

# Application for Land Division, Combination or Boundary Adjustment

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Augusta Charter Township  
8021 Talladay Road, P.O. Box 100  
Whittaker, MI 48190  
Phone 734-461-6117, Fax 734-461-6379  
www.augustatownship.org

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**TOWNSHIP FILE**

LD - \_\_\_\_ - \_\_\_\_

**RELATED FILES**

\_\_\_\_ - \_\_\_\_ - \_\_\_\_

\_\_\_\_ - \_\_\_\_ - \_\_\_\_

\_\_\_\_ - \_\_\_\_ - \_\_\_\_

**PAYMENT INFORMATION**

**Split:** \$100.00 for 1st Split PLUS  
\$20 each Add'l Split = \_\_\_\_\_

**Combination:** \$40 for 1st Resulting Parcel PLUS  
\$10 each Add'l Resulting Parcel = \_\_\_\_\_

**Boundary Adjustment:** \$50 for 1st Resulting Parcel PLUS  
\$10 each Add'l Result Parcel = \_\_\_\_\_

Amount Paid \_\_\_\_\_ Via  Cash  Check # \_\_\_\_\_

Rec'd By \_\_\_\_\_ Receipt # \_\_\_\_\_

G/L # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

**GENERAL INFORMATION**

Name(s) of Legal Property Owner(s) \_\_\_\_\_

Street Address (Street # & Name or P.O. Box) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Email \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ Cell \_\_\_\_\_

Name of Petitioner (if Different from Owner) \_\_\_\_\_

Company \_\_\_\_\_ Interest in Property \_\_\_\_\_

Street Address (Street # & Name or P.O. Box) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Email \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ Cell \_\_\_\_\_

Name of Site Planner or Engineer \_\_\_\_\_

Street Address (Street # & Name or P.O. Box) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Email \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ Cell \_\_\_\_\_

**PROPERTY INFORMATION**

Provide the requested information for all parcels involved (use separate sheet if necessary):

Tax ID No.	Land Area (acres)	Current Zoning	Date of Last Split	Legal Description
_____	_____	_____	_____	<input type="checkbox"/> Attached
_____	_____	_____	_____	<input type="checkbox"/> Attached
_____	_____	_____	_____	<input type="checkbox"/> Attached
_____	_____	_____	_____	<input type="checkbox"/> Attached

Address(es) of Parcel(s) Involved: \_\_\_\_\_

Are any involved parcels a lot or outlot within a platted subdivision?  YES  NO

**PROPERTY INFORMATION**

Proposed Action:     Land Division         Combination         Boundary Adjustment

Description of Proposed Action (use separate sheet if necessary): \_\_\_\_\_

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Resulting Number of Parcels: \_\_\_\_\_    Intended Use of Parcels: \_\_\_\_\_

All Resulting Parcels:     Have adequate lot area (net) for the zoning district

Have a depth-to-width ratio of 4:1 or less         Have adequate lot width for the zoning district

Resulting parcels will be accessed via:

An existing private road    Name \_\_\_\_\_        Date of BOT Approval: \_\_\_\_\_

An existing public road    Name \_\_\_\_\_

A proposed private road    Proposed Road Name \_\_\_\_\_        Approved?     YES     NO

A proposed public road    Proposed Road Name \_\_\_\_\_        Approved?     YES     NO

*Please Note: Land divisions involving a proposed private or public road will be held until road is approved.*

**SUBMISSION REQUIREMENTS**

You must hire a professional surveyor or engineer, registered in the State of Michigan, to produce a certified survey of your property. Four copies of this survey must be attached and include the following information:

- Location, shape, area and dimensions of the existing property and all resulting parcels
- Legal descriptions of the existing property(ies) and all resulting parcels
- Date, survey number, scale and northpoint
- All existing buildings, structures, wells, septic fields, including dimensions and setbacks from existing/proposed property lines
- Public road right(s)-of-way or private road easement(s) serving existing property and resulting parcels
- Existing easements (utilities, access, drainage, etc.)
- If more than one school district is involved, delineate and label each
- Name, seal and signature of professional surveyor/engineer who prepared the survey

**AFFIDAVIT**

***By submitting this application, authority is given to Township representatives to physically view and inspect the property.***

The undersigned says that (s)he is the Petitioner involved in this Application, and that the foregoing answers and statements herein contained, and the information herewith submitted are, in all respects, true and correct to the best of his/her knowledge and belief.

