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**Sent:** Friday, March 26, 2021 3:44 PM  
**To:** Markee, Kimberly <[kmarkee@waterfordmi.gov](mailto:kmarkee@waterfordmi.gov)>  
**Cc:** Vlaeminck, Kari <[kvlaeminck@waterfordmi.gov](mailto:kvlaeminck@waterfordmi.gov)>; Alef, Scott <[SAlef@waterfordmi.gov](mailto:SAlef@waterfordmi.gov)>  
**Subject:** Info Request | MEDICAL MARIHUANA FACILITY LICENSE APPLICATION

Dear Kim Markee,

In representation of both the Buyer & Seller of a commercial real estate property that are in process to submitting an application for a Waterford Twp Medical Marihuan license prior to April 12, 2021.

Our Clients are under process to submit an additional Waterford Twp application (Acreage and/or Platted Lot Split Application) via your Assessors Department.

In the understanding that this application of splitting parcels may take up to 30 days to process.

Provided that the applicant exercises Question #25:

- (22) Proof of insurance.
- (23) \$10,000 bond payable to Township to defend Named Applicant challenges to Township decisions.
- (24) Conditional waiver of FOIA disclosure exemption for State license application documents.
- (25) OPTIONAL: Any other information the Named Applicant wants to have considered by the Township in reviewing, considering and acting on the Application.

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Our question that we would like answered by your Department or the Waterford Twp attorney is the following;

Provided that the applicant submits a completed application and the parcell split is executed via formal municipality process, will the submitted application be eligible to be updated and/or amended with the new parcell ID and address for its intended use?

Thank you,  
**Christian A. Dorsch**  
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## **TOWNSHIP RESPONSE**

This question is correct that Ordinance Section 10-301(b)(25) allows and is the correct part of an Application in which to disclose an intended or pending land division request as related to the property and location for which a facility license is being applied for.

The ability to disclose an intended or pending land division request does not relieve a Named Applicant from all Application requirements under Ordinance Section 10-301(b) related to the property for which a license is applied for. That includes a separate legal description of the part of the property upon which the facility would be located per Ordinance Section 10-071(b), and that description must be identical to the legal description submitted for the land division.

The question is not correct regarding the time allowed for land division requests to be decided by the Assessor, which per Ordinance Code Section 15-082(c), is 45 days from a complete application, not 30 days.

While the Ordinance allows an Application to be filed for a license location that is not yet a legally recognized tax parcel by a Township Assessor approved land division, the Named Applicant assumes all risks of that approval not being obtained.

Under Ordinance Section 10-302(b)(6), the Assessing Official's report on an Application is to address if a proposed location is a legally recognized tax parcel. Assuming a land division as disclosed and corresponding to the legal description in the License Application is approved before the Assessing Official's report on the License Application is due, there would be no need for the Named Applicant to update or amend the License Application to confirm the approved land division.