



CITY COMMISSION MEETING AGENDA

City Hall, 125 South Maple Street, Fennville, MI 49408
Monday, October 19, 2020
7:00 p.m.

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

Join Zoom Meeting

Meeting ID: 816 8476 5423

<https://us02web.zoom.us/j/81684765423>

One tap mobile

+13126266799,,81684765423# US (Chicago)

Dial by your location

+1 312 626 6799 US (Chicago)

As always, citizens can also submit their comments in writing by 6:30 p.m. by:

Email to amorgan@fennville.com

Drop Box located on the parking lot side of City Hall

By mail to PO Box 666, Fennville, MI 49408

AGENDA

1. Call to Order/Roll Call

2. Pledge of Allegiance

3. Approval of Agenda

4. Public Comments

During this time, members of the public will be given an opportunity to speak on items not on the agenda. Please remember that comments are limited to 5 minutes and should be directed toward the Mayor. If you wish to speak to an item on the agenda, you will be given the chance to do so before the Commission discusses the item.

5. Approval of the following City Commission Minutes:

- a. Regular Meeting: [October 5, 2020](#) – Click on link to view draft minutes

6. Reports & Minutes

- a. Michigan Township Services – September 2020

ZONING BOARD

7. The City Commission will be asked to consider the following regarding a variance request at 310 W Main Street:

- a. Hold a public hearing regarding the request.
b. Consider the variance request for 310 W Main Street.

UNFINISHED BUSINESS

8. **The City Commission will be asked to introduce the following ordinances:**
 - a. **An Ordinance to amend the Zoning Ordinance to remove the allowance of Storage facilities.**
 - b. **An Ordinance to adopt an updated zoning map.**

9. **The City Commission will received an update on the discussion with the Financial Advisor about millage requests.**

10. Reports of Standing Committees:

- a. Finance/Personnel: *Mayor, Machan, Suerth*
- b. City Services (Police, Ambulance & Fire): *Machan, Suerth, Jamros*
- c. City Properties: *Jamros, Bolles*
- d. Ordinances/Community Relations: *Hayden, Almquist*
- e. Planning: *Bolles, Suerth*
- f. Administrative/DDA: *Mayor, Almquist, Bolles*

11. Miscellaneous

12. City Attorney Report

13. City Administrator Report

14. Approval of Bills

- a. Pay Application from Ferguson Waterworks for USDA Water Projects – Contract 2 for \$91,393.94
- b. Invoices - *A copy of the invoice report will be sent to the City Commission by email for review on meeting day and the agenda packet online will be updated to include the information.*

15. Adjournment

Michigan Township Services - Allegan, Inc.

111 Grand Street
(269) 673-3239 fax: (269)673-9583

Permits Issued For FENNVILLE CITY

Building

Date	Permit #	Site Address	Construction Cost	Permit Cost	Owner	Type Of Construction
9/14/2020	FNB20010	106 E Main	\$7,000.00	\$100.00	El Japiero	2 Wall Signs
9/18/2020	FNB20011	218 E Main St	\$65,000.00	\$250.00	West MI Pizza Co L	Remodel
9/24/2020	FNB20012	222 S Maple	\$150.00	\$75.00	Dewenter	Change of Use
Building Totals			\$72,150.00	\$425.00		

Electrical

Date	Permit #	Site Address	Construction Cost	Permit Cost	Owner	Type Of Construction
9/3/2020	FNE20010	626 Wilson St		\$158.00	Velazquez	Attached Garage
9/8/2020	FNE20011	419 Third St		\$114.00	Pittman Asphalt	
9/14/2020	FNE20012	106 E Main		\$223.00	El Japiero	2 Wall Signs
Electrical Totals				\$495.00		

Plumbing

Date	Permit #	Site Address	Construction Cost	Permit Cost	Owner	Type Of Construction
9/17/2020	FNP20004	218 E Main St		\$239.00	West MI Pizza Co L	Remodel
Plumbing Totals				\$239.00		
Plumbing Totals			\$72,150.00	\$1,159.00	\$115.90	

Building Inspections Performed In FENNVILLE CITY Within A Date Period

Date Issued	Type of Permit Building Permit Number	Address and Project Type	Contractor	Inspection Status And Comments				Inspector
				Footing	Foundation, Underground, or Service	Rough-In	Final	
9/25/2020	Building FNB20011	218 E Main St Remodel	Darpel & Associates			yes-partial		MacCartny
						Bathroom not framed in yet		
9/25/2020	Building FNB20011	218 E Main St Remodel	Darpel & Associates			Y-PARTIAL		MacCartny
9/16/2020	Building FNB20007	626 Wilson St Attached Garage	Owner				Yes	MacCartny
9/11/2020	Building FNB17005	303 W First St Convert 4 Unit Back to 2	Owner				No	MacCartny
						Smoke alarms in each bdrm area		
9/22/2020	Building FNB17005	303 W First St Convert 4 Unit Back to 2	Owner				Yes	MacCartny
9/16/2020	Electrical FNE20011	419 Third St	HighPoint Electric*				Yes	Lester
9/16/2020	Electrical FNE20010	626 Wilson St Attached Garage	Owner				No	Lester
9/16/2020	Electrical FNE20010	626 Wilson St Attached Garage	Owner			5 corrections	No	Lester
9/25/2020	Plumbing FNP20004	218 E Main St Remodel	Hamilton Plumbing		Yes			Girolomi
9/2/2020	Plumbing FNP20003	106 E Main 2 Wall Signs	Integrity Plbg LLC			Yes		Girolomi
9/22/2020	Plumbing FNP20002	5640 Landsburg Rd apt 510C	Rite-Way Plumbing & Heating				Yes	Girolomi

Memo

DATE: October 16, 2020
TO: City Commission
FROM: Amanda Morgan
City Administrator
SUBJECT: Agenda Item 7: Variance Request

The City Commission will be asked to consider the following regarding a variance request at 310 W Main Street:

- Hold a public hearing regarding the request.
- Consider the variance request for 310 W Main Street.

Background Information

The owners of the former Su Casa building would like to request the City consider a variance to the zoning code to allow them to place a sign on the side of their building. Currently, the code allows for a 40 square foot sign. They are asking for a variance to allow them to place a 48 square foot sign at that location.

Tasha from Michigan Township Services has put together some information on the request along with a copy of their application.

