

Article 20

ACCESS CONTROLS

Section 20.01: PURPOSE

The purpose of this Article is to provide standards which will facilitate safe and efficient traffic movement and vehicular access in the Township. The standards contained herein are intended to protect the public health, safety, and welfare, including minimizing congestion and the potential for crash or collision or other vehicular or pedestrian accidents, and better assuring accessibility to property under emergency conditions. The regulations and standards of this Article apply to all properties in the Township.

Section 20.02: CURB CUTS and DRIVEWAYS

Curb cuts and driveways accessing public roads shall be located only upon the approval of the County Road Commission and appropriate state authorities as required by law; provided, however, such approval shall not be given where such curb cuts and driveways shall cause an unreasonable increase in traffic hazards, including but not limited to allowing adequate sight distance for ingress and egress.

- A.** All plans for structures to be erected, altered, moved or reconstructed, and use of premises within the Township shall contain a plan for the proposed driveway access to the premises which shall be part of the plot plan or site plan pursuant to Section 6.03. Said plan shall be approved by the Zoning Administrator, or the Planning Commission in the case of a site plan, prior to the issuance of a building permit. No such plan shall be approved unless such driveway access is onto a dedicated public street or an approved private road. Driveways shall, at a minimum, meet the following standards:
- 1.** Culverts shall be installed in line with and on the same grade as the road ditch where such road ditch exists.
 - 2.** Drives shall enter perpendicular to the existing public street or private road.
 - 3.** No portion of the driveway entrance within the right-of-way shall have a grade of greater than ten (10) percent (1 foot vertical rise in 10 feet of horizontal distance).
 - 4.** Residential driveways shall be a minimum of fifty (50) feet from the nearest right-of-way line of an intersecting road or street and, except in the case of a shared driveway approved pursuant to Section 20.05, shall be a minimum of five (5) feet from a side lot line (see Figure 20-1).
 - 5.** Vehicle ingress and egress points shall not be closer than one hundred (100) feet to the intersection of any two (2) public streets (See Figure 20-1), or closer than eighty (80) feet to an adjacent driveway within a Commercial or Industrial district.
 - 6.** All driveways leading to dwellings or garages shall have a compacted gravel or paved surface, and shall be designed to minimize erosion. Driveways shall not discharge runoff onto adjacent properties, or upon adjacent roads where the point of discharge could accelerate on-site or off-site erosion, ponding, and/or vehicular or pedestrian hazards. The applicant or applicant's contractor shall certify in writing that the completed driveway complies with this subsection.
 - 7.** Residential driveways shall be a minimum of ten (10) feet wide.
- B.** No final Certificate of Zoning Compliance shall be issued for a lot which does not comply with the curb cut and driveway provisions of Section 20.02.
- C.** All parking and drive areas associated with a commercial land use in a commercial district shall be paved.
- D.** The location of new driveways shall conform with road improvement plans or corridor plans that have been adopted by the Planning Commission and/or Township Board.
- E.** No driveway shall serve more than one (1) single family dwelling or more than one (1) dwelling unit in a two family dwelling, except where expressly authorized otherwise by this Ordinance.
- F.** No driveways providing access to nonresidential uses and structures shall cross residentially-zoned property.

Section 20.03: LOTS to HAVE ACCESS

All parcels or lots hereinafter created in the Township shall have frontage on a public street, a shared driveway approved by the Zoning Administrator or Planning Commission, as applicable, or a private road approved by the Township Board pursuant to the Dexter Township Private Road Ordinance, and take their lot access from such frontage so as to provide safe, convenient access for fire protection, other emergency vehicles, and any required off-street parking. In a platted subdivision or condominium subdivision, corner lots shall take their access from an approved private road or approved public street. Wherever a corner lot exists at the intersection of two (2) major thoroughfares, then access shall be taken from the thoroughfare presenting the least hazard.

Section 20.04: CLEAR VISION ZONE:

No fence, wall, hedge, screen, sign, structure, or vegetation shall be higher than three (3) feet above road grade on a any corner lot or parcel within the triangular area formed by the intersecting road right-of-way lines and a straight line joining the two intersecting right-of-way lines at points which are thirty (30) feet from their point of intersection measured along the right-of-way lines (See Figure 20-2). No fence, wall, hedge, screen, sign, structure, or vegetation shall be higher than three (3) feet above road grade on a any lot or parcel within the triangular area formed by the intersecting lines of a driveway edge and road right-of-way line and a straight line joining the two intersecting lines at points which are twenty (20) feet from their point of intersection, measured along the right-of-way line and driveway edge (See Figure 20-3).

