

**AGENDA**  
**THE CITY OF THE VILLAGE OF DOUGLAS**  
**PLANNING COMMISSION MEETING**  
**CITY HALL - 86 W. CENTER STREET, DOUGLAS, MI**  
**WEDNESDAY, DECEMBER 12<sup>TH</sup>, 2018 - 7:00 P.M.**

**A. Call to Order**

**B. Roll Call**

**C. Agenda Approval** - Motion to approve the Planning Commission Agenda for December 12<sup>th</sup>, 2018 as presented (or as amended with additions/changes/deletions)

**D. Approval of Minutes** - Motion to approve the Planning Commission Minutes of November 15<sup>th</sup>, 2018.

**E. Written Communications**

**F. Public Comment related to agenda items only** (limit 2 minutes per person)

**G. New Business:**

**1. Consideration of an application submitted by Mr. reg Vorderman for the property located at 6938 Fourth St (#03-59-210-061-00) for the renewal of a Special Land Use permit for the an Accessory Dwelling Unit within the R-3 Neighborhood Conservation District.**

**a. Motion to Open Public Hearing**

**b. Hear Public Comments**

**c. Motion to Close Public Hearing**

**d. Planning Commission Discussion**

**e. Planning Commission Recommendation (table, reject, approve or conditionally approve)**

**H. Unfinished Business:**

**I. Hear from the Audience** (Limit of 5 minutes for general comments)

**J. Commissioner Comments**

**K. Adjournment**

**MINUTES**  
**THE CITY OF THE VILLAGE OF DOUGLAS**  
**PLANNING COMMISSION MEETING**  
**CITY HALL- 86 W. CENTER STREET, DOUGLAS, MI**  
**WEDNESDAY, NOVEMBER 15, 2018- 7:00 P.M.**

- A. **Call to Order:** Chairperson Burdick called the meeting to order at 7:00 P.M.
- B. **Roll Call:** Members present: Burdick, Kenny, Barrone, Seabert, Tischleder, Heneghan, Pattison.  
Members absent: None Also present: Lisa Imus, city planner
- C. **Agenda Approval:** Motion by Pattison with support by Heneghan to approve the Planning Commission Agenda for November 14, 2018 as amended.  
Amended item: change date to November 14<sup>th</sup> instead of November 15<sup>th</sup>.
- D. **Approval of Minutes:** Motion by Kenny with support from Seabert to approve the Planning Commission Minutes of October 10, 2018 as presented. Motion carried by unanimous voice vote.
- E. **Written Communications:** Gail Rutledge, 111 Main Street, wrote a letter in opposition to lighting issues at the property of 11 Chestnut.
- F. **Public Comment: None**
- G. **New Business:**
1. **Consideration of Condominium Development at 11 Chestnut Street, Douglas, MI 49406**
    - a. **Presentation by applicant**

Frederick Royce presented the plan for the condominium development and reported that he had fixed all problems addressed at the August 14<sup>th</sup> meeting. Royce addressed Gail Rutledge's concerns, stating he has taken one light out and had police check lighting at night. Four units being sold without use of pool. Will sell house separate with pool.
    - b. **Open Public Hearing** - Motion by Pattison with support from Kenny to open the public hearing. Motion carried by unanimous voice vote.
    - c. **Hear Public Comments** - Scott, 8 Wall Street, has received calls from concerned neighbors that there will be a construction project. Royce and Imus confirmed the property cannot be expanded.
    - d. **Close Public Hearing** - Motion by Seabert with support from Heneghan to close public hearing. Motion carried by unanimous voice vote.

- e. **Planning Commission Discussion** - Members discussed the site not being able to be expanded, non-conforming site. Discussion about paving driveway vs. crushed concrete. Will keep crushed concrete due to rain and standing water.
- f. **Planning Commission Recommendation to City Council** - Motion by Pattison with support from Kenny to recommend to city council to approve the condominium development plan at 11 Chestnut with the following conditions:
  - 1. The City Attorney and City Engineer's approval has been obtained
  - 2. Any lighting in the project must be dark sky compliant.
  - 3. Signage shall fully comply with the City Sign Ordinance
  - 4. All storm water is contained on-site
  - 5. No additional exterior construction

Motion carried by unanimous roll call vote.

## **2. Consideration of Food Truck Ordinance**

- a. **Recommendation to City Council** - Members discussed that they would like to hear business owners input. Members discussed hours of operation times and would like to change to 6 a.m. to 11 p.m. Members went through proposed ordinance and updated and made changes. Imus will make changes and see how other communities handle food trucks. Motion by Kenny with support from Tischleder to recommend as amended with the suggestion that council consider notifying food service businesses of the upcoming discussion. Motion carried by roll call vote.

