

Parcel Division Review Work Sheet

Parcel Number _____

Parcel Number _____
Date: _____
Name: _____

	name
	address
	city, state, zip

This form is designed to comply with §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), MCL 560.101 *et. seq.*) December 31, 2012

Review Check List

Yes No Not Applicable

1. Application complete:

- | | | | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | A. All questions are answered: _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | B. Property owner, applicant, agent information provided |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | C. Proof that all due and payable taxes and special assessments have been paid. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | D. Map, drawn to scale, of the proposed division of the parcel showing |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (1) boundaries as of March 31, 1997, and |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (2) all previous divisions made after March 31, 1997 (indicate when made or none), and |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (3) the proposed division(s), and |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (4) dimensions of the proposed divisions, and |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (5) existing and proposed road/easement rights-of-way, and |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (6) easements for public utilities from each parcel to existing public utility facilities, and |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (7) any existing improvements (buildings, wells, septic system, driveways, etc.) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (8) any of the development site limitations checked in question number 6. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (9) any cemetery which is adjacent to, or may have had access through this parcel. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | E. Proposed legal description for a new road(s) or easement(s). |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | F. Review materials from the County Road Commission, MDOT, or respective city/village street administrator, for each proposed new road, easement or shared driveway. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | G. If a new public or private road: copy of approval by County Address administration authority. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | H. Proposed legal descriptions for each new division. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | I. A copy of proposed deed(s) containing 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." |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | J. A copy of the proposed deed(s) which includes a statement which substantially reads: "The grantor grants to the grantee the right to make [<i>insert a specific number</i> or after March 13, 2018 " <i>zero</i> ," " <i>all</i> ," or a <i>specific number</i>] 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 divisions stays with the parent parcel. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | K. A copy of the proposed deed(s) for any parcel that is 20, or more, acres in size and which is not accessible includes a statement which reads: "This parcel is not accessible as defined in the Land Division Act, 1967 PA 288, MCL 560.101 to 560.293." |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | L. Affidavit/application is signed by property owner and applicant. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | M. A fee of \$ _____. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | N. If any of the above is checked "NO"; return incomplete application for missing material. |

2. Parent Parcel & Number of Divisions Determination (§108).

- A. Check adjacent parcels ownership for "same ownership" of the submitted parcel (§102(g&h)).
- B. Define the "Parent Parcel/Tract" (as of March 31, 1997) boundaries (§102(i)).
- C. Calculate/confirm acreage of fee ownership of "parent parcel" (§108(2 & 3)).
- D. Determine maximum number of allowed divisions:
 - (1) Regular formula maximum number of divisions (§108(2)): _____
 - (2) Bonus formula (e.g. "no new drive rule" (§108(3)(a)) or "60%-40% rule" (§108(3)(b))) maximum number of divisions (two more divisions than 2.D.1, above): _____
 - (3) Division of an "exempt split" (§108(5)). Number of divisions: _____
 - (4) Minus any divisions already made since March 31, 1997: _____

- (5) Minus any transfer of divisions withheld by previous owner (§109(2 & 3)) (“zero,” “all,” or specific number) (if the answer is “all” indicate how many that is): _____
- (6) Total number of divisions allowed. _____

Yes	No	Not Applicable	
<u> </u>	<u> </u>	<u> </u>	3. Municipal Zoning and Ordinance:
<u> </u>	<u> </u>	<u> </u>	A. Is municipal zoning applicable? Municipality and effective date: _____ Zoning district: _____
<u> </u>	<u> </u>	<u> </u>	B. Complies with minimum parcel size of: _____ §
<u> </u>	<u> </u>	<u> </u>	C. Complies with minimum parcel width of: _____ §
<u> </u>	<u> </u>	<u> </u>	D. Complies with minimum width-to-depth ratio (if less than 10 acres) of: _____ §
<u> </u>	<u> </u>	<u> </u>	E. Definition of "adequate access" is applicable: _____ §
<u> </u>	<u> </u>	<u> </u>	F. Definition of "width" is applicable: _____ §
<u> </u>	<u> </u>	<u> </u>	G. Complies with maximum road length requirements: _____ §

<u> </u>	<u> </u>	<u> </u>	4. Municipal Land Division Ordinance Review:
<u> </u>	<u> </u>	<u> </u>	A. Is municipal Land Division Ordinance applicable? Municipality and effective date: _____
<u> </u>	<u> </u>	<u> </u>	B. Complies with minimum parcel size of: _____ §
<u> </u>	<u> </u>	<u> </u>	C. Complies with minimum parcel width of: _____ §
<u> </u>	<u> </u>	<u> </u>	D. Complies with minimum width-to-depth ratio (if less than 10 acres) of: _____ §
<u> </u>	<u> </u>	<u> </u>	E. Definition of "adequate access" is applicable: _____ §
<u> </u>	<u> </u>	<u> </u>	F. Definition of "width" is applicable: _____ §
<u> </u>	<u> </u>	<u> </u>	G. Complies with maximum road length requirements: _____ §
<u> </u>	<u> </u>	<u> </u>	G. Complies with other applicable provisions of: _____ §

<u> </u>	<u> </u>	<u> </u>	5. Ordinance Requirements for Dividing Lots in a Subdivision _____ (name of plat).
<u> </u>	<u> </u>	<u> </u>	A. A local ordinance provides for division of existing lots in a subdivision Municipality and effective date: _____
<u> </u>	<u> </u>	<u> </u>	B. Proposed new lot complies with width dimension requirements. _____ §
<u> </u>	<u> </u>	<u> </u>	C. Proposed new lot complies with depth dimension requirements. _____ §
<u> </u>	<u> </u>	<u> </u>	D. Depth of a proposed new lot complies with width to depth. _____ §
<u> </u>	<u> </u>	<u> </u>	E. Proposed new lot (or lots creating a single new parcel) at a corner have extra width, for building setback and clear site distance at a corner. _____ §
<u> </u>	<u> </u>	<u> </u>	F. There is no record (deed restrictions, covenants, plat review minutes) or known factors that resulted in requiring the original lot to contain a greater than usual area in the initial creation of the subdivision. _____ §

<u> </u>	<u> </u>	<u> </u>	6. State Statute Division Review:
<u> </u>	<u> </u>	<u> </u>	A. Property owner, applicant, agent information provided (§109(1)). _____
<u> </u>	<u> </u>	<u> </u>	B. Proposed division(s) complies with §108 of the statute (see #2, above). _____
<u> </u>	<u> </u>	<u> </u>	C. Each proposed parcel, 10 acres or smaller, does not exceed a width of 1 to a depth of 4, (or a width-to-depth required by municipal ordinance) (§109(1)(b)). _____
<u> </u>	<u> </u>	<u> </u>	D. Easements are adequate for public utilities from each new division to existing public utility facilities (§109(1)(g)). _____
<u> </u>	<u> </u>	<u> </u>	E. Each proposed division has an area not less than required by local land division ordinance OR the municipal zoning ordinance (§109(1)(d)) [as checked in numbers 3, 4 and 5, above]. _____
<u> </u>	<u> </u>	<u> </u>	F. Each proposed division has a minimum width not less than required by local land division ordinance OR the municipal zoning ordinance (§109(1)(c)) [as checked in numbers 3, 4 and 5, above]. _____
<u> </u>	<u> </u>	<u> </u>	G. The County Road Commission, MDOT, or respective village/city street administrator, has approved each proposed new road, easement or shared driveway (§109(1)(e)). _____
<u> </u>	<u> </u>	<u> </u>	H. Proposed new road or easement for access is adequate (§109(1)(e)) OR a copy of the proposed deed(s) for any parcel that is 20, or more, acres in size and which is not accessible includes a statement which reads: "This parcel is not accessible as defined in the Land Division Act, 1967 PA 288, MCL 560.101 to 560.293." (§109b(2)). _____
<u> </u>	<u> </u>	<u> </u>	I. The division does not land-lock or prevent access to a cemetery (§109(1)(h)). _____
<u> </u>	<u> </u>	<u> </u>	J. Proposed legal description(s) for each new division(s) is(are) adequate (§109(1)(a)). _____
<u> </u>	<u> </u>	<u> </u>	K. A copy of the proposed deed(s) contains 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)). _____
<u> </u>	<u> </u>	<u> </u>	L. A copy of the proposed deed(s) which includes a statement which substantially reads: "The grantor grants to the grantee the right to make [insert number] 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 divisions stays with the parent parcel. (§109(3)) _____
<u> </u>	<u> </u>	<u> </u>	M. Future division rights have been transferred to (§109(3)): _____

<u> </u>	<u> </u>	<u> </u>	7. Conclusion
<u> </u>	<u> </u>	<u> </u>	A. Are any of the above marked "NO"?
<u> </u>	<u> </u>	<u> </u>	Letter of denial giving reason sent. _____
<u> </u>	<u> </u>	<u> </u>	B. Approved. Conditions: _____

Day: _____, Month _____, Date: __ __, 20 __ __ ; Time: __ __ : __ __ am/pm

Initials: _____