

APPLICATION FOR PROPERTY DIVISION

***PRIOR TO BEGINNING THE LAND DIVISION PROCESS:**

- CONTACT THE TOWNSHIP ASSESSOR TO DISCUSS IF THE REFERENCED PROPERTY CAN BE SPLIT.
- YOU MUST OBTAIN, FROM THE LAPEER COUNTY TREASURER'S OFFICE, A COMPLETED LAND DIVISION TAX PAYMENT CERTIFICATION FORM Per Public Act 23 of 2019
- IF PROPERTY IS HELD IN A TRUST, MUST PROVIDE A "CERTIFICATE OF TRUST EXISTENCE AND AUTHORITY".

PARCEL # _____ ZONING: _____

NAME OF OWNER _____

ADDRESS OF OWNER _____

PHONE NUMBER OF OWNER _____

*Before an approval can be granted, the Township Assessor and/or Supervisor must be provided with the following information:

REQUIREMENT CHECKLIST:

- _____ 1.) **A survey** showing the original parcel, prior to any division, which shows existing structures (that must meet setback requirements) and also provides legal descriptions of the proposed land division(s). Once reviewed by the Township Assessor, survey must be recorded at the *Register of Deeds Office*. **The Land Division Act requires the entire parcel be surveyed, including the remaining parcel, no matter how many divisions.**
LIBER: _____ **PAGE:** _____
- _____ 2.) **A complete legal description** (in the shortest possible form) of the remaining parcel of land from which the new parcel is being taken. Metes and bounds description must be described for created divisions and remainder.
- _____ 3.) **Meets all zoning** requirements
- _____ 4.) **Inspection letter** from Road Commission.
- _____ 5.) **Letter of accessibility and Split Service Application** from DTE Energy.
- _____ 6.) **Split/combination fee.** (\$100.00 per tax ID number)
- _____ 7.) **Application or letter** signed by current property owner.
- _____ 8.) **A copy of original deed or, if purchased land after March 1, 1997, please submit deed that indicates division rights.**

Signature of property owner requesting split *Date*

FOR OFFICE USE ONLY (revised 6.2021)

Phone # _____	Payment Amount _____
Date Received _____	Check # _____
Date of Approval _____	Letter Sent _____



Lapeer County Treasurer

Dana M. Miller, Treasurer
255 Clay St. Suite 303
Lapeer, MI 48446

September 13, 2019

To: Local Officials

Effective September 16, 2019 Public Act 23 of 2019 (formerly House Bill No. 4055, which an amendment to The Land Division Act 288 of 1987) will take effect. This bill places tighter regulations on property divisions, specifically divisions where delinquent taxes or special assessments are due. According to the amended act before a parcel division can take place one of the two following requirements must be met:

Requirement 1: The parcel subject to the proposed division is certified by the County Treasurer to have no delinquent taxes or special assessments due. In order to obtain this certification the requesting party will have to complete and submit a Land Division Tax Payment Certifications Form in person to the County Treasurer's Office along with a \$5.00 certification fee as required by the legislation.

Requirement 2: Any delinquent taxes or special assessments due on parcels subject to the proposed division are apportioned by the township or city assessing officer.

There are no requirements placed on combinations according to Public Act 23. Despite this, we are still going to discourage the combining of parcels with delinquent taxes.

We are recommending that the property owner visits our Treasurer's Office early in your land division process as non-certifications may change how you proceed, such as whether you need to prepare to apportion the delinquent taxes or potentially deny the applications. When sending an approved land division to the Treasurer's office for processing please include either a copy of the Land Division Tax Payment Certification Form or a letter explaining that delinquent taxes have been apportioned.

I've attached a copy of our Land Division Tax Payment Certification Form as well as a copy of Public Act 23 for your review. We appreciate everyone's assistance in implementing this new legislation.