**H. Unfinished Business: None**

**I. Hear from Audience: None**

**J. Commissioner Comments**

Tischleder is moving out of Douglas city. Replacement on Planning Commission will need to take place.

Members discussed the medical marijuana facilities and recreational marijuana.

**K. Adjournment** Motion by Pattison with support from Kenny to adjourn meeting. Meeting adjourned at 8:42 P.M.

86 W. Center Street  
PO Box 757  
Douglas, MI 49406  
269-857-1438 Office  
269-857-4751 Fax

## City of the Village of Douglas

# Memo

**To:** Planning Commission  
**From:** Lisa Imus  
**Date:** December 6, 2018  
**Re:** Application for Special Land Use: 6938 Fourth Street - Accessory Dwelling Unit

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This memo is intended to summarize the application for Special Land Use submitted by Mr. Reg Vorderman of 6938 Fourth Street (parcel # 03-59-210-01-00) in the City of Douglas.

An application for an accessory dwelling unit located in the R-3 Neighborhood Conservation District) has been received. The applicant has proposed to construct a 936 sq. ft garage with an accessory dwelling unit on the second floor. The existing lot is a conforming lot in the R-3 District as it has 168 feet of frontage along Fourth Street and 125 sq. ft. along May, meeting the minimum requirements for a single family home.

### Special Use Standards:

#### Section 26.30 Residential Use of an Accessory Building

1. Locational Requirements: Residential use of an accessory building is permitted only in the R-3 Neighborhood Conservation District with a Special Land use Permit if the principal building on-site is a one family dwelling.

**Staff Comment:** The proposed use would be located within the R-3 district and located on a lot with a single family home of approximately 1,926 square feet. This standard has been met.

2. Site Requirements: The parcel must be large enough to meet all the requirements of a lot in this district and the requirements below.

**Staff Comment:** The existing lot has 168 feet of frontage along Fourth Street and 125 feet of depth along May (a total lot area of 21,000 square feet) which meets the lot area and frontage requirements. The setback standards of 20' front corners; 7' (min) for the side, and 25' rear have also been met. The proposed structure also meets the required standards relating to lot coverage (less than 35% coverage) and height (under 28') found within Section 6.02 of the R-3 District.

Section 16.13 deals with accessory structures. There is a requirement that an accessory building unless attached shall not be closer than 6' to any other structure on the lot. This section has been met. Additionally, Section 16.13.10 states that a lot shall not contain more than two (2) accessory buildings unless reviewed and approved by the Planning Commission. There are two existing accessory buildings and the new garage structure would be a third. Planning Commission would need to approve the third structure.

3. *Performance Standards: Residential use of an accessory building shall either be on the second story of a preexisting accessory building or on the second story of a new accessory building no larger than the maximum size permitted for an accessory building in the District it is in, except in no case shall the accessory building be larger than one-half (1/2) the size of the principal building.*

**Staff Comment:** The proposed use would be located within the second story of a new accessory structure. The square footage of the unit will be 936 square feet. This is approximately 1/2 the size of the principal structure (1,926 sq. ft.) on the site. This standard has been met.

- a) *Any lot within the R-4 or R-5 District upon which an accessory dwelling unit is proposed shall meet the minimum lot area and frontage requirements for a two family dwelling.*

**Staff Comment:** The proposed use would be located within the R-3 District is not subject to this standard.

- b) *All setback, lot coverage and other lot requirements shall be observed for principal and accessory structures.*

**Staff Comment:** The proposed accessory structure would meet all setbacks, lot coverage and similar requirements of the R-3 District.

- c) *Provision for wastewater disposal, either by public sanitary sewer or expanded private on-site facilities, shall be required.*

**Staff Comment:** The home is currently connected to water and sewer in the street in front of the home. The owner is attempting to obtain another sanitary connection for the new structure. Final approval and connection would be required by Kalamazoo Lake Sewer and Water Authority before a building permit can be issued.

- d) *The accessory dwelling unit shall have a minimum of four hundred (400) square feet.*

**Staff Comment:** The proposed accessory dwelling unit would have 936 square feet of livable space. This standard has been met.

- e) *The accessory dwelling shall provide adequate access for emergency vehicles.*

**Staff Comment:** The applicant has proposed a driveway of 12 feet in width and the location of the accessory dwelling unit would be approximately 45' from the road, which would meet the standards of the International Fire Code. Since Fourth Street does not extend the entire way to where the driveway would intersect the street, the City

Council must approve a license agreement, giving the applicant use of the road right of way, or , a subsequent driveway will need to be extended from the current driveway on private property.

- f) *No commercial use of the accessory building is permitted.*

**Staff Comment:** The applicant has proposed a strictly residential use of the property.

- g) *The accessory dwelling shall comply with all Building Code requirements and any other applicable codes for a dwelling under this Ordinance.*

**Staff Comment:** The proposed unit would be reviewed and inspected by Michigan Township Services for compliance with all State and Federal regulations.

