# Procedure for Splitting Land in Mussey Township St. Clair County

1. Land & Graphics Department (Review for compliance with P.A. 5910)
   810-989-6920

2. Mussey Township (Review for compliance with Zoning Ordinances)
   810-395-4915

3. Detroit Edison (Right-of-Way Evaluation)
   800-477-4747 or 586-412-4760

   Semco Energy Gas Company (Right-of-Way Evaluation-if applicable)
   810-987-7900 Ext. 3026

4. St. Clair County Road Commission (Driveway Evaluation)
   800-999-9424 or 810-364-5720 Ext. 266

5. Final Approval Given by Township
   Approvals from the above mentioned departments and information referred to in the Mussey Township Land Division and Lot Split Procedures must be brought to the Township Office for final approval. If two or more parcels are resulting, the approvals must be received at the Township office 21 days before the next planning commission meeting (Last Tuesday of every month at 7:00p.m.).

6. All of the above approvals must be taken to Lands & Graphics to obtain a property I.D. Number. Splits must be registered with Land & Graphics with-in 1 year of approval, after 1 year you must re-apply for your splits.

**Approval of a division is not a determination that the resulting parcels comply with other ordinances and is not a guarantee that a building permit will be issued.**

# Township of Mussey, St. Clair County, Michigan
## Application for Land Division

1. Applicant

Name_____Telephone_____

2. Submissions Attached Are:

_____ 3 copies of proof of ownership of parent parcel (recorded legal document of conveyance) including legal description

_____ 3 copies of legal description * of proposed split(s) and remaining parent parcel

_____ 3 copies of all required County reviews
County request for property split/combination, Semco Energy (if applicable), Detroit Edison, St. Clair County Road Commission

_____ 12 copies of current survey * of proposed split(s) and remaining parent parcel (only 3 copies are needed if making 2 splits).

_____ 12 copies of this Application form (only 3 copies are needed if making 2 splits).

Prepared by a Registered Land Surveyor of Licensed Civil Engineer. Survey must show existing structures, wetlands, lakes, streams, ponds, drives, public and private roads, easements, wells, and septic fields on all parcels related to application.
**FEES: $150.00 per split**

