

AGENDA
THE CITY of the VILLAGE OF DOUGLAS
ZONING BOARD OF APPEALS (ZBA)
DOUGLAS CITY HALL
86 W. CENTER STREET, DOUGLAS, MI
May 27, 2008, 7:00 PM

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes** – ZBA Meeting of January 22, 2008
- 4. Agenda Changes/Additions/Deletions**

Motion to approve the ZBA agenda of May 27, 2008 as presented (or as may be amended by the ZBA)

5. Election of Officers

The following individuals were appointed by the City Council on May 19, 2008 to the City of the Village of Douglas Zoning Board of Appeals (ZBA) for the terms indicated. No *Alternate Members* were appointed at this time.

- 1) Kenneth Kutzel; term expiring June 30, 2009
- 2) Jeff Greenwood; term expiring June 30, 2010
- 3) Alexa Urquhart; term expiring June 30, 2010 (term to be limited to the time Ms. Urquhart is a member of the City of the Village of Douglas Planning Commission)
- 4) Tarue Pullen; term expiring June 30, 2011
- 5) Bill Schumacher; term expiring June 30, 2011

An annual organization meeting shall be held. Nominations shall be made from the floor and election of the officers shall follow immediately thereafter. A candidate receiving a majority vote of the entire membership of the Board shall be declared elected, and shall serve for the period of May 27, 2008 until the next election of officers to be held at the first Board meeting in July, 2009, or until his/her successor shall take office. Officers to be elected include: Chairperson, Vice Chairperson, and Secretary.

6. New Business

- A. Motion to adopt amended Zoning Board of Appeals Bylaws dated 05-27-2008**

7. Old Business

A. Zoning Administrator's report: Tracking and recordation of variances. Proposed BS&A software purchase.

8. Reports of Officers, Members, Committees

9. Public Comment (limit of 5 minutes)

10. Adjournment

Please Note - The City of the Village of Douglas Zoning Board of Appeals (ZBA) 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 Jean E. Neve, City Clerk (269-857-1438) promptly to allow the City of the Village of Douglas to make reasonable accommodations for those persons.

CITY OF THE VILLAGE OF DOUGLAS
ALLEGAN COUNTY, MICHIGAN
POSTED THIS 23RD DAY OF MAY, 2008

AGENDA
THE CITY of the VILLAGE OF DOUGLAS
ZONING BOARD OF APPEALS (ZBA)
DOUGLAS CITY HALL
86 W. CENTER STREET, DOUGLAS, MI
June 24, 2008, 7:00 PM

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes – ZBA Meeting of May 27, 2008**
- 4. Agenda Changes/Additions/Deletions**

Motion to approve the ZBA agenda of June 24, 2008 as presented (or as may be amended by the ZBA)
- 5. New Business**
- 6. Old Business**
 - A. Motion to adopt amended Zoning Board of Appeals Bylaws dated 05-27-2008**
 - B. Zoning Administrator’s report: Tracking and recordation of variances. BS&A software.**
- 7. Reports of Officers, Members, Committees**
- 8. Public Comment (limit of 5 minutes)**
- 9. Adjournment**

Please Note - The City of the Village of Douglas Zoning Board of Appeals (ZBA) 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 Jean E. Neve, City Clerk (269-857-1438) promptly to allow the City of the Village of Douglas to make reasonable accommodations for those persons.

CITY OF THE VILLAGE OF DOUGLAS
ALLEGAN COUNTY, MICHIGAN
POSTED THIS 18th DAY OF JUNE, 2008

AGENDA
THE CITY of the VILLAGE OF DOUGLAS
ZONING BOARD OF APPEALS (ZBA)
DOUGLAS CITY HALL
86 W. CENTER STREET, DOUGLAS, MI
August 26, 2008, 7:00 PM

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes – ZBA Meeting of June 24, 2008**
- 4. Agenda Changes/Additions/Deletions**

Motion to approve the ZBA agenda of August 26, 2008 as presented (or as may be amended by the ZBA)

- 5. New Business**
 - A.** Request for property 59-710-002-00, commonly known as 210 Lakeshore Drive, owned by Joyce Plummer, for a variance from the side yard setback requirements of Section 5.05 on a legal non-conforming lot of record.
 - B.** Planning Commission request for interpretation of Section 16.11 HEIGHT REQUIREMENT EXCEPTIONS as it relates to the use of a parapet which extends above the maximum height permitted in a given district.
- 6. Old Business**
- 7. Reports of Officers, Members, Committees**
- 8. Public Comment (limit of 5 minutes)**
- 9. Adjournment**

Please Note - The City of the Village of Douglas Zoning Board of Appeals (ZBA) 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 Jean E. Neve, City Clerk (269-857-1438) promptly to allow the City of the Village of Douglas to make reasonable accommodations for those persons.

