



LAND DIVISION PROCEDURES

The City of Romulus Assessor's Office shall approve or disapprove in writing a proposed division within 45 days after filing of a complete application for the proposed division.

The parent parcel and each resulting parcel must have an adequate and accurate legal description and shall be included in a survey showing the dimensions of each resulting parcel, area, parcel/boundary lines, public utility easements (see attached documentation from DTE Energy dated October 16, 2009), accessibility, and other requirements of Section 108 and 109 of the Land Division Act (PA 288 of 1967 as amended by PA 591 of 1996).

Per Section 54-9c of the City of Romulus Code of Ordinances, "No lot shall be split until all taxes and special assessments have been paid. A receipt of payment must be submitted with the proposed lot split plan." All current and prior year property taxes must be paid on or before December 31st of the year that the application was submitted.

All resulting parcels shall have a depth to width ratio of not more than four (4) to one (1) and comply with the minimum width and area requirements of the City of Romulus Zoning Ordinance. The Board of Zoning Appeals may grant a variance to the four (4) to one (1) ratio requirements under the same conditions that it is allowed to grant variances under the terms of the Zoning Ordinance.

Each resulting parcel shall be accessible by driveways that comply with local ordinance and roadways that comply with applicable state or local standards. Please refer to Section 12.06 – Street Frontage and Access (or Section 14.06 for any commercial driveway) of the City of Romulus Zoning Ordinance.

If a resulting parcel is a development site the application must include the water supply approval and sewer service approval required by the LDA and local ordinance, and proof of establishment of adequate easements for utilities. A "development site" means any parcel or lot on which exists or which is intended for building development. Exceptions to this definition exist – see LDA (MCL 560.102) for exceptions.

It shall be the responsibility of the applicant to demonstrate through the application and required supporting documents compliance with the LDA and local ordinance.

Approval of a division is not a determination that the resulting parcels comply with other ordinances, codes or regulations.

If an address for construction is needed, an address application form must be completed. An address application can be obtained from the City of Romulus Assessor's Office.

Land divisions (splits) and combinations do not become effective until the following assessment year. Any current or future pro-rations must be done at closing.

All applications for land divisions shall be accompanied by a nonrefundable fee as adopted by Romulus City Council on June 27, 2016 (Resolution Number 16-295).

Residential \$200 per resulting parcel
Non-Residential \$225 per resulting parcel

Important Numbers

City Planner (734) 955-4530

Building Department (734) 942-7550

Department of Public Works (734) 942-7579

**CITY OF ROMULUS
LAND DIVISION APPLICATION**

Approval of a division of land is required before it is sold, when the new parcel is less than 40 acres and not just a property line adjustment (§102 e & f). This form is designed to comply with applicable local zoning, land division ordinances and § 109 of the Michigan Land Division Act (formerly the Subdivision Control Act, P.A. 288 of 1967, as amended by P.A. 591 of 1996 MCL 560.101.)

1. LOCATION of parent parcel to split:

Address: _____

Parent Parcel Number: _____

2. PROPERTY OWNER information:

Name: _____

Address: _____

Phone: _____ Fax: _____

3. APPLICANT information (if not property owner):

Contact Person's Name: _____

Business Name: _____

Phone: _____ Fax: _____

4. LAST DATE OF SALE OF PROPERTY: _____

5. PROPOSAL:

A. Number of new parcels created: _____

B. Intended use (residential, commercial, etc.): _____

C. The division of the parcel provides access to an existing public road by: (check one)

_____ Each new division has frontage on a public road.

_____ A new public road

_____ A new private road or easement

_____ A recorded easement (driveway) (*Cannot service more than one potential site.)

6a. **FUTURE DIVISIONS** that may be allowed but not included in this application?: _____

b. The number of future divisions being transferred from the parent parcel to another parcel?: _____

identify the other parcel: _____

(SEE SECTION 109 (2) OF THE STATUTE. MAKE SURE YOUR DEED INCLUDES BOTH STATEMENTS AS REQUIRED IN SECTION 109(3) AND 109(4) OF THE STATUTE)

7. DEVELOPMENT SITE LIMITATIONS check each that represents a condition on any parent parcel:

_____ is riparian or littoral (it is a river or lake front parcel)

_____ includes a wetland

_____ includes slopes more than twenty-five percent (a 1:4 pitch or 14° angle) or steeper.

_____ is on muck soils or soils known to have severe limitations for on site sewage systems.

_____ is known or suspected to have an abandoned well, underground storage tank or contaminated soils.

8. ATTACHMENTS (all attachments **MUST** be included)

_____ A survey, sealed by a professional surveyor of proposed division(s) of parent parcel

The survey must include/show:

- (1) Current boundaries (as of March 31, 1997), and
- (2) all previous divisions made after March 31, 1997 (indicate when made or none), and
- (3) the proposed division(s), and
- (4) dimensions of the proposed divisions, and
- (5) existing/proposed road easement right-of ways, and
- (6) complete legal descriptions for items above 1 through 5, and
- (7) easements for public utilities from each parcel to existing public utility facilities, and
- (8) any existing improvements (buildings, wells, septic systems, driveways, etc.)
- (9) any of the features checked in question 7.

