In light of the recent orders to limit social interactions due to COVID-19, the Planning Commission will allow for participation in person or through a virtual meeting site. To access the meeting visit:

Join Zoom Meeting                      Meeting ID: 381 909 105
https://zoom.us/j/381909105

One tap mobile
+13126266799,,381909105# US (Chicago)

Dial by your location
+1 312 626 6799 US (Chicago)

AGENDA

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Public Comments

5. The Planning Commission will be asked to take the following actions on a request to rezone the property located at 552 E 3rd Street:
   a. Hold a public hearing regarding the rezoning request.
   b. Make a recommendation to the City Commission regarding the rezoning request.

6. The Planning Commission will be asked to take the following actions on a request to rezone the property located at 222 S. Maple Street:
   a. Hold a public hearing regarding the rezoning request.
   b. Make a recommendation to the City Commission regarding the rezoning request.

7. The Planning Commission will be asked to take the following actions on a request to amend the zoning code to prohibit recreational marihuana facilities in the Central Business District:
   a. Hold a public hearing regarding the proposed ordinance.
   b. Make a recommendation to the City Commission regarding the proposed ordinance.

8. Adjournment
Memorandum: City of Fennville Planning Commission  
Date: March 16, 2020  
From: Tasha Smalley, Zoning Administrator  
RE: Rezone – R1 Single Family to I-2 General Industrial District

Owner: John Lorenz; purchase agreement with Peter Palazzolo  
Owner Address: P.O. Box 8011, Holland  
413 E 3rd St, Fennville

Property Address: 552 E Third Street  
Parcel #: 0352-032-048-00  
Legal Description: THAT PART OF SE 1/4 SE 1/4 LYING NW OF PMRR SEC 32 T3N R15W.

R-1 Single Family Residence District  
6.5 Area Regulations  
- Minimum lot area 12,800 sq ft  
- Minimum lot width 80 sq ft  
- Front setback 30 ft  
- Side setback total 20, one side no less than 8 ft  
- Rear setback 20 feet  
- Maximum building height 35 ft  
- Lot coverage 35%

I-2 General Industrial District  
17.6 Area Regulations  
- Minimum lot area 20,000 sq ft  
- Minimum lot width 100 ft  
- Front setback 50 ft  
- Side setback 30 ft  
- Rear setback 50 ft  
- Max building height 35 ft  
- Lot coverage 50%

Analysis

Property 0352-032-048-00 is a legal pre-existing conforming lot of record  
Lot area triangle shaped, approx 230x265x345, 0.85 acre

Property is vacant.

The applicant is requesting a rezoning of whole parcel.

The future land use map designates this parcel as T-IR Transitional Industrial/Residential.
APPLICATION FOR RE-ZONING
CITY OF FENNVILLE

Date Received: ________________________________
By: ________________________________
Fee Paid: ________________________________

1. Legal description of subject property (Tax No., plat and lot, or metes and bounds description): THAT PART OF SE 1/4 SE 1/4 LYING NW OF PMRR SEC 32 T3N R15W.
   Parcel Number: 52-032-048-00

2. Size and general location of property (acres, dimensions, streets, street number, or nearest landmark): 552 E 3rd Street, triangular parcel at the dead end of 3rd Street

3. Present improvements on the property (buildings, other structures): the parcel previously had a home that has been removed and is currently vacant

4. Nature of applicants interest in the property deed holder, option, land contract purchase, tenant, other: Applicant has a signed purchase agreement on the property

5. If applicants interest is other than deed holder, does the deed holder know of this application and consent thereto? Yes ☐ No ☐

6. The following private restrictions encumber the property (if none, so state) otherwise list such restrictions or attach a copy. None

7. The purpose of the rezoning is to use the property as follows: (description of operations and construction, if any) to build a new building and operate a business listed as an approved use within the ordinance

8. Will the proposed rezoning be in compliance with the City of Fennville Land Use Plan? Yes ☐ No ☐
   (If no, a petition to amend the Land Use Plan will be required as part of this application)

9. It is hereby requested that the foregoing described property be rezoned:
   FROM: Residential TO: Industrial I1 or I2

NAME OF APPLICANT (Printed or Typed): Peter Palazzolo
SIGNATURE OF APPLICANT: ________________________________
ADDRESS: 413 E 3rd Street, Fennville, MI
TELEPHONE: Work 269-561-2100 Home 269-941-3354

FOR OFFICIAL USE ONLY:
VACANT LAND BUY AND SELL AGREEMENT

1. Seller agrees to allow Buyer to assign this purchase agreement to a LLC of Buyers choice prior to closing.
2. Seller agrees to extend the closing date to no later than 7 days after the zoning change has been approved.

