

STATE OF MICHIGAN, COUNTY OF LAPEER
METAMORA TOWNSHIP

LAND DIVISION ORDINANCE

Ordinance 35-A

An Ordinance to amend Ordinance 35 for the purpose of updating the regulation of the division of acreage parcels of land consistent with recent amendments of Act 288 of the public acts of 1967, as previously amended, primarily addressing the provisions of MCL 560.108, MCL 560.109, MCL 560.105(b), and MCL 41.181-185.

THE TOWNSHIP OF METAMORA ORDAINS AS FOLLOWS:

Section 1. Mandate, Purpose and Intent.

1. **Mandate.** Land in the Township shall not be divided so as to create one or more acreage parcels without application, review and approval by the Township in accordance with the provisions and regulations of this ordinance and the Land Division Act.
2. **Purpose and Intent.** The purpose and intent of this ordinance is to promote and protect the public health, safety, and welfare, including, without limitation, to require divisions of acreage parcels to be undertaken in an orderly manner so that the resulting parcels meet minimum health and safety specifications, and comply with this ordinance, the zoning ordinance, the Land Division Act, and all applicable law and regulations.

Section 2. Exemptions from this Ordinance. Certain divisions of acreage parcels, as specified in this ordinance, shall be exempt from some or all of the requirements of this ordinance, including the partitioning or splitting of a parcel or tract of land by the proprietor of such land, or by his or her heirs, executors, administrators, legal representatives, successors, or assigns, that does not result in 1 or more parcels of less than 40 acres or the equivalent.

Section 3. Definitions. The following words shall have the meanings attributed to them below, and if not specified in this Section shall have the meaning attributed in the Land Division Act.

1. *Accessible* shall mean in reference to a parcel, that the parcel meets 1 or both of the following requirements:
 - (a) Has an area where a driveway for respective individual parcels provides vehicular access to an existing public road and meets all applicable location standards of the Michigan Department of Transportation (“MDOT”) or Lapeer County Road Commission (“LCRC”), as applicable, under 1969 PA 200, MCL 247.321 to 247.329, or has an area where a driveway is specified to be available to provide vehicular access to an existing road of record and meet all such applicable location standards, as shown on the parcel map submitted as part of an application.
 - (b) Is served by an existing easement of record (not a newly created easement) that provides vehicular access to an existing public road and meets all applicable location standards of MODT or LCRC, as applicable, under 1969 PA 200, MCL 247.321 to 247.329, as shown on the parcel map submitted as part of an application.
2. *Acreage Parcel* shall mean a contiguous parcel of land which is not described as a “lot” within or other part of a recorded plat. An acreage parcel is not the equivalent of a condominium unit considering that, by definition in Michigan, such a unit amounts to portion of the condominium project designed and intended for separate ownership and use, as described in the master deed, but does not represent a separate parcel of land.
3. *Land Division* or *Split* means the partitioning of an acreage parcel or tract into two or more parcels which could be sold, leased or developed, ultimately for separate or joint use.
4. *Land Division Act* shall mean Act 288 of the public acts of 1967, as amended, MCL 560.101, et seq.
5. *Lot* shall mean a measured area of land which is established and formally described in a recorded subdivision plat under the Land Division Act.
6. *Parent Parcel* or *Parent Tract* shall mean an acreage parcel which has lawfully been in existence since March 31, 1997.

7. *Resulting Parcel* shall mean the one or more acreage parcels that result from the division of land, as approved under this ordinance.
8. *Tract* shall mean 2 or more parcels that share a common property line and are under the same ownership.

Section 4. Permitted Land Divisions. A Land Division shall be permitted, and shall not be subject to the requirements for the creation and recording of a subdivision plat, if the following specifications are met under a strict interpretation, and if the land division has been reviewed and approved under this ordinance. Land Divisions permitted under this ordinance shall include the following:

1. Subject to subsection 2, below, 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, and meets the requirements of MCL 560.109 or meets the requirements of all ordinances of the Township, whichever requirement(s) are stricter:
 - (a) For the first 10 acres or fraction thereof in the parent parcel or parent tract, the following number of parcels:
 - (i) Beginning on March 24, 2026, until March 23, 2027, 4 parcels.
 - (ii) Beginning March 24, 2027, 10 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.
2. 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 1, above, if one or both of the following apply:
 - (a) Because of the establishment of 1 or more new roads, no new driveway accesses are created or required to an existing public road for any of the resulting parcels under subsection 1, above, or this subsection.

