

BENZONIA TOWNSHIP LAND DIVISION APPLICATION

1020 MICHIGAN AVE | BENZONIA, MI 49616

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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. (Section 102 (e & f)). This form is designed to comply with applicable local zoning land division ordinances and Section 109 of the Michigan Land Division Act (formerly) the Subdivision Control Act, PA 288 of 1967, as amended (particularly by P.A. 591 of 1996), MCL 560.101 et. Seq.

ONLY COMPLETED LAND DIVISION APPLICATIONS WILL BE ACCEPTED & REVIEWED - INCOMPLETE APPLICATIONS WILL BE RETURNED

LAND DIVISION FEES: One New Parcel + Remainder of Original Parcel = \$70 ... + \$20 for each additional parcel

Original completed applications & Documentation can be mailed to the township address above and must include the following information to be accepted as complete (check off if completed/enclosed):

- Land Division Application completed (All questions must be answered - place 'N/A' if any items are not applicable)
- Professional Land Survey with all requirements listed on page 2 & new legal descriptions for each parcel
- Signed statement from County Treasurer that verifies there are no delinquent taxes on parcel(s)
- A check made payable to Benzonia Township with applicable fees
- And any/all other applicable approvals or required documents

1. PROPERTY OWNER NAME: _____

ADDRESS: _____

(street no.) (street name)

(city) (state) (zip code)

PHONE: (_____) _____

EMAIL: _____

2. PARCEL ID # OF PARCEL(S) TO BE DIVIDED: 10 - 02 - _____ - _____ - _____

a. Address of Original Parcel (if none give road Name) : _____

b. Are there existing improvements on Original parcel(s) (circle answer): YES NO

3. INFORMATION ON PROPOSED DIVISION(S)

a. Number of new parcels being proposed _____ + 1 (remainder of Original Parcel) = _____

b. Intended use (circle applicable): Residential | Commercial | Industrial | Other

c. Indicate below the intended method of access for each new proposed parcel (check one) & if applicable attach & label the legal description(s) of any new proposed road(s), easement(s) or shared driveway(s) ***NEW PROPOSED ROADS (PUBLIC OR PRIVATE) MAY NOT HAVE DUPLICATE NAMES OF EXISTING ROADS*** :

____ Existing access on the following public road(s) : _____

____ An easement or driveway (cannot service more than one parcel)

____ A new public road & Proposed road name: _____

____ A new private road or easement, proposed road name: _____

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4. FUTURE DIVISION(S) - If any

- a. Future # of divisions that might be allowed but not included in this application? _____
- b. Are all available division rights, if any, being transferred to the new parcel(s)? _____
Per S109(2) of the Statute. Deeds must include both statements as required in S109 (3) and 109(4) of the Statute.

5. DEVELOPMENT SITE LIMITATIONS - If any

Check each condition that exists on the current parent parcel, if not applicable mark "n/a"

- _____ Is in a DNR designated critical sand dune area.
- _____ Is riparian or littoral (contains river, creek or lake frontage).
- _____ Is affected by a Lake Michigan High Risk Erosion setback.
- _____ Includes a wetland (any amount).
- _____ Includes a beach.
- _____ Is within a flood plain.
- _____ Includes slopes more than twenty five percent (25%) (a 1:4 pitch).
- _____ Is on soils known to have limitations for on-site sewage systems.
- _____ Is known or suspected to have an abandoned well, underground storage tank or c contaminated soils.

6. SURVEY & ADDITIONAL DOCUMENTS REQUIRED TO BE ATTACHED - check if items are enclosed & requirements complete:

- a. _____ Professional Land Survey, (drawn at a scale of not more than 200' to the inch) with the following **requirements:**
 - Current boundaries of original parcel (Parent Parcel) (as of March 31, 1997)
 - All divisions made after March 31, 1997.
 - The proposed new division(s) including dimensions and sizes
 - Existing and/or proposed road/easement right-of-way
 - Any/All Easement(s) for public utilities to each proposed new parcel
 - All existing improvements with distances to proposed lot lines (including well & septic/buildings/etc)
- b. _____ Proof of ownership of the land proposed to be divided. (ie: deed)
- c. _____ A copy of any transferred division right(s) in the parent parcel (Sect 109(4) of the Act).
- d. _____ Statement from County Clerk attesting no back taxes exist on the parent parcel.

IF A NEW ROAD, EASEMENT OR SHARED DRIVEWAY IS BEING PROPOSED FOR ACCESS TO ANY OF THE PARCEL(S) THEN INCLUDE: check if items are enclosed & requirements complete

- e. _____ Approval or permit from the County Road Commission (or MDOT if access will be from a highway)
- f. _____ Private Road Application/Approval

IF NEW DIVISION(S) WILL RESULT IN ANY PARCEL(S) LESS THAN 1 ACRE THEN INCLUDE: check if items are enclosed & requirements complete

- g. _____ A soil evaluation or septic system permit for each proposed parcel prepared by the Health Department or verification that each proposed parcel is serviced by a public sewer system
- h. _____ An evaluation/indication, prepared by the Health Department, that approval may occur for a well permit for each proposed parcel or that each proposed parcel is serviced by a public water system

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OWNER AFFIDAVIT and permission for municipal, county, and state officials to enter the property for inspections: I agree the statements made above are true, 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 the municipality, county and the State of Michigan to enter the property where this parcel division is proposed for purposes of inspection to verify that the information on the application is correct.

I understand this is only a parcel division which conveys only certain rights under the applicable local land division ordinance, the local zoning 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 1966), 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.

I understand per MCL 560.267- Sec. 267 that any sale of lands subdivided or otherwise partitioned or split in violation of this act is voidable at the option of the purchaser, and shall subject the seller to the forfeiture of all consideration received or pledged therefore, together with any damages sustained by the purchaser, recoverable in an action at law.

I also understand that if the land division is approved, it will be required to file one deed per new parcel legal description (including the remaining original parcel) with-in 90 days of the land division approval and that failure to timely file required deed(s) will result in the land division application approval being voided and will require a new land division application, and fees.

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, surveys representing approved divisions are recorded with the Register of Deeds or the division is built upon before the changes to laws are made.

Owner Signature: _____ DATE: _____

Print Name here: _____

DO NOT WRITE BELOW THIS LINE

TOWNSHIP ZONING REVIEW	
<input type="checkbox"/> Approved <input type="checkbox"/> Approved with the following conditions: _____ _____	
<input type="checkbox"/> Denied Denial Reason(s): _____ _____ _____	
ZONING ADMINISTRATOR SIGNATURE	DATE
TOWNSHIP ASSESSOR REVIEW	
<input type="checkbox"/> Approved <input type="checkbox"/> Approved with the following conditions: _____ _____	
<input type="checkbox"/> Denied Denial Reason(s): _____ _____ _____	
ASSESSOR SIGNATURE	DATE