

Parcel Division Review Worksheet

Parcel Number _____

 name

 address

 city, state, zip

This form is designed to comply with §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:

- ____ A. All questions are answered:
- ____ B. Property owner, applicant, agent information provided.
- ____ C. Proof that all due and payable taxes and special assessments have been paid (§109(1)(i)).
- ____ D. Map, drawn to scale, of the proposed division of the parcel showing:
 - ____ (1) 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.), and
 - ____ (8) any of the development site limitations checked in Part 6 of the application, and
 - ____ (9) any cemetery which is adjacent to, or may have had access through this parcel.
- ____ E. Proposed legal description for a new road(s) or easement(s).
- ____ F. Review materials from the County Road Commission, MDOT, or respective city/village street administrator, for each proposed new road, easement or shared driveway.
- ____ G. If a new public or private road, a copy of approval by the county addressing authority.
- ____ H. Proposed legal descriptions for each new division.
- ____ 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."
- ____ 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.
- ____ 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."
- ____ L. Affidavit/application is signed by property owner **and** applicant.
- ____ M. A fee of \$ _____.
- ____ 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)): _____
 - (6) Total number of divisions allowed: _____

3. Municipal Zoning Ordinance:

- ____ A. Is municipal zoning applicable?
 Municipality and effective date: _____
 Zoning district: _____
- ____ 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: _____ § _____

Parcel Number:

Date:

Name:

4. Municipal Land Division Ordinance Review:

- ___ ___ ___ A. Is a municipal Land Division Ordinance applicable?
Municipality and effective date: _____
- ___ ___ ___ 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 Lots in a Subdivision _____ (name of plat).

- ___ ___ ___ A. A municipal ordinance provides for division of existing lots in a subdivision
Municipality and effective date: _____
- ___ ___ ___ 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: _____ § _____

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. Future division rights have been transferred to (§109(3)): _____

7. Conclusion

- ___ ___ ___ A. Are any of the above marked "NO"?
Letter of denial giving reason sent.
- ___ ___ ___ B. Approved. Conditions: _____

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