

GAINES CHARTER TOWNSHIP ZONING BOARD OF APPEALS

Township Board Room - 8555 Kalamazoo Ave. S.E. Caledonia, MI 49316

Draft Agenda

7:00 p.m. – Wednesday March 9th, 2022

- I. Call to Order and Roll Call**
- II. Consideration of the Meeting Agenda**
- III. Consideration of December 8th, 2021 – Regular Meeting Minutes**
- IV. Inquiry of Conflict of Interest**
- V. Advertised Public Hearing**
 - 1. 7171 Willard SE (Residential-10)**
Dimensional variance to reduce side setback from 50 to 9.1 feet to allow for division of a single parcel currently used as a place of religious worship.
- VI. General Discussion Items**
 - 1. Election of Officers**
 - 2. Consideration of 2022 Schedule**
 - 3. 2020 Annual Planning Report**
- VII. Other Reports**
- VIII. Adjournment**

*Please note that advertised public hearings will not start before the noted time, but may start later due to the length of other agenda items. All interested persons are invited to attend and participate. Persons with disabilities needing accommodation for effective participation in the meeting should contact the Township Office at 616-698-6640 one week in advance to request mobility, visual, hearing or other assistance.

**DRAFT MINUTES OF THE GAINES CHARTER TOWNSHIP ZONING BOARD OF APPEALS SPECIAL MEETING
HELD ON DECEMBER 8, 2021
GAINES CHARTER TOWNSHIP
8555 KALAMAZOO AVENUE SE CALEDONIA, MICHIGAN 49316**

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:02 pm by Chair Werkema. A quorum was present.

MEMBERS PRESENT: Wiersema, Hilton, Ringnalda, Werkema, Tietz (alternate)

MEMBERS ABSENT: Giarmo (with excuse)

OTHERS PRESENT: Dan Wells Community Development Coordinator, Jennifer Jager

II. CONSIDERATION OF MEETING AGENDA

No modifications.

III. CONSIDERATION OF MEETING MINUTES

July 14th, 2021– Regular Meeting Minutes.

Motion: By Member Wiersema supported by Member Ringnalda to approve the minutes for the July 14th, 2021 Zoning Board of Appeals regular meeting.

Discussion: Correction needed on the certification date.

Ayes: Wiersema, Hilton, Werkema, Ringnalda, Tietz (alternate)

Nays: None

Abstain: None

Decision: Passed (5-0).

IV. INQUIRY OF CONFLICT OF INTEREST

None

V. PUBLIC HEARING

6122 Division Avenue (Residential-4/Commercial-1)

Chair Werkema invited discussion on the project.

Planner Wells explained the dimensional variance request to reduce the required sign setback from 20 feet to 10 feet for a new constructed monument sign.

Chair Werkema inquired if the applicant owns the adjacent properties. Planner Wells clarified that the applicant owns the property to the south.

Member Hilton asked if the sign will be a visual block for traffic. He would like to see it moved back another five feet for ease of turning out of the property to the north.

Member Wiersema questioned the variance effect on the nearest fire hydrant. He asked will there be enough distance between sign location and the fire hydrant to ensure access. Planner Wells offered that a condition could be made to protect fire hydrant access.

Chair Werkema opened the public meeting at 7:26 pm. No public comment was made. Chair Werkema closed the public meeting at 7:26 pm.

Motion: By Member Tietz supported by Member Hilton, to submit the staff report and application for consideration on the variance request.

Discussion: None

Ayes: Wiersema, Hilton, Werkema, Ringnalda, Tietz

Nays: None

Abstain: None

Decision: Passed (5-0).

Motion: By Member Tietz supported by Member Ringnalda, to approve dimensional variance to reduce the side setback from 20 feet to 10 feet to allow for a new monument sign with the condition that approval of the fire department be made in regard to access to the fire hydrant.

Discussion: None

Ayes: Wiersema, Hilton, Tietz, Werkema, Ringnalda

Nays: None

Abstain: None

Decision: Passed (5-0).

VI. GENERAL DISCUSSION

None

VII. OTHER REPORTS

None

VIII. ADJOURNMENT

Motion: By Member Ringnalda, supported by Member Wiersema, to adjourn the meeting at 7:42 pm.

Discussion: None

Ayes: Wiersema, Hilton, Ringnalda, Tietz, Werkema

Nays: None

Abstain: None

Decision: Passed (5-0)

CERTIFICATION

I hereby certify that the above is a true copy of the minutes from the December 8, 2021, Special Meeting of the Gaines Charter Township Zoning Board of Appeals held at the time and place mentioned above pursuant to the required statutory procedures.

