Ottawa County Plat Board Rules

Ottawa County Plat Board
Policies and Procedure for Review and Approval of Plats
Under Act 288 of the Public Acts of 1967 the Subdivision Control Act of 1967

Preliminary and final approval of all plats shall be considered at the regular bimonthly meetings (MCL 560.168(2)) of the County Plat Board. The date and place of said meetings shall be determined by the members of the Plat Board (see scheduled posted on miottawa.org).

The County Plat Board is composed of the Board Chair, who shall act as chairman; the County Clerk/Register of Deeds, who shall act as Secretary, and the County Treasurer (MCL 560.102 (r)).

All such meetings shall be official meetings of the Ottawa County Plat Board and all discussions and proceedings shall be held under the organization of said Board and in compliance with Act 267 of the Public Acts of 1976, the Open Meetings Act.

Any interested party, member of a governing body involved, owner of the land to be platted and the surveyor or engineer in charge of a subject plat is invited to attend the Plat Board meetings.

Approval of preliminary and final plats shall be conditioned upon compliance with the provisions of the Subdivision Control Act of 1967.

When final plats are submitted they shall be accompanied by:

1. The filing and recording fee of $30.00 (paid to the Clerk/Register of Deeds Office);
2. Completed traverse closure;
3. Health Department approval of any restrictions;
4. A separate recording fee payable to the Clerk/Register of Deeds for recording of the approved restrictions;
5. A title policy, dated not more than 30 days prior to submission of the plat, stating that all owners of record (and of any unrecorded ownership interest) have joined in boundaries of the proposed subdivision.

Final plats will be submitted to the Secretary of the Plat Board upon final approval by the appropriate governing body and payment of the prescribed fees. A majority of the Plat Board shall, within 15 days of the date of receipt of the plat, review the same for conformance to all provisions of the Act and certify their approval on all copies, or reject the plat and notify the proprietor in writing of the reasons therefore when returning the

plat, also sending a copy of the notification to the Clerk of the appropriate governing body (MCL 560.241).

See full rules attached.

Dated this 13th day of January 2025

John Teeples, Chairperson, County Board Chair

Justin F. Roebuck, Secretary, County Clerk/Register of Deeds

Cheryl Clark, County Treasurer

Ottawa County Plat Board Rules and Regulations

Meetings

The Plat Board shall meet in regular session, on every other Tuesday at 12:00 pm local time (see schedule posted on miottawa.org), in the County Clerk/Register of Deeds conference room, 12220 Fillmore Street, Room 130, West Olive, beginning on January 28th, 2025 - unless otherwise noted, posted or announced.

Special meetings can be called at any time, or the regularly scheduled meetings cancelled, at the discretion of the Secretary. The fee for calling a special meeting is $120.00, billed to the surveyor.

The Secretary shall take and record minutes of all meetings, which shall be a matter of public record, and in accordance with the Open Meetings Act.

A list of all meeting dates for the upcoming year shall be reviewed by the Plat Board at a December meeting to determine any conflicts with holidays, etc. This list shall then be given to the County Clerk/Register of Deeds for publishing. A copy of these dates shall be sent to the Surveyors/Engineers as listed in the local yellow pages of the phone directory and/or posted on the miottawa.org website.

System of Keeping All Related Papers and Minutes

The original minutes shall be kept in the office of the County Clerk/Register of Deeds' office. Copies of these minutes shall be distributed to the Chairman of the Plat Board and County Treasurer.

All related, non-recordable papers and maps shall be filed in the County Clerk/Register of Deeds' office.

Plat Board Meeting Minutes

The following is a suggested outline for keeping the minutes:

OTTAWA COUNTY PLAT BOARD
Minutes of _____ Meeting

(Heading) The Ottawa County Plat Board was called to order at _____ on _____, _____ by _____.

Present:
Absent:

The minutes of the _____, _____ meeting were read and approved.

(Content) Suggest opening each paragraph by heading each with the name of a certain plat. Capitalize, bold and underline the heading of each paragraph. Describe action under each heading.

