



**THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
THURSDAY, SEPTEMBER 11, 2025 AT 6:00 PM
86 W CENTER ST., DOUGLAS MI**

AGENDA

To view remotely, join online or by phone.

Join online by visiting: <https://us02web.zoom.us/j/84100073894>

Join by phone by dialing: +1 (312) 626-6799 | **Then enter "Meeting ID":** 841 0007 3894

1. CALL TO ORDER

2. ROLL CALL

A. Approval of Agenda - September 11, 2025 (additions/changes/deletions)

Motion to approve the September 11, 2025 agenda

B. Approval of Minutes - August 14, 2025 (additions/changes/deletions)

Motion to approve the August 14, 2025 regular meeting minutes

3. PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES)

4. PUBLIC COMMUNICATION - WRITTEN

5. NEW BUSINESS

6. UNFINISHED BUSINESS

A. 453 W Center St - Site Plan Review

- a. Planning and Zoning Administrators Report
- b. Applicant Presentation
- c. Public Comments
- d. Commissioner Questions

Motion to approve the request made by Andrea Johnson-Wardynski for site plan approval under Article 24 of the City of the Village of Douglas Zoning Ordinance, based on the findings outlined in the staff reported dated September 4, 2025, on the parcel identified as P.P. 59-350-001-00, located at 453 W Center St. (Roll Call Vote)

7. REPORTS

A. Planning and Zoning Administrator Report

B. Planning Commissioner Remarks (limit 3 minutes each, please)

8. PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES)

9. ADJOURNMENT

Please Note – The City of the Village of Douglas (the “City”) is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of this meeting or the facilities, are requested to contact Laura Kasper, City Clerk, at (269) 857-1438, or clerk@douglasmi.gov to allow the City to make reasonable accommodations for those persons. CITY OF THE VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN



**THE CITY OF THE VILLAGE OF DOUGLAS
PLANNING COMMISSION
THURSDAY, AUGUST 14, 2025 AT 6:00 PM
86 W CENTER ST., DOUGLAS MI**

MINUTES

1. CALL TO ORDER: By Chair Balmer at 6:00pm.

2. ROLL CALL

PRESENT

Chair Matt Balmer

Vice Chair Patty Hanson

Commissioner John O'Malley

Commissioner Laura Peterson

Commissioner Jennifer Ludwig

Commissioner Thomas Hickey

Commissioner Neal Seabert

Commissioner Steven Merouse

Commissioner Paul Buszka

Also Present

Planning and Zoning Administrator Sean Homyen

A. Approval of Agenda - August 14, 2025 (additions/changes/deletions)

Motion to approve the August 14, 2025 agenda

Motion by Hickey, seconded by O'Malley to modify the agenda of August 14th, switching items A and B in their order in respect of the environmental team to be able to give their report. – Motion carried by unanimous voice vote.

B. Approval of Minutes - May 8, 2025 (additions/changes/deletions)

Motion to approve the May 8, 2025 regular meeting minutes

Motion by Seabert, seconded by Hickey to approve the May 8th, 2025 regular meeting minutes. – Motion carried by unanimous voice vote.

3. PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES) - None

4. PUBLIC COMMUNICATION – WRITTEN - None

5. NEW BUSINESS

A. 453 W Center St - Site Plan Review

a. Applicant Presentation – Andrea provided a short summary of her request.

b. Planning and Zoning Administrators Report – Planning & Zoning Administrator Sean Homyen summarized the request and reviewed the applicant’s history as outlined in the staff memo.

c. Public Comments – None

d. Commissioner Questions – The Commissioners shared their concerns regarding the request, focusing in particular on pedestrian access to the storefront given the busy nature of the street. Clarification was provided regarding the existing fencing: it is located on the neighboring property and therefore cannot be utilized. One suggestion was to install landscaping in that area to provide a buffer from the adjacent residential lot.

Commissioner Buszka had concerns about the safety and walkable access to the storefront business. Chair Balmer reminded the Commissioners that they do not have the authority to require sidewalks, as that decision rests with City Council. However, the Planning Commission may make a recommendation to Council for sidewalk installation. Commissioner Peterson asked the applicant about ADA access to the window. The applicant responded that Woosah, and Root Beer Barrel has windows similar or higher.

Planning & Zoning Administrator Sean Homyen relayed comments from the City Engineer, noting issues with the proposed sidewalk connection between Woosah and Root Beer Berry, as well as the need for ADA compliance. The Commission also discussed whether reducing a nonconforming use to a conforming use would require a ZBA interpretation.

