

**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 B-2 (GENERAL BUSINESS) TO B-3 (SHOPPING CENTER BUSINESS) AND TO PRESCRIBE PENALTIES FOR THE VIOLATION THEREOF. (4.2± acres)**

THE CITY OF ROCHESTER HILLS ORDAINS:

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

4.2 acres zoned **from** B-2 (GENERAL BUSINESS) **to** B-3 (SHOPPING CENTER BUSINESS).

**SITE DESCRIPTION:**

Land in the Southwest  $\frac{1}{4}$  of Section 14, T3N, R11E, City of Rochester Hills, Oakland County, Michigan, described as:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14, THENCE ALONG THE WEST SECTION LINE (ALSO BEING THE CENTERLINE OF ROCHESTER ROAD, VARIABLE WIDTH), N00°14'16" E 470.45 FEET; THENCE S89°36'02" E 33.00 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF ROCHESTER ROAD (EAST  $\frac{1}{2}$  BEING 33 FEET WIDE), N00°14'16" E 107.14 FEET (RECORDED AS 107.05 FEET); THENCE S89°34'41" E 575.18 FEET; THENCE N00°00'28"E 154.00 FEET TO A POINT ON THE SOUTHERLY LINE OF "HEATHERWOOD VILLAGE NO. 1" (AS RECORDED IN LIBER 172 OF PLATS, PAGES 23 TO 26, OAKLAND COUNTY RECORDS); THENCE ALONG THE SOUTHERLY LINE OF SAID "HEATHERWOOD VILLAGE NO. 1", S89°41'30" E 231.80 FEET; THENCE S00°00'28" W 401.75 FEET; THENCE N89°36'02" W 400.48 FEET; THENCE N00°14'16" E 120.46 FEET (RECORDED AS 120.00 FEET); THENCE N89°36'02" W 289.50 FEET; THENCE N00°14'16" E 20.00 FEET; THENCE N89°36'02" W 118.00 FEET TO THE POINT OF BEGINNING. CONTAINING 4.2265 ACRES SUBJECT TO AND TOGETHER WITH ALL EASEMENTS, EXCEPTIONS, CONDITIONS, RESERVATIONS AND RESTRICTIONS CONTAINED IN PRIOR CONVEYANCES OF RECORD OR OTHERWISE.

Commonly known as: House of Denmark Site  
Parcel Identification Nos. 15-14-351-061; Part of 15-14-351-017 and Part of 15-14-351-018.

**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 B-2 (General Business) to B-3 (Shopping Center Business).

ZONING ORDINANCE NO.

**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.

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Bryan Barnett, Mayor

**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.

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Jane Leslie, City Clerk