



City of East Grand Rapids, Michigan

**CITY OF EAST GRAND RAPIDS
NOTICE OF PUBLIC HEARING
(NOTICE 1 OF 2)**

A public hearing will be held on the zoning variance request application of An Ly for the property address of 2128 Wealthy Street SE. The applicant has applied for a zoning variance for the following:

- Chapter 50, Section 5.74.B.3 - The applicant is currently seeking a special land use approval to allow a residential dwelling unit on the second floor of the commercial building at the above stated address. One of the requirements for this request is that 1 parking spot be provided per residential dwelling. The applicant is seeking relief from the requirement of needing 1 parking spot for their proposed one residential dwelling unit.

The application 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.

The City Commission welcomes your views in this matter. You may express your views at the scheduled meeting or by writing to the Mayor and City Commission at 750 Lakeside Drive SE, East Grand Rapids, MI 49506 or by email to the City Clerk at kbrower@eastgr.org. To be included in the hearing, written communications must contain the sender's name and address.

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

Date: Tuesday, January 22, 2019
Time: 6:00 p.m.
Place: East Grand Rapids Community Center Commission Chambers
750 Lakeside Drive SE, East Grand Rapids, MI 49506

Aleksander P. Mizikar
Zoning Administrator

84 notices
sent
lt

PUBLIC WORKS DEPARTMENT – ENGINEERING DIVISION

750 Lakeside Drive, SE • East Grand Rapids, Michigan 49506
Telephone (616) 940-4817 Fax (616) 831-6121 www.eastgr.org

Partners with





Request for Zoning Ordinance Variance

Date: 12-17-18

Note to Applicant: Please pay careful attention 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 action and for approval by the Board of Zoning Appeals.

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 requested to present a verbal summary of the request to the Board of Zoning Appeals prior to the public hearing. In addition, the City Services Office shall publish 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. Per Sec. 5.100 of the City Code, a concurring vote of majority of the members of the Zoning Board of Appeals is required to approve a variance request.

A non-refundable filing fee of \$250.00 must accompany your application. A \$700.00 post construction fee is also required for retroactive variance requests.

Applicant Name: AN TUE LY

Address: 2328 Granite St. SE, Grand Rapids, MI 49508

Property Address (if different than above):

2128 Wealthy St. SE, GR, MI 49506

Daytime Phone: 616-635-0575

Legal Description of Property**: N 20 FT of W 32 FT Lot 3 * W H Gilberts sub (also attached)

** (Use Attachments if Necessary)

Permanent Parcel (Tax) Number: 41-14-33-262-001

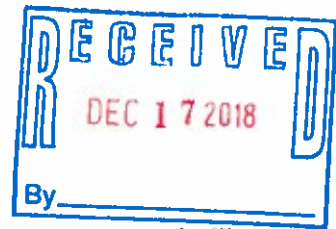
Briefly State the Requested Variance (Citing the specific section(s) of the Zoning Ordinance from which you are seeking a variance):**

Request a variance to zoning ordinance section 5.74 B.

Paragraph 3. (requirement of dedicated parking for 2nd floor dwelling above ground floor commercial)
** (Use Attachments if Necessary) - see Attached

Sec. 5.103(c) of the City Code provides criteria for variance review, which are based on competent material and substantial evidence. Please check all the items below which are applicable to your request for variance:

- a. The request of variance is based upon conditions and circumstances on the attached sheet which are unique to your property and not generally applicable to others in your neighborhood.
- b. The situation which causes you to seek a variance does not result from any action of yours. (see next page)



- c. A grant of the variance would do substantial justice to you as well as to other property owners and will not be of substantial detriment to neighboring properties.
- d. Compliance with the Zoning Ordinance would unreasonably prevent you from using the property or would be unnecessarily burdensome.

Narrative Statement:

Please attach a narrative statement setting forth:

- a. What you wish to do with the property.
- b. Why you need the variance.
- c. The specific decision you seek.
- d. The reason your project cannot be accomplished within the requirements of the zoning ordinance.

