

**MARION TOWNSHIP
ZONING BOARD OF APPEALS**

Monday, October 2, 2017
7:30 p.m.

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIENCE

APPROVAL OF AGENDA *October 2, 2017*

INTRODUCTION OF MEMBERS

CALL TO PUBLIC

APPROVAL OF MINUTES FOR: *September 11, 2017 Regular Meeting*

OLD BUSINESS:

No Old Business

NEW BUSINESS:

- 1) ZBA Case # 07-17 – Brian T. Volante, 523 Cloverview Ln., Howell MI 48843, Tax ID# 4710-35-200-022*

CALL TO PUBLIC:

ADJOURNMENT:

APPLICATION TO ZONING BOARD OF APPEALS

ZBA Case # 7-17
Tax Code 4710-35-200-022
Current Zoning RR
Fee Paid _____
Date Received _____
Received by _____

Applicant BRIAN T. VOLANTE
Address 523 CLOVERVIEW LANE HOWELL, MI 48843
Telephone (586) 907-9429
(Home) (Work)

Applicant is (check one): Owner Purchaser Representative

Purchaser or Representative needs a letter of permission from owner

Nature of Request (check applicable one)

- Administrative Review (per Section 5.05 A)
- Interpretation of Ordinance (per Section 5.05 B 1, 2, 3 or 4)
- Variance Request (see below)

1. Zoning Ordinance Section 6.19 B LOTS TO HAVE ACCESS
2. Letter stating reason request should be granted (per Section 5.05 C)
3. Requirement per Section 4.03 D
4. Required Livingston County Health Department evaluation

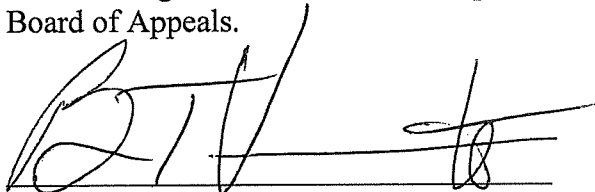
Office Use Only	
Meeting Date <u>10/2/17</u>	Action Taken _____
Conditions (if applicable) _____ _____	
Signed _____	

WILLIAM R. MOORE
Attorney at Law
5524 Arapaho Pass
Pinekney, Michigan 48169
Tel. 810.623.0370 Fax 810.355.1333
williammoore231@gmail.com

September 5, 2017

To whom it may concern,

I Brian Volante do hereby authorize my Attorney William R. Moore to act on my behalf in all dealings with Marion Township, including but not limited to the Marion Township Zoning Board of Appeals.



Brian Volante

WILLIAM R. MOORE
Attorney at Law
5524 Arapaho Pass
Pinckney, Michigan 48169
Tel. 810.623.0370 Fax 810.355.1333
williammoore231@gmail.com

September 5, 2017

Marion Township ZBA

Re: Volante Property
Pleasant Lake Road

Dear Sirs:

Here is a brief chain of events as to the request to split the property:

In late March, 2016 the owner's agent Robert Thick approached the Assessor Charles Decator and the Assessor Annette McNamara about the ability to split the Parcel. At that meeting both officials stated that the property could be split.

Based upon their representations the Petitioner purchased the property for a value based on two building sites in April of 2016.

The petitioner then filed for to split the land and was denied.

The Petitioner was told he needed to file on the whole parcel or no land use permits would be issued.

The Petitioner filed on one parcel after receiving assurances from the Assessor that he could file for the split later and it would get approved.

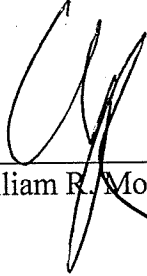
Petitioner attempted to file for the land split in January of 2017 and the office refused to take his application.

Petitioner then had to retain counsel who did get the application filed in April of 2017.

That Application was then denied in June of 2017 based upon zoning ordinance 6.19b.

There are several things to note here, Pleasant Lake road is an easement only not a private road. If the purpose of the road is to provide safe access to lot owners and access for emergency vehicles, then why was the road good enough for the township to allow Timber Bluffs site condominium access to the road for emergency purposes for over 25 lots, yet it is not sufficient for one home.

The township is essentially taking away the property rights of private land owners and giving them to others while denying land owners along the road the same rights. This constitutes a taking under both the Michigan and United States Constitutions. The proposed use is residential which complies with township zoning. The issuance of the land split and land use permit is the only remedy to the petitioner. The relief requested is due solely to the actions of the township, and the lack of alternatives make the relief unique to the property.