- (b) One of the resulting parcels under subsection 1, above, and this subsection comprises not less than 60% of the area of the parent parcel or parent tract.
- 3. 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 1 and 2, above, and is not subject to MCL 560.109, if the parcel is accessible.
- 4. 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 the Land Division 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 MCL 560.109.
- 5. A parcel or tract created under the provisions of subsection 4, above, may not be further partitioned or split without being subject to the platting requirements of the Land Division Act except in accordance with the provisions of subsection 4.

Section 5. Application for Review; Time for Decision. A preliminary application for a land division of an acreage parcel or tract under this ordinance, accompanied by the applicable review fee in a reasonable amount specified by resolution of the Township Board, shall be made on the forms provided by the Township, with the

application being made to the Township Assessor. The Assessor shall, after confirming that all required information for a preliminary application is provided, process the application in the manner provided below. A preliminary application shall include at least the following information and submittals.

1. Names, post office address, email address, and phone number for each owner of record, including parties to a land contract or purchase agreement (whether recorded or not). The signatures of all such parties; however, a separate written consent for the proposed land division by the fee simple owners may be accepted by the Township in lieu of their signatures being on the application form.
2. The applicant's post office address, email address, and phone number.
3. The parcel identification number(s) of the parent parcel or parent tract.
4. Written verification and proof of ownership, based on signed warranty deed, quit claim deed, land contract, or other signed legal document of conveyance identifying the owners of the parent parcel or parent tract.
5. A tentative parcel map consisting of a scale drawing with dimensions and parcel number of the parent parcel or tract, and scale drawing and proposed descriptions of all parcels to be created, showing the dimensions and area of each parcel, width-to-depth ratio, parcel lines, public utility easements, accessibility, and compliance with the Land Division Act of all proposed resulting parcels. Such parcel map shall also show and include the following information:
 - (a) All adjoining property within 100 feet of the parent parcel or parent tract.
 - (b) All easements benefiting and burdening the parcels proposed to be created.
 - (c) Location of all existing buildings, wetlands, lakes, streams, ponds, drives, public roads (and any existing private roads), wells and septic fields, and respective setbacks from existing and proposed property lines.

- (d) A complete history and specifications of any land divisions affecting the land within the parent parcel or parent tract at issue.
 - (e) The proposed location and type of access to each resulting parcel. New private roads are not permitted to be created in Metamora Township.
 - (f) A showing that each resulting parcel meets all requirements of all applicable ordinances, regulations, and law (whichever is stricter); meets the width-to-depth ratio requirement permitting the depth to be not more than four times the width (which shall apply to all parcels); accessibility of all parcels; and, aside from parcel lines that attempt to reasonably accommodate natural features, topographic or physical conditions with respect to the parcel and compatibility with surrounding lands, the resulting parcels shall have a predominant rectangular shape, and shall not result in flag-shaped parcels under any circumstance unless the Township Board determines upon application of the property owner that an exception is required in order to prevent a taking of private property under state and federal constitutions.
6. After a preliminary application has been filed, and the Assessor confirms that all required information has been provided for such application, the Assessor shall forward a copy of the preliminary application to the Township Supervisor and the Zoning Administrator for input. The Assessor shall then review the preliminary application, and, taking into consideration any input from the Supervisor and Zoning Administrator, provide the applicant with a recommendation on whether to approve, approve with conditions, or deny the preliminary application based on the standards of this ordinance and applicable law.
 7. If approval is recommended, with or without conditions, and if the applicant determines to continue with the application, the applicant shall then secure the preparation of the complete and final application, as described in this Section.
 8. If denial is recommended, the reasons for denial shall be stated. If a denial is based on the fact that a resulting parcel or tract fails to meet the minimum

specifications for an independently approvable resulting parcel, and if the deficiency can be cured by permanently agreeing that the resulting parcel will be permanent part of adjoining property so that the two properties together meet or exceed the specifications under this ordinance, and that the resulting parcel will not be independently built on or developed, an applicant may record an affidavit or deed restriction with the County Register of Deeds in a form acceptable to the Township Attorney specifying clearly that the resulting parcel shall not be independently developed with any building, accessory building, or structure, and declaring that the resulting parcel fails to meet minimum requirements, and is “not independently buildable,” and that no attempt will be made in the future through the Township Zoning Board of Appeals, or otherwise, to reverse the “not buildable” status, and thereafter resubmit a new application under this ordinance.

