RESOLUTION NO. 81-2015

TO SET A PUBLIC HEARING TO CONSIDER AMENDING CHAPTER 38 ZONING
OF THE CODE OF ORDINANCES
TO REZONE A PORTION OF THE PARCEL AT 1405 WEST NORTH STREET
AND AMEND THE ZONING MAP

WHEREAS, the city council of the city of Owosso received a petition from Covenant Eyes, Inc. on behalf of the owner of real property identified as 1405 W. North Street (parcel number to be assigned following lot split) to rezone the western portion of the parcel from R-1 Single Family Residential to OS-1 Office Service; and

WHEREAS, the planning commission subsequently published the request and mailed notices of the request to surrounding property owners, held a public hearing on the request, and deliberated on the request; and

WHEREAS, the city staff and planning commission recommend, without reservations or conditions, the rezoning of 1405 W. North Street as petitioned; and

WHEREAS, the item must now be considered by the city council and a public hearing by the council is required before any such ordinance amendment can be acted upon.

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF OWOSSO ORDAINS:

SECTION 1. OFFICIAL ZONING MAP AMENDMENT. That Chapter 38, Zoning, Sec. 38-27, Zoning Districts and Map, reflect the following change, to be noted on the official map and filed with the city clerk:

<table>
<thead>
<tr>
<th>Parcel Address</th>
<th>Current Zoning</th>
<th>Amended Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>west portion of 1405 West North St, described as follows:</td>
<td>R-1, Single Family</td>
<td>OS-1, Office Service</td>
</tr>
</tbody>
</table>

Part of the Northeast 1/4 of the Northeast 1/4 of Section 14, T7N-R2E, Owosso Township, Shiawassee County, Michigan, described as beginning at a point that is S88°05'30"W on the North line of said Section 14 a distance of 962.03 feet from the Northeast corner of said Section 14; thence S00°13'38"W 31.00 feet; thence S08°42'07"E 33.60 feet; thence S29°37'59"E 33.94 feet; thence S00°13'39"W 260.02 feet; thence N69°01'18"W 402.05 feet to the North and South 1/8 line in the Northeast 1/4 of said Section 14; thence N88°05'30"E 100.00 feet; thence N00°13'39"E parallel with said North and South 1/8 line a distance of 198.00 feet to the North line of said Section 14; thence N88°05'30"E on said North line a distance of 254.10 feet to the point of beginning, containing 1.89 acres, more or less. Including a non-exclusive easement for ingress and egress described as beginning at a point that is S88°05'30"W on the North line of said Section 14 a distance of 913.87 feet from the Northeast corner of said Section 14; thence S00°13'39"W 80.48 feet; thence S60°22'01"W 30.00 feet; thence N29°37'59"W 33.94 feet; thence N08°42'07"W 33.60 feet; thence N00°13'38"E 31.00 feet to the North line of said Section 14; thence N88°05'30"E on said North line a distance of 48.16 feet to the point of beginning. Subject to the use of the Northerly 33.00 feet thereof as North Street. Also subject to all other easements and restrictions of record.

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, October 5, 2015 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

SECTION 3. NOTICE. Council hereby directs staff to supply a public notice concerning the rezoning to a newspaper of general circulation within the city.
SECTION 4. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk’s office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

I hereby certify that the foregoing document is a true and correct copy of a resolution adopted by the Owosso City Council at the regular meeting of September 21, 2015 and which has not been rescinded or modified in any way whatsoever and is at present in full force and effect.

Amy K. Kirkland, City Clerk
DATE: September 16, 2015
TO: City Council
FROM: Susan Montenegro, Asst. City Manager/Community Development Director
SUBJECT: Rezoning of 1405 W. North Street

RECOMMENDATION:

The Planning Commission recommends city council conduct first reading and set a public hearing for October 5, 2015 to receive citizen comment regarding request to rezone the parcel commonly known as 1405 W. North Street, from R-1 Single Family Residential to OS-1 Office Service.