Section 20.05: SHARED DRIVEWAYS

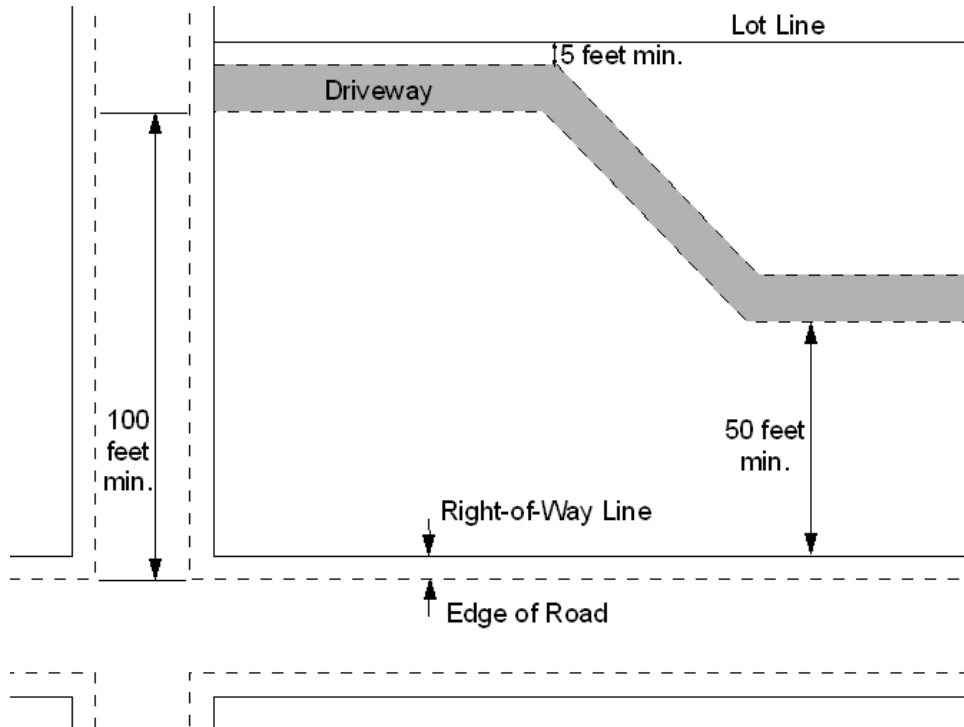
A. Application and Review:

1. **Application:** Shared driveways require approval, subject to an application. An application for a shared driveway shall include the following:
 - a. A plot plan drawn to a scale of not less than one inch equals 100 feet (1" = 100') delineating the proposed alignment of the driveway and the lots it is to serve. The Township Engineer may require additional data to be submitted, such as existing topography, proposed grades, and soil conditions, where the driveway is to serve more than two (2) lots and such data is needed to determine the adequacy of the proposed driveway.
 - b. Maintenance agreement signed by applicant/owner(s) and approved by the Township Attorney, to be recorded with the Township Clerk and County Register of Deeds providing for:
 - 1) A method of initiating and financing such shared driveway in order to keep the shared driveway up to the specifications of this Section.
 - 2) A workable method of apportioning the costs of maintenance and improvements to current and future lots along such shared driveway.
 - c. Easement agreement signed by the applicant/owner(s)) and approved by the Township Attorney, to be recorded with the Township Clerk and County Register of Deeds providing for:
 - 1) Easements to the public for purposes of emergency and other public vehicles for whatever public services are necessary.
 - 2) A provision that the owners of any and all of the property using the shared driveway shall refrain from prohibiting, restricting, limiting or in any manner interfering with normal ingress, egress , public utilities, and use by any of the other owners. Normal ingress and egress and use shall include use by family, guests, invitee, vendors, tradesman, delivery persons, emergency vehicles, and others bound to or returning from any of the properties having a need to use the driveway.
 - d. Restrictive covenants or other legally binding tool, found acceptable by the Township Attorney and to be recorded with the Township Clerk and County Register of Deeds, prohibiting any division of lots served by the shared driveway from being further divided in excess of the maximum permitted number of lots served by such shared driveway, according to subsection (B)(3) below.
2. **Review:** The approving body for an application for a shared driveways shall be the Planning Commission except that the approving body for an application for a shared driveways serving only two (2) lots shall be the Zoning Administrator. The respective approving body shall forward all relevant application materials for review and comment to the Fire Chief, Township Attorney, and Township Engineer. Upon a finding that the application materials conform to the requirements and standards of this Section and Ordinance, the approving body shall approve, or approve with conditions, the application. Decisions by the approving body shall be made within sixty (60) days of the receipt of the completed application unless, in the opinion of the approving body, an extension of time is necessary to adequately collect and review information pertinent to a decision.

