

TOWNSHIP OF MARATHON

Land Division

ORDINANCE NO. 2024-13

An ordinance to repeal Ordinance No. 98-2 and adopt a new Land Division Ordinance.

THE TOWNSHIP OF MARATHON HEREBY ORDAINS:

Section 1. Repeal of Ordinance No. 98-2.

The Township hereby repeals Ordinance No. 98-2 in its entirety.

Section 2. Adoption of New Land Division Ordinance.

The Township hereby adopts a new land division ordinance to read as follows:

A. COMPLIANCE. No land within the township shall be divided without the 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 assessor. No building or zoning permits shall be issued for parcels of land divided in violation of the ordinance.

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

1. A fully completed township application form.
2. A tentative land division map (to scale) showing:
 - (i) Area of each resulting parcel
 - (ii) Proposed property lines of each resulting parcel
 - (iii) Public utility easements to each resulting parcel
 - (iv) Road accessibility for each resulting parcel
 - (v) All existing buildings, structures and drives.
3. Compliance with a depth to width ratio of not more than 4 to 1 for each resulting parcel, except for one parcel retained by the proprietor.
4. Compliance with the minimum lot width requirements of the township zoning ordinance for each resulting parcel.
5. Compliance with the minimum lot area requirements of the township zoning ordinance for each resulting parcel.
6. Road accessibility for each resulting parcel by:

- a. Public road frontage which meets Road Commission driveway location standards; or
 - b. Frontage on a private road which complies with Article 22 of the Marathon Township Zoning Ordinance 200.
 - c. A private driveway easement at least thirty-three (33) feet in width that provides access to no more than two (2) lots and which complies with Article 22 of the Marathon Township Zoning Ordinance 200.
7. A survey and legal description of each proposed parcel prepared by a registered surveyor or engineer.
 8. An accurate legal description (in the shortest possible form) of the remainder of the land from which the resulting parcels are being taken.
 9. The proposed land divisions shall not create more resulting parcels than the number allowed by the Michigan Land Division Act.
 10. 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".

C. **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.

D. **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.

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

F. **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 damages sustained.

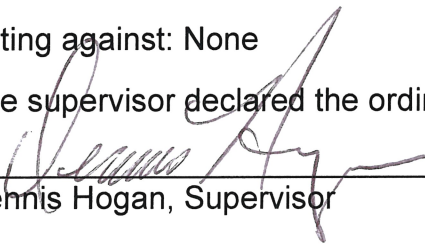
Section 3. Effective Date.

This ordinance shall take effect thirty days after publication.

Voting for: Hollis, Church, Sickner, Hogan, Coultas

Voting against: None

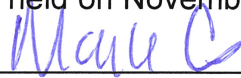
The supervisor declared the ordinance adopted.


Dennis Hogan, Supervisor


Michelle Coultas, Clerk

CERTIFICATION

The foregoing is a true copy of Ordinance No. 2024-13 which was enacted by the Marathon Township Board of Trustees at a regular meeting held on November 20, 2024.



Michelle Coultas
Township Clerk