- h) *Any additional parking as needed or required by this Ordinance shall be provided in an off-street space.*

**Staff Comment:** The applicant has illustrated available space for several vehicles on site (2 in the garage and at least 2 in the driveway at both garages) while still allowing for ingress and egress.

- i) *Separate sale or ownership of the accessory unit from the primary dwelling on a lot or parcel is prohibited as is division of the parcel unless each new lot with a dwelling complies with all requirements for a lot in the District.*

**Staff Comment:** The applicant has not proposed any type of land division or split associated with this property.

- j) *The owner of the property shall reside in either the accessory dwelling unit or the principal dwelling unit.*

**Staff Comment:** The applicant has proposed to live on site and within the principal structure.

- k) *The Planning Commission may impose any other reasonable conditions deemed necessary to protect adjoining properties and the public welfare.*

- l) *All exterior lighting shall be in accordance with Section 19.05(6) and 24.03(9) hereof*

**Staff Comment:** The applicant has not yet proposed lighting on site. Any lighting fixture proposed in the future must comply with the requirements of Articles 19 and 24.

**Environmental Review:** The property owner has submitted an application to the Department of Environmental Quality requesting wetlands delineation. The DEQ's Wetland Inventory map illustrates a thin strip of hydric soils along the southern property boundary, which extends into the property in question. The applicant has requested to fill up 300 cubic yards or provide a plan which avoids the hydric areas of the site altogether.

**On site Stormwater Runoff:** The applicant will be required to ensure stormwater will be handled on site and that the rate of flow onto adjacent properties will not be increased beyond

the natural site conditions. This may include gutters and downspouts which may tie into the county drain, or it may include a system of underground cisterns to store graywater and used for irrigation. Capacity will be required to handle a minimum 20 year storm event.

**Recommendation:**

All requirements for the approval of the Special Land Use are met subject to the following:

- A. All exterior lighting shall be in accordance with Section 19.05(6) and 24.03(9).
- B. All stormwater will be handled on site and not increase the rate of flow onto adjacent properties beyond natural site conditions.
- C. The City Council needs to grant a Nonexclusive Conditional Driveway Easement Agreement for use of the Right of Way, or the driveway will need to be placed on private property.
- D. To the extent the property is located within a wetland, the owner must satisfy all permit requirements with the Department of Natural Resources and Environment

**NOTICE OF PUBLIC HEARING  
CITY OF THE VILLAGE OF DOUGLAS  
PLANNING COMMISSION**

The City of the Village of Douglas Planning Commission will, on Wednesday, December 12th, 2018, at 7:00 p.m. at the City offices at 86 W. Center Street, Douglas, Michigan, 49406, hold a public hearing to consider an application for a Special Land Use, submitted by Mr. Reg Vorderman, for the property located at 6938 Fourth Street in Douglas, Michigan, (parcel # 03-59-210-061-00). The application is for the consideration of residential use of an Accessory Building within the R-3 (Neighborhood Conservation) District.

The application is available at the City of the Village of Douglas offices for public examination and review during normal business hours. Interested persons may submit comments in writing prior to 9:00 a.m., on Tuesday, November 14<sup>th</sup>, 2018 or appear in person at the public hearing to become part of the record of the hearing.

The City of the Village of Douglas will provide for necessary and reasonable aids and services for disabled persons upon 7 days prior notice to the City Offices at (269) 857-1438.

Date: November 16, 2018

Jean E. Neve, CMC  
City Clerk  
City of the Village of Douglas



**APPLICATION FOR SPECIAL USE PERMIT/ HOME OCCUPATION  
CITY OF THE VILLAGE OF DOUGLAS PLANNING COMMISSION**

1. Name Reg Vorderman
2. Address 6938 4th Street, Douglas, MI
3. Phone Home 260-433-9300 Work \_\_\_\_\_
4. Legal description of property subject of request: \_\_\_\_\_  
LOTS 172 TO 177 INC SEC 17 T3N R16W FELKER'S LAKE SHORE SUBDIVISION.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Street address of property subject of request 6938 4th Street
6. Is applicant the owner of the property: Yes  No \_\_\_\_\_  
If No, give name and address of the property owner  
\_\_\_\_\_  
\_\_\_\_\_
7. How is the property presently zoned? R-3 Neighborhood Conservation District
8. If you are requesting approval for a HOME OCCUPATION, please submit with this application the following information:
  - a) The total floor area of the residence \_\_\_\_\_
  - b) The area of the room or rooms of the house to be utilized in the conduct of the home operation. \_\_\_\_\_
  - c) A sketch showing the floor plan and the area to be utilized in the conduct of the home occupation \_\_\_\_\_
  - d) Describe the nature of the home occupation \_\_\_\_\_  
**Please note that all home occupations can only be approved subject to the limitations provided in Sec. 14.5 © of the Zoning Ordinance.**
9. Unless already described in #8, give a brief description of the SPECIAL USE requested.  
Residential use of second story of accessory building  
\_\_\_\_\_
10. Is the SPECIAL USE, which you are requesting, provided for under CHAPTER 25 of the Douglas Village Zoning Ordinance? yes section 25.31

I certify that I have read and understand Article 25 - Special Use Procedures of the Zoning Ordinance and that all of the information provided herein is true and accurate to the best of my knowledge, information and belief.