12. Special Assessments. All special assessments of public record at the time of closing shall be assumed by the Buyer.

13. Prorations. Rents, taxes and all assessments shall be prorated as of the date of closing, it is assumed that all taxes and assessments are based on the calendar year in which they are billed, with the Buyer being responsible for the day of closing.

14. Unplatted Lands: The following requirements by the Land Division Act must be included on all deeds or land contracts:

a) The grantor grants to the grantee the right to make (insert number to be determined below) divisions under section 108 of the Land Division Act. No. 288 of the Public Acts of 1967.

b) This property may be located within the vicinity of farm land or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan right to farm act.

21. The Land Division Act on March 31, 1997, created parent parcels from which future land divisions may be permitted. Contiguous parcels owned by the Seller as of March 31, 1997, may be considered part of the parent parcel and therefore affect the total divisions available to be conveyed; a transfer of “all” divisions may be taken to include a transfer of divisions from contiguous parcels. In order to complete the blank in 1a, above, for the deed or land contract the item marked below will apply:

- a) This property is a parent parcel and divisions of this property will be conveyed to the Buyer.
- b) This property is not a parent parcel and divisions of this property will be conveyed to the Buyer.

Note: The word “zero”, “all”, or a specific number should be inserted in the space designated in either a) or b) above.

If the space contained in paragraph 1a above is left blank, the deed will NOT grant the Buyer the right to any divisions.

The Seller and Buyer are advised that the number of divisions inserted above may represent a maximum number of divisions being conveyed, and shall not be construed as a guarantee of the right to make all of these divisions under section 108 of the Land Division Act. Other factors including land conditions and local ordinances may prohibit or reduce the number of divisions permitted for any given tract or parcel.

The Seller and Buyer acknowledge that they are not relying upon any oral or written statements by the REALTOR/Broker or Salesperson as to the number of divisions permissible for the property, and that any number inserted by the REALTOR/Broker or Salesperson is at the direction of the Seller. The Seller and Buyer further acknowledge that they have been advised to seek the advice of a professional to assist them in determining the number of divisions to be conveyed.

3. If this parcel is a division, as defined by the Land Division Act, the Seller represents that this parcel has been approved by the local municipality, or if this sale is subject to said municipal approval, which Seller or Buyer agrees to apply for, at the Seller’s own expense and have approved by the closing date.

15. Electronic Communications. The parties agree that the offer, counteroffer, acceptance of any offer or counteroffer and any other written notice or communication in connection with this transaction may be delivered or given by sending or transmitting it by electronic mail or by fax. Any such communication shall be deemed delivered at the time it is sent or transmitted. The parties agree that the electronic signatures and initials shall be deemed to be valid and binding upon the parties as if the original signatures or initials were present in the documents or handwriting of each party. Seller and Buyer agree that all communications can be made or delivered to the Selling Agent on behalf of the Seller at the fax number and email address indicated on lines 211 and 212 and to the Severing Agent on behalf of the Buyer at the fax number and email address indicated on lines 192 and 193. Buyer represents and warrants that an electronic mail address has been provided to the Selling Agent from which Buyer may receive electronic mail. Either party shall provide the other with notice of any change of electronic mail addresses.