William R. Moore P31906

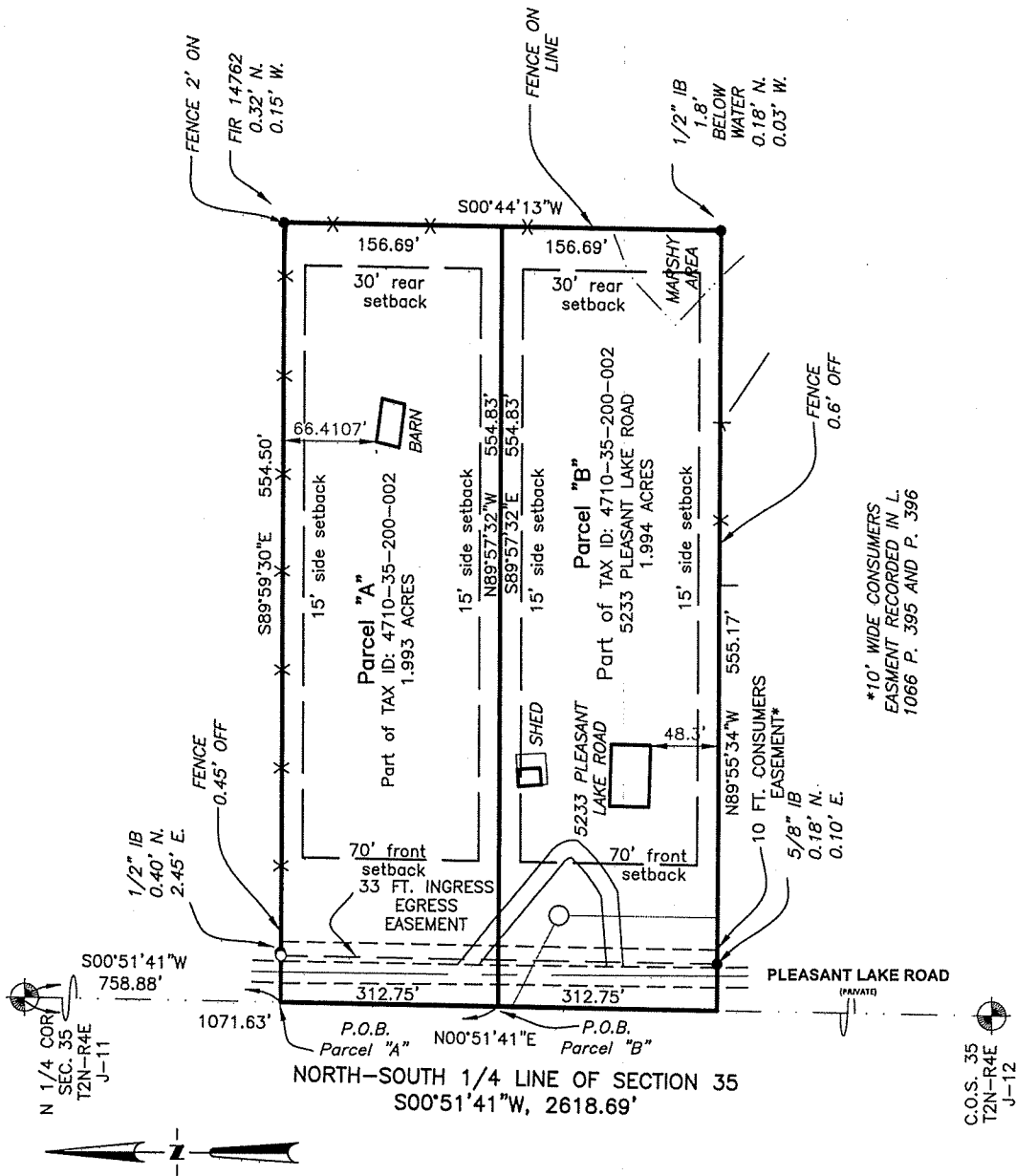
MARION PARCELS



Rural - 2 Acres
5233 PLEASANT LK. RD
HUNTELL MI. 49843

CERTIFICATE OF SURVEY

(5233 Pleasant Lake Road, proposed division)



I HEREBY CERTIFY that I have surveyed and mapped the land above platted and/or described on 4/04/16, and that all of the requirements of P.A. 132, 1970, as amended, have been complied with, and that the ratio of closure on the unadjusted field observations of such survey was no greater than 1 in 10,000.

REGISTERED LAND SURVEYOR No. 53492

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ENGINEERS · SURVEYORS · CONSULTANTS · LANDSCAPE
ARCHITECTS · LAND PLANNERS



638 SOUTH GRAND AVE.
FOWLERVILLE,
MICHIGAN 48836
(OFFICE) 517-223-3512
(FAX) 517-223-9987

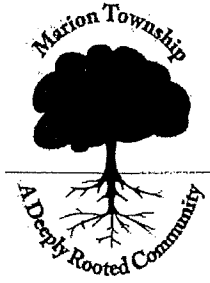
CLIENT:

Volante

NE 1/4 Sec. 35, T2N R4E

- (M) - Measured Dist. (R) - Recorded Dist.
- MON - Found Concrete Monument
- FIR/P - Found Iron Rod/Pipe
- SIR - Set Iron Rod
- MAG - Set Magnetic Nail
- P.O.B./E. - Point of Beginning/Ending
- - Soil Evaluation Dig
- * * * - Fence

DATE: 4/06/16 DR. BY: MEB CHK: AP
SCALE: 1" = 100' SHEET: 1 of 2 FILE : 16033_BND JOB No. 16033



MARION TOWNSHIP
www.mariontownship.com

COPY

May 10, 2016

Brian Volante
553 Cloverview Lane
Howell, MI 48843
Tax ID# 4710-35-200-022

Re: Land Division # 16-08

Mr. Volante,

Upon review of the proposed land division it is determined there are two options.

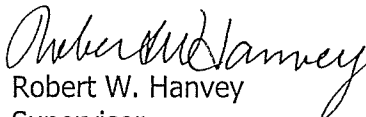
First option would be to withdraw the land division request and submit a land use permit application to build one single family dwelling on the current parcel. If the land division application is withdrawn, your fee will be returned.

Second option would be to complete the land division. This would create two non-conforming lots on a pre-existing non-conforming private road with no Private Road Maintenance Agreement. Marion Township would not issue a land use permit for a single family home on either of the newly created lots.

Enclosed with this letter is Section 6.19 Access Controls, see section B, lots to have access, Private Road Ordinance No. 07-03 and an email from Marion Township's Attorney, Michael Kehoe.

Let me know if there is anything else you need.

Thank you,


Robert W. Hanvey
Supervisor
Marion Township

Copy: file
Robert C. Thick (hand delivered)
enclosures

2877 W. Coon Lake Rd.
Howell, MI 48843

Phone (517) 546-1588
Fax (517) 546-6622

Section 6.19

Access Controls

A. **Curb Cuts and Driveways:** Curb cuts and driveways shall be located only upon the approval of the Livingston County Road Commission and appropriate state authorities as required by law; provided, however, such approval shall not be given where such curb cuts and driveways shall cause an unreasonable increase in traffic hazards, including but not limited to allowing adequate sight distance for ingress and egress.

1. All plans for buildings to be erected, altered, moved or reconstructed, and use of premises within the Township shall contain a plan for the proposed driveway access to the premises. The Zoning Administrator prior to the issuance of a building permit shall approve said plan. No such plan shall be approved unless such driveway access is onto a dedicated public street or an approved private road. The Zoning Administrator shall refer to appropriate Livingston County Road Commission standards during his review. Driveways shall, at a minimum, meet the following standards:
 - a. Culverts shall be installed in line with and on the same grade as the road ditch.
 - b. Driveways shall intersect an existing public street or private road in a generally perpendicular manner.
 - c. No portion of the driveway entrance within the right-of-way shall have a grade of greater than ten (10) percent—one (1) foot vertical rise in ten (10) feet of horizontal distance.
 - d. The driveway shall meet the sight distance and clear vision standards of the Livingston County Road Commission.
 - e. Residential driveways shall be a minimum of fifty (50) feet from the nearest right-of-way line of an intersecting road or street.
 - f. Driveways shall be designed to minimize runoff and erosion.
2. No more than one (1) driveway shall be allowed per parcel.
3. New driveways shall align with existing or planned driveways, crossovers, turn lanes or other access features. This shall only be required if the resulting alignment provides safe access and if all requirements of this Ordinance and the Livingston County Road Commission are met.
4. The location of new driveways shall conform to road improvement plans or corridor plans that have been adopted by the Township or Livingston County Road Commission or Michigan Department of Transportation.
5. No driveway shall serve more than one (1) dwelling.

