

GARFIELD TOWNSHIP LAND DIVISION APPLICATION

Garfield Land Division Ordinance No 21

adopted: July 14, 1997

This form is designed to comply with land division ordinances, and section 108,109, 109a, 109b of the Michigan Land Division Act (formerly the subdivision control act, P.A. 288 of 1967, as amended (particularly by P.A. 591 of 1996). MCL 560.101 et.seq.)

**Mackinac County Equalization
Land Division Review
100 S Marley Street Rm 115
St Ignace, MI 49781**

Mail application, required fee payment and attachments to:

You must answer all questions and include attachments or the application will be returned to you for completion.

1. PROPERTY OWNER INFORMATION:

Name: _____ Telephone (____) ____ - ____

Address: _____

City,State,Zip: _____

Email, if available: _____

2. APPLICANT INFORMATION: (if not the property owner)

Name: _____ Telephone (____) ____ - ____

Address: _____

City,State,Zip: _____

Email, if available: _____

PLEASE DO NOT WRITE BELOW THIS LINE

The following **Approval Documents** must be signed and attached to the Land Division Application before final approval (*as appropriate*)

- Unit Zoning Administrators Review:** Approved Denied *See attachment #1*
- Property Tax/Special Assessment Status:** Current Delinquent *See attachment #2*
- County Road Commission/MDOT Review:** Not applicable Reviewed *See attachment #3*
- County Addressing Review:** Not applicable Reviewed *See attachment #4*
- Hiawatha Sportsmen's Club:** Not applicable Reviewed *See attachment #5*

Land Division Agent Review: Action: Approved Denied

Conditions, if any: _____

Reason(s) (Cite §) _____

Land Division Agent Signature

Date

LAND DIVISION HISTORY FOR PARENT PARCEL/TRACT:

The township, city or equalization department may be able to assist with this section.

3. IDENTIFICATION OF PARENT PARCEL/TRACT TO BE SPLIT:

Address (if applicable): _____

Parent Parcel/Tract :

- Attach list of all parent parcel number/s: (format) # 49 - ____ - ____ - ____ - __
- Attach Legal Description of Parent Parcel

4. PAST AND FUTURE DIVISIONS:

- How many are allowed, but not included in this application? _____
- Did the parent parcel have any unallocated divisions under the Land Division Act? ____
- Were any unallocated divisions transferred to the newly created parcel(s)?
 - If so, how many? _____
 - Identify the transfer of future division/s to the other parcels.
 - How many are being transferred from the Parent Parcel to another parcel? _____

(See section 109[2] of the statute. Make sure that your deed includes both statements as required in sections 109(3) and (4) of the Statute)

5. PROPOSED DIVISION/S: Describe the division(s) being proposed:

Number of new parcels: _____

Intended use (residential, commercial, etc.) _____

Description of Proposed Division/s:

- A survey (sealed by a professional surveyor) of the proposed divisions of the parent parcel. A scaled drawing *is* acceptable for *preliminary* review. The survey requirement may be waived by the reviewing agent.

The drawing/survey must show:

- 1) Current boundaries (as of 3/31/1997)
- 2) Boundaries of previous divisions made after 3/31/1997
- 3) Each proposed division, with dimensions
- 4) Existing and proposed easements, roads and/or rights of way
- 5) Easements for public utilities from each parcel to existing and proposed parcel
- 6) Any existing improvements (buildings, wells, septic systems, etc.)

- Attach an accurate and adequate legal description for each new proposed parcel.
- May be provided with Certificate of Survey.
- Describe any existing improvements, including buildings, which are on the parent parcel, or indicate none.

6. APPROVED PUBLIC ROAD ACCESS

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

- Each new division has frontage on an existing road Name of Road _____
- A new public road, proposed road name _____
- A new private road, proposed road name: _____
(Road name cannot duplicate an existing road name)
- A recorded easement (driveway): _____

7. DEVELOPMENT SITE LIMITS: Check each that represents a condition which exists or may exist on the parent parcel or 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 Lake Michigan High Risk Erosion setback.
- includes a wetland.
- includes a beach.
- is within a flood plain.
- includes slopes more than twenty-five percent (a 1:4 pitch or 14° angle) or steeper
- is on muck soils or soils known to have severe limitations of on-site sewage systems.
- is known or suspected to have an abandoned well, underground storage tank or contaminated soils.

8. ATTACHMENTS: (all attachments must be included). Letter each attachment as shown below.

- A. Scale drawing of Parent Parcel/Tract
- B. Survey or scale drawing of proposed division/s
- C. Copy of proposed deed/s creating divisions including following statements:

“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.”

“The grantor grants to the grantee the right to make [insert “zero”, a specific number, or “all”] division/s under section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967” or “The right to make further division stays with the parent parcel.”

For any parcel that is 20 or more acres and is not accessible: “This parcel is not accessible as defined in the Land Division Act, 1967 PA 288, MCL 560.101 to 560.293.”