3. Application

A. Original Parent Parcel Size _____Acres

B. Size of Lot(s) to be split from parent parcel _____Acres

C. Remaining Parent Parcel Size _____Acres

D. Location of Proposed Land Division:

Section #_____Nearest Cross Road_____

E. Parent Parcel ID #_____

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

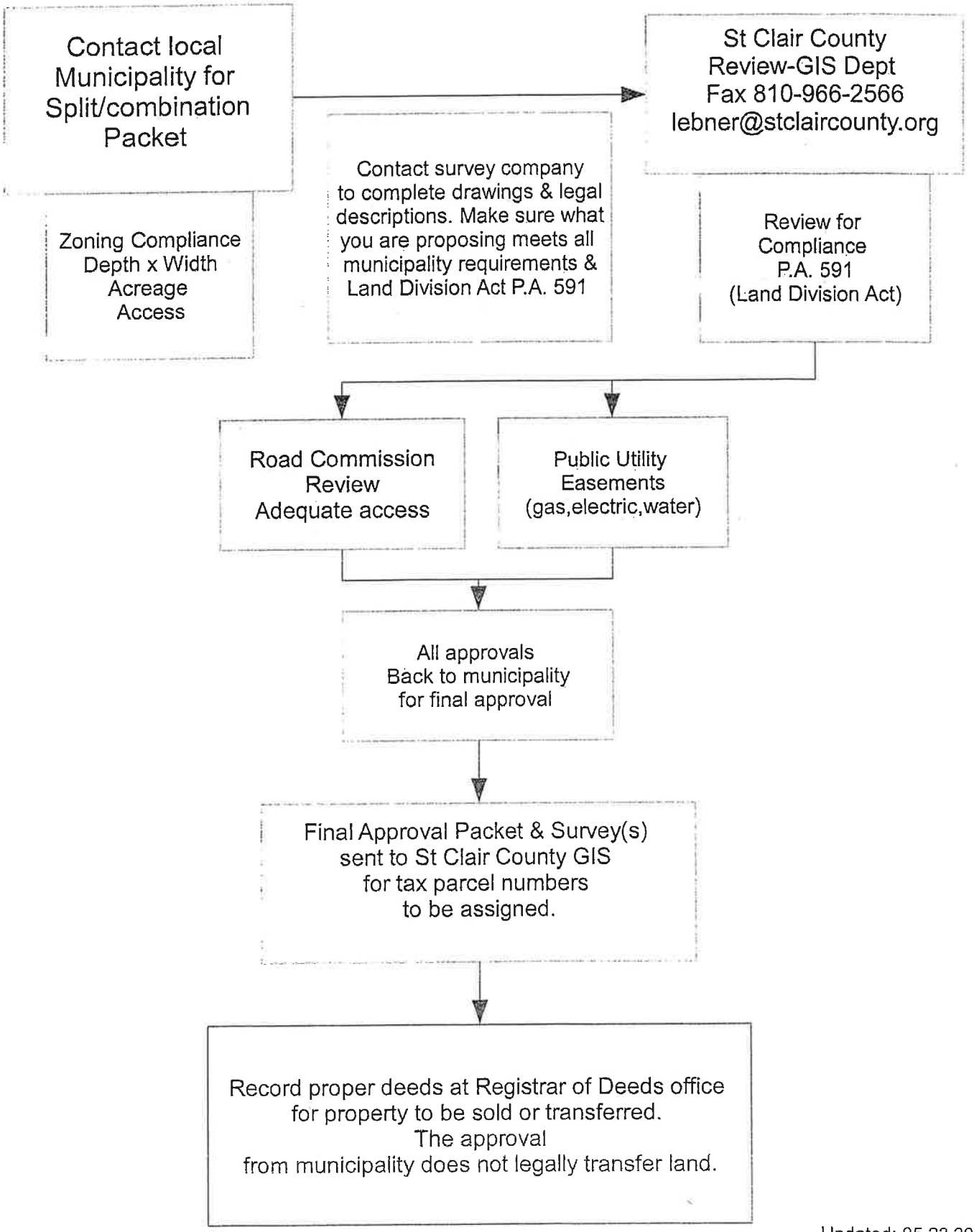
Applicant (owner's) Signature _____ Name Printed _____

We hereby certify that the above was _____Approved or_____Denied for the reason that: _____

_____

_____ _____ _____
Twp. Assessor Twp. Clerk/Zoning Adm. Planning Commission

# Workflow for Splitting or Combining Property in St. Clair County




Updated: 05.23.2012

# REQUEST FOR PROPERTY SPLIT/COMBINATION

Tax Parcel(s) to be split/combined 74-_____

Owner(s) signature _____

Phone Number _____ Date ____/____/_____

## Municipality Preliminary Review

_____ Zoning Compliance for intended use (depth x width, acreage, frontage, access)

Municipality Signature _____ Date ____/____/_____

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## Land Management Review for compliance of P.A. 591 of 1997 (Land Division Act of 1997)

Reference # _____

- Must provide a survey or drawing to scale with dimensions at time of review

Parent Parcel Tax Number(s) 74- _____

Total acreage of parcels _____ Number of available splits _____

_____ Platted Parcel Existing divisions _____ Requested Divisions _____

_____ New Taxable Parcel being created Requesting number of divisions _____

_____ Combination/Adjustment of Property lines (exempt from division)

with parcel(s) _____

_____ Owner Name _____

_____ Meets PA 591 _____ Doesn't meet PA 591

Notes:

_____

_____ $25.00 County Admin Fee _____ $5.00 Tax Certification Fee

_____ Delinquent Taxes – This is to certify that there are no tax liens or titles on this property and that the taxes are paid for FIVE YEARS previous to the date of this instrument. This certification does not include taxes, if any now in the process of collection by the City, Village or Township Treasurer.

Reviewer Signature _____ Date ____/____/_____

The above review is for the compliance of P.A. 591 only.
Final approval of property splits/combinations by the Municipality is still required.

