

TOWNSHIP OF ARCADIA
LAND DIVISION ORDINANCE
ORDINANCE NO. 1005

An Ordinance to provide a procedure for the division of land located within the Township of Arcadia pursuant to the requirements of Public Act 591 of 1996, as amended, being the Michigan Land Division Act.

TOWNSHIP OF ARCADIA ORDAINS:

Section 1. COMPLIANCE. No land within the Township shall be divided without the prior review and written approval by the Township Assessor for compliance with this Ordinance and the Michigan Land Division Act. No parcels of land divided after March 31, 1997 shall be placed on the Township tax roll until compliance has been verified by the Assessor. No building or zoning permits shall be issued for parcels of land divided in violation of the Ordinance.

Section 2. LAND DIVISION REQUIREMENTS. An applicant for land division approval shall provide the Assessor with documented proof that the following requirements have been met before any land division can be approved:

- A. A fully completed Township application form.
- B. A tentative land division map (to scale) showing:
 - 1. Area of each resulting parcel.
 - 2. Proposed property lines of each resulting parcel.
 - 3. Public utility easements to each resulting parcel.
 - 4. Road accessibility for each resulting parcel.
 - 5. All existing buildings, structures, and drives.
- C. Compliance with a depth to width ratio of not more than 4 to 1 for each resulting parcel of ten (10) acres or less, except for one parcel retained by the proprietor.
- D. Compliance with the minimum lot width requirements of the Township Zoning Ordinance for each resulting parcel.
- E. Compliance with the minimum lot area requirements of the Township Zoning Ordinance for each resulting parcel.
- F. Road accessibility for each resulting parcel by:
 - 1. Public road frontage which meets Road Commission driveway location standards; or
 - 2. Frontage on a private road which complies with the Township Private Road Ordinance; or
 - 3. A private driveway easement at least sixty-six (66) feet in width which complies with the Township Private Drive Ordinance.

- G. A survey and legal description of each proposed parcel prepared by a registered surveyor or engineer.
- H. An accurate legal description (in the shortest possible form) of the remainder of the land from which the resulting parcels are being taken.
- I. The proposed land divisions shall not create more resulting parcels than the number allowed by the Michigan Land Division Act.
- J. Public utility easements must be in place from each proposed parcel to existing public utility facilities, if the land division is to be a "development site."

Section 3. DEVELOPMENT SITE. For purposes of this Ordinance, the term "development site" shall mean any parcel which is used or is intended to be used as a location for a dwelling or other building. The term "development site" shall not include vacant agricultural or forestry land which will not be used as a location for a dwelling or other non-agricultural building.

Section 4. APPROVAL PERIOD. The Township Assessor shall have a review period of forty-five (45) days after documents verifying compliance with each of the requirements listed in Section 2 have been submitted to the Assessor.

Section 5. FEES. The Township Board shall establish a fee for processing land division and parcel combination requests. The fee shall be paid before any division or combination is approved.

Section 6. VOIDABLE SALE. The purchaser of any parcel resulting from a land division which violates the Michigan Land Division Act shall have the right to void the sale. If a sale is voided, the Seller shall forfeit all money and other consideration received for the land and shall be liable for damages sustained.

Section 7. DEPTH TO WIDTH VARIANCE. The Township Board of Zoning Appeals shall have jurisdiction to consider variances from the depth to width ratio requirement contained in Section 2.C. of this Ordinance. In considering such variance requests, the Zoning Board of Appeals shall determine that one or more of the following standards justify the granting of a variance:

- A. Exceptional topographic or physical conditions exist which make the 4 to 1 ratio impractical.
- B. Prior legal land divisions have left insufficient width to comply with the 4 to 1 ratio. (Amended by Ordinance No. 1006 of 2000)

Section 8. REPEAL. The prior Land Division Ordinance, being Ordinance No. 1004 adopted on May 13th, 1997 is hereby repealed.

Section 9. EFFECTIVE DATE. This Ordinance shall take immediate effect upon its date of publication in a newspaper of general circulation.

The undersigned Clerk of the Township of Arcadia hereby certifies that the above Ordinance was adopted by the Arcadia Township Board on the 14th day of April, 1998 and was published in The County Press on the 22nd day of April, 1998.

TOWNSHIP OF ARCADIA

LAND DIVISION ORDINANCE AMENDMENT

ORDINANCE NO. 1006

An Ordinance to amend the Arcadia Township Land Division Ordinance to provide a procedure for appeals to the Township Board of Zoning Appeals.

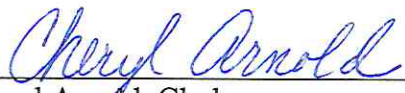
THE TOWNSHIP OF ARCADIA ORDAINS:

The following section of the Land Division Ordinance is hereby amended to provide as follows:

Section 7. Depth to Width Variance. The Township Board of Zoning Appeals shall have jurisdiction to consider variances from the depth to width ratio requirement contained in Section 2.C. of this Ordinance. In considering such variance requests, the Zoning Board of Appeals shall determine that one or more of the following standards justify the granting of a variance:

- A. Exceptional topographic or physical conditions exist which make the 4 to 1 ratio impractical.
- B. Prior legal land divisions have left insufficient width to comply with the 4 to 1 ratio.

The undersigned Clerk of the Township of Arcadia hereby certifies that the above ordinance amendment was adopted by the Arcadia Township Board on the 14th day of November, 2000. This ordinance amendment shall take effect on its date of publication.



Cheryl Arnold, Clerk
Township of Arcadia