

# PETITION FOR NONUSE VARIANCE

## HOLLAND CHARTER TOWNSHIP ZONING BOARD OF APPEALS

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

*To the Petitioner: A nonuse variance (also known as a dimensional variance) is a variance granted upon showing of "practical difficulty" created by a dimensional requirement in a zoning ordinance. If granted, the variance is a license to violate the zoning law. Dimensional variances typically involve setbacks, height limitations, bulk, lot area and other numerical standards in an ordinance.*

*The Michigan Courts have set standards to be used when considering nonuse variances. These standards require the petitioner to demonstrate a "practical difficulty" unique to the property - not the petitioner - in order to qualify.*

**Please print or type:**

Applicant's Name: Sam Nichols Phone: 616-566-0739

Applicant's Address: 200 Monroe Ave, NW E-mail: samn@michigansportsacademies.com  
Grand Rapids, MI 49503

Property Address: 12429 Ransom St, Holland, MI 49424

Parcel Number: 70 - 16 - 04 - 100 - 008 Zoning: C-2

Owner's Name: RDV Corp. Phone: 616-566-0739

Owner's Address: 200 Monroe Ave, NW E-mail: samn@michigansportsacademies.com  
Grand Rapids, MI 49503

Ordinance Section Number(s) Relative To This Appeal: Section 8.15. C. 2.

Provide a Brief Description of Your Request: See attached letter and exhibits relevant to this  
variance request.

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*Standards for Granting of Variance.* No variance in the provisions or requirements of this ordinance (Zoning Ordinance) shall be authorized by the Zoning Board of Appeals unless it is found from the evidence that all the following conditions exist:

1. That compliance with the Zoning Ordinance would result in practical difficulties due to exceptional, extraordinary, or unique characteristics or conditions of the land or lot of record, including but not limited to:
  - a. Exceptional narrowness of the width or depth of a lot of record, or an irregular shape.
  - b. Exceptional natural or topographic features located on the lot of record, such as steep slopes, water, existing significant trees, or other unique or extreme physical conditions of the land.
  - c. Extraordinary location of an existing building or structure that allows no other practical or feasible location for expansion because of exceptional features of the land.
  - d. Other exceptional or extraordinary dimensional conditions or characteristics of land or lot of record.
2. That the unusual circumstances do not apply to most other lots of record in the same manner or to the same extent to other lots of record in the same zoning district.
3. That the variance is necessary for the preservation and enjoyment of a substantial property right. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.
4. That the granting of the variance will not be of substantial detriment to adjacent and nearby land uses and properties.
5. That the applicant shall not have created the problem for which the variance is being sought.
6. That the granting of the variance will not be contrary to the public interest and that the spirit of this ordinance shall be observed, public safety secured, and substantial justice done for both the applicant and other property owners in the district.

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

See attached narrative and associated exhibits.

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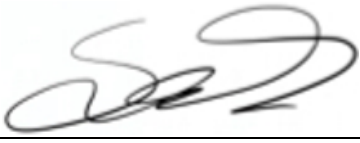
A filing fee of \$400.00 must be submitted along with nine (9) complete copies of: this form, related documentation, and the site plan including an electronic copy of the site plan on CD or other file sharing device. This petition must be submitted as least four (4) weeks before the scheduled hearing 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: 3/25/2025

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OFFICE USE ONLY:



John Whitten, AIA, NCARB  
924 Fulton West  
Grand Rapids, MI 49504

**March 25, 2025**

Corey Broersma, Community Development Director  
**Holland Charter Township**  
353 N. 120<sup>th</sup> Avenue  
Holland, MI 49424

**Re: Petition for non-use variance for MSA Lakeshore - 12429 Ransom St, Holland, MI 49424 (Parcel #: 70-16-04-100-008)**

Dear Mr. Broersma and members of Zoning Board of Appeals,

As you know, Michigan Sports Academies (MSA) is experiencing growth in the youth sports programming they offer in Holland Charter Township (HCT). As a result, MSA is hoping to expand their existing facility to include additional indoor athletic court(s), an indoor turf field, and a full-sized outdoor soccer field. Additional parking, spectator amenities and site improvements would be included as well.

The property is located at 12429 Ransom Street Holland, MI 49424 and has recently been rezoned to C-2. We are presenting our case for a Special Land Use Permit to allow commercial recreation indoor, and commercial recreation outdoor on the property during the April 01, 2025, Planning Commission meeting. This variance request application is specifically related to the outdoor soccer fields and the necessity to provide a safe environment for athletes, coaches, staff, and motorists in and around the property. We are seeking a variance to allow us to construct backstops behind each of the soccer goals that would exceed the allowable fence height outlined in the zoning ordinance.