Foreign Buyer's Initials

Foreign Seller's Initials
**552 E THIRD ST**  FENNVILLE, MI 49408  (Property Address)
Parcel Number: 52-032-048-00

**Property Owner:** LORENZ JOHN

**Summary Information**
- Assessed Value: $6,000  |  Taxable Value: $5,273
- Property Tax information found

**Parcel is Vacant**

**Owner and Taxpayer Information**

<table>
<thead>
<tr>
<th>Owner</th>
<th>Taxpayer</th>
<th>SEE OWNER INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>LORENZ JOHN</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PO BOX 8011</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HOLLAND, MI 49422</td>
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**General Information for Tax Year 2019**

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<thead>
<tr>
<th>Property Class</th>
<th>Residential</th>
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<td>MAP #</td>
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<td>Taxable Value</td>
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<td>SPLIT YR</td>
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<td>State Equalized Value</td>
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<td>Historical District</td>
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<td>Census Block Group</td>
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<tr>
<td>SPOKE W/</td>
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**Principal Residence Exemption Information**

<table>
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<tr>
<th>Homestead Date</th>
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<tbody>
<tr>
<td>Principal Residence Exemption</td>
<td>June 1st</td>
</tr>
<tr>
<td>2019</td>
<td>0.0000 %</td>
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<tr>
<td>2018</td>
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**Previous Year Information**

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<thead>
<tr>
<th>Year</th>
<th>MBOR Assessed</th>
<th>Final SEV</th>
<th>Final Taxable</th>
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<tbody>
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<tr>
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<tr>
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**Land Information**

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<td>ECF Neighborhood</td>
<td>RESIDENTIAL</td>
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<tr>
<td>Lot Dimensions/Comments</td>
<td>No Data to Display</td>
<td>Neighborhood Enterprise Zone</td>
<td>No</td>
</tr>
</tbody>
</table>

Lot(s): [Frontage] Depth
No lots found.

**Total Frontage:** 0.00 ft  **Average Depth:** 0.00 ft

**Legal Description**

THAT PART OF SE 1/4 SE 1/4 LIVING NW OF PMR SEC 32 T3N R15W

**Sale History**

<table>
<thead>
<tr>
<th>Sale Date</th>
<th>Sale Price</th>
<th>Instrument</th>
<th>Grantor</th>
<th>Grantee</th>
<th>Terms of Sale</th>
<th>Libor/Percent</th>
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<td>CITICORP TRUST BANK</td>
<td>LORENZ JOHN</td>
<td>FROM LEND INST 0 EXP</td>
<td>3643/520</td>
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<tr>
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<td>PELLO HUMBERTO &amp; ILDA</td>
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<td>INVALID</td>
<td></td>
</tr>
</tbody>
</table>
businesses, which would create an excessive amount of noise, odor, dust, vibration, or any other like nuisance, as part of their normal operations should not locate in these areas. More intensive industrial uses, such as large scale manufacturing, are intended to locate in the planned industrial areas south of M-89. The Birdseye canning facility is currently located in this area. The remaining industrially planned areas to the south have been chosen because they can provide rail access, have frontage onto a primary county road and are compatible with the existing industrial use. There are 70.2 acres, or 10.7% of the City’s area planned for Industrial usage.

**Transitional Industrial/High Density Residential**

This category is intended only for that area north of the east end of Third Street that is land-locked and bounded on the east by the railroad tracks. Because of the severe development limitation inherent in this property as well as the need for some sort of buffer between light industrial uses and any future affordable housing, this area should be allowed to have a maximum amount of reasonable flexibility for future development. That flexibility should include the use of a portion of the land for open space or parks. This transitional area totals 10.1 acres or 1.5% of the City.

**Summary**

The purpose of this Plan is to provide for the orderly, managed growth of the City of Fennville in order to provide the best possible arrangement of land uses for current and future residents and businesses. Out of this planning process came four distinct land use objectives that the Planning Commission feels have been successfully integrated in the Future Land Use Plan. These four objectives are:

1) to have single family homes remain the dominant housing type in the City and in future developments
2) to allow for industrial expansion near the existing fruit canning facility, and
3) to preserve the existing Central Business District as the main commercial center for the Fennville area and to provide areas for its expansion.
4) to promote harmonious design standards in all commercial areas with input from the Downtown Development Review Committee (DDRC).

