

## ARTICLE 12

# CONDOMINIUM REGULATIONS

### Section 12.01 Purpose.

The purpose of this Article is to regulate projects that divide real property under a contractual arrangement known as a condominium. New and conversion condominium projects shall conform to the requirements of this Ordinance, all other applicable Township regulations, and the Condominium Act. Each condominium project shall be reviewed in a manner consistent with equivalent projects within the zoning district.

Pursuant to the authority conferred by the Condominium Act, condominium subdivision plans shall be regulated by this Ordinance as site condominiums, and shall be considered equivalent to a platted subdivision for the purposes of enforcing the Township's site development standards. It is the intent of this Article to ensure that:

1. Single-family detached residential subdivision developments implemented under the provision of the Condominium Act shall be consistent with subdivision plats established in accordance with the Township's subdivision regulations.
2. Review of condominium subdivision plans shall be accomplished, aside from procedural differences, with the objective and intent of achieving the same results as if the site were to be developed as a conventional subdivision plat.
3. Condominium subdivisions are developed in compliance with all applicable standards of this Ordinance and design standards equivalent to those found in the Township's subdivision regulations.

### Section 12.02 Scope.

The standards set forth in this Article shall be considered minimum requirements. Where the adopted Growth Management Plan or other provisions of this Ordinance or other applicable state laws or Township ordinances require higher standards, such higher standards shall apply.

### Section 12.03 Types of Permitted Condominium Units.

The following types of condominium units shall be permitted under this Article, subject to conformance with all applicable standards of this Ordinance:

1. **Single-family detached units.** In the case of a condominium project in which the condominium units are intended for detached single-family residential purposes (site condominium), the condominium unit shall be considered a lot under this Ordinance.

2. **Attached residential or multiple-family residential units.** Condominium buildings and units created by the construction of multiple or attached residential units containing individually owned condominium units, or by conversion of existing multiple-family or attached units or an existing building into residential condominium units shall conform with all requirements of this Ordinance for multiple-family dwellings.
3. **Non-residential condominium units.** A non-residential condominium project consisting of either new building construction or the conversion of an existing building into individual condominium units shall conform to all requirements of this Ordinance for the zoning district and type of land use.

### **Section 12.04 Condominium Site Plan Requirements.**

Prior to recording of the Master Deed of the condominium project as required by Section 72 of the Condominium Act, each condominium project shall be subject to review and approval of preliminary and final condominium site plans by the Planning Commission. Pursuant to authority granted by Section 141 of the Condominium Act, review and approval of site plans for all condominium developments shall be subject to the procedures and standards of Article 10.0 (Site Plan Review), and the following:

#### **A. Preliminary Condominium Site Plan Requirements.**

A preliminary condominium site plan shall be filed for approval at the time the notice of proposed action is filed with the Township per Section 71 of the Condominium Act. The preliminary site plan shall include all information required for preliminary site plans per Section 10.07 (Required Site Plan Information).

#### **B. Final Condominium Site Plan Requirements.**

The final condominium site plan shall include all information required for final site plans per Section 10.07 (Required Site Plan Information), and all information required by the Condominium Act.

#### **C. Site Condominium Developments.**

In the case of a site condominium development that consists only of condominium lots and not buildings or other structures at the time of plan review, the location and dimensions of the condominium lots, building envelopes, and required yards shall be shown on the preliminary and final site plans. Principal buildings or detached dwellings on proposed condominium lots may be shown on the site plans, but shall not be required for site condominium development approval.

### **Section 12.05 Changes to an Approved Condominium.**

Amendments or revisions to any condominium document or the approved final condominium site plan (Exhibit B, as required by the Condominium Act) shall be subject to review and approval in accordance with Section 10.12 (Amendment and Revision). In the event that the

condominium development is located in a Special District, such changes shall be subject to Section 7.106 (Amendment and Revision).

### **Section 12.06 Effect of Condominium Site Plan Approval.**

Approval of a final site plan by the Planning Commission authorizes issuance of a Certificate of Zoning Compliance; authorizes the property owner(s)/developer(s) to submit plans for detailed engineering review; and authorizes the execution of a Development Agreement between the Township and the property owner(s)/developer(s). Execution of the Development Agreement and engineering approval authorizes issuance of building permits, provided all other requirements have been met.

