

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 within 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.

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 _____

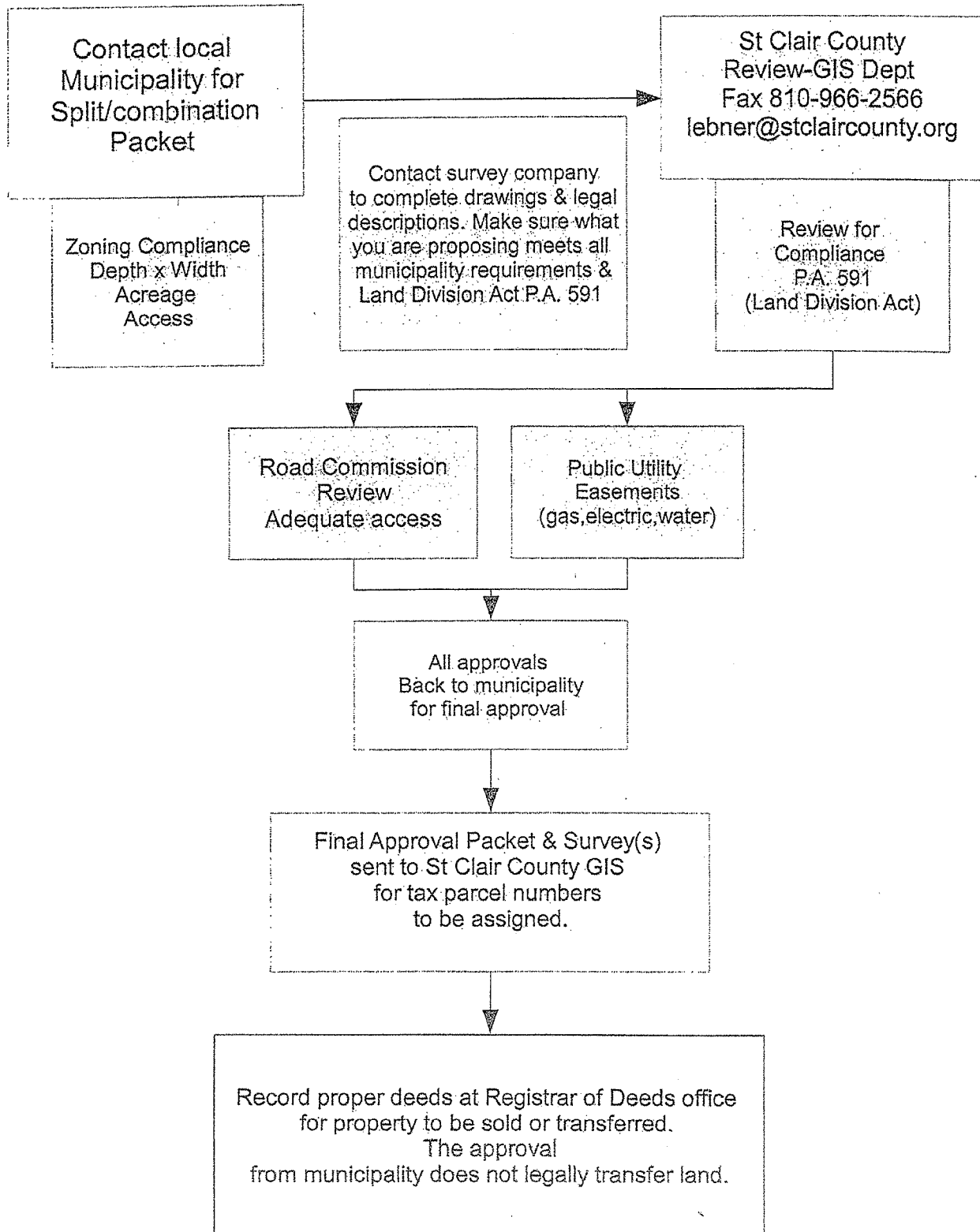
We hereby certify that the above was _____ Approved or _____ Denied for the reason that: _____

Township Assessor
Kerri Beauvais

Township Clerk
Sheila McDonald

Planning Commission
William Schultz

Workflow for Splitting or Combining Property in St. Clair County



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 ____/____/____

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 *****

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)

_____ Courtesy 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

**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, 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,

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	
			IN STORIES	IN FEET	FRONT (H)	SIDES (C)				REAR (L) (N)
						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

PROCEDURE AFTER APPROVED:

**ONCE THE SPLITS ARE APPROVED BY THE TOWNSHIP
ASSESSOR AND CLERK, THE SIGNED APPLICATION ALONG WITH THE
SURVEY MUST BE FAXED OR EMAILED TO:**

**LAURIE EBNER
FX# (810) 966-2566
phone (810) 989-6950**

EMAIL - lebner@stclaircounty.org