_____ Indication of approval, or permit from County Road Commission, MDOT, or City of Romulus Department of Public Works, for each proposed road, easement or shared driveway.

_____ A copy of any transferred division rights (§ 109 (4) of the Act) in the parent parcel.

9. IMPROVEMENTS Describe any existing improvements (buildings, wells, septic, etc.) which are on the parent parcel, or indicate none:

10. **AFFIDAVIT** and permission for Municipal, County, and State officials to enter property for inspections.

I agree the statements made above are true, and if found not to be true this application and any approval will be void. Further, I agree to comply with conditions and regulations provided with this parent parcel division. Further, I agree to give permission for officials of the Municipality, County, and the State of Michigan to enter the property where this parcel division is proposed for purposes of inspection to verify that the information is correct at a time mutually agreed with the applicant. Finally, I understand this is only a parcel division, which conveys only certain rights under the applicable local land division ordinance, the local zoning ordinance, and the State Land Division Act (formerly the Subdivision Control Act, P.A. 288 of 1967, as amended (particularly by P.A. 591 of 1996), MCL 560.101 et. seq.). And does not include any representation or conveyance of rights in any other statute, building codes, zoning ordinance, deed restrictions or other property rights.

Finally, even if this division is approved, I understand Zoning, Local Ordinances, and State Acts change from time to time, and if changed the divisions made here must comply with the new requirements (approval for division approval again) unless deeds, land contracts, leases, or surveys representing the approved divisions are recorded with the new Wayne County Register of Deeds or the division is built upon before the changes to laws are made.

ALL PROPERTY OWNERS INVOLVED IN THIS SPLIT MUST SIGN THIS APPLICATION

SIGNATURE _____ Date: _____

SIGNATURE _____ Date: _____

SIGNATURE _____ Date: _____

SIGNATURE _____ Date: _____

DO NOT WRITE BELOW THIS LINE

Assessor's Office:

_____ ALL TAXES PAID THROUGH DATE OF APPLICATION (receipts attached)

_____ APPROVED: Conditions if any: _____

_____ DENIED: Reasons (cite §): _____

_____ INITIALS OF REVIEWER

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COMMENTS: _____

Planning Department:

_____ APPROVED:

_____ DENIED: Reasons (cite §): _____

_____ INITIALS OF REVIEWER

COMMENTS: _____

Zoning for children parcels (attach additional sheets if necessary):

Parcel A: _____ Parcel B: _____ Parcel C: _____ Parcel D: _____

Department of Public Works: (AS NECESSARY)

_____ APPROVED

_____ DENIED: Reasons: _____

COMMENTS: _____

Detroit Edison



Dear Customer:

The land split application on the reverse side needs to be filled out and returned to Detroit Edison at the address provided on the application.

Please note the Required Information (A-C) at the bottom of the application.

If Detroit Edison does not receive the warranty deed, a copy of the survey and the new legal descriptions as shown on your survey, Detroit Edison will be unable to process your application.

If you have any questions please contact DTE Energy SW Planning and Design
(734) 397-4321.

Thank You,

DTE Energy



LAND SPLIT Application

Please complete and return your application to Detroit Edison, at the Regional Center address listed below.

(For DTE Energy to fill in)

Work Order _____

Date Received _____

Return Address: DTE Energy SW Planning and Design, 8001 Haggerty Road, Belleville, MI 48111

Contact Name & Number: Susan M. Campian - 734-397-4083

E-mail address: campians@dteenergy.com

Property Owner Name: _____

Current Address: _____ Phone Number _____

Name of person to be contacted in case of questions _____

Daytime Phone Number: _____ E-mail address: _____

Property/Tax I.D. # _____

City/Township/Village: _____

If assigned by municipality:

Address No.: _____ Street Name: _____

Nearest intersection: _____

Subdivision name: _____

NOTE: The legal owner of the property must sign this application, unless the party acting instead of the legal owner has power of attorney or legal guardianship. Please provide proof of such.

