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APR 22 2024



**PETITION FOR AN ADMINISTRATIVE APPEAL**  
**HOLLAND CHARTER TOWNSHIP ZONING BOARD OF APPEALS**

HOLLAND TWP.

353 North 120th Avenue · Holland, MI 49424 · Phone: 616.395.0151 · www.hct.holland.mi.us

Please print or type:

Applicant's Name: Ben Fogg Phone: \_\_\_\_\_

Applicant's Address: 135 Elberdene E-mail: \_\_\_\_\_

Property Address: 23 James Street

Parcel Number: 70 - 16 - 17 - 300 - 067 Zoning: \_\_\_\_\_

Owner's Name: 3303 John F Donnelly Drive llc Phone: \_\_\_\_\_

Owner's Address: 135 Elberdene E-mail: \_\_\_\_\_

Holland MI 49423

Ordinance Section Number(s) Relative To This Appeal: Article 11.7B

Provide a Brief Description of Your Request: Relief from constructing a second fence per attached email from Community Development Director

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Decision.* In exercising this power, the Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify an order, requirement, decision or a determination being appealed and may make an order, requirement, decision or determination as it should be made. The Zoning Board of Appeals may reverse an order of an administrative official or the Planning Commission only if it finds that the action or decision appealed meets one (1) or more of the following requirements:

1. Was arbitrary or capricious.
2. Was based on an erroneous finding of a material fact.
3. Constituted an abuse of discretion.
4. Was based on erroneous interpretation of this ordinance or the Michigan Zoning Enabling Act.

Describe how this petition meets all of the above requirements (attach additional sheets as necessary):

See attached pics and visit the site - there is an existing fence already installed along this line

We also built a 4' tall berm, planted tree's and shrubs and meet all the intentions of 11.1 intent

Adding a secondary fence will also be dangerous and poses a risk of lost life, increased mess, and lower maintenance without actually helping 11.1 intents

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A filing fee of \$400.00 must be submitted along with nine (9) complete copies of: this form, related documentation, and the site plan including an electronic copy of the site plan on CD or other file sharing device. This petition must be submitted at least four (4) weeks before the scheduled hearing date. Incomplete applications will not be scheduled for a hearing.

You or your authorized agent must be present at the hearing to present your petition. You will be notified as to the date and time. Your neighbors within 300 feet will also be notified concerning your hearing.

**Property Owners Certification**

I hereby certify that I am the owner of the above-described property and have authorized the applicant to seek this variance on my behalf. I further understand that conditions and restrictions may be placed upon this property by the Holland Township Zoning Board of appeals and hereby agree to conform to and abide by any and all such conditions.

I further agree and authorize representatives from Holland Charter Township to enter my property in order to review the particulars of my request.

Property Owner's Signature:  Date: 4-22-24

**From:** Corey Broersma CoreyB@hct.holland.mi.us  
**Subject:** 23 James  
**Date:** April 15, 2024 at 8:55 AM  
**To:** Brian Lamar brian.lamar@cl-construction.com  
**Cc:** Kate White katew@hct.holland.mi.us

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Good morning, Brian,

I stopped by the subject address after our meeting and can confirm that approximately 180 feet of wood screening/buffer fence was installed north of building 6 with the finished side facing the adjacent residential property (2509 132<sup>nd</sup> Avenue). A fence along the remainder of the northern property line is necessary, unless relief is secured via a Zoning Board of Appeals decision. If you have any questions or need a particular appeals form, feel free to let me know.

Thank you.

