

AGENDA

EAST GRAND RAPIDS ZONING BOARD OF APPEALS January 22, 2025 - 5:30 PM Community Center – Commission Chambers

YouTube Livestream available at the following link (viewers are unable to comment via the livestream):

<https://bit.ly/2xXILvn>

1. Call to Order
2. Roll Call
3. Approval of Minutes: May 22, 2024 Meeting
4. Public Comment on Non-Agenda Items
5. Election of Officers
6. Public Hearing – Case #2025-01
 - Applicant: Alexandra Robertson
 - Location: 1608 Sherman
 - Request: Variance to Chapter 50, Section 5.70A (Accessory Buildings & Structures)
 - To construct a detached carport with a 5' encroachment into the street side yard where no such encroachment is permitted.
7. Public Hearing – Case #2025-02
 - Applicant: Lucy and David Frey
 - Location: 945 Plymouth
 - Request: Variance to Chapter 50, Section 5.28A (Rear Yard Setback)
 - To construct a garage addition with a rear yard setback of 20'-6" where 25' is permitted.
8. Public Hearing – Case #2025-03
 - Applicant: Brett Grill
 - Location: 1629 Lake
 - Request: Variance to Chapter 50, Section 5.70A (Accessory Buildings & Structures)
 - To construct a house addition resulting in 28.7% of the rear yard area being covered by accessory buildings where 25% of the rear yard area is the maximum coverage permitted.
9. Other ZBA Business
10. Next Regular ZBA Meeting: March 26, 2025 (pending agenda items)
11. Adjournment

SEE REVERSE SIDE FOR PUBLIC HEARING FORMAT

FORMAT FOR PUBLIC HEARINGS

1. The Zoning Administrator presents the petitioner's request, the City's report with any recommendations, and written copies of the petitioner's request.
2. The petitioner – through him/herself, agent, or lawyer – may present his/her case, including presenting witnesses on his/her behalf. No time limit will be imposed on the petitioner. Each speaker shall state their name and address for the record and may present written comments for the record.
3. Members of the ZBA may question or request clarification from the petitioner on any matter related to the case.
4. Members of the ZBA shall report on any site inspection and conversations with the petitioner they may have had.
5. Members of the public speak and correspondence is read. If there are a large number of people present regarding a particular issue, the Chairperson may recess the meeting for a short time to allow attending groups to caucus in order to have one person speak on their behalf. Otherwise, the Chairperson shall allow all public attendees the opportunity to speak in response to the matter. Each speaker shall state their name and address for the record. At his/her discretion, the Chairperson may impose a time limit of no less than three minutes per speaker.
6. Rebuttal. Anyone may ask the Chairperson questions on presentations or speeches given at this hearing. The Chairperson is not obligated to respond to such questions, but may, at his/her discretion, seek an answer to the question. No discussion, questioning, or answering shall take place between any two or more people except between the Chairperson and the individual who has the floor.
7. Close the hearing. At this point, all public participation on the issue ends.
8. Action on the request.
9. Discussion and review of the facts is held based on all information presented. Discussion continues until a member is confident enough to propose a motion based on conclusions reached, rationale for the conclusions, and conditions, if any.
 - i. Motion is proposed based on the conclusions reached based on a review of all applicable standards. Reasonable conditions as determined by the ZBA may be attached to a motion to approve.
 - ii. Discussion on the motion.
 - iii. Action on the motion.

PROCEEDINGS OF THE ZONING BOARD OF APPEALS
CITY OF EAST GRAND RAPIDS

May 22, 2024

East Grand Rapids Community Center – Commission Chambers

1. CALL TO ORDER

Chairman Davis called the meeting to order at 5:30 PM.

2. ROLL CALL

Roll call was taken by Recording Secretary Lynda Taylor.

Present: George Davis, Matt Feyen, Andrew Howard, David Jackson, and Joe Rizqallah

Absent: Brad Hunter, Jonathan Paasch, Stephen Rockwell, and Robert Zylstra

Also Present: Deputy City Manager Doug LaFave, Zoning Administrator Jay Gianotti, City Attorney John Huff, City Planner Paul LeBlanc of PLB Planning and Recording Secretary Lynda Taylor

3. APPROVAL OF MINUTES – January 24, 2024

A motion was made by Mr. Howard and supported by Mr. Feyen to approve the minutes as written.

Yeas: Davis, Feyen, Howard, Jackson, and Rizqallah - 5

Nays: -0-

4. PUBLIC COMMENT ON NON-AGENDA ITEMS

No public comment was given.

5. PUBLIC HEARING – CASE #2024-03

- Applicant: Mark Tomasik, on behalf of Louis & Nora Cares
- Location: 530 Lakeside Drive
- Request: Variance to Chapter 83, Section 8.61 (Fences/Walls)
 - To construct a 6' height opaque wall, 6' height opaque vehicular gate, and 7' height opaque pedestrian entry door in the front yard where a maximum 4' height and 50% opacity is permitted.

Chairman Davis opened the public hearing. Zoning Administrator Jay Gianotti reviewed the request and standards of review. He then asked the ZBA members for questions. They are listed below with staff responses following.

- Howard: Is the current fence in compliance?
 - Most of the existing fence is compliant. The portion of shadowbox fence from the front yard to where the applicants' front yard ends would be nonconforming.
- Davis: Clarified that all fence variance requirements must be met to grant a variance.

Chairman Davis asked the applicant, Mark Tomasik, to give his presentation. He stated the primary reason behind the request was due to trespassers regularly entering the property through their existing gates. This most recently occurred the previous Saturday. The owners have regularly had to call the police or Sheriff to deal with these issues. The owners also had concerns with delivery trucks making early deliveries to the neighboring Rose's Restaurant. Mr. Tomasik stressed that the proposed gate would be set back farther from the street and would be landscaped.

ZBA members had the following questions. They are listed below with the responses following.

- Davis: Are people climbing over the fence/gate?
 - No; they are entered directly through the gate.
- Davis: Is the gate locked? Could a lock be added? Is there any signage saying this is private property?
 - The 4' gate is not locked; it only has a lever to close the gate. There is no signage as the owners did not want any visual clutter.
- Davis: Why did the owners call the Sherrif and not EGR Public Safety?
 - Applicant was not sure. Deputy City Manager LaFave clarified that the Sherrif does patrol the waterfront, which might explain why they might respond to such calls.
- Jackson: Felt that if the applicant were reconstructing the entire fence anyway, it would be easy to add access controls and signage to the design.
- Howard: Were there any restrictions on opaque landscaping along the front of the fence?
 - Zoning Administrator Gianotti stated there was not, other than maintaining a clear vision area around the driveway.
- Feyen: felt that even with a 10' setback, a 4' fence with landscaping and signage would achieve what the applicant is wanting.

Chairman Davis opened public comment. No comments were received. Closed public comment.

Correspondence received:

- Greg Gilmore – 540 & 550 Lakeside Drive, SE: No objection to the requested variance.
- Scott Wierda – 518 and 524 Lakeside Drive, SE: No objection to the requested variance.

Chairman Davis asked for board member discussion.

Mr. Howard felt that Standard #2 (circumstances exceptional and peculiar to the property) was met due to being a high traffic area in close proximity to parks and other public spaces. However, he did not feel any of the other standards were met.

Mr. Rizqallah agreed with Mr. Howard. He also noted that there were no apparent attempts to fix the existing fence. If there was and there were still issues, then things might be different.

Mr. Jackson and Chairman Davis were not convinced that Standard #2 was met. Mr. Jackson clarified that while the property may be unique, the variance request was still not warranted.

A motion was made by Mr. Jackson and supported by Mr. Rizqallah to deny the request to construct a 6' height opaque wall, 6' height opaque vehicular gate, and 7' height opaque pedestrian entry door in the front yard where a maximum 4' height and 50% opacity is permitted because it does not meet all of the standards of review.

Yeas: Davis, Feyen, Howard, Jackson, and Rizqallah - 5

Nays: -0-

6. OTHER ZBA BUSINESS: No other business to discuss.

7. NEXT REGULAR ZBA MEETING: July 24, 2024 (pending agenda items)

8. ADJOURNMENT

A motion was made by Mr. Howard and supported by Mr. Feyen to adjourn the meeting at 6:01 PM.

Yeas: Davis, Feyen, Howard, Jackson, and Rizqallah - 5

Nays: -0-

Respectfully submitted,

Jay Gianotti, AICP
Zoning Administrator

Video of meeting also available at: <https://www.youtube.com/watch?v=az3EHdM868s>

Jay Gianotti

From: Gregory Gilmore <gg@gilmorec.com>
Sent: Wednesday, May 15, 2024 12:10 PM
To: Jay Gianotti
Subject: 530 Lakeside drive

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jay,

I am a direct neighbor of Louis and Nora Cares and am in support of their request for variance.

Thank you,

Gregory Gilmore
Roses's restaurant
540 & 550 Lakeside drive

Jay Gianotti

From: Scott Wierda <SWierda@cwdRealEstate.com>
Sent: Wednesday, May 15, 2024 7:02 PM
To: Jay Gianotti
Subject: 530 Lakeside - Cares variance request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jay. I own the two lots north of Louie and Nora Cares home at 518 and 524 Lakeside. As you know we are under construction for our new home on one of the lots. I am fine with their variance request and know they would build a nice quality fence and am not opposed to the height or opacity variance request.

While I know this is at the discretion of the Commission, please consider this email as my indication for support as a directly adjacent neighbor.

Sent from my iPhone

Scott Wierda
Managing Partner

CWD Real Estate Investment
50 Louis NW Suite 600 | Grand Rapids | Michigan 49503 .
cwdrealestate.com | Phone 616.726.1700 | Direct 1.616.588.7104

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(616) 940-4817 www.eastgr.org

JAY GIANOTTI, AICP
ZONING ADMINISTRATOR

Hearing Required?	No
Notices Mailed	N/A
Notice Published	N/A

MEMORANDUM

TO: East Grand Rapids Zoning Board of Appeals
FROM: Jay Gianotti, Zoning Administrator
DATE: January 16, 2025

RE: **Election of Officers**

Action Requested:

That the Zoning Board of Appeals elect a new Vice-Chairperson.

Background:

According to Section 5 of the East Grand Rapids Zoning Board of Appeals (ZBA) By-Laws, the ZBA is required to elect members to serve as Chairperson, Vice-chairperson, and Secretary. This action is held during the first meeting of the City fiscal year. Current Chairperson George Davis will lead the meeting through the nomination process. The process for all three positions will be as follows:

1. Discussion of the position
2. Motion to nominate a person for the position
3. A “second” of that motion by another member
4. Once a motion is seconded, further discussion on the motion may occur
5. A vote on the motion

This process will be conducted for all three positions so that each position will be filled until new elections are held in July 2025. Descriptions on the positions are included in these materials for reference.

At the conclusion of this process, the new Chairperson will conduct the remainder of the meeting. The Vice-Chairperson will run meetings in the Chairperson’s absence.



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CITY OF EAST GRAND RAPIDS ZONING BOARD OF APPEALS

DESCRIPTION OF OFFICERS (from ZBA By-Laws)

SECTION 5 – OFFICERS

- A. Selection. At the first regular meeting of each fiscal year, the ZBA shall select from its regular members a Chairperson, Vice-Chairperson, and Secretary. All officers are eligible for reelection. In the event the office of the Chairperson becomes vacant, the Vice-Chairperson shall succeed to this office for the unexpired term and the ZBA shall select a successor to the office of Vice-Chairperson for the unexpired term. In the event the office of the Secretary becomes vacant, the ZBA shall select a successor to the office of Secretary for the unexpired term. The ZBA may also designate another person who is not a member of the ZBA to be the Recording Secretary.
- B. Tenure. The Chairperson, Vice-Chairperson, and Secretary shall take office immediately following their selection and shall hold office for a term of one year or until their successors are selected and assume office.
- C. Chairperson's Duties. The Chairperson retains his or her ability to discuss, make motions, and vote on issues before the ZBA. The Chairperson shall:
1. Preside at all meetings with all powers under parliamentary procedure;
 2. Sign all decisions of the ZBA pursuant to M.C.L. 125.3606(3);
 3. Rule out of order any irrelevant remarks; remarks which are personal; remarks about another's race, religion, sex, physical condition, ethnic background, beliefs, or similar topics; profanity; or other remarks which are not relevant to the topic before the ZBA;
 4. Assign alternates to a case in the event of the absence, late arrival, or a declared conflict of interest of a regular ZBA member in accordance with Section 5.100 of the Zoning Ordinance;
 5. Restate all motions as pursuant to Section 7.K of these Rules of Procedure;
 6. Appoint committees;
 7. Appoint officers of committees or choose to let the committee select their own officers;
 8. May call special meetings pursuant to Section 7.B of these Rules of Procedure;
 9. Review with City staff, prior to a ZBA meeting, the items to be on the agenda if he or she so chooses; and
 10. Perform such other duties as may be ordered by the ZBA.
- D. Vice-Chairperson's Duties. The Vice-Chairperson shall:

1. Act in the capacity of Chairperson, with all the powers and duties found in Section 5.C of these Rules of Procedure, in the Chairperson's absence; and
2. Perform such other duties as may be ordered by the ZBA.

E. Secretary's Duties. The Secretary shall:

1. Act in the capacity of Chairperson, with all the powers and duties found in Section 5.C of these Rules of Procedure, in the Chairperson's and Vice-Chairperson's absence;
2. Be responsible for the minutes of each meeting pursuant to section 8.A of these Rules of Procedure in the event of an absence of the Recording Secretary; and
3. Perform such other duties as may be ordered by the ZBA.

F. Recording Secretary's Duties. The Recording Secretary shall not be a member of the ZBA or any of its committees, and shall:

1. At each meeting, take notes for minutes and prepare the minutes pursuant to section 8.A of these Rules of Procedure for review by the ZBA;
2. Receive all communications, petitions, and reports to be addressed by the ZBA, delivered or mailed to the Public Works Department;
3. Keep attendance records pursuant to Section 2.B of these Rules of Procedure; and
4. Perform such other duties as may be ordered by the ZBA or Secretary.



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JAY GIANOTTI, AICP
ZONING ADMINISTRATOR

Hearing Required?	Yes
Notices Mailed	1/3/2025
Notice Published	1/7/2025

MEMORANDUM

TO: East Grand Rapids Zoning Board of Appeals
FROM: Jay Gianotti, Zoning Administrator
DATE: January 8, 2025

RE: **Case #2025-01 – Zoning Variance at 1608 Sherman St. (PPN: 41-14-33-151-002)**
Zoned: R-3 Single Family Residential
Accessory Building and Structure Variance Request

Action Requested:

That the Zoning Board of Appeals conducts a public hearing and votes on the applicant's variance requests for the following:

- **Chapter 50, Section 5.70A** – To construct a detached carport with a 5' encroachment into the street side yard where no such encroachment is permitted.

Background:

The applicant, Alexandra Robertson, is seeking a variance to construct a carport on her property. The carport is intended to be located in the southeast corner of the property accessible from Gladstone Ave. There is already a paved parking pad in the southeast corner of the lot; the carport would be built in the same area atop this pad. The proposed carport would be 19' x 20', or 380 s.f. in area. This would be sufficient to house two vehicles.

This property lies within the R-3 Single-Family Residential zoning district. The lot itself is a conforming corner lot, with Sherman being the primary street and Gladstone being the side street. Normally, an accessory building is allowed to be within 3' of a side or rear property line. However, in the case of a corner lot, there are other requirements in place. Of note, most accessory buildings are only allowed in the rear yard. A detached garage is one exception where one may be placed in a side yard¹. However, it still cannot be placed closer to the street than either the house on the lot or the closest adjacent house, whichever is more restrictive². The carport as proposed here would thus encroach 5' into the street side yard where no such encroachment is permitted.

Review of Standards:

Per Section 5.103(c) of the City of East Grand Rapids Zoning Ordinance, all of the following criteria must be met for a variance to be granted:

¹ Although the zoning ordinance only refers to a garage in this context and the request is for a carport, the City would generally consider these to be functionally equivalent. In any event, the same requested relief would be needed in either case.

² No survey drawings were found on file for the adjacent property in question (611 Gladstone.) Thus, the City's current determination is that the setback of the applicant's home is the more restrictive.

1. *That there are practical difficulties in complying with the requirements of this Ordinance with respect to the dimensional characteristics of the property in question because of exceptional or extraordinary physical conditions involving land, a building or structure, or any of them. A practical difficulty may include the exceptional narrowness, shallowness, shape or area of land; exceptional conditions in the elevations of land; the presence of unbuildable areas such as wetlands or a floodplain; or other exceptional or extraordinary physical condition of the property. The exceptional or extraordinary condition alleged by the applicant shall apply only to the dimensional characteristics of the property, but shall not apply to the applicant personally. An applicant's alleged economic hardship or potential for financial profit shall not be grounds for the granting of a dimensional variance.*

Staff comments: As noted above, this is a conforming lot in the R-3 District, though because it is a corner lot, it is subject to larger setbacks along the side street. With that said, this is a common restriction of all corner lots in the City. What's more, the required street side yard setbacks in the R-3 District are already smaller compared to R-1 and R-2 Districts owing to the smaller overall lot size and width requirements. Many other similar corner lots in this area have been able to incorporate attached garage spaces, though the development of this lot may not allow that as an option³.

2. *The practical difficulties in carrying out the provisions or requirements of this Ordinance shall not have been created by or resulted from the actions of the current owner or any previous owner of the property.*

Staff comments: The City has not found any evidence of any action from the current or previous owners that necessitated this request. This lot is among the oldest in the City, and records of when the house and related buildings were constructed are not on file.

3. *Authorizing a variance will not be contrary to the spirit and purpose of this chapter.*

Staff comments: Setback standards for the principal building/home are generally designed to provide a minimum separation between buildings in neighborhoods. Additional setbacks on corner lots are intended to prevent permanent structures from being placed too close to the street and as a transition to the front yards of adjacent interior lots. Allowing a building or structure in the proposed area may run counter to this intent.

4. *A non-conforming structure, lot or use of the property and/or a nonconforming structure, lot or use on neighboring properties shall not, in itself, be considered grounds for granting a variance.*

Staff comments: The applicant notes that the 5' encroachment for the carport would align it with the covered front porch of the existing home. Based on the dimensions in the provided survey drawing, this covered porch extends to within 11.7' of the street side lot line. Per Section 5.61, a covered porch is not allowed any encroachment into a side yard, so the portion of the covered porch that is less than 12' from the street side lot line (the required street side yard setback) would technically be nonconforming.

5. *A dimensional variance, if granted, shall be the minimum necessary variance in order to grant relief from the practical difficulty alleged by the applicant.*

Staff comments: As noted above, the carport would be built entirely over an existing concrete pad, so there would be no change in overall lot coverage. The proposed carport would bring the lot right to the 35% limit for building coverage. Due to differences between the platted

³ Based on the provided survey drawing, there would be an appx. 34.8' setback between the rear wall of the house and the rear lot line. This means that only a 9.8' wide house addition could be built and still meet the required rear yard setback.

measurements and surveyed measurements of this lot, the City's current determination is that the proposed carport would not create a building coverage nonconformity. It is questionable if a detached carport could be built in line with the existing house setback and still be conforming. While it is likely that it could still meet the building and lot coverage maximums, depending on how the area of the rear yard area is calculated, it might not meet the requirement that no more than 25% of the rear yard can be used for accessory buildings.

