

**MINUTES OF THE GAINES CHARTER TOWNSHIP ZONING BOARD OF APPEALS REGULAR
MEETING
HELD ON OCTOBER 9TH, 2024
GAINES CHARTER TOWNSHIP
8555 KALAMAZOO AVENUE SE CALEDONIA, MICHIGAN 49316**

I. CALL TO ORDER AND ROLL CALL

Chair Werkema called the meeting to order at 7:01 PM.

MEMBERS PRESENT: Hilton, Ringnalda, Werkema, and Wiersema

MEMBERS ABSENT: Kooiman (with notice), Peacock (Alternate Member) (with notice)

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

II. CONSIDERATION OF MEETING AGENDA

III. CONSIDERATION OF MEETING MINUTES

Motion: Motion by Hilton, supported by Wiersema, to approve the Zoning Board of Appeals regular meeting minutes from August 14th, 2024, with corrections.
Discussion: None
Ayes: All
Nays: None
Abstain: None
Decision: Motion carried (4-0).

IV. INQUIRY OF CONFLICT OF INTEREST

V. PUBLIC HEARING

1. 1200 60th Street – Dimensional Variance

Motion: Motion by Ringnalda, supported by Wiersema to read the staff report into record.
DISCUSSION: None
AYES: Werkema, Hilton, Kooiman, Ringnalda, and Wiersema
NAYS: None
ABSTAIN: None
DECISION: Motion Carried (5-0)

Curtis Thompson, the Executive Pastor of Kentwood Community Church, was joined by Kimari Green, the Communications Director of Kentwood Community Church, to explain their request for a dimensional variance. Thompson explained that an increase in traffic in the vicinity has made it more difficult for members of their congregation to find and access the church from Ridgebrook Drive; their variance request is to increase the directional sign allowance from 4 square feet to 16 square feet. Thompson noted the other development happening in the area, including the River Birch apartments and Staybridge Suites hotel, which are contributing to additional drivers navigating through their campus. Ultimately, they are seeking a variance so that members of their congregation can easily identify entrances to the church and ensure visibility and safety across their campus. Green added that these issues persist on other days of the week besides Sundays; there are several programs within Kentwood Community Church that occur on weekdays, and there is much activity on their campus throughout the week. Green added that in the winter months, snow covers the signs and makes them more difficult to see.

Chair Werkema opened the public hearing at 7:19 and closed it after nobody approached the podium to speak.

Member Hilton commented that it seems as though the church has not caused the problem, but rather the developments in the immediate area are contributing to their problem. Chair Werkema stated that the applicant did adequately express their circumstances and reasons for needing this variance and noted that the current signage meets the ordinance.

Member Wiersema reminded the commission that all variance standards provided in the Zoning Ordinance and outlined in the staff report must be met to issue a variance. Wiersema then inquired about whether there are various ministries in the building, to which Green responded yes, and offered context on where in the building they are located. Wiersema inquired about whether Ridgebrook Drive is a public road, to which Chair Werkema responded yes. Wiersema then asked the applicant if they are sharing property with the Baptist church, to which Thompson responded yes; Kentwood Community Church owns a small sliver on the east side of Ridgebrook that extends from 60th Street along Ridgebrook. Planner Wells interjected to state that standard one outlined in the staff report pertains only to the subject parcel, and discussion of the other parcels is irrelevant.

Member Wiersema stated that he drove through the general area to observe the site, and he noted that there was a construction sign; he inquired about whether Orion Construction Company was used for maintenance upgrades to the church. Thompson stated that Orion was used to make site improvements to their daycare center.

With regard to the second standard outlined in the staff memo, Wiersema stated that he worries that approving the request would indeed grant special privileges to the applicant. Member Hilton stated that he does not believe this would grant special privileges to the applicant.

