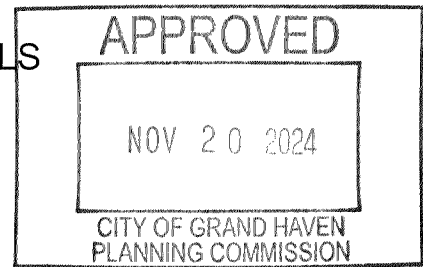


ZONING BOARD OF APPEALS
CITY OF GRAND HAVEN
MEETING MINUTES

October 16, 2024



A regular meeting of the Grand Haven Zoning Board of Appeals was called to order by Chair Hills at 7:00 p.m. in the Grand Haven Council Chambers. On roll call, the following members were:

Present: Vice-Chair Kerry Bridges, Chair Mark Hills, Amy Kozanecki, Brendan Pool, Richard Norton

Absent: Tyler Berg

Also present: Brian Urquhart, City Planner

Approval of Minutes

Motion by Bridges, seconded by Pool, to approve the June 26, 2024 minutes as written. Passed unanimously with a voice vote.

Approval of Agenda

Motion by Kozanecki, seconded by Bridges, to approve the agenda as amended moving item 7 extension of variance for Case 23-10, before item 6. Passed unanimously with a voice vote.

Call to the Audience – None

Extension Request: Pursuant to Sec. 40-113.08.C.4.b the Zoning Board of Appeals will consider a request for an extension to the variance approval for Case 23-10, a request for a variance related to a new building at 805 S. Beacon Blvd. (parcel #70-03-28-155-019): a variance to allow a ground floor building transparency of 29% in the Commercial District, instead of the minimum 40% transparency approved by the Planning Commission, which was granted on October 25, 2023.

Urquhart introduced the case. He said the applicant is requesting an extension of the variance request which was approved on October 25, 2023 for a building transparency of 29% of ground floor building in the Commercial District. According to the applicant, Caribou Coffee is concerned about sales due to economic uncertainty and has not submitted a building permit. Urquhart did note the Planning Commission approved an extension for the site plan and special land use during their September meeting to September 19, 2025.

Jeffrey Parker of Jeffrey Parker Architects, requested the extension on behalf of the owner. Parker added the economic conditions are too risky begin construction at this time. Norton

asked when they would like to begin construction. Parker responded sometime in Spring 2025

Hills asked if this required a public hearing. Urquhart responded a public hearing was held on the variance request in October 25, 2023.

Motion by Bridges, seconded by Norton, to approve and extension to the variance approval for Case 23-10, a request for a variance related to a new building at 805 S. Beacon Blvd. (parcel #70-03-28-155-019): a variance to allow a ground floor building transparency of 29% in the Commercial District, instead of the minimum 40% transparency approved by the Planning Commission, to September 19, 2025 based on the following reasons:

- 1. The applicant provided evidence of proven hardship to complete the site plan.*
- 2. The applicant received similar approval from the Planning Commission for the site plan and special land use.*

Yeas: Hills, Bridges, Norton, Pool, Kozanecki. Nays: None. The extension was **APPROVED** on a 5-0 vote.

Case 24-06: A request by Grand Haven Christian Schools for a variance related to a building addition at 1102 Grant Ave. (parcel #70-03-28-205-001): a variance from Sec. 40-404.02.C to allow a building height of 39 ft. 11 in. where 35 feet is the maximum in the Moderate Density Residential District.

Urquhart introduced the case. He stated Grand Haven Christian Schools (GHCS) received site plan approval from the Planning Commission for a building addition to the school for a gymnasium and multipurpose space. The Planning Commission added a condition of approval GHCS shall receive approval for a variance against the building height maximum of 35 ft. in the MDR District. Due to the requirements for daylighting the gym and height requirements for volleyball, the applicant is requesting the variance for 39 ft. 11 in. Urquhart added the current of the roof was approved by the Planning Commission, however the ZBA should also consider the requirement for a roof at or above 22 ft. in height be designed with a roof pitch from 4:12 to 12:12 pitch. The current pitch shown on the plan is 2:12.

