

Parcel Division Review Worksheet

Parcel Number _____

 name

 address

 city, state, zip

This form is designed for local government review of applicable parts of §108, 109, 109a, and 109b of the Michigan Land Division Act (formerly the Subdivision Control Act), PA 288 of 1967, as amended (particularly by PA 591 of 1996), MCL 560.101 *et. seq.*

Not
 Yes No Applicable

1. Application Complete:

- ____ Yes ____ No ____ Applicable A. All questions are answered:
- ____ Yes ____ No ____ Applicable B. Property owner, applicant, agent information provided.
- ____ Yes ____ No ____ Applicable C. Proof that all due and payable taxes and special assessments have been paid (§109(1)(i)).
- ____ Yes ____ No ____ Applicable D. Map, drawn to scale, of the proposed division of the parcel showing:
 - ____ Yes ____ No ____ Applicable (1) boundaries as of March 31, 1997, and
 - ____ Yes ____ No ____ Applicable (2) all previous divisions made after March 31, 1997 (indicate when made or none), and
 - ____ Yes ____ No ____ Applicable (3) the proposed division(s), and
 - ____ Yes ____ No ____ Applicable (4) dimensions of the proposed divisions, and
 - ____ Yes ____ No ____ Applicable (5) existing and proposed road/easement rights-of-way, and
 - ____ Yes ____ No ____ Applicable (6) easements for public utilities from each parcel to existing public utility facilities, and
 - ____ Yes ____ No ____ Applicable (7) any existing improvements (buildings, wells, septic system, driveways, etc.), and
 - ____ Yes ____ No ____ Applicable (8) any of the development site limitations checked in Part 6 of the application, and
 - ____ Yes ____ No ____ Applicable (9) any cemetery which is adjacent to, or may have had access through this parcel.
- ____ Yes ____ No ____ Applicable E. Proposed legal description for a new road(s) or easement(s).
- ____ Yes ____ No ____ Applicable F. Review materials from the County Road Commission, MDOT, or respective city/village street administrator, for each proposed new road, easement or shared driveway.
- ____ Yes ____ No ____ Applicable G. If a new public or private road, a copy of approval by the county addressing authority.
- ____ Yes ____ No ____ Applicable H. Proposed legal descriptions for each new division.
- ____ Yes ____ No ____ Applicable I. A copy of the proposed deed(s), which includes 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."
- ____ Yes ____ No ____ Applicable J. A copy of the proposed deed(s), which includes a statement that substantially reads: "The grantor grants to the grantee the right to make [insert "zero", a number, or "all"] division(s) under section 108 of the Land Division Act, 1967 PA 288, MCL 560.108." or the right to make further divisions stays with the parent parcel.
- ____ Yes ____ No ____ Applicable K. A copy of the proposed deed(s) for any parcel that is 20 or more acres in size and is not accessible, which includes the following statement: "This parcel is not accessible as defined in the Land Division Act, 1967 PA 288, MCL 560.101 to 560.293."
- ____ Yes ____ No ____ Applicable L. Affidavit/application is signed by property owner **and** applicant.
- ____ Yes ____ No ____ Applicable M. A fee of \$ _____.
- ____ Yes ____ No ____ Applicable N. If any of the above is checked "NO" return incomplete application for missing material.

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

- ____ Yes ____ No ____ Applicable A. Check adjacent parcels ownership for "same ownership" of the submitted parcel (§102(g&h)).
- ____ Yes ____ No ____ Applicable B. Define the "Parent Parcel/Tract" (as of March 31, 1997) boundaries (§102(i)).
- ____ Yes ____ No ____ Applicable C. Calculate/confirm acreage of fee ownership of "parent parcel" (§108(2 & 3)): _____
- ____ Yes ____ No ____ Applicable 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)): _____
 - (6) Total number of divisions allowed: _____

3. Municipal Zoning Ordinance Review: _____ (municipality; effective date)

- ____ Yes ____ No ____ Applicable A. Is municipal zoning applicable? Zoning district: _____
- ____ Yes ____ No ____ Applicable B. Complies with minimum parcel size of: _____ \$ _____
- ____ Yes ____ No ____ Applicable C. Complies with minimum parcel width of: _____ \$ _____
- ____ Yes ____ No ____ Applicable D. Complies with minimum depth-to-width ratio (if less than 10 acres) of: _____ \$ _____
- ____ Yes ____ No ____ Applicable E. Definition of "accessible" is applicable: _____ \$ _____
- ____ Yes ____ No ____ Applicable F. Definition of "width" is applicable: _____ \$ _____
- ____ Yes ____ No ____ Applicable G. Complies with maximum road length requirements: _____ \$ _____