B. **Lots to Have Access:** All parcels or lots hereinafter created in the Township shall have frontage on a public street, or an approved private road, and take their lot access from such frontage so as to provide safe, convenient access for fire protection, other emergency vehicles, and any required off-street parking. Except that corner lots shall take their access from an approved private road or approved public street in a platted subdivision or condominium project. Wherever a corner lot exists at the intersection of two (2) major thoroughfares, then access shall be taken from the thoroughfare presenting the least hazard in the opinion of the Livingston County Road Commission.

Prior to obtaining a land use permit for a new parcel or lot created on a private road that was in

existence prior to the effective date of this ordinance, the Township may initiate an inspection of the private road in accordance with General Ordinance No. 07-03, Pre-existing, Non-conforming Private Roads.

- C. **Clear Vision Zone:** Livingston County Road Commission Rules shall apply to all private roads in the Township.

MARION TOWNSHIP

www.mariontownship.com

2877 W Coon Lake Road, Howell, MI 48843
Phone: 517.546.1588 Fax: 517.546.6622



APPLICATION FOR PARCEL DESCRIPTION CHANGE

Application is hereby made for the following (check one)

Metes and Bounds

Land Division into 2 parcels
See Fee Schedule on page 2 for fees

Parcel Combination (\$75)

Boundary Line Change between 2 or more parcels (\$75)

Platted Subdivision

Separation of entire lots along existing platted lot lines (\$75)

Combination of entire lots along existing-platted lot lines (\$75)

Boundary Line Change within portions of platted lot lines (\$75)

Dividing platted lot into more lots* (Per fee schedule page 2)
*Requires Township Board approval

A stamped survey is required for all requests except Separations/Combinations of entire lots along existing platted lot lines

PROPERTY INFORMATION

Tax Parcel Number 10-35-200-022 Size 3.99 Ac. Zoning Rural

Street Address of Property 5233 PLEASANT LK. RD.

Identify the parent parcel tax code number on March 31, 1997 10-35-200-022

Has the property been divided since March 31, 1997? If yes, attach a separate sheet giving the split history of parent parcel.

Are there special assessments on parcel? No Yes

Special Assessment type: _____ Balance Owed: _____

If there are sewer or water REU's available for this parcel, please specify how those should be distributed: _____

Are the real property taxes current? Yes No Amount Due: _____

**Real and Personal property taxes must be current at time of application

Are the personal property taxes current? Yes No Amount Due: _____

OWNER INFORMATION

Owner Name BRIAN T. VOLANTE

Owner Address 553 CLOVEVIEW LN. HOWELL MI 48843

Owner Phone Number/Fax Number/Email (586) 907-9429 BRIANPAT@SBCGLOBEL.NET

APPLICANT INFORMATION (If different than owner)

Applicant Name _____ Company Name _____

Applicant Address _____

Applicant Phone Number/Fax Number/Email _____

Applicant's Basis for Request (Option to buy, legal representative, etc.) _____

New app. date 1/14/17 ref

New date 4/12/12 now

clean or quer split sura

split sura

Marion Township

Application for Parcel Description Change, Page 3

To avoid delays, please be sure your application includes all of the following:

Livingston County Road Commission Sight Distance Review (not necessary for private roads)

Stamped survey, indicating:

- a) Parcel lines of all proposed divisions/changes
- b) Dimensions and area of proposed changes
- c) Easements for public utilities
- d) Location of all existing structures
- e) Dimensions of existing structures to each newly proposed lot line
- f) Delineation of building envelope
- g) Legal descriptions of all proposed changes

Appropriate Fee

If the resulting parcel from a division is LESS THAN 1 ACRE in size, provide documentation that each proposed parcel has:

- a) Public water or County Health Department approval for the suitability of an on-site water supply
- b) Public sewers or County Health Department approval for an on-site sewage disposal system

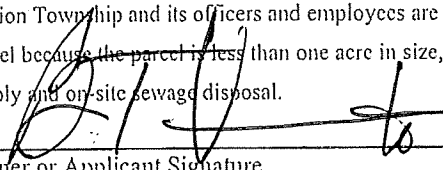
OWNER / APPLICANT AFFIDAVIT

The owner / applicant agrees that the statements made in this document are true and if found not to be true, the application and any approval will be void. Further, the owner / applicant agrees to comply with the conditions and regulations provided under the State Land Division Act and the Marion Township Land Division Ordinance.

I further understand that if Marion Township approves the proposed division resulting in a parcel less than one (1) acre in size and a land use permit or building permit is not issued for the parcel, Marion Township and its officers and employees will have no liability.

I further understand that the approval of a land division is not a determination that the resulting parcels comply with the Marion Township Zoning Ordinance or General Ordinances. All resulting parcels must comply with the Marion Township Zoning Ordinance and all applicable General Ordinances before any land use permit, special use permit, or other permits will be issued by the Township to utilize said property. The Township and the officials and employees shall not be liable for approving a land division if a land use permit and / or building permits for construction on a parcel are subsequently denied because of inadequate water supply, sewage disposal facility, failure to meet township Zoning Ordinances and General Ordinances, or otherwise. The approval of a land division could result in a violation of township Zoning or General Ordinances and notice of such a violation, if any, is attached hereto.

Marion Township and its officers and employees are not liable if a land use permit and /or building permit are not issued for a resulting parcel because the parcel is less than one acre in size, lacks either public water and sewers or health department approval for on-site water supply and on-site sewage disposal.


Owner or Applicant Signature

1-14-16
Date

Boundary Line Changes must have the signatures of all involved property owners. Use the area below.

Owner Signature and property address

Date

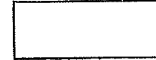
Owner Signature and property address

Date

MARION TOWNSHIP

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PROPERTY INFORMATION

Tax Parcel Number 10-35-200-022 Size 3.99 Acres Zoning _____

Street Address of Property 5233 PLEASANT LAKE ROAD

Identify the parent parcel tax code number on March 31, 1997 10-35-200-022

Has the property been divided since March 31, 1997. If yes, attach a separate sheet giving the split history of parent parcel.

