

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 PROPERTY DESCRIBED HEREIN FROM R-4 (ONE FAMILY RESIDENTIAL) TO B-2 (GENERAL BUSINESS) AND TO PRESCRIBE PENALTIES FOR THE VIOLATION THEREOF. (28± acres)

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. The zoning classification of the following described property shall be amended as follows:

28± acres zoned **from** R-4 (ONE FAMILY RESIDENTIAL) **to** B-2 (General Business)

SITE DESCRIPTION:

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

Parcel 1: T3N, R11E, SEC 23; PART OF NW ¼; BEG AT PT DIST; N 00-12-58 W 335.28 FT & N 87-31-02 E 66.04 FT; FROM W ¼ COR; TH N 87-31-02 E 2622.71 FT; TH S 02-54-28 E 250 FT; TH S 87-31-02 W 2634.45 FT; TH N 00-12-58 W 250.19 FT; TO BEG EXC; THAT PART PLATTED INTO; 'EDDINGTON WOODS' 4.81 A; 7-21-03 FR 002;

Parcel 2: T3N, R11E, SEC 23; PART OF W ½ OF SEC; BEG AT PT DIST; N 01-50-00 W 2.36 FT & N 85-52-54 E 66.05 FT; FROM W ¼ COR; TH N 85-52-54 E 409.33 FT; TH S 01-48-43 E 437.73 FT; TH ALG CURVE TO RIGHT; RAD 535 FT, CHORD BEARS; N 83-55-56 W 8.72 FT; DIST OF 8.72 FT; TH ALG CURVE TO LEFT; RAD 605 FT, CHORD BEARS; W 87-39-12 W 87.74 FT; DIST OF 87.82 FT; TH ALG CURVE TO RIGHT; RAD 645 FT, CHORD BEARS; N 89-31-17 W 51.56 FT; DIST OF 51.57 FT; TH N 87-13-52 W 262.17 FT; TH N 01-48-43 W 390.70 FT; TO BEG 3.89 A; 1-15-92 FR 001;

Parcel 3: 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 2 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, CHORD 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;

Parcel Identification Nos. 15-23-300-035, 15-23-301-002, 15-23-152-015

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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 property described herein from R-4 (One Family Residential) to B-2 (General Business).

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 therefor 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 Friday, , the day following its publication in the *Clarion-Eccentric* on Thursday,
- (3) Adoption. This Ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on May 5, 2004.

Pat Somerville, Mayor

CERTIFICATE

I hereby certify that the foregoing Ordinance was adopted by the City Council of the City of Rochester Hills at a meeting there of held on May 5, 2004.

ZONING ORDINANCE NO.

Beverly A. Jasinski, City Clerk

Accepted for First Reading: 04/21/04