

**MINUTES OF THE GAINES CHARTER TOWNSHIP ZONING BOARD OF APPEALS REGULAR MEETING
HELD ON MARCH 12TH, 2025
GAINES CHARTER TOWNSHIP
8555 KALAMAZOO AVENUE SE CALEDONIA, MICHIGAN 49316**

I. CALL TO ORDER AND ROLL CALL

Vice Chair Ringnalda called the meeting to order at 6:58 PM.

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

MEMBERS ABSENT: None

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

II. CONSIDERATION OF MEETING AGENDA

Motion: Motion by Kooiman, supported by Peacock, to move agenda item VI (Election of Officers) between agenda items III and IV.

Discussion: None

Ayes: All

Nays: None

Abstain: None

Decision: Motion carried (5-0).

III. CONSIDERATION OF MEETING MINUTES

Motion: Motion by Wiersema, supported by Hilton, to approve the Zoning Board of Appeals regular meeting minutes from October 9th, 2024, with corrections.

Discussion: None

Ayes: All

Nays: None

Abstain: None

Decision: Motion carried (5-0).

1. Election of Officers

Motion: Motion by Hilton, supported by Kooiman, to nominate Ringnalda as Chair of the Zoning Board of Appeals for 2025.

Discussion: None

Ayes: All

Nays: None

Abstain: None

Decision: Motion carried (5-0).

Motion: Motion by Hilton, supported by Wiersema, to nominate Kooiman as Secretary of the Zoning Board of Appeals for 2025.

Discussion: None

Ayes: All

Nays: None

Abstain: None

Decision: Motion carried (5-0).

Motion: Motion by Wiersema, supported by Kooiman, to nominate Hilton as Vice Chair of the Zoning Board of Appeals for 2025.

Discussion: None

Ayes: All

Nays: None

Abstain: None

Decision: Motion carried (5-0).

IV. INQUIRY OF CONFLICT OF INTEREST

- a. None

V. PUBLIC HEARING

1. 4422 76th Street – Dimensional Variance

Kevin Offringa, the applicant and homeowner for this project, explained that he purchased this property about a year and a half ago with the intention of building a home. However, the site has several unique challenges that have warranted him requesting a dimensional variance, namely the presence of wetlands on the site. The variance request is to reduce the primary residential rear yard setback from 100 feet to 50 feet. Offringa said that there is also a substantial amount of County Drain that crosses through his property, which further limits the buildable area on his parcel. Offringa explained that he intentionally made the building footprint relatively small so as to minimize the impact of construction on the land.

Planner Wells stated that Offringa provided a wetland delineation to demonstrate the extent of the wetlands on this challenging site. The wetland delineation verifies all information that Offringa presented and demonstrates the extensive unique circumstance on the parcel. Offringa is working with EGLE to ensure that any impacts to wetlands are permitted, and Offringa has already received a driveway permit from the Kent County Road Commission and his driveway has been installed.

Secretary Kooiman inquired about why MDOT owns a large piece of property to the east of the subject parcel, to which Wells responded that it is a wetland mitigation area put in during the construction of M-

6. MDOT committed to preserving the wetlands on that site indefinitely on behalf of all the wetlands that were destroyed during the construction of M-6.

Motion:	Motion by Hilton, supported by Peacock to read the staff report into record.
DISCUSSION:	None
AYES:	ALL
NAYS:	None
ABSTAIN:	None
DECISION:	Motion Carried (5-0)

Vice Chair Hilton inquired about whether Offringa's home is planned to have a basement or if the home will be of on-slab construction; Offringa responded that originally, he planned to include a walk out basement, but he is now planning on installing a daylight basement. Vice Chair Hilton also inquired about the septic system, as two systems are depicted on the provided site plan. Offringa clarified that Kent County Health Department regulations stipulate that there must be a primary and a reserve septic system, hence why there are two on the site plan. Hilton asked whether the septic system is going to be raised or in the ground; Offringa responded that they will be implementing a raised septic system.

Peacock inquired about whether there were any comments submitted by neighbors in the immediate area, to which Offringa responded yes, and noted that a letter of support from a neighbor of his was submitted and included in the meeting packets for ZBA members.

