

**MINUTES OF THE GAINES CHARTER TOWNSHIP ZONING BOARD OF APPEALS REGULAR
MEETING
HELD ON MAY 14th, 2025
GAINES CHARTER TOWNSHIP
8555 KALAMAZOO AVENUE SE CALEDONIA, MICHIGAN 49316**

I. CALL TO ORDER AND ROLL CALL

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

MEMBERS PRESENT: Hilton, Wiersema, Ringnalda, Peacock, and Kooiman

MEMBERS ABSENT: None

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

II. CONSIDERATION OF MEETING AGENDA

III. CONSIDERATION OF MEETING MINUTES

Motion: Motion by Peacock, supported by Wiersema, to approve the Zoning Board of Appeals regular meeting minutes from April 9th, 2025, with corrections.

Discussion: Wiersema pointed out that Standard 4 was not addressed in the minutes; Chair Ringnalda explained that since Standard 4 was found to be met, Assistant Planner Swan did not address it in depth in the April 9th meeting minutes.

Hilton noted that at the April 9th meeting, the variance request changed from the time of public notice to the time of the meeting in light of additional information and context provided by the applicant. Hilton requested that in the future, if a variance request is modified to such a degree during the review process, staff will defer the applicant to the following month's meeting to ensure ample time for review. Planner Wells noted that the Planning and Zoning Department tries to accommodate applicants as best as possible, and that it is difficult to defer applicants, but that the department will be more considerate of timing in the future. Chair Ringnalda agreed and thanked Hilton for his feedback.

Ringnalda noted that in the meeting minutes from April 9th, there was no record of a motion being made to close the Public Hearing. Swan explained that the recording of the meeting indicated that no motion ever was made to close the Public Hearing. Swan added that she did include the discussion from the public hearing.

Ayes: All

Nays: None
Abstain: None
Decision: Motion carried (5-0).

IV. INQUIRY OF CONFLICT OF INTEREST

a. None

V. PUBLIC HEARING

1. 1095 68th Street – Dimensional Variance

Motion: Motion by Kooiman, supported by Peacock to open the public hearing at 7:08 PM.
DISCUSSION: None
AYES: ALL
NAYS: None
ABSTAIN: None
DECISION: Motion Carried (5-0)

Mike Vos and Robert Stroo of Stroo Funeral Home explained that in January their existing sign was destroyed by a careless driver; as they were arranging to replace the sign, they became aware that their sign was located in a noncompliant location, and a variance would be necessary to replace the sign. The proposed sign is very close to the previous sign, but is anticipated to be slightly bigger, and placed in a compliant location. The previous iteration of the Zoning Ordinance allowed 48 square-foot signs for institutional users in residential districts, however, Section 24.80 of the updated Zoning Ordinance (April 2025) limits signs as such to a maximum of 32 square feet. The applicant is proposing a sign that is 48 square feet, hence the request for a 16 square-foot dimensional variance.

Kooiman inquired about the size of the previous sign, to which Stroo responded that it was only 4 to 5 inches narrower than the proposed sign, and was the same width and height.

Wiersema recalled the old sign as not being much larger than the temporary sign currently on the site. Vos explained that they are currently using the remnants of the old sign for temporary signage.

Ringnalda identified the landscaping around the proposed sign as looking different than it did previously. Vos noted that the full extent of the previous sign was buried by landscaping and bricks, and that the full extent of the old sign is about the size of the new sign.

Kooiman sought clarification on whether the sign is measured by simply the square footage of the face or if the structure and landscaping berming around the sign is included as well. Planner Wells noted that signs are measured from the ground to the top of the sign; the applicant can make the sign face as big as the maximum square footage or surround it with decorative landscaping, and everything is included in the square footage calculation.

Hilton said that although the proposed sign is larger than the original, it could be beneficial for Stroo's visibility as they are set back quite far from the road, and 68th Street sees high vehicle speeds and increasing traffic. Hilton also inquired about where the Planning Commission's discussion on signage regulations landed; Planner Wells noted that signage regulations were discussed and reviewed extensively during the recent update to the Zoning Ordinance.

Stroo has been in operation since 1972 and was originally a funeral home with a residence attached and has been residentially zoned as far back as staff could find. Under the current Zoning Ordinance, the use is considered legally nonconforming, which presents difficulties. Wells explained that initially, staff began processing this request as a use variance to remedy the nonconforming use of the funeral home. After discussion with the Township Attorney and Planning Consultant, staff processed the request as a dimensional variance solely for the proposed signage. Ground mounted monument signs are accounted for in the Suburban Residential zoning district, however, not for this use; monument signs are only permitted by right in the SR zoning district for subdivision entrances. Planner Wells noted that the applicant could request a rezoning to the Neighborhood Commercial (NC) zoning district to allow for a bigger sign by right, however, a rezone to NC would open this parcel up to more intense uses, and any other uses permitted in the NC zoning district. Wells noted that seeking a dimensional variance is the only approach to this request that the applicant has.

Motion: Motion by Ringnalda, supported by Wiersema to close the public hearing.

DISCUSSION: None

AYES: ALL

NAYS: None

ABSTAIN: None

DECISION: Motion Carried (5-0)

Motion: Motion by Wiersema, supported by Hilton to read the staff report into record.

DISCUSSION: None

AYES: ALL

NAYS: None

ABSTAIN: None

DECISION: Motion Carried (5-0)

The first standard of review intends to ensure that the variance is being requested as a result of exceptional or unique conditions of the parcel or property itself; staff found that this standard was not met. Chair Ringnalda noted that no characteristics of the land or circumstance is making compliance difficult. Wiersema agreed and added that this request is atypical for the ZBA, as usually dimensional variances are applied for in instances where topography is prohibitive to building.

