

ZONING BOARD OF APPEALS
CITY OF GRAND HAVEN
MEETING MINUTES

October 15, 2025

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: Chair Hills, Amy Kozanecki, Richard Norton, Tyler Berg, Brendan Pool, Vice-Chair Paul Shibley

Absent: Kerry Bridges

Also present: Brian Urquhart, City Planner, Mayor Bob Monetza

Approval of Minutes

Motion by Shibley, seconded by Pool, to approve the June 18, 2025 minutes as corrected. Passed unanimously with a voice vote.

Approval of Agenda

Motion by Norton, seconded by Pool, to approve the agenda as printed. Passed unanimously with a voice vote.

Call to the Audience – None

a) **Case 25-02: Zoning Board of Appeals will consider a variance to allow a ground sign of 10 ft. in height, in which the maximum height for a ground sign is 6 ft. in the Commercial district for property at 1102 Robbins Road, Grand Haven, MI, 49417 (parcel #70-03-33-201-001)**

Hills opened the public hearing at 7:03pm.

Urquhart introduced the case. He said Casey's reviewed site plan and special land use approval for a gas station at 1102 Robbins Rd. A gas station is permitted by special land use in the commercial district. The original site plan was approved with the condition that the proposed 25 ft. tall pole sign would require a variance from the ZBA.

Since receiving approval, Casey's has decided to go with a ground sign, 10 ft. in height. Urquhart noted that pole signs are permitted in lieu of a ground sign in the Commercial district, but only if the parcel has at least 90 ft. in frontage on US-31. The portion of Robbins Rd. does not allow pole signs, but rather ground signs at a maximum height of 6 ft. The applicant originally wanted the pole sign because of the abundance of pole signs in the vicinity of the gas station. Urquhart said the pole signs are lawful nonconforming, and the applicant was made aware of the sign ordinance prior to submitting sign plan approval.

Paul Hanson, representing Casey's said the ground sign is a standard sign for their brand. Casey's typically would like a pole sign but understood the City's ordinance. He added the gas station canopy and wall signs were in compliance.

Hills asked about the orientation of the ground sign. Hanson responded the sign would be perpendicular to Robbins Road, with both sign faces on each side. Hanson added

Berg asked if there is a set standard for Casey's signs. Hanson responded that Casey's has standard for pole, ground, and wall signs.

Norton asked how large the sign was. Paul Hansen responded with 47.5 square feet.

Motion by Shibley, seconded by Kozanecki, to close the public hearing. Voice vote. All ayes. Public hearing closed at 7:36pm.

The board considered the seven basic conditions.

- A. All members agreed allowing the 10 ft. ground sign would not be contrary to the public interest. Motion by Kozanecki, seconded by Shibley, to approve Basic Condition A. Yeas: Hills, Pool, Norton, Berg, Shipley. Nays: Kozanecki. Condition A **passed** on a 5-1 roll call vote.
- B. All members agreed the addition would not create a use that is not permitted in the Commercial District. Motion by Norton, seconded by Pool, to approve Basic Condition B. Condition B **passed** unanimously on roll call vote.
- C. All member agreed the addition would not create adverse conditions on properties in the immediate vicinity. Motion by Norton, seconded by Berg, to approve Basic Condition C. Condition C **passed** unanimously on roll call vote.
- D. All members agreed the property was unique in the fact the building addition was small in nature and was minimal to the rear yard setback. Motion by Shibley, 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. Shibley added the applicant is making most out of the property as they could. Motion by Pool, seconded by Shibley, to approve Basic Condition E. Yeas: Hills, Pool, Berg, Shipley. Nays: Norton, Kozanecki. Condition E **passed** on a 4-2 roll call vote.
- F. All members there is no other reasonable location for the addition to be placed. Motion by Shibley, seconded by Norton, to approve Basic Condition F. Condition F **passed** unanimously on roll call vote.
- G. All members agreed the 10 ft. ground sign request is the variance necessary to make possible the reasonable use of addition to the building. Motion by Shibley, seconded by Norton, to approve Basic Condition G. Hills, Pool, Norton, Berg, Shipley. Nays: Kozanecki. Condition G **passed** on a 5-1 roll call vote.