Attachment(s)

- MTS Memo and application

Recommended Action

- Motions to open and close a public hearing regarding the request.
- Motion to approve a variance request for the placement of a sign at 310 W Main Street.

**CITY OF FENNVILLE
ALLEGAN COUNTY, MICHIGAN
NOTICE OF PUBLIC HEARING**

TO: The residents and property owners of City of Fennville, Allegan County, Michigan, and any other interested persons:

PLEASE TAKE NOTICE that the City of Fennville Zoning Board of Appeals will hold a public hearing and regular meeting concerning a variance request application on **Monday, October 19, 2020 at 7:00 p.m.** at City Hall, 125 S. Maple Street, Fennville.

Please take further notice that the matter to be considered at the public hearing include the following:

Isidro Torres of Fennville MI has petitioned for a variance to exceed the allowed square footage of a sign and placement above 2nd floor window at 310 W Main Street (0352-100-009-00). The max square footage is 40sq ft. Proposed sign 16'x3'=48sq ft. and be located above 2nd floor window.

Written documents may be submitted to the City at 125 S. Maple St, Fennville, MI 49408 up to the date of the hearing and may also be submitted at the hearing.

Anyone interested in reviewing the related application may examine a copy at City Hall or call 269-561-8321 or the Zoning Administrator at 1-800-626-5964 during normal business hours.

Necessary and reasonable aids for disabled persons will made available with sufficient notice to the clerk.

Amanda Morgan
222 S. Maple Street
Fennville MI 49408
269-561-8321

Memorandum: City of Fennville Zoning Board of Appeals
Date: September 28, 2020
From: Tasha Smalley, Zoning Administrator
RE: Variance request – Sign size

Public Hearing: October 19, 2020 7:00PM

Owner: Isidro Torres
Owner Address: 310 W Main St, Fennville MI 49408

Subject Property: 310 W Main Street
Parcel #: 0352-100-009-00

B-1 Local Business

11.5 Area Regulations

- Minimum lot area 5,000 sq ft
- Minimum lot width 66 ft
- Front setback 0 feet
- Side setback 0 feet
- Rear setback 10 feet
- Maximum building height 35 feet

City Center Overlay District

13A.6 D Signs *See 13.6*

Central Business District

13.6 Sign Standards

- B. in part... Each business may use a combination of the following dimensions not the exceed 40 square feet.
- Wall or Mural – Not permitted above the window sill of 2nd floor windows

Analysis

Property 0352-100-009-00 legal existing conforming lots of record
Lot area approx – $219 \times 132 = 28,908$ sq ft

Variance:

Variance from 13.6 B area and location

Proposed sign size $16' \times 3' = 48$ sq ft

The wall area is approx $116' \text{ long} \times 35' \text{ high} =$ about 4000 sq ft area

And proposed location; above 2nd floor windows

#250-

APPLICATION FOR ZONING VARIANCE NO. _____
BOARD OF ZONING APPEALS
CITY OF ENNVILLE

Date Received: 9-11-20
By: J.S.
Fec Paid: pdck #2151 @

250-

1. Legal description or tax no. of subject property:
Property #: 03-52-100-009-00

2. Present Zoning Classification: B1; CBD overlay

3. Location and size of subject property (street no., acreage, dimensions, etc.):
310 W Main St, ~~100 x 80 ft, area: 0.66 acre~~ 219 x 132 8.361 sq ft

4. Present improvement on the property (buildings, structures, etc.):
store, parking lot,

5. Applicant's interest in the property (deed-holder, land contract-purchaser, tenant, lessee, etc.): deed-holder

6. If the applicants interest is other than deed-holder, does the deedholder know of this application and consent thereto? Yes ___ No ___ N/A

7. Is the property encumbered by any deed or plat restrictions, or covenants? Indicate if none apply or attach a copy of same. none

8. State the present use of the property. Grocery Store

9. State the variance requested. larger sign than required, illuminated
Size: 16 ft x 3 ft 48 sq ft

219 x 132
lot size

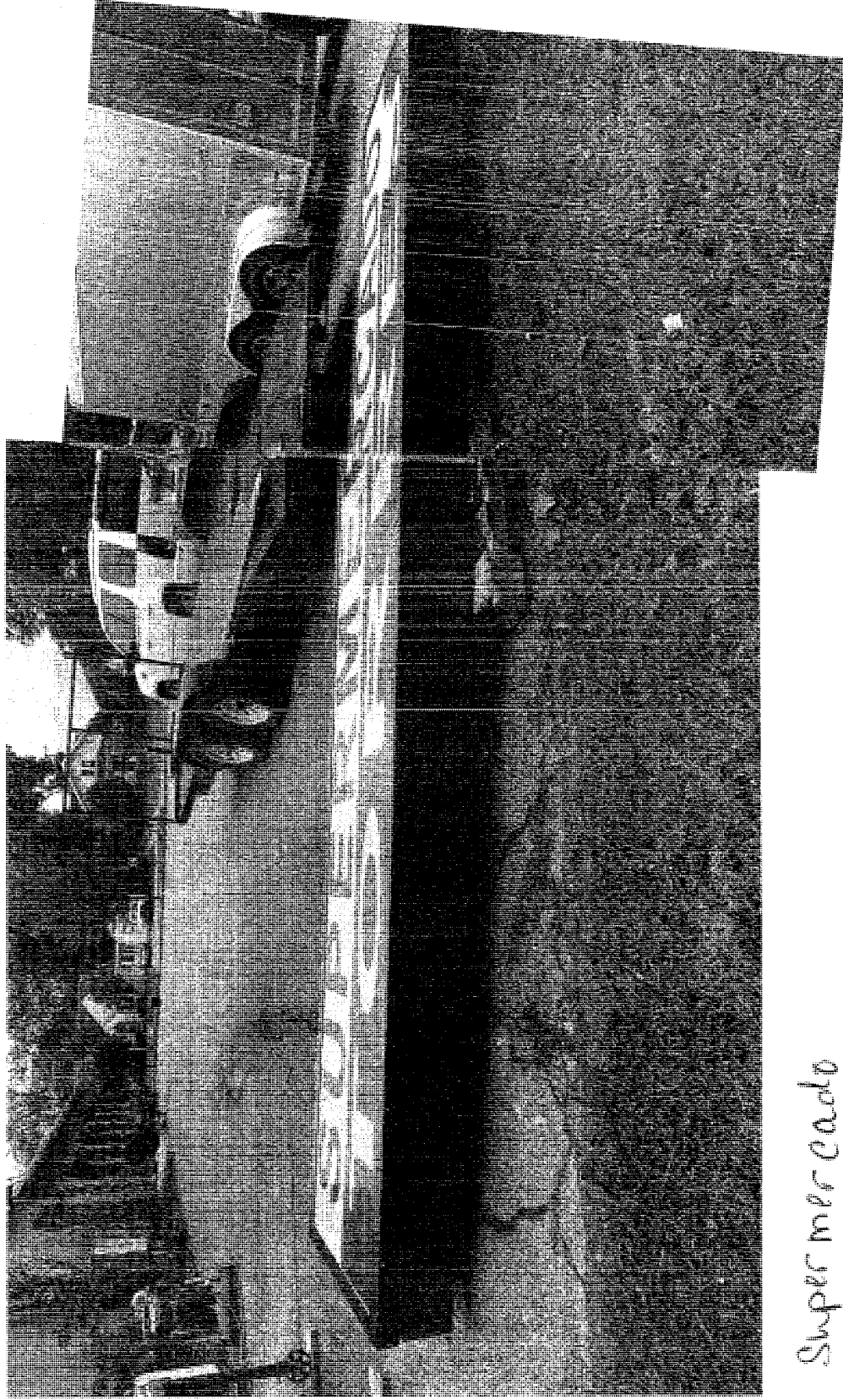
NAME OF APPLICANT (Printed or Typed): Isidro Torres
SIGNATURE OF APPLICANT: Isidro Torres
ADDRESS: 310 W Main St, Fennville, MI, 49408
TELEPHONE: Work 269 561 6060 Home 616 836 6285
DATE OF HEARING: Oct 19 2020
BOARD ACTION: _____
SPECIAL CONDITIONS: _____

