

GAINES CHARTER TOWNSHIP ZONING BOARD OF APPEALS – SPECIAL MEETING

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

Tentative Agenda

7:00 p.m. – Wednesday February 10th, 2021

Meeting will be held via ZOOM - Please send an email to info@gainestownship.org for login information

- I. Call to Order and Roll Call**
- II. Consideration of the Meeting Agenda**
- III. Consideration of November 11th, 2020 – Regular Meeting Minutes**
- IV. Inquiry of Conflict of Interest**
- V. Advertised Public Hearing**
 - 1. 9345 Eastern Avenue SE (Agricultural-Residential)**
Dimensional variance to reduce front setback from 60 to five feet to allow for construction of a new 2,100 square foot single-family house on a single parcel.
- VI. General Discussion Items**
 - 1. Election of Officers**
 - 2. Consideration of 2021 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
FOR THE REGULAR MEETING HELD ON
November 11, 2020
Via Zoom Meeting
GAINES CHARTER TOWNSHIP OFFICES
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: Brew, Hilton, Ringnalda, Werkema, Giarmo, Tietz (alternate)

MEMBERS ABSENT:

OTHERS PRESENT: Dan Wells, Township Planner
David Jirousek, Consulting Planner
Others: Dave Hanko, Norm Buffum, Brian Bronkema

II. CONSIDERATION OF MEETING AGENDA

The agenda was accepted as presented.

III. CONSIDERATION OF MEETING MINUTES

June 10, 2020 - Regular Meeting Minutes

Motion: By Member Ringnalda, supported by Member Hilton, to approve the minutes for the June 10, 2020, Zoning Board of Appeals Regular Meeting.

Discussion: None

Ayes: Brew, Hilton, Ringnalda, Werkema, Giarmo

Nays: None

Abstain: None

Decision: Passed 5-0.

Alternate Member Tietz did not vote.

IV. INQUIRY OF CONFLICT OF INTEREST

Chair Werkema called for statements of conflict of interest. There were none stated.

V. ADVERTISED PUBLIC HEARING

1. 9345 Eastern Avenue SE (Agricultural-Residential)

Dimensional variance to reduce front setback from 60 to 21 feet to allow for construction of a new 2,100 square foot single-family house on a single parcel.

Chair Werkema called on Norm Buffum, the applicant.

Norm Buffum explained that his family built a home on the property and split off compliant parcels. However, the subject parcel drops in elevation to the south, and there is a concern with drainage and building in a compliant manner.

Norm Buffum turned to Dave Hanco, the engineer for the project. Dave Hanco explained that there is a 30-foot grade change, which is concerning for a complaint home site. It was also explained that extensive tree cutting and site leveling would be required without a variance. As proposed, the applicant could still build a walk-out basement on the site.

Motion: By Member Brew, supported by Member Ringnalda, to enter Norm Buffum's comments and application materials into the public record.

Discussion: None

Ayes: Brew, Hilton, Ringnalda, Werkema, Giarmo

Nays: None

Abstain: None

Decision: Passed 5-0.

Alternate Member Tietz did not vote.

Chair Werkema turned to Dan Wells for a presentation.

Dan Wells stated that a compliant home would need to be constructed halfway down the hill, and the best home site would be approximate 21 feet from the private street easement. The proposed location is not anticipated to impact nearby properties, and the character of the area includes large lot residential uses. Because the slope is the primary feature of the site preventing compliance, the variance would be reasonable, and a practical difficulty exists. The proposal was determined to be compatible with nearby homes, would not be injurious or detrimental to nearby property, and would not change the character of the area. Based on the tree coverage in the area, the building site will remain naturally screened. Overall, without a variance, the owner would not be able to enjoy their property rights, and strict compliance with the Zoning Ordinance would be overly burdensome.

Chair Werkema opened the public hearing at 7:22 pm.

Brian Bronkema, a neighbor from 9335 Eastern Avenue, expressed support for the variance.

Chair Werkema closed the public hearing at 7:24 pm.

Motion: By Member Giarmo, supported by Member Ringnalda, to approve the dimensional variance request with no conditions based on the findings documented in the staff report.

Discussion:

Member Hilton stated that he understands the site and its characteristics. He believes it will be a beautiful residential site.

Member Brew had no comments.

Member Giarmo believed the request was straightforward and had no concerns.

Member Ringnalda had no concerns.

Alternate Member Tietz was concerned with drainage issues. However, Dave Hanko and Dan Wells had no concerns with drainage, as stormwater would enter the ravine. Dan Wells said the site was stable and that drainage will flow to a nearby lake to the east.

Chair Werkema asked for objections to the findings documented in the staff report. There were no objections from the members.

Ayes: Brew, Hilton, Ringnalda, Werkema, Giarmo

Nays: None

Abstain: None

Decision: Passed 5-0.

Alternate Member Tietz did not vote.

VI. GENERAL DISCUSSION

1. MTA ZBA Training Videos.

Dan Wells asked for comments on the training videos.

Chairman Werkema appreciated the discussion regarding self-created problems.

Don Hilton appreciated Steve Langworthy's presentation.

The training link was requested to view and re-view the materials. Dan Wells offered to assist members with logging on and viewing the session.

Dan Wells mentioned that the setback averaging ordinance was recommended by the Planning Commission and is now being considered by the Township Board. Dan explained that current setback requirements result in new homes being inconsistent with the historic development pattern. As such, the averaging setback provision would allow for a more context-sensitive setback for both front and side yards. The ZBA members were generally supportive of the proposed zoning changes.

The ZBA expressed support for continued virtual meetings.

VII. OTHER REPORTS

None.

VIII. ADJOURNMENT

Motion: By Member Giarmo, supported by Member Ringnalda, to adjourn the meeting at 7:52 pm.

