

# LAND DIVISION APPROVAL PROCESS



## EATON COUNTY, MICHIGAN

### FOLLOW THESE STEPS TO CREATE NEW LAND PARCELS IN AREAS UNDER THE JURISDICTION OF THE EATON COUNTY ZONING ORDINANCE

A Land Division is the splitting or dividing of an existing parcel of land to create more than one parcel. If a lot is created after March 1997 in areas under County zoning, you must show proof that it was created through this Land Division Process in order to get Building Permits. Follow the steps in this form to correctly divide land in townships that follow Eaton County zoning. Keep these signed originals with your property information and provide copies to any new owners of the created parcels as proof that the parcels were correctly created.

*This is a coordinated, step-by-step guide to the basic requirements for a land division. A variety of County agencies participate in the process. The parcel owner(s) is responsible for completing all the steps in this process. They must comply with all applicable requirements of each department or agency. Additional regulations may apply to specific sites. We strongly recommend that the steps be completed in the order provided.*

**Building permits will not be granted for parcels created without this process. This application must be completed within six months from the date of Step 2 approval except those with private roads.**

PARENT PARCEL TAX CODE (parent or original parcel):     -     -     -     -

Applicant (Property Owner) name: \_\_\_\_\_

Current mailing address: \_\_\_\_\_

City, state, zip \_\_\_\_\_

Daytime phone: \_\_\_\_\_

### STEP 1     COMPLETE AND ATTACH THE LAND DIVISION APPLICATION FORM

The form must be fully completed and include parent parcel owner signatures and the date  
*Signatures and Application materials will be honored for a maximum of 6 months*

### STEP 2     DIVISIONS OR SPLITS AVAILABILITY (Preliminary):

**CALL (or visit) your Township official (supervisor or assessor) to find out how many parcels may be created.** The list of officials is in this packet.

The **township official** keeps track of the number of parcels that can be created. They calculate the number of splits available using the State of Michigan Land Division Act as amended in 1997. Parcels created must also conform to county requirements for size and shape, so an applicant may not be able to use all of the divisions available to the property.

**Write down the number of resulting parcels you can create AND the date you spoke to the Township official.**

Township Official's name \_\_\_\_\_ # of resulting parcels available \_\_\_\_\_ Date spoke to official \_\_\_\_\_

**STEP 3 ZONING COMPLIANCE**

**Submit a Site Plan of the proposed divisions along with this form and completed application to the Eaton County Community Development for review and approval. Contact them at 517-543-3689.** They will review the proposed land divisions for compliance with the zoning ordinance. Each parcel created must meet requirements for road frontage, width to depth ratio, and setbacks. See the application packet for information and site plan requirements. Review may take up to 45 days.

**Office Use: Community Development Reviewer will complete:**

- A. All parcels comply with minimum parcel size \_\_\_\_\_ \$ (if in PA116, notify MI Dept. Agriculture)
- B. All parcels comply with minimum road frontage: \_ \$
- C. Zoning district for proposed divisions (effective today): \_\_\_\_\_
- D. All parcels comply with lot coverage restrictions: YES \$ \_ NO \$ \_\_\_\_\_ Not applicable \$ \_\_\_\_\_
- E. Existing structures comply with setbacks: \_\_\_\_\_ \$
- F. Each parcel complies with width to depth ratio.

<u>Parcel</u>	ratio requirement	<u>Complies?</u>	<u>Not applicable?</u>
	(4:1 or 3:1)		

- G. Complies with private road requirements of Eaton County Land Development Code \_\_\_\_\_
- H. **Complies with compiled rules of the Eaton County Drain Commissioner (If there is a drain present, a description of that easement must be recorded. It must be noted on the site plan.)** \_\_\_\_\_
- I. Complies with other applicable provisions of the Eaton County Land Development Code \_\_\_\_\_
- J. Obtained a variance from requirements from the Eaton County Board of Appeals?  
Case # BA- - (findings attached) \_\_\_\_\_

Received by \_\_\_\_\_ Date submitted \_\_\_\_\_ Preliminary Approval \_\_\_\_\_ Date approved \_\_\_\_\_

**Note: If the site plan changes during steps 4, 5 or 6, review and approval of the revised plan is required. Building permits may not be issued for properties that have not completed Step 3.**

