

Benton Township

LAND DIVISION ACT P.A. 591

1. Applications can be picked up at the Benton Township Hall; mailed upon request or printed off on line at bentontwp.org
2. Approval of application will be scheduled at the next regular board meeting unless otherwise requested.
3. Special meetings are an option and arrangements can be made by calling the Township office.
4. Applications can be accepted at the monthly township meeting but will not be approved at the time. (The Board must have time to review the material).
5. Completed applications should be filed at least (7) days prior to the monthly meeting.
6. A copy of the recorded document of the split must be sent to the Township within 90 days after the split is approved.
7. If the property is surveyed, the property owner must give the land surveyor permission to submit to the assessor the property split drawings in a digital format along with the legal description(s) in a word format.
8. Land division applications will only be approved when the final survey is completed. Any change to the final survey must be resubmitted for approval. If the division application has a preliminary survey only, it will be considered for preliminary approval only.

**PLEASE RETURN SIGNED APPLICATION WITH ALL ATTACHMENTS TO:
BENTON TOWNSHIP
5012 Orchard Beach Road
Cheboygan, MI 49721**

DATE RECEIVED: ___/___/___

RECEIVED BY: _____

**BENTON TOWNSHIP
PARCEL DIVISION APPLICATION**

You MUST answer all questions and include all attachments or this will be returned to you.

Bring or mail to: Benton Township Hall
5012 Orchard Beach Road
Cheboygan, MI 49721

Approval of a proposed division of land is required when the new parcel is less than 40 acres and not just a property line adjustment (Sec. 102(e&f)).

Fill in below where you want this form sent once the review is completed.

NAME: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

This form is designed to comply with applicable local zoning land division ordinances and Sec. 109 of the Michigan Land Division (formerly the subdivision control act, P.A. 288 of 1967, as amended particularly being P.A. 591 of 1996, MCL 560.101 et. seq. and any subsequent amendments).

1. **LOCATION** of parcel to be split:

Parent parcel/tract _____ **redivision**

Address _____

Parcel number: _____ - _____ - _____ - _____ **Sec.** ____ **T** ____ **R** ____

Name: _____

ATTACH COPY OF DEED AS RECORDED AT REGISTER OF DEEDS OFFICE

Township: _____

2. **PROPERTY OWNER information:**

Name: _____ **Phone:** (____) _____ - _____

Address: _____

City: _____ **State:** _____ **Zip Code** _____

3. **APPLICANT information (if different than property owner)**

Contact person's name: _____

Business name: _____ **Phone:** (____) _____ - _____

Address: _____

City: _____ **State:** _____ **Zip Code:** _____

4. **PROPOSAL: Describe the division(s) being proposed:**
 A. Number of new parcels _____
 B. Intended use (residential, commercial, etc.) _____
 C. The division(s) of the parcel has/have access by: (check one)
 _____ each new division has frontage on an existing public road
 _____ a new public road, proposed road name: _____
 _____ a new private road, proposed road name: _____
 (road name cannot duplicate an existing road name)
 _____ a recorded easement
- 4A. Attach a legal description of the proposed new road or easement.
5. **FUTURE DIVISIONS** being reserved? _____ For whom? _____
 See Section 109(2) of the Statute. Make sure your deed includes both statements as required in section 109(3) and 109(4) of the Statute.
6. **DEVELOPMENT SITE LIMITS**
 Check each that represent a condition which exists on the parcel/tract.
 _____ any part of the parcel is in a DNR-designated critical sand dune area.
 _____ the parcel is riparian or littoral (it is a river or lake front parcel).
 _____ any part of the parcel is effected by a Lake Michigan high risk erosion setback.
 _____ any part of the parcel includes a wet land.
 _____ any part of the parcel includes a beach
 _____ any part of the parcel is within a flood plain.
 _____ any part of the parcel includes slopes more than twenty five percent (a 1:4 pitch or 14 degree angle) or steeper.
7. **ATTACHMENTS** (all attachments MUST be included). Letter each attachment as shown here. (B & C are required only if the split is less than one acre).
 _____ A. Map, drawn to scale of the proposed division(s) of the parent parcel/tract or if re-division per Sec 108(5) showing: WITH DESCRIPTION
 (1) current boundaries as of March 31, 1997
 (2) all previous divisions made after March 31, 1997 (indicate when made or none).
 (3) any of the features checked in questions #6 above
 _____ B. A soil evaluation or septic system permit for each proposed parcel prepared by the local District Health Department or each proposed parcel is serviced by a public sewer system.
 _____ C. An evaluation/indication of approval for a well permit for potable water for each proposed parcel prepared by the local District Health Department or each proposed parcel is serviced by a public water system.

