

## ORDINANCE NO. 2019-04

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### ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWN OF HARTFORD

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WHEREAS, a public hearing was duly held; and

WHEREAS, the Town Planning Commission recommended said zoning changes; now therefore

**THE TOWN BOARD OF THE TOWN OF HARTFORD, WASHINGTON COUNTY, WISCONSIN DOES ORDAIN THAT THE TOWN ZONING ORDINANCE BE AMENDED AS FOLLOWS:**

#### **Section 6.05 ACCESS AND CULVERT REQUIREMENTS**

- (1) **Access Driveway to Public Road.** Every use shall have access to a public road. Property owners have the responsibility of securing the access. For all uses, except agricultural uses, as listed in section 2.05, Table of Uses, access shall not be taken to a state highway if access to a Town or public frontage road is available.
- (2) **Lot/Building Access to Road.** No lot shall hereafter be created nor any building placed on a lot shall be allowed unless the main body of the lot upon which the building or structure is to be erected fronts on a public road by at least sixty-six (66) feet or unless the lot includes an access strip which is at least sixty-six (66) feet wide from its main body to a public road. Said access strip shall be a part of the subject lot and held in fee simple.
- (3) **Access Driveway Points.** For all uses, except agricultural uses, as listed in section 2.05, Table of Uses, no more than two (2) access points per lot shall be permitted.
- (4) **Driveway Width.**
  - (a) For all single family residential and duplex residential uses, access driveways shall be at least ten (10) feet wide and not more than twenty four (24) feet wide.
  - (b) Access driveways for all other uses, except agricultural uses, shall be at least twenty (20) feet wide and not more than thirty five (35) feet wide. Such drives may be reduced to ten (10) feet wide if they are enter-only or exit-only drives.
- (5) **Setback.** All **new** access driveways shall be placed such that the driveway edge nearest to a neighbor's lot line is at least five (5) feet from the neighbor's lot line.

**R-4 ONLY:** Pike Lake Residential District (R-4) shall have all **NEW** access driveways placed such that the driveways edge nearest to the neighbor's lot line is at least five (5) feet from the neighbor's lot line.

**Exception: Driveways accessing state highways, serving adjacent properties, having an approved State Highway Driveway Permit, a recorded cross access easement agreement, and a recorded maintenance agreement, may be placed adjacent to the neighboring driveway centered on the property line and are exempt from the setback requirement. The access and maintenance agreements shall cover a shared driveway area not less than sixteen (16) feet wide by thirty (30) feet long adjacent to the state**

**highway right-of-way. See figure 6.1**

- (6) **Surfaced.** All access driveways, except those to farm fields, shall be surfaced with gravel or paved and pitched to prevent ponding.
- (7) **Location.**
  - (a) The location of driveways accessing state, county, or connecting highways shall be determined and approved by the state, county, or city highway maintaining authority having jurisdiction. Driveway location accessing Town roads are determined by the Town.
  - (b) At **town** road intersections, the midpoint of access driveways shall be located at least one hundred (100) feet from the point of intersection of the road edges. For lots existing prior to the effective date of this ordinance.
- (8) **Grade.** All driveways shall accommodate emergency vehicles.
- (9) **Driveway approach.** To prevent ponding, all driveways on Town roads shall be sloped to drain. See Section 6.05 (6).
- (10) **Shared Driveway Directional Signs:** To direct first responders, and other vehicles to the correct address without delay or confusion, directional address signage shall be placed and maintained wherever the shared driveway splits directing first responders and other vehicles to the address served by that driveway. See figure 6.2.

**(11) Culverts Placed Along Town Roads.**

(a) Limitations and Standards

- 1. All culverts, drain pipes, or other similar conduits placed on, in, or along the public right of way of a Town road to provide private driveway access, or for any other reason.
- 2. Culvert Installation and Setback. The applicant or his/her authorized agent shall provide and install each culvert placed in the right of way of a public road as required by the Town. The ditch shall be properly prepared to accept the placement of the culvert, the end of which shall be set at a minimum of five (5) feet from an abutting property line. The culvert shall be installed in accordance with the access and culvert permit and with sufficient gravel thereon to afford safe ingress and egress prior to the use thereof.