Petitioner Signature \_\_\_\_\_        Date \_\_\_\_\_

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If the Petitioner and Property Owner are NOT the same individual, the Property Owner, by signing below, says that they have given the Petitioner permission to submit this Application, and accepts that all obligations assumed by the Petitioner in the course of pursuing this Application will become those of the Property Owner should the Petitioner fail to satisfy them.

Property Owner Signature \_\_\_\_\_        Date \_\_\_\_\_

**SUBMISSION**

Date Rec'd. \_\_\_\_\_ by \_\_\_\_\_

Application Form completed and signed by the Petitioner and/or Property Owner.

Four copies of all plans and supplemental information provided.

**PAYMENT**

**Split:**  
 \$100 for 1st Split PLUS  
 \$20 each Add'l Split = \_\_\_\_\_

**Combination:**  
 \$40 for 1st Resulting Parcel PLUS  
 \$10 each Add'l Resulting Parcel = \_\_\_\_\_

**Boundary Adjustment:**  
 \$50 for 1st Resulting Parcel PLUS  
 \$10 each Add'l Resulting Parcel = \_\_\_\_\_

-----

Total Amount Paid: \_\_\_\_\_

Paid via:  Cash  Check # \_\_\_\_\_

Rec'd By \_\_\_\_\_ Receipt # \_\_\_\_\_

G/L # \_\_\_\_\_

**FILING**

*For all new applications, a Township file number must be assigned and a new file must be created.*

Township File No.: \_\_\_\_\_ LD - \_\_\_\_\_ - \_\_\_\_\_

Related Township Files cross-referenced

Application tracking spreadsheet updated

Four copies of all materials delivered to Zoning Administrator

**ZONING ADMINISTRATOR ACTION**

This application has been reviewed for compliance with the Township Zoning and Land Division Ordinances and is hereby:

Approved

Denied

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Zoning Administrator \_\_\_\_\_ Date \_\_\_\_\_

Original application and one copy of all materials retained for Township File

One copy of application returned to applicant

Copy faxed to Washtenaw County Equalization Department with "Assessed/Taxable Value Balance Form"