**Corey J. Broersma, PLA**  
Community Development Director  
Holland Charter Township  
353 N. 120th Avenue  
Holland, MI 49424  
Phone: (616) 395-0151 x 3 x 1





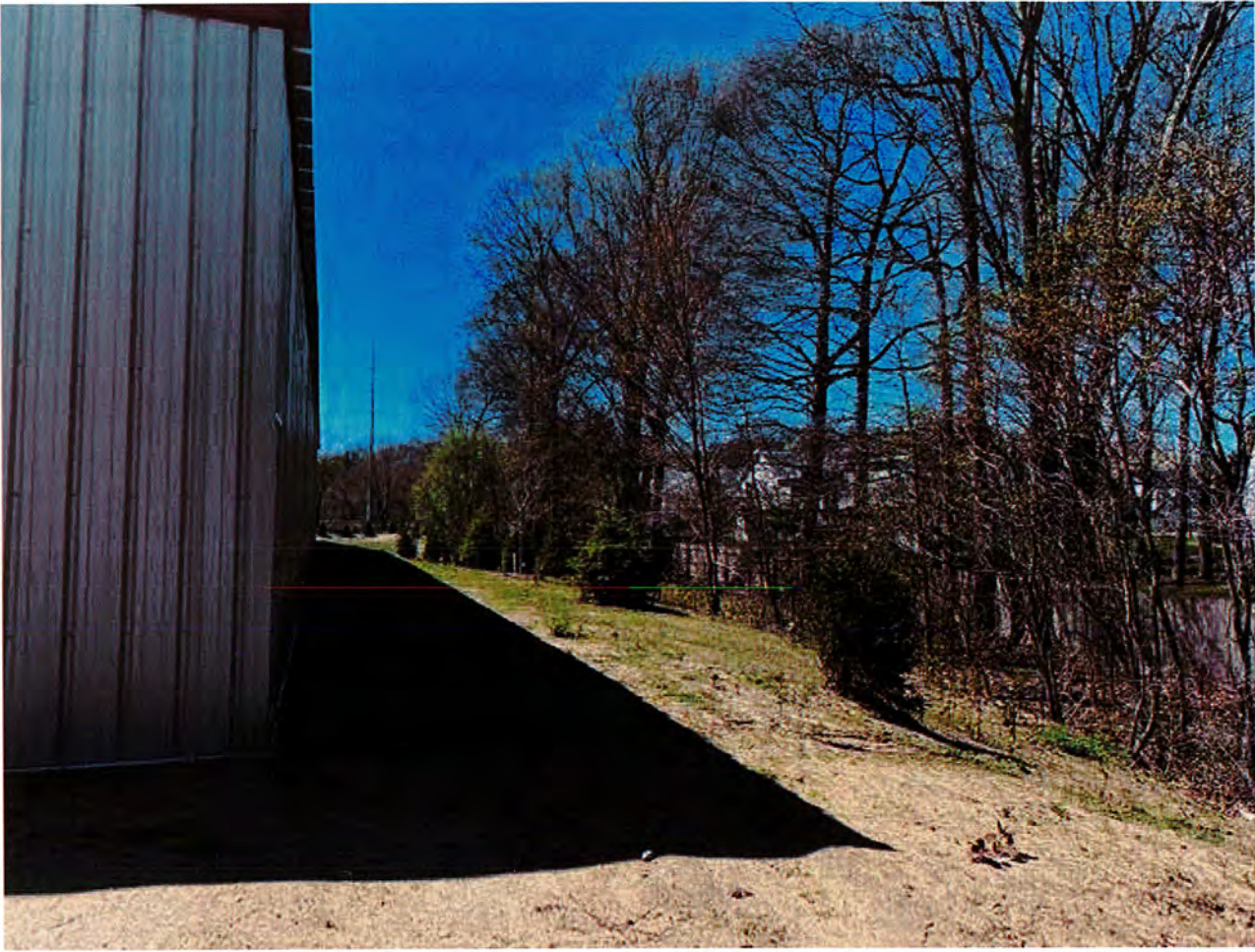
**Sue Lamar**

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**From:** Sue Lamar <suelamar@gmail.com>  
**Sent:** Monday, April 22, 2024 9:45 AM  
**To:** Sue Lamar



























Sent from my iPhone