



VAN BUREN COUNTY ROAD COMMISSION  
 325 W. JAMES STREET, P.O. BOX 156  
 LAWRENCE, MICHIGAN 49064  
 Telephone: (269) 674-8011 Fax: (269) 674-3770

OFFICE USE ONLY  
 \_\_\_ File  
 \_\_\_ Township

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

Fee: \_\_\_\_\_  
 Plus expenses

**BOTH APPLICANT AND CONTRACTOR TO PERFORM THE WORK. BOTH MUST COMPLETE THIS FORM AND BOTH ASSUME RESPONSIBILITY. PERMIT HOLDER/CONTRACTOR HEREBY AGREE TO TERMS OF THIS PERMIT**

**PERMIT HOLDER**

DEED HOLDER  
 TO THE PROPERTY

**CONTRACTOR**

PERSON WHO WILL BE INSTALLING TUBE and/or  
 INSTALLING THE CONCRETE/ASPHALT DRIVEWAY

NAME: \_\_\_\_\_

NAME: \_\_\_\_\_

CURRENT ADDRESS: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

Telephone: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Fax: \_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

See attached list. All items per the curb-cut permit application review procedures must be complied with before this application will be reviewed and/or approved.

WILL THE DRIVEWAY APPROACH BE \_\_\_\_\_ ASPHALT \_\_\_\_\_ CONCRETE

TOWNSHIP: \_\_\_\_\_ ROAD NAME/ADDRESS: \_\_\_\_\_  
 Between (road) \_\_\_\_\_ And (road) \_\_\_\_\_ Directions to this location: \_\_\_\_\_

SPECIFY DATE DRIVEWAY WILL BE STAKED OR OTHERWISE MARKED: \_\_\_\_\_

\* \* \* \* \*

PERMIT TO CONSTRUCT, OPERATE, MAINTAIN, USE AND/OR REMOVE 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 Stipulations on the reverse side 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 permit must be re-permitted

Compliance Materials Attached \_\_\_\_\_

PERMIT NUMBER: \_\_\_\_\_

Preliminary Review By: \_\_\_\_\_

Date: \_\_\_\_\_

Second Review By: \_\_\_\_\_

Permit Officer: \_\_\_\_\_

Reviewed by Traffic Engineer: \_\_\_\_\_

\_\_\_\_\_ See Additional Regulations Pertaining  
 to approval of this Permit. (attached)

Final Review \_\_\_\_\_

\_\_\_\_\_ Permit DENIED.

Post Review: \_\_\_\_\_

Corrugated Metal Pipe: YES \_\_\_\_\_ NO \_\_\_\_\_

Pipe Size: \_\_\_\_\_

Location Checked for Sight Distance: \_\_\_\_\_

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**READ AND KEEP APPLICATION INSTRUCTIONS FOR COMMERCIAL DRIVEWAY PERMIT**

1. Obtain (call/write/receive via fax/visit) application from the Van Buren County Road Commission, Attention Permit Department, 325 W. James Street, Post Office Box 156, Lawrence, Michigan, 49064. Office hours 7:00 a.m. to 4:00 p.m. The telephone number is (269) 674-8011.

Complete and return application form to the above address. There is an application fee associated with this permit. Application requires the signature of the Permit Holder/Applicant **and also** the contractor if one has been designated. The permit, when issued, is returned to the applicant with a copy to the contractor.

2. When the completed application is received, inspection is scheduled at the location indicated, Be certain to **submit all items applicable to your site**, and supply the exact directions to said location in the spaces provided on the application. Also, place stakes or other markers (using 3' tall, or taller, stakes painted brightly or colorful marker ribbons attached) to the left and to the right of the proposed driveway location.
3. The length of time necessary for the permit processing and inspection varies and is dependent upon workload of this department at the time your application is received. It is to your advantage to allow at least 7 to 10 business days for this process.
4. A permit may be denied if the proposed driveway placement is unsafe in relation to the traveled roadway. The line-of-sight is imperative. A permit may also be denied if all pertinent information is not attached or is deemed unsafe or does not meet Van Buren County Road Commission's standards. Each permit will be reviewed and determinations made on an individual basis.

\* \* \* \* \*

EXCERPTS FROM ACT 200, P.A. 1969 - An Act to Regulate Driveways

247.321 - Definitions (MSA 9.140 - 21)....The People of the State of Michigan enact:

Section 1. As used in this act;

"Driveway" means a driveway, lane, road or any other way providing vehicular access to or from the highway from or to property adjoining the highway but does not mean a city or village street ...

247.322 - Necessity for permit (MSA 9.140 -22)

Section 2. No driveway ... is lawful except pursuant to a permit issued in accordance with this act...

247.324 - Rules and Standards (MSA 9.140 - 24)

Section 4. 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.

