

TOWNSHIP OF LAPEER

LAND DIVISION ORDINANCE

ORDINANCE NO. 20.02

An Ordinance to provide a procedure for the division of land located within the Township of Lapeer pursuant to the requirements of Public Act 591 of 1996, as amended, being the Michigan Land Division Act.

THE TOWNSHIP OF LAPEER ORDAINS:

Section 1. COMPLIANCE. No land within the township shall be divided without prior review and written approval by the township Supervisor and/or assessor for compliance with this ordinance and the Michigan Land Division Act. No parcels of land divided after March 31, 1997 shall be placed on the township tax roll until compliance has been verified by the township Supervisor and/or assessor. No building or zoning permits shall be issued for parcels of land divided in violation of the ordinance.

Section 2. LAND DIVISION REQUIREMENTS. An applicant for land division approval shall provide the township Supervisor and/or assessor with documented proof that the following requirements have been met before any land division can be approved:

- A. A fully completed township application form.
- B. A tentative land division map (to scale) showing:
 - 1. Area of each resulting parcel.
 - 2. Proposed property lines of each resulting parcel.
 - 3. Public utility easements to each resulting parcel.
 - 4. Road accessibility for each resulting parcel.
 - 5. All existing buildings, structures and drives.
- C. Compliance with a depth to width ratio of not more than 4 to 1 for each resulting parcel, except for one parcel retained by the proprietor.
- D. Compliance with the minimum lot width requirements of the township zoning ordinance for each resulting parcel.
- E. Compliance with the minimum lot area requirements of the township zoning ordinance for each land division.
- F. Road accessibility for each resulting parcel by:
 - 1. Public road frontage which meets Road Commission driveway location standards; or
 - 2. Frontage on a private road which complies with Township Ordinances; or
 - 3. A private driveway easement at least sixty-six (66) feet in width which complies with Township Ordinances.

- G. A survey and legal descriptions of each proposed parcel including the parent parcel, prepared by a registered surveyor or engineer. The survey drawings shall include items 1-5 in subsection B above.
- H. The proposed land divisions shall not create more divisions than the number allowed by the Michigan Land Division Act, Public Act 591, of 1996, as amended.
- I. Public Utility easements must be in place from each proposed parcel to existing public utility facilities, if the land division is to be a "development site".

Section 3. DEVELOPMENT SITE. For purposes of this ordinance, the term "development site" shall mean any parcel which is used or is intended to be used as a location for a dwelling or other building. The term "development site" shall not include vacant agricultural or forestry land which will not be used as a location for a dwelling or other non-agricultural building.

Section 4. APPROVAL PERIOD. The township Supervisor and /or assessor shall have a review period of forty-five (45) days after documents verifying compliance with each of the requirements listed in Section 2 have been submitted to the Supervisor and/or assessor. No property division proposal presented to the township Supervisor and/or assessor after January 1 will appear on the township tax roll until the subsequent tax year.

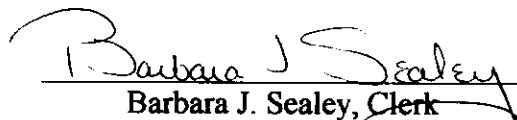
Section 5. FEES. The Township Board shall establish a fee for processing land division and parcel combination requests. The fee shall be paid before any division of combination is approved.

Section 6. VOIDABLE SALE. The purchaser of any parcel resulting from a land division which violates the Michigan Land Division Act shall have the right to void the sale. If a sale is voided, the Seller shall forfeit all money and other consideration received for the land and shall be liable for any damages sustained.

Section 7. REPEAL. The former Lapeer Township Property Division Ordinance 20.01, adopted June 10, 1997, is hereby repealed.

Section 8. EFFECTIVE DATE. This Ordinance shall take immediate effect upon its date of publication in a newspaper of general circulation.

The undersigned clerk of the Township of Lapeer hereby certifies that the above Ordinance was adopted by the Lapeer Township board on the 9th day of February, 1998 and was published in *The County Press* on the 18th day of February, 1998.


Barbara J. Sealey, Clerk
Township of Lapeer