Are there special assessments on parcel? No Yes

Special Assessment type: _____ Balance Owed: _____

If there are sewer or water REU's available for this parcel, please specify how those should be distributed: _____

Are the real property taxes current? Yes No Amount Due: _____

**Real and Personal property taxes must be current at time of application

Are the personal property taxes current? Yes No Amount Due: _____

OWNER INFORMATION

Owner Name BRIAN T. VOLANTE

Owner Address 5233 LLOVERVIEW LAKE HOWELL, MI 48843

Owner Phone Number/Fax Number/Email (586)907-9429 BRIANPATE@SPC GLOBAL.NET

APPLICANT INFORMATION (If different than owner)

Applicant Name _____ Company Name _____

Applicant Address _____

Applicant Phone Number/Fax Number/Email _____

Applicant's Basis for Request (Option to buy, legal representative, etc.) _____

Describe the intent of your proposed parcel description change:

SPLIT TO BUILD NEW HOME

STRUCTURES CURRENTLY ON PARCEL(S)

Residential & Agricultural	Vacant <input type="checkbox"/>	Pool <input type="checkbox"/>	Commercial & Industrial
	House <input checked="" type="checkbox"/>	Fence <input type="checkbox"/>	Number of Buildings _____
	Garage <input checked="" type="checkbox"/>	Pole Barn <input type="checkbox"/>	Building Types _____
	Shed <input checked="" type="checkbox"/>	Gazebo <input type="checkbox"/>	_____
	Ag. Buildings <input checked="" type="checkbox"/>	Other <input type="checkbox"/>	Specify _____

ROAD / DRIVEWAY INFORMATION

An existing road, named PLEASANT LAKE RD, which is a
County Road Private Road will serve as access to the resulting parcels.
All new driveways on a county road require a Sight Distance Review from the County Road Commission. Please attach sight distance approval.

A new road, to be named _____, which will be a
County Road Private Road will serve as access to the resulting parcels.

Access to parcels - Each Parcel
Does Does Not have its own individual driveway for access off the above road

FEE SCHEDULE FOR LAND DIVISIONS & DIVIDING PLATTED LOT INTO MORE LOTS

\$75 Flat fee, plus \$25 for each new parcel being created

One parcel into two parcels	\$125.00
One parcel into three parcels	\$150.00
One parcel into four parcels	\$175.00

Marion Township

Application for Parcel Description Change, Page 3

To avoid delays, please be sure your application includes all of the following:

Livingston County Road Commission Sight Distance Review (not necessary for private roads)

✓ Stamped survey, indicating:

- a) Parcel lines of all proposed divisions/changes
- b) Dimensions and area of proposed changes
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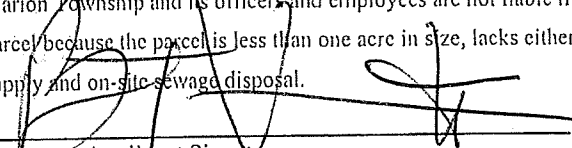
OWNER / APPLICANT AFFIDAVIT

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Marion Township and its officers and employees are not liable if a land use permit and /or building permit are not issued for a resulting parcel because the parcel is less than one acre in size, lacks either public water and sewers or health department approval for on-site water supply and on-site sewage disposal.


Owner or Applicant Signature

4-12-2017
Date

Boundary Line Changes must have the signatures of all involved property owners. Use the area below.

Owner Signature and property address

Date

Owner Signature and property address

Date

THIS PAGE FOR INTERNAL USE ONLY

Receipt No. _____

Date of application _____

Total Fee Paid _____

Check No. _____

ASSESSOR REVIEW

Marion Township approves the proposed Parcel Description Change

YES

NO

Reasons for denial 1. _____

2. _____

3. _____

Retired parcel number(s): _____

New parcel numbers: _____

Marion Township Assessor

Date

ZONING ADMINISTRATOR REVIEW

Notice to the Applicant:

The following review is based on the information provided in this application. In reviewing this application, the following comments would apply:

_____ YES, this application as presented meets the requirements of the Marion Township Ordinances as they apply to this application.

_____ NO, this application as presented does not meet the requirements of the Marion Township Zoning Ordinance as they apply to the application