Chair Ringnalda stated that in some ways the applicant is not seeking to make the sign significantly bigger than what was there before, and they are proposing to allocate the square footage amongst different elements of the display, such as landscaping.

The second standard of review ensures that the request is necessary to preserve a property right similar to that of other landowners in the area, and that no special privileges are granted to the applicant if the

application is approved. Ringnalda stated that since Stroo is located in a residential zoning district, no other surrounding landowners would necessarily be interested in exercising the same property rights. Peacock and Wells noted that Creekside Storage to the east is a PUD.

Kooiman inquired about whether there are any other examples of a sign this size in a residential zoning district; Planner Wells said there are certainly several nonconforming signs within the Township. Wells noted that although the ZBA should not look at previous variances as any consideration for approval, a similar institutional user in a residential zoning district recently sought consideration for an oversized sign and was denied. Although many nonconforming signs exist in the Township, Wells said that staff does not necessarily go looking for them, and users are asked to bring their signage into conformity if their sign needs to be modified or replaced. Ringnalda said that this is a tough decision, as there are plenty of other nonconforming signs in the Township that have been erected for several years with no issue.

Standard number three aims to ensure that the request for a variance does not arise from a “self-created problem”, which staff found to not be satisfied. Chair Ringnalda noted that the applicant could achieve compliance by installing a 32 square-foot sign, and no characteristics of the property are preventing the applicant from installing a compliant sign.

The fourth standard of review was found to be met, which ensures that the request is not injurious or detrimental to public welfare. If the dimensional request was approved, the character of the immediate area would not be altered, and no threat would be posed to the public.

The fifth standard of review ensures that the request is consistent with the intent of the Master Plan and Zoning Ordinance; staff found this standard to not be met. Chair Ringnalda noted that institutional users in residential areas are allowed 32 square-feet for signage, which is less obtrusive in a residential setting. Wiersema noted that the Planning Commission spent a considerable amount of time discussing signage during the recent update to the Zoning Ordinance.

Hilton stated that Stroo has been operating out of their location for a long time, and that locating their facility can be difficult in the evenings or during the winter months. Hilton said that in his opinion, allowing Stroo to construct a slightly larger sign would not bother anything. Hilton also noted that although the sign being requested exceeds the permitted square footage, it would be constructed in a compliant location.

Motion: Motion by Hilton to approve the 16-square-foot dimensional variance for a freestanding ground sign in the Suburban Residential zoning district.

No support: motion failed.

Ringnalda mentioned that several guests visiting Stroo for services are unfamiliar with the area, and a larger sign could be helpful for navigation and more inviting. Peacock agreed but pointed out that the applicant does have the opportunity to illuminate a compliant, 32 square-foot sign to enhance its effectiveness. Peacock also mentioned that although he personally wouldn't mind a 48 square-foot sign at Stroo, based on the sign regulations in the Zoning Ordinance update, it doesn't seem reasonable to approve the request. Peacock expressed that the ZBA should aim to bring things into conformity, and

that an illuminated 32 square foot sign could both achieve compliance and fit the needs of the community.

Kooiman said that although the circumstances are unfortunate, the parcel is zoned residentially, and regulations for signage were very recently updated; Kooiman echoed Peacock's earlier regards and added that it would feel counterproductive to approve this request after the Planning Commission just recently finished an extensive amount of work on the Zoning Ordinance. Kooiman noted that the ZBA has a responsibility to uphold the Zoning Ordinance.

Motion:	Motion by Kooiman, supported by Wiersema, to deny the 16-square-foot dimensional variance based on all 5 standards of review not being found to be met.
DISCUSSION:	
AYES:	Wiersema, Peacock, Kooiman
NAYS:	Hilton, Ringnald
ABSTAIN:	None
DECISION:	Motion Carried (3-2)

VI. GENERAL DISCUSSION

Hilton highlighted the fact that the ZBA has considered applications requests pertaining to signage and oftentimes the variance request is for a small increase and inquired further about the details of the updated signage regulations. Wiersema responded that the Planning Commission didn't get much feedback from the public during the input phase of the Zoning Ordinance update, but the Planning Commission extensively discussed and reviewed the regulations on signage as they deemed necessary. Wiersema agreed that this case was challenging due to Stroo's involvement and history in the community but maintained the position that the ZBA has an obligation to uphold the Zoning Ordinance, and aid in reducing nonconformities over time. Hilton suggested communicating with the Planning Commission and encouraging reconsideration of Chapter 24 if variance requests related to signage continue to come to the ZBA.

Planner Wells noted that there have been other instances of the new Zoning Ordinance making requests more complicated than they would've been under the previous iteration of the Ordinance, and that applicants are always made aware of the risks associated with applying for a variance request.

VII. OTHER REPORTS

None.

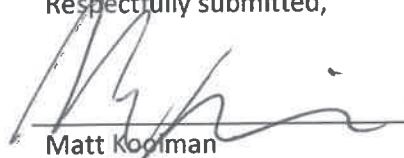
VIII. ADJOURNMENT

Motion by Kooiman, supported by Peacock, to adjourn at 8:44 PM.

CERTIFICATION

I hereby certify that the above is a true copy of the minutes from May 14th, 2025, Regular 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,

A handwritten signature in dark ink, appearing to read 'Matt Koopman', is written over a horizontal line.

Matt Koopman
Secretary
Gaines Charter
Township Zoning
Board of Appeals

Dated: 12-23, 2025