Due to the long and narrow nature of the property, the soccer field is constrained on all four sides – 124<sup>th</sup> Ave to the east, the proposed parking lot to the south and wetlands and the creek to the west and north. The field has minimum allowable dimensions, and we are very close to the minimum allowed width by rule as it is currently designed. Having to conform to minimum field dimensions for the game results in the field having to be constructed very close to the site features noted above. We propose construction of six (6) soccer goal backstops as part of the outdoor field project. This will allow a wide age and ability range of soccer players to participate in programming at MSA. There would be two (2) goals located along the east side of the field, one (1) goal on the south side, two (2) goals on the west side of the field and one (1) goal on the north side of the field [see attached site plan]. The two (2) soccer goals in the north-south direction are for the 11v11 field. The four (4) soccer goals support two east-west cross fields sized for 9v9 soccer games and serve younger athletes.

In an effort to prevent soccer balls from leaving the field of play we are seeking this variance to allow the chain link backstops to be constructed behind the soccer goals at a height of sixteen feet above grade. This will protect traffic traveling along 124<sup>th</sup> Avenue and dramatically reduce the likelihood of soccer balls leaving the field in the other directions thereby keeping athletes and staff within the confines of the field and not trekking through the wetlands, creek, parking lot or road to retrieve errant shots that leave the field of play.

As previously noted, the proposed backstops would be constructed sixteen feet tall for a length of sixty linear feet (centered on each goal with thirty feet on either side of center) and located directly behind each soccer goal. 8' long angular transitions at each end of the backstops bring the backstop elevation back down to the allowable fence height within the district for the balance of the perimeter fencing. A site plan showing the location of each of the six (6) backstops is located on Title block 01 (locations in thick red lines). An orthographic elevation of the proposed backstop with associated dimensions as well as renderings showing the visual impact of the backstops can be found on Title block 02, attached to this application.

The proposed backstop design for which we are seeking the variance is identical to what is currently installed at MSA Fieldhouse in Cascade, MI (Exhibit 01 below). The proposed materials, as they are in Cascade, would be black vinyl coated chain link fencing material and black painted support structure.



Exhibit 01 MSA Fieldhouse outdoor fields – red dashed line added to help visually locate the existing fence and backstops.

The following pages include an overall site plan (Title block 01) and drawings and renderings of the proposed backstops (Title block 02).

Please note that the renderings intentionally show the fencing and backstops as white so that the scope and scale are visually easy to interpret in the images. The renderings are artistic in nature and are not intended to be interpreted literally. If approved, the backstops would match the fencing black material and visually disappear as illustrated in the photograph of existing conditions above (Exhibit 01). The intent is to provide a safe athletic environment with minimal visual impact to the surrounding area. This strategy has proven so effective at MSA's other property that we were compelled to add a dashed red line to help identify the extent of the fence and backstops as they are currently installed in Cascade.

Pursuant to the Standards for Granting Variance we believe that we meet each of the 6 evaluation criteria necessary for granting a variance in this case:

- Item 1: a) The lot of record is exceptionally narrow b) the site is abutted by exceptional natural features including wetlands and a creek. d) 124<sup>th</sup> Avenue is constructed within MSA's property and not centered on the section line as is common in other parts of the township and county.
- Item 2: Most of the adjacent lots in the district are not constrained with such disproportional dimensions (extremely long and narrow). Due to the unique nature of MSA's business and how they use their properties, as well as the high cost of constructing commercial athletic facilities it is likely that the only other developer of a similar project would be a tax subsidized entity such as a school district or governmental agency. Due to Michigan law, if a school district intended to construct this project in the C-2 district they would not be subject to the zoning ordinances governing the district and therefore would not need to seek a variance.
- Item 3: The variance is necessary to ensure that MSA's outdoor field programming can be delivered safely for those participating as well as those driving past the property in a vehicle.
- Item 4: It is likely that based on the masterplan, large amounts of fencing are likely to be installed as part of future development on adjacent parcels. We have taken steps to minimize the visual impact of the proposed backstops from viewpoints off of MSA's property.

- Item 5: While MSA is developing a new soccer field, 124<sup>th</sup> Avenue was constructed fully within the owner's property thereby limiting the owner's ability to develop the property to their needs due to existing conditions out of their control. Proximity to the road necessitates designing a safe solution via appropriately sized backstops.
- Item 6: The nature of this variance request is solely focused around safety, that of the public at large and that of the youth athletes participating in programming at MSA Lakeshore. It will ensure that children are not entering a county road to retrieve soccer balls thereby reducing the risk to passersby and adjacent property owners and keep them from accessing sensitive wetland areas or moving surface water.

