

**SCIO TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
RES #2022-21
RESOLUTION TO DENY VARIANCE FROM PRIVATE ROAD ORDINANCE
EAST DELHI ROAD**

November 15, 2022

At a Regular Meeting of the Township Board of Scio Township, Washtenaw County, Michigan, held at the Scio Township Hall, 827 N Zeeb Road, in said Township, on the 15th day of November, 2022 at 7:00 p.m.

Members Present: Hathaway, Flintoft, Brazeau, Knol, McLaughlin, Reiser

Members Absent: Palmer

The following preamble and resolution were offered by Member Flintoft and supported by Member Knol.

WHEREAS, the Scio Township Board of Trustees has been asked to grant a variance from the strict requirements of the Scio Township Private Road Ordinance for a proposed private road off E. Delhi between Red Hawk Lane and Holden Drive; and

WHEREAS, the Scio Township Private Road Ordinance has different requirements for private roads depending on variables including length of the road and the number of parcels served; and

WHEREAS, the Board of Trustees has the authority to grant variances as set forth in the Scio Township Private Road Ordinance:

Sec 24-11. – Variances

When there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this chapter, such as topographical and other physical characteristics of a parcel, the township board shall have the power to vary or modify the application of the provisions of this chapter so that the intent and purpose of the chapter shall be observed and public safety secured.

WHEREAS, the Planning Commission recommended the granting of a variance provided the applicant met certain conditions as set forth in the Planning Commission minutes of May 24, 2021; and

WHEREAS, the following conditions noted by the Planning Commission have not been met:

- Items identified by the Washtenaw County Water Resources Commission
- Acceptance of private road agreement by affected/adjacent property owners
- Details on number of parcels accessing the private road
- Approval of final private road agreement by Township Attorney

WHEREAS, the Board of Trustees is aware of a dispute as to whether the applicant has a right to use the easement upon which the existing drive lies; and

WHEREAS, the Board does not wish to cause the applicant to spend additional money if the likelihood of a variance is minimal; and

WHEREAS, the Board does not wish the applicant and objecting neighbors to experience unnecessary uncertainty waiting for board action on the application;

NOW THEREFORE BE IT RESOLVED that the Scio Township Board of Trustees denies the request for a variance from the requirements of the Scio Township Private Road Ordinance for the following reasons:

1. The length of the private road requires a Class A road, and a Class B or C road is inappropriate;
2. The applicant has not provided a road maintenance agreement satisfactory to all affected property owners;
3. The applicant has not provided a road design that conforms to the requirements of the Scio Township Private Road Ordinance (Sec. 24-5, Scio Township Code), including the maximum grade permitted for all classes of private roads;

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the applicant and the owners of parcels over which the proposed roadway would lie;

FINALLY, BE IT RESOLVED that the Planning Commission record be affixed to this resolution as a part of the record of this action.

ROLL CALL VOTE:

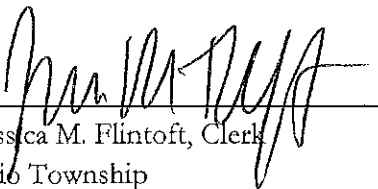
AYES: Hathaway, Flintoft, Brazeau, Knol, McLaughlin, Reiser

NAYS: None

ABSENT: Palmer

ABSTAIN: None

RESOLUTION DECLARED ADOPTED

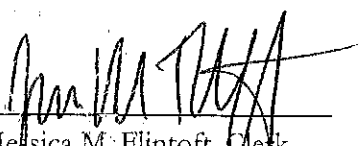


Jessica M. Flintoft, Clerk
Scio Township

DATED: November 15, 2022

CERTIFICATE

I, Jessica M. Flintoft, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of Scio Township, County of Washtenaw, State of Michigan, at a Regular Meeting held on November 15, 2022, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.



Jessica M. Flintoft, Clerk
Scio Township

DATED: November 17, 2022