1. No site work or construction shall begin prior to engineering approval, required preconstruction meeting(s) and the execution and recording of the Development Agreement.
2. If a building, structure, or use to be placed on a condominium lot requires site plan approval per Section 10.02 (Site Plan Approval Required), a site plan for that building, structure, or use shall be approved in accordance with Article 10.0 (Site Plan Review) before a building permit or Certificate of Zoning Compliance may be issued.

### **Section 12.07 Condominium Site Plan Expiration.**

Expiration of preliminary and final condominium site plans shall be subject to the provisions of Section 10.08 (Expiration of Site Plan Approval). In the event that the condominium development is located in a Special District, expirations of approval shall be subject to Section 7.107 (Expiration of Approval).

### **Section 12.08 Rescinding Approval of a Condominium Site Plan.**

Condominium site plan approval may be rescinded by the Planning Commission upon determination that the site has not been improved, constructed or maintained in compliance with approved permits, plans, or conditions of approval. Such action shall be taken in accordance with the procedural requirements of Section 10.13 (Rescinding Site Plan Approval). In the event that the condominium development is located in a Special District, such action shall be subject to Section 7.108 (Rescinding Special District Approval).

### **Section 12.09 Density Regulations.**

For the purposes of this Ordinance, each condominium lot shall be considered equivalent to a single lot and shall comply with all regulations of the zoning district in which it is located, as specified in Article 3.0 (Dimensional Standards). The dwelling unit density of the project shall be no greater than would be permitted if the parcel were subdivided and developed in accordance with the regulations of the zoning district in which it is located.

1. In the case of a site condominium containing single-family detached dwelling units, not more than one (1) dwelling unit shall be located on a condominium lot, nor shall a dwelling unit be located on a condominium lot with any other principal structure or use, except as permitted in a Special District.
2. Required setbacks for individual condominium units or buildings shall be measured from the perimeter of the condominium lot or road right-of-way to the nearest part of the structure or building envelope.
3. Where detached units are not located on individual lots ("zero lot line condominium dwellings"), the following standards shall apply:
  - a. The maximum residential dwelling unit density for a site condominium development consisting all or part of zero lot line condominium dwellings shall conform to the standards of Article 3.0 (Dimensional Standards) for the zoning district.
  - b. Required yards shall be measured from:
    - (1) The building envelope boundaries to abutting road rights-of-way;
    - (2) Required perimeter setback lines from parcel boundaries;
    - (3) Required setback lines from wetlands and watercourses; and
    - (4) The near edge of drainage easements, general common elements, dedicated open space areas, and similar site elements.

In no case shall required yard setback areas for such dwellings overlap or encroach into areas reserved for such site elements.
4. Lot coverage and floor area ratio shall be calculated using the land area of the condominium lot.
5. Residential condominium developments shall conform to the dwelling unit density standards for the zoning district, as specified in Article 3.0 (Dimensional Standards).
6. A condominium is eligible to be developed in accordance with Section 14.01 (Open Space Preservation Residential Development).

### **Section 12.10 Design and Development Standards.**

The following shall apply to all condominium units and developments in the Township:

#### **A. Use Standards.**

Uses within a condominium project shall be regulated by standards of the zoning district where the project is located.

**B. Condominium Unit or Site Condominium Lot.**

For purposes of this Article and Ordinance, each detached condominium unit or site condominium lot shall be considered the equivalent of a platted lot of record as defined in the Township's subdivision regulations. Such units or lots shall be located within a zoning district that permits the proposed use. Such units or lots shall conform to the requirements of this Ordinance for the zoning district, except for permitted outlots provided for an indicated and approved purpose.

