

TOWN OF LODI

W10919 County Road V - Lodi, WI 53555 - (608) 592-4868 - twnlodi@twnlodi.com - www.tn.lodi.wi.gov

Application/Permit No. _____
office use only

APPLICATION FOR TOWN ROAD ACCESS/DRIVEWAY PERMIT

PERMIT FEES:	Access/Driveway	\$200.00
	Driveway only	\$150.00
	Access only	\$100.00

The undersigned hereby applies for a permit to construct a new or modify, repair, reconstruct or change the use of an existing driveway connected to a Town Road:

Name (owner/agent): _____

Date: ____/____/20____

Telephone Numbers (owner/agent): _____

Email Addresses (owner/agent): _____

Address #1: _____

Address #2: _____

1. **Location:** Town road name: _____

Distance and direction from nearest intersection: _____

Side of Town Road (circle one): North South East West

Fire/Emergency Response Number: _____

Parcel: _____ Lot: _____ Block: _____

_____ ¼ of _____ ¼ Section: _____, Town: 10N, Range: 8E

2. **Location of new driveway is** _____ feet (circle one) east-west-north-south of closest neighbor # _____

3. **New house is on:** (circle one) same-opposite side as closest neighbor.

4. **Current access use:**

_____ Residential. Number of dwelling units _____

_____ Commercial. Number of parking spaces _____

_____ Ag field

_____ Other _____

5. **Current driveway surface material:** _____

6. **Proposed Access/Driveway Use:** _____ Residential. Number of dwelling units _____
_____ Commercial. Number of parking spaces _____
_____ Ag field
_____ Other _____

7. **Work to be done:** _____ New driveway
_____ Repair existing driveway
_____ Modify or reconstruct existing driveway
_____ New access from Town Road
_____ Repair existing access
_____ Modify or reconstruct existing access

8. **Proposed driveway surface material:** _____

Town of Lodi Code of Ordinance 5.12(b): Driveway Materials, Width, Rise, and Ditch Distance. The driveway shall be constructed with a hard surface appropriate to the driveway circumstances. Concrete shall be prohibited in the first 3 feet of the driveway abutting the Town road. Asphalt is required for the first 3 feet of the driveway abutting the Town road. For the remainder of the driveway, it shall be constructed with a minimum of a finished surface of 12 feet in width, with a minimum of 4 feet side slope on each side with a maximum slope of 1 foot of vertical rise for each 4 feet of horizontal distance. (Such a rise equals 25% slope.) There shall be a minimum of 20 feet from the center of the ditch on one side of the driveway to the center of the ditch on the other side. The center of each ditch must be at least 10 feet from the centerline of the 12-foot road. *(Per Ordinance 2017.01 "An Ordinance to Modify the Driveway Construction Standards approved March 29, 2017).*

9. **All applications for Access/Driveway Permits must include the following:**
a) aerial photo/site analysis
b) plat map
c) soil/slope analysis
d) driveway construction plan
e) copy of Columbia County or WI DOT Access permit (if access is on a County or State highway)

10. **Where, in the opinion of the Lodi Town Board or its designee, severe conditions exist (such as steep slopes or unstable soils) a driveway plan by a professional engineer may be required.**

The applicant agrees to comply with Chapter 5 (Public Works) and 11 (Erosion Control) of the Town of Lodi Ordinances as they relate to town road access and erosion control. The applicant understands that the issuance of the permit creates no legal liability, expressed or implied, on the part of the Town, its employees or contractors, and certifies that all the above information is accurate.

Applicant's Signature: _____

Date: _____/_____/20____

NOTICE PER TOWN OF LODI CODE OF ORDINANCES:

Costs of Application Reviews

All reasonable costs incurred by the Town or its Agents in the course of reviewing any application shall be borne by the Applicant. This includes the original application fee, and may include any actual costs incurred by the Town it deems necessary for engineer, building inspector, legal, administrative or fiscal work relating to that application.

The Applicant shall pay the Town all fees required and at the times specified (within 15 days of each billing by the Town Clerk-Treasurer, unless otherwise indicated). In the event fees are not timely paid, the Town shall not be required to take any action with respect to the application. Non-payment of fees shall be deemed sufficient cause for rejection of the application.

FOR OFFICE USE ONLY

Permit issued by: _____

Date: ____/____/20____

Approval Conditions & Notes: This permit is issued pursuant to the following condition. Failure to comply may result in suspension or revocation of this permit or other penalty.

