



City of *NAPOLEON*, Ohio

255 W. Riverview Ave. • P.O. Box 151
Napoleon, Ohio 43545-0151
Phone: (419) 592-4010 • Fax: (419) 599-8393
Web Page: www.napoleonohio.com

Mayor
Jason Maassel

May 7, 2021

Members of Council

PRESIDENT:
Joseph Bialorucki

PRESIDENT PRO-TEM:
Daniel Baer

John Ross Durham
Jeff Comadoll
Kenneth Haase
Lori Siclair
Molly Knepley

City Manager
Joel L. Mazur

Finance Director
Kelly O'Boyle

Law Director
Billy D. Harmon

Mr. Gregory Heath
614 W. Clinton Street
Napoleon, OH 43545

Mr. Heath,

I received and reviewed your letter regarding your plans to replace the driveway at your residence located at 614 W. Clinton Street. Your residence is on a street with an unusually large Right-of-Way (ROW) width. I agree with your assessment of the situation. At one point historically, this street was likely meant to be a main thoroughfare. However, this road will not ever be a main thoroughfare in the foreseeable future.

Therefore, after reviewing your appeal letter, I approve of waiving the requirement to reconstruct your driveway with 6 inches of concrete and 6 inches of compacted fill for this instance. However, the minimum amount of concrete for this work will require 4 inches of concrete and 4 inches of compacted fill starting from behind the sidewalk to where the ROW ends. The area from the back of the sidewalk to the street will still require the requisite 6 inches of concrete and 6 inches of compacted fill. Also, any future construction that takes place after this work is completed must follow the City of Napoleon Engineering Rules, unless a new waiver of the rules is granted.

I hope this is acceptable to you and I appreciate your investment into your residence. Please contact me if you have any questions or need additional information.

Sincerely,

Joel L. Mazur
City Manager

cc: Chad Lulfs, Public Works Director
Kyle Spieth, Burk Excavating, LLC

05/05/2021

Gregory J. Heath
614 West Clinton Street
Napoleon, Ohio 43545
Ph#: 419-592-7048
Email: greg.heath54@gmail.com

Mr. Joel Mazur, City Manager
City of Napoleon, Ohio
255 West Riverview Avenue
PO Box 151
Napoleon, Ohio 43545-0151

RE: City of Napoleon, Ohio – Engineering Department Rules and Regulations requested Waiver

Dear Joel:

I am "Appealing" (Rule 7) to you for a "Waiver" to the City's Engineering Department Rules and Regulations as it pertains to Drive Approaches and how far back the Right of Way (ROW), (Rule 4), is on West Clinton Street, at least West of Haley Avenue. I am planning on replacing my personal Drive Approach and have received estimates on its repair. I have been informed by both the contractor (Burk Excavating & Concrete) and the City Engineer (Mr. Chad Lulfs) that the ROW on this street is about 82' from the center of the roadway. That versus a regular street that is normally about 30' from the center of the roadway.

Because of this ROW I have been informed that about 27' of drive, starting from the edge of the curb by the street, must meet the City established standards of Compacted Fill (6") and Concrete (6"). This exceeds my need for my residential Driveway Approach. This is not a Commercial or Industrial driveway.

It is my belief that Clinton Street may have originally been planned to be a thoroughfare road, and that was the reason for the wider ROW. I have no specific facts on this except I believe it may have been in the original City layout, you would have verify that if needed. However, it has never been made a City thoroughfare road, and, I am not aware of any City plans to make it one. The ROW was never changed for many years.

Specifically, to meet City (Rule 4) it is estimated by the contractor to cost an approximate additional \$900.00 (the difference of 82' ROW to 30' ROW). If the City wants to continue to impose this standard on Residential Approaches on West Clinton Street, then the City should pick up the approximate \$900.00 for this rebuild. However, I realize you may have a reason to keep this street currently as is, therefore, I request a "Waiver" of (Rule 4), and/or whatever code the proposed change applies, to a normal sized residential street of about 30'. Or, I would like to have the City pick up the difference in the estimated cost. Either one is OK for me. The additional