**STEP 4 DRIVEWAY PERMITS: COUNTY RD COMMISSION/ MI DEPT TRANSPORTATION**

**Driveway Review/Permit:** If the parcels created will enter a county road, contact the Eaton County Road Commission at (517) 543-1630 or toll free 1-877-88EATON to make sure a driveway may be established. If the property is on a state highway (M-99, M-43, M-50, M-100, etc.), contact the Michigan Department of Transportation at (517) 324-2266 to make sure a driveway may be established. Driveway locations may affect proposed lot lines. You may apply for the actual driveway permit at this time, but please be advised that the permits are only good for one (1) year.

**If driveway locations cause lot line changes, return to Step 3 above and submit a revised site plan for review and approval.**

*You may attach a signed Driveway permit or Driveway Review form.*

**Building permits may not be issued for properties that have not completed Step 4.**

**\*MUST COMPLETE PRIVATE ROAD BEFORE PROCEEDING**

**STEP 5 BARRY-EATON DISTRICT HEALTH DEPARTMENT**

**Site Evaluation:** Contact the Barry Eaton District Health Department, Environmental Health division at (517) 541-2615 for a site evaluation. The evaluation will determine possible locations for water and sanitary (drainfields) on the site. **This step is REQUIRED for parcels less than one (1) acre.**

**If locations for percs, drainfields, etc. cause lot line changes, return to step 3 above and submit a revised site plan for review and approval.**

*You may attach a signed Health Dept. Site Evaluation form.*

**Building permits may not be issued for properties that have not completed Step 5.**

**THIS APPLICATION FORM EXPIRES SIX (6) MONTHS FROM THE DATE OF THE SIGNATURE IN STEP 2. EXCEPT THOSE WITH PRIVATE ROADS. FAILURE TO RECORD DEEDS WITHIN 6 MONTHS MAY INVALIDATE ALL APPROVALS.**

## STEP 6 DRAIN COMMISSION REQUIREMENTS

If there is a county drain OR a body of water larger than one acre within 500 ft. of any proposed property boundary contact the County Drain Commission office. After approval by the Drain Commissioner, easements for any drains may need to be recorded with the Eaton County Register of Deeds.

## STEP 7 CERTIFIED BOUNDARY SURVEY

If you create ANY parcels that are less than 40 acres, contact a licensed land surveyor to complete a certified boundary survey of all of those parcels. Licensed surveyors are listed in your local phone book. Surveys should include any easements in the property descriptions. The recorded survey must match the site plan approved in STEP 3. **The Certified Boundary Survey must be recorded at the Eaton County Register of Deeds.**

## STEP 8 FINAL REVIEWS

**A. Submit to the Township Official for final approval (the same as step 2):** The MI Land Division Act requires local (township) approval of each parcel created. Provide the Township Official with these application forms, approved site plan, and the certified boundary survey.

**Township Official:** *"I confirm that this application and attached site plans and approvals are complete and agree with Township records for parcel tax code # - - - - and the number of lots created under 40 acres (divisions used) in the amount of \_\_\_\_\_ complies with the requirements."*

Received by \_\_\_\_\_

Date submitted \_\_\_\_\_

Township Official approval date \_\_\_\_\_

**B. Submit to the Community Development Dept. for Final Approval:** Provide a recorded copy of the survey with the site plan approved in STEP 3, and these forms for FINAL REVIEW. **THE RECORDED SURVEY MUST MATCH THE SITE PLAN APPROVED IN STEP 3.**

Approval \_\_\_\_\_

Date approved \_\_\_\_\_

## STEP 9 RECORDING DEEDS & NEW PARCEL IDENTIFICATION/ TAX ID NUMBERS

**Deeds must be recorded within (90 days) of the Township Final Approval!**

**Visit or Contact the Eaton County Register of Deeds for information on recording the deeds for each of the new parcels created. (517) 543-4203.**

**Each parcel created must be assigned a NEW tax code identification number. Contact the Eaton County Equalization/Property Description Department (517) 543-4104.** When you have completed all of the above steps, you may submit this approved application with its site plans, recorded copies of the certified boundary survey and the recorded deeds directly to the Equalization/Property Description department so they can assign property tax code numbers to each parcel. Their review takes a minimum of ten days. If not submitted directly, the new tax code numbers for each parcel recorded will be assigned with the new tax year.