Site Plan:

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, height of all proposed structures, and show and label abutting street(s). *Additional information may be required by the Zoning Administrator.*

The Board of Zoning Appeals may attach conditions to the granting of a variance.

Please be advised that substantial steps toward effecting the variance must be taken within twenty-four (24) months of approval of a variance, or the variance will become null and void per section 5.104 of the City Code.

Signature of Applicant

AN TAG LY
Print Name

Signature of Property Owner
(If Different from Applicant)

Lien Yu
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

Property Search

Tax Description



Parcel Number: 41-14-33-252-001

Property Address: 2128 WEALTHY ST SE

Description

N 70 FT OF W 32 FT LOT 3 * W H GILBERTS SUB

2128 Wealthy St SE
East Grand Rapids, MI 49506



REQUEST FOR ZONING ORDINANCE VARIANCE

PROJECT NARRATIVE

This is a request for a Zoning Ordinance Variance for relief from the parking requirement for a second floor apartment in the existing commercial structure located at 2128 Wealthy St. SE

Although vacant for several years the main floor of this structure is being renovated to become a restaurant. The second floor (also vacant for several years) was an apartment in its most recent use. The permit for the 2nd floor apartment project has been approved.

Based on the 2nd floor size, configuration, and access, it is our opinion that an apartment is the best and possibly only suitable use for this space.

Zoning ordinance Section 5.74 B. paragraph 3 requires "one on-site parking space shall be provided for each dwelling unit; provided required parking may be permitted to be located off-site if the following requirements are met: etc.) Although much time was spent with adjacent property owners in an effort to secure a permanent parking space for the apartment, the applicant experienced no cooperation from owners.

The applicant has sought Special Land Use approval for the second floor of the 2 story structure to be used as a residential apartment. This Special Land use request was presented to the East Grand Rapids Planning Commission on December 11th of this year. A summary of that meeting is as follows:

All planning commission members agreed that an apartment would be the best possible use of the 2nd floor space at 2128 Wealthy St. SE

It was agreed that not allowing an apartment on the second floor of this building would constitute a hardship to the building owner.

It was agreed that requiring a dedicated parking space for a second floor apartment at that location would constitute a hardship to the building owner

It was noted that other 2nd floor apartments in the district have received zoning ordinance variances for the required parking space.

It was agreed that a 2nd floor apartment at this location is in complete alignment with the master plan of the district.

It was agreed that with the ever changing landscape of transportation now and into the future that a parking space should not be a requirement of the second floor of this property being used as an apartment .

Although all planning commissioners were in agreement to negating the requirement for dedicated parking at this location, they recognized that it was not within their authority to wave the requirement.



All planning commission members agreed to recommend approval of the Special Land Use request (for the space to be used as an apartment) contingent upon approval of the Zoning Ordinance Variance request.

All planning commission members agreed to recommend approval of the Zoning Ordinance Variance for parking at this location

In summary we are requesting approval of the request for Zoning Ordinance Variance for dedicated parking for the 2nd floor apartment in the commercial structure located at 2128 Wealthy St. SE so that this space may return to its highest and best use.

Sincerely

A handwritten signature in black ink, appearing to read "An The Ly", written over a horizontal line.

