

ADOPTION OF AMENDMENT TO LAND DIVISION ORDINANCE

AMENDMENT #52C

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #52, the Chocolay Township Land Division Ordinance as adopted August 15, 2005 and as amended, be further amended as follows:

By adding to Section III: (G) "Aggrieved Party" – a person or entity who, on the date of the original application, held an ownership interest in the land that was the subject of the application and decision or any other person or entity who can establish standing by proof of a legal interest affected by a land division decision resulting in special damage, that is, an injury other than that which is common to all other property owners within the Township.

By adding to Section III: (H) "Township" – the Township Assessor or other official designated by the governing body.

By changing Section VI (B) to read as follows: Any aggrieved party may, within 30 days of said decision, appeal the decision to the Township Planning Commission or such other body or person designated by the governing body which shall consider and resolve such appeal by a majority vote of said Commission or by the appellate designee at its next regular meeting or session affording sufficient time for a 20 day written notice to the applicant (and appellate where other than the applicant) of the time and date of said meeting and appellate hearing. The appeal procedure shall be in accordance with the following:

1. An application for Land Division Appeal shall be submitted to the Township no later than 20 days prior to the next scheduled Planning Commission meeting. The Township will ensure that the requirements of section VI(B)(2) of the ordinance have been met before forwarding the application to the Planning Commission.
2. An application for Land Division Appeal shall consist of the following:
 - a. A completed Land Division Appeal Application;
 - b. Payment of a fee in accordance with a fee schedule as determined by a resolution of the Township Board;
 - c. Other materials as may be required by this section, the Township, or the Planning Commission.
3. At a regularly scheduled meeting, the Planning Commission shall review the appeal application, review the recommendations of the Township, and accept public comment from any individuals wishing to speak to the Planning Commission regarding the Land Division Appeal. If the Planning Commission finds that relevant additional information may be required in order to render a decision, they may table the appeal until additional information is provided. If the Planning Commission finds that they have sufficient information, then the Planning Commission shall render a decision which shall be recorded in writing.

By changing Section VII(C) to read as follows: The ratio of depth to width of any parcel created by the division shall not exceed a four to one ratio exclusive of access roads, easements, or non-development sites. The depth of a parcel, tract, or lot created by a land division shall be measured within its boundaries from the abutting road right-of-way to the most remote boundary line point removed from the point of commencement of the measurement. The width of the any parcel, tract, or lot shall be measured as provided for and defined under the Township Zoning Ordinance except, in cases of irregular boundaries, that is, those proposed to be created that have no roughly parallel four-sided boundaries, three sides, or more than four sides, width may be measured as an average perpendicular to the depth line.

ROLL CALL

AYES: **Tabor, Maki, Hill, Trudeau, Britton, Greenberg, Seppanen.**

NAYS: **None.**

MOTION PASSED.

Arlene E. Hill

Arlene E. Hill, CMC
Clerk, Charter Township of Chocolay

ATTESTED:

Greg J. Seppanen

Greg J. Seppanen, Supervisor
Charter Township of Chocolay

I certify that this is the official revision of the Land Division Ordinance of the Township of Chocolay, Marquette County, Michigan, Ordinance 52, adopted by the Charter Township board on August 15 , 2005. This ordinance shall take effect and be in full force on the date following its passage by the Chocolay Township Board.

Arlene E. Hill, CMC
Clerk, Charter Township of Chocolay

Arlene E. Hill

ATTESTED:

Greg J. Seppanen

Greg J. Seppanen, Supervisor
Charter Township of Chocolay

Dates of publication

1. July 28, 2005.
2. August 25, 2005.