

**Saugatuck Township
3461 Blue Star Highway
Saugatuck, Michigan 49453
(269) 857-7721**

Application for Permit to Construct a Private Road

Owners Name: _____ Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

Parcel Number: 0320- - - _____ Road Location: _____

Contractor: _____ Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

I agree to comply with all local and State laws in regards to the locating, construction, and maintenance of the private road for which I am requesting a permit.

Owners or Agents Signature: _____ Date: _____

Attach a detailed site plan showing the location of the road on the parcel and the existences form the road to lot lines and any structures as well as the width and depth of the roadbed. A copy of Section 40-658 of the Zoning Ordinance will be given with this application and the permit will be issued if the site plan complies with this Section and all other required information is submitted.

Permit No: _____

A permit is hereby granted to construct a private road in accordance with Section 40-658 of the Saugatuck Township Zoning Ordinance.

Alfred J. Ellingsen
Zoning Administrator

Date

Fee: \$ _____

Received By: _____

Sec. 40-658. Private Roads.

- (a) Any new or unplatted Private Road may only be constructed if authorized by the Zoning Administrator. Before granting such authorization, the Zoning Administrator shall require compliance with the factors listed in this section.
- (b) The owner of the property over which the Private Road shall be constructed must record an easement dedicated for ingress and egress purposes directly to and from a Street for the benefit of the owners and users of the Lots or Parcels served by the Private Road, as well as for the construction, maintenance and repair, including reconstruction, of utilities. The easement shall benefit the Lots or Parcels fronting the Private Road, as well as each utility company or municipality providing utility or emergency services in the vicinity of the Private Road. The easement shall have at least 66 feet of frontage on the Street, and the easement shall maintain a minimum width of 66 feet for its entire length. However, an easement serving four or fewer Lots or Parcels must have only 33 feet of frontage on the Street, and the easement shall maintain a minimum width of 33 feet for its entire length.
- (c) Except as otherwise specifically provided in this section, the Private Road must be constructed according to county road commission surface material requirements and specifications for Streets, plus the requirements for culs-de-sac if applicable. The Private Road need not be paved, but it must at least have six inches of MDOT 22A specification aggregate upon a compacted base. In any event, the width that is either paved or covered with MDOT 22A specification aggregate shall be 20 feet for its entire length. This subsection (c) shall only apply to Private Roads serving more than four Lots or Parcels.
- (d) A joint maintenance and easement agreement shall be recorded in the office for the county register of deeds providing for the perpetual private (nonpublic) maintenance of the Private Road to a necessary and reasonable standard to serve the several interests involved. The following items shall be included in the joint maintenance and easement agreement:
- (1) Financing Improvement and/or maintenance. A method of initiating and financing of such Improvement and/or maintenance of the Private Road as is necessary to keep it in a reasonably good and usable condition;
 - (2) Method of apportioning costs. A workable method of apportioning the cost of Improvement and/or maintenance of the Private Road, together with a method to enforce payment by providing that any amount remaining unpaid by the owner of a Lot or Parcel fronting the Private Road shall become a lien against such Lot or Parcel;
 - (3) Township's option to improve and/or maintain. A procedure whereby the township may, in its discretion but without obligation, improve and/or maintain the Private Road and assess the cost thereof to the owners of Lots or Parcels fronting the Private Road in a reasonably proportionate manner without the need for any additional petition for such Improvements and/or maintenance from the owners of such Lots or Parcels;
 - (4) Noninterference provision. A provision that the owner of each Lot or Parcel using the Private Road shall not prohibit, restrict, limit or in any way interfere with normal ingress and egress and other use of the Private Road by the owners of the remaining Lots or Parcels fronting

the Private Road, including Family members, guests, tradespeople and others with legitimate purposes who are traveling to or returning from any of the Lots or Parcels fronting the Private Road; and

(5) Indemnity provision. A provision that all of the owners of Lots or Parcels fronting the Private Road shall indemnify the township from any liability whatsoever arising from the purchasing, planning, constructing, inspecting, repairing, maintaining, using and dedicating of the Private Road.

(e) All Lots or Parcels fronting a Private Road must meet the requirements for the zoned district in which they exist. Compliance with the applicable area regulations and frontage requirements shall be determined as if the Private Road were a Street.

(f) Each Private Road shall have a name and a Street Sign consistent with county road commission standards. A location map of the Private Road and its name shall be submitted to the township fire department, county sheriff's department, and any other emergency service organization serving the township.

(g) Each Private Road shall have a stop Sign which requires all traffic to stop before exiting the Private Road and entering the Street upon which the Private Road fronts.

(h) Before any construction of a Private Road may be commenced, the applicant must submit to the Zoning Administrator all of the written information required by the terms of this section, specifically including without limitation detailed construction plans and a site plan. If the Zoning Administrator approves or approves with conditions the request for the Private Road, a preliminary Private Road permit shall be issued to the applicant; thereafter, construction of the Private Road may commence.

(i) No Certificate of Use or Occupancy permit shall be issued for Lots or Parcels which front the Private Road and which do not have the otherwise required amount of frontage on a Street, until and unless a final Private Road permit is issued to the applicant. A final Private Road permit shall not be issued until the Private Road has been constructed and inspected and thereafter certified by the township as in compliance with the requirements of this section and with all documentation submitted by the applicant pursuant to this section. The applicant shall pay any inspection fees charged to the township relative to the Private Road. In addition, a final Private Road permit shall not be issued until the applicant has obtained all other permits required, specifically including without limitation any and all state and county permits.

(j) After receiving a preliminary Private Road permit, but before beginning construction of the Private Road, the applicant shall provide the township with a performance guarantee covering the estimated cost of the Private Road. The performance guarantee shall consist of a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the township.

(Ord. No. 51, § 7, 6-15-1994; Ord. No. 64, 12-4-1996)