Discussion: None

Ayes: Brew, Hilton, Ringnalda, Werkema, Giarmo

Nays: None

Abstain: None

Decision: Passed 5-0.

Alternate Member Tietz did not vote.

CERTIFICATION

I hereby certify that the above is a true copy of the minutes from the November 11, 2020, 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,

Don Hilton, Secretary
Gaines Charter Township
Zoning Board of Appeals

Dated: November _____, 2020

Gaines Charter Township

Zoning Board of Appeals Memo

Meeting Date: February 11th, 2021

AGENDA ITEM: V.1

REQUEST: Dimensional Variance

ADDRESS: 9345 Eastern Avenue SE

PARCEL NUMBER: 41-22-30-200-062

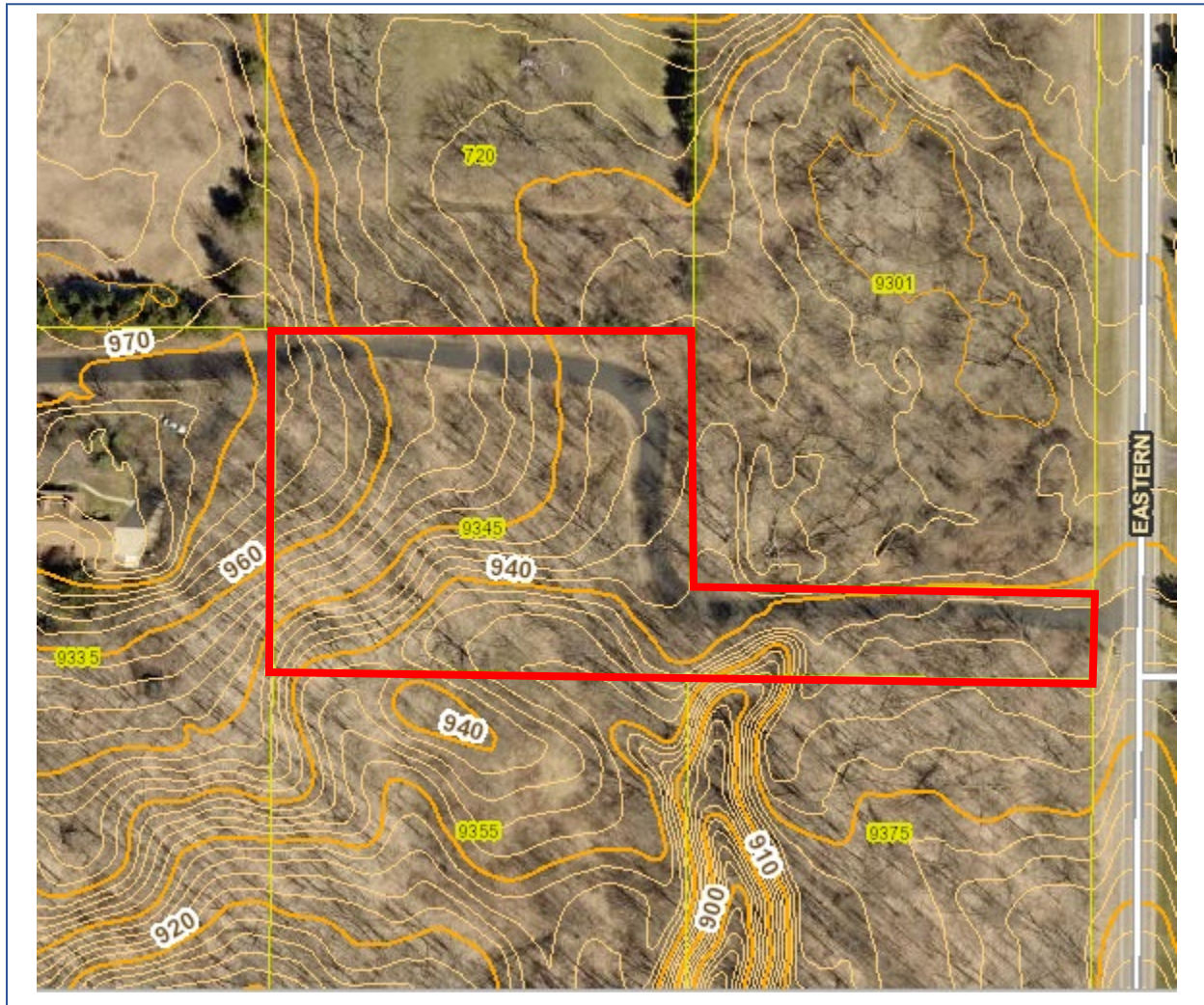
APPLICANT: Josh Buffum

FILE NUMBER: 201228JB

PROPERTY ZONING DISTRICT: Agricultural-Residential

PROPERTY SIZE: 2.24 acres

REPORT BY: Dan Wells, Community Development Director



OVERVIEW

The applicant requests a dimensional variance to construct a 2,100 square foot single-family house on a vacant parcel in the Agricultural-Residential Zoning District. The ZBA approved a request by the applicant for a dimensional variance for a 21-foot front yard setback in November of 2020. However, when the applicant staked the building footings for construction, they determined that the initial plans were insufficient to construct a stable foundation, and they need to shift the entire footing to the north. They are now requesting a five-foot setback from the access road boundary.

When this lot was divided the front of the lot was defined as the north property line. A 66-foot wide shared driveway easement runs through the northern portion of the lot and parallel to the north lot line. The shared driveway serves three additional lots to the west, two of which are currently developed.