Dated 11-5-2018

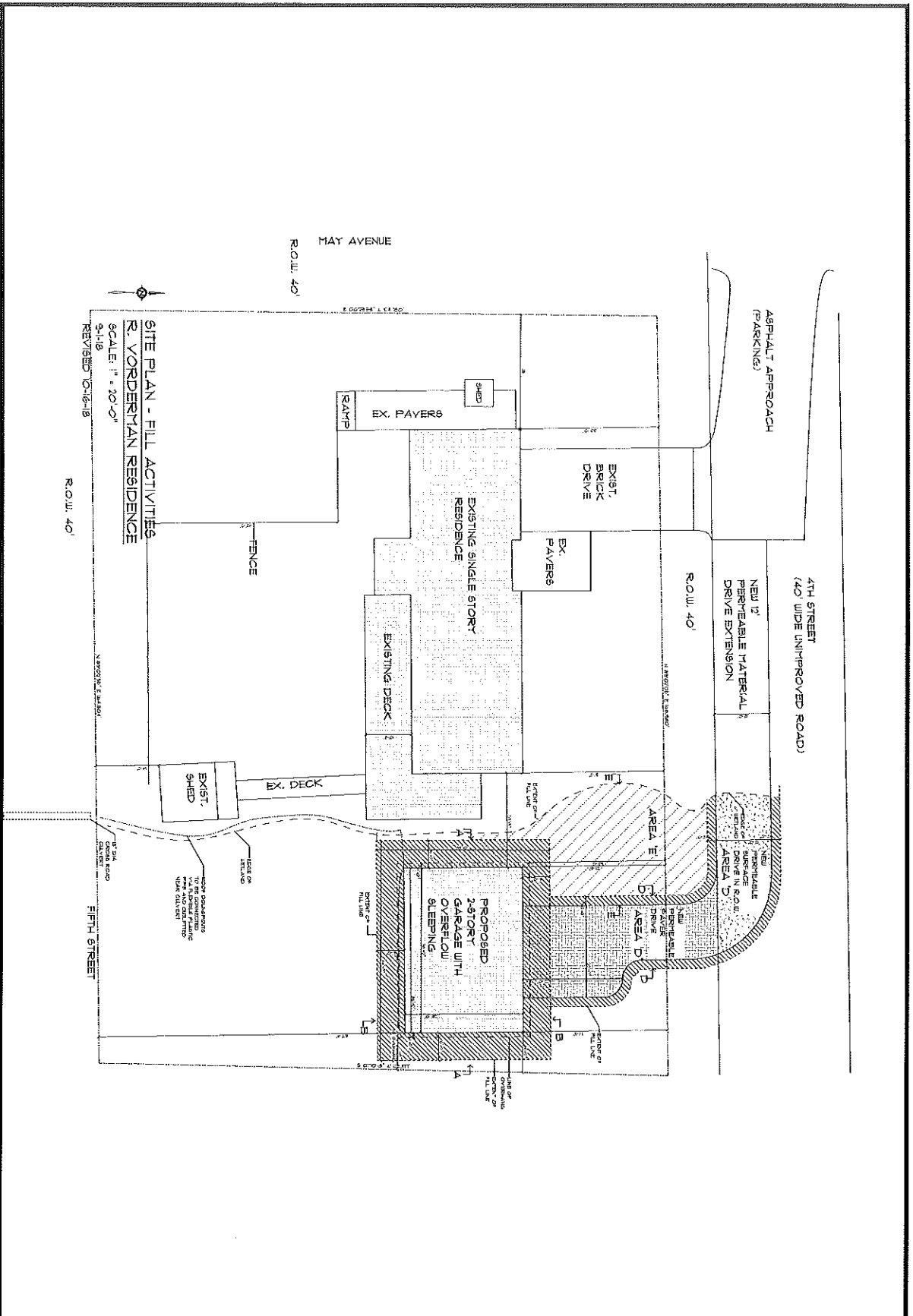
Application fee of \$250 ck 1329 ✓



Signature of Applicant

.....  
A SUMMARY OF PLANNING COMMISSION ACTION

1. Date of Public Hearing, if one was held 12/12/18
2. Action taken by Planning Commission and date taken \_\_\_\_\_
3. Application was Denied for following reasons \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