**Proof of the completed land division process will be required to obtain building permits.** The proof, which can be obtained from the Equalization/property description department, is a copy of the recorded survey upon which Equalization has typed the new property tax code numbers across the top and signed.

**THIS LAND DIVISION APPLICATION FORM EXPIRES SIX (6) MONTHS FROM THE DATE OF THE SIGNATURE IN STEP 2. EXCEPT THOSE WITH PRIVATE ROADS.  
FAILURE TO RECORD DEEDS WITHIN 6 MONTHS MAY INVALIDATE ALL APPROVALS.**

### CONGRATULATIONS!

**You may apply for construction permits when this process is completed (including all steps 1 through 9).** The Land Division Process to create these parcels is complete if all of the steps above have been completed & signed. Please keep these important papers and provide copies to any buyers.



## Eaton County, Michigan

### APPLICATION FOR PROPOSED LAND DIVISIONS

(effective 4/02)

The applicant/parent parcel owner is responsible for completion and accuracy of this application. Please complete fully and include all attachments requested, or this will not be accepted. To successfully divide land, follow the steps in the Land Division Process. Complete and attach this application to the Land Division Approval Process, keeping it available at each step.

*Approval of a land division is required before building permits can be issued for any parcel divided or created after March, 1997. This process is designed to comply with applicable local zoning, land division ordinances and §109 of the Michigan Land Division Act as amended by P.A. 591 of 1996, MCL560.101 et seq.)*

**1. Property Owner (Name):** \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_-\_\_\_\_\_

**2. Location of Parcel to be divided (if different than above):**

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**3. Parcel tax identification number:** \_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_

**4. Other Contact: (agent or assistant of the property owner, if applicable):**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**5. Legal description of the Parent Parcel** Available from a mortgage, deed, or tax bill for the parcel.

(Attach a copy or write it here):

**6. Describe the proposed division(s):**

a. Number of Parcels that will be created \_\_\_\_\_

b. Number of Parcels 40 acres or larger that will be created or left \_\_\_\_\_

c. Intended uses of the parcels (residential, commercial, etc.) \_\_\_\_\_

d. All parcels created will have access to an existing public road by: (check one)

\_\_\_\_ Frontage on an existing public road

\_\_\_\_ A private road will be developed to serve the new parcels

**7. Future Divisions**

1. Are future "divisions" being transferred from the parent parcel to another parcel? YES NO

2. If yes, identify the new parcel and how many divisions (splits) it will receive. (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.)

**8. SITE CHARACTERISTICS:** Please check any of the following that apply to any part of the parcels that will be created.

- Includes buildings such as house, barn, shed, pool, etc. (Please identify on Site Plan)
- Includes a wetland.
- Is within a flood plain.
- Includes or is within 500 ft. of any creek, stream, county drain, pond, or a body of water
- Includes slopes more than twenty five percent (a 1:4 pitch or 14° angle) or steeper.
- Is on muck soils or soils with severe limitations for on site sewage systems.
- Has or suspected to have: abandoned well, underground storage tank, contaminated soils?
- Has or is suspected to have a culturally or historically significant structure on the site?
- Any easements granted across or on the property (for ingress/egress, utilities, conservation, etc.)? (please attach copy or description)
- Any easement right (for ingress/egress, utilities, etc.) granted to this property by adjacent property(s)? (please attach copy or description)

**9. SITE PLAN** Attach a Site Plan of the Parent Parcel labeled with that applicant's name, site address or location, and parent parcel tax code identification number. **The site plan must show all of the following:**

- (1) The entire parent parcel with dimensions of all property lines
- (2) The proposed new property lines, their dimensions and locations
- (3) Dimensions of the proposed parcels
- (4) All existing and proposed roads
- (5) Any existing structures on the property (buildings, wells, septic system, driveways, etc.), their dimensions, and their distance to any proposed property lines.
- (6) Any easements for public utilities to/from each parcel, for ingress/egress, conservation, etc.
- (7) Any of the Site Characteristics noted in question number 8 including any bodies of water, wetlands, wells, slopes, etc.