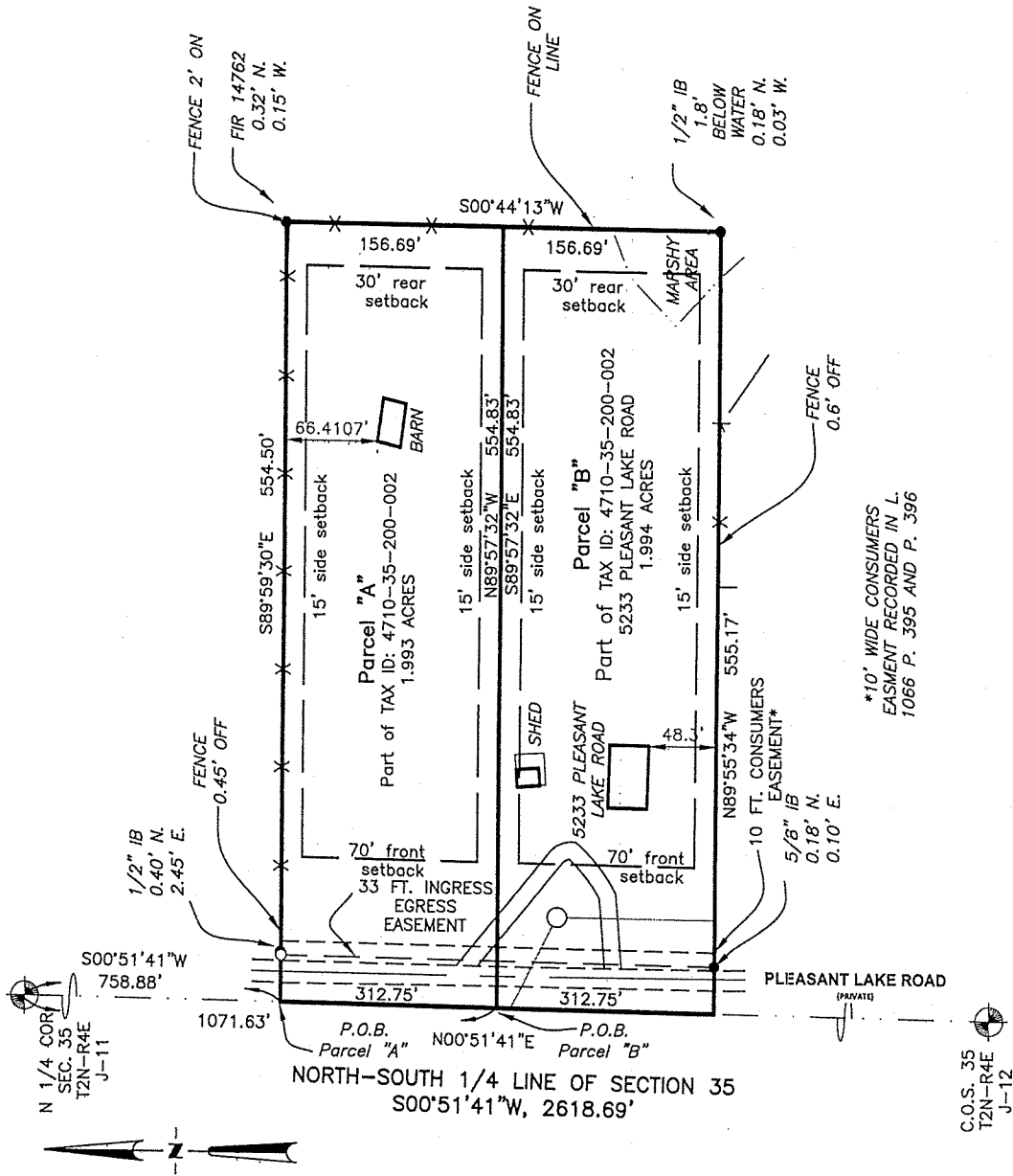
Comments: _____

Marion Township Zoning Administrator

Date

CERTIFICATE OF SURVEY

(5233 Pleasant Lake Road, proposed division)



I HEREBY CERTIFY that I have surveyed and mapped the land above platted and/or described on 4/04/16, and that all of the requirements of P.A. 132, 1970, as amended, have been complied with, and that the ratio of closure on the unadjusted field observations of such survey was no greater than 1 in 10,000.

REGISTERED LAND SURVEYOR No. 53492



ENGINEERS • SURVEYORS • CONSULTANTS • LANDSCAPE ARCHITECTS • LAND PLANNERS

MEGA
Monument Engineering Group Associates, Inc.

638 SOUTH GRAND AVE.
FOWLERVILLE,
MICHIGAN 48836
(OFFICE) 517-223-3512
(FAX) 517-223-9987

CLIENT:	Volante
NE 1/4 Sec. 35, T2N R4E	
(M) - Measured Dist. (R) - Recorded Dist. ● MON - Found Concrete Monument ● FIR/P - Found Iron Rod/Pipe ○ SIR - Set Iron Rod ∅ MAG - Set Magnetic Nail P.O.B./E. - Point of Beginning/Ending ● - Soil Evaluation Dig * * * - Fence	
DATE: 4/06/16	DR. BY: MEB CHK: AP

Annette McNamara


From: Annette McNamara <za@mariontownship.com>
Sent:
To:
Subject: proposed land division
Attachments: 2016 Pleasant Lake Road Aerial 4-12-16.pdf; 2016 Pleasant Lake Road Survey 4-12-16.pdf

Mike,

The attached survey has been submitted for a land division review, I included the aerial. The proposal is to divide into two parcels.

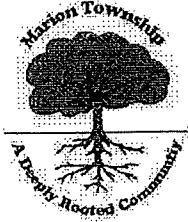
This property is on Pleasant Lake Road. As far as I know this is a pre-existing legally non-conforming private road that gives access to four metes and bounds lots along with the Log Cabin Subdivision (platted in 1925).

The parcel in question fronts a portion of the roadway that is 33' wide, further south the roadway widens. I imagine this roadway was established in 1925 to gain access to Log Cabin Subdivision, the roadway is not shown on the plat map.

 Marion Township did allow the Timber Bluff site condominium to place an emergency access from the west condominium boundary line to Pleasant Lake Road. This access has since grown over and someone has placed large logs so no one can use the access.

Please send me your thoughts on this proposal.

Annette McNamara
Zoning Administrator
Marion Township
za@mariontownship.com



MARION TOWNSHIP

www.mariontownship.com

2877 W. Coon Lake Rd.
Howell, MI 48843

Phone (517) 546-1588
Fax (517) 546-6622

June 12, 2017

Brian T. Volante
553 Cloverview Lane
Howell, MI 48843

RE: Marion Township Land Division Request #17-10

Dear Mr. Volante,

Your request for a land division of parcel #4710-35-200-022 has been denied. The Marion Township Zoning Ordinance, Section 6.19B, requires all new parcels created to have frontage on a public street or an approved private road. Pleasant Lake Road is not currently an approved private road or public street.

I have attached the relevant section of the Marion Township Zoning Ordinance for your reference. If you have any question, please feel free to contact me.

Sincerely,

Charlie Decator
Assessor

Cc: File

Enclosure

Section 6.19

Access Controls

A. **Curb Cuts and Driveways:** Curb cuts and driveways shall be located only upon the approval of the Livingston County Road Commission and appropriate state authorities as required by law; provided, however, such approval shall not be given where such curb cuts and driveways shall cause an unreasonable increase in traffic hazards, including but not limited to allowing adequate sight distance for ingress and egress.

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B. **Lots to Have Access:** All parcels or lots hereinafter created in the Township shall have frontage on a public street, or an approved private road, and take their lot access from such frontage so as to provide safe, convenient access for fire protection, other emergency vehicles, and any required off-street parking. Except that corner lots shall take their access from an approved private road or approved public street in a platted subdivision or condominium project. Whenever a corner lot exists at the intersection of two (2) major thoroughfares, then access shall be taken from the thoroughfare presenting the least hazard in the opinion of the Livingston County Road Commission.

Prior to obtaining a land use permit for a new parcel or lot created on a private road that was in existence prior to the effective date of this ordinance, the Township may initiate an inspection of the private road in accordance with General Ordinance No. 07-03, Pre-existing, Non-conforming Private Roads.

C. **Clear Vision Zone:** Livingston County Road Commission Rules shall apply to all private roads in the Township.

STATE OF MICHIGAN
COUNTY OF LIVINGSTON
TOWNSHIP OF MARION
LAND DIVISION ORDINANCE NO. G-11-97

An ordinance to regulate the partitioning or divisions of parcels or tracts of land, enacted pursuant, but not limited, to Michigan Public Act 288 of 1967, as amended, and Act 246 of 1945, as amended, being the Township General Ordinance Statute; to provide a procedure therefore; to repeal any ordinance or provision thereof in conflict herewith; and to herewith prescribe penalties and enforcement remedies for the violation of this ordinance.

Section 1: Title. The ordinance shall be known and cited as the Marion Township Land Division Ordinance.

Section II: Intent and Purpose. The purpose of this ordinance is to carry out the provision of the State Land Division Act (1967 PA 288, as amended, formerly known as the Subdivision Control Act), to prevent the creation of parcels of property that do not comply with the State Land Division Act, to minimize potential boundary line disputes, to maintain orderly development of the community, and otherwise provide for the health, safety and welfare of the residents and property owners of the township by establishing reasonable standards for prior review and approval of land divisions within Marion Township.