Parcel Number: _____
 Date: _____
 Name: _____

Yes No NA

4. Municipal Land Division Ordinance Review: _____ (municipality; effective date)

- ___ ___ ___ A. Is a municipal Land Division Ordinance applicable? _____
- ___ ___ ___ B. Complies with minimum parcel size of: _____ \$ _____
- ___ ___ ___ C. Complies with minimum parcel width of: _____ \$ _____
- ___ ___ ___ D. Complies with minimum depth-to-width ratio (if less than 10 acres) of: _____ \$ _____
- ___ ___ ___ E. Definition of "accessible" is applicable: _____ \$ _____
- ___ ___ ___ F. Definition of "width" is applicable: _____ \$ _____
- ___ ___ ___ G. Complies with maximum road length requirements: _____ \$ _____
- ___ ___ ___ H. Complies with other applicable provisions of: _____ \$ _____

5. Ordinance Requirements for Dividing Residential Lots in a Platted Subdivision: _____ (name of plat)

- ___ ___ ___ A. A municipal ordinance provides for division of existing lots (§263). _____ \$ _____
- ___ ___ ___ B. Proposed new lot complies with width dimension requirements: _____ \$ _____
- ___ ___ ___ C. Proposed new lot complies with depth dimension requirements: _____ \$ _____
- ___ ___ ___ D. Depth of a proposed new lot complies with depth-to-width: _____ \$ _____
- ___ ___ ___ 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: _____ \$ _____
- ___ ___ ___ 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: _____ \$ _____
- ___ ___ ___ G. Proposed new lot has a public water and/or a public sewer system available and accessible, or the proposed new lot consists of not less than 7,200 sq. ft. and the ground water supply on the lot meets or exceeds water supply rules of the state (MI Administrative Code R560.401-560.428).

6. State Statute Division Review:

- ___ ___ ___ A. Property owner, applicant, agent information provided (§109(1)).
- ___ ___ ___ B. Proposed division(s) complies with §108 of the statute (see Part 2 above).
- ___ ___ ___ C. Each proposed parcel, 10 acres or smaller, does not exceed a depth of 4 to a width of 1, (or a depth-to-width required by municipal ordinance) (§109(1)(b)).
- ___ ___ ___ D. Easements are adequate for public utilities from each new division to existing public utility facilities (§109(1)(g)).
- ___ ___ ___ E. Each proposed division has an area not less than required by the municipal land division ordinance OR zoning ordinance (§109(1)(d)) [as checked in Parts 3, 4 and 5 above].
- ___ ___ ___ F. Each proposed division has a minimum width not less than required by the municipal land division ordinance OR zoning ordinance (§109(1)(c)) [as checked in numbers 3, 4 and 5, above].
- ___ ___ ___ 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)).
- ___ ___ ___ H. Proposed new road or easement is "accessible" (§109(1)(e)) OR a copy of the proposed deed(s) for any parcel that is 20 or more acres in size and is not accessible includes the following statement: "This parcel is not accessible as defined in the Land Division Act, 1967 PA 288, MCL 560.101 to 560.293." (§109b(2)).
- ___ ___ ___ I. The division does not land-lock or prevent access to a cemetery (§109(1)(h)).
- ___ ___ ___ J. Proof that all due and payable taxes and special assessments have been paid (§109(1)(i)).
- ___ ___ ___ K. Proposed legal description(s) for each new division(s) is(are) adequate (§109(1)(a)).
- ___ ___ ___ L. A copy of the proposed deed(s) includes 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)).
- ___ ___ ___ M. A copy of the proposed deed(s) includes a statement that substantially reads: "The grantor grants to the grantee the right to make [insert "zero", a number, or "all"] division(s) under section 108 of the Land Division Act, 1967 PA 288, MCL 560.108." OR the right to make further divisions stays with the parent parcel. (§109(3))
- ___ ___ ___ N. The notice of approval of a proposed division resulting in a parcel of less than 1 acre in size includes a statement to the effect: "In approving a proposed division resulting in a parcel less than 1 acre in size, _____ [unit of government] and its officers and employees are not liable if a building permit is not issued for the parcel for the reasons set forth in MCL 560.109a." (§109a(2))
- ___ ___ ___ O. Future division rights have been transferred to (§109(3)): _____

7. Conclusion

- ___ ___ ___ A. Are any of the above marked "NO"? A letter of denial giving reason has been sent.
- ___ ___ ___ B. Approved. Conditions (per local ordinance standards): _____

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

Date: _____; Time: __ __ : __ __ am/pm; Reviewer's Initials: _____