1. Corner lots shall have extra width to permit appropriate building setback. Lots abutting a mid-block cross access pedestrian way or other right-of-way shall be treated as corner lots.
2. Residential lots shall not open or face directly onto lots occupied or intended to be occupied by OFFICE, SERVICE AND COMMUNITY USES, COMMERCIAL USES, and INDUSTRIAL, RESEARCH, AND LABORATORY USES. Residential lots shall not open or face directly onto freeway rights-of-way, primary roads, or collector streets as defined by the master transportation plans of the Township, or county or state road authorities. In such situations, residential lots shall be laid out in one of the following ways:
  - a. Lots may back onto the above features, and corner lots may abut such features. Such lots shall be separated therefrom by a minimum 50 foot wide transition strip with screen plantings along the abutting property line(s). The transition strip shall not be part of the residential lot, but shall be part of the common area for the condominium development. The required transition strip shall be part located outside of any road rights-of-way and utility easements.
  - b. Lots may face onto a marginal access street.
  - c. Lots may face onto intersecting local streets with driveways opening onto the intersecting local streets.
  - d. Lots may be grouped around a cul-de-sac or loop street that opens onto a primary road or collector street.
3. **Lot frontage.** All lots shall abut, by their full frontage, on a public or private street. Lots extending through a block are prohibited except where they back directly onto freeway rights-of-way, primary roads, or collector streets as defined by the master transportation plans of the Township, or county or state road authorities.
4. **Lot lines.** Side lot lines shall generally be perpendicular to the right-of-way lines or radial to curved streets. All side and rear lot lines should be straight lines unless natural features or street curvature so prevent. The Planning Commission may approve lots that deviate from these requirements, upon determination that such deviations would result in better arrangement of lots.

5. **Lots to be buildable.** The lot arrangement shall be such that in constructing a building in compliance with this Ordinance, topography or other natural conditions will not create difficulties in locating the building and driveway and in providing adequate yard areas. The size, shape, and location of each lot shall have the following characteristics:
  - a. A suitable site for placing a house without excessive grading.
  - b. A usable area for outdoor living and other outdoor activities.
  - c. Adequate surface drainage away from the house site and outdoor living areas.
  - d. Reasonable driveway grades.
  - e. Minimal general site grading with retention of significant trees and other vegetation.
  - f. Minimal use of acute angles and odd, non-geometric shapes as part of the lot.
6. **Non-residential lots.** Lots intended for uses other than residential shall be identified on the plan, and shall be specifically designed for such uses in accordance with provisions of this Ordinance.

**C. Roads and Streets.**

The proposed development shall provide logical extensions of existing or planned roads and streets in the Township, and shall provide suitable road connections to adjacent parcels, where applicable. Street and block layout and design shall be subject to the following standards:

1. **Layout.** Road and street layout shall conform to the adopted Growth Management Plan and the following:
  - a. Public and private streets in a condominium development shall be developed to the standards of the Washtenaw County Road Commission (WCRC). Limited deviations from specific standards may be authorized for private streets only as part of a Special District condominium development per Article 7.0 (Special District Regulations).
  - b. The arrangement of streets in the development shall provide for the extension of an interconnected system of local and collector streets with adjacent developments where such extension is not precluded by topographic or other existing conditions.
    - (1) The layout shall also provide for proper projection of streets into adjoining properties not yet developed.



the WCRC and shall be responsible for improving said streets according to County Road Commission standards. A landscaped median strip at least 20 feet wide shall be provided between a marginal access street and the adjacent road.

6. **Other required streets.** Where a development borders or contains a railroad right-of-way or limited access highway right-of-way, the Planning Commission may require a street approximately parallel to and on one (1) or both sides of such right-of-way, at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.
7. **Street names.** Street names shall be reviewed and accepted by the Township Assessor and outside agencies with jurisdiction. Streets shall have names, not merely numbers or letters. Streets shall not change direction by more than 90 degrees without a change in street name.
8. **Blocks.** Blocks generally shall be not less than 330 feet or more than 1,320 feet in length as measured from the centerlines of streets, subject to the following:
  - a. No block width shall be less than twice the normal lot depth except where lots back onto a major street, natural feature, or development boundary.
  - b. For blocks exceeding 660 feet in length, a cross access pedestrian way easement shall be provided through the block for the crossing of underground utilities and pedestrian traffic. A paved pedestrian path or sidewalk shall be provided within the easement.
  - c. Blocks intended for non-residential uses shall be especially designed for such purposes and in accordance with Zoning Ordinance provisions. In such cases, the above dimensions do not apply.