The Future Land Use Map is the graphic representation of what the Planning Commission feels is the best possible arrangement of land uses to reach the objectives described above based upon, the community questionnaire results, and demographic and economic trends. It is the primary desire of the Planning Commission to see that the Fennville of the future is a city of prosperity, pride and diversity.
Memorandum: City of Fennville Planning Commission
Date: March 16, 2020
From: Tasha Smalley, Zoning Administrator
RE: Rezone – OS-1- Office to B-2 General Business

Owner: City of Fennville; purchase agreement with Patricia Dewenter
Owner Address: 125 S Maple Street, Fennville MI 49408 / 
1198 52nd St SW, Wyoming MI 49509

Property Address: 222 S Maple Street (partial area)
Parcel #: 0352-005-040-00
Legal Description: COM 33 FT S OF SW COR LOT 8 COOK & BARRON’S ADDITION S 99 FT E 
198 FT N 99 FT W 198 FT TO BEG SEC 5 T2N R15W.

OS-1 Office Service District
14.5 Area Regulations
  Minimum lot area 8,000 sq ft
  Minimum lot width 66 sq ft
  Front setback 0 ft
  Side setback 0 ft
  Rear setback 10 feet
  Maximum building height 35 ft
  Lot coverage 75%

B-2 General Business District
12.5 Area Regulations
  Minimum lot area 10,000 sq ft
  Minimum lot width 80 ft
  Front setback 0 ft
  Side setback 0 ft
  Rear setback 10 ft
  Max building height 35 ft
  Lot coverage 100%

Analysis

Property 0352-005-040-00 is a legal pre-existing conforming lot of record
Lot area approx 200x100; 20,000 sq ft

1 building – approx 3500+ sq ft

The applicant is requesting a PARTIAL rezoning; approx 100x100. The remaining
100x100 will remain OS-1, and owned by the City of Fennville.

The future land use map designates this parcel as R3 High Density Res.
APPLICATION FOR RE-ZONING
CITY OF FENNVILLE

Date Received: __________________
By: __________________
Fee Paid: __________________

1. Legal description of subject property (Tax No., plat and lot, or metes and bounds description): 52.00S 0466

2. Size and general location of property (acreage, dimensions, streets, street number, or nearest landmark): 220 South Maple

3. Present improvements on the property (buildings, other structures): __________________

4. Nature of applicants interest in the property (deed holder, option, land contract purchase, tenant, other): deed holder

5. If applicants interest is other than deed holder, does the deed holder know of this application and consent thereto? Yes ______ No ______

6. The following private restrictions encumber the property (if none, so state) otherwise list such restrictions or attach a copy: none

7. The purpose of the rezoning is to use the property as follows: (description of operations and construction, if any): retail

8. Will the proposed rezoning be in compliance with the City of Fennville Land Use Plan? Yes ______ No ______
(If no, a petition to amend the Land Use Plan will be required as part of this application)

9. It is hereby requested that the foregoing described property be rezoned:
FROM: Office
TO: Retail

NAME OF APPLICANT (Printed or Typed): Patrick Dewent
SIGNATURE OF APPLICANT: __________________
ADDRESS: 1198 S 5th SW Wyoming 49809
TELEPHONE: Work (616) 201-5742
Home (616) 201-5742

FOR OFFICIAL USE ONLY:
222 S MAPLE ST  FENNVILLE, MI 49408  (Property Address)
Parcel Number: 52-005-040-00

Property Owner:  CITY OF FENNVILLE

Summary Information
- Commercial/Industrial Building Summary
  - Yrs Built: N/A
  - Total Sq Ft: 3,850
- Property Tax Information found

Owner and Taxpayer Information

Owner  CITY OF FENNVILLE
FENNVILLE, MI 49408

Taxpayer  SEE OWNER INFORMATION

General Information for Tax Year 2019

Property Class  EXEMPT
School District  FENNVILLE
MAP #  37 1.3V
SPLIT YR  0
REVIEW YRS: Not Available
SPLIT/PP: Not Available
Historical District  No
SPOKE W/  Not Available

Unit  EXEMPT
Assessed Value  $0
Taxable Value  $0
State Equalized Value  $0
Date of Last Name Change  08/17/2007
Census Block Group  No Data to Display
Exemption  No Data to Display