****THIS REVIEW EXPIRES AFTER A PERIOD OF ONE YEAR ****

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***MCL 560-109 Municipality shall approve/disapprove proposed division within 45 days after filing completed application of proposed division with assessor or other municipality designated official.***

## Municipality Final Review and Approval

_____ Adequate and Accurate legal descriptions (must be provided and attached) MCL 560.109 sect (1) (a)

_____ Accessibility. Driveway or existing easements provides vehicular access to existing roads or streets.

_____ Public Utility Easements. (gas, electricity, water, sewer, telephone)

_____ Taxes Current (responsibility of municipality)

_____ Courtesty TAX BILL SHOULD BE issued allocate values-turn into Treasurer for proper billing of current year

_____ Approved _____ Disapproved

Notes: _____

_____

Municipality Signature _____ Date ____/____/_____

- The above signature authorizes for new parcel splits/combinations to be added to tax roll

DTE Electric Company

# LAND SPLIT/ COMBINATION Service Application

***Please complete and return your application to Detroit Edison, at the Regional Center contact listed below.***

*(For DTE Energy to fill in)*

*Work Order* _____ *Date Received* _____

**Return Email Address: sheila.cain@dteenergy.com**
**Sheila Cain -Right of Way Facilitator - 810.432.2267**
**Marysville Service Center, 3223 Ravenswood Rd, Marysville, Michigan 48040**

Property Owner Name: _____

Property Owner Email: _____

Current Address: _____

Phone Number _____

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Property/Tax I.D. # _____

City/Township/Village: _____

If assigned by municipality:
Address No.: _____ Street Name: _____

Nearest intersection: _____

Subdivision name: _____

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NOTE: The legal owner of the property must sign this application, unless the party acting instead of the legal owner has power of attorney or legal guardianship. Please provide proof of such.

Required information

a) Proof of Ownership (Recorded Deed or Land Contract – Title insurance does not constitute proof of ownership)
b) Current Certified Survey of Parent Parcel ***showing splits and/or combinations***
c) Current Certified Survey with written description of the proposed splits

**NOTE: PLEASE ALLOW 4-6 WEEKS FOR PROCESSING.**

Applicant's Signature: _____ Date: _____

*Revised 09/2024*

**PROPERTY DIVISION ORDINANCE**
**MUSSEY TOWNSHIP NO.19**

**An ordinance to provide a procedure for the division of properties located within the Township of Mussey, and to regulate and control the division of such properties, in the interest of the public health, safety and general welfare.**

**THE TOWNSHIP OF MUSSEY ORDAINS:**

## ARTICLE 1. TITLE:

This ordinance shall be known and cited as the Mussey Township Property Division Ordinance.

## ARTICLE 2. PURPOSE:

Pursuant to the authority and purposes conferred by Public Act 591 of 1996, the Land Division Act, as amended, this ordinance provides standards, procedures, rules and regulations related to the division of properties within the Township, provides for the relationship of this ordinance to other laws and ordinances, and provides for the penalties for violation of this ordinance.

## ARTICLE 3. DEFINITIONS

A. Acreage Parcel - Any parcel of land which is not within an approved and recorded plat or condominium development.

B. Divide or Division - The partitioning or splitting of an acreage parcel or tract into two or more parcels for purposes of sale, lease or building development.

C. Lot - A measured portion of a parcel or tract of land which is described and fixed in a recorded plat.

D, Parent Parcel or Parent Tract - An acreage parcel or tract, respectively, lawfully in existence on March 31, 1997.

Resulting Parcel - The acreage parcel(s) which result from an approved division.

F. Tract - Two or more acreage parcels that share a common property line and are under the same ownership.

G. Terms not defined shall have the meaning as set forth in the Mussey Township Zoning Ordinance and PA 591 - The Land Division Act.

## ARTICLE 4. DIVISION OF LOTS AND ACREAGE PARCELS

Any lot, acreage parcel or tract which is divided or proposed to be divided after the effective date of this Ordinance, shall be reviewed and approved in accordance with this ordinance.

## ARTICLE 5. APPLICATION REQUIREMENTS AND PROCEDURES

Application to divide a lot, acreage parcel or tract shall be made on forms provided by the Township. An applicant shall file all of the following with the Township Clerk for review and approval of a proposed land division before making any division either by deed, land contract, lease, or for building development.

A. Names, addresses and phone numbers of all owners of record, including all parties to a land contract or purchase agreement, and their signatures. Separate written consent to the proposed division by fee simple owners may be accepted by the Township in lieu of signatures on the application form.

