



Charter Township of Van Buren
Land Division/Combination Request

This form is designed to comply with applicable local zoning, the Van Buren Township Lot Split Ordinance and Sec.108 and 109 of the Michigan Land Division Act, formerly the Subdivision Control Act PA 288 of 1967, as amended. It is recommended the applicant review the requirements of the local zoning and lot split ordinance as well as the Michigan Land Division Act, before completion and submission of this application.

Van Buren Charter Township requires a preliminary approval and final approval of all split and combination requests. To be considered for preliminary approval, the following conditions must be met.

- A **COMPLETE** Charter Township of Van Buren Land Division/Combination Request form must be submitted to the Department of Assessment. An incomplete application and failure to submit required documentation may result in an automatic denial of the application.
- A **NON-REFUNDABLE** fee of \$250 for each proposed new description must be received. The application fee covers the initial review of the application and one re-review, if necessary.
- Proof of ownership (land contract owner must provide notarized statement from Land Contract holder and their proof of ownership and/or title holder must provide acknowledgement of split/combination if the title holder so requires. It is incumbent upon the applicant to determine this requirement.)
- Complete drawing to scale, or reasonable proportions, of parcel to be split and/or combined indicating boundary lines, dimensions and area of the parent parcel and the resulting parcel(s) of the split or combination.
- All existing structures and physical features (buildings, well, septic, water/sewer lines, easements, etc.) of the parcels involved must be included. Include dimensions of all structures and their relationship to property lines.

FOR DEPARTMENT OF ASSESSMENT USE ONLY – PLEASE COMPLETE

	Yes	No
<i>Is application date stamped for date received in office?</i>	_____	_____
<i>How many new descriptions are proposed?</i>	_____	_____
<i>Total fee (\$250 per new description) paid?</i>	_____	_____
<i>Please attach proof of payment to application</i>		
<i>Is a drawing of the proposed division/combination attached?</i>	_____	_____
<i>Are all existing structures, easements, and the dimensions shown on the sketch?</i>	_____	_____

The Parcel Division Board has 30 calendar days after submission of required information to issue an approval or denial (in writing) to the applicant. If preliminary approval is granted, the applicant will have an additional six (6) months to comply with the requirements of final approval. If conditions for final approval are not met within six (6) months of granting of preliminary approval, the preliminary approval is revoked and the applicant will be required to resubmit a new Land Division/Combination Request and follow all necessary steps above. Applications and attached information from expired preliminary approval will not be kept and review fees paid will be forfeited.

For final approval, the following conditions must be met:

- Preliminary approval from the Parcel Division Board
- Certified survey by registered land surveyor drawn to a scale in the range of 1" = 30' and 1" = 200' and must contain the following information:
 - Names and addresses of the owner, sub-divider or partition engineer.
 - Date, north arrow and scale, written and graphic.
 - Boundary lines and acreage of the tract to be divided or partitioned or combined.
 - All existing structures and other physical features which would influence the layout and design of the lot division or partition (buildings, wells, septic, water/sewer lines, driveways, fences, etc).
 - Location, width, and purpose of any easement(s)
 - Lot lines, lot numbers and legal descriptions.
 - Location of building in relation to lot lines, existing and proposed.
 - Legal description for each new parcel.
 - Legal description for original (parent) parcel.
 - Any features acknowledged under Development Site section of the application.
- Copy of any applicable permits or approvals from local, state or county as may be required (well, septic, driveway, private road owner's approval, Township approvals as it relates to Belleville Lake).
- Copy of any reserved division rights (sec.109 (2) of the act) in the parent parcel (Form L-4260a, Notice to Assessor of Transfer of the Right to Make a Division of Land)
- Pay-off any outstanding special assessments.
- Proof of payment of taxes.
- Provide necessary variances, if applicable.
- Release from mortgage company on property or portion to be split/combined (if there is a mortgage on the property).
- A **NON-REFUNDABLE** fee of \$100 for each proposed new description must be received to make the necessary revisions to the GIS mapping system.