**10. Is or has the property been in P.A. 116? YES \_\_\_\_\_ NO \_\_\_\_\_.**

**11. AFFIDAVIT and permission for county and state officials to enter the property for inspections:**

I agree that the statements made above are true and complete and if found not to be true, this application and related approvals will be void. I agree to comply with the conditions and requirements of this division approval process. Finally, I understand this is only a land division to create parcels and approval conveys only certain rights under the applicable County ordinances and the State Land Division Act. This application does not represent nor does it convey rights under any other statute, building code, zoning ordinance, deed restrictions or other property rights. The property owner(s) understands that this process must be completed within 6 months of the preliminary township approval date. Further, even if parts of this division process are approved, all divisions must comply with the applicable laws and ordinances at the time that the approval process is completed. I understand that ordinances and laws change from time to time, and if changed prior to completion of this division approval, the divisions proposed here must comply with the new requirements. Further, I give permission for local, county, and State of Michigan officials to enter this property at a mutually agreeable time to inspect and verify the application information.

**Property Owner(s) Signature** \_\_\_\_\_ **Date** \_\_\_\_\_  
(Required prior to application acceptance)

**Township Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

# EATON COUNTY LAND DIVISION PROCESS

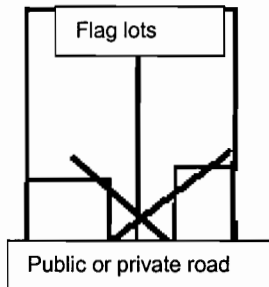
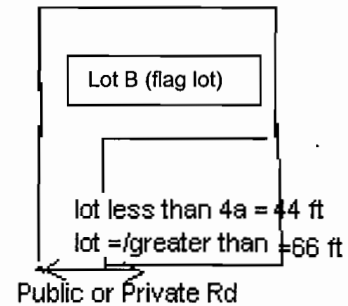
A summary of some regulations from the Eaton County Land Development Code 3/04

## ALL LOTS CREATED MUST MEET THESE REQUIREMENTS!

- 1. **EVERY parcel must OWN its road frontage.** Frontage can be on a Public Road OR an Approved\* Private Road. Only one principle dwelling per a parcel is allowed. EACH LOT MUST HAVE ITS OWN DRIVEWAY to a public or private road. Shared driveways are NOT allowed.

For regular lots, the minimum road frontage is 110 feet.

You may create one (1) flag-shaped lot. This is a lot that owns a narrow strip of land down to the road (like the pole of a flag). A flag-shaped lot smaller than 4 acres must have a minimum 44 ft of road frontage. Flag-shaped lots 4 acres or larger must have a minimum of 66 ft. of road frontage



If you create a flag lot, the “pole” area may not adjoin or abut another access or right of way. In other words, you cannot create two flag lots right next to each other nor can you put a flag lot alongside a roadway.

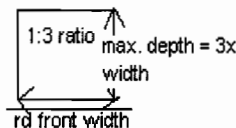
\*An “approved” private road meets current county standards for private roads. See Article 14 of the zoning ordinance or ask the Community Development Department if the road is “approved.”

- 2. **Most lots created must meet a width to depth RATIO REQUIREMENT!**

A width to depth ratio is the formula that sets the maximum lot depth based on its width. The “width” is the lot’s road frontage. For flag lots, the width is measured on the ‘flag’ portion of the lot. The “depth” is how far back the lot goes away from its front boundary. Call or visit the Community Development Department to learn the required RATIO for your land. The Ratios are determined using maps from the USDA Soil Survey of Eaton County. Areas with “Essential Cropland” soils are shown in the maps as Tua, MaB, HaB, OwB, CaA, Pr, Co, KbA, MdA, Sb, MeA, Pa, CbB, BrA, Ho BbA, or WnA.. They are 1:3 ratio areas. If the parcel does NOT appear with essential cropland soils, it is in a 1:4 ratio area.

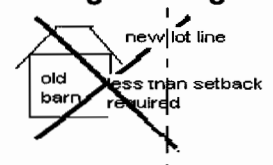
**All parcels less than 25 acres in a 1:3 ratio area must be no deeper than three times their width.**

**Any parcel that is less than 10 acres in a 1:4 ratio area must be no deeper than four times their width.**



- 3. **The minimum size lot possible is 36,300 square feet (0.83 Acres).** To calculate acreage, multiply the parcel width in feet by its depth in feet and divide that by 43,560 to give acreage.