City Manager Nocerini added that funding for the crosswalk is not currently available and would need to be considered in the next fiscal year. The input provided, allowed for the Planning Commission to determine not to make a recommendation to City Council for the requirement of sidewalks. Commissioners went around the table with the interpretation of the non-conforming use and it is determined that reducing the non-conforming use to a conforming use would be acceptable and has nothing to do with the residential use. Commissioner Hanson did believe that this interpretation should go to the ZBA.

Motion by Buzska, seconded by Seabert to table the request made by Andrea Johnson-Wardynski for site plan approval under Article 24 of the City of the Village of Douglas Zoning Ordinance, on the parcel identified as P.P. 59-350-001-00, located at 453 Center St., with the recommendation to add additional detail regarding the pathway to the service window and any pathways extending between the sidewalk and the corner of Center and Ferry St, and add appropriate detail about vegetative screening.

Motion Carried by unanimous voice vote.

Additional discussion: The Planning Commission decided that that they would like the details of the walkway and landscaping brought back to the Planning Commission.

B. Public Hearing - 312 Ferry St (Consumers Credit Union) - Special Land Use Request for Drive-in/Drive-through (Section 26.12) -

- Motion to Open the Public Hearing (Roll Call Vote)

Motion by Seabert, seconded by Hickey to open the public hearing. – Motion carried by unanimous roll call vote.

- a. Applicant Presentation – Nick Loeks (Bosch Architecture) provided an update from the additional review from the Drain Commission and Fire Department that they are currently in the process of resolving the concerns that they have.
- b. Planning and Zoning Administrators Report – Planning & Zoning Administrator Sean Homyen noted concerns regarding missing information in the site plan and provided details on contaminated site procedures followed by Michigan Township Services. Chair Balmer added that such matters would be handled by the building inspector, not the City

c. Public Comments – None

d. Commissioner Questions

Commissioner Buszka asked about the future development of 200 Blue Star Highway and whether there were any setback issues with the proposed development at 312 Ferry Street. Chair Balmer responded that the plans are conceptual at this stage. Commissioner Buszka also inquired about the environmental assessment report, and Chair Balmer requested that the environmental firm participating via Zoom address those questions.

- Motion to Close the Public Hearing (Roll Call Vote)

Motion by Seabert, seconded by O'Malley to close the Public Hearing

Motion by Hickey, seconded by Hanson to approve the request made by Nicholas Loeks of Bosch Construction on behalf of Consumers Credit Union for special land use approval for Drive-in/Drive Through under Section 26.12 of the City of the Village of Douglas Zoning Ordinance, based on the findings outlined in the staff report dated August 6, 2025, on the parcel identified as P.P. 59-016-069-00, located at 312 Ferry St., subject to the following conditions:

1. Prior to the issuance of a zoning permit, the applicant shall revise and resubmit the site plan to include the following items in accordance with Article 24 of the Zoning Ordinance:
 - Vicinity sketch showing the site's relationship to surrounding streets and land uses within 300'
 - A project completion timeline
2. The applicant shall obtain a zoning permit.
3. The applicant shall obtain a building permit from MTS before commencing construction.
4. The applicant shall obtain all other federal, state, and local permits if required.
5. Any change in use shall require site plan approval per Section 24.01 of the Zoning Ordinance.
6. Any proposed signage shall require a sign permit per Section 22.04 (A) of the Zoning Ordinance

7. The applicant shall obtain approval from the Allegan County Drain Commission
8. The applicant shall obtain approval from the Saugatuck/Douglas Fire Department
9. The applicant shall provide a description of existing contamination onsite related to the nature of contamination of material that would be need to be encountered or removed during construction according the zoning ordinance 24.02 (A) (3) (B) and subpart (C).
10. The applicant shall revise the site plan for a 25' setback on the north property line

Additional Discussion: Commissioners went through the questions with answers provided by the Planning & Zoning Administrator and Cindi Macdonald of Consumers Credit Union. Commissioners also provided input to resolve any known issues and an amendment was made to the motion to for the applicant to provide a 25' setback distance to the north.

Motion carried by unanimous roll call vote.

6. UNFINISHED BUSINESS - None

7. REPORTS

- A. Planning and Zoning Administrator Report – Planning & Zoning Administrator Sean Homyen provided an updated on the Safe Harbor Project.
- B. Planning Commissioner Remarks (limit 3 minutes each, please) – Commissioner Hanson asked the Planning & Zoning Administrator to inspect the property on the corner of Ferry and Center of a sign that was placed. Commissioner Peterson would like a status update from the Planning & Zoning Administrator of developments around the area.

8. PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES) -None

9. ADJOURNMENT

Motion by Seabert, seconded by Hickey to adjourn the meeting.

To: City of the Village of Douglas Planning Commission

Date: September 4, 2025

From: Sean Homyen, Planning & Zoning Administrator

RE: **453 Center St – Site Plan Review – Converting front portion of the home from a non-conforming use to a conforming use.**



The Village of Friendliness – Since 1870

Request. Andrea Johnson-Wardynski has submitted an application for site plan review under Section 24.01 for the conversion of the front portion of the home from a non-conforming use to a conforming use for the property at 453 Center St, located in the C-1 Village Commercial District.

Background. The property at 453 Center St is a two-story single-family home, currently zoned R-5. Based on the assessing records, the home was constructed in 1873. The applicant has inquired about opening an Italian shaving storefront at this location. Instead of waiting for the Master Plan and Zoning Ordinance to be updated. The applicant moved forward with what is allowed through the current ordinance. The applicant went through the process earlier this year by rezoning the property from R-5 Multiple Family District to C-1 Village Commercial District. A recommendation from the Planning Commission was received on February 20, 2025, and approval from Council was on April 7, 2025.



Procedure. The Planning Commission is tasked with reviewing the site plan providing an approval, with or without conditions, denial, or tabling of the request.

Previous Review. The Planning Commission considered this site plan at its August 14, 2025, meeting (see staff report dated August 6, 2025). At that time, concerns were raised regarding residential buffering, safety, and access to the window. This resulted in the request being table and requiring the applicant to provide more information. The updated site plan, along with staff comments, addresses these items as outlined below.

Landscaping. The updated site plan includes 11 evergreen trees and 16 deciduous trees to meet the buffering requirements of Article 21. The applicant has already installed 3' buffer trees in advance of site plan approval. Following a visual inspection, staff noted that the proposed trees may not achieve full screening of the adjacent residential property. This relates directly to the ordinance requirement for a 6-foot screen to prevent headlight glare onto neighboring

properties. Both sections of the ordinance are provided below.

Section 21.01 Landscaping, Fencing, Walls, and Screening

3) Screening Between Land Uses:

a) Upon any improvement for which a site plan is required, or whenever a nonresidential use or multiple family dwelling abuts a residentially zoned or used property, the Planning Commission may require that screening be constructed at least six (6) feet in height along all adjoining boundaries with residentially zoned or used property. Either a buffer zone or solid wall may be used to provide the screening as provided below, or when the distance between structures or adjoining lots is greater than twice the minimum setbacks would require, a fence meeting the requirements of Subsection 10 may be required at the discretion of the Planning Commission. A buffer zone, at least ten (10) feet in width, may consist of earthen berms and/or living materials so as to maintain a minimum opacity of at least eighty (80) percent. Opacity shall be measured by observation of any two (2) square yard area of landscape screen between one (1) foot above the established grade of the area to be concealed and the top or the highest point of the required screen. The plantings shall meet this standard based upon reasonably anticipated growth over a period of three (3) years. The applicant shall agree in writing to install solid fencing after the expiration of the three (3)-year period, in the event that the landscaping has not totally blocked the view of areas required to be screened. The Planning Commission may waive some or all of these provisions for a planned unit development where the waiving of said provisions will strengthen the planned unit development concept.

Section 10.03 Performance Standards

d) Screening at least six (6) feet in height shall be erected to prevent headlight glare from shining onto adjacent residential property. No screening shall in any way impair safe vertical or horizontal sight distance for any moving vehicles, or be closer than thirty (30) feet to any street right-of-way line.

If the Planning Commission determines the proposed landscaping is sufficient, the applicant shall provide a written agreement stating that a solid fence will be installed should full buffering not be achieved within three (3) years. If the Planning Commission finds the proposed landscaping insufficient, the applicant shall revise the site plan to include additional or larger trees capable of providing complete screening of the affected area, a 6' screened buffer at the southwest corner of the property, and shall provide a written agreement stating that a solid fence will be installed should full buffering not be achieved within three (3) years. These have been added as conditions of approval.

Walkway. The site plan includes an existing walkway that leads into the ROW. At the previous meeting, the Planning Commission raised concerns about public safety and walkability. It should be noted that the existing walkway will be reviewed by MTS for compliance with building code and ADA requirements for the change of use. The Planning Commission should also be aware that if the City undertakes future public infrastructure improvements (such as sidewalks or parking), staff will coordinate with the applicant to ensure that a walkway path leads to the future sidewalk. A sample recommendation has been provided below to Council.