SIGNATURE OF CHAIRPERSON

DATE



Supermercado
Torres



Supermercado
Torres

310 W MAIN ST FENNVILLE, MI 49408 (Property Address)

Parcel Number: 52-100-009-00

Property Owner: TORRES ISIDRO

Summary Information

- > Commercial/Industrial Building Summary
 - Year Built: 2004 # of Buildings: 1
 - Total Sq Ft: 3,961
- > Assessed Value: \$405,600 | Taxable Value: \$331,827
- > Property Tax information found

Owner and Taxpayer Information

Owner	TORRES ISIDRO 310 W MAIN ST FENNVILLE, MI 49408	Taxpayer	SEE OWNER INFORMATION
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General Information for Tax Year 2020

Property Class	COMMERCIAL – IMPROVED	Unit	52 FENNVILLE CITY
School District	DISTRICT 03050	Assessed Value	\$405,600
MAP #	112-A	Taxable Value	\$331,827
SPLIT YR	1	State Equalized Value	\$405,600
REVIEW YR:	<i>Not Available</i>	Date of Last Name Change	02/06/2019
SPLIT/PP	<i>Not Available</i>	Notes	<i>Not Available</i>
Historical District	No	Census Block Group	<i>No Data to Display</i>
SPOKE W/	<i>Not Available</i>	Exemption	<i>No Data to Display</i>

Principal Residence Exemption Information

Homestead Date *No Data to Display*

Principal Residence Exemption	June 1st	Final
2020	0.0000 %	-
2019	0.0000 %	0.0000 %

Previous Year Information

Year	MEOR Assessed	Final SEV	Final Taxable
2019	\$367,500	\$367,500	\$325,640
2018	\$330,487	\$330,487	\$318,008
2017	\$368,700	\$368,700	\$364,349

Land Information

Zoning Code	CHECK	Total Acres	0.664
Land Value	\$27,720	Land Improvements	\$26,496
Renaissance Zone	No	Renaissance Zone Expiration Date	<i>No Data to Display</i>
ECF Neighborhood	COMMERCIAL	Mortgage Code	<i>No Data to Display</i>
Lot Dimensions/Comments	<i>No Data to Display</i>	Neighborhood Enterprise Zone	No

Lot(s)	Frontage	Depth
Lot 1	219.00 ft	132.00 ft
Total Frontage: 219.00 ft		Average Depth: 132.00 ft

Legal Description

LOTS 9, 10, 11, & W 21 FT LOT 8 BLK 2, VILLAGE OF FENNVILLE SEC 32 TRN R15W (09)

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Lot(s)/Page
01/14/2019	\$160,000.00	WD	310 W MAIN STREET LLC	TORRES ISIDRO	ARMS LENGTH	4316/104

2. Nonuse Variances require Practical Difficulties. A nonuse variance may be granted by Zoning Board of Appeals only in cases where there is reasonable evidence of practical difficulties in the official record of the hearing and all of the following standards are met.
 - a. That the alleged practical difficulties are not deemed economic, but shall be evaluated in terms of the use of a particular parcel of land.
 - b. That there are unique circumstances of physical condition of the land, such as narrowness, shallowness, shape or topography of the property involved, that do not generally apply to other property uses in the same zoning district, and shall not be recurrent in nature.
 - c. That the hardship or special conditions do not result from actions of the applicant
 - d. That the variance will be in harmony with the general purpose and intent of the Ordinance and will not cause a substantial adverse effect upon surrounding property, property values, and the use and enjoyment of property in the neighborhood or district.
 - e. That the variance requested is the minimum amount necessary to overcome the inequality inherent in the particular or mitigate the hardship

3. Conditions. In granting a variance, the Zoning Board of Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violations of such conditions and safeguards, when made part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and shall automatically invalidate the permit.

Each variance granted under the provisions of this Ordinance shall become null and void unless:

- The construction authorized by such variance or permit has commenced within six (6) months of granting of the variance.

- The occupancy of land, premises or building has taken place within one (1) year after the granting of the variance.

No application for the variance which has been denied, wholly or in part, by the Zoning Board of Appeals shall be resubmitted for a period of one (1) year from the date of the last denial, except on the ground of newly discovered evidence or proof of changed conditions found upon inspection by the Board to be valid.

ARTICLE XIII-A

CCOD – CITY CENTER OVERLAY DISTRICT

[added 6-7-04]

13-A.1 INTENT

The City Center Overlay District is intended to accommodate “Mainstreet” human-scale developments in comfortable mixed-use patterns. The purpose of the district is to enhance the community core by providing for higher density residential uses, commercial uses serving the local area, and appropriate public and semi-public activities. Development within the City Center Overlay District shall:

- A. Be designed in such a manner that will lead to compatible, efficient, and attractive uses of property in the City Center Overlay District.
- B. Encourage unique retail, office and residential use alternatives.
- C. Establish a design palate that will define the community character and generate an identity for the downtowns.
- D. Facilitate pedestrian oriented development using design options such as sidewalk cafes, rear parking, and enhanced landscape criteria.