Respectfully submitted,

Don Hilton,
Secretary
Gaines Charter
Township Zoning
Board of Appeals

Dated: _____, 2021

Gaines Charter Township

Zoning Board of Appeals Memo

Meeting Date: March 9th, 2022

AGENDA ITEM: V.1

FILE NUMBER: 220202JS

REQUEST: Dimensional Variance

PROPERTY ZONING DISTRICT: Residential-10

ADDRESS: 7171 Willard Avenue SE

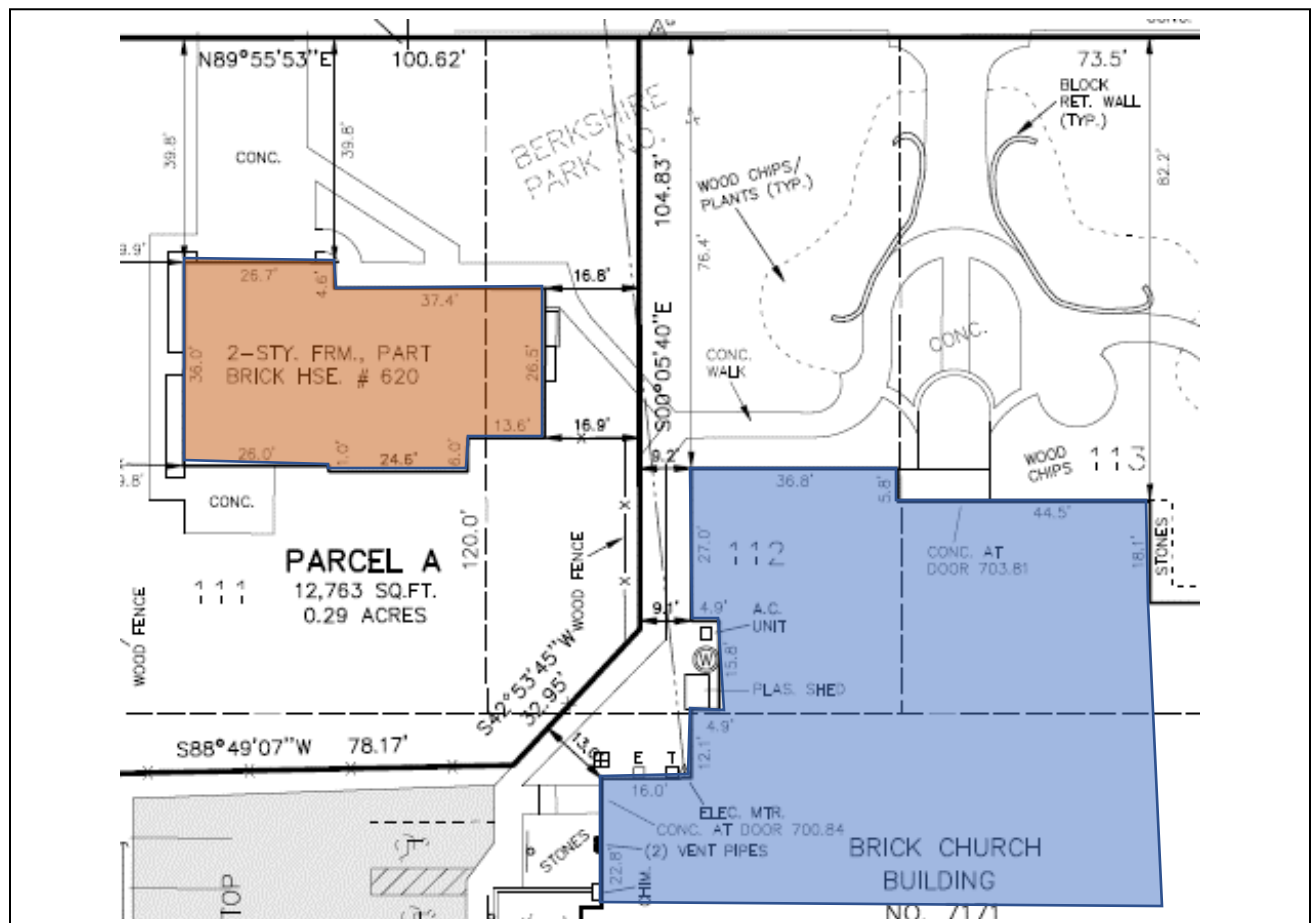
PROPERTY SIZE: 3.7 acres

PARCEL NUMBER: 41-22-07-277-004

REPORT BY: Dan Wells, Community
Development Director

APPLICANT: John Sturgis-Varnum LLP for
Covenant Christian Reformed Church





	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 *Chapter 26, Section 26.8 (D) Non-Use (Dimensional) Variances* of the Zoning Ordinance with consideration to the dimensional requirements of *Chapter 17 Signage Regulations, Section 6 General Requirements*. The Zoning Board of Appeals must find that all standards in this report are satisfied to grant a variance.

1. **The variance request, if granted, will be the minimum variance (i.e., the least variation or change from the particular requirement of the Ordinance involved) that will make possible the reasonable use of the land, structure, or building involved.**

Does not meet standard. The applicant is asking the ZBA to reduce the setbacks for a parcel that is yet to be created. The proposed eastern setback for Parcel A is 16.8 at its narrowest point and the minimum side setback for a Residential-10 lot is 8 feet. The parcel line could be laid closer to the parsonage in order to increase the side setback of Parcel B an additional 8.8 feet to an 18-foot setback, which would be the minimum variance.

2. **The granting of the variance will not be injurious or detrimental to neighboring properties or residents.**

Meets standard. The division of the parcel and establishment of a smaller setback would not cause any injurious or detrimental conditions to the surrounding properties in the short term.

3. **The variance will not be detrimental to the public welfare or change the essential character of the neighborhood.**

Meets standard. The buildings have been in this current arrangement since the church was constructed and granting of a variance will not change how they fit into or alter the character of the neighborhood.

4. **Whether the variance will impair the intent or purpose of this Ordinance.**

Does not meet standard. The intent and purpose of Section 6.3 of the ordinance is to promote consistent rules for placement of buildings within the Residential zoning districts. In this case the 50-foot setback for Places of Religious Worship is in place to prevent encroachment of what are typically more intensively used large multi-story buildings on smaller residential buildings. By permitting the smaller setback, the intent and purpose of the zoning ordinance to provide 50-foot buffers would be impaired.

5. **The problem or condition for which the variance is requested is not a self-created problem by the applicant or property owner (or their predecessors in title) as to the property involved.**

Does not meet standard. The stated desire for the requested variance is for dividing the parcels and selling the parsonage. The proposed land division is for the convenience of the owner, who

is creating the need for the variance and is not a necessity caused by a unique circumstance of the physical layout of the parcel or land.

6. **The condition or situation involved is not of so general or recurrent a nature that it would be more reasonable or practical for the Township to amend the provision of the Ordinance involved rather than to grant a variance for the condition or situation.**

Meets standard. The location of the parsonage so close to the main church building and the desire to divide it from the church parcel is a unique situation, and land divisions are regulated based on state law and local ordinance.

7. **There are exceptional, unique, or extraordinary physical conditions or circumstances which directly relate to the property itself (including the land or a structure or building thereon) rather than the individual situation or desire of the applicant or property owner.**

Does not meet standard. The parcel is not configured in any exceptional way, nor are there any topographical limitations on it. The existing buildings may continue to be used in a reasonable manner and continued use is not a practical difficulty.

8. **The variance must be necessary for the preservation and enjoyment of a substantial property right which is similar to that possessed by other properties in the same zoning district and vicinity.**

Does not meet standard. Property rights and enjoyment thereof are not limited by the presence of a parsonage on the church property.

9. **As specified above, the ZBA must also find that the applicant has practical difficulty complying with the Ordinance provision or provisions at issue. (Note—a possible increased financial return shall not, of itself, be deemed sufficient to warrant a variance.)**

Does not meet standard. The property may continue in its current use without need for a variance. The desire for a land division is a self-created problem, and land division is not a necessary action for use of the parsonage. As stated in the standard, the desire of the applicant to receive a financial return does not constitute a reason to grant a variance.

STAFF RECOMMENDATION

Since seven of the nine standards for dimensional variances are not met, denial of the application is recommended.

VARNUM

ATTORNEYS AT LAW

Bridgewater Place | Post Office Box 352
Grand Rapids, Michigan 49501-0352
Telephone 616 / 336-6000 | Fax 616 / 336-7000 | www.varnumlaw.com

John W. Sturgis

Direct 616 / 336-6244
jwsturgis@varnumlaw.com

January 31, 2022

Via U.S. Mail and Email

Mr. Dan Wells, Township Planner
Gaines Charter Township
8555 Kalamazoo Avenue SE
Caledonia, MI 49316
dan.wells@gainestownship.org

Re: Zoning Board of Appeals Application - Non-Use (Dimensional) Variance for 7171
Willard Avenue SE, Grand Rapids, Michigan 49548

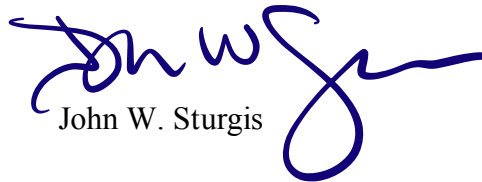
Dear Mr. Wells:

This letter relates to the above-described application on behalf of Covenant Christian Reformed Church, a Michigan nonprofit corporation. Enclosed are a check for the application fee (\$150.00) and a check for the escrow fee (\$500.00). The application and accompanying materials have been submitted to your attention electronically for consideration at the March 9, 2022 meeting of the Zoning Board of Appeals. Please let me know if you have questions or need any additional information with respect to this application.

Thank you.

Very truly yours,

VARNUM



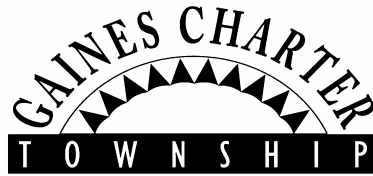
John W. Sturgis

JWS/sdh
Encls.

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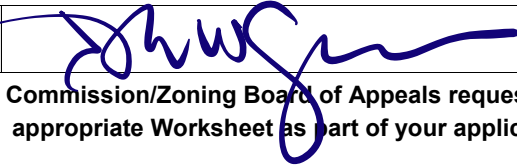
FILE NO.

Gaines Charter Township
8555 Kalamazoo Avenue SE
Caledonia, MI 49316
Phone (616)6986640 Fax (616)698-2490



Zoning Board of Appeals Application

Project Address	7171 Willard Avenue SE, Grand Rapids, Michigan 49548	
Owner Name	Covenant Christian Reformed Church, a Michigan nonprofit corporation	
Owner Address	7171 Willard Avenue SE, Grand Rapids, Michigan 49548	
Parcel Number(s):	41-22-07-277-004	41-22-
Description of Proposed Project/Use	See attached Exhibit A.	

