

ORDINANCE NO.

AN ORDINANCE TO AMEND CHAPTER 138, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO OVERLAY THE PROPERTY DESCRIBED HEREIN WITH PUD (PLANNED UNIT DEVELOPMENT) AND TO PRESCRIBE PENALTIES FOR THE VIOLATION THEREOF. (15 acres)

THE CITY OF ROCHESTER HILLS ORDAINS:

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

To overlay seven parcels of land totaling approximately 15 acres with PUD (Planned Unit Development).

SITE DESCRIPTION:

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

Parcel I: PART OF THE SOUTHEAST ¼ OF SECTION 3, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 3, THENCE ALONG THE EAST LINE OF SAID SOUTHEAST ¼ OF SECTION 3, NORTH 00 DEGREES 00 MINUTES 30 SECONDS EAST, A DISTANCE OF 146.57 FEET; THENCE LEAVING SAID EAST LINE NORTH 30 DEGREES 42 MINUTES 30 SECONDS WEST A DISTANCE OF 109.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING, NORTH 30 DEGREES 42 MINUTES 30 SECONDS A DISTANCE OF 7.98 FEET TO A POINT ON THE WEST LINE OF ROCHESTER ROAD (120 FOOT RIGHT-OF-WAY); THENCE ALONG THE SAID WEST LINE NORTH 00 DEGREES 00 MINUTES 30 SECONDS EAST A DISTANCE OF 276.50 FEET; THENCE LEAVING SAID WEST LINE NORTH 82 DEGREES 33 MINUTES 47 SECONDS WEST A DISTANCE OF 74.69 FEET; NORTH 30 DEGREES 42 MINUTES 30 SECONDS WEST, A DISTANCE OF 590.71 FEET; THENCE SOUTH 76 DEGREES 14 MINUTES 30 SECONDS WEST, A DISTANCE OF 406.29 FEET; THENCE SOUTH 10 DEGREES 36 MINUTES 00 SECONDS EAST, A DISTANCE OF 588.78 FEET; THENCE SOUTH 10 DEGREES 42 MINUTES 30 SECONDS EAST, A DISTANCE OF 163.64 FEET; THENCE SOUTH 08 DEGREES 12 MINUTES 40 SECONDS EAST, A DISTANCE OF 205.18 FEET TO THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 3; THENCE ALONG SAID SOUTH LINE SOUTH 89 DEGREES 47 MINUTES 38 SECONDS EAST A DISTANCE OF 420.08 FEET, THENCE LEAVING SAID SOUTH LINE, NORTH 02 DEGREES 45 MINUTES 18 SECONDS WEST A DISTANCE OF 60.08 FEET TO THE NORTH LINE OF TIENKEN ROAD (120' RIGHT OF WAY); THENCE ALONG SAID NORTH LINE, SOUTH 89 DEGREES 47 MINUTES 38 SECONDS EAST, A DISTANCE OF 185.08 FEET TO THE WEST LINE OF ROCHESTER ROAD (120' RIGHT OF WAY), THENCE ALONG SAID

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WEST LINE, NORTH 00 DEGREES 00 MINUTES 30 SECONDS EAST A DISTANCE OF 69.89 FEET, THENCE LEAVING SAID WEST LINE, NORTH 30 DEGREES 42 MINUTES 29 SECONDS WEST A DISTANCE OF 124.28 FEET; THENCE NORTH 86 DEGREES 49 MINUTES 35 SECONDS EAST A DISTANCE OF 61.91 FEET TO THE WEST LINE OF ROCHESTER ROAD (120' RIGHT OF WAY), THENCE NORTH 86 DEGREES 49 MINUTES 35 SECONDS EAST A DISTANCE OF 4.08 FEET TO THE POINT OF BEGINNING, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

Commonly known as: Northwest Corner of Tienken and Rochester Roads
Parcel Identification Nos. 15-03-477-018, 15-03-477-019, 15-03-477-020 and 15-03-477-021, 15-03-477-030, 15-03-477-031 and 15-03-477-033.

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 to overlay seven parcels of land totaling approximately 15 acres with 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 Friday, March 12, 2004, the day following its publication in the *Clarion-Eccentric* on Thursday, March 11, 2004.
- (3) Adoption. This Ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on February 18, 2004

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Pat Somerville, 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 February 18, 2004.

Beverly A. Jasinski, City Clerk

Accepted for First Reading: 02/11/04