

# VILLAGE OF BROOKLYN ORDINANCE CHAPTER 117

## AN ORDINANCE TO REPEAL AND RECREATE

### SECTION 117-1053 OF CHAPTER 117 OF THE CODE OF THE VILLAGE OF BROOKLYN

#### REGARDING DRIVEWAYS

THE BOARD OF TRUSTEES OF THE VILLAGE OF BROOKLYN DO ORDAIN AS FOLLOWS:

Section 117-1053: Chapter 117, Zoning Code; Article V. Zoning Districts and Land Uses; Division 8. Traffic Visibility, Loading, Parking and Access; Section 117-1053 Driveways; of the Code of the Village of Brooklyn Code is hereby amended to read as follows:

Section 117-1053. - Driveways.

All driveways installed, altered, changed, replaced or extended after the effective date of the ordinance from which this chapter is derived shall meet the following requirements:

- (1) *Islands*. Islands between driveway openings in business and industrial areas shall be provided with a minimum of ten (10) feet between all driveways and five (5) feet at all lot lines.
- (2) *Ingress and egress openings*. Openings for vehicular ingress and egress (at the sidewalk) shall not exceed lesser of 44 feet or 45% of lot frontage for commercial or business parcels and 36 feet or 40% for single family and 44 feet or 45% for two-family (R-T) residential parcels. If the street has curb and gutter, a 2' taper/transitional section on each side shall be poured integral to the adjoining curb or sawcut as per the detail provided in Appendix A, Figure 6.
- (3) *Construction Standards*. Reference Appendix A, Figure 6. All driveways shall have a durable hard surface. Alternate materials may be approved by Village Plan Commission.
- (4) *Ag Driveways*. Agricultural driveways require special consideration, based on their proposed use, and therefore require Plan Commission approval.
- (5) *Entrances and exits*. Vehicular entrances and exits may be permitted by the Plan Commission by Site Plan approval for to drive-in theaters, banks and restaurants; motels; funeral homes; vehicular sales, service, washing and repair stations; garages; or exits to a school, college, university, church, hospital, park, playground, library, public emergency shelter, lumber yard, gas station, or convenience store, fire stations, emergency services building, community building or any place of public assembly.
- (6) *Setback*. Driveways shall not be closer than five (5) feet to a side lot line, right-of-way line, or rear lot line in any district unless otherwise specified in the underlying zoning district regulations consistent with principle and accessory building regulations. Driveways that are currently within the setback are considered non-conforming driveways and may be replaced only in their current footprint. Driveways currently non-conforming may be improved by permit but shall not expand in non-conformity. No driveway setbacks are required for shared driveways unless by separate agreement between the parties.
- (7) *Shared Access*. Shared access may be allowed in any district provided the shared access does not create safety concerns with visibility or traffic flow including pedestrian traffic and subject to the following requirements:
  - (i) Shared driveways shall conform to the terms of this section unless granted exception by the Plan Commission.
  - (ii) The Plan Commission may require specific engineering and design based on the land use(s) that are served by the access and based on the existing/proposed topography of the site.
  - (iii) Shared driveways shall be accompanied by a shared access easement agreement to confirm terms of construction, ownership and maintenance of the shared driveway facilities (and use), including drainage, in perpetuity. This document shall be subject to Village approval and be recorded with the deed for each served property.

- (8) *Number of Accesses.* Unless granted exception by the Plan Commission, a residential parcel shall not have more than one (1) access. Unless granted exceptions by the Plan Commission Commercial, multi-family, public/quasi-public, institutional and industrial properties may have more than one (1) access if the proposed use/facility requires more than 15 parking spaces. Each driveway shall meet the provisions of this section.
- (9) *Drainage.* New driveways, or driveway modifications, that alter existing drainage conditions, will result in concentrated runoff to adjoining properties, or otherwise impact Village infrastructure shall require a drainage plan and Plan Commission approval. “Drainage plan” means a schematic plan identifying runoff sources, paths of travel, and discharge points but does not mean an engineering study unless specifically required by the Village pursuant to applicable ordinance(s).
- (10) *Alternate Materials.* Driveways constructed of alternate materials, such as turf stone, brick, porous pavement or gravel, are hereby included under the definition of hard surface but are not allowed within the right-of-way.
- (11) *Costs.* Cost incurred by the Village for any/all driveway permitting shall be borne by the Applicant.
- (12) *Permits.* A driveway permit is required for all new and expanded driveways, conversions of driveway use (shared, connected, change of use), and all driveway work that is to occur within the right-of-way. WisDOT permits are required where a driveway is located on a roadway with WisDOT jurisdiction. Issuance of a driveway permit does not necessarily permit other non-conforming buildings, uses or activities.
- (13) *Exemptions.* Driveway modifications not in the right-of-way ~~that~~ do not require a permit are as follows:
  - a. asphalt to asphalt resurfacings that do not expand the driveway,
  - b. concrete to concrete resurfacings that do not expand the driveway
  - c. adding gravel to an existing gravel driveway
  - d. widenings of any driveway less than 1’ net
- (14) *Non-Standard Street Provisions.* Where a driveway exists on a street that has no curb and/or sidewalk, existing driveways maybe improved but may not be made to conform to the “standard” drive provisions of this chapter and Appendix Figure 6.

