

**CITY OF EAST GRAND RAPIDS
NOTICE OF PUBLIC HEARING**

A public hearing will be held on the application of Sears Architects for the property address of 1930 Lake Drive SE. The applicant has applied for a zoning variance for the following:

- Placement of Accessory Structure. Detached garage accessory structures are allowed in the rear or side yard, no closer to the street than the principle structure on the same property and the adjacent property. The applicant is seeking a variance to allow the placement of an accessory structure to be partially in the front yard.
- Size of Accessory Structure. The maximum allowed square footage for an accessory structure on a lot size of 42,326 square feet with two attached garage stalls is 720 square feet. The applicant is seeking a variance to build an accessory structure that is 1214 square feet.

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: Monday, June 4th, 2018
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



Request for Zoning Ordinance Variance

Date: 4/27/18

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.

A non-refundable filing fee of \$250.00 must accompany your application.

Applicant Name: Gears Architects

Address: 16 Ionia Ave. SW, Suite One, Grand Rapids MI 49503

Property Address (if different than above):

1970 Lake Dr.

Daytime Phone: (616) 336-8495

Legal Description of Property**: See attached survey by Kenowa Land Surveys, LLC dated 2/7/17

** (Use Attachments if Necessary)

Permanent Parcel (Tax) Number: 411433189001

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

Section 5.70(A)(8) placement of accessory building
Section 5.70(A)(3) size of accessory building

** (Use Attachments if Necessary)

Please check all the items below which are applicable to your request for variance:

- a. The situation which causes you to seek a variance does not result from any action of yours.
- b. 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.

✓ c. The request for variance is based upon conditions and circumstances described on the attached sheet which are unique to your property and not generally applicable to others in your neighborhood.

✓ 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 twelve (12) months of approval of a variance, or the variance will become null and void per section 5.171-2 of the City Code.

Judson Gerwin / Sean's Architects
Signature of Applicant

JUDSON GERWIN
Print Name

[Signature]
Signature of Property Owner
(If Different from Applicant)

Kyle Norcutt
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

1930 LAKE DRIVE

4/27/18 Variance Application

NARRATIVE STATEMENT

a. What you wish to do with the property.

The owners of 1930 Lake Drive would like to build an accessory structure on a portion of their property that was previously occupied by a tennis court with a tall chain link perimeter fence. To meet the needs of their family, the proposed accessory structure would contain a poolhouse, a 2-stall garage, and a pool mechanical equipment room. The area of the proposed new structure would be no larger than 1214 sq. ft.

b. Why you need the variance.

The variance is necessary for the owners to locate the proposed accessory structure on the lot per architect's recommendations, including the following:

1. Lot conditions, including existing house and swimming pool locations, make it difficult to locate the new accessory building in the side or the rear yard. For this lot, a large portion of what appears to be the side yard is actually front yard per current zoning ordinance.
2. Existing lot conditions cause household components and features generally associated with a backyard to be located in the side yard and a portion of the front yard. The recommended location of the proposed accessory building will help to create a degree of separation and privacy between the front yard and the pool and outdoor gathering areas.

The tennis court that the owners removed was also in both the front and side yards.

3. Locating the new accessory building in the rear or side yard would require that a lot of undesirable additional asphalt driveway be built and significantly increase total lot coverage. The accessory building's garage component would also reduce the size and appeal of the existing pool and outdoor gathering area.
4. Possible house addition at east side of existing home not consistent with aesthetic goals. The owners are not hoping to increase the apparent size of their home.
5. The design and location of the proposed accessory building is intended to fit comfortably and harmonize with neighboring properties and to minimize disturbance on all sides.

Continued

1930 LAKE DRIVE

4/27/18 Variance Application
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c. The specific decision you seek.

1. Relief from Section 5.70(A)(8) regarding placement of accessory building.

In order to locate an accessory building per architect's recommendations, a variance to allow a detached building in the front yard is requested.

2. Relief from Section 5.70(A)(3) regarding size of accessory building.

In order to build a 1,213.5 sq. ft. accessory building where the zoning ordinance allows 720 sq. ft., a variance of 493.5 sq. ft. is requested.