**D. Access.**

Pedestrian and vehicular access to residential lots in a condominium development shall conform to the following standards:

1. **Driveways.** Driveways and curb cuts shall conform to standards of the County Road Commission and the standards of all Township ordinances. The curb section of driveways and aprons shall be designed so that excessive breakover angle and vehicle dragging will be eliminated.
2. **Reserve strips.** Privately held reserve strips controlling access to streets shall be prohibited.
3. **Non-motorized transportation facilities.** Sidewalks, pedestrian pathways, and other non-motorized transportation facilities shall be developed and placed in compliance with Michigan Department of Transportation (MDOT) and Township engineering standards, and the following:

- a. Road rights-of-way shall be sufficient to provide for sidewalks on both sides of all internal public and private streets within a condominium development.
- b. Sidewalks shall be required along the entire length of all public road rights-of-way abutting the condominium development
- c. Sidewalks shall be required on both sides of all internal public and private streets within a condominium development, except developments in Rural Residential Districts with a net dwelling density of less than one (1) unit per acre; which may be excepted partially or entirely, according to the discretion of the Planning Commission.
- d. Streets within a condominium development leading directly to a school shall have sidewalks on both sides of the street.
- e. Logical connections to and extensions of sidewalks and pedestrian paths outside of the condominium project shall be provided, where applicable. Existing and proposed sidewalks within and along the perimeter of condominium developments shall be connected to existing public sidewalks on abutting parcels, and across road rights-of-way by crosswalks and barrier-free access ramps.
- f. A pedestrian way shall be treated as an easement. Pedestrian ways and other non-motorized transportation facilities, other than sidewalks within road rights-of-way, shall be located within a minimum 20 foot wide access easement.

**E. Natural Features.**

All condominium developments shall conform to the natural features preservation requirements of this Ordinance and other applicable Township ordinances, including Section 14.05 (Natural Features Protection).

**F. Trees.**

Trees shall be provided in the margins of both sides of all streets in a condominium development, and shall be placed at the minimum rate of two (2) per single-family residential lot or at a maximum distance apart of 60 feet. The Planning Commission may also require the installation of trees according to the same distances in pedestrian ways.

1. These requirements may be relaxed by the Planning Commission if existing trees within the right-of-way or easement, or trees growing adjacent to the right-of-way or easement, satisfy the intent of this Ordinance.
2. Trees to be installed in the street margins or pedestrian ways shall be of a large deciduous type, and shall conform to the standards of Section 14.10 (Screening

and Land Use Buffers). The Planning Commission may permit substitution of deciduous ornamental trees for some or all of the required street trees.

**G. Reservation of Public Use Areas.**

Where a proposed park, playground, open space, public school, library, or other public use area shown in the adopted Growth Management Plan, is located in whole or in part in a proposed development, such area or areas shall be shown on the final site plan for the development.

1. Such area or areas may be dedicated to the Township or other applicable public agency by the proprietor if the Township Board or other applicable public agency approves such dedication.
2. Such areas, if not dedicated, shall be reserved by the owner(s)/developer(s) for future purchase by the Township or other appropriate public agency.
  - a. The precise nature, location, and extent of the reservation shall be determined prior to final site plan approval by the Planning Commission.
  - b. The reservation shall be valid for a period of 545 calendar days from the date of Planning Commission approval of the final condominium site plan; or such longer period as might be agreed to in writing by the owner(s)/developer(s) as part of a Development Agreement.
    - (1) Unless during such period the Township or other public agency shall have entered into a contract to purchase the reserved area or instituted condemnation proceedings according to law to acquire the fee simple or a lesser interest in the reserved area, the right to develop the reserved area shall revert to the owner(s)/developer(s) at the end of the period.
    - (2) The reservation shall freeze the price per acre of the reserved area for such period at the average value per acre on the date when the plan was first filed with the Clerk.
    - (3) The plan shall include provisions for incorporating the reserved area into the overall development, if said reserved area reverts to the owner(s)/developer(s).