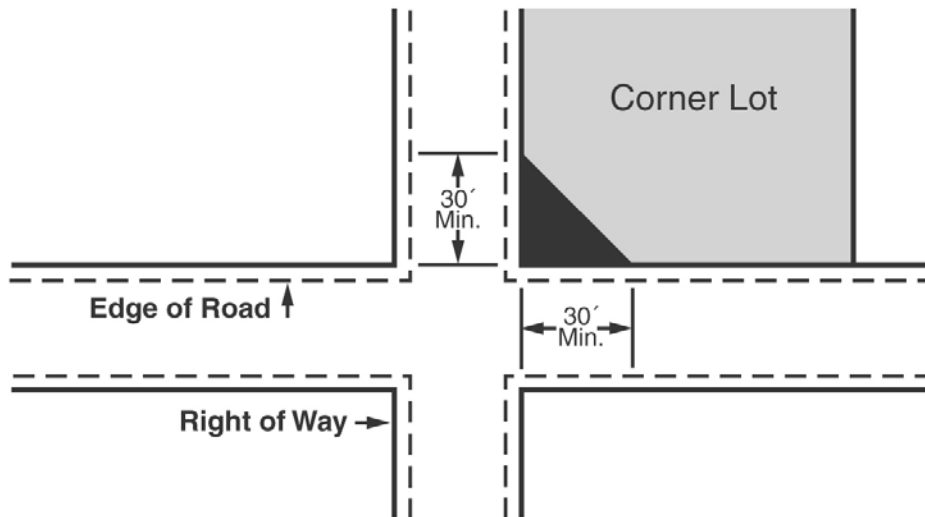
B. Standards: Shared driveways shall comply with the following standards in addition to all other applicable standards of this Ordinance:

1. The driveway surface shall be a uniform minimum twelve (12) feet wide, measured edge to edge, with eighteen (18) feet wide passing flares provided at least every three hundred (300) feet. Passing flares shall be at least sixty (60) feet in length (See Figure 20-4).
2. The shared driveway shall not exceed one thousand feet (1,000') in length.
3. The shared driveway shall not serve more than four (4) dwelling units.
4. All addresses served by the shared driveway shall be clearly marked at its point of intersection with a road, and such addresses shall also be clearly marked at any location a private driveway splits from the shared driveway.
5. No shared driveway shall be posted with a name.
6. Shared driveways shall comply with the requirements and standards of Section 20.02(A), (B), (D) and (F).
7. Shared driveways more than one hundred fifty (150) feet in length shall include an area dedicated to emergency vehicle turnaround that meets the standards of the International Fire Code, which may be amended from time to time.

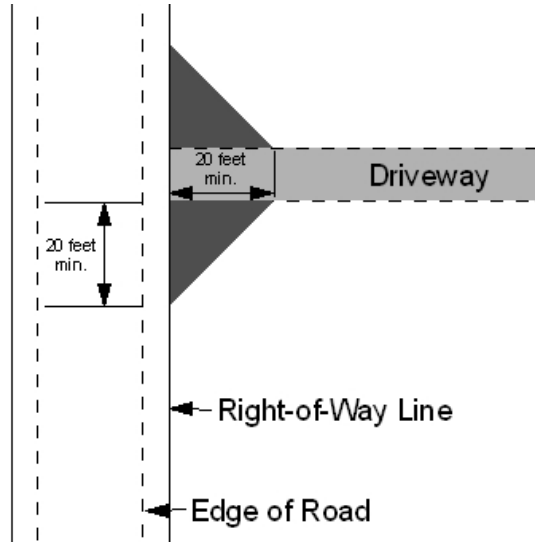
**Figure 20-1
DRIVEWAY SETBACK FROM PUBLIC ROAD**



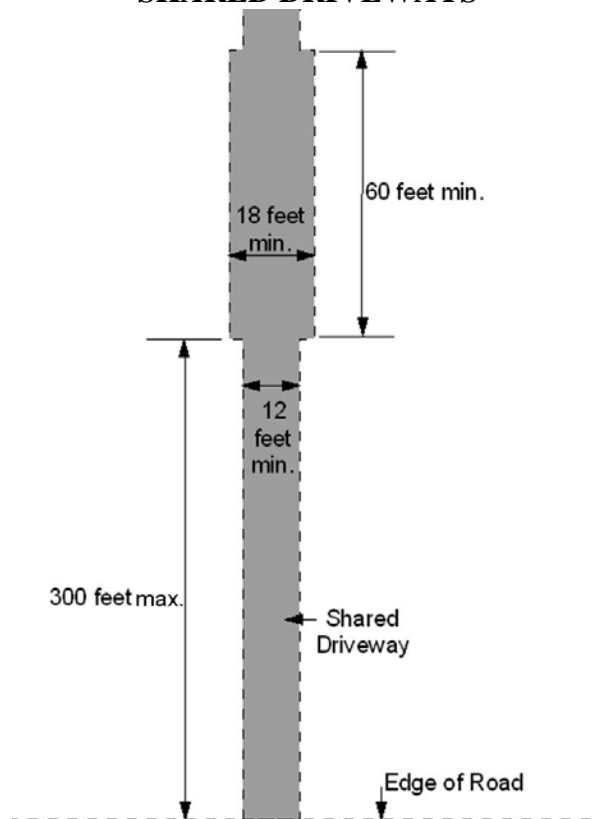
**Figure 20-2
CLEAR VISION AREA ALONG PUBLIC ROAD**



**Figure 20-3
CLEAR VISION AREA FOR DRIVEWAYS**



**Figure 20-4
SHARED DRIVEWAYS**



End of Article 20