

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 138 ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO REZONE THE PROPERTIES DESCRIBED HEREIN FROM B-2, GENERAL BUSINESS WITH AN FB-2, FLEXIBLE BUSINESS OVERLAY AND A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY TO R-4, ONE FAMILY RESIDENTIAL WITH AN FB-2, FLEXIBLE BUSINESS OVERLAY (27± ACRES).

THE CITY OF ROCHESTER HILLS ORDAINS:

SECTION 1. The zoning classification of the following described properties shall be amended as follows:

27± acres zoned **from** B-2, General Business with an FB-2, Flexible Business Overlay and a Planned Unit Development (PUD) Overlay **to** R-4, One-Family Residential with an FB-2, Flexible Business Overlay.

Land in the City of Rochester Hills, Oakland County, Michigan described as:

T3N, R11E, SEC 23 PART OF NW ¼ BEG AT PT DIST N 89-32-00 E 286.15 FT & N 00-28-00 W 1.84 FT & N 01-55-10 E 58.82 FT FROM W ¼ COR, TH S 89-38-30 W 30 FT, TH N 01-55-25 E 60 FT, TH N 89-38-30 E 30 FT, TH N 01-55-12 E 213.52 FT, TH N 89-37-35 E 615.67 FT TH S 01-55-12 W 249.71 FT, TH S 89-38-30 W 615.68 FT, TH S 01-55-10 W 23.97 FT TO BEG 3.57 A 12-13-05 FR 011 & -015

Formerly known as: City Place
Parcel Identification No. 15-23-152-022 AND;

T3N, R11E, SEC 23 PART OF W ½ OF SEC BEG AT PT DIST N 01-55-12 E 2.36 FT & N 89-38-14 E 66.05 FT FROM W ¼ COR, TH N 01-55-12 E 82.81 FT, TH N 89-38-30 E 190 FT, TH S 01-55-25 W 23.97 FT, TH N 89-38-30 E 30 FT, TH S 01-55-10 W 58.82 FT, TH S 89-38-14 W 220 FT TO BEG 0.40 A 12-13-05 FR 011

Formerly known as: City Place
Parcel identification No. 15-23-152-023 AND;

T3N, R11E, SEC 23 PART OF W ½ OF SEC BEG AT PT DIST N 01-55-12 E 2.36 FT & N 89-38-14 E 66.05 FT FROM W ¼ COR, TH N 89-38-14 E 409.33 FT, TH S 01-56-37 W 1.50 FT, TH S 01-56-37 W 436.22 FT, TH ALG CURVE TO LEFT, RAD 535 FT, CHORD BEARS N 80-12-23 W 8.72 FT, DIST OF 8.72 FT, TH ALG CURVE TO LEFT, RAD 605 FT, CHORD BEARS N 83-53-53 W 87.75 FT, DIST OF 87.82 FT, TH ALG CURVE TO RIGHT, RAD 645 FT, CHORD BEARS N 85-45-58 W 51.56 FT, DIST OF 51.57 FT, TH N 83-28-32 W 262.17 FT, TH N 01-56-37 E 388.46 FT, TH N 01-56-37 E 2.24 FT TO BEG 3.89 A 12-13-05 CORR

Formerly known as: City Place
Parcel Identification No. 15-23-301-002 AND;

T3N, R11E, SEC 23 PART OF SW ¼ BEG AT PT DIST N 85-46-41 E 475.42 FT & S 01-48-43 E 506.74 FT FROM W ¼ COR, TH S 01-48-43 E 715.81 FT, TH S 59-07-28 E 99.29 FT, TH N 88-11-17 E 46.44 FT, TH S 01-48-43 E 16.68 FT, TH S 81-07-54 E 227.22 FT, TH S 85-24-12 E 83.08 FT, TH N 87-59-50 E 155.57 FT, TH N 80-48-07 E 85.23 FT, TH S 13-28-04 E 53.77 FT, TH N 85-49-14 E 310.85 FT, TH N 58-24-40 E 67.57 FT, TH N 82-36-50 E 150.54 FT, TH S 04-06-47 E 235.44 FT, TH S 05-57-15 W 93.62 FT, TH S 87-59-50 W 1611.68 FT, TH N 01-48-43 W 1144.61 FT, TH N 88-11-17 E 124.90 FT, TH ALG CURVE TO LEFT, RAD 650 FT CORD BEARS N 83-37-30 E 103.42 FT, DIST OF 103.53 FT, TH ALG CURVE TO RIGHT, RAD 535 FT, CHORD BEARS N 87-47-01 E 162.25 FT, DIST OF 162.88 FT, TH ALG CURVE TO LEFT RAD 605 FT, CHORD BEARS S 84-23-27 E 18.92 FT, DIST OF 18.92 FT TO BEG 19.62 A 1-7-92 FR 033

Formerly known as: City Place
Parcel Identification No. 15-23-300-035

SECTION 2. **Section 3.01.** Boundaries and the Zoning Map attached to the Zoning Ordinance, shall be amended to depict the amendment to the zoning classification for the properties described herein from B-2, General Business with an FB-2, Flexible Business Overlay and a Planned Unit Development (PUD) Overlay to R-4, One Family Residential with an FB-2, Flexible Business Overlay.

SECTION 3. **Severability.** This Ordinance and each article section, subsection, paragraph, part provision, sentence, word and any portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this Ordinance shall not be affected thereby.

SECTION 4. **Penalty.** All violations of this Ordinance shall be municipal civil infractions and upon a determination of responsibility therefore shall be punishable by a civil fine of not more than \$500.

SECTION 5. **Repeal, Effective Date and Adoption.**

- (1) Repeal. All regulatory provisions contained in other City Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed.
- (2) Effective Date. This Ordinance shall become effective on _____, the day following its publication in the Oakland Press on _____.
- (3) Adoption. This Ordinance was adopted by the City Council of the City of Rochester Hills at a meeting hereof held on _____, 2014.

Bryan K. Barnett, Mayor
City of Rochester Hills

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROCHESTER HILLS AT A MEETING THEREOF ON _____, 2014.

Tina Barton, Clerk
City of Rochester Hills