Recommended Motion and Conditions:

Depending on how the ZBA chooses to decide this request, the City recommends that one of the following text motions be used:

- To approve: "I make a motion that *[state the full request]* be approved because it meets all of the standards of review."
- To deny: "I make a motion that *[state the full request]* be denied because it does not meet all of the standards of review."

Request for Zoning Ordinance Variance

City of East Grand Rapids



Date: 10/30/2024

Note to Applicant: Please pay careful attention to provide the necessary documents required and to answer the questions in this application as accurately and completely as possible. This will give you the best possibility of your application appearing on the earliest agenda for consideration by the Zoning Board of Appeals. The City reserves the right to delay or withhold a public hearing for a variance request that does not meet the standards of submission.

All requests for a zoning variance are subject to a public hearing. The applicant will be advised of the hearing date, time, and location and is required to present a verbal summary of the request to the Zoning Board of Appeals (ZBA) prior to the public hearing. In addition, the City Services Office shall publish a notice of the public hearing in a newspaper of general circulation in the local unit of government, as well as provide notice of the public hearing to all property owners within a 300-foot radius of the subject property not less than fifteen (15) days before the date the application will be considered for approval per the Michigan Zoning Enabling Act. Decisions by the ZBA are considered final and are made pursuant to Section 5.103 of the East Grand Rapids Zoning Ordinance.

A non-refundable filing fee of \$500.00 must accompany your application. A \$700.00 post construction fee is also required for retroactive variance requests.

Applicant Name: Alexandra Robertson

Address: 1609 Sherman St SE

Property Address (if different than above):

Daytime Phone: (401) 486-1462

Email: Alexandra.muscattelli@gmail.com

Legal Description of Property*: Lot (s) 3 and 4 of PLAT SHERMAN PARK according to the plat thereof recorded in liber 16 of plats, Page 7 of Kent County Records

Permanent Parcel (Tax) Number: 41-14-33-151-002

Briefly state the requested variance (Citing the specific section(s) of the Zoning Ordinance from which you are seeking a variance)*:

Please see attached statement

*(Use Attachments if Necessary)

(Continue to second page)

Submission Materials:

- Two (2) copies of a detailed, *scaled* site plan and elevation drawing showing the nature of the variance request, including, but not limited to: property boundaries, existing and proposed structures, the distance from the property lines of each existing building or structure and of each proposed building or structure, and height of all proposed structures. Please also show and label abutting street(s). Pictures may be attached with your application to better demonstrate your request. Additional information may be required by the Zoning Administrator.
- Narrative statement that explains your request, why you are seeking a variance, and addresses how you believe your request meets *all* the required standards of review. These criteria are listed in Sections 5.103(C) and 5.103(D) of the City's Zoning Ordinance for dimensional and use variances, respectively.

Please note: variances are approved only when all of the relevant review criteria are met, and where there is a genuine practical difficulty or unnecessary hardship with the property. Variances are not to be granted solely to avoid compliance with the zoning ordinance or where there is another feasible option or use for your property. The City has prepared a Frequently Asked Questions (FAQ) document that outlines the variance process and explains the review criteria in more detail. Please contact the Zoning Administrator if you have any questions.

By signing below, I acknowledge the following:

- I have reviewed all of the submission requirements and review standards for variances, including the City's Variance FAQ document.
- The information submitted here is complete and accurate to the best of my knowledge.
- I permit any member of the ZBA and City Staff to enter onto my property for the purpose of considering this variance request. I further understand that ZBA members are not permitted to engage in any conversations during such site visits.
- The ZBA will only consider and vote on the specific request and site plan that is submitted with this application. Negotiations of this request during the meeting or public hearing are not permitted.
- The ZBA may attach reasonable conditions to an approved variance.
- If a variance is granted, substantial steps toward effecting the variance must be taken within twenty-four (24) months of approval, or the variance will become null and void per section 5.104 of the City Code.



Signature of Applicant

Signature of Property Owner
(If Different from Applicant)



Print Name

Print Name

City of East Grand Rapids – City Services
750 Lakeside Dr. SE, East Grand Rapids, MI 49506
Phone 616.940.4817 FAX 616.831-6121



December 12th, 2024

Board of Zoning:

Thank you so much for considering our request for a dimensional variance to build a carport. We reside at 1608 Sherman ST SE; we bought this house in 2019 with the intention of building a covering for our cars.

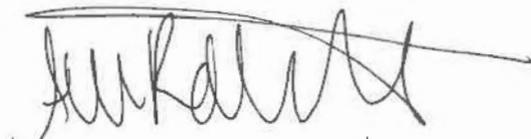
We currently have an existing car pad and plan to create a carport that aligns within the existing car pad. The carport will only be used for sheltering our cars from the inclement weather. The carport will blend in with the existing aesthetics of the house, causing minimal disruption of the appearance.

In accordance with Section 5.70A(Location), we are requesting a dimensional variance for our proposed detached carport. The carport is designed to align with the existing parking pad and is located 12 feet from the principal building and 3 feet from the property line. The carport is 380 square feet (19x20ft) and will be positioned at the end of the car pad that touches the backyard. The dimensional variance we are requesting will align the carport with the covered concrete porch, which is 5 feet past the principal building, as the zoning guidelines require the building to be no closer to the street than the principal building on the lot.

Section 5.103C criteria –

1. The practical difficulty in necessitating this variance is the need to provide adequate coverage for the vehicles intending to use this carport while preserving the usable square footage of the backyard. Due to lot configurations of our corner lot and the rear/side setback constraints, the placement of the carport needs only to extend 5 feet past the principal building, while maintaining alignment with the attached concrete porch. The narrowness of the side and rear yards is unique to the property and restricts the placement of the carport on the existing car pad.
2. The previous owners did not create practical difficulties. The principal building is on a corner lot and the proposed carport meets all setback and dimensional requirements, except for the extension past the principal building. The existing car pad is the only location available due to lot and zoning requirements.
3. The proposed carport is designed to be functional and visually compatible with the principal building and surrounding neighborhood. It minimizes impact on neighboring properties, preserves backyard space, and ensures that the property remains consistent with the character of the principal building.

4. This variance request is based on practical difficulties specific to our property – the existing principal building, the existing parking pad, and setback constraints. The goal of this variance request is to preserve the square footage of the backyard while utilizing the minimal amount of square footage to adequately cover our cars.
5. As the carport fulfills the setback and dimensional requirements, the minimum necessary is 5 feet past the principal building, ultimately aligning with the concrete covered front porch. The 5 feet needed for the carport allows both cars to be adequately covered for inclement weather, while preserving the backyard and aligning with the existing car pad.



Alexandra Robertson



We are requesting a dimensional variance to allow for the construction of a carport that will be located 10 feet from the principal building, with a height not exceeding 16 feet, and set back 3 feet from both the side and rear lot lines. The proposed carport will extend 5 feet beyond the front line of the principal building, which will be in line with the front porch of the house.

The purpose of this variance request is to provide adequate coverage for our vehicle while preserving the usable square footage of the backyard. By extending the carport 5 feet past the principal building, we can avoid encroaching into the backyard space, which is essential for outdoor activities and landscaping. The placement of the carport will maintain a safe distance from neighboring properties while minimizing any potential visual or aesthetic impacts.

This variance is necessary to achieve the intended functional use of the carport without compromising our enjoyment of the backyard, and we believe it will have minimal impact on the surrounding area.

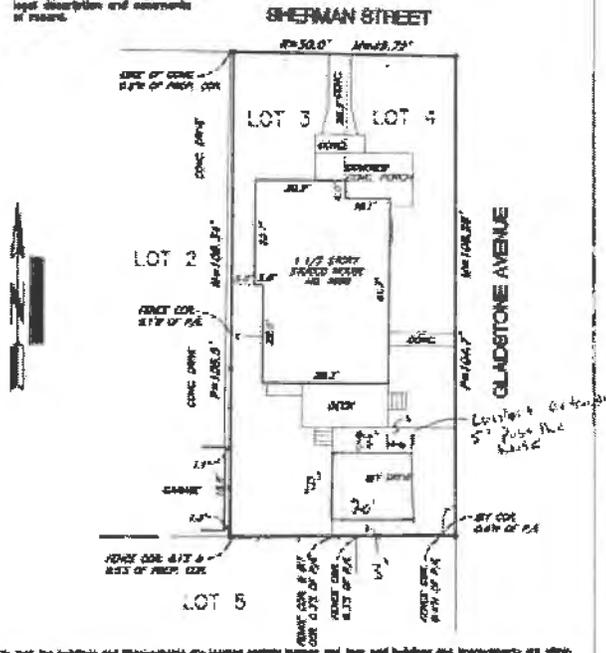
In accordance with Section 5.70A(Location), we are requesting a dimensional variance for our proposed detached carport. The carport is designed to align with the existing parking pad and is located 12 feet from the principal building and 3 feet from the property line. The dimensional variance we are requesting will align the carport with the covered concrete porch, which is 5 feet past the principal building. The practical difficulty, outlined in Section 5.103C, necessitating this variance is the need to provide adequate coverage for the vehicles intending to use this carport while preserving the usable square footage of the backyard. Due to lot configurations and the rear/side setback constraints, the placement of the carport need only to extend 5 feet past the principal building, while maintaining alignment with the attached concrete porch. The narrowness of the side and rear yards is unique to the property and restricts the placement of the carport on the existing car pad.

It is important to note that the survey of the house does not reflect the actual measurements. The drawing states that the carport extends 5 feet past the building. All other measurements satisfy the existing zoning requirements as stating in Section 5.103C.

Project No. 991125
 Date: October 10, 2014
 For: Shari Vothchord
 Balleby Realty
 4050 Plainfield NE, Site B
 Grand Rapids, MI 49525
 Prop. Address: 1608 Sherman SE

LEGAL DESCRIPTION FROM TAX RECORDS
 Lots 3 and 4, Part of Sherman Park, City of East Grand Rapids, Kent County,
 Michigan, according to the recorded plat thereof.

NOTE:
 A 1992 business policy was not provided up the date of this survey. One should be obtained to compare for accuracy of legal description and easements of record.

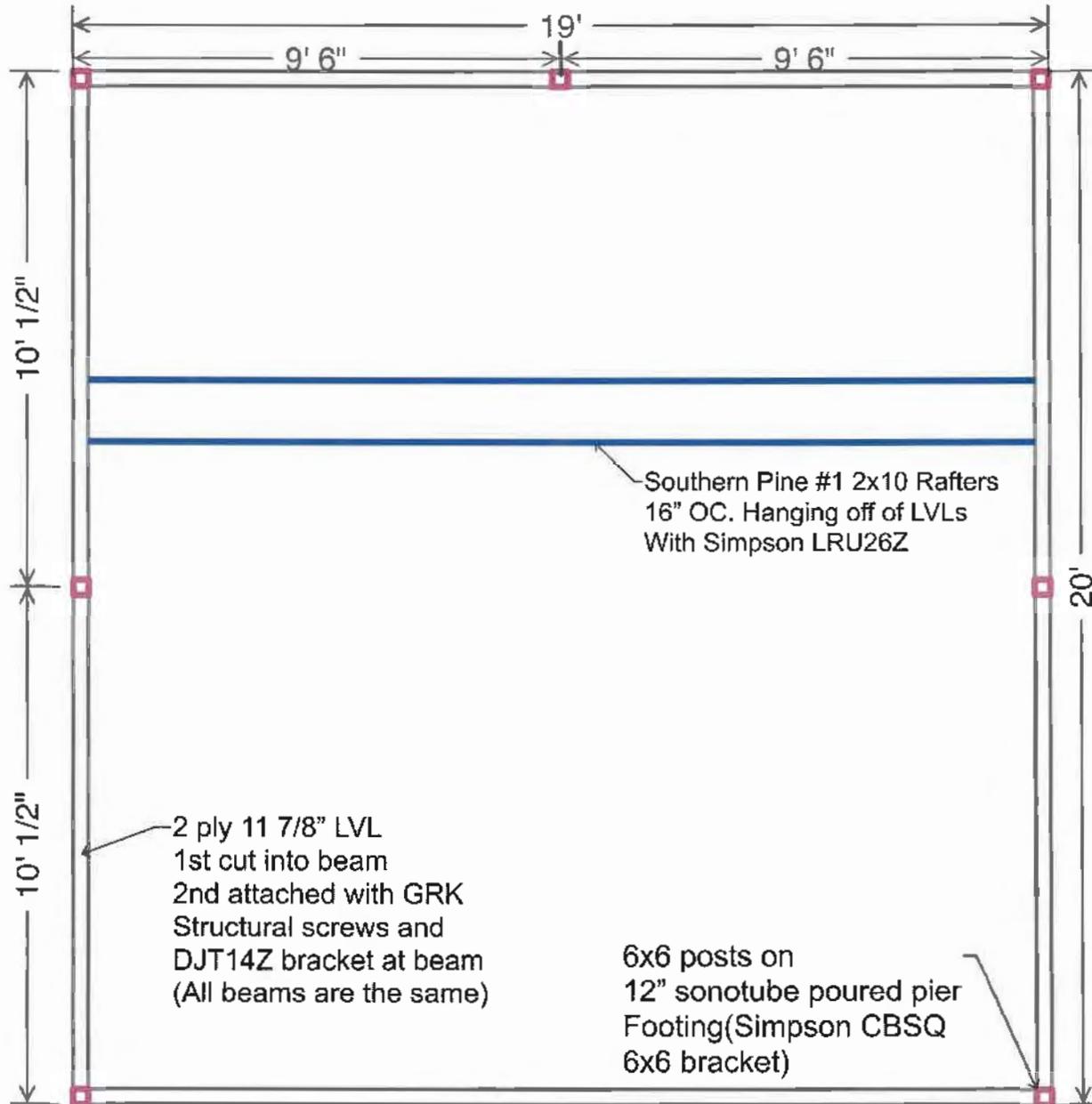


I hereby certify that the bearings and distances are taken correctly from and that all buildings and improvements are shown on the property line and that there are no existing encroachments upon the lands and property described herein otherwise shown hereon.

<p>LEGEND</p> <ul style="list-style-type: none"> • WITH STAKE - WT • WITH FOUND • WOOD STAKE • REFERRED DIMENSION • VEED DIMENSION • PLASTER DIMENSION • MEASURED DIMENSION • CONCRETE • FOUND LINE 	<p>R Robbins & Associates <i>surveyors and engineers</i></p> <p>5055 PLAINFIELD AVENUE, NE GRAND RAPIDS, MICHIGAN 49525 TELE. (616) 381-7270 FAX (616) 381-1022</p>		
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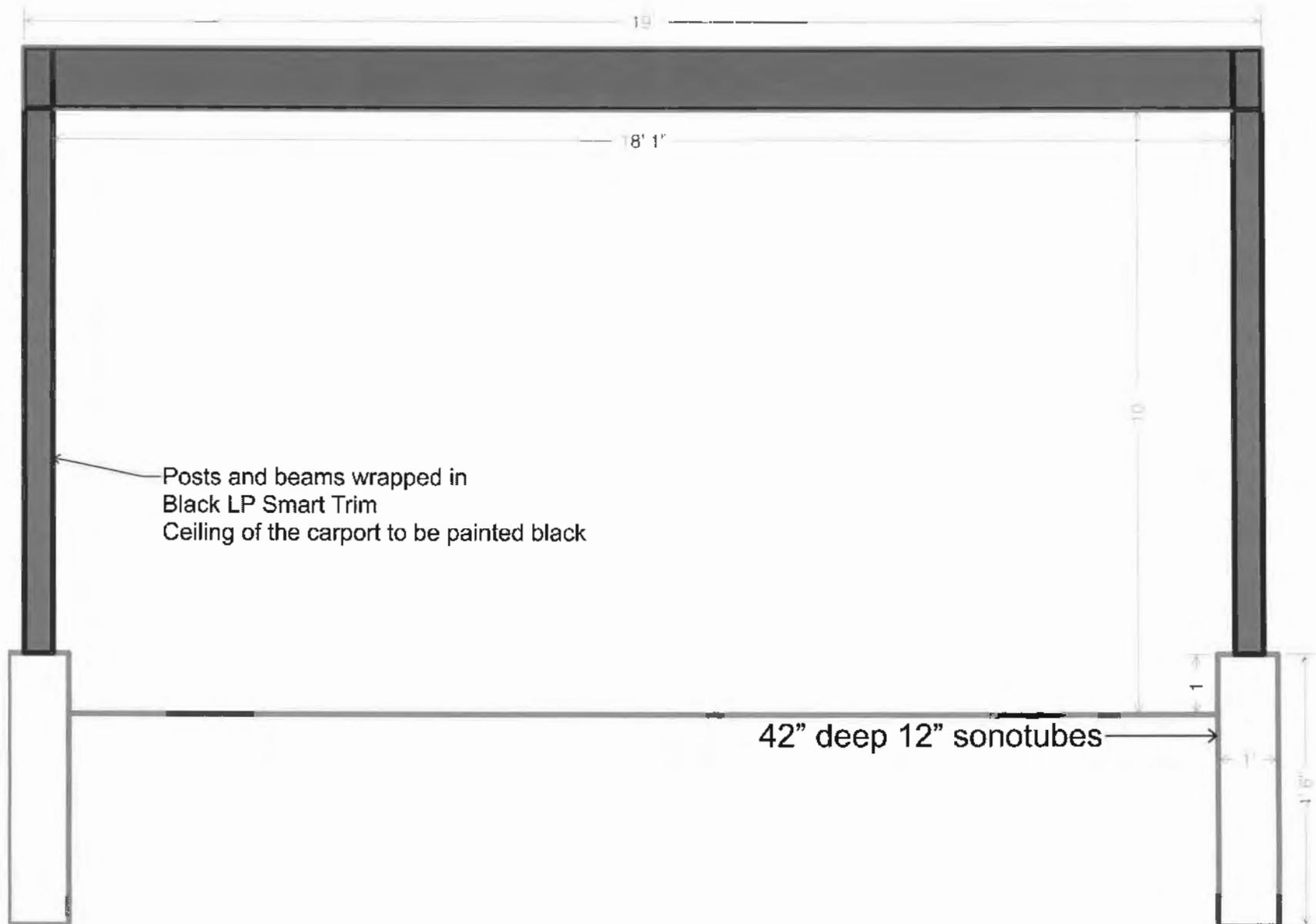
Robertson Carport - Plans