Applicant/Contact	John W. Sturgis, Varnum LLP
Phone/Email	(616) 336-6244 jwsturgis@varnumlaw.com
"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	
Signature	
For Planning Commission/Zoning Board of Appeals requests, and Land Divisions/Combinations, please complete the appropriate Worksheet as part of your application packet – See staff for more information	

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
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☐ One/Two-Family Construction	☐ Rezoning/PUD Rezoning	☐ Land Division
☐ Special Use Permit Request	☐ PUD Amendment	☐ Text Amendment
☐ Zoning Board of Appeals Request	☐ Site Plan Review	
☐ Subdivision/Site Condo Review	Other _____	

DENIED _____	APPROVED _____	APPROVED, WITH CONDITIONS _____	WITHDRAWN _____
_____ ZONING ADMINISTRATOR SIGNATURE		_____ DATE	

FILE NO.

Site Plan

Please Show:

The property lines and their dimensions

The location, dimensions, setbacks, minimum building openings and distance between all existing and proposed structures

The gross floor area, listed by floor level, including basements.

The location of all roads bordering or private drives/easements on the property

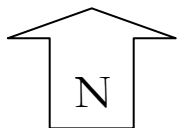
The location of all bodies of water, easements, utility lines, sidewalks, drives, septic systems, drain, and other improvements

Please Note: Setbacks must be measured from the edge of the street right of way (which is not the edge of the pavement) or from the edge of an access easement. Staff reserves the right to determine whether or not an application is complete.

See enclosed survey.

Place site plan in this area*(failure to do this may result in an incomplete application)*

Gross Floor Area Calculations



Main Floor: _____ Second Floor: _____ Basement: _____ Total: _____ Garage: _____

Zoning Board of Appeals Applicant Worksheet

FILE NO.

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

☒ Dimensional (Area) Variance	Section(s) <u>6.2; 28.6.D.</u>
☐ Use Variance	Section(s) _____
☐ Interpretation/Appeal of Zoning Administrator*	Section(s) _____

**For this requests, please attach in letter form your comments regarding the interpretation/appeal.*

Applicant Response to Standards of Review

1.Does the property have physical characteristics, such as narrowness, shallowness, irregular shape, topography, or natural features that inhibit compliance with the zoning ordinance (attach additional sheets if needed)?
See attached Exhibit A.

2. If answered yes to #1 above, is (are) the physical characteristics) unique and not shared by neighboring properties?
See attached Exhibit A.

3. Was the alleged practical difficulty (dimensional variance) or hardship (use variance) created by an action of the applicant or previous property owner?
See attached Exhibit A.

4. Can the property be reasonably used for the use permitted in the zoning district without granting the variance?
See attached Exhibit A.

5. Is the variance the minimum necessary to permit reasonable use of the land and buildings, or would a lesser variance provide substantial justice to the applicant as well as other property owners in the area?
See attached Exhibit A.

6. If granted, explained how the variance would not result in adverse affects on adjacent properties or alter the character of the area?
See attached Exhibit A.

7. If granted, explain how the variance would not result in hazards such as dangers from fire or flood, or increased traffic congestion. That is, how will the public safety and welfare be observed and secured?
See attached Exhibit A.

8. If granted, explain how the variance would not be contrary to the spirit and intent of the zoning ordinance.
See attached Exhibit A.

EXHIBIT A

Gaines Charter Township Zoning Board of Appeals Application

7171 Willard Avenue SE, Grand Rapids, Michigan 49548

Description of Proposed Project/Use

The real property described in the Application (the "**Property**") is owned by Covenant Christian Reformed Church, a Michigan nonprofit corporation ("**CCRC**"). The Property is primarily improved with a building used as a place of worship by CCRC and its parishioners (the "**Church**"). The northwest corner of the Property is also improved with a detached single-family dwelling (the "**Parsonage**"). Both the Church and the Parsonage have existed on the Property for over 50 years.

CCRC has determined that the Parsonage is no longer necessary for its purposes. Therefore, it is proposing to seek land division approval to split off the Parsonage and surrounding land for sale as a single-family dwelling. CCRC will retain the remainder of the Property containing the Church. The proposed land division is shown on the survey (the "**Survey**") enclosed with this Application, which shows the portion of the Property containing the Parsonage as "Parcel A" (the "**Parsonage Parcel**") and the portion of the Property containing the Church as "Parcel B" (the "**Church Parcel**").

The Property is located within the Residential (RL-10) Zoning District under the Zoning Ordinance (the "**Zoning Ordinance**") for Gaines Charter Township (the "**Township**"). Detached single-family dwellings are a permitted use in the RL-10 Zoning District. A place of religious worship is also a permitted use in this Zoning District, but Section 6.2 of the Zoning Ordinance requires a front, rear, and side yard setback of at least fifty feet (50'). As shown on the Survey, the Church Parcel satisfies this setback requirement for the front, rear, and east side yard. However, the setback from the Church to a portion of the west boundary line of the Church Parcel is approximately nine feet (9'). At their closest point, the Church and the Parsonage are separated by approximately twenty-five feet (25'). The Church Parcel and the Parsonage Parcel otherwise meet the requirements of the Zoning Ordinance with respect to minimum lot size, frontage and setback requirements.

Applicant, on behalf of CCRC, is requesting that the Township grant a non-use (dimensional) variance with respect to the Church Parcel and the west side yard setback requirement applicable thereto in accordance with Section 28.6.D. of the Zoning Ordinance.

Applicant Response to Standards of Review

1. Does the property have physical characteristics, such as narrowness, shallowness, irregular shape, topography, or natural features that inhibit compliance with the zoning ordinance?

Yes. The Church and the Parsonage are longstanding improvements on the Property. These existing structures inhibit compliance with the Zoning Ordinance because their locations do not satisfy current setback requirements for a place of religious worship in the RL-10 Zoning District. The proposed Church Parcel and Parsonage Parcel cannot be made to comply with the setback requirements imposed by the Zoning Ordinance without substantial modification or demolition of the Parsonage and/or Church. This imposes a practical difficulty on CCRC and its intended use of the Property.

2. If answered yes to #1 above, is (are) the physical characteristics unique and not shared by neighboring properties?

Yes. The parcels surrounding the Property are all single-family residential. The Property presents a unique situation in that it contains a place of religious worship (the Church) and a single-family dwelling (the Parsonage).

3. Was the alleged practical difficulty (dimensional variance) or hardship (use variance) created by an action of the applicant or previous property owner?

No. As noted above, both the Church and the Parsonage were constructed over 50 years ago, prior to the enactment of the current Zoning Ordinance and its requirements. At the time of their construction, it was not anticipated that the CCRC would no longer need the Parsonage, nor that current zoning requirements would prohibit its conveyance as a separate parcel.

4. Can the property be reasonably used for the use permitted in the zoning district without granting the variance?

No. As noted above, both the Church and the Parsonage are permitted uses in the RL-10 Zoning District. The Parsonage Parcel satisfies all of the development standards imposed by Section 6.2 of the Zoning Ordinance for a single-family lot and dwelling unit, including lot size, lot width, setbacks and building requirements. Except for the west side yard setback requirement, the Church Parcel also meets all requirements for a place of religious worship under Sections 6.2 and 6.3 of the Zoning Ordinance. Without the variance requested by this Application, the Property cannot be divided into two otherwise compliant parcels and uses.

5. Is the variance the minimum necessary to permit reasonable use of the land and buildings, or would a lesser variance provide substantial justice to the applicant as well as other property owners in the area?

