

SECTION 1707. EXISTING NONCONFORMING PRIVATE ROADS AND ACCESS EASEMENTS

1707.1 NONCONFORMING PRIVATE ROADS.

The Township recognizes there exist private roads, service roads and access easements which were lawful prior to the adoption of this Section that do not fully conform with the standards herein. Such roads are declared by this Section to be legal nonconforming roads or easements. The intent of this Section is to permit legal nonconforming roads and easements to continue and undergo routine maintenance for safety purposes. This Section is also intended to allow new construction to occur on existing lots which front along such a road on the effective date of this Section if the roads are reasonably capable of providing sufficient access for the uses permitted in the zoning district and for provision of emergency service vehicles as determined by the Zoning Administrator. It shall be the responsibility of the landowner to maintain this access.

However, this Section is also intended to discourage the extension of nonconforming roads or increase the number of lots or building sites served by such a road, except in platted subdivisions, divisions of land or site condominium projects existing on the adoption date of this Section, unless provisions are made to upgrade such road to comply with the standards herein. Any reconstruction, widening or extension of a nonconforming private road or access easement shall be in conformity with this Section.

1707.2 NONCONFORMING EXISTING LOTS.

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 Section was adopted.

- A. The lot consists of a "condominium unit" for which a master deed had been recorded with the Huron County Register of Deeds in accordance with the requirements of the Michigan Condominium Act and other applicable laws and ordinances.
 - B. 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 Huron county Register of Deeds.
 - C. The lot had been assigned a unique parcel number by the Huron County Register of Deeds and was individually assessed and taxed on that basis.
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