

CITY OF ALBION
ORDINANCE #2013-05

AN ORDINANCE TO AMEND CHAPTER 30 OF THE 1984 ZONING CODE OF THE CITY OF ALBION, BY AMENDING THE ZONING MAP REFERRED TO IN SECTION 30-98 OF THE ZONING ORDINANCE TO REZONE 1917 E. MICHIGAN AVENUE FROM R-1 RESIDENCE DISTRICT TO M-2 HEAVY INDUSTRIAL PARK DISTRICT.

Findings and Purpose:

There is a need for a change in the zoning of the property located at 1917 East Michigan Avenue, Albion, MI. When property is annexed, our zoning ordinance 30-97(a) automatically sets the zone for the annexed property as R-1 Residential District. Pursuant to the 425 agreement with Sheridan Township, we are required to zone an annex as M-2 Heavy Industrial Park District. It is recommended that the City rezone this property from R-1 to M-2 in accordance with the 425 agreement.

It is the intention of the City Council that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Albion, Michigan, and the Sections of this Ordinance may be renumbered to accomplish such intention.

THE CITY OF ALBION ORDAINS:

Section 1 – Title. An Ordinance to amend Chapter 30 of the 1984 Zoning Code of the City of Albion by amending the zoning map referred to in Section 30-97(a) of the Zoning Ordinance to rezone the property located at, and commonly referred to as 1917 E. Michigan Avenue, Albion, MI, legally described as: (PART OF THE E HALF OF SECTION 36, T2S, R4W, SHERIDAN TWP, CALHOUN COUNTY, MI, DESCRIBED AS FOLLOWS: COMM AT THE N ¼ LINE OF SEC 36; TH S 00 DEG 48MIN 48SEC E 1974.47 FT ALONG THE N-S ¼ LINE OF SEC 36 TO THE S LINE OF THE FORMER LAKESHORE AND MICHIGAN SOUTHERN RAILROAD AND THE TRUE POB. TH N 61 DEG 00MIN 00SEC E 660 FT ALG THE S RR LINE; TH 1240 FT ALG SD S RR LINE AND THE ARC OF A CURVE TO THE L WHOSE RADIUS IS 7,345.12 FT AND WHOSE CHORD BEARS N 56 DEG 10 MIN 16 SEC E 1238.53 FT; TH S 10DEG 26MIN 19SEC E 1049.3 FT; TH S 14DEG 10 MIN 00 SEC E 499.85 FT TO THE CL OF MI AV; TH S 72 DEG 34MIN 56SEC W 309.95 FT ALG THE CL; TH 250.80 FT ALG THE CL AND THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS IS 2022.69 FT AND WHOSE CHORD BEARS S 69DEG 01MIN 48 SEC W 250.64FT TO THE E-W ¼ LINE OF SEC 36; TH S 89DEG 58MIN 37 SEC W 53.20 FT ALG THE E-W ¼ LINE TO

57MIN 00SEC E ALG THE N LINE 11.46 FT; TH 7.66 FT ALG THE N LINE AND THE ARC OF A CURVE TO THE R WHOSE RADIUS IS 2055.69 FT AND WHOSE CHORD BEARS N 56 DEG 03MIN 23 SEC E 7.66FT TO THE SE COR OF LAND LOWNED BY BENTLEY; TH N 34DEG 03MIN 00SEC W ALG THE ELY LINE OF SD BENTLEY PROP 396.45 FT; TH S 87DEG 59 MIN 39SEC W ALG NLY PROP LINE 197.43 FT TO THE E LINE OF LOT 51 OF THE SUPERVISOR'S PLAT OF SECTION 36 OF SHERIDAN TWP. TH N 02 DEG 00MIN 27 SEC W 32.75 FT ALG THE E LINE OF THE NE COR OF LOT 51; TH S 89DEG 48MIN 20SEC W 56.50 FT ALG THE N LINE OF LOT 51; TH N 00DEG 48MIN 48 SEC W 368 FT; TH S 89DEG 48MIN 20 SEC W 450 FT; TH S 00DEG 48MIN 48SEC E 300 FT PARALLEL W THE N-S ¼ LINE; TH S 89DEG 48MIN 20 SEC W 150 FT TO THE N-S ¼ LINE, TH N 00DEG 48MIN 48 SEC W 402.30 FT ALG THE N-S LINE TO THE POB. CONTAINING 40.02 ACRES, M OR L) from R-1 Residence District to M-2 Heavy Industrial Park District.

Section 3 – Severability. If any Section, sub-section, sentence, phrase or portion of this Amendment to the City of Albion Zoning Code of Ordinances is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4 - Ordinances Repealed. All sections or parts of Sections of this Zoning Code, Ordinances and parts of Ordinances in conflict with the provisions of the Ordinance are hereby repealed.

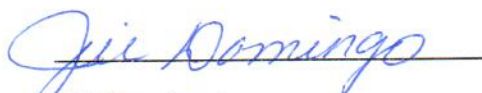
Section 5. This Ordinance shall take effect after publication and on June 13, 2013.

First Reading:
May 20, 2013

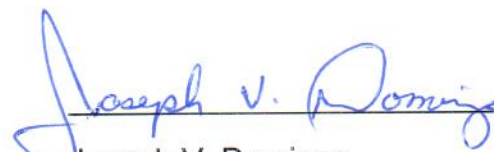
Second Reading & Adoption:
June 3, 2013

Ayes 6
Nays 0
Absent 1

Ayes 7
Nays 0
Absent 0



Jill Domingo,
City Clerk



Joseph V. Domingo,
Mayor