SITE PLAN - FILL ACTIVITIES  
 R. VORDERMAN RESIDENCE  
 SCALE: 1" = 30'-0"  
 9.1.18  
 REVISED 10.6.18

RO.W. 40'

FIFTH STREET

SHEET:

1 OF 4

VORDERMAN GARAGE  
 8938 4TH STREET  
 DOUGLAS, MI 49406

SITE PLAN

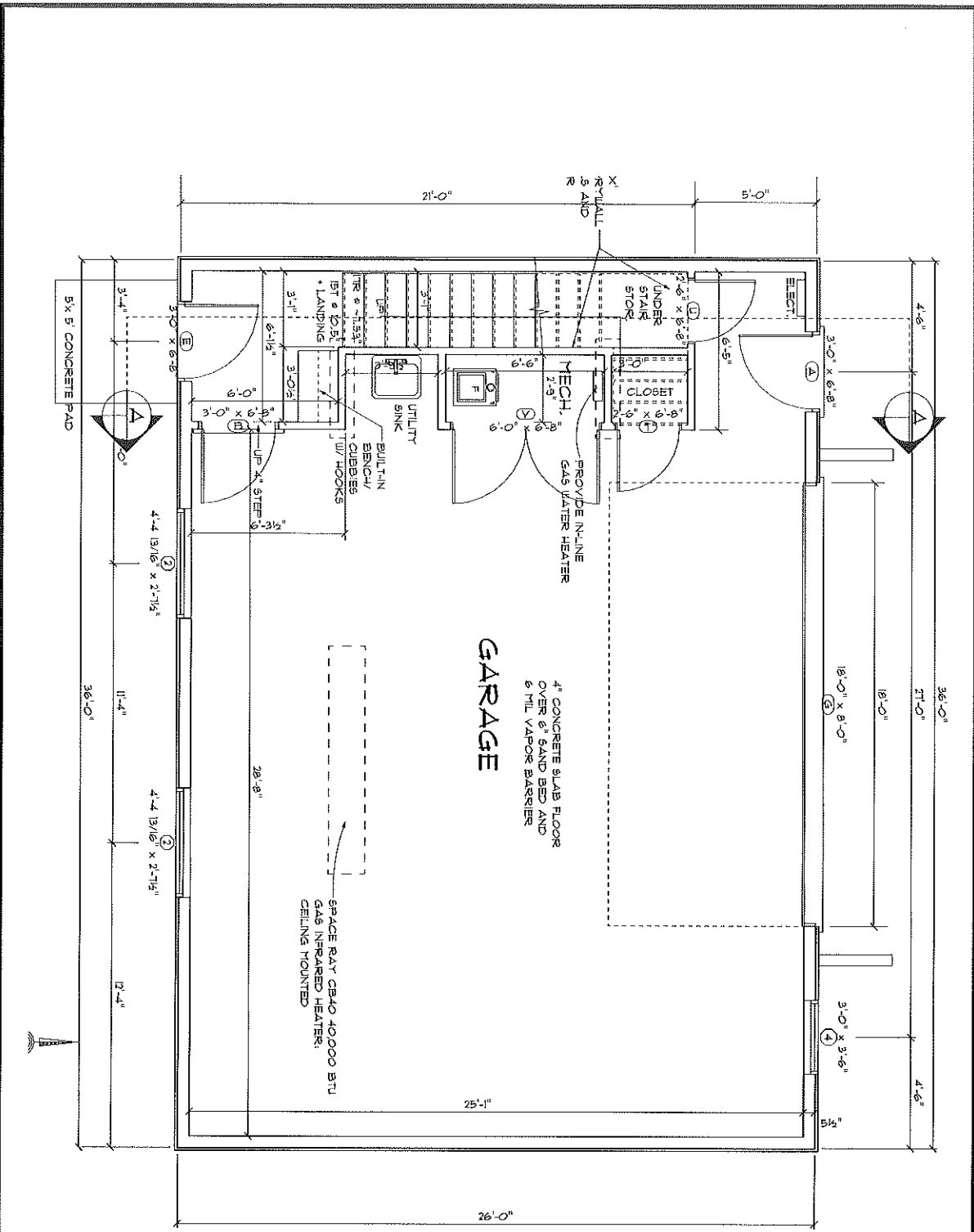
REVISIONS:  
 FOR PLANNING  
 COMMISSION