An The Ly



Wealthy St SE

Lovett Ave SE

Lovett Ave SE

Wealthy St SE

Wealthy St SE

Wealthy St SE

Wealthy St SE

Wealthy St SE

2128 Wealthy Street Southeast

Rite Aid Pharmacy

Western Union

Rite Aid



PROPERTY DESCRIPTION

2128 Wealthy Street, SE
EGR, MI 49506
Parcel Number: 41-14-33-252-001
Current Zoning Classification: C-1

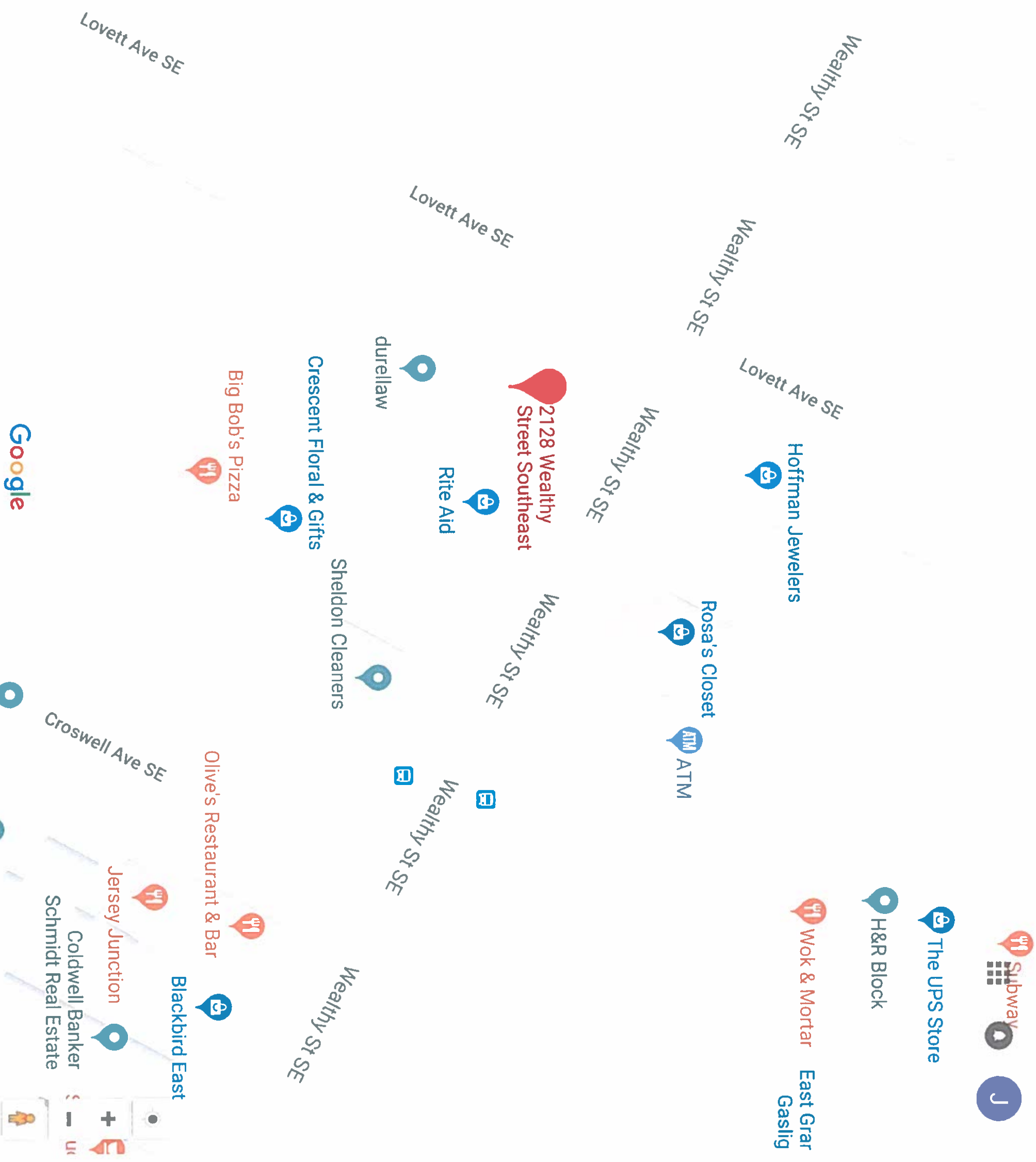
PROPERTY OWNER

Lien Yu
1426 King Crossing Road
Caledonia, MI 49316
616.540.0916

APPLICANT

An Ly
2328 Granite Street, SE
GR, MI 49508
