

Ordinance #: 2008-01
December 8, 2016

Town of Atlanta, Rusk County Subdivision Ordinance

Authority. The provisions of this ordinance adopted by The Township of Atlanta is pursuant to the authority granted the Wisconsin State Statutes, Section 59.971 (3), 114, 135, 136, 114.26(8), 236.35 and 703. The board of supervisors of the Town of Atlanta, County of Rusk, State of Wisconsin does ordain as following:

Contents

Section I. Lot Requirements
Section II. Roads/Streets
Section III. Drainage Facilities Plan
Section IV. Utilities
Section V. Construction Plans and Inspection
Section VI. Modification of Regulation
Section VII. Effective Date

Town of Atlanta, Rusk County Subdivision Ordinance

This ordinance does not supersede or replace the Rusk County Subdivision Ordinance but is the Town of Atlanta's addition to the Rusk County Subdivision Ordinance.

The purpose of this Ordinance is to further regulate and control the division of land within the limits of the Town of Atlanta, Rusk County, Wisconsin in order to accomplish all of the following purposes:

Promoting the public health, safety, and general welfare to the Town of Atlanta.

Supplementing County, State, and Federal land division controls to implement any Town comprehensive plan, master plan or other land use plans.

Promoting orderly layout of the land in the Town of Atlanta.

Minimizing a public impact resulting from the division of large tracts into smaller parcels in the Town of Atlanta.

Section I. LOT REQUIREMENTS (Subdivisions and Certified Surveys)

- A. Lot size: 2 acres minimum.
- B. Minimum average lot width: 300 feet.
- C. Minimum lot width abutting lake, river, stream, creek and marsh: 330 feet.

- D. 15 foot Drainage and Utility easements along each lot property line. (Included in lot area)
- E. Building setback from street right-of-way (R/W) line: 100 feet, and from side lot lines: 25 feet.
- F. Building setback from lake, river, stream, creek, or marsh as required by the County and State.

Section II. ROADS/STREETS (Subdivisions and Certified Surveys)

- A. Private roads/streets serving more than two lots are not allowed.
- B. Total roads/streets right-of-way width: 66 feet. (Part of lot area)
- C. 120 feet diameter roads/streets right-of-way for cul-de-sac roads/streets. (Part of lot area).
- D. All trees shall be removed from roads/streets right-of-way.
- E. Paved road/street width: 24 feet. Gravel shoulder width: 4 feet.
- F. Paved cul-de-sac diameter: 60 feet. Shoulder width: 4 feet.
- G. Road/street back slope (drainage Ditch slopes) 4:1.
- H. Road/street surface 3 inch wear course, 6 inches crushed gravel in accordance with Rusk County.
- I. Shoulder surface 3 inches shoulder gravel over 6 inches crushed gravel in accordance with Rusk County.
- J. One driveway per lot. A driveway serving a lot shall be in accordance with the Town of Atlanta's Driveway Ordinance.
- K. All lots created by a Subdivision or Certified Survey shall be served by interior roads/streets within the development. No lots may be served by existing Township, County, or State Roads unless the developer can show a necessary hardship and receives approval from the Town, County, and State.
- L. All disturbed areas resulting from road/street and utilities construction shall be covered with 2 inches of top soil and seeded to prevent erosion in accordance with the appropriate State and local authorities.
- M. Road/street signs shall be installed at developer's expense.
- N. A Construction Surety Bond is required for all construction costs if the developer wants to proceed before final approval and acceptance by the Atlanta Town Board.

Section III. DRAINAGE FACILITIES PLANS (Subdivisions and Certified Surveys)

- A. Shall be prepared by an engineer registered in the State of Wisconsin.
- B. Shall be submitted and approved as required by the State of Wisconsin, Rusk County and the Town Board.
- C. The drainage system shall be provided to adequately drain the land being divided with provisions to conduct drainage from and through the development.
- D. Bridges and culverts draining the development shall be installed at the expense of the developer.

Section IV. UTILITIES (SUBDIVISIONS AND CERTIFIED SURVEYS)

- A. All available utilities such as electric, telephone, television cable, and gas utilities shall be extended underground within the 15 foot utility easement along the road/street to serve each lot in the development.
- B. Prior to final approval, said utilities shall also be installed within the utility easements between two lots from the road/street to the 100-foot building setback line.
- C. The cost of installing said utilities shall be paid by the developer.

Section V. CONSTRUCTION PLANS AND INSPECTION (Subdivisions and Certified Surveys)

- A. Construction plans showing road/street center line grades, lot lines, building elevations, drainage structures size, ditch grades, typical section of roadway and existing and proposed contour lines at 5' elevations shall be furnished to the Town of Atlanta for review and approval.
- B. All cost of plans, plan review, construction costs and construction inspections shall be paid by the developer.

Section VI. MODIFICATION OF REGULATION

When the Town Board finds that injustice or hardship will result from strict compliance with this ordinance, it may allow divergence from the terms hereof to the extent deemed necessary and proper to grant relief, provided that the modification meets all the following standards:

- 1. The necessity for modification is due to the physical features of the site;
- 2. The modification is the minimum deviation from the terms of this chapter necessary to mitigate the injustice of the hardship; and
- 3. The modification is not detrimental to the public interest and is in keeping with the general spirit and intent of this ordinance. Application for any modification shall be made in writing by the Subdivider at the time the Preliminary Plat is filed for consideration, stating specifically the circumstances upon which the Subdivider is relying, the modification requested and how the request meets the standards set in above ordinance. The request shall be supplemented with maps, plans and any other additional data that may aid the Town Board in the analysis of the request. A fee of \$100.00 per lot shall accompany said request for modification. The Town Board reserves the right to request input and recommendations from the Planning Commission on any and all modification requests.

Section VII. EFFECTIVE DATE

This ordinance becomes effective upon passage and publication.

Passed this 12th Day of June, 2008
Passed this 14th Day of October, 2010
Passed this 8th Day of December, 2016