

TOWNSHIP OF GAINES GENESEE COUNTY, MICHIGAN

Ordinance No. 45

AN ORDINANCE  
PROHIBITING BUILDING ON  
LAND NOT SERVICED BY  
PUBLIC ROADS.

The Township Board of the Township of Gaines, County of Genesee and State of Michigan ORDAINS:

SECTION 1

That no building permits shall be issued for construction of any residence or other structure upon any lot or parcel of land which is not directly and exclusively accessible to and also abutting a public roadway which has been accepted by the County Road Commission or Michigan State Highway Department and is maintained by such Road Commission or Highway Department as a public roadway. Provided, however, that this shall not prohibit the erection of additions and accessory buildings to existing dwellings already erected and in use at the time of adoption of this Ordinance.

Any residence or structure which gives access to such public roadway across land not solely owned by the applicant for the building permit shall be deemed not to be abutting the public roadway within the meaning of this Ordinance.

SECTION 2

Any residence or structure which has its only access to such public roadway across a privately owned roadway or roadway easement which services any land other than the land of the applicant for the building permit, or services more than one residence, shall be deemed not to have direct and exclusive access to a public roadway as described in Section 1 of this Ordinance and no building permit shall be issued for any such residence or structure.

SECTION 3

This Ordinance shall not prohibit the issuance of a building permit and the erection

of new structures and new dwellings upon lots that have been purchased by individuals and upon which monies have been expended by the purchasers prior to the effective date of this Ordinance in anticipation of being able to erect a dwelling for the personal use and occupancy of the purchaser of such lots, even though such lot is not serviced by a public road as defined in this Ordinance.

SECTION 4

The Township Board of the Township of Gaines is hereby empowered to grant variances to this Ordinance wherein, in its discretion, a literal enforcement of this Ordinance will work an unreasonable hardship on persons, firms or corporations affected hereby. No variance may be granted, however, which will cause the Township of Gaines to undertake any additional duties or require any additional expenditure of tax monies on the servicing, alteration, repair or construction of roads within the Township of Gaines.

SECTION 5

All prior Ordinances inconsistent with or in conflict with this Ordinance are hereby repealed.

SECTION 6

This Ordinance shall become effective December 29, 1975.

TOWNSHIP OF GAINES

By Rodney May  
Supervisor

By Thomas W. Baker  
Clerk

I, Thomas W. Baker, Township Clerk of the Township of Gaines, do hereby certify that the above Ordinance was duly adopted by a majority vote of the Gaines Township Board at a regular meeting of said Board at which a quorum attended on the 18th day of November, A.D., 1975.

Thomas W. Baker  
Clerk