Principal Residence Exemption Information

Homestead Date  No Data to Display

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<tr>
<th>Principal Residency Exemption</th>
<th>June 1st</th>
<th>Final</th>
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<td>2019</td>
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<tr>
<td>2018</td>
<td>0.0000 %</td>
<td>0.0000 %</td>
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</tbody>
</table>

Previous Year Information

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<thead>
<tr>
<th>Year</th>
<th>MIBOR Assessed</th>
<th>Final SEV</th>
<th>Final Taxable</th>
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</thead>
<tbody>
<tr>
<td>2018</td>
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<td>2017</td>
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<tr>
<td>2016</td>
<td>$0</td>
<td>$0</td>
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Land Information

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<tr>
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<td>Renaissance Zone</td>
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<td>Renaissance Zone Expiration Date</td>
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<td>ECF Neighborhood</td>
<td>EXEMPT</td>
<td>Mortgage Code</td>
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<tr>
<td>Lot Dimensions/Comments</td>
<td>No Data to Display</td>
<td>Neighborhood Enterprise Zone</td>
<td>No</td>
</tr>
<tr>
<td>Lot(s)</td>
<td>Frontage</td>
<td>Depth</td>
<td></td>
</tr>
<tr>
<td>Lot 1</td>
<td>99.00 ft</td>
<td>198.00 ft</td>
<td></td>
</tr>
</tbody>
</table>

Total Frontage: 99.00 ft  Average Depth: 198.00 ft

Legal Description

COM 3/9 FT S OF SW COR LOT 8 COOK & BARRON'S ADDITION S 99 FT E 198 FT N 99 FT W 198 FT TO BEG SEC 5 T2N R15W.

Sale History

<table>
<thead>
<tr>
<th>Sale Date</th>
<th>Sale Price</th>
<th>Instrument</th>
<th>Grantee</th>
<th>Terms of Sale</th>
<th>Liber/Page</th>
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<tbody>
<tr>
<td>No sales history found.</td>
<td></td>
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</tr>
</tbody>
</table>

Building Information - 3850.00 sq ft Warehouses - Storage (Commercial)

Floor Area  3,850 sq ft  Estimated TCV  $0
MEMO

DATE: March 20, 2020

TO: Planning Commission

FROM: Amanda Morgan
City Administrator

SUBJECT: Recreational Marijuana – Proposed Zoning Ordinance

In January, the Planning Commission worked to develop rules and regulations on recreational marijuana. On February 3, 2020 the City Commission formally adopted the licensing ordinance. During that same meeting, the City Commission asked that the Planning Commission prohibit recreational marijuana facilities within the Central Business District.

The regulator ordinance will remain in effect. The requested prohibition will require an amendment to the text of the zoning ordinance separate from the licensing previously adopted. Staff is proposing adding a section to the language of Section 18 regarding the Central Business District identifying the prohibition.

A zoning text amendment requires a public hearing which was noticed in the newspaper for at least 15 days prior to the hearing. Tonight the Planning Commission is being asked to hold the public hearing and make a recommendation to the City Commission. Regarding the proposed ordinance.

Please remember that the City Commission has already approved the regulatory ordinance to allow for marihuana establishments within the City as long as they are 1000’ away from the school. They have asked that the Planning Commission to hold the public hearing reading the prohibition within the Central business District, not any of the other allowed districts.
CITY OF FENNVILLE
ALLEGAN COUNTY, MICHIGAN

ORDINANCE NO. __________
ADOPTED: ______________
EFFECTIVE: ______________

An Ordinance to amend the City of Fennville Zoning Ordinance, to repeal all ordinances or parts of ordinances in conflict herewith and to establish the effective date of said Ordinance.

CITY OF FENNVILLE
ALLEGAN COUNTY, MICHIGAN

ORDAINS:

SECTION 1

The City of Fennville Zoning Ordinance is hereby amended to add the following section:

Section 13.8 Prohibition of Adult Use Marihuana Facilities

Adult Use Marihuana Facilities are prohibited within the Central Business District.

SECTION 2: SEVERABILITY

Should any provision or part of the within Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the enforceability of the balance of this Ordinance which shall remain in full force and effect.

SECTION 3: REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect eight days following publication after adoption.

Amanda Morgan
City Administrator