

Adopted on 12-15-05 Ordinance Amendment Language for Site Condominium Development Below:

Section 2.18 Definitions - S

SITE CONDOMINIUM – A development site for a dwelling unit created by the division of land on the basis of condominium ownership which is not subject to the provisions of the Land Division Act, Public Act 591 of 1997. The term site condominium shall be equivalent to the term "lot" for purposes of determining compliance of the site condominium development with the provisions of this Ordinance pertaining to minimum lot size, minimum lot width, and maximum lot coverage.

SITE CONDOMINIUM DEVELOPMENT – A partitioning of land on the basis of condominium ownership, pursuant to the Condominium Act and which is not subject to the provisions of the Land Division Act, Public Act 288 of 1967, as amended.

SITE CONDOMINIUM UNIT – A site condominium unit is that portion of a site condominium that is designed, constructed and intended for separate ownership and use, as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use. The owner of a condominium unit also owns a share of the common elements of the site condominium development.

Chapter 3 General Provisions

Section 3.22 Site Condominium

- A. A site condominium unit shall be a unit created by the division of land on the basis of condominium ownership that is not subject to the provisions of the Land Division Act, Public Act 288 of 1967, as amended.
- B. A site condominium unit shall be treated as a separate lot or parcel and may have buildings constructed and uses conducted thereon provided the unit meets the use and District Regulations for the zoning district in which it is located.
- C. A site plan, including all the condominium documents required for the establishment of a condominium, shall be reviewed and approved by the Planning Commission in accordance with Chapter 11.
- D. Monuments shall be set at all boundary corners and deflection points and at all road right-of-way intersection corner and deflection points. Lot irons shall be set at all condominium site corners and deflection points of condominium site lines.
 - 1. The Zoning Administrator and the Township Engineer may grant a delay in the setting of required monuments or irons for a reasonable time, but not to exceed one (1) year from the date of approval by the Township Board, on condition that the developer deposit with the Township Clerk cash, a certified check, or an irrevocable bank letter of credit running to the Danby Township, whichever the developer selects, in an amount as determined from time to time by resolution of the Township Board.

2. The deposit shall be returned to the developer upon receipt of a certificate by a surveyor registered in the State of Michigan that the monuments and irons have been set as required, within the time specified.
 3. If the developer defaults, the Township Board shall promptly engage a registered surveyor to set the monuments and irons in the ground as shown on the condominium site plan, at the developer's expense.
- E. All rights-of-way and utility easements shall be described separately from individual condominium sites and shall be accurately delineated by bearings and distances on the condominium subdivision plan and the final site plan.
1. The rights-of-way and utility easements shall be separately designed for their individual purpose, such as access, roadway, location, installation, maintenance and replacing of public utilities.
 2. The developer shall dedicate to the Danby Township, Ionia County, or such other public agency, as applicable, all easements for utilities. Water, sewer and electrical easements may be placed within public rights-of-way, subject to the approval of the Township Engineer.
 3. All streets and roads proposed for any site condominium shall be developed within the minimum design, construction, inspection, approval, and maintenance requirements of this Ordinance and other applicable ordinances of the Danby Township and Ionia County.