Yes, the variance is the minimum necessary to permit reasonable use of the proposed Parsonage Parcel and Church Parcel. The locations of the Church and Parsonage and their proximity to one another are fixed. In light of these limiting physical characteristics, the proposed division of the Church Parcel and the Parsonage Parcel and the waiver of the fifty-foot (50') setback requirement with respect to the Church are the minimum necessary to enable productive use of both parcels.

6. If granted, explain how the variance would not result in adverse effects on adjacent properties or alter the character of the area.

The variance requested in this Application would not result in adverse effects on adjacent properties. All of the parcels surrounding the Property are single-family dwellings. The Parsonage and the Church have existed in the neighborhood and operated as a single-family dwelling and placed of religious worship, respectively, for over 50 years. The portion of the Church nearest the Parsonage (the northwest corner) is comprised of infrequently used meeting rooms, which are unlikely to be a source of noise or disruption to the Parsonage Parcel. The Church and the Parsonage are in harmony with the character of the neighborhood in their styling, design, and uses. The requested variance would not change these uses or alter how the Church and the Parsonage function with respect to neighboring properties.

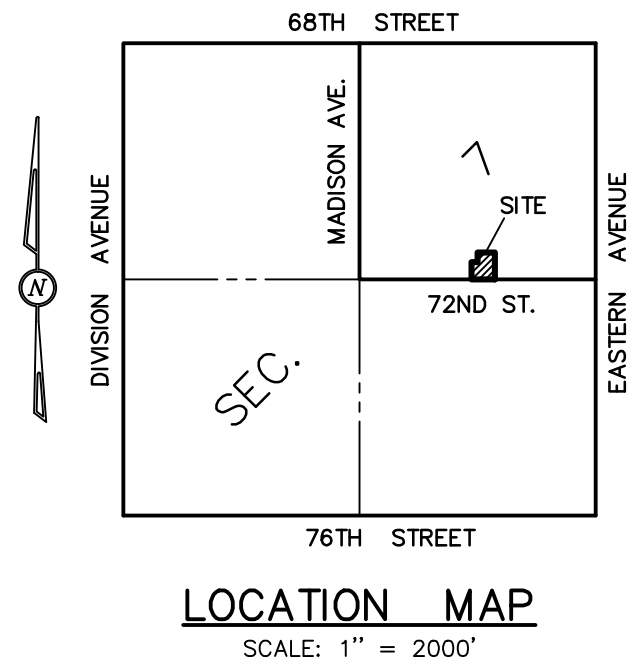
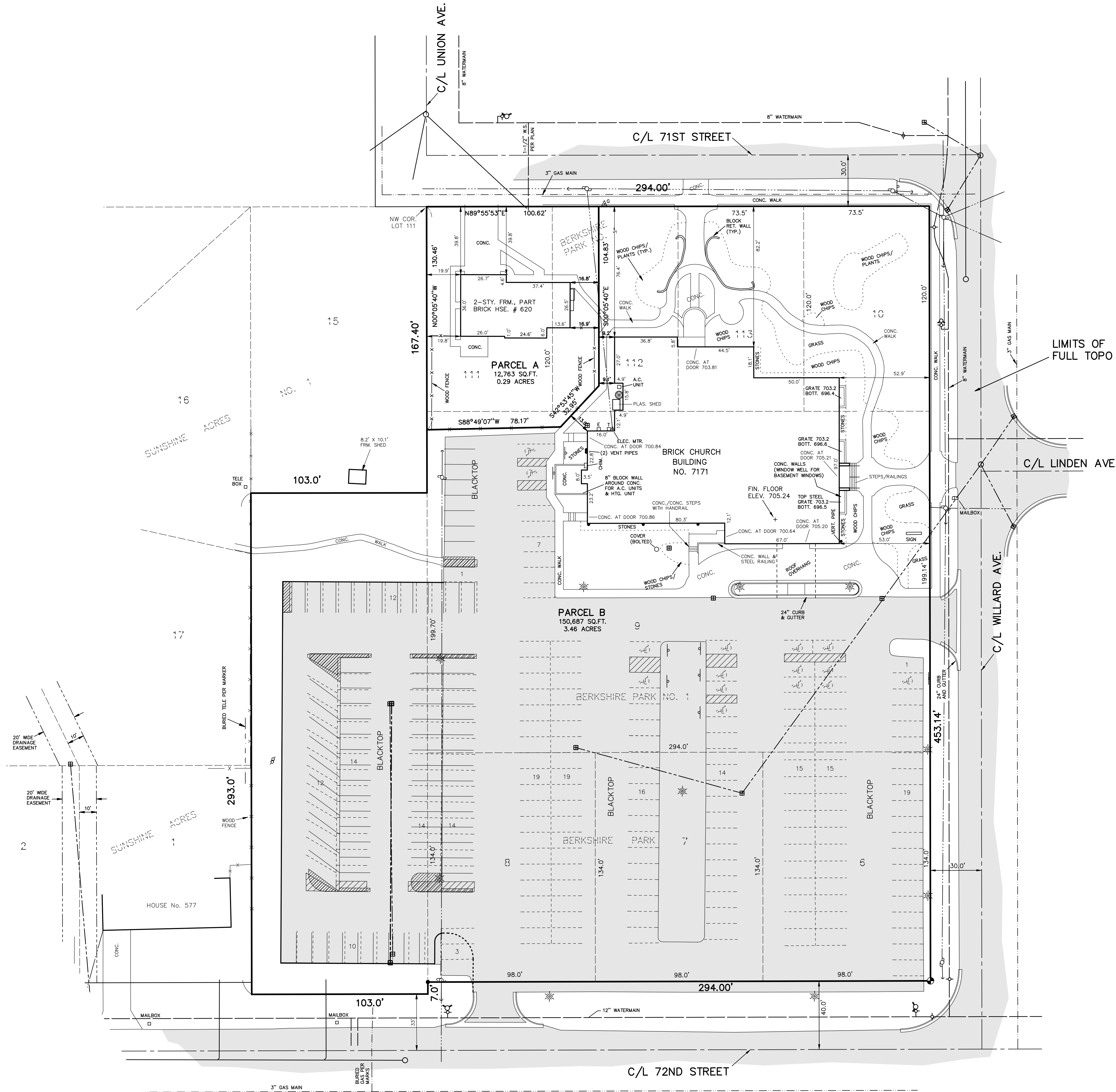
In addition, granting of the variance will add value to the Township and the neighboring properties. The Property is currently exempt from real property taxes. Once the Parsonage Parcel is created and sold by CCRC for single-family dwelling purposes, the Parsonage Parcel will be subject to tax, resulting in additional revenues for the Township and potential added value to surrounding homes.

7. If granted, explain how the variance would not result in hazards such as dangers from fire or flood, or increased traffic congestion. That is, how will the public safety and welfare be observed and secured?

Granting the variance requested by this Application will not impact public safety, welfare, or traffic congestion, nor will it increase dangers of fire or flood. The Church has always been used as a place of religious worship and the Parsonage as a single-family dwelling. These structures have existed next to each other for over 50 years. Granting the variance will not change the layout of these structures or their longstanding uses.

8. If granted, explain how the variance would not be contrary to the spirit and intent of the zoning ordinance.

Granting the variance requested by this Application is not contrary to the spirit and intent of the zoning ordinance. As noted above, the variance will not alter the location of the Church or the Parsonage, nor will it change the longstanding uses of these structures. The setback requirement imposed on places of religious worship is presumably intended to create a buffer zone between such places and surrounding uses. However, the fact that the Parsonage and the Church have coexisted with their established uses and in their present locations for over 50 years confirms that these structures are harmonious with the surrounding neighborhood and the intent of the RL-10 Zoning District.



