

CENTERVILLE TOWNSHIP PARCEL DIVISION APPLICATION

Post Office Box 226, Lake Leelanau, MI 49653

231-360-2557

Twp. Z.A. No. _____

Date Received: _____

Please answer all questions **and** include all attachments.

Mail to CENTERVILLE TOWNSHIP at the above address or deliver to the Zoning Administrator.

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

This form is designed to comply with Sec. 108 and 109 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 and PA 87 of 1997, MCL 560.101 et.seq.)

(Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations.)

1. LOCATION of PARENT to be split: Address: _____ Road Name: _____

PARENT PARCEL IDENTIFICATION NUMBER: _____

Parent Parcel Legal Description (DESCRIBE OR ATTACH): _____

2. PROPERTY OWNER INFORMATION:

Name: _____ Address: _____

City: _____ State: _____ Phone (____) _____ Zip: _____

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

Name: _____ Address: _____

City: _____ State: _____ Phone (____) _____ Zip: _____

4. PROPOSED DIVISION(S) TO INCLUDE THE FOLLOWING:

A. Number of new Parcels _____

B. Intended use (residential, commercial, etc.) _____

C. Each proposed parcel, has a depth to width ratio of 4 to 1 as provided by ordinance.

D. Each parcel has a width of _____ (not less than required by ordinance)

E. Each parcel has an area of _____ (not less than required by ordinance)

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

___ Each new division has frontage on an existing public road. road name: _____

___ A new public road, proposed road name: _____

___ A new private road, proposed road name: _____

G. Describe or attach a legal description of proposed new road, easement or shared driveway: _____

H. Describe or attach a legal description for each **proposed new parcel**: _____

4. FUTURE DIVISIONS number allowed but not included in this application _____

Did the parent have any unallocated divisions under the Land Division Act? _____

Were any unallocated divisions transferred to the newly created parcel(s): _____ If yes, how many? _____

Identify the other parcel that future divisions are transferred to: _____

(See section 109 (2) of the Statute. Make sure your deed includes both statements as required in 109 (3 & 4) of the Statute.)

5. DEVELOPMENT SITE LIMITS (Check each which represent a condition which exists on the parent parcel:

- _____ Waterfront property (river, lake, pond etc.) _____ Includes wetlands _____ Is a DNR critical sand dune
- _____ Is within a flood plain _____ Includes a beach _____ Includes slopes > 25%
- _____ Is on muck soils or soils known to have severe limitations for on site sewage system

6. ATTACHMENTS - All the following attachments **MUST** be included. Letter each attachment as shown:

- A. 1. A survey completed by a professional surveyor of proposed division(s) of parent parcel
OR
- 2. A scale drawing for the proposed division(s) of the parent parcel and the 30 day time limit is waived

The survey or drawing must show all of the following:

- (1) current 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 right-of-way(s), and
- (6) easements for public utilities from each parcel that is a development site to existing public utility facilities, and
- (7) any existing improvements (buildings, wells, septic system, driveways, etc.)
- (8) any of the features checked in question number 5.

- B. A septic system permit for each proposed parcel prepared by the Health Department
- C. A well permit for each proposed parcel prepared by the Health Department
- D. Indication of approval, or permit from the appropriate county road commission, Michigan Department of Transportation that a proposed easement provides vehicular access to an existing road or street meets applicable location standards.
- E. A copy of any reserved division rights (sec. 109 (2) of the act) in the parent parcel.
- F. Fee for each division payable to Centerville Township Treasurer. (This application must be accompanied by the appropriate fee as established by the Township Board, and published in the Township Fee Schedule).

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

8. ACKNOWLEDGMENT-and permission for local officials to enter the property for inspections:

The undersigned asserts that the above statements 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. I acknowledge that any approval of the within application is not a determination that the resulting parcels comply with other applicable ordinances, rules or regulations which may control the use or development of the parcels. It is also understood that ordinances, laws and regulations are subject to change and that any approved parcel division is subject to such changes that may occur before the recording of the division or the development of the parcels.

Property Owner's Signature _____ **Date:** _____
Do not write below this line

Reviewer's action: _____ **Total Fee \$** _____ **Check #** _____

_____ **Approved:** _____ **Conditions, if any:** _____

_____ **Denied:** _____ **Reasons** _____

Zoning Administrator Signature: _____ **Date:** _____
Land Division Application May 2009

Land Division in Centerville Township

Public Act 591 of 1996, which took effect March 31, 1997, revised the Subdivision Control Act and renamed it the Land Division Act. The Land Division Act (LDA) regulates the way land can be divided in Michigan. The LDA gives Township officials the responsibility of reviewing and approving land divisions prior to the recording of a land division or property line adjustments.