616.635.0575





SITE PLAN

Page 2 of 2

- The UPS Store
- H&R Block
- Wok & Mortar
- East Grar Gaslig

PROPERTY DESCRIPTION

2128 Wealthy Street, SE
EGR, MI 49506
Parcel Number: 41-14-33-252-001
Current Zoning Classification: C-1

PROPERTY OWNER

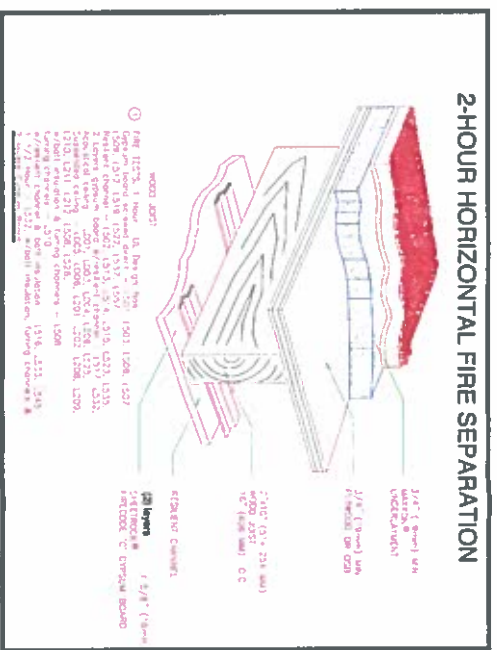
Lien Yu
1426 King Crossing Road
Caledonia, MI 49316
616.540.0916

APPLICANT

An Ly
2328 Granite Street, SE
GR, MI 49508
616.635.0575

ROOTS
CONSTRUCTION COMPANY
Kevin Luciani
2445 Oakwood Drive EGR, MI 49506
616.450.2142

