



# City of East Grand Rapids, Michigan

51 copies  
sent

## CITY OF EAST GRAND RAPIDS NOTICE OF PUBLIC HEARING

A public hearing will be held on the zoning variance application of Sonja and Hans Cubillo for the property address of 1139 Eastwood Ave SE. The applicant has applied for a zoning variance for the following:

- Covered Front Porch Encroachment (Chapter 50, Section 5.61) - The applicant is requesting a variance to build a covered front porch 7.7' into the established average front yard setback, where a 6' encroachment is the maximum allowed. The covered front porch will be 6' in depth and will wrap around the north side of the house.

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](http://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](mailto: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](mailto:amizikar@eastgr.org).

Date: Monday, July 15, 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

### 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](http://www.eastgr.org)

Partners with





VARIANCE  
 1139 EASTWOOD AVENUE, S.E.



**Request for Zoning Ordinance Variance**

Date: 5/31/19

*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.*

The City Commission will only vote on your specific request and site plan. Your request will not be negotiated at the public hearing. It is the applicant's responsibility to supply adequate information to justify their request and to answer the required sections of the Zoning Ordinance.

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: Sonja & Hans Cubillo

Address: 1139 Eastwood Ave SE, East Grand Rapids  
MI 49506

Property Address (if different than above):

Daytime Phone: 616-889-4896

Legal Description of Property\*\*: Deed attached.

\*\*(Use Attachments if Necessary)

Permanent Parcel (Tax) Number: 41-14-34-356-036

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

Section 5.61. We are requesting a variance on front yard setback to build a front porch 6' in depth.

\*\*(Use Attachments if Necessary)

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 that answers the following:*

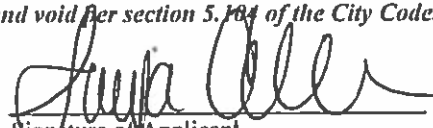
- a. What you wish to do with the property.
- b. Why you need the variance.
- c. The specific decision you seek.
- d. The reason your project cannot be accomplished within the requirements of the zoning ordinance.

**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

  
\_\_\_\_\_  
Print Name

  
\_\_\_\_\_  
Signature of Property Owner  
(If Different from Applicant)

  
\_\_\_\_\_  
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



## Narrative Statement

- a) We, Sonja and Hans Cubillo, wish to build a concrete front porch 6 feet in depth to our house located on 1139 Eastwood Ave. We wish to build this porch so that after a long day at work we can come home, sit down, embrace the fresh air, enjoy the beautiful spring/summer/fall weather, and drink coffee while we watch our three children run, play, skate and ride their bikes.
- b) We need the variance because we would not comply with the setback requirements if we build a 6 foot porch.
- c) We seek approval from the City Commission to allow us variance in setback requirements to build a porch.
- d) As it stands, the average setback of structures within 200 feet is 35.5', allowing a front porch to a 29.5' setback. Our current setback is 33.8', allowing us to build a porch 4.3'.

# Existing Site Plan

Register of Deeds, County of \_\_\_\_\_  
 This survey was received for record on the \_\_\_\_\_ day  
 of \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_, recorded in  
 Liber \_\_\_\_\_ of Surveys, on Page \_\_\_\_\_

