

Lodi Township ID # \_\_\_\_\_ - \_\_\_\_\_

**APPLICATION FOR PRIVATE ROAD  
LODI TOWNSHIP**

Parcel number where road is to be constructed

M - 1 3 - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Owner Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Phone number (Home) \_\_\_\_\_ (Work) \_\_\_\_\_

(Cell) \_\_\_\_\_ **EMAIL** \_\_\_\_\_

Proposed Road Name \_\_\_\_\_

Proposed Number of Parcels to be serviced by the proposed road \_\_\_\_\_

Class of Private Road \_\_\_\_\_

**APPLICATION FEES:**

- APPLICATION \$1000.00
- REQUIRED PRE-APPLICATION MEETING \$450.00
- ESCROW FEES: unpaved less than 1,000feet - \$3000.00 escrow. Paved less than 1,000 feet - \$5000.00 escrow. Paved greater than 1,000 feet -15% of the cost of construction with a minimum of \$3000.00 escrow

I have had a pre-application meeting with the township planner and Planning Commission Chair and submit the following application with attachments.

**Check Box if included. If not all boxes can be checked, the application will not be accepted.**

- 1. Engineering plans of the road and proposed parcels
- 2. Proposed road maintenance Agreement
- 3. Approval of proposed road name from Saline Area Fire Department and the Post Office serving the proposed road.
- 4. Road Commission access approval.
- 5. Water Recourses Commissioner Approval
- 6. Written and Notarized authority to apply for private road if not property owner
- 7. Escrow deposit of \$ \_\_\_\_\_

Signature of Property Owner \_\_\_\_\_

Signature of Applicant if other than Owner \_\_\_\_\_

Notarized by \_\_\_\_\_ on \_\_\_\_\_

Date \_\_\_\_\_

**Township Action**

\_\_\_\_\_  
Date received

_____ Dates turned over to the Planning Commission	_____ Planner	_____ Engineer
_____ Date of Publication		
_____ Date of Notification to surrounding property owners		
_____ Date of approval/denial		
_____ Final approval of construction by township engineer		
_____ Remaining escrow deposit returned - date		

## **Section 54.17 Private Road Regulations.**

Unobstructed, safe and continuous access to parcels is necessary to promote and protect the health, safety, and the welfare for the public through police and fire protection, and ambulance service; and to ensure that such services can safely and quickly enter and exit private property at all times. When public dedication is desirable or required, access to the interior of certain sections within Lodi Township shall meet minimum standards and specifications to permit the subsequent upgrading and dedication of such access rights of way to the County Road Commission or other municipal corporations. The following standards and specifications for private roads are the minimum necessary to meet the intention of this Section and Ordinance.

### **A. Review Procedures.**

Applications for approval of a private road under this Section shall be subject to review and approval in accordance with the following:

1. **Pre-application meeting.** A pre-application meeting shall be held with appropriate Township consultants and officials prior to official submittal of the private road application to review general aspects of the proposed private road and Township requirements.
2. **Public hearing.** Prior to review of the private road application submittal, the Planning Commission shall hold a public hearing in accordance with Section 57.10 (Public Hearing Procedures).
3. **Review procedures.** Applications for approval of a private road under this Section shall be reviewed as part of review and approval of a:
  - a. Subdivision plat in accordance with the Land Division Act and any Township subdivision regulations;
  - b. Condominium subdivision (site condominium) development under Article 45.0 (Condominium Regulations) and the Condominium Act;
  - c. Site plan approval in accordance with Article 44.0 (Site Plan Review) where a private road is proposed to serve lots to be created by metes and bounds lot splits permitted by the Land Division Act; or.
  - d. Incidental alterations to an existing private road in conformance to Section 44.02B5.

### **B. Required Information.**

Applications for approval of a private road under this Section shall be filed with the Township Clerk. Incomplete or inaccurate applications shall not be accepted for review, and shall be returned to the applicant. At a minimum, such applications shall include the following:

1. **Fees.** All required fees and escrow deposits to defray the costs of plan review, administration, inspection and enforcement of this Section shall be paid to the Township at the time of application.
2. **Development plan.** The private road development plan shall, at a minimum, include all of the following:

- a. All applicable information required for subdivision plat approval per the Land Division Act and any Township subdivision regulations; condominium subdivision plan approval per Article 45.0 (Condominium Regulations) and the Condominium Act; or site plan approval per Article 44.0 (Site Plan Review) of this Ordinance.
  - b. A survey drawing showing the following:
    - (1) The proposed private road right-of-way, all parcels to be served, utility and other easements, abutting parcel boundaries, and abutting roads and road rights-of-way.
    - (2) Existing soil characteristics, regulated wetlands, floodplains, watercourses, drainage patterns, and topographic contours at one (1) foot intervals for the area within the proposed right-of-way area and all adjacent land within 100 feet thereof; or within such greater area as may be determined necessary by the Township Planner or Planning Commission to ensure adequate drainage.
    - (3) All existing trees subject to the requirements of Section 54.08 (Natural Features Protection and Preservation).
    - (4) All existing structures and any additional features uniquely affecting the site within 100 feet of the proposed right-of-way.
  - c. Plan and profile drawings and cross-sections of all proposed private road, drainage, and other improvements within the right-of-way, showing clearly all materials, grades, and dimensions.
  - d. A legal description of the private road right-of-way and of each parcel to be served by the road right-of-way; and the names and addresses of all persons or entities having an equitable interest or legal title to the parcels and private road right-of-way.
3. Documentation from the County Environmental Health Division or other agency with jurisdiction that each of the lots and dwellings can be adequately served by private well, septic or other approved wastewater treatment systems; or documentation that the proposed dwellings will be served by municipally owned and operated water or sanitary sewer services.
  4. A complete statement of all terms, covenants, and deed restrictions associated with the private road right-of-way, including the Private Road Maintenance Agreement required by this Section.
  5. Documentation that the proposed private road will be developed in conformance with the Township's natural features preservation requirements per Section 54.08 (Natural Features Protection and Preservation); the County Water Resources Commissioner's standards and approval for stormwater retention and drainage facilities; and the County Road Commission's standards and approval for vehicular access.
  6. Any additional information requested by the Township Planner or Planning Commission to verify compliance with this Ordinance.

## C. Specifications for Rights of Way and Roadways.

Each right-of-way and its roadway shall conform to the following specifications:

1. **Classes of private roads.** Private roads shall be divided into two (2) classes, as follows:
  - a. **Class One private roads.** Class One private roads shall be any private road that meets one (1) or more of the following criteria:
    - (1) Serves two (2) or more single-family residential parcels not on a shared driveway, and has a reasonably foreseeable potential to be extended in the future to serve more than eight (8) single-family residential parcels.
    - (2) Connects with or has a reasonably foreseeable potential to be extended at a future time to connect with another public or private road.
    - (3) Serves one or more nonresidential uses, not including farm uses and associated buildings.
  - b. **Class Two private roads.** Class Two private roads shall be any private road that serves not more than eight (8) residential units and does not otherwise qualify as a Class One private road.
2. **General standards for all private roads.** All Class One and Class Two private roads shall meet the following minimum requirements and specifications:
  - a. The roadway surface and turnaround area shall be centered in the right-of-way.
  - b. The connection between the right-of-way and any public road shall conform to the specifications of the County Road Commission.
  - c. Underground drainage shall be provided where the proposed right-of-way crosses a stream or other drainage course. Necessary culverts and erosion treatments shall be provided in accordance with the specifications of the County Road Commission and the Water Resources Commissioner.
  - d. The right-of-way and roadway shall be adequately drained to prevent flooding or erosion. Open swale/ditch drainage systems within the right-of-way are preferred to enclosed storm sewers where applicable standards and site conditions permit. Road drainage systems shall be
  - e. constructed so that runoff water shall be conveyed to existing watercourses. Such water shall not be discharged off-site upon the land of another property owner unless the water is following an established watercourse and does not exceed the normal agricultural rate.
  - f. Connection to roadside ditches within public road rights-of-way and county drains shall be approved by the County Road Commission and the County Water Resources Commissioner.
  - g. All parcels receiving access shall have their individual addresses posted on each property and at their driveway entrances.

- h. Road signs, stop signs, and no outlet signs for roads without an outlet shall be erected and maintained in accordance with the Michigan Manual of Uniform Traffic Control Devices.
  - i. Private road names shall be subject to approval by the Saline Area Fire Department, County Road Commission, Washtenaw County 911 Administrator, and local post office jurisdiction.
  - j. The right-of-way shall provide for ingress, egress, drainage, and installation and maintenance of public and private utilities.
3. Class One and Class Two private roads shall also meet their respective minimum requirements and specifications as follows:

<b>Minimum Requirements and Specifications for Private Roads</b>		
<b>Standard</b>	<b>Class One</b>	<b>Class Two</b>
<b>Width of right-of-way</b>	66 feet	50 feet
<b>Road length</b>	not applicable	not applicable
<b>Driving surface or pavement width</b>	20 feet with six (6) foot shoulders and adequate drainage	16 feet with adequate drainage
<b>Sub-base (spread to a minimum width sufficient to extend to the front slope of the roadside ditch)</b>	six (6) inches of compacted MDOT Class 2 aggregate	same as Class One
<b>Base for gravel surface</b>	eight (8) inches of MDOT 22A in two (2) equal courses, each compacted 26 feet wide	six (6) inches of MDOT 22A in two (2) equal courses, each compacted 18 feet wide
<b>Base for paved surface</b>	ten (10) inches of MDOT 22A in two (2) equal courses, each compacted 26 feet wide	If paved, same as Class One
<b>Pavement (pavement is required for all private roads abutting a paved road)</b>	three (3) inches bituminous mixture type 13A in two (2) courses 24 feet in width. Curb and gutter permitted; in rural areas vegetated swales are preferred.	If paved, same as Class One
<b>Turnaround right-of-way</b>	75 foot radius	60 foot radius
<b>Turning circle driving surface area</b>	50 foot radius	same as Class One
<b>Ditches and swales</b>		
Minimum grade	0.50%	ditches shall be of adequate width, depth, and grades to provide for adequate and positive drainage
0.5% to 4.0% grades	sod or otherwise stabilize	
4.01% and steeper grades	rip-rap to stabilize	
front and back slopes	one on four (1:4)	
<b>Roadway grades</b>		
Minimum	0.50%	same as Class One
Maximum	6.00%	same as Class One
<b>Roadway Crown</b>		

<b>Minimum Requirements and Specifications for Private Roads</b>		
<b>Standard</b>	<b>Class One</b>	<b>Class Two</b>
Minimum	2.0%	Same as Class One
<b>Roadway curves</b>		
Horizontal minimum	230 foot radius	150 foot radius
Vertical minimum	100 foot long for changes in gradient of 2% or more	same as Class One

**D. Inspection.**

All required improvements shall be inspected by the Township Engineer at various stages of construction, as established at the pre-construction meeting. The Township Engineer shall make a final inspection upon completion of construction and shall report the results of the final inspection to the Township Clerk in writing. The applicant's engineer shall certify in writing to the Township Engineer before the final inspection and report thereon that the required improvements were made in accordance with this Section and all approved plans. A notice of completion by the Township Engineer shall be delivered to the Township Clerk and the applicant.

The costs of inspection, including compensation of the Township Engineer, shall be paid by the applicant prior to the issuance of the certificate of completion. The Township Clerk shall determine the costs of administration and inspection, the same shall be paid from the escrow deposit established in accordance with Section 57.08.B. (Escrow Deposits for Variable Costs and Expenses).

**E. Private Road Maintenance Agreement.**

A maintenance agreement for the private road shall be prepared by the applicant, subject to review and approval by the Township Planner and Township Attorney. The following minimum standards shall apply to the Agreement:

1. **Maintenance responsibility.** Owners of all lots accessing the private road or otherwise part of this Agreement shall be jointly and severally responsible for maintaining the private road(s) in accordance with this Section, approved development plans, and any conditions of approval. Should the Township incur costs for necessary maintenance to the road for any reason, each owner shall be jointly and severally liable for reimbursement of such costs.
2. **Maintenance standards.** Maintenance of private road(s) shall include but not be limited to filling of pot holes, re-grading, ditching, and the placement of gravel and/or sealcoat of paved surfaces as necessary for emergency vehicle access, and to enable lot owners to use the roads for ingress and egress.
3. **Maintenance fee.** Each parcel owner shall be liable for an equal pro rata portion of the costs necessary to maintain the roadways. Said maintenance fee shall be established by the Agreement, or as the equal pro rata portion of actual costs of maintenance work performed.
4. **Termination.** Lot owners' responsibility and liability for road maintenance shall cease for roads or portions thereof that are dedicated or conveyed for public use and have been accepted by the County Road Commission for this purpose.

**F. Recording of Rights-of-Way.**

The applicant shall record the approved private road right-of-way; all associated terms, covenants, and deed restrictions; and the approved Private Road Maintenance Agreement in the Washtenaw County Register of Deeds Office, and shall provide two (2) copies of the recorded document to the Township Clerk.

**G. Restriction on Zoning Compliance Permits.**

No zoning compliance permit for a building shall be issued for any lot subject to the provisions of this Section unless all road signs, stop signs, and other traffic control devices have been installed and a certificate of completion has been issued by the Township Clerk, except upon recommendation by the Township Engineer or other designated Township representative.

**H. Expiration of Private Road Approval.**

Township approval of a private road under this Section shall expire and have no effect immediately upon expiration, rescinding or voiding of the associated final subdivision plat, final condominium site plan, or final site plan approval.