

**TOWNSHIP OF FLYNN
COUNTY OF SANILAC
STATE OF MICHIGAN**

LAND DIVISION ORDINANCE #2025-1

Adopted: July 15, 2025

Effective: July 15, 2025

An ordinance to regulate the partitioning or division of parcels or tracts of land, enacted pursuant to Michigan Public Act 288 of 1967, **as amended by Act 591 effective March 31, 1997**, being the Township General Ordinance statute; to provide procedure therefore; to repeal any ordinance or provision thereof in conflict herewith; and to prescribe penalties and endorsement remedies for the violation of this ordinance.

THE TOWNSHIP OF FLYNN ORDAINS:

Section 1. COMPLIANCE. No land within the township shall be divided without prior review and written approval by the township assessor for compliance with this ordinance and the Michigan Land Division Act. No parcels of land divided after March 31, 1997 shall be placed on the township tax roll until compliance has been verified by the township assessor. No building or zoning land use permits shall be issued for parcels of land divided in violation of this ordinance.

Section 2. LAND DIVISION REQUIREMENTS. An applicant for land division approval shall provide the township assessor with documented proof that the following requirements have been met before any land division can be approved:

- A. A fully completed township application form.
- B. A to scale tentative land division map (unless submitting for **tentative approval** of a land division a certified survey per subsection G below) showing:
 - 1. Area of each resulting parcel
 - 2. Proposed property lines of each resulting parcel.
 - 3. Public utility easements to each resulting parcel.
 - 4. Road accessibility for each resulting parcel.
 - 5. All existing buildings, structures, and drives.
- C. Compliance with a depth to width ratio of not more than 4 to 1 for each resulting parcel, except for on parcel retained by the proprietor.
- D. Compliance with the minimum parcel width requirements of the township zoning ordinance for each resulting parcel.
- E. Compliance with the minimum parcel area requirements of the township zoning ordinance for each land division.
- F. Road accessibility for each resulting parcel by:
 - 1. Public road frontage which meets Sanilac County Road Commission driveway location standards; or
 - 2. Frontage on a private road which complies with Township Ordinances; or
 - 3. A private driveway easement (if allowed by Township Ordinances) at least sixty-six (66) feet in width which complies with Township Ordinances.
- G. A **certified survey** and legal descriptions for each proposed parcel including the parent parcel, prepared by a registered surveyor or engineer. The survey drawings shall include items 1-5 in subsection B above.
- H. The proposed land divisions shall not create more divisions than the number allowed by the Michigan Land Division Act, Public Act 591, of 1996, as amended.

- I. Public Utility easements must be in place from each proposed parcel to existing public utility facilities, if the land division is to be a "development site" as described in Section 3, however, not to be superseded by the Michigan Land Division Act, Public Act 591, of 1996, as amended.
- J. Certification from the Sanilac County Treasurer that all taxes have been paid for the preceding five years, pursuant to the Land Division Act 228 of 1967, MCL 560.109(1)(i).

Section 3: DEVELOPMENT SITE. For purposes of this ordinance, the term "development site": shall mean any parcel which is used or is intended to be used as a location for a dwelling or other building. The term "development site" shall not include vacant agricultural or forestry land which will not be used as a location for a dwelling or other non-agricultural building.

Section 4: APPROVAL PERIOD. The township assessor shall have a review period of forty-five (45) days after documents verifying compliance with each of the requirements listed in Section 2 have been submitted to the assessor. No property division proposal presented to the township assessor after January 1 will appear on the township tax roll until the subsequent tax year.

Section 5: FEES. The Township Board shall establish a fee for processing land divisions and parcel combination requests. The fee shall be paid before any division or combination is approved.

Section 6: VOIDABLE SALE. The purchaser of any parcel resulting from a land division which violates the Michigan Land Division Act shall have the right to void the sale. If a sale is voided, the Seller shall forfeit all money and other consideration received for the land and shall be liable for any damages sustained.

Section 7: REPEAL. The former Flynn Township Land Division Ordinance # 0 _____, adopted _____, is hereby repealed.

Section 8: EFFECTIVE DATE. This Ordinance shall take immediate effect upon its date of publication in a newspaper of general circulation.

The undersigned clerk of the Township of Flynn hereby certifies that the above Ordinance was adopted by the Flynn Township Board on the ____ day of _____, and was published in _____ on the ____ day of _____.

Updated by:

Connie Lipka
Flynn Township Assessor
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