Chair Hills opened the public hearing at 7:07pm.

Travis Vrugink of GMB Architects, presented on behalf of the GHCS. The reason for additional space is for increasing enrollment and improvements to the campus. Vrugink noted the slope of the roof and daylighting were a more desirable design than a traditional flat roof in a neighborhood setting. He mentioned the roof pitch is currently 3:12 on the building. In order to meet the 4:12 min. pitch, the building height increase to 54 or 55 ft.

Norton asked about other design options. Vrugink responded a box style would be architecturally and aesthetically obtuse, and not fit the scale of the surrounding neighborhood.

Hills asked why the gym required daylighting and windows. David Smalls of GMB Architects, added the building and roof design took into account the assembly code, energy code for why the gym needed daylighting. Hills followed up with on what a box design building height would be. Smalls responded it would be around 35 ft.

Motion by Bridges, seconded by Kozanecki, to close the public hearing was carried unanimously by voice vote. Public hearing closed at 7:28pm.

The board considered the seven basic conditions.

- A. All members believed the variance for increasing the building height for a permitted use in the MDR District would not be contrary to the intent of the ordinance. Motion by Bridges, seconded by Norton, to approve Basic Condition A. Condition A **passed** unanimously on roll call vote.
- B. All members agreed the variance would not create a use that is not permitted in the MDR District. Motion by Norton, seconded by Bridges, to approve Basic Condition B. Condition B **passed** unanimously on roll call vote.
- C. All members agreed allowing an increased building height for an educational facility would not create a detrimental effect on properties in the neighborhood. Norton added the public comments showed support for this project. Motion by Bridges, seconded by Norton, to approve Basic Condition C. Condition C **passed** unanimously on roll call vote.
- D. Norton felt the request was not so general or recurrent in nature. All members agreed. Motion by Bridges, seconded by Pool, to approve Basic Condition D. Condition D **passed** unanimously on roll call vote.
- E. Pool said the applicant did not create the requirements for clearance for volleyball within a gymnasium, requiring an increase the height of a building. All members agreed. Motion by Norton, seconded by Bridges, to approve Basic Condition E. Condition E **passed** unanimously on roll call vote.
- F. All members agreed there is no alternative location for the gymnasium and the building height on the property. The ZBA agreed the applicant has conformed to the neighborhood style to the greatest extent possible. Motion by Pool, seconded by Bridges, to approve Basic Condition F. Condition F **passed** unanimously on roll call vote.
- G. Kozanecki, Pool, Norton, Bridges felt the request for an additional building height is the minimum necessary for the variance. Hills did not believe the height request was the minimum necessary based on the application and information submitted. Motion by Kozanecki, seconded by Bridges, to approve Basic Condition G. Yeas: Bridges, Pool, Kozanecki, Norton. Nays: Hills. Condition G **passed**.

Motion by Pool, seconded by Bridges, to approve a variance related to a building addition at 1102 Grant Ave. (parcel #70-03-28-205-001): a variance from Sec. 40-404.02.C to allow

a building height of 54 ft. where 35 feet is the maximum in the Moderate Density Residential District based on the fact all basic conditions A through G are met.

Yeas: Bridges, Norton, Pool, Kozanecki. Nays: Hills. The variance was **APPROVED** on a 4-1 vote.

Case 24-07: A request by Wendy Knoth for a variance related to an existing pole sign at 1434 Colfax Ave. (parcel #70-03-28-233-022): a variance from Sec. 40-705 to allow the continue use and expansion of a pole sign in the Beechtree District, where pole signs are permitted on parcels abutting US-31.

Urquhart introduced the case. He said the Wendy and Knoth received site plan approval for a multi-tenant commercial establishment from the Planning Commission in 2022. At that time, the pole sign was identified as a nonconforming pole sign, but would not be adjusted nor increased in size. After receiving all local, state and county approvals, Wendy Knoth requested to utilize the pole sign for both businesses, which would need additional display area. Urquhart added there are also wall signs on the building, but wall signs are not counted towards available square footage in the ordinance.