1608 Sherman St SE, East Grand Rapids, MI 49506



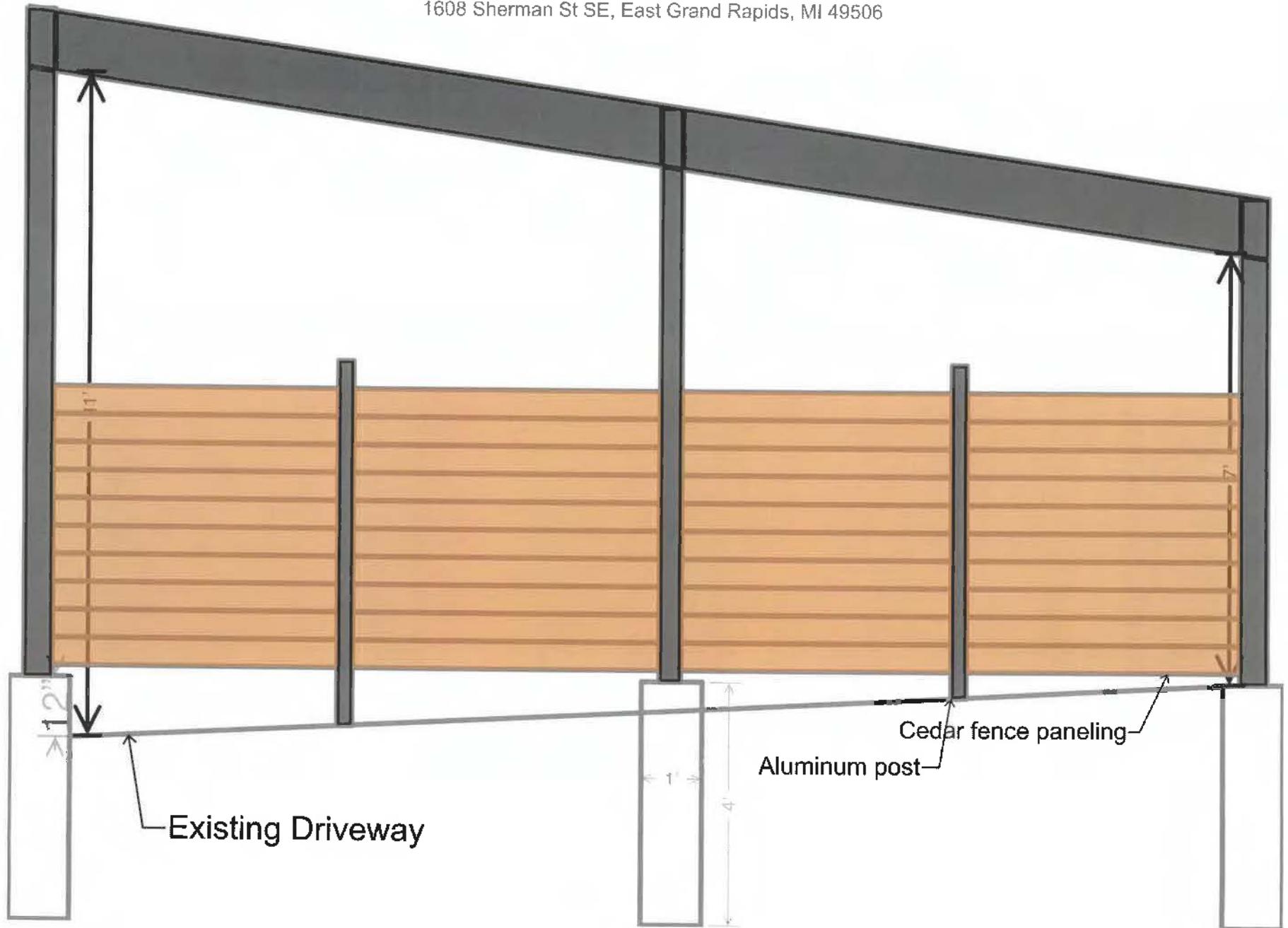
Robertson Carport - East Elevation

1608 Sherman St SE, East Grand Rapids, MI 49506



Robertson Carport - North Elevation

1608 Sherman St SE, East Grand Rapids, MI 49506



**CITY OF EAST GRAND RAPIDS ZONING BOARD OF APPEALS
NOTICE OF PUBLIC HEARING**

A public hearing will be held on the zoning appeal and variance request of Alexandra Robertson for the property address of 1608 Sherman Street SE. The applicant has requested a zoning variance for the following:

- Accessory Buildings and Structures (Chapter 50, Section 5.70A) - The applicant is requesting a variance to construct a detached carport with a 5' encroachment into the street side yard where no such encroachment is permitted.

The written request and plans may be viewed in the Public Works Administration office at the Community Center, or by linking from this notice at www.eastgr.org/notices.

In accordance with the Michigan Zoning Enabling Act, you are receiving this notice because you live or own property within 300' of this address. The Zoning Board of Appeals invites those with any facts or evidence related to this request to present them at the scheduled meeting or by writing to the Zoning Board of Appeals at 750 Lakeside Drive SE, East Grand Rapids, MI 49506. To be included in the hearing, written communications must contain the sender's name and address. For more information on what evidence or materials the Zoning Board of Appeals can consider, please scan the QR code on the right to review the City's Variance FAQ.



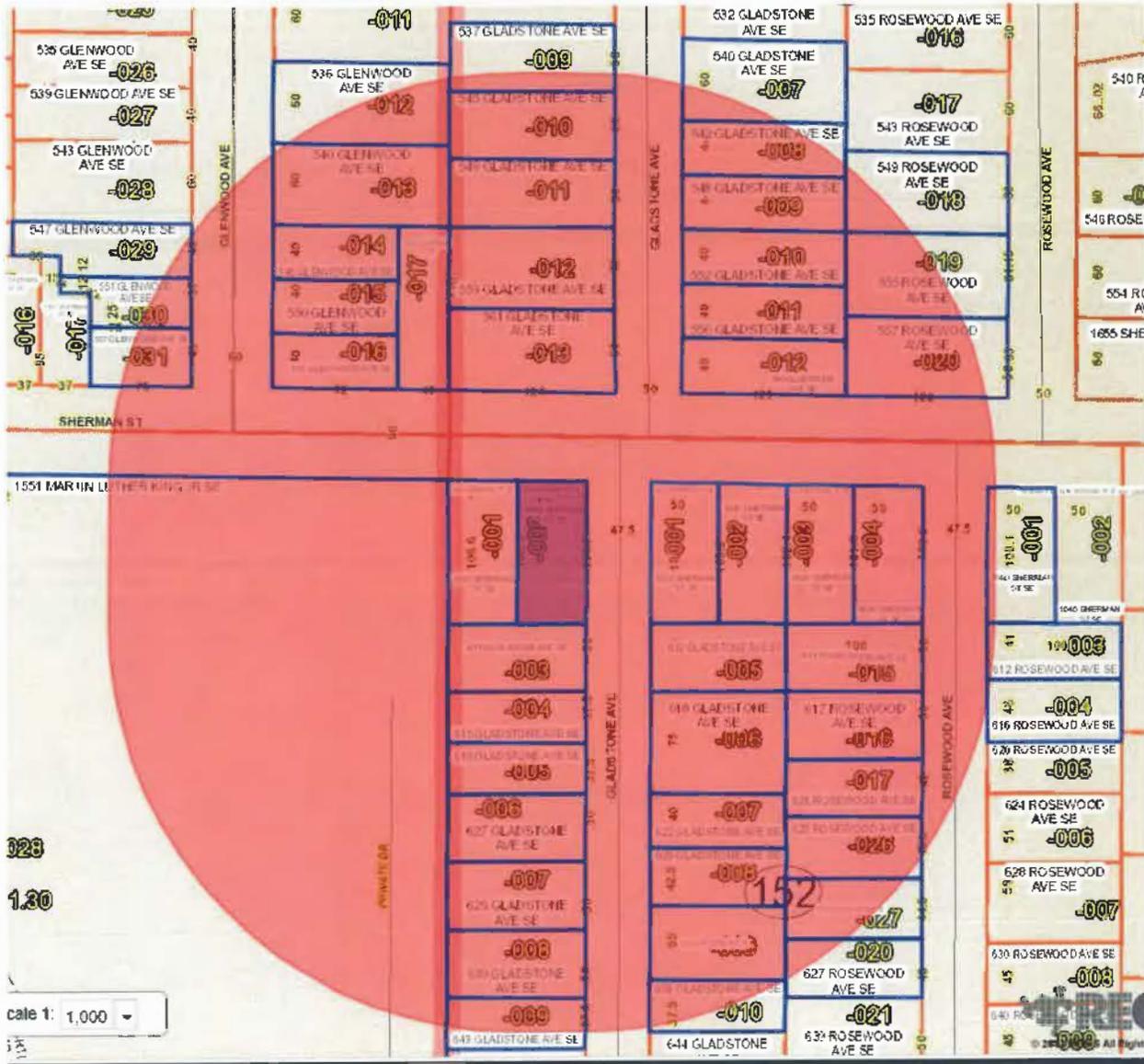
If you have any questions regarding this request, please contact the undersigned at (616)940-4817, or jgianotti@eastgr.org.

Date: Wednesday, January 22, 2025
Time: 5:30 p.m.
Place: East Grand Rapids Community Center Commission Chambers
750 Lakeside Drive SE, East Grand Rapids, MI 49506

Jay Gianotti, AICP
Zoning Administrator

VARIANCE REQUEST

1608 SHERMAN STREET, S.E.





CITY OF EAST GRAND RAPIDS ZONING BOARD OF APPEALS NOTICE OF PUBLIC HEARING

The City of East Grand Rapids Zoning Board of Appeals will hold a public hearing on Wednesday, January 22, 2025, at 5:30 PM in the Commission Chambers, 750 Lakeside Drive SE, East Grand Rapids, 49506, to consider a variance for constructing a detached carport in the street side yard for the application of Alexandra Robertson for the property at 1608 Sherman Street SE. Complete information, descriptions, maps, and information on how to give input on this matter can be found at www.eastgr.org/notices.

Zoning Board of Appeals - Dimensional Variance Worksheet

For each standard, please note whether you believe the standard has been met by checking “yes” or “no” and provide your reasoning why, including but not limited to staff and consultant reports as well as any other provided information. All standards must be sufficiently met with a “yes” determination for an overall affirmative vote.

Name: _____ Meeting Date: _____

Address of Request: _____ Case Number: _____

1. That there are practical difficulties in complying with the requirements of this Ordinance with respect to the dimensional characteristics of the property in question because of exceptional or extraordinary physical conditions involving land, a building or structure, or any of them. A practical difficulty may include the exceptional narrowness, shallowness, shape or area of land; exceptional conditions in the elevations of land; the presence of unbuildable areas such as wetlands or a floodplain; or other exceptional or extraordinary physical condition of the property. The exceptional or extraordinary condition alleged by the applicant shall apply only to the dimensional characteristics of the property, but shall not apply to the applicant personally. An applicant’s alleged economic hardship or potential for financial profit shall not be grounds for the granting of a dimensional variance.

<input type="checkbox"/> Yes <input type="checkbox"/> No	Comments <hr/> <hr/> <hr/> <hr/> <hr/>
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2. The practical difficulties in carrying out the provisions or requirements of this Ordinance shall not have been created by or resulted from the actions of the current owner or any previous owner of the property.

<input type="checkbox"/> Yes <input type="checkbox"/> No	Comments <hr/> <hr/> <hr/> <hr/> <hr/>
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3. Authorizing a variance will not be contrary to the spirit and purpose of this chapter.

<input type="checkbox"/> Yes <input type="checkbox"/> No	Comments <hr/> <hr/> <hr/> <hr/> <hr/>
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4. A non-conforming structure, lot or use of the property and/or a nonconforming structure, lot or use on neighboring properties shall not, in itself, be considered grounds for granting a variance.

- Yes
- No

Comments

5. A dimensional variance, if granted, shall be the minimum necessary variance in order to grant relief from the practical difficulty alleged by the applicant.

- Yes
- No

Comments



CITY OF
EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE • EAST GRAND RAPIDS, MICHIGAN 49506
(616) 940-4817 www.eastgr.org

JAY GIANOTTI, AICP
ZONING ADMINISTRATOR

Hearing Required?	Yes
Notices Mailed	1/3/2025
Notice Published	1/7/2025

MEMORANDUM

TO: East Grand Rapids Zoning Board of Appeals
FROM: Jay Gianotti, Zoning Administrator
DATE: January 16, 2025

RE: **Case #2025-02 – Zoning Variance at 945 Plymouth Rd. (PPN: 41-14-33-309-022)**
Zoned: R-1 Single Family Residential
Rear Yard Setback Variance Request

Action Requested:

That the Zoning Board of Appeals conducts a public hearing and votes on the applicant’s variance requests for the following:

- **Chapter 50, Section 5.28A** – To construct a garage addition with a rear yard setback of 20’-6” where 25’ is permitted.

Background:

The applicants, Lucy and David Frey, are seeking a variance for new construction projects for their home. This property is a conforming lot within the R-1 Single-Family Residential zoning district. There are two different additions in this overall plan. One is planned for the south side of the house, and appears to be conforming to all applicable zoning requirements. Thus, this request is focused on the planned addition to the northwest corner of the house. Currently, there is a small two-car attached garage in this location, roughly 19’ x 20’ in size. Part of this area would be converted to a new mudroom, leaving one attached garage space in this location. The proposed addition would add two new attached garage spaces, resulting in three parking spaces total. The area of this addition would be approximately 27’ x 23’-6”, or 634.5 s.f in area. As proposed, this addition would result in a rear yard setback of 20’-6” where 25’ is required.

It should be noted that the applicants previously requested and were granted a similar variance in 2020. At that time, the request was for a rear yard setback of 18’-4 3/8”. However, no work was done at that time, so that variance approval was nullified. The request under consideration tonight is for appx. 2’-1” less relief than was requested in 2020. Materials related to the 2020 request are included here for reference.

Review of Standards:

Per Section 5.103(c) of the City of East Grand Rapids Zoning Ordinance, all of the following criteria must be met for a variance to be granted:

1. *That there are practical difficulties in complying with the requirements of this Ordinance with respect to the dimensional characteristics of the property in question because of exceptional or extraordinary physical conditions involving land, a building or structure, or any of them. A practical difficulty may include the exceptional narrowness, shallowness, shape or area of land;*

exceptional conditions in the elevations of land; the presence of unbuildable areas such as wetlands or a floodplain; or other exceptional or extraordinary physical condition of the property. The exceptional or extraordinary condition alleged by the applicant shall apply only to the dimensional characteristics of the property, but shall not apply to the applicant personally. An applicant's alleged economic hardship or potential for financial profit shall not be grounds for the granting of a dimensional variance.

Staff comments: The lot in question is a conforming lot in the R-1 Zoning District. While the home is set back much further from the street than is required, there is still an appx. 43'-6" setback from the rear lot line, so an addition to the rear of the house would not be fully precluded.

- 2. The practical difficulties in carrying out the provisions or requirements of this Ordinance shall not have been created by or resulted from the actions of the current owner or any previous owner of the property.*

Staff comments: The original home was reportedly constructed in 1939, before any known zoning ordinance was in effect in the City.

- 3. Authorizing a variance will not be contrary to the spirit and purpose of this chapter.*

Staff comments: Setback standards for the principal building/home are generally designed to provide a minimum separation between buildings in neighborhoods. This is designed to reduce overall bulk and visual massing of buildings, as well as provide some privacy among abutting property owners. As noted above, there appears to still be sufficient space for an addition in this location while still maintaining the required rear yard setback. While a detached structure could be built up to 3' from the lot line, it would have space separation from the principal home and would generally be smaller in size and height compared to the principal building.

- 4. A non-conforming structure, lot or use of the property and/or a nonconforming structure, lot or use on neighboring properties shall not, in itself, be considered grounds for granting a variance.*

Staff comments: No existing nonconformities have been identified on the applicant's lot at this time. The applicant has alluded to other neighboring homes featuring attached garages in the rear of the home and wanting to maintain that character. In looking at all of the homes in this block on Plymouth:

- 13 have an attached garage accessible at the side/rear of the home
- 7 have an attached garage accessible at the front of the home
- 5 have a detached garage.

Based on the above, it appears that slightly over half of the homes in this block have a garage arrangement similar to the applicants, with five other houses having detached garages in the rear corner of the lot. However, the City has only found that only two of these homes required a variance for a garage, and only three other garages might be considered nonconforming at this time.

- 5. A dimensional variance, if granted, shall be the minimum necessary variance in order to grant relief from the practical difficulty alleged by the applicant.*

Staff comments: Other options for a building expansion in this area include the following.

- A detached garage could be built in the northwest corner of the property, provided it was 3' from the side and rear property lines and 10' from the house itself. Based on the size of

the lot the following accessory building sizes would be possible, subject to the overall lot coverage requirements of the lot¹:

- If no attached garage spaces remain: 944 s.f.
- If one attached garage space remains: 656 s.f.
- If two attached garage spaces remain: 368 s.f.
- A smaller house addition could be built that meets the rear yard setback requirements while still retaining two attached parking spaces as currently exists.

Recommended Motion and Conditions:

Depending on how the ZBA chooses to decide this request, the City recommends that one of the following text motions be used:

- To approve: “I make a motion that *[state the full request]* be approved because it meets all of the standards of review.”
- To deny: “I make a motion that *[state the full request]* be denied because it does not meet all of the standards of review.”

¹ The figures in this section account for an existing 64 s.f. accessory building on the lot.

Request for Zoning Ordinance Variance

City of East Grand Rapids

Date: 12/12/24

Note to Applicant: Please pay careful attention to provide the necessary documents required and to answer the questions in this application as accurately and completely as possible. This will give you the best possibility of your application appearing on the earliest agenda for consideration by the Zoning Board of Appeals. The City reserves the right to delay or withhold a public hearing for a variance request that does not meet the standards of submission.

All requests for a zoning variance are subject to a public hearing. The applicant will be advised of the hearing date, time, and location and is required to present a verbal summary of the request to the Zoning Board of Appeals (ZBA) prior to the public hearing. In addition, the City Services Office shall publish a notice of the public hearing in a newspaper of general circulation in the local unit of government, as well as provide notice of the public hearing to all property owners within a 300-foot radius of the subject property not less than fifteen (15) days before the date the application will be considered for approval per the Michigan Zoning Enabling Act. Decisions by the ZBA are considered final and are made pursuant to Section 5.103 of the East Grand Rapids Zoning Ordinance.

A non-refundable filing fee of \$500.00 must accompany your application. A \$700.00 post construction fee is also required for retroactive variance requests.

Applicant Name: LUCY + DAVID "TRIPP" FREY

Address: 945 PLYMOUTH AVE SE

Property Address (if different than above):

Daytime Phone: (616) 881-9908

Email: trippfrey@gmail.com

Legal Description of Property*: LOTS 358 + 359 OTTAWA HILLS
#2

Permanent Parcel (Tax) Number: 41-14-33-309-022

Briefly state the requested variance (Citing the specific section(s) of the Zoning Ordinance from which you are seeking a variance) *:

SEE ATTACHED

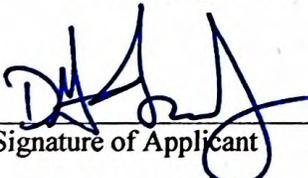
Submission Materials:

- Two (2) copies of a detailed, *scaled* site plan and elevation drawing showing the nature of the variance request, including, but not limited to: property boundaries, existing and proposed structures, the distance from the property lines of each existing building or structure and of each proposed building or structure, and height of all proposed structures. Please also show and label abutting street(s). Pictures may be attached with your application to better demonstrate your request. Additional information may be required by the Zoning Administrator.
- Narrative statement that explains your request, why you are seeking a variance, and addresses how you believe your request meets *all* the required standards of review. These criteria are listed in Sections 5.103(C) and 5.103(D) of the City’s Zoning Ordinance for dimensional and use variances, respectively.

Please note: variances are approved only when all of the relevant review criteria are met, and where there is a genuine practical difficulty or unnecessary hardship with the property. Variances are not to be granted solely to avoid compliance with the zoning ordinance or where there is another feasible option or use for your property. The City has prepared a Frequently Asked Questions (FAQ) document that outlines the variance process and explains the review criteria in more detail. Please contact the Zoning Administrator if you have any questions.