RECOMMENDATION.

At the upcoming meeting, the Planning Commission will review the site plan. Commissioners should carefully consider the information presented in this report, as well as comments from the applicant and the public. If the Planning Commission concurs that the standards of the ordinance have been met, staff recommends approval located at 453 W Center St, subject to the following conditions as shown in the suggested motion.

SUGGESTED MOTION

Suggested Motion. I move to [approve / approve with conditions / deny / table] the request made by Andrea Johnson-Wardynski for site plan approval under Article 24 of the City of the Village of Douglas Zoning Ordinance, based on the findings outlined in the staff report dated September 4, 2025, on the parcel identified as P.P. 59-350-001-00, located at 453 Center St., subject to the following conditions:

1. The applicant shall obtain a building permit from Michigan Township Services for the Change of Use
2. The applicant shall obtain approval from the Saugatuck/Douglas Fire Department
3. Any proposed signage shall require a sign permit per Section 22.04 (A) of the Zoning Ordinance
4. The applicant shall all other federal, state, and local permits if required
5. The applicant shall provide 6' screening on the southwest corner to prevent headlight glare from shining onto adjacent residential property per section 10.03 (d)
6. The applicant shall revise the site plan to include additional or larger trees capable of providing complete screening of the affected area
7. The applicant shall provide written agreement that, if after three (3) years the approved landscaping has not totally blocked the view of areas required to be screened, a solid fence shall be installed to achieve compliance with the screening requirements per Section 21.01 (3) (A)

Recommendation to City Council: City Council should consider future opportunities to improve public infrastructure along W. Center Street, including sidewalks and parking, as funding becomes available.

Please feel free to reach out with any questions.

To: City of the Village of Douglas Planning Commission

Date: August 6, 2025

From: Sean Homyen, Planning & Zoning Administrator

RE: **453 Center St – Site Plan Review – Converting front portion of the home from a non-conforming use to a conforming use.**



The Village of Friendliness – Since 1870

Request. Andrea Johnson-Wardynski has submitted an application for site plan review under Section 24.01 for the conversion of the front portion of the home from a non-conforming use to a conforming use for the property at 453 Center St, located in the C-1 Village Commercial District.

Background. The property at 453 Center St is a two-story single-family home, currently zoned R-5. Based on the assessing records, the home was constructed in 1873. The applicant has inquired about opening an Italian shaving storefront at this location. Instead of waiting for the Master Plan and Zoning Ordinance to be updated. The applicant moved forward with what is allowed through the current ordinance. The applicant went through the process earlier this year by rezoning the property from R-5 Multiple Family District to C-1 Village Commercial District. A recommendation from the Planning Commission was received on February 20, 2025, and approval from Council was on April 7, 2025.



Procedure. The Planning Commission is tasked with reviewing the site plan providing an approval, with or without conditions, denial, or tabling of the request.

Storefront. The applicant is requesting to convert the 182-square-foot (13' x 14') covered porch for business operations, with an additional 164.7 square feet (12' x 13.7') designated for storage in the front of the home. They are also proposing a picnic area to the west of the home. The Planning Commission will determine whether the proposed change in use from residential to commercial is acceptable.

Landscaping. Because the property is now classified as commercial, screening is required where it abuts residential lots. Existing fencing is located along the southern property line. The Planning Commission will determine whether the proposed trees provide sufficient buffering or if the applicant must complete the fencing. Any fencing must comply with the requirements of Section 21.01(12) of the Zoning Ordinance.

As the property is located on a corner lot, street trees are required along both rights-of-way, with one tree required for every 30 linear feet of frontage. Based on frontage, four trees are required along Ferry Street and four along Center Street. The property currently has three trees along Ferry Street (two of which are located within the right-of-way) and eight trees along Center Street. The Planning Commission will determine whether the trees within the right-of-way on Ferry St. may be counted toward meeting the street tree requirement.

Parking. As part of the site plan review, parking requirements must be evaluated in accordance with Section 10.04 of the Zoning Ordinance. Parking spaces must be provided unless a waiver is formally requested and granted by the Planning Commission.

Per Section 10.04(b)(1), one and two-family dwellings require two spaces per dwelling unit. For restaurants, one space is required for every three seats (based on occupancy as determined by the Fire Chief), plus one space per employee on the largest shift.

The applicant is proposing two employees, which would require one parking space for the restaurant use. The single-family home is a nonconforming use and would typically require two parking spaces; however, Section 10.04(b)(1) does not apply to nonconforming uses. Nevertheless, the Planning Commission may reduce the required parking under Section 19.03 and allow one space for the residence, if appropriate.

