

**APPLICATION FOR LAND DIVISION
LAND COMBINATION
BOUNDARY ADJUSTMENTS**

1. Location of Parent Parcel to be Split

Address: _____

Parent Parcel ID# 44-011-_____

Present Zoning: _____ Area of Parent Parcel: _____ acres

2. Property Owner Information

Applicant: _____

Address: _____

Phone #: _____

Are you the sole owner of the property? Yes _____ No _____

Proof of Ownership or Representation: Attached (Deed/PTA)? Yes _____ No _____

Provide names, addresses, contact information and signatures for all persons with a legal or financial interest in the parcels involved.

All persons having a legal interest in the property must sign the application.

Name(Printed)	Address	Interest	Contact	Signature
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3. Proposed Divisions/Adjustments to Include:

A. Number of divisions/adjustments proposed: _____

B. Proposed use: _____

C. Each proposed new parcel, if 40 acres or less, has a depth to width ratio not greater than 4 to 1: _____

D. Each parcel has a minimum width of 165 feet: _____

E. Each parcel has a minimum area of 1.5 acres. _____

F. The division of each parcel provides access as follows: (check one)

a) Each new division has frontage on an existing public road. Road name: _____

b) Each new division has frontage on a new public road. Proposed road name: _____

c) Each new division has frontage on a new private road. Proposed road name: _____

For each new parcel a separate application for safe driveway access from the Board of Lapeer County Road Commissioners will also need to be submitted

Preliminary Review: Survey Plan: _____ Attached? Final Review: _____ Attached?

Legal Description of Parent Parcel: _____ Attached? _____ Included on Survey Plan

Legal Description of Each Proposed New Parcel: _____ Attached? _____ Included on Survey Plan

Legal Description of Any Proposed New Road, Easement or Shared Driveway: _____ Attached? _____ Included on Survey Plan

Legal Description of Each Proposed New Parcel, Road, Easement or Shared Driveway: _____ Provided on disk or date file

4. Future Divisions: Any future divisions being transferred from the parent parcel to another parcel.

Indicate number transferred _____

(See Section 109.0 of Land Division Act. Make sure your deed included both statements as required in Sec. 109(3&4))

5. **Development Site Limits** (circle each that represents a condition on the parent parcel)
- | | |
|---|--|
| <input type="checkbox"/> Waterfront property (river, lake, pond, etc.) | <input type="checkbox"/> Includes wetlands |
| <input type="checkbox"/> Is within a floodplain | <input type="checkbox"/> Includes a beach |
| <input type="checkbox"/> Is on muck soils or soils known to have sever limitations for on-site sewage systems | |

6. **Attachments** (the following **MUST** be included). See also, "When Do I Apply & What Do I Submit?" under the Land Division (Split) Review Procedures of the Procedures manual.

- A. A scale drawing (or survey) for the proposed divisions/adjustments of the parent parcel showing:
- 1) Current boundaries (as of March 31, 1997)
 - 2) All previous divisions/adjustments made after March 31, 1997 (indicate when or none)
 - 3) Proposed divisions/adjustments
 - 4) Full legal description of the lot, parent parcel, or tract, and all parcels which would result from the proposed division or adjustment of the lot, parent parcel or tract
 - 5) The gross and net (exclusive of public and private road right of way) size of each resulting parcel (in square feet and/or acres)
 - 6) All dimensions of existing and proposed property lines and easements
 - 7) All adjoining property within 100 feet of the lot, parent parcel, or parent tract
 - 8) Location of all existing buildings, wetlands, lakes, streams, ponds, drives, public and private roads, easements, wells, and septic fields
 - 9) The proposed location and type of access to each resulting parcel
 - 10) Setbacks from property lines to all proposed buildings, drives, easements, wells, and septic systems
- B. Indication of approval or permit from the Lapeer County Road Commission that the proposed vehicular access to an existing road or street meets applicable location standards.
- C. A copy of any reserved division rights (see Sec. 109 of the Land Division Act) in the parent parcel.
- D. An application fee of \$150.00 for the first land division/combination, \$75.00 for each additional division and boundary line adjustments

7. **Improvements** (Describe any existing improvements – buildings, well, septic, etc. – which are on the parent parcel or indicate none): _____

8. **Affidavit** (Permission for the local municipality, county, and state officials to enter the property for inspections):
I agree the statements made above are true, and if found not to be true this application and any approval will be void. Further, I agree to comply with the conditions and regulations provided with this parent parcel division. Further, I give permission to officials of the Township, County and State to enter the property where this parcel division/adjustment is proposed for purposes of inspection. I understand this is only a parcel division/adjustment which conveys only certain rights under the applicable local land division ordinance and the State Land Division Act and does not include any representation or conveyance of rights in any other statute, building code, zoning ordinance, deed restriction or other property rights. Finally, even if this division is approved, I understand local ordinances and state acts change from time to time and if changed the division made here must comply with the new requirements unless deeds representing the approved divisions are recorded with the Register of Deeds or the division is developed upon before the changes to laws are made.

