

# Hills Zoning Law Awaits Commission Action

### Nine Changes Noted in Text





#### Numerous Others Sparkle List of Eccentric's 'Grads'

Recently this column, in com-nenting on the fact that Detroits, were commissioner of police, Ray First of the column of the column per for two years (1927-29) as its ananging editor, I mentioned sev-ral other former editorial employ-se who aince have made very good interpretable of the column of the time of the column of the column free rein" (or practically that) to levelop their inherent talents, us-ing The Eccentric as, a laboratory. Since that other column, I've

Since that of an anonomous Since that other column, I've een reminded of some others who more brightnend these pages, and hey include Allen Tenny, who eret to 'The Free Press, later to uy a weekly of his own in Charin Falls, O. Clarice Tapson, who or many years has been a bright and flashing twinkle on the nearby Windsor Star.

FRAN MAKER, now club editor of The Detroit News; Bruno Kearns, aports editor of The Ponciae Press; Phil Thomas and Allers, now with the Associated Arces; Les Lines, to Midland Mich.) Daily News as its award-winning chief photographer.

#### Commissioner Savs He Likes New Document

By JAMES A. BERESFORD

field hum, and the definite document. Standards for effective land age control must be made with ties of experienced city plansiers, iswyers, and engineers. The proposed soning ordinance emphasizes the protection of single family dwellings, home owners, development of vacant tind primarily into single home sites, restricting density of population by the use of green both, are bandens.

alls, set-backs and spacing be-ween buildings.

The city ordinance at one time lowed for five units per acre the multiple family dwelling istrict and, more recently, three nits per acre when septic tanks

THIS CHANGE will assure

THIS CHANGE will assure that the payking lost now in use and needed by MacManus John & Adams and by the businesses in the southwest quadrant will not be diverted to less the land to the

of any future structure of the city.

Thus, when any new foffice, and the city of parking lots and for screening them from view with walls and planting.

and planting.

THE PROPOSED ordinance creates a new type of One-Family Residential District, A-3-1. This new classification requires lots of at least one acrimates, but permits about the permi

Case of the contracted of the contract of the

BOTH THE OLD and proposed new ordinances permit churches and parish houses to be built in one-family residential districts.

(See TEXT, 4-A)



#### Map Shows Changes in Land Use

Several changes have been made in size of lots and fand usage in Bloomfeld Hills' proposed new zoning ordinance. 1½ acres; (H) 1 acre (was 2 acres); (J) 2 acres (was 1½ acres); (H) 1 acre (was 2 acres); (J) 2 acres (was 1½ acres); (K) Institutional (was 1 acre); and (L) ¾ acre (D) Institutional (was 1½ acres); (E) 1½ acres (was 1

### Clears Public **Hearing Hurdle**

By DAVE PHILPO

About 100 Bloomfield Hills residents took a good look at their proposed new zoning ordinance last week—and very few left the public hearing uninformed.

They asked questions, gave their opinions and even joined in a standing vote on the ordinance's two controversial changes—3-story town houses and an increase in density of population.

Although they had been told earlier by Commissioner David W. Lee that "we shall be interested in your comments about the processial being the processial being the processian of the processian description of the processian of the processia

ly divided.

The two contested changes have split the commission, 3-2, with Commissioners David W.

#### Special Report

Lee, Louis J. Colombo, Jr., and James A. Beresford favoring the increase in height of multiples and more families per acr. and more families per acr. Craig oppose any relaxation of restrictions in these two areas. A final decision on the revamped ordinance is expected at the next regular meeting of the commission Feb. 111-or at a special season if the commissioners should so decide.

THE MAJORITY contends that 3-story units could be more stracelively built than present 2-story apartments and that elevator service from a basement garage would be encouraged in the higher structures.

They feel that an increased set-back of 150 feet (as compared to 60 feet for 2-story agartments) will observe that the content of the

### Residents Ask Questions of City Officials

Bloomfield Hills residents had a chance to make their views anown on the proposed new zoning ordinance at a public hearing the proposed of the probability of zoning legality and zoning legality legality and zoning legality lega

ing an office building.

HOWEVER, THE way our
proposed ordinance is drawn, a
Town House can be built only
on a plot plan that is five acre
in size or larger. I doubt that
we have any plots of land syaliable with no buildings standing
on them now in the commercial
or office districts that are five
acres in size.