9. Following preliminary approval of an application (with or without conditions), the applicant shall then submit a complete and final application. Before an application shall be deemed to be complete and final, a true and accurate survey, prepared by a licensed surveyor or civil engineer certified in the State of Michigan, shall be provided to the Township for final decision purposes. If a survey reveals any material differences from the information submitted in the preliminary application, the Assessor shall be provided the opportunity to review such differences to ensure that none of such differences result in the proposed land division being a violation of this ordinance or the Land Division Act, and that no new conditions should be imposed. A complete and final application shall be prepared to satisfy any conditions imposed as part of the preliminary approval or as part of the review of the proposed complete and final application, and shall also include the following:
 - (a) With regard to the payment of all property taxes and special assessments on the property conforms with the requirements specified in MCL 560.109(j).
 - (b) When required by the Land Division Act, a written verification of the Lapeer County Health Department reflecting approval for an on-site water supply, and for on-site sanitary sewage disposal which shall be accompanied by copies of the percolation tests which substantiate the approval.

- (c) A written statement signed by the applicant and all owners of record, and attached to the application, stating whether the right to make further land divisions exempt from the platting process under the Land Division Act has been transferred or otherwise conveyed.
 - (d) A written statement signed by the applicant and all owners of record that “The deeds for all resulting parcels that are the subject of this application shall contain the following statement: ‘This property may be located within the vicinity of farmland 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.’”
 - (e) Additional information as required by the Township to verify application information, geographic site data, to clarify the status of other governmental reviews and approvals, or to otherwise verify conformance with this ordinance.
10. Once the Assessor has determined that a complete and final application has been filed in accordance with the requirements of this ordinance, and that the complete application resolves any issues raised by the Township Supervisor and Zoning Administrator, the Assessor shall then render a final approval or denial of the complete application. If the Assessor denies the complete application, the reasons for such denial shall be stated.
11. The Township will render the final decision on the application within 45 (forty-five) days after a complete and final application has been received by the Township. The applicant may extend the required time period for final decision by filing a signed writing specifying the extension.
12. An approval of a land division shall not be deemed to be a determination that the resulting parcels comply with all law, ordinances, and regulations, including all of zoning requirements, including without limitation the lot-width, lot area, width-to-depth ratio, accessibility, and all other requirements of this ordinance, and applicable law.
13. A resulting parcel shall be separately sold, leased or developed for separate or joint use only as approved under this ordinance, with any specified conditions included.

Section 6. Noncompliance with this Ordinance

1. Any attempted land division requiring approval under this ordinance which has not been approved under this ordinance shall be ineligible for a building permit or zoning approval, and shall not be recognized as a separate parcel capable of sale, lease, or development on any Township or other governmental records.
2. In addition, any private person who violates this ordinance shall be deemed responsible for a municipal civil infraction, and the following civil fines shall apply upon a determination of responsibility for a municipal civil infraction by a court of competent jurisdiction under this ordinance.
 - (a) First offense: The civil fine for a first offense violation shall be in an amount of \$500.00, plus costs and other sanctions, for each offense.
 - (b) Repeat offense: The civil fine for any offense that is a repeat offense shall be in an amount of \$750.00, plus costs and other sanctions for each offense.
3. A party determined to be responsible for a municipal civil infraction shall be ordered to pay a civil fine (as stated), costs, damages and expenses, and in addition, the judge or magistrate shall be authorized to issue any judgment, writ or order necessary to enforce or enjoin the violation of this Ordinance.
4. Each act of violation of this ordinance, and on each day upon which any such violation shall occur, shall constitute a separate offense.
5. In addition to any remedies provided for in this Ordinance, any equitable or other remedies available may be sought in the court with appropriate jurisdiction.
6. The judge or magistrate shall also be authorized to impose costs, damages and expenses as provided by law.

(This ordinance is continued on the next page)

Section 7. Severability

If any word or portion of this ordinance is found to be invalid by a court of competent jurisdiction, such finding of invalidity shall be deemed severable, and shall not affect the remaining portions of this ordinance if it can be given meaningful effect without the invalid portion.

Section 8. Publication and Effective date

1. Following adoption, this ordinance, or a summary of this ordinance, shall be published in a newspaper circulating within the township within thirty (30) days.
2. This ordinance shall take effect 30 days after publication.

CERTIFICATION

It is hereby certified that the foregoing Ordinance was adopted by the Township Board of the Township of Metamora, Lapeer County, Michigan, at a meeting of the Board duly called held on the 11th day of May, 2026.

TOWNSHIP OF METAMORA

BY:



(SUE CLARK, CLERK)

ADOPTED: May 11, 2026
PUBLISHED: Sunday, May 17, 2026
EFFECTIVE: June 14, 2026

AFFIDAVIT OF PUBLICATION

STATE OF MICHIGAN
COUNTY OF LAPEER
METAMORA TOWNSHIP

SUMMARY OF LAND DIVISION
ORDINANCE AMENDMENT

ORDINANCE 35-A

On May 11, 2026, the Township Board enacted an ordinance to amend the Township's Ordinance 35 for the purpose of updating the regulations applicable to the division of acreage parcels of land consistent with recent amendments of state law, primarily focused on the number of parcels that may be created without formally subdividing land in a plat or condominium development. The purpose and intent of this ordinance is to require divisions of acreage parcels to be undertaken in an orderly manner, and so that the resulting parcels meet minimum health and safety specifications, and comply with the zoning ordinance, the Land Division Act, and all applicable law and regulations.

