

ARTICLE 28
Private Roads

§ 170-28.1. Intent

The purpose of this article is to establish the procedures, design standards and maintenance obligations for roads that are not intended to be dedicated to the public.

§ 170-28.2. Applicability

The procedures and standards of this article shall apply to all private roads or shared driveways including developments with attached or detached dwelling units regulated by the Condominium Act (Act 59 of 1978, MCL 559.101 et seq.).

§ 170-28.3. Submittal requirements

The following items shall be provided to the Planning Department.

- A. Parcel numbers and name of owner for all properties having legal interest in the private road.
- B. Plans designed by a registered engineer or land surveyor showing location, dimension, and design of the private road. The plan shall identify existing and proposed elevations for all areas to be disturbed or altered by construction of the private road.
- C. Topographic survey on USGS datum at intervals of not more than 2’.
- D. The minimum stopping and intersection sight distances shall meet the criteria outlined in American Association of State Highway and Transportation Officials (AASHTO) Manual.
- E. Location, caliper size and species of all trees larger than 8” and located within the private road easement.
- F. Location of all public or private utilities located within the private road easement, and within 20’ of the easement.
- G. Location of any lakes, streams, drainage ways or wetlands within 100’ of the proposed private road easement.

- H. Declaration of restriction for private road construction and maintenance in a format acceptable to the township.

§ 170-28.4. Design standards

- A. Recorded easements shall be established for the joint use of all resultant parcels for the purposes of ingress, egress and private or publicly owned utilities.
- B. Private road easements shall be 60' wide except for private roads serving four units or less, then the width of the easement may be reduced to a minimum of 40' provided all of the following conditions exist.
- (1) The easement is unlikely to become a public street in the future.
 - (2) The easement does not have the potential to serve additional lots in the future.
 - (3) A reduced easement width, between 40-59 feet, will result in the preservation of natural features, including topography, woodlands and common space.
 - (4) The reduced easement width is adequate to accommodate required pavement width, underground utilities, and required parking, required turn around, required pedestrian facilities, lighting and/or landscaping.
- C. Private roads serving four units or less shall meet the following design standards.
- (1) Minimum 22' width.
 - (2) Minimum 4" asphalt on 8" aggregate.
 - (3) Asphalt type and base material shall be approved by the township engineer.
 - (4) Open ditches or curbs are permitted, provided drainage is adequately conveyed, as determined by the township engineer.
- D. Private roads serving five units or more shall be designed to meet Wayne County's typical residential road design standard.
- E. Cul-de-sacs shall be designed to meet Wayne County's typical residential cul-de-sac design standard.

- F. A private road shall provide a cul-de-sac turnaround or other configuration approved by the fire department.
- G. The private road shall be setback a minimum of 15' from any adjoining lot (excluding lots that are traversed by the access easement) or parcel which does not derive access from private road.
- H. All areas disturbed by the construction of a private road shall be provided with topsoil, seeded with grass, and protected against erosion.
- I. Tree replacement shall be provided in accordance with Article 23, Tree and Woodlands Replacement.
- J. Fourteen feet of overhead tree clearance shall be provided for the width of the road.
- K. Geometric standards.
 - (1) Grades shall not exceed seven percent (7%), with a maximum grade of two percent (2%) for a minimum distance of 30' from the intersection with a public right-of-way or another private road. The Township may approve a grade of up to ten percent (10%) for low traffic volume roads, provided that there is under 500 vehicles per day and where significant topographic features would be preserved.
 - (2) Minimum horizontal curve shall be defined by the desired design speed but should never be less than a 165' radius. A minimum 50' radius shall be provided for roads with a 90 degree turn.
 - (3) Vertical curves shall be designed for grade changes greater than one percent (1%).
 - (4) Minimum tangent distance (straightaway) between two curves shall be 100'.
 - (5) Minimum stopping and intersection sight distances shall meet the design criteria contained in the most recent edition of the American Association of State Highway and Transportation Officials (AASHTO) Manual, "A Policy on Geometric Design for Highways and Streets."
- L. Intersection design standards.
 - (1) Private roads shall intersect an existing or proposed private or public road at a 90 degree angle and provide a 50' radius. Where constrained by environmental features, a reduced angle of intersection is permitted, provided the angle is greater than 80 degrees.

- M. Road names are required for any private road serving two or more lots. Proposed road names shall be submitted to the township for approval.
- N. All signs within the private road easement shall be identified on the site plan and be in accordance with the Michigan Manual of Uniform Traffic Control Devices. Street signs shall be provided at all intersections. These signs shall contrast with public street signs in terms of color, and shall indicate the road is private. The Township may require the posting of no-parking signs.
- O. Sidewalks or bike paths are encouraged and may be required by the Planning Commission.
- P. Gates or any other structure intended for the purpose of restricting access, or have the appearance of restricting access, are not permitted.

