

# Parcel Division Application

You **MUST** answer all questions and include all attachments, or this will be returned to you. Bring or mail to the municipality's land division review official (assessor or zoning administrator). Telephone (\_\_\_\_)\_\_\_\_-\_\_\_\_ for the address.

Approval of a division of land is required **before** it is sold, when the new parcel is less than 40 acres and not just a property line adjustment (§102(e&f)).

In the box, below, fill in where you want this form sent, when the review is completed.

\_\_\_\_\_  
name  
\_\_\_\_\_  
address  
\_\_\_\_\_  
city, state, zip

This form is designed for local government review of applicable parts of §108, 109, 109a, and 109b of the Michigan Land Division Act (formerly the Subdivision Control Act), PA 288 of 1967, as amended (particularly by PA 591 of 1996), MCL 560.101 *et. seq.*

## 1. LOCATION of parent parcel to be split:

Address: \_\_\_\_\_, Street/Road Name: \_\_\_\_\_

Parent parcel number: \_\_\_\_\_

Legal description of Parent Parcel (attach extra sheets if needed): \_\_\_\_\_

Township or Village Name: \_\_\_\_\_

## 2. PROPERTY OWNER information:

Name: \_\_\_\_\_ Phone: ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_

Address: \_\_\_\_\_ Street/Road Name: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code \_\_\_\_\_ - \_\_\_\_\_

## 3. APPLICANT information (if not the property owner)

Contact Person's Name: \_\_\_\_\_

Business Name: \_\_\_\_\_ Phone: ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_

Address: \_\_\_\_\_ Street/Road Name: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code \_\_\_\_\_ - \_\_\_\_\_

## 4A. PROPOSAL: Describe what is being proposed: \_\_\_\_\_

Number of new Parcels (and acreage of each): \_\_\_\_\_

Intended use (residential, commercial, etc.): \_\_\_\_\_

The division of the parcel provides access to an existing public road by (check one):

\_\_\_\_\_ Each new division has frontage on an existing public road.

\_\_\_\_\_ A new public road, proposed road name: \_\_\_\_\_  
(Road name cannot duplicate an existing road name.)

\_\_\_\_\_ A new private road, proposed road name: \_\_\_\_\_  
(Road name cannot duplicate an existing road name.)

\_\_\_\_\_ A recorded easement (driveway). (Cannot service more than two potential sites)

## 4B. Write here, or attach, a legal description of any proposed new road, easement or shared driveway (attach extra sheets if needed): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## 4C. Write here, or attach, a legal description for each proposed new parcel (attach extra sheets if needed): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## 5A. FUTURE DIVISIONS that may be allowed but not included in this application: \_\_\_\_\_

5B. Did the parent parcel have any unallocated divisions under the Land Division Act? \_\_\_\_\_

5C. Were any unallocated divisions transferred to any (child) parcel(s) created from the parent? \_\_\_\_\_

5D. If so, how many? \_\_\_\_\_

Identify the other parcel any future divisions are transferred to: \_\_\_\_\_

(The right to make divisions can be transferred from a parent parcel or parent tract to a parcel created from that parent parcel or parent tract (child parcel). A proprietor transferring the right to make a division shall within 45 days give written notice of the transfer to the assessor on Michigan Department of Treasury Form 3278 (Sec. 109(2)). Make sure your deed includes both statements as required in sections 109(3) and 109(4) of the Land Division Act.)

Parcel Number: \_\_\_\_\_  
Date: \_\_\_\_\_  
Name: \_\_\_\_\_

6. DEVELOPMENT SITE LIMITS Check each that represents a condition that exists on any part of the parcel:

- is in a DNR-designated critical sand dune area.
- is riparian or littoral (it is a river or lake front parcel).
- is affected by a Great Lakes High Risk Erosion Area setback.
- includes a wetland.
- includes land in PA 116 – the state Farmland Preservation Program.
- is within a floodplain.
- includes slopes more than twenty five percent (a 1:4 pitch or 14 angle) or steeper.
- includes poorly and/or very poorly drained soils, a high groundwater table, high bedrock, or other conditions known to have severe limitations for onsite sewage systems.
- is to result in a parcel of less than 1 acre for which onsite water supply and onsite sewage disposal systems must be reviewed and approved by the local health department in accordance with MI Administrative Code before a building permit can be issued. (§109a(1), §105(g), R560.401-428)
- is known or suspected to have an abandoned well, underground storage tank, or soil or groundwater contamination. If yes, is the property subject to environmental restrictions? **Y / N**