By signing below, I acknowledge the following:

- I have reviewed all of the submission requirements and review standards for variances, including the City’s Variance FAQ document.
- The information submitted here is complete and accurate to the best of my knowledge.
- I permit any member of the ZBA and City Staff to enter onto my property for the purpose of considering this variance request. I further understand that ZBA members are not permitted to engage in any conversations during such site visits.
- The ZBA will only consider and vote on the specific request and site plan that is submitted with this application. Negotiations of this request during the meeting or public hearing are not permitted.
- The ZBA may attach reasonable conditions to an approved variance.
- If a variance is granted, substantial steps toward effecting the variance must be taken within twenty-four (24) months of approval, or the variance will become null and void per section 5.104 of the City Code.



Signature of Applicant

Signature of Property Owner
(If Different from Applicant)

DAVID G. FREY, JR

Print Name

Print Name

City of East Grand Rapids – City Services
750 Lakeside Dr. SE, East Grand Rapids, MI 49506
Phone 616.940.4817 FAX 616.831-6121



Dear Zoning Board of Appeals Members,

We are seeking a variance from the rear property line setback requirement (section 5.28A) to construct an addition to our home. Specifically, we are hoping to convert our current garage into a mudroom and storage area, and maintain an attached garage for vehicles by adding new stalls to the west side of our home. To accommodate a new attached, two-stall garage, we are seeking a variance of 4 feet 6 inches, resulting in a new setback of 20 feet 6 inches. We have two primary goals as we develop this portion of our project: to maintain an attached, two-stall garage that keeps the original character and charm of the home as it was designed, and to develop a solution that is in the best interest of our neighbors.

The proposed single-story, attached garage would leave significant room between the primary structure and the rear property line, providing a nice buffer for the homes on Cambridge Street. We acknowledge a detached garage could be designed and built that complies with current zoning standards, however, our goal is to maintain an attached garage. It is equally as important to note that a detached garage results in a less than ideal solution for both us and for our neighbors. Because a detached garage only needs to be three feet from the rear and side property lines, the structure is significantly closer to neighbors to the west on Cambridge Street. Moreover, the garage addition would be the same size regardless if it is attached or detached (current design is standard dimensions for modern two stall garage), negating the intention of the setback spirit, which is to prevent larger and taller structures from being closer to the property line. We encourage members of this board to visit our property and view the detached garage bordering our southern property line to better visualize why a detached garage will be worse for our neighbors to the west. Having a larger setback for that garage would be preferable. A variance approval would keep the footprint of the home more condensed, therefore preserving a more open-air feel that makes many of our properties and our community special.

Regarding the five review criteria in section of 5.103 of the EGR Zoning Code for a dimensional variance request:

1. There is not an exceptional or extraordinary condition involving the land. The layout of the home and its distance from the rear property line creates a unique situation for our proposed plan. In particular, there is enough room to add a single stall attached garage, but not enough room for standard size two stall garage. This would awkwardly result in a single stall detached garage.
2. The practical difficulty of this project is a result of the original location of the home.
3. Importantly, not granting a variance is contrary to the spirit and purpose the zoning chapter. As noted, the garage addition would be the same size regardless if it is attached or detached, negating the intention of the setback spirit, which is to prevent larger and taller structures from being closer to the property line.
4. We are not claiming nonconforming issues are the reason for this request.

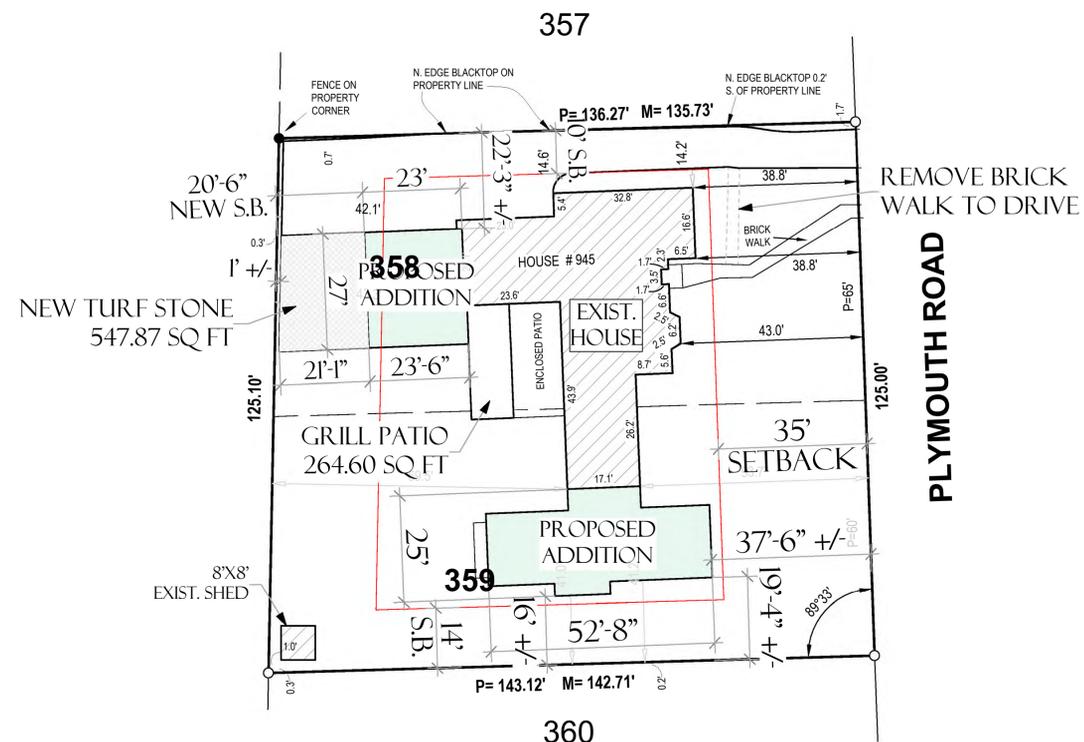
5. The 4'6" setback is the minimum needed to accomplish our goal of an attached two stall garage and, in our opinion, the small variance clearly outweighs the larger detriment to the neighbors with a detached garage.

In the fall of 2020, we applied for and were granted a variance for a nearly identical garage addition at our home. The plan we are currently submitting actually has a larger set back than the previous plan (20' 6" vs 18' 4 3/8"). For a variety of reasons, including supply chain issues and price swings associated with the COVID-19 pandemic, we did not embark on the project. Those members who reviewed our request in 2020 applied common sense to our variance request and agreed that the small variance outweighed the costs of placing a structure so close to neighbors, despite the fact that an alternative could comply with zoning codes. We appreciate the necessity, the spirit, and importance of zoning codes, but hope you will take the same approach as your predecessors. Thank you for your consideration of our request.

Sincerely,
Lucy and Tripp Frey

FREY RESIDENCE

945 PLYMOUTH AVE,
EAST GRAND RAPIDS,
MI 49506



LOT SIZE - 17,402 SQ FT
BUILDING COVERAGE - 4,167.75 SQ FT
IMPERVIOUS SURFACES COVERAGE - 2,793.74 SQ FT

TOTAL BUILDING COVERAGE = 4,167.75 / 17,402 SQ FT = 23.9%
TOTAL LOT COVERAGE = 6,961.49 / 17,402 SQ FT = 40%

SITE PLAN

1" = 20'

DRAWING INDEX

- A-1 COVER SHEET
- A-2 OVERVIEW
- A-3 MAIN FLOOR PLAN - PHASE 1
- A-4 MAIN FLOOR PLAN - PHASE 2
- A-5 UPPER FLOOR PLAN
- A-6 LOWER FLOOR PLAN
- A-7 FRONT ELEVATION
- A-8 REAR ELEVATION
- A-9 RIGHT ELEVATION
- A-10 LEFT ELEVATION
- A-11 BUILDING SECTION & ROOF PLAN



braddouglasdesign.com



FREY
RESIDENCE
EAST GRAND RAPIDS, MI

ALL BUILDERS AND CONTRACTORS MUST VERIFY & COORDINATE ALL DIMENSIONS AND BUILDING SITE CONDITIONS PRIOR TO CONSTRUCTION.
ALL BUILDERS AND CONTRACTORS MUST VERIFY THE PLANS COMPARE TO THE LATEST EDITIONS OF THE MICHIGAN BUILDING CODE, MICHIGAN RESIDENTIAL CODE AND ANY OTHER APPLICABLE CODES.
BUILDERS AND CONTRACTORS MUST NOTIFY BRAD DOUGLAS DESIGN IF DISCREPANCIES, OMISSIONS, AND/OR CONFLICTS ARE FOUND IN DIMENSIONS AND FOOTINGS. ALL CHANGES MUST BE MADE TO THESE PLANS SUCH THAT THEY DO NOT AFFECT THE STRUCTURAL INTEGRITY OF THE PROJECT. WITHOUT FRESH WRITTEN APPROVAL FROM BRAD DOUGLAS DESIGN OR ENGINEER.
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DATE / DESCRIPTION

10 / 21 / 24 FOR PRELIMINARY PLAN

12 / 2 / 24 FOR PRELIMINARY PRICING

COVER SHEET

A-1

ALL CONTRACTORS SHALL VERIFY AND COORDINATE ALL DIMENSIONS ON DRAWINGS AS WELL AS REVIEW AND COORDINATE PLANS WITH EXTERIOR BUILDING ELEVATIONS, SECTIONS AND DETAILS BEFORE COMMENCING WITH CONSTRUCTION. IF DIMENSIONAL ERRORS OR STRUCTURAL CONFLICTS OCCUR BETWEEN FLOOR PLANS, ELEVATIONS OR SECTIONS IT SHALL BE BROUGHT TO THE ATTENTION OF THE BUILDER. CONTRACTORS WHO FAIL TO VERIFY, REVIEW & COORDINATE THE WORK SHALL TAKE FULL RESPONSIBILITY OF THE WORK SHOULD THAT PORTION OF THE WORK BE IMPROPERLY LOCATED OR CONSTRUCTED. THESE PLANS HAVE NOT BEEN FULLY ENGINEERED. VERIFY FOOTINGS, CONC. WALLS, TRUSSES, BEAMS, HEADERS & FLOOR JOISTS WITH STRUCTURAL ENGINEER. BRAD DOUGLAS DESIGN IS NOT RESPONSIBLE FOR FOOTING SIZE AND LOCATION, FOOTING PAD SIZE AND LOCATION, OR HEADER SIZE AND LOCATION.

ALL BUILDERS AND CONTRACTORS MUST VERIFY & COORDINATE ALL DIMENSIONS AND BUILDING SITE CONDITIONS PRIOR TO CONSTRUCTION. BUILDERS AND CONTRACTORS MUST VERIFY THE PLAN COMPLIANCE TO THE LATEST EDITIONS OF THE MICHIGAN BUILDING CODE, MICHIGAN RESIDENTIAL CODE AND ANY OTHER APPLICABLE CODE. BUILDERS AND CONTRACTORS MUST NOTIFY BRAD DOUGLAS DESIGN IF DISCREPANCIES ARE FOUND IN DIMENSIONS AND FINISHES. DIMENSIONS TAKE PRECEDENCE OVER SCALE. ANY CHANGES ARE TO BE MADE TO THESE PLANS SUCH THAT WOULD AFFECT THE STRUCTURAL INTEGRITY OF THE PROJECT WITHOUT FIRST WRITING APPROVAL FROM BRAD DOUGLAS DESIGN AN ENGINEER. THIS PLAN IS SUBJECT TO THE MICHIGAN PROFESSIONAL LAW TO BRAD DOUGLAS DESIGN. ALL RIGHTS RESERVED. ALL MATERIALS CONTAINED WITHIN THESE CONSTRUCTION DOCUMENTS ARE THE PROPERTY OF BRAD DOUGLAS DESIGN AND MAY NOT BE REPRODUCED WITHOUT PRIOR WRITING CONSENT OF BRAD DOUGLAS DESIGN.

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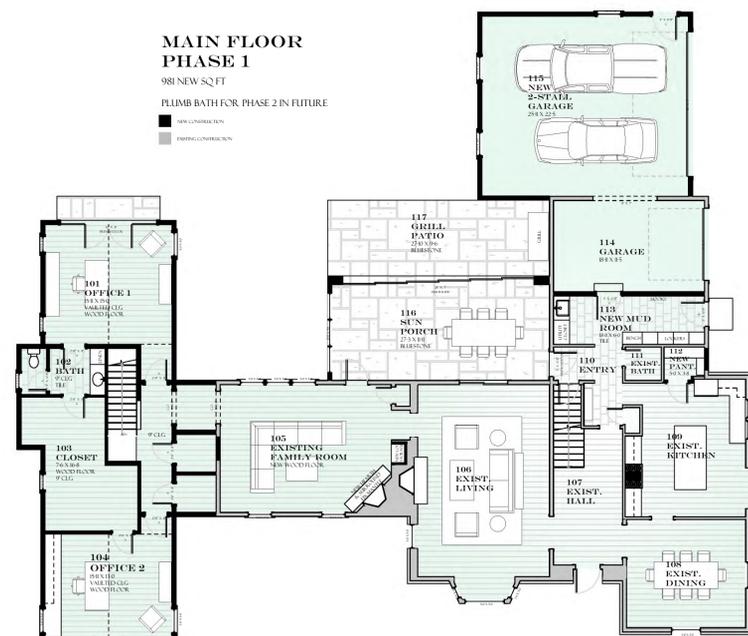
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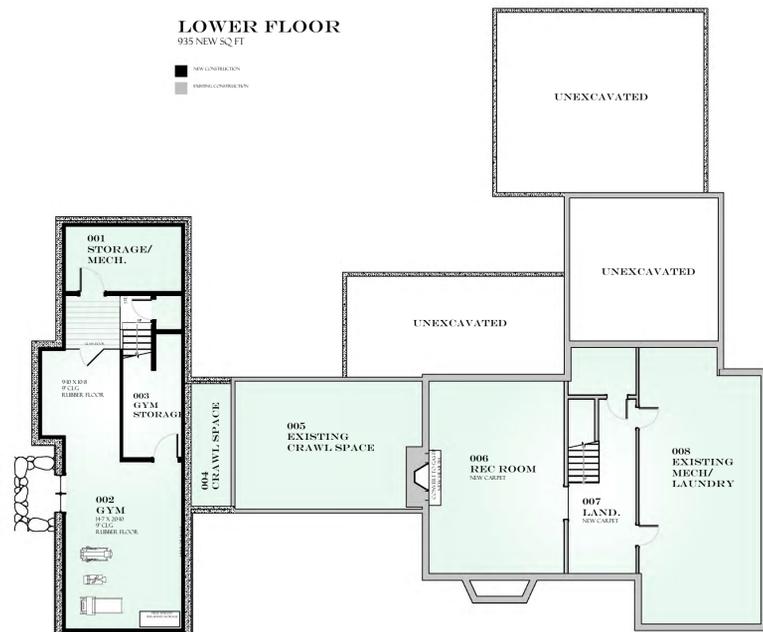
12 / 2 / 24 FOR PRELIMINARY PRICING

OVERVIEW

A-2



3/32" = 1'-0"



3/32" = 1'-0"



3/32" = 1'-0"



1/8" = 1'-0"



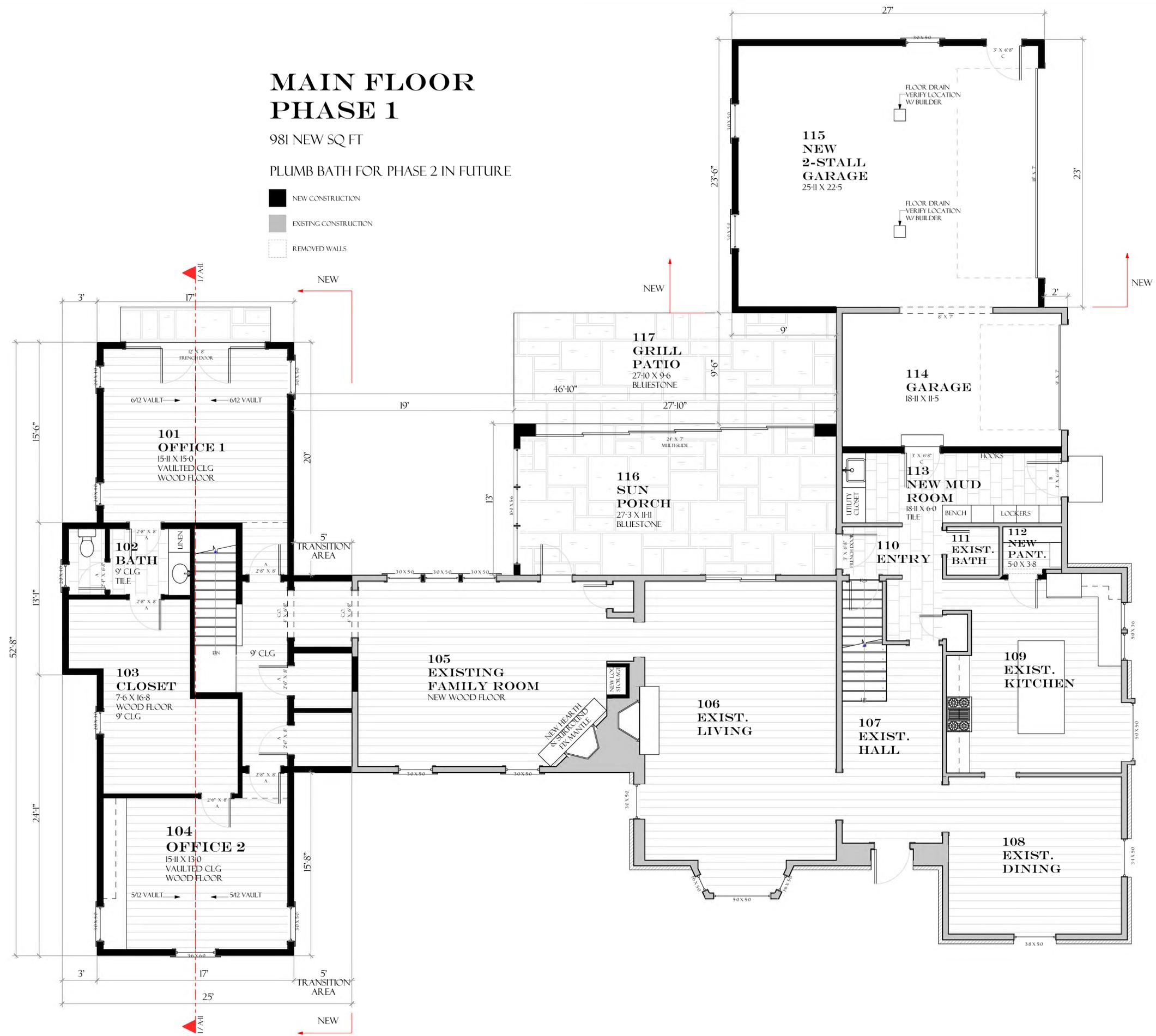
1/8" = 1'-0"

