

# COLDSPRINGS TOWNSHIP ASSESSING DEPARTMENT

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

The purpose of this bulletin is to lend some clarity to the land division process for owners/applicants wishing to pursue land divisions and/or lot line adjustments and/or combinations. This material contains excerpts of applicable statutes and laws which govern the process. This material is not intended to serve as a comprehensive overview of statute and/or governing law nor is it intended to provide legal advice.

**The Land Division Act** (Act 288 of 1967) to be referred to herein as, “the Act”.

**PURPOSE:** To regulate the division of land; to promote the public health, safety and general welfare; to further the orderly layout and use of land; to require that land be suitable for building sites and public improvements.

**The Coldsprings Township Land Division Ordinance Amendment No. 7-97**, as amended, referred to herein as “CTLDO”

**PURPOSE:** The purpose of this ordinance is to carry out the provisions of the State Land Division Act (1967 PA 288, as amended, formerly known as the Subdivision Control Act), to prevent the creation of parcels of property which do not comply with applicable ordinances and said Act, to minimize potential boundary disputes, to maintain orderly development of the community, and otherwise provide for the health, safety and welfare of the residents and property owners of the municipality by establishing reasonable standards for prior review and approval of land divisions within the municipality.

**The Kalkaska County Zoning Ordinance**

**PURPOSE:** An Excerpt: To protect the public health, safety, morals and general welfare of the inhabitants of the Township...to protect and preserve high water quality; to provide for the orderly development of the Township; to encourage the use of lands and resources of the Township in accordance with their character and adaptability; to avoid overcrowding of population, to prevent over burdening of existing or available public services and utilities...to provide for the orderly growth...referred to herein as “KCZO”.

Applications for land divisions and/or combinations and/or lot line adjustments shall be processed in accordance with the Act, the CTLDO and the KCZO and shall be on a form prescribed by Coldsprings Township for that intended purpose.

### REQUIREMENTS

- ❑ Applicant shall demonstrate ownership of 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 Act”.
- ❑ Number of allowable divisions shall be determined under “the Act”, per 560.108
- ❑ Proof of Ownership (deed)/ **and** Names & Addresses of all parties of interest
- ❑ Zoning approval --from Kalkaska County Zoning Administrator: [hendricks@kalkaskacounty.org](mailto:hendricks@kalkaskacounty.org)
- ❑ Each resulting parcel shall have a conforming (4:1) depth to width ratio (Does not apply to the remainder parcel or a property transfer (lot line adjustment) between two parcels). 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
- ❑ **Each resulting parcel** shall have a conforming acreage & survey & accurate legal description
- ❑ Each resulting parcel is accessible (may require preliminary road permit, Hold Harmless Agreement, Road Maintenance Agreement)
- ❑ Each resulting parcel that is a development site has adequate easements for public utilities
- ❑ A certified survey depicting all parcel boundaries, dimensions, easements (utility and ingress/egress), man-made structures, setbacks, encroachments, and well and septic.
- ❑ Approval from Kalkaska County Road Commission and/or Michigan Department of Transportation that all resulting parcels are accessible and have adequate site distance
- ❑ Parcels less than one (1) acre shall have Kalkaska County Health Department approval for on-site suitability for well and septic drain-field.
- ❑ A brief statement as to the purpose of the proposed division/transfer
- ❑ Proof of taxes paid, per Public Act 23 of 2019 (Certification of Taxes Paid. Contact: Kalkaska County Treasurer c/o 605 N Birch St, Kalkaska, MI 49646 (231) 258-3310. Fee: \$ 5.00)
- ❑ Any other information deemed appropriate and/or necessary
- ❑ Deeds shall include both statements as required in section 109(3) and 109(4) of the Act
- ❑ Transfer of Division Rights
- ❑ Appropriate filing fee, payable to Coldsprings Township—and mailed to assessor

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Upon receipt of a complete application, the Township assessor 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 KCZO, 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 KCZO.

Any person or entity aggrieved by the decision of the assessor or designee may, within 30 days of said decision appeal the decision to the governing board of the municipality or such other board or person designated by the governing body which shall consider and resolve such appeal by a majority vote of said Board of by the designee at its next regular meeting or session affording sufficient time for a 20 day written notice to the applicant (and appellant where other than the applicant) of the time and date of said meeting and appellate hearing.

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 Kalkaska County Register of Deeds office.

**If you would like to make application for a land division/combination/lot line adjustment, please contact the Assessor to begin the process.**