We look forward to discussing this variance request and addressing any questions or concerns the ZBA may have related to our application.

Sincerely,

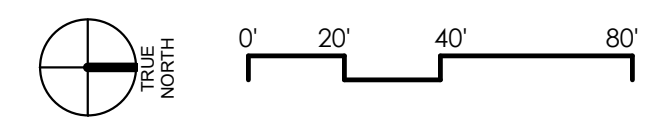
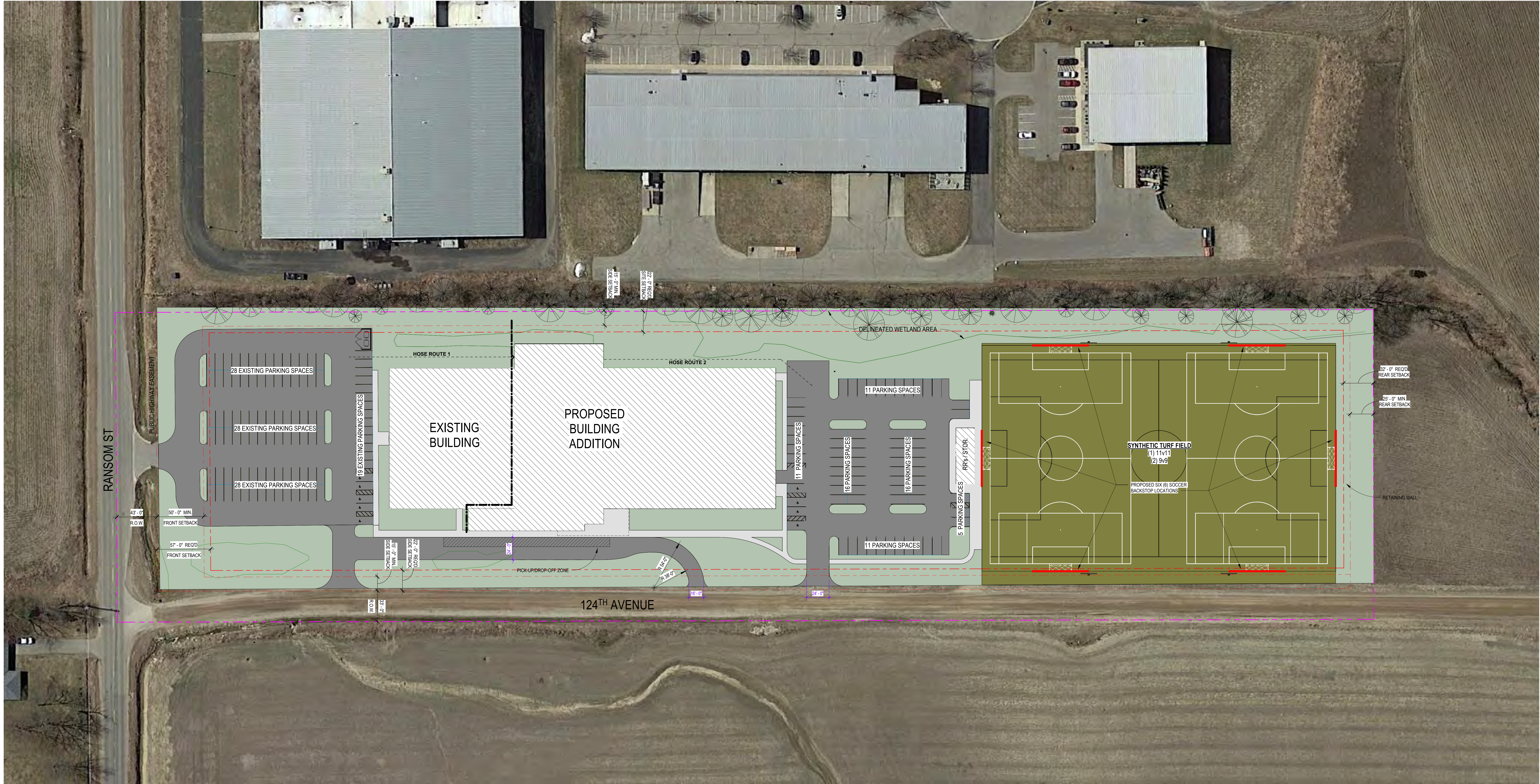


