

Fee: \$150.00, plus expenses

**COMMERCIAL OR OTHER THAN RESIDENTIAL
DRIVEWAY APPLICATION AND PERMIT**

*If applicant hires a Contractor to perform the work, both must complete this form and both assume responsibility. By signing this Permit Application, the Applicant and Contractor, if applicable, acknowledge that they have read the attached Rules Pertaining to Driveway Permits, understand the Rules, and intend to be bound by the same.

Applicant

(Deed holder to the property)

Name: _____

Current Mailing Address: _____

Telephone: _____

Fax or Email: _____

*Signature: _____

Contractor

(Company/individual installing pipe and/or driveway)

Name: _____

Current Address: _____

Telephone: _____

Fax or Email: _____

*Signature: _____

Note: Contractor must have a valid permit to work in the county right-of-way in place for this permit to be issued.

Driveway Approach:

Asphalt _____ Concrete _____ Aggregate _____

Specify date driveway will be staked or otherwise marked: _____ Township: _____

Address: _____

Nearest cross-street(s): _____ Directions to this location: _____

**PERMIT TO INSTALL A COMMERCIAL OR OTHER THAN RESIDENTIAL DRIVEWAY and/or CULVERT
WITHIN A COUNTY ROAD RIGHT-OF-WAY**

This Permit is granted in accordance with the foregoing application for a period of **60 days**, subject to the Rules as attached and agreed to by the Permit Holder. When Applicant hires a contractor, then **both** are considered the Permit Holder and **both** assume responsibility. This is a single use Permit. Any additional changes to this driveway and/or the buildings or structures at this location must be re-permitted.

Compliance Materials Attached: Yes _____ No _____

Preliminary Review By: _____

Second Review By: _____

Reviewed by Traffic Engineer: Yes _____ No _____

Final Review: _____

Post Review: _____

Corrugated Metal Pipe: Yes _____ No _____

Pipe Size: _____

Location Checked for Sight Distance: _____

PERMIT NUMBER: _____

Date: _____

Permit Officer: _____

Permit Denied: _____

**Rules Pertaining to Commercial or Other Than Residential Driveway (Curb-Cut)
Permit Application**

Beginning September 7, 2006, all requests to the Van Buren County Road Commission (VBCRC) regarding any access onto, over, adjacent, etc. to the roadways under the jurisdiction of the Van Buren County Road Commission at the time of this application for a "Driveway (Curb-Cut) Permit" shall include the documents as set forth herein.

This Permit is required pursuant to Public Act 200 of 1969, Driveways, Banners, Events and Parades, as amended and codified at MCL 247.321, et seq. Pursuant to Public Act 200 of 1969, no driveway is lawful except pursuant to a permit issued in accordance with this Act. As used in this Act, a "Driveway" is defined as a lane, road or any other way providing vehicular access to or from the highway, from or to a property adjoining the highway, but does not mean a city or village street. Permits for driveways shall be granted in conformity with rules promulgated by the highway authority which shall be consistent with the public safety and based upon the traffic volumes, drainage requirements and the character of the use of land adjoining the highway and other requirements in the public interest.

A. Application

The applicant/petitioner of the driveway (curb-cut) permit shall submit a separate application package for each site. VBCRC will accept and review only one application for each site. The application package shall include the following which shall be in place before a Permit Application will be reviewed:

1. Application Fee(s), as applicable. All review expenses shall be billed in addition to the Application Fees as the Road Commission deems appropriate.
2. Permit Application;
3. Insurance requirement for Commercial Or Other Than Residential Driveway Permits: As set forth in Application for a Permit to Work in the County Road Right-of-Way.
4. The Permit Holder shall indemnify, defend and hold harmless the Board of County Road Commissioners of the County of Van Buren (a/k/a the Van Buren County Road Commission) and its agents, employees or servants from liability, including all claims and losses, and all related costs and expenses (including reasonable attorneys' fees and costs of investigation, litigation, settlement, judgments, interest and penalties), accruing or resulting to any person or entity that may be injured arising from the permitted activity. For good cause shown, this requirement may be waived at the discretion of the Engineer-Manager of the Board, or his or her designee.
5. The Van Buren County Road Commission may require the Permit Holder to provide a cash deposit, letter of credit or bond in a form and amount acceptable to the Road Commission at the time the Permit is issued for construction, completion, maintenance, etc.
6. Traffic Signal Covenant, if applicable.
7. Change of use will require new application and application fee.
8. Review and processing time shall be dependent on current Van Buren County Road Commission and its Agents workload (minimum 15 calendar days).
9. Re-Application may not be submitted by any party for the same location sooner than 60 calendar days after previous Van Buren County Road Commission action.