13-A.2 APPLICABLE REQUIREMENTS & DISTRICT BOUNDARIES

The requirements of this overlay district are in addition to and shall supplement those imposed on the same lands by the provisions of the underlying zoning district. To the extent that there are conflicts between this and other portions of the zoning ordinance, the requirements of this Article XIII-A pertaining to City Center Overlay District shall apply [amended 4-13-06]. The City Center Overlay District shall affect the properties described as follows and as shown on the City Center Overlay District Boundaries Map:

Beginning at the intersection of the north ROW line of Main Street (M-89) and the east ROW line of Rose Street, thence northerly along the east ROW line of Rose Street to the south ROW line of First Street; thence east along the south ROW line of First Street to the westerly line of the C&O Railroad ROW; thence southwesterly along the westerly line of the C&O Railroad approximately 128.5 feet to the point of intersection of westerly line of the C&O Railroad ROW and the westerly extension of the rear property line of parcel 0352-032-057-00; thence easterly along the westerly extension of the rear property line of parcel 0352-032-057-00 to the east property line of parcel 0352-032-057-00; thence southerly to the south ROW line of Main Street (M-89); thence westerly along the south ROW line of Main Street (M-89) to the centerline of Sherman Street; thence southerly along the centerline of Sherman Street approximately 120

feet to the point of intersection of the centerline of Sherman Street and the easterly extension of the rear property line of parcel 0352-800-007-00; thence westerly along easterly extension of the rear property line of parcel 0352-800-007-00 and extending through the C&O Railroad ROW to the westerly line of the C&O Railroad ROW; thence southerly along the westerly line of the C&O Railroad ROW approximately 304 feet; then west approximately 171.5 feet; thence north approximately 107 feet; thence west approximately 38.5 feet; thence northerly approximately 120 feet to the centerline of Fennville Street; then westerly along the centerline of Fennville Street to the centerline of South Street; thence northerly along the centerline of South Street approximately 137 feet; thence west approximately 101 feet; thence northerly to the north ROW line of Main Street (M-89); thence westerly to the beginning point.

13-A.3 ADMINISTRATION

In addition to the site plan review and approval standards of ARTICLE XVIII Section 18.0, 18.1 and 18.2, the following procedural standards shall apply:

- A. Downtown Design Review Committee: The Mayor, with approval of the City Council, shall appoint a Downtown Design Review Committee (DDRC) consisting of five (5) members, including: one DDA member, one Planning Commission member, one local business owner, and two other members. The DDRC may include the City's Zoning Administrator or Planner.
1. Members shall serve two-year terms. There is no limit to the number of consecutive terms a committee member may serve.
 2. The DDRC may contract and/or assign some of the DDRC's administrative duties, but not decision authority, to qualified design professionals as needed. It will be the duty of the DDRC to consider and act upon such proposals or plans submitted to it in accordance with the design review procedures established by this section.
 3. The DDRC will meet monthly or as needed to properly perform its duties. After a quorum is reached, the DDRC actions on matters will be subject to a majority vote of members present. The DDRC will keep and maintain a record of all actions taken, and shall be subject to Act 267 of 1976, The Open Meetings Act, as amended.
 4. All development within the City Center Overlay District shall be subject to review by the Downtown Design Review Committee as part of the site plan approval process. Applicants shall submit an application and an additional five copies of all site plans to the City Clerk at least 14 days prior to the Downtown Design Review Committee meeting.

City of Fennville Zoning Ordinance

5. The DDRC shall review applications in accord with this section and shall present recommendations to the Planning Commission pertaining to site plan approval and potential conditions of approval. Final approval authority shall reside with the Planning Commission in accord with ARTICLE XVIII.

13-A.4 PERMITTED AND SPECIAL USES

In lieu of the uses set forth in Section 7.1, 7.3, 13.1 and 13.2, only the following uses are permitted, either by right or through the approval of a special use permit.

a. Uses Permitted by right

1. Antique stores
2. Appliance repair and sales
3. Bakery or confectionery
4. Banks (excluding drive-through)
5. Book store, music store or video shop
6. Coffee shop, delicatessen or café
7. Convenience store, excluding gasoline sales
8. Drug store, gift shop, grocery store
9. Floral shop
10. Galleries, art, craft and hobby supply store
11. Hardware store
12. Home occupation
13. Personal service
14. Places of public assembly
15. Professional offices
16. Residence on the upper floors of Main Street buildings
17. Restaurants and Taverns (but not including drive-through)
18. Seasonal merchandise including outside sales
19. Studio for performing and graphic arts
20. Theaters and cinema
21. Wearing apparel, accessory, jewelry or shoe store
22. Uses similar to uses permitted by right
23. Existing residential dwellings which shall be exempt from the Downtown Design Review Committee requirements of 13-A.3 so long as the use of the entire structure and parcel remains solely for residential use [added 9-15-05]

b. Special Land Uses

1. Bed and Breakfast
2. Car Wash
3. Convenience store with gasoline sales
4. Day care center or Child care center
5. Educational facilities
6. Financial institutions with drive-through

- 7. Hotels and Motels
- 8. Automotive repair

13-A.5 DIMENSIONAL STANDARDS

Development within the City Center shall meet the following general standards:

- A. Development Area: The development area is the portion of a development site where all building improvements will be made. Except for publicly owned park property, each improved lot in the City Center shall contain a development area consisting of no less than fifty percent (50%) and no more than ninety percent (90%) of the total lot area. The development area may consist of buildings, structures, parking areas, sidewalks, plazas or patios, driveways, and any other man-made impervious surfaces.
- B. Open Area: Any part of a lot that is not a development area shall be deemed an open area. No above ground building, parking area or driveway shall be located in an open area. Landscaping, signs, and utilities may be located in an open area.
- C. Building Area: The aggregate building area (gross floor area) of any building in the City Center shall not exceed 22,000 sq. ft., of which the ground floor area shall not exceed 6,000 sq. ft. The building area may be divided into any number of retail or commercial units as long as the floor area of each unit shall not exceed 6,000 sq. ft. The DDRC may approve structures with aggregate building area greater than 22,000 sq. ft. or ground floor area greater than 6,000 sq. ft. provided the building is so designed and constructed as to resemble, to a casual observer, a collection of smaller structures which would meet the intent of this paragraph. The DDRC may allow phased projects that include a viable plan for the full development of the site even though initial phases may not achieve the 70%-100% development area.
- D. Building Setback Requirements: There shall be zero (0) feet setback requirement for buildings, structures, parking areas, sidewalks, and any other man-made impervious surface located within a development area for both the front and sideyards. If a sideyard setback is desired by applicant, such setback shall be a minimum of ten (10) feet for fire protection purposes, but shall not exceed twenty (20) feet, unless side lot parking is approved. Additional sideyard setback may be requested by local fire department officials. If a front setback is desired by the applicant, the DDRC may approve up to fifteen (15) feet from the right-of-way for semi-public spaces such as seating areas, entry courts, plazas and similar facilities.
- E. Height: Buildings facing Main Street shall have a minimum height of the lesser of one and a half stories or fifteen (15) feet and a maximum height of the greater of three stories or thirty-five (35) feet.

13-A.6 REGULATIONS AND CONDITIONS

Development within the City Center Overlay shall meet the following general standards:

- A. Landscaping shall be provided in open spaces to create a pleasant pedestrian scale outdoor environment and buffer primary uses from parking areas, roadways and service facilities, such as dumpsters and loading docks. Landscaping should be designed to buffer service areas, parking or dumpsters. A mix of evergreen and deciduous plants and trees is preferred with summer floral plantings to add to the visual appeal of the City Center areas. An irrigation system shall be required. Temporary potted plants or flower boxes may be permitted to encroach no more than two (2) (measured from the building line) feet into the public right-of-way on the sidewalk; any further encroachment shall require a Sidewalk Permit per Chapter 50, Section 2 of the Fennville General Law Ordinances.
- B. All off-street parking shall be located at the rear of the primary use and provide landscape buffering to separate parking and mitigate the visual and environmental impacts of parking lots, unless there are site-specific features that prevent rear yard parking. There shall be at least one (1) parking space per four hundred (400) sq. ft. of retail building area in the City Center. There shall be a minimum of one (1) parking space for every six (6) seats of restaurant use. In lieu of provision of on-site parking, the Design Review Committee may recommend and Planning Commission may approve a shared parking agreement with another property located not more than five hundred (500) feet from the property in question. Such agreement shall be in writing and shall grant assurances satisfactory to the City that the parking needs of the proposed development shall be adequately met. For parking lots accommodating more than twenty-five (25) parking spaces the following standards shall apply: [amended 4-13-06]
- (1) Parking lots shall provide shared access with adjoining uses where feasible.
 - (2) Parking areas shall be designed, built, and screened so as to reasonably shield them from the view of Main Street. Planter islands shall be provided.
 - (3) Each parking area shall have not more than two (2) driveways connecting to other parking areas in the City Center Overlay District.
- C. Sidewalks – Sidewalks should be a minimum of ten (10) feet in width and must maintain a minimum of five (5) feet of travel area. Outdoor seating or outdoor sales may encumber up to five feet of the ten-foot sidewalk with a Sidewalk Permit pursuant to Chapter 50, Section 2 of the City of Fennville General Law Ordinances. Larger seating areas, sidewalk sales or outdoor displays will require additional sidewalk width. Office, multi-family, public and quasi-public uses shall provide hard surface areas including plazas or courtyards for pedestrian use.

→ D. Sign Standards – See 13.6 (amended 9-2-18)

E. Architecture – Buildings shall be designed to relate well to other structures in the City Center area. Building façade materials shall include wood, brick or stone, stucco, and approved ornamental metal. Synthetic materials such as vinyl or aluminum siding shall be prohibited. All structures shall reflect and complement the traditional materials, aesthetic character, and construction techniques of Allegan County’s historic architecture. Buildings shall be appropriately in scale and relation to existing structures. Display windows comprising 50% or more of the store façade are required for first floor retail and restaurant uses, facing Main Street. Buildings shall be oriented to block parking lots from view from the street where possible. Where possible, new buildings shall incorporate sprinkler systems for fire protection purposes.

F. Lighting – Outdoor lighting should be designed to provide the least light necessary to increase pedestrian safety and comfort while incorporating measures should be taken to preserve dark skies and reduce glare. All outdoor lighting shall be cut-off shielded and directed so that no light is cast upward into the sky or outward onto adjoining properties.

G. Fencing – Permanent fencing may be used to separate commercial from residential uses or as a decorative feature to the rear or side yard of the properties only. Fencing shall not be used where cross-access between parking lots is required. Fencing shall be no taller than three (3) feet in height. Semi-permanent fencing may be used for out-door seating areas and outdoor cafes at the front of the building of no higher than three (3) feet. Opaque screening fences six (6) feet tall shall be used to enclose any dumpsters and other waste receptacles.

H. Utility connections, dumpsters and service – To the greatest extent possible, utility connections, dumpsters, loading bays and other service facilities shall be located to the rear of the building. Where this is not possible, such facilities should be screened from view by landscaping or architectural features.

ARTICLE XIII

CBD – CENTRAL BUSINESS DISTRICT

13.0 STATEMENT OF PURPOSE

The CBD Central Business District is intended to permit a variety of commercial, administrative, financial, civic, cultural, residential, entertainment and recreational uses in an effort to provide the harmonious mix of activities necessary to further enhance the Central Business District as a commercial service center.

