

GAINES CHARTER TOWNSHIP
PLANNING COMMISSION – REGULAR MEETING
Township Board Room - 8555 Kalamazoo Ave. S.E. Caledonia, MI 49316

DRAFT Agenda

7:00 p.m. – Thursday, December 19th, 2024

- I. Call to Order and Roll Call**
- II. Consideration of Agenda**
- III. Consideration of Meeting Minutes**
 - a. Consideration of November 21st, 2024, Planning Commission Regular Meeting Minutes
- IV. Inquiry of Conflict of Interest**
- V. Public Comment**
- VI. New Business**
 - 1. Public Hearings**
 - a. 1627 Sunny Glen - SUP for Chickens in RL-14
 - b. 520 68th Street - SUP Legacy Christian Monument Sign in RL-10
 - c. 1718 68th St - SUP for Accessory Building
 - d. 6684 Hanna Lake – Rezone Industrial-1 to Residential-3
 - 2. Site Plan Review**
 - a. None
 - 3. Items not requiring a Public Hearing**
 - a. 7174 Martin – Adult Foster Care Facility SUP for up to 12 Residents
- VII. General Discussion**
 - 1. Revise PC meetings to 6pm start time?
- VIII. Adjournment**

Persons with disabilities needing special accommodations should contact Kim Triplett at (616) 698-6640 one week prior to the meeting to request mobility, visual or any other assistance.

DRAFT Minutes of the Gaines Charter Township Planning Commission

Regular Meeting held November 21st, 2024, at 7 pm

8555 Kalamazoo Ave., SE, Caledonia, MI 49316

MEMBERS PRESENT: Billips, Haagsma, Rober, Thomas, Waayenberg, Wiersema, Giarmo

MEMBERS ABSENT: None

STAFF PRESENT: Dan Wells, Community Development Director; Dakota Swan, Assistant Planner

I. CALL TO ORDER AND ROLL CALL

Chair Giarmo called the meeting to order at 7:00 PM.

II. CONSIDERATION OF MEETING AGENDA

No changes to the agenda.

III. CONSIDERATION OF MEETING MINUTES

Consideration of the October 24th, 2024, regular Planning Commission meeting minutes.

Motion: Motion by Haagsma, supported by Wiersema to approve the minutes of October 24th, 2024, with corrections. (typo pg 4 & 5)

DISCUSSION: None.

AYES: Giarmo, Billips, Haagsma, Rober, Thomas, Waayenberg, Wiersema

NAYS: None

ABSTAIN: None

DECISION: Motion Carried (7-0)

IV. INQUIRY OF CONFLICT OF INTEREST

None.

V. PUBLIC COMMENT

Curtis Thompson, Executive Pastor from Kentwood Community Church (1200 60th Street), expressed his desire to see sign regulations updated. The current allowance for directional signs (4 square feet) is smaller than what is preferred for their organization (16 square feet); he added that bigger signs would be beneficial for directing traffic to Kentwood Community Church given the new hotel going up in the immediate area and the additional traffic that will be generated. Community Development Director Dan Wells responded that currently,

one monument sign is permitted per parcel, however, in the updated zoning ordinance, one monument sign will be permitted for each road frontage.

VI. NEW BUSINESS

1. Public Hearings

a. 3316 68th Street – Tentative Preliminary Plat – Thornapple Farms Phase 2

Mike West of Allen Edwin Homes gave a brief overview of the Dutton Center PUD project and explained that the overall PUD plan was approved by the Planning Commission and the Township Board in October. While not necessarily the same development, the Dutton Center PUD will transition seamlessly into the Thornapple Farms plat. West stated that Phase 2 of the Thornapple Farms plat is designed the same as it was presented in the PUD plan, and it will be constructed with several self-imposed conditions, including providing a variety of housing models, variation in front yard setbacks to create a textured streetscape, no garages protruding more than 10 feet beyond homes, sidewalks throughout the entire development, and public streets.

West stated that the plan is to build Phases 1 and 2 of the Dutton Center PUD concurrently with Phase 3 of the Thornapple Farms plat, which will assist in creating sufficient access to Hanna Lake Avenue and Dutton Avenue. Phase 1 was approved, therefore, the development team is able to pull building permits to begin construction; Planner Wells added that the development team will return to the Planning Commission for site plan review approval on the commercial portion of the Dutton Center PUD.

Wells went on to say that staff reviewed Phase 3 of the Thornapple Farms plat and found all standards to be met and harmonious with what was approved in the PUD project. Phase 3 meets all platting requirements and includes a landscaping plan that calls for 1 canopy tree for 80 feet of frontage. A streetlight assessment district will be necessary, and Wells clarified that the Fire Marshall also expressed no concerns with the proposed plat. Wells concluded by stating that staff is recommending the Planning Commission make a positive recommendation for approval to the Township Board.

Chair Giarmo opened the public hearing.

Jay Paul of 6907 Dutton Avenue inquired about fencing requirements, housing types, and how the developer was able to implement such narrow lots in the area. Planner Wells responded that smaller lot sizes were intentional, as the Master Plan calls for smaller residential lots in this area, and that the PUD was approved by both the Planning Commission and Township Board earlier this year. Wells explained that since this was approved as a PUD, the development team has flexibility to request changes from what the underlying zoning in this area would allow for by right. Additionally, the additional rooftops from this development will

likely increase traffic at businesses in the area, and the proposed density also makes these businesses accessible by foot to reinforce Dutton as a village center.

Paul then inquired about price points for homes; Wells responded that although nothing is set in stone with prices, he imagines they will likely be selling for no less than \$300,000. As far as fencing goes, Wells stated that although it was not a requirement of the PUD, it is left up to homeowner preference.

Chair Giarmo closed the public hearing.

Commissioner Wiersema began discussion by inquiring about the engineering report, specifically about whether the development team is still in the process of submitting drainage calculations. Planner Wells responded that the drainage calculations presented during the meeting were dated November 12th, although they could've submitted revised plans recently. Wiersema clarified his inquiry and asked if staff and the development team are sure that the proposed detention pond has the capacity to accommodate runoff in the area; Planner Wells responded that the Township Engineer did approve the drainage plans. Chair Giarmo added that the Township Engineer did impose a recommendation in his report pertinent to the detention pond, and that it is indeed on his radar.

Commissioner Wiersema also inquired about the house plans provided, as front porches are a self-imposed condition, although less than half of the house models provided depict front porches. West replied that the house plans provided are a sample portfolio, and Allen Edwin has the ability to add porches during construction, although they are not depicted in the renderings. West also stated that stormwater mitigation was the primary driver behind going through the PUD process for this development; the PUD has largely been designed with stormwater management in mind. Chair Giarmo clarified that the development team intends to remain in communication with the Township Engineer, to which West confirmed yes, discussion with the Township Engineer will be ongoing.

- MOTION:** Motion by Waayenberg, supported by Thomas to make a positive recommendation for approval to the Township Board of Trustees.
- DISCUSSION:** The Township Board will review this request at their December meeting.
- AYES:** ALL
- NAYS:** None
- ABSTAIN:** None
- DECISION:** Motion Carried (7-0)

2. Site Plan Review

a. None

3. Items not requiring a Public Hearing

a. Draft Zoning Ordinance

Planner Wells introduced the Zoning Ordinance update by stating that this is a massive overhaul, and he is unsure if the Zoning Ordinance has ever been updated to this degree before. Several sections of the existing ordinance have been reorganized to make the document more user friendly, and new subsections have been introduced to also increase readability and consistency with the Master Plan. Although much of the content within the ordinance remains unchanged, the overall reorganization of the document makes for a better flow and ensures that the ordinance reads in a sensible way. Wells clarified that he would be giving an overview of the biggest changes, and this meeting serves as an introduction of the new ordinance to the Planning Commission; if changes or edits are necessary, there is still time to read and revise, as the document is still a draft.

The new ordinance is split into five major sections that feature specific chapters within. Part I is the introduction to the ordinance and general provisions, Part II outlines regulations for specific zoning districts, which is arguably the most vital section of the document. Part III features building and development requirements, including setbacks, and size/height regulations. Part IV contains review processes and standards, and Part V is the administrative section.

Planner Wells spent some time going through the new Zoning Ordinance draft chapter by chapter to share some of the highlights and major changes with the Planning Commission.

Chapter 3 outlines Rules for Measurement, and Wells stated that this chapter features new graphics to ensure that regulations are described well and easy to interpret. Regulations pertaining to the depth-to-width ratio stipulated by the Land Division Act were added, and backyard setbacks for conventional condominium developments were also added.

Chapter 4 introduces the Rural Residential zoning district, which is a combination of the two existing rural zoning districts: Agricultural/Agri-Business (A-B), and Agricultural/Rural-Residential (A-R). The minimum required lot area in this zoning district is 2 acres, and the rear setback requirement has been modified to 50 feet as opposed to the 100 feet that was originally required. Language pertaining to OSP-PUD developments was modified and removed to encourage developers to look at this option in a less complicated way. In OSP-PUD developments, 50% of the land will be required to be set aside as open space, as stipulated by state law.

Chapter 5 outlines the Suburban Residential zoning district, which is a combination of the two current suburban residential zoning districts: Residential (RL-10), and Single Family Residential (RL-14). Functionally, these two zoning districts are very similar, and for efficiencies sake, staff and the Township's Planning Consultant felt it was appropriate to combine them into one designation. Lots in RL-10 are required to maintain 10,000 SF minimum, and lots in RL-14 are required to maintain 14,000 SF minimum, so the logical conclusion for the new Suburban Residential designation was to require a minimum lot size of 12,000 SF.

Chapter 6 offers an overview of a new zoning district, Village Residential. This designation is intended to accommodate various single-family and attached housing sizes across scale and encourage communities to maintain a strong neighborhood identity, with walkability and neighborhood character being highly encouraged. The Village Residential zoning district somewhat replaces the existing Multiple Family Residential (R-3) zoning district but does not account for apartments. The current zoning map does not designate any lots as Village Residential, however, the Future Land Use Plan from the Master Plan does; residents could rezone their parcels to Village Residential to allow this kind of design by right without the need for a PUD.

Chapter 7 is Multiple-Family Residential regulations, which cover apartment buildings. Single family detached homes and townhouses are still permitted within this zoning district, however, apartments are accounted for as well. Building height on apartments will be limited; within 100 ft of a primary road, building height can not exceed two stories, however, if farther than 100 ft from a primary road, building height can go up to 3 stories. Side setbacks for this zoning district are not set in stone, and Planner Wells suggested that perhaps they might vary depending on what zoning district the building is adjacent to. Wells added that this matter will be up for discussion over the next few months as the ordinance is finalized.

Chapters 8 through 13 did not undergo many significant changes; Planner Wells skipped to Chapter 14, which offers details on Planned Unit Developments (PUD's). Chair Giarmo inquired about whether or not the Township has the ability to create a PUD, to which Wells responded yes. Chair Giarmo inquired further and asked if the Township is able to preemptively rezone any given parcel to a PUD so that when developers come in, the Planning Commission has more flexibility; Planner Wells stated that the Township Board has the ability to rezone anything they see fit, however, they must balance that ability with landowner rights.

Chapter 15 is all about Land Use Regulation; this chapter has been heavily reworked and has had information from other chapters in the current ordinance imbedded into it to make for a coherent place to seek out permitted uses. A Land Use Regulation Table is included in this chapter, which outlines all permitted uses across all zoning districts at once, whereas in the current ordinance, permitted uses are scattered across individual zoning district chapters. Section 15.50 specifically contains an Accessory Land Use Regulation Table, which has been color coded to further improve the readability of what uses are allowed.

Chapter 16 contains Building Requirements, which are intended to ensure architectural diversity, high quality buildings, and a human-scale built environment. Wells added that currently, there is no minimum apartment size; developers generally like to have the option to create smaller units for the sake of attainability, however, this is a subject for the Planning Commission and Township Board to debate as the new ordinance gets closer to being finalized.

Chapter 18 is titled "Specific Use Requirements", and outlines regulations pertinent to special land uses. Wells stated that recently, regulations regarding solar energy collectors, a special land use, had come up in conversation. Wells encouraged the Planning Commission to consider what an appropriate maximum height for solar energy collectors might be and suggested that to account for new technology, it could be beneficial to measure solar panel height as an average. Wells added that this debate needs to be balanced with potential visual impacts to any neighbors.

Commissioner Wiersema pointed out that solar panels in commercial districts are permitted to be 20 feet tall; Wells responded that this is exactly why this matter needs a little more attention and discussion, as the visual difference between a 16 foot and 20-foot-tall solar panel seems mildly arbitrary.

Chapter 19 outlines lighting regulations and has undergone some significant changes. In Section 19.30, examples of compliant and noncompliant light fixtures are provided as graphics to ensure they are easily understood and accessible, and also to make staff's ability to conduct enforcement efforts on noncompliant fixtures easier. There are also new limitations on color temperature, which will be limited to 2,700 K in residential districts, and 4,000 K in commercial districts. Additionally, the Planning Commission will have the ability to make modifications to certain requirements based on the preference of applicants.

Chapter 20 contains all things Parking; there are new landscaping requirements in Section 20.40 that limit row length and require end caps to be garnished with landscaping. Three rows of parking require a pedestrian walkway or greenspace to be implemented in the parking lot design. Wells added that inspiration was taken from Ann Arbor's approach to parking and loading requirements, and walkability is highly valued and encouraged in this updated chapter. Additionally, there is a new section in this chapter that regulates charging stations for electric vehicles.

