

**LIVINGSTON COUNTY DRAIN COMMISSIONER  
2300 E GRAND RIVER  
HOWELL, MI 48843  
517-546-0040**

**Waiver of Necessity**

**(For construction of a single family residence or similar earth disturbance, including in-ground pools):**

- If the building site is *NOT* within 500 feet of “surface water” (i.e., lake, stream, pond, swamp, wetland, or county drain), a Waiver of Necessity is issued.
- Waivers are issued “on the spot” with no application needed. The fee is \$35 per Waiver.
- LCDC must receive a copy of the township’s Land Use Permit (Green Oak and Brighton do not issue Land Use Permits) and a site plan.
- The applicant must sign an affidavit (which is then notarized) stating that the building site is not within 500 feet of surface water.
- A Waiver is also required for minor earth disturbances, such as post holes for pole barns and decks, and for all above-ground pools, regardless of their proximity to surface water.

**Grading Permit**

**(For construction of a single family residence or similar earth disturbance, including in-ground pools):**

- If the building site *IS* within 500 feet of surface water (see above), a Grading Permit is required.
- An application is required and must be signed by both the applicant and the land owner. A copy of the township’s Land Use Permit (Green Oak and Brighton do not issue Land Use Permits) and a site plan must accompany each application. The fee is \$165.00 or \$120.00 per Permit.
- Silt Fence may need to be erected and inspected.
- The entire Grading Permit application process is detailed elsewhere.

**Non-Waiver**

**(For no earth disturbance, such as sheds that sit on the surface, or building/remodeling which is done on/in existing structures):**

- Non-Waivers are issued “on the spot.” There is no fee.
- A copy of the township’s Land Use Permit (if applicable) and a site plan are required.
- The applicant must sign an affidavit stating that no earth disturbance will occur.