Member Wiersema inquired about the proposed location of the house, as the map on EGLE's website notes most of the defined buildable area as being wetlands. Planner Wells said that the maps provided on EGLE's website are based on satellite imagery and vegetation patterns, and that they offer a more general scope of the wetlands in the area than the wetland delineation that Offringa provided, which is far more detailed.

Chair Ringnalda opened the public hearing at 7:21 and closed it at 7:22 as nobody approached the podium to speak.

Regarding the first variance standard outlined in the staff memo, the Zoning Board of Appeals found that the unique circumstances on the parcel, namely the presence of wetlands, constitute an exceptional need and validate the request for a variance and determined that this standard has been met.

Ringnalda stated that due to complications and unique circumstances on the site, a variance is necessary to construct a home, and no special privileges would be granted to the applicant through variance approval; the opportunity to construct a home in the A-R zoning district would be available to any other landowner.

Standard 3 intends to verify that the variance request does not stem from a self-created problem or the applicant's personal desires rather than challenges or unique circumstances on the site. Chair Ringnalda stated that the presence of wetlands and topography of the parcel are beyond Offringa's control, and

that he has found the best solution for dealing with a complicated site. Kooiman added that Offringa has gone above and beyond to figure out how to construct a home here. Hilton stated that part of the complexity on this site is the requirement of working with EGLE and the Kent County Health Department, and that there are a lot of moving parts to make this project work; Hilton added that Offringa is dealing with a highly complex site to the best of his ability.

With regard to the fourth variance standard, Chair Ringnald noted that the main impact of this project would be visual for the neighbors in the area, and that the impact of this project would generally be considered typical for the area. Member Peacock inquired about the MDOT conservation easement to the east; Planner Wells stated that it would take a substantial amount of time to take the easement out of MDOT's ownership, and the only viable possibility for the parcel would be for the Township to eventually take ownership of it. Upon its inception, an agreement was made which stipulated that the Township could own it someday for passive recreation use, however, it would not be on the side of Offringa's parcel closest to the house. Planner Wells also mentioned that the Zoning Ordinance update is currently under consideration with the Township Board of Trustees, and 50-foot rear yard setbacks are being proposed in the A-R district; Wells added that in a month, this house very well could be compliant with the updated ordinance.

The fifth variance standard ensures that the request is consistent with the intent of both the Zoning Ordinance and Master Plan. Chair Ringnald stated that residential homes and associated buildings are permitted in the A-R zoning district, therefore, this request is consistent with the intent of the Zoning Ordinance and Master Plan.

Motion: Motion by Hilton, supported by Wiersema, to approve the variance request based on all five variance standards being met.

DISCUSSION:

AYES: ALL

NAYS: None

ABSTAIN: None

DECISION: Motion Carried (5-0)

VI. GENERAL DISCUSSION

Planner Wells shared with the ZBA that the Township has contracted a group based in Ohio to conduct a Natural Resources Inventory (NRI) in the Township in an effort to get a better handle on the growth occurring and to identify vulnerable areas, specifically in the southern part of the Township. Wells said that the NRI will also help to inform sewer contract negotiations with the City of Grand Rapids, as the contract will be up for renegotiation in the next few years. Residents have expressed concern about the loss of woodlands and wetlands in the Township, and the NRI will help staff to identify and preserve sensitive or valuable areas. Wells also stated that the Zoning Ordinance update is in its final stages of approval and will likely be adopted by the Township Board in the near future.

VII. OTHER REPORTS

None.

VIII. ADJOURNMENT

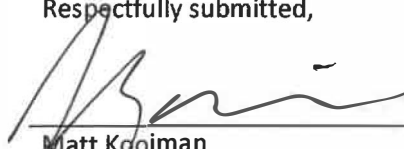
Motion by Kooiman, supported by Peacock, to adjourn at 7:58 PM.

CERTIFICATION

I hereby certify that the above is a true copy of the minutes from March 12th, 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 black ink, appearing to read 'Matt Koiman', is written over a horizontal line.

Matt Koiman
Secretary
Gaines Charter
Township Zoning
Board of Appeals

Dated: 4-22, 2025