13.1 PRINCIPAL PERMITTED USES

In the CBD Central Business District, no uses shall be permitted unless otherwise provided in this Ordinance, except the following:

- A. Antique stores
- B. Appliance repair and sales
- C. Bakery or Confectionery
- D. Banks (excluding drive-through)
- E. Book store, music store or video shop
- F. Coffee shop, delicatessen or café
- G. Convenience store, excluding gasoline sales
- H. Drug store, gift shop, grocery store
- I. Floral shop
- J. Galleries, art, craft and hobby supply stores
- K. Hardware store
- L. Home occupation
- M. Personal services
- N. Places of public assembly
- O. Professional offices including finance, insurance, real estate, engineering, accounting, medical and dental either: [amended 11-19-10]
 1. On upper floors of Main Street buildings
 2. On street level floors but shall not occupy any space, unit, apartment or room within 75 feet of the Main Street right-of-way line.
 3. In street level floor storefronts facing and fronting on any side street so long as the space, unit, apartment or room and the entryway to such office is not within 75 feet of the Main Street right-of-way line.
- P. Residences on the upper floors of Main Street buildings
- Q. Restaurants and Taverns including sidewalk and outdoor cafes, but not including drive-through
- R. Seasonal merchandise including outside sales
- S. Studios for performing and graphic arts
- T. Theaters, cinemas and concert halls
- U. Wearing apparel, accessory, jewelry or shoe store

- V. Any retail business whose principal activity is the sale or rental of merchandise within a completely enclosed building.
- W. Personal service establishments, including health spas, gymnasiums, barber and beauty shops.
- X. Financial institutions, including drive-thru facilities.
- Y. Museums and art galleries
- Z. Custom craft shops
- AA. Combined retail-wholesale business when conducted entirely within a building.
- BB. Publicly owned buildings including government facilities.
- CC. Mixed use establishments, i.e. commercial and residential uses combined in one structure provided the dwelling unit(s) are confined to the second story of the structure.
- DD. Other uses which are similar to the above and subject to the following restrictions:
 - 1. All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail from premises where produced.
 - 2. All business servicing or processing except for off-street parking or loading, shall be conducted within completely enclosed buildings.
 - 3. Storage of commodities shall be within building and shall not be visible to the public from a street or thoroughfare.
- EE. Billboards (Subject to 13.7 below)

13.2 SPECIAL USES (Subject to Article XIX)

- A. Bed & Breakfast
- B. Car wash
- C. Convenience store with gasoline
- D. Day care center or Child Care Center
- E. Educational facilities
- F. Financial institutions with drive-through
- G. Hotels and Motels
- H. Automotive repair
- I. Business and office machine repair facilities
- J. Reserve [removed 11-19-10]

13.3 ACCESSORY USES

- A. Accessory buildings and uses customarily incidental to the above Principal Permitted Uses.
- B. Off-street parking lots and structures.

13.4 SITE PLAN APPROVAL

For permitted uses, accessory uses and special uses a site plan shall be submitted in accordance with Article XVIII, except that uses in the CBD Central Business District are exempt from the required parking space provisions of Article XVIII.

All portions of the CBD district are within the boundaries of the CCOD overlay district and are subject to review by the Downtown Design Review Committee. Within in the CCOD, the regulations of 13-A.6 shall control over any conflicting regulations within this Article XIII.

Existing single-family dwellings shall be exempt from Article XVIII Site Plan Review, and, the Downtown Design Review Committee requirements of 13-A.3 so long as the use of the entire structure and parcel remains solely for one (1) family.

13.5 AREA, HEIGHT BULK AND PLACEMENT REQUIREMENTS

Front Yard	Minimum 0 feet Maximum 0 feet except as provided for in 13-A.5
Side Yards	Side abutting a residential district – 5 feet for buildings parking and loading areas. One side – 0 feet, or minimum 10 feet & maximum 20 feet Remaining side dependent upon the minimum requested by the local fire inspector.
Rear Yards	Where rear abuts a residential district and the districts are not separated by an alley or street – 10 feet.
Lot Coverage (includes buildings, structures, parking areas, sidewalks, plazas, patios, driveways and other man-made impervious surfaces).	-Minimum 50% (except City owned parks) -Maximum 90% *
Building Height	-Maximum 3 stories or 35 feet, whichever is greater -Minimum 1 ½ stories, or 15 feet, whichever is less.
Minimum Lot Area	None
Minimum Lot Width	None
Minimum Floor Area	For mixed uses, second floor dwelling unit – 500 square feet. All other uses – None
Building Area	Gross Floor Area -Maximum – 22,000 square feet * -Maximum Ground Floor area 6,000 square feet

* Except as approved by the Downtown Design Review Committee – see Article XIII-A (13-A)

13.6 SIGN STANDARDS [amended 9-2-18]

A. In lieu of the sign standards of ARTICLE XVIII Section 18.8 (or as excepted below), the following standards shall apply:

1. Signs on the ground shall be setback two (2) feet from the right-of-way and side property line. If the sign will be located adjacent to a residential use, the sign shall be no less than ten (10) feet from side property line.

City of Fennville Zoning Ordinance

2. Pole signs are prohibited except on properties with a gas station as the principle use.
3. All signs shall be designed to match the character and scale of surrounding uses.
4. Sign illumination regulations
 - a. Internal illumination shall be shielded in such a manner that it is not visible from the street or any adjoining property, and the light source shall be of a warm, non-glare type
 - b. Lumen not to exceed 270 per square foot.
 - c. Internal illumination shall be static and stationary in nature. There shall be no movement appearance of movement, intermittent illumination, blinking at any interval, or changing color.
 - d. External direct lighting shall be directed to not cause glare onto traffic or adjoining properties.
 - e. Electronic display signs are prohibited.
5. Multi-family uses located on upper floors may place signage on the building façade or windows only.

B. Dimension & Location Requirements.

All signs shall have areas not exceeding the following dimensions. Each business may use any combination of the following dimensions not to exceed 40 square feet (see 18.8D area measurement) for all signs for that business:

Sign Type	Maximum Area	Minimum Height Above Sidewalk	Location Requirement
Window	25% of window area where displayed	Not applicable	Ground floor windows only Except for 2 nd /3 rd floor apartments
Marquis	40 sq. ft.	8 feet	Maximum 12 feet over sidewalk Shall not extend beyond curb
Canopy/Awning	30% of the canopy	8 feet	Maximum 8 feet over sidewalk
Wall or mural	25% of ground floor wall area.	Not applicable	<u>Not permitted above the window sill of second floor windows.</u>
Projecting	40 sq. ft.	8 feet	Maximum extension of 8 feet over sidewalk
Suspended	6 sq. ft.	8 feet	Maximum extension of 8 feet over sidewalk
Ground	40 sq. ft.	Not applicable	See 13.6 A.1
Pole	See Section 18.8	See Sec. 18.8	Prohibited except for gas stations

A. Temporary Signs.

A. Temporary Signs.

1. Sidewalk signs not to exceed eight (8) sq. ft. per side may be placed within two (2) feet of the building line on the sidewalk, provided a Sidewalk Use Permit shall be obtained under Section 2 of Chapter 50 of the City of Fennville General Law.
2. Real estate signs; the total area of a real estate sign advertising one (1) lot shall not exceed twelve (12) square feet in area. Such signs shall be removed within fourteen (14) days after the lot or lots in question are no longer for sale, rent or lease.
3. Signs for political advertising; shall not exceed six (6) square feet in area. All political signs shall be removed within ten (10) days after the election or meeting with which they are concerned.