Client: Keller Williams Realty  
 Buyers: Hans Cubillo & Sonja Cubillo

Date: October 26, 2018

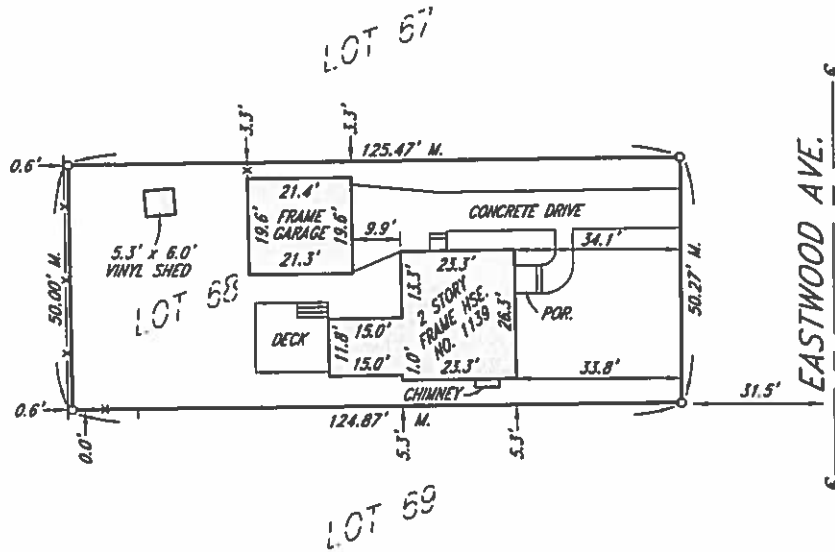
## Certificate of Survey

### Property Description

Lot 68, Wise and Carrier's Alger Park Addition to the City of East Grand Rapids, Kent County, Michigan, as recorded in Liber 9 of Plats, Page 14.

### Property Address:

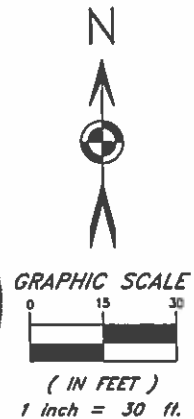
1139 Eastwood Avenue SE  
 East Grand Rapids, Michigan 49506



I, James C. Glaza, a Professional Surveyor in the State of Michigan, hereby certify that I have surveyed the parcel of land described and delineated hereon; that said delineation is a true representation of the survey performed; and that the survey was performed with a field error of closure of 1 in 5000 or greater.

BY: James C. Glaza  
 Professional Surveyor No. 40166

Note: Location measurements are not to be used to reconstruct property lines.

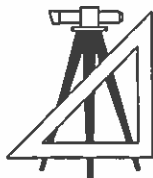


This survey was made from a legal description which was given to us as a complete description of the property. Both map and description should be compared with the Abstract of Title or Title Policy for any exceptions, easements or differences in description.

H:\Projects\2018\300\2018-336\Cad\2018-336.dwg

#### LEGEND

- - Iron Found
- - Iron Set
- (R.) - Recorded
- (M.) - Measured
- (P.) - Platted
- ⊕ - Centerline
- - Wood Stake
- x-x - Fence Line