The owners hope to locate a portion of an accessory building in the front yard setback area, as shown on attached documents titled "Site Plan A" and "Site Plan B".

Site Plan A shows the proposed accessory building in the larger context of the block. This location, although it requires 2 variances, appears to be consistent with the intention of the zoning ordinance to align the fronts of houses along Lake Dr.

Line #1 shows the recommended location for the new building well behind the frontmost corners of adjacent homes.

Line #2 shows the recommended location for the new building behind the owners' home and their adjacent neighbor to the east

Line #3 shows the recommended location for the new building aligned with the front face of the owners' existing attached garage

Site Plan B shows the floor plan of the proposed accessory building in detail, and its relationship to existing site components around it. A photograph of the existing pool mechanical equipment has been provided to clarify this portion of the accessory building plan.

Continued

1930 LAKE DRIVE

4/27/18 Variance Application

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d. The reason your project cannot be accomplished within the requirements of the zoning ordinance.

1. The overall shape of the property, and the locations of the existing house, pool deck, and mechanical equipment significantly constrain the owners' ability to use the property:

-- per existing zoning requirements, more than half of the property can only be used as a front yard

-- existing 4 homes on this block which have property that borders on Lake Drive were not built parallel to Lake Drive. The practical value of the "established front yard setback" provision of the zoning ordinance, as determined by adjacent neighbors to the east and west, does not appear to be particularly applicable for the property at 1930 Lake Drive.

2. The owners are interested in locating the proposed accessory building so that it fits in with its surroundings and is well-suited to the neighborhood. It is important to the owners that the new accessory building looks good, is placed in the best location, and complements the neighborhood.

Without variances for their accessory building to be partially located in the front yard and be sized to meet the needs of their family, current zoning does not allow the owners to make well-considered use of their property and to proceed with their project.

Continued

1930 LAKE DRIVE

4/27/18 Variance Application
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Additional Narrative Statement: Regarding Project Development

The Norcutt family moved into their home at 1930 Lake Drive in June 2017. By the end of the summer, they had removed an existing tennis court and completed the installation of a new in-ground swimming pool in the same part of the yard where the tennis court had been located. During the pool installation, they worked with their pool contractor and a landscape company in the planning of an accessory structure that was intended to function as a poolhouse on the south side, a 2-stall garage that would face the street on the north side, and provide enclosure for the pool mechanical equipment on the east side. Today, the pool mechanical equipment sits uncovered in the yard, on a 4' wide x 15' long concrete slab on grade, where it was placed by the pool contractor per the location indicated on the plan drawn up by the landscape company's design service.

The Norcutts' project stopped when they learned 2 things:

1. Lot size less than an acre.

Though their property was listed as slightly larger than one acre on MLS websites and in closing documents used to purchase their home, in fact it is a little less than an acre. Per recent survey, the total area of the Norcutts' property is 42,326 sq. ft., which is 1,234 sq. ft. less than an acre (43,560 sq. ft.), or .972 acre.

