VI. NEW BUSINESS

F. Public Hearing to consider the proposed lot rearrangement at 640 Baldwin.
   1. Resolution approving the proposed lot rearrangement at 640 Baldwin as proposed;
      - OR -
      Resolution denying the proposed lot rearrangement at 640 Baldwin as proposed, based on the following conditions that adversely affect the interest of the public and of the abutting property owners: ________________________________

NOTICE: Individuals requiring accommodations, such as mobility, visual, hearing, interpreter or other assistance, for effective participation in this meeting should contact the City Clerk’s Office at (248) 530-1880 (voice), or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al (248) 530-1880 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).
## NOTICE OF PUBLIC HEARING
### BIRMINGHAM CITY COMMISSION
### PROPOSED LOT REARRANGEMENT

| Meeting Date, Time, Location: | Monday, May 11, 2015, 7:30 PM  
Municipal Building, 151 Martin  
Birmingham, MI |
|-----------------------------|--------------------------------------------------|
| Location of Request:        | 640 Baldwin Ct.  
Parcel #1925304028, T2N, R10E, SEC 25 ASSESSOR'S PLAT NO 2 S 4.5 FT OF W 148.42 FT OF LOT 4, ALSO W 148 FT OF LOTS 5 & 6 & Parcel #1925304029 (Vacant lot), T2N, R10E, SEC 25 ASSESSOR'S PLAT NO 2 W PART OF LOT 7 MEAS 137.76 FT ON N LOT LINE & 148.18 FT ON S LOT LINE |
| Nature of Hearing:          | To rearrange the property line by approximately 5 feet to create two parcels exactly the same size. |
| City Staff Contact:         | Jana Ecker 248.530.1841  
jecker@bhamgov.org |
| Notice Requirements:        | Mailed to all property owners within 300 feet of subject address. |
| Approved minutes may be reviewed at: | City Clerk's Office |

Persons wishing to express their views may do so in person at the hearing or in writing addressed to City Clerk, City of Birmingham, 151 Martin, Birmingham, MI 48009.

Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at (248) 530-1880 (voice) or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.
The owner of the property known as 640 Baldwin Ct. and the neighboring vacant lot (Parcel #1925304029) is seeking a revision to the previous approval of March 16th, 2015 to rearrange the property line which added a portion of 640 Baldwin to the vacant parcel that abuts the side property line. The applicant was previously approved to add approximately 27.25’ feet of 640 Baldwin Ct. to the abutting vacant parcel in order to create two parcels of approximately the same size. However, since the original approval the applicant has decided that they would like to make the two parcels exactly the same size, which would require reducing the amount of property given to the southern vacant property by approximately 5’ resulting in two lots that are 10,258 sq. ft. The land survey has been included for your review.

The Subdivision Regulation Ordinance (Chapter 102, Section 102-53) requires that the following standards be met for approval of a lot division.

1. **All lots formed or changed shall conform to minimum Zoning Ordinance Standards.**

   Attached are copies of the survey provided by the applicant depicting existing and proposed conditions. The proposed rearrangement has been reviewed by the Community Development Department. The subject parcels are zoned R2 (Single-Family Residential). The minimum lot size for R2 is 6,000 sq. ft.

   The resulting lot sizes proposed for the two (2) parcels will be larger than 6,000 sq. ft. The combined size of the existing parcels is approximately 20,516.1. The size of the new parcels would be 10,258 sq. ft. for parcel 1 (west parcel) and 10,258 sq. ft. for parcel 2 (east parcel). **Accordingly, the resulting parcels are in compliance with this requirement.**
(2) All residential lots formed or changed by the division shall have a lot width not less than the average lot width of all lots on the same street within 300 feet of the lots formed or changed and within the same district.

The resulting lot width of the proposed residential lots would be 77.3 feet for Parcel 1 (west parcel) and 72.7 for Parcel 2 (east parcel). The average lot width for parcel within 300’ is 71.1 feet. Accordingly, the resulting parcels are in compliance with this requirement.