For this Application to be processed, the information listed below must be provided:

- a) **Proof of Ownership (Warranty Deed or Land Contract with owner's deed - Title Insurance Policy acceptable not Title Commitment Policy)**
- b) **Certified Survey of Parent Parcel showing splits**
- c) **Certified Survey with written description of the proposed splits**

NOTE: PLEASE ALLOW 4-6 WEEKS FOR PROCESSING.

Applicant's Signature: _____ **Date:** _____

**NOTICE TO ASSESSOR OF TRANSFER OF
THE RIGHT TO MAKE A DIVISION OF LAND**

Issued under authority of Land Division Act (P.A. 288 of 1967 as amended by P.A. 87 of 1997). Filing is mandatory.

This form must be filed by an owner of a parent parcel or parent tract of land when the owner creates a parcel from the parent parcel or parent tract and transfers the right to make a further division to the owner of the created parcel. This form must be filed within 45 days of the transfer of the right to make a division. This form must be filed with the assessor of the city or township where the property is located.

1. Street Address of Parent Parcel or Parent Tract		2. County Wayne	4. Date of Transfer of Right to Make a Division
3. City/Township/Village Where Real Estate is Located Romulus		<input checked="" type="checkbox"/> City <input type="checkbox"/> Township <input type="checkbox"/> Village	PIN , this number ranges from 10 to 25 digits. It usually includes hyphens and sometimes includes letters. It is on the property tax bill and on the assessment notice.
5. Property Identification Number (PIN) of Parent Parcel or Parent Tract. If you don't have a PIN, attach legal description.			
6. Name of Owner of Parent Parcel or Parent Tract		Address of Owner of Parent Parcel or Parent Tract	
7. Property Identification Number (PIN) of Created Parcel if PIN has already been assigned.			
8. Name of Owner of Created Parcel		Address of Owner of Created Parcel	

THE FOLLOWING QUESTIONS MUST BE ANSWERED.

1. Did the parent parcel or parent tract have any unallocated divisions under the Land Division Act, P.A. 288 of 1967, MCL 560.101 to 560.293? Check appropriate box below:

YES

NO

If the YES box was checked, go to question 2. If the NO box was checked, go to question 3.

2. How many unallocated divisions did the parent parcel or parent tract have prior to this transfer?

Enter number here _____.

3. Were there any unallocated divisions transferred to the newly created parcel?

YES

NO

If the YES box was checked, go to question 4. If the NO box was checked, go to the signature area of the form.

4. How many unallocated divisions were transferred to the newly created parcel? Enter number here _____.

CERTIFICATION

I certify that the information above is true and complete to the best of my knowledge.

Signature of Owner of Parent Parcel or Parent Tract	Date	If signer is other than the owner, print name and title

INSTRUCTIONS

This form must be filed by an owner of a parent parcel or parent tract of land when the owner creates a parcel from the parent parcel or parent tract and transfers the right to make a further division(s) to the owner of the created parcel.

Example: The owner of a parent parcel 10 acres in size is selling off a created parcel 2 1/2 acres in size. In this example the 10 acre parent parcel qualifies under the Land Division Act to make four (4) divisions before platting is required. Therefore, two (2) more divisions may be made before platting is required.



The owner of the parent parcel who sold the 2 1/2 acre parcel can keep the authority to make two (2) additional divisions or may convey the authority to make one or both of the additional divisions to the owner of the created parcel.

If the owner of the parent parcel conveys the authority to make one or both additional divisions to the owner of the 2 1/2 acre created parcel, this form (I-4260a) must be filed with the local assessor within 45 days of that action.

This form must also be filed when the owner of a parent parcel or parent tract conveys the parent parcel or parent tract, and also transfers the right to make further divisions to the new owner of the parent parcel or parent tract.

For more information about the Land Division Act, you may contact the Subdivision Control Section of the Department of Consumer and Industry Services at (517) 334-7750.

Excerpt from P.A. 87 of 1997

Sec. 109(2) The right to make divisions exempt from the platting requirements of the act under section 108 and this section can be transferred, but only from a parent parcel or parent tract to a parcel created from that parent parcel or parent tract. A proprietor transferring the right to make a division pursuant to this subsection shall within 45 days give written notice of the transfer to the assessor of the city or township where the property is located on the form prescribed by the state tax commission under section 27a of the general property tax act, P.A. 206 of 1893, MCL, 211.27a. The state tax commission shall revise the form to include substantially the following questions in the mandatory information portion of the form:

(a) "Did the parent parcel or parent tract have any unallocated divisions under the land division act, P.A. 288 of 1967, MCL 560.101 to 560.293? If so, how many?"

(b) "Were any unallocated divisions transferred to the newly created parcel? If so, how many?"