#### Glaza Land Surveys, LLC

7283 Decosta Drive, N.E.  
 Rockford, Michigan 49341  
 Phone No.: (616) 874-9366  
 Fax No.: (616) 874-3460

DRN	J.C.G.
CHD	D.J.G.
PAGE	1
OF	1
PROJECT NO.	2018-336

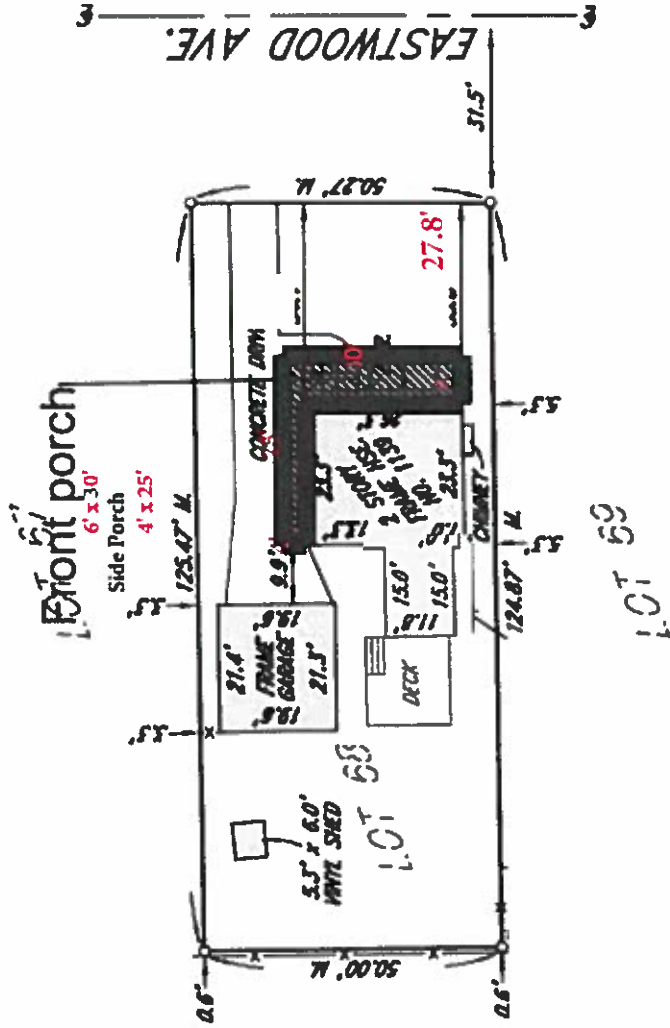
# Proposed Site Plan

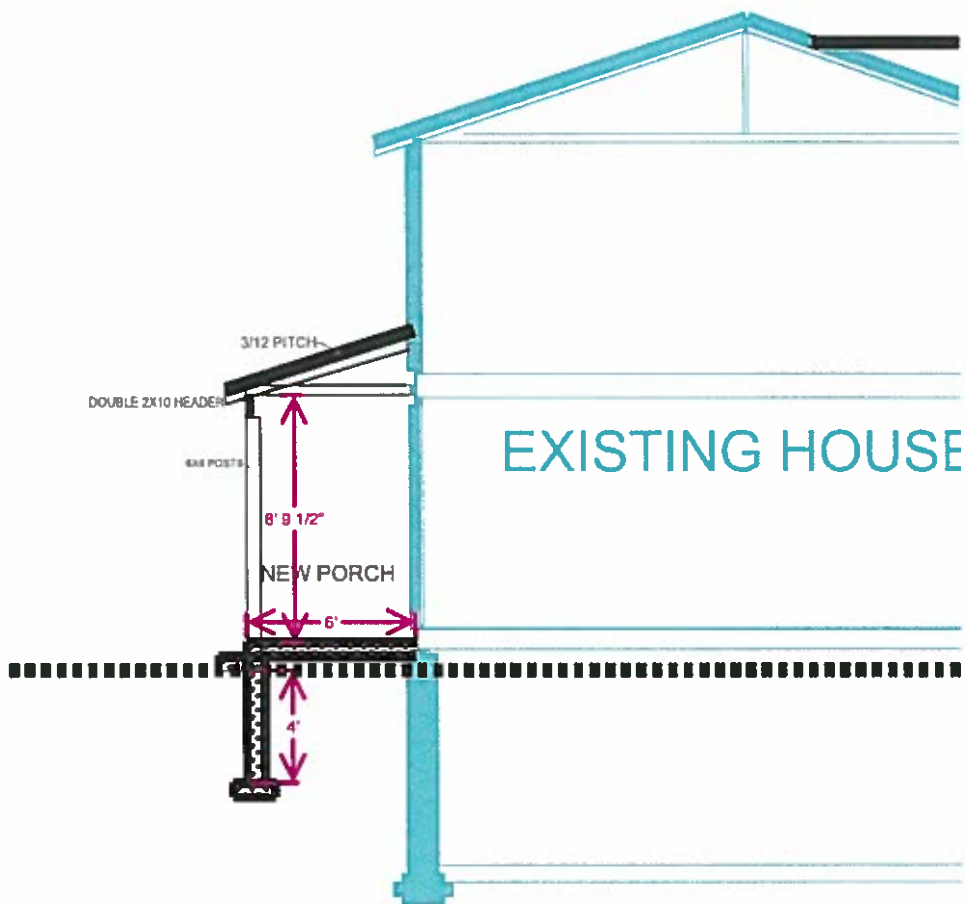
Property Address:  
1139 Eastwood Avenue SE  
East Grand Rapids, Michigan 49506

**Lot coverage**  
Lot size -  $124.87 \times 50 = 6243.56$

**Building cov. = 1497.03**  
Shed -  $5.3 \times 6 = 31.8$   
Garage -  $21.4 \times 19.6 = 419.44$   
House -  $23.3 \times 26.3 = 612.79$   
&  $15 \times 11.8 = 177$   
 $612.79 + 177 = \text{Total} - 789.79$   
Front and side porch  $30 \times 6 = 180$   
 $4 \times 19 = 76 = \text{Total} 256$