Chapter 21 is about Mobility, and largely covers regulations pertinent to traffic and access. Traffic impact study requirements are outlined in this chapter, which were modified to maintain consistency with Kent County Road Commission stipulations. The Planning Commission will have the authority to modify some of these requests.

Chapter 22 is titled "Private Streets and Driveways" and has undergone significant revisions. The current ordinance allows 4 parcels to access a private drive, and after additional parcels are created, it must be upgraded to a private street. The number of parcels that can access a private drive before requiring an upgrade to private street status is still up for debate. As far as private streets are concerned, Planner Wells encouraged the Planning Commission to consider whether they would like to continue the practice of allowing new lots so long as the residents provide a maintenance agreement to the Township. Township Attorney Cliff Bloom advised Wells that this method leads to issues in the long term, however, not everyone agrees. Currently, Section 22.60 reads that no additional lots served by private streets would be permitted to be created until the roadway is deemed compliant.

Chair Giarmo commented that the expectation is that it's not the Township's responsibility; applicants pay for legal advisory services to ensure that private road agreements are sufficient. Commissioner Haagsma added that residents could potentially work around the regulations and build additional driveways off of a private street, rather than additional lots accessing the private street directly.

Planner Wells stated that another key principle of Chapter 22 is to encourage safer roads with fewer access points onto main roadways.

Commissioner Wiersema said that safety is a priority, and he wants to allow homeowners to have some freedom if they have larger parcels, however, if the Planning Commission involves themselves heavily in this matter, it subsequently opens the Planning Commission up to adverse impacts from these decisions as well.

Planner Wells added that the Township very well could wash its hands of the private road issue and leave this matter entirely in the hands of homeowners.

Chair Giarmo inquired about whether there is a happy medium between having no regulations or having substantially high standards for public roads. Planner Wells responded that several nonconforming roads exist in the Township currently, and that usually maintenance is managed through handshake deals or spoken agreements between neighbors. He continued and stated that oftentimes issues arise when residents split a lot and begin new construction, and contractors damage the road, for which there are no regulations in place. Wells asked the Planning Commission to consider how heavily they would like to see themselves involved in the matter of private road maintenance.

Commissioner Waayenberg chimed in to say that if we want good citizens, we need to ensure that agreements are in place to hold them accountable in instances as such.

Commissioner Haagsma added that he isn't sure if roadway standards for private roads need to be as high as standards that regulate private drives accessing 4 or more parcels.

Planner Wells responded that usually adding lots or living units accessing the private roadways is what requires upgrades to bring the road into compliance and added that the Fire Department will likely have comments on Chapter 22 as well for the sake of emergency access.

Chapter 23 pertains to landscaping regulations and has been modified to be substantially more user friendly. The point system in place under the current ordinance was omitted from the updated ordinance, and buffering requirements have been updated and clarified for the sake of readability. Planting separations by zoning district have also been implemented, and the prohibited species list has also been updated.

Chapter 24 serves as the Sign Ordinance; arguably, the biggest change within this chapter is the introduction of perspective-based sign scaling. Essentially, the further from a roadway a wall sign is, the more square footage they will be allowed, as things become harder to see the farther, they are. If a sign is 100 feet or more from the roadway, they will get an extra 50 SF in sign allowance, and an additional 50 SF with every additional 50 feet from the roadway it is located. In the current zoning ordinance, wall signs are limited to 100 SF.

Commissioner Wiersema inquired about where to find regulations on monument signs and frontage; Planner Wells responded that Section 24.90 breaks down that information by zoning district. Wells added that generally speaking, size is what is being regulated.

Chapter 25 is Administrative Processes, which contains a nifty table to help applicants understand the order of operations and submittal requirements for several Planning and Zoning processes. Additionally, PUD developments now will require a neighborhood meeting to be held before their application is considered by the Planning Commission to ensure that the developer and the Planning Commission get an idea of what the neighbors are thinking prior to public hearings.

The Planning Commission took some time to discuss PUD-OSP developments further; Chair Giarmo suggested that although preservation designs featuring community septic systems are required to be a development option by law, they are a concern for the Township. Chair Giarmo recommended that the Planning Commission consider how to tighten up regulations regarding community septic systems and

clarified that while the Planning Commission doesn't discourage development, they want to ensure there are proper guardrails in place to maintain adequate and appropriate development. Furthermore, Chair Giarmo added that since bigger swaths of land to the south/ southeast won't be eligible to connect to public utility systems for the foreseeable future, there needs to be safety nets put in place for these areas.

Commissioner Waayenberg added that people build on larger lots out of personal desire, and that the overwhelming presence of clay soils in the Township ultimately limit what people are able to do.

Planner Wells clarified that guardrails currently in place include review and consideration of STEP systems by both the Township Engineer and the Kent County Health Department to determine if the system would work, however, these analyses don't necessarily consider long term implications of these systems. Wells added that although the State did implement OSP-PUD developments as a way to allow higher densities and set aside the other land for open space, they also didn't consider soil profiles and how that may impact implementation of these types of developments across different regions of Michigan.

VII. GENERAL DISCUSSION

VIII. ADJOURNMENT

The meeting adjourned at 8:58 PM.

CERTIFICATION:

I hereby certify that the above is a true copy of the minutes from the November 21st, 2024, Planning Commission Meeting of the Gaines Charter Township Planning Commission held at the time and place mentioned above pursuant to the required statutory procedures.

Respectfully submitted,

Lani Thomas,

Secretary

Gaines Charter Township Planning Commission

Date: _____

Gaines Charter Township

Planning Commission Memo

Meeting Date: December 19th, 2024

AGENDA ITEM: VI.1.a

APPLICANT: Steven Tran

PROPOSED REQUEST: Special Use Permit

PROPERTY ZONING DISTRICT: Residential-14

ADDRESS: 1627 Sunny Glen Drive SE

PROPERTY SIZE: 1.28 Acres

PARCEL NUMBER: 41-22-16-301-006

REPORT BY: Dakota Swan, Assistant Planner

FILE NUMBER: 241029ST



OVERVIEW

The applicant is requesting a Special Use Permit to keep chickens at a single-family home in the RL-14 zoning district. Based on the zoning ordinance, the keeping of non-household animals for non-commercial purposes is permitted in the RL-14 zoning district so long as the applicant obtains a Special Use Permit.

Surrounding zoning:

	NORTH: Single Family Residential (RL-14)	
WEST: Kalamazoo Avenue & South Christian High School	SUBJECT PARCEL	EAST: Single Family Residential (RL-14)
	SOUTH: Single Family Residential (RL-14)	

STANDARDS OF REVIEW

The request has been reviewed using the applicable review standards of Section 19.8 “General Standards for All Special Land Uses” and the specific standards of Section 4.15(C) “Non-Household Animals; Permitted” and Section 4.15(D) “Non-Household Animals; Special Use Permit Required”.

Section 19.8 General Standards for All Special Land Uses

The Planning Commission shall review the particular circumstances and facts of each proposed special use and in addition to the specific standards of consideration stated for each special use type within this Ordinance, and shall be guided in rendering a decision by the following general standards:

- A. *The proposed special use shall be sufficiently designed to maintain adequate provision for the protection of the health, safety, conveniences, and social and economic welfare of those who will use the special use, residents and landowners adjacent to the special use, and the community as a whole.***

Meets standard. As proposed, the use and character of the proposed non-household animals will not hinder the health, safety, or economic welfare of surrounding properties or landowners. There will be a chicken coop and chicken run located in the back yard. The applicant’s yard is pie shaped and widens towards the back, creating a reasonable buffer from neighboring properties.

- B. *The proposed special use shall be consistent with the intent of this Ordinance and the intent of the Master Plan.***

Undetermined. The current master plan does not specifically call out whether non-household animals are appropriate in a suburban residential setting or not, which is why they are subject to a Special Use Permit on a case-by-case basis. If it is determined that the proposed keeping of non-household animals is consistent with the zoning ordinance, then consistency with the Master Plan will be achieved.

The Planning Commission must determine if this request is consistent with the appropriate standards and if keeping of non-household animals is appropriate at this property. If it is determined to be so, the request will be consistent with the intent of the current Zoning Ordinance.

C. The special use shall not create or substantially add to traffic hazards in the area.

Meets standard. No additional traffic will be created by the proposal.

D. Public services and facilities such as roads, police and fire protection, drainage structures, water and sewage facilities or schools, shall be sufficiently extended to the proposed special use such that load capacities are not exceeded.

Meets standard. As non-household animals intended to be used for personal residential purposes, staff does not anticipate any impacts on roads, police and fire protection, drainage structures, utilities, or schools.

E. The proposed special use shall not set precedents for development which could adversely affect the long-term plans or policies of the Township.

Undetermined. If the Planning Commission determines that keeping of non-household animals is consistent with the intent of Suburban Residential areas as outlined in the Master Plan, then no negative precedent will be set by this request that could potentially adversely impact the long-term plans or policies of the Township.

F. The proposed special use shall not have significant adverse environmental, ecological or natural resource impacts.

Meets standard. Keeping a relatively small number of chickens for household use are not anticipated to have any impact on the environment and natural resources.

G. The proposed special use shall not have significant adverse impacts upon adjoining properties or uses.

Meets standard. Past complaints involving non-household animals have included issues related to smell and noise. At this property smell is not likely to be an issue, the yard is large enough to buffer and provide adequate ventilation. Noise can be an issue due to crowing. People keeping chickens typically don't have roosters, and staff recommends a condition that only hens be kept on the property.

Section 4.15(C): Non-Household Animals; Permitted

In considering a special use permit for non-household animals in a Residential-14 zoning district, the Planning Commission shall consider the standards stated in Chapter 19 and the following additional standards:

A. Poultry (Chickens) – No more than 10 chickens per acre are allowed.

Undetermined. The applicant has not specified how many chickens they intend to keep. If a SUP is approved, under the zoning ordinance they can have up to ten as the lot is 1.28 acres.

B. *Non-poultry – No more than 1 animal per acre is allowed.*

Not applicable. The applicant intends to keep chickens, no other non-household animals.

C. *A fence must be provided and regularly maintained to keep the animals from leaving the property. The Zoning Administrator shall determine what constitutes appropriate fencing.*

Undetermined. There is no fence currently on the property and no fence depicted on the site plan.

D. *Any non-dwelling structure which acts as housing for a Non-Household Animals must meet the requirements of “Section 20.2 – Accessory Buildings”.*

Meets standard. The 5’ x 8’ chicken coop is depicted as being within setbacks on the site plan and is not large enough to require a building permit.

Section 4.15(D): Non-Household Animals; Special Use Permit Required

A. *Can the requirements of “Subsection C (1)”, above, be met?*

Undetermined. The applicant must clarify the number of chickens they intend to keep and confirm there will be fencing around the coop.

B. *Is the design of the housing for the Non-Household Animals appropriate for the character of the neighborhood?*

Meets standard. There are several accessory buildings in the surrounding neighborhood that are of similar size or larger than the proposed chicken coop.

C. *Is the design of the housing for the Non-Household animals compatible with any existing structures on the property involved?*

Meets standard. There are no existing accessory structures on the property; staff believes that the proposed coop and chicken run are harmonious with the existing home on the property.

D. *Does the location of the housing for the Non-Household Animals negatively affect adjacent properties because of potential noise?*

Meets standard. There is always a potential for nuisance when owning chickens as they do produce noise. However, given the layout and character of the surrounding neighborhood, staff finds that the applicant is locating the coop in an area that will generally minimize any impacts on adjacent properties. All setbacks for accessory buildings will be met, and the coop is planned to be in the middle of the rear yard rather than closer to either of the two side lot lines, and therefore closer to any surrounding neighbors. The subject parcel is bigger than several surrounding lots, and the applicants back yard does not back up to any other backyards, which is anticipated to reduce any points of nuisance as well.

E. Does the location of the housing for the Non-Household animals negatively affect adjacent properties because of potential odors?

Meets standard. The chicken coop meets all setbacks for residential accessory buildings and will be located ca. 30 feet from any lot lines that adjoin the subject parcel to neighboring properties. The applicant has also stated that they intend to wash the chickens and their living quarters regularly. Staff does not anticipate that odor will be a point of nuisance to neighboring properties.

F. Would approving the request establish a negative precedent for similarly zoned properties?

Meets standard. Staff does not believe that approval of this request would set a negative precedent for development for similarly zoned properties, as non-household animals are permitted in the RL-14 zoning district so long as the homeowner obtains a Special Use Permit.