ARTICLE VI. - LAND DIVISION

Sec. 54-180. - Parcel or tract splits.

Before a parcel or tract of land within the city limits is split into two or more parcels with one of the resulting parcels being less than 40 acres or the equivalent in size, if the land is not platted in accordance with the Michigan Land Division Act (LDA) (MCL 560.101 et seq.), application shall be made to the city assessor for a determination that the split complies with the requirements of sections 108 and 109 of the LDA (MCL 560.108 and 560.109) and this article.

(Code 1999, § 33-100; Ord. of 3-2-1998, § 1)

Sec. 54-181. - Application.

Application shall be made on a form provided by the assessor's office, who shall approve or disapprove, in writing all applications within 45 days of receipt of all the required information as set forth in section 54-182. It shall be the responsibility of the applicant to demonstrate through the application and required supporting documents compliance with the LDA (MCL 560.101 et seq.) and this article.

(Code 1999, § 33-101; Ord. of 3-2-1998, § 1)

Sec. 54-182. - Supporting documents.

All applications of land split shall include four copies of the following:

- (1) An adequate and accurate legal description as determined by the assessor describing the parent parcel and each resulting parcel that will exist after the split.
- (2) A survey of the resulting parcels which establishes the dimensions of each resulting parcel, and depth and width requirements.
- (3) Whether the resulting parcels are a development site.
- (4) If a resulting parcel is a development site the application must include the water supply approval, and sewer service approval required by the LDA (MCL 560.101 et seq.) and this article, and proof of establishment of adequate easements for utilities.
- (5) A tentative parcel map drawn to scale showing the area and the boundary lines of each resulting parcel, how the parcels are accessible by driveways that comply with local ordinance and roadways that comply with applicable state or local standards.

(Code 1999, § 33-102; Ord. of 3-2-1998, § 1)

Sec. 54-183. - Resulting parcels.

All resulting parcels shall have a depth to width ratio of not more than four to one and comply with the minimum width and area requirements of appendix A, zoning. The zoning board of appeals may grant a variance to the four to one ratio requirement under the same conditions that it is allowed to grant variances under the term of the zoning ordinance.

(Code 1999, § 33-103; Ord. of 3-2-1998, § 1)

Sec. 54-184. - Non-waiver.

Nothing contained in this article shall be construed as a waiver of any of the requirements of any other provisions of the Code.

(Code 1999, § 33-104; Ord. of 3-2-1998, § 1)

Sec. 54-185. - Fee.

All applications for land splits shall be accompanied by payment of a fee as may be established by council by resolution from time to time.

(Code 1999, § 33-105; Ord. of 3-2-1998, § 1; Ord. No. 2014-005, § 1, 7-28-2014)

LAND DIVISION ACT (EXCERPT)
Act 288 of 1967

560.108 Parent parcel or parent tract; number of parcels resulting from division; limitations; requirements.

Sec. 108. (1) A division is not subject to the platting requirements of this act.

(2) Subject to subsection (3), the division, together with any previous divisions of the same parent parcel or parent tract, shall result in a number of parcels not more than the sum of the following, as applicable:

(a) For the first 10 acres or fraction thereof in the parent parcel or parent tract, 4 parcels.

(b) For each whole 10 acres in excess of the first 10 acres in the parent parcel or parent tract, 1 additional parcel, for up to a maximum of 11 additional parcels.

(c) For each whole 40 acres in excess of the first 120 acres in the parent parcel or parent tract, 1 additional parcel.

(3) For a parent parcel or parent tract of not less than 20 acres, the division may result in a total of 2 parcels in addition to those permitted by subsection (2) if 1 or both of the following apply:

(a) Because of the establishment of 1 or more new roads, no new driveway accesses to an existing public road for any of the resulting parcels under subsection (2) or this subsection are created or required.

(b) One of the resulting parcels under subsection (2) and this subsection comprises not less than 60% of the area of the parent parcel or parent tract.

(4) A parcel of 40 acres or more created by the division of a parent parcel or parent tract shall not be counted toward the number of parcels permitted under subsections (2) and (3) and is not subject to section 109, if the parcel is accessible.

(5) A parcel or tract created by an exempt split or a division is not a new parent parcel or parent tract and may be further partitioned or split without being subject to the platting requirements of this act if all of the following requirements are met:

(a) Not less than 10 years have elapsed since the parcel or tract was recorded.

(b) The partitioning or splitting results in not more than the following number of parcels, whichever is less:

(i) Two parcels for the first 10 acres or fraction thereof in the parcel or tract plus 1 additional parcel for each whole 10 acres in excess of the first 10 acres in the parcel or tract.

(ii) Seven parcels or 10 parcels if one of the resulting parcels under this subsection comprises not less than 60% of the area of the parcel or tract being partitioned or split.

(c) The partitioning or splitting satisfies the requirements of section 109.

(6) A parcel or tract created under the provisions of subsection (5) may not be further partitioned or split without being subject to the platting requirements of this act, except in accordance with the provisions of subsection (5).

History: Add. 1996, Act 591, Eff. Mar. 31, 1997.

Popular name: Plat Act

Popular name: Subdivision Control

LAND DIVISION ACT (EXCERPT)
Act 288 of 1967

560.109 Approval or disapproval of proposed division; requirements; exemption from platting requirements; notice of transfer; form; sale of unplatted land; statement contained in deed; ordinance; approval not determination of compliance.

Sec. 109. (1) A municipality shall approve or disapprove a proposed division within 45 days after the filing of a complete application for the proposed division with the assessor or other municipally designated official. However, a municipality with a population of 2,500 or less may enter into an agreement with a county to transfer to the county authority to approve or disapprove a division. An application is complete if it contains information necessary to ascertain whether the requirements of section 108 and this section are met. The assessor or other municipally designated official, or the county official, having authority to approve or disapprove a proposed division, shall provide the person who filed the application written notice whether the application is approved or disapproved and, if disapproved, all the reasons for disapproval. A complete application for a proposed division shall be approved if, in addition to the requirements of section 108, all of the following requirements 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 section 108. 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 or, if an ordinance referred to in subsection (5) requires a smaller depth to width ratio, a depth to width ratio as required by the ordinance. The municipality or county having authority to review proposed divisions may allow a greater depth to width ratio than that otherwise required by this subdivision or an ordinance referred to in subsection (5). The greater depth to width ratio shall be based on standards set forth in the ordinance referred to in subsection (5). The standards may include, but are not required to include and need not be limited to, exceptional topographic or physical conditions with respect to the parcel and compatibility with surrounding lands. The depth to width ratio requirements of this subdivision do not apply to a parcel larger than 10 acres, unless an ordinance referred to in subsection (5) provides otherwise, and do not apply to 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 an ordinance referred to in subsection (5).

(d) Each resulting parcel has an area not less than that required by an ordinance referred to in subsection (5).

(e) Each resulting parcel is accessible.

(f) The division meets all of the requirements of section 108.

(g) Each resulting parcel that is a development site has adequate easements for public utilities from the parcel to existing public utility facilities.

(h) The division does not isolate a cemetery so that it does not meet the requirements of either section 102(j)(i) or (ii).

(2) The right to make divisions exempt from the platting requirements of this act under section 108 and this section can be transferred, but only from a parent parcel or parent tract to a parcel created from that parent parcel or parent tract. A proprietor transferring the right to make a division pursuant to this subsection shall within 45 days give written notice of the transfer to the assessor of the city or township where the property is located on a form prescribed by the state tax commission. The form shall include substantially the following questions in the mandatory information portion of the form:

(a) "Did the parent parcel or parent tract have any unallocated divisions under the land division act, 1967 PA 288, MCL 560.101 to 560.293? If so, how many?"

(b) "Were any unallocated divisions transferred to the newly created parcel? If so, how many?"

(3) A person shall not sell a parcel of unplatted land unless the deed contains a statement as to whether the right to make further divisions exempt from the platting requirements of this act under this section and section 108 is proposed to be conveyed. The statement shall be in substantially the following form: "The grantor grants to the grantee the right to make [insert number] division(s) under section 108 of the land division act, Act No. 288 of the Public Acts of 1967." In the absence of a statement conforming to the requirements of this subsection, the right to make divisions under section 108(2), (3), and (4) stays with the remainder of the parent tract or parent parcel retained by the grantor.

(4) All deeds for parcels of unplatted land within the state of Michigan after the effective date of this act shall contain the following statement: "This property may be located within the vicinity of farm land or a farm

operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan right to farm act."

(5) The governing body of a municipality or the county board of commissioners of a county having authority to approve or disapprove a division may adopt an ordinance setting forth the standards authorized in subsection (1)(b), (c), and (d). The ordinance may establish a fee for reviews under this section and section 108. The fee shall not exceed the reasonable costs of providing the services for which the fee is charged.

(6) Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations.

History: Add. 1996, Act 591, Eff. Mar. 31, 1997;—Am. 1997, Act 87, Imd. Eff. July 28, 1997;—Am. 2012, Act 525, Imd. Eff. Dec. 28, 2012.

Popular name: Plat Act

Popular name: Subdivision Control