**Impervious cov. = 643.4**  
Deck -  $15 \times 14 = 210/2 = 105$   
Concrete Driveway -  
 $67.3 \times 8 = 538.4$





1139 EASTWOOD AVE. SE.  
EAST GRAND RAPIDS MI 49506



**WARRANTY DEED**

KNOW ALL PERSONS BY THESE PRESENTS: That Jon Griffin and Lisa J. Griffin, husband and wife whose address is 1139 Eastwood Ave SE East Grand Rapids, MI 49506

Convey(s) and Warrant(s) to Sonja Cubillo and Hans A. Cubillo, wife and husband whose address is 1621 Whitewood Dr SW, Wyoming, MI 49519

the following described premises situated in the City of East Grand Rapids, County of Kent, and State of Michigan to-wit:

Lot 68, Wise and Carrier's Alger Park Addition, to the City of East Grand Rapids, Kent County, Michigan, as recorded in Liber 9 of Plats, Page 14.


Commonly known as: 1139 Eastwood Ave SE, East Grand Rapids, MI 49506  
Tax Parcel # 41-14-34-356-036


for the consideration of: Two Hundred Eighty Four Thousand and 00/100 Dollars (\$284,000.00)

subject to easement, use, building, and other restrictions of record, if any.

Dated: November 09, 2018

Signed and Sealed:

  
\_\_\_\_\_  
Jon Griffin


  
\_\_\_\_\_  
Lisa J. Griffin

STATE OF MICHIGAN

COUNTY OF Kent

The foregoing instrument was acknowledged before me on November 09, 2018, by Jon Griffin and Lisa J. Griffin husband and wife.

*Lisa J. Griffin*

(Sign Name:)   
(Print Name:)  
Notary County, Michigan  
Acting in County  
My commission expires:

CYNTHIA L. ORDWAY  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF BARRY  
My Commission Expires Aug. 18, 2020  
Acting in the County of

*CL*

File No. 255544GRR

Drafted by:	Return to:
Jon Griffin and Lisa J. Griffin 1139 Eastwood Ave SE East Grand Rapids, MI 49506	Sonja Cubillo and Hans A. Cubillo 1139 Eastwood Ave SE East Grand Rapids, MI 49506
County Treasurer's Certificate	City Treasurer's Certificate

GU 44

I HEREBY CERTIFY that there are no Tax Liens or Tides held by the State or any Individual against the within description, and all Taxes on same are paid for five years previous to the date of the instrument, as appears by the records in my office. This certificate does not apply to current Taxes, if any, now in process of collection.

Date: 11/13/2018 By: e/s  
Kenneth D. Parrish  
Kent County Treasurer, Grand Rapids, Michigan  
*Kenneth D. Parrish*

201811130089090	
Electronic Recording	Pages: 1
Lisa Posthumus Lyons	10:08AM
Kent Cnty MI Rgsir	11/13/2018 SEAL
CONSIDERATION	\$284,000.00
COUNTY TAX	\$312.40
STATE TAX	\$2,190.00
TOTAL TAX	\$2,442.40

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for the consideration of: Two Hundred Eighty Four Thousand and 00/100 Dollars (\$284,000.00)

subject to easement, use, building, and other restrictions of record, if any.

Dated: November 09, 2018

PPN# 41-14-34-356-036  
Verified by PDM jb '68

Signed and Sealed:

*[Signature]*  
Jon Griffin

*[Signature]*  
Lisa J. Griffin

STATE OF MICHIGAN  
COUNTY OF Kent

The foregoing instrument was acknowledged before me on November 09, 2018, by Jon Griffin and Lisa J. Griffin husband and wife.

*Lisa J. Griffin*

(Sign Name:) *[Signature]*  
(Print Name:) *[Signature]*

Notary County, Michigan  
Acting in County  
My commission expires:

CYNTHIA L. ORDWAY  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF BARRY  
My Commission Expires Aug 18, 2020  
Acting in the County of

*Kent*

File No. 255544GRR

Drafted by:	Return to:
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