DATE:  
 OCT. 31, 2018

DRAWN BY:  
 A. COOK

SCALE:  
 1/4" = 1'-0"  
 Unless Noted Otherwise





DOVETAIL  
DESIGN STUDIO

SCALE:  
1/4" = 1'-0"  
Unless Noted Otherwise

DRAWN BY:  
A. COOK

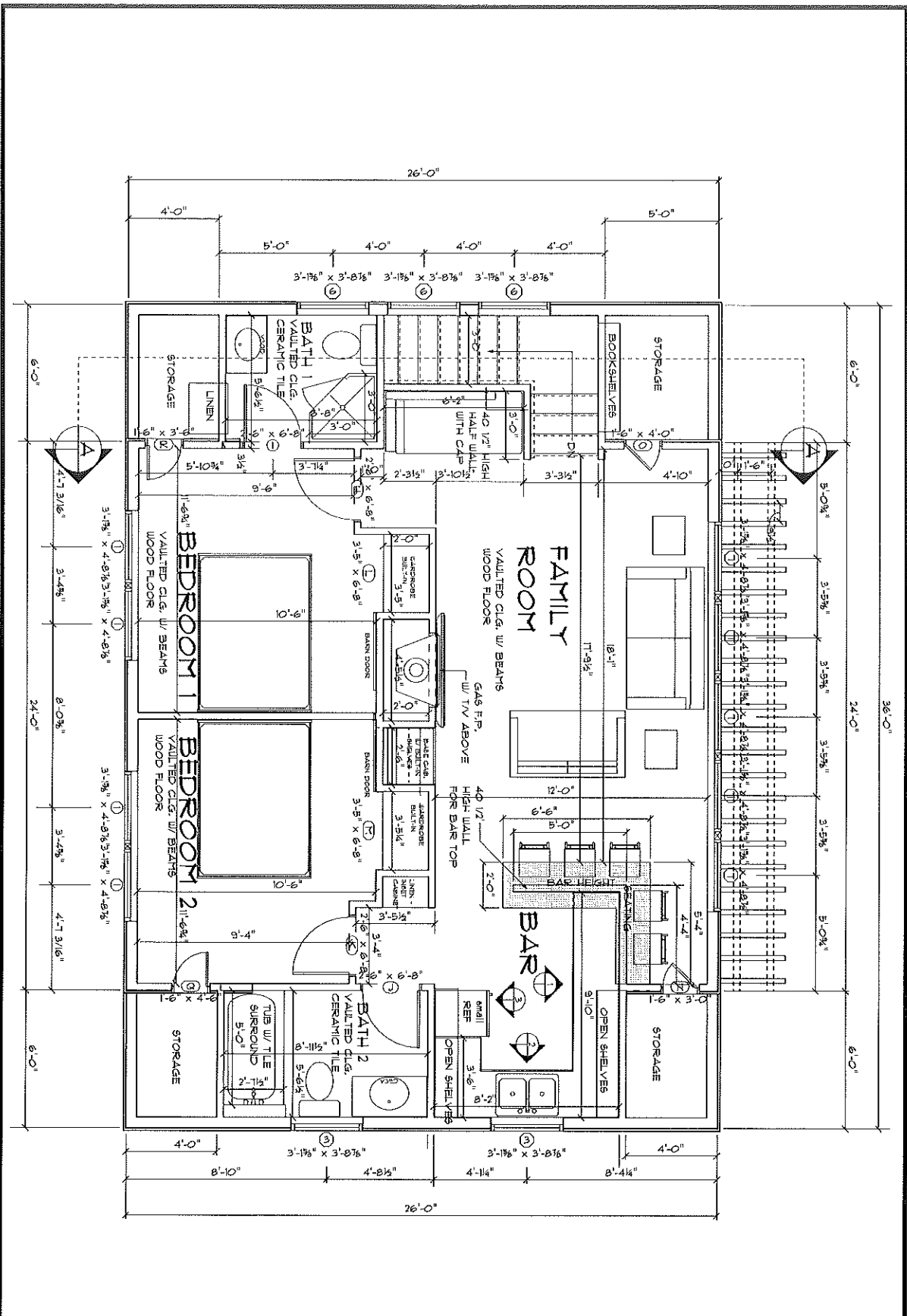
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OCT. 31, 2018