(3) The division will not adversely affect the interest of the public and of the abutting property owners. In making this determination, the City Commission shall consider, but not be limited to the following:

a. The location of proposed buildings or structures, the location and nature of vehicular ingress or egress so that the use of appropriate development of adjacent land or buildings will not be hindered, nor the value thereof impaired.

b. The effect of the proposed division upon any flood plain areas, wetlands or other natural features and the ability of the applicant to develop buildable sites on each resultant parcel without unreasonable disturbance of such natural features.

c. The location, size, density and site layout of any proposed structures or buildings as they may impact an adequate supply of light and air to adjacent properties and the capacity of essential public facilities such as police and fire protection, drainage structures, municipal sanitary sewer and water, and refuse disposal.

The parcels as proposed would be developed into two (2) single-family residential homes. The size of the parcels and the proximity to adjacent structures would not create any Zoning Ordinance non-conformities in relation to the adjacent existing homes.

The subject property is not located within the floodplain or soil erosion limit of a recognized stream, river, lake or other water body. The site does not appear to exhibit evidence of regulated wetlands or endangered species of flora and fauna.

The proposed lot division will not negatively affect the supply of light and air to adjacent properties. It will not negatively affect the capacity of essential public facilities. City Departments have no objections to the proposed lot split.

SUGGESTED RESOLUTION:
1) To APPROVE the proposed lot rearrangement at 640 Baldwin as proposed;

OR

2) Deny the proposed lot rearrangement at 640 Baldwin as proposed, based on the following conditions that adversely affect the interest of the public and of the abutting property owners:
CERTIFICATE OF SURVEY
CERTIFIED TO: HUNTER ROBERT'S HOMES

CLIENT:
HUNTER ROBERT'S HOMES
36800 WOODWARD AVE, STE. 115
BLOOMFIELD HILLS, MI

"ASSESSOR'S Plat NO. 2"
Liber 45, Page 43, O.C.R.

SCALE: 1" = 30'

PART OF LOT 4
FOUND 1/2" REBAR WITH CAP. #53503
588'40"00'W(R) 588'43"14'E(M)
158.42'H(M) 158.37'(M)

PART OF LOT 4
FOUND 1/2" IRON PIPE
257'

PART OF LOT 5
FOUND 1/2" REBAR WITH CAP. #53503
SET MAG NAIL IN TREE ROOT

PART OF LOT 5
FOUND 1/2" REBAR WITH CAP. #53503
8.12'(M)

REMAINDER OF LOT 5
GARAGE

REMAINDER OF LOT 5
18.4'

REMAINDER OF LOT 6
10.5'

REMAINDER OF LOT 6
0.7'

REMAINDER OF LOT 6
2.2'

REMAINDER OF LOT 7
3.5'

REMAINDER OF LOT 7
1.9'

REMAINDER OF LOT 7
0.5'


SIGNED:
SHANE P. AZBELL, P.S., #46724
AZTEC LAND SURVEYORS INC.
P.O. BOX 353
HOLLY, MI 48442
PHONE: 586-305-1253 FAX: 480-387-8799

SHANE P. AZBELL
PROFESSIONAL SURVEYOR NO. 46724

PAGE 1 OF 4

LEGEND:
Section Corner
- Found Monument
- As Noted
- 1/2" Rebar
- Recorded
- Calculated

JOB NO: 15-003
DATE: 1/22/15
REVIEWED: 4/15
DRAWN BY: SA
PROPERTY DESCRIPTIONS

CERTIFIED TO: HUNTER ROBERTS HOMES
38800 WOODWARD AVE., STE. 115
BLOOMFIELD HILLS, MI

PROPERTY DESCRIPTIONS, PARENT PARCELS
(AS FURNISHED BY CLIENT):

PARCEL NO. 19–25–304–028
THE SOUTH 450 FEET OF THE WEST 148.42 FEET OF LOT 4, ALSO THE WEST 148 FEET OF LOTS 5 AND 6 OF "ASSessor's PLAT NO. 2", A REPIAT OF PART OF LOT 63 WILLETTS NORTHERN ADDITION, VILLAGE OF BIRMINGHAM (NOW CITY OF BIRMINGHAM), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 45 OF PLATS, PAGE 43 OF OAKLAND COUNTY RECORDS.