The shared driveway easement edge forms the line from which setbacks are measured. The applicant requests a dimensional variance for a five-foot front yard setback, as the southern half of the lot is a steep slope, and forces the house to be sited further north than the setback from the access easement would normally allow. The steep slopes limit the ability to construct a stable foundation any further south without massive earth moving or extraordinarily tall foundations, both of which are cost prohibitive.

The surrounding zoning is:

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

STANDARDS OF REVIEW

The request has been reviewed using the applicable review standards of Section 26.8 (D) of the Zoning Ordinance with consideration to the dimensional requirements of Section 7.3 in the Agricultural-Residential Zoning District. The Zoning Board of Appeals must find that all standards in this report are satisfied to grant a variance.

- 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.**

Meets standard; The applicant is asking the ZBA to reduce the setbacks for a house that is yet to be built, but would be typical for this zoning district. As planned, the home is set as far back from the easement boundary as it is feasible to build. The home has been designed to be longer on an east-west axis to fit within the narrow building envelope as determined by the front setback to the north, and slope of the land to the south. The reduction of front setback is necessary based on physical limitations of the property and the buildable envelope.

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

Meets standard; The construction of the new house in its proposed location will not cause any injurious or detrimental conditions to the surrounding properties. The main impact of a residence at this location would be a visual impact to surrounding properties, but it is located in a heavily wooded area and will not likely be visible.

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

Meets standard; The building as currently planned at five feet from the shared driveway easement does fit in with the established pattern of construction in this area. Lots in this area are generally several acres, and the single-family houses tend to be well buffered from the driveways by thick woods. This home will be no different, with approximately 40-45 feet of woodland between the driveway pavement and the house foundation.

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

Meets standard; The intent and purpose of Section 5.4 of the ordinance is to promote consistent rules for placement of buildings and structures within the Agricultural-Residential zoning district, and to buffer the home from surrounding property. In this specific location, the setback is defined by a driveway easement, rather than the lot line. Measuring from the lot line to the north, the home will be within the 60-foot setback that is protective to the neighbor on the adjacent property to the north. Also, the proposed reduction in the front setback is still adequate to shield the home from other surrounding properties.

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.

Meets standard; The physical building envelope is limited due to the steep slopes found on the site rather than the applicants desire to place it at this location.

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; Nearly all new buildings within the township are designed to fall within the building envelope as defined by setbacks. This parcel is located in a hilly area of the township and the slopes are unique to the parcel, and restrict the area that can be reasonably built for a single family home typical for the area.

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.

Meets standard; The applicant has designed the home to rest on the only reasonably developable portion of the parcel. The majority of the parcel exhibits slopes that cannot be reasonably built on.

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.

Meets standard; Property rights and enjoyment thereof—in this case development of a home—are limited by the steep slopes across the parcel, and it can only be developed in a reasonable manner by reducing the front setback. Other homeowners in the vicinity were able to build a similar house, and the proposed home is not out of keeping with the scale and style of the surrounding homes.

9. As specified above, the ZBA must also find that the applicant has practical difficulty complying with the Ordinance provision or provisions at issue.

Meets standard. The hill slopes on the parcel present practical difficulties in designing a home typical for the area that would fit into current setback requirements. The proposed home has been located within parcel to minimize extension into the typically required setback, and retains a buffer to other surrounding homes to the maximum extent possible.

STAFF RECOMMENDATION

Since all of the conditions and standards for variances are determined to be met, approval of the application is recommended with no conditions.