Parent Parcel Description:

Lots 6, 7 and 8, Berkshire Park, Lots 9 and 10, Berkshire Plat No. 1 and Lots 111, 112 and 113, Berkshire Park No. 4, part of the NE 1/4, Section 7, T5N, R11W, Gaines Township, Kent County, Michigan also including the South 326 ft. of the East 103 ft. of the SW 1/4, NE 1/4, of Section 7, T5N, R11W, Gaines Township, Kent County, Michigan.

Description of Parcel A:

Lot 111 and part of Lot 112, Berkshire Park No. 4 and part of Lot 9, Berkshire Plat No. 1, part of the NE 1/4 of Section 7, T5N, R11W, Gaines Township, Kent County, Michigan, described as: BEGINNING at the NW corner of said Lot 111; thence N89°55'53"E 100.62 feet along the South line of 71st Street; thence S00°05'40"E 104.83 feet; thence S42°53'45"W 32.95 feet; thence S88°49'07"W 78.17 feet to the West line of said Lot 9; thence N00°05'40"W 130.46 feet along the West line of said Lot 9 and the West line of said Lot 111 to the place of beginning. This parcel contains 0.29 acres.

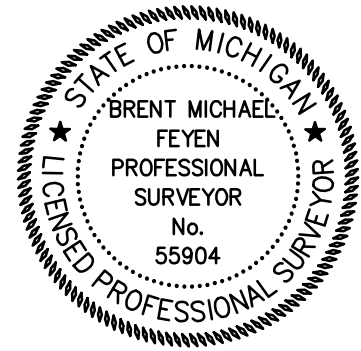
Description of Parcel B:

Lots 6, 7 and 8, Berkshire Park, Lots 9 and 10, Berkshire Plat No. 1 and Lots 111, 112 and 113, Berkshire Park No. 4, part of the NE 1/4, Section 7, T5N, R11W, Gaines Township, Kent County, Michigan also including the South 326 ft. of the East 103 ft. of the SW 1/4, NE 1/4, of Section 7, T5N, R11W, Gaines Township, Kent County, Michigan.

EXCEPT: Lot 111 and part of Lot 112, Berkshire Park No. 4 and part of Lot 9, Berkshire Plat No. 1, described as: BEGINNING at the NW corner of said Lot 111; thence N89°55'53"E 100.62 feet along the South line of 71st Street; thence S00°05'40"E 104.83 feet; thence S42°53'45"W 32.95 feet; thence S88°49'07"W 78.17 feet to the West line of said Lot 9; thence N00°05'40"W 130.46 feet along the West line of said Lot 9 and the West line of said Lot 111 to the place of beginning.

Tax Parcel No. 41-22-07-277-004

- Notes:
- Title work has not been furnished as of July 22, 2020 to verify easements of record that may affect this property. Legal description and easement information shown are based on previous Exxel Engineering surveys from 2008 to 2017.
 - Improvements shown hereon have been located per field work on August 14, 2018.



SCALE: 1" = 30'
1' CONTOUR INTERVAL

LEGEND

- UTILITY POLE & GUY WIRE
- LIGHT POLE
- SIGN
- BOLLARD
- HYDRANT
- WATERMAIN VALVE
- SPRINKLER VALVE
- WELL
- CATCH BASIN
- MANHOLE
- BURIED GAS LINE MARKER
- TELEPHONE BOX
- ELECTRIC BOX
- FENCE LINE
- OVERHEAD WIRES

PROPOSED LAND DIVISION

FOR: COVENANT CRC
ATTN: RICK THEULE
7050 WILLARD AVE. SE
GRAND RAPIDS, MI 49548

RE: 7171 WILLARD AVE. SE

IN: PART OF THE NE 1/4, SECTION 7, T5N, R11W,
GAINES TOWNSHIP, KENT COUNTY, MICHIGAN

REVISIONS:



DRAWN BY: JJS/BF
APPROVED BY: BMF
DATE: 7/23/2020

FILE NO.: S201611
SHEET 1 OF 1

Gaines Charter Township

Zoning Board of Appeals Membership 2022

Officers will need to be nominated for 2022:

- Chair
- Vice Chair
- Secretary
- Alternate

Member	Officers
Tom Werkema	
Ruth Ringnalda	
Ryan Wiersema	Liaison PC
Don Hilton	
Matt Kooiman	
Phil Tietz	



2022 Tentative Meeting Schedule and Application Deadlines Gaines Charter Township – Planning and Zoning Department

Planning Commission		Zoning Board of Appeals	
<i>Meeting Date</i>	<i>Application Deadline</i>	<i>Meeting Date</i>	<i>Application Deadline</i>
January 27, 2022	December 27, 2021	January 12, 2022	December 8, 2021
February 24, 2022	January 26, 2022	February 9, 2022	January 11, 2022
March 24, 2022	February 23, 2022	March 9, 2022	February 8, 2022
April 28, 2022	March 23, 2022	April 13, 2022	March 8, 2022
May 26, 2022	April 27, 2022	May 11, 2022	April 5, 2022
June 23, 2022	May 25, 2022	June 8, 2022	May 10, 2022
July 28, 2022	June 22, 2022	July 13, 2022	June 7, 2022
August 25, 2022	July 27, 2022	August 10, 2022	July 12, 2022
September 22, 2022	August 24, 2022	September 14, 2022	August 9, 2022
October 27, 2022	September 21, 2022	October 12, 2022	September 13, 2022
November 17, 2022	October 12, 2022	November 9, 2022	October 4, 2022
December 15, 2022	November 17, 2022	December 14, 2022	November 8, 2022
January 26, 2023	December 21, 2022	January 11, 2023	December 13, 2022

Please note the following:

1. All meetings will be held in the Board Room at the Township Offices, 8555 Kalamazoo Avenue SE, Caledonia, MI 49316 or virtually via Zoom.
2. Planning Commission and Zoning Board of Appeals meetings begin at 7:00 PM
3. Meetings may be cancelled due to a lack of applications and/or agenda items
4. Meeting agendas are available at the Township Offices or on the Township website, www.gainestownship.org.

All interested persons are invited to attend and participate. Persons with disabilities needing accommodation for effective participation in the meeting should contact the Township Office at (616) 698-6640 one week in advance to request mobility, visual, hearing or other assistance.

GAINES CHARTER

TOWNSHIP

PLANNING & ZONING DEPARTMENT

2021 ANNUAL REPORT



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Executive Summary

Section 19(2) of the Michigan Planning Enabling Act (Public Act 33 of 2008) requires the Planning Commission to “make an annual written report to the legislative body concerning its operation and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.”

The 2021 Planning & Zoning Department Annual Report provides the Planning Commission and Township Board with the following information:

- An update of development activities within the Township
- The meeting activity of both the Planning Commission and the Zoning Board of Appeals
- Code enforcement activities
- Internal department activities
- A review of Master Plan implementation actions

The Annual Report offers information that is intended to be relevant to the Planning Commission, Township Board, Zoning Board of Appeals, Township staff and the general public. The work program will help guide the department’s actions throughout the upcoming year and serve as a benchmark when preparing the subsequent year’s Annual Report.

