

**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 O-1 (OFFICE BUSINESS) AND I-1 (LIGHT INDUSTRIAL) TO B-2 (GENERAL BUSINESS) AND TO PRESCRIBE PENALTIES FOR THE VIOLATION THEREOF. (11 acres)**

THE CITY OF ROCHESTER HILLS ORDAINS:

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

11 acres zoned **from** 0-1 (OFFICE BUSINESS) and I-1 (LIGHT INDUSTRIAL) **to** B-2 (General Business)

**SITE DESCRIPTION:**

Legal Description for four Parcels of 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: BEGINNING AT A POINT DISTANT NORTH 00 DEGREES 00 MINUTES 30 SECONDS EAST, 146.57 FEET AND NORTH 30 DEGREES 42 MINUTES 30 SECONDS WEST, 685.58 FEET FROM THE SOUTHEAST SECTION CORNER; THENCE NORTH 30 DEGREES 42 MINUTES 30 SECONDS WEST, 331.57 FEET; THENCE SOUTH 76 DEGREES 14 MINUTES 30 SECONDS WEST, 320.05 FEET; THENCE SOUTH 10 DEGREES 36 MINUTES 00 SECONDS EAST, 317.77 FEET; THENCE NORTH 76 DEGREES 13 MINUTES 30 SECONDS EAST, 434.23 FEET TO THE POINT OF BEGINNING.

Parcel II: PART OF THE SOUTHEAST ¼ OF SECTION 3, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT DISTANT NORTH 00 DEGREES 00 MINUTES 30 SECONDS EAST, 146.57 FEET AND NORTH 30 DEGREES 42 MINUTES 30 SECONDS WEST, 402.71 FEET FROM THE SOUTHEAST SECTION CORNER; THENCE NORTH 30 DEGREES 42 MINUTES 30 SECONDS WEST, 282.87 FEET; ;THENCE SOUTH 76 DEGREES 13 MINUTES 30 SECONDS WEST, 434.23 FEET; THENCE SOUTH 10 DEGREES 36 MINUTES 00 SECONDS EAST, 271.01 FEET; THENCE NORTH 76 DEGREES 13 MINUTES 30 SECONDS EAST, 531.62 FEET TO THE POINT OF BEGINNING.

Parcel III: PART OF THE SOUTHEAST ¼ OF SECTION 3, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT DISTANT NORTH 00 DEGREES 00 MINUTES 30 SECONDS

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EAST, 146.57 FEET AND NORTH 30 DEGREES 42 MINUTES 30 SECONDS WEST, 274.81 FEET FROM THE SOUTHEAST SECTION CORNER; THENCE NORTH 30 DEGREES 42 MINUTES 30 SECONDS WEST, 127.90 FEET; THENCE SOUTH 76 DEGREES 13 MINUTES 30 SECONDS WEST, 334.00 FEET; THENCE SOUTH 10 DEGREES 36 MINUTES 00 SECONDS EAST, 122.54 FEET; THENCE NORTH 76 DEGREES 13 MINUTES 30 SECONDS EAST, 378.04 FEET TO THE POINT OF BEGINNING.

Parcel IV: PART OF THE SOUTHEAST ¼ OF SECTION 3, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT DISTANT NORTH 00 DEGREES 00 MINUTES 30 SECONDS EAST, 146.57 FEET AND NORTH 30 DEGREES 42 MINUTES 30 SECONDS WEST, 109.48 FEET FROM THE SOUTHEAST SECTION CORNER; THENCE SOUTH 86 DEGREES 49 MINUTES 30 SECONDS WEST, 636.64 FEET; THENCE NORTH 10 DEGREES 42 MINUTES 30 SECONDS WEST, 163.64 FEET; THENCE NORTH 76 DEGREES 13 MINUTES 30 SECONDS EAST, 197.62 FEET; THENCE SOUTH 10 DEGREES 36 MINUTES 00 SECONDS EAST, 122.54 FEET; THENCE NORTH 76 DEGREES 13 MINUTES 30 SECONDS EAST, 378.04 FEET; THENCE SOUTH 30 DEGREES 42 MINUTES 30 SECONDS EAST, 165.33 FEET TO THE POINT OF BEGINNING.

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

**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 O-1 (Office Business) and I-1 (Light Industrial) to B-2 (General 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.

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- (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.

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Beverly A. Jasinski, City Clerk

Accepted for First Reading: 02/11/04