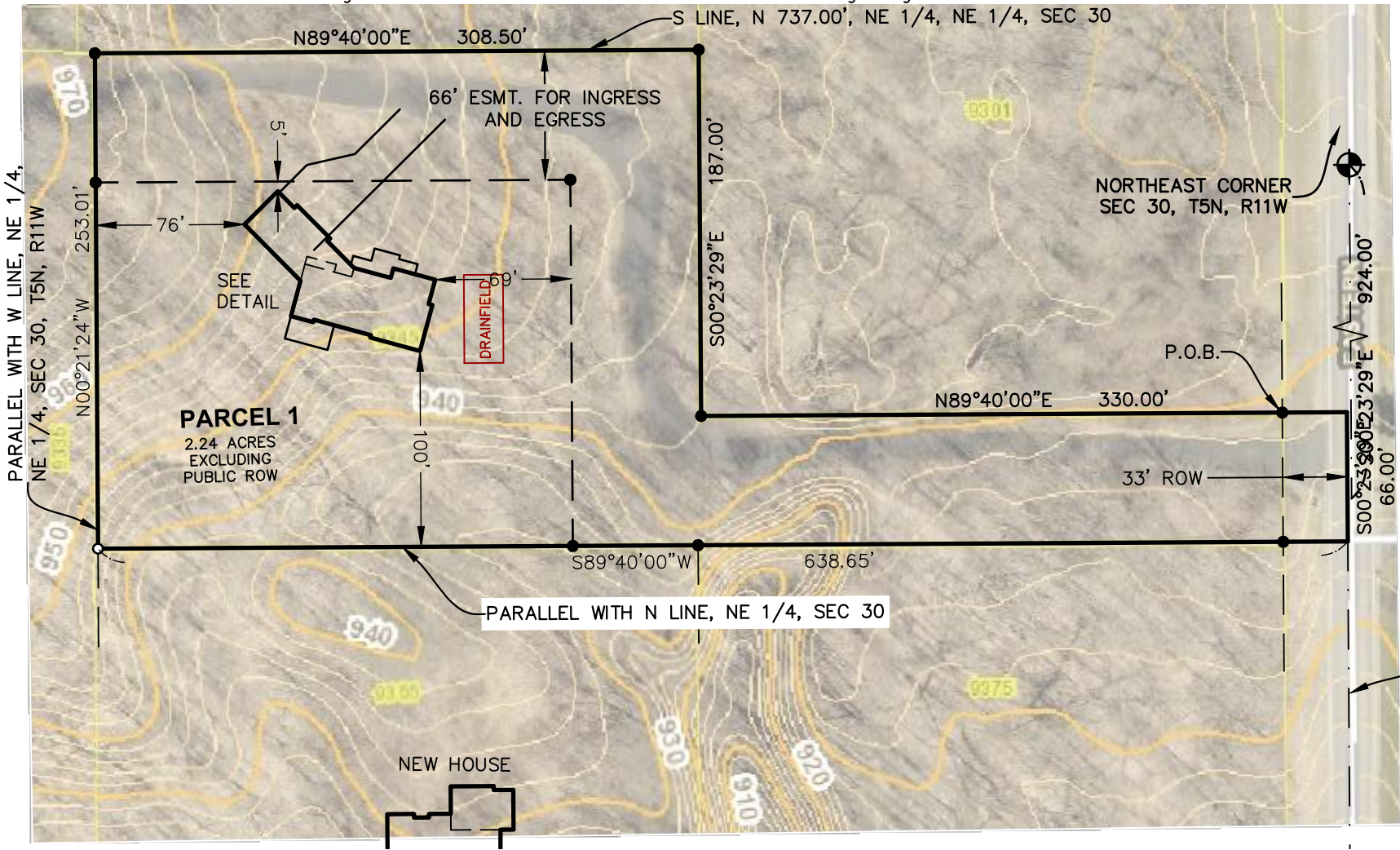
PRELIMINARY
SITE PLAN

FOR: Norm Buffum
Buffum Builders
144 44th St. SW
Grand Rapids, MI 49548

PROPERTY ADDRESS:
9345 Eastern Avenue SE

PARCEL 1 DESCRIPTION: Part of the NE 1/4 of Section 30, T5N, R11W, Gaines Township, Kent County, Michigan described as: Commencing at the NE corner of said Section 30; thence S00°23'29"E 924.00 feet along the East line of said Section to the Point of Beginning; thence S00°23'29"E 66.00 feet; thence S89°40'00"W 638.65 feet parallel with the North line of the NE 1/4 of said Section 30; thence N00°21'24"W 253.01 feet parallel with the West line of the NE 1/4 of the NE 1/4 of said Section 30; thence N89°40'00"E 308.50 feet along the South line of the North 737.00 feet of the NE 1/4 of the NE 1/4 of said Section 30; thence S00°23'29"E 187.00 feet; thence N89°40'00"E 330.00 feet to the Point of Beginning.

EXISTING INGRESS & EGRESS EASEMENT: A 66.00 foot wide easement for ingress and egress described as: Commencing at the NE corner of said Section 30, T5N, R11W, Gaines Township, Kent County, Michigan; thence S00°23'29"E 924.00 feet along the East line of said Section to the Point of Beginning of said easement; thence S89°48'00"W 330.00 feet; thence N00°23'29"W 187.00 feet; thence S89°40'00"W 795.50 feet along the South line of the North 737.00 feet of the NE 1/4 of the NE 1/4 of said Section; thence S00°21'24"E 66.00 feet; thence N89°40'00"E 729.54 feet; thence S00°23'29"E 187.00 feet; thence N89°40'00"E 396.00 feet; thence N00°23'29"W 66.00 feet along the East line of said Section to the Point of Beginning of said easement.





Feenstra
& Associates, Inc.
CIVIL ENGINEERS & SURVEYORS

7482 Main Street
Jenison, MI 49428

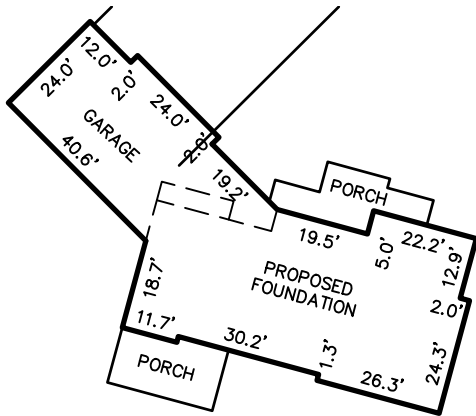
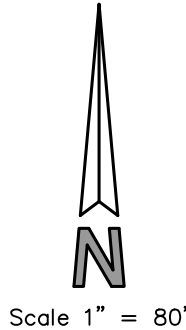
Phone: 616.457.7050
www.feenstrainc.com

Proj	200381
File	30-5-11
Date	12/16/2020

LEGEND

- Found Iron Stake
- Set Iron Stake
- Set Wood Stake
- ⊕ Utility Pole
- x—x— Fence Line
- D = Deeded
- P = Platted
- M = Measured

- Building
- Deck
- Concrete
- Asphalt



HOUSE DETAIL

Scale 1" = 40'

NOTE: The location of the proposed house including required building setbacks and elevations should be approved by the governing agency prior to staking or start of construction.