BACKGROUND:

Covenant Eyes is expanding its business footprint in Owosso and is in the process of purchasing the former Owosso Public Schools Administration Building. The intent is to use this building as its customer service representative location. Covenant Eyes will use the existing building, after some minor alterations are made, to employ 15-20 employees. Currently the building is located on the same parcel as Bentley School (1375 W. North Street). The area they wish to split off (to be known as 1405 W. North Street) has been surveyed and the rezoning would apply only to that described portion of the parcel, contingent upon the completion of the sale to Covenant Eyes.

The Planning Commission, after mailing notices and holding a public hearing, voted at its regular meeting on August 24, 2015 to recommend rezoning the aforementioned western portion of the main parcel. Further, staff recommends approval of this petition to rezone property as submitted subject to the ordinance reading and public hearing process.

FISCAL IMPACTS:

This property will be added to the tax base for the city of Owosso.

Document originated by: Susan Montenegro
CERTIFICATE OF LAND SURVEY

SEE SHEET #2 OF 2 FOR DESCRIPTIONS.

NOTES:
-Rods, 18" in length, with cap #24622, were driven at all points marked thus: Q
-The bearing of the North line of Section 14 was assumed N88°05'30"E.

1.89 ACRES

CLIENT: Covenant Eyes
DATE: August 13, 2015
SCALE: 1" = 60' JOB NO. 26256

I hereby certify that I have surveyed and mapped the land above platted and/or described on 08/11/15
and that the ratio of closure on the unadjusted field observations of such survey was __________ and that all of the requirements of P.A. 132 of 1970 have been complied with.
CERTIFICATE OF LAND SURVEY

DESCRIPTION: Part of the Northeast 1/4 of the Northeast 1/4 of Section 14, T7N-R2E, Owosso Township, Shiawassee County, Michigan, described as beginning at a point that is S88°05'30"W on the North line of said Section 14 a distance of 962.03 feet from the Northeast corner of said Section 14; thence S00°13'38"W 31.00 feet; thence S08°42'07"E 33.60 feet; thence S29°37'59"E 33.94 feet; thence S00°13'39"W 260.02 feet; thence N69°01'18"W 402.05 feet to the North and South 1/8 line in the Northeast 1/4 of said Section 14; thence N88°05'30"E 100.00 feet; thence N00°13'39"E parallel with said North and South 1/8 line a distance of 198.00 feet to the North line of said Section 14; thence N88°05'30"E on said North line a distance of 254.10 feet to the point of beginning, containing 1.89 acres, more or less. Including a non-exclusive easement for ingress and egress described as beginning at a point that is S88°05'30"W on the North line of said Section 14 a distance of 913.87 feet from the Northeast corner of said Section 14; thence S00°13'39"W 80.48 feet; thence S60°22'01"W 30.00 feet; thence N29°37'59"W 33.94 feet; thence N08°42'07"W 33.60 feet; thence N00°13'38"E 31.00 feet to the North line of said Section 14; thence N88°05'30"E on said North line a distance of 48.16 feet to the point of beginning. Subject to the use of the Northerly 33.00 feet thereof as North Street. Also subject to all other easements and restrictions of record.

SECTION CORNER WITNESSES:
Northeast corner Section 14, T7N-R2E:
- Harrison Marker in Monument Box
- N80°E 29.90' REI cap & nail S. face 36" Oak
- S35°E 47.78' Top cen. fire hydrant
- S35°W 35.00' NE face 2" dia. steel road sign post
- N40°W 35.35' N&T SW face util. pole
- N00°00'22"W 2640.90' Harrison marker at K-4

CLIENT:  Covenant Eyes
DATE: August 13, 2015
JOB NO: 26256

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MARK L. VANRAEMDONCK
Professional Surveyor
Michigan No. 24622

204 N. Shiawassee St. (M-52) Owosso, Michigan 48867
TEL: (989) 725-8725 (810) 659-1053
FAX: (989) 725-2452 landmark@michonline.net

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