(Ord. of 12-17-2012, § 48-583)

Adopted by the Board of Trustees of the Village of Brooklyn, Wisconsin, this 12th day of April, 2021.

APPROVED:

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Brit Springer, Village President

Ayes: \_\_\_\_\_  
 Nays: \_\_\_\_\_

ATTEST:

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Linda Kuhlman, Clerk-Treasurer

# AFFIDAVIT OF POSTING

STATE OF WISCONSIN    )  
  :SS  
COUNTY OF GREEN        )

I, Linda Kuhlman, Village Clerk/Treasurer for the Village of Brooklyn, County of Dane/Green, State of Wisconsin, do solemnly swear that on April 13, 2021, Chapter 117, Zoning Code; Article V. Zoning Districts and Land Uses; Division 8. Traffic Visibility, Loading, Parking and Access; Section 117-1053 Driveways; was posted at the following locations and notification of changes published in the Oregon Observer:

1.     State Bank of Cross Plains  
       210 Commercial Street  
       Brooklyn WI 53521
2.     U S Post Office  
       218 Commercial Street  
       Brooklyn WI 53521
3.     Village of Brooklyn website  
       [www.brooklynwi.gov](http://www.brooklynwi.gov)
4.     Brooklyn Community Building  
       102 N. Rutland Avenue  
       Brooklyn, WI 53521

Further affiant saith naught.  
Dated this 13th Day of April, 2021

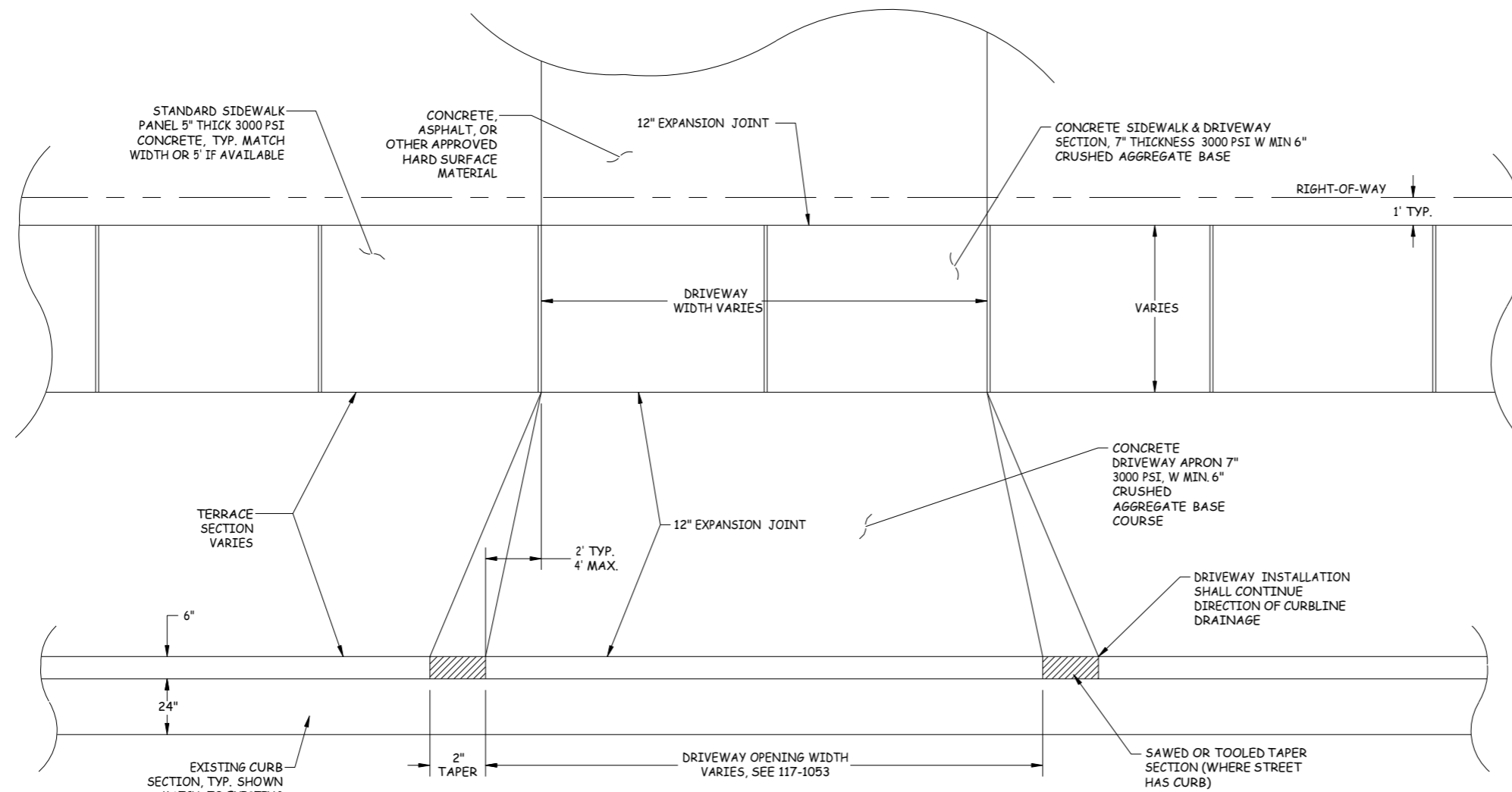
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Linda Kuhlman  
Village Clerk-Treasurer