2. Front yard setback line parallel to the street, not the house.

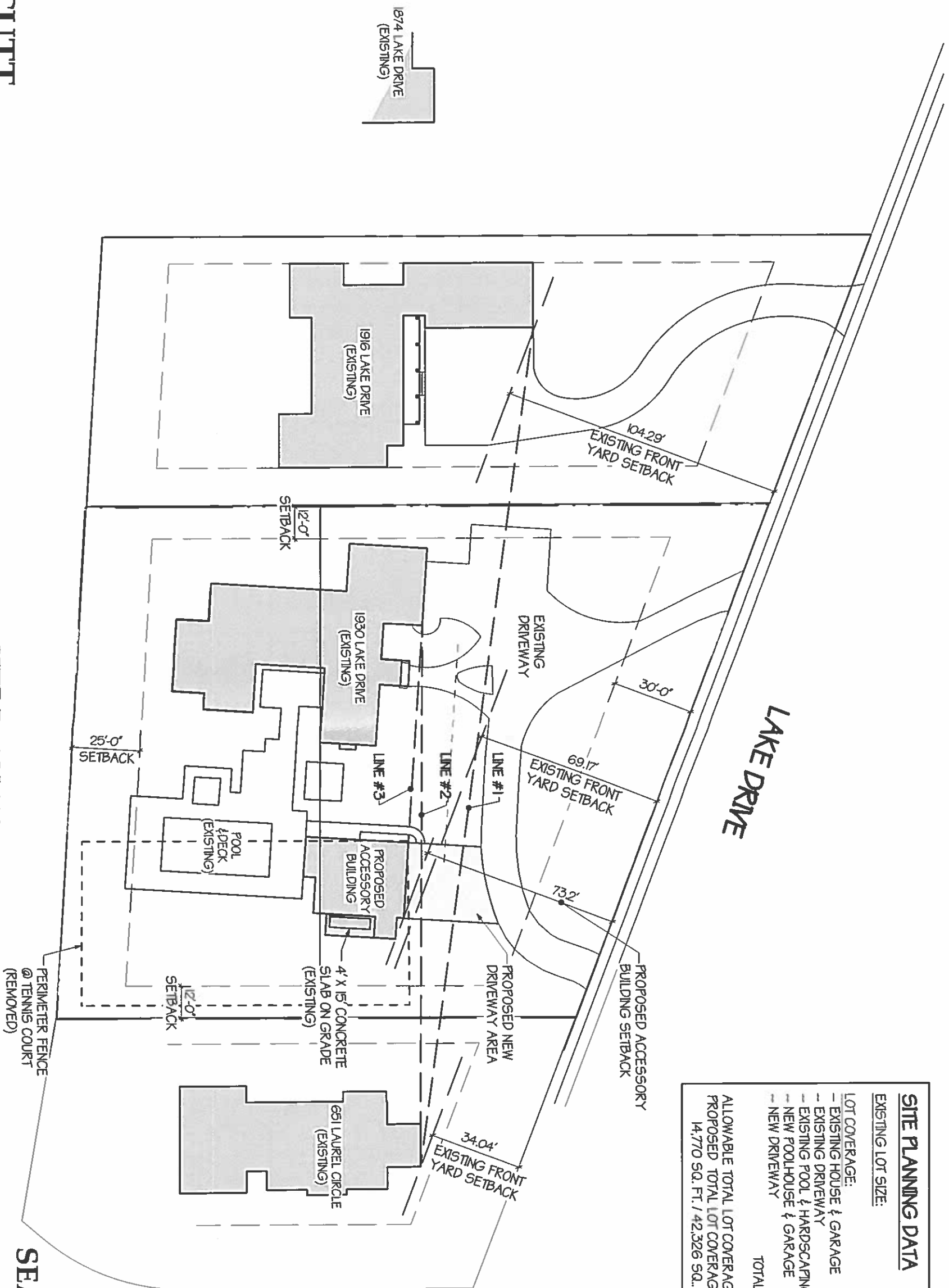
The Norcutts, the pool contractor, and the landscape company all made the same assumption that the side yard was defined by the front of the existing house. Given that the house fronts of many homes in EGR face the street squarely, this seemed reasonable to everyone involved at that time. In addition, the north end of the fence around the tennis court, which faced Lake Drive, was aligned with the front of the existing house.