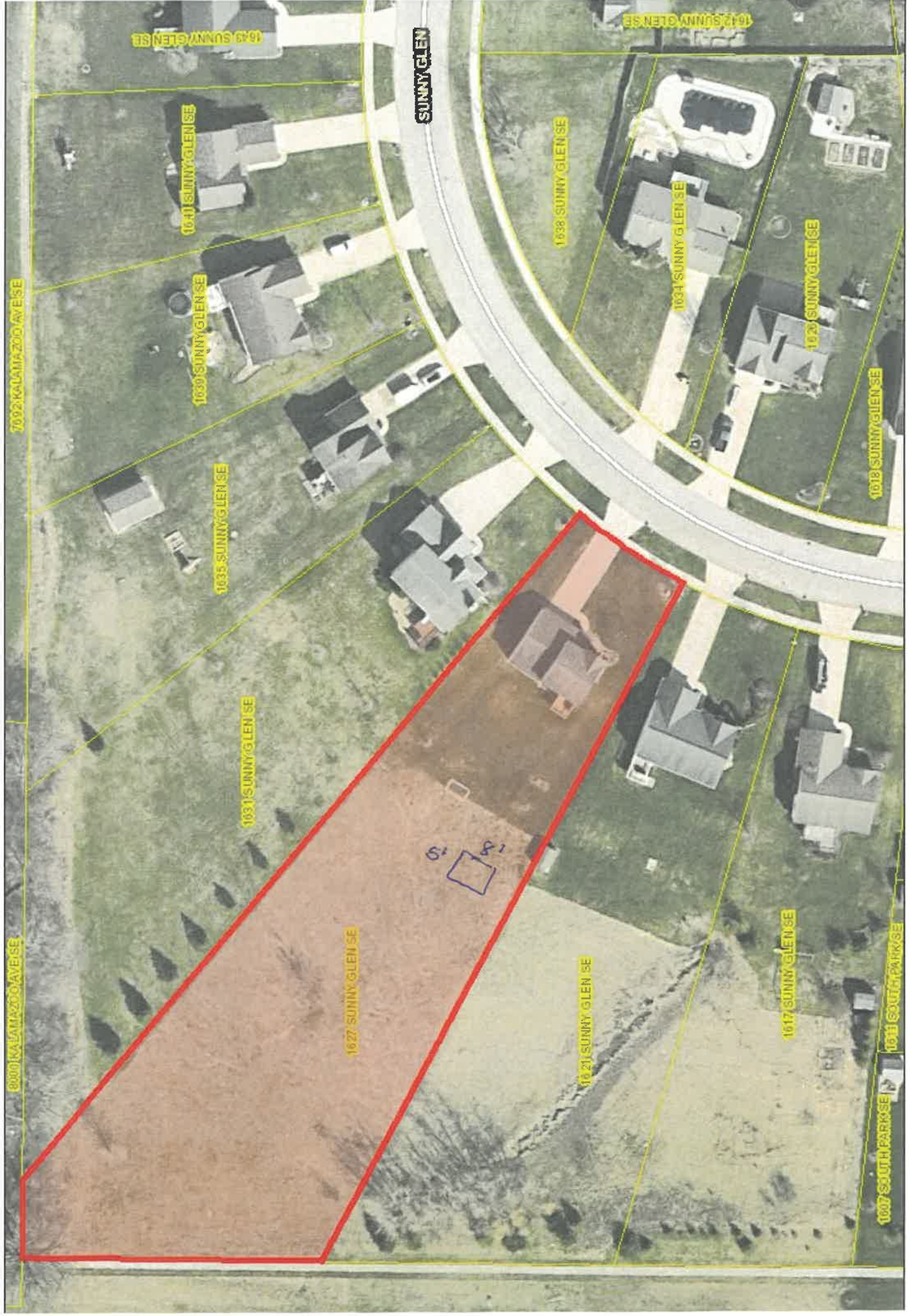
STAFF RECOMMENDATION

So long as the Planning Commission determines that the keeping of non-household animals is consistent with the intent of the Suburban Residential designation outlined in the Master Plan, staff recommends approval of the Special Use Permit with the following conditions of approval:

1. Applicant must clarify the number of chickens they intend to keep is consistent with 10 chickens per acre.
2. Applicant must install fencing surrounding the chicken coop and chicken run.
3. Only hens be kept on the property

Kent County Web Map

August 28, 2024





FILE NO.

241029ST

8555 Kalamazoo Avenue SE • Caledonia MI 49316

Ph: 616 698-6640 • Fax: 616 698-2490

www.gainestownship.org

Special Use Permit

Project Address	1627 Sonny Glenn Dr SE		
Owner Name	Steven Tran		
Owner Address	Street Address	City, State, Zip	
	1627 Sonny Glenn Dr SE	Caledonia, MI, 49316	
Parcel Number(s):	41-22-	41-22-	
Description of Proposed Project/Use	Hobby chicken coop.		

Applicant/Contact	Steven Tran		
Applicant/Contact Address	Street Address	City, State, Zip	
	1627 Sonny Glenn Dr SE	Caledonia, MI, 49316	
Contact Info	Home / Office / Cell	E-Mail	
	616.375.1968	tnhusa@gmail.com	
<i>"I" hereby certify to the correctness and knowledge of the information submitted and hereby agree to comply with the terms and requirements of all applicable Township ordinances. I also grant Township staff permission to enter onto the subject property in review of this application.</i>			
Signature			
Please complete the appropriate Worksheet as part of your application packet (see Staff for more information) for: Planning Commission, Zoning Board of Appeals requests, Land Divisions, Combinations or Lot Line Adjustments.			

Township Use Only

Current Zoning District:	RL-14	RL-10	R-3	R-4	C-1	C-2	O-S	I-1	I-2	PUD	A-R	A-B
One / Two Family Construction	☐	Zoning Board of Appeals	☐	Planning Commission	☐	Land Combination	☐					
Site Plan Review	☐	Rezoning / PUD Rezoning	☐	PUD Amendment	☐	Land Division	☐					
Subdivision / Site Condo Review	☐	Special Use Permit	☒	Lot Line Adjustment	☐							
Other:												
Approved	☐	Approved with Conditions	☐	Denied	☐	Withdrawn	☐					
Zoning Administrator:										Date:		

Applicant Response to General Standards of Review

Special Land Uses are those that have been identified as uses requiring special consideration based upon their potential effect on the adjacent area. Special regulation of these uses is necessary to protect and preserve the quality of the Township's residential and commercial neighborhoods and not all locations are appropriate for all special uses. The proposed location, the site design and layout of the use, the size and magnitude of the use and hours of operation may all be important considerations.

1. How much traffic, what kind of traffic and at what times of the day and or week will traffic be generated by the proposed use.

None

2. Will the use or activity generate any noise, dust, odor, light or other emissions? If so what type and how frequently.

Hen and chicken noises

3. In addition to the above, describe any other the activities or characteristics associated with the building(s) and use and what measures will be taken in the location design, and operation of the use to keep the use, building or activity in harmony with neighboring properties and avoid the imposition of adverse impacts on them and the community.

Small hobby chicken coop (5' x 8') and chicken run (5' x 10').
Kept away from neighbors and frequently cleaned and maintained.

4. Describe how the proposed special use will avoid the creation of adverse environmental, ecological or natural resource impacts.

Chickens will be confined in large chicken run and frequently cleaned and maintained.

Gaines Charter Township

Planning Commission Memo

Meeting Date: December 19th, 2024

AGENDA ITEM: VI.1.b

PROPOSED REQUEST: Special Use Permit-
Monument Sign in Residential-10 Zone

ADDRESS: 520 68th Street SE

PARCEL NUMBER: 41-22-07-201-048

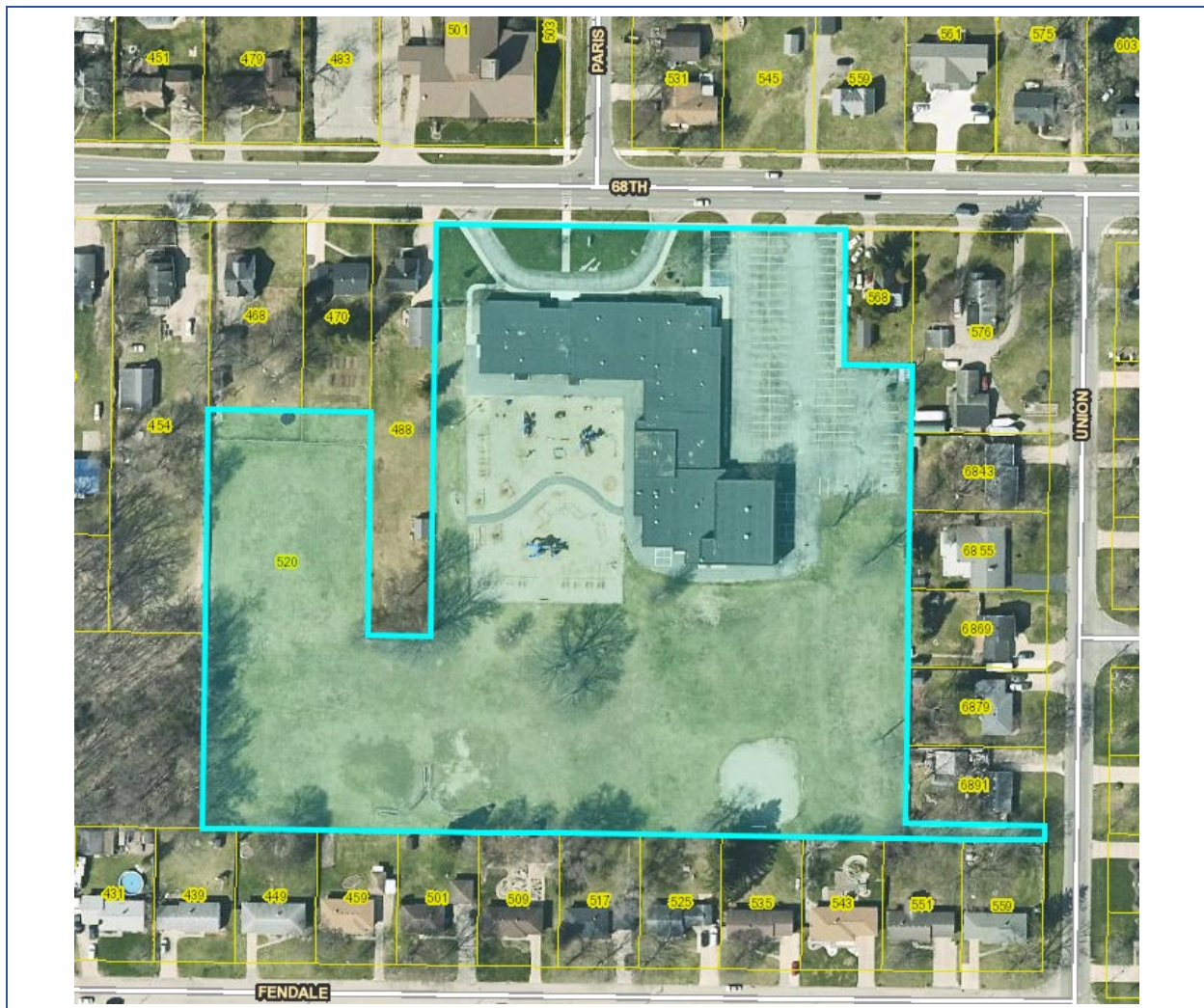
FILE NUMBER: 241120MT

APPLICANT: Mike Tiesma, Midwest Sign
Company

PROPERTY ZONING DISTRICT: Residential-10

PROPERTY SIZE: 8.71 Acres

REPORT BY: Dakota Swan, Assistant Planner



OVERVIEW

The applicant is requesting a Special Use Permit to allow for a 48 square foot (SF) monument sign in the RL-10 zoning district for Legacy Christian School. The proposed sign is 99" x 61" for a total of 41.9 square feet. In terms of mounting, the applicant has stated that 3" x 5" steel posts will be buried 42 inches deep in the ground and surrounded by concrete, and the sign will sit on an aluminum base.

The sign will feature an internally illuminated sign cabinet with acrylic push through lettering on top, and below there will be a 24" x 96" LED message center, which is 38% of the sign, meeting the sign regulation of LED panels being $\leq$ 40% of the overall sign area. The applicant has specified that the sign will be illuminated between the hours of 6am to 11pm, and that the operation of the sign will meet all the requirements of Chapter 17, Section 7(F) which include brightness and copy change intervals.

Based on the zoning ordinance, institutional uses in residential zoning districts are eligible to receive approval for ground mounted monument signs so long as a Special Use Permit is obtained (GCTZO Section 17.9). If the Planning Commission finds that standards are met for a Special Use Permit to allow for a ground mounted monument sign, the applicant will be allowed 48 square feet worth of signage, with a maximum height of 6 feet. The sign as proposed meets the size requirements outlined in Section 17.9 of the Gaines Charter Township Zoning Ordinance.

Surrounding zoning:

	NORTH: Residential-10	
WEST: Residential-10	SUBJECT PARCEL	EAST: Residential-10
	SOUTH: Residential-10	

STANDARDS OF REVIEW

The request has been reviewed using the applicable review standards of Section 19.8 "General Standards for All Special Land Uses".

Section 19.8 General Standards for All Special Land Uses

The Planning Commission shall review the particular circumstances and facts of each proposed special use and in addition to the specific standards of consideration stated for each special use type within this Ordinance, and shall be guided in rendering a decision by the following general standards:

- A. *The proposed special use shall be sufficiently designed to maintain adequate provision for the protection of the health, safety, conveniences, and social and economic welfare of those who will use the special use, residents and landowners adjacent to the special use, and the community as a whole.***

Meets standard. As the proposed special use is a ground mounted monument sign, it is not anticipated there will be an impact on health, safety, conveniences, or social and economic welfare.

- B. *The proposed special use shall be consistent with the intent of this Ordinance and the intent of the Master Plan.***

Meets standard. The Gaines Charter Township Zoning Ordinance allows ground mounted monument signs in residential zoning districts, so long as the applicant obtains a Special Use Permit. Since regulations for instances as such are built into the Zoning Ordinance, if the Planning Commission finds that the request meets the standards for the SUP, the request will be consistent with the intent of both the Zoning Ordinance and Master Plan.

C. *The special use shall not create or substantially add to traffic hazards in the area.*

Meets standard. As a ground mounted monument sign, it is not anticipated that traffic will be affected.