This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

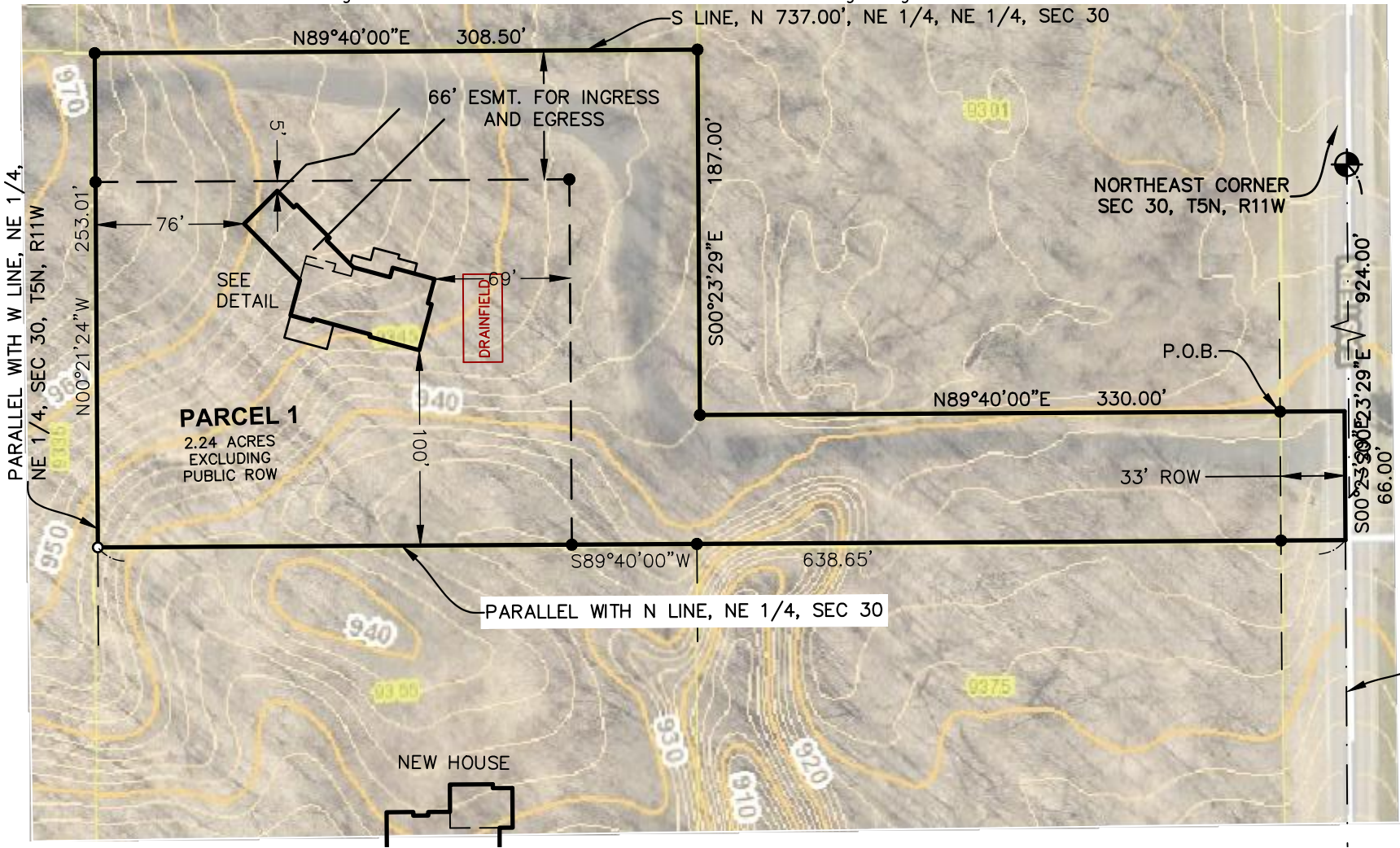
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Proj 200381

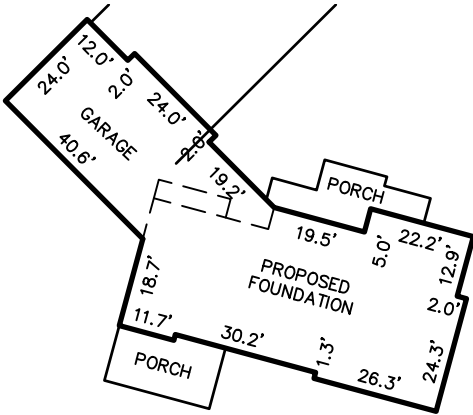
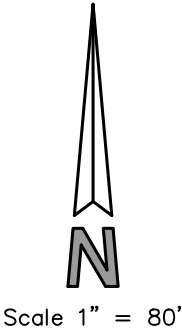
File 30-5-11

Date 12/16/2020

LEGEND

- Found Iron Stake
- Set Iron Stake
- Set Wood Stake
- ⊕ Utility Pole
- x—x— Fence Line
- D = Deeded
- P = Platted
- M = Measured

- Building
- Deck
- Concrete
- Asphalt



HOUSE DETAIL

Scale 1" = 40'

NOTE: The location of the proposed house including required building setbacks and elevations should be approved by the governing agency prior to staking or start of construction.

This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.



2021 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 28, 2021	December 28, 2020	January 13, 2021	December 9, 2021
February 25, 2021	January 21, 2021	February 10, 2021	January 6, 2021
March 25, 2021	February 18, 2021	March 10, 2021	February 3, 2021
April 22, 2021	March 18, 2021	April 14, 2021	March 3, 2021
May 27, 2021	April 15, 2021	May 12, 2021	April 7, 2021
June 24, 2021	May 20, 2021	June 9, 2021	May 5, 2021
July 22, 2021	June 17, 2021	July 14, 2021	June 2, 2021
August 26, 2021	July 22, 2021	August 11, 2021	July 7, 2021
September 23, 2021	August 19, 2021	September 8, 2021	August 4, 2021
October 28, 2021	September 23, 2021	October 13, 2021	September 1, 2021
November 18, 2021	October 14, 2021	November 10, 2021	October 6, 2021
December 30, 2021	November 25, 2021	December 8, 2021	November 3, 2021
January 27, 2022	December 16, 2021	January 12, 2022	December 8, 2021

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

Zoning Board of Appeals Membership 2021

Officers will need to be nominated for 2021.

