

## 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 A PORTION OF THE PROPERTY DESCRIBED HEREIN FROM R-4 (ONE FAMILY RESIDENTIAL) TO B-3 (SHOPPING CENTER BUSINESS) (.50± acres).**

THE CITY OF ROCHESTER HILLS ORDAINS:

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

.50 acres zoned **from** R-4 (ONE FAMILY RESIDENTIAL) **to** B-3 (SHOPPING CENTER BUSINESS).

### **SITE DESCRIPTION FOR B-3 REZONING:**

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

LAND IN THE NORTHWEST ¼ OF SECTION 35; TOWN 3 NORTH, RANGE 11 EAST, COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 35; THENCE S02°00'59"E 1724.41 FEET (RECORDED AS S03°33'43"W 1724.84 FEET) ALONG THE WEST LINE OF SAID SECTION 35; THENCE N87°22'45"E 169.89 FEET (RECORDED AS S87°44'12"E 162.51 FEET) FOR A PLACE OF BEGINNING; THENCE CONTINUING N87°22'45"E 880.47 FEET (RECORDED AS S87°44'12"E 880.47 FEET) TO THE WEST LINE OF WILDFLOWER SUBDIVISION AS RECORDED IN LIBER 200, PAGES 10-15, OAKLAND COUNTY RECORDS; THENCE S02°54'37"E 25.33 FEET; THENCE S87°24'08"W 853.29 FEET (RECORDED AS S87°44'12"W); THENCE N49°58'20"W 36.88 FEET (RECORDED AS N45°06'40"W 36.92 FEET) TO THE PLACE OF BEGINNING, CONTAINING .50 ACRES OF LAND, MORE OR LESS. SUBJECT TO EASEMENTS, CONDITIONS, RESTRICTIONS AND EXCEPTIONS, IF ANY.

### **SITE DESCRIPTION FOR REMAINING R-4 PORTION:**

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

LAND IN THE NORTHWEST ¼ OF SECTION 35, TOWN 3 NORTH, RANGE 11 EAST DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 35, THENCE S02°00'59"E 1724.41 FEET (RECORDED AS S03°33'43"W 1724.84 FEET) ALONG THE WEST LINE OF SAID SECTION 35; THENCE N87°22'45"E 1050.18 FEET (RECORDED AS S87°44'12"E) TO THE WEST LINE OF WILDFLOWER SUBDIVISION AS RECORDED IN LIBER 200, PAGES 10-15, OAKLAND COUNTY RECORDS AND THE PLACE OF BEGINNING, THENCE N87°34'47"E 297.89 FEET (RECORDED AS S87°37'47"E 297.83 FEET) ALONG THE SOUTH LINE OF SAID WILDFLOWER

ZONING ORDINANCE NO.

SUBDIVISION; THENCE S02°33'02"E 291.59 FEET (RECORDED AS S02°19'22"W 292.08 FEET) ALONG THE WEST LINE OF SAID WILDFLOWER SUBDIVISION; THENCE N03°18'54"W 19.76 FEET (RECORDED AS S01°51'30"W 19.21 FEET); THENCE S89°54'39"W 23.97 FEET (RECORDED AS S85°18'00"W 23.90 FEET); THENCE N03°00'10"W 285.39 FEET (RECORDED AS N01°51'30"E 285.33 FEET); THENCE S87°30'33"W 271.94 FEET (RECORDED AS N87°37'47"W 271.79 FEET); THENCE N02°54'37"W 25.33 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.34 ACRES OF LAND, MORE OR LESS. SUBJECT TO EASEMENTS, CONDITIONS RESTRICTIONS AND EXCEPTIONS, IF ANY.

Commonly known as: Orphan Parcel south of Former Pat Moran Dealership  
Parcel Identification No. Part of 15-35-100-035

**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 property described herein from R-4 (One Family Residential) to B-3 (Shopping Center 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 \_\_\_\_\_, 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 \_\_\_\_\_, 2006.

---

Pat Somerville, Mayor

ZONING ORDINANCE NO.

**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 \_\_\_\_\_, 2006.

---

Jane Leslie, City Clerk

Accepted for First Reading: 02/15/06  
mg: 02/02/06