B. The applicant's name, address, phone number, and signature.

C. The parcel identification number(s) of the parent parcel or parent tract.

D. A true and accurate survey, including both a drawing to scale and full legal description, of the parent parcel or tract and of all parcels which would result from the proposed division of the parent parcel or tract. The survey shall include the following:

1. All dimensions of existing and proposed property lines and easements;
2. Location of all existing buildings, wetlands, lakes, streams, ponds, drives, public and private roads, easements, wells and septic fields, including setbacks from all property lines;
3. The size (in square feet and acres) of each resulting parcel;
4. The proposed location and type of access to each resulting parcel. (Where a private road is proposed separate application and conformance with the Mussey Township Private Road Ordinance is required);
5. Setbacks from property lines to all proposed buildings, drives, easements, wells and septic systems.

E. Written verification and proof of ownership, by Warranty Deed, Quit Claim Deed, Land Contract, or other legal document of conveyance, which identifies the owner(s) of the parent parcel or parent tract.

F. A written statement, signed and attached to the application form by the applicant and all owners of record, stating whether the right to make further divisions exempt from the platting process requirements of PA 59'1 - The Land Division Act has been transferred or otherwise conveyed.

G. A written statement, signed and attached to the application form by the applicant and all owners of record, stating that: "The deeds for all resulting parcels that are the subject of this application shall contain the following statement: *'This property may be located within the vicinity of farmland 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"'.*

Additional information as required by the Township to verify application information, geographic site data or to clarify status of other governmental reviews and approvals.

All applicable review fees as established by resolution of the Township Board.

## ARTICLE 6. __ REVIEW PROCESS

All applications for proposed divisions of lots or acreage parcels shall be reviewed in conformance with the following process:

A. Two resulting parcels or lots

If the proposed division will create two resulting parcels, or involves a division and recombination with another adjoining property, the following procedure will be followed:

Applicant submits 3 copies of the information required in Article 5 above to the Township Clerk.

Township Clerk forwards copies of all application materials to the Township Assessor, and to the planner and engineer, if requested by the Clerk or Assessor.

3. The Township Clerk and Assessor review the application package for completeness, accuracy, and conformance with zoning requirements for lot area, width, frontage and width-to-depth ratio within forty five (45) days.

4. Any division that does not comply with Township zoning requirements for lot area, width, frontage, or width-to-depth ratio shall not be approved. Variances from these requirements shall only be granted by the Zoning Board of Appeals (ZBA), which requires a separate application and review fee.

5. If all required information has been submitted in accordance with Article 5 above, and all information and the proposed division(s) demonstrate(s) conformance with this ordinance, the Clerk and Assessor shall grant approval of the division(s). If the proposed application and division does not comply with this ordinance, the application shall be denied. All approvals and denials shall be in writing.

6. Where a private road is proposed as a part of any division application, review and approval of the private road(s) shall be in accordance with the Mussey Township Private Road Ordinance. The review and approval of proposed private roads shall occur prior to final approval of the proposed division(s).

B. More than two parcels / lots; or if any road is proposed

If the proposed division will create more than two resulting parcels, or requires construction of a road, review and approval by the Planning Commission is required in accordance with the following procedure:

1. Applicant submits ten copies of the information required in Article 5 above to the Township Clerk at least 21 days prior to the next regular Planning Commission meeting.

2. Township Clerk forwards copies of application materials to Planning Commission, Township Assessor, planner and engineer for their review.

3. Planning Commission, Township Assessor and planner review application package for completeness, accuracy, conformance with zoning requirements for lot area, width, frontage, and width-to-depth ratio.

4. Divisions that do not comply with Township zoning requirements for lot area, width, frontage, or width-to-depth ratio shall not be approved. Variances from these requirements shall only be granted by the Zoning Board of Appeals (ZBA), which requires a separate application and review fee.

5. Upon finding that the proposed divisions meet all applicable ordinance requirements, the Township Planning Commission shall recommend approval of the split. If the proposed application and division does not comply with this ordinance, the Planning Commission shall recommend conditional approval or denial. All recommendations for approvals, conditional approvals, and denials shall be in writing.

   Following Planning Commission review and recommendation the Township Clerk and Assessor shall:

   a. Verify that all conditions of Planning Commission Approval have been met (if applicable);

   b. Verify Planning Commission and Township Board approval of any private road(s) proposed in conjunction with the proposed division(s).

7. The Township Clerk and Assessor shall grant final approval of the proposed division(s) upon verification of the information in subsection 1 above.

8. After Final Approval, the Assessor shall process the proposed division(s), Lands and Graphics will assign and issue new parcel identification number(s), and update taxation and assessment records accordingly.