7. ATTACHMENTS (all attachments **must** be included). Letter each attachment as shown here.

- A. Map, drawn to scale of \_\_\_\_ (insert scale), of the proposed division(s) of the parent parcel showing:
  - (1) boundaries as of March 31, 1997, and
  - (2) all previous divisions made after March 31, 1997 (indicate when made or none), and
  - (3) the proposed division(s), and
  - (4) dimensions of the proposed divisions, and
  - (5) existing and proposed road/easement rights-of-way, and
  - (6) easements for public utilities from each parcel to existing public utility facilities, and
  - (7) any existing improvements (buildings, wells, septic system, driveways, etc.), and
  - (8) any of the features checked in Part 6 (above), and
  - (9) any cemetery which is adjacent to, or may have had access through this parcel.
- B. A copy of the proposed deed(s), which includes the following statement: “This property may be located within the vicinity of farm land 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.” (§109(4))
- C. A copy of the proposed deed(s), which includes a statement that substantially reads: “The grantor grants to the grantee the right to make [insert “zero”, a number, or “all”] division(s) under section 108 of the Land Division Act, 1967 PA 288, MCL 560.108.” or the right to make further divisions stays with the parent parcel. (§109(3))
- D. A copy of the proposed deed(s) for any parcel that is 20 or more acres in size and is not accessible, which includes the following statement: “This parcel is not accessible as defined in the Land Division Act, 1967 PA 288, MCL 560.101 to 560.293.” (§109b(2))
- E. Indication of approval, or permit from the County Road Commission, MDOT, or respective city/village street administrator, for each proposed new road, easement or shared driveway.
- F. If the division includes a new public or private road, copy of the county address authority approval.
- G. A fee of \$ \_\_\_\_ . \_\_\_\_
- H. Other (please list) \_\_\_\_\_

8. IMPROVEMENTS Describe any existing improvements (buildings, well, septic, etc.) which are on the parent parcel, or indicate none (attach extra sheets if needed): \_\_\_\_\_

9. AFFIDAVIT and permission for municipal, 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 agree to give permission for officials of the municipal, county, and the State of Michigan to enter the property where this parcel division is proposed for purposes of inspection to verify the information on the application is correct. Finally, I understand this is a parcel division that conveys only certain rights under a municipal land division ordinance and the Michigan Land Division Act (MCL 560.101 *et. seq.*) and is not a representation or determination the resulting parcels comply with other ordinances or regulations, and does not include any representation or conveyance of rights in any other statute, building code, zoning ordinance, deed restriction or other property rights.

Further, I understand the municipality granting approval of any division(s) resulting in a parcel less than 1 acre in size is not liable if a building permit is not issued for the parcel due to unsuitable site conditions for onsite sewage systems and/or onsite water supply systems. I understand that site suitability will be reviewed by the local health department under the same standards as set forth in MCL 560.105(g) – the Michigan Administrative Code R560.401-560.428. Checking with the local county or District Health Department for septic and water is the landowner’s responsibility. For environmental concerns with the ownership or purchase of property, information is available from the Department of Environment, Great Lakes, and Energy at: <http://www.michigan.gov/egler/d>.

Finally, even if this division is approved, I understand zoning, municipal ordinances and state acts change from time to time, and if changed the divisions made here must comply with the new requirements (apply for division approval again) unless deeds, land contracts, leases or surveys representing the approved divisions are recorded with the Register of Deeds or the division is built upon before the changes to laws are made.

Property Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

DO NOT WRITE BELOW THIS LINE

**Reviewer's Action** TOTAL \$ \_\_ , \_\_\_\_ . \_\_\_\_ Receipt # \_\_\_\_\_

**Approved:** Conditions (per local ordinance standards), if any: \_\_\_\_\_

**Denied:** Reasons (cite §): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_