PARCEL NO. 19–25–304–029
THE WEST PART OF LOT 7, MEASURING 137.76 FEET ON THE NORTH LOT LINE AND 148.18 FEET ON THE SOUTH LOT LINE, OF "ASSessor's PLAT NO. 2", A REPIAT OF PART OF LOT 63 WILLETTS NORTHERN ADDITION, VILLAGE OF BIRMINGHAM (NOW CITY OF BIRMINGHAM), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 45 OF PLATS, PAGE 43 OF OAKLAND COUNTY RECORDS.

PROPERTY DESCRIPTIONS, PARENT PARCELS
(AS SURVEYED):

PARCEL NO. 19–25–304–028
THE SOUTH 450 FEET OF THE WEST 148.42 FEET OF LOT 4, ALSO THE WEST 148 FEET OF LOTS 5 AND 6, OF "ASSessor's PLAT NO. 2", A REPIAT OF PART OF Lot 63 WILLETTS NORTHERN ADDITION, VILLAGE OF BIRMINGHAM (NOW CITY OF BIRMINGHAM), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 45 OF PLATS, PAGE 43 OF OAKLAND COUNTY RECORDS, EXCLUDING THAT PORTION OF SAID LOTS TAKEN FOR BALDWIN COURT AS PLATTED IN "BALDWIN COURT", A REPIAT OF LOT 1 OF THE EASTERLY LINE OF BALDWIN COURT (VARIABLE WIDTH RIGHT OF WAY) WHICH IS ALSO THE EASTERLY SUBDIVISION LINE OF SAID "BALDWIN COURT"; THENCE CONTINUING ALONG THE EASTERLY RIGHT OF WAY LINE OF BALDWIN COURT 49.01 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 111.36 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 10 DEGREES 44 MINUTES 27 SECONDS 48.61 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 4 AND THE POINT OF BEGINNING OF SUBJECT PROPERTY; THENCE CONTINUING ALONG THE EASTERLY RIGHT OF WAY LINE OF BALDWIN COURT 51.86 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 111.36 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 12 DEGREES 06 MINUTES 13 SECONDS 51.39 FEET; THENCE CONTINUING ALONG THE EASTERLY RIGHT OF WAY LINE OF BALDWIN COURT NORTH 01 DEGREES 52 MINUTES 00 SECONDS EAST 54.50 FEET; THENCE NORTH 88 DEGREES 43 MINUTES 14 SECONDS EAST 125.10 FEET; THENCE SOUTH 01 DEGREES 52 MINUTES 00 SECONDS EAST 4.50 FEET TO THE SOUTH LINE OF SAID LOT 4; THENCE ALONG THE SOUTH LINE OF SAID LOT 4 SOUTH 88 DEGREES 43 MINUTES 14 SECONDS WEST 100.00 FEET; THENCE ALONG THE SOUTH LINE OF SAID LOT 6; THENCE ALONG THE SOUTH LINE OF SAID LOT 6 SOUTH 88 DEGREES 43 MINUTES 14 SECONDS WEST 137.40 FEET TO THE POINT OF BEGINNING.

PARCEL AREAS

PARCEL NO. 19–25–304–028
TOTAL = 13,267.50 SQUARE FEET = 0.304 ACRES

PARCEL NO. 19–25–304–029
TOTAL = 7,248.30 SQUARE FEET = 0.166 ACRES

SURVEYOR'S NOTES

1. BASIS OF Bearing: NORTH 01°52'00" WEST, BEING THE EASTERLY RIGHT OF WAY LINE OF BALDWIN COURT AS PLATTED IN "BALDWIN COURT" AS RECORDED IN LIBER 57 OF PLATS, PAGE 11 OF OAKLAND COUNTY RECORDS AND AS MONUMENTED IN FIELD.


I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY HEREIN DESCRIBED AND THAT THE DRAWING HEREON DELINEATED IS A CORRECT REPRESENTATION OF THE SAME.

I ALSO CERTIFY THAT THE RATIO OF CLOSURE MEETS THE REQUIREMENTS OF PUBLIC ACT 132 OF 1970 AND IS GREATER THAN 1 IN 5000.