D. *Public services and facilities such as roads, police and fire protection, drainage structures, water and sewage facilities or schools, shall be sufficiently extended to the proposed special use such that load capacities are not exceeded.*

Meets standard. As a ground mounted monument sign, staff does not anticipate any impacts on roads, police and fire protection, drainage structures, water or sewage facilities, or schools.

E. *The proposed special use shall not set precedents for development which could adversely affect the long-term plans or policies of the Township.*

Meets standard. Ground mounted monument signs for institutional uses are permitted in residential zoning districts so long as the applicant obtains a Special Use Permit; other institutional uses in residential zoning districts are eligible to apply for a Special Use Permit to allow for the same type of signage. Staff does not believe that approval of this request would set any negative precedence for development in the Township.

F. *The proposed special use shall not have significant adverse environmental, ecological or natural resource impacts.*

Meets standard. The monument sign is not anticipated to have any impact on the environment and natural resources.

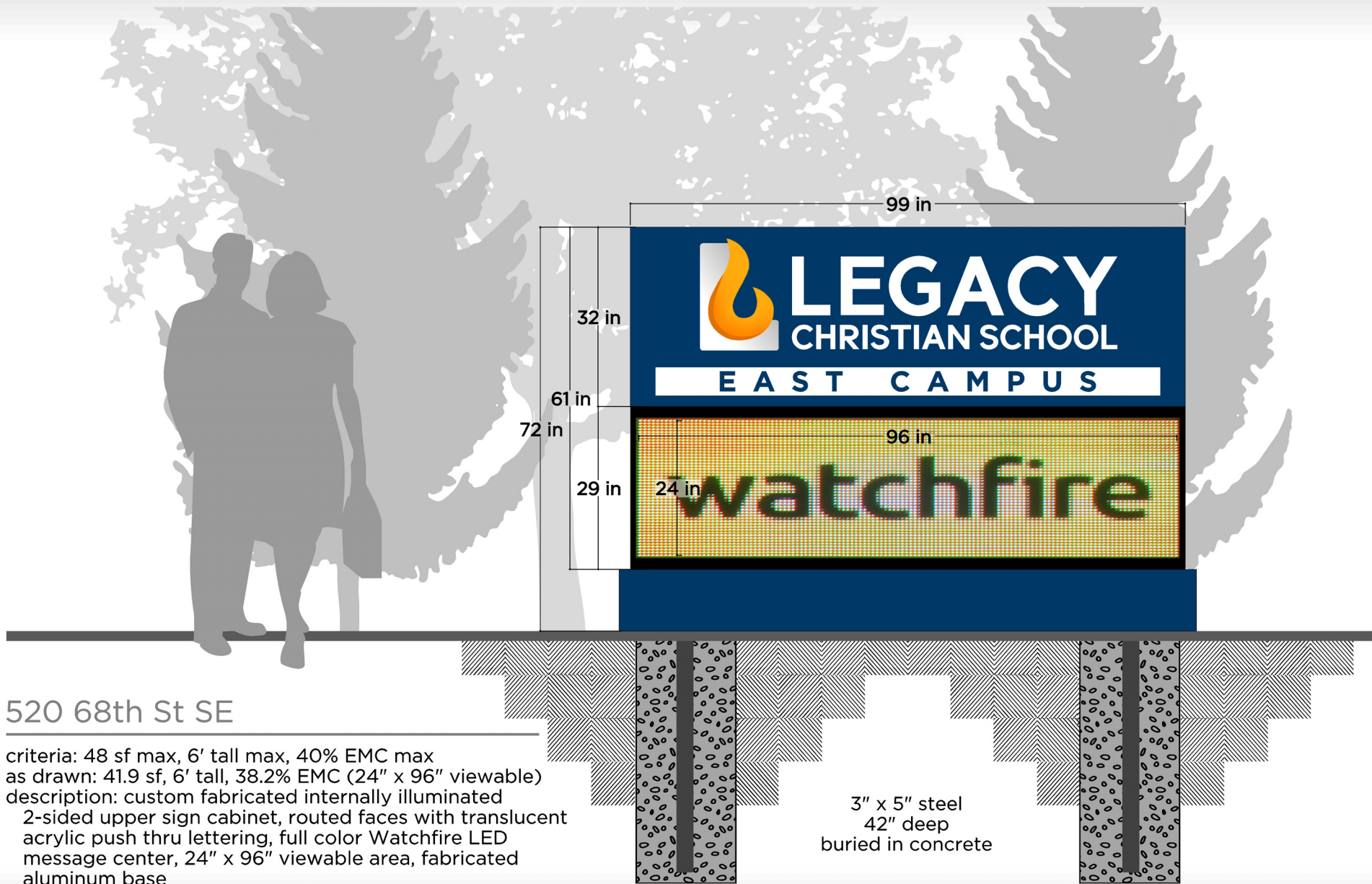
G. *The proposed special use shall not have significant adverse impacts upon adjoining properties or uses.*

Meets standard. The proposed monument sign will be larger than the existing sign, however, it will be in the same place where the current sign sits. The sign will be more than 100 feet from the driveways of either adjacent property, and staff does not anticipate vehicular circulation or visibility to be affected by the proposed sign.

STAFF RECOMMENDATION

Staff recommends approval of the Special Use Permit with no conditions.

Legacy Christian School



SIGNATURE:	DATE:	DRAWING: new MC signs	MANAGER: M. Tiesma	DATE:	
	1124 Electric Ave. Wayland, MI 49348 midwestsignco.com 616-583-1743	PROJECT: Legacy Christian Sch/NewMC signs 2024	DESIGN: R. Sobota	12/20/2023	2.0
		These designs, details and plans represented herein are the property of Midwest Sign Co; specifically developed for your personal use in connection with the project being planned for you by Midwest Sign Co. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, exhibited or copied in any fashion whatsoever. All designs (excepting registered trademarks) remain the property of Midwest Sign Co.			





FILE NO.

241120MT

8555 Kalamazoo Avenue SE • Caledonia MI 49316
Ph: 616 698-6640 • Fax: 616 698-2490
www.gainestownship.org

Special Use Permit

Project Address	520 68th St SE		
Owner Name	Legacy Christian School		
Owner Address	Street Address	City, State, Zip	
	same	Grand Rapids, MI	
Parcel Number(s):	41-22-	41-22-	
Description of Proposed Project/Use	Install new ground sign identifying the school. Sign will have an electronic message center.		

Applicant/Contact	Midwest Sign Company/ Mike Tiesma		
Applicant/Contact Address	Street Address	City, State, Zip	
	1124 Electric Ave	Wayland, MI 49348	
Contact Info	Home / Office / Cell	E-Mail	
	616-583-1743	denise@midwestsignco.com	
<i>"I" hereby certify to the correctness and knowledge of the information submitted and hereby agree to comply with the terms and requirements of all applicable Township ordinances. I also grant Township staff permission to enter onto the subject property in review of this application.</i>			
Signature			
<i>Please complete the appropriate Worksheet as part of your application packet (see Staff for more information) for: Planning Commission, Zoning Board of Appeals requests, Land Divisions, Combinations or Lot Line Adjustments.</i>			

Township Use Only

Current Zoning District:	RL-14	RL-10	R-3	R-4	C-1	C-2	O-S	I-1	I-2	PUD	A-R	A-B
One / Two Family Construction		Zoning Board of Appeals		Planning Commission		Land Combination						
Site Plan Review		Rezoning / PUD Rezoning		PUD Amendment		Land Division						
Subdivision / Site Condo Review				Special Use Permit		Lot Line Adjustment						
Other:												
Approved		Approved with Conditions		Denied		Withdrawn						
Zoning Administrator:										Date:		

Special Use Permit Applicant Worksheet

File No. _____

Special Land Use review and approval is required for certain uses of land that have increased potential to impact adjacent properties and the neighborhood. The Special Land Use application and review procedure is therefore intended to ensure that the proposed use will be designed, operated, maintained and managed in a way that will be compatible with neighboring properties and will not be detrimental to the Township or its surroundings. The application process includes public notice of the proposed use and a public hearing before the Planning Commission. Conditions of approval may be required by the Planning Commission to less on or mitigate potentially adverse effects of the use.

Please indicate request type and the applicable Section(s) of the zoning ordinance.
Leave blank if uncertain.

☐ Residential Special Use	
- ☐ Accessory Building	Section(s) _____
- ☐ Other	Section(s) _____
☐ Commercial / Industrial Special Use *	Section(s) _____
☐ Wireless Communication Facility *	Section(s) _____
☒ Signs/Billboard	Section(s) _____

* Please check with the Planning and Zoning Department staff to determine additional applicable Site Plan Approval requirements.

General Standards for All Special Land Uses (Section 19.8)

In addition to utilizing the Zoning District standards and the site plan review standards of Section 25.6, "The Planning Commission shall review the particular circumstances and facts of each proposed special use and in addition to the specific standards of consideration stated for each special use type within this Ordinance, shall be guided in rendering a decision by the following general standards:

- a. The proposed special use shall be sufficiently designed to maintain adequate provision for the protection of the health, safety, conveniences, and social and economic welfare of those who will use the special use, residents and landowners adjacent to the special use, and the community as a whole.
- b. The proposed special use shall be consistent with the intent of this Ordinance and the intent of the Master Plan.
- c. The special use shall not create or substantially add to traffic hazards in the area.
- d. Public services and facilities such as roads, police and fire protection, drainage structures, water and sewage facilities or schools, shall be sufficiently extended to the proposed special use such that load capacities are not exceeded.
- e. The proposed special use shall not set precedents for development which could adversely affect the long term plans or policies of the Township.
- f. The proposed special use shall not have significant adverse environmental, ecological or natural resource impacts.
- g. The proposed special use shall not have significant adverse impacts upon adjoining properties or uses."

Applicant Response to General Standards of Review

Special Land Uses are those that have been identified as uses requiring special consideration based upon their potential effect on the adjacent area. Special regulation of these uses is necessary to protect and preserve the quality of the Township's residential and commercial neighborhoods and not all locations are appropriate for all special uses. The proposed location, the site design and layout of the use, the size and magnitude of the use and hours of operation may all be important considerations.

1. How much traffic, what kind of traffic and at what times of the day and or week will traffic be generated by the proposed use.

There will be no extra traffic generated by the install of an electronic message center sign

2. Will the use or activity generate any noise, dust, odor, light or other emissions? If so what type and how frequently.

There will not be any noise, dust or odor generated by this sign. The light from the electronic sign portion will meet the sign ordinance regulations in Chapter 17, Section 17.7, letter F for electronic message centers. This would include hours of operation between 6 am and 11 pm.

3. In addition to the above, describe any other the activities or characteristics associated with the building(s) and use and what measures will be taken in the location design, and operation of the use to keep the use, building or activity in harmony with neighboring properties and avoid the imposition of adverse impacts on them and the community.

As stated above, the electronic portion of the sign will meet the sign ordinance requirements. Also, there are already existing electronic message center signs nearby that have no adverse impacts on the community.

4. Describe how the proposed special use will avoid the creation of adverse environmental, ecological or natural resource impacts.