**H. Exterior Lighting.**

Exterior lighting within a condominium development shall conform to the applicable standards of Section 14.11 (Exterior Lighting) and the following:

1. Exterior lighting shall be arranged and downshielded to prevent glare or reflection, nuisance, inconvenience, or hazardous interference of any kind with adjacent roads or adjacent properties and uses.

2. Streetlighting, where required or otherwise provided as part of a condominium development, shall conform to the following:
  - a. Streetlighting shall be required for all residential developments, except developments in Rural Residential Districts with a net dwelling density of less than one (1) unit per acre.
  - b. The Planning Commission may require streetlighting for condominium developments consisting of OFFICE, SERVICE, AND COMMUNITY USES, COMMERCIAL USES, or INDUSTRIAL, RESEARCH, AND LABORATORY USES.
  - c. Streetlighting shall have underground wiring, and shall be downshielded and designed to minimize glare.
  - d. Fixture standards shall meet the minimum specifications of the electric utility company serving that area of the proposed development.
  - e. Required streetlighting shall be installed prior to the occupancy of structures within the development.

**I. Stormwater Management Facilities.**

Developments shall provide for management of stormwater run-off from the developed site. New or expanded facilities shall be located so as to best conform to the layout of existing facilities. Drainage improvements shall conform to the Township's engineering standards and Washtenaw County Drain Commissioner (WCDC) requirements.

1. Adequate provisions shall be made for proper drainage of stormwater run-off from individual lots within a condominium development per the Township's engineering standards.
2. Where it is anticipated that additional runoff resulting from the condominium development may overload an existing downstream drainage facility, the Planning Commission shall not approve the development until adequate provision has been made by the developer for resolving downstream drainage problems.
3. Stormwater detention or retention basins may be required in order to control the discharge of stormwater from a proposed development. Such basins shall be designed to emulate a naturally formed or free form depression, and to minimize the need for perimeter fencing.

**J. Potable Water and Sanitary Sewage or Septic Facilities.**

Each condominium unit shall be connected to approved potable water supply and sanitary sewage treatment and disposal systems in accordance with the requirements of Section 14.06 (Water Supply and Sanitary Sewerage Facilities) and the following:

1. **Water supply facilities.** Water supply facilities shall be designed and located according to the applicable standards of the Township and any outside agencies with jurisdiction.

- a. New or expanded facilities shall be located so as to best conform to the layout of existing facilities.
  - b. On-site services and private water systems shall be designed according to applicable standards of the Washtenaw County Environmental Health Division (WCEHD) and the Township.
2. **Sanitary sewage facilities.** Where publicly owned and operated sanitary sewage facilities are available, sewers shall be installed to serve each lot. All sanitary sewer facilities shall be designed and constructed in accordance with the applicable standards of the Township and any outside agencies with jurisdiction.
- a. New or expanded facilities shall be located so as to best conform to the layout of existing facilities.
  - b. Each lot in a development served by publicly owned and operated sanitary sewers shall be connected to a sanitary sewer line before occupancy of that lot shall be permitted.
  - c. If sanitary sewage facilities are not available, minimum lot sizes shall conform to requirements of the WCEHD, and individual, on-site septic systems shall be subject to WCEHD approval. In no case shall the minimum lot size be less than that required by the zoning district for the subject parcel(s).
  - d. The use of private community wastewater systems (PCWS), as defined in Section 17.03 (Definitions), shall be prohibited in condominium developments, except where approved by the Township as part of a Planned Community (PC) Special District.

**K. Gas, Wire, and Cable Utilities.**

All lines for telephone, electrical, television, and other services distributed by wire or cable shall be placed underground throughout the development.