Any other business.

(Closing) There being no further business the meeting was adjourned.

Preliminary Plat

560.119 County Plat Board and public utilities (M.S.A. 26.730 (119)). The proprietor shall submit no less than 2 copies of the preliminary plat to the County Plat Board and to the public utilities serving the area for informational purposes.

The action of the Plat Board should be noted in the meeting minutes and may be delivered to the municipality where said plat is situated.

In addition to the second copy, noted above, the Plat Board may notify the surveyor and/or proprietor of any action taken by the Board.

Final Plat

560.168 Forwarding to County Plat Board; procedure of Board. (M.S.A. 26.430 (168))

Section 168

(1) Upon notice of each approval, the proprietor shall obtain the certificate on the final plat of each of the officers and agencies whose certificate is required by Sections 145 to 148. The certificates and approvals may be obtained in any order. The proprietor shall then forward the final plat to the Secretary of the County Plat Board, together with the filing and recording fee.
(2) Within 15 days of the date of receipt of the plat, a majority of the County Plat Board shall review the plat for conformance to all provisions of the act and do 1 of the following:
    a. Certify their approval on the plat
    b. Reject the plat and notify the proprietor of the reasons in writing when returning the plat, and send a copy of the letter to the Clerk of the governing body.

560.169 Forwarding approval and plat copies to State Administrator.

Upon approval of the plat by a majority of the County Plat Board, the Secretary of the Board shall forward it with all copies of the plat to the State Administrator.

Fees

560.241 Submission of final plat; filing and recording; state plat review fee; disposition of fee.

(1) When a final Plat is submitted to the Clerk of the governing body of the municipality, the proprietor shall deposit with the plat both of the following:
    (a) A filing and recording fee of $30.00. The filing and recording fee is in addition to any fee the municipality may charge under this act.

(b) A state plat review fee of $150.00, plus $15.00 for each lot over 4 lots included in the plat.

(2) Upon approval of the plat by the governing body, the Clerk shall send the filing and recording fee and the state plat review fee with the plat to the Clerk of the County Plat Board.

(3) The Secretary of the County Plat Board shall deposit the filing and recording fee in the county trust and agency fund for subsequent payment by county warrant from this fund to the County Clerk/Register of Deeds in the amount of $30.00, upon submission of proof to the Clerk of the County Plat Board that the plat has been recorded in the office of the County Clerk/Register of Deeds.

(4) If a final plat is forwarded to the State Administrator, the Secretary of the County Plat Board shall forward the state plat review fee with the plat.

Certificates

560.142 Certificates required for recording.

(h)A certificate of approval of the County Plat Board. The certificate may not be placed on the plat unless the filing and recording fee required by section 241 has been received by the Chairperson or Secretary of the County Plat Board.

In accordance with Section 142, the prescribed certificates appearing on the plat shall be obtained in any order:

1. Surveyor's Certificate
2. Proprietor's Certificate
3. Acknowledgement (Individual and/or Corporation)
4. County Treasurer's Certificate
5. County Drain Commissioner's Certificate
6. County Road Commission's Certificate
7. Certificate of Municipality Approval
8. County Plat Board Certificate

When presented to the Plat Board for approval, the final plat shall be accompanied by the following:

1. Recording and filing fees of $30.00 payable to the County Clerk.
2. Copy of the final plat traverse closing, showing acreage, signed and dated by surveyor or proprietor's engineer.
3. Copy of the final check sheet, signed and dated by the surveyor making the plat, showing that he has made a final review of the plat immediately prior to submission to the Plat Board.
4. The final check sheet, may be reviewed in detail by the Plat Board, with particular attention to:

(a) Follow the metes and bounds description of the platted property to compare dimensions, angles, etc. Be sure the description is complete.
(b) Be sure signatures are the same as the manner in which the names are printed underneath.
(c) Check legibility of printing and numbers
(d) If notarized out of state, need seals.