MAIN FLOOR PHASE 1

981 NEW SQ FT

PLUMB BATH FOR PHASE 2 IN FUTURE

- NEW CONSTRUCTION
- EXISTING CONSTRUCTION
- REMOVED WALLS



ALL BUILDERS AND CONTRACTORS MUST VERIFY & COORDINATE ALL DIMENSIONS AND BUILDING SITE CONDITIONS PRIOR TO CONSTRUCTION.
ALL BUILDERS AND CONTRACTORS MUST VERIFY THE PLAN COMPLIANCE TO THE LATEST EDITIONS OF THE MICHIGAN BUILDING CODE, MICHIGAN RESIDENTIAL CODE AND ANY OTHER APPLICABLE CODES.
THESE PLANS, CONTRACTS, AND SPECIFICATIONS MUST NOT BE USED AS A DESIGN OR CONSTRUCTION BASIS, ALL ENDED DOCUMENTS AND PROVIDED MUST BE IN COMPLIANCE WITH BRAD DOUGLAS DESIGN. DIMENSIONS TAKE PRECEDENCE OVER SCALE.
NO CHANGES ARE TO BE MADE TO THESE PLANS SUCH THAT WOULD AFFECT THE STRUCTURAL INTEGRITY OF THE PROJECT WITHOUT FIRST WRITING APPROVAL FROM BRAD DOUGLAS DESIGN OR AN ENGINEER.
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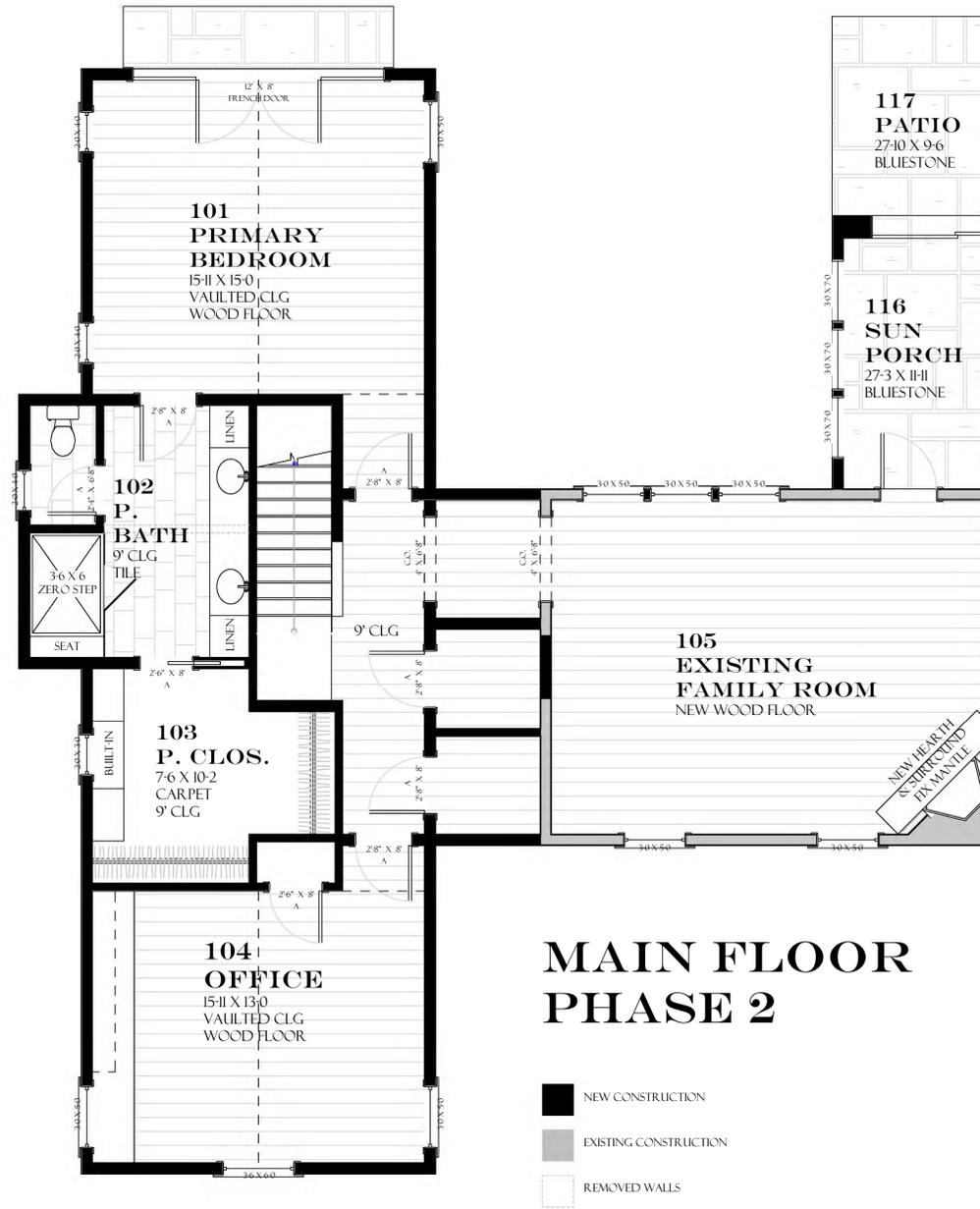
10 / 21 / 24 FOR PRELIMINARY PLAN

12 / 2 / 24 FOR PRELIMINARY PRICING

MAIN FLOOR

A-3

1/4" = 1'-0"



1/4" = 1'-0"

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ALL BUILDERS AND CONTRACTORS MUST VERIFY THE PLAN COMPLIANCE TO THE LATEST EDITIONS OF THE MICHIGAN BUILDING CODE, MICHIGAN RESIDENTIAL CODE AND ANY OTHER APPLICABLE CODES.
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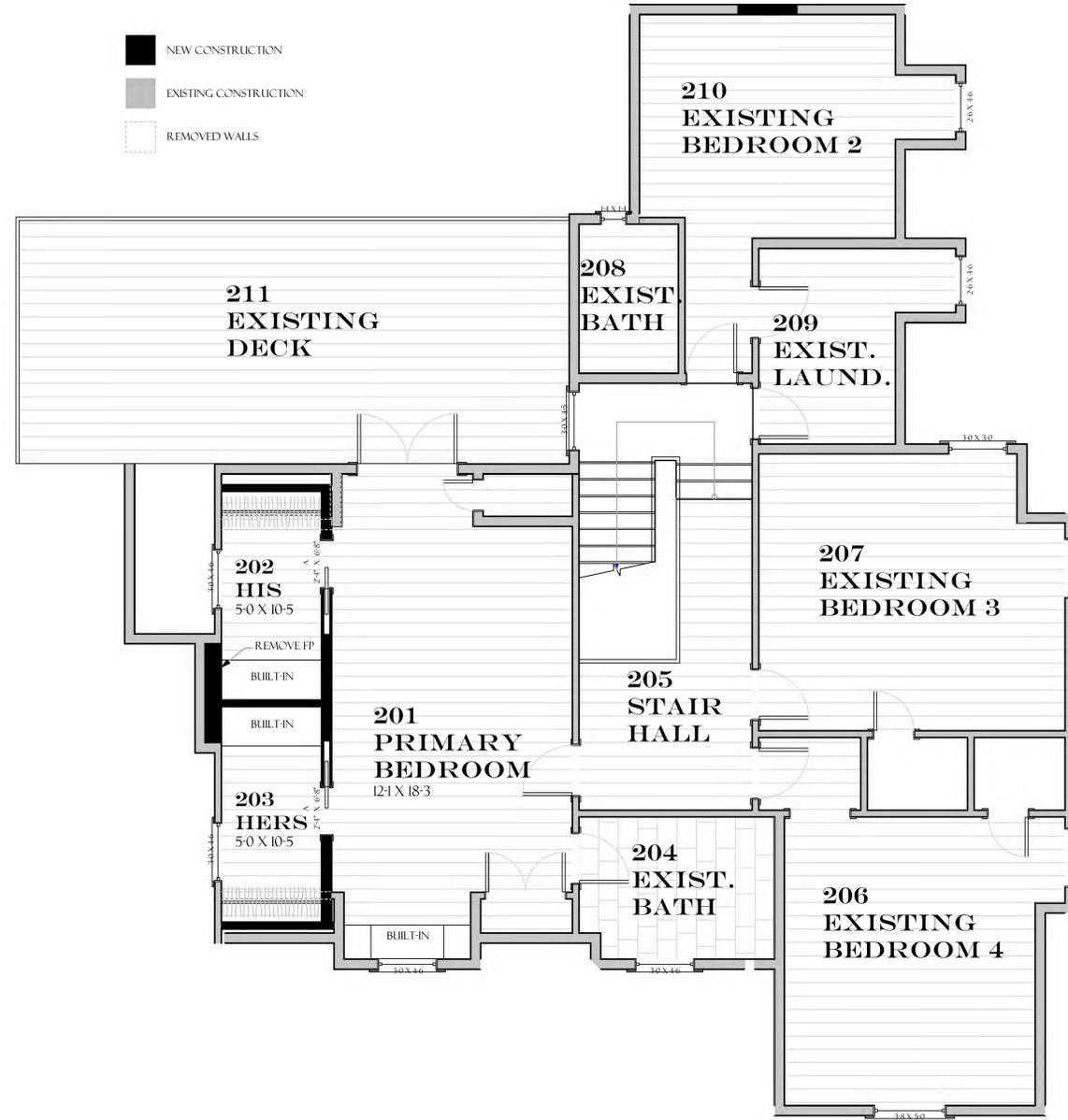
12 / 2 / 24 FOR PRELIMINARY PRICING

MAIN FLOOR

A-4

UPPER FLOOR

- NEW CONSTRUCTION
- EXISTING CONSTRUCTION
- REMOVED WALLS



1/4" = 1'-0"

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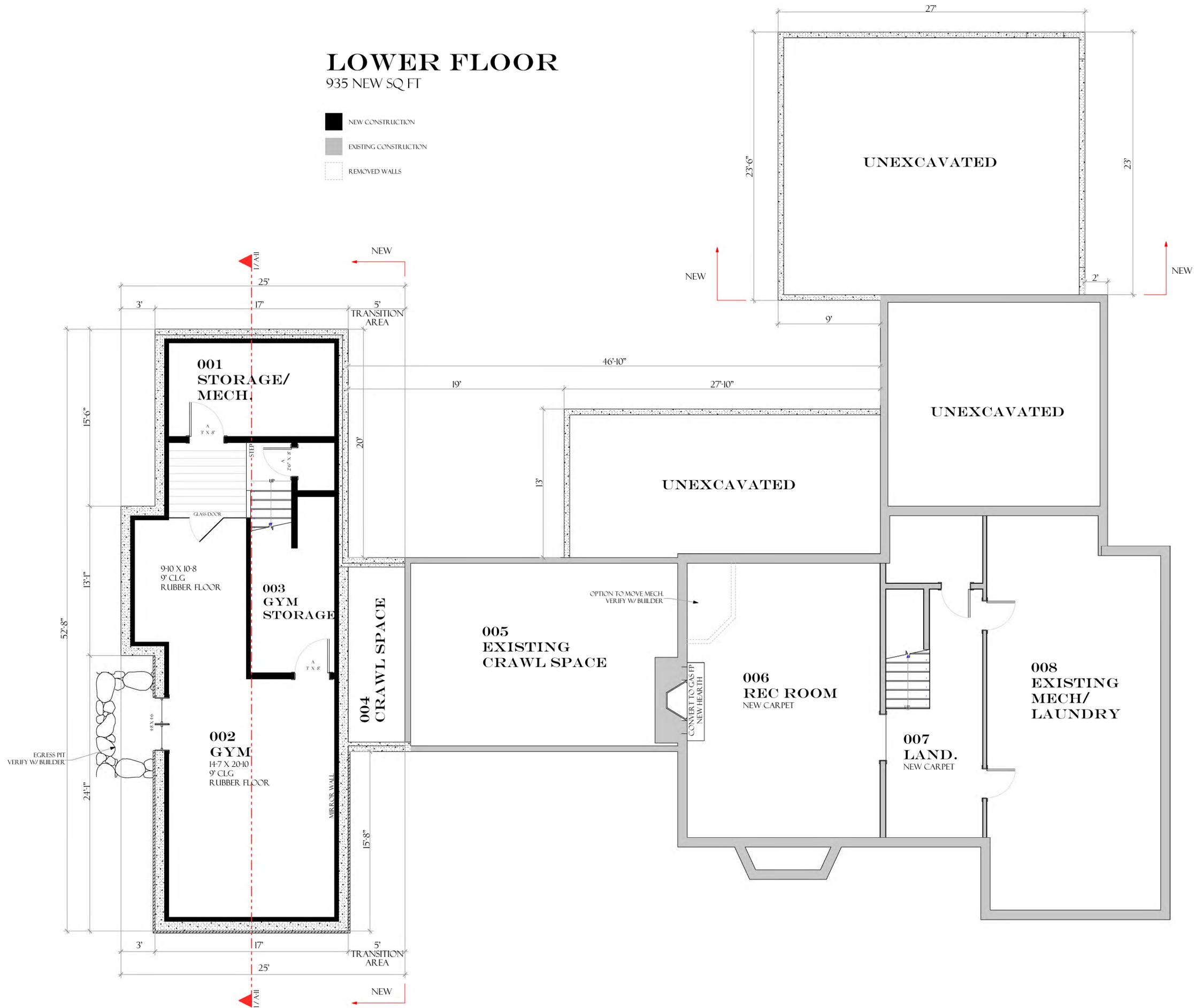
UPPER FLOOR

A-5

LOWER FLOOR

935 NEW SQ FT

- NEW CONSTRUCTION
- EXISTING CONSTRUCTION
- REMOVED WALLS



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LOWER FLOOR

A-6

1/4" = 1'-0"



- NOTES:
1. ALL EXT. DETAILS TO MATCH EXISTING.
 2. ALL BRACKETS TO BE BORAL - PAINTED.
 3. ALL EXT. TRIM TO BE BORAL - PAINTED.
 4. UNLESS OTHERWISE NOTED, ALL EXT. WINDOW/DOOR TRIM TO BE IX6.
 5. ROOF - ARCHITECTURAL GRADE SHINGLES TO MATCH EXISTING.
 6. ALL SIDING TO BE COMPOSITE LAP SIDING - 10" TO THE WEATHER.
 7. ALL EXT. BRICK TO BE THINBRICK - PAINTED.

FRONT ELEVATION

1/4" = 1'-0"

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FRONT ELEVATION

A-7

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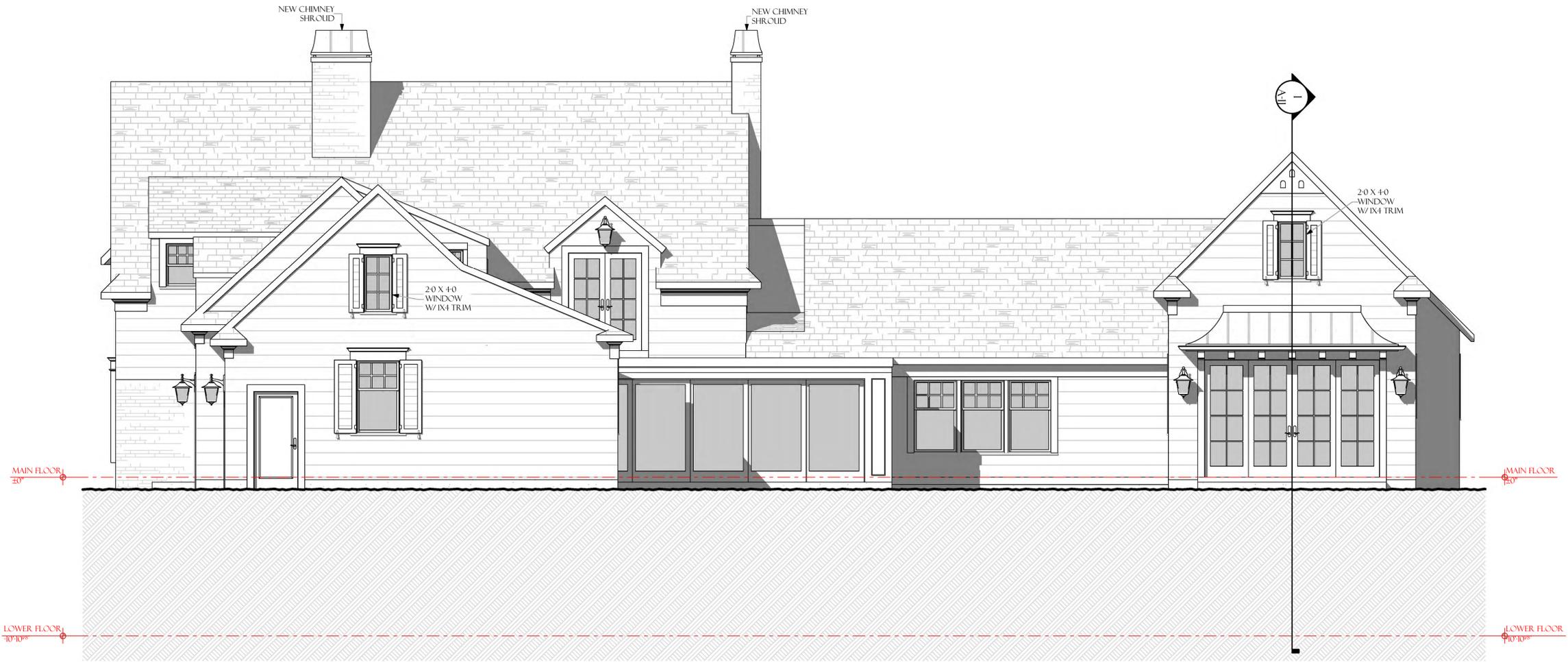
DATE / DESCRIPTION

10 / 21 / 24 FOR PRELIMINARY PLAN

12 / 2 / 24 FOR PRELIMINARY PRICING

REAR ELEVATION

A-8



REAR ELEVATION

1/4" = 1'-0"



RIGHT ELEVATION

1/4" = 1'-0"

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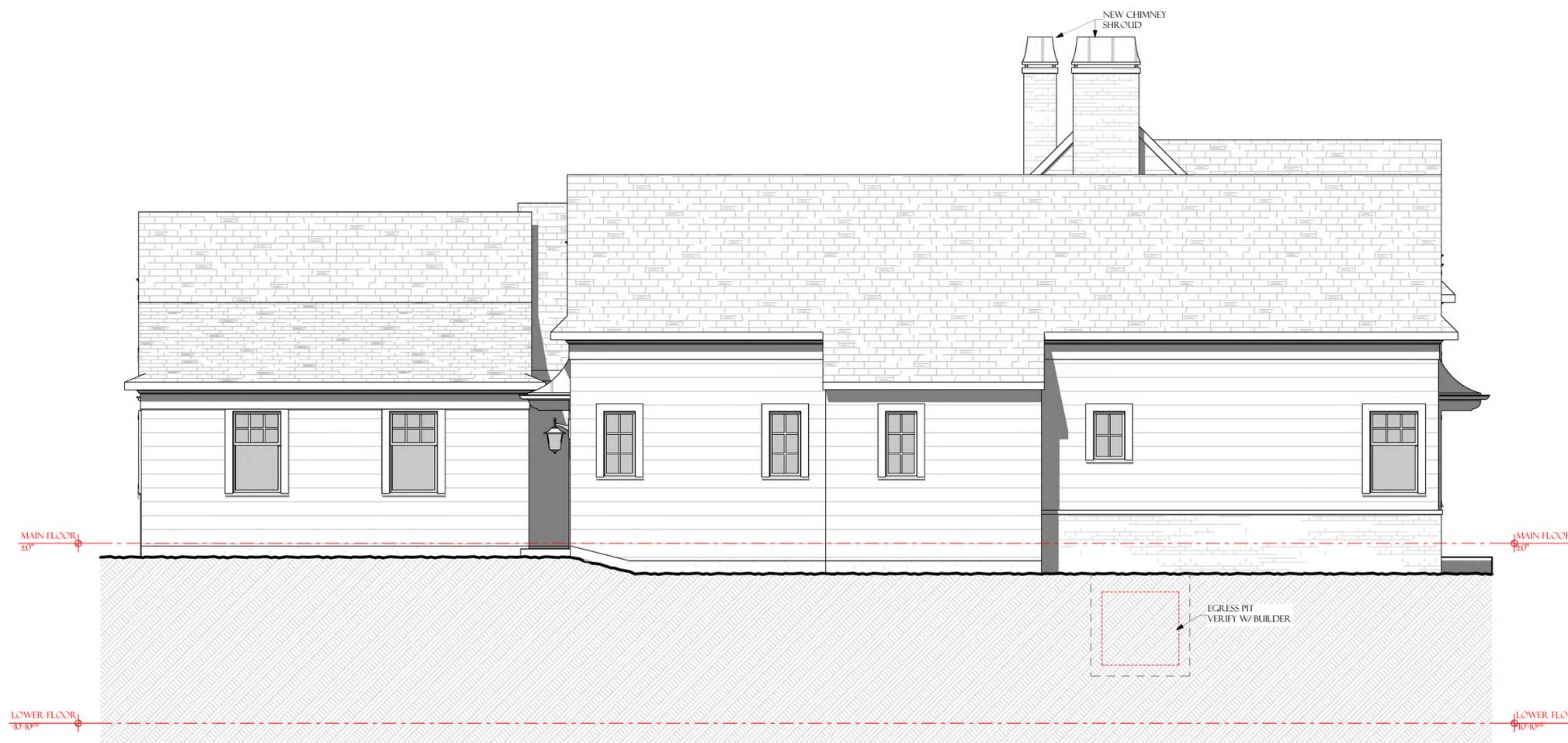
DATE / DESCRIPTION