- _____ D. A copy of any reserved division rights (Sec. 109(4) of the Act) in the parent parcel.
- _____ E. Attach approval from Cheboygan County Community Development indicating compliance with zoning requirements.
- _____ F. Proof of taxes paid current on parent parcel. (See County Treasurer's Office)
- _____ G. Other (please list) Recorded Warranty Deed;

8. IMPROVEMENTS. Describe any existing improvements (buildings, well, septic, etc.) which are on the parcel, or indicate none.

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

I agree that 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 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. Finally, I understand this is only a parcel division which conveys only certain rights under the applicable local land division ordinance and the State Land Division Act (formerly the subdivision control act, P.A. 288 of 1967, as amended particularly by P.A. 591 of 1996), MCL statute, building code, zoning ordinance, deed restriction(s) or other property rights.

Even if this division is approved, I understand that zoning, local ordinances and State Act changes from time to time, and if changed, the divisions made here must comply with the new requirements (apply for division approval again) unless deeds representing the approved division are recorded with the Register of Deeds or the division is built upon before the changes to laws are made. Finally, although this split is approved by the township board, it does not guarantee that it is a buildable site.

APPLICANT'S SIGNATURE: _____ Date: ___/___/___

PROPERTY OWNER'S SIGNATURES: _____

ALL PROPERTY OWNERS MUST SIGN

Reviewer's action: _____ Total \$ _____ Receipt # _____

_____ Approved, with conditions, if any: _____

_____ Denied: Reasons: _____

SIGNATURE: _____, Supervisor Date: ___/___/___

Land Division Requirements

Benton Township will not be responsible for divisions that do not meet minimum lot size requirements for building purposes and access requirements enforced by the Cheboygan County Zoning Department.

Minimum Lot size	Forestry Ag Zoning	150 feet of road frontage and 1 acre in the site.
	Lake & Stream	100 feet of frontage and 15000 sq ft in the site.
	Residential	75 feet of road frontage and 12000 sq ft in the site

All new easements that access a dwelling unit must be a minimum of 30 feet in width to comply with zoning.

Lot depth to width ratio as established by Public Act 591 "LAND DIVISION ACT" and Benton Township is a maximum of 4 feet of depth to 1 foot of width also the Benton Township Lot Division Ordinance as adopted.

Township Guidelines Governing Acceptance of Application:

1. Complete surveyed or scaled drawing of parent parcel with divisions incorporated with all access roads included on drawing. All prior divisions if any to the parent also to be shown. All division rights deeded must be presented with the application.
2. Location of all buildings on the property and land improvements noted on the map.
3. Descriptions of all parcels to be divided must be included.
4. Need proof of fee simple ownership. "Quit Claim or Warranty Deed"
5. Need proof of all prior taxes paid. "Old tax receipts" OBTAIN FROM COUNTY TREASURER
6. Need letter from Cheboygan County PLANNING AND ZONING

If all of the above requirements are not received with the land division application, the division application may be rejected.

Be aware that all parcel land divisions applications submitted have 45 days to Respond. Please submit in a timely fashion to allow ample time for analyzing prior to any sales.

It is understood that the divisions proposed will be divided in the following years Assessment roll with the taxable value prorated proportionately to each description.

Principle residence owners will need to re-file their Principle Residence exemption as the current parcel number will be retired in the following year and the exemption will be discontinued.

Parent Parcel # _____

file= required info for land divisions

Signature of property owner

Phone () _____
ALL PROPERTY OWNERS SHOULD SIGN ABOVE