Section III: Definitions. For the purpose of this ordinance, certain terms and words shall have the following meaning:

Accessibility: in reference to a parcel, means the parcel meets one or both of the following requirements:

1. Has an area where a driveway provides vehicular access to an existing road or street and meets all applicable location standards of the state transportation department or county road commission under Act No. 200 of the Public Acts of 1969, being sections 247.321 to 247.329 of the Michigan Compiled Laws, or has an area where a driveway can provide vehicular access to an existing road or street and meet all such applicable location standards.
2. Is served by an existing easement that provides vehicular access to an existing road or street and that meets all applicable location standards of the state transportation department or county road commission under Act No. 200 of the Public Acts of 1969 or can be served by a proposed easement that will provide vehicular access to an existing road or street and that will meet all such applicable location standards.

Applicant or Proprietor: A natural person, firm, association, partnership, corporation, or a combination of any of them that holds an ownership interest in land whether recorded or not.

Act: Michigan Public Act 288 of 1967, as amended by Public Act 591 of 1996 and as amended by Public Act 87 of 1997, also known as the State Land Division Act.

Developmental Site: Any parcel or lot on which exists or which is intended for building development other than the following:

1. Agricultural use involving the production of plants and animals useful to humans, including forages and sod crops; grains, feed crops and field crops; dairy and dairy products; poultry and poultry products; livestock, including breeding and grazing of cattle, swine, and similar animals; berries; herbs; flowers; seeds; grasses; nursery stock; fruits; vegetables; Christmas trees; and other similar uses and activities.
2. Forestry use involving the planting, management, or harvesting of timber.

Divide or Division: The partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successor, or assigns for the purpose of sale, or lease of more than one year, or of building development that results in one or more parcels of less than 40 acres or the equivalent, and that satisfies the requirements of Sections 108 and 109 of the Act. Division does not include a property transfer between two or more adjacent parcels, if the property taken from one parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of the Act or the requirements of this ordinance.

Exempt splits or exempt divisions: The partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors, or assigns that does not result in one or more parcels of less than 40 acres or the equivalent. For a property transfer between two or more adjacent parcels, if the property taken from one parcel is added to an adjacent parcel, any resulting parcel shall not be considered a building site unless that parcel conforms to the requirements of the Act and this ordinance.

Forty acres or the equivalent: Forty acres, a quarter-quarter section containing not less than 30 acres or a government lot containing not less than 30 acres.

Governing body: The Marion Township Board.

Parent parcel or parent tract: A parcel or tract, respectively, lawfully in existence on the effective date of the amendatory act, March 31, 1997.

Parcel: A continuous area or acreage of land that can be described as provided for in the Act.

Tract: Two or more parcels that share a common property line and are under the same ownership.

Section IV: Prior Approval Requirement for Land Divisions. Land in Marion Township shall not be divided without the prior review and approval of the Marion Township Assessor, or other official designated by the Marion Township Board in accordance with this ordinance and the Land Division Act, provided that the following shall be exempt from this requirement:

- A. A parcel proposed for subdivision through a recorded plat pursuant to the Marion Township Subdivision Control Ordinance and the State Land Division Act.

- B. A lot in a recorded plat proposed to be divided in accordance with the Marion Township Subdivision Control Ordinance and the State Land Division Act.
- C. An exempt split as defined in this ordinance.
- D. An exempt split or other partitioning or splitting of a parcel or tract that only results in parcels of 20 acres or more in size is not subject to the approval under the Land Division Act and this ordinance if the parcel or tract is not accessible and one of the following applies:
 - 1. The parent parcel or tract was in existence on March 31, 1997.
 - 2. The parent parcel or tract results from an exempt split or other partitioning or splitting under this section.
- E. Property transferred between two or more adjacent unplatted parcels, if the parcel taken from one parcel is added to the adjacent parcel.

Section V: Application for Land Division Approval. The Marion Township Assessor shall provide an applicant with an application form. At a minimum, the applicant shall file all of the following with the Marion Township Assessor, or other official designated by the Marion Township Board, in accordance with this ordinance and the Land Division Act for review and approval of a proposed land division before making any divisions either by deed, land contract, lease for more than one year, or for building development:

- A. Completed application form as provided by the township.
- B. Proof of fee ownership of the land proposed to be divided.
- C. A tentative parcel map shall be a scale drawing showing the approximate dimensions of the parcels. The tentative parcel map must show the area, width of parcel, width to depth ratio, parcel lines, public utility easements, and accessibility for each division proposed.
- D. Adequate and accurate legal description of each proposed division.
- E. The history and specifications of any previous divisions of land of which the proposed division was a part sufficient to establish that the parcel or tract to be divided was lawfully in existence as of March 31, 1997, the effective date of the Land Division Act. Such history and specifications shall describe the parent parcel or tract of which the parcel or tract to be divided was a part as that parent parcel or tract existed on March 31, 1997. Such history and specifications shall also identify both the owner of the parent parcel or tract on March 31, 1997, and the owners on March 31, 1997, of parcels sharing a common property line with a parent parcel or tract on March 31, 1997. The history and specifications must give sufficient information to show that each division meets all of the requirements of Section 108 of the State Land Division Act.
- F. Each resulting parcel that is a developmental site has adequate easement for public utilities from the parcel to existing public utility facilities.

- G. If a transfer of division rights is proposed in the land transfer, detailed information about the terms and availability of the proposed division rights transferred.
- H. The fee as may from time to time be established by resolution of the Marion Township Board for review of land division applications pursuant to this ordinance to cover the cost of review of the application and the administration of this ordinance and the Land Division Act.

Section VI: Procedure for Review of Application for Land Division Approval

- A. Upon receipt of a completed land division application, the Marion Township Assessor, or other official designated by the Marion Township Board in accordance with this ordinance and the Land Division Act, shall approve or disapprove the proposed land division within 45 days after receipt of the completed application and shall promptly notify the applicant in writing of the decision and all reasons for any denial.
 - 1. An application is complete if it contains the information necessary to ascertain whether the requirements of Sections 108 and 109 of the Land Division Act are complied with.
- B. A notice of approval of a proposed division resulting in any parcels of less than one acre in size shall include the following statement: "Marion Township and its officers and employees are not liable if a land use permit and/or building permit are not issued for a resulting parcel because the parcel is less than one acre in size, lacks either public water and sewers or health department approval for on-site water supply and on-site sewage disposal."
- C. A notice of approval of a proposed division shall include the following language:

The approval of this division is not a determination that the resulting parcel complies with the Marion Township Zoning Ordinance or other general township ordinances. The township and the officials and employees shall not be liable for approving a land division if a land use permit and/or building permit for construction on a parcel are subsequently denied because of inadequate water supply, sewage disposal facility, failure to meet township zoning ordinances and general ordinances, or otherwise, and any notice of approval shall include a statement to this effect.
- D. The assessor or his or her designee shall maintain an official record of all approved and accomplished land divisions and/or transfers along with records of all disapproved divisions.
- E. No land division approval will be final until the property taxes for the parent parcel and/or any resulting land divisions have been paid in full.

