



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2019-0537

TO: Mayor and City Council Members

FROM: Ken Elwert, Director, Parks & Natural Resources
Matt Einheuser, Natural Resources Manager

DATE: December 9, 2019

SUBJECT: 1691 West Auburn Rd. Tree Removal Permit Appeal

REQUEST:

Consider and decide an appeal of a Tree Removal Permit approval by the Department of Parks & Natural Resources by two adjacent property owners in regard to a home being built at 1691 W. Auburn Road.

BACKGROUND:

Per the Tree Conservation Ordinance (Sec. 126-369), any aggrieved owner of property contiguous to property for which a Tree Removal Permit has been approved may appeal the permit decision to the City Council.

On September 10, 2019, a Tree Removal Permit Application was filed for a home being built at 1691 W. Auburn Rd, which is a 1.7 acre unplatted residential parcel, zoned residential R-4. Because this process started prior to the recent tree conservation ordinance changes, the permit and this appeal are being processed under the old ordinance.

A tree survey was provided by the applicant with the Plot Plan showing a total of 89 regulated trees on the lot; 17 of which were dead and do not require a Tree Removal Permit. The parcel contains 72 living, regulated trees. 39 trees are being proposed for removal. All 39 trees being removed are within the principal dwelling's footprint and area described in Sec. 126-400 of the applicable Tree Conservation Ordinance, meaning that they are not required to be relocated or replaced (see provided Plot Plan).

The Department determined the proposed tree removals meet the requirements and restrictions of the Tree Conservation Ordinance and that a permit should be granted.

Although wetland regulation is not specifically reviewed by the Forestry Division through the Tree Removal Permit process, both appellants, in their appeal letters, express a wetland concern. According to a wetland determination performed by ASTI on December 13, 2018 and further review by the City's Engineering Department, there is an approximately 0.5 acre low quality, unregulated wetland on the northern portion of the parcel.

RECOMMENDATION:

The Department of Parks and Natural Resources recommends that the appeals be denied, that the Department's determination be affirmed, and that the Tree Removal Permit process be continued

and a permit ultimately be granted as it meets the requirements and restrictions of the Tree Conservation Ordinance.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
Deputy Clerk		

Contract Reviewed by City Attorney Yes N/A