9. Where a public road is proposed as a part of any division application, review and approval of the private road(s) shall be in accordance with the Mussey Township Private Road Ordinance. The review and approval of proposed private roads shall occur prior to final approval of the proposed division(s).

## ARTICLE 7.' __ DIVISIONS NOT APPROVED BY TOWNSHIP

Divisions that have not been approved by the Township shall not constitute valid divisions under the terms of this ordinance, shall not be placed on the tax roles, and shall not be eligible for any development or activity requiring a building permit from Mussey Township.

## ARTICLE 8.___ STANDARDS FOR REVIEW

Applications for all land divisions shall meet the following standards prior to approval:

A. All resulting parcels created by a division, ~~including the remainder of the parent parcel~~, excluding the remainder of the parent parcel if over 10 acres shall comply with Township Zoning Ordinance requirements for minimum lot area, width, frontage, and width to depth ratio.

B. Public or private road rights-of-way and/or easements shall not be included in calculations for determining lot area or width.

C. The layout and design of land divisions and lot splits shall demonstrate that any future divisions will be logical and promote sound community planning and design.

D. Divisions shall be designed to facilitate provision of emergency services and logical extensions of future public utilities.

E. Divisions shall be designed to reduce the need for excessive numbers of driveways onto adjacent roads.

F. Minimum lot width shall be measured from the edge of the existing right-of-way or easement of the public or private road.

Corner parcels shall be least twenty (20) percent wider than the minimum lot width required in the Zoning Ordinance.

No parcel shall require driveway lengths in excess of 600 feet.

Adjoining lots shall not have a front yard to rear yard relationship, where houses on the same side of the same street are situated behind one another.

J. The proposed division is in compliance with PA 591 - The Land Division Act, as amended.

K. Where a private road is proposed, said road is in conformance with the Mussey Township Private Road Ordinance and has been approved by the Township Board after recommendation by the Planning Commission.

L. Adequate easements for public utilities from the parcel to existing public utility facilities are provided.

M. The parent parcel and resulting parcels do not include any parcels or lots within a condominium development approved by the Township.

N. If the proposed division creates resulting parcels that are less than the minimum lot area or size required by Act 591, Michigan Public Acts of 1996, as amended, or the Mussey Township Zoning Ordinance, the applicant shall also file with the Township a duly executed affidavit, suitable in form for recording with the St. Clair County Register of Deeds, signed by all persons having a legal or equitable interest in the resulting parcel(s), stating that the resulting parcel(s) will not thereafter be developed or used separately, but only in conjunction with adjoining parcels which, when joined together,

shall satisfy the minimum lot area and size requirements of Act 591 of 1996, as amended, and the Mussey Township Zoning Ordinance.

0. Payment of all taxes due on the parent parcel or parent tract.

## ARTICLE 9. TIMEFRAME FOR REVIEW AND APPROVAL

The Township shall have at least forty five (45) days from the date of submittal of a complete application to review the proposed division to verify that it complies with the Michigan Land Division Act, as amended, other applicable Statutes of the State of Michigan, and all Ordinances of Mussey Township. Applications requiring Planning Commission review must be received by the Township Clerk at least twenty one (21) days prior to the meeting.

B. Where a private road is proposed in conjunction with any proposed division, review and approval of said road in conformance with the Mussey Township Firms-Road Ordinance shall occur concurrently with application for property division. An application for property division may not be considered complete until approval of the private road in conformance with the Mussey Township Private Road Ordinance.

## ARTICLE 10. APPLICATION FOR BUILDING PERMITS

After the effective date of this ordinance, prior to the issuance of any building permit for construction upon a resulting parcel, the applicant for the building permit shall provide the following to the Township Building Inspector:

A. Written verification and evidence of approval of the division of the subject parcel by Mussey Township.

B. A copy of the survey, with legal description and drawing of said parcel(s) of property.

C. A recorded copy of the legal document which establishes the applicants ownership interest in the property.

D. The parcel identification (tax) number which has been assigned to the subject property.

## ARTICLE 11. APPLICATIONS INVOLVING PRIVATE ROADS

An application for approval of a division(s) that involves the construction of a private road must comply with the following requirements before the division(s) will be approved:

## ARTICLE 14. RELATIONSHIP TO OTHER LAWS AND ORDINANCES

Whenever regulations or restrictions imposed by this Ordinance are either more or less restrictive than regulations or restrictions imposed by governmental authority through legislation, rule or regulation, the more restrictive regulations or those which impose the higher standards shall govern.