n/a

Gaines Charter Township

Planning Commission Memo

Meeting Date: December 19th, 2024

AGENDA ITEM: VI.1.c

PROPOSED REQUEST: Special Use Permit

ADDRESS: 1718 68th Street

PARCEL NUMBER: 41-22-09-101-007

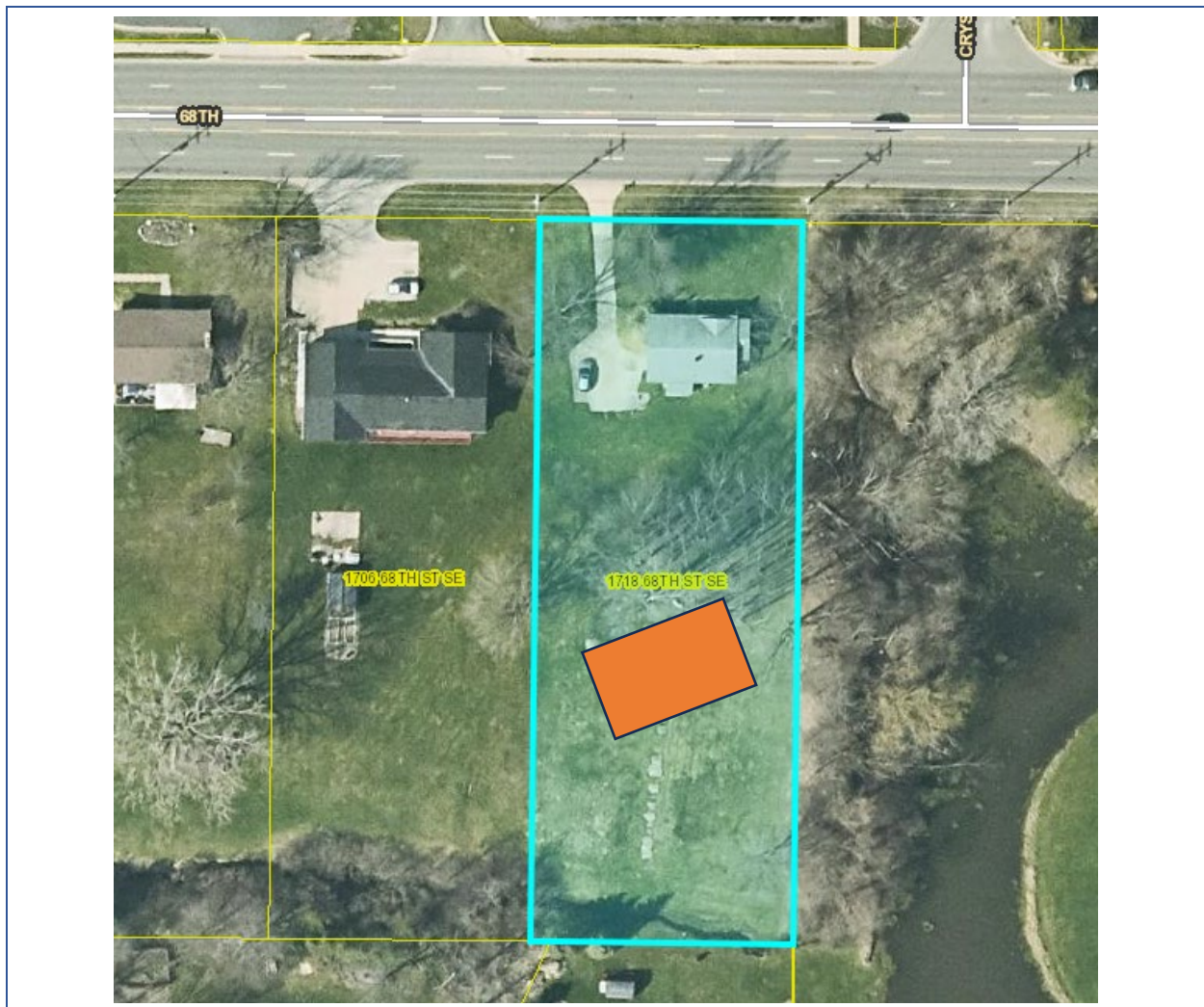
FILE NUMBER: 241002RL

APPLICANT: Richard Latta

PROPERTY ZONING DISTRICT: Residential-10

PROPERTY SIZE: 0.91 Acres

REPORT BY: Dakota Swan, Assistant Planner



OVERVIEW

The applicant is requesting a Special Use Permit to allow construction of a 40' x 60' pole barn (2,400 square feet) in the Residential-10 zoning district. The pole barn is intended to be used for residential storage purposes, specifically for personal vehicles and hobby trains. There are no other accessory buildings on the property.

Based on the zoning ordinance, the property is limited to 1,200 SF of accessory buildings, or 1.5% of the lot size, whichever is less. In this instance, the applicant is requesting double the allowed 1,200 SF, thus the request for a special use permit.

Surrounding zoning:

	NORTH: Office Service (O-S)	
WEST: Residential (RL-10)	SUBJECT PARCEL	EAST: Crystal Springs PUD
	SOUTH: Residential (RL-10)	

STANDARDS OF REVIEW

The request has been reviewed using the applicable review standards of Section 19.8 "General Standards for All Special Land Uses" and the specific standards of Section 20.2 (A) "Accessory Buildings – Standards for Increasing Maximum Floor Area".

Section 19.8 General Standards for All Special Land Uses

The Planning Commission shall review the particular circumstances and facts of each proposed special use and in addition to the specific standards of consideration stated for each special use type within this Ordinance, and shall be guided in rendering a decision by the following general standards:

- A. *The proposed special use shall be sufficiently designed to maintain adequate provision for the protection of the health, safety, conveniences, and social and economic welfare of those who will use the special use, residents and landowners adjacent to the special use, and the community as a whole.***

Meets standard. The proposed accessory building will be used for residential storage purposes. As proposed, the use and character of the building will not hinder the health, safety, or economic welfare of surrounding properties or landowners.

- B. *The proposed special use shall be consistent with the intent of this Ordinance and the intent of the Master Plan.***

Meets standard. The 2023 Future Land Use Plan designates this parcel as Suburban Residential. Accessory buildings are a permitted use under the Master Plan's guidance for suburban residential properties and is provided for by the Zoning Ordinance subject to certain standards being met.

If it is determined that the proposed accessory building is consistent with the standards of Section 20.2 (D), then consistency with the zoning ordinance will be achieved.

C. The special use shall not create or substantially add to traffic hazards in the area.

Meets standard. As an accessory building set to be utilized for residential storage, it is not anticipated that traffic will be affected.

D. Public services and facilities such as roads, police and fire protection, drainage structures, water and sewage facilities or schools, shall be sufficiently extended to the proposed special use such that load capacities are not exceeded.

Meets standard. As a residential accessory building, staff does not anticipate any impacts on roads, police and fire protection, drainage structures, water or sewage facilities, or schools.

E. The proposed special use shall not set precedents for development which could adversely affect the long-term plans or policies of the Township.

Undetermined. Accessory buildings are relatively common in suburban areas of the township and several surrounding lots have accessory buildings that are about 200 SF. The proposed barn is twice the size of what is normally allowed by right.

If the Planning Commission determines that the proposed accessory building meets the standards of Section 20.2 (D), the proposed special use will not set precedents for development that adversely impact the long-term plans or policies of the Township.

F. The proposed special use shall not have significant adverse environmental, ecological or natural resource impacts.

Meets standard. The accessory building is not anticipated to have any impact on the environment and natural resources.

G. The proposed special use shall not have significant adverse impacts upon adjoining properties or uses.

Undetermined. The proposed accessory building addition will be located in the rear yard, and all setbacks will be met. It is not expected that there will be any adverse impacts on adjoining properties or uses besides a visual impact to the properties to the west and south. It is likely that the building will be visible from both those properties and 68th Street.

Section 20.2(D).4: Accessory Buildings – Standards for Increasing Maximum Floor Area

In considering a special use permit for an accessory building exceeding the maximum floor area, the Planning Commission shall consider the standards stated in Chapter 19 and the following additional standards:

A. The intended use for the Building.

Meets standard. The proposed accessory building will be used for residential storage purposes and will be secondary to the primary residential use.

B. The size, proposed location, type and kind of construction and general architectural character of the Building.

Regulation	Required Setback	Proposed
Distance from Primary Building	10 Feet	Ca. 130 Feet
Front Yard Setback	Not Permitted	Not Applicable
Side Yard Setback	8 Feet	Ca. 18 Feet
Rear Yard Setback	3 Feet	Ca. 75 Feet
Maximum Building Height	16 Feet	15 feet

Meets standard. The setback and height requirements for the building have been met. The accessory building will be of pole barn construction, with a wood frame and steel siding. The building will also feature a gable roof, and the height to eaves will be 12 feet and height to ridgeline is 18 feet. The walls of the building will be a tan color with brown trim and will be architecturally and aesthetically compatible with the home on the property.

C. The type and kind of principal and Accessory Buildings and Structures located on properties in the same neighborhood.

Undetermined. There are several accessory buildings in the surrounding neighborhood used for residential storage purposes, however, most are in the 200 SF size range.

D. Whether the Building will affect the light and air circulation or views of any adjoining properties.

Meets standard. The proposed building is not anticipated to affect light or air circulation on surrounding properties.

E. The reason why the applicant has requested an Accessory Building in excess of the maximum floor area.

Meets standard. The applicant desires additional square footage for residential storage purposes to accommodate multiple vehicles. The accessory building will not be utilized for commercial or residential purposes.

F. The extent the Building absorbs required yards and other open spaces.

Undetermined. The total requested square footage of accessory building coverage is about 6% of the total lot size. The Planning Commission must determine whether the scale of this building is appropriate for the area.

STAFF RECOMMENDATION

Staff recommends approval of the Special Use Permit with the following conditions of approval:

1. The accessory building addition shall be architecturally similar to the existing building on the site.



Building Specs

Width: 40'
Length: 60'
Height: 12'
Roof Type: Gabled
Roof Pitch: 4":12"
Frame Type: Open Web Tapered

Colors

Roof Color: Burnished Slate
Wall Color: Light Stone

Trim Color: Brown
Soffit Color: Gray

Interior

Walls

F Wall: Enclosed
B Wall: Enclosed
L Wall: Enclosed
R Wall: Enclosed

Roof Options

R Gable Entry: 2

Half Trusses

Windows & Doors

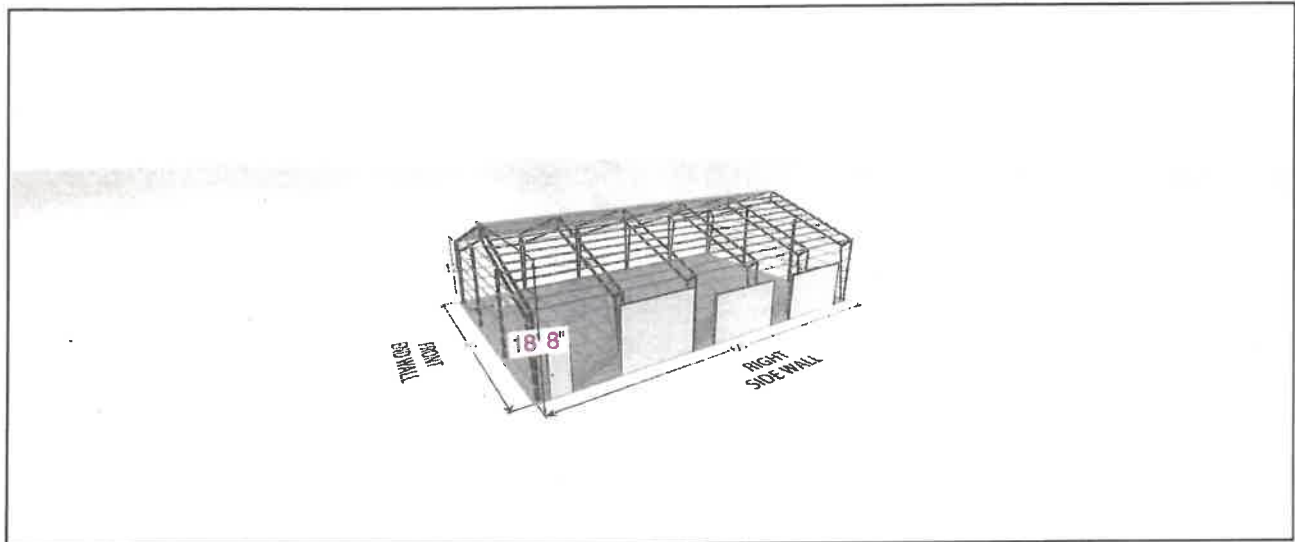
Walk Door Solid Qty: 1
Overhead Panel Door Qty: 3

Item Sizes:

Walk Door Solid: w36"x h76"
Overhead Panel Door: w12' x h10'
Overhead Panel Door: w12' x h8'
Overhead Panel Door: w12' x h8'

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Building Specs

Width: 40'
Length: 60'
Height: 12'
Roof Type: Gabled
Roof Pitch: 4":12"
Frame Type: Open Web Tapered

