

# ELM RIVER TOWNSHIP

## LAND DIVISION APPLICATION

_____	Date: _____
Property Owner(s) Name	Parcel I.D. Number: _____
_____	Applicant Name if other than owner
Mailing Address	_____
_____	Mailing Address
City, State, Zip	_____
_____	City, State, Zip
Phone Number	_____
	Phone Number

Approval of a division is required before it is sold, when a new parcel is less than 40 acres and not just a property line adjustment. Approval of a land division is not a determination that the resulting parcels comply with other ordinances and regulations. Where land division approval is required, the application must be approved and paid for prior to obtaining a building permit.

### PARENT PARCEL INFORMATION:

Address \_\_\_\_\_

Legal Parcel Number \_\_\_\_\_

Legal Description or attach: \_\_\_\_\_

Current Size of Parent Parcel: \_\_\_\_\_

Have there been any divisions of this parcel since March 31, 1997? Yes \_\_\_ No\_\_\_ (If yes, please attach copies of the previous divisions)

Are there any existing buildings on this parcel? Yes\_\_\_ No\_\_\_ (If yes, indicate the location of each building on the survey being submitted with this application)

Are any unused division rights being transferred from the original parcel to the new parcel? Yes \_\_\_ No \_\_\_ (If yes, indicate the number of divisions being transferred: \_\_\_\_\_)

If you transfer divisions from the "parent" parcel to a "child" parcel, you must file a land division transfer notice with the assessor within 45 days.

**No land within Elm River Township shall be divided without the prior review and written approval of the Township Supervisor for compliance with the Michigan Land Division Act. No parcels of land divided after March 31, 1997 shall be placed on the township tax roll until the Supervisor has verified compliance. No building or zoning permit shall be issued for parcels of land divided in violation of the ordinance. The Michigan Land Division Act grants the Township a 45 day period in which to review land division applications.**

Describe the Proposed Division: number of parcels \_\_\_\_\_ road access (public, private, easement) \_\_\_\_\_ existing driveway \_\_\_\_\_ utility supply \_\_\_\_\_

Is any resulting parcel intended for non-building development? Yes\_\_\_ No\_\_\_

If yes please indicate use (agricultural, forestry (timber cut-over), CFR or other. \_\_\_\_\_

### APPLICATION REQUIREMENTS:

1. A fully completed Elm River Township Land Division application form
2. Compliance with the depth to width ratio of no more than 4 to 1 for resulting parcel, except for one parcel retained by the proprietor.
3. A survey and legal description of each proposed parcel, including an accurate legal description (in shortest possible form) of the remainder of the land from which the resulting parcels are being taken.
4. The proposed land divisions shall not create more resulting parcels than the number allowed by the Michigan Land Division Act.

5. If the land is to be a "development site", public utility easements must be in place from each proposed parcel to existing public utility facilities.
6. Application fee of \$100.00 for each legal description or land division submitted.
7. Copy of all restrictions and/or covenants that apply to the land.
8. All taxes must be paid in full on all parcels.
9. A scale drawing and plot plan, if necessary, of all parcels created, including all of the original parcel, which must include road frontage, square footage or acreage of each parcel, and location of all existing buildings, wells, and septic systems.
10. Any parties having any of the following interest in the subject property must sign this application; owners in fee, all parties in any land contract, all parties having interests in any purchase of option agreements.

**By signing below, owner certifies that the information contained herein is accurate and authorizes the processing of this request.**

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**Owners Signature(s)**

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**Applicants Signature(s) if other than owner**

**Notary Public**

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
 \_\_\_\_\_ Notary Public, State of Michigan, County of \_\_\_\_\_  
 My commission expires \_\_\_\_\_

**TOWNSHIP USE ONLY**

Date all items received \_\_\_\_\_ Application fee \_\_\_\_\_ Receipt Number \_\_\_\_\_  
 Approved \_\_\_\_\_ Denied \_\_\_\_\_  
 Comments \_\_\_\_\_

Conditions, if any: \_\_\_\_\_

Reasons (cite) \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_  
 Authorized Signature

**NOTICE ON ANY PARCLE LESS THAN ONE (1) ACRE IN SIZE**

Section 109a of the Michigan Land Division Act States that: "Section 109a (1) If a parcel resulting from a division is less than one acre in size, a building permit shall not be issued for the parcel, unless the parcel has all of the following: (a) Public water or city, county or District Health Department approval for the suitability of an on-site water supply under the same standards as set forth for lots under rules described in section 105(g). (b)Public sewer or city, county or District Health Department approval for on-site sewage disposal under the Health Department standards as set forth for lots under rules described in section 105(g)"

**Township Officers and employees are not liable if a building permit is not issued for any parcel less than one acre in size.**

**WARNING: APPROVAL FOR A DIVISION UNDER THE LAND DIVISION ACT DOES NOT CONSTITUTE APPROVAL UNDER ANY OTHER LAW OR REGULATION, DIVISIONS PERMITTED UNDER THE LAND DIVISION ACT REMAIN SUBJECT TO OTHER LAWS, WHICH MAY INCLUDED, BUT ARE NOT LIMITED TO, ZONING ACTS, WETLAND REGULATION, DUNE REGULATIONS, BUILDING CODES, AND HEALTH CODES. TOWNSHIP OFFICERS AND EMPLOYEES ARE NOT LIABLE IF THE USE OF THE PROPERTY IS RESTRICTED BY ANY SUCH LAW. THIS APPROVAL IS LIMITED TO REVIEW UNDER THE LAND DIVISION ACT.**

PLEASE RETURN APPLICATION, ALL NECESSARY DOCUMENTATION AND FILING FEE TO:  
 ELM RIVER TOWNSHIP OFFICE  
 32850 Highway M-26  
 Toivola, MI 49965