Signature of Applicant: _____ Date: _____

\$ _____ Fee Paid? Date: _____ Check # _____ Receipt# _____

Approved _____ Approved with Conditions: _____

Denied _____ Reason for denial: _____

Approved by: _____ Twp. Assessor Date: _____
 _____ Twp. Zoning Insp. Date: _____
 _____ Twp. Supervisor Date: _____

6.0 Land Divisions

Impact of the Land Division Act, As Amended

The subdivision review process is required for any subdivision of land that meets the criteria for platting, as specified in the Land Division Act, as amended (MCL 560.101 et seq.).

The Land Division Act provides a formula for determining how many splits are allowed per parent parcel or tract without going through the plat process. It should be noted that all parcels in the state of Michigan that were lawfully in existence on March 31, 1997 are parent parcels that are potentially eligible for future splits outside the plat process. For splits occurring after this date, the resulting parcels may be eligible for additional splits after ten years. The table on the following page shows the maximum number of splits allowed without going through the plat process.

The Land Division Act also provides a bonus formula for those parent parcels or tracts that are over 20 acres. If the applicant can apply one or both of the “good planning” techniques described below, they receive 2 additional splits. These “good planning” techniques are:

1. Construction of a new road(s) results in no new driveways with access onto an existing public road.
2. At least one resulting parcel is not less than 60% of the area of the parent parcel.

The table on the next page shows the maximum number of splits allowed before the subdivision platting process is triggered. If a project is at or below these thresholds, Applicants should proceed to the Township for lot split approval. If these thresholds are exceeded, a subdivision plat is required. (An equivalent development may also be possible under the Condominium Act. Refer to Condominium Subdivision Review in this manual).

LAND DIVISION ACT OVERVIEW

Basic Formula for Determining the Number of Allowable Splits

	Size of Parcel (ac)	Splits
	0-19.99	4
+10 ac	20 - 29.99	5
+10 ac	30 - 39.99	6
+10 ac	40 - 49.99	7
+10 ac	50 - 59.99	8
+10 ac	60 - 69.99	9
+10 ac	70 - 79.99	10
+10 ac	80 - 89.99	11
+10 ac	90 - 99.99	12
+10 ac	100 - 109.99	13
+10 ac	110 - 119.99	14
+40 ac	120 - 159.99	15
+40 ac	160	16
+40 ac	200	17
	Each additional 40 ac	1 additional division

Bonus Formula for Determining the Number of Allowable Splits

	Size of Parcel (ac)	Splits
	0-19.99	4
	20 - 29.99	7
	30 - 39.99	8
	40 - 49.99	9
	50 - 59.99	10
	60 - 69.99	11
	70 - 79.99	12
	80 - 89.99	13
	90 - 99.99	14
	100 - 109.99	15
	110 - 119.99	16
	120 - 159.99	17
	160	18
	200	19
	Each additional 40 ac	1 additional division



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6.0 Land Divisions

In addition to the number of splits that are allowed, the Land Division Act also requires that all resulting parcels be accessible by either an existing or proposed driveway or easement.

Most new land divisions in Imlay Township also must satisfy the Zoning Ordinance requirement for access to a public road or an approved private road (See Sections 1618 and 1620).

Any parcel or tract which is “40 acres or the equivalent” or larger is known as an “exempt split.” These “exempt splits” are not counted as a division in either of the above formulas.

The above is a general description of the Land Division Act. Applicants are advised to consult the full Land Division Act, as amended (MCL 560.101 et seq.), prior to making any decisions.

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6.1 Land Division (Split) Review

All divisions of a parent parcel or tract that are under the maximum allowable without being processed through the platting (subdivision) process require administrative review and approval in conformance with the Imlay Township Land Division Ordinance and the State Land Division Act.

When Do I Apply & What Do I Submit?

For Preliminary Review, submit the following to the Assessor:

- 1 copy of the completed Application for Land Division Review form
- 1 copy of proof of ownership, in the form of a Warranty Deed, Quit Claim Deed, Land Contract, or other legal document of conveyance
- 1 survey plan in conformance with Section 5 the Land Division Ordinance
- A signed written statement, stating whether the right to make further divisions exempt from the platting process requirements of PA 591 - The Land Division Act, has been transferred or otherwise conveyed.
- A signed written statement, stating that: "The deeds for all resulting parcels that are the subject of this application shall contain the following statement: *'This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right To Farm Act'*".
- A signed written statement, stating that: "The deeds for all resulting parcels that are the subject of this application shall contain the following statement: *'It shall be the responsibility of the owner of this property to maintain grass at a height of twelve (12) inches or less.'*"
- Required review fees as established by resolution of the Township Board.