SHANE P. AZBEZ, P.S.
PROFESSIONAL SURVEYOR NO. 46724

AZTEC
LAND SURVEYORS INC.
P.O. BOX 353
HOLLY, MI 48442
PHONE: 586-305-1253 FAX: 480-287-8799

SHANE P. AZBEZ
PROFESSIONAL SURVEYOR NO. 46724

PAGE 3 OF 4

SHANE P. AZBEZ
PROFESSIONAL SURVEYOR NO. 46724

SEAL

STATE OF MICHIGAN
PROFESSIONAL SURVEYOR
Shane P. Azbell
46724

LEGEND:
\(\text{S}^{*}\) SECTION CORNER
\(\text{F}\) FOUND MONUMENT
\(\text{M}\) METER
\(\text{C}\) CUIKED
\(\text{R}\) RECORD
\(\text{C}\) COMPLETED

JOB NO: 15-003
DATE: 1/22/15
REVISED: 4/28/15
DRAWN BY: SA
PROPERTY DESCRIPTIONS

CERTIFIED TO: HUNTER ROBERTS HOMES

PROPERTY DESCRIPTIONS, PROPOSED PARCELS
(AS SURVEYED):

PARCEL 1
THE SOUTH 4.50 FEET OF THE WEST 148.42 FEET OF LOT 4, ALSO THE WEST 148 FEET OF LOT 5, ALSO THE NORTH 27.30 FEET OF THE WEST 148 FEET OF LOT 6, OF "ASScssOR'S PLAT NO. 2", A REPEAT OF PART OF LOT 63 WILLETTS NORTHERN ADDITION, VILLAGE OF BIRMINGHAM (NOW CITY OF BIRMINGHAM), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LEBER 45 OF PLATS, PAGE 43 OF OAKLAND COUNTY RECORDS, EXCEPTING THAT PORTION OF SAID LOTS TAKEN FOR BALDWIN COURT AS PLATTED IN "BALDWIN COURT", A RESUBDIVISION OF LOT 1 AND PART OF LOTS 2 TO 7 INCLUSIVE, "ASSessor'S PLAT NO. 2", CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LEBER 57 OF PLATS, PAGE 11 OF OAKLAND COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 7 OF SAID "ASSessor'S PLAT NO. 2", THENCE NORTH 01 DEGREES 52 MINUTES 00 SECONDS WEST 2.45 FEET ALONG THE WEST LINE OF SAID LOT 7 AND THE EASTERLY RIGHT OF WAY LINE OF BALDWIN COURT (VARIABLE WIDTH RIGHT OF WAY) WHICH IS ALSO THE EASTERLY SUBDIVISION LINE OF SAID "BALDWIN COURT"; THENCE CONTINUING ALONG THE EASTERLY RIGHT OF WAY LINE OF BALDWIN COURT 49.01 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 111.36 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 10 DEGREES 44 MINUTES 27 SECONDS EAST 48.61 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 6; THENCE CONTINUING ALONG THE EASTERLY RIGHT OF WAY LINE OF BALDWIN COURT 24.28 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 111.36 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 10 DEGREES 12 MINUTES 44 SECONDS EAST 24.23 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE EASTERLY RIGHT OF WAY LINE OF BALDWIN COURT 27.58 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 111.36 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 10 DEGREES 52 MINUTES 12 SECONDS EAST 27.51 FEET; THENCE CONTINUING ALONG THE EASTERLY RIGHT OF WAY LINE OF BALDWIN COURT NORTH 01 DEGREES 52 MINUTES 00 SECONDS WEST 54.50 FEET; THENCE NORTH 88 DEGREES 43 MINUTES 14 SECONDS WEST 125.10 FEET; THENCE SOUTH 01 DEGREES 52 MINUTES 00 SECONDS EAST 4.50 FEET TO THE SOUTH LINE OF SAID LOT 4; THENCE ALONG THE SOUTH LINE OF SAID LOT 4 SOUTH 88 DEGREES 43 MINUTES 14 SECONDS WEST 0.12 FEET; THENCE SOUTH 01 DEGREES 52 MINUTES 00 SECONDS EAST 77.30 FEET; THENCE SOUTH 88 DEGREES 43 MINUTES 14 SECONDS WEST 128.68 FEET TO THE POINT OF BEGINNING.