Before a parcel of land in Centerville Township can be divided, or property lines adjusted (land transfers), the landowner or applicant must complete and submit a Land Division Application to the Township.

The application will then be reviewed to assure compliance with the requirements of the Land Division Act, the Centerville Township Land Division Ordinance, and the Centerville Township Zoning Ordinance. The LDA allows Centerville Township officials 45 days to review the completed application. The 45 day time span does not begin until the application is deemed complete by the Zoning Administrator. Applications determined to be incomplete will be returned with a letter stating the missing information or component.

If the application for parcel division is determined to meet all requirements, the applicant will be notified of the approval in writing.

Frequently asked questions:

Are there any cases in which a division of a parcel land may be considered exempt from the requirements of the LDA?

A division of a parcel of land may be considered exempt from the requirements of the LDA under certain circumstances. However, all types of land division transactions must comply with the Centerville Township Land Division Ordinance and approved through the Land Division Application process. Please check with the Zoning Administrator to determine the proper procedure for your type of parcel division transaction.

What is the maximum number of divisions allowed?

The maximum number of divisions permitted for a parcel of land is regulated by the Land Division Act and the Centerville Township Land Division and Zoning ordinances. The LDA permits splits based on the size of the parent parcel, the number of previous splits after 1997, the size of the resulting lots, and the provision of new access. Bonus divisions may be applied in certain situations.

In some cases the LDA may allow more divisions than the Zoning Ordinance will permit. Since land divisions must comply with local zoning requirements, the regulations of the Zoning Ordinance effectively supersede. It is important that property owners or applicants educate themselves about the specific zoning district regulations that apply to their property. Zoning district regulations limit minimum lot size, proportions, road frontage and setbacks. All newly created parcels of land must meet the requirements of the designated zoning district. The zoning regulations for specific zoning districts are available from the Centerville Township website at:

<http://www.leelanau.cc/centervilletwp.asp>

What are the application requirements for parcel divisions?

In addition to the completed application form, the following items must be submitted with the application:

1. A certified survey of proposed division(s) of the parent parcel/tract showing:
 - a. Boundaries and dimensions as of March 31, 1997
 - b. All previous divisions with dimensions made after March 31, 1997
 - c. The proposed divisions with dimensions
 - d. Existing and proposed roads, driveways, easements and rights-of way for ingress/egress and public utilities
 - e. Existing improvements including, but not limited to buildings, wells, septic systems, etc.
 - f. Distances between existing buildings and the property lines of the parcel to be divided and proposed new property lines.
 - g. Indicate on survey the location of any of the development site limitations checked in item d.
2. If applicable, a list of the names and addresses of all persons having an interest in the parcel/tract to be divided, and a statement of the type of interest each holds. For a corporation or LLC a notarized statement of authorization from the owner or managing member is needed.
3. A written history of all previous divisions made after March 31, 1997.
4. Proof of ownership (copy of the land contract or deed) to prove that owner has right to divide parcel or tract.
5. Indication of approval, or permit from Leelanau County Road Commission, MDOT, or respective city/village street administrator, for each proposed new road, easement or driveway.
6. Indication of approval or permit from Benzie-Leelanau Health District for well and septic.
7. Indication of approval, or permit from Leelanau Conservation District (soil erosion), if required
8. A copy of any reserved division rights (§109(2) of the Act) in the parent parcel.
9. The required fee according to the Centerville Township Zoning Fee Schedule.

After a land division has been approved by the Township, is the process complete?

No. After the application for division has been approved by the Township, the applicant must record the proper documentation with the Leelanau County Register of Deeds, including legal descriptions of the divisions or property transfers. The deed should also include the statements from the land act Section 109 (3&4)

- “The grantor grants to the grantee the right to make (insert #) divisions under section 108 of the land division act, No 288 of the Public Acts of 1967”
- “This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan right to farm act.”

Copies of the recorded documents must be given to the Township Zoning Administrator. If the proper documents have not been recorded within 90 days of the land division approval, the approval shall expire and a new approval will be required.

Does land division approval guarantee that all parcels created by the division will be buildable?

No. Parcel division approval does not convey 'use' approval. There may be conditions present on a parcel that cause it to be labeled 'unbuildable' according to other regulatory standards, even if it meets the minimum lot area, width, and depth-to-width standards of the Zoning Ordinance.

**For further information please contact the Zoning Administrator at
231-360-2557
or e-mail to: tim@allpermits.com**