Urquhart added a ground sign would not be practical due to the fact bikes are stored in the front yard during business hours, and the remainder of the front yard will be used for landscaping, food truck parking and vehicular access. He added prior to US-31, Beechtree St. was historically the primary north-south artery getting into the City. The high traffic would lend itself to commercial uses that would require parking in the front yard, and tall pole signs. He noted this request is slightly different, because the property does not front Beechtree.

Chair Hills opened the public hearing at 7:46pm.

Kurt and Wendy Knoth of 514 Lafayette, said they would like to use the existing pole sign for both their businesses in the building, Loose Spokes and Off the Chain Brewstillery, after making significant improvements to the property. The pole sign would allow for multiple displays in between the pole structure. Wendy Knoth added that a ground sign would not be appropriate due to the location of where the bikes are stored in the front yard.

Norton asked what the height of the sign will be after the roof of the sign is removed. Knoth responded the height would be 18 ft.

Motion by Kozanecki, seconded by Pool, to close the public hearing was carried unanimously by voice vote. Public hearing closed at 7:49pm.

The board considered the seven basic conditions.

- A. Pool said the intent of the Beechtree District would be supported by approving the variance for the pole sign. Kozanecki added the sign has been in existence for decades and is a practical improvement to support the use. All members agreed.

Motion by Pool, seconded by Bridges, to approve Basic Condition A. Condition A **passed** unanimously on roll call vote.

- B. All members agreed a pole sign would not create another use in the Beechtree District. Motion by Pool, seconded by Kozanecki, to approve Basic Condition B. Condition B **passed** unanimously on roll call vote.
- C. All members agreed the property improvements and new sign would not create a detrimental effect of neighboring properties. Kozanecki added there were 11 other nonconforming pole signs in the Beechtree District. Motion by Bridges, seconded by Norton, to approve Basic Condition C. Condition C **passed** unanimously on roll call vote.
- D. Hills, Norton and Pool felt the fact the pole sign exists and doesn't front Beechtree, the condition is not so general or recurrent in nature. Bridges and Kozanecki expressed some concern with the fact the sign is nonconforming, but due to the location off Colfax, they are ok with this condition. Motion by Norton, seconded by Pool, to approve Basic Condition D. Condition D **passed** unanimously on roll call vote.
- E. All members agreed the condition or situation of the property was not a result of the applicant. Motion by Bridges, seconded by Pool, to approve Basic Condition E. Condition E **passed** unanimously on roll call vote.
- F. All members agreed there is no reasonable alternative location for a pole sign on the lot, due to the lay out of the site after receiving site plan approval. Motion by Norton, seconded by Bridges, to approve Basic Condition F. Condition F **passed** unanimously on roll call vote.
- G. All members agreed the continued use and expansion of the pole sign would be the minimum necessary for the variance. Motion by Kozanecki, seconded Norton, to approve Basic Condition G. Condition G **passed** unanimously on roll call vote.

Motion by Kozanecki, seconded by Nelson, to approve a variance related to an existing pole sign at 1434 Colfax Ave. (parcel #70-03-28-233-022): a variance from Sec. 40-705 to allow the continued use and expansion of a pole sign in the Beechtree District, where pole signs are permitted on parcels abutting US-31, based on the fact all conditions A through G are met.

Yeas: Bridges, Norton, Pool, Kozanecki, Hills. Nays: None. The Variance was **APPROVED** on a 5-0 vote.

City Planner Report

Urquhart said there would be at least one case in November. He added the Council will be appointing new members to the ZBA, leaving no vacancies on the board.

Kozanecki asked about the pole signs in the Beechtree District and if the Planning Commission should address it. Urquhart responded if new development opportunities arise, the intent of the Beechtree District would encourage smaller front yard setbacks, parking in the rear yard within a neighborhood commercial use. The building and form

standards would attract uses that would take advantage of reduced setbacks, such as wall signs, projecting, awning, ground and other permitted signs.

Call to the Audience – Second Opportunity

None

Adjournment:

Motion by Kozanecki, seconded by Pool, to adjourn. Unanimously approved by voice vote.
Meeting adjourned at 8:04 pm.



Brian Urquhart, City Planner