5. Copy of the Title Insurance Policy. Check to make sure ownership on the plat include all indicated in the policy, including mortgagee, and parties of the limited liability corporation.
6. If lots are less than 65' frontage, or less than 12,000 sq. ft., then the state requires that a copy of the local ordinances for subdivision control and zoning be sent along with the final plat.
7. If the plat has restrictions, then the original restrictions and the recording fee must be sent along with the plat.
8. Copies of water and/or sewer permits must be sent along with the plat.
9. Any copies of easements must be sent along with the plat.
10. All government corners must show recorded information on the plat.
11. Check for state fees, made payable to the State of Michigan.
12. The value of the lots and expected value of the homes to be included on the plat.

Send a cover letter along with the plat listing the items enclosed with the plat. Make a copy of all materials sent along with the plat for the file of that plat. The plat is sent to:

Michigan Department - LARA
Bureau of Construction Codes
Office of Land Survey & Remonumentation
P O Box 30254
Lansing, MI 48909

Suggested Agenda for Plat Board

I. Call to Order.
II. Roll Call.
III. Public Comment.
IV. Approval of Minutes.
V. Preliminary Plats.
VI. Final Plats.
VII. Other Business.
New Legislation
Budget, Annual Reports, Report on Plats, Approval of Meeting Dates, etc.
VIII. Next Meeting Date.
IX. Adjournment.

560.247 County Plat Board; compensation

(1) Each member of the County Plat Board shall be paid compensation and mileage for the attendance at Plat Board meetings equal to compensation and mileage paid to supervisors for attendance at meetings of the Board of Supervisors. The compensation shall be payable from the general fund of the County.
(2) The duties of the County Plat Board shall not be considered as being a part of the duties of the regular offices of the members thereof.

LAND DIVISION ACT (EXCERPT)
Act 288 of 1967

560.102 Definitions.

Sec. 102. As used in this act:

(a) "Plat" means a map or chart of a subdivision of land.

(b) "Land" means all land areas occupied by real property.

(c) "Preliminary plat" means a map showing the salient features of a proposed subdivision submitted to an approving authority for purposes of preliminary consideration.

(d) "Division" means the partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors, or assigns for the purpose of sale, or lease of more than 1 year, or of building development that results in 1 or more parcels of less than 40 acres or the equivalent, and that satisfies the requirements of sections 108 and 109. Division does not include a property transfer between 2 or more adjacent parcels, if the property taken from 1 parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of this act or the requirements of an applicable local ordinance.

(e) "Exempt split" means the partitioning or splitting of a parcel or tract of land by the proprietor thereof 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. For a property transfer between 2 or more adjacent parcels, if the property taken from 1 parcel is added to an adjacent parcel, any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of this act or the requirements of an applicable local ordinance.

(f) "Subdivide" or "subdivision" means the partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors, or assigns for the purpose of sale, or lease of more than 1 year, or of building development that results in 1 or more parcels of less than 40 acres or the equivalent, and that is not exempted from the platting requirements of this act by sections 108 and 109. "Subdivide" or "subdivision" does not include a property transfer between 2 or more adjacent parcels, if the property taken from 1 parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of this act or the requirements of an applicable local ordinance.

(g) "Parcel" means a continuous area or acreage of land which can be described as provided for in this act.

(h) "Tract" means 2 or more parcels that share a common property line and are under the same ownership.

(i) "Parent parcel" or "parent tract" means a parcel or tract, respectively, lawfully in existence on the effective date of the amendatory act that added this subdivision.

(j) "Accessible", in reference to a parcel, means that the parcel meets 1 or both of the following requirements:

(*i*) Has an area where a driveway provides vehicular access to an existing road or street and meets all applicable location standards of the state transportation department or county road commission under 1969 PA 200, MCL 247.321 to 247.329, and of the city or village, or has an area where a driveway can provide vehicular access to an existing road or street and meet all such applicable location standards.