1. Overhead lines may be permitted upon approval of the Planning Commission at the time of preliminary site plan approval where it is determined that such lines will not impair the health, safety, general welfare, design, appearance, and/or character of the development, and only where such overhead lines are brought to the perimeter of the development.
2. This Section shall not be construed to prohibit the construction above ground of surface equipment associated with an underground distribution system, such as, but not limited to, surface-mounted transformers, power terminal pedestals, meters and meter boxes, concealed wires, street lights, and street light poles.
3. All facilities, including those for gas distribution, shall be installed in accordance with standards and specifications of the Michigan Public Service Commission. The layout of such facilities shall be submitted to the utility companies having

jurisdiction in the area for their review and approval before filing for final approval of the plan.

4. Utilities placed in road rights-of-way shall not conflict with other underground lines.

**L. Utility Easements.**

The developer shall dedicate all necessary utility easements to the Township or other agency or entity with jurisdiction for the purposes of constructing, operating, inspecting, maintaining, repairing, altering, replacing, and removing pipelines, mains, conduits, and other installations of a similar character; for the purpose of providing public utilities, including the conveyance of sewage and water, across, through, and under the property subject to said easement; and for excavating and refilling ditches and trenches necessary for the location of said structures.

1. All underground public utility installations that traverse publicly-owned property shall be protected by dedicated easements approved by the public utility.
2. Such easements shall be so located as not to interfere with the use of any lot or other part of the development.
3. The size of and restriction pertaining to such easements shall be in accordance with the standards and specifications of the agency having jurisdiction over the utility lines.

**Section 12.11 Manufactured Housing Park Condominium.**

Where a manufactured housing park development falls within the definition of manufactured housing park condominium project in the Condominium Act, said development shall be developed in accordance with the Condominium Act and this Ordinance. All provisions of this Ordinance shall apply except for, or in addition to, the following:

1. All streets and driveways in the development shall conform to the standards set forth in Section 12.10C (Roads and Streets). Direct vehicular access shall be prohibited from a residential lot to a collector street. Such access shall be provided by local residential streets within the development.
2. Collector street dimensions shall conform to WCRC specifications.
3. Each lot shall abut and have direct access to a public or private street.
4. Lots should be laid out so as to provide a variety of shapes and sizes and to prevent a monotonous character.
5. Sidewalks and pedestrian ways shall be provided in accordance with Section 12.10D (Access), except that sidewalks along streets may not be required when pedestrian ways provide acceptable alternative means of pedestrian movement.

6. All lots shall be connected to sanitary sewer and water systems approved by the Township. Such facilities shall meet the requirements of this Ordinance and all other applicable Township ordinances and regulations.
7. Fuel oil and gas storage tanks shall be located in an inconspicuous manner either by placing the tanks underground or by enclosing them with a screen of shrubbery. All fuel lines leading to the development and to dwelling sites shall be underground and so designed as to conform to the State Construction Code and any other applicable codes and ordinances.
8. When a master satellite, wireless Internet or similar centralized antenna is provided, all lines extended to individual lots shall be underground. Such master antennae shall be so placed as not to be a nuisance to development, residents or surrounding areas, and shall comply with the provisions of Section 14.02 (Wireless Communication Facilities).

### **Section 12.12 Non-Residential Condominium.**

Condominium developments consisting of OFFICE, SERVICE, AND COMMUNITY USES, COMMERCIAL USES, or INDUSTRIAL, RESEARCH, AND LABORATORY USES shall conform to the provisions of this Ordinance, except for the following modifications provided in this subsection:

1. **Streets.** All streets in a non-residential condominium development shall be paved and shall be designed and constructed to adequately handle truck traffic. Streets and other access ways shall be planned in connection with the grouping of buildings, location of rail facilities, where applicable, and the provision of truck loading and maneuvering areas, walks, and parking areas, so as to minimize conflict of movement between the various types of traffic, including pedestrian traffic.
2. **Driveways.** Entry drives for the development shall be located and designed so as not to create congestion or hazardous conditions on public streets serving the development. Driveways from parking and loading areas shall intersect streets at a distance from intersections that is large enough to permit safe and convenient maneuvering of vehicles.
3. **Blocks.** The block size standards of this Section shall not apply to non-residential condominium developments. Blocks shall be designed to meet the requirements of fire protection, snow removal, other service and emergency vehicles, and the specific needs of the uses that will occupy the development.
4. **Lots.** Lots shall have access from internal streets within the development, or from marginal access streets. Such lots shall not open directly onto primary roads or collector streets.
5. **Sidewalks.** Sidewalks and pedestrian ways shall be provided, except where the Planning Commission determines that such facilities are not required for the safety and convenience of pedestrians within or around the development.

