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APPLICATION FOR
ZONING ORDINANCE TEXT AMENDMENT

HOLLAND TWP.

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

Please complete all the information on this form and return it with the appropriate fee to the Township Office. To be considered, all statements and accompanying materials must be complete and accurate. Note, errors and omissions will result in delays and the possible necessity of additional public hearings and additional fees to be paid by the Owner and/or Authorized Agent.

An application fee of \$500.00 shall be submitted with eleven (11) complete copies of this form and any additional supporting documents, as required. The copies must be submitted to the Zoning Administrator no later than four (4) weeks prior to the hearing date.

The Planning Commission will hold a public hearing for all zoning text amendment requests and evaluate each request using the following criteria from the Holland Charter Township Zoning Ordinance:

Article 21 – Amendments

Section 21.4 [B] - Criteria for Text Amendments

1. The proposed text amendment would clarify the intent of the ordinance.
2. The proposed text amendment would correct an error or oversight in the ordinance.
3. The proposed text amendment would address changes to the State legislation, recent case law or opinions from the Attorney General of the State of Michigan.
4. The proposed text amendment would promote compliance with changes in other County, State or Federal regulations.
5. In the event the amendment will add a use to a district, that use shall be fully consistent with the intent of the district and the character of the range of uses provided for within the district.
6. The amendment will not create incompatible land uses within a zoning district, or between adjacent districts.
7. The proposed text amendment is supported by the findings of reports, studies, or other documentation on functional requirements, contemporary building practices, environmental requirements and similar technical items.
8. As applicable, the proposed change shall be consistent with the township's ability to provide adequate public facilities and services.
9. The proposed change shall be consistent with the township's desire to protect the public health, safety, and welfare of the community.

The proponents are expected to attend the public hearing at which their request is considered.

The Planning Commission recommendation is then forwarded to the Township Board for action. The Township Board will also hold a public hearing on the amendment. If the amendments are adopted by the Township Board; they usually become law 15 days after the Township Board's action.

Contact Information (Please print or type):

Name of Applicant(s) Requesting Change:

Daniel Gordan

Mailing Address:

3400 Adams St
Hudsonville, MI 49426

Phone:

E-mail:

Contact Person if different than applicant:

Ryan Yseldyke (Holland Engineering)

Mailing Address:

220 Hoar Blvd.
Holland, MI 49423

Phone:

E-mail:

Text Change Request (Please print or type):

What specific section (s) of the zoning ordinance is proposed to be changed? Sections 7.1-7.2

Reason (s) for the requested change(s): See Attached

Proposed change(s) (if more space is needed, attach another sheet of paper): See Attached

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rest with the applicant.

Name: Daniel Gordon
(Printed name of Applicant)

Signature: Daniel Gordon
(Applicant)

Date: 7/30/26

Petition for Zoning Ordinance Amendment

Statement of Requested Amendment

I respectfully request that Holland Charter Township amend Section 7.2 of the Zoning Ordinance to substantially restore the previous standards governing development within regulated floodplain areas. Specifically, I request that the Township allow development to proceed when buildings are designed and elevated in compliance with applicable Federal Emergency Management Agency (FEMA), Michigan Department of Environment, Great Lakes, and Energy (EGLE), and National Flood Insurance Program (NFIP) requirements, without imposing additional local requirements that effectively prohibit otherwise compliant development by requiring parking areas, drive aisles, and similar site improvements to also be elevated above the floodplain.

This request is not intended to lessen flood protection or compromise public safety. Rather, it seeks to restore a balanced regulatory framework that protects floodplain functions while allowing the reasonable economic use of private property under the engineering standards already administered by FEMA and EGLE.

Basis for the Requested Amendment

Floodplain regulations serve an important public purpose by protecting life, property, and natural flood storage. Holland Charter Township has appropriately adopted regulations necessary to remain compliant with the National Flood Insurance Program and to implement current FEMA flood mapping. Those objectives are fully supported.

However, the recent amendment to Section 7.2 appears to extend beyond those necessary objectives by requiring that parking lots, driveways, and other site improvements also be elevated outside of the regulated floodplain. When combined with EGLE's strict limitations on allowable fill and compensatory storage requirements, this additional local requirement makes development of many affected properties impractical or economically infeasible, even when the proposed development would otherwise satisfy all applicable state and federal floodplain regulations.

Under the previous ordinance, development could proceed provided that occupied structures were properly elevated above the Base Flood Elevation and the project complied with applicable floodplain permitting requirements. This approach recognized that engineering solutions, compensatory storage, and state permitting requirements could adequately protect floodplain functions while allowing reasonable development of private property.

The current ordinance significantly limits that flexibility. As a practical matter, many parcels affected by floodplain designations can no longer accommodate a building, parking, and circulation while remaining within EGLE's allowable fill limitations. Consequently, properties that were once capable of supporting appropriately engineered commercial or residential development may now be limited to passive uses such as agriculture or open space, despite compliance with state floodplain standards.

Public Interest Considerations

The requested amendment serves several legitimate public interests.

First, it supports the reasonable use of privately owned property while maintaining compliance with existing state and federal floodplain regulations.

Second, it encourages appropriate commercial and residential investment in Holland Charter Township. Development that complies with EGLE and FEMA standards can occur without increasing flood hazards while contributing to the Township's long-term economic vitality.

