

**OTSEGO LAKE TOWNSHIP
OTSEGO COUNTY, MICHIGAN**

**TOWNSHIP ORDINANCE NO. 97-1
OTSEGO LAKE TOWNSHIP LAND DIVISION ORDINANCE**

To: The residents and property owners of the Township of Otsego Lake, Otsego County, Michigan and any other interested persons.

PLEASE TAKE NOTICE that a regular meeting held on October 30, 1997, the Township Board adopted Ordinance 97-1. The summary of the ordinance appears below.

SECTION 1. TITLE. This Ordinance shall be known and cited as the "OTSEGO LAKE TOWNSHIP LAND DIVISION ORDINANCE."

SECTION 2. 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.

SECTION 3. DEFINITIONS. This Section defines terms and phrases used in the Ordinance.

SECTION 4. PRIOR APPROVAL REQUIREMENT FOR LAND DIVISIONS. Sets out the requirements for prior review and approval of all land divisions by the assessor or other designated official.

SECTION 5. APPLICATION FOR LAND DIVISION APPROVAL. Sets out the documents required to be filed along with the application for land division approval.

SECTION 6. PROCEDURE FOR REVIEW OF APPLICATIONS FOR LAND DIVISION APPROVAL. Sets out the procedure to be followed by the clerk or other designated official when an application for land division approval has been filed, and states that the divisions must be approved or disapproved within 45 days after receipt of such application.

SECTION 7. STANDARDS FOR APPROVAL OF LAND DIVISIONS. States that a proposed land divisions shall be approved if all criteria in this section are met, i.e. minimum parcel, land and area requirements; complies with the requirements of the State Land Division Act and this Ordinance; all parcels have existing adequate accessibility; the depth to width ratio of any parcel does not exceed four to one; complies with minimum width and area standards set forth in this Ordinance; and complies with accessibility standards set forth in this Ordinance.

SECTION 8. ALLOWANCE FOR APPROVAL OF OTHER LAND DIVISIONS. States that notwithstanding disqualification from approval pursuant to this Ordinance, a proposed land division which does not fully comply with the applicable lot, yard accessibility and area requirement of the applicable zoning ordinance of this Ordinance may be approved in certain circumstances, i.e. if the applicant executes and records an affidavit or deed restriction with the County Register of Deeds, in a form acceptable to the municipality, designating the parcel as "not buildable." Zoning Board of Appeals has granted a variance previous to this ordinance. Where the proposed land division involves only a minor adjustment of common boundary lines or involves a conveyance between adjoining properties which does not result in either parcel violating the Ordinance, any applicable zoning ordinance, or the State Land Division Act.

SECTION 9. CONSEQUENCES OF NONCOMPLIANCE WITH LAND DIVISION APPROVAL REQUIREMENTS. States that any parcel created without compliance with the Ordinance shall not be issued building permits, zoning approvals such as special land use approval or site plan approval, and shall not be recognized as a separate parcel on the assessment roll of the Township.

SECTION 10. PENALTIES AND ENFORCEMENT. Penalties for noncompliance with the Ordinance are a fine of not more than \$500 or imprisonment in the county jail for not to exceed 90 days, or both.

SECTION 11. SEVERABILITY. Provides that if any portion of this Ordinance is declared invalid such invalidity shall not affect any other portion of this Ordinance.

SECTION 12. REPEAL. Repeals all ordinances or parts of ordinances in conflict herewith.

SECTION 13. EFFECTIVE DATE. This Ordinance shall take effect 30 days following its publication after adoption.

PLEASE TAKE FURTHER NOTICE that the full text of this Ordinance will be available for inspection and may be purchased at the office of the Township Clerk during regular business hours of regular business days from the date of this publication.

Otsego Lake Township
Lorraine Markovich, Clerk
10584 Old 27 South
Waters, MI 49797
517-732-6929