It should be noted that the two homeowners will both live and work on the property. The driveway is large enough to accommodate all three required spaces, should the Planning Commission choose not to waive any parking requirements.

RECOMMENDATION.

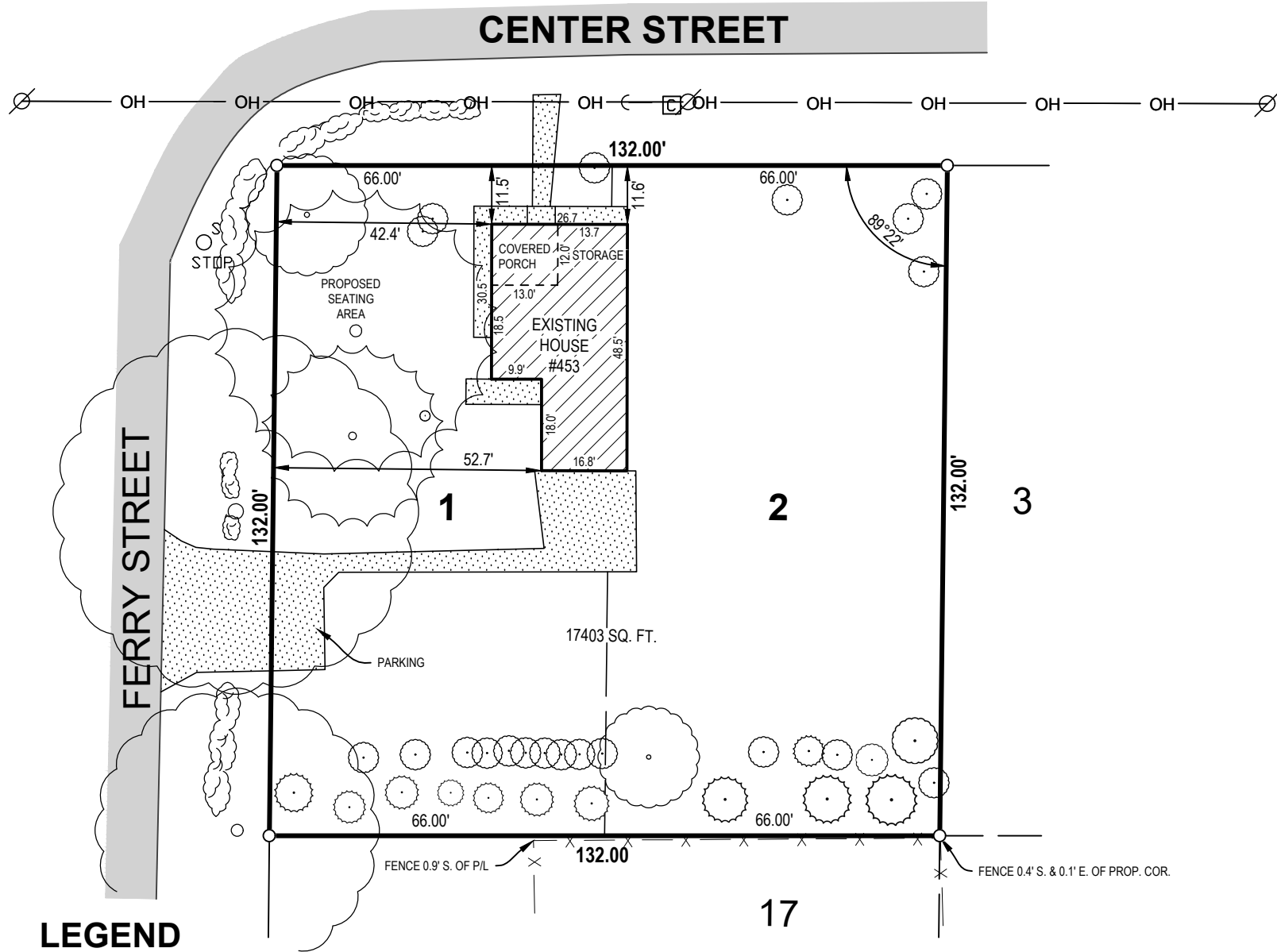
At the upcoming meeting, the Planning Commission will review the site plan. Commissioners should carefully consider the information presented in this report, as well as comments from the applicant and the public. If the Planning Commission concurs that the standards of the ordinance have been met, staff recommends approval located at 453 W Center St, subject to the following conditions as shown in the suggested motion.