The following statement serves as the Department’s vision:

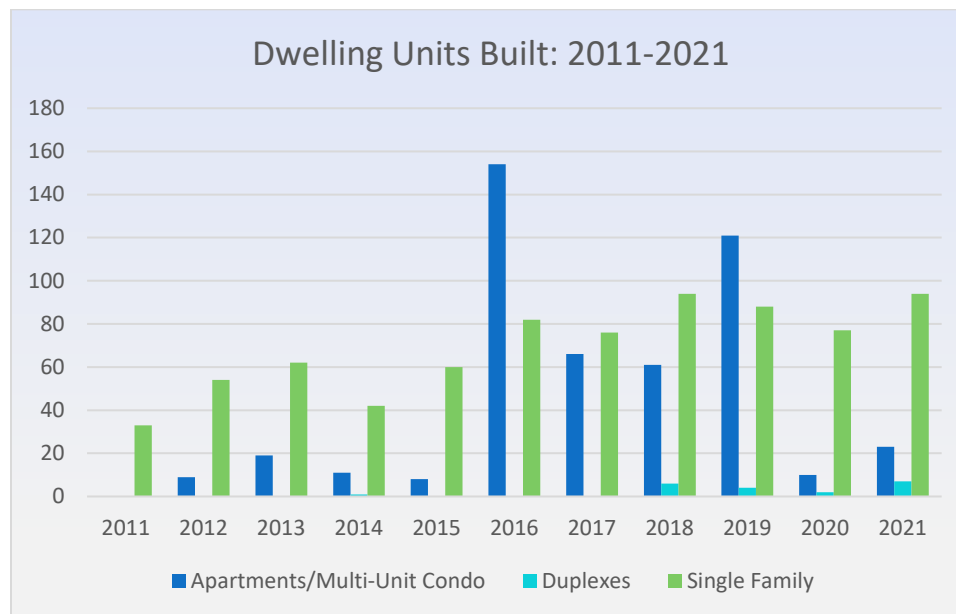
In our capacity as Planning and Zoning Department staff, we are committed to providing the Planning Commission, Zoning Board of Appeals, and Township Board with professional assistance so that together we may work towards the vision created in the Township Master Plan. As staff, we see ourselves as the facilitators between the many various stakeholders within the Township and strive to develop consensus on the multitude of land use issues that come before the Township. As always, our ultimate goal is to provide for the health, safety, and general welfare of the community as a whole. We take seriously this obligation and strive to accomplish this goal in every facet of our department’s actions.

Current Planning Division

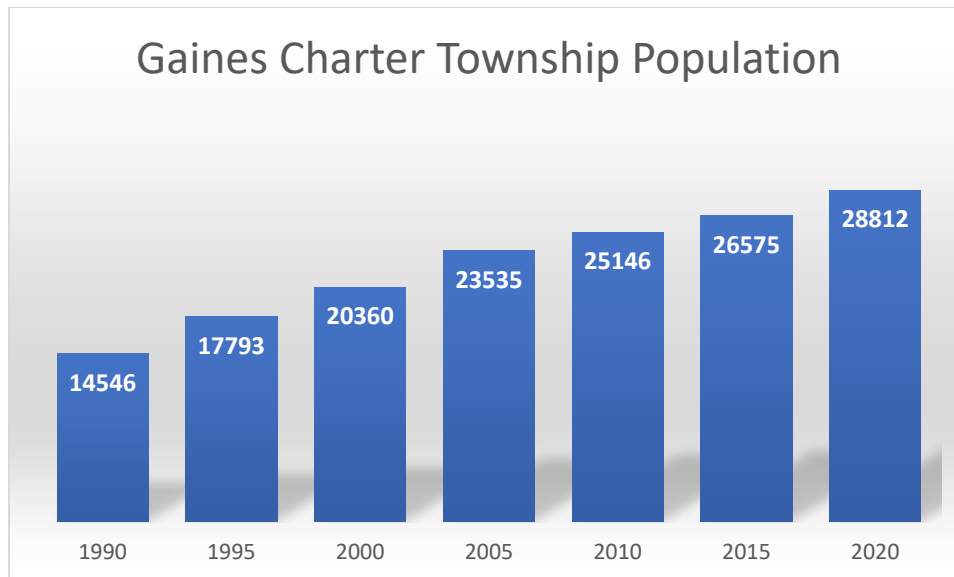
RESIDENTIAL BUILDING PERMITS

Table 1 details the number of new dwelling units per year over the last 10 years 2011 to 2021. This includes single-family dwellings as well as attached units and apartments/condos.

	Apartments/ Multi-Unit Condos	Duplexes	Single Family Homes/Condos /Mobile Homes	Total Units
2021	23	7	94	124
2020	10	2	77	89
2019	121	4	88	213
2018	61	0	94	161
2017	66	0	76	142
2016	154	0	82	236
2015	8	0	60	68
2014	11	1	42	54
2013	19	0	62	81
2012	9	0	54	63
2011	0	0	33	33



Gaines Charter Township Population



PROJECT REVIEWS

Table 2.

Summary of 38 application reviews completed by the Planning Commission, and subsequent Township Board action if applicable. The items are listed by the order in which they were considered.

Development Name/Address	Request Type	Description	Planning Commission Action	Township Board Action
1089 68 th St.- Cooks Crossing PUD Phases 3-5 Amendment Request	Major PUD Amendment	Amendment to the Cooks Crossing Planned Unit Development Phases 3-5; increase the total number of dwelling units, vary the dwelling types, adjust lot lines, add landscaped park areas, and modify the private street layout.	Approved	Approved
2410 68 th St.-Hoffman Meadows Phase 1 Preliminary Plat	Tentative Preliminary Plat	Phase 1 is 14.85 acres and includes 40 single-family lots.	Approved	Approved
6658 E Paris Ave.	Major PUD Amendment	OTP (AKA Korona Court) Amendment to allow for the construction of a multi-tenant industrial building and associated site development.	Approved	Approved
866 76 th St.	Special Use Permit	To allow for a total of 1,330 square feet of accessory buildings.	Approved	No Action
10241 Eastern Ave.	Special Use Permit	To allow for a total of 3,600 S.F. of accessory buildings.	Approved	No Action
1171 68 th St.	Major PUD Amendment	To allow for a 3,000 square foot addition to connect the two existing buildings within the Crystal Manor PUD.	Approved	Approved
2307 68 th St.	Tentative Preliminary Plat	Three-lot residential development.	Approved	Approved
9499 East Paris Ave.	Special Use Permit	To allow for a total of 3,568 S.F. of accessory buildings.	Approved	No Action
42 Manila St.	Special Use Permit	For Eight Foot Fence, and Conditions of Special Use Permit.	Approved	Approved

Development Name/Address	Request Type	Description	Planning Commission Action	Township Board Action
1439 and 1469 Eastport Dr.	Major PUD Amendment	Amendment to the Crossings PUD to allow for the construction of a 26,650 S.F., four-story Staybridge Suites hotel.	Approved	Approved
2410 68 th St.-Hoffman Meadows	4:1 Ratio Waiver	Related to a remainder parcel of land that was created through the land division process.	Approved	No Action
6174 and 6200 Wing Ave.	Rezone	Conditional Rezone from RL-10 to R-3.	Denied	Withdrawn
2471 84th St.	Special Use Permit	To allow for a total of 4,426 S.F. of accessory buildings.	Approved	No Action
4495 68th St.	PUD Site Plan Review	Two Amazon product distribution facilities: one 279,000 square foot sortation facility and one 219,000 square foot delivery station.	Approved	No Action
389 68th Street	Special Use Permit	Temporary tent for summer & fall sales.	Approved	No Action
3422 76th St.	Special Use Permit	To allow for a total of 4,452 S.F. of accessory buildings.	Approved	No Action
6567, 6615, and 6645 East Paris Ave.	Special Use Permit	To allow for a contractor facility.	Approved	No Action
6879 Dutton Industrial Dr.	Site Plan Amendment	For a 11,000 square foot building addition.	Approved	No Action
8001 Patterson Avenue	Special Use Permit	For Outdoor Recreational Facility Equine Building.	Approved	No Action
8720 Breton Ave. and 2801 92nd St.	4:1 Ratio Waiver	To transfer land between owners.	Approved	No Action
2701 and 2571 76th St.	Tentative Preliminary Plat Review- Phase 1	58 single-family lots for the first phase of the Alexander Trails PUD.	Approved	Approved
6100 East Paris Avenue	Site Plan Amendment	New 312,114 square foot data center at Switch's existing campus.	Approved	No Action
7884, 7788, 7920 Eastern Ave.	PUD Rezone/Site Plan	PUD plan and rezoning for Everett's Landscaping facility and nursery site.	Approved	Approved
8676 Breton Avenue	Special Use Permit	To allow for a total of 5,000 S.F. of accessory buildings.	Approved	No Action
62 Coleman St.	Special Use Permit	To allow Consumer Scale Ground Mounted Solar Energy Collector	Approved	No Action
3500 and 3540 60th St.	PUD Rezone/Site Plan	To build a market-rate apartment complex of 348 dwelling units	Approved	Approved
4670 60th St.	Major PUD Amendment	For signage	Approved	Approved
9725 Hanna Lake Ave.	Special Use Permit	To allow for a total of 3,906 S.F. of accessory buildings.	Approved	No Action
280 60th St.	Site Plan Review	To allow Streams of Hope a 6,650 square-foot expansion to connect the existing buildings	Approved	No Action
6174 and 6200 Wing Ave.	Rezone	Rezone from RL-10 to O-S	Approved	Approved
6640 Madison Ave	Special Use Permit	For Group Child Day Care Home	Approved	No Action