Member	Officers
Tom Werkema	
Don Hilton	
Ruth Ringnald	
Connie Giarmo	
Phil Tietz	
Ryan Wiersma	

GAINES CHARTER

TOWNSHIP

PLANNING & ZONING DEPARTMENT

2020 ANNUAL REPORT



Endorsed by the Planning Commission on January 28, 2021

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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 **2020 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:

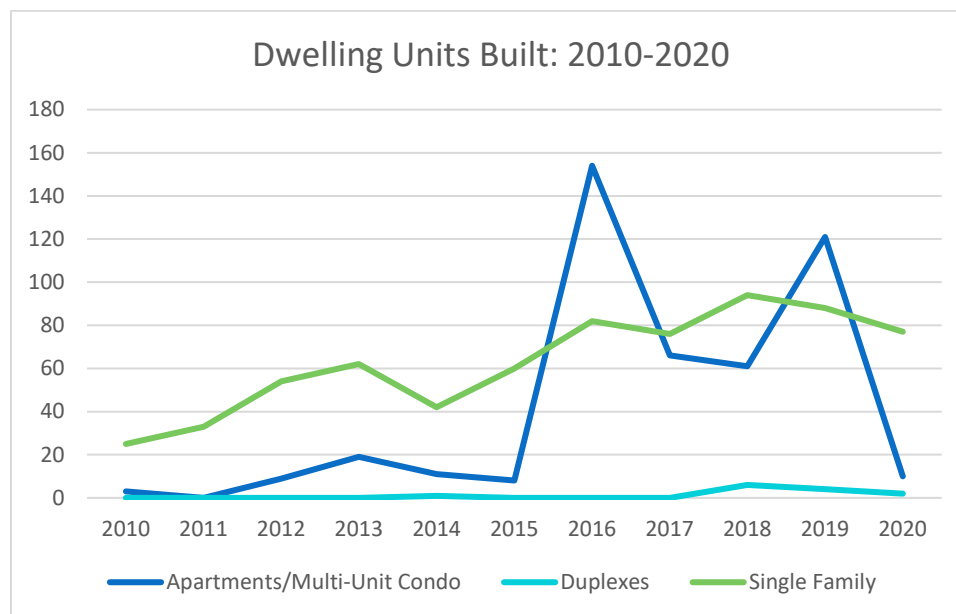
In our capacity as Planning and Zoning Department staff, we are committed to providing the Planning Commission, Zoning Board of Appeals, and Township Board with professional assistance so that together we may work towards the vision created in the Township Master Plan. As staff, we see ourselves as the 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.

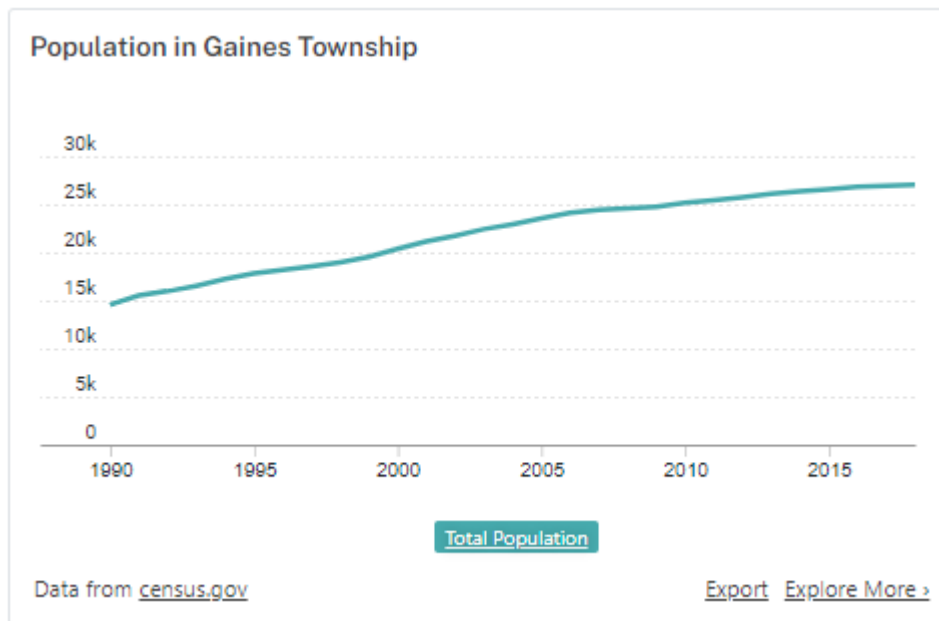
Current Planning Division

RESIDENTIAL BUILDING PERMITS

Table 1 details the number of new dwelling units per year over the last 10 years 2010 to 2020. This includes single-family dwellings as well as attached units and apartments/condos.

	Apartments/ Multi-Unit Condos	Duplexes	Single Family Homes/Condos	Total Units
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
2010	3	0	25	28





PROJECT REVIEWS

Table 2 contains a list of application reviews completed by the Planning Commission, Township Board, and Township staff. The items are listed by the order in which they were considered.

Development Name/Address	Request Type	Description	Planning Commission Action	Township Board Action
Preservation Lakes Phases 3 & 4, 9820 Waterstone Drive SE	Major PUD Amendment	Amendment to the Preservation Lakes Planned Unit Development would increase the number of home sites from 116 to 120 within the single-family residential portion of the development.	Approved	Approved
4710 100th Street	Special Use Permit	To allow for a total of 3,220 square feet of gross floor area for accessory buildings in the A-B zoning district.	Approved	No Action
55 79th Street	Rezoning	Rezone from RL-10 to C-2 to allow for construction of a small engine repair business.	Withdrawn	No Action
6911 Rapids Drive-Lone Oak Distributors	Major PUD Amendment	Amendment to the Steelcase PUD-LSP to allow for installation of light poles of varied heights (30 to 40 feet), exceeding the maximum height for light poles (20 feet).	Approved	Approved
6911 Rapids Drive-Lone Oak Distributors	Major PUD Amendment	For a 206,514 square foot distribution center.	Approved	No Action
4284 60th Street	Site Plan Review	For a 160,000 square foot industrial building (AKA ALRO).	Approved	No Action
6869 East Paris Ave	Site Plan Review	For various site improvements and structures	Approved	No Action
6155 East Paris	Site Plan Review	For a self-storage facility.	Approved	No Action