13.7 REGULATION OF BILLBOARDS

Billboards may be erected adjacent to M-89, provided that they must meet all of the following conditions. For purposes of these conditions, double-faced billboards (i.e. structures with back-to-back faces containing or able to contain advertising) and V-shaped billboards having only one face visible to traffic proceeding from any given direction on a Street shall be considered as one (1) billboard. Otherwise, billboards having more than one (1) face, including billboards with tandem (side-by-side) or stacked (one-above-the-other) faces, shall be considered as multiple billboards and shall be prohibited in accordance with the minimum spacing requirements set forth below. A billboards surface display area containing or able to contain advertising shall be considered to be the billboards face(s).

- A. Not more than three (3) billboards may be located per linear mile of Street, regardless of the fact that such billboards may be located on different sides of the Street. The linear mile measurement shall not be limited to the City's boundaries if the particular Street extends beyond such boundaries.
- B. No billboard may be located within one thousand (1,000) feet of another billboard. The one thousand (1,000) feet measurement shall not be limited to the City's boundaries.
- C. No billboard may be located within two hundred (200) feet of any residential zoning district, of a pre-existing dwelling, of a pre-existing church or of a pre-existing school. If the billboard is illuminated, the required distance shall be increased to three hundred (300) feet.
- D. No billboard may be located closer than seventy-five (75) feet from a property line adjoining a street. No billboard may be located closer than ten (10) feet from any other property line of the lot on which the billboard is located.
- E. A billboards face may not exceed three hundred (300) square feet. Double-faced billboards and V-shaped billboards may have two (2) faces, but neither one may exceed three hundred (300) square feet.

City of Fennville Zoning Ordinance

- H. RT, RM and RMH Districts. Pole signs not allowed.
1. Ground signs shall not exceed thirty-two (32) square feet in area.
 2. Wall signs shall not exceed twelve (12) square feet in area.
 3. One (1) sign allowed per lot.

- I. AG, R-1 and R-2 Districts. Pole signs not allowed.
1. A ground or wall sign shall not exceed twelve (12) square feet in area.
 2. One (1) sign per lot.
 3. Lots located in the R-1 and R-2 Districts within the CCOD overlay district are subject to review by the Downtown Design Review Committee and the regulations of 13-A.6. 13-A.6 shall control over any conflicting regulations.

18.8
igns

- J. B-1, B-2, CBD, OS-1, P, I-1 and I-2 Districts and businesses operating under a special use permit. Pole signs not allowed, except on properties with a gas station as the principle use.
1. Lots within the CCOD overlay district are subject to review by the Downtown Review Committee and the regulations of 13-A.6. 13-A.6 shall control over any conflicting regulations.
 2. Any combination of four (4) signs; business, identifying, canopy/awning, wall, projecting, suspended, ground; are allowed per business.
 3. The combination of the signs shall not exceed one hundred (100) square feet in area.
 4. All businesses under this subsection may also display, in addition to the four (4) signs, directional signs or lettering displayed on or over individual entrance doors, exit doors and/or restrooms.

- K. Gasoline service stations
1. Any combination of two (2) signs; pole, business, identifying, wall, ground.
 2. The combination of the signs shall not exceed one hundred (100) square feet in area.
 3. Directional signs or lettering displayed over individual entrance doors or bays.
 4. Customary lettering on or other insignia which are a structural part of a gasoline pump. Such signs shall be non-flashing and shall not in any manner constitute a traffic hazard with respect to adjacent streets or lots.

Memo

DATE: October 16, 2020

TO: City Commission

FROM: Amanda Morgan
City Administrator

SUBJECT: Agenda Item 8: Zoning Ordinance Introductions

The City Commission will be asked to introduce the following ordinances:

- An Ordinance to amend the Zoning Ordinance to remove the allowance of Storage facilities.
- An Ordinance to adopt an updated zoning map.

Background Information

During their meeting on Tuesday, October 6, 2020 the Planning Commission made a recommendation for the City Commission to consider the approval of two ordinance.

The first ordinance is related to storage facilities within the City. Upon the request of the City Commission, the Planning Commission held a public hearing on this item. There were two main reasons the Planning Commission made the recommendation: 1) There are limited areas within the City where storage facilities are allowed, and within those areas, there are very few vacant lots that could house a new storage facility and 2) the felt that one storage facility was enough to serve the members of the community and wanted to give other businesses an opportunity to bring customers into town.

The second ordinance is related to eh update zoning map. This items is really a housekeeping item. MTS and staff have been working with the Allegan County GIS mapping system to update the zoning maps. Unfortunately, we have found that the records on some items are not as reliable as we would like so we felt it was best for the Commission to formally adopt the updated map. Moving forward, staff will work with Allegan County to update the map each time a change is made.

Attachment(s)

- Proposed Ordinances

Recommended Action

- Motion to introduce an Ordinance to amend the Zoning Ordinance to remove the allowance of Storage facilities.
- Motion to introduce an Ordinance to adopt an updated zoning map.

**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 here by amended to the following sections:

Remove: Section 12.1 O. Mini warehousing or storage facilities
Add O. Reserved

Remove: Section 16.1 L. Mini-storage facilities
Add: L. Reserved

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.

Introduced:
Adopted:
Published:

Thomas Pantelleria
Mayor

Deborah Perez, City Clerk/Treasurer

**CITY OF FENNVILLE
ALLEGAN COUNTY, MICHIGAN**

ORDINANCE NO. _____

ADOPTED: _____

EFFECTIVE: _____

An Ordinance to amend the City of Fennville Zoning Map Ordinance by re-adopting the zoning map to update and correct errors, 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 I

The Zoning Map as incorporated by reference in the City of Fennville Zoning Ordinance is hereby amended to include recent rezonings and correct errors, included as exhibit A.