Copy of "Assessed/Taxable Value Balance Form" faxed to Assessor

3.6 Schedule of Dimensional Regulations.

District	Minimum Lot Area <sup>1</sup>	Min. Lot Width <sup>2</sup>	Minimum Yard Setback <sup>3</sup>			Max. Bldg. Height <sup>4,5</sup>		Maximum Lot Coverage <sup>6</sup>	Additional Regulations
			Front Yard <sup>7</sup>	Side Yard <sup>8</sup>	Rear Yard	Feet	Stories		
C, Conservation	10 acres	300 ft.	50 ft.	30 ft.	50 ft.	35 ft.	2½	10%	See §3.7(A)
AG, Agriculture	2.5 acres	200 ft.	50 ft.	30 ft.	50 ft.	35 ft.	2½	10%	See §3.7(A)
AR, Agricultural Residential	43,560 s.f.	150 ft.	50 ft.	30 ft.	35 ft.	35 ft.	2½	15%	See §3.7(A)
RR, Rural Residential	43,560 s.f.	150 ft.	40 ft.	20 ft.	40 ft.	35 ft.	2½	15%	See §3.7(A)
SR-3, Single-Family Res.	21,780 s.f.	100 ft.	35 ft.	15 ft.	30 ft.	35 ft.	2½	20%	See §3.7(A)
SR-2, Single-Family Res.	17,000 s.f.	90 ft.	30 ft.	12.5 ft.	25 ft.	35 ft.	2½	20%	See §3.7(A)
SR-1, Single-Family Res.	13,000 s.f.	80 ft.	25 ft.	10 ft.	20 ft.	35 ft.	2½	25%	See §3.7(A)
VR, Village Single-Family Res.	9,000 s.f.	70 ft.	25 ft.	7.5 ft.	20 ft.	35 ft.	2½	30%	See §3.7(A)
MR, Multiple-Family Res.	See §3.7(B)	200 ft.	35 ft.	20 ft.	40 ft.	45 ft. <sup>9</sup>	3	30%	See §3.7(B)
MHC, Manufactured Housing	-	-	-	-	-	- <sup>9</sup>	-	-	See §3.7(C)
VMU, Village Mixed-Use	9,000 s.f.	60 ft.	15 ft.	7.5 ft.	15 ft.	35 ft.	2½	50%	See §3.7(A) & (D)
LC, Local Commercial	21,780 s.f.	100 ft.	35 ft.	20 ft.	25 ft.	35 ft.	2	30%	-
GC, General Commercial	2 acres	150 ft.	35 ft.	30 ft.	30 ft.	35 ft.	2	30%	-
O, Office	21,780 s.f.	100 ft.	35 ft.	20 ft.	25 ft.	45 ft.	3	30%	-
LI, Limited Industrial	1 acre	200 ft.	50 ft.	25 ft.	50 ft.	40 ft.	2	40%	-
GI, General Industrial	2 acres	200 ft.	75 ft.	50 ft.	75 ft.	50 ft.	2	50%	-
PUD, Planned Unit Development	-	-	-	-	-	-	-	-	See Article 12

<sup>1</sup> Net Lot Area, as defined in Section 2.2, shall be used to determine compliance with Minimum Lot Area requirements.

<sup>2</sup> Lot width shall be measured at the Minimum Front Yard Setback line to determine compliance with Minimum Lot Width requirements.

<sup>3</sup> See Section 3.7(E) for permitted yard encroachments.

<sup>4</sup> Building Height shall be measured in accordance with the definition for Building Height provided in Section 2.2.

<sup>5</sup> See Section 3.7(F) for exemptions from Maximum Building Height standards.

<sup>6</sup> Lot coverage shall be measured as the percentage of Net Lot Area covered by Building Area, as defined in Section 2.2.

<sup>7</sup> Minimum Front Yard Setback shall be measured from the Front Lot Line, as defined in Section 2.2.

<sup>8</sup> Corner lots shall maintain the Minimum Front Yard Setback from all lot lines fronting on a public or private road.

<sup>9</sup> Detached accessory buildings (clubhouses, maintenance buildings, etc.) in the MR and MHC districts shall not exceed 25 feet in height.

development that results in one or more parcels of less than 40 acres or the equivalent, and that satisfies the requirements of Sections 108 and 109 of the State Land Division Act. "Divide" and "Division" does not include a property transfer between two or more adjacent parcels, if the property taken from one parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of the State Land Division Act, and the requirements of other applicable local ordinances.

D. "Exempt split" or "exempt division" - the partitioning or splitting of a parcel or tract of land by the proprietor thereof, or by his or her heirs, executors, administrators, legal representatives, successors or assigns, that does not result in one or more parcels of less than 40 acres or the equivalent; provided all resulting parcels are accessible for vehicular travel and utilities from existing public roads through existing adequate roads or easements, or through areas owned by the owner of the parcel that can provide such access.

E. "Resulting Parcel" - means one or more parcels that result from a land division

F. "Forty acres or equivalent" - either 40 acres, a quarter-quarter section containing not less than 30 acres, or a government lot containing not less than 30 acres.

G. "Governing body" - the Augusta Township Board of Trustees.

H. "Accessible" in reference to a parcel, means that the parcel meets one or both of the following requirements:

(i) Has an area where a driveway provides vehicular access to an existing road or street and meets all applicable location standards of the state transportation department or county road commission under Act No. 200 of the Public Acts of 1969, being sections 247.321 to 241.329 of the Michigan Compiled Laws, and of the township, or has an area where a driveway can provide vehicular access to an existing road or street and meet all such applicable location standards.

(ii) Is served by an existing easement that provides vehicular access to an existing road or street and that meets all applicable location standards of the state transportation department or county road commission under Act No. 200 of the Public Acts of 1969 and of the township, or can be served by a proposed easement that will provide vehicular access to an existing road or street and that will meet all such applicable location standards.

I. "Development site" means any parcel or lot on which exists or which is intended for building development other than the following:

(i) Agricultural use involving the production of plants and animals useful to humans, including forages and sod crops; grains, feed crops, and field crops; dairy and dairy products; livestock, including breeding and grazing of cattle, swine, and similar animals; berries; herbs; flowers; seeds; grasses; nursery stock; fruits, vegetables; Christmas trees; and other similar uses and activities.

(ii) Forestry use involving the planting, management, or harvesting of timber.

SECTION IV

PRIOR APPROVAL REQUIREMENT FOR LAND DIVISIONS

No tract, parcel, outlot or lot in Augusta Township shall be divided without the prior review and approval of the official designated by the Township Board, in accordance with this ordinance and the State Land Division Act; provided that the following shall be exempted from this requirement.

- A. A parcel proposed for subdivision through a recorded plat pursuant to the Augusta Township Subdivision Control Ordinance and the State Land Division Act.
- B. A parcel proposed for subdivision through a recorded site condominium pursuant to the Augusta Township Site Condominium Ordinance and the State Condominium Act.
- C. An exempt split as defined in this Ordinance.
- D. Any division or splitting of land from an inaccessible tract or parcel that results only in parcels that are 20 acres or greater in size, and either the inaccessible tract or parcel was in existence on March 31, 1997, or it was created from a previous exempt division under this subsection or section 109b of the Act.

#### SECTION V

#### APPLICATION FOR LAND DIVISION APPROVAL

An applicant shall file all of the following with the Augusta Township Clerk or other official designated by the governing body for review and approval of a proposed land division before making any division either by deed, land contract, lease for more than one year, or for building development:

- A. A completed Lot Split application form as provided by the Township, including Michigan Department of Treasury form L-4260, Property Transfer Affidavit.
- B. Establish the fee ownership of the land proposed to be divided.
- C. Establish by documentation the right to make the proposed division that shows the history and succession of division rights from the parent tract or parent parcel proposed for division. If the ownership interest was obtained after March 31, 1997 a copy of the deed(s) establishing land division rights.
- D. A survey map of the land proposed to be divided, prepared pursuant to the survey map requirements of 1970 Public Act 132, as amended, (MCL 54.211) by a land surveyor licensed by the State of Michigan, and showing the dimensions and legal descriptions of the existing parcel and each parcel proposed to be created, the location of all existing structures and other land improvements, and the accessibility of the parcels for vehicular traffic and utilities from existing public roads.
- E. For each resulting parcel that is a development site, adequate easements for public utilities from the parcel to existing public utilities must be established.
- F. Proof that all standards of the State Land Division Act, this Ordinance and all applicable Augusta Township Ordinances have been met.
- G. If a transfer of division rights is proposed in the land transfer, detailed information about the terms and availability of the proposed transfer of division rights. A proprietor transferring the right to make future divisions exempt from platting under this Ordinance or the Act shall give written notice to the Township Assessor within 45 days of the transfer on the form

prescribed by the state tax commission under section 27a of the general property tax, Public Act 206 of 1893, MCL 211.27a.

H. A current County Treasurer's Statement.

I. The fee as may from time to time be established by resolution of the Township Board for land division reviews pursuant to this ordinance to cover the costs of review of the application and administration of this Ordinance and the State Land Division Act.