10 / 21 / 24 FOR PRELIMINARY PLAN

12 / 2 / 24 FOR PRELIMINARY PRICING

RIGHT ELEVATION

A-9



LEFT ELEVATION

1/4" = 1'-0"

ALL BUILDERS AND CONTRACTORS MUST VERIFY & COORDINATE ALL DIMENSIONS AND BUILDING SITE CONDITIONS PRIOR TO CONSTRUCTION.
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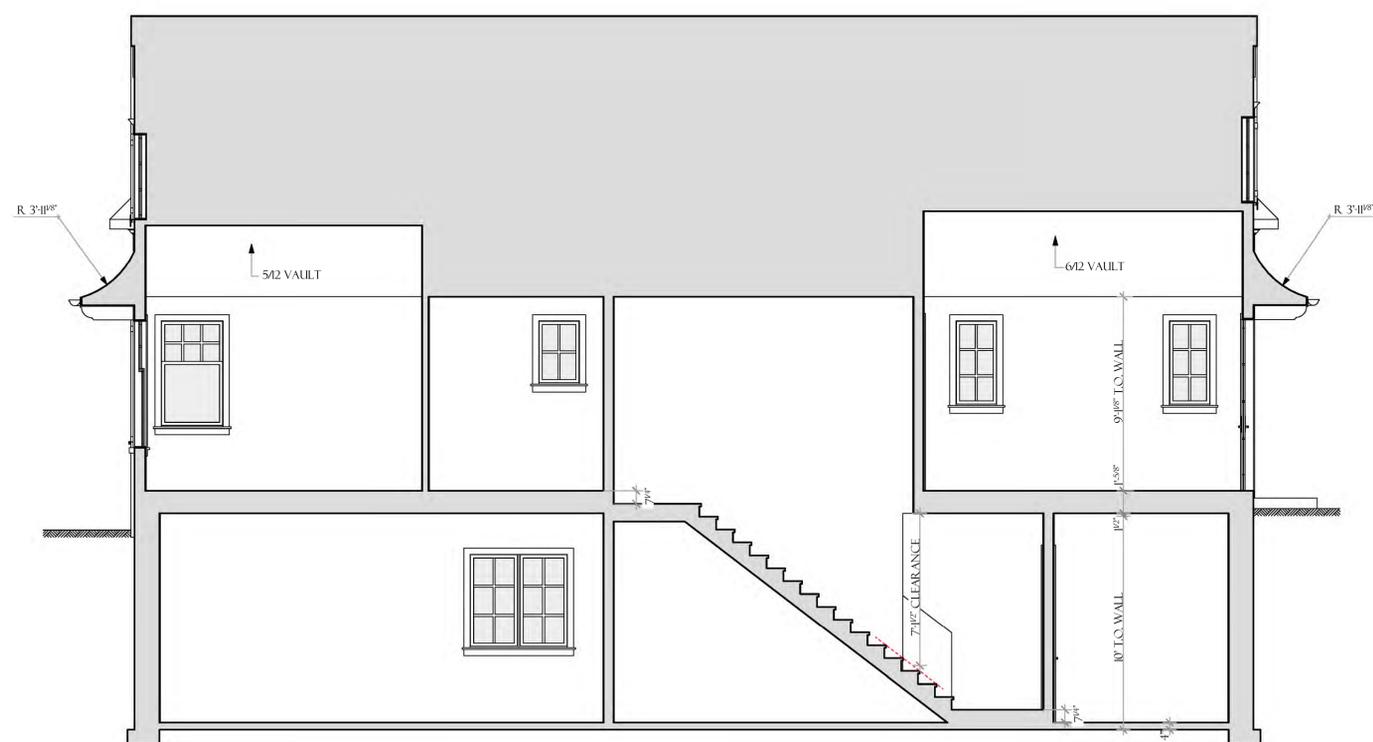
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12 / 2 / 24 FOR PRELIMINARY PRICING

LEFT ELEVATION

A-10

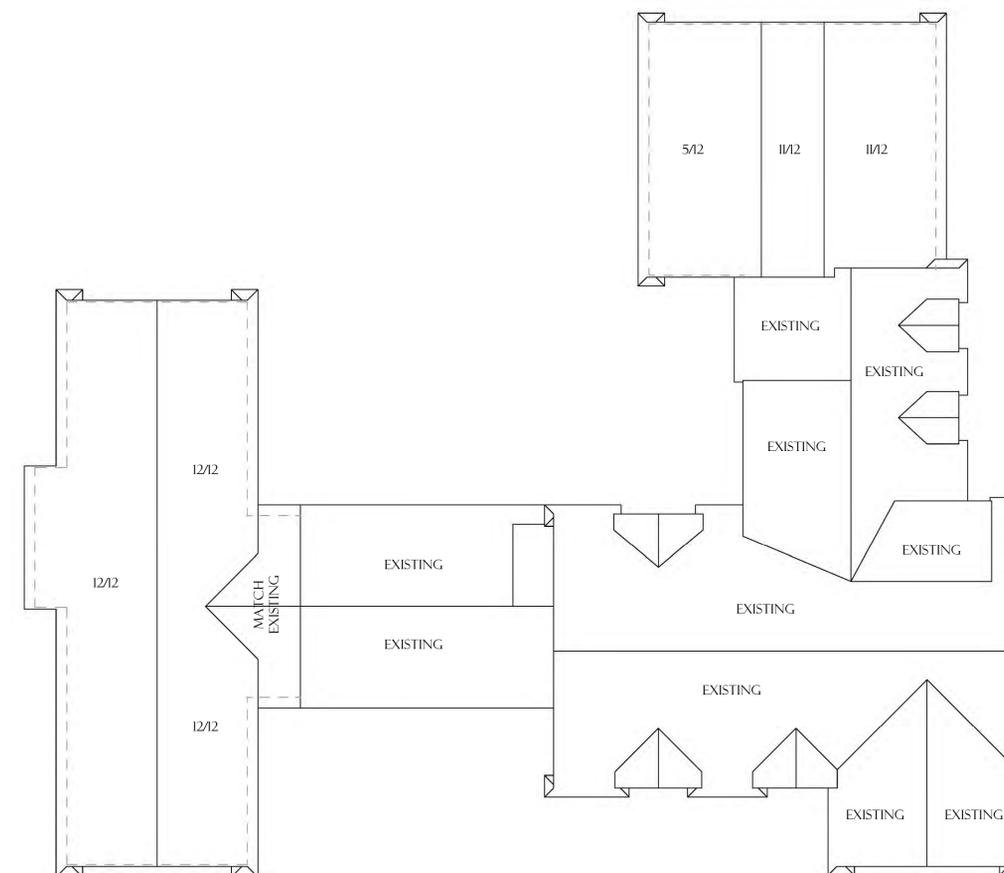
**FREY
RESIDENCE**
EAST GRAND RAPIDS, MI



1 / A-II

BUILDING SECTION

1/4" = 1'-0"



ROOF PLAN

1/8" = 1'-0"

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BUILDING SECTION

A-11



CITY OF
EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE • EAST GRAND RAPIDS, MICHIGAN 49506
(616) 949-2110 www.eastgr.org

ALEKSANDER P. MIZIKAR
ZONING ADMINISTRATOR

Hearing Required?	Yes
Notices Mailed	11/18/20
Notice Published	11/19/20

MEMORANDUM

TO: Mayor and City Commissioners
FROM: Alek Mizikar, Zoning Administrator
DATE: November 19, 2020

RE: **Zoning Variance at 945 Plymouth Rd (PPN: 41-14-33-309-022)**
Zoned: R-1 Single Family Residential
Rear Yard Setback Variance Request

Action Requested:

The City Commission, acting as the Zoning Board of Appeals, conduct a public hearing and vote on a zoning variance request for the following:

- **Chapter 50, Section 5.28** – A rear yard setback of 18’ 4 3/8” in order to construct a two-story garage addition to the rear of the home, where a 25’ setback is the requirement.

Background:

The applicants, Lucy and David Frey of 945 Plymouth Rd, are requesting a zoning variance for a reduced rear yard setback in order to construct a two-story garage addition to the rear of their home. The intent of the addition is to convert one-half of the current garage into a mudroom and add a two-stall attached garage with living space on the second floor above. The applicant states that they are requesting this variance in order to continue the aesthetics of the neighborhood as there are other homes on this street that do not have visible garages.

The applicant states that they believe this variance would be a better solution for themselves and their neighbors as a conforming detached garage would be closer to neighboring properties and would be more of an inconvenience for the Frey’s and future owners. They state that the proposed variance would allow for more of a buffer between adjacent properties and would be a more practical addition than a detached garage.

All other zoning requirements would be met if this variance were to be approved.

Review of Standards:

Per Section 5.103(c) of the City of East Grand Rapids Zoning Ordinance, the following criteria must be met for a variance to be granted:

- That special conditions or circumstances exist which are peculiar to the land, structure or building involved and which are not generally applicable to other lands, structures or buildings in the same district.*

Staff comments: The biggest condition that leads to the request of this zoning variance is the positioning of the attached garage on the rear of the home as opposed to the side of the home. As the

applicant states in their narrative, this type of positioning is somewhat unique and they say offers a good aesthetic to the neighborhood.

B. That the special conditions or circumstances do not result from the actions of the applicant.

Staff comments: The special condition here is that the current attached garage is position behind the home, rather than on the side of the home like you see with most other properties. The positioning of the home is not a result of the applicant.

C. That authorizing a variance will not be of substantial detriment to the neighboring property and will not be contrary to the spirit and purpose of this chapter.

Staff comments: While we do not have any record of zoning variances being granted, the two properties to the west at 934 Cambridge Drive and 950 Cambridge Drive look to have rear setbacks on the homes that fall well within the 25' rear yard setback requirement. As stated before, a conforming detached garage would place the structure closer to adjacent property lines that the proposed addition would.

Doug LaFave, Interim City Manager

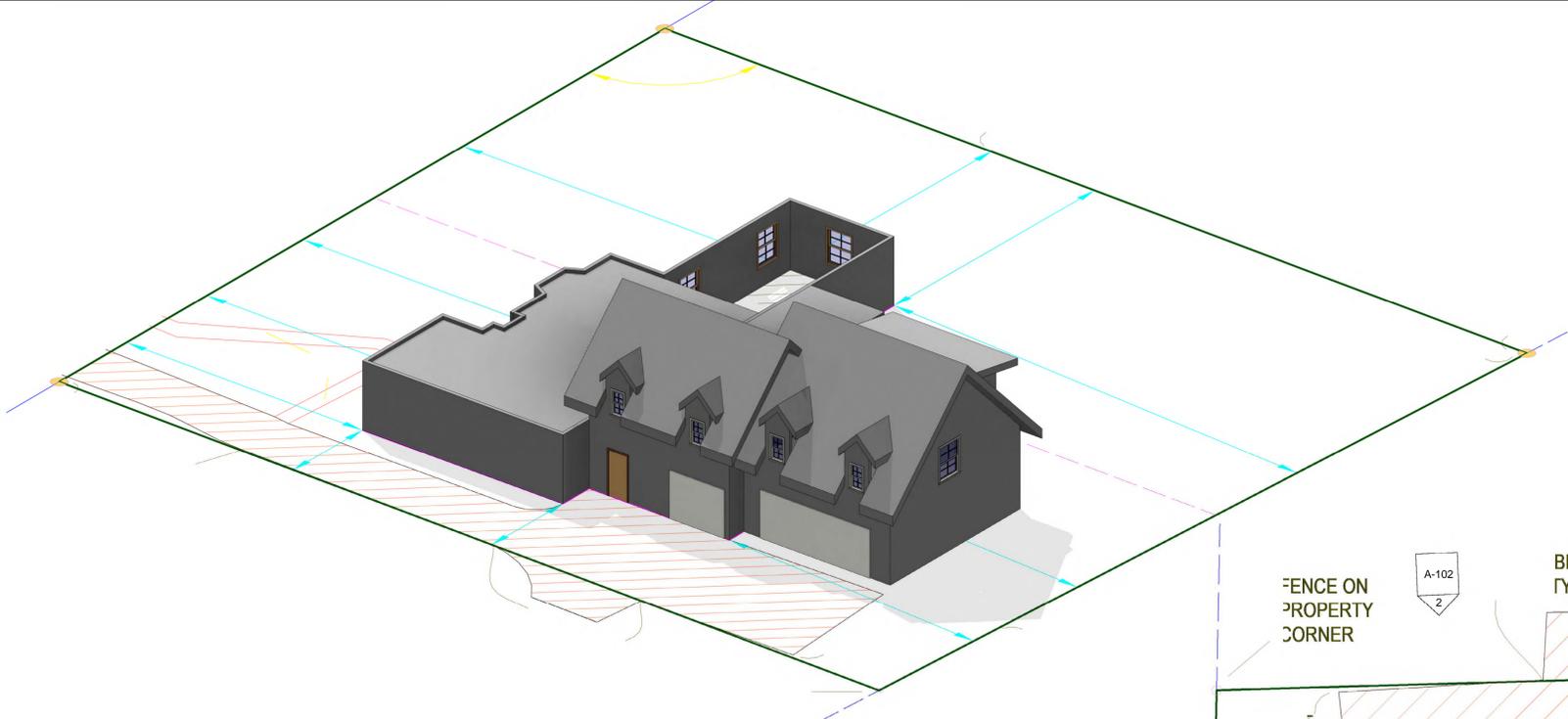
Lucy and Tripp Frey
945 Plymouth Ave SE
East Grand Rapids, MI 49506

We are seeking a variance from the rear property line setback requirement to construct an addition to our home. Specifically, we are hoping to convert one-half of our current garage into a mud room and add a two stall attached garage on the west side of our home. In addition to adding rooms we deem valuable (for us and for potential future owners), our primary goal of this proposed addition is to ensure the continuation of the home's aesthetic and character. This variance would allow us to keep the garage doors opening to the north, not facing the street, and keep the garage attached. On this historic block, many homes do not have visible garages from the street and we believe this adds significant charm. The attached garage would leave significant room between the primary structure and the rear property line, providing a nice buffer from the homes on Cambridge.

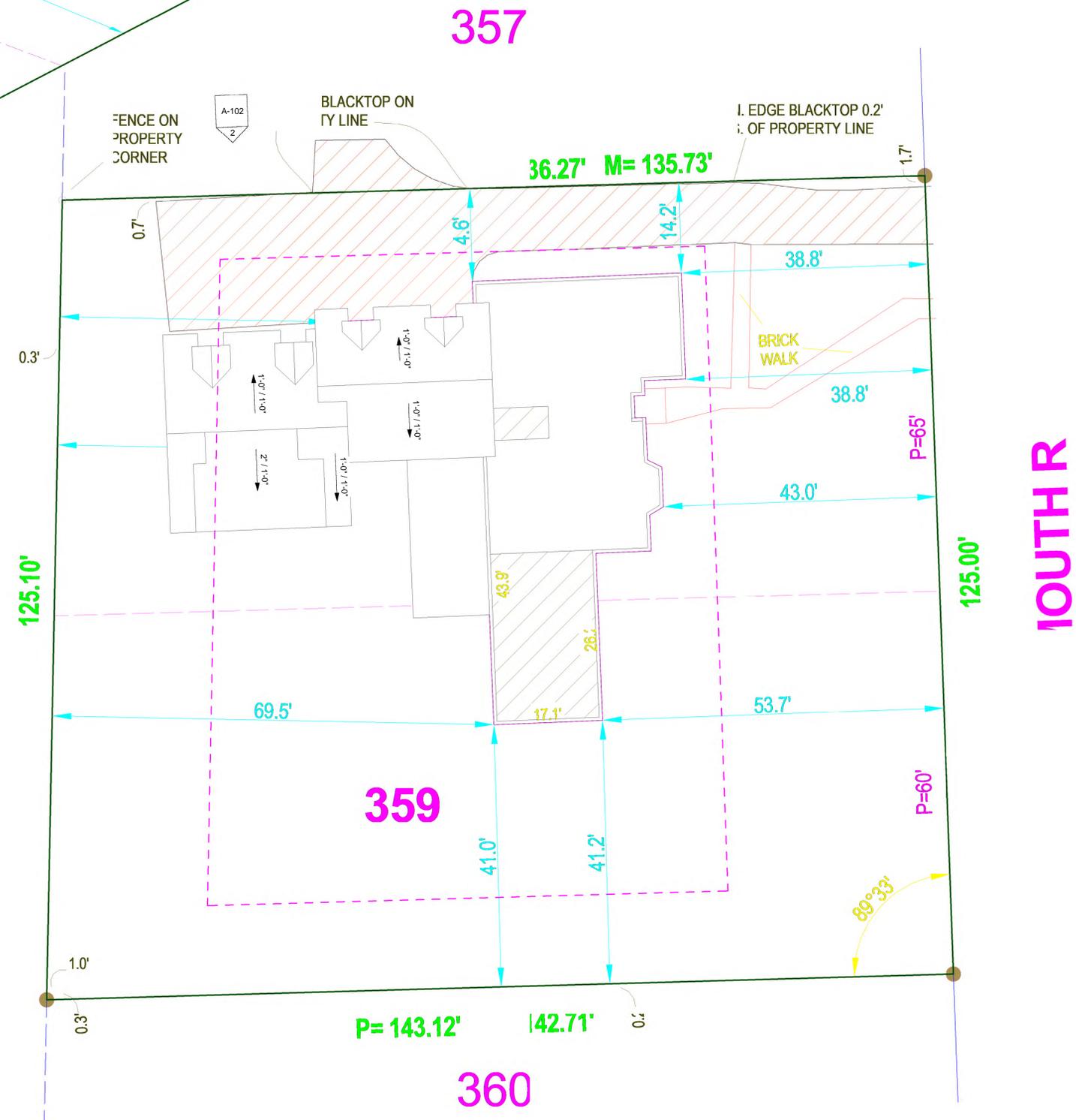
Without the variance, adding a two stall garage while complying with the current zoning regulations, would result in a less than ideal solution for both us and for our neighbors, as the garage would have to be detached. A detached garage only needs to be three feet from the rear and side property lines, resulting in a structure that is significantly closer to neighbors both behind us on Cambridge and to our north. And for homeowners, a detached garage isn't nearly as useful or as valuable. Additionally, the variance would keep the footprint of the home more condensed, therefore preserving more of the usable yard and green space for our family.

