side and the homes being built to the north and how each component would look at various setbacks.

- 2016- -B. Skaggs-Miller. Motion to amend 2016-18-A. to grant a front yard setback of 8.2' to the front of the front porch canopy.

City Attorney Huff stated that this hearing would have to be continued at a future meeting and re-noticed to the surrounding properties if the commission wished to change the proposed front yard setback in the original notice. Commissioner Skaggs assumed a three-week delay would not be prohibitive to the final project. Mr. Huff suggested voting on the amendment to the motion and then holding the amended motion until the neighbors could be sent new information.

Mr. Peterson stated he would prefer to shrink the canopy overhang to 4' to bring the building one foot closer to the property line, thereby coming closer to the setback proposed by the city commission.

Vote on amendment 2016-18-B.

Yeas: Hamrick, Miller and Skaggs – 3

Nays: Dills – 1

Staff will work on sending and publishing new notices for this hearing and will advise the commission on when it will be back on the agenda.

- 2016-19. Final Reading of an ordinance amendment to Section 5.20 of Chapter 50 of Title V of the City Code to rezone the parcel at 610 Lovett from R-3 Single Family to C-1 Commercial.

Zoning Administrator Faasse explained this was an amendment to the zoning map to rezone the parcel at 610 Lovett from R-3 Single Family to C-1 Commercial to match how the property has been used for approximately 30 years.

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

- Gilmore Collection, owner of 606 Lovett Leave as a variance.

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

- 2016- -A. Miller-Hamrick. That an ordinance amendment to Section 5.20 of Chapter 50 of Title V of the City Code to rezone the parcel at 610 Lovett from R-3 Single Family to C-1 Commercial be introduced as set forth in Exhibit "A" attached hereto.

President Dills noted the Planning Commission had reviewed this request and recommended approval.

Yeas: Dills, Hamrick, Miller and Skaggs – 4

Nays: -0-

- 2016-20. Introduction of an ordinance amendment to add Chapter 99A to Title IX of the City Code pertaining to preliminary emergency ground ambulance service.

City Manager Donovan explained several local municipalities had been working for many months to standardize the emergency response services. The new agreement and ordinance amendment formalizes the current situation and also allows the collection of information for analysis.

Commissioner Skaggs thanked all participating agencies for their efforts on this project.

- 2016- -A. Skaggs-Miller. That an ordinance amendment to add Chapter 99A to Title IX of the City Code adopting an agreement for ground ambulance services be introduced as set forth in Exhibit "B" attached hereto.

Yeas: Dills, Hamrick, Miller and Skaggs – 4

Nays: -0-

- 2016-21. Introduction of an ordinance amendment to add Section 9.703 to Chapter 99A of Title IX of the City Code pertaining to the primary ambulance service area.
- 2016- -A. Hamrick-Miller. That an ordinance amendment t to add Section 9.703 to Chapter 99A of Title IX of the City Code pertaining to the primary ambulance service area be introduced as set forth in Exhibit “C” attached hereto.
- Yeas: Dills, Hamrick, Miller and Skaggs – 4
Nays: -0-
- 2016-22. Skaggs-Miller. To approve the consent agenda as follows:
- 2016- -A. To approve the minutes of the regular meeting held February 1, 2016.
- 2016- -B. Report of Finance Committee on disbursement of funds: payroll disbursements of \$203,163.31; county and school disbursements of \$128,485.99 and total remaining disbursements of \$364,401.66.
- 2016- -C. Approval of a mailbox replacement policy regarding winter snow maintenance as set forth in Exhibit “D” attached hereto.
- 2016- -D. Payment of \$7,024.30 to the Kent County Road Commission as a contribution toward crack sealing of federal aid eligible streets.
- 2016- -E. Preliminary minutes of the Planning Commission meeting held January 12, 2016.
- 2016- -F. Preliminary minutes of the Library Commission meeting held January 25, 2016.
- Yeas: Dills, Hamrick, Miller and Skaggs – 4
Nays: -0-

The meeting adjourned at 7:37 p.m., subject to the call of the Mayor until March 7, 2016.

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Section 5.20 rezoning the property at 610 Lovett
B – Ordinance Amendment to Chapter 99A regarding ambulance service
C – Ordinance Amendment to Section 9.703 regarding ambulance service
D – Mailbox Replacement Policy

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