FOR DEPARTMENT OF ASSESSMENT USE ONLY – PLEASE COMPLETE

	Yes	No
<i>Is a certified survey, with all necessary requirements submitted?</i>	_____	_____
<i>Is form L-4260a completed?</i>	_____	_____
<i>Are all special assessments and taxes paid to date?</i>	_____	_____
<i>If there is a mortgage company on the property, is a release from the mortgage company provided?</i>	_____	_____
<i>Total fee (\$100 per new description) paid?</i>	_____	_____
<i>Please attach proof of payment to application</i>		

The Parcel Division Board has 30 calendar days after submittal of all of the above information to issue an approval or denial, in writing, to the applicant. If an application is denied, an appeal may be made to the Board of Zoning Appeals.

Additional Information

- It is recommended the applicant review the requirements of the local zoning ordinance, including Section 4.102 of the Van Buren Township Zoning Ordinance, lot split ordinance as well as the Michigan Land Division Act, before completion and submission of this application.
- Approval of a division of land is required before it is sold, when the new parcel is less than 40 acres and not a property line adjustment (§102(e&f)).
- Approval of a land division or land combination is not a determination as to the suitability to build on the parcel. The Township's approval is limited to minimal dimensional requirements as regulated by the Van Buren General Ordinance and the Van Buren Zoning Ordinance and the state Land Division Act. Other regulating jurisdictions should be consulted to confirm the parcel's suitability for construction; these regulating jurisdictions include but are not necessarily limited to:
 - Michigan Department of Environment, Great Lakes and Energy (ELGE) or its predecessor
 - Wayne County Department of Public Services – Permits & Engineering,
 - Federal Aviation Authority (FAA),
 - Wayne County Department of Public Health,
 - Van Buren Township Department of Public Services – Water & Sewer.
- The property owner will be responsible for the costs of any and/or all utility improvements and any approval of a split or combination does not change requirements of the zoning of the parcel(s). Any approval in no way implies or guarantees permits and/or approvals from federal, state, county or local agencies; this shall include but not be limited to roadway access point(s), natural feature requirements, utility requirements or any other valid requirement(s) from regulatory agencies.
- If request is for a "flag lot" split, request must conform to Sec. 78-246 (1) thru (12), with emphasis on (4) and (5) as it relates to maneuvering area and hard surfaces.
- If final approval is granted, applicant is responsible for recording new legal descriptions with the Wayne County Register of Deed's office.
- If the applicant is requesting a combination, all parcels involved must be in the same school district in order to receive preliminary approval.
- All requests for lot splits and/or combinations must be submitted to Van Buren Township prior to **December 1** of each year for completion in order to obtain new tax identification numbers for the following year. Taxes for the year in which the application is received (included all summer and winter taxes) must be paid in full prior to **January 31** of the year in which the division/combination is to take place.
- Van Buren Township does not pro-rate taxes. It is the responsibility of those who have an interest in the property being split and/or combined to ensure taxes are paid.

Please ensure all pages (including 1-3) are included with your initial application to ensure timely processing of the application.

Please note ALL current owners of the property must sign the application

Applicant Name(s)

Street Address

City, State Zip

Phone Number

Email

Property Owner Name IF DIFFERENT THAN APPLICANT

Street Address

City, State Zip

Phone Number

Email

Attach additional sheets if necessary

Please check one of the following which best describes the anticipated result of this application.

- Division of parcel(s)
- Combination of parcel(s)
- Division and combination of parcels

How many CURRENT parcels (individual legal descriptions) are involved in this request? _____

How many FUTURE parcels (NEW individual legal descriptions) are being requested? _____

List all parcel number(s) and address(es) of all current parcels involved with this request.

Parcel number 1

Property address 1

Parcel number 2

Property address 2

Parcel number 3

Property address 3

Attach additional sheets if necessary

Is there currently a mortgage or land contract on any parcels involved in this application?

- Yes
- No

If yes, name of mortgage or land contract holder: _____
Provide proof mortgage or land contract holder is aware of and approves of this request.