We thank you for your consideration and hope you will recognize our approach benefits both us and our neighbors, and attempts to maintain the character of the home and our neighborhood.

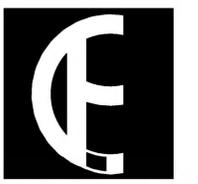
Sincerely,
Lucy and Tripp



1 ADDITION 3D
NTS



2 Site - ADDITION
SCALE: 1" = 10'-0"



DATE	ISSUE

PROGRESS SET

SEPTEMBER 28, 2020

DESIGN DRAWING
NOT FOR CONSTRUCTION

PROJECT: 1710

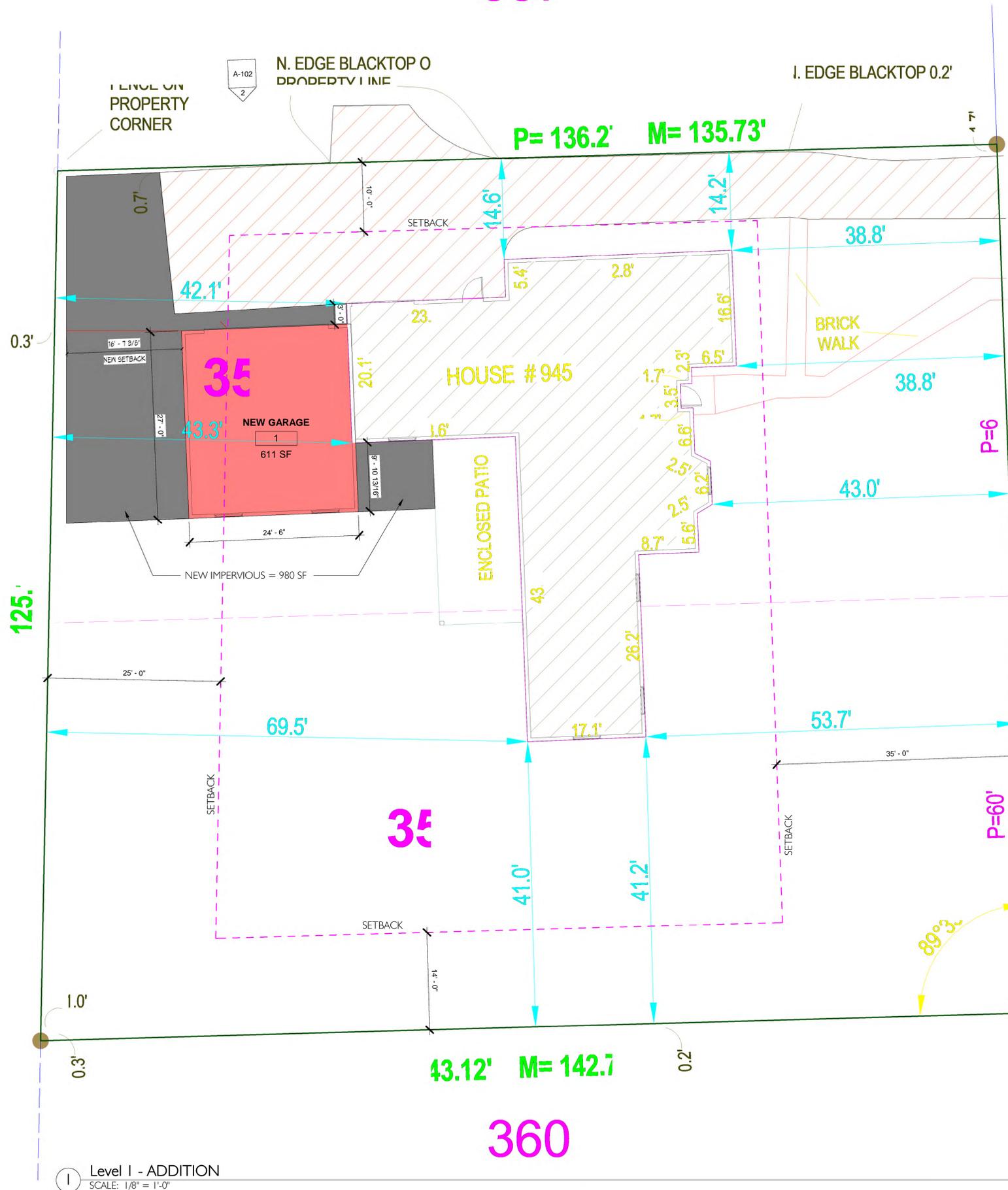
945 PLYMOUTH
ADDITION

945 PLYMOUTH DR
E. GRAND RAPIDS,
MI 49506

VARIANCE SCENARIO

A-101

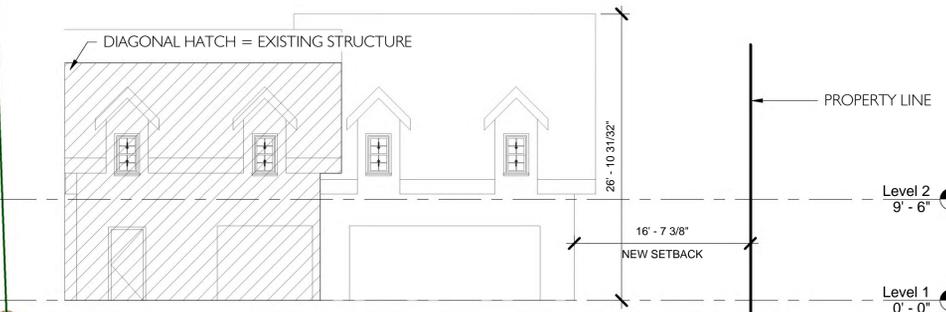
357



WITH JUST ADDITION:

EXISTING BUILDING FOOTPRINT:	2,158 SF
	321 SF PATIO
	2,479 SF
EXISTING LOT SIZE:	17,396 SF
EXISTING BUILDING COVERAGE:	14.25%
EXISTING IMPERVIOUS:	4,136 SF OR 23.77%
MAX BUILDING COVERAGE:	6,088 SF (35%)
MAX IMPERVIOUS:	6,958 SF (40%)
NEW BUILDING FOOTPRINT:	2,479sf + 611sf = 3,090sf
NEW BUILDING COVERAGE:	17.7%
NEW IMPERVIOUS COVERAGE:	4,136sf + 980sf = 5,116sf or 29.4%
NEW TOTAL HEIGHT:	Approx. 27'-0"

5.00' UTHR



2 North - ADDITION
SCALE: 1/8" = 1'-0"

1 Level 1 - ADDITION
SCALE: 1/8" = 1'-0"



DATE	ISSUE

PROGRESS SET

SEPTEMBER 28, 2020

DESIGN DRAWING
NOT FOR CONSTRUCTION

PROJECT: 1710

945 PLYMOUTH
ADDITION

945 PLYMOUTH DR
E. GRAND RAPIDS,
MI 49506

VARIANCE SCENARIO

A-102

Karen Brower

From: Aleksander Mizikar
Sent: Monday, November 9, 2020 5:13 PM
To: Karen Brower
Subject: FW: variance proposal for 945 Plymouth SE

FYI

From: William Maddox <outlook_784644F4F97E01C1@outlook.com> **On Behalf Of** William Maddox
Sent: Monday, November 9, 2020 3:38 PM
To: Aleksander Mizikar <amizikar@eastgr.org>
Cc: Trip Frey <trippfrey@gmail.com>
Subject: variance proposal for 945 Plymouth SE

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Amizikar,

This is to inform you that we have no objection to the proposed variance requested by Trip Frey.

We own the house immediately North, at 939 Plymouth SE.

Regards,

Bill and Rita Maddox
939 Plymouth Ave SE
East Grand Rapids, MI 49506

616 481 2656
Wmaddoxmec@att.net

Karen Brower

From: Aleksander Mizikar
Sent: Monday, November 9, 2020 4:25 PM
To: Karen Brower
Subject: FW: Tripp and Lucy Frey garage addition support letter

FYI

From: Barbara Hohman <hohmanbarbara@gmail.com>
Sent: Monday, November 9, 2020 3:20 PM
To: Aleksander Mizikar <amizikar@eastgr.org>
Subject: Tripp and Lucy Frey garage addition support letter

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mr. Mizikar,

I am writing in support of Tripp and Lucy Frey's zoning variance request to the City of East Grand Rapids for construction of a new garage addition, with office and gym above.

I live at 955 Plymouth SE, and as the Frey's immediate neighbor on the south of their property I will have a view of the south side of the new construction. I think the lovely new addition will be consistent in design and character to the existing house and allow their home to better serve their family's needs.

I see no reason to be concerned about the setback on west property line, believing it less obvious and imposing than if an unattached garage were constructed. No views are disturbed and no safety issues are produced.

I ask that you approve the Frey's zoning variance request. Surely the Frey family is a leader in our East Grand Rapids Community and they deserve a fair and positive review of their zoning request.

Thank you,

Barbara H. Hohman
955 Plymouth Rd. SE
East Grand Rapids, MI. 49506
Residence: 616.243.1124
Cell: 616.446.4271
--

Barbara

Barbara H. Hohman, CFRE
Barbara Hohman Consulting LLC
cell: 616.446.4271
hohmanbarbara@gmail.com

Aerial



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Printed 12/1/2020 2:56:47 PM

Commissioner Pachla stated he did not see a practical difficulty in building a slightly different gate within ordinance requirements.

Yeas: Hecksel, Walters and Favale – 3
Nays: Arendshorst, Duncan, Hamrick and Pachla – 4

2020-202. Zoning variance hearing on the request of Lucy & David Frey of 945 Plymouth to allow the construction of an addition to the rear of the home creating a rear yard setback of 18'4³/₈" instead of the required 25.'

Zoning Administrator Mizikar explained the proposed project to convert a portion of the existing garage into a mudroom and an addition with another two garage stalls.

Tripp Frey, 945 Plymouth, explained his need for additional garage and storage space. He preferred to add on to the home rather than building a detached garage as he felt this would be less intrusive to the neighbors and meet his family's needs better.

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

- Barbara Hohman, 955 Plymouth Supported the request.

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

- Barbara Hohman, 955 Plymouth Supported the request.
- Bill & Rita Maddox, 939 Plymouth No objection.
- Michael & Jenny Fee, 950 Cambridge Supported the request.

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

Commissioner Walters questioned whether a smaller addition or a detached garage could accomplish the need for garage and storage space without requiring a variance. Mr. Frey stated they wanted room for three garage stalls and an additional bedroom above the garage. He also didn't feel a detached garage would be feasible given the layout of the lot.

Commissioner Pachla noted that while there may be other options that did not need a variance, the proposed garage made the best of the existing situation and would not be detrimental to the neighborhood.

Commissioner Walters agreed the proposal seemed reasonable, but he felt there were other options for a smaller variance or ways to accomplish the goals without a variance. Commissioner Arendshorst agreed.

Commissioner Duncan noted the desire for additional space was not a justification for granting a variance.

Commissioner Hecksel felt that special circumstances existed because the placement of the home so far north limited options for either an addition or a detached garage.

Commissioner Hamrick supported the request because it would fit the home and because of neighbor support.

Mayor Favale felt the request met the standards of the ordinance and would be most harmonious with the existing home and the neighborhood.

2020-203. Pachla-Hamrick. That the request of Lucy & David Frey of 945 Plymouth to allow the construction of an addition to the rear of the home creating a rear yard setback of 18'4³/₈" instead of the required 25' be approved as outlined in the Zoning Administrator memo contained in the agenda materials.

Yeas: Arendshorst, Duncan, Hamrick, Hecksel, Pachla and Favale – 6
Nays: Walters – 1

**CITY OF EAST GRAND RAPIDS ZONING BOARD OF APPEALS
NOTICE OF PUBLIC HEARING**

A public hearing will be held on the zoning variance request of Lucy and David Frey for the property address of 945 Plymouth Avenue SE. The applicant has requested a zoning variance for the following:

- Rear Yard Setback (Chapter 50, Section 5.28A) - The applicant is requesting a variance to construct a garage addition with a rear yard setback of 20'-6" where 25' is permitted.

The written request and plans may be viewed in the Public Works Administration office at the Community Center, or by linking from this notice at www.eastgr.org/notices.

In accordance with the Michigan Zoning Enabling Act, you are receiving this notice because you live or own property within 300' of this address. The Zoning Board of Appeals invites those with any facts or evidence related to this request to present them at the scheduled meeting or by writing to the Zoning Board of Appeals at 750 Lakeside Drive SE, East Grand Rapids, MI 49506. To be included in the hearing, written communications must contain the sender's name and address. For more information on what evidence or materials the Zoning Board of Appeals can consider, please scan the QR code on the right to review the City's Variance FAQ.



If you have any questions regarding this request, please contact the undersigned at (616)940-4817, or jgianotti@eastgr.org.

Date: Wednesday, January 22, 2025
Time: 5:30 p.m.
Place: East Grand Rapids Community Center Commission Chambers
750 Lakeside Drive SE, East Grand Rapids, MI 49506

Jay Gianotti, AICP
Zoning Administrator



CITY OF EAST GRAND RAPIDS ZONING BOARD OF APPEALS NOTICE OF PUBLIC HEARING

The City of East Grand Rapids Zoning Board of Appeals will hold a public hearing on Wednesday, January 22, 2025, at 5:30 PM in the Commission Chambers, 750 Lakeside Drive SE, East Grand Rapids, 49506, to consider a rear yard setback variance for the application of Lucy and David Frey for the property at 945 Plymouth Avenue SE. Complete information, descriptions, maps, and information on how to give input on this matter can be found at www.eastgr.org/notices.

10951266-01

Zoning Board of Appeals - Dimensional Variance Worksheet

For each standard, please note whether you believe the standard has been met by checking “yes” or “no” and provide your reasoning why, including but not limited to staff and consultant reports as well as any other provided information. All standards must be sufficiently met with a “yes” determination for an overall affirmative vote.

Name: _____ Meeting Date: _____

Address of Request: _____ Case Number: _____

1. That there are practical difficulties in complying with the requirements of this Ordinance with respect to the dimensional characteristics of the property in question because of exceptional or extraordinary physical conditions involving land, a building or structure, or any of them. A practical difficulty may include the exceptional narrowness, shallowness, shape or area of land; exceptional conditions in the elevations of land; the presence of unbuildable areas such as wetlands or a floodplain; or other exceptional or extraordinary physical condition of the property. The exceptional or extraordinary condition alleged by the applicant shall apply only to the dimensional characteristics of the property, but shall not apply to the applicant personally. An applicant’s alleged economic hardship or potential for financial profit shall not be grounds for the granting of a dimensional variance.

<input type="checkbox"/> Yes <input type="checkbox"/> No	Comments <hr/> <hr/> <hr/> <hr/> <hr/>
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2. The practical difficulties in carrying out the provisions or requirements of this Ordinance shall not have been created by or resulted from the actions of the current owner or any previous owner of the property.

<input type="checkbox"/> Yes <input type="checkbox"/> No	Comments <hr/> <hr/> <hr/> <hr/> <hr/>
---	--

3. Authorizing a variance will not be contrary to the spirit and purpose of this chapter.

<input type="checkbox"/> Yes <input type="checkbox"/> No	Comments <hr/> <hr/> <hr/> <hr/> <hr/>
---	--

4. A non-conforming structure, lot or use of the property and/or a nonconforming structure, lot or use on neighboring properties shall not, in itself, be considered grounds for granting a variance.

- Yes
- No

Comments

5. A dimensional variance, if granted, shall be the minimum necessary variance in order to grant relief from the practical difficulty alleged by the applicant.

- Yes
- No

Comments



CITY OF
EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE • EAST GRAND RAPIDS, MICHIGAN 49506
(616) 940-4817 www.eastgr.org

JAY GIANOTTI, AICP
ZONING ADMINISTRATOR

Hearing Required?	Yes
Notices Mailed	1/3/2025
Notice Published	1/7/2025

MEMORANDUM

TO: East Grand Rapids Zoning Board of Appeals
FROM: Jay Gianotti, Zoning Administrator
DATE: January 16, 2025

RE: **Case #2025-03 – Zoning Variance at 1629 Lake Dr. (PPN: 41-14-33-102-023)**
Zoned: R-3 Single Family Residential
Accessory Building Variance Request

Action Requested:

That the Zoning Board of Appeals conducts a public hearing and votes on the applicant’s variance requests for the following:

- **Chapter 50, Section 5.70A** – To construct a house addition resulting in 28.7% of the rear yard area being covered by accessory buildings where 25% of the rear yard area is the maximum coverage permitted.

Background:

The applicant, Brett Grill, is planning to build an addition on the rear of his home at 1629 Lake Dr. The intent of this addition is to expand the kitchen and bedroom area. Based on the drawings and information provided, this addition would be appx. 13’-10” in depth and 325 s.f. in area.

Currently, there is a two-car attached garage in the rear part of the lot. This garage is 474.3 s.f. in area and is accessed via an alley that runs along the southeast part of the lot. This is currently a conforming garage with respect to area and setbacks. However, if the proposed house addition were to be built, this would result in the garage occupying 28.7% of the rear yard area as defined in the City’s zoning ordinance. Per Section 5.70A, an accessory building may not occupy more than 25% of the rear yard area. No other nonconformities related to the proposed addition have been identified.

Review of Standards:

Per Section 5.103(c) of the City of East Grand Rapids Zoning Ordinance, all of the following criteria must be met for a variance to be granted:

1. *That there are practical difficulties in complying with the requirements of this Ordinance with respect to the dimensional characteristics of the property in question because of exceptional or extraordinary physical conditions involving land, a building or structure, or any of them. A practical difficulty may include the exceptional narrowness, shallowness, shape or area of land; exceptional conditions in the elevations of land; the presence of unbuildable areas such as wetlands or a floodplain; or other exceptional or extraordinary physical condition of the property. The exceptional or extraordinary condition alleged by the applicant shall apply only to the dimensional characteristics of the property, but shall not apply to the applicant personally.*

An applicant's alleged economic hardship or potential for financial profit shall not be grounds for the granting of a dimensional variance.

Staff comments: The lot in question would be considered a conforming lot in the R-3 Zoning District. This is because the lot is at least 50' wide at the minimum required building line and has at least 5,000 s.f. within the first 100' of lot depth. With that said, the lot shape is highly irregular. The front lot line is 104.32' long as it runs along Lake Drive. However, the lot narrows significantly from there, eventually reducing to 32' at the rear lot line. What's more, the front and rear lot lines are not parallel, so while the home is generally parallel with the front lot line, it does run at an angle in relation to the rear lot line. These factors in combination could cause difficulties in making improvements to the lot.

- 2. The practical difficulties in carrying out the provisions or requirements of this Ordinance shall not have been created by or resulted from the actions of the current owner or any previous owner of the property.*

Staff comments: The original home was reportedly constructed in 1900, before any known zoning ordinance was in effect in the City. The existing garage was constructed in 1984. No other historical activity that might impact this request has been found.