Motion by Kozanecki, seconded by Shibley, to approve a variance for ground sign 10 ft. in height, where the maximum height of a ground sign is 6 ft. in the Commercial District at

1102 Robbins Rd. (parcel #70-03-22-201-001) based on the fact basic conditions a through g were met.

Yea: Berg, Pool, Norton, Shibley, Hills. Nays: Kozanecki. The variance was **APPROVED** on a 5-1 vote.

b) Case 25-02: Pursuant to Sec.40-414.02.D the Zoning Board of Appeals will consider a variance to allow ground floor building transparency of 26.6%, where the minimum approved ground floor building transparency is 40% in the Commercial District at 1102 Robbins Road, Grand Haven, MI, 49417 (parcel #70-03-33-201-001)

Paul Hansen discussed the proposed windows would be faux windows, which are blacked out windows that do not allow light to pass through them.

Hills asked about a transom along the window. Hanson responded the transom could not be converted into transparent glass. The building design would not support it.

Norton asked about the east wall of the building. Hanson responded the east and south walls would remain in their current state, with no transparency nor public entrance

Shibley asked about the intent of the transparency. Urquhart said the ordinance is a form based-code hybrid with respect to building form and design, and transparency is a critical element of it. Within the commercial district, the city would like to avoid blank walls that are fronting a right-of-way. In this case the minimum amount for a primary wall is 60%. But often times the transparency requirement may not apply due to the fact floor plans require restrooms, storage areas, shelving, or other criteria that make obtaining the minimum transparency difficult.

The board considered the seven basic conditions.

- A. Kozanecki did not agree this condition was met, believe that the transparency requirement was already reduced to 40% by the Planning Commission and the variance would be contrary to the public interest. All other members agreed that allowing a 26.6% ground floor transparency would not be contrary to the public interest. Motion by Kozanecki, seconded by Shibley, to approve Basic Condition A. Yea: Hills, Pool, Norton, Berg, Shibley. Nays: Kozanecki. Condition A **passed** on a 5-1 roll call vote.
- B. All members agreed the addition would not create a use that is permitted in the Commercial District. Motion by Norton, seconded by Pool, to approve Basic Condition B. Condition B **passed** unanimously on roll call vote.
- C. All members agreed the addition would not create adverse conditions on properties in the immediate vicinity. Motion by Norton, seconded by Berg, to approve Basic Condition C. Condition C **passed** unanimously on roll call vote.
- D. All members agreed the property was unique in the fact the building addition was small in nature and was minimal to the rear yard setback. Motion by Shibley,

seconded by Norton, to approve Basic Condition D. Condition D **passed** unanimously on roll call vote.

E. Berg, Pool, Shibley, and Hills agreed the condition or situation of the property was not a result of the applicant. Kozanecki felt that the transparency ordinance was known when the applicant applied for the site plan. Norton added the applicant has the control to adjust their floor plan and thus provide for the minimum 40% transparency. Shibley added the applicant is making most out of the property as they could. Motion by Norton, seconded by Shibley, to approve Basic Condition E. Yeas: Hills, Pool, Berg, Shipley. Nays: Norton, Kozanecki. Condition E **passed** on a 4-2 roll call vote.

F. All members agreed there is no other reasonable location for the addition to be placed and this condition generally does not apply. Motion by Bridges, seconded by Berg, to approve Basic Condition F. Condition F **passed** unanimously on roll call vote.

G. Kozanecki restated her determination that 40% transparency is the minimum necessary the ordinance would allow. Other members agreed the 26.6% ground floor transparency request is the minimum variance necessary to make possible the reasonable of the building layout and floorplan. Motion by Shibley, seconded by Norton, to approve Basic Condition G. Yeas: Hills, Pool, Norton, Berg, Shipley. Nays: Kozanecki. Condition G **passed** on a 5-1 roll call vote.

Motion by Pool, seconded by Shibley, to approve a variance for allowing a ground floor building transparency of 26.6%, where the minimum approved ground floor building transparency is 40% in the Commercial District at 1102 Robbins Road, Grand Haven, MI, 49417 (parcel #70-03-33-201-001) based on the fact basic conditions a through g were met.

Yeas: Pool, Norton, Bridges, Shibley, Hills. Nays: Kozanecki. The variance was **APPROVED** on a 5-1 vote.