3592 100th Street	Special Use Permit	For a total 5,184 square feet of accessory buildings in the A-B zoning district.	Approved	No Action
8190 Division Avenue	Planned Unit Development Rezoning	Planned Unit Development (PUD) for a single apartment building with 125 market-rate senior housing units.	Approved	Approved
6911 Rapids Drive- Lone Oak Distributors	Major PUD Amendment	To allow for greater wall and ground sign square footage.	Approved	Approved
9525 Meadow Valley	Special Use Permit	Request to allow for a total of 2,592 square feet of accessory buildings in the A-B zoning district.	Approved	No Action
389 68th Street	Special Use Permit	Temporary tent for summer & fall sales.	Approved	No Action
4317 68th Street	Site Plan Review	Old Dominion Freight Lines Terminal, a 43,089 SF industrial building with 83 truck dock doors.	Approved	No Action
6729 Hanna Lake	Site Plan Review	For a 11,500 SF addition on south side of the existing school.	Approved	No Action
6207 East Paris	Site Plan Review	30,000 SF warehouse facility.	Approved	No Action
7115 Kalamazoo	Major PUD Amendment	900 SF Addition to commercial building in the Crystal Springs PUD.	Approved	Approved
7884 Eastern Ave	Special Use Permit	Everett's temporary accessory building on site to expand available office space and enable better social distancing.	Approved	No Action
6150 Hanna Lake	Special Use Permit	Requesting 3,224 Square Feet of Accessory Building in Residential-10 Zoning District	Approved	No Action
2410 68th	Rezone	Of part of the parcel from Residential-14 to Residential-10.	Approved	Approved
7979 Kalamazoo Ave.- South Christian HS	Special Use Permit	Solar Field	Approved	No Action
9820 Waterstone Drive	Preliminary Plat Review	Preservation Lakes PUD- Phase 4	Approved	In process
6658 East Paris	Major PUD Amendment	OTP PUD amendment for a 73,500 square foot multi-tenant building	Approved	In process
17 & 21 Willman and 6536 & 6540 Division	Rezone	Of two complete lots and a portion of two additional lots from R-3 to C-2	Approved	In process
8460 Kalamazoo, Gaines Town Center	Rezone	To create a walkable, mixed-use town-center and residential development	In process	
3500 60th Street Apartments	Rezone	Planned Unit Development (PUD) for a market-rate apartment complex	In process	
Stoneco 2020 Annual Review	Annual Review	Annual operating plan	Approved	No Action
6155 East Paris	Site Plan Review	For a proposed 89,430 square foot building and associated site improvements	Approved	No Action

Table 3 contains a list of application reviews completed by and Township staff as administrative approvals.

Development Name/Address	Request Type	Description	Planning Staff Action
1801 Marketplace Drive- Meijer	Minor PUD Amendment	Construction of a 1,739 SF addition for handling storage and delivery of goods for the digital ordering program.	Approved

3555 68th Street	Temporary Permit for One Day Event	For annual outdoor event at Railtown Brewing.	Approved
Cooks Crossing PUD	Minor Amendments	• Phase 2; Adjust lot lines and incorporation of cul-de-sac and “eyebrow bubbles” along main road. • Phase 3; Replace two five-unit townhomes with seven detached “terrace” homes.	Approved
Preservation Lakes PUD	Minor Amendments	• Former duplex buildings 47, 48, 49 (six units) replaced with single villa buildings 47, 48A, 48B, 49A, 49B. • Former single building villa 44 replaced with duplex 44. • Building 39 pulled closer to the turn-around. • The overall unit count of 81 total for The Enclave remains the same. • Two additional water and sanitary service laterals will be installed to service the additional villas. • The layout of Haven Court has been slightly modified to accommodate the additional unit.	Approved

VARIANCES

Table 4 provides a summary of the variance requests in 2020.

Address	Variance Type	Description	Staff Recommendation	Action
1120 60th Street	Dimensional	For construction of 3 homes: 1) Reduction of an access easement width from 50 to 25 ft. 2) Waiver of 35-foot ft. yard setback from access easement, Parcel 1 (0 ft.), Parcel 2 (13 ft.)	Denial	Denial
6729 Hanna Lake	Dimensional	To allow for an addition to the Dutton Christian School: request for a reduction of the 50-foot rear setback to 17 feet.	Denial	Approval
6723 Adrian St	Dimensional	To allow for addition to an accessory building. Request to reduce setback to 4 feet from side yard lot line.	Denial	Approval
109 Brownell St	Dimensional	For construction of a single-family home. Request to reduce setback to 29.5 feet in front yard and 29 feet in rear yard.	Denial	Denial
9345 Eastern	Dimensional	For construction of a single-family home. Request to reduce setback to 21 feet in front yard.	Approval	Approval

ORDINANCE UPDATES

There were two completed text amendments to the Gaines Charter Township Zoning Ordinance in 2020:

1. Private Street Ordinance; to regulate required frontage, private streets, shared driveways, and private driveways.
2. Setback Averaging Ordinance; If located within Sections 6 and 7 and adjacent to a street with an established building pattern that consistently varies from current setback requirements, an infill development or redevelopment may request to utilize a front or side setback determined by averaging the setbacks of adjoining properties.

REZONINGS

Table 5 provides information on the four rezoning applications received in 2020.