Variance
 1930 Lake Drive, S.E.
 East Grand Rapids, MI



LAKE DRIVE



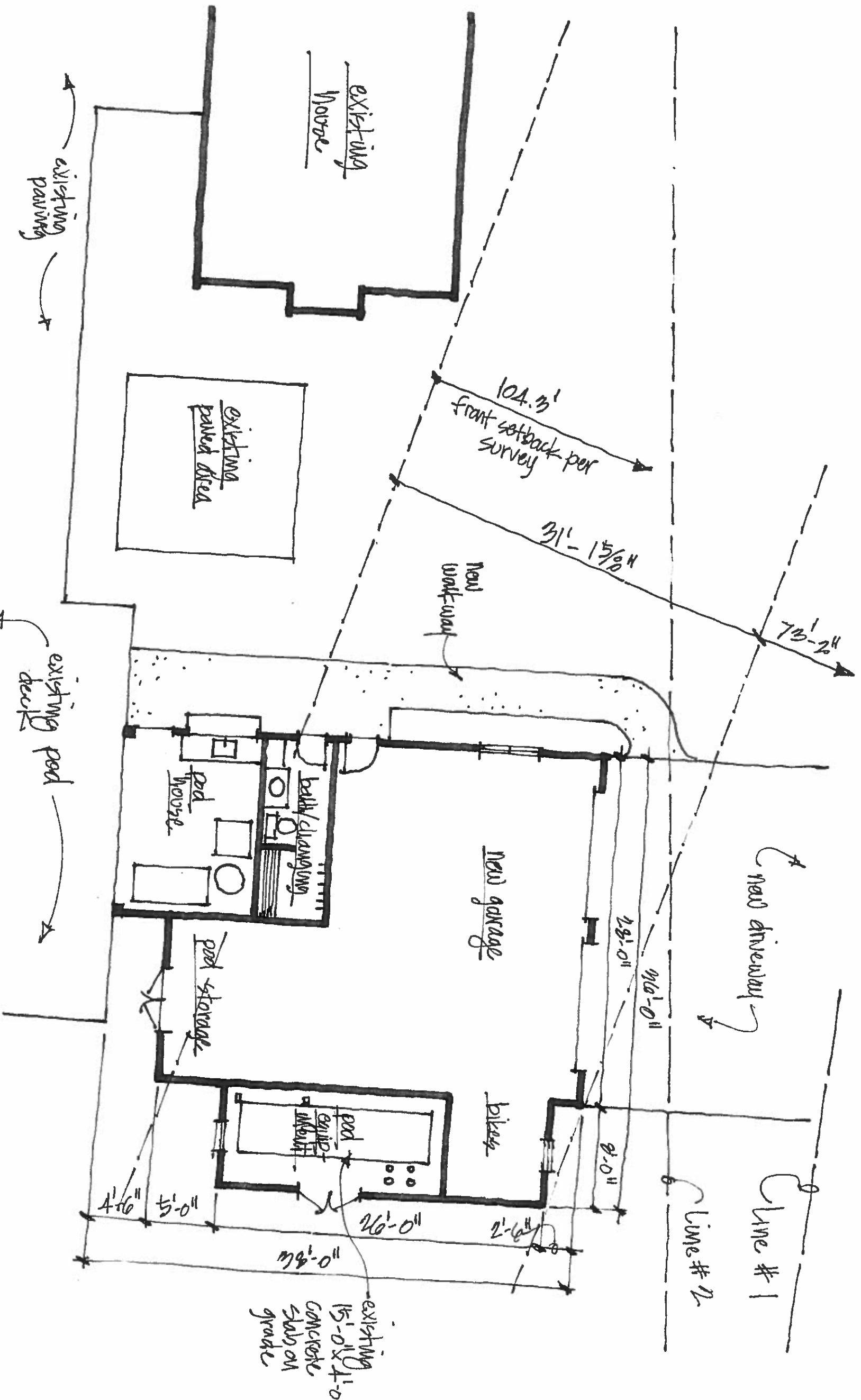
SITE PLANNING DATA	
EXISTING LOT SIZE:	42,326 SQ. FT.
LOT COVERAGE:	
- EXISTING HOUSE & GARAGE	3,817 SQ. FT.
- EXISTING DRIVEWAY	5,155 SQ. FT.
- EXISTING POOL & HARDSCAPING	3,736 SQ. FT.
- NEW POOLHOUSE & GARAGE	1,214 SQ. FT.
- NEW DRIVEWAY	848 SQ. FT.
TOTAL	14,770 SQ. FT.
ALLOWABLE TOTAL LOT COVERAGE:	40%
PROPOSED TOTAL LOT COVERAGE:	14,770 SQ. FT. / 42,326 SQ. FT. = .349 OR 35%

NORCUTT
POOLHOUSE & GARAGE
 1930 LAKE DRIVE SE
 EAT GRAND RAPIDS, MICHIGAN

SITE PLAN 'A'

Scale: 1" = 40 ft

SEARS ARCHITECTS
 16 IONIA AVE. SW • SUITE ONE
 GRAND RAPIDS, MICHIGAN 49503
 HARBOR SPRINGS, MICHIGAN 49740
 616.336.8495
 231.526.8495
 APRIL 27, 2018