**John Whitten**, AIA, NCARB

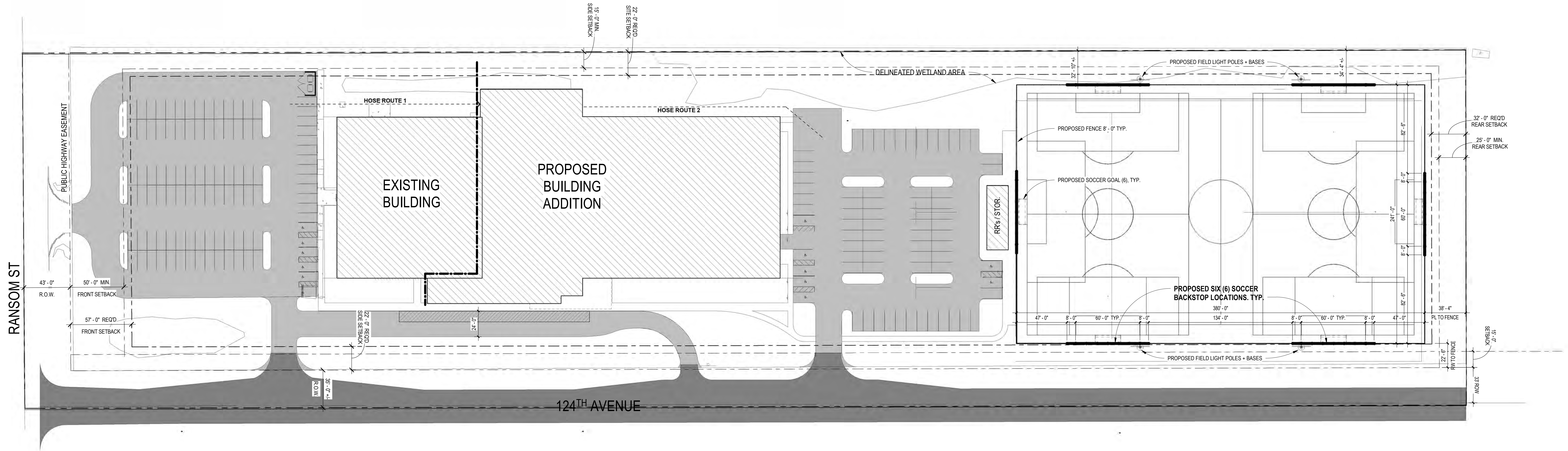
principal architect, owner

Attachments:

- Overall Site Plan indicating location of proposed backstops (Title block 01)
- Backstop elevation and renderings (Title block 02)