Q. Do Messrs. Craig and Woolfenden think that the pres-sent zoning ordinance can be defended in the courts T.—Wil-liam T. Gossett, 420 Goodhue.

liam T. Gossett, 200 Goodnue.
A. (Commissioner Wootfenden): I think both of them (3 and 4.5 families per acre) are on very thin ice. We've had the 3-per-acre for a good many years and I, myself, would be disposed to not relax the restrictions and fight it out and see where we come out.

O It is my understanding that

fight it out and see where we come out.

Q. It is my understanding that certain suburban communities in the East have in some manner been able to, at least in part, control the exhetic structures within their corporate limits. Is such control infeasible in Michigan ?—F. S. Strong, III., 765 Vaughan.

A. (Hartman): I'd have to ay yes under the existing law a Michigan. It is not feasible, our court has said that esthetics

we op place in zoning.

WE OF COURSE know that's
the real reason that we have
soning regulations and that's
why we have been able to maintain the eatheties of this community—as an incident of Zoning regulation.

Zoning has to be justified arfor the police power. We are
for the police power. We are
power of the community of the
state to tell people you can't do
such-and-so with your land.

(See RESIDENTS, 4-A)

## Commissioners Split On Town Houses, Density

#### 3 Favor Height Increase, More Families Per Acre

By DAVID W. LEB

By DAVID W. LEE

No one on the planning commission or city commission wants to increase our apartment clearly to 45 families per acre.

The only reason we are proposing 4.5 is that we fear that if we try to hold to 3, the Supreme Court may asy our law is unreasonable and therefore unconstitutional. If this happened, the sourt might permit land owners to build 10 or 20 or even more apartments per acre.





acre.

Much of the land now zoned for three apartments per acre was at one time zoned for 5



apartments per acre. Our pro-posal of 4.5 families per acre restores substantially all of the value that some landowners thought they were setting when they bought their land.

OUR PRESENT zoning of 3 OUR PRESENT zoning of 3 families per acre was reasonable and therefore defensible in the courts as long as we had septic tank and health problems. Now that sewers have eliminated those problems, we fear the courts will hold that is 3-family-per-acre, restriction is unreasonable and unconstitution.

In comparison to our proposed limit of 4.5, Bloomfield Township allows 7.4 families per acre, and in Birmingham the number can be as many as 35.

pumber can be as many as 35. We believe that, a 50 per cent liberalization of our restriction from 3 to 4.5 would give reasonable recognition to the fact that sewers have replaced septic tanks. Therefore, we believe we could successfully defend 4.5 in the courts, whereas we might lose a court case on 3.

FINALLY, the city planning commission is on record as having recommender approximately 45. We on the city commission believe our case will be much commission the commission of the commission stand united on what is the right thing to do.

Now, let me explain the Bereatord, Columba and Lee (See FAVOR, 5-A)

#### Woolfenden, Craig Oppose Relaxing of Restrictions

EDITOR'S NOTE: Fol-lowing are highlights of a speech given by Commis-sioner Henry L. Woolfenden at the public hearing on the proposed zoning ordinance.

about Three years ago last month Mr. Swanson submitted to the city plan commission is petition which he had circulated and it bore 146 signatures of residents of Bloomfield Hills and property owners within the city. By HENRY L. WOOLFENDEN THE TEXT of that petition is THE TEXT of that petition is as follows:

"We, the understand residents and/or property owners of the City of Bloomfald Hills, Mich, respectifully request the city planning commission of the City of Bloomfald Hills, Mich, respectively request the city planning commission of the commission of the city of t

of Dec. 20, 1990, read as follows:
"MR. AND Mrs. J. R. F.
Swanton and Robert Swanson
Jr., presented a petition signed
by 144 residents and/or property owners in the city. The
petition requested a modification

By MENNY L. WOOLFENDEN
I think that the town house sception, to the restrictions governing the building of multiple housing in it has multiple housing in it has multiple housing in it has multiple housing in the multiple forms about in a rather interesting fashion and I'd like to juit talke, a moment to review the heckground of the development of that concept. I believe i'll help all of us to have a perspective of exactly what it is.
I'might say think—the reposet of my knowledge and belief—comes from only one individual, and that's Mr. Robbert Swanson who owns about a 28 or 30-here piece of property south of Long Lake Road and immediately west of the Grand Trunk Rail-road, between the Grand Trunk and Withhingham House.

SO FAR as I know there is

SO FAR as I know there is no other request or demand for this exception from any other

source.

I submit that it is bad policy for the city, and as a lawyer, it's my opinion it, is bad law to frime a soning ordinance of general application to corer one appetite situation which one individual yequests.



HENRY L. WOOLFENDEN