Planner Wells interjected to specify that every parcel in the Township has some right to signage to advertise business and direct traffic; the parcel in question is zoned as Office Service (O-s), and they already have a monument sign on 60th Street. Technically, Kentwood Community Church has an additional sign to the north, which is no longer their property. Wells referenced other signs in the area, stating that the signage for Peppino's is part of a Planned Unit Development (PUD) and was approved several years ago. Wells also referenced a request made by Staybridge Suites for an additional

monument sign, to which they were denied and required to comply with guidance outlined in Chapter 17 of the Zoning Ordinance. There are a variety of reasons why other parcels have the signage they do; most are compliant with the ordinance, although some may be nonconforming as they were likely permitted and approved before signs were regulated in the Township. In this case, Wells explained, the applicant does have a monument sign on 60th Street, which was permitted, and the applicant is granted a certain allowance for directional signs; the applicant is requesting larger signs as a convenience.

Werkema inquired about why 4 square feet is what was decided on for the maximum square footage of directional signs; Wells responded that sign sizes change based on the need to direct traffic; too many large signs cause sign clutter, and unlimited signage only adds to confusion and clutter. Wells added that the Township's sign ordinance is fairly standard.

Member Ringnalda reiterated that the parcel in question is zoned as O-S, and there is a PUD to the south. Since the church building is in the O-S zoning district, they must comply with the zoning regulations outlined for this zoning district.

With regard to the third variance standard outlined in the staff memo, Ringnalda commented that although growth in the immediate area is not a self-created problem, the applicants' desire to install bigger signs than what is allowed under the zoning ordinance is indeed a self-created problem. Member Wiersema echoed Ringnalda's comments on this matter and agreed that this is a self-created problem.

With regard to standard four, Wiersema commented that he does not believe this request would impact neighboring properties negatively; the rest of the Zoning Board of Appeals agreed.

The fifth variance standard pertains to whether the request is consistent with the intent of the Zoning Ordinance and Master Plan. Ringnalda began discussion by stating that there is a zoning designation for this parcel, and subsequent regulations correlating to that designation in the zoning ordinance. Wiersema and Werkema agreed that the details within the sign ordinance are not user-friendly, and Planner Wells agreed that the ordinance does not address these intricacies in an effective manner. Chair Werkema added that sign allowances will be different in the updated Zoning Ordinance.

Member Hilton asked the applicant if they had reviewed the findings and the staff memo, to which Thompson responded yes. Hilton stated that the ZBA has no choice but to deny this request, as all standards are not met.

Motion: Motion by Hilton, supported by Ringnalda, to deny the variance request due to variance standards 2, 3, and 5 not being satisfied.

DISCUSSION: Member Wiersema stated that he also finds standard one to be unsatisfied. Hilton added that he is not thrilled with the way the current ordinance reads, and he believes that the updated Zoning Ordinance will alleviate these kinds of questions. Chair Werkema inquired about whether or not the Planning Commission has the power to make an exception to the sign ordinance, since the site plan for the daycare expansion was approved by the Planning Commission; Planner Wells responded that the Zoning Board of Appeals is responsible for deliberating matters as such. Chair Werkema inquired about whether the circumstances would be different if the property was in a PUD, to which Planner Wells responded that parcels in PUD's are ineligible for variance requests.

AYES: Ringnalda, Hilton, Wiersema
NAYS: Werkema
ABSTAIN: None
DECISION: Motion Carried (3-1)

VI. GENERAL DISCUSSION

VII. OTHER REPORTS

None.

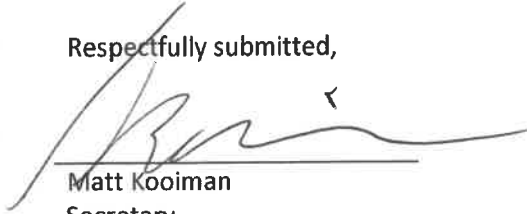
VIII. ADJOURNMENT

Motion by Ringnalda, supported by Hilton, to adjourn at 7:58 PM.

CERTIFICATION

I hereby certify that the above is a true copy of the minutes from October 9th, 2024, 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 Kooiman', is written over a horizontal line.

Matt Kooiman
Secretary
Gaines Charter
Township Zoning
Board of Appeals

Dated: March 12, 2025