10. Permit Applicant can purchase a copy of "The Access Management Guidebook", a proprietary publication of the Michigan Department of Transportation. These resources are for guidance only **not** to be assumed to be standards for the Van Buren County Road Commission. In addition to the foregoing, when appropriate, the Road Commission may utilize the services of an independent professional Traffic Operations Engineer. The Road Commission has not developed any written materials to guide the analysis to be performed by an independent engineer. These standards are of general applicability, and not site-specific.

B. Engineering Drawings

All applications shall be accompanied by four (4) sets of the preliminary engineering drawings, 24" x 26" in sheet size (1 set file copy; 1 set inspector; 1 set mark up for return to submitter; 1 set consultant review only). In addition to hard copies, one (1) electronic copy of the drawings shall be submitted (on a CD), in a format approved by the Van Buren County Road Commission (i.e., AutoCAD, etc.). Drawings shall be prepared, signed and sealed by a registered professional engineer and/or licensed land surveyor as required by the Van Buren County Road Commission. The preliminary engineering drawings shall include, but not be limited to the following:

1. Site Topographical Survey: The site topographical survey shall be at a minimum scale of 1"=40', with minimum 1-foot contours of the existing topography, unless specified otherwise by the VBCRC.
2. Site Plan: The site plan shall be at a minimum scale of 1"=40', unless specified otherwise by the VBCRC and as submitted to local public agency (i.e., township planning, zoning, or similar board).
3. The driveway (curb-cut) detail plan may be in the form of a strip map of the adjoining public roadway along which the driveway (curb-cut) permit is being requested. Can be an overlay on aerial photo. **MUST BE LEGIBLE!**
4. The driveway (curb-cut) permit plan shall be at a minimum scale of 1"=30' (prefer 1"=20'), unless specified otherwise by the VBCRC.
5. The driveway (curb-cut) permit plan shall extend a minimum of 500 feet beyond the property lines of the subject site, unless specified otherwise by the VBCRC, on both sides of the adjoining public roadway and shall include all existing driveways relative to the requested site driveway (curb-cut).
6. The driveway (curb-cut) permit plan shall identify all properties within the said limits, including name, address and contact information for the current property owners/occupiers.
7. The driveway (curb-cut) permit plan shall identify the existing topography of the adjoining public roadway along which the driveway (curb-cut) permit is being requested, within the said limits. The existing topography shall include all physical features (i.e., building and drainage structures, pavements, curbs, sidewalks, ditches, trees/shrubs, utilities, etc).

8. The driveway (curb-cut) permit plans shall clearly illustrate the proposed engineering design details (i.e., of the geometric improvements/modifications on the adjoining public roadway associated with the driveway (curb-cut) being requested.
9. Drainage Plan (Coordinate with D.R.P., then elaborate, as needed):
 - a. The drainage plan shall clearly identify the existing elevations and drainage pattern (including structure size and type) within the right-of-way of the adjoining public roadway associated with the driveway (curb-cut) being requested. Drainage calculations must be included.
 - b. The drainage plan shall clearly illustrate the proposed drainage pattern (including structure size and type) within the right-of-way of the adjoining public roadway associated with the driveway (curb-cut) being requested.
10. Traffic Control Plan
 - a. Maintenance of traffic shall follow Part 6 of the MMUTCD 2011 edition, as revised, or unless otherwise specified by the Van Buren County Road Commission Engineer-Manager, or his or her designee.
 - b. The traffic control plan shall clearly illustrate all proposed changes to the existing traffic control devices (i.e., traffic signal systems, signs pavement markings, etc.) on the adjoining public roadway associated with the driveway (/curb-cut) being requested.
 - c. Appropriate scale may be included on trip map.
11. The Maintenance of Traffic (MOT) Plan shall clearly illustrate the proposed procedure for maintaining traffic flow around the proposed construction area, including the traffic control devices (i.e., traffic signal systems, signs, pavement markings, etc.) to be used on the adjoining public roadway associated with the driveway (curb-cut) being requested.
12. The availability of alternate (i.e., rear or side) access may be a determining factor in the overall review process.

C. Traffic Impact Review

All applications shall accompany calculations estimating the anticipated volume of site generated traffic in accordance with all of the land-use categories proposed to occupy the subject site. (ITE Trip Generation Manual, 10th Edition, or as may be amended). The trip generation estimates shall include, but not be limited to, the following:

1. Site trip generation estimates shall be prepared for the peak hours (i.e., AM, PM, Mid-day) of traffic, during an average weekday (unless specified otherwise by the VBCRC), on the adjacent public roadway along which the driveway (curb-cut) permit is being requested.

2. Site trip generation estimates shall also include:
 - a. The number (or percentage) of anticipated truck traffic associated with the subject site.
 - b. The number of anticipated non-motorized (i.e., pedestrian, bicycles, etc.) trips associated with the subject site.

Upon review of the above traffic related information, the Van Buren County Road Commission may require a site-specific Traffic Impact Analysis (TIA) report to be prepared and submitted for further review, as part of the requirement for the driveway (curb-cut) permit application.

