

**Land Division Application # \_\_\_\_\_**  
**CHARTER TOWNSHIP OF ELMWOOD, LEELANAU COUNTY**

You MUST answer all questions and include all required attachments, or this will be returned to you. Applications may be mailed or brought in person to:

**10090 East Lincoln Road, Traverse City, Michigan 49684**

Approval of a division of land is required before it is sold or conveyed, when the new parcel is less than forty (40) acres, and not just a property line adjustment or an enlargement. **I am aware that land divisions may require a separate application and approval of the Elmwood Township Planning Commission. I accept responsibility of submitting request to the Elmwood Township Planning Commission for their review and determination. I am also aware that for land divisions resulting in parcels under one acre in size, both initial and reserve drained areas, and a suitable water supply MUST BE DEMONSTRATED prior to the issuance of a Health Department permit. PRINCIPAL RESIDENCE AFFIDAVITS MUST BE FILED ON EACH NEW PARCEL CREATED IF APPLICABLE.**

**REVISED 2/14/07**

\_\_\_\_\_  
**Owner's full signature required**

In the spaces below, fill in where you want this form sent upon review completion.

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY,STATE,ZIP \_\_\_\_\_

1. **LOCATION** of parent parcel or parent tract to be split  
Number address \_\_\_\_\_ Road Name \_\_\_\_\_  
Parent parcel/Tract number(s) \_\_\_\_\_  
Legal description of Parent Parcel (attach extra sheets if necessary)  
\_\_\_\_\_  
\_\_\_\_\_

Township, City or Village Name: \_\_\_\_\_

2. **PROPERTY OWNER** information:  
NAME \_\_\_\_\_ PHONE ( ) \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY,STATE,ZIP \_\_\_\_\_

3. **APPLICANT** information (if other than property owner).  
CONTACT PERSON: \_\_\_\_\_ PHONE ( ) \_\_\_\_\_  
BUSINESS NAME: \_\_\_\_\_  
CITY,STATE,ZIP: \_\_\_\_\_

Do you wish to waive the forty-five (45) day time requirement for approval?  
\_\_\_\_\_ YES \_\_\_\_\_ NO

4. **PROPOSAL:** Describe the division(s) being proposed  
A. Number of new parcels \_\_\_\_\_  
B. Intended use (residential, commercial, etc.) \_\_\_\_\_

4. **PROPOSAL CONTINUED**

- C. The division of the parcel provided access to an existing road by (check one)  
\_\_\_\_\_ Each new division has frontage on an existing road  
\_\_\_\_\_ A new public road, proposed name \_\_\_\_\_  
(Road name cannot duplicate an existing road name)  
\_\_\_\_\_ A new private road, proposed name (cannot duplicate existing road name)  
\_\_\_\_\_  
\_\_\_\_\_ A recorded easement/driveway (cannot service more than one potential site).
- D. Does this new public or private road have the approval of the Elmwood Township Board? Yes No Date of Approval \_\_\_\_\_ Type of Road I II III IV (circle one)
- E. Attach a legal description of the proposed new road, easement or shared driveway.
- F. Attach a legal description for each proposed new parcel, the parent parcel or tract AND the remainder of the parent parcel or tract. (Parent minus splits).
- G. Total number of parcels on road currently \_\_\_\_\_ Total including new divisions \_\_\_\_\_

5. **FUTURE DIVISIONS**

- A. Are there any future divisions that might be allowed but are not included in the application? \_\_\_\_\_. How Many? \_\_\_\_\_
- B. The number of future divisions being transferred from the parent parcel to another parcel \_\_\_\_\_ (See section 109(2) of the Statute. Make sure your deed includes both statements required in section 109(3) and 109 (4) of the Statute).
- C. Identify the other parcel (s): \_\_\_\_\_

6. **DEVELOPMENT SITE LIMITS.** Check each that represent a condition which exists on the parent parcel. Any part of the parcel:

- \_\_\_\_\_ Is a DNR designated sand dune area  
\_\_\_\_\_ Is riparian or littoral (a river or lake front property)  
\_\_\_\_\_ Is affected by a Lake Michigan High Risk Erosion setback  
\_\_\_\_\_ Includes a wetland  
\_\_\_\_\_ Includes a beach  
\_\_\_\_\_ Is within a flood plain  
\_\_\_\_\_ Includes slopes of more than twenty-five percent (a 1:4 or 14 degree angle) or steeper  
\_\_\_\_\_ Is on muck soils or soil known to have severe limitations for on site sewage systems  
\_\_\_\_\_ Is known or suspected to have any abandoned well, underground storage tank, or contaminated soils

7. **ATTACHMENTS** (All attachments MUST be included) Letter each attachment as shown here.

- A. A survey, sealed by a professional surveyor at a scale of 1 in = 200 ft for proposed division(s) of parent parcel or tract (whichever applies).
- OR** B. A map/drawing drawn to the scale of 1 in = 200-400 ft for the proposed division(s) of the parent parcel and the 45 day time limit is waived

\_\_\_\_\_ (Signature)

**The survey map must show:**

1. Current boundaries (as of March 31, 1997) of Parent Parcel or Tract with acreages
2. All divisions made after March 31, 1997 (indicate when made or none)
3. The proposed division(s). Include legal descriptions of parent parcel, split(s), and remnant parcel.
4. Dimensions of the proposed division(s) with **net acreage** or **net square footage** (excluding rights of way or easements).
5. Existing and proposed road easements, rights of way, or access easements if any.
6. Easements for public utilities from each parcel to existing public utility facilities
7. Any existing improvements (buildings, wells, septic systems, driveways, etc.) and descriptions of such. Setbacks for buildings from lot lines must be shown.
8. Any features checked in question #6
  - C. A copy of any transferred division rights (State Statute 109 (2&3) of the Act amended by PA 87 of 1997) in the parent parcel.
  - D. A fee of \$250.00 (3 total parcels) +\$50.00 for each additional parcel.
  - E. A signed copy of the Leelanau County Road Commission’s Land Division Review
  - F. Other (please list) \_\_\_\_\_
9. **AFFIDAVIT** and permission for municipal, county and state officials to enter the property for inspections:

I agree the statements made above are true and if found out 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 parent 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 purposed of inspection to verify that the information on the application is correct; at the time mutually agreed with the applicant. Finally, I understand this is only a parcel division which conveys only certain rights under the applicable local land division ordinance, the local zoning 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 and P.A. 87 of 1997 MCL.560.101 et. Seq.) and does not include any representation or conveyance of rights in any other statute, building code, zoning ordinance, deed restriction or other property rights. Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations. It is understood that no building permit shall be issued unless approval for on site water supply and sewage disposal has been obtained from the Benzie-Leelanau County Health Department and that Elmwood Township, it’s officers and employees are not liable if a building permit is not issued for the reasons set forth in Section 109a(1).

Finally, even if this division is approved, I understand zoning, local ordinances and State Acts change from time to time, and if changed the divisions made here must comply with the new requirements (re-apply for division approval again) unless deeds, land contracts, leases or surveys representing the approved divisions are recorded with the register of deeds or the division is built upon before the changes to laws are made.

APPLICANT SIGNATURE (if not owner) \_\_\_\_\_ DATE \_\_\_\_\_  
 PROPERTY OWNER’S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE**

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Reviewer’s action:

\_\_\_\_\_ Approved:      Conditions (if any) \_\_\_\_\_  
 \_\_\_\_\_ Denied        Reasons (Cite state statute)

Signature and date: \_\_\_\_\_  
 Barbara Jones, Assessor