- 4. **You cannot create non-conformities by putting new lot lines too close to existing buildings.** New lot lines must be set back from existing structures. A table of setbacks is included. You may not create new lot lines or put in private roads too close to existing buildings.



# DRAW A SITE PLAN FOR LAND DIVISIONS IN EATON COUNTY

1. Show the **WHOLE** parcel that will be divided. Label ALL roads.

John and Mary Owners  
 1234 S. Somewhere Hwy.  
 Ourtown, MI 56789  
 Tax # 160-018-400-003-00

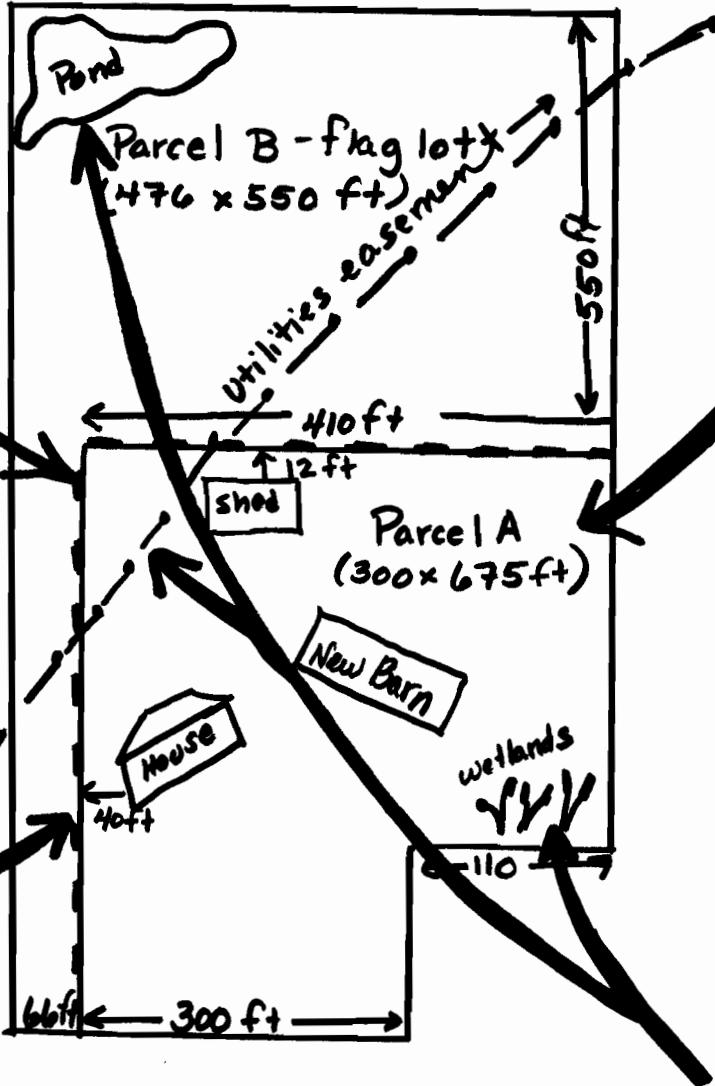
2. Label the page with Owner name, address, parcel/tax code number & date.