Dana M. Miller
Lapeer County Treasurer

255 Clay St. Suite 303, Lapeer, MI. 48421
Phone: 810-667-0239 * Fax: 810-667-0263
Email: wmillers@lapeercounty.org

BOARD OF LAPEER COUNTY ROAD COMMISSIONERS

820 DAVIS LAKE ROAD, LAPEER, MICHIGAN 48446
 PHONE: 810.664.6272 FAX: 810.664.0404

APPLICATION FOR LAND DIVISION & ACCESS REVIEW

PROPERTY OWNER: _____ DATE: _____

MAILING ADDRESS: _____

CITY/STATE/ZIP: _____

DAY PHONE: _____ EVENING PHONE: _____

TOWNSHIP: _____ SECTION #: _____ PARENT PARCEL TAX ID #: _____

ROAD NAME: _____ BETWEEN _____ ROAD & _____ ROAD

DATE THE PROPOSED LOT(S) WILL BE CLEARLY STAKED: _____

TOTAL NUMBER OF PARCELS TO BE CREATED: _____ RECEIPT #: _____

FEE: \$75 (Includes 2 parcels) Plus \$15 for each additional parcel (3rd & Greater) = \$ _____

**** A Certified Certificate of Survey and legal descriptions for each parcel to be created is required in order to proceed with the approval process. ****

FIELD INSPECTION - DATE: _____

	APPROVED	RESTRICTED	DENIED	ADDITIONAL COMMENTS:
LOT ID				REMARKS

INSPECTOR'S SIGNATURE: _____ PRINTED NAME: _____
(SIGNATURE MUST BE ORIGINAL FOR TOWNSHIP TO ACCEPT) DATE SIGNED: _____

THIS IS NOT A DRIVEWAY PERMIT

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LAND DIVISION SUPPLEMENTAL INFORMATION

The purpose of the Land Division Application Inspection is for the Lapeer County Road Commission to investigate the location of the proposed land divisions and ensure that the proposed parcels can be accessed from the county road system according to published Lapeer County Road Commission standards. The goal is to determine appropriate driveway locations for the proposed land divisions, if any exist. Please keep the following sight distance guidelines in mind when proposing any land divisions. Land Divisions that do not meet sight distance requirements will not be approved.

Sight Distance will be measured from an eye height of three and one half (3.5) feet at a point thirty-one (31) feet from the centerline of the county roadway to an object height of three and one half (3.5) feet on the centerline of the county roadway. The minimum sight distance for a residential drive shall be in accordance with the following table:

<u>SPEED LIMIT (MPH)</u>	<u>MIN. SIGHT DISTANCE (FEET)</u>
25	280
30	335
35	390
40	445
45	500
50	555
55	610

If the proposed frontage of the new parcels can not meet the above-listed sight distance requirements, the land division shall only be granted pending review and approval by the County Engineer.

The following information is required to properly investigate the proposed land division driveway locations:

1. A completed Land Division Application
2. A Certified Certificate of Survey drawing showing each parcel to be created as well as the remainder. Legal descriptions of each parcel to be created as well as the remaining parcel shall also be provided. If the parent parcel description is aliquot, then a minimum of a quarter section shall be shown in the drawing.
 - *If you feel that sight distance may be a factor at your locations, you may request a preliminary inspection. A preliminary inspection may be performed if a drawing, drawn to scale with lot dimensions, is submitted that illustrates the location of the proposed land divisions. The property owner will be verbally notified of the results.*
 - The land division form will not be approved or completed until a Certified Certificate of Survey is submitted.
3. Land Division property corners shall be clearly marked by the property owner using lath, stakes, or flagging along the parent parcel's county road frontage.

Lapeer County Road Commission approval of the Land Division Application does not relieve the property owner of the responsibility to comply with all applicable Township Ordinances, rules and zoning requirements, as well as the provisions of Public Act 591 of 1996 and Act 87 of 1997.

If you have any questions, please contact the Permit Department at (810) 664-6272.



LAND SPLIT Service Application

Thank you for applying for service with us. We value you as our customer and appreciate your business. Please complete and return your application to Detroit Edison, at the Service Center address listed below. We look forward to working with you.

Service Center Address: 1100 Clark Rd., Lapeer, Michigan Zip Code: 48446

Phone: (810) 667-7900 Fax: (810) 667-7901

Applicant's Name: _____

Current Address: _____

Co-Applicant's Name: _____ Phone #: (____) _____

Email: _____

Name of person to be contacted in case of questions _____

Daytime Phone #: (____) _____ Cell Phone #: (____) _____

Property/Tax I.D. # 44-017-

City/Township/Village: OREGON TOWNSHIP

If assigned by municipality:

Address No.: _____ Street Name: _____

Nearest intersection: _____

Subdivision name: _____

Note: Township letters verifying electrical easements will be issued by DTE 7-10 days after receiving "signed" easements in our office.