REVISIONS:  
FOR PLANNING  
COMMISSION

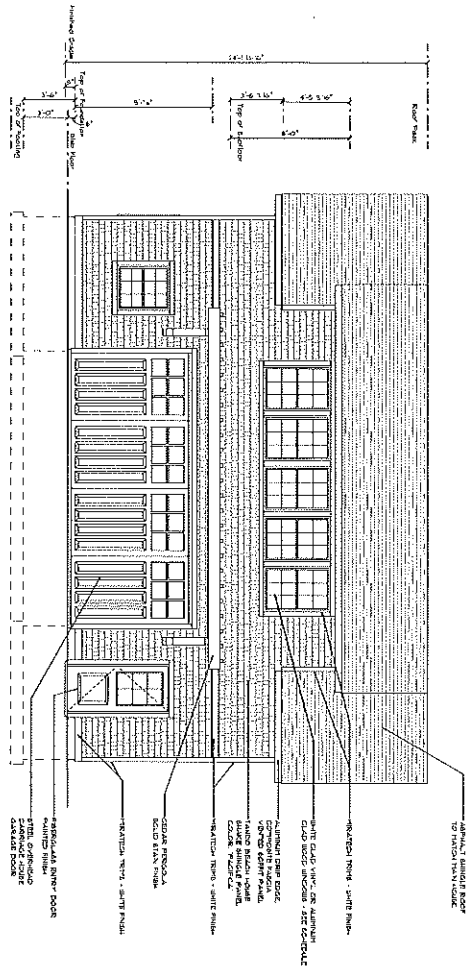
VORDERMAN GARAGE  
6938 4TH STREET  
DOUGLAS, MI 49406

MAIN FLOOR PLAN

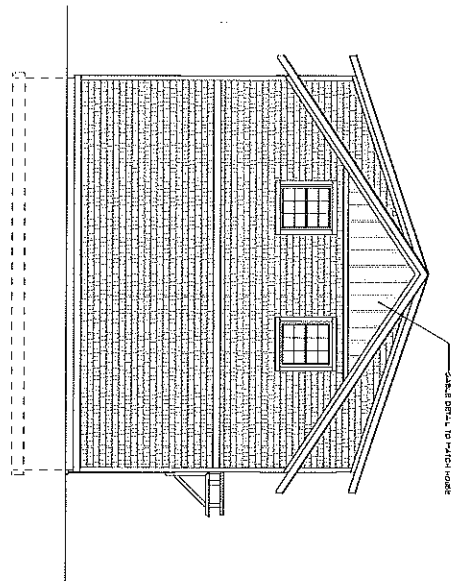
SHEET:  
2 OF 4



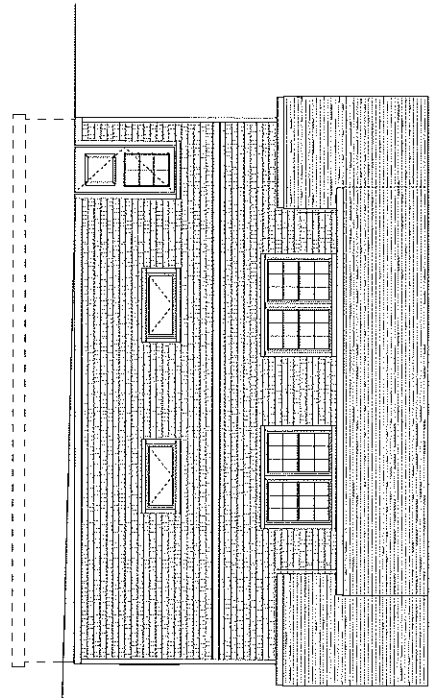
 <b>DOVETAIL DESIGN STUDIO</b>	<p>SCALE: 1/4" = 1'-0" Unless Noted Otherwise</p> <p>DRAWN BY: <b>A. COOK</b></p> <p>DATE: <b>OCT. 31, 2018</b></p> <p>REVISIONS:</p> <p>FOR PLANNING COMMISSION</p>	<p><b>VORDERMAN GARAGE</b> 6938 4TH STREET DOUGLAS, MI 49406</p> <p style="text-align: center;"><b>2ND FLOOR PLAN</b></p>
<p>SHEET: <b>3 OF 4</b></p>		



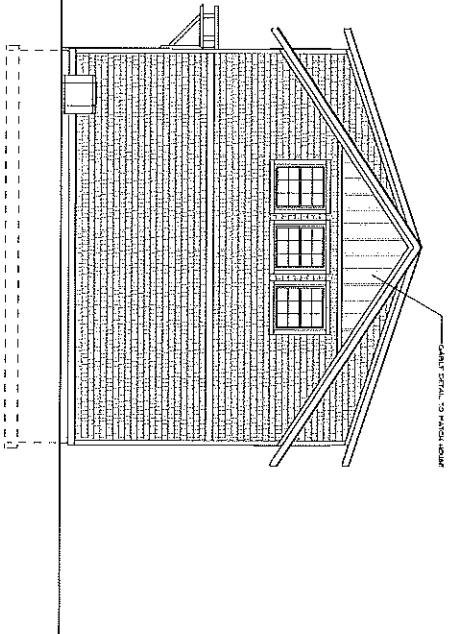
**NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"