3. Show the proposed new lot lines and any proposed private roads. Give measurements (feet) of all.

4. Label all lots (Lot A, B, etc.) Write in the width (on a road) & depth of each parcel in feet.

5. Show ALL EXISTING Buildings and space (feet) from them to proposed new lot lines.

6. Show ANY water bodies or wetlands. Show ANY significant natural features. Show ALL easements.



**EATON COUNTY LAND DEVELOPMENT CODE SECTION 7.7  
SITE DEVELOPMENT STANDARDS FOR PRINCIPAL BUILDINGS AND STRUCTURES**

PROPOSED SITE DEVELOPMENT	LIMITED AGRICULTURAL AND RESOURCE CONSERVATION	RESIDENTIAL			COMMERCIAL	INDUSTRIAL
		R-1	R-2	R-3		
7.7.1 Minimum Lot Width in feet	110	(Max. 3 units/acre) 110 100 (a) 70(b)	(Max. 5 units/acre) 50 Single Family Dwellings 70 Duplex Dwellings 110, 100 (a), 70 (b)	(Max. 8 units/acre) 50 Single Family Dwellings 70 Duplex Dwellings 150 3-4 D/U 200 more than 4 D/U 110, 100 (a), 70 (b)	100 125(g)	200
7.7.2 Minimum Lot Area in Sq. Ft.	36,300	36,300 30,000 (a) 20,000 (a,h) 15,000 (a,b,h)	12,000 Single Family and Duplex Dwellings (a,b,h)	8,000 Single Family Dwellings (a,b,h) 12,000 Duplex Dwellings (a,b,h) 6,000/D/U more than 2 Units (a,b,h)	30,000 15,000(b)	43,560
7.7.3 Minimum Setback from Road R/W	67	50 40 (a) 35 (b)	40 40 (a) 35 (b)	40	50 75(g)	75
7.7.4 Minimum Rear Yard Depth in Feet (*and front for flag lots)	30	30	35	Min. horizontal distance between the nearest points of buildings 40 ft.	30	50
7.7.5 Minimum Side Yard Depth in Feet	20	20 15 (a) 10 (b)	20 15 (a) 10 (b)	Min. horizontal distance between the nearest points of buildings 40 ft.	25 (c)	30
7.7.6 Maximum Lot Coverage	20%	20% 25% (a) 25% (b)	25%	30%	50%	50%
7.7.7 Min. Floor Area in Sq. Ft.	720 (d) (ground floor)	720 (d) (ground floor)	720 (e) 600 (f)	600 (f)	None	none

• For development within a flag shaped lot, see Subsection 6.2.2 of the Eaton County Land Development Code (zoning ordinance)

- a. Platted
  - b. When attached to public sanitary sewer facilities
  - c. Total both sides
  - d. Including mobile homes
  - e. Per dwelling unit
  - f. Multiple family dwelling units
  - g. When fronting on a major street as defined in this Ordinance
  - h. When subdivided and served by a public water supply
- Accessory uses – See Subsection 6.2.10 of the Ordinance



**LAND DIVISION CONTACTS**

**Contact these local government representatives for information and approvals of Land Divisions in the unincorporated Townships under Eaton County Planning & Zoning Jurisdiction:**

**Bellevue:**

Dan Brunner - Assessor  
9401 Huntington Road  
Battle Creek, MI 49017  
(269) 964-9167

**Benton:**

Sandy Osborn – Assessor  
5136 Windsor  
Pottersville, MI 48876  
(517) 667-0212

**Brookfield:**

Patti Ostrowski – Assessor  
5790 S. Stine Rd.  
Olivet, MI 49076  
(269) 749-9108

**Carmel:**

Randy Jewell - Assessor  
128 Wedgewood Dr.  
Charlotte, MI 48813  
(517) 541-1555

**Chester:**

Randy Jewell - Assessor  
128 Wedgewood Dr.  
Charlotte, MI 48813  
(517) 541-1555

**Eaton:**

Jeff & Doug MacKenzie - Assessor  
3981 E. Clinton Trail  
Charlotte, MI 48813  
(517) 543-3308

**Eaton Rapids Twp:**

Wayne Griffith – Assessor  
Eaton Rapids Township Hall  
Eaton Rapids, MI 48827  
(517) 663-7407

**Hamlin:**

Sandy Osborn – Assessor  
6463 South Clinton Trail  
Eaton Rapids, MI 48827  
(517) 667-0212

**Kalamo:**

Brett Ramey – Supervisor  
216 Pease  
Vermontville, MI 49096  
(517) 726-0902

**Roxand:**

Wayne Griffith - Assessor  
11660 Bell Oak Road  
Webberville, MI 48892  
(517) 468-3419

**Sunfield:**

Richard Zemla  
P.O. Box 215  
Vermontville, MI 49096  
(989) 666-2159

**Vermontville:**

Richard Zemla – Assessor  
P.O. Box 215  
Vermontville, MI 49096  
(989) 666-2159

**Walton:**

Patti Ostrowski – Assessor  
5790 S. Stine Rd.  
Olivet, MI 49076  
(269) 749-9108