



# LAND DIVISION APPROVAL PROCESS

## EATON COUNTY, MICHIGAN

### FOLLOW THESE STEPS TO CREATE NEW LAND PARCELS IN AREAS UNDER THE JURISDICTION OF THE EATON COUNTY ZONING ORDINANCE

A Land Division is the splitting or dividing of an existing parcel of land to create more than one parcel. If a lot is created after March 1997 in areas under County zoning, you must show proof that it was created through this Land Division Process in order to get Building Permits. This is a coordinated, step-by-step guide to the basic requirements for a land division. A variety of county agencies participate in the process. The parcel owner(s) is responsible for completing all the steps and complying with all applicable requirements of each department or agency. Additional regulations may apply to specific sites. We strongly recommend that the steps be completed in the order provided.

**Building permits will not be granted for parcels created without this process.** All steps (including recording the deeds) must be completed within six months from the date of Step 2 approval, except those with private roads.

#### STEP 1 COMPLETE THE FOLLOWING INFORMATION:

**Parcel Number of Property to be divided:**        -        -        -        -

Applicant (Property Owner) name: \_\_\_\_\_

Other Contact \_\_\_\_\_

Current mailing address: \_\_\_\_\_

City, state, zip \_\_\_\_\_

Daytime phone: \_\_\_\_\_ email address: \_\_\_\_\_

**Is or has the property been in P.A. 116?**    YES \_\_\_\_\_ NO \_\_\_\_\_ (if yes, the property owner should contact the State of Michigan)

**AFFIDAVIT and permission for county and state officials to enter the property for inspections:**  
 I agree that the statements made above are true and complete and if found not to be true, this application and related approvals will be void. I agree to comply with the conditions and requirements of this division approval process. I understand this is only a land division to create parcels and approval conveys only certain rights under the applicable County ordinances and the State Land Division Act. This application does not represent nor does it convey rights under any other statute, building code, zoning ordinance, deed restrictions or other property rights. The property owner(s) understands this process must be completed within 6 months of the date on Step 2. I additionally understand even if parts of this division process are approved, all divisions must comply with the applicable laws and ordinances at the time the approval process is completed. I recognize ordinances and laws change from time to time, and if changed prior to completion of this division approval, the divisions proposed here must comply with the new requirements. Finally, I give permission for local, county, and State of Michigan officials to enter this property at a mutually agreeable time to inspect and verify the application information.

**Property Owner(s) Signature** \_\_\_\_\_ **Date** \_\_\_\_\_  
 (Required prior to acceptance)

#### STEP 2 DIVISIONS OR SPLITS AVAILABILITY (Preliminary):

Call your township official (Supervisor or Assessor) to find out how many parcels may be created. The list of officials is included in this packet. The township official calculates the number of splits available using the State of Michigan Land Division Act, as amended, and keeps all records of property divisions. Parcels created must also conform to county requirements for size and shape, so an applicant may not be able to use all of the divisions available to the property. Write down the information below.

Township Official spoke to \_\_\_\_\_ # of resulting parcels available \_\_\_\_\_ Date spoke to official \_\_\_\_\_

### STEP 3 ZONING COMPLIANCE

Submit a Site Plan of the proposed divisions along with this form to the Eaton County Community Development for review and zoning approval. The proposed land division will be reviewed for compliance with the zoning ordinance. Each parcel created must meet requirements for road frontage, width to depth ratio, and setbacks. Community Development Department phone number (517) 543-3689.

**The site plan must show all of the following information:**

- (1) The entire parent parcel with dimensions of all existing property lines
- (2) The proposed new property lines, their dimensions and locations
- (3) Acreage of the proposed parcels
- (4) All existing roads and proposed private roads
- (5) Any existing structures on the property (buildings, wells, septic system, driveways, etc.), their dimensions, and their distance to any proposed property lines.
- (6) Any easements for public utilities to/from each parcel, for ingress/egress, conservation, etc.
- (7) Any site characteristics including any bodies of water, wetlands, abandoned wells, slopes, etc.

