



CITY OF ST. JOSEPH
PLANNING & ZONING DEPARTMENT
700 Broad Street
St. Joseph, MI 49085
Phone (269)983-1212
Fax (269) 985-0347
www.sjcity.com

Boundary Adjustment, Lot Consolidation and Land Division
Process, Instructions and Application*

Contact City Staff to discuss Request



Make Application - must be complete and fees paid



If request complies with all requirements, City staff can
administratively approve the request



Approved request forwarded to Berrien County Land Division/GIS
Department. Applicant records within 60 days.

*See attached detailed directions for all steps involved.



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Process, Instructions and Application

1. **Contact Community Development Director (staff) regarding proposed request.** Staff will review zoning ordinance regulations and determine which process is appropriate for your proposed request. Application forms will be distributed and staff will determine if a pre-submittal meeting is necessary.
2. **Pre-submittal Meeting with staff.** This meeting typically includes the City Engineer, Director of Public Works, Director of Public Safety (Police/Fire), Building Official and the Community Development Director and allows for discussion of the proposed project prior to the finalization of any drawings and submittal.
 - a. This meeting is scheduled by staff on an as needed basis. Please provide several dates and times your development team is available to meet. Meetings are typically scheduled one (1) to two (2) weeks out depending on staff availability.
 - b. Prior to the meeting being scheduled, the applicant will need to provide a detailed plan and description of the proposed request. This site plan must be drawn to a legible scale and include existing and proposed changes. It can consist of more than one page if necessary.
 - c. The applicant should include their development team (i.e., land surveyor, engineer, or attorney) at the pre-submittal meeting.
3. **Submission of Application.** Complete applications may be submitted at any time.
 - a. It is suggested that you make an appointment with staff to submit the application.
 - b. All required applications, supplemental information and fees must be submitted at one time.
4. **Acceptance of Application.** Staff reviews the application and supplemental information for completeness.
5. **Application is Formally Accepted.**
 - a. Staff forwards the accepted application packet to the City Engineer, Director of Public Works, Director of Public Safety (Police/Fire) and Building Official for their review and comment.

6. **Revisions to Drawings.** Based on comments received from the City departments, the applicant may need to revise the supplemental drawings.
7. **Staff Approval.** If the request meets the requirements of the applicable zoning district and complies with all other local and state regulations, staff can administratively approve the request. In some cases, conditions may be placed on the approval.
8. **Staff Denial.** If the request does not meet the requirements of the applicable zoning district and or other local and state regulations, staff must deny the request.
 - a. **City Commission Variance Process.** If City staff denies a request, the applicant may decide to appeal the decision. An application and fee is required to appeal the decision to deny a Boundary Adjustment, Lot Consolidation or Land Division. See “Boundary Adjustment, Lot Consolidation and Land Division Variance Application” for additional information.
9. **Staff Forwards Approval to the Berrien County Land Division/GIS Department.**
10. **Recording of Approvals.** Applicant records approved plans within 60 days of City approval.

Other items for consideration

- Per Section 560.109(1)(b) of the Michigan Land Division Act (Act 288 of 1967 as amended)- The width to depth ratio shall not exceed 1:4 (A 50 foot wide lot shall not have a lot depth of more than 200 feet).
- Per Section 3.26.F of the City of St. Joseph Zoning Ordinance - No Driveway shall serve more than two (2) Dwelling Units unless the Use is a multiple-family Structure or as part of an approved PUD, except that a residential lot entitled to two (2) curb cuts under the provisions of Section 18.2.11.A.1 of this ordinance may install one or two driveways serving not more than four (4) Dwelling Units in total. However a Dwelling built on a residential Lot existing on May 17, 2012 may be served by the Driveway, or by a Driveway constructed on the easement, which provided access to that Lot on that date, even if this causes that Driveway to serve more Dwellings than otherwise allowed by this Section. This exception does not apply to Lots created by divisions made after May 17, 2012.



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**BOUNDARY ADJUSTMENT, LOT CONSOLIDATION
 AND LAND DIVISION APPLICATION**

Please print legibly. All portions must be completed. Do not leave any section blank, use N/A. Incomplete forms will be returned. If additional space is needed, please use additional sheets of paper.

Property Information

Property Address (es): _____

Property Code Number(s) (Tax Number): 11-76-_____

Briefly Explain Request: _____

Applicant Information

In case of trust, provide the name, address and telephone numbers of all trustees and beneficiaries of the trust. An LLC or corporation must provide a copy of Articles of Incorporation. In case the applicant is not the property owner, written permission from the property owner is required.

Name of Applicant: _____

Relationship to Property Owner: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____ Emergency Number: _____

E-mail Address: _____

Name of Property Owner: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Attorney: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Land Surveyor and/or Engineer: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Type of Request

_____ Boundary Adjustment (transferring land between two adjacent parcels – no decrease or increase in number of parcels)

_____ Combination (combining two or more parcels to create one parcel)

_____ Land Division (dividing one parcel into two or more parcels).

Total number of existing parcels? _____

Total number of proposed parcels? _____

Site Information

General description or characteristics of the site: _____

Master Plan Designation: _____

Existing Zoning and Land Use: _____

Proposed Future Land Use: _____

Existing land use and zoning of adjacent parcels:

North: _____

South: _____

East: _____

West: _____

Do any of the following situations exist on the parcel?

_____ Beach/Lake

_____ Floodplain

_____ River

_____ Wetlands

_____ Slopes greater than twenty-five percent (25%) (1:4 pitch of 14 degree angle) or steeper

Is the property known or suspected to have existing or abandoned wells, underground storage tanks or contaminated soils? Yes: _____ No: _____

Is the property located in any of the following overlay districts found in the Zoning Ordinance?