2-HOUR HORIZONTAL FIRE SEPARATION

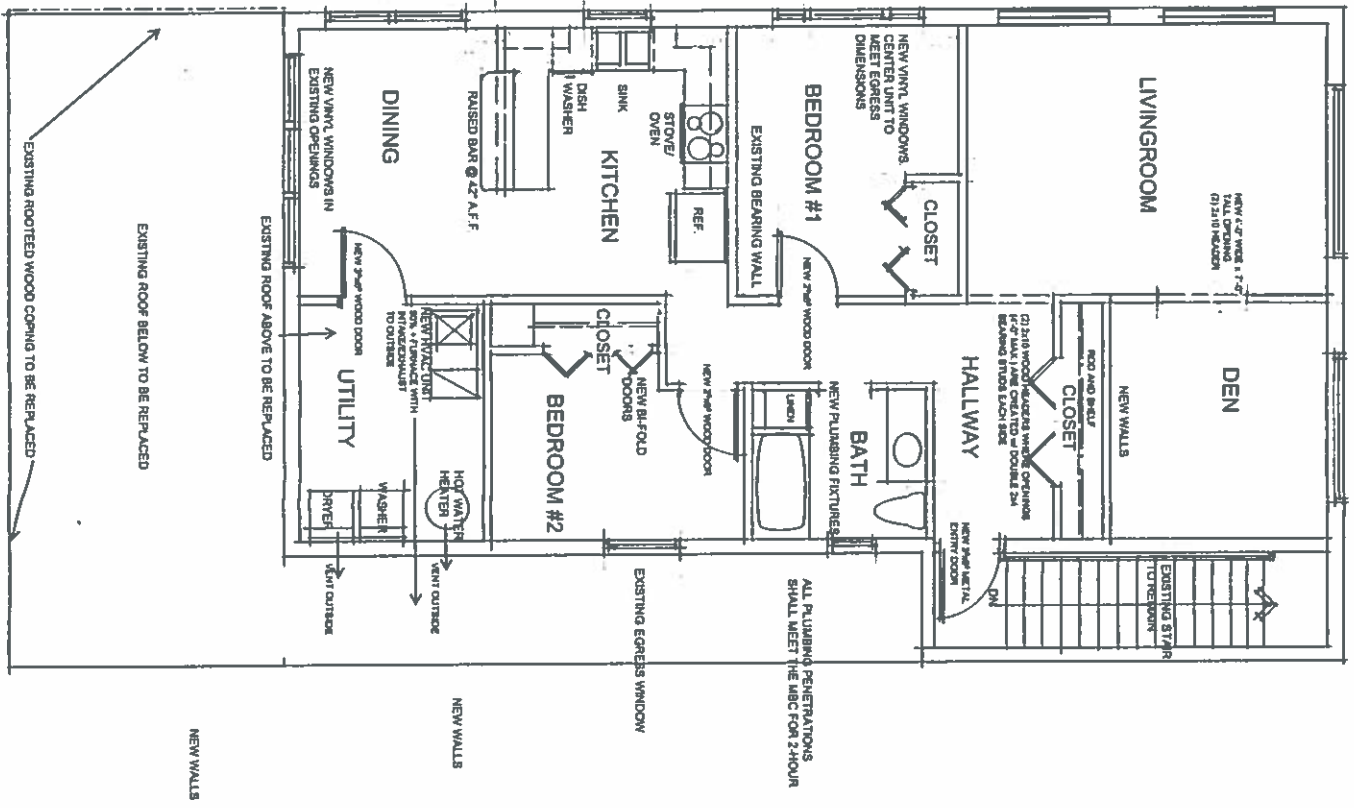


1. REMOVE ALL EXISTING PLASTER, WIRING AND PLUMBING FIXTURES.
2. EXISTING WOOD FLOOR TO RECEIVE 3/4" GYPCRETE AS PART OF THE 2-HOUR HORIZONTAL FIRE ASSEMBLY.
3. NEW ELECTRICAL AND PLUMBING TO MEET MRC.

BUILDING 2
GENERAL NOTES: Review Based on the International Existing Building Code Level 2 Renovation, Chapter 7.