## SECTION VI

### PROCEDURE FOR REVIEW OF APPLICATIONS FOR LAND DIVISION APPROVAL

A. Upon receipt of a land division application package, the Township Clerk or other official designated by the Township Board shall forthwith submit the same to the designated official for decision. The designee shall approve, approve with reasonable conditions to assure compliance with applicable ordinances and the protection of public health, safety and general welfare, or disapprove the land division applied for within 45 days after receipt of the application package conforming to this Ordinance's requirements, and shall promptly notify the applicant of the decisions and the reasons for any denial. If the application package does not conform to this Ordinance requirements and the State Land Division Act, the assessor or other designee shall return the same to the applicant for completion and refiling in accordance with this Ordinance and the State Land Division Act.

B. Any person or entity aggrieved by the decision of the designee may, within 30 days of said decision appeal the decision to the Township Board of Augusta Township which shall consider and resolve such appeal by a majority vote of said Board or by the designee at its next regular meeting or session affording sufficient time for a 20 day written notice to the applicant (and appellant where other than the applicant) of the time and date of said meeting and appellate hearing.

C. A decision approving a land division is effective for 90 days, after which it shall be considered revoked unless within such period a document is recorded with the County Register of Deeds office and filed with the Township Clerk or other designated official accomplishing the approved land division or transfer.

D. The land division designee shall maintain an official record of all approved and accomplished land divisions or transfers.

## SECTION VII

### STANDARDS FOR APPROVAL OF LAND DIVISIONS

A proposed land division shall be approved if the following criteria are met:

A. All the parcels to be created by the proposed land division(s) fully comply with the applicable lot (parcel), yard and area requirements of the applicable zoning ordinance, including, but not limited to, minimum lot (parcel) frontage/width, minimum road frontage, minimum lot (parcel) area, minimum lot width to depth ratio, and maximum lot (parcel) coverage and minimum set-backs for existing buildings/structures.

B. The proposed land division(s) comply with all requirements of the State Land Division Act and this Ordinance.

03/31/09 MON 10:00 AM

C. All parcels created and remaining have existing adequate accessibility, or an area available to a public road for public utilities and emergency and other vehicles not less than the requirements of the Township Zoning Ordinance, The Township Private Road Ordinance, or this Ordinance.

D. Where accessibility is to be provided by a proposed new dedicated public road, proof that the Washtenaw County Road Commission or Michigan Department of Transportation has approved the proposed layout and construction design of the road and of utility easements and drainage facilities connected therewith.

E. Where accessibility by vehicle traffic and for utilities is permitted through other than a dedicated and accepted public road or easement, such accessibility shall comply with the Augusta Township Private Road Ordinance.

#### SECTION VIII

#### CONSEQUENCES ON NONCOMPLIANCE WITH LAND DIVISION APPROVAL REQUIREMENT

Any parcel created in noncompliance with this ordinance shall not be eligible for any building permits, or zoning approvals, such as special land use approval or site plan approval, and shall not be recognized as a separate parcel on the assessment roll. In addition, violation of this ordinance shall subject the violator to the penalties and enforcement actions set forth in Section X of this ordinance, and as may otherwise be provided by law.

#### SECTION IX

#### PENALTIES AND ENFORCEMENT

Any person who violates any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$500.00 or by imprisonment in the county jail for not to exceed 90 days or by both such fine and imprisonment. Any person who violates any of the provisions of this ordinance shall also be subject to a civil action seeking invalidation of the land division and appropriate injunctive or other relief.

#### SECTION X

#### SEVERABILITY

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this ordinance other than said part or portion thereof.

#### SECTION XI

#### REPEAL

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed, except that this Ordinance shall not be construed to repeal any provision in the Augusta Township Zoning Ordinance, the Augusta Township Subdivision Control Ordinance, or the Augusta Township Private Road Ordinance.



SECTION XII

EFFECTIVE DATE

This ordinance shall take effect 30 days following its publication after adoption

AUGUSTA TOWNSHIP

\_\_\_\_\_  
CLERK

\_\_\_\_\_  
DATED

*February 11, 1999*

(Final Draft February 11, 1999)