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.

Long-Range Planning Division

MASTER PLAN IMPLEMENTATION

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	Two ordinance text amendments approved in 2020.
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 2021 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	A connection between Division Avenue and Brewer Park has been designated as part of the Clover Development Apartments at 8190 Division.

PARKS & RECREATION

In 2020 Township Planning Staff in conjunction with the Parks and Recreation Committee continued work on an update to the Gaines Charter Township Parks & Recreation Plan. The plan is expected to be updated in 2021. The committee continues to focus on the management of Prairie Wolf Park and is in the initial stages of trying to establish an environmental education center at 8665 Kalamazoo, which the Township acquired in 2020.

Code Enforcement Division

The Planning Department continued to use BS&A software to register and track code enforcement cases in 2020. 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 Sheriff'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
2730 60TH ST SE	Other	09/24/2018	Case Closed
785 COLEMAN ST SE	Trash/Junk	12/31/2019	Case Closed
1056 84TH ST SE	Other	02/26/2020	Case Closed
471 72ND ST SE	Zoning	03/05/2020	Case Closed
6720 COLLEGE AVE SE	Zoning	03/16/2020	Case Closed
155 FONTENELLE ST SE	Nuisance Parking	05/11/2020	Case Closed
1310 RYE GRASS DR SE	Nuisance Parking	06/09/2020	Case Closed
101 76TH ST SE	Other	06/22/2020	Case Closed

1166 60TH ST SE	Zoning	07/14/2020	Case Closed
7682 CIDERMILL DR SE	Nuisance Parking	07/14/2020	Case Closed
428 FONTENELLE ST SE	Other	07/22/2020	Case Closed
6491 NEARPOINT DR SE	Inoperable Vehicle	07/30/2020	Case Closed
1578 BERRYBROOK DR SE	Nuisance Parking	08/24/2020	Case Closed
7226 DIVISION AVE SE	Nuisance Parking	08/25/2020	Case Closed
56 DUNKIRK ST SE	Trash/Junk	09/29/2020	Case Closed
3376 68TH ST SE	Other	10/08/2020	Warning Issued
3100 60TH ST SE	Zoning	10/28/2020	Warning Issued
84 84TH ST SE	Noise	11/12/2020	Case Closed
7243 SUNDALE DR SE	Inoperable Vehicle	11/16/2020	Warning Issued

Department Administration

PLANNING COMMISSION

During 2020, The Planning Commission held 10 regular meetings (two cancelled due to the Covid epidemic), one special meeting and one joint meeting with the Township Board of Trustees.

Table 8 lists the members of the Planning Commission during 2019.

Member	3-Year Term Ends	Member Since	Officers
Connie Giarmo	December 2022	2008 (1991 – 2000)	Chairperson
Ronnie Rober	December 2020	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 2019.

2020 Meeting Attendance							
	Billips	Burns	Haagsma	Giarmo	Rober	Thomas	Waayenberg
January	X	X	X	X	X	X	X
February	Absent	X	X	X	X	X	X
March	Meeting Cancelled						
April	Meeting Cancelled						
May 21	X	X	X	X	X	X	X
May 27	X	X	X	X	X	X	X
June	X	X	X	X	X	X	X
July	Absent	X	X	X	X	X	X
August	X	X	X	X	X	X	X
September	X	X	X	X	X	X	X
October	X	X	X	X	X	X	X

November	X	X	X	X	X	X	X
December	X	X	X	X	X	X	X
No. of Absences	2	0	0	0	0	0	0

ZONING BOARD OF APPEALS

The Zoning Board of Appeals met on five occasions in 2020.

Table 10 lists the members of the Zoning Board of Appeals in 2020.

Member	3-Year Term Ends	Member Since	Officers
Tom Werkema	December 2022	2012	Chair
Ruth Ringnald	December 2022	2002	Vice Chair
Michael Brew	December 2021	2015	
Connie Giarmo	December 2022	2014	
Don Hilton	December 2020	2018	Secretary
Phil Tietz	December 2020	2018	Alternate

Table 11 lists the meeting dates of the ZBA in 2020.

2020 Meeting Attendance						
	Brew	Giarmo	Hilton	Ringnald	Tietz	Werkema
January	X	Absent	X	X	X	X
February	Meeting Cancelled					
March	X	X	X	X	X	X
April						
May	X	X	X	X	X	X
June	X	Absent	X	X	X	X
July	Meeting Cancelled					
August	Meeting Cancelled					
September	Meeting Cancelled					
October	Meeting Cancelled					
November	X	X	X	X	X	X
December	Meeting Cancelled					
No. of Absences	0	2	0	0	0	0

DEPARTMENT PERSONNEL

Community Development Director Dan Wells replaced Matt McKernan in March. Planning Consultant David Jirousek, AICP continues to assist with plan reviews, larger projects and complete work on the Township Master Plan and Parks & Recreation 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 2013-2020 and also shows the Department's Budget as a percentage of the overall General Fund Budget.

	2014	2015	2016	2017	2018	2019	2020
P/Z Budget	\$173,956	\$163,816	\$209,274	\$209,815	\$222,837	\$219,223	\$236,439
% of Gen. Fund	4.8%	4.9%	5.7%	5.9%	5.9%	5.2%	4.5%

Table 13 presents the actual dollar amount spent in the fiscal years 2013 – 2019 and is also expressed as a percentage of the approved Planning and Zoning Department's Budget.

	2013	2014	2015	2016	2017	2018	2019	2020
Actual Expenditures	\$109,986	\$126,029	\$109,962	\$173,548	\$174,995	\$189,710	\$204,153	198,665
% of Budget	60.1%	72.5%	67.1%	82.7 %	83.4%	85.1%	93.1%	84%