NORCUTT
POOLHOUSE & GARAGE
 1930 LAKE DRIVE SE
 EAT GRAND RAPIDS, MICHIGAN

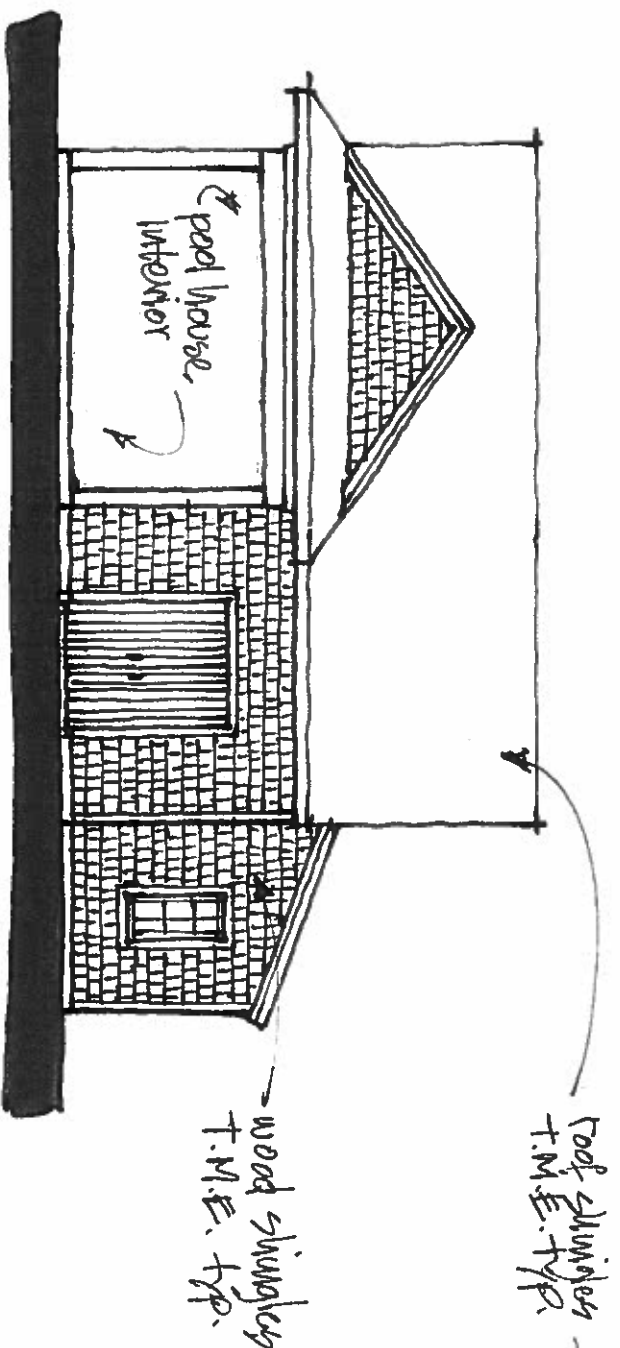
SITE PLAN 'B'

Scale: 1/8" = 1'-0"