## ARTICLE 15. _____ ADOPTION, EFFECTIVE DATE

1. Adoption. This ordinance was adopted by the Mussey Township Board at a meeting thereof held on December 10, 1997.

***Amended December 14, 2022***

Effective Date: This ordinance shall become effective on February 20, 1998

Randy Schultz
Mussey Township Supervisor

CERTIFICATION OF TOWNSHIP CLERK

I, Sheila McDonald, Mussey Township Clerk, hereby certify that the foregoing is a true copy of The Mussey Township Property Division Ordinance adopted by the Township Board on December 10, 1997 by the following vote:

Ayes: McDonald, Schultz, Lauwers, Downey, Ide
Nays:
Absent: None

Motion: Carried

Sheila McDonald Mussey
Township Clerk

Mussey Township ordered notice of adoption and summary to be published in the newspaper on 1-21-98. A true copy of the above ordinance may be inspected or purchased at the offices of the Township Clerk during regular business hours,

Ordinance Amended at the regular Township Board Meeting on December 14, 2022

CERTIFICATION OF TOWNSHIP CLERK

I, Sheila McDonald, Mussey Township Clerk, hereby certify the foregoing is a true copy of the Mussey Township Property Division Ordinance amended by the Township Board on December 14, 2022 by the following vote:

A motion was made by Monica Standel, and supported by Bruce Downey

Ayes: McDonald, Lewis, Standel, Lauwers & Downey

Nays: None

Absent: None

Motion carried.

Sheila McDonald, Mussey Township Clerk Sheila McDonald

## ARTICLE 11 - SCHEDULE OF DISTRICT REGULATIONS.

**Section 1100. Height, Bulk, Density, Area, Setback and Lot Coverage by District:**

| USE DISTRICT | MINIMUM LOT AREA (A) (I) (J) | MINIMUM LOT WIDTH (IN FEET) (K) | MAXIMUM HEIGHT OF STRUCTURES (A) | | MINIMUM YARD SETBACK PER LOT (IN FEET) (A) (G) | | | | MINIMUM FLOOR AREA PER SINGLE FAMILY UNIT (SQ. FT.) | MAXIMUM PERCENTAGE OF LOT AREA COVERED BY ALL BUILDINGS |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | FRONT | SIDES ( C ) | | REAR (L) (N) | | |
| | | | IN STORIES | IN FEET | (H) | LEAST ONE | TOTAL OF 2 SIDES | | | |
| AG | 3 ACRES | 250 | 2 ½ | 35 | 75 | 30 | 60 | 50 | 1,200 | 16% |
| AG W/ new road | 2.5 ACRE (F) | 250 | 2 ½ | 35 | 50 | 20 | 40 | 50 | 1,200 | 35% |
| SF | 2.5 ACRES | 250 | 2 ½ | 35 | 75 | 30 | 60 | 50 | 1,200 | 20% |
| SF W/ new road | 2 ACRE (F) | 250 | 2 ½ | 35 | 50 | 20 | 40 | 50 | 1,200 | 35% |
| R-1 W/out Sewer and Water (D) | 2 ACRE | 250 | 2 ½ | 35 | 50 | 20 | 40 | 50 | 1,000 | 10% |
| R-1 W/ Sewer and Water (D) | 1/2 ACRE | 80 | 2 ½ | 30 | 35 | 10 | 20 | 35 | 1,000 | 35% |
| RM (M) | 1 ACRE | 150 | 2 ½ | 35 | 35 | 20 | 40 | 50 | 1,000 (E) | 10% |
| RC | SPR (B) | SPR (B) | 2 ½ | 35 | 75 (B) | 50 (B) | 100 (B) | 50 (B) | (B) | (B) (O) |
| B-1 | 1 ACRE | 150 | 2 | 30 | 35 | 10 | 35 | 35 (M) | N/A | (O) |
| B-2 | 1 ACRE | 150 | 2 | 30 | 35 | 10 | 35 | 35 (M) | N / A | (O) |
| LI | 2 ACRES | 250 | 2 | 35 | 75 | 50 | 100 | 100 | N / A | 30% |

N/A - Not Applicable; SPR - Site Plan Review; ( ) - See Footnote on following page