**EAST ELEVATION**  
SCALE: 1/8" = 1'-0"



**SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"



**WEST ELEVATION**  
SCALE: 1/8" = 1'-0"



SCALE: 1/8" = 1'-0"  
Unless Noted Otherwise

DRAWN BY: A. COOK

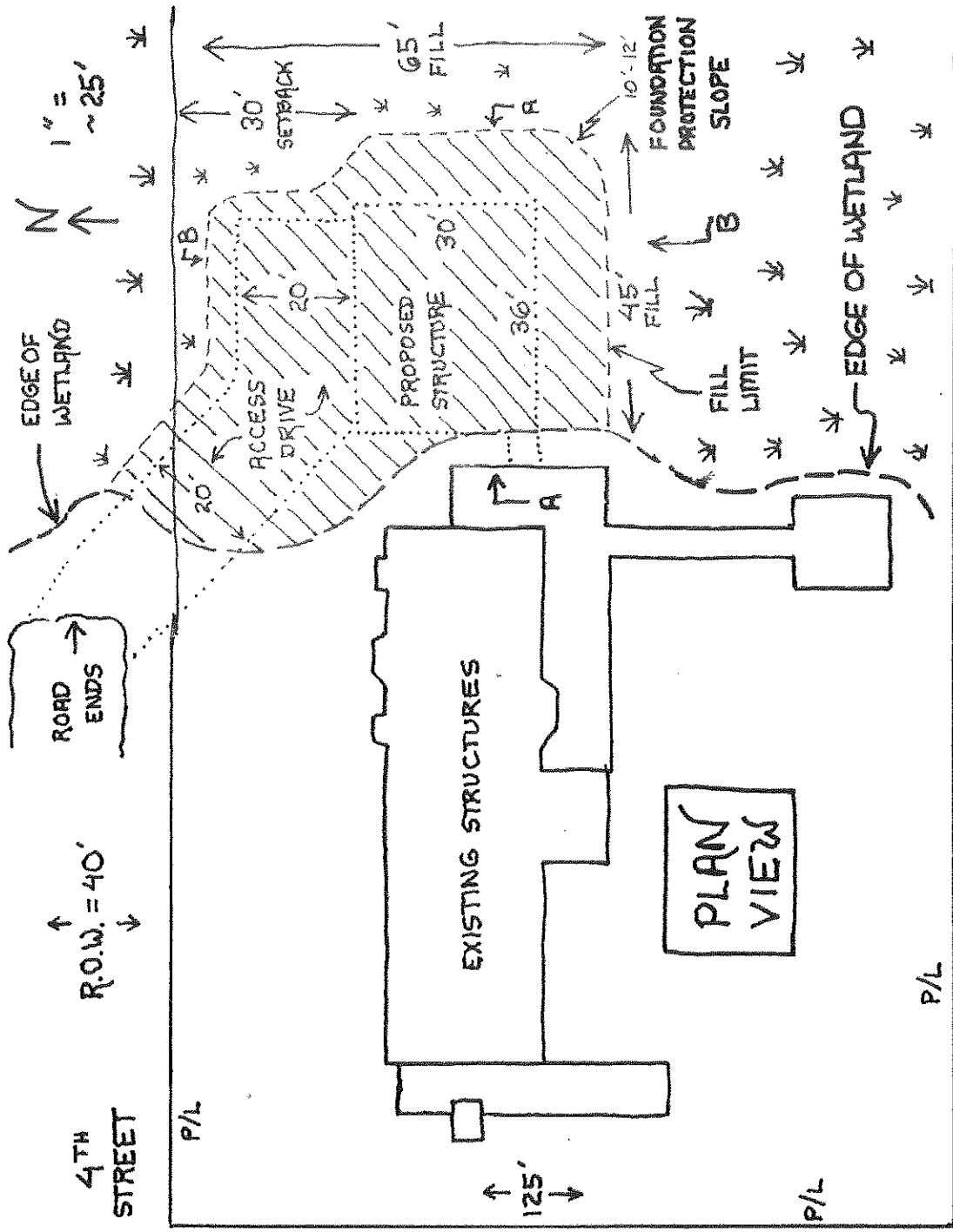
DATE: OCT. 31, 2018

REVISIONS:  
FOR PLANNING COMMISSION

VORDERMAN GARAGE  
6938 4TH STREET  
DOUGLAS, MI 49406

**ELEVATIONS**

SHEET: 4 OF 4



1" = ~25'

EDGE OF WETLAND

ROAD ENDS

↑ R.O.W. = 40' ↓

4<sup>TH</sup> STREET

P/L

MAY AVE.

↑ R.O.W. = 40' ↓

↑ 125' ↓

EXISTING STRUCTURES

PLAN VIEW

P/L

P/L

EDGE OF WETLAND

FOUNDATION PROTECTION SLOPE

FILL LIMIT

65' FILL

45' FILL

30' SETBACK

FB

ACCESS DRIVE

PROPOSED STRUCTURE

30

36

▨ = PROPOSED WETLAND FILL AREA

↑ R.O.W. = 40' ↓

5<sup>TH</sup> STREET

R. VORDERMAN  
287-476-7498  
REVISED 11/10/16



Google Earth

feet  
meters

100  
40



Google Earth

R. VORDERMAN