



# City of Ham Lake

15544 Central Avenue NE

Ham Lake, MN 55304

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## **DRIVEWAY CONSTRUCTION INFORMATION**

### **CITY CODE ARTICLE 11-730 Residential Driveway Widths (also see Article 10-430)**

- A. Maximum width of a driveway at the curb to the right-of-way line to be 30 feet.
- B. Driveways on cul-de-sacs to be a maximum width of 24 feet from the curb to the right-of-way line. All properties on cul-de-sacs will be allowed only one driveway from the street.
- C. For parcels not on a cul-de-sac, a secondary driveway may be constructed with a maximum width of 24 feet at the curb to the right-of-way line.

### **CITY CODE ARTICLE 10-430.**

#### **1) New Dwellings**

Driveways on all lots containing or proposed for new residential dwellings shall be limited to 30 feet in width on City streets and 24 feet on cul-de-sacs (see Article 11-730, and shall be paved with either concrete or bituminous surfacing, in accord with standards or specifications to be established by the City Engineer. The paving requirements may be reduced by the City's Building Official, after conferring with the City's engineer, to a length of 30 feet from the paved portion of the abutting public street if there is a showing of a special circumstance, such as inordinately long driveway length, which makes literal compliance with this provision unfair or unreasonable.

#### **2) Existing Dwellings or Structures**

For any remodeling or other project that requires a building permit, a condition of issuance of the building permit shall be the paving of any existing unpaved or inadequately paved driveway serving garages or accessory buildings on the parcel. If the parcel contains an existing driveway having adequate pavement, and the property owner agrees to abandon any other unpaved driveways and take access solely from the paved driveway, then no additional paving shall be required. Notwithstanding the foregoing, the Building Official, after conferring with the City's engineer, may shorten the paving requirement to a length of 30 feet from the paved portion of the abutting public street if there is a showing of a special circumstance, such as inordinately long driveway length, which makes literal compliance with this provision unfair or unreasonable. The Building Official may also eliminate paving needs under the following circumstances:

- a) Because of particular topographic conditions, the existence of the driveway poses no immediate threat of erosion that could affect the public road, and poses no immediate threat of siltation flowing onto the public road; or
- b) The driveway is not intended to be used more often than once monthly, and topographic and vegetative conditions are present that are likely to inhibit or preclude erosion or siltation from developing if the limited usage is observed; and
- c) The property owner consents in writing to a license, in recordable form, as follows:

## Driveway License Agreement

**Agreement**, made this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, between the City of Ham Lake, Minnesota ("City") and \_\_\_\_\_ ("Owner");

### Recitals

Owner is the owner of the property described on hereto attached Exhibit A, which property abuts a public road, namely \_\_\_\_\_. Owner has applied for a permit for activity regulated by City, and has requested a modification of the City's normal requirement for driveway paving. City is willing to grant such an exception on certain conditions.

### It is therefore agreed as follows:

#### 1. Surrender of Right of Access

Except for any existing points of access via adequate paved driveways, Owner hereby surrenders all right of access to \_\_\_\_\_ to City.

#### 2. Grant of License

City hereby grants a license to Owner for a *driveway access* point to \_\_\_\_\_ in the location noted on hereto attached Exhibit B, subject to the following conditions:

- a) Owner covenants that the *driveway access* shall at all times be maintained by owner to prevent erosion within City right of way and to prevent the flow of silt onto the paved surface of the public road; and
- b) Owner covenants that the *driveway access* shall have limited use, to wit, not more than one round-trip per month.

#### 3. Remedies

If Owner is found by City to have violated any condition of the License, City shall notify Owner of the violation and shall inform the Owner of what paving requirements City intends to impose, stating a date certain by which the paving must be completed. If owner fails to complete the paving in a timely manner, and of quality satisfactory to City, City shall be entitled to erect and maintain barricades to prohibit access to the public street from any location other than approved driveway locations in existence prior to the date hereof.

***(Signature blocks, acknowledgments and drafting statement)***

#### 3) Exemptions

Notwithstanding the foregoing, the City's Building Official may grant an exemption or further modifications to paving requirements for driveways that obtain access to unpaved public roads, taking into account the topographic conditions and likelihood and timeliness of future paving of the public road.

### NOTES:

- 2331 bituminous wearing course 2 inches compacted. Class 5 aggregate base 4 inches compacted.
- Driveways must be setback 10 feet from lot lines and not to be located within any easements.
- Culvert (standard 15" x 24'). Contact City to determine if a culvert is required. Culverts are typically in stock, for sale, at City Hall.
- \$2,600.00 Escrow will be required prior to issuance of the building permit to guarantee construction of a hard surfaced driveway for an accessory building or new residential construction.

12/2017