

## LOCKE TOWNSHIP LAND DIVISION ORDINANCE INFORMATION

*The following is taken from the Locke Township Land Division Ordinance for the convenience of applicants and interested parties. For additional information, please refer to the Ordinance.*

### 1. Application procedure

An applicant shall file all of the following for review and approval of a proposed land division before making any division of land either by deed, land contract, lease for more than one year, or for building development:

A. A completed application on such form as may be approved by the Township Zoning Administrator.

B. Proof of fee ownership of the land proposed to be divided and, if the applicant is a person or entity other than the fee owner of the land proposed to be divided, a written instrument, which shall be an architectural, engineering or construction contract, power of attorney, or letter of authorization, signed by the owner and appointing the applicant as the agent of the owner.

C. An adequate and accurate legal description of each parcel resulting from the proposed division.

D. A tentative parcel map that meets the following requirements:

i. It shows the parent parcel and all parcels previously divided or subdivided from the parent parcel and the parcel(s) proposed to be subdivided.

ii. It is drawn to scale; and

iii. For all parcels shown, it shows the boundary lines, approximate dimensions, and the accessibility of each parcel for automobile traffic and public utilities.

E. Proof that all standards of the State Land Division Act and this Ordinance have been met, including but not limited to:

i. A complete and accurate title history of the parent parcel and all parcels or tracts created from the parent parcel, beginning with the last conveyance of the parent parcel made on or before March 31, 1997 and extending, without interruption, to the date of the application for land division permit;

ii. Sufficient, competent, written evidence to support a determination that the parent parcel or tract was lawfully in existence on March 31, 1997;

iii. Sufficient, competent, written evidence to support a determination that all divisions or subdivisions of the parent parcel or tract are or were in compliance with Sections 108 and 109 of the Land Division Act; and

iv. Copies of all relevant deeds, land contracts or other instruments of conveyance, and their liber and page numbers at the Office of the Ingham County Register of Deeds.

F. If a transfer of division rights is proposed in the land transfer, detailed information about the terms and availability of the proposed division rights transfer.

G. A fee to cover the costs of review of the application and administration of this Ordinance and the State Land Division Act, in the amount of fifty-five dollars (\$55.00) per parcel created. In the event that the actual cost to the township of processing the application exceeds this amount, the applicant shall pay the full amount of such actual costs prior to issuance of the permit. No permit shall be issued unless the application fee has been paid in full.

H. All applications shall contain the signature of the owner(s) of the land or his/her duly authorized agent, and a verification that all statements made in connection with the application

are true, accurate and complete to the best of the knowledge of the applicant and the owner(s). All representations by an agent shall be binding on the owner(s) and it is the duty of the owner to ensure that his/her agent is fully advised of all matters relevant to the application for the land division permit.

## 2. Supplementation of application information

The applicant for any land division permit and the owner of the property, if different than the applicant, shall have the continuing duty to notify the Township Zoning Administrator within ten days of obtaining information on any of the following subjects:

- a. Any change of ownership of the parcel proposed to be divided;
- b. any change of address for the owner or applicant;
- c. any information contained in the application that was incorrect or incomplete when made or that was correct when made but is no longer accurate and complete; or
- d. any information that was omitted from the application that is now known.

This duty to supplement application information shall continue until the parcel becomes a lot of record.

## 3. Standards for approval or disapproval of permit

The Township Zoning Administrator shall approve or disapprove a proposed division within 45 days after the filing of a complete application for the proposed division with him/her. An application is complete if it contains all of the information required above. The Township Zoning Administrator shall provide the applicant written notice whether the application is approved or disapproved and, if disapproved, all the reasons for disapproval. Any application for which written notice of approval is not given shall be considered disapproved for purposes of further review. A complete application for a proposed division shall be approved if all of the following requirements, in addition to those stated above, are met:

- a. Each resulting parcel has an adequate and accurate legal description and is included in a tentative parcel map showing area, parcel lines, public utility easements, accessibility, and other requirements of this section and sections 108 and 109 of the Land Division Act. The tentative parcel map shall be a scale drawing showing the approximate dimensions of the parcels.
- b. Each resulting parcel has a depth of not more than 4 times the width. The depth to width ratio requirements of this subdivision apply to all parcels, including parcels larger than 10 acres, except parcels that are the remainder of the parent parcel or parent tract retained by the proprietor.
- c. Each resulting parcel has a width not less than that required by the Locke Township Zoning Ordinance for the district in which the parcel is situated, measured according to method specified in the Locke Township Zoning Ordinance.
- d. Each resulting parcel has an area not less than that required by the Locke Township Zoning Ordinance for the district in which the parcel is situated, measured according to method specified in the Locke Township Zoning Ordinance.
- e. Each resulting parcel is accessible.
- f. The division meets all of the requirements of sections 108 and 109 of the Land Division Act.
- g. Each resulting parcel that is a development site has adequate easements for public utilities from the parcel to existing public utility facilities.

4. Effect of permits

Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations or that the parcel is suitable for on-site water supply or sewage disposal. A land division permit does not substitute for a land use (zoning) permit or a building permit. Neither Locke Township, nor its officers, contractors or employees shall be liable if a building permit is not issued for the parcel due to non-compliance with other ordinances or due to any inability to obtain approval for on-site water supply or sewage disposal. A notice of approval of a proposed division resulting in a parcel of less than 1 acre in size shall include a statement to this effect.

5. Expiration of permits

All land division permits shall expire and become null and void one year after the date of issuance unless a plat, deed or memorandum of land contract containing the new legal description has been recorded with the Ingham County Register of Deeds prior to the expiration date.

Dated: 10 September 1998

Amended January 13, 2003

Table 10-4  
Site Development Requirements for Principal Land Uses<sup>1</sup>

Zoning District	Minimum Lot Area	Minimum Lot Width and Frontage	Maximum Building Height	Minimum Floor Area Per Dwelling (sq. ft.)	Maximum Lot Coverage	Minimum Yard Setback		
						Front	Each Side	Rear
A-1	5 acres <sup>3</sup>	330 ft. <sup>2,4</sup>	35 ft., but not more than 2 1/2 stories <sup>5</sup>	1,000	See Footnote 6	M-52 100 ft. <sup>7</sup> Primary 75 ft. <sup>7</sup>	30 ft. <sup>8</sup>	60 ft. <sup>11</sup>
R-1	43,560 sq. ft.	150 ft. <sup>2</sup>	35 ft., but not more than 2 1/2 stories <sup>5</sup>	1,000	See Footnote 6	M-52 100 ft. <sup>7</sup> Primary 75 ft. <sup>7</sup>	20 ft. <sup>8</sup>	40 ft.
R-2	21,780 sq. ft.	85 ft. <sup>2</sup>	35 ft., but not more than 2 1/2 stories <sup>5</sup>	1,000	See Footnote 6	M-52 100 ft. <sup>7</sup> Primary 75 ft. <sup>7</sup>	10 ft. <sup>8</sup>	40 ft.
R-3	SFD: 21,780 sq. ft. w/o public sewer, otherwise 10,000 sq. ft. TFD: 40,000 sq. ft. w/o public sewer, otherwise 12,000 sq. ft.	85 ft. w/o public sewer, otherwise: SFD: 70 ft. <sup>2</sup> TFD: 80 ft. <sup>2</sup>	35 ft., but not more than 2 1/2 stories <sup>5</sup>	SFD: 800 TFD: 750	See Footnote 6	M-52 100 ft. <sup>7</sup> Primary 75 ft. <sup>7</sup>	10 ft. <sup>8</sup>	30 ft.
R-MF	See Section 10.07(A)							
R-MHC	See Section 10.07(B)							
B-1	43,560 sq. ft.	100 ft. <sup>2</sup>	30 ft., but not more than two stories. <sup>5</sup>	NA	50%	M-52 100 ft. <sup>7</sup> Primary 75 ft. <sup>7</sup>	10 ft. <sup>8,9</sup>	40 ft. <sup>9</sup>
I-1	2 acres <sup>10</sup>	200 ft. <sup>2,10</sup>	40 ft., but not more than three stories. <sup>5</sup>	NA	50%	M-52 100 ft. <sup>7</sup> Primary 75 ft. <sup>7</sup>	40 ft. <sup>8,10</sup>	40 ft. <sup>9,10</sup>

SFD = single family dwelling; TFD = two family dwelling; sq. ft. = square feet; ft. = feet

See Following Page for Footnotes