6. **Transition strips.** Transition strips shall be provided along the perimeter of a non-residential condominium development as required by this Ordinance. The Planning Commission may require provision of a fence, wall, or screen, if it determines such is necessary to protect the adjacent areas from litter, trespass, and other nuisances.
7. **Expansion.** Any intended or contemplated future expansion of the development should be shown on the preliminary and final site plans.

### **Section 12.13 Special District Condominium Developments.**

Developments in a Special District may be granted certain approved deviations from this Article in accordance with Section 7.003 (Regulatory Flexibility). Such deviations are intended to accommodate the site planning, engineering, and other requirements of large, comprehensive developments with associated uses, where it can be clearly demonstrated that good cause for such deviation(s) exists.

Such deviations may include, but are not limited to, time extensions, flexible schedules for installation of improvements, security requirements for improvements, reductions in minimum lot areas and dimensions, mixtures of residential densities and building types, mixtures of residential and nonresidential structures, and modifications in the design and development standards of this Article.

### **Section 12.14 Relocation and Subdivision of Lot Boundaries.**

The relocation of boundaries, subdivision of a condominium lot, and any other change in the dimensions of a condominium unit or site condominium lot, if permitted in the condominium documents, shall be considered an amendment to the condominium documents and condominium site plan. Relocation of condominium lot boundaries, as permitted in Section 48 of the Condominium Act, shall comply with the requirements of Article 3.0 (Dimensional Standards), and shall be subject to review as an amended condominium site plan per Article 10.0 (Site Plan Review).

Any property remaining after the formation of a new unit lot by the relocation of an existing condominium lot boundary, as permitted by Section 49 of the Condominium Act, shall comply with the requirements of Article 3.0 (Dimensional Standards) or shall be placed into common areas within the project. These requirements shall be made a part of the condominium bylaws and shall be recorded as part of the master deed.

### **Section 12.15 Monuments.**

Monuments shall be set at all boundary corners and deflection points and at all road right-of-way intersection corners and deflection points. Lot irons shall be set at all condominium lot corners and deflection points of condominium lot lines.

1. The Township Engineer may grant a delay in the setting of monuments or irons for a reasonable time, but not to exceed one (1) year, on condition that the

developer deposit with the Township Treasurer cash, a certified check, or an irrevocable bank letter of credit running to the Township, whichever the developer selects, in an amount as determined from time to time by the Township Engineer.

2. Such 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 may promptly require a registered surveyor to set the monuments and irons in the ground as shown on the condominium site plans, at a cost not to exceed the amount of the security deposit.