SUGGESTED MOTION

Suggested Motion. I move to [approve / approve with conditions / deny / table] the request made by Andrea Johnson-Wardynski for site plan approval under Article 24 of the City of the Village of Douglas Zoning Ordinance, based on the findings outlined in the staff report dated August 6, 2025, on the parcel identified as P.P. 59-350-001-00, located at 453 Center St., subject to the following conditions:

- The applicant shall obtain a building permit from Michigan Township Services for the Change of Use
- The applicant shall obtain approval from the Saugatuck/Douglas Fire Department
- Any proposed signage shall require a sign permit per Section 22.04 (A) of the Zoning Ordinance
- The applicant shall all other federal, state, and local permits if required

Please feel free to reach out with any questions.



LEGEND

	Bush		Evergreen Tree		Stop Sign		Asphalt
	Cable Riser		Guy Anchor		Fence		Existing Building
	Deciduous Tree		Iron-Found		Overhead Utility		Concrete
			Utility Pole				Property Line

DESCRIPTION

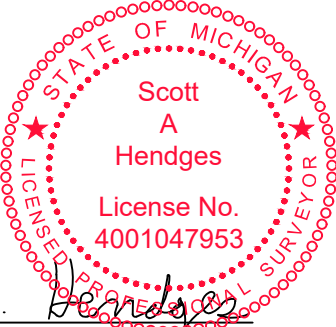
the following described premises situated in the city of the Village of Douglas, County of Allegan, State of Michigan, to wit:

Lot 1 and 2, Block 1 of Helmer's Addition to the Village of Douglas, Michigan, according to the recorded plat thereof.

(Warranty Deed, Instrument No. 2017022469, Dated November 13, 2017, Allegan County Register of Deeds)

We hereby certify that we have examined the premises herein described, that the improvements are located entirely thereon as shown and that they do not encroach except as shown hereon.

This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.



By: *Scott A. Hendges*
Scott A. Hendges Licensed Professional Surveyor No. 4001047953

SCALE: 1" = 30' 0' 15' 30' NORTH

Andrea Johnson
453 Center St
Douglas, MI 49406

453 Center St

DRAWN BY: NH DATE: 7/11/2025
REV. BY: NH REV. DATE: 8/11/2025
REV.: CLIENT COMMENTS

PRJ #: 25201139.2
1 OF 1

www.nederveld.com • 800.222.1868
Holland
730 Chicago Dr.
Holland, MI 49423
Phone: 616.393.0449
Grand Rapids • Ann Arbor



Site Plan Review Application

Application Fee \$300
Additional Fees May Apply

The Village of Friendliness—Since 1870

Property Information:

Address or Location: 453 CENTER ST

Parcel Number: 59-350-001-00 Property Size: .40 acres

Zoning District – Current: C1 Proposed Zoning District (if applicable): _____

Existing Use of Building/Property: Residential Special Use (if applicable): _____

Type of Project (Residential or Commercial): COMMERCIAL

Describe Proposed Project: ATTACHED

Estimated Project Cost: \$1500.00

Site Plan Review Application Requirements

☒ Yes, I have read the City of Douglas Zoning Ordinance Article 24 Site Plan Review

Y N N/A

- ☒ ☐ ☐ Completed Site Plan Review application
☒ ☐ ☐ Plot Plan
☒ ☐ ☐ Legal Description
☒ ☐ ☐ Narrative Description

I ANDREA JOWSD-WARBYNSKI hereby state that all the above statements and all the accompanying information are true and correct.

Signature of Owner/General Contractor

Date

Email Address: Andrea4AIL1193@gmail.com

Phone: 734-674-2612

453 Center Street Site Plan Review Application

Rev July 31, 2025

I. Applicant Information

- a. Name, address, email, and phone number

Andrea G. Johnson-Wardynski

453 Center Street,

Douglas, MI 49406

734-674-2612

Andreagail1193@gmail.com

II. Property Ownership (See attached documents)

- a. Proof of property ownership
b. Information on options or Liens

III. Project Impact Statement

- a. Written statement on the proposed project's impact on existing infrastructure (traffic, schools, utilities)

Our current residence is at 453 Center Street. It is a 150-year-old farmhouse with an extended, covered finished sunroom. We would like to repurpose the sunroom into a walk-up Italian ice concession window. The space requires no physical structural changes to the existing building, as the space already is separate from the remaining property by walls and doors. The change will keep in step with the charm and burgeoning low-use mixed residential and commercial nature of the surrounding neighborhood. Outdoors, we will create a nice garden space surrounding our residential portion, while utilizing an existing window as a walk-up window. We will also have some benches and seating adjacent to the walk up. The business will be open seasonally from May-September.