**Office Use: Community Development Reviewer will complete:**

- A. All parcels comply with minimum parcel size: YES NO
- B. All parcels comply with minimum road frontage: YES NO
- C. Zoning district for proposed divisions (effective today): \_\_\_\_\_
- D. All parcels comply with lot coverage restrictions: YES NO Not applicable
- E. Existing structures comply with setbacks: YES NO
- F. Each parcel complies with width to depth ratio: YES NO (see attached site plan for calculations)
- G. Complies with private road requirements of Eaton County Land Development Code: YES NO Not applicable
- H. Complies with other applicable provisions of the Eaton County Land Development Code: YES NO
- I. Obtained a variance from requirements from the Eaton County Board of Appeals?  
Case # BA- - . (findings attached): YES NO Not applicable

Received by \_\_\_\_\_ Date submitted \_\_\_\_\_ Preliminary Approval \_\_\_\_\_ Date approved \_\_\_\_\_

**Note: If the site plan changes during steps 4, 5 or 6, review and approval of the revised plan is required**

### STEP 4 DRIVEWAY PERMITS: COUNTY RD COMMISSION/ MI DEPT TRANSPORTATION

If the parcels created will enter a county road, contact the Eaton County Road Commission at (517) 543-1630 or toll free 1-877-88EATON to make sure a driveway may be established. If the property is on a state highway (M-99, M-43, M-50, M-100, etc.), contact the Michigan Department of Transportation at (517) 749-8733 to make sure a driveway may be established. Driveway locations may affect proposed lot lines. You may apply for the actual driveway permit at this time, but please be advised that the permits are only good for one (1) year.

If the land division includes a private road for access to the new parcels, an Eaton County Private Road Application must be submitted to the Community Development Department for review and approval prior to proceeding.\*

***If driveway locations cause lot line changes, return to Step 3 above and submit a revised site plan for review and approval***

**\*MUST COMPLETE CONSTRUCTION OF PRIVATE ROAD BEFORE PROCEEDING**

### STEP 5 BARRY-EATON DISTRICT HEALTH DEPARTMENT

Contact the Barry Eaton District Health Department, Environmental Health Division at (517) 541-2615 for a site evaluation. The evaluation will determine possible locations for water and sanitary (drainfields) on the site. **This step is REQUIRED for parcels less than one (1) acre.**

***If location of percs, drainfields, etc. cause lot line changes, return to step 3 and submit a revised site plan for review and approval***

### STEP 6 DRAIN COMMISSION REQUIREMENTS

If there is a county drain OR a body of water larger than one acre within 500 ft. of any proposed property boundary contact the County Drain Commission office. After approval by the Drain Commissioner, easements for any drains may need to be recorded with the Eaton County Register of Deeds

**STEP 7 CERTIFICATION OF PAID PROPERTY TAXES:**

**Eaton County Treasurer review.** All property taxes and/or special assessments due on the property proposed for division (for the 5 years preceding the date of this application) must be paid. Certification of payment must be obtained from the Eaton County Treasurer. Eaton County Treasurer phone number 517-543-4262.

***Eaton County Treasurer: I certify, pursuant to the Land Division Act 288 of 1967, MCL 560.109(1) (i) the preceding 5 years of taxes on this date have been paid for parcel tax code # - - - -***

\_\_\_\_\_  
Eaton County Treasurer Certification

\_\_\_\_\_  
Date of Certification

**STEP 8 CERTIFIED BOUNDARY SURVEY**

If any parcels less than 40 acres are created, contact a licensed land surveyor to complete a certified boundary survey of all of those parcels. Licensed surveyors are listed in your local phone book. Surveys should include any easements in the property descriptions. **The Certified Boundary Survey must be recorded at the Eaton County Register of Deeds.** The recorded survey must match the site plan approved in STEP 3.

**STEP 9 FINAL REVIEWS**

**A. Submit to the Township Official for final approval (see step 2):** The MI Land Division Act requires local (township) approval of each parcel created. Provide the Township Official with this land division paperwork, approved site plan, and the certified boundary survey.