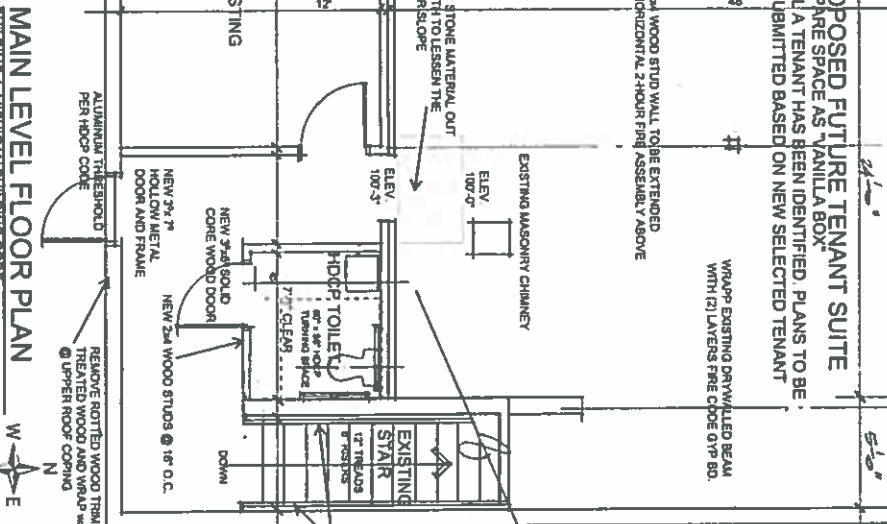
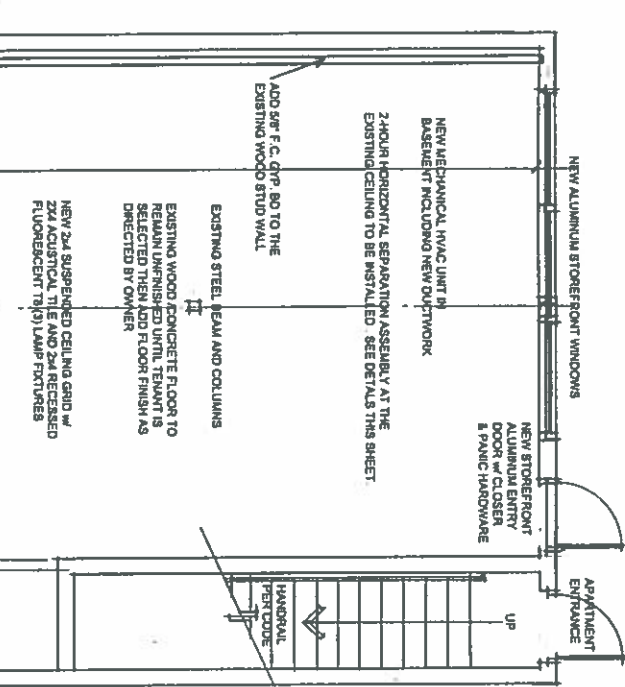
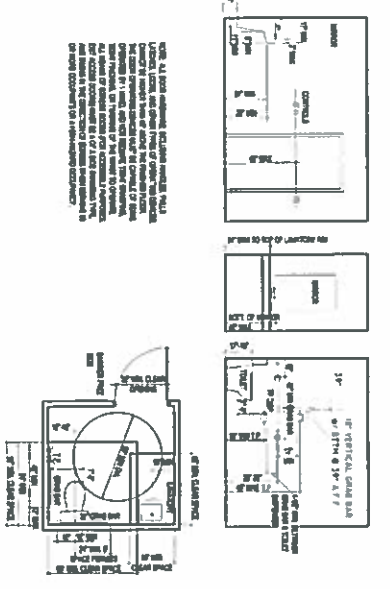
1. THIS SPACE SHALL FOLLOW THE WORK AREA COMPLIANCE METHOD PER SECTION 101.5.2.
 2. THIS SPACE IS AN EXISTING USE ROOM. CHANGES BY WORK AREAS MUST COMPLY WITH THE REQUIREMENTS OF SECTION 101.5.2.
 3. A TWO-HOUR HORIZONTAL FIRE SEPARATION PER TABLE 504 AND ACCORDING TO SECTION 711 OF THE IBC 2012.
 4. TYPE OF CONSTRUCTION: TYPE I-B TABLE 502 (2,500 SQ. FT. MAXIMUM STORIES).
 5. ONE STORY 1,272 SQ. FT. OF A BUILDING SINGLE FAMILY APARTMENT SPACE SQUARE FOOTAGE.
 6. FIRE PROTECTION IS NOT REQUIRED PER SECTION 102.2. PROTECT AS FOLLOWS AND THEREFORE NOT REQUIRED.
 7. FIRE PROTECTION PER SECTION 102.2. PROTECT AS FOLLOWS AND THEREFORE NOT REQUIRED.
 8. GENERAL CONTRACTOR SHALL NOTIFY THE ARCHITECT AND ENGINEER OF ANY DISCREPANCIES BEFORE START OF CONSTRUCTION.
 9. EXISTING WALLS EXISTING INTERIOR WALLS TO BE 2x4 WOOD STUDS @ 16" C. w/ 1/2" GYP. BD UNLESS OTHERWISE NOTED.
 10. ALL DOORS SHALL COMPLY TO MEET EGRESS REQUIREMENTS FOR THIS PROJECT.
 11. ALL DOORS SHALL COMPLY TO MEET EGRESS REQUIREMENTS FOR THIS PROJECT.
 12. FIRE EXTINGUISHERS SHALL BE IN ACCORDANCE WITH THE INTERNATIONAL FIRE CODE, SECTION 906.1.
 13. THIS PROJECT IS UNDER THE EXISTING BUILDING CODE AND REFERENCES TO THE MICHIGAN RESIDENTIAL BUILDING CODE 2015. ALL APPLICABLE SUBSTITUTES ARE TO FOLLOW THEIR RESPECTIVE CODES.
- ELECTRICAL NOTES:**
1. FINISH AND INSTALL FIRST CLASS WORKING EXTENSIONS OF SYSTEMS, TESTED AND READY FOR OPERATIONS. FIELD VERIFICATION OF ALL WORK AND DIMENSIONS ARE REQUIRED, INCLUDING COORDINATION WITH OTHER TRADES. NOTIFY THE ARCHITECT AND/OR ENGINEER OF ANY DISCREPANCIES (N.E.C. PLUS LOCAL OR STATE CODES, LAWS, ORDINANCES, RULES AND REGULATIONS INCLUDING OSHA) OBTAIN ALL PERMITS AND APPROVALS REQUIRED FOR OCCUPANCY.