SECTION II: SERVERABILITY

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 III: REPEAL

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

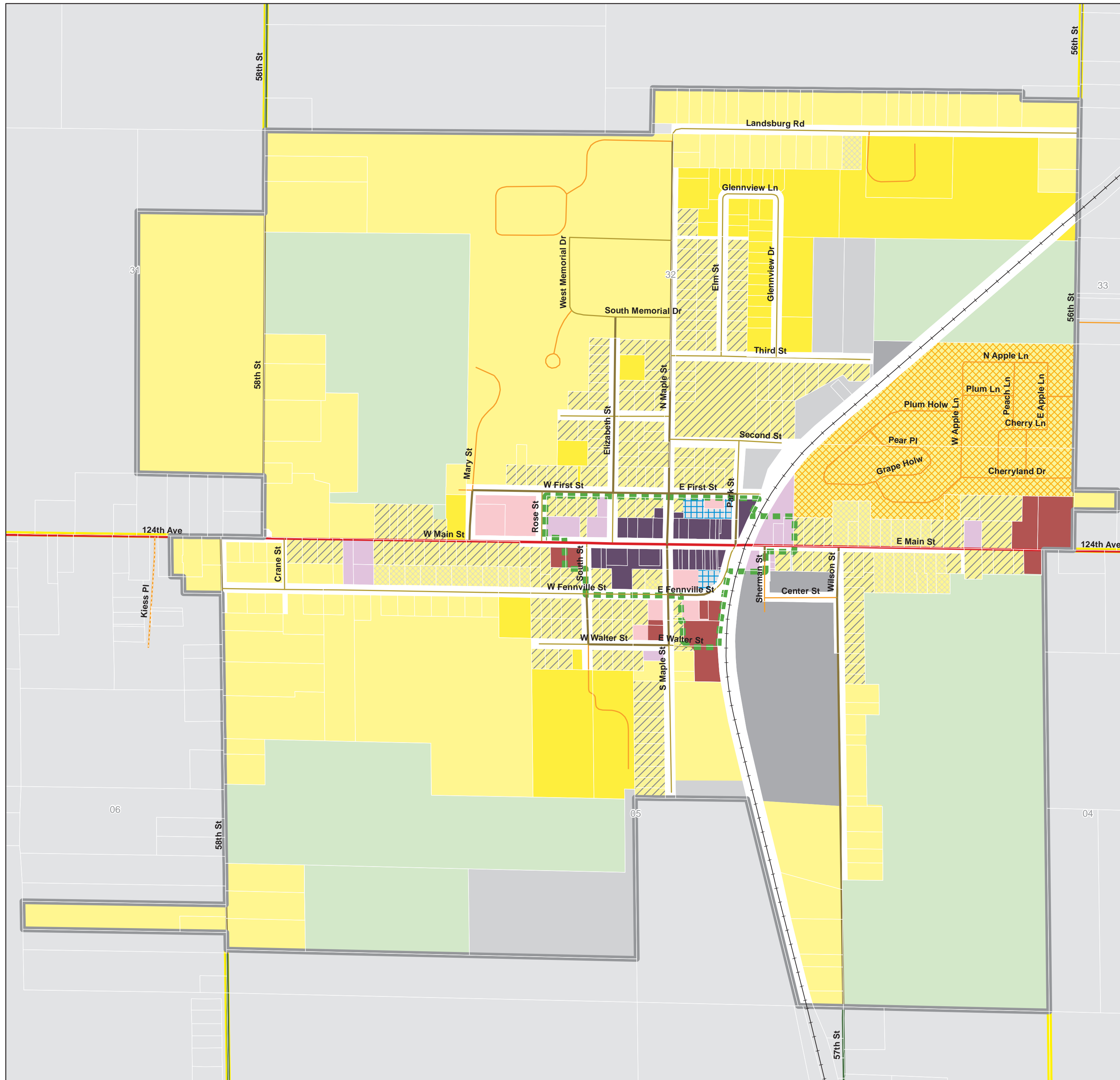
SECTION V: EFFECTIVE DATE

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

Introduced:
Adopted:
Published:

Thomas Pantelleria
Mayor

Deborah Perez, City Clerk/Treasurer



The Zoning Map of Fennville City, Allegan County, Michigan

As amended through 9/2020

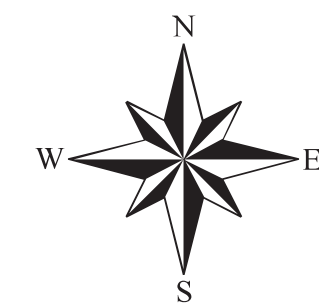


Municipal Legend

Jurisdictional Boundary

Zoning Legend

- CCOD City Center Overlay District
- AG Agricultural
- B1 Local Business
- B2 General Business
- CBD Central Business District
- I-1 Light Industrial
- I-2 General Industrial
- OS1 Office Service
- P Parking
- R1 Single Family Residential
- R2 Single Family Residential
- RM Multiple Family Residential
- RMH Residential Mobile Home
- RT Single and Two Family Residential
- ROW Right Of Way



Memo

DATE: October 16, 2020
TO: City Commission
FROM: Amanda Morgan
City Administrator
SUBJECT: Agenda Item 9: Millage Discussion

The City Commission will received an update on the discussion with the Financial Advisor about millage requests.

Background Information

During the last meeting in September, the City Commission was approached about the possibility of adding a full time police officer to the department. Of course funding was a big concern. After much discussion, the Commission asked that the Mayor speak with the school regarding contributing to an officer's wages. The Commission also asked that a meeting be held with the financial advisor to discuss the impacts on the budget and the potential of a millage request.

Staff and members of the personnel/finance committee have met with the financial advisor and the Mayor will update the Commission on the discussion.

Attachment(s)

- None

Recommended Action

- None

October 14, 2020
2180424

Amanda Morgan, City Administrator
City of Fennville
125 S. Maple Street
Fennville, MI 49408

RE: City of Fennville Water System Improvements Project (USDA)
Contract 2 Meter Replacements – Contractor’s Application for Payment #1

Dear Amanda:

Please find enclosed for your approval and signature the Application for Payment No. 1, Contract No. 2 with Ferguson Waterworks in the amount of \$91,393.94.

Upon City approval and signature this can be forwarded to USDA for their approval with the cover sheets USDA previously provided.

This payment application includes payment for stored materials per the attached invoices from Ferguson. Now that installations have begun, future pay applications will only be for quantities as they are installed.

If you have any questions or comments, please contact our office.

Sincerely,

Prein&Newhof



Dana R. Burd, P.E.

Enclosures: Contactor’s Application for Payment #1
Ferguson Invoices