(*ii*) Is served by an existing easement that provides vehicular access to an existing road or street and that meets all applicable location standards of the state transportation department or county road commission under 1969 PA 200, MCL 247.321 to 247.329, and of the city or village, or can be served by a proposed easement that will provide vehicular access to an existing road or street and that will meet all such applicable location standards.

(k) "Development site" means any parcel or lot on which exists or which is intended for building development other than the following:

(*i*) Agricultural use involving the production of plants and animals useful to humans, including forages and sod crops; grains, feed crops, and field crops; dairy and dairy products; poultry and poultry products; livestock, including breeding and grazing of cattle, swine, and similar animals; berries; herbs; flowers; seeds; grasses; nursery stock; fruits; vegetables; Christmas trees; and other similar uses and activities.

(*ii*) Forestry use involving the planting, management, or harvesting of timber.

(*l*) "Forty acres or the equivalent" means 40 acres, a quarter-quarter section containing not less than 30 acres, or a government lot containing not less than 30 acres.

(m) "Lot" means a measured portion of a parcel or tract of land, which is described and fixed in a recorded plat.

(n) "Outlot", when included within the boundary of a recorded plat, means a lot set aside for purposes other than a development site, park, or other land dedicated to public use or reserved to private use.

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(o) "Proprietor" means a natural person, firm, association, partnership, corporation, or combination of any of them that holds an ownership interest in land whether recorded or not.

(p) "Governing body" means the legislative body of a city or village or the township board of a township.

(q) "Municipality" means a township, city, or village.

(r) "County plat board" means the register of deeds, who shall act as chairperson, the county clerk, who shall act as secretary, and the county treasurer. If the offices of county clerk and register of deeds have been combined, the chairperson of the board of supervisors shall be a member of the plat board and shall act as chairperson. In a county where a board of auditors is authorized by law such board may elect to serve on the county plat board by adopting a resolution so ordering. A copy of the recorded resolution shall be sent to the director of the department of energy, labor, and economic growth.

(s) "Public utility" means all persons, firms, corporations, copartnerships, or municipal or other public authority providing gas, electricity, water, steam, telephone, sewer, or other services of a similar nature.

(t) "Caption" means the name by which the plat is legally and commonly known.

(u) "Replat" means the process of changing, or the map or plat which changes, the boundaries of a recorded subdivision plat or part thereof. The legal dividing of an outlot within a recorded subdivision plat without changing the exterior boundaries of the outlot is not a replat.

(v) "Surveyor" means a professional surveyor licensed under article 20 of the occupational code, 1980 PA 299, MCL 339.2001 to 339.2014.

(w) "Engineer" means a civil engineer who is a professional engineer licensed under article 20 of the occupational code, 1980 PA 299, MCL 339.2001 to 339.2014.

(x) "Government survey" means the land surveyed, subdivided and monumented by the United States public land survey.

(y) "Michigan coordinate system" means the system defined in1964 PA 9, MCL 54.231 to 54.239.

(z) "Alley" means a public or private right of way shown on a plat which provides secondary access to a lot, block, or parcel of land.

(aa) "Health department" means the department of environmental quality, a city health department, a county health department, or a district health department, whichever has jurisdiction.

(bb) "Public sewer" means a sewerage system as defined in section 4101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.4101.

(cc) "Public water" means a system of pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes, and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water to the public for household or drinking purposes.

(dd) "Topographical map" means a map showing existing physical characteristics, with contour lines at sufficient intervals to permit determination of proposed grades and drainage.

(ee) "Flood plain" means that area of land adjoining the channel of a river, stream, water course, lake, or other similar body of water which will be inundated by a flood which can reasonably be expected for that region.

History: 1967, Act 288, Eff. Jan. 1, 1968;—Am. 1990, Act 156, Imd. Eff. June 28, 1990;—Am. 1996, Act 78, Imd. Eff. Feb. 27, 1996;—Am. 1996, Act 591, Eff. Mar. 31, 1997;—Am. 2010, Act 63, Imd. Eff. May 6, 2010.

Popular name: Plat Act

Popular name: Subdivision Control

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