 2. UTILIZE ANY/ALL OWNER'S STANDARDS OR SPECIAL REQUIREMENTS FOR THIS PROJECT.
 3. ALL CONDUITS SHALL BE NEW.
 4. MISC. CABLE (PHONE) SHALL BE PERMITTED.
 5. CONDUIT OR SPECIAL CONDUIT SHALL BE SPECIFICATION GRADE RATED AT 30 AMPERES, 125 VOLTS AND BEAR THE NOTED.
 6. ALL BREAKERS TO BE SWD RATED. "HORN" BREAKERS OR DUAL ELEMENT FUSERS SHALL BE USED FOR ALL MOTOR LOADS.
 7. THE ELECTRICAL CONTRACTOR SHALL FINISH AND INSTALL ALL FIXTURES WITH LAMPS, AS DIRECTED BY OWNER.
 8. UTILIZE STANDARD LOAD CENTER TYPE PANELBOARDS.
 9. ALL EQUIPMENT DEVICES SHOULD TO BE PROPERLY RATED FOR THE SPECIFIC SPACE (I.E. NEAR "1", "3R", "4", ETC.).
 10. VERIFY REQUIREMENTS FOR BACKGROUND SOUND SYSTEMS, CABLE TV SYSTEMS, COMPUTER OUTLETS AND TELEPHONE OUTLETS WITH OWNER.
 11. LOCATIONS SHALL BE IDENTIFIED WITH OWNER BEFORE STARTING ELECTRICAL WORK. REWIRE ALL SWITCH, OUTLET AND FUTURE LOCATIONS. MARK ELECTRIC LOCATIONS.
 12. OWNER SHALL SELECT STYLE, TYPE AND COLOR OF ALL SWITCHES, OUTLETS, AND COVER PLATES.

REMOVE AND REPLACE EXISTING PLASTER, WIRING AND PLUMBING FIXTURES. EXISTING WOOD FLOOR TO RECEIVE 3/4" GYPCRETE AS PART OF THE 2-HOUR HORIZONTAL FIRE ASSEMBLY. NEW ELECTRICAL AND PLUMBING TO MEET MRC.



UPPER LEVEL FLOOR PLAN
 BUILDING 2: THE EXISTING BUILDING
 SCALE: 1/4" = 1'-0"
 CODE 2015

BARRIER FREE TOILET DETAIL



MAIN LEVEL FLOOR PLAN
 BUILDING 1: MICHIGAN BUILDING CODE
 SCALE: 1/4" = 1'-0"
 CODE 2015

ARCHITECTURE

Timothy J Allspach

4040 Tallman Creek Dr. NW
 Grand Rapids, Mich. 49534
 Phone / Fax: 616-453-8050
 E-Mail: tjallspach@tjallspach.com



MARCH 16, 2015