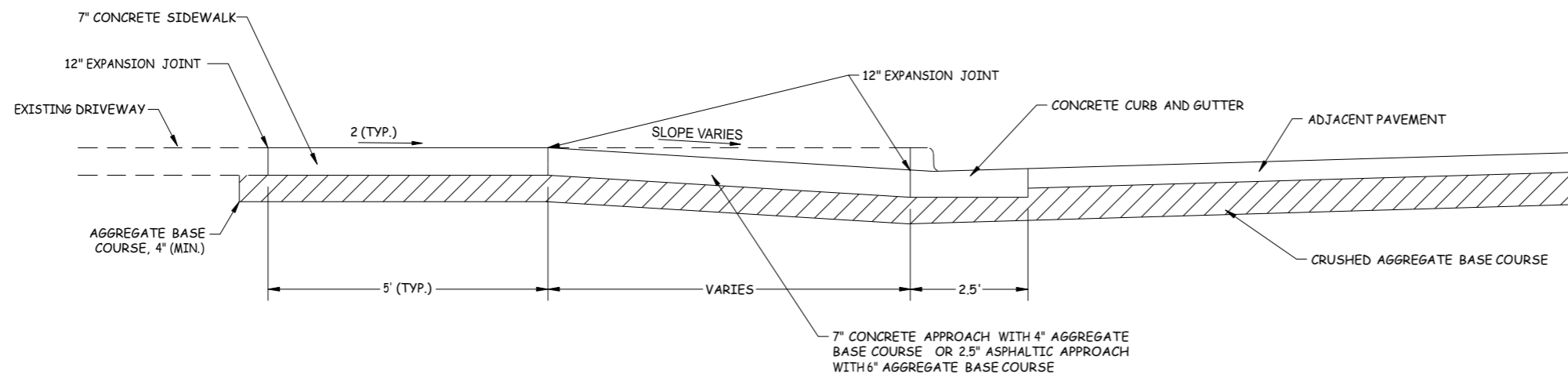
SUBSCRIBED AND SWORN to before  
me on this 13th day of April, 2021

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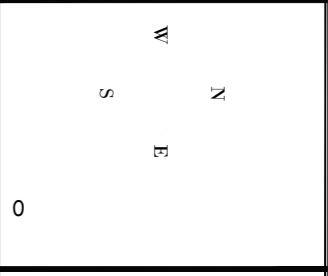
Notary Public, \_\_\_\_\_ WI  
My Commission expires:



TYPICAL DRIVEWAY DETAIL



TYPICAL DRIVEWAY SECTION



PROJECT NO:

DATE:

03042021

DESIGNED BY:  
RR

DRAWN BY:  
DV

SHEET:

