



PENINSULA TOWNSHIP ASSESSING DEPARTMENT

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PROCEDURE FOR MAKING APPLICATION FOR LAND DIVISION/LOT LINE ADJUSTMENT/COMBINATION

Land Divisions and lot line adjustments are reviewed by the Land Division Review Committee (**LDRC**). This committee consists of the township assessor; the township director of planning and zoning; the township planning and zoning administrator and the township attorney. The LDRC meets on Tuesdays at 1:00pm in order to process and review applications.

Applications are submitted to the township assessor's office. A pre-application meeting is recommended. The purpose of the pre-application meeting will assist the applicant in understanding the process and the necessary documents that will be required. Pre-application meetings are typically 30 minutes in length.

Once a land division application is complete, the LDRC shall approve or deny the application within 45 days. The application fee is \$ 1,000. An escrow payment in the amount of \$ 1,000 is also required at the time of application submission. The escrow shall cover any/all fees in excess of the application fee related to the processing of the application. Legal fees in excess of the application fee and escrow will be billed to the owner and/or applicant. Any residual escrow will be refunded to the owner and/or applicant.

REQUIREMENTS

- ❑ Applicant shall demonstrate **PROOF OF OWNERSHIP** by providing a copy of the deed. The assessor shall review the subject parcel and adjoining parcels as of 3/31/1997 to determine whether the subject parcel is a "parent parcel" or "parent tract", as defined in the Land Division Act.
- ❑ Number of allowable divisions shall be determined by the assessor, per the Land Division Act (560.108)
- ❑ Names & Addresses of **all** parties of interest must be identified on the application.
- ❑ **SURVEY:** A certified survey is required
Each resulting parcel shall have an adequate and accurate legal description. Survey must show gross *and* net acreages. For Great Lakes shoreline parcels, the legal boundary shall be measured to the Ordinary High Water Mark (OHWM). Survey must depict all parcel boundaries, dimensions, easements, encroachments, set-backs and **ALL** man-made structures (buildings, wells, drain fields, fences, driveways, etc.)
- ❑ Each resulting parcel shall have a conforming (3:1) depth to width ratio (Does not apply to: remainder; those parcels 10 Ac or more in A1 district that front a new private road; or a property transfer). The permissible depth shall be measured within parcel boundaries from abutting road ROW to the most remote boundary line point from commencement of measurement.
- ❑ Each resulting parcel shall have a conforming width (Per Zoning District: A1=330 Ft; R1A= 150 Ft; R1B=100 Ft)
- ❑ Each resulting parcel is accessible. If the installation of a private road is necessary, a private road application must be secured from the township zoning office. A Hold Harmless Agreement, Road Maintenance Agreement, and Stormwater Control Permit may be required.
- ❑ Each resulting parcel that is a development site has adequate easements for public utilities

- ❑ Approval from Grand Traverse County Road Commission (GTCRC) and/or Michigan Department of Transportation (MDOT) that all resulting parcels are accessible and have adequate site distance.
- ❑ Parcels less than one (1) acre shall have Grand Traverse County Health Department approval for on-site suitability for well and drain field.
- ❑ A brief statement as to the purpose of the proposed division/transfer (see Land Division Application Pg 1)
- ❑ Proof of taxes paid, per Public Act 23 of 2019 (Certificate f/County Treasurer that past 5-year taxes are paid)
- ❑ Any other information deemed appropriate and/or necessary.
- ❑ Deeds shall include both statements as required in section 109(3) and 109(4) of the Land Division Act:
 109(3): *A person shall not sell a parcel of unplatted land unless the deed contains a statement as to whether the right to make further divisions exempt from the platting requirements of this act under this section and section 108 is proposed to be conveyed. The statement shall be in substantially the following form: "The grantor grants to the grantee the right to make [insert "zero", a number, or "all"] division(s) under section 108 of the land division act, 1967 PA 288 , MCL 260.108."* In the absence of a statement conforming to the requirements of this subsection, the right to make divisions under section 108(2), (3), and (4) stays with the remainder of the parent tract or parcel retained by the grantor.
 109(4): All deeds for parcels of unplatted land within this state executed after March 31, 1997 shall contain 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."*
- ❑ Transfer of Division Rights (Michigan Department of Treasury Form 3278)
- ❑ **Application Fees:**
\$ 1,000 Application Fee.
\$ 1,000 Escrow payment.
A singular check may be made for both the application fee & the escrow. Make check(s) payable to "Peninsula Township".
\$ 30.00 Recording fee. Make check payable to Grand Traverse County Register of Deeds".
Submit all checks to Assessing Department.
- ❑ Attorney Approval letter will be secured by the LDRC
- ❑ Identify: Special Assessments (Yes/No) –OR– Special Use Permits (Yes/No)
- ❑ Identify: PDR/PA116/PA 260/Conservation Easements/Restrictions/Etc (Yes/No)

Upon receipt of a complete application, the Peninsula Township Review Committee, comprised of the Township Assessor, Planner, Zoning Administrator, and legal counsel shall, within 45 days, issue an approval or denial, in writing.

If a lot, parcel or tract of land that will result from a division or property transfer does not meet the requirements of the PTZO, then the applicant may seek a variance from those zoning requirements from the Zoning Board of Appeals pursuant to the procedures as outlined in the PTLDO.

Any person aggrieved by a decision of the Review Committee may appeal that decision to the Peninsula Township Board. Any such appeal shall be filed within thirty days from the date of the decision from which the appeal is taken.

Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations.

Any approval of an application shall expire, and a new approval is required, unless the Applicant records an instrument of conveyance and a complete survey at the Grand Traverse County Register of Deeds office, within ninety (90) days.