

To: City of the Village of Douglas City Council
Date: July 7, 2025
From: Sean Homyen, Planning & Zoning Administrator
RE: **165 Main St – Land Split**



The Village of Friendliness – Since 1870

Jerome and Sarah Donovan is requesting to split 165 Main St zoned R-3 Neighborhood Conservation District. The purpose of this memorandum is to review the land division request pursuant to Article 17, Land Division Regulations, of the City of the Village of Douglas Zoning Ordinance.

Background and Request. The property at 165 Main St is currently vacant and zoned R-3 Neighborhood Conservation District. It is also located within the Gerber Plat. The applicant is concurrently requesting a boundary line adjustment, proposing to transfer a portion of 165 Main St to the adjacent property at 163 Main St. The boundary line adjustment has received preliminary approval; however, final approval is contingent upon the approval of the required land division to legally separate the portion to be transferred.



Parcel Ariel View

Procedure. At the July 21, 2025, City Council meeting, Council will decide whether to approve, disapprove or approve with reasonable conditions to assure compliance with applicable ordinances and the protection of the public health, safety and general welfare, the requested land division within the time required by the Land Division Act. If disapproved, the reason for disapproval shall be stated in the motion

Land Split Criteria. Section 17.03(3), Zoning Administrator Action, states that the Zoning Administrator shall recommend approval only for land split requests that fully comply with the listed standards. A written record of the Zoning Administrator's findings must be submitted to the City Council for consideration.

- a) The proposed lot as divided or as joined with an adjacent parcel constitutes a lot conforming with the requirements of the zoning district in which it is located.

Met, the proposed lots meet the minimum width, lot size, and width to depth ratio

b) The remaining property after the division has occurred constitutes a lot(s) conforming with the requirements of the zoning district in which it is located either in itself or when joined with adjacent property.

Met, the proposed lots meet the minimum width, lot size, and width to depth ratio

c) A parcel is not being divided into more divisions than permitted by the Land Division Act, P.A. 288 of 1967, as amended, and all the requirements of the Land Division Act are met (see especially Sections 108 and 109 of the Land Division Act).

Met.

d) The division does not involve an outlot intended for a future street access or is otherwise required to further subdivide adjacent property.

Met.

e) All lots resulting from the proposed division that are either occupied by a residential building or are intended for residential, commercial, industrial or other development building sites are to be at least the minimum width, area, square footage, and depth of lots in the district in which the land is located, unless the lots are not to be served by public sanitary sewer and public water service in which case they shall be of a size sufficient to receive a permit for a septic system from the County Health Department. Any lot created after the effective date of this Ordinance shall have a lot width-to-depth ratio not greater than 1 :3, unless along the Kalamazoo River.

Met.

f) All newly created lots shall have a buildable area and access to a public or approved private road. The buildable area of a lot shall be a contiguous area of land sufficient in size to erect a principal structure meeting the requirements of this Ordinance, excluding land subject to flooding, poor drainage, slopes greater than twelve (12) percent, rock outcrops, protected sand dunes, regulated wetlands, and/or land encumbered by easements that together or individually would prevent the use of the land for a permitted purpose under existing local, county, state or federal regulations.

Met. It should be noted that there is a utility pole and boxes located in the ROW of Washington St. In the future if the parcels were to be developed, the utilities would need

to be addressed to be able to provide a driveway access to the parcel.

g) The creation of flag lots is not permitted.

Met.

RECOMMENDATION. The City Council will consider the request at its July 21st, 2025 meeting. At that time, Council should carefully review any public comments, new information submitted by the applicant, and the analysis provided in this report. Staff is recommending approval of the request to split the property. A resolution and a suggested motion are provided below.

SUGGESTED MOTION

I move to adopt Resolution 21-2025, approving the lot split for parcel #03-59-300-024-00, located at 165 Main Street.

Please feel free to reach out with any questions.