

Date: \_\_\_\_\_

Application No: \_\_\_\_\_

Review Fee Deposit: \$ \_\_\_\_\_



# CITY OF NEW BALTIMORE

36535 GREEN STREET • NEW BALTIMORE, MI 48047 • (586) 725-2151 • FAX (586) 725-6927

## APPLICATION FOR SITE CONDOMINIUM SUBDIVISION

PRELIMINARY PLAN     FINAL PLAN

Name of Proposed Development: \_\_\_\_\_

Site Address: \_\_\_\_\_ New Baltimore, MI 48047

Parcel Identification No.: \_\_\_\_\_

Attach Complete Legal Description: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_ Size (in acres) : \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Legal Owner: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Site Plan Preparer's Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

### REVISED PLANS WILL NOT BE ACCEPTED AT THE MEETING

If petitioner is not the owner, state basis for representative (i.e., Attorney, Representative, Option to Buy, etc.)  
Any additional costs incurred by the City during the review of this application shall be born by the applicant.  
The undersigned authorizes any member of the Planning Commission or other representative of the City, to enter upon the described premises to visually inspect the proposed site, before and after any hearings scheduled for this application.  
The undersigned deposes that the foregoing statements and answers and accompanied information are true and correct.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Legal Owner

\_\_\_\_\_  
Please print/type name below signature

\_\_\_\_\_  
Please print/type name below signature

## **Section 2.04 SITE CONDOMINIUM SUBDIVISION AND CONDOMINIUMS.**

The intent of these requirements is to ensure that all site condominium subdivisions are developed in compliance with accepted planning and engineering standards applicable to similar forms of development, as reflected in the City's ordinances and requirements. All references to site condominiums are also meant to include condominiums within the provisions of this Section.

Single-family detached condominiums may be allowed as a special land use in any single-family zoning district, subject to site plan review by the City. The review procedures for commercial and industrial site condominium subdivisions shall also be regulated by this Section. Condominiums are permitted uses in all commercial, industrial and multiple-family districts.

### **1. Submission Requirements.**

All site condominium subdivision plans shall be submitted for review, as required by Article 2 of this Ordinance and Section 66 of the Condominium Act, and include the following additional information:

- a. A boundary survey of the site condominium subdivision site.
- b. A plan delineating all natural and man-made features on the site, including, but not limited to, drains, ponds, lakes, streams, floodplains, wetlands and woodland areas.
- c. The location, size, shape, area and width of all condominium units and common areas and the location of all proposed streets.
- d. A copy of the Master Deed and a copy of all restrictive covenants to be applied to the project. Such deeds shall include an acceptable means of converting the project to a platted subdivision, under the provisions of Act 288 of 1967, at some future date.
- e. A utility plan showing all sanitary sewer, water and storm drainage improvements, plus all easements granted to the City for installation, repair and maintenance of all utilities.
- f. A street construction, paving and maintenance plan for all streets within the proposed condominium subdivision plan.

- g. A storm drainage and stormwater management plan, including all lines, swales, drains, basins, and other facilities.

**2. Review Procedures.**

Pursuant to authority conferred by Section 141 of the Condominium Act, all site condominium subdivision plans shall require approval by the Planning Commission and City Council before units may be sold or site improvements initiated. In determining whether to approve a site condominium subdivision plan, the Planning Commission shall consult with the City Attorney, Planner and Engineer regarding the adequacy of the submission as it relates to the City of New Baltimore Zoning Ordinance and requirements of the Condominium Act. The review process shall consist of the following two steps:

**a. Preliminary Plan Review.**

In the preliminary review phase, the Planning Commission shall review the overall plan for the site, including basic road and unit configurations and the consistency of the plans, with all applicable provisions of the City of New Baltimore Zoning Ordinance. Plans submitted for preliminary review shall include information specified in items a., b. and c. of the Submission Requirements in subsection 1 above.

**b. Final Plan Review.**

Upon receipt of Preliminary Plan Approval, the applicant shall prepare the appropriate engineering plans and apply for Final Review by the Planning Commission. Final plans shall include information as required by the Submission Requirements in subsection a. through g. above. Such plans and information shall be reviewed by the City Attorney, Engineer and Planner.

Further, such plans shall be submitted for review and comment to all applicable local, County and State agencies. Final approval shall not be granted until such time as all applicable review agencies have had an opportunity to comment on said plans.

**3. District Requirements.**

The development of all site condominium subdivisions shall observe the applicable yard setback and minimum floor area requirements of the zoning district within which the project is located. The density of development of the project shall be no greater and spacing no less than would be permitted if the property were a platted subdivision. Site condominiums located within a Planned Unit Development (PUD) shall be governed by the standards approved as part of the overall PUD plan.

**4. Design Standards.**

All streets and roads in a site condominium subdivision shall conform to the standards of the City of New Baltimore Land Division and Subdivision Ordinance if the streets are to be dedicated to the public, or to standards and requirements of the City of New Baltimore Engineering Ordinance if private. Public streets shall be required, when necessary, to provide continuity to the public road system. All other improvements in site condominium subdivisions shall meet the standards of the City of New Baltimore Land and Subdivision Ordinance.