Development Site Features

Check any that may present a condition which currently exists on the current parcel(s)

- Includes wetland area
- Is within a flood-plain
- Includes slopes of more than 25% (a 1:4 pitch or 14 degrees) or steeper
- Is on muck soils or soils known to have severe limitations for on-site sewage disposal
- Is known or suspected to have an abandoned well, underground storage tank, or contaminated soil.

Are any unused division rights being transferred from the original parcel(s) to the new parcel(s)?

- Yes
 - o If yes, how many division rights are being transferred? _____
- No
 - o If no, all remaining division rights will remain with the original parcel(s).

Form L-4260a, *Notice to Assessor of Transfer of the Right to Make a Division of Land*, must be included.

I (we) do hereby swear that all of the statements, signatures, descriptions, and exhibits submitted on, or with this application are true and accurate to the best of my (our) knowledge.

Signature of applicant

Date

Signature of property owner (if different than applicant)

Date

Signature of property owner (if necessary)

Date

Attached additional sheets if necessary

Land Division FAQs

Note: The following is a general description of the Michigan Land Division Act. Applicants are advised to consult the full Land Division Act, as amended (MCLA 560.101 et seq.), and local zoning and lot split ordinance prior to making any decisions.

How many land divisions can I make?

The number of divisions you can make depends upon two factors: 1) How big the original “parent parcel” is (in acres), and 2) the number of divisions previously made.

A “parent parcel” is any parcel lawfully existing on March 31, 1997. Parent Parcels ten (10) acres or less can be divided into four (4) parcels. An additional parcel can be created for each additional 10 acres of parent parcel size. See the chart below:

Parent Parcel Size	Number of New Parcels (including remainder parcel)
Under 20 acres	4
20 acres	5
30 acres	6
40 acres	7
50 acres	8

For Parent Parcels at least twenty (20) acres in size, bonus land divisions can be made if 60% of the parent parcel remains after the split OR if a new public or private road is created.

Each parcel resulting from a land division can be divided again after ten (10) years have elapsed (running from the date of recording of the original split). The number of re-divisions is based upon the size of the parcel, as follows:

Parcel Size	Number of New Parcels (re-divisions after 10 years)
Under 20 acres	2
20 acres	3
30 acres	4
40 acres	5
50 acres	6

Any created parcel or tract which is 40 acres or larger is known as an “exempt split.” These exempt splits are not counted as a division in either of the above tables.

Can I transfer remaining land divisions to a new parcel?

Yes! The seller of a lot who has the right to make more land divisions can transfer a division right to the purchaser. For any division, the deed must state whether or not any division rights are transferred. If the deeds do not address these transfers, those rights stay with the remainder of the parent parcel. When you transfer division rights, you must now report the transfer to the assessor on the property transfer

Land Division FAQs (continued)

Are there any other restrictions on lot shapes/sizes?

Yes! A number of other standards must be met before a land division can be approved:

Shape: The depth of a parcel cannot be more than four (4) times its width. This ratio does not apply to new parcels larger than ten (10) acres in size. Additionally, the lot width must meet the minimum permitted within the Zoning District in which the parcel(s) are located.

Size: Each parcel must have an area not less than that required by the Zoning District in which the parcel(s) are located.

Accessibility: All resulting parcels must be accessible by either private or public road or by an existing driveway/easement. All easements must be recorded with the Wayne County Register of Deeds within ninety (90) days of Final Township Approval. New private roads must comply with the Township Private Road Ordinance.

Utilities: A parcel which is intended for building development other than agricultural or forestry use must have adequate easements for public utilities from the parcel to existing public utility facilities. These easements must also be recorded with the Wayne County Register of Deeds within ninety (90) days of Final Township Approval.

NOTICE TO ASSESSOR OF TRANSFER OF THE RIGHT TO MAKE A DIVISION OF LAND

Issued under authority of Land Division Act (P.A. 288 of 1967 as amended by P.A. 87 of 1997) . Filing is mandatory.