Development Name/Address	Request Type	Description	Planning Commission Action	Township Board Action
1449 68th St.	Special Use Permit	To replace a monument sign with an internally lit LED electronic messaging center.	Approved	No Action
2100 60th St.	Special Use Permit	To replace a monument sign with an internally lit LED electronic messaging center.	Approved	No Action
6350 Division Ave.	Special Use Permit and Site Plan Review	Gasoline service station with car wash facility improvements	Approved	No Action
8390 Eastern Ave.	Rezone	RL-14 to C-1	Approved	Approved
8460 Kalamazoo Ave.	PUD Rezone/Site Plan	Mixed-use town center and residential development with 499 dwelling units	Approved	Denied
9315 Westview Dr.	Special Use Permit	To allow for a total of 2,536 S.F. of accessory buildings.	Approved	No Action

Table 3

Summary of 14 application reviews completed by and Township staff as administrative approvals.

Development Name/Address	Request Type	Description	Planning Staff Action
300 68th St.	Site Plan Amendment	Minor exterior addition and interior demolition and renovation for dining hall at Pine Rest Van Andel Pavilion.	Approved
6670 Kalamazoo Ave.	Site Plan Amendment	Patio Addition at Red Geranium.	Approved
6900 Dutton Industrial Dr.	Site Plan Amendment	50 feet by 60 feet (3,000 square foot) building addition to Micro Manufacturing be used for cold storage.	Approved
1675 84th St.	Site Plan Amendment	Cornerstone United Methodist Church 1,919 square-foot audio-video room addition.	Approved
3555 68th Street	One Day Event	Artesian Love to conduct a one-day outdoor market in the parking lot of the Village Mill Mall.	Approved
3555 68th Street	One Day Event	Bag toss competition 6/12 event at Railtown Brewing.	Approved
6720 Hanna Lake Ave.	Site Plan Amendment	Addition of a series of paved asphalt sports courts along the south and west sides of Dutton Christian School.	
3555 68th Street	One Day Event	Bag toss competition 9/25 event at Railtown Brewing.	Approved
3555 68th Street	One Day Event	"Jeep Night Trunk or Treat" 10/27 event at Railtown Brewing.	Approved
1545 Edgeknoll Dr.	Site Plan Amendment	Addition of six parking spaces along the western edge of the existing parking lot at Chick-fil-A.	Approved
1545 Edgeknoll Dr.	Site Plan Amendment	Addition of a 54' by 24'8" canopy on the south side of the building to cover ordering stations at Chick-fil-A.	Approved
3286 Hanna Lake Industrial Dr.	Site Plan Amendment	36 feet by 90 feet (3,150 square foot) building addition to Truck & Trailer Specialties.	Approved

VARIANCES

Table 4 provides a summary of the variance requests in 2021.

Address	Variance Type	Description	Staff Recommendation	Action
9345 Eastern Ave.	Dimensional	Request for a five-foot setback from access easement boundary for a single-family house.	Approval	Approval
7542 Regal Ave.	Dimensional	Request for a 17-foot rear yard setback in R-3 for a single-family house.	Approval	Approval
1449 92 nd Street	Dimensional	Request for a 4-foot side yard setback for an accessory building.	Approval	Approval
6122 Division	Dimensional	Request for a 5-foot side yard setback for a monument sign.	Approval	Approval

ORDINANCE UPDATES

One text amendment to the Gaines Charter Township Zoning Ordinance was initiated:

1. Zoning Board of Appeals Reduction of Variance Standards; Reduction of standards from nine to five for dimensional and use variances. Added definitions for “self-created problem”, “unique circumstance”.

REZONINGS

Table 5 provides information on the four rezoning applications received in 2021.

Development Name/Address	Description
8190 Division	Request to change RL-10 and RL-14 parcel to PUD for a 125-unit apartment building project.
2410 68 th Street	Request to change RL-14 parcel to RL-10 Low-Density Residential for a subdivision plat.
8460 Kalamazoo	Request to rezone the property from Agricultural-Residential to PUD for a mixed-use town center development.
3500 60 th Street	Request to change RL-10 parcels to PUD for a multi-unit apartment building project.
6174 & 6200 Wing Ave.	Request for a rezoning of two parcels from Residential (RL-10) to Office Service (O-S).
8390 Eastern Ave.	Request for the conditional rezoning of a parcel from Single Family Residential (RL-14) to Neighborhood Commercial (C-1).

Long-Range Planning Division

MASTER PLAN IMPLEMENTATION

Planning Staff has initiated a collaborative Master Plan with Grand Valley State University Planning Department Students. A new Master Plan update will be developed over the first half of 2022.

As a part of the 2002 Master Plan, an Implementation chapter was prepared to help guide future planning activities.

Table 6 lists the proposed implementation tasks and their current status. Planning Department staff performed work on 4 of the 12 implementation steps laid out in the 2002 Master Plan.

Task	Status	Comments
Evaluate and Revise the Zoning Ordinance	Continued Action	One ordinance text amendment initiated in 2021 regarding variance standards.
Inventory Key Natural and Cultural Features	No Action	These tasks have been done on a case-by-case basis through PUDs, but not on a Township-wide, or Subarea basis.
Develop A Program for Natural Buffers and Scenic Easements	No Action	
Develop Performance Standards for the PUD District	Continued Action	A Guide to architectural and design standards for apartment complexes has been reviewed by Planning Commission.
Prepare a Sub-Area Plan for the Dutton Village Area	Completed	This was accomplished as part of the 2008 Master Plan Update.
Prepare a Sub-Area Plan for the Cutlerville Village Center	No Action	The need for a subarea plan for Division Avenue will be reevaluated as part of the 2022 Master Plan update.
Prepare a Corridor Plan for Kalamazoo Avenue	Completed	The Kalamazoo Avenue/84 Street Subarea plan was passed by the Planning Commission in November 2015 and was approved by the Township Board in March 2016.
Establish Consistent Standards for Calculating Density	Mixed Results	No formal action taken on this item. We have been consistent in measuring density using the net density approach, but with no formal standards.
Improve Public Understanding of Growth Management Benefits	No Action	The Department has not actively been pursuing this area.
Promote the Purchase of Development Rights	No Action	The Department has not actively been pursuing this area.
Promote Transfer of Development Rights	No Action	The Department has not actively been pursuing this area.
Improve Non-Motorized Transportation Network	Positive Action	Establishment of sidewalks has consistently been enforced for new development projects.