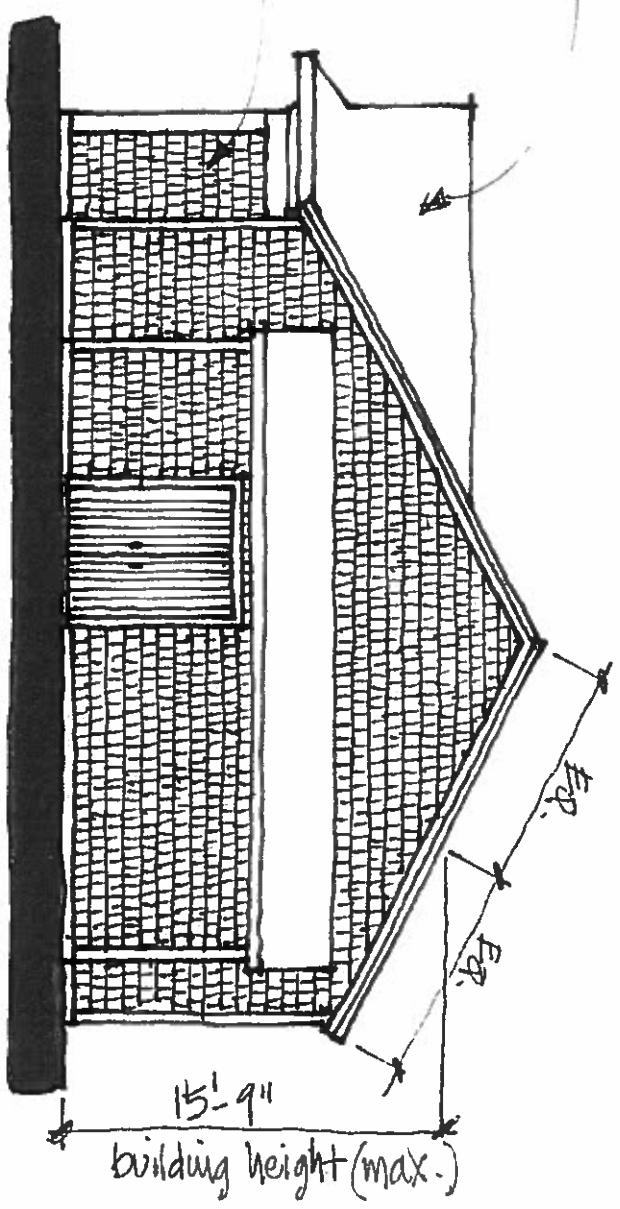
Prepared accessory buildings total area = 1217.5 sq. ft.

SEARS ARCHITECTS

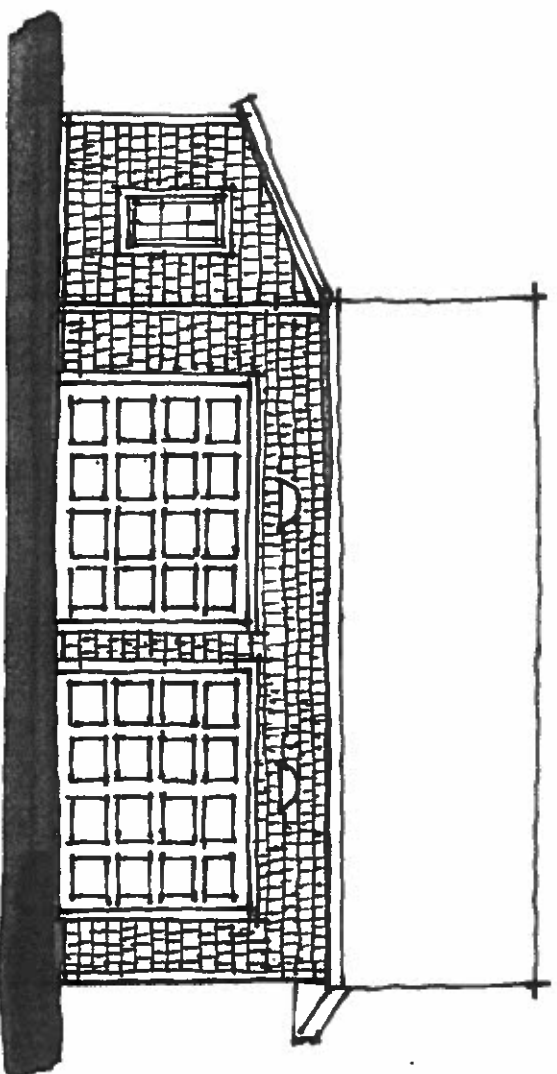
16 IONIA AVE. SW • SUITE ONE
 GRAND RAPIDS, MICHIGAN 49503
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 APRIL 27, 2018



