

**CARTHEW LAW FIRM, PC**

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JAN 10 2007

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Of Counsel  
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January 9, 2007

Ed Anzek, Director  
Department of Planning and Development  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309-3034

*VIA REGULAR MAIL*

Re: Saddlebrook Orchards  
City File #99-031

Dear Mr. Anzek:

Please accept this letter as a formal request that a tree variance be granted on the above-referenced City file. As you are aware, the City Landscape Architect has recently recommended that the Saddlebrook Orchards tree survey be re-conducted due the recent Ash Borer outbreak. At the time that the first tree survey was conducted, the affects of an Emerald Ash Borer outbreak were unforeseen. However, due to the unanticipated length of time that this project has been in the City files awaiting final approval, many of the Ash trees on the property have been destroyed due to the affects of the Emerald Ash Borer infestation, which caused the 37% TCO tree save requirement to fall short by only seven trees.

Understandably, our client has expressed great concern over the amount of time and resources that would be expended in requiring a new tree survey to be conducted. As a result, our client has requested that a tree variance be granted in this case. In exchange, our client has offered to plant sufficient trees necessary to meet the 37% requirement in order to allow this matter to be resolved in a more efficient manner.

Therefore, it is our request that this matter be placed on the agenda for City Council's working session as soon as possible. Your attention to this matter is greatly appreciated. Should you have any questions, please call.

Very truly yours,

**CARTHEW LAW FIRM, PC**

*Paul Carthew - w/ permission*

Paul Carthew

cc: Brian Barnett  
John Staran  
Dave Kohl