Case 25-03: An appeal submitted by St. John's Epsicopal Church of 524 Washington Avenue Grand Haven, MI 49417, pursuant to Section 40-115.10 of the Zoning Ordinance, of the Planning Commission's September 9, 2025 denial of the site plan at 524 Washington Avenue, Grand Haven, MI, 49417 (parcels #70-03-21-355-016 & #70-03-21-355-008).

Amy Kozanecki declared a conflict of interest in the case and stated she would not discuss nor vote on the appeal.

Chair Hills opened the public hearing at 8:08pm.

Urquhart introduced the case. He said the Planning Commission did not approve the site plan in September because it did not satisfy Sec. 40-601.A, which requires new parking facilities in the NMU district to be located in side or rear yard. Urquhart said that because

the property fronts Washington Avenue, 6th Street, and Franklin Avenue, there is no rear yard on the property.

Rev. Dr. Jared Cramer of St. John's Episcopal Church at 524 Washington Ave., reiterated the points made by Urquhart. He said there was a home at 526 Washington Ave. the church purchased. In 2008, the home was demolished with plans to include more parking. The Church also needs additional parking in the side to assist with their accessibility needs. Dr. Cramer also cited the need to reduce the conflict of parishioners crossing the street, particularly during winter months. More parking on site would reduce the safety concern.

Rick Berens, 14388 Lakeshore Dr., spoke in support of the appeal, citing parking provides public safety.

Troy Hughes, 13762 Timber Dunes, spoke in favor of the appeal, stating parking is a needed amenity.

Nancy Collins, 1514 Hillcrest, spoke in favor of the appeal. The church purchased the property in 2008, for the intent of expansion of parking:

Matt Jones, 14997 David Ave, spoke in favor of the appeal.

John Vernorn, 734 Watermark, spoke in favor of the appeal.

Motion by Norton, seconded by Berg, to close the public hearing. All yeas. Public hearing closed at 8:36pm.

Hills stated he does not agree this site plan is for new parking and there is no other location on site to provide parking.

Pool expressed concern that vehicles do not stop when attempting to cross Washington Ave. By providing more parking on site, public safety would be satisfied.

Shibley and Berg agreed with the other members.

Norton said it is an expansion of parking, not new. He would only agree to approving the appeal if the parking is fully screened.

Motion by Norton, seconded by Berg, to approve a request to appeal Case:25-03 of the Planning Commission's September 9, 2025 denial of the site plan at 524 Washington Avenue, Grand Haven, MI, 49417 (parcels #70-03-21-355-016 & #70-03-21-355-008) based on the ZBA finds that:

1. The standards in Sec. 40-601.A are met. 524 Washinton Ave. fronts three rights-of-way, Washington Ave., Franklin Ave. and 6th Street. Therefore, each yard is considered a front yard, and there is no rear yard on site to provide for parking. Furthermore, Sec. 40-601.A allows the planning commission to determine if rear

yard parking is not feasible, the parking area may be located in front of the building provided the parking area is fully screened from public view with landscaping material. The proposed site plan provides landscape screening comprised of trees and shrubs that satisfy Sec. 40-803.02.

2. Public health, safety and welfare are met by allowing the expansion of parking in the front yard.

And with the following condition:

1. The existing curb cut off 6th St. shall be removed.

Yea: Hills, Norton, Kozanecki, Shibley, Berg, Pool. Nay: None. Abstain: Kozanecki. The request to appeal was **APPROVED** on a 5-0 vote.

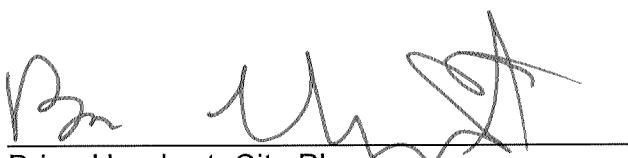
City Planner Report – Planner Urquhart said there will not be a meeting in November. Most ZBA applications this year have been withdrawn due to the opportunity to comply with the ordinance.

Call to the Audience – Second Opportunity

Mayor Monetza spoke about the variance conditions in Sec.40-113.08, and making sure the Zoning Board of Appeals adheres to the seven standards for considering a variance.

Adjournment:

Motion by Kozanecki, seconded by Berg, to adjourn. Unanimously approved by voice vote. Meeting adjourned at 9:00 pm.



Brian Urquhart, City Planner