### **Section 12.16 Construction in a General Common Element.**

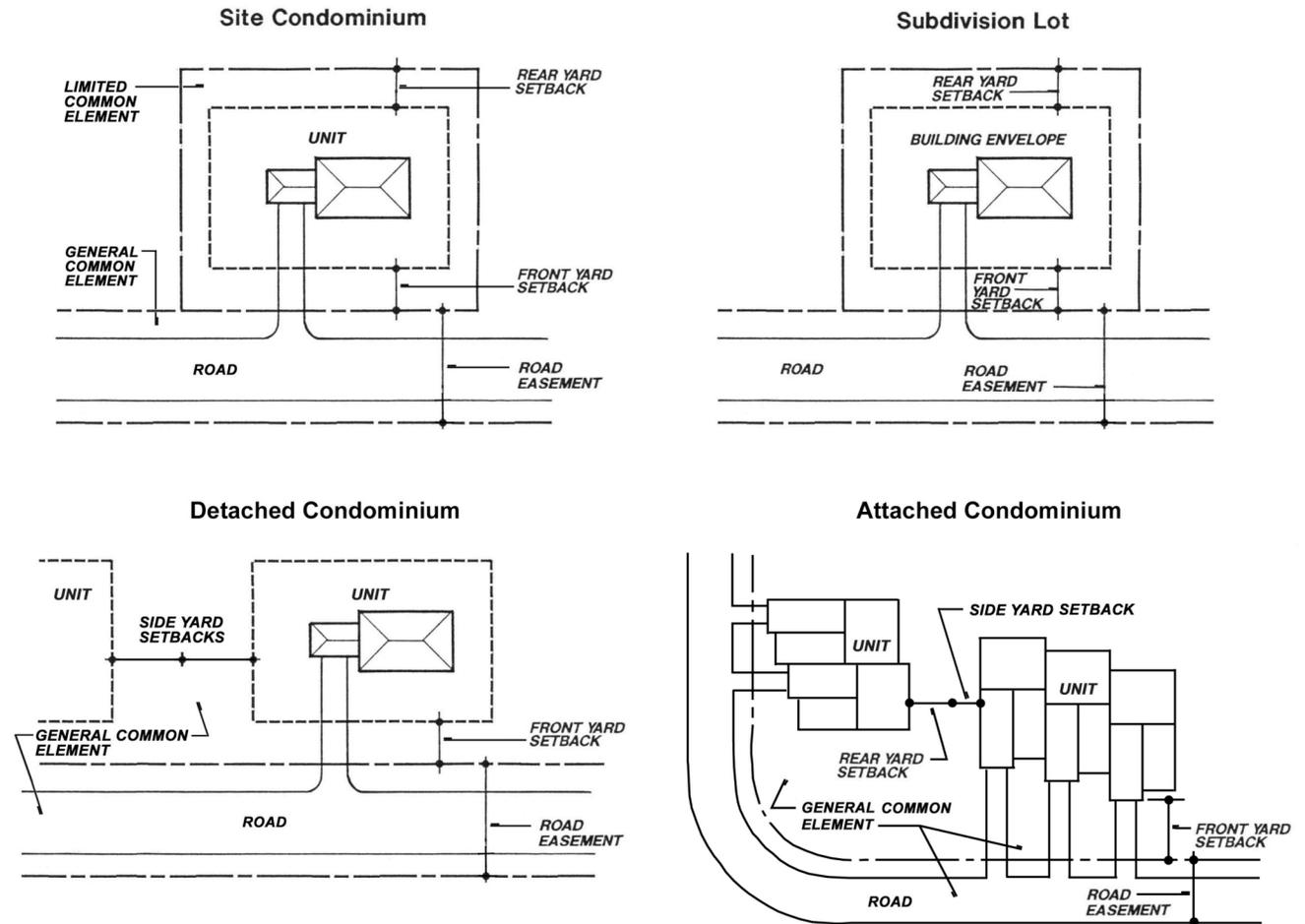
Any application for a Building Permit for construction to be located in a general common element shall include written authorization for the application by the Condominium Association.

### **Section 12.17 Recording of Condominium Documents.**

The owner(s)/developer(s) shall record all condominium documents and exhibits with the Washtenaw County Register of Deeds office in a manner and format acceptable to the County.

1. It shall be the responsibility of the developer or proprietor of a condominium project to furnish the following items to the Township Clerk:
  - a. Two (2) copies of the recorded Master Deed, Bylaws, and any other condominium documents, including Exhibit B, as required by the Condominium Act;
  - b. The "as built" plans, sealed by a licensed professional engineer, landscape architect or similar certified professional, in digital and hardcopy formats acceptable to the Township Engineer; and
2. The Zoning Inspector may withhold zoning permit approval for any structure within the condominium project, if such documents have not been submitted within 10 days after written request from the Zoning Inspector to do so.
3. A final Certificate of Occupancy for any building in an approved condominium development shall not be issued until the Master Deed, Bylaws, and any other condominium documents, including Exhibit B, as required by the Condominium Act, have been recorded with the Washtenaw County Register of Deeds and the recorded document filed with the Township Clerk.

# ILLUSTRATIONS



## Condominium Terminology