\* \* \* \* \*

## STIPULATIONS PERTAINING TO PERMITS

1. **Specifications.** All work performed under this permit must be done in accordance with the plans, specifications, maps and statements filed with the Road Commission and must comply with the Road Commission's current requirements and specifications on file at its offices and MDOT specifications.
2. **Fees and Costs.** Residential permits are FREE; however, the Permit Holder (which is the Deed Holder to the property if you are applying for a Driveway Permit) shall be responsible for all fees incurred by the Road Commission in connection with this permit (if any) and shall deposit estimated fees and costs as determined by the Road Commission, at the time the permit is issued.
3. **Bond.** The Permit Holder shall 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.
4. **Insurance.** The Permit Holder shall furnish proof of liability and property damage insurance in the amount of a minimum of \$1,000,000 naming the Road Commission as an Additional Insured. Such insurance shall cover a period not less than the term of this permit and shall provide that it cannot be cancelled without ten (10) days advance written notice by certified mail with return receipt required to the Road Commission.
5. **Indemnification.** The Permit Holder shall hold harmless and indemnify and keep indemnified the Road Commission, its officers and employees from all claims, suits and judgments to which the Road Commission its officers, or employees may be subject and for all costs and actual attorney fees which may be incurred on account of injury to persons or damage to property, including property of the Road Commission, whether due to the negligence of the Permit Holder or the joint negligence of the Permit Holder and the Road Commission, arising out of the work under this permit, or in connection with work not authorized by this permit, or resulting from failure to comply with the terms of this permit, or arising out of the continued existence of the work product which is the subject of this permit.
6. **MISS DIG.** 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.
7. **Notification of Start and Completion of Work.** The Permit Holder must notify the Road Commission at least forty-eight (48) hours before starting work and must notify the Road Commission when the work is completed so that Central Dispatch can be notified of any road closure/opening.
8. **Time Restrictions.** 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, and work shall be performed only during the period set forth in this permit.
9. **Safety.** 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.
10. **Restoration and Repair of Road.** The Permit Holder agrees to restore the road and right-of-way to a condition equal to or better than its condition before the work began and to repair any damage to the road right-of-way which is the result of the facility whenever it occurs or appears.
11. **Limitation of Permit.** This permit does not relieve the Permit Holder from meeting other applicable laws and regulations 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 from the adjoining property owners.
12. **Revocation of Permit.** The permit may be suspended or revoked at will, and the Permit Holder shall surrender this permit and alter, relocate or remove its facilities at the Permit Holder's expense at the request of the Road Commission.
13. **Violation of Permit.** This permit shall become immediately null and void if the Permit Holder violates the terms of this permit and the Road Commission may require immediate removal of the Permit Holder's facilities, or the Road Commission may remove them without notice at the Permit Holder's expense.
14. **Assignability.** 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.
15. This permit is subject to supplemental specifications on file with the Road Commission and Act 200 of Public Acts of 1969, Act 283 of 1909, and any other act or regulation applicable to the State of Michigan.
16. **FOR CONCRETE OR ASPHALT DRIVEWAYS – SEE "SPECIAL REGULATIONS FOR CONCRETE AND/OR ASPHALT DRIVEWAY REPLACEMENT".**
17. We are now requiring silt fencing to 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. The fencing will also discourage any construction vehicles from accessing the sight or roadway through the right-of-way area.

### **Driveway (Curb-Cut) Permit Application Review Procedures**

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 following documents:

#### **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:

1. Application Fee(s), as applicable
2. Application Form
3. Disclosure Form
4. Bond(s)
  - Surety/Performance Bond (Construction, completion, maintenance, etc.)
5. Insurance
  - Proof of contractor's liability coverage. See permit for details on coverage.
6. Review Fee(s), as applicable.
7. Traffic Signal Covenant (if applicable)

#### Note:

- All items must be in place before a permit will be reviewed.
- Change of use will require new application and application fee.
- Review and processing time shall be dependent on current Van Buren County Road Commission workload (minimum of 15 calendar days).
- Re-Application may not be resubmitted by any party for the same location no sooner than 60 calendar days after previous Van Buren County Road Commission action.
- Please be advised that the Road Commission reviews driveway permit applications in light of Michigan law, which can be found at MCL 247.231, et. seq., and the Administrative Rules promulgated thereunder, which can be found in the Michigan

Administrative Code. You can purchase a copy of The Access Management Guidebook, a proprietary publication of the Michigan Department of Transportation. 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"x36" 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 diskette), in a format approved by the VBCRC (i.e., AutoCAD, etc.). Drawings shall be prepared, signed and sealed by a registered professional engineer and/or a 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.
  - As submitted to local public agency (i.e., township planning, zoning or similar Board).
3. Driveway (Curb-Cut) Permit Plan
  - The driveway (curb-cut) permit 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!**

- The driveway (curb-cut) permit plan shall be at a minimum scale of 1"=30' (prefer 1' = 20'), unless specified otherwise by the VBCRC.
  - 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 driveway relative to the requested site driveway (curb-cut).
  - The driveway (curb-cut) permit plan shall identify all public transportation facilities within the said limits, including roadway names, right-of-way widths, current posted speed limits, existing traffic control devices.
  - 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.
  - 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.).
  - 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.
4. Drainage Plan (Coordinate with D.R.P., then elaborate, as needed)
- The drainage plan shall clearly identify the existing 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.

- 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.

5. Traffic Control Plan

Maintenance of traffic shall follow Part 6 of the MMUTCD 2005 edition, as revised, or unless otherwise specified by the Van Buren County Road Commission Engineer.

- 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.
- Appropriate scale may be included on strip map.

6. Maintenance of Traffic (MOT) Plan

- 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.

7. Alternate Access

- 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. 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:
  - The number (or percentage) of anticipated truck traffic associated with the subject site.
  - 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 VBCRC 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.***

**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.