CITY OF THE VILLAGE OF DOUGLAS
ALLEGAN COUNTY, MICHIGAN
POSTED THIS 18th DAY OF AUGUST, 2008

1 THE CITY OF THE VILLAGE OF DOUGLAS
2 Zoning Board of Appeals
3 86 W. Center St., Douglas, MI
4 October 28, 2008 – 7:00 PM
5 (Approved 5/26/09)
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- 7 1. Call to Order: Chair Schumacher called the meeting to order at 7:00 PM.
8 2. Roll Call: Present - Greenwood, Kutzel, Schumacher, and Urquhart. Absent – Pullen.
9 Also present – Ryan Kilpatrick, Planning & Zoning Specialist and Mr. Vander Veen, City
10 Attorney.
11 3. Approval of Minutes:
12 A. August 26, 2008 – Motion by Urquhart with support from Kutzel to accept and
13 approve the minutes from the August 26, 2008 Zoning Board of Appeals regular
14 meeting. Motion carried unanimously.
15 4. Agenda Changes/Additions/Deletions:
16 A. October 28, 2008 - Motion to approve the Zoning Board of Appeals agenda for the
17 October 28, 2008 regular meeting as presented. Motion carried unanimously.
18 5. New Business: None
19 6. Old Business:
20 A. Variance Request/210 Lakeshore Dr. parcel #59-710-002-00. Applicant requesting a
21 variance from the side yard setback requirements of Section 5.05 on a legal non-
22 conforming lot of record.
23 A letter of support received from Frank and Patricia Woods of 218 Lakeshore Dr. was
24 read into the record by Kutzel. (Letter attached to minutes) Chair Schumacher opened
25 the Public Hearing; no public was present to oppose or support the applicant’s request.
26 Chair Schumacher closed the public portion of the meeting and opened ZBA discussion.
27 Mr. Vander Veen was present to address any legal questions from ZBA members. The
28 applicant was commended on meeting all the requirements previously requested by
29 ZBA. Kutzel questioned the impact of the request on surrounding properties. Members
30 concurred that the two concerns stated in the Woods letter were better addressed
31 through the office and through DEQ.
32 *Motion by Urquhart that based on the following facts: (1) The lot is non-conforming*
33 *measuring only 30’ in width across the majority of the site. (2) The original structure was*
34 *destroyed by natural disaster and (3) The request meets the requirements of the*
35 *ordinance other than the side yard set backs. Zoning Board of Appeals approve the*
36 *variance request, for the property located at 210 Lakeshore Dr. (parcel # 59-710-002-00),*
37 *of 5’ on the south side and a side-yard variance of up to 6’ where available and a*
38 *minimum of 3’ where available as shown on the drawing presented by the applicant and*
39 *attached to the minutes.*
40 Further ZBA discussion: The applicant requested Urquhart rephrase her motion to state
41 5’ rather than 6’ based on her personal measurements interpreting the variance based
42 on the submitted site plan. ZBA member Kutzel expressed apprehension on being asked
43 to vote on measurements that may be wrong. Kilpatrick stated that he was confident in
44 the survey presented by Flies and Vendenbrink; however if the applicant wished she

45 could have the application tabled until a second survey was obtained or she could
46 proceed and return to the ZBA if indeed there was a need for a 5' rather than 6'
47 variance.

48 *Greenwood supported the motion on the floor. Motion passed unanimously by roll call*
49 *vote: (Yes) Urquhart, Greenwood, Schumacher, and Kutzel. (No) none.*

50 7. Reports of Officers, Members, Committees:

51 -Urquhart reported that Planning Commission on the advice of Attorney Cunningham
52 approved the Water St. proposal. There will be no living space on the roof top; however,
53 there will be railings.

54 -Kutzel Thanked Kilpatrick for a thorough ZBA packet which made it easier to make a
55 decision on 210 Lakeshore Dr. He also praised Mc Phail's recording skills.

56 -Kilpatrick reported the B.S. & A software will be in operation within days.

57 8. Public Comments: None

58 9. Adjournment: Motion by Urquhart with support from Greenwood to adjourn the
59 meeting. Motion carried unanimously. The meeting adjourned at 7:50 PM.

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64 Submitted by Pam Aalderink, Acting Recording Secretary

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