- D. 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, as required by appropriate ordinance.
- E. If the division includes a new public or private road; a copy of approval by the County Addressing authority.
- F. Payment of fee for Land Division Review: \$ _____
Payment of fee for Zoning Administrator Review: \$ _____
- H. Any other attachments.

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 grant permission for officials of the municipality, 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, at a time mutually agreed with the Applicant.
- Finally, I understand this is only a parcel division which conveys only certain rights under the applicable local land division ordinance and the State Land Division Act (formerly the Subdivision Control Act, P.A. 288 of 1967, as amended; (particularly by P.A. 591 of 1996), MCL 560.101, et.seq.) 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 this division/s resulting in less than 1 acre is not liable if a building permit is not issued for the parcel due to non-approvable on-site water or on-site sewage disposal. Checking with the District Health Department for septic and water is the landowner's responsibility.

- Finally even if this division is approved, I understand zoning, local 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 Mackinac Register of Deeds or the division is built upon before the changes to laws are made.
- A decision approving a land division is effective for **90 days** from the date of decision (as stated in the local unit land ordinance), after which it shall be automatically revoked unless within such a period a document is recorded with the Mackinac County Register of Deeds and filed with the Township Clerk or other designated official accomplishing the approved land division or transfer.

Signature of Property Owner

Date

Signature of Property Owner

Date

Land Division Application Attachment #1 :

Zoning Administrator's Review

- Will be sent to zoning administrator by reviewer upon receipt of application

The Garfield Township Land Division Ordinance No. 21 adopted July 14, 1997 states:

- **Section VII A :** All the parcels to be created by the proposed land division(s) fully comply with the applicable lot (parcel), yard and area requirements of the pertinent Zoning Ordinance, including, but not limited to, minimum lot (parcel) frontage/width, minimum road frontage, minimum lot (parcel) coverage and minimum set-backs for existing buildings/structures or have received a variance from such requirement(s) from the appropriate Zoning Board of Appeals.
- **Section IX:** All splits in land parcels (land division) shall conform with Garfield Township Zoning Ordinance(s).

Property Owner/s: _____

Parcel/s: _____

Report Status as of : _____

Garfield Zoning Administrator: Approved: _____ Denied: _____

Variance required and attached: _____

Signed: _____ Date Request Sent: _____

Print name: _____ Date Returned: _____

Land Division Application Attachment #2 :

Status of taxes, special assessments – 5 year preceding application

- Will be sent to Treasurers by reviewer upon receipt of application

State of Michigan Public Act 23 – Amends MCL 560.109 I (i,ii) Effective 9/16/2019

(i) All property taxes and special assessments due on the parcel or tract subject to the proposed division for the 5 years preceding the date of the application have been paid, as established by a certificate from the county treasurer of the county in which the parcel or tract is located....

The Garfield Township Land Division Ordinance No. 21 adopted July 14, 1997 states:

- **Section V (F):** Proof that all due and payable taxes or installments of special assessments pertaining to the land proposed to be divided are paid in full.

Property Owner/s: _____

Parcel/s: _____

Report Status as of : _____

Mackinac County Treasurer:

Parcel Status: Delinquent Taxes: Paid in Full: _____ Amount due: _____

Signed: _____ Date Request Sent: _____

Print name: _____ Date Returned: _____

Garfield Township Treasurer

Parcel Status : Local Taxes, special assessments Paid in Full: _____ Amount due: _____

Signed: _____ Date Request Sent: _____

Print name: _____ Date Returned: _____

Land Division Application Attachment #3 :

Review by County Road Commission or MDOT

- Will be sent to appropriate reviewing agent by reviewer upon receipt of application

The Garfield Township Land Division Ordinance No. 21 adopted July 14, 1997 states:

- **Section VII C :** All parcels created and remaining have existing adequate accessibility, or an area available therefor, to a public road for public utilities and emergency and other vehicles not less than the requirements for all applicable ordinances.

Property Owner/s: _____

Parcel/s: _____

Report Status as of : _____

County Road Commission: Reviewed: _____ Not Applicable: _____

Comments required and attached: _____ None: _____

Signed: _____ Date Request Sent: _____

Print name: _____ Date Returned: _____

MDOT Review: Reviewed: _____ Not applicable: _____

Comments required and attached: _____ None: _____

Signed: _____ Date Request Sent: _____

Print name: _____ Date Returned: _____

Land Division Application Attachment #4 :

Review by County Addressing Agent

- Will be sent to County Addressing Agent by reviewer upon receipt of application, if any new 911 addressing will be required.

- *New parcel/s will be developed after creation*
- *Utilities will be run to new parcel/s*
- *Well and Septic permits will be required*
- *Phone service will be required*

Property Owner/s: _____

Parcel/s: _____

Report Status as of : _____

County Addressing Agent: Reviewed: _____ Not Applicable: _____

Comments required and attached: _____ None: _____

Signed: _____

Date Request Sent: _____

Print name: _____

Date Returned: _____