Downtown Height Overlay District (Section 9.4)? Yes: _____ No: _____

Lake Bluff Scenic View Protection Overlay District (Section 9.5)? Yes: _____ No: _____

Floodplain Overlay District (Section 9.6)? Yes: _____ No: _____

Edgewater Beach Overlay District (Section 9.7)? Yes: _____ No: _____

Main Street Corridor Overlay District (Section 9.8)? Yes: _____ No: _____

Site Access

How is access gained to the parcels?

_____ Each parcel will have access on an existing public street.

_____ Each parcel will have access on a new public street.

_____ Each parcel will have access on an existing private street.

_____ Each parcel will have access on a new private street.

_____ Each parcel will have access to a public street via an existing access easement.

_____ Each parcel will have access to a public street via a new access easement.

Parent Parcel Information (required for Land Division Requests)

Beginning on March 31, 1997, list all previous Land Divisions that have taken place on the "Parent Parcel" (include dates, tax numbers, and land area for each division that has occurred:

Number of existing Land Division allowed for the "Parent Parcel" prior to this application?

Number of Land Divisions being used by the "Parent Parcel" as part of this application?

Number of future Land Divisions that might be allowed for the "Parent Parcel" in the future?

Are any future Land Divisions associated with this "Parent Parcel" being transferred to another parcel (See Section 109(2) of the Statute and make sure deed includes both statements as required in Section 109(3) and 109(4) of the Statute)? Yes: _____ No: _____

If yes: Tax Number receiving future Land Divisions: _____

Additional items to be submitted

1. Proof of ownership;
2. Legal description and survey of all parcels involved;
3. Sealed, drawn to scale plat of survey which includes all dimensions completed by professional surveyor or engineer with the following:
 - a. Boundary as of March 31, 1997;
 - b. All previous divisions made after March 31, 1997 (indicate when made or none);
 - c. Date, north arrow, scale and name of person or firm responsible for the preparation of the Boundary Adjustment, Lot Consolidation or Land Division plat;
 - d. The proposed new boundaries and dimension of each parcel;
 - e. An accurate parcel map and legal description of each resulting parcel;
 - f. Dimensions and location of existing and proposed road right-of-way or easement rights-of-way (include easement language);
 - g. Dimensions and location of existing and proposed public utility easements (from public right-of-way to each parcel);
 - h. Dimensions and setbacks of all existing buildings (including accessory structures sheds, pools) and driveways;

BOUNDARY ADJUSTMENT, LOT CONSOLIDATION AND LAND DIVISION APPLICATION CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that they consent to the filing of the application and that all information contained is true and correct to the best of their knowledge;
- B. The Applicant understands that an incomplete or nonconforming application will not be considered. In addition, the Applicant understands that the City may require additional information prior to the consideration of this application;
- C. The Applicant shall make the property that is subject of this application available for inspection by the City at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicant shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than twenty (20) days following the change, and that failure to do so shall be grounds for denial of the application;
- E. The Applicant understands that if the application is approved with conditions, those conditions will need to be met as part of any permit issued; and
- F. The Applicant understands this is only a parcel division which conveys certain rights under the applicable local land division ordinance and the State Land Division Act (formerly the subdivision control act P.A. 288 of 1967, as amended (particularly by PA. 591 of 1996), MCL 560.101 et.Seq.) and does not include any representation or conveyance of rights in any other statute, building code, zoning ordinance, deed restrictions or other property rights.
- G. The Applicant understands that if the division is approved, a land division does not occur until receipt of a registerable conveyance is supplied to the City of St. Joseph.
- H. The Applicant understands if zoning, local ordinances and State Acts change prior to land divisions being completed (registerable conveyances) the divisions must comply with the new requirements unless surveys representing the approval of the divisions are recorded with the Berrien County Land Division/GIS Department.
- I. The Applicant understands that if the application is approved it is valid for sixty (60) days from the date of issuance and if the proposed Boundary Adjustment, Lot Consolidation or Land Division are not completed during the sixty (60) day time frame, a new application and approval must be obtained.

**BOUNDARY ADJUSTMENT, LOT CONSOLIDATION AND LAND DIVISION APPLICATION
CERTIFICATION, continued (page 2 of 2)**

The Applicant certifies and acknowledges and agrees that:

- J. The Applicant understands that they are responsible for all application fees. Fees are non-refundable and there is no guarantee the application will be approved or permits issued. There should be no outstanding monies owed to the City (i.e., water bill or taxes).

On the _____, day of _____, 20_____, I/We have read the above certification, understand it, and agree to abide by its conditions.

Signature of Applicant or Authorized Agent

Name of Applicant or Authorized Agent

SUBSCRIBED AND SWORN

To before me this ____ day of _____, 20_____

Notary Public

OFFICIAL CITY USE: Date Received: _____ Fee: _____
 Completed: Variance Application: _____ Site Plan Review Application: _____ Other: _____

**BOUNDARY ADJUSTMENT, LOT CONSOLIDATION AND LAND DIVISION APPLICATION
OWNER'S CONSENT FORM**

I/We, the Owner(s) of the property listed below, hereby grant permission for the Applicant,

(Company name and contact person) to seek _____
(state request that can be made) as required by the City of St. Joseph, Michigan for the property
commonly known as _____ (street address)
and having the Property Code Number (Tax Number) of 11-76-_____.

On the _____, day of _____, 20_____, I/We have read the above certification,
understand it, and agree to abide by its conditions.

Signature of Property Owner

Name of Property Owner

Signature of Property Owner

Name of Property Owner

SUBSCRIBED AND SWORN

To before me this _____ day of
_____, 20_____

Notary Public