Colors

Roof Color: Burnished Slate
Wall Color: Light Stone

Trim Color: Brown
Soffit Color: Gray

Interior

Walls

F Wall: Enclosed
B Wall: Enclosed
L Wall: Enclosed
R Wall: Enclosed

Roof Options

R Gable Entry: 2

Half Trusses

Windows & Doors

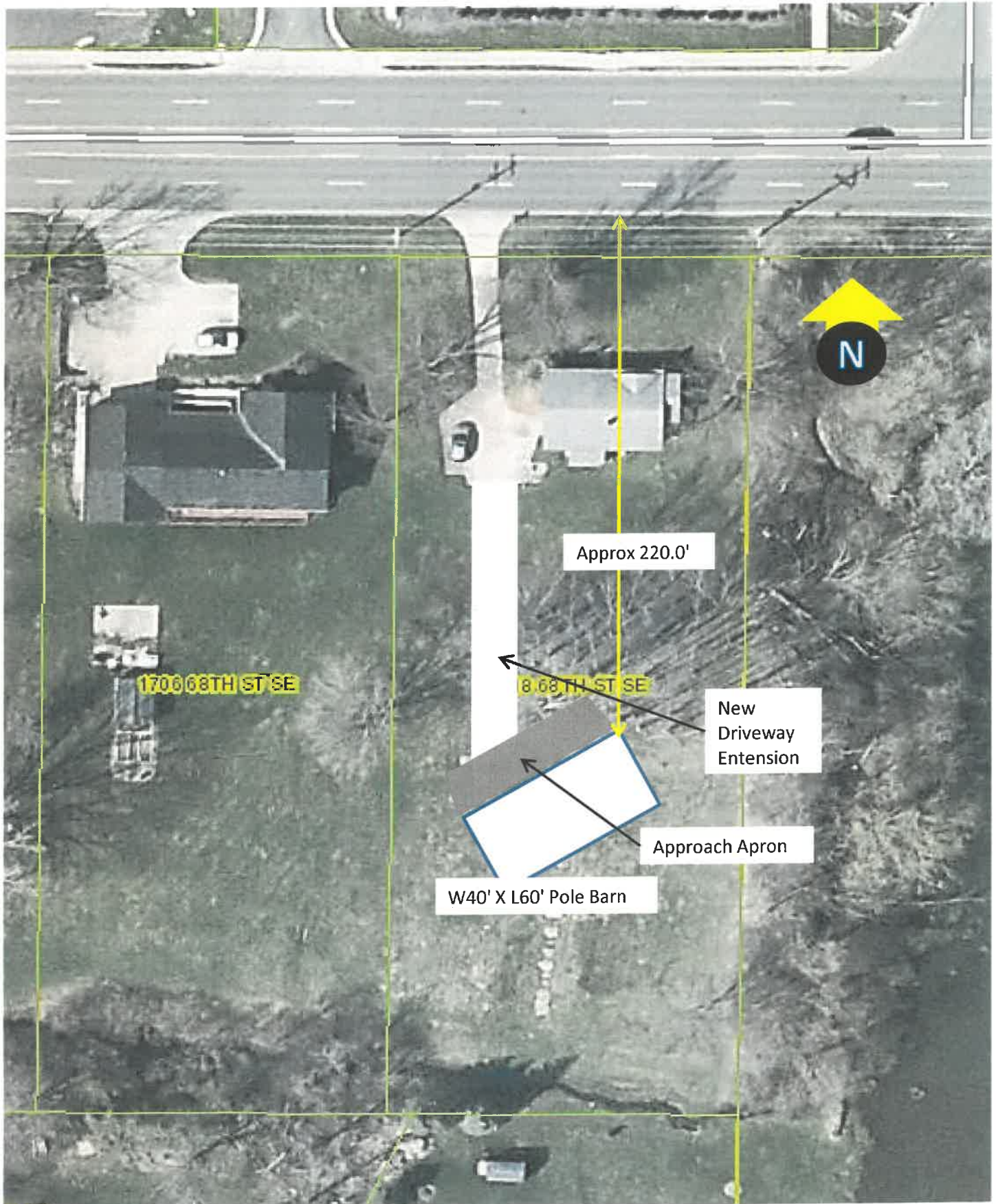
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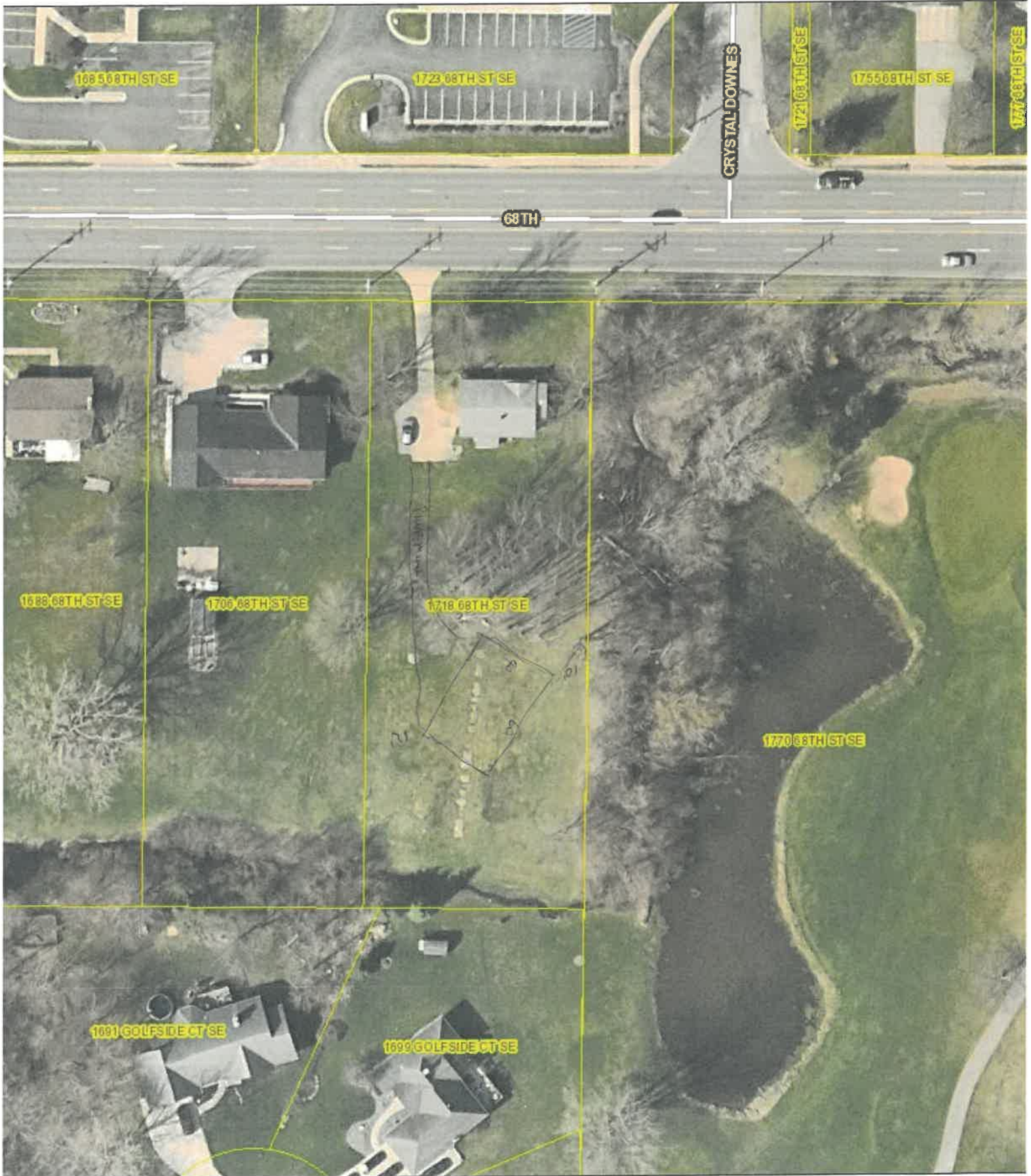
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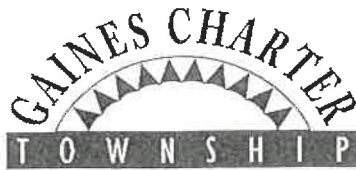
Kent County Web Map

September 23, 201



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8555 Kalamazoo Avenue SE • Caledonia MI 49316
Ph: 616 698-6640 • Fax: 616 698-2490
www.gainestownship.org

FILE NO.

241002 RL

Special Use Permit Application

Project Address	1718 68th ST SE		
Owner Name	Richard LATTA		
Owner Address	Street Address	City, State, Zip	
	1718 68th ST SE	Caledonia MI 49316	
Parcel Number(s):	41-22- 09-101-007	41-22-	
Description of Proposed Project/Use	Pole BARN 40' x 60' x 12'		

Applicant/Contact	Richard LATTA		
Applicant/Contact Address	Street Address	City, State, Zip	
	1718 68th ST SE	Caledonia MI 49316	
Contact Info	Home / Office / Cell	E-Mail	
	616-437-4108	Rick.LATTA1983@gmail.com	
<i>"I" hereby certify to the correctness and knowledge of the information submitted and hereby agree to comply with the terms and requirements of all applicable Township ordinances. I also grant Township staff permission to enter onto the subject property in review of this application.</i>			
Signature			
Please complete the appropriate Worksheet as part of your application packet (see Staff for more information) for: Planning Commission, Zoning Board of Appeals requests, Land Divisions, Combinations or Lot Line Adjustments.			

Township Use Only

Current Zoning District:	RL-14	RL-10	R-3	R-4	C-1	C-2	O-S	I-1	I-2	PUD	A-R	A-B
One / Two Family Construction	☐	Zoning Board of Appeals	☐	Planning Commission	☐	Land Combination	☐					
Site Plan Review	☐	Rezoning / PUD Rezoning	☐	PUD Amendment	☐	Land Division	☐					
Subdivision / Site Condo Review	☐	Special Use Permit	☐	Lot Line Adjustment	☐							
Other:												
Approved	☐	Approved with Conditions	☐	Denied	☐	Withdrawn	☐					
Zoning Administrator:							Date:					

Applicant Response to General Standards of Review

Special Land Uses are those that have been identified as uses requiring special consideration based upon their potential effect on the adjacent area. Special regulation of these uses is necessary to protect and preserve the quality of the Township's residential and commercial neighborhoods and not all locations are appropriate for all special uses. The proposed location, the site design and layout of the use, the size and magnitude of the use and hours of operation may all be important considerations.

1. How much traffic, what kind of traffic and at what times of the day and or week will traffic be generated by the proposed use.

None personal Vehicles only

2. Will the use or activity generate any noise, dust, odor, light or other emissions? If so what type and how frequently.

None

3. In addition to the above, describe any other the activities or characteristics associated with the building(s) and use and what measures will be taken in the location design, and operation of the use to keep the use, building or activity in harmony with neighboring properties and avoid the imposition of adverse impacts on them and the community.

Storage

4. Describe how the proposed special use will avoid the creation of adverse environmental, ecological or natural resource impacts.

None

Gaines Charter Township

Planning Commission Memo

Meeting Date: December 19th, 2024

AGENDA ITEM: VI.1.d

FILE NUMBER: 112406GT

PROPOSED REQUEST: Rezoning from
Industrial-1 to Residential-3

PROPERTY ZONING DISTRICT: Industrial-1

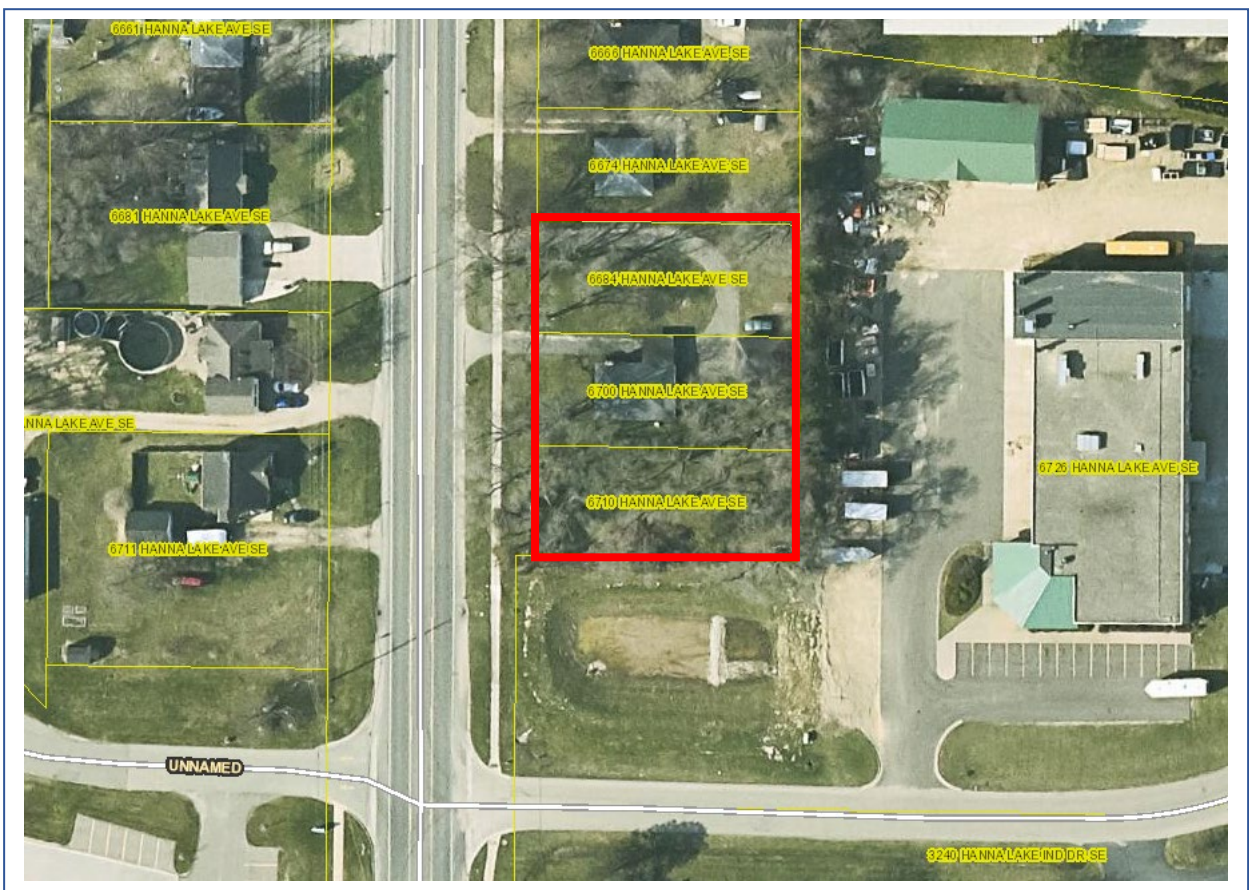
PROPERTY SIZE: 0.57 Acres

ADDRESS: 6684, 6700 & 6710 Hanna Lake Ave.

REPORT BY: Dan Wells, Community
Development Director

PARCEL NUMBER: 41-22-02-301-115

APPLICANT: Giovanni Tocco-Builder, for Dale
Benedict-Owner



OVERVIEW

The property owners of 6684, 6700 & 6710 Hanna Lake Avenue are requesting to rezone the parcel from Industrial-1 to Residential-3. This parcel has historically been used for a residential single family home, and was rezoned to Industrial-1 sometime after the late 1970s. Staff is unsure why the zoning designation changed.

The property owners recently combined three smaller parcels into a single parcel (address has not been assigned) and intend to sell the parcel to the applicant, pending the rezoning. He in turn intends to either add two to three townhomes to the existing home, or tear it down and build all new townhomes, depending on the cost-benefit.