5. **Utility Easements.**

The condominium subdivision plan shall include all necessary public utility easements granted to the City of New Baltimore to enable the installation, repair, and maintenance of all necessary public utilities to be installed. Appropriate dedications for sanitary sewers, lines and storm drainage improvements shall be provided.

6. **Final Acceptance.**

The City shall also require all the appropriate inspections. After construction of the site condominium subdivision, an as-built reproducible mylar of the completed site improvements (excluding dwelling units) is to be submitted to the City for review by the City Engineer. A final certificate of occupancy and any construction bonds or letter of credit will not be released to the developer/owner until said as-built mylar has been reviewed and accepted by the City.

**Section 2.05 CONDOMINIUM CONVERSIONS.**

A. For all condominium projects, other than site condominiums, including convertibles, conversions or expansions, the following shall apply:

1. *Required information.* Concurrently with the notice of proposed action, required to be given to the City pursuant to section 71 of the condominium act, Public Act No. 59 of 1978 (MCL 559.171), as amended, a person intending to develop a condominium development in the City shall provide the following information:

a. The name, address and telephone number of the following:

(1) Persons with an ownership interest in the land on which the condominium development will be located, together with a description of the nature of each entity's interest (e.g., fee owner, optionee, land contract vendee, etc.).

(2) Engineers, attorneys, architects or registered land surveyors associated with the project.

(3) The developer or proprietor of the condominium development.

b. The legal description and acreage of the land on which the condominium development will be developed, together with any existing development and any proposed expansion plans and appropriate tax identification numbers.

c. The purpose of the development (i.e., residential, multiple-family, commercial, industrial, etc.).

d. Number of condominium units existing or to be developed on the subject parcel.

e. The condominium plan for the project prepared by a registered architect, land surveyor or engineer.

f. Site plan meeting the requirements of the appropriate zoning district.

- g. The nature, location and approximate size of the general and limited common elements.
  - h. Utility plan, including water, sewer, and storm drainage.
  - i. Floor plans and typical elevations of each side of the structure, if applicable, coded to the corresponding number or letter on the site plan.
  - j. The size, location, area and horizontal boundaries of each condominium unit.
  - k. The vertical boundaries and volume for each unit comprised of enclosed air space, if any.
  - l. A number or letter assigned to each condominium unit.
  - m. Floodplain and wetland information, if the condominium lies within or abuts a floodplain or wetland area.
  - n. Correspondence from the proper and appropriate state, county and local authorities.
  - o. Building section showing the existing and proposed structures and improvements, including their location on the land. Any proposed structures and improvement shown shall be labeled either "must be built" or "need not be built". To the extent that a developer is contractually obligated to deliver utility conduits, buildings, sidewalks, driveways, storm drainage, landscaping and an access road, such shall be shown and designated as "must be built"; however, the obligation to deliver such items exists whether or not they are shown and designated.
2. *Site plans.* Prior to recording of the master deed required by section 72 of Public Act No. 59 of 1978 (MCL 559.172), the condominium development shall undergo site plan review and approval pursuant to article XVI of this chapter. In addition, the City shall require appropriate engineering plans, building permits, inspections and approval of the master deed prior to the issuance of any certificates of occupancy.
3. *Site plans for expandable or convertible projects.* Prior to expansion of or conversion to a condominium development, the project shall undergo site plan review and approval pursuant to this chapter. Water, sewer and storm drainage facilities must be reviewed and upgraded to meet the separate ownership or public system requirements. Variances or deviations shall be considered only by the zoning board of appeals or the construction code board.

B. *General requirements.* General requirements are as follows:

1. *Master deed, restrictive covenants, and as-built survey.* The draft master deed and bylaws shall be submitted to the planning commission for its review. The site or survey plan shall show all common elements. Prior to the issuance of a building permit, the draft master deed shall be recommended for approval by the planning commission, and prior to the issuance of a certificate of occupancy, the final master deed shall be reviewed by the City attorney and approved by the City Council. The condominium development developer or proprietor shall furnish the City with the following: three copies of the master deed; three copies of all restrictive covenants; and two copies of an as-built survey. One copy of each of the above shall be provided to the City attorney, the building department, and the City engineer. The as-built survey shall be reviewed by the City engineer for compliance with City ordinances. Fees for this review shall be established by resolution of the City Council.
2. *Monuments required.* All condominium developments which consist in whole or in part of condominium units which are building sites, mobile home sites or recreational sites shall be marked with monuments, as provided in the condominium act (Public Act No. 59 of 1978 (MCL 559.101 et seq.)).
3. *Performance bond.* If deemed necessary, the City shall require a performance bond for the total costs, as approved and determined by the City engineer, of all improvements required.
4. *Building Department Review.* The Building Department shall conduct a full inspection of all buildings in the condominium project to ensure that current City Building Code requirements have been met prior to the granting of a certificate of occupancy.