Failure to provide a complete package of information necessary for a comprehensive review of the driveway (curb-cut) permit application and/or failure to coordinate with Van Buren County Permits and other required documentation may result in delay and/or denial of the request.

GENERAL RULES REGARDING CONSTRUCTION

1. Silt fencing shall be installed along the right-of-way line between the construction site and the roadway. This is to prevent any excavated material from eroding into the drainage area and will also serve to discourage any construction vehicles from accessing the site or roadway through the right-of-way area.
2. The Permit Holder must comply with the requirements of Act 53 of Public Acts of 1974, as amended. Call Miss Dig at (800) 482-7171 at least three (3) working days, but no more than twenty-one (21) calendar days before you start work. The Permit Holder assumes all responsibility for damage to, or interruption of underground utilities.
3. The permit holder must notify the Road Commission at least forty-eight (48) hours before starting work, (24 hours before pouring concrete or laying asphalt) and must notify the Road Commission when the work is completed. For work that requires lane closures or full road closure, applicant must contact the Sheriff's Department, Van Buren County Central Dispatch, at (269) 657-3101.
4. All work shall be performed Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m., unless written approval is obtained from the Road Commission.
5. The Permit Holder agrees to work under this permit in a safe manner and to keep the area affected by this permit in a safe condition until the work is completed. All work site conditions shall comply with the Michigan Manual of Uniform Traffic Control Devices.
6. The Permit Holder agrees to restore the road and right-of-way to a condition equal to or better than its condition before work began and to repair any damage to the road right-of-way which is the result of the permitted work whenever it occurs or appears.
7. The granting of this Permit does not relieve the Permit Holder from meeting other applicable laws, regulations and ordinances of other agencies. The Permit Holder is responsible for obtaining additional permits or releases which may be required in connection with this work from other governmental agencies, public utilities, corporations and individuals, including property owners. Permission may be required to find an acceptable alternative.

8. This Permit may be suspended or revoked at will, and the Permit Holder shall halt any activity until such time that adequate compliance is made. In addition, if any work has occurred that is not according to specification, the Van Buren County Road Commission may require the work to be (a) removed; (b) restore the area to its previous condition; and/or (c) work with them to find an acceptable alternative.
9. This Permit may not be assigned without the prior approval of the Road Commission. If approval is granted, the assignor shall remain liable and the assignee shall be bound by all the terms of this Permit.
10. The Road Commission may deny a permit at a requested location if the proposed site does not allow for safe ingress and egress. In such instances, Road Commission staff will work with the applicant to move the location, or make recommendations for tree removal, bank flattening, and/or to work with adjoining property owners to obtain an easement at the applicants expense.
11. In the event of a failure to obtain any appropriate permit, the Van Buren County Road Commission shall have the right to halt such activity until such time that adequate compliance is made, including, but not limited to:
 - Obtain the necessary permit (s);
 - Pay all associated permit fees; and,
 - Pay a \$100 penalty fee
12. **Special Regulations for Concrete or Asphalt Driveways:**
 - A. Concrete and/or asphalt approaches:
 - i. If the applicant desires a concrete or bituminous driveway surface tying into an aggregate roadway, the concrete or bituminous surface of the driveway must stop at the road right-of-way. For informational purposes only, most roadways consist of a 66' right-of-way easement; 33' from the centerline of the roadway in both directions.
 - B. Concrete and/or asphalt approaches and ties to the existing bituminous roadway:
 - i. The permit applicant is to provide a drawing showing the profile tie in, radii and the tie into pavement. The drawing is to show the cross section of the driveway with a minimum of a one inch radius on the exposed edge, on radii and shoulder approach. (See attached typical drawing).
 - ii. You must notify the Road Commission 24 hours before pouring concrete or laying asphalt.
 - iii. Should it become necessary to remove the concrete or asphalt approach due to Road Commission maintenance or construction operations, the applicant agrees to replace the concrete or asphalt from the road right-of-way line to the roadway at their cost, at the discretion of the Road Commission.

- iv. A minimum shoulder width of five feet from existing bituminous roadway, with a 4-6% slope is required. Wider shoulders to maintain minimum slope or special slope may be determined by the Road Commission's staff.
- v. Either a cold joint, saw cut, or insulated joint, is to be made at the right-of-way line, or as directed by the Road Commission staff to facilitate removal, if necessary.
- vii. If any work has occurred that is not according to specification, the Van Buren County Road Commission may require the work to be (a) removed; (b) restore the area to its previous condition; and/or (c) work with them to find an acceptable alternative.

Definitions:

VBCRC: Van Buren County Road Commission.

Driveway (Curb-Cut): Any access onto, over, adjacent, etc. to the roadways under the jurisdiction of the Van Buren County Road Commission.

R.D.P.: Van Buren County Road Development Policy.