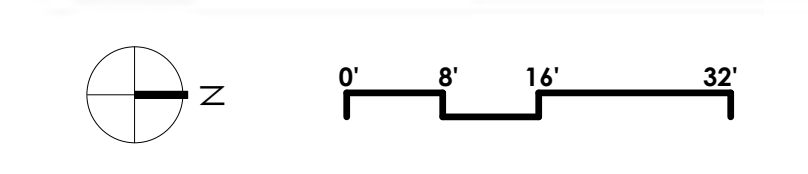
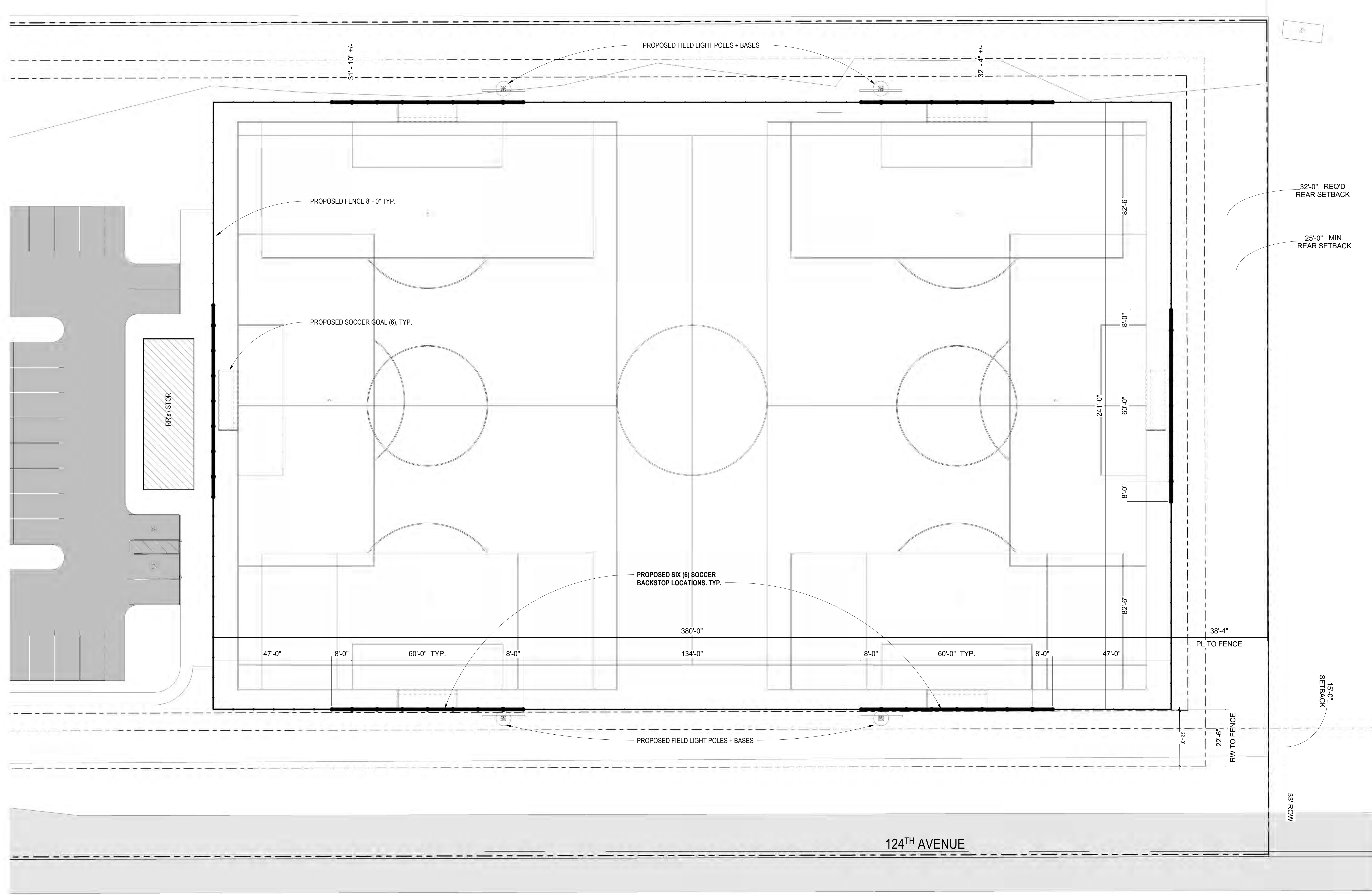


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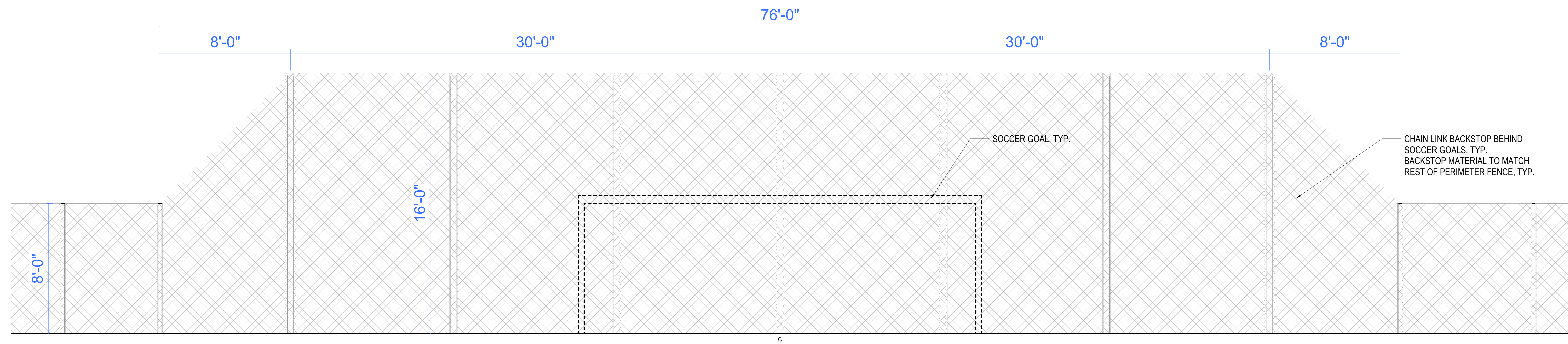
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1 ELEVATION - SOCCER BACKSTOP TYP.  
3/8" = 1'-0"

PRELIMINARY & ADVISORY, NOT FOR CONSTRUCTION

PROPOSED SOCCER BACKSTOP

MARCH 25, 2025