

NOTICE OF LAND DIVISION APPLICATION FEES

PURSUANT TO THE 2010 FEE, BOND AND INSURANCE SCHEDULE, ADOPTED BY THE BATTLE CREEK CITY COMMISSION ON NOVEMBER 11, 2010, THE FEE FOR A LAND DIVISION APPLICATION IS AS FOLLOWS:

Application for Division(s) with all divisions fronting on a public road:

- First Split and Remaining Parent Parcel \$100.00
- Each Additional Split from Parent Parcel \$25.00

Application for Division(s) where one or more divisions do not front on a public road:

- First Split and Remaining Parent Parcel \$150.00
- Each Additional Split from Parent Parcel \$ 50.00

THE FEES ARE DUE WHEN APPLICATION IS SUBMITTED. PLEASE MAKE CHECKS PAYABLE TO: City of Battle Creek

MINIMUM REQUIREMENTS OF PARCELS ACCORDING TO SECTIONS 108 AND 109 OF PUBLIC ACT 87 OF 1997 (I.E., THE LAND DIVISION ACT OF 1996, AS AMENDED)

- A division of land is a parcel of land created after March 31, 1997 that contains less than 40 acres [Section 102(d)].
- Section 108 of the Land Division Act allows 4 divisions for the first ten acres or fraction thereof contained in the parent parcel or tract [Section 108(1)(a)], and one additional division for each whole ten acres in excess of the first ten acres [Section 108(1)(b)]. In most cases, a parent parcel or tract is allowed no more than eleven divisions no matter how large the parent parcel or tract is [Section 108(1)(b)].
- A land division application showing the proposed split must be completed and submitted to the Assessor's Office for review. The application should include a parcel map drawn to scale showing the proposed parcels, including existing and proposed easements. The map should be annotated with dimensions and acreages [Section 109(1)(a)].
- Each parcel resulting from a division may have a depth of no greater than 4 times its width [Section 109(1)(b)]. The exception to this rule would be a case where the parcel exceeding the 1:4 Rule contains over 10 acres of land or is the remainder of a parent parcel or tract retained by the proprietor.
- All parcels must meet minimum frontage and area requirements set by the local zoning ordinance [Section 109(1)(c) & (d)]. Contact the City's Planning Department at 269-966-3320 to determine the minimum requirements for your proposal.
- All parcels must have access for ingress, egress and public utilities if they do not front on a public road [Section 109(1)(e) & (g)]. The City's zoning ordinance requires that driveway access be no less than 66 feet in width.



CITY OF BATTLE CREEK, MICHIGAN

OFFICE OF THE CITY ASSESSOR

LAND DIVISION APPLICATION

*The City of Battle Creek recommends that a division of land (i.e., a parcel of land less than 40 acres in size, which is not located fully within a recorded subdivision) be approved **BEFORE** that division is created through sale or transfer.*

PROPERTY OWNER'S NAME

STREET ADDRESS

CITY, STATE, ZIP CODE

PHONE

1. **APPLICANT** (if different than the property owner)

NAME _____ PHONE _____

BUSINESS NAME _____

STREET ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

2. **PARENT PARCEL OR TRACT**

(Two or more commonly owned contiguous tax parcels are considered a single parent tract)

a) The parcel or tract is located on _____.
(STREET NAME)

b) Nearest to the following crossroad: _____.
(STREET NAME)

c) Attach legal description of parent parcel/tract.

d) List parent parcel/tract number(s) _____.

3. **DIVISIONS**

a) Number of Divisions _____. (This number should include the remainder of the parent parcel/tract if it is under 40 acres in size)

b) Attach legal description of each new parcel.

c) Intended use _____. (residential, commercial, industrial, etc.)

d) Type of access the parcels will have: (check one)

PUBLIC ROAD

PRIVATE EASEMENT FOR INGRESS & EGRESS (attach legal description)

e) Easements for public utilities (only if one or more parcels do not front on public road): (check one)

EACH PARCEL WILL FRONT ON A PUBLIC ROAD

AN EASEMENT WILL BE PROVIDED FOR UTILITIES (attach legal description)

4. RIGHTS TO MAKE FURTHER DIVISIONS

"Effective March 31, 1997, the Land Division Act provided each parent parcel a limited number of divisions. You may transfer one or more these rights to a parcel created from the parent parcel.

a) What is total number of right(s) you intend to transfer to the owner(s) of the new parcel(s)? _____

b) How many rights do you to intend to retain? _____

5. PARCEL MAP (You must provide a survey sketch or parcel map drawn to scale.)
THE SURVEY SKETCH OR MAP MUST SHOW THE FOLLOWING:

(1) BOUNDARY OF PARENT PARCEL/TRACT AS ESTABLISHED MARCH 31, 1997.

(2) DIVISIONS CREATED SUBSEQUENT TO MARCH 31, 1997.

(3) THE PROPOSED DIVISIONS.

(4) DIMENSIONS AND LAND SIZE (I.E., ACREAGE) OF ALL PARCELS.

(5) EXISTING AND PROPOSED ACCESS EASEMENT(S).

(6) EXISTING AND PROPOSED PUBLIC UTILITY EASEMENT(S).

6. AFFIDAVIT

I agree that the statements made above are true, and if found not to be true, this application and any approval will be void. I agree to comply with the conditions and regulations provided with this division of the parent parcel. Further, I agree to give permission for officials of the City of Battle Creek, County of Calhoun, and State of Michigan to enter the property where the parcel division is proposed for purposes of inspection and to verify that the information on the application is correct at a time mutually agreed with the applicant. Finally, I understand this is only a parcel division, which conveys only certain rights of the State Land Division Act, P. A. 288 of 1967, as amended by P. A. 591 of 1996 and P. A. of 1997.

Even if this division is approved, State laws change from time to time, and if changed, the divisions made here must comply with the latest requirements unless deeds, land contracts, leases or surveys representing the approved divisions are recorded with the Register of Deeds Office for Calhoun County, Michigan, or the division is built upon before the changes to the law is made.

Applicant's Signature _____ Date _____

IN COMPLIANCE WITH SECTION 109(1) OF THE LAND DIVISION ACT, THE CITY WILL APPROVE OR DISAPPROVE THIS APPLICATION WITHIN 45 DAYS OF ITS SUBMITTAL TO THE ASSESSOR'S OFFICE.

ASSESSOR'S OFFICE USE ONLY BELOW THE SHADED AREA.

MINIMUM WIDTH AND AREA REQUIREMENTS OF THE PROPOSED PARCELS.

PARCEL IS ZONED _____

MINIMUM FRONTAGE _____ MINIMUM AREA _____

VERIFIED BY _____ DATE _____
(PLANNING DEPT. EMPLOYEE'S SIGNATURE)

This proposal has been reviewed for its compliance with the Land Division Act (i.e., P. A. 591 of 1996, as amended by P. A. 97 of 1997, and has been . . ."

APPROVED

DISAPPROVED

. . . by the undersigned. FEE \$ _____

Comments _____

SIGNATURE _____ DATE _____
(SIGNATURE OF EMPLOYEE OF THE ASSESSOR'S OFFICE)

THIS REVIEW IS FOR PURPOSES OF THE LAND DIVISION ACT ONLY. YOU MUST CONSULT WITH THE CITY'S PLANNING DEPARTMENT (PH. 966-3320) IN ORDER TO DETERMINE YOUR PROPOSAL'S CONFORMITY TO THE LOCAL ZONING ORDINANCE.