Customers will not enter the building and will not need to wait long to receive or consume the product. Approval of the Italian Ice shop is

not expected to have a measurable impact on local utilities, as the product will be made onsite in small batches with fresh fruit juice and water and will be stored in small freezers equivalent to the size of a home refrigerator or deep freezer.

The shop's impact on traffic is expected to be minimal, as customers will be nearby residents, visitors staying in adjacent accommodations, and beachgoers on their way to Douglas or Oval Beach. We have purchased a six-slot bike rack and expect many visitors will walk or bike past the property on the Beach to Bayou Trail or be nearby already patronizing the Root Beer Barrell, Woosah, or the Kirby House. Within the past five years, and without conducting impact analysis on existing infrastructure, the City of Douglas has opened the Root Beer Barrell hot dog stand on R-5 property on the opposite corner from my home, which is currently operating as a commercial property. The lot is being used as a public park, with parking available streetside, and parking is available in the Root Beer Barrell lot and along the street adjacent to the Root Beer Barrell and Woosah, a coffee shop and retail located directly across the street. We expect that our Italian Ice shop will complement the existing uses, as Outdoor Coffee is busy in the mornings, the Root Beer Barrel busy at lunch and dinner, and the Italian ice shop will be seen as an afternoon or post-dinner treat. As such, the flow of and impact on traffic should remain consistent throughout the day. As Sean Homyen noted in our C-1 approval, the recent improvements of transportation and pedestrian infrastructure in the area justify the proposed use of the property.

The change to the space is a permitted use, already existing in C-1 and meets all the requirements of the C-1 district. The remaining existing residential use is not changing, expanding, or being superseded by a conforming use and, pursuant to 15.03 and 23.03, no permit shall be required for the nonconforming residential use to continue in its current location. Further, the existing residential use in the remaining portion of the building is continuing in the building, which was built for such purpose and existing on the date of the Ordinance. Thus, pursuant to 15.04 "any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use, and which existed at the time of

adoption or amendment of this Article, but no such use shall be extended to occupy any land outside such building.”

- b. Written statement on the proposed project’s impact on natural environment NA
- c. Phase 1 and Phase 2 environmental review (if required) NA

IV. Property Details (See attached documents)

- a. Dimensions and legal description
- b. North Arrow
- c. Certificate of survey if less than (1) acre and a land division

V. Project Description

- a. Total number of structures, units, and bedrooms, offices

The proposed commercial use will be installed in the front sun room of the existing structure, which has existing walls and windows, which will function as a separate commercial space. Most of the space will be used for product storage, is separated from the home by a pre-existing door that closes and locks, and will have its own, separate pre-existing entrance. On the Center-street facing wall of the structure, an existing side sliding window will be used to serve customers and does not require alteration to the existing structure apart from use of a table or other removable fixture to create a counter space.

- b. Square footage (total and usable floor area)

The total square footage is 156 sq. ft., and the office/storage is 164 sq. ft. The area “to be considered as that area to be used for the sale of merchandise or services, or for use to serve patrons, clients or customers” and shall exclude “floor area which is used or intended to be used principally for the storage or processing of merchandise, hallways, stairways, basements, and elevator shafts” is less than 49 sq ft, which is less than 5% of the property, because the service area is only a walk-up window. The remaining area of the room will be used

as storage and processing of merchandise. Residential portion of the building is 1138 sq ft.

c. Carports/garages

- i. The applicant has a garage with two parking spaces in the front and two parking spaces outside. The Ferry St side of the property has two parking spaces.

d. Employees by shift

- i. There will be a maximum of two employees per shift

e. Recreational and open space details (see attached drawings)

f. Type of recreation facilities provided (see attached drawings)

g. Private easements NA

VI. Proposed Access and Parking

a. Streets, driveways, parking spaces, sidewalks – Relevant Rules

- i. Parking spaces need to be provided unless waiver is requested. One and Two Family Dwellings: 2 Spaces per each dwelling unit, Restaurants, Cafeterias. Coffee Shop, Cafe, Taverns. Bars: One (1) space for every three (3) seats up to the capacity of the facility as determined by the fire chief, plus one (1) for each employee on the largest work shift, Currently: 2 parking spaces for Single Family Dwelling, Proposed: 2 Employees, Required: 4 Parking spaces, 2 Parking per section 10.04 b) 1.
- ii. 10.04 (b)(1) Any use permitted by right and required to provide parking as described in Section 10.04(a) shall provide fifty percent (50%) of the required parking for each use as identified in Section 19.03.