The Ordinance defines a Parent Parcel consistent with State Law as an acreage parcel which has lawfully been in existence since March 31, 1997, and then provides standards to determine the number of parcels that may be created from the Parent Parcel without creating a formal subdivision.

The Ordinance prescribes the standards and process by which the Township Assessor will review applications for the division of acreage parcels, and also specifies the penalties for violating the Ordinance.

Township of Metamora
Sue Clark, Clerk

STATE OF MICHIGAN } SS
COUNTY OF LAPEER

Claire Vernatter, being first duly sworn, says that (s)he is the Admin. Assistant of County Press Sunday, a newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character and legal news, which is a duly qualified paper, and that annexed hereto is a copy of a certain order taken from said newspaper, in which the order was published

5/17/26 Claire Vernatter

KASEY E TYSICK
Notary Public, State of Michigan
County of Lapeer
My Commission Expires 08-27-2027
Acting in the County of Lapeer

Subscribed and sworn to before me this 18th
day of May, 20 26

Kasey E Tysick
Notary Public, _____ County, Michigan

My commission expires _____

Prepared by County Press Sunday
1521 Imlay City Rd
PO Box 220
Lapeer, MI 48446

RECEIVED
MAY 21 2026
METAMORA TWP.

LEGAL & PUBLIC NOTICES

NOTICE TO CREDITORS Trust Administration

Decedent: Eva Leaf
Date of birth: 09/09/1936

TO ALL CREDITORS:

NOTICE TO CREDITORS:

The decedent, Eva Leaf, died 03/13/2026.

Creditors of the decedent are notified that all claims against the Eva Leaf Trust, dated October 12, 2021, will be forever barred unless presented to Jennifer Leaf-Mobley, Trustee, within 4 months after the date of publication of this notice.

Date: 04/23/2026
Bruce R. Redman P46958
Attorney
900 S. Lapeer Rd
Oxford, MI 48371
(248) 508-4333

Jennifer Leaf-Mobley
Trustee
844 Augusta Blvd.
Oxford, MI 48371

OREGON TOWNSHIP SUMMARY OF BOARD MEETING

May 12, 2026
6:00 p.m.
Oregon Township Hall
Members present: Rich Clemens, Michelle Osip, Cheryl Place, Wayne Barber and Chris VanBelle
Members absent: None
Approve Consent Agenda
Approve Purchase Tax Bill Envelopes
Adopt Resolution Sub-Committee Compensation
Approve Sub-Committee Compensation
Meeting Adjourned at 6:36 p.m.

A full text of the minutes is available at the Oregon Township Hall eight business days after the meeting during regular office hours or at our website www.oregontownship.org.

Rich Clemens
Supervisor

Michelle Osip
Clerk

STATE OF MICHIGAN COUNTY OF LAPEER METAMORA TOWNSHIP

SUMMARY OF LAND DIVISION ORDINANCE AMENDMENT

Ordinance 35-A

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The Ordinance defines a Parent Parcel consistent with State Law as an acreage parcel which has lawfully been in existence since March 31, 1997, and then provides standards to determine the number of parcels that may be created from the Parent Parcel without creating a formal subdivision.

The Ordinance prescribes the standards and process by which the Township Assessor will review applications for the division of acreage parcels, and also specifies the penalties for violating the Ordinance.

Township of Metamora
Sue Clark, Clerk

SERVICE DIRECTORY

POWER WASHING

ULTIMATE Pressure Washing

FREE Estimates

PRESSURE WASHING

- Decks, Deck Sealing
- Solid Stain
- Epoxy Floors
- Homes: Mobile, Cedar Sided, Log & Vinyl
- Commercial Buildings
- Roofs
- Gutters
- Condo Complexes & Apartments
- Cement/Concrete
- Stamped Concrete Sealing

Porches Sidewalks Epoxy Floors Solid Stain

We Will Meet or Beat Any Written Estimate

BUILDING

ArtfullyCraftedPoleBarn.net
D&J BUILDING
THE POLE BARN SPECIALIST



STATE OF MICHIGAN, COUNTY OF LAPEER
METAMORA TOWNSHIP

SUMMARY OF LAND DIVISION ORDINANCE AMENDMENT

Ordinance 35-A

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Township of Metamora

Sue Clark, Clerk