Required Information:

- a) Proof of ownership (Warranty Deed, or Land Contract)
- b) Survey showing property splits
- c) Property description

Applicant's Signature: _____

Date: _____

Co-Applicant's Signature: _____

Date: _____

LAND DIVISION ACT
P.A.591 of 1996 and P.A.87 of 1997
Requirements for Land division Approvals

Verification of compliance with the following requirements of Section 109 of the land Division Act must be submitted to the municipality before any Land division can be approved:

1. Accurate legal description (local ordinance may require survey)
2. Tentative parcel map (to scale) showing:
 - A. Area of each proposed division
 - B. Proposed property lines with approximate dimensions
 - C. Public utility easements to each proposed division
 - D. Road accessibility for each proposed division
3. Compliance with the parcel depth to width ratio requirements of the local ordinance, with an exception for the parcel retained by the proprietor. In the absence of a local ordinance, a 5-1 ratio for parcels under 10 acres applies.
4. Compliance with the parcel width requirements of the local ordinance.
5. Compliance with the parcel area requirements of the local ordinance.
6. The proposed land division must be accessible by:
 - A. Public road frontage which meets the M.D.O.T., Road Commission, or municipal driveway location standards; or
 - B. Private road frontage (if allowed by ordinance) or private driveway easement (if allowed by ordinance), providing the private road or drive meets M.D.O.T, Road Commission or municipal driveway location standards for entrance of the road or drive onto the public road.
7. The proposed land division cannot create more divisions than the number allowed by the Land Division Act for the parent parcel.
8. Easements from each proposed division to existing public utility facilities, if the proposed division is to be a "development site". A "development site" is any land which is used or is intended to be used for building.

Once all of the above requirements have been met, the municipality must grant approval within 45 days.

Prepared by Gary Howell
September 12, 1997

TOWNSHIP OF OREGON

LAND DIVISION ORDINANCE

ORDINANCE NO. 1303

An Ordinance to provide a procedure for the division of land located within the Township of Oregon pursuant to the requirements of Public Act 591 of 1996, as amended, being the Michigan Land Division Act.

THE TOWNSHIP OF OREGON ORDAINS:

Section 1. COMPLIANCE. No land within the township shall be divided without the prior review and written approval by the township assessor for compliance with this ordinance and the Michigan Land Division Act. No parcels of land divided after March 31, 1997 shall be placed on the township tax roll until compliance has been verified by the assessor. No building or zoning permits shall be issued for parcels of land divided in violation of the ordinance.

Section 2. LAND DIVISION REQUIREMENTS. An applicant for land division approval shall provide the assessor with documented proof that the following requirements have been met before any land division can be approved:

- A. A fully completed township application form.
- B. A tentative land division map (to scale) showing:
 1. Area of each resulting parcel
 2. Proposed property lines of each resulting parcel
 3. Public utility easements to each resulting parcel
 4. Road accessibility for each resulting parcel
 5. All existing buildings, structures and drives.
- C. Compliance with a depth to width ratio of not more than 5 to 1 for each resulting parcel, except for one parcel retained by the proprietor.
- D. Compliance with the minimum lot width requirements of the township zoning ordinance for each resulting parcel.
- E. Compliance with the minimum lot area requirements of the township zoning ordinance for each resulting parcel.
- F. Road accessibility for each resulting parcel by:
 1. Public road frontage which meets Road Commission driveway location standards; or
 2. Frontage on a private road which complies with the Township Private Road and Drive Ordinance; or
 3. A private driveway easement at least sixty-six (66) feet in width which complies with the Township Private Road and Drive Ordinance.
- G. A survey and legal description of each proposed parcel prepared by a registered surveyor or engineer.

H. An accurate legal description (in the shortest possible form) of the remainder of the land from which the resulting parcels are being taken.

I. The proposed land divisions shall not create more resulting parcels than the number allowed by the Michigan Land Division Act.

J. Public utility easements must be in place from each proposed parcel to existing public utility facilities, if the land division is to be a "development site".

Section 3. DEVELOPMENT SITE. For purposes of this ordinance, the term "development site" shall mean any parcel which is used or is intended to be used as a location for a dwelling or other building. The term "development site" shall not include vacant agricultural or forestry land which will not be used as a location for a dwelling or other non-agricultural building.

Section 4. APPROVAL PERIOD. The township assessor shall have a review period of forty-five (45) days after documents verifying compliance with each of the requirements listed in Section 2 have been submitted to the assessor.

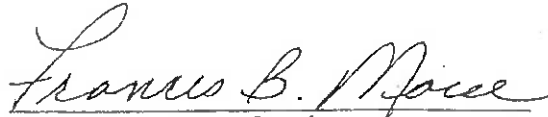
Section 5. FEES. The Township Board shall establish a fee for processing land division and parcel combination requests. The fee shall be paid before any division or combination is approved.

Section 6. VOIDABLE SALE. The purchaser of any parcel resulting from a land division which violates the Michigan Land Division Act shall have the right to void the sale. If a sale is voided, the Seller shall forfeit all money and other consideration received for the land and shall be liable for damages sustained.

Section 7. REPEAL. The prior Land Division Ordinance, being Ordinance No. 1302 adopted on May 13th, 1997 is hereby repealed.

Section 8. EFFECTIVE DATE. This Ordinance shall take immediate effect upon its date of publication in a newspaper of general circulation.

The undersigned Clerk of the Township of Oregon hereby certifies that the above Ordinance was adopted by the Oregon Township Board on the 11 day of March, 1998 and was published in The County Press on the 22 day of March, 1998.


Francis B. Morse
Fran Morse, Clerk
Township of Oregon

ARTICLE 11

Area, Setback and Height

Section 11.01. COMPLIANCE.

- A. All lots, structures and ponds shall comply with the area, setback, and height requirements of Section 11.02, unless different requirements are specified as a condition for a use permitted after special approval or pursuant to a variance.

Section 11.02. TABLE OF AREA, SETBACK AND HEIGHT REQUIREMENTS.

Zoning District	Minimum Lot Area	Minimum Lot Width (In feet) (a) & (b)	Minimum Front Yard Setback (In feet) (c)	Minimum Side Yard Setback (In feet) (d)	Minimum Rear Yard Setback (In feet) (d)	Minimum Floor Area Per Dwelling (In sq. ft.) (g)	Maximum Building Height (In feet) (e)
AR	2½ acres	300	83	20(f)	50(f)	960	35(k)
R-1	32,500 sq ft	130	83	15(f)	30(f)	960	35(k)
RM	2½ acres (h)	300	83	25	50	500 (i)	35
MHP	(j)	(j)	83	25	50	800	25
C	1 acre	200	83	25	50	-	50
I	1 acre	200	83	25	50	-	50

- (a) Measured at minimum front yard setback.
- (b) In no case shall the width of any parcel be less than one-fifth of the length of the parcel.
- (c) Measured from center of the road right-of-way, except that in the case of a cul de sac frontage, the setback shall be fifty (50) feet from the right-of-way line.
- (d) No building shall be constructed within 83 feet of the centerline of any public or private road.
- (e) Not applicable to farm structures such as barns, silos, or grain elevators, or to church steeples or transmission towers.
- (f) Minimum side and rear yard setbacks for garages and other accessory buildings shall be 10 feet. However, minimum setbacks on certain legal nonconforming lake lots which are less than sixty-five (65) feet in width shall be seven and one-half (7.5) feet for side yards and fifty (50) feet for front yards. This provision shall only apply to lots which front on Bronson, Skinner, Pero, Pleasant, McKeen, and West Lakes. These reduced setbacks shall apply to accessory buildings as well as dwellings.
- (g) A dwelling with two or more levels shall have a minimum floor area of 1,200 square feet.
- (h) In the case of multiple family dwellings, there shall be no less than 4,000 square feet of land area per dwelling unit.
- (i) An additional 150 square feet shall be required for each bedroom beyond the first.
- (j) The minimum size of the mobile home park property shall be 20 acres and the minimum width of the property shall be 600 feet. Internal development within manufactured housing parks is regulated by the Michigan Manufactured Housing Commission. Any land uses in the district other than manufactured housing parks shall meet the requirements for the R-1 zoning district.
- (k) Unattached accessory buildings shall comply with the height limitations of Section 13.20.