PARKS & RECREATION

Township Planning Staff in conjunction with the Parks and Recreation Committee continued work on an update to the Gaines Charter Township Parks & Recreation Plan. Funding was allocated to have the Plan completed by a consultant in 2022. The committee continues to focus on the management of Prairie Wolf Park, and Staff attends its meetings on a regular basis.

Staff also met with Dan Deloof, Director of Kent County Parks and Tony Halloran of Stoneco to see if there was a possible end use of the Stoneco quarry for a Kent County park. Stoneco is 2-3 years away from determining whether to close operations or seek additional land to mine and may be willing to convert some of their land to open space. Those decisions will be made in the future, but the connection was valuable.

Code Enforcement Division

The Planning Department continued to use BS&A software to register and track code enforcement cases in 2021. Filed cases are those where a complaint has been received and registered in the software, and staff has completed a physical inspection of the property and contacted the property owner regarding a potential violation. Warning letters are sent, and followed up with a second letter or Sherriff's Deputy site visit. Complaints that have no corresponding enforceable ordinance are not included (e.g., high grass or weeds).

Table 7 is a summary of the enforcement cases undertaken by planning staff.

Address	Category	Date Filed	Status
7390 HAMMOND AVE SE	Trash/Junk	01/27/2021	Civil Infraction Issued
7225 REGAL AVE SE	Inoperable Vehicle	01/29/2021	Closed
113 LILLY ST SE	Zoning	01/29/2021	Closed
80 MANILA ST SE	Noise	01/08/2021	Closed
106 FONTENELLE ST SE	Inoperable Vehicle	02/23/2021	Closed
3487 76TH ST SE	Trash/Junk	03/23/2021	Ongoing Enforcement
6899 BROOKLYN AVE SE	Inoperable Vehicle	04/13/2021	Closed
3127 84TH ST SE	Nuisance Parking	04/20/2021	Closed
36 WAVELL ST SE	Trash/Junk	04/28/2021	Closed
754 SUNBROOK DR SE	Trash/Junk	05/07/2021	Closed
6816 LINDEN AVE SE	Nuisance Parking	05/05/2021	Closed
551 FENDALE ST SE	Animal Control	05/12/2021	Closed
6690 EASTERN AVE SE	Nuisance Parking	06/11/2021	Closed
773 COLEMAN ST SE	Nuisance Parking	07/23/2021	Closed
6845 HAMMOND AVE SE	Trash/Junk	07/30/2021	Warning Issued
7213 REGAL AVE SE	Temporary Dwelling	08/19/2021	Closed
1701 SOUTH PARK SE	Inoperable Vehicle	08/19/2021	Closed
1610 SUNNY GLEN SE	Nuisance Parking	08/19/2021	Closed
51 76TH ST SE	Outdoor Storage	08/25/2021	Closed
6722 SUMMER SHORES	Inoperable Vehicle	08/25/2021	Closed
1166 60TH ST SE	Zoning	08/30/2021	Closed
10506 DIVISION AVE SE	Inoperable Vehicle	08/25/2021	Closed
6908 HAMMOND AVE	Zoning	09/08/2021	Warning Issued

883 61ST ST SE	Zoning	10/07/2021	Closed
627 79TH ST SE	Zoning	10/11/2021	Case Closed
1439 EASTPORT DR SE	Outdoor Storage	11/01/2021	Warning Issued
8474 DIVISION CT SE	Trash/Junk, Inoperable Vehicle	11/17/2021	Warning Issued
471 SUNBROOK DR SE	Trash/Junk	12/01/2021	Warning Issued
84 84TH ST SE	Trash/Junk	12/20/2021	Warning Issued

Department Administration

PLANNING COMMISSION

During 2021, The Planning Commission held 12 regular meetings.

Table 8 lists the members of the Planning Commission during 2021. Brad Burns did not opt to remain on Planning Commission in 2022. Ryan Wiersema replaced him on Planning Commission on January 2022.

Member	3-Year Term Ends	Member Since	Officers
Connie Giarmo	December 2022	2008 (1991 – 2000)	Chairperson
Ronnie Rober	December 2023	2002	Vice-Chairperson
Lani Thomas	December 2022	2006	Secretary
Tim Haagsma	Township Trustee	2002 (1992 – 1997)	
Brad Burns	December 2021	2014	
Talimma Billips	December 2022	2017	
Brad Waayenberg	December 2021	2018	

Table 9 illustrates the attendance at Planning Commission Meetings in 2021.

2021 Meeting Attendance							
	Billips	Burns	Haagsma	Giarmo	Rober	Thomas	Waayenberg
January	X	X	X	X	X	X	X
February	X	X	X	X	X	X	X
March	X	X	X	X	X	X	X
April	Absent	X	Absent	X	X	X	X
May 20 (Special)	Absent	X	X	X	X	X	X
May 27	Absent	X	X	X	X	X	X
June	X	Absent	X	X	X	X	X
July	X	X	Absent	X	X	X	X
August	X	X	Absent	X	X	Absent	X
September	X	X	X	X	X	X	X
October	X	X	X	X	X	X	X
November	Absent	X	X	X	X	X	X
December	X	X	X	X	X	X	X
No. of Absences	3	1	3	0	0	1	0

ZONING BOARD OF APPEALS

The Zoning Board of Appeals met on four occasions in 2021.

Table 10 lists the members of the Zoning Board of Appeals in 2021. Ryan Wiersema replaced Michael Brew in 2021 and will serve as liaison to the Planning Commission in place of Connie Giarmo in 2022.

Member	3-Year Term Ends	Member Since	Officers
Tom Werkema	December 2022	2012	Chair
Ruth Ringnalda	December 2022	2002	Vice Chair
Ryan Wiersema	December 2023	2021	
Connie Giarmo	December 2022	2014	
Don Hilton	December 2023	2018	Secretary
Phil Tietz	December 2023	2018	Alternate

Table 11 lists the meeting dates of the ZBA in 2021.

2021 Meeting Attendance						
	Werkema	Giarmo	Hilton	Ringnalda	Wiersema	Tietz
January	Meeting Cancelled					
February	X	X	X	X	X	X
March	Meeting Cancelled					
April	Meeting Cancelled					
May	X	X	X	Absent	X	X
June	Meeting Cancelled					
July	X	X	X	X	X	Absent
August	Meeting Cancelled					
September	Meeting Cancelled					
October	Meeting Cancelled					
November	Meeting Cancelled					
December	X	Absent	X	X	X	X
No. of Absences	0	1	0	1	0	1

DEPARTMENT PERSONNEL

Community Development Director Dan Wells continued to serve as planning and zoning administrative staff in 2021. Planning Consultant David Jirousek, AICP continues to assist with plan reviews, larger projects and complete work on the Township Master Plan. Jeff Gritter of Vriesman & Korhorn Civil Engineering continued to provide support and guidance to the Planning Department.

BUDGET

The Department is committed to providing work in the most efficient and cost-effective manner. The following Tables represent information related to recent and historical Department budgets.

Table 12 lists the adopted budgets for the Planning and Zoning Department for fiscal years 2015-2021 and also shows the Department's Budget as a percentage of the overall General Fund Budget.

	2015	2016	2017	2018	2019	2020	2021
P/Z Budget	\$163,816	\$209,274	\$209,815	\$222,837	\$219,223	\$236,439	219,031
% of Gen. Fund	4.9%	5.7%	5.9%	5.9%	5.2%	4.5%	4.0%

Table 13 presents the actual dollar amount spent in the fiscal years 2013 – 2021 and is also expressed as a percentage of the approved Planning and Zoning Department's Budget.

	2014	2015	2016	2017	2018	2019	2020	2021
Actual Expenditures	\$126,029	\$109,962	\$173,548	\$174,995	\$189,710	\$204,153	198,665	170,485
% of Budget	72.5%	67.1%	82.7 %	83.4%	85.1%	93.1%	84%	72%