Third, restoring reasonable flexibility within the ordinance would preserve opportunities for new businesses, employment, and investment. Commercial development generates permanent jobs, increases the local tax base, and provides services that benefit Township residents. When otherwise compliant projects become infeasible solely because of additional local restrictions, those economic opportunities are often lost to neighboring communities.

Finally, aligning Township requirements more closely with established state and federal floodplain regulations promotes regulatory consistency and provides greater certainty for property owners, developers, engineers, lenders, and public officials.

Property-Specific Example

My experience illustrates the unintended consequences of the current ordinance.

In 2021, I purchased property located at the southeast corner of Riley Street and 128th Avenue after conducting extensive due diligence. Prior to purchasing the property, I commissioned boundary and topographic surveys, geotechnical investigations, site planning, and engineering analyses to determine whether the proposed development could comply with applicable floodplain regulations. The proposed site plan was specifically designed to satisfy EGLE's requirements regarding floodplain impacts, allowable fill, and compensatory storage. Based upon those findings, I proceeded with the purchase and continued investing in preparation for construction.

In 2026, I began finalizing the EGLE floodplain permit process and obtaining the required erosion control permits. During that process, I was informed that Holland Charter Township had amended Section 7.2 of the Zoning Ordinance. The revised requirements effectively prevented completion of a project that had been designed in good faith to comply with applicable state floodplain regulations and that would have been permissible under the ordinance in effect when the property was purchased.

The financial impact has been substantial. Significant expenditures were made for engineering, surveying, geotechnical work, planning, and permitting in reasonable reliance upon the regulatory framework that existed at the time of purchase. The project, a small drive-through coffee business, is expected to create more than twenty permanent jobs while contributing additional tax revenue and commercial services within the Township.

My situation is not unique. I am aware of at least two additional commercial development projects that have similarly completed engineering, soil investigations, and site planning but can no longer proceed because of the amended ordinance. One proposed professional office development of approximately 1,200 square feet was expected to support more than fifty jobs, while another planned commercial building of approximately 4,000 square feet was anticipated to create an additional fifteen to twenty jobs. These examples suggest that the ordinance may have broader economic implications extending well beyond a single property owner.

Conclusion

I respectfully request that the Township Board and Planning Commission reconsider the current provisions of Section 7.2 and restore the prior regulatory approach that successfully balanced floodplain protection with the reasonable use of private property.

Returning to the previous standard would not eliminate floodplain regulation, nor would it reduce compliance with FEMA, EGLE, or National Flood Insurance Program requirements. Instead, it would restore a practical and balanced framework that protects public safety while allowing appropriately engineered development to proceed.

I appreciate the Township's continued commitment to responsible planning and floodplain management and respectfully request thoughtful consideration of this proposed amendment for the benefit of current and future property owners, local businesses, and the community as a whole.

Proposed Ordinance Language

After reviewing the zoning ordinances of other communities throughout Michigan, I respectfully request that the following language, shown in red, be added to Section 7.2 of the Zoning Ordinance.

Sec. 7.2 - Floodplain overlay district.

- A. *Applicability.* The boundaries of the FP overlay district will vary and are subject to changes to the National Flood Insurance Program (NFIP) mapping within the township and any applicable letter of map amendment (LOMA) or letter of map revision (LOMR).
- B. *Use restrictions.* Land, buildings, or structures in the FP may be used for the following purposes only:
 - 1. Agriculture, farm, buildings and roadside stands, subject to the same conditions, restrictions, and requirements as are provided in the AG zoning district.
 - 2. Boat landings, docks, or mooring for pleasure or fishing boats only; provided, however, that the boat landings, docks, or moorings shall be utilized by the land owner only and shall not be leased or otherwise made available to other persons.
 - 3. Parks, golf courses, playgrounds, fair grounds, community centers, and other recreational facilities which are both owned and operated by a governmental agency. Private recreational facilities and uses of this nature are permitted when authorized by the planning commission as a special land use. In considering such authorization, the planning commission shall consider the following standards, in addition to the standards in [section 15.3](#):
 - a. The necessity for the proposed use for the surrounding neighborhood;
 - b. The proximity of the proposed use to adjoining properties, specifically including proximity to occupied dwellings;
 - c. The size, nature, and character of the proposed use;
 - d. Potential traffic congestion which might be occasioned by the proposed use;
 - e. Parking facilities to be provided for the proposed use; and
 - f. The effect of the proposed use on adjoining properties and the surrounding neighborhood.
 - 4. The following uses which involve structures (temporary or permanent), which when authorized by the planning commission as a special use, shall not unreasonably interfere with the natural drainage and the planning commission shall determine that occasional flooding will not in all likelihood damage the structure or use:
 - a. Parking lots and private driveways
 - b. Drive-in theaters, car lots, roadside stands, signs, and billboards,
 - c. Railroads, streets, bridges, utility transmission lines, and pipelines

- d. Storage yards for equipment, machinery, or materials
 - e. Kennels and stables, and
 - f. Other similar uses and structures which are not likely to be damaged by occasional flooding and which will not unreasonably interfere with natural drainage of stormwater.
- 5. No building or structure shall be erected or used for dwelling purposes.
- C. *Construction requirements.* All buildings and structures shall be designed and constructed to have a low flood damage potential. Buildings and structures shall be erected so as to offer the minimum obstruction to floodwaters by construction with the longitudinal axis parallel to the direction of flood flow and by placement on the same flood flow lines as adjoining buildings and structures. All buildings and structures shall be firmly anchored to prevent damage to other buildings and structures and restricted bridge openings and stream cross sections.