***Township Official: "I confirm this application and attached site plans and approvals are complete and agree with Township records for parcel tax code # - - - - and the number of lots created under 40 acres (divisions used) in the amount of \_\_\_\_\_ complies with the requirements."***

\_\_\_\_\_  
Received by

\_\_\_\_\_  
Date submitted

\_\_\_\_\_  
Township Official approval

\_\_\_\_\_  
date

**B. Submit to the Community Development Dept. for Final Approval:** Provide a recorded copy of the survey with the site plan approved in STEP 3, and these forms for FINAL REVIEW. **THE RECORDED SURVEY MUST MATCH THE SITE PLAN APPROVED IN STEP 3.**

\_\_\_\_\_  
Approval

\_\_\_\_\_  
Date approved

Liber \_\_\_\_\_

Page(s) \_\_\_\_\_

**C. Submit to the Eaton County Property Description Department for Payment:** Provide this land division paperwork, approved site plan, and the certified boundary survey to the Property Descriptions Dept. with payment.

\_\_\_\_\_  
Approval

\_\_\_\_\_  
Date Payment Received

\$ \_\_\_\_\_  
Payment amount

**STEP 10 RECORDING DEEDS & NEW PARCEL IDENTIFICATION/ TAX ID NUMBERS**

Deeds for each new parcel must be recorded in the Eaton County Register of Deeds office created. Register of Deeds phone number is (517) 543-4203.

Deeds for any new parcels recorded prior to December 31<sup>st</sup> of the current year will be issued a new parcel number for the following year. Parcel numbers will not be assigned to any new parcels without a recorded deed.

**CONGRATULATIONS!**

The Land Division Process to create these parcels is finished if all of the steps above 1 thru 10 have been completed & signed. Please keep these important papers and provide copies to any new property owners. This Application expires 6 months from completing Step 1, unless there is a private road. Failure to record deeds within 6 months may invalidate all approvals. **Proof of the completed land division process will be required to obtain building permits. You may apply for construction permits when this process is completed (including all steps 1 through 10).**

# EATON COUNTY LAND DIVISION PROCESS

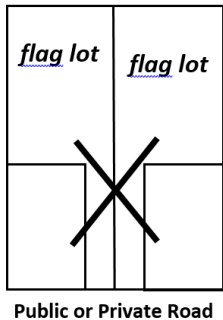
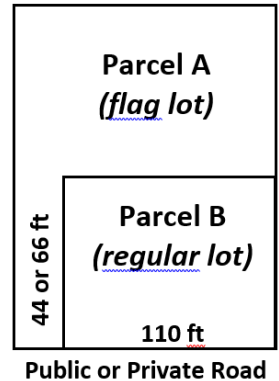
A summary of some regulations from the Eaton County Land Development Code 6/2022

## ALL LOTS CREATED MUST MEET THESE REQUIREMENTS!

- **1. EVERY parcel must OWN its road frontage. Frontage can be on a Public Road OR an Approved\*\* Private Road.** Only one principle dwelling per a parcel is allowed. EACH LOT MUST HAVE ITS OWN DRIVEWAY to a public or private road. Shared driveways are NOT allowed.

For regular lots, the minimum road frontage is 110 feet.

Flag lots may also be created. This is a lot that owns a narrow strip of land down to the road (like the pole of a flag). A flag-shaped lot smaller than 4 acres must have a minimum 44 ft of road frontage. Flag-shaped lots 4 acres or larger must have a minimum of 66 ft. of road frontage. The maximum road frontage for a flag lot must be less than 110' feet.

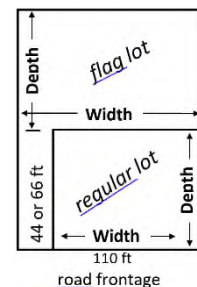
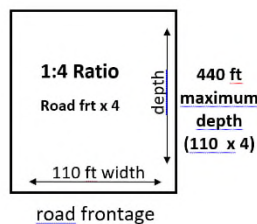
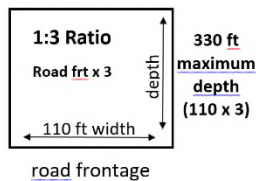


If you create a flag lot, the “pole” area may not adjoin or abut another access or right of way. In other words, you cannot create two flag lots right next to each other nor can you put a flag lot alongside a roadway.