- 3. Authorizing a variance will not be contrary to the spirit and purpose of this chapter.*

Staff comments: Area limits on accessory buildings are in place to prevent too much of the lot being used for these buildings. The additional 25% rear yard requirement is in place for similar reasons: to maintain reasonable amounts of green/open space on a lot.

As defined in the zoning ordinance, the rear yard area is "the space extending the full width of the lot, the depth of which is the shortest horizontal distance between the rear lot line and the nearest wall of the principal building or a covered porch, deck or patio attached to it."¹ In the applicant's site plan drawings, Option A shows how the City would generally interpret this definition. This shows the rear yard extending up to the corner of the house that is closest to the rear lot line. In situations where the rear lot line is generally parallel with the front lot line, this rarely causes any confusion or issue. However, this is a case where the front and rear lot lines are not parallel. To this end, the applicants have offered Option B as an alternative that they claim is more representative of their rear yard area. This essentially uses the entire rear face of the house to establish the border of the rear yard area. If Option B was accepted as the rear yard of this lot, the garage would cover less than 25% of this area².

- 4. A non-conforming structure, lot or use of the property and/or a nonconforming structure, lot or use on neighboring properties shall not, in itself, be considered grounds for granting a variance.*

Staff comments: The existing home would be a nonconforming building due to its side yard setbacks. Because of the covered side porch on the south side of the house, the existing combined setback is less than 50% of what is required. However, the proposed addition would still be generally acceptable because it would fully meet the side yard setback requirements of the lot³. The front yard setback also appears to be nonconforming, so the existing house could not be expanded closer to Lake Street than currently existing. As noted above, the existing garage is currently a conforming building.

¹ See Section 5.18 of the zoning ordinance.

² Per the applicant's calculations, the garage would cover 24.9% of the shaded area in Option B.

³ See Section 5.113A(1) of the zoning ordinance: expansions or alterations that do not increase existing nonconformities are generally acceptable.

5. A dimensional variance, if granted, shall be the minimum necessary variance in order to grant relief from the practical difficulty alleged by the applicant.

Staff comments: With regards to the addition itself, the applicant has not provided any details regarding the design of the addition; therefore, it may not be fully possible to judge if this is the “minimum necessary.” Based on the City’s estimation in determining the area of the rear yard, the garage currently covers appx. 23.3% of the rear yard area. The City further estimates that a rear addition to the existing house could only be 4’ wide on the north end, but up to 24’ wide on the south end and still maintain a large enough rear yard area to keep the existing garage compliant. Exhibit 1 shows what this might look like.

Recommended Motion and Conditions:

Depending on how the ZBA chooses to decide this request, the City recommends that one of the following text motions be used:

- To approve: “I make a motion that [state the full request] be approved because it meets all of the standards of review.”
- To deny: “I make a motion that [state the full request] be denied because it does not meet all of the standards of review.”

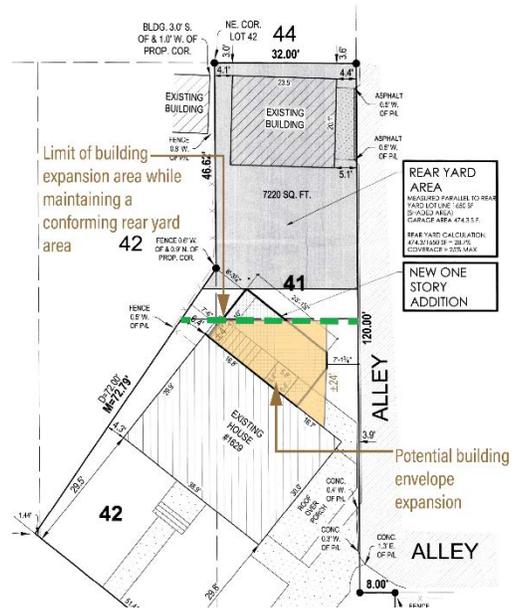


Exhibit 1 – Estimate of allowable building expansion that would still maintain a conforming rear yard area of the detached garage

Request for Zoning Ordinance Variance

City of East Grand Rapids

Date: 12/7/24

Note to Applicant: Please pay careful attention to provide the necessary documents required and to answer the questions in this application as accurately and completely as possible. This will give you the best possibility of your application appearing on the earliest agenda for consideration by the Zoning Board of Appeals. The City reserves the right to delay or withhold a public hearing for a variance request that does not meet the standards of submission.

All requests for a zoning variance are subject to a public hearing. The applicant will be advised of the hearing date, time, and location and is required to present a verbal summary of the request to the Zoning Board of Appeals (ZBA) prior to the public hearing. In addition, the City Services Office shall publish a notice of the public hearing in a newspaper of general circulation in the local unit of government, as well as provide notice of the public hearing to all property owners within a 300-foot radius of the subject property not less than fifteen (15) days before the date the application will be considered for approval per the Michigan Zoning Enabling Act. Decisions by the ZBA are considered final and are made pursuant to Section 5.103 of the East Grand Rapids Zoning Ordinance.

A non-refundable filing fee of \$500.00 must accompany your application. A \$700.00 post construction fee is also required for retroactive variance requests.

Applicant Name: BRETT GRILL

Address: 1629 LAKE DR SE

Property Address (if different than above):

Daytime Phone: 718-473-5539

Email: grilljb@gmail.com

Legal Description of Property*: LOTS 41 42 & 43 EX COM AT NW COR LOT 43 TH S TO SW COR OF LOT 43 TH SELY ALONG SLY LOT LINE 50 FT TH NELY 72 FT TO A PT 46.6 FT S ALONG E LINE OF LOT 42 FROM NE COR SD LOT TH N TO NE COR SD LOT TH W TO BEG * WURZBURGS ADD

Permanent Parcel (Tax) Number: 41-14-33-102-023

Briefly state the requested variance (Citing the specific section(s) of the Zoning Ordinance from which you are seeking a variance) *:

PLEASE SEE ATTACHED.

Submission Materials:

- Two (2) copies of a detailed, *scaled* site plan and elevation drawing showing the nature of the variance request, including, but not limited to: property boundaries, existing and proposed structures, the distance from the property lines of each existing building or structure and of each proposed building or structure, and height of all proposed structures. Please also show and label abutting street(s). Pictures may be attached with your application to better demonstrate your request. Additional information may be required by the Zoning Administrator.
- Narrative statement that explains your request, why you are seeking a variance, and addresses how you believe your request meets *all* the required standards of review. These criteria are listed in Sections 5.103(C) and 5.103(D) of the City's Zoning Ordinance for dimensional and use variances, respectively.

Please note: variances are approved only when all of the relevant review criteria are met, and where there is a genuine practical difficulty or unnecessary hardship with the property. Variances are not to be granted solely to avoid compliance with the zoning ordinance or where there is another feasible option or use for your property. The City has prepared a Frequently Asked Questions (FAQ) document that outlines the variance process and explains the review criteria in more detail. Please contact the Zoning Administrator if you have any questions.

By signing below, I acknowledge the following:

- I have reviewed all of the submission requirements and review standards for variances, including the City's Variance FAQ document.
- The information submitted here is complete and accurate to the best of my knowledge.
- I permit any member of the ZBA and City Staff to enter onto my property for the purpose of considering this variance request. I further understand that ZBA members are not permitted to engage in any conversations during such site visits.
- The ZBA will only consider and vote on the specific request and site plan that is submitted with this application. Negotiations of this request during the meeting or public hearing are not permitted.
- The ZBA may attach reasonable conditions to an approved variance.
- If a variance is granted, substantial steps toward effecting the variance must be taken within twenty-four (24) months of approval, or the variance will become null and void per section 5.104 of the City Code.



Signature of Applicant

Signature of Property Owner
(If Different from Applicant)

Brett Grill

Print Name

Print Name

City of East Grand Rapids – City Services
750 Lakeside Dr. SE, East Grand Rapids, MI 49506
Phone 616.940.4817 FAX 616.831-6121



REQUEST FOR ZONING ORDINANCE VARIANCE
1629 LAKE DR SE

We hope to construct a modest addition to our house in order to expand the kitchen and bedroom on the first floor. Our addition would retain the historical character of the home and preserve roof lines. Because of the irregular shape of the lot, the house and accessory building are not built in parallel. The front of the house aligns with Lake Dr., while the accessory building (garage) aligns with the alley behind the house. Consequently, the back yard is a trapezoidal shaped rather than a simple rectangle like many of the other houses in the area (see PLAN Attachment).

Code of Ordinances (5.18) defines **YARD, REAR** as:

The space extending the full width of the lot, the depth of which is the shortest horizontal distance between the rear lot line and the nearest wall of the principal building or a covered porch, deck or patio attached to it. A through lot is not considered to have a **REAR YARD**.

Section 5.70.E.6.b of the zoning ordinance states that, in no case shall more than 25% of the rear yard be occupied by accessory buildings (extending from the rear lot line to the nearest wall of the house).

If we are to plan a ~325sqft. addition to on the rear of the house, the existing accessory building would occupy more than 25% of the backyard if measured parallel to the rear lot line (PLAN Attachment right). Of course, this measurement accounts for only a fraction of the backyard space, all of which is encircled by a privacy fence. We are requesting a variance due to irregular shape of the property. We hope to more accurately measure the actual square footage our trapezoidal backyard (PLAN Attachment left). When measured in this more representative way, the proposed addition falls neatly within the requirements of Section 5.70.E.6.b with the accessory building occupying roughly 25% of the rear yard when the addition added to the plan.

It's our understanding that our appeal request meets all of the provisions laid out by the Zoning Board of Appeals:

1. Dimensional characteristics of our property shape and dimensions result a rear yard is not accurately measured by existing code standards.
2. As property owners we have done nothing to create these difficulties.
3. We believe our request for appeal honors the spirit of the code in measuring the actual, useable square footage of the rear yard rather than a portion of it. Doubtless, the code was written to accurately measure rear yards. The vast majority of lots are rectangular in the shape with structures built parallel to one of the lot lines. Our lot is shaped differently and requires a slightly different method to measure properly.
4. Structures and uses of the lot are currently conforming.

5. The requested variance will allow us to construct a modest addition allowing our growing family to have a functional kitchen. We are not asking to measure anything beyond the *actual* rear yard of the house in our calculations.

12/10/24

East Grand Rapids
Zoning Board of Appeals

To Whom It May Concern:

My name is Ryan Dykstra. I live at 1625 Lake Drive SE, where I have lived for the past 10 years. My property borders 1629 Lake Drive SE on the Northwest side. I met Brett Grill and Nicole Marganti five years ago when they moved in next door. Since then, we have developed a friendship and our children frequently play together. Conveniently, our backyards are only separated by a privacy fence.

Brett and Nicole have spoken with me about their hopes to build an addition to their home and have shared the floor plan. I understand that the addition will somewhat decrease the size of their backyard. Most of the houses on the block, including my own, have similarly small backyards. In my opinion their planned addition respects the historical aspects of the house and will cause no harm.

Many of us in East Grand Rapids are dedicated to the schools and community, yet struggle to manage growing families within modestly-sized homes. In the face of wildly increasing property values, many families have chosen to improve and add on to their existing homes rather than moving on to new ones. Nicole and Brett are no exception. I think the addition would improve their home and has my full support. It is designed tactfully and will only enhance the neighborhood.

Respectfully,

A handwritten signature in black ink, appearing to be 'Ryan Dykstra', written over a light blue horizontal line.

Ryan Dykstra
1625 Lake Drive SE
East Grand Rapids, MI 49506
(231)357-0444

**CITY OF EAST GRAND RAPIDS ZONING BOARD OF APPEALS
NOTICE OF PUBLIC HEARING**

A public hearing will be held on the zoning variance request of Brett Grill for the property address of 1629 Lake Drive SE. The applicant has requested a zoning variance for the following:

- Accessory Buildings and Structures (Chapter 50, Section 5.70A) - The applicant is requesting a variance to construct a house addition resulting in 28.7% of the rear yard area being covered by accessory buildings where 25% of the rear yard area is the maximum coverage permitted.

The written request and plans may be viewed in the Public Works Administration office at the Community Center, or by linking from this notice at www.eastgr.org/notices.

In accordance with the Michigan Zoning Enabling Act, you are receiving this notice because you live or own property within 300' of this address. The Zoning Board of Appeals invites those with any facts or evidence related to this request to present them at the scheduled meeting or by writing to the Zoning Board of Appeals at 750 Lakeside Drive SE, East Grand Rapids, MI 49506. To be included in the hearing, written communications must contain the sender's name and address. For more information on what evidence or materials the Zoning Board of Appeals can consider, please scan the QR code on the right to review the City's Variance FAQ.

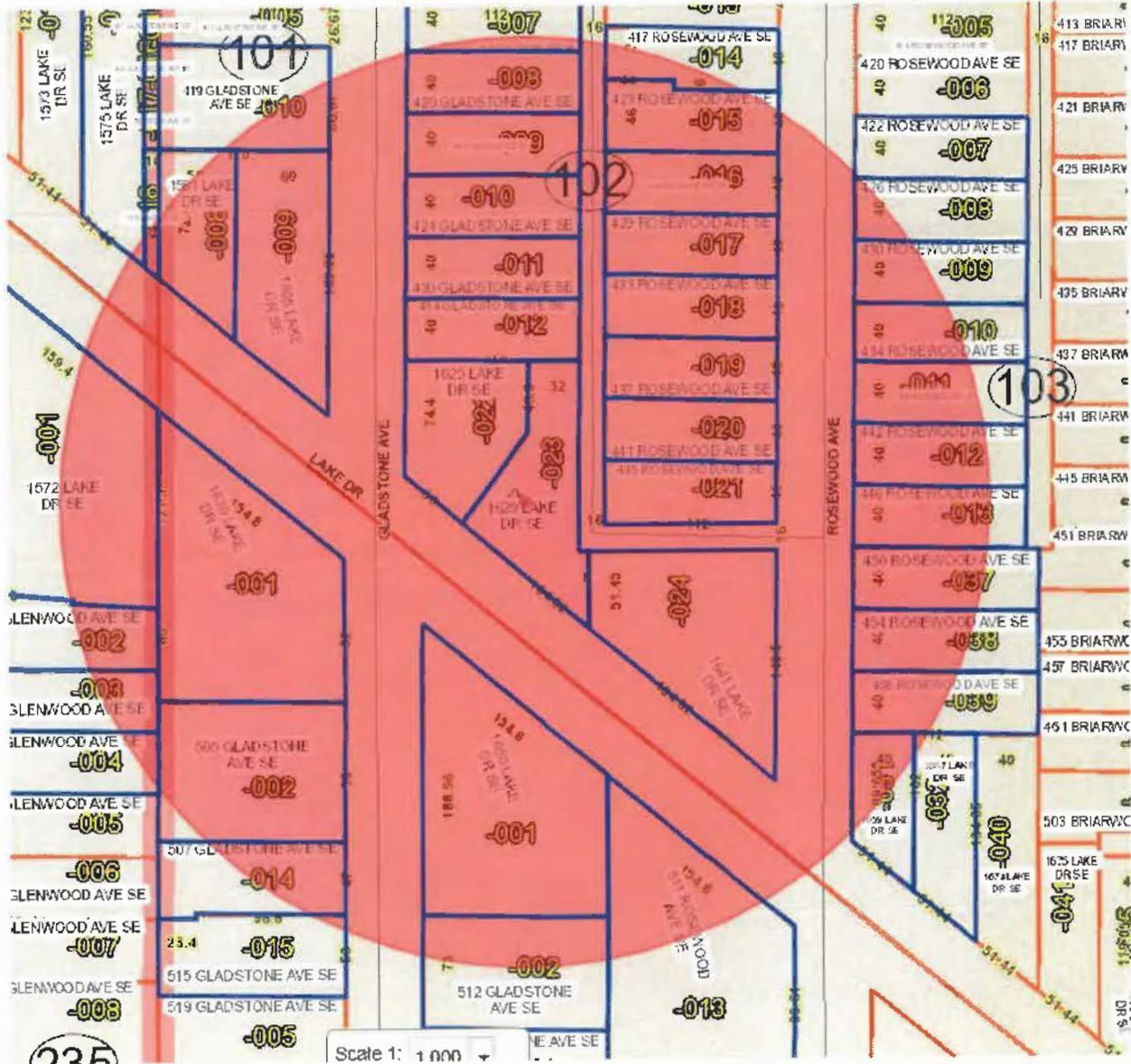


If you have any questions regarding this request, please contact the undersigned at (616)940-4817, or jgianotti@eastgr.org.

Date: Wednesday, January 22, 2025
Time: 5:30 p.m.
Place: East Grand Rapids Community Center Commission Chambers
750 Lakeside Drive SE, East Grand Rapids, MI 49506

Jay Gianotti, AICP
Zoning Administrator

VARIANCE REQUEST
1629 LAKE DRIVE, S.E.





CITY OF EAST GRAND RAPIDS ZONING BOARD OF APPEALS NOTICE OF PUBLIC HEARING

The City of East Grand Rapids Zoning Board of Appeals will hold a public hearing on Wednesday, January 22, 2025, at 5:30 PM in the Commission Chambers, 750 Lakeside Drive SE, East Grand Rapids, 49506, to consider a variance for accessory building area in the rear yard for the application of Brett Grill for the property at 1629 Lake Drive SE. Complete information, descriptions, maps, and information on how to give input on this matter can be found at www.eastgr.org/notices.

10951271-01

Zoning Board of Appeals - Dimensional Variance Worksheet

For each standard, please note whether you believe the standard has been met by checking “yes” or “no” and provide your reasoning why, including but not limited to staff and consultant reports as well as any other provided information. All standards must be sufficiently met with a “yes” determination for an overall affirmative vote.

Name: _____ Meeting Date: _____

Address of Request: _____ Case Number: _____

1. That there are practical difficulties in complying with the requirements of this Ordinance with respect to the dimensional characteristics of the property in question because of exceptional or extraordinary physical conditions involving land, a building or structure, or any of them. A practical difficulty may include the exceptional narrowness, shallowness, shape or area of land; exceptional conditions in the elevations of land; the presence of unbuildable areas such as wetlands or a floodplain; or other exceptional or extraordinary physical condition of the property. The exceptional or extraordinary condition alleged by the applicant shall apply only to the dimensional characteristics of the property, but shall not apply to the applicant personally. An applicant’s alleged economic hardship or potential for financial profit shall not be grounds for the granting of a dimensional variance.

<input type="checkbox"/> Yes <input type="checkbox"/> No	Comments <hr/> <hr/> <hr/> <hr/> <hr/>
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2. The practical difficulties in carrying out the provisions or requirements of this Ordinance shall not have been created by or resulted from the actions of the current owner or any previous owner of the property.

<input type="checkbox"/> Yes <input type="checkbox"/> No	Comments <hr/> <hr/> <hr/> <hr/> <hr/>
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3. Authorizing a variance will not be contrary to the spirit and purpose of this chapter.

<input type="checkbox"/> Yes <input type="checkbox"/> No	Comments <hr/> <hr/> <hr/> <hr/> <hr/>
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4. A non-conforming structure, lot or use of the property and/or a nonconforming structure, lot or use on neighboring properties shall not, in itself, be considered grounds for granting a variance.

- Yes
- No

Comments

5. A dimensional variance, if granted, shall be the minimum necessary variance in order to grant relief from the practical difficulty alleged by the applicant.

- Yes
- No

Comments