REFERENCES.....PAGES 4-8

TOWN OF LODI CODE OF ORDINANCES - CHAPTER 5 PUBLIC WORKS

SECTION 5.12 CONSTRUCTION OF DRIVEWAYS

SECTION 5.13 DRIVEWAY SITING

**TOWN OF LODI
CODE OF ORDINANCES**

**CHAPTER 5
PUBLIC WORKS**

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SECTION 5.12 CONSTRUCTION OF DRIVEWAYS

- (a) **Slope.** No land with a slope of more than 20% shall be disturbed for the establishment, construction, improvement, modification, or reworking of a driveway. The maximum final slope of any portion of the driveway shall be no more than 12%.
- (b) **Driveway Materials, Width, Rise, and Ditch Distance.** The driveway shall be constructed with a hard surface appropriate to the driveway circumstances. Concrete shall be prohibited in the first 3 feet of the driveway abutting the Town road. Asphalt is required for the first 3 feet of the driveway abutting the Town road. For the remainder of the driveway, it shall be constructed with a minimum of a finished surface of 12 feet in width, with a minimum of 4 feet side slope on each side with a maximum slope of 1 foot of vertical rise for each 4 feet of horizontal distance. (Such a rise equals 25% slope.) There shall be a minimum of 20 feet from the center of the ditch on one side of the driveway to the center of the ditch on the other side. The center of each ditch must be at least 10 feet from the centerline of the 12-foot road. (*Per Ordinance 2017.01 "An Ordinance to Modify the Driveway Construction Standards" approved March 29, 2017*).
- (b) **Drainage.** Ditches along the right of way, roadway crowning, and culverts shall be provided by the property owner for acceptable drainage. The driveway shall be planned, constructed, and maintained in a manner that prevents diversion of the surface water onto the public road and/or the lands of other persons.
- (c) **Side Banks.** The side banks shall be graded to a slope of no more than 1 foot of vertical rise in each 3 feet of horizontal distance. (Such a rise equals 33% slope.) Excluded from this grading requirement and driveways for which retaining walls and/or other erosion control measures are installed as specified in an Engineer’s Plan approved by the Town Board.
- (d) **Radius of Curves.** Curves in the driveway shall have an inside radius of no less than 36 feet.
- (e) **Erosion Control.** Once the construction of the driveway has begun, all specified erosion controls — including retaining

walls, ditching, culverts, crowning, mulching, matting, and bank seeding — shall be begun immediately. For winter construction, erosion alternatives must be implemented within 30 days until specified controls are available.

- (f) **Substrate.** The driveway must have at least 4 inches of 2-inch rock on the roadbed, covered with 2 inches of ¾-inch gravel. If it can be shown there is a suitable base, the provision requiring 4 inches of 2-inch rock may be modified or waived by the Town Board or its designee. A field road is exempt from this provision.
- (g) **Clearance for Emergency Vehicles.** An area 20 feet in width and 14 feet in height shall be cleared along the entire driveway right-of-way in order to permit the safe passage of emergency vehicles to the structures served by the driveway. A field road is exempt from this requirement.
- (h) **Turnaround.** The driveway must have a turnaround area located no more than 75 feet from the house. The area shall be capable of turning around emergency vehicles and shall be generally as shown in Exhibit A.
- (i) **Existing Driveways.**
 - (1) When washing or other conditions created by existing driveways or field roads that do not meet the specifications required in this Ordinance obstruct or become a potential hazard to a public road, the Town Board shall notify the property owner of the conditions. Any property owner failing to correct such condition within 30 days after notice by the Town Board shall be subject to the penalties described in the penalties section of this Ordinance.
 - (2) No field road may be used for non-agricultural purposes unless the field road has been approved as a driveway under the purposes of this Ordinance.

SECTION 5.13 DRIVEWAY SITING.