§ 170-28.5. Shared residential driveways

For the purpose of this Article, a shared residential driveway is a driveway that provides vehicular access to two (2) single-family dwelling units or two (2) primary residential buildings and shall comply with the following standards.

- A. The shared driveway must be located within a recorded easement. The minimum width of the easement is 25', unless a wider easement is required to adequately address drainage, as determined by the township engineer.
- B. The driveway surface shall be at least 18 feet wide, measured edge to edge unless otherwise approved by the township in consideration of significant topographic, wetland or other natural features on the site and provided the reduced drive width and easement is adequate to serve existing and future underground utilities.
- C. The shared driveway shall be constructed of materials suitable to accommodate emergency vehicles.
- D. Adequate sight distance shall be provided along the intersecting road.
- E. A shared access easement and maintenance agreement is required for all property owners that benefit from the shared residential driveway. The agreement must clearly state that the drive may not serve additional lots in the future unless upgraded to a private road, in accordance with all applicable standards. The agreement shall be recorded with Wayne County and a recorded copy provided to the township prior to approval of the private driveway.

§ 170-28.6. Gated entranceways

Gates, functioning or ornamental, or any other structure intended to restrict access are prohibited, except such structures are permitted on roads with higher traffic volumes and for larger residential lots which are not part of a uniform development and provided the following standards are met:

- A. Properties shall be located along a major thoroughfare, be at least three (3) acres in size and have a minimum 250' of road frontage.
- B. Structures shall be setback a distance equal to the front yard setback required for the zoning district.
- C. The height of the gate shall not exceed eight (8) feet height.
- D. The height of any support or decorative structures shall not exceed 10', measured from the ground level to the highest part of the structure.
- E. A landscape plan is required. Landscape shall be designed to obscure the structure from the road and be integrated into an overall landscape plan for the entire road frontage. A minimum of two (2) trees and six (6) shrubs shall be provided for each 40 linear feet of road frontage.
- F. The gate shall not contain any barbed wire, electric current or charges of electricity.
- G. An emergency access shall be approved by the department of public safety.

§ 170-28.7. Maintenance agreement

An agreement for financing ongoing maintenance shall be provided by the property owners benefiting from the private road or shared driveway. The township's private road agreement shall be recorded with the Wayne County Register of Deeds prior and provided to the building department prior to the issuance of a building permit

§ 170-28.8. Requirements for building permit

- A. Prior to issuing building permits for locations served by a private road, the road and utilities shall be completed to the satisfaction of the department of public services and department of public safety.

- B. In the event the road or utilities are not completed, a performance guarantee in the form of a cash bond or bank letter of credit may be provided, at the discretion of the department of public services. The requirements of Chapter 58, Article VII shall apply to such performance guarantee.

§ 170-28.9. Nonconforming private roads and access easements

- A. Existing private roads and shared driveways lawful prior to the adoption of this article but not in compliance with the standards herein are considered to be legal nonconforming roads or easements. The intent of this article is to permit legal nonconforming roads and easements to continue and undergo routine maintenance for safety purposes, as determined by the township engineer.
- B. This article is intended to discourage the extension of nonconforming roads or increase the number of lots or building sites served by such a road. Any reconstruction, widening or extension of a nonconforming private road or access easement shall be in conformity with this section.
- C. This article is also intended to allow a new dwelling unit to be constructed on an existing lot of record having frontage along the nonconforming private road or shared driveway prior to the adoption date of this section, provided the road is reasonably capable of providing sufficient access for the uses permitted in the zoning district and emergency service vehicles.
- D. For purposes of determining whether a lot along a private road or access easement qualifies as an existing lot, as used in this section, at least one of the following conditions must have existed at the time this article was adopted October 10, 1991.
- (1) The lot consists of a condominium unit for which a master deed had been recorded with the Wayne County Register of Deeds in accordance with the requirements of the Michigan Condominium Act and other applicable laws and ordinances.
 - (2) The lot consists of a parcel that was described by metes and bounds as recorded by a deed or as a land contract, and registered with the Wayne County Register of Deeds.
 - (3) The lot has been assigned a unique parcel number by the Wayne County Register of Deeds and was individually assessed and taxed on that basis.

**Figure 28.1
Lot Width and Setback Measurements**

1. **Corner lot width:** Where a lot is proposed on the corner of a private road that will serve more than five (5) lots, the lot shall be 15’ wider than the minimum lot width requirement of the district.
2. **Corner lot setbacks:** For corner lots, front yard setbacks shall be maintained from both road frontages.
3. **Lot width:** Required minimum lot width shall be measured exclusive of any portion of the easement or road R.O.W. For lots located on curved roads or cul-de-sacs, the width shall be measured as a straight line between side lot lines at the minimum front yard setback.
4. **Lot at end of a private road/shared driveway:** For lots without frontage on a public street and at the end of a private road without a turn-around, there shall be no minimum lot width and all buildings shall be setback a minimum of 40’.

