

KEARNEY TOWNSHIP
PARCEL DIVISION APPLICATION

1. Please answer **all** questions and **include all attachments**. Incomplete applications will be returned to applicant.
2. When complete, please return the application to the Kearney Township Zoning Administrator by:

Mail: P.O. Box 51
Bellaire, MI 49615

Drop box: 4820 Aero Park Drive
Bellaire, MI 49615

Email: kearneytwpza@gmail.com

3. Please note: Approval of a Division of Land is required before it is sold, when the new parcel is less than forty (40) acres and not just a property line adjustment [see MCL 560.102(e) and f]

This form is designed to comply with §108, §109, §109a, and §109b of the Michigan Land Division Act [formerly the Subdivision Control Act, P.A. 288 of 1967, as amended (particularly by P.A. 591 of 1996), MCL 560.101 et seq.] December 31, 2012.

4. Please specify below where you want this form sent when the review is completed.

Name: _____

Email: _____

Mailing Address:

KEARNEY TOWNSHIP
PARCEL DIVISION APPLICATION

1. LOCATION OF PARENT PARCEL TO BE SPLIT:

Address: _____

Road Name: _____

Property Tax Number: ____ - ____ - ____ - ____ - ____

Legal Description (or may be attached): _____

2. PROPERTY OWNER INFORMATION:

Name: _____

Phone: (___) ___ - ___ Email: _____

Address: _____

Mailing Address (if different): _____

3. APPLICANT INFORMATION (if not the property owner):

Contact Person's Name: _____

Business Name: _____

Phone: (___) ___ - ___ Email: _____

Mailing Address: _____

4. PROPOSAL (describe the division(s) being proposed):

A. Number of new parcels: _____

B. Current zoning of parent parcel: _____

C. Intended use (residential, commercial, etc.): _____

D. Divided parcels have access to an existing public road by (check one):

___ Each new division has frontage on an existing public road.

___ A new public road. Proposed road name: _____
(Road name is not duplicate of existing road name)

___ A new private road. Proposed road name: _____
(Road name is not duplicate of existing road name)

KEARNEY TOWNSHIP
PARCEL DIVISION APPLICATION

___ A recorded easement or driveway (cannot service more than two potential sites).

Legal Description of the proposed new road, easement or shared driveway (or may be attached):

Legal Description of each proposed new parcel (or may be attached): _____

5A. FUTURE DIVISIONS that may be allowed but not included in this application:

5B. Did the parent parcel have any unallocated divisions under the Land Division Act?

5C. Were any unallocated divisions transferred to the newly created parcel(s)?

5D. If so how many ("zero," "all," or specific number)? _____

Identify the other parcel(s) future divisions are transferred to: _____

See §109(2) of the Land Division Act, Act 288 of 1967 ("the Act"). Please ensure your deed includes both statements as required in §109(3) and (4) of the Act.

6. DEVELOPMENT SITE LIMITS (check all conditions that apply to the parent parcel). Any part of the parcel:

- ___ is in a DNR-designated critical sand dune area.
- ___ is riparian or littoral (it is a river or lake front parcel).
- ___ is affected by a Lake Michigan High Risk Erosion setback.
- ___ includes a wetland.
- ___ includes a beach.
- ___ is within a flood plain.
- ___ includes slopes more than twenty five percent (a 1:4 pitch or 14° angle) or steeper).
- ___ is known or suspected to have an abandoned well, underground storage tank or contaminated soils.

KEARNEY TOWNSHIP
PARCEL DIVISION APPLICATION

7. ATTACHMENTS (all attachments must be included with application):

Please letter each attachment as shown below.

- A. Map, drawn to scale of _____ (insert scale), of the proposed division(s) of the parent 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 division(s); 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 systems, driveways, etc.);
 - (8) any of the features checked in question number 6 (*See Development Site Limits*).
 - (9) any cemetery which is adjacent to, or may have had access through this parcel.
- B. A copy of the proposed deed(s) which contains 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."
- C. A copy of the proposed deed(s) which includes a statement which substantially reads: "The grantor grants to the grantee the right to make [insert a specific number or after March 13, 2018 "zero," "all," or a specific number] division(s) under section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967" or the right to make further divisions stays with the parent parcel."
- D. A copy of the proposed deed(s) for any parcel that is 20, or more, acres in size and which is not accessible includes a statement which reads: "This parcel is not accessible as defined in the Land Division Act, 1967 PA 288, M.C.L. 560.101 to 560.293."
- E. Indication of approval, or permit from the County Road Commission, MDOT, or respective city/village street administrator for each proposed new road easement or shared driveway.
- F. If the division includes a new public or private road; a copy of approval by the County Addressing authority.
- G. A fee of \$ ____ . ____ .

KEARNEY TOWNSHIP
PARCEL DIVISION APPLICATION

H. Other (please specify): _____

8. IMPROVEMENTS:

Describe any existing improvements (buildings, well, septic, etc.) which are on the parent parcel or indicate NONE (attach extra sheets, if needed).

9. AFFIDAVIT and permission for municipal, county and state officials to enter the property for inspections:

I agree the statements made above are true, and if found not to be true this application and any approval will be void. Further, I agree to comply with the conditions and regulations provided with this parent parcel division. Further, I agree to give permission for officials of the municipality, county, and the State of Michigan to enter the property where this parcel division is proposed for purposes of inspection to verify the information on the application is correct. Finally, I understand this is only a parcel division which conveys only certain rights under the under the municipal land division ordinance, and the Michigan Land Division Act (formerly the Subdivision Control Act, P.A. 288 or 1967, as amended (particularly by P.A. 591 of 1996), MCL 560.101 *et. seq.*), is not a representation or determination the resulting parcels comply with other ordinances or regulations, and does not include any representation or conveyance of rights in any other statute, building code, zoning ordinance, deed restriction or other property rights.

Further, I understand the municipality granting approval of this division(s) resulting in less than 1 acre in size is not liable if a building permit is not issued for the parcel due to non-approvable on-site water or on-site sewage disposal. Checking with the District Health Department for septic and water is the landowner's responsibility.

Finally, even if this division is approved, I understand zoning, local ordinances, and State Acts change from time to time, and if changed the divisions made here must comply with the new requirements (apply for division approval again) unless deeds land contracts, leases or surveys representing the approved divisions are recorded with the Register of Deeds or the division is built upon before the changes to laws are made.

Property Owner's Signature: _____ Date: _____

Applicant's Signature (*if not the property owner*): _____

Date: _____

**KEARNEY TOWNSHIP
PARCEL DIVISION APPLICATION**

DO NOT WRITE BELOW THIS LINE

REVIEWER'S ACTIONS:

Total Fee \$ _____ Receipt # _____

_____ Approved: Conditions, if any: _____

_____ Denied: Reason (cite §): _____

Signature: _____ Date: _____
Township Assessor

Signature: _____ Date: _____
Township Zoning Administrator