This form must be filed by an owner of a parent parcel or parent tract of land when the owner creates a parcel from the parent parcel or parent tract and transfers the right to make a further division to the owner of the created parcel. This form must be filed within 45 days of the transfer of the right to make a division. This form must be filed with the assessor of the city or township where the property is located.

1. Street Address of Parent Parcel or Parent Tract	2. County	4. Date of Transfer of Right to Make a Division
3. City/Township/Village Where Real Estate is Located		<p>PIN, this number ranges from 10 to 25 digits. It usually includes hyphens and sometimes includes letters. It is on the property tax bill and on the assessment notice.</p>
<input type="checkbox"/> City <input type="checkbox"/> Township <input type="checkbox"/> Village		
5. Property Identification Number (PIN) of Parent Parcel or Parent Tract. If you don't have a PIN, attach legal description.		
6. Name of Owner of Parent Parcel or Parent Tract	Address of Owner of Parent Parcel or Parent Tract	
7. Property Identification Number (PIN) of Created Parcel if PIN has already been assigned.		
8. Name of Owner of Created Parcel	Address of Owner of Created Parcel	

THE FOLLOWING QUESTIONS MUST BE ANSWERED.

1. Did the parent parcel or parent tract have any unallocated divisions under the Land Division Act, P.A. 288 of 1967, MCL 560.101 to 560.293? Check appropriate box below:

YES

NO

If the YES box was checked, go to question 2. If the NO box was checked, go to question 3.

2. How many unallocated divisions did the parent parcel or parent tract have prior to this transfer?

Enter number here _____.

3. Were there any unallocated divisions transferred to the newly created parcel?

YES

NO

If the YES box was checked, go to question 4. If the NO box was checked, go to the signature area of the form.

4. How many unallocated divisions were transferred to the newly created parcel? Enter number here _____.

CERTIFICATION

I certify that the information above is true and complete to the best of my knowledge.

Signature of Owner of Parent Parcel or Parent Tract	Date	If Signer is other than the owner, print name and title
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INSTRUCTIONS

This form must be filed by an owner of a parent parcel or parent tract of land when the owner creates a parcel from the parent parcel or parent tract and transfers the right to make a further division(s) to the owner of the created parcel.

Example: The owner of a parent parcel 10 acres in size is selling off a created parcel 2 1/2 acres in size. In this example the 10 acre parent parcel qualifies under the Land Division Act to make four (4) divisions before platting is required. Therefore, two (2) more divisions may be made before platting is required.



The owner of the parent parcel who sold the 2 1/2 acre parcel can keep the authority to make two (2) additional divisions or may convey the authority to make one or both of the additional divisions to the owner of the created parcel.

If the owner of the parent parcel conveys the authority to make one or both additional divisions to the owner of the 2 1/2 acre created parcel, this form (L-4260a) must be filed with the local assessor within 45 days of that action.

This form must also be filed when the owner of a parent parcel or parent tract conveys the parent parcel or parent tract, and also transfers the right to make further divisions to the new owner of the parent parcel or parent tract.

For more information about the Land Division Act, you may contact the Subdivision Control Section of the Department of Consumer and Industry Services at (517) 334-7750.

Excerpt from P.A. 87 of 1997

Sec. 109(2) The right to make divisions exempt from the platting requirements of the act under section 108 and this section can be transferred, but only from a parent parcel or parent tract to a parcel created from that parent parcel or parent tract. A proprietor transferring the right to make a division pursuant to this subsection shall within 45 days give written notice of the transfer to the assessor of the city or township where the property is located on the form prescribed by the state tax commission under section 27a of the general property tax act, P.A. 206 of 1893, MCL, 211.27a. The state tax commission shall revise the form to include substantially the following questions in the mandatory information portion of the form:

(a) "Did the parent parcel or parent tract have any unallocated divisions under the land division act, P.A. 288 of 1967, MCL 560.101 to 560.293? If so, how many?"

(b) "Were any unallocated divisions transferred to the newly created parcel? If so, how many?"