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**BEAR CREEK TOWNSHIP
EMMET COUNTY, MICHIGAN**

**LOT DIVISION IN RECORDED PLATS ORDINANCE
Ordinance 21-05**

SECTION 1. APPLICATION. The division of a lot in a recorded plat is prohibited, unless approved following application to the township board. The application shall be filed with the township clerk and shall state the reasons for the proposed division.

SECTION 2. RESTRICTIONS. No lot in a recorded plat shall be divided into more than four (4) parts and the resulting lots shall not be less in area than permitted by the township or county zoning ordinance. The ratio of depth-to-width of any parcel to be created by the proposed division shall not exceed a four-to-one ratio. The depth and width of a parcel to be created by the proposed division shall be measured in the same manner provided by the applicable zoning ordinance for measuring the minimum width and maximum depth of parcels. No building permit shall be issued, or any building construction commenced, unless the division has been approved by the township board and the suitability of the land for building sites has been approved by the county or district health department. The division of a lot resulting in a smaller area than prescribed herein may be permitted but only for the purpose of adding to the existing building site or sites. The application shall so state and shall be in affidavit form and shall contain a drawing showing the dimensions and description of each part of the lot as proposed for dividing.

SECTION 3. APPROVAL. Approval of the division of a lot in a recorded plat shall be contingent on an agreement in writing by the applicant that any sales contract, deed or any other document presented for recording at the office of the county register of deeds shall be accompanied by a copy of the written approval of the township board and a copy of the drawing of the lot as approved for dividing. No document involving the division of a lot in a recorded plat shall be recorded with the county register of deeds unless such division has been approved by the township board in compliance with the provisions of this ordinance.

SECTION 4. PUBLICATION. This ordinance shall take effect the day following the date of its publication as provided by law.

SECTION 5. RATIFICATION. Any lot divisions in recorded plats that have been previously approved by the township since November 5, 2003, are hereby ratified and confirmed.

CLERK'S CERTIFICATION

I hereby certify this Ordinance was adopted by the Bear Creek Township Board at a regular meeting held on Mar 2, 2005, 2005, and that the vote was as follows:

FOR: Keiser, Hoffman, Notestine, VanHorn & Mays

AGAINST 0

I further certify this Ordinance was published in the *Petoskey News-Review* on 3-7-05 2005.

Judy Mays
Bear Creek Township Clerk