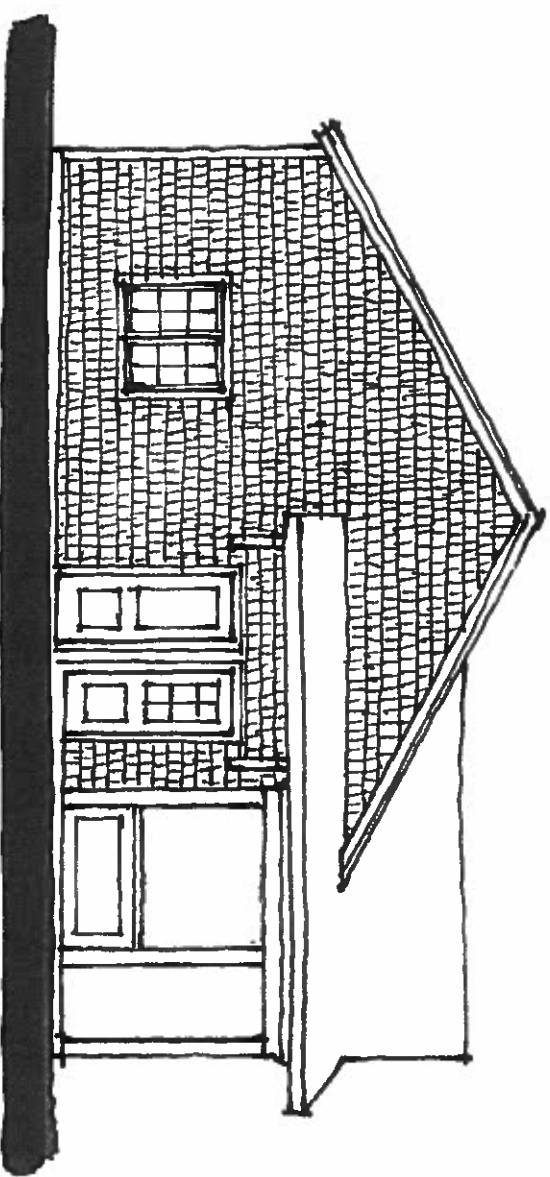
South Elevation



East Elevation



North Elevation



West Elevation

NORCUTT
POOLHOUSE & GARAGE
 1930 LAKE DRIVE SE
 EAT GRAND RAPIDS, MICHIGAN

BUILDING ELEVATIONS

Scale: 1/8" = 1'-0"

SEARS ARCHITECTS

16 IONIA AVE. SW • SUITE ONE
 GRAND RAPIDS, MICHIGAN 49503
 616.336.8495
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 APRIL 27, 2018

SURVEYOR'S REPORT

This is to certify that we have examined the property described below, that the improvements thereon are shown on the subjoined map, and that there no encroachments except as illustrated. Both map and description should be compared with the Abstract of title of title policy for easements, exceptions or differences in description.