Section VII: Standards for Approval of Land Division. A proposed land division shall be approved if the proposed land division complies with all of the requirements of the State Land Division Act and the criteria of this ordinance as set forth below.

- A. All parcels to be created by the proposed land division shall fully comply with the minimum width and area requirements of the Marion Township Zoning Ordinance and other township general ordinances and/or variances granted by the Marion Township Zoning Board of Appeals to the applicant for the land that is proposed to be divided.
- B. Each resulting parcel shall have a depth of not more than four times the width. The depth to width ratio does not apply to the remainder of the parent parcel or tract retained by the proprietor.
- C. All parcels to be created by the proposed land division are accessible except as to the following:
 - 1. An exempt split or other partitioning or splitting of a parcel or tract that only results in parcels of 20 acres or more in size is not subject to approval under this ordinance if the parcel or tract is not accessible and one of the following applies:
 - a) The parcel or tract was in existence on March 31, 1997.
 - b) The parcel or tract results from an exempt split or other partition or splitting under Section 109 of the Land Division Act.
- D. All parcels to be created by the proposed division and which meet the definition of a developmental site have adequate easements for public utilities from the parcel to existing public utilities facilities.
- E. The number of parcels to be created by the division does not exceed the number of parcels allowed by Section 108 of the Land Division Act.

Section VIII: Penalties and Remedies

- A. Any division of land in violation of any provision of this ordinance shall not be recognized as a land division on the township tax rolls and no construction thereon which requires the prior issuance of a land use permit by the township shall be allowed. The township shall further have the authority to initiate injunctive or other relief to prevent any violation or continuance of any violation of this ordinance.
- B. Any unlawful division or split shall be voidable at the option of the purchasers pursuant to the Land Division Act and shall subject the seller to the forfeiture of all considerations received or pledged therefore, together with any damages sustained by the purchaser recoverable in an action at law under the State Land Division Act.

Section IX: Severability. The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section, or provision is declared void or unenforceable for any

reason by any court of competent jurisdiction, it shall not affect any portion of this ordinance other than that said part or portion thereof.

Section X: Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed except that this ordinance shall not be construed to repeal any provision in the Marion Township Zoning Ordinance or the Marion Township Subdivision Control Ordinance.

Section XI: Effective Date. This ordinance shall become effective thirty (30) days after publication in the Livingston County Daily Press & Argus. This ordinance was adopted this 14th day of December, 2006, by the Marion Township Board at a meeting duly scheduled for the conduct of township business.

Tammy L. Beal, Township Clerk Date

- Moved by:
- Supported by:
- Yeas:
- Nays:
- Abstentions:
- Absent:

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prct. Trans.
BUNBERT PAULINE	VOLANTE BRIAN T	92,500	04/07/2016	WD	ARMS-LENGTH	2016R-011185	PTA	100.0
HUHAN LONNIE F & KATHLEE	BUNBERT PAULINE	193,000	07/20/2005	WD	ARMS-LENGTH	4867/0882		100.0
Property Address		Zoning: RURAL		Building Permit(s)		Date	Number	Status
5233 PLEASANT LAKE RD		RESIDENTIAL - IMP		NEW CONSTRUCTION		07/11/2016	2016-01290	50% COMPLE
Owner's Name/Address		School: HOWELL		P.R.E. 0%		05/09/2016		2016-00874
VOLANTE BRIAN T		2018 Est TCV Tentative		MAP #:				
553 CLOVERVIEW LN		2018 Est TCV Tentative		Land Value Estimates for Land Table 99999.OTHER RES & AG LAND				
HOWELL MI 48843		X Improved		X Vacant				
Tax Description		Public Improvements		Description		Frontage		Depth
SEC. 35, T2N-R4E, BEG AT A PT S0*51'41"W		Dirt Road		RESIDENTIAL		3.99		Total Acres
758.88' FR N 1/4 COR, TH N89*59'30"E		Gravel Road		* Factors *		3.99		Total Acres
554.50', TH S0*44'13"W 313.38', TH		Paved Road		Description		11,266		Rate %Adj.
N89*55'34"W 555.17', TH N0*51'41"E		Storm Sewer		RESIDENTIAL		100		Reason
312.76' ALG C/L PLEASANT LK RD TO POB.		Sidewalk				44,950		Value
PAR 1, 3.99 AC, SPLIT 10/97 FR 012.		Water				44,950		Value
Comments/Influences		Sewer						
REMOVED DEMO FROM ROLL. ADDED NEW SFD AT		Electric						
50% COMPLETE FOR 2017 ASSESSMENT.		Gas						
***2/20/17 CD		Curb						
SENT OPRE LETTER TO HOMEOWNER.		Street Lights						
***02/12/2007 PH		Standard Utilities						
		Underground Utils.						
		Topography of Site						
		Level						
		Rolling						
		Low						
		High						
		Landscaped						
		Swamp						
		Wooded						
		Pond						
		Waterfront						
		Ravine						
		Wetland						
		Flood Plain						
		Who		When		What		
		D		10/30/1997		DATA ENTER		
		Year		Land Value		Building Value		Assessed Value
		2018		Tentative		Tentative		Tentative
		2017		22,500		81,100		103,600
		2016		20,000		45,900		65,900
		2015		19,500		43,500		63,000
		Board of Review		Tribunal/Other		Taxable Value		
						Tentative		
						103,600S		
						54,665C		
						54,502C		

