

_____ Date

CHARTER TOWNSHIP OF FLINT
1490 S. Dye Rd., Flint, MI 48532
Phone: 810-732-1350 Fax: 810-732-0866

LAND DIVISION APPLICATION FORM

Note: Applications submitted in 2023 will be completed for the 2024 tax roll.

Applications must be submitted before December 1, 2023

All current year taxes must be paid prior to December 31st to obtain final approval.

1. Petitioner/Proprietor
 - a. Name _____
 - b. Address _____

 - c. Telephone Number _____

- 1a. List of names of other parties with interest in the property.

2. Addresses of all property involved.

3. Legal description of original parcel and each new parcel created.
(Attach extra pages, if necessary)

4. Township tax identification number for all parcels involved.

5. Land Division Act 288 of 1967, MCL 560.109 (1) (i) certification must be obtained from the Genesee County Treasurer's office to verify there are no delinquent taxes for the preceding five years.
6. Proof of ownership: (warranty deed, land contract, quit claim, etc)
7. Property sketch plan showing:
 - a. All dimensions of the existing and any proposed parcels.
 - b. Locations of all existing buildings.
 - c. All public and private easements.
 - d. Location of any existing natural features such as wetlands, river, steep slopes, etc.
 - e. Location map.

Land division requested by: _____
Signature

Co-Owner: _____
Signature

Application must be signed by ALL current owners of the parcels identified in this request.

The above stated proposed split is in compliance with Flint Township Land Division Ordinance #7004.

Building Department

Date

Assessment Department

Date

Chapter 12 - LAND DIVISIONS AND SUBDIVISIONS¹⁴

Footnotes:

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State Law reference— Land division act, MCL 560.101 et seq.

ARTICLE 2. - LAND DIVISIONS

Sec. 12.2-1. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

40 acres or the equivalent means either 40 acres, a quarter-quarter section containing less than 30 acres or a government lot containing not less than 30 acres.

Act means the Land Division Act (MCL 560.101 et seq.).

Administrator means the township assessor or such other person as may be designated by the board as the administrator.

Applicant means a person that holds an ownership interest in land, whether recorded or not.

Divide, division and land division mean the partitioning or splitting of a parcel or tract of land by the proprietor thereof, or by his heir, executor, administrator, legal representative, successor or assign, for the purpose of sale, or lease of more than one year, or for building 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 Act (MCL 560.108, 560.109). The terms "divide" and "division" do not include a property transfer between two or more adjacent parcels, if the property taken from one parcel conforms to the requirements of the Act, this article and other applicable ordinances.

Exempt split and exempt division mean the partitioning or splitting of a parcel or tract of land by the proprietor thereof, or by his heir, executor, administrator, legal representative, successor or assign, that does not result in one or more parcels of less than 40 acres or the equivalent.

Governing body means the board.

Parcel means a contiguous area of land as defined in the Act.

Parent parcel and parent tract mean a parcel or tract, respectively, lawfully in existence on March 31, 1997.

Resulting parcels means one or more parcels which result from an authorized land division.

Road authority means the governmental authority having jurisdiction over a public road or public street.

Tract means two or more parcels that share a common property line and are under the same ownership.

Sec. 12.2-2. - Violations; injunctive relief.

- (a) Any parcel created inconsistent with, or in violation of, this article, where approval under this article is required, shall not be eligible for issuance of building permits, zoning ordinance approvals or other land use or building approval under other township ordinances, nor shall any such parcel be established as a separate parcel on the tax assessment roll.
- (b) The township shall have the authority to initiate injunctive or other relief to prevent any violation or continuance of any violation of this article.

- (5) An adequate and accurate legal description of each resulting parcel. The legal descriptions shall be in a form sufficient for recording with the county register of deeds and shall indicate the acreage of all parcels.
- (6) Payment of the application fee and other applicable fees and charges as set by resolution of the board from time to time.

Sec. 12.2-7. - Review and approval.

- (a) The administrator shall approve a proposed land division within 45 days of receipt of a complete application, if all of the following requirements are met:
 - (1) Each resulting parcel shall comply with the following:
 - a. An approval pursuant to this article shall be obtained.
 - b. The minimum lot size in area, and the maximum lot width of every resultant parcel shall be in compliance with the applicable requirements of all the township ordinances. This minimum lot size in area shall be exclusive of all dedicated road rights-of-way or private drive easements. Lot depth shall not be in excess of four times the lot width. The depth of a parcel created by a land division shall be measured within the boundaries of each parcel at a point from the abutting road right-of-way, access road or access easement to the most remote boundary line point of the parcel from the point of commencement of the measurement.
 - c. Every resultant parcel in a residentially zoned district shall abut a public road right-of-way, or a private road for which there is a recorded easement and maintenance agreement. Access via a private easement is only allowed if such easement was recorded prior to February 26, 1976, and has a roadway meeting the specifications for a dedicated roadway of the board of county road commissioners of the county.
 - d. Every resultant parcel not zoned single-family residential shall abut a public road right-of-way or have a means of ingress and egress established by an easement and maintenance agreement which is recorded, which easement or agreement may not be abrogated without the prior approval of the board.
 - e. Every resultant parcel shall be serviced by electrical and communication service lines pursuant to standards and quality of workmanship prescribed and/or approved by the state public service commission.
 - f. Every resultant parcel which is not served by public sewer shall be approved by the county health department for the development of a septic system.
 - (2) The proposed division, together with any previous divisions of the same parent parcel or parent tract, shall not result in a number of resulting parcels that is greater than that permitted under section 108 of the Act (MCL 560.108).
 - (3) The time period for approval shall not commence until all of the requirements for an application for land division approval have been complied with.
 - (4) The time period for approval may be waived at the applicant's option, provided that the applicant has provided for such waiver in writing to the administrator.
 - (5) Any approval or disapproval of a proposed land division shall be in writing to the applicant. If disapproved, the administrator shall provide the applicant with a description of the reasons for disapproval. Any notice of approval for a resulting parcel of less than one acre size shall contain a statement that the township is not liable if a building permit is not issued for the parcel for the reason that the parcel fails to satisfy the requirements of section 109a of the Act (MCL 560.109a). Failure of a notice of approval to contain this statement shall not imply that a permit may be issued or any other township liability or obligation.

2. Deposit agreement for guaranteed installation of township roads, streets, alleys, bridges and culverts if same are not completed at time of submission of final plat. This does not apply to county roads or state highway improvements.
3. Deposit agreement for guaranteed construction of lagoons, waterways, etc., where subdivision includes such and if not completed and in place at time of submission of final plat.
4. Deposit agreement for restrictive covenants to prevent building in floodplain area if subdivision includes such.
5. Subdivision common use area documents if subdivision includes such (MCL 560.258).

(Ord. No. 2000, § I, 6-3-1968; Ord. No. 2000-01, §§ 1, 2, 12-6-2004)

Sec. 12.3-2. - Data required for proposed preliminary plat.

No person shall hereafter submit any proposed preliminary or final plat for approval unless the following data shall accompany such proposed preliminary plat when originally presented to the township:

- (1) A certificate from a registered surveyor or registered qualified professional civil engineer, detailing stormwater disposal methods proposed for the subdivision and certifying that in his professional judgment the proposed stormwater disposal system is adequate to insure that each building site and roadway will not be flooded and that all necessary easements for stormwater sewers or open drains will be dedicated to the public for that purpose.
- (2) If the subdivision is proposed to be serviced by either public sanitary sewer or public water, the location, elevation and proposed method of connection to existing available sewer or water mains and certifying that in his professional judgment the proposed sewer and water facilities proposed will be adequate to service the entire proposed subdivision when entirely occupied, and easements have been provided, adequate in size to make connection to existing water and sewer lines. If subdivision is not serviced by public sewer or public water, certification that the hydrostatic qualities of each proposed lot and the percolation of each proposed lot satisfy the then existing standards of the health department with jurisdiction.
- (3) Certification that road plan conforms to county road and state highway specifications and that no land within the subdivision will be isolated from a public roadway nor will any adjoining land of this proprietor or other owners be isolated from public roadways.
- (4) Certification that this subdivision conforms to minimum lot sizes, setback and area requirements established at that time by township zoning ordinance or by lot size control ordinance.
- (5) Certification that this subdivision conforms to zoning requirements of township.
- (6) Certification that this subdivision will not be proposed for final plat unless all outlots intended to provide future roadway access are restricted to be used only for roadway purposes and including the dedication at the time of final plat to the township or county for roadway purposes.

(Ord. No. 2001, § I, 6-17-1968)

Sec. 12.3-3. - Roadway access required.

No subdivision will be accepted unless all lots proposed for building have direct access to a public roadway, dedicated and accepted as such.

(Ord. No. 2001, § II, 6-17-1968)

- (8) If any floodplains are involved in the proposed subdivision, then such floodplains shall be restricted as provided by the land division act and such restrictions shall be submitted to the clerk for review prior to recording and thereafter shall be recorded in the office of the register of deeds of this county prior to submission of the final plat to the township board.
 - (9) The surveyor shall certify that the name of the plat and all street names conform to land division act (MCL 560.101 et seq.) requirements.
 - (10) A certificate of approval of the subdivision by the health department of jurisdiction.
 - (11) Payment to the township of the final plat fee required by section 12.3-1. After such documents and approvals have been delivered to the township clerk, the township clerk shall review, or have reviewed, the proposed plat and all such documents by those persons designated for review by the township board, and upon approval by the clerk or designated person, the clerk will notify the proprietor of preliminary approval of the final plat or will advise the proprietor of additional requirements or corrections necessary to satisfy this article, provided that such notification by the clerk to the proprietor shall not be longer than 60 days after these documents and approvals are first delivered to the clerk. After the proprietor is notified of preliminary approval and has made any corrections or additions required by the clerk, then the proprietor may submit the final plat to the township board for its consideration in accordance with the land division act (MCL 560.101 et seq.).
- (b) The final plat fee and all other preliminary plat fees required by ordinance of the township shall not be refunded to the proprietor regardless of whether or not any proposed preliminary plat or final plat is approved by the township.

(Ord. No. 2001, § V, 6-17-1968)

Sec. 12.3-7. - Division of plat.

The township board may authorize that platted lots may be partitioned or divided into not more than four parts, provided that the resulting lots or parcels or combinations of portions of two or more divided lots shall not be less in width or size than the more restrictive of the township zoning ordinance or the land division act (MCL 560.101 et seq.), and provided further that such resulting lots shall each have direct access to a public roadway and also to public utilities necessary or required to service such lot, and provided further that all such resulting lots shall conform in all particulars to the requirements of the land division act (MCL 560.101 et seq.) and all ordinances or subdivision control ordinances of the township.

(Ord. No. 2001, § VI, 6-17-1968)

Sec. 14.3-5. - Schedule limiting height, bulk, density and area by zoning district.

The following regulations regarding lot sizes, yards, setbacks, building heights, and densities apply within the zoning districts as indicated, including the regulations contained in footnotes. No building shall be erected, nor shall an existing building be altered, enlarged or rebuilt, nor shall any open spaces surrounding any building be encroached upon or reduced in any manner, except in conformity with the regulations hereby established for the district which such building is located. No portion of a lot used in complying with the provisions of this chapter for yards, courts, lot area occupancy, in connection with an existing or projected building or structure, shall again be used to qualify or justify any other building or structure existing or intended to exist at the same time.

SCHEDULE OF REGULATIONS										
Zoning District	Minimum Lot Size Per Dwelling Unit Area in sq. ft.	Width in ft.	Maximum Building Height		Maximum Coverage of Lot By All Bldgs. in Percent of Lot Area	Minimum Yard Setback in feet			Minimum Floor Area Per Unit ^a	
			Stories	Feet		Front ^j	Least One ^a	Total Two		Rear
R-1A Single-Family Res.	20,000	100	2	25	30	40	15	30	50	1,400

C-2 General Business				40		40 h, i	h, i	20	
C-3 Highway Service			40		40 h, i	h, i	h, i	20	
O-1 Office/ Service			25	30	40		20	25	
AD Airport Service District			30		40 h, i		40	20	
IND General Industrial			40		40 h, i		40	20	

NOTE: Refer to the township zoning ordinance for further clarification of footnotes to schedule of regulations.

(Ord. No. 5500, § 5.5, 4-17-1995; Ord. No. 5506, § 1(5.5), 6-3-1996)