Surrounding zoning:

	NORTH: Residential use, Industrial-1 zoning	
WEST: Hanna Lake Avenue and Residential-10 zoning	SUBJECT PARCEL	EAST: Industrial-1 use and zoning
	SOUTH: Industrial-1 use and zoning	

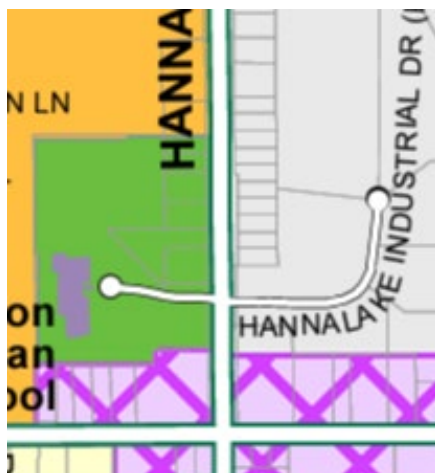
STANDARDS OF REVIEW

The request has been reviewed using the applicable review standards of Section 27.4, Review Standards for Amendments, which states:

In reviewing an application for the rezoning of land, whether the application is made without or with an offer of conditions (as in a conditional rezoning request), factors that should be considered by the Planning Commission and the Township Board include, but are not limited to, the following:

- A. Whether the proposed rezoning is consistent with the policies and uses proposed for that area in the Township's Master Land Use Plan;**

Does not Meet Standard, with Consideration. The 2023 Future Land Use Plan designates this parcel as Light Industrial use, which is not consistent with the proposed rezoning.



MASTER PLAN LEGEND	
	RUR, Rural
	LDR, Low Density Residential
	MDR, Medium Density Residential
	OSR, Open Space Development
	HDR, High Density Residential
	LR, Local Retail
	GCM, General Commercial
	OFC, Office/Service
	MU, Mixed Use
	PD-BT, Planned Development-Business Technology
	LIN, Light Industrial
	HIN, Heavy Industrial
	PUB, Public/Quasi-Public
	ROW, Right-of-Way, Not a Land Use

The owners of the property wish to rezone the parcel from Light Industrial (I-1) to Multiple-Family Residential (R-3) so they can sell their property to a builder for redevelopment into townhomes. The 2002 Master Plan states:

“The Industrial and heavy industrial land use designation are intended to further the township’s role in providing employment for area residents and manufactured goods and services to meet the needs of the larger West Michigan region.”

“The most important characteristic of the light industrial area is its low use intensity. These areas are intended to provide a safer, cleaner industrial environment. Uses recommended for this area, therefore, include only industrial, warehousing and transportation activities that create a minimum of off-site effects. Industries that traditionally cause excessive noise, vibration, odors, visual blight, environmental pollution, or area involved in potentially hazardous processes, should be avoided or allowed only on a discretionary basis.”

Under “Chapter 7 Medium and High Density Residential Zoning Districts” the purpose of R-3 zoning is:

“intended to provide a residential mix of one, two, and multiple family dwellings.”

Given that the proposed use of the parcel is inconsistent with the Future Land Use Plan and Master Plan, staff finds this standard not met.

However, staff also recognizes the overwhelming need for housing throughout the region. Considering the historical use of the property for single family use, and it’s small size which makes it unlikely to be used for a light industrial facility, it may be reasonable to depart from the Future Land Use Plan in this case.

The Master Plan does allow for departures in limited cases:

The Future Land Use Plan is general in scope. It is not, in most cases, intended to establish precise boundaries of land use or exact locations of future uses in the same way as the township’s Zoning Map. Change is constant and usually unpredictable, and there may be circumstances that warrant changes to the zoning boundaries that are not consistent with the Master Plan. However, the intent and spirit of the Future Land Use Plan and categories should be followed.

The Planning Commission will need to determine whether the rezoning request is reasonable considering the following factors:

- 1. Have any conditions changed in the area since the plan was adopted which may justify this change?*
- 2. Is the development proposal generally consistent with the intent and spirit of the Future Land Use Plan and its recommendations?*
- 3. Will there be any community impacts that should be considered, such as increased traffic or others that might create a need for additional services or improvements?*

4. *Are there any environmental considerations or constraints?*
5. *Will there be any adverse effects on adjacent properties as a result of the proposed land use change?*
6. *What will the impacts be on the public health, safety, and welfare of the township residents?*

B. *Whether all of the uses and structures allowed under the proposed rezoning would be compatible with other zones and uses in the surrounding area;*

Undetermined. Rezoning to R-3 would enable higher density housing on the parcel, which may include townhouses or possibly a small apartment building under current zoning. The number of units allowed would be limited by the parcels' overall size and limited to a maximum of five units under the current ordinance.

In consideration of the rezone to residential, the Planning Commission will need to consider the adjacent light industrial use immediately to the east and whether potential issues related to noise, odors and visual nuisance conditions may be present, or arise in the future.

Industrial setbacks also become more restrictive when adjacent to residential use, so this may limit expansion of the building to the east at some point. The parcel at 6726 Hanna Lake immediately to the east of the proposed rezone is currently Light Industrial, which requires a 25-foot rear setback; if changed to residential the industrial building would have required rear setback of 50 feet. Currently the building is approximately 100 feet from the rear property line.

C. *Whether any public services and facilities would be significantly adversely impacted by a development or use allowed under the requested rezoning;*

Meets standard. All public services and facilities are currently available and would not be adversely affected by the rezoning from I-1 to R-3. The subject parcel is just over half an acre in size; a strain on public services and facilities is not anticipated.

D. *Whether the proposed zoning would be reasonable;*

Undetermined. The Planning Commission will need to determine if the proposed rezoning would be reasonable considering need for housing, and the industrial use immediately to the east. If the need for additional housing is determined to be the priority over industrial use this standard may be met.

E. *Whether circumstances in the area have changed;*

Meets standard. Dutton has been the focus of new residential development over the last three years, with approval of Thornapple Farms, Hoffman Meadows and Dutton Center PUD, approximately 548 housing units including single-family, townhouses, and apartments have been approved in the vicinity. Construction of these homes has just begun and will take years to complete, but there has been a fundamental change in the future of Dutton which is on a trajectory to become more residential in nature.

The Planning Commission should discuss whether the east side of Hanna Lake makes a reasonable location for additional townhome or small apartment housing considering these changes.

F. Whether the uses allowed under the proposed rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land.

Meets standard. This third of a mile stretch of Hanna Lake is currently residential in nature, and has a pleasant suburban feel and look due to the smaller homes of large lots and the open school grounds to the west. Expansion of industrial use along Hanna Lake would not be appropriate from a suburban neighborhood environment perspective. It is the northern entry into Dutton that would be aesthetically more pleasing to be anything but industrial.

STAFF RECOMMENDATION

Staff recommends the Planning Commission consider all the factors of this rezoning request and determine if it's reasonable, and beneficial to the long-term development goals of the Township.

After consideration of these standards and public comments, a recommendation to the Township Board of Trustees to approve, or deny the request should be made.

Current Zoning District:										RL-14	RL-10	R-3	R-4	C-1	C-2	O-S	I-1	I-2	PUD	A-R	A-B
One / Two Family Construction ☐		Zoning Board of Appeals ☐		Planning Commission ☐		Land Combination ☐															
Site Plan Review ☐		Rezoning / PUD Rezoning ☒		PUD Amendment ☐		Land Division ☐															
Subdivision / Site Condo Review ☐				Special Use Permit ☐		Lot Line Adjustment ☐															
Other:																					
Approved ☐		Approved with Conditions ☐		Denied ☐		Withdrawn ☐															
Zoning Administrator:							Date:														

Rezoning/ Ordinance Amendment Applicant Worksheet

File No.

For all rezoning requests, submit a fully dimensioned map showing:

- Legal description
- Parcel numbers
- Present Zoning District
- Zoning District of abutting properties
- All public and private right of ways, easements bounding and intersecting the land to be rezoned.

☒ Text or Zoning Map Amendment

☒ Current Zoning District I-1

☒ Proposed Zoning District R3

☐ Planned Unit Development (PUD) Rezoning

☐ Conditional Rezoning

For PUD and Conditional Rezoning's refer to the applicable section of the Zoning Ordinance for specific submittal requirements.

SIGNATURE OF ALL OWNERS (proof of ownership required)

Signature	Date	Signature	Date
Joyce Benedict	10/21/24		
Signature	Date	Signature	Date

General Rezoning Review Standards

1. If the request to rezone is to correct an error, state the circumstances and how the proposed amendment will result in a correction.

n/A

2. Explain changed or changing conditions that make the proposed amendment reasonably necessary to the promotion of public health, safety and general welfare.

The current's emerging Dire Need for housing that is Affordable in the township - This would create multi-family housing

3. List circumstances, factors and reasons supporting the proposed amendment.

The Lots are too small for industrial use and would be better used for housing

4. Indicate the section and reason for text amendments to the current Zoning Ordinance.

To build multi family housing

Gaines Charter Township

Planning Commission Memo

Meeting Date: December 19th, 2024

AGENDA ITEM: VI.3.a

PROPOSED REQUEST: Special Use Permit

ADDRESS: 7174 Martin Avenue SE

PARCEL NUMBER: 41-22-07-280-012

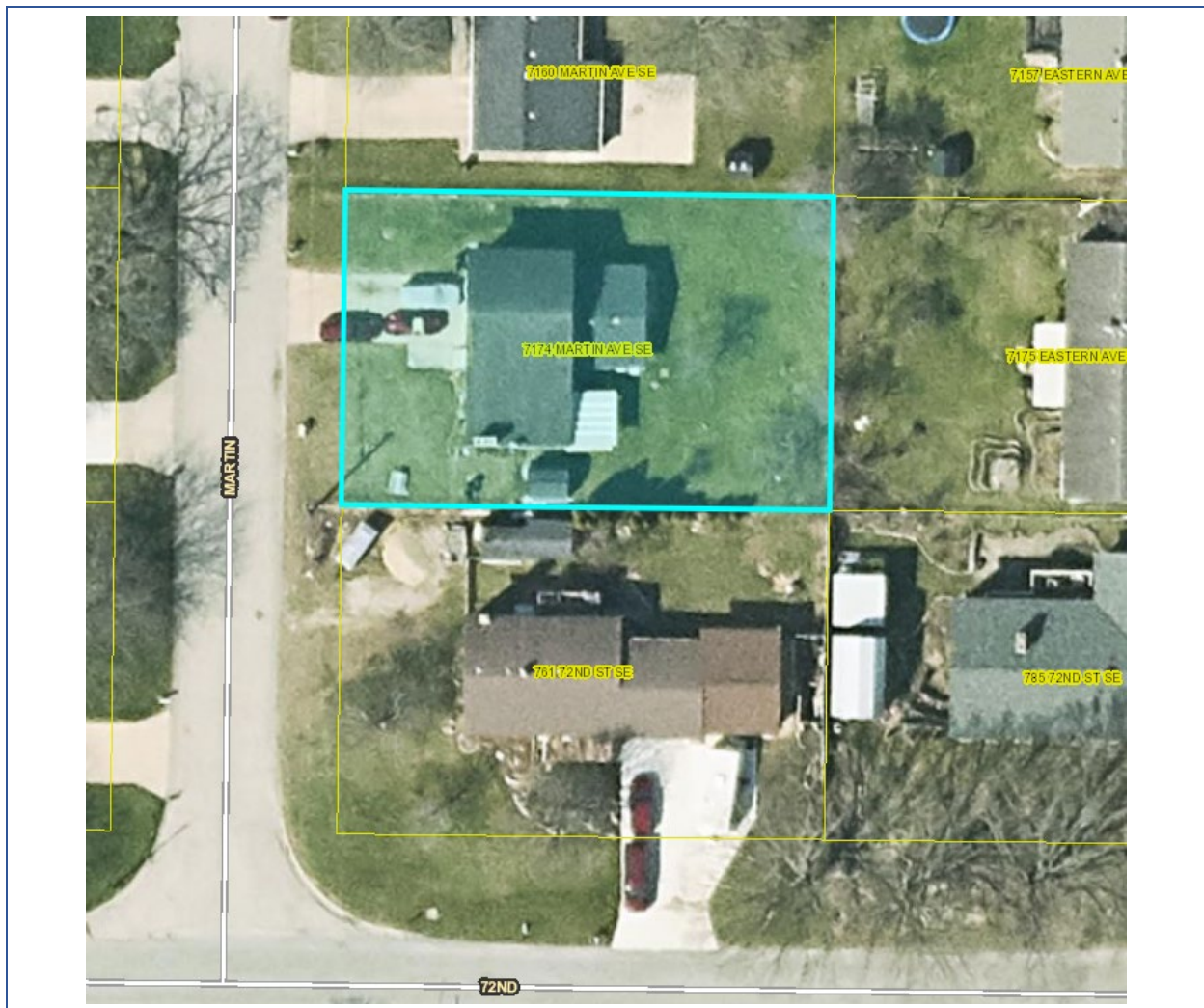
FILE NUMBER: 240807SF

APPLICANT: Stephen V. Forkpah

PROPERTY ZONING DISTRICT: Residential-10

PROPERTY SIZE: 0.25 Acres

REPORT BY: Dan Wells- Community Development
Director, Dakota Swan- Assistant Planner



OVERVIEW

The applicant is requesting a Special Use Permit to allow for an Adult Foster Care Small Group Home with the capacity for up to twelve individuals in the RL-10 zoning district. Based on the zoning ordinance, the applicant is required to obtain a Special Use Permit to operate an Adult Foster Care Small Group Home within the RL-10 zoning district.

The applicant is currently operating an Adult Foster Care Small Group Home at the property named Kingdom Rest Center (Inspection Report attached) with the capacity to care for six individuals, and they wish to obtain a Special Use Permit so they may increase their capacity to twelve individuals.