\*\*An “approved” private road meets current county standards for private roads. See Article 14 of the zoning ordinance or ask the Community Development Department if the road is “approved.”

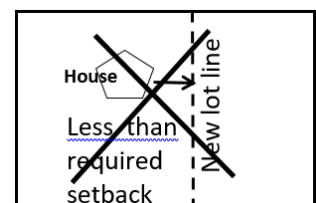
- **2. Created lots must meet a width to depth RATIO REQUIREMENT!**

A width to depth ratio is the formula that sets the maximum lot depth based on its width. The “width” is the lot’s road frontage. For flag lots, the width is measured on the ‘flag’ portion of the lot. The “depth” is how far back the lot goes away from its front boundary. Call or visit the Community Development Department to learn the required RATIO for your land. Some exceptions apply.



- **3. The minimum size lot possible is 36,300 square feet (0.83 Acres).** To calculate acreage, multiply the parcel width in feet by its depth in feet and divide that by 43,560 to give acreage.

- **4. You cannot create non-conformities by putting new lot lines too close to existing buildings.** New lot lines must be set back from existing structures. A table of setbacks is included. You may not create new lot lines or put in private roads too close to existing buildings.



# DRAW A SITE PLAN FOR LAND DIVISIONS IN EATON COUNTY

Label the page with Owner name, address, parcel/tax code number.

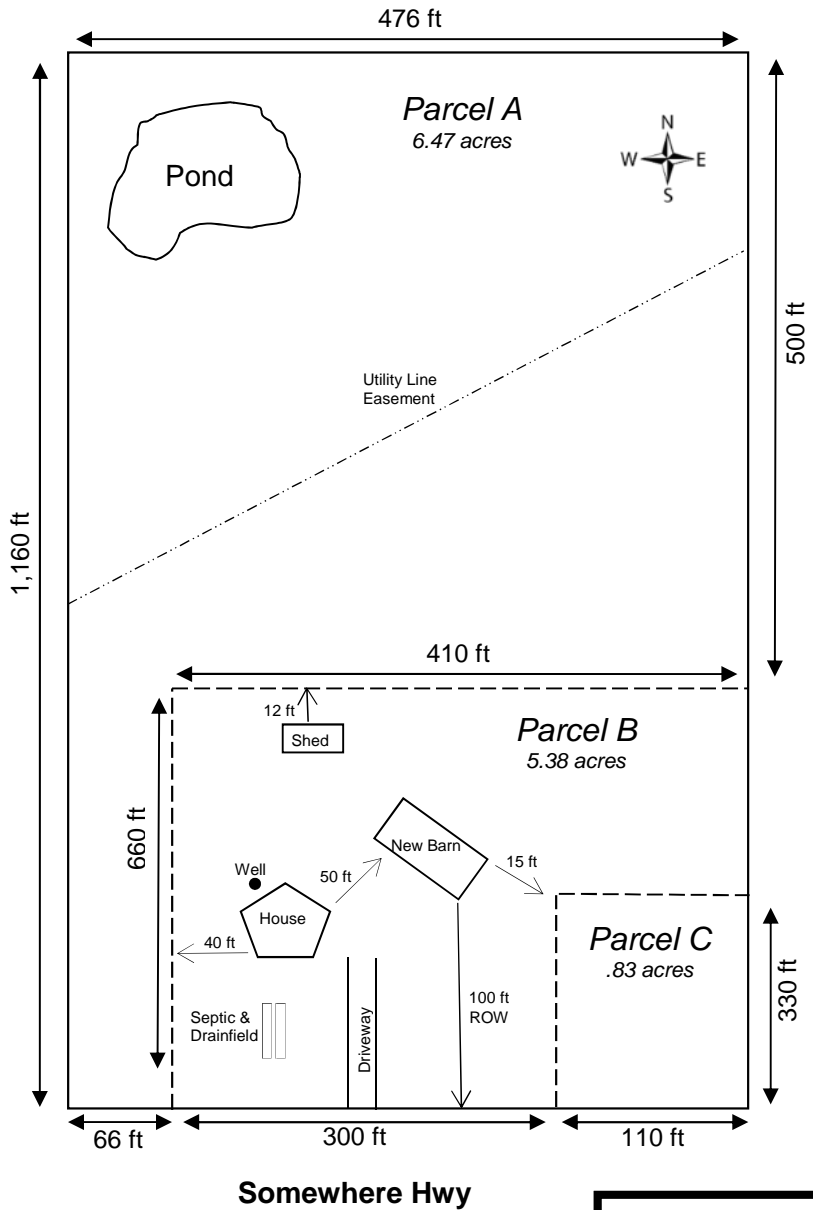
John and Mary Owners  
 1234 S. Somewhere Hwy.  
 Ourtown, MI 56789  
 Tax # 160-018-400-003-00