- (a) **Definitions.**
 - (1) Agricultural land. Land within the Town of Lodi that has been or is currently considered farmland.
 - (2) Driveway. A private driveway, road, or other avenue of travel that runs through any part of a private parcel of land or that connects or will connect with any public highway but shall not include any field road lying outside of the right-of-way of a public highway.
 - (3) Field Road. A road used only for agriculture purposes.
 - (4) Topography. The surface features of an area of land.
- (b) **Purpose.** The purpose of this Ordinance is to regulate the siting of a driveway that changes the existing topography of the land to assure that the site will promote the public health, safety, and general welfare of the community, to preserve agricultural land, to protect environmentally sensitive areas, and to enforce the goals and policies set forth in the Town of Lodi Comprehensive Plan.
- (c) **Jurisdiction.** Jurisdiction of these regulations shall include all driveways on parcels or building sites that are located within the Town.
- (d) **Application Requirements and Procedures.**
 - (1) **Who Must Apply.** No person or entity shall site a driveway without first obtaining a Driveway Siting Permit from the Town or its designee.
 - (2) **Application Forms.** The Town Board shall approve a form for applications for driveway permits. These are available from the Town Clerk-Treasurer.
 - (3) **Application.** Submit a completed Driveway Siting Permit Application with the appropriate fee and the following required attachments, as required, to the Town Clerk-Treasurer. The attachments (1) through (7) are described in the Town's Applications Guide, a copy of which is available from the Town Clerk-Treasurer.
 - (A) Plat map.
 - (B) Aerial photo/site analysis.
 - (C) Soil/slope analysis.
 - (D) Town Erosion Control Plan.
 - (E) Driveway Construction Plan OR
 - (F) Engineer's Plan (if required).
 - (G) Other documents the Town may require to be attached to the Drive Way Siting Permit Application. Such documents, if any, would be described in the Applications Guide.
 - (4) **Application Review.** Procedures for the evaluation of the Driveway Siting Permit Application including site review of the proposed driveway, public hearing, and Town Board meeting are described in the Applications Guide.
 - (5) **Permit Application Denial.** If an application for a Driveway Siting Permit is denied by the Town, no application for a relatively similar Driveway Siting Permit will be considered within 6 months of the denial.

- (6) **Permit Period.** The Driveway Siting Permit is effective for 24 months from the date of issuance. The permit shall expire after 24 months.
- (7) **Building Permits.** No Building Permit for new residential construction will be issued until the driveway is sited according to the specifications of this Ordinance.
- (8) The application fee shall be determined by Town Ordinance. Any costs incurred in excess of fee amount shall be billed to applicant. Said costs may be collected pursuant to Wis. Stats. § 66.0627.
- (e) **Agricultural Land.** No driveway shall be approved in the Town of Lodi if the Town Board or its designee finds that the driveway will adversely impact agricultural land.
- (f) **Field Roads.** No field road may be used for non-agricultural purposes unless the field road has been approved as a driveway under the purposes of this Ordinance.
- (g) **Waiver of Specifications.** Any specification(s) in this section may be waived or modified by the Town Board or its designee if it deems the specification(s) would impose any unnecessary hardship. Any request by an applicant for a waiver or modification of any provision in this section must accompany the initial application and must state the reason for the request.
- (h) **Engineer's Plan.** If, in the opinion of the Town Board or its designee, conditions at the proposed driveway site are such that a driveway meeting the standards of this Ordinance would be difficult or impossible, the Board may require submittal of a plan by a Registered Professional Engineer.
 - (1) If required, an Engineer's Plan will include a plan, drawn to scale, showing the following:
 - (A) **Location.** The precise location of the driveway or the segment of driveway that requires an Engineer's Plan.
 - (B) **Slope.** A profile of the driveway showing non-existing slopes greater than 20% and no proposed slopes greater than 12%.
 - (C) **Retaining Walls.** The location and design of any retaining walls.
 - (D) **Culverts.** The location, size and design calculations for culverts and ditches.
 - (E) **Cross-section.** A cross-section of the driveway.
 - (F) **Erosion control.** The required mulching, matting, silt fence or other erosion control measures in conformance with the Town's Erosion Control Ordinance.
 - (G) **Certification.** The plan will include the engineer's name, address, and signature; and a statement from the engineer that he has fully complied with all the provisions of this Ordinance.
 - (2) No construction of a driveway or shared driveway may commence until the Engineer's Plan, if required, is approved by the Town Board or its designee, until a Driveway Construction Permit is issued by the Town and, when applicable, any necessary approvals are obtained from Columbia County or the State of Wisconsin (See Wis. Stats. § 86.07). The preparation of an Engineer's Plan does not guarantee the Town's approval of the Driveway Construction Permit Application.
 - (A) **Inspection.** After the driveway has been completed, a minimum of 2 Town Board Supervisors or its designee shall inspect the driveway to determine whether or not it was constructed according to the plan(s) and is consistent with the requirements of this Ordinance.
- (i) **Penalties.** Should a driveway be sited in violation of the provisions of this Ordinance or create a hazard that is not corrected within 30 days of notification, the owner(s) of the land through which the driveway passes shall, upon conviction, pay a forfeiture of \$100.00 plus applicable surcharges and court costs per violation. Each day that the violation continues to exist shall constitute a separate offense. An unlawful driveway constitutes a public nuisance and may be enjoined.
- (j) **Disclaimer.** The Town's issuance of a driveway siting permit does not constitute a determination that the driveway is safe, suitable for use, or otherwise passable for the public. No person may rely on the issuance of a permit to determine that a driveway is fit for any purpose.

History Note: Adopted effective September 28, 1999.