

**GREEN OAK CHARTER TOWNSHIP  
AMENDMENT TO ZONING ORDINANCE  
ZONING MAP AMENDMENT NUMBER 03-2021**

**THE TOWNSHIP BOARD OF GREEN OAK CHARTER TOWNSHIP ORDAINS:**

**Section 1 of Ordinance. Title.** This Ordinance shall be known as the "The Parc Conditional Rezoning Ordinance."

**Section 2 of Ordinance. Purpose.** The purpose of this Ordinance is to amend the Green Oak Charter Township Zoning Ordinance Map for the rezoning of approximately 22.36 acres of land located in Section 8 in the Township, located on the southeast corner of Maltby Road and Rickett Road, to change the use of the property from RO-Residential Office and LI-Limited Industrial to RM-Multiple-Family, and subject to the following:

List of Conditions. The conditional rezoning was granted to Developer based upon conditions which were voluntarily offered by Developer. The conditions which form the basis of the Township's grant of the conditional rezoning are as follows:

- a. The proposed development will consist of no more than 23 two-story, multi-family buildings that will be in conformance with the renderings and colored elevations attached as **Exhibit A**.
- b. The proposed development will contain no more than 230 units.
- c. The proposed development will include a community clubhouse and amenities for its residents. Additionally, at the Township's request, the clubhouse can be used as a Township polling precinct.
- d. The proposed development will connect to public water and sewer.
- e. The proposed development will provide at least three parking spaces adjacent to the Township's cemetery for use by visitors of the cemetery. In addition, the proposed development will build a sidewalk connection in the northeast corner of the Property from the above-mentioned parking spaces to the property line at the cemetery. The parking spaces and sidewalk location will be shown on the final site plan and later approved by the Township.
- f. The Property will be developed substantially in accordance with the site plan and landscape plan prepared by Atwell (attached as **Exhibit B**), as modified by the Township's consultants and subject to conditions for approval by the Township.
- g. The proposed development will meet all requirements for the RM Zoning District in the Township's Zoning Ordinance Schedule of Regulations, Section 38-136.
- h. The trees to be planted within the required landscape buffer to the residential properties on the west and south sides of the Property will be upsized from 6 feet above ground level to 14 feet above ground level, subject to the Township

amending its Woodland Ordinance in a manner that reduces the tree replacement obligations for the project.

- i. If parking within the project continuously exceeds capacity, as determined solely by the Township, Developer will construct up to 40 additional parking spaces as determined by the Township to be necessary. These parking spaces will be constructed by Developer within eight (8) months of a request by the Township. The location of the additional parking spaces is shown on **Exhibit C**.
- j. If Developer does not acquire title to the Property, the Township shall, at the request of the undersigned parcel owners, rezone the parcel back to RO-Residential Office and LI-Limited Industrial. If, at the request of the parcel owners, the Property is rezoned to RO-Residential Office and LI-Limited Industrial, this Agreement shall automatically terminate and shall no longer run with the Property.

**Section 3 of Ordinance. Amendment.** The Zoning Ordinance and the Zoning Map of Green Oak Charter Township is hereby amended as follows:

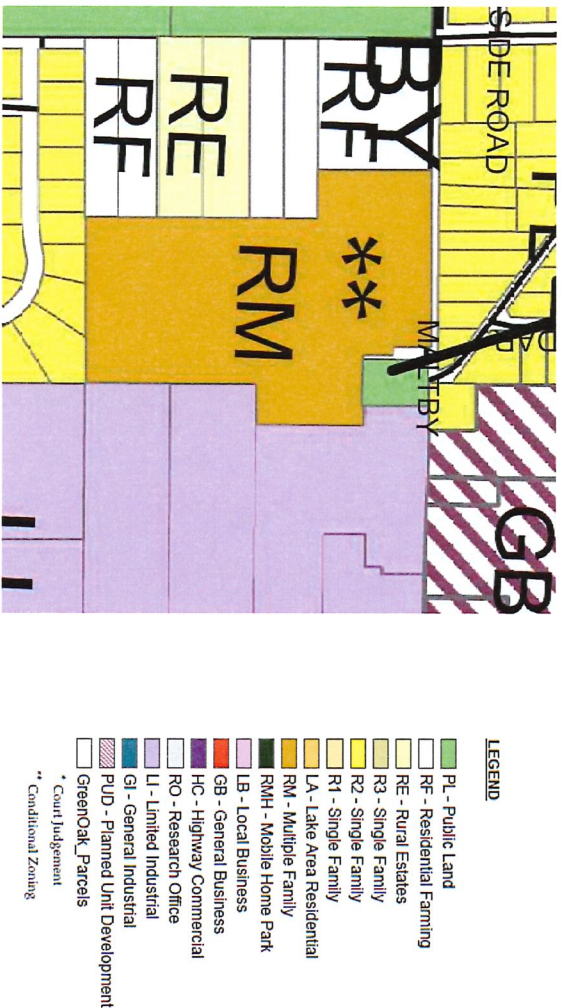
- A. The legal description of the subject property being rezoned to RM-Multiple-Family (with conditions) is as follows:

PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 AND PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, T1N-R6E, GREEN OAK TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SECTION 8; THENCE, ALONG THE NORTH LINE OF SECTION 8 AND IN MALTBY ROAD (66 FOOT WIDE RIGHT OF WAY), N 87°26'34" E (RECORDED AS S 89°07'57" E), 508.27 FEET TO THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE CONTINUING ALONG THE NORTH LINE OF SECTION 8 AND IN MALTBY ROAD, N 87°26'34" E (RECORDED AS S 89°07'57" E), 679.92 FEET; THENCE S 02°12'18" E (RECORDED AS S 01°13'11" W), 147.58 FEET; THENCE N 87°26'34" E (RECORDED AS S 89°07'57" E), 33.08 FEET; THENCE S 02°12'18" E (RECORDED AS S 01°13'11" W), 114.44 FEET; THENCE N 87°43'16" E (RECORDED AS S 88°51'15" E), 314.50 FEET; THENCE S 02°12'18" E, 404.83 FEET, SAID POINT BEING THE FOLLOWING TWO (2) COURSES FROM THE NORTH 1/4 CORNER OF SECTION 8: 1) ALONG THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION AND IN WHITMORE LAKE ROAD (60 FOOT WIDE 1/2 RIGHT OF WAY), S 02°07'04" E (RECORDED AS S 01°18'25" W), 667.32 FEET; 2) S 87°23'22" W (RECORDED AS N 89°11'09" W), 1134.76 FEET; THENCE S 87°23'22" W (RECORDED AS N 89°11'09" W), 200.00 FEET; THENCE ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, ALSO BEING THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, AS PREVIOUSLY SURVEYED AND MONUMENTED, S 02°12'18" E (RECORDED AS S 01°13'11" W), 653.84 FEET; THENCE ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, AS PREVIOUSLY SURVEYED AND MONUMENTED, S 87°23'19" W (RECORDED AS N 89°11'12" 1A1), 640.87 FEET; THENCE N 02°07'49" W (RECORDED AS N 01°17'40" E) 889.37 FEET; THENCE S 87°30'54" W (RECORDED AS N 89°03'37" W), 187.13 FEET;

THENCE N 02°17'31" W (RECORDED AS N 01°07'58" E) 433.41 FEET, TO THE POINT OF BEGINNING, CONTAINING 22.36 ACRES, MORE OR LESS, AND SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE EXISTING MALTBY ROAD (66 FOOT WIDE RIGHT OF WAY). ALSO SUBJECT TO ANY EASEMENTS OR RESTRICTIONS OF RECORD.

Tax Parcel Number 4716-08-100-014

- B. The Green Oak Charter Township Zoning Ordinance Map is hereby amended as follows:



**Section 4 of Ordinance. Repealer.**

This ordinance repeals any ordinances in conflict thereof.

**Section 5 of Ordinance. Severability.**

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decisions shall not affect the validity of the remaining portions of this ordinance. The Township Board of Trustees hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 6 of Ordinance. Savings Clause.**

Nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 7 of Ordinance.**      **Publication and Effective Date.**

This ordinance shall be effective on the 8th day after publication, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

**Section 8 of Ordinance.**      **Adoption.**

That this ordinance was duly adopted by the Green Oak Charter Township Board at its regular meeting called and held on June 16, 2021 and was ordered given publication in the manner required by law.

GREEN OAK CHARTER TOWNSHIP



Michael H. Sedlak, CMC, Township Clerk

Adoption Date:      June 16, 2021

Publication Date:      June 24, 2021

Effective Date:      June 24, 2021