The Special Use Permit was considered at two previous Planning Commission meetings; both times the request was postponed to gather information about interior conditions and safety utilities installed. The applicant allowed the Township Building Inspector and the Fire Marshall to inspect the premises and their reports are attached.

Surrounding zoning:

	NORTH: Residential (RL-10)	
WEST: Residential (RL-10)	SUBJECT PARCEL	EAST: Residential (RL-10)
	SOUTH: Residential (RL-10)	

STANDARDS OF REVIEW

The request has been reviewed using the applicable review standards of Section 19.8 “General Standards for All Special Land Uses” and 19.19.S “Adult Foster Care Small Group Home”.

Section 19.8 General Standards for All Special Land Uses

The Planning Commission shall review the particular circumstances and facts of each proposed special use and in addition to the specific standards of consideration stated for each special use type within this Ordinance, and shall be guided in rendering a decision by the following general standards:

- A. The proposed special use shall be sufficiently designed to maintain adequate provision for the protection of the health, safety, conveniences, and social and economic welfare of those who will use the special use, residents and landowners adjacent to the special use, and the community as a whole.***

Does not meet standard.

The Building Department has determined that permits were pulled for furnaces, water heaters, fire alarms and the fire suppression system but final inspections have not been completed.

Based on the physical inspection of the home the Building Inspector determined:

- The square footage is inadequate for 12 people
- Lower-level bedroom lacks an egress window
- Upper-level bedrooms have inadequate sized windows for egress
- Hallways are too narrow and congested
- Outlets need cover plates in laundry
- Electrical plugs need updating in some rooms

The Fire Marshall has determined that the following items are inadequate:

- Exit signs
- Fire wall/door/ceiling tiles condition
- Interior exits obstructed
- Fire alarm system untested
- Lack of documentation that fire suppression system had been tested

B. The proposed special use shall be consistent with the intent of this Ordinance and the intent of the Master Plan.

Meets standard. Adult Foster Care Small Group Homes are permitted in the RL-10 zoning district with a Special Use Permit. If the Planning Commission finds that the proposed Adult Foster Care Small Group Home is consistent with the standards of Section 19.8, then consistency with the zoning ordinance will be achieved.

C. The special use shall not create or substantially add to traffic hazards in the area.

Meets standard. It is not anticipated that there will be any substantial increase in traffic hazards in the immediate area, as the capacity is only proposed to increase by six individuals, none of which will be driving on a regular basis. Kent County Sheriff Department has never received a complaint regarding traffic problems in the vicinity of this AFC related to staff or residents.

D. Public services and facilities such as roads, police and fire protection, drainage structures, water and sewage facilities or schools, shall be sufficiently extended to the proposed special use such that load capacities are not exceeded.

Meets standard. Staff does not anticipate any significant impacts on roads, police and fire protection, drainage structures, water or sewage facilities, or schools.

The Kent County Sheriff Department provided information that they have had three calls to the residence since 2021: an Adult Protective Services Complaint (06/05/2024), a Wellbeing Check (09/30/2023), and a Civil Standby by to Keep the Peace (03/31/2023).

E. The proposed special use shall not set precedents for development which could adversely affect the long-term plans or policies of the Township.

Meets standard. Adult Foster Care Small Group Homes are accounted for in Chapter 19 of the zoning ordinance, and are permitted in the RL-10 zoning district so long as a special use permit is obtained.

F. The proposed special use shall not have significant adverse environmental, ecological or natural resource impacts.

Meets standard. The Adult Foster Care Small Group is not anticipated to have any impact on the environment and natural resources.

G. The proposed special use shall not have significant adverse impacts upon adjoining properties or uses.

Meets Standard. At the September public hearing for this application, several neighbors voiced that they do not approve of the increase in capacity for this facility due to concerns regarding “loud” and “vulgar” conduct, and being made to feel generally uncomfortable by this use. However, denying this application based on intimidation that is felt as a result of the residents handicap is not a lawful or valid reason for denial. The residents handicap or disability should not be weighed as a negative factor in this decision; the Fair Housing Act (FHA) prohibits local governments from applying land use regulations in a way that will give disabled people less opportunity to live in certain neighborhoods than those without disabilities.

Absent actual incidents of physical harm, the Planning Commission should not deny the application based on perceived threats based on AFC residents’ disability status. It is likely that this would be a violation of the Fair Housing Act under the requirement that “reasonable accommodation” be made for housing of disabled persons.

As noted in (D) above, records indicate that from October of 2021 to October of 2024, there have been three emergency calls made to the Kent County Sheriff Department on behalf of this property, none of which were pertinent to noise violations (See “D” above).

Adult Foster Care Small Group Home

1. The applicant must be able to demonstrate that all applicable state requirements will be met, such as compliance with State Building and Fire Codes and compliance with state licensing requirements.

Does not meet standard. The owner of the property has applied for electrical and mechanical permits at the property but has not completed inspections. Staff recommends requiring completion of all open inspections through the Building Department, and Fire Inspector approval prior to SUP review.

Conditions that do not meet current building and fire code requirements must be corrected prior to SUP review. See comments in 19.8.a above.

2. If proposed as new construction, the building shall have an appearance that is non-intrusive and consistent in color, materials, roofline and architecture with the area in which it is located, as determined by the Planning Commission.

Not applicable. The building is an existing home that is in scale with the neighborhood.

3. An on-site drive shall be provided for drop-offs/loading. This drive shall be arranged to allow maneuvers without creating a hazard to traffic flow on the fronting street.

Meets standard. The existing driveway is adequate for the infrequent pick up and drop offs at the residence which occur 4-5 times a day.

STAFF RECOMMENDATION

Staff recommends the Planning Commission deny the SUP application due to safety concerns related to building and fire code violations.

A second consideration of the SUP request to increase the number of residents shall not occur until the owner can demonstrate completion and approval of all Building Department required permits, have a

completed and approved Fire Inspection for the residence, and demonstrate adequate space for housing the number of residents.

From: [Dan Wells](#)
To: [Dan Wells](#)
Subject: 7174 Martin
Date: Friday, September 13, 2024 2:04:27 PM
Attachments: [image001.png](#)

Dan,

Notes for 7174 Martin:

I would recommend a new building permit be obtained for the change of use back to Adult foster care facility even though it met the requirements by the State of Michigan.

The use of the building is changed from previously licensed Adult foster care facility that lost its license under Pleasz Daniels. A change occupancy requires a new building permit. (MBC 2015 Section 105). The occupancy as licensed adult foster home ceased when the previous owner lost the license. It was operated as a private home with rental rooms for several years. There were anonymous reports of issues unapproved living quarters in the basement areas and problems with proper heat in some of the units under previous ownership.

Our records indicate that there are :

1. Open permits for Electrical from Riverside integrated Systems for **alarm systems that were never inspected (2009)** These alarms are most likely not functional after a normal 10-year life. **It is not noted if Carbon monoxide detectors are installed.**
2. Open permits for Mechanical From Alpha fire for a new fire suppression system. **No inspections noted.**
3. Open permits for the replacement of an alarm system with tie-in to the new fire suppression system. **No indication of any monitoring system with 911 notification in place. No inspections noted.**

Recommend inspections from licensed contractors for furnace and water heaters. No permits are on file for any replacements by licensed contractors of water heaters or furnaces with inspections. **The equipment is well past its normal life span.**

I would get feedback from other departments as well.

Sherrif dept-

1. Past complaints of parking and other complaints of past owners
2. Possible investigate registration of any sex offenders and distance to church and other possible daycare if applicable.

Fire Dept-

1. Inspection of fire safety along with building department approvals as condition for occupancy.
2. Recommendation of fire safety inspections on regularly scheduled basis. Testing of

alarm systems and notification.

GAINES CHARTER

TOWNSHIP

www.gainestownship.org

john.stuyfzand@gainestownship.org

John Stuyfzand

Building Official & Building Inspector

Office: 616-698-6640 Ext. 126

Direct: 616-433-8560



Gaines Charter Township Fire Department Inspection Report

Walk Through Inspection Result

Inspection Status

Completed with fail

Inspected by

Pat Quick

Completed at

11/14/2024

Business Name	Address	Suite	City	State
Kingdom Home	7174 Martin SE	--	Grand Rapids	MI
Zip	49548			

EXTERIOR:

✓ Pass

ITEM: Exits to Open Area

✓ Pass

ITEM: Waste Accumulation

✓ Pass

ITEM: Proper Address

✓ Pass

ITEM: Exterior Exits Obstructed

INTERIOR:

✓ Pass

ITEM: Storage Condition

✓ Pass

ITEM: Exit Location

✓ Pass

ITEM: Exits Marked

✗ Fail

ITEM: Exit Signs Working

REMARK:

Multiple exit signs not working. Have all exit sign inspected to verify operation.

CODE: IFC - 1013.5 - Internally illuminated exit signs. - Electrically powered, self-luminous and photoluminescent exit signs shall be listed and labeled in accordance with UL 924 and shall be installed in accordance with the manufacturer's instructions and Section 604. Exit signs shall be illuminated at all times.

IFC - 1013.6.3 - Power source. - Exit signs shall be illuminated at all times. To ensure continued illumination for a duration of not less than 90 minutes in case of primary power loss, the sign illumination means shall be connected to an emergency power system provided from storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with Section 604. Exceptions: 1. Approved exit sign illumination means that provide continuous illumination independent of external power sources for a duration of not less than 90 minutes, in case of primary power loss, are not required to be connected to an emergency electrical system. 2. Group I-2 Condition 2 exit sign illumination shall not be provided by unit equipment battery only.

✓ Pass

ITEM: Door Swing Proper

✓ Pass

ITEM: Proper Door Hardware/Locks

✗ Fail

ITEM: Fire Wall/Door Condition/Ceiling Tiles

REMARK:

Repair holes in walls and ceilings

CODE: IFC - 703.1.2 - Smoke barriers and smoke partitions. - Required smoke barriers and smoke partitions shall be maintained to prevent the passage of smoke. Openings protected with approved smoke barrier doors or smoke dampers shall be maintained in accordance with NFPA 105.

IFC - 703.3 - Ceilings. - The hanging and displaying of salable goods and other decorative materials from acoustical ceiling systems that are part of a fire-resistance-rated horizontal assembly, shall be prohibited.

IFC - 703.1 - Maintenance. - The required fire-resistance rating of fire-resistance-rated construction, including, but not limited to, walls, firestops, shaft enclosures, partitions, smoke barriers, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members and fire-resistant joint systems, shall be maintained. Such elements shall be visually inspected by the owner annually and properly repaired, restored or replaced where damaged, altered, breached or penetrated. Records of inspections and repairs shall be maintained. Where concealed, such elements shall not be required to be visually inspected by the owner unless the concealed space is accessible by the removal or movement of a panel, access door, ceiling tile or similar movable entry to the space. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer openings and holes made for any reason shall be protected with approved methods capable of resisting the passage of smoke and fire. Openings through fire-resistance-rated assemblies shall be protected by self- or automatic-closing doors of approved construction meeting the fire protection requirements for the assembly.

✓ Pass

ITEM: Storage Location

✓ Pass

ITEM: Waste Accumulation

✓ Pass

ITEM: Number of Exits

✗ Fail

ITEM: Interior Exits Obstructed

REMARK:

Keep marked exits with a clear pathway

CODE: IFC - 1003.6 - Means of egress continuity. - The path of egress travel along a means of egress shall not be interrupted by a building element other than a means of egress component as specified in this chapter. Obstructions shall not be placed in the minimum width or required capacity of a means of egress component except projections permitted by this chapter. The minimum width or required capacity of a means of egress system shall not be diminished along the path of egress travel.

ELECTRICAL:

✓ Pass

ITEM: Emergency Lights

FIRE EXTINGUISHERS:

✓ Pass

ITEM: Accessible

✓ Pass

ITEM: Proper Number

✓ Pass

ITEM: Proper Height/Secured Properly

✓ Pass

ITEM: Proper Type

✓ Pass

ITEM: Maintenance/Condition

FIRE PROTECTION SYSTEMS:

✓ Pass

ITEM: Valves Marked

✓ Pass

ITEM: Spare Sprinklers and Wrench Provided

✗ Fail

ITEM: Fire Alarm System Inspected

REMARK:

Provide documentation that alarm system has been inspected in the las year.

CODE: IFC - 904.4.2 - Alarm testing. - Notification appliances, connections to fire alarm systems and connections to approved supervising stations shall be tested in accordance with this section and Section 907 to verify proper operation.

✓ Pass

ITEM: Suppression System Provided

✓ Pass

ITEM: Suppression System Proper

✗ Fail

ITEM: Suppression System Inspected

REMARK:

Provide documentation that sprinkler system has been inspected in the last year.

CODE: IFC - 901.6 - Inspection, testing and maintenance. - Fire detection, alarm, and extinguishing systems, mechanical smoke exhaust systems, and smoke and heat vents shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Nonrequired fire protection systems and equipment shall be inspected, tested and maintained or removed.

✓ Pass

ITEM: Suppression System Operable

✓ Pass

ITEM: FDC Accessible

✓ Pass

ITEM: Valves Supervised/Secured/Open Position

✓ Pass

ITEM: F.D.C. Proper

Re-Inspection scheduled to be conducted on or after 12/05/2024 at 13:19.

Inspection Signatures

Inspector Signature

A handwritten signature in black ink, appearing to read 'Pat Quick', written in a cursive style.

Pat Quick
Fire Marshal
Deputy Chief

--

pat.quick@gainestownship.org