For Final Review, submit the following to the Assessor:

- 1 copy of the completed Application for Land Division Review form and proof of ownership
- 1 survey plan in conformance with Section 5 the Land Division Ordinance
- The full legal description of the lot, parent parcel or tract and of all parcels which would result from the proposed division of the lot, parent parcel, or tract, in digital format (e.g., on disk).
- Required review fees as established by resolution of the Township Board
- Letter from County Treasurer verifying taxes and any special assessments are paid
- Letters of approval from the Lapeer County Road Commission and private utilities

What is the Typical Time Frame for the Review Process?

Assuming the application materials are complete and accurate, the typical minimum time frame is four weeks. The maximum time frame is 45 days.

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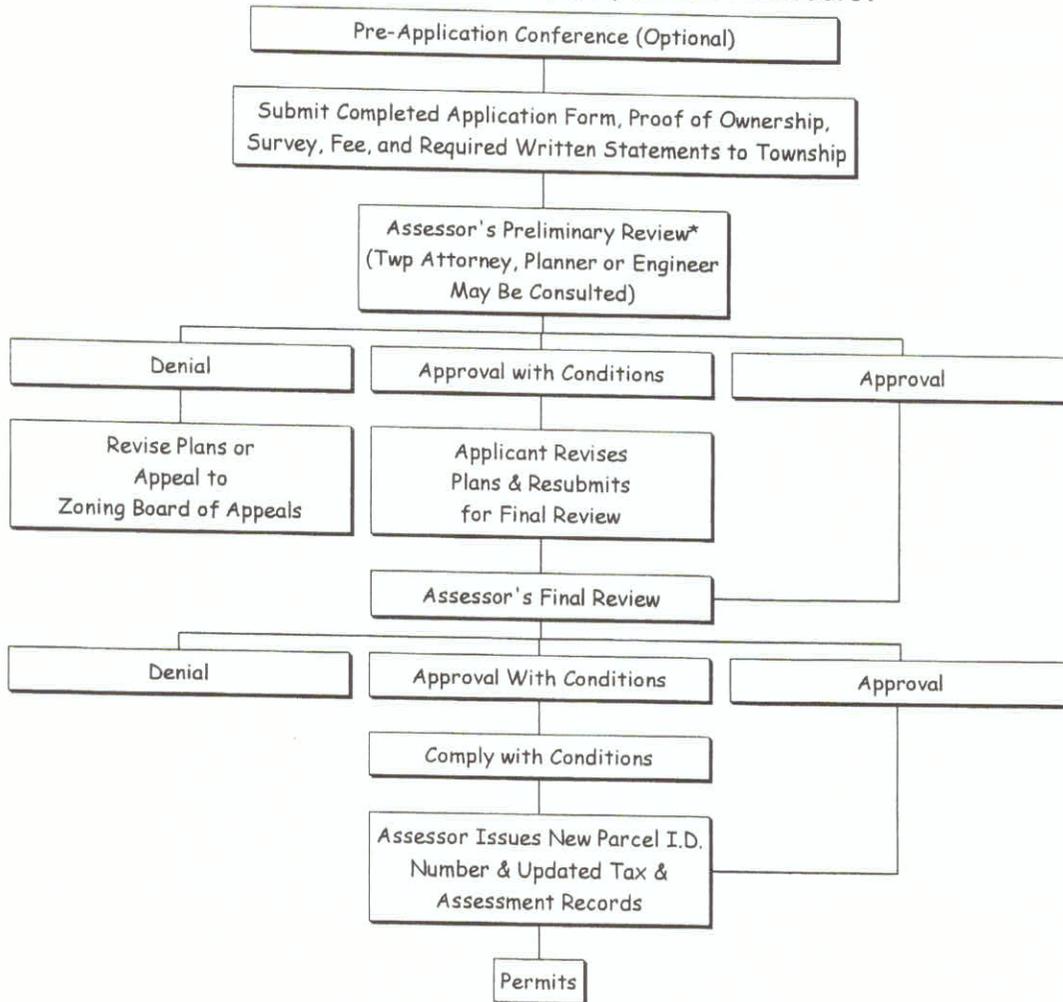
6.1 Land Division (Split) Review

Does An Approval of a Land Division Allow Me To Begin Construction?
 No. Approval of a Land Division does not authorize construction. If your request is approved, construction plan review and building permits may be required prior to construction.

How Long Is An Approval Valid?

Approval of a Land Division does not expire.

What is the Land Division (Split) Review Procedure?



- Where a public or private road is proposed as a part of any division application, review and approval of the road(s) shall be in accordance with the Imlay Township Public and Private Road Ordinance and shall occur prior to final approval of the proposed division(s).

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