PARCEL 2
THE SOUTH 22.70 FEET OF THE WEST 148 FEET OF LOT 6, ALSO THE WEST PART OF LOT 7, MEASURING 137.76 FEET ON THE NORTH LOT LINE AND 148.18 FEET ON THE SOUTH LOT LINE, OF "ASSessor'S PLAT NO. 2", A REPEAT OF PART OF LOT 63 WILLETTS NORTHERN ADDITION, VILLAGE OF BIRMINGHAM (NOW CITY OF BIRMINGHAM), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LEBER 45 OF PLATS, PAGE 43 OF OAKLAND COUNTY RECORDS, EXCLUDING THAT PORTION OF SAID LOTS TAKEN FOR BALDWIN COURT AS PLATTED IN "BALDWIN COURT", A RESUBDIVISION OF LOT 1 AND PART OF LOTS 2 TO 7 INCLUSIVE, "ASSessor'S PLAT NO. 2", CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LEBER 57 OF PLATS, PAGE 11 OF OAKLAND COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 7 OF SAID "ASSessor'S PLAT NO. 2", THENCE NORTH 01 DEGREES 52 MINUTES 00 SECONDS WEST 2.45 FEET ALONG THE WEST LINE OF SAID LOT 7 AND THE EASTERLY RIGHT OF WAY LINE OF BALDWIN COURT (VARIABLE WIDTH RIGHT OF WAY) WHICH IS ALSO THE EASTERLY SUBDIVISION LINE OF SAID "BALDWIN COURT"; THENCE CONTINUING ALONG THE EASTERLY RIGHT OF WAY LINE OF BALDWIN COURT 49.01 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 111.36 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 10 DEGREES 44 MINUTES 27 SECONDS EAST 48.61 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 7; THENCE CONTINUING ALONG THE EASTERLY RIGHT OF WAY LINE OF BALDWIN COURT 24.28 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 111.36 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 10 DEGREES 12 MINUTES 44 SECONDS EAST 24.23 FEET; THENCE NORTH 88 DEGREES 43 MINUTES 14 SECONDS EAST 128.68 FEET; THENCE SOUTH 01 DEGREES 52 MINUTES 00 SECONDS EAST 4.50 FEET TO THE SOUTH LINE OF SAID LOT 4; THENCE ALONG THE SOUTH LINE OF SAID LOT 4 SOUTH 88 DEGREES 43 MINUTES 14 SECONDS WEST 0.12 FEET; THENCE SOUTH 01 DEGREES 52 MINUTES 00 SECONDS EAST 77.30 FEET; THENCE SOUTH 88 DEGREES 43 MINUTES 14 SECONDS WEST 128.68 FEET TO THE POINT OF BEGINNING.

PARCEL AREAS

PARCEL 1
TOTAL = 10,258.00 SQUARE FEET = 0.235 ACRES

PARCEL 2
TOTAL = 10,258.08 SQUARE FEET = 0.235 ACRES

SURVEYOR'S NOTES

1. BASIS OF BEARING: NORTH 01'52"20" WEST, BEING THE EASTERLY RIGHT OF WAY LINE OF BALDWIN COURT AS PLATTED IN, "BALDWIN COURT" AS RECORDED IN LEBER 45 OF PLATS, PAGE 43 OF OAKLAND COUNTY RECORDS AND AS MONUMENTED IN FIELD.

2. ALL PROPERTY SPLITs ARE SUBJECT TO CITY, COUNTY AND/OR STATE APPROVAL.

3. SOME OF THE INFORMATION AS SHOWN ON SURVEY was TAKEN FROM A PREVIOUS SURVEY PERFORMED BY NOVAK & FRUS ENGINEERS, JOB NO. 1042, DATED 6/2/2014.

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PHONE: 888-305-1253 FAX: 480-287-8799

SHANE P. AZZELL, P.S.
PROFESSIONAL SURVEYOR NO. 46724

PAGE 4 OF 4

SHANE P. AZZELL
PROFESSIONAL SURVEYOR NO. 46724

LEGEND:
+ = SECTION CORNER
# = FOUND MONUMENT (AS NOTED)
° = RET. 1/2" REDAY AT CASE NO. 46724
R = RECORD
M = ASKED
C = CALCULATED

JOB NO: 15-003
DATE: 1/29/15
REVIEWED: 4/3/15
DRAWN: 6/2/14
SA