

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 PUD (PLANNED UNIT DEVELOPMENT) AND TO PRESCRIBE PENALTIES FOR THE VIOLATION THEREOF. (24.2± acres)

THE CITY OF ROCHESTER HILLS ORDAINS:

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

24.26 acres zoned **from** R-4 (ONE FAMILY RESIDENTIAL) **to** PUD (PLANNED UNIT DEVELOPMENT).

SITE DESCRIPTION:

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

Lots 1 through 4, part of Lot 6, Lot 7, part of Lot 8 and Lots 9 through 13 of "Pon-Avon Farms" a Subdivision as recorded in Liber 59 of Plats, Page 23, Oakland County Records and part of the Southwest $\frac{1}{4}$ of Section 31 all in Town 3 North, Range 11 East, Avon Township (now City of Rochester Hills), Oakland County, Michigan, described as: Commencing Southwest Corner of Section 31;
thence North 632.53 feet along the West line of Section 31 and the centerline of Adams Road South (width variable) to the Westerly extension of the North line of "Pon-Avon Farms" and the Point of Beginning;
thence continuing along the West line of Section 31 and the centerline of Adams Road South, North 329.84 feet (recorded as 327.82 feet);
thence N.87°57'21"E. 1328.83 feet (recorded as N.87°52'30"E. 1329.09 feet);
thence S.00°04'03"E. 949.19 feet (recorded as S.00°09'30"E. also recorded as S.00°01'30"W.) along the Northerly extension of the East line and along the East line of "Pon-Avon Farms", to the Southeast corner of the "Pon-Avon Farms" and the North line of South Boulevard (120.00 feet wide);
thence S.89°58'28"W. (recorded as S.89°52'W.) 500.00 feet along the South line of "Pon-Avon Farms" and the North line of South Boulevard, to the Southwest corner of Lot 9;
thence N.00°01'27"W. 300.00 feet along the West line of Lot 9;
thence S.89°58'28"W. 99.93 feet to the East line of Lot 7;
thence S.00°00'54"E. 300.00 feet along the East line of Lot 7 to the Southeast corner of Lot 7 and the North line of South Boulevard;
thence S.89°58'28"W. (recorded as S.89°52'W.) 100.00 feet along the South line of Lot 7 and the North line of South Boulevard to the Southwest corner of Lot 7;
thence N.00°00'21"W. 195.54 feet along the West line of Lot 7;
thence S.87°53'43"W. 569.50 feet along the Easterly extension of South line of Lot 4

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and the South line of Lot 4 to the Southwest corner of Lot 4 and the East line of Adams Road South;

thence North 399.82 feet (recorded as 400.00 feet) along the West line of "Pon-Avon Farms" and the East line of Adams Road South to the Northwest corner of Lot 1: thence S.87°54'29"W. 60.04 feet to the Point of Beginning.

Containing 24.26 acres total (23.81 acres to 60.00 feet ROW), more or less. Subject to the rights of the public in Adams Road South.

Subject to any and all easements and/or encumbrances recorded or otherwise.

Commonly known as: N/A

Parcel Identification Nos. 15-31-301-011, 15-31-351-001, -002, -003, -017, -008, -009 - 010, -011 and -012.

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 PUD (Planned Unit Development).

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 _____, the day following its publication in the *Clarion-Eccentric* on _____.
- (3) Adoption. This Ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on _____, 2005.

Pat Somerville, Mayor

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CERTIFICATE

I hereby certify that the foregoing Ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on _____, 2005.

Jane Leslie, City Clerk

Accepted for First Reading: 08/17/05
mg: 08/05/05