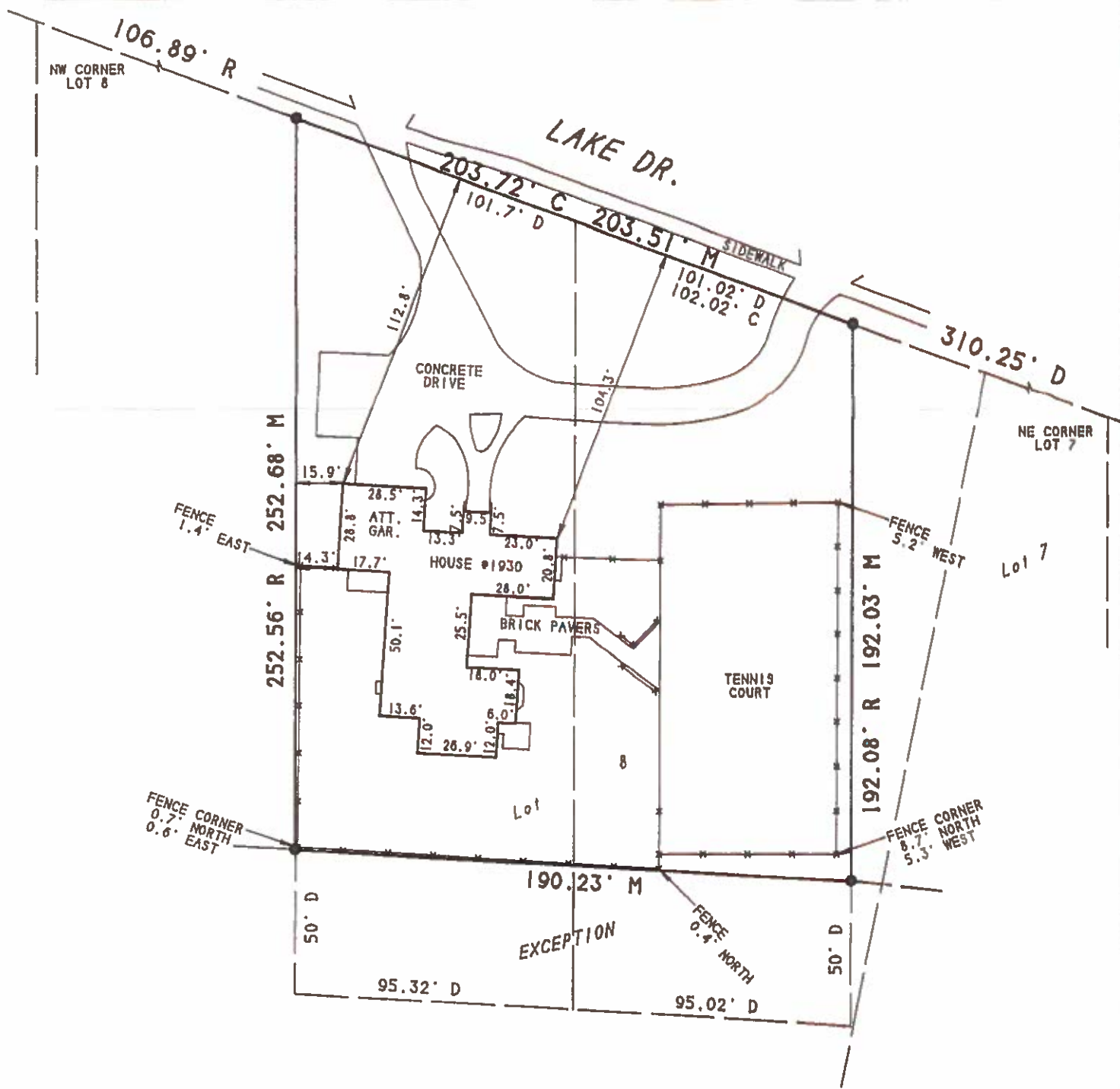
LEGAL DESCRIPTION

For APN/Parcel ID(s): 41-14-33-189-001

Land Situated in the State of Michigan, County of Kent, City of East Grand Rapids.

Part of Lot 8, San Lu Rae Addition, City of East Grand Rapids, Kent County, Michigan, according to the recorded plat thereof, in Liber 22 of Plats, Page 18, Kent County Records, described as: Commencing 412.27 feet Northwesterly along the Northerly line of Lots 7 and 8 from the Northeast corner of Lot 7 to the Place of Beginning; thence Northwesterly along the Northerly lot line 101.70 feet; thence South parallel with the West lot line 302.56 feet; thence Southeasterly 95.32 feet to a point 272.50 feet South from the Place of Beginning; thence North parallel with the West lot line 272.50 feet to the Place of Beginning, except the South 50.00 feet thereof.

Also that part of the above mentioned Lot 8 commencing 310.25 feet Northwesterly along the Northerly line of Lots 7 and 8 from the Northeast corner of Lot 7; thence Northwesterly along the Northerly lot line 101.02 feet; thence South parallel with the West lot line 272.50 feet; thence Southeasterly 95.02 feet to a point 242.08 feet South from the Place of Beginning; thence North parallel with the East line of Lot 7 to the Place of Beginning, except the South 50.00 feet thereof.



SCALE: 1" = 50'

LEGEND

- - stake found or set
- - set wood stake
- P - plotted dimension
- D - deduced dimension
- R - recorded dimension
- M - measured dimension
- C - computed dimension

KENOWA LAND SURVEYS, LLC 400 Ann St. NW - Suite 203B Grand Rapids, MI, 49504 616-247-7553	
DATE: 2-7-17	FOR: SRC TITLE AGENCY
JOB: #17-0201	RE: KYLE & HEIDI NORCUTT