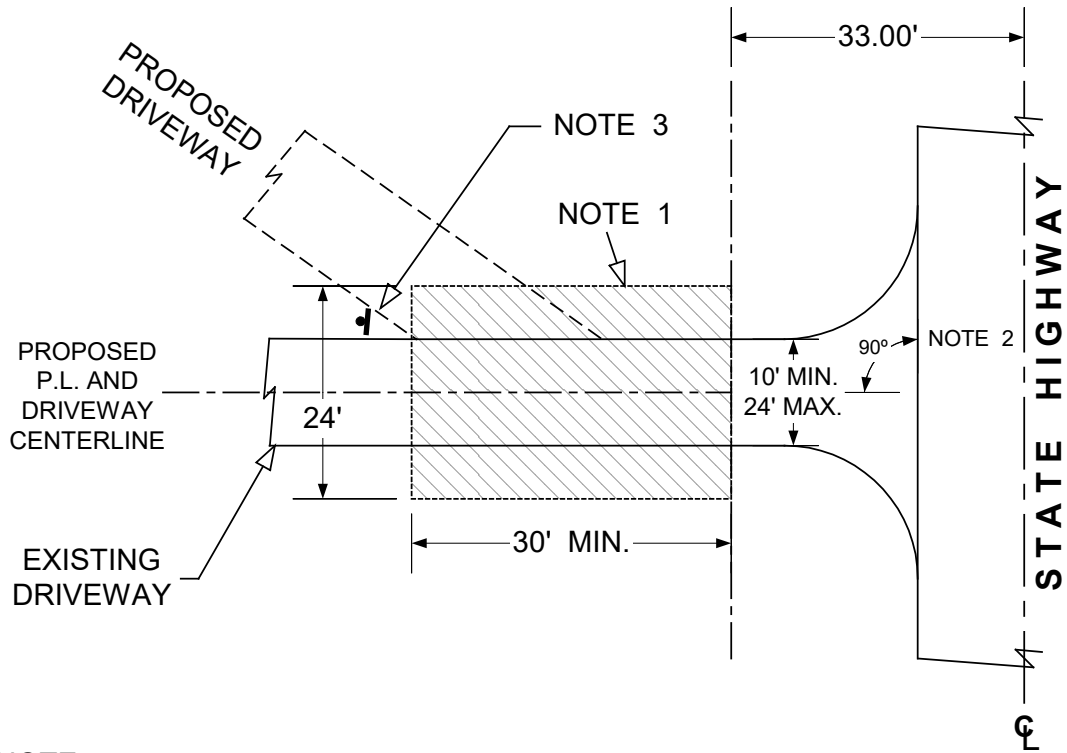
**Exception: Culverts for shared access driveways on adjacent properties as allowed under Section 6.05 (5) are exempt from the five (5) setback requirement.**

- 3. Diameter & Length. All culverts shall be minimum of 22 feet and 15 inches in diameter.
- 4. Materials. Culverts shall be made of galvanized steel or plastic ( must be double walled and smooth inside).

- (a) Repairs and Replacement of Existing Culverts
- (b) Road or Right of Way Damage

**(12) Culverts Placed Along State or County Highways**

- (a) Culverts placed along State highways, designated State connecting highways, or County trunk highways, shall only be installed, replaced, or repaired with a permit from the highway maintaining department. Maintaining departments include the Wisconsin Department of Transportation, the City of Hartford, the Village of Slinger, and the Washington County Highway Department.
- (b) Culvert installation, replacement, or repair shall meet all material and construction requirements called for in the permit, which may include size, slope, type, accessories, and traffic control requirements.



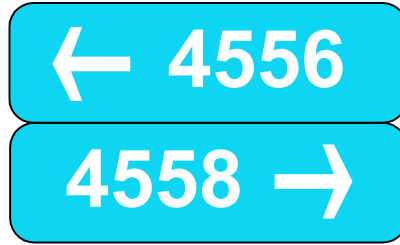
NOTE:

1. CROSS ACCESS EASEMENT AGREEMENT AREA SHALL COVER ENTIRE SHARED DRIVEWAY AREA, BUT IN NO CASE SHALL BE LESS THAN 24' WIDE X 30' LONG.
2. ANGLE OF DRIVEWAY WITH STATE HIGHWAY SHALL BE APROXIMATELY 90°.
3. LOCATION OF ADDRESS DIRECTIONAL SIGNS.

**FIGURE 6.1**

TYPICAL REQUIREMENTS FOR A SHARED DRIVEWAY ACCESSING A STATE HIGHWAY.

**SHARED DRIVEWAY PROPOSAL (continued)**



**FIGURE 6.2**  
TYPICAL SHARED DRIVEWAY DIRECTIONAL SIGN REQUIREMENTS.  
MINIMUM 4" OUTDOOR REFLECTIVE WHITE LETTERING ON A LIGHT  
BLUE WEATHERPROOF BACKING.

### 13.0 DEFINITIONS.

**Drive-In Theater:** A facility in which motion pictures or images.

**Driveway Cross Access Easement Agreement:** A recorded agreement between two (2) adjacent property owners using a shared driveway to access a public highway, which grants access to each other's portion of the driveway being shared. See figure 6.1.

**Driveway Maintenance Agreement:** A recorded agreement between two (2) property owners sharing an access driveway which addresses responsibility for driveway maintenance needs including issues such as snow removal, pavement maintenance and replacement, driveway grades, culvert issues, parking in the shared portion of the driveway, and unforeseen driveway expenses or assessments.

**Farm Based Business:** A business, profession, occupation, or trade for gain.

**Salvage or Junk Yard:** Any land or structure where waste or scrap.

**Shared Driveway:** A driveway where two (2) property owners each own half of the driveway but have the legal right to use the entire driveway.

**Single Family Dwelling:** A detached building design

**This Ordinance shall become effective the day after proof of posting the same in three (3) public places in the Town and has been filed and recorded by the Town Clerk.**

Passed and adopted by the Town of Hartford, Washington County, Wisconsin, and this 11<sup>th</sup> day of February, 2019.

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Maurice Strupp, Chairperson

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Ryan Lippert, Supervisor

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Ralph Horst, Supervisor

Attest:

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Rebecca Schuster, Clerk