b. Parking summary

- i. Both uses, the new commercial use and the existing residential use, are permitted by right, so the parking requirements should be considered as required by 10.04(b)(1) to be 50% of the total. As noted, the existing home has a garage, which has two interior spaces, and two parking spaces in front. On the Ferry Street side, there are two parking spaces, for a total of six parking spaces. As we understand it, outdoor seating is not considered by the fire chief in assessing parking requirements and there is no indoor seating and two employees. Nevertheless, with 6 parking spaces, and requiring only 50% of the total, the parking will be sufficient for the requested use. To the extent the existing parking is not sufficient, the applicant requests waiver of the parking requirements, as the pedestrian access and existing on-street parking will be sufficient for the intended use.

VII. Landscape Plan (see attached survey)

- a. Locations of planting and screening requirements are existing with seven trees on Center Street and four trees on Ferry Street as well as the landscape buffer along the residential property line.

VIII. Permit Statement

- a. Applicant has obtained a business license from the City of Douglas, License No. 78-2025, and a transitory food unit license from the Allegan County Health Department (number pending, approved to open).

IX. Project Completion

- a. Applicant will be ready to open business immediately following approval. No construction or other alteration to the structure is required.

STATE OF
MICHIGAN

Allegan County County
November 29, 2017 02:10:00
Receipt # 28570



REAL ESTATE
TRANSFER TAX

\$210.65 - CO
\$1,436.25 - ST
Stamp # 29169

STATE OF MICHIGAN Allegan County
Bob Genetski Register of Deeds

Item 6A.

RECORDED

November 29, 2017 02:10:00 PM
Liber 4200 Page 241-242 D.W.
FEE: \$30.00



Liber 4200 Page 241 #2017022469

WARRANTY DEED

03-17542092-HOL

KNOW ALL PERSONS BY THESE PRESENTS: That: John Drapak and Emily M. Drapak Trust, ("Grantor")

the address of which is: PO Box 2614, Douglas, MI 49406

convey(s) and warrant(s) to: Phyllis L. Johnson and Andrea Johnson-Wardynski, ("Grantee")

the address of which is: 39357 Palmer, Westland, MI 48186

the following described premises situated in the City of the Village of Douglas, County of Allegan, State of Michigan, to wit:

Lot 1 and 2, Block 1 of Helmer's Addition to the Village of Douglas, Michigan, according to the recorded plat thereof.

also known as Property Address: 453 Center St, Douglas, MI 49406

Parcel ID No.: 59-350-001-00 pt

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, for the sum of One Hundred Ninety One Thousand Five Hundred and 00/100 Dollars (***\$191,500.00***).

Subject to existing building and use restrictions, easements of record, and zoning ordinances, if any.

164690

Tax Certification # 276709
obtained from Allegan County
Treasurer prior to recording

RECEIVED
17 NOV 28 AM 10:59

When Recorded return to:
Phyllis L. Johnson
Andrea Johnson-Wardynski
39357 Palmer
Westland, MI 48186

Send Subsequent Tax Bills To:
~~Grantor~~
453 Center St.
Douglas, MI 49406

Drafted By:
Joanne Gilliam
PO Box 2614
Douglas, MI 49406
Assisted by: ATA National Title Group, LLC

PENDING RECEIPT OF DENIAL
OF HOMESTEAD TAX EXEMPTION

THE CURRENT YEAR TAX WAS
NOT AVAILABLE FOR EXAMINATION

VT5

Label - dtd AC

Page 2 of 2 of Warranty Deed between John Drapak and Emily M. Drapak Trust, ("Grantor") and Phyllis L. Johnson and Andrea Johnson-Wardynski, ("Grantee") dated this November 21, 2017.

Dated this November 13, 2017

Signed by:

John Drapak and Emily M. Drapak Trust

Joanne Gilliam, Successor Trustee
By Joanne Gilliam, Successor Trustee

State of Michigan)
)SS.
County of Allegan)

The foregoing instrument was acknowledged before me on this 13th day of November, 2017 by Joanne Gilliam, Successor Trustee of the John Drapak and Emily M. Drapak Trust

LISA GONZALEZ
Notary Public, State of Michigan
County of Ottawa
My Commission Expires May 10, 2019
Acting in the County of Allegan

Lisa Gonzalez
Notary Public: _____
Notary County: _____, State: _____
Commission Expires: _____
Acting In: _____