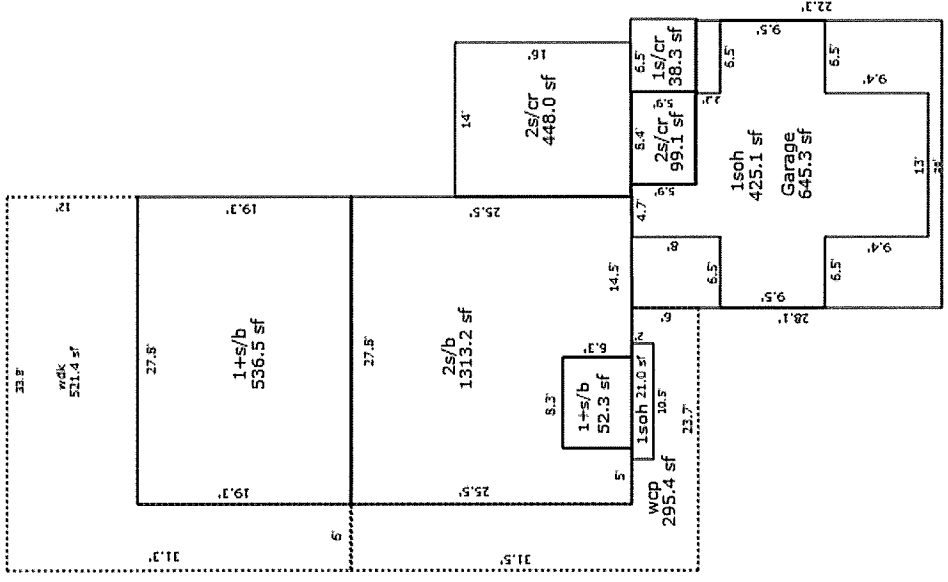


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*** Information herein deemed reliable but not guaranteed***

Building Type	(3) Roof (cont.)	(11) Heating/Cooling	(15) Built-ins	(15) Fireplaces	(16) Porches/Decks	(17) Garage
X Single Family Mobile Home Town Home Duplex A-Frame	X Eaves/rough X Insulation 12 Front Overhang 12 Other Overhang	X Gas Wood Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling	1 Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl.Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System	Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove 1 Direct-Vented Ga	Area Type 298 WCP (1 Story) 518 Red Wood/Cedar	Year Built: 2016 Car Capacity: 2 Class: BC Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished?: Yes Auto. Doors: 1 Mech. Doors: 0 Area: 642 % Good: 0 Storage Area: 0 No Conc. Floor: 0
X Wood Frame	X Drywall Paneled Trim & Decoration	Oil Coal Steam Elec. Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling		Class: BC Effec. Age: 1 Floor Area: 2931 Total Base Cost: 228,384 Total Base New : 347,144 Total Depr Cost: 343,672 Estimated T.C.V: 343,672		
Building Style: 2 STORY	Ex X Ord Min Lg X Ord Small Doors Solid X H.C.	X				
Yr Built 2016	Size of Closets					
Condition: Average Part. Construct.: 45%	(5) Floors					
Room List	Kitchen: Other: Other:					
Basement 4 1st Floor 3 2nd Floor 3 Bedrooms	(6) Ceilings					
(1) Exterior	X Drywall X Cathedral	No./Qual. of Fixtures Ex. X Ord. Min No. of Elec. Outlets Many X Ave. Few	Stories Exterior 1+ Story Siding 2 Story Siding 1+ Story Siding 2 Story Siding 1 Story Siding 2 Story Siding 1 Story Siding 1 Story Siding Other Additions/Adjustments Walk out Basement Door(s)	Foundation Basement Basement Basement Crawl Space Crawl Space Crawl Space Overhang Overhang	Rate 78.45 116.59 78.45 116.59 75.60 116.59 40.99 40.99	Heat-Adj 1.85 3.70 1.85 3.70 1.85 3.70 0.00 0.00
X Wood Sash Metal Sash X Vinyl Sash X Double Hung X Horiz. Slide Casement Double Glass Patio Doors X Storms & Screens	(7) Excavation Basement: 1245 S.F. Crawl: 311 S.F. Slab: 0 S.F. Height to Joists: 8.8	Average Fixture(s) 2 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet 2 Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove 3 Vent Fan	(13) Plumbing 3 Fixture Bath 2 Fixture Bath Extra Sink Vent Fan (14) Water/Sewer Well, 200 Feet 1000 Gal Septic Appliance Allowance Fireplace: Direct-Vented Gas	Rate 3525.00 2350.00 710.00 180.00 5700.00 3550.00 2610.00 2000.00	Size 537 656 52 224 38 49 425 21 Size 2 1 1 2 1 1 1 1	Cost 43,121 78,910 4,176 24,506 2,529 5,361 17,421 861 Cost 2,050 3,525 2,350 1,420 540 5,700 3,550 2,610 2,000
X Many X Avg. X Few	(8) Basement Conc. Block 10 Poured Conc. Stone Treated Wood X Concrete Floor	(14) Water/Sewer Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic	(16) Porches WCP (1 Story), Standard (16) Deck/Balcony Red Wood/Cedar, Standard (17) Garages Class:BC Exterior: Siding Foundation: 42 Inch (Finished) Base Cost Common Wall: 1 Wall -1425.00	2610.00 2000.00 21.99 10.60	298 518	642 16,711 -1,425 >>>>
X Large X Avg. X Small	(9) Basement Finish Recreation SF Living SF Walkout Doors 2 No Floor SF	Lump Sum Items:				
X Gable X Hip X Flat X Asphalt Shingle	(10) Floor Support Joists: 2X4 Unsupported Len: Cntr.Sup: 160C					
Chimney:						

*** Information herein deemed reliable but not guaranteed***
 <<<< Calculations too long. See Valuation printout for complete pricing. >>>>



Sketch by Apex Sketch

*** Information herein deemed reliable but not guaranteed***

Building Type	Barn, General Purpose		
Year Built			
Class/Construction	D, Pole		
Quality/Exterior	Low Cost		
Base Rate/SF	10.10		
# of Walls, Perimeter	4 Wall, 112		
Perimeter Mult.	X 1.160 = 11.72		
Height	0		
Story Height Mult.	X 0.946 = 11.08		
Heating System	No Heating/Cooling		
Heat Adj./SF			
Misc. Adjustment			
Misc. Adj./SF			
County Multiplier	X 1.52 = 16.85		
Final Rate/SF	\$16.85		
Length/Width/Area	24 x 32 = 768		
Cost New	\$ 12,938		
Phy./Func./Econ. %Good	50/100/100 50.0		
Depreciated Cost	\$ 6,469		
+ Unit-In-Place Items	\$ 0		
Description, Size X Rate X %Good = Cost			
Itemized ->			
Unit-In-Place ->			
Items ->			
E.C.F.	X 0.90		
% Good	50		
Est. True Cash Value	\$ 5,822		
Comments:			
Total Estimated True Cash Value of Agricultural Improvements / This Card: 5822 / All Cards: 5822			

*** Information herein deemed reliable but not guaranteed***

MARION PARCELS 2017