1. Show the **WHOLE** parcel that will be divided with dimensions of all existing property lines. Label **ALL** roads public and private.

2. Show the proposed new lot lines and any proposed private roads. Give measurements (feet) of all and size/acreage of all new parcels.

3. Label all lots (A, B, etc.) Write in the width (on a road) & depth of each parcel in feet. Label the north property line.

4. Show **ALL** EXISTING structures with distances (in feet) between them & proposed new lot lines. Identify location of well and septic if present.



5. Show **ANY** water bodies or wetlands. Show **ANY** significant natural features. Show **ALL** easements.

## LAND DIVISION CONTACTS

**Contact these local government representatives for information and approvals of Land Divisions in the unincorporated Townships under Eaton County Planning & Zoning Jurisdiction:**

Bellevue:

Dan Brunner - Assessor  
9401 Huntington Road  
Battle Creek, MI 49017  
(269) 964-9167

Hamlin:

Sandy Osborn – Assessor  
6463 South Clinton Trail  
Eaton Rapids, MI 48827  
(517) 667-0212  
[sandykosborn@gmail.com](mailto:sandykosborn@gmail.com)

Brookfield:

Patti Ostrowski – Assessor  
5790 S. Stine Rd.  
Olivet, MI 49076  
(269) 749-9108

Kalamo:

Brett Ramey – Supervisor  
216 S. Pease Road  
Vermontville, MI 49096  
(517) 331-2113

Carmel:

Dan Brunner - Assessor  
661 Beech Hwy  
Charlotte, MI 48813  
(888) 805-6182 x 3  
[assessor@carmeltownship.org](mailto:assessor@carmeltownship.org)

Roxand:

Diane Dowler – Assessor  
11236 Reid Road  
Swartz Creek, MI 48473  
(810) 635-9596

Chester:

Randy Jewell – Assessor  
4785 Mulliken Road  
Charlotte, MI 48813  
(517) 541-1555  
[randy@taxassessing.com](mailto:randy@taxassessing.com)

Sunfield:

Richard Zemla – Assessor  
6500 Henderson  
Elsie, MI 48831  
(517) 652-9386 OR (989) 666-2159

Eaton:

Jeff & Doug MacKenzie - Assessor  
3981 E. Clinton Trail  
Charlotte, MI 48813  
(517) 543-3308  
[assessor@eatontownship.com](mailto:assessor@eatontownship.com)

Vermontville:

Richard Zemla – Assessor  
6500 Henderson  
Elsie, MI 48831  
(517) 726-0355 OR (989) 666-2159

Eaton Rapids Twp:

Diane Dowler – Assessor  
11236 Reid Road  
Swartz Creek, MI 48473  
(810) 635-9596

Walton:

Patti Ostrowski – Assessor  
5790 S. Stine Rd.  
Olivet, MI 49076  
(269) 749-9108