Parcel Division Application

Manistee County

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 (often the zoning administrator). Telephone (231)723-6041 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 to comply with §901. and §902. of the Manistee County Subdivision and Condominium Control Ordinance of March 1987, as amended and §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.*)

Name: Date:

Number of splits requested: Number assigned by Status:

1. LOCATION of parent parcel to be split:
Address: , Road Name:
Parent parcel number: 5 1 - - -
Legal description of Parent Parcel (attach extra sheets if needed):

Township or Village Name:

2. PROPERTY OWNER information:
Name:
Address: Road Name: Phone: ( ) -
City: State: Zip Code -

3. APPLICANT information (if not the property owner)
Contact Person's Name:
Business Name:
Address: Road Name: Phone: ( ) -
City: State: Zip Code -

4. PROPOSAL: Describe the division(s) being proposed:
A. Number of new Parcels
B. Intended use (residential, commercial, etc.)
C. 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 can not duplicate an existing road name.)
_____ A new private road, proposed road name: (Road name can not duplicate an existing road name.)
_____ A recorded easement (driveway). (Can not service more than two potential sites)

4A. Write here, or attach, a legal description of the proposed new road, easement or shared driveway (attach extra sheets if needed):

4B. 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 the newly created parcel(s)?
5D. If so how many?
Identify the other parcel future divisions are transferred to:
(See section 109(2) of the Statute. Make sure your deed includes both statements as required in section 109(3) and 109(4) of the Statute.)

6. DEVELOPMENT SITE LIMITS Check each that represents a condition which exists on the parent parcel. 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 for on site sewage systems.
_____ is known or suspected to have an abandoned well, underground storage tank or contaminated soils.

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) 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 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.)
(8) any of the features checked in question number 6.

____ B. A copy of the proposed deed(s) which 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."

____ C. 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.

____ D. 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, M.C.L. 560.101 to 560.293."

____ E. Indication of approval, or permit from Manistee 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; a copy of approval by the Manistee County Planning Commission.

____ 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 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 Manistee 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 only a parcel division which conveys only certain rights under the Manistee County Subdivision and Condominium Control Ordinance of March 1987, as amended, 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.*), 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 this division(s) resulting in less than 1 acre in size are 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 #10 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 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, if any: _____

_____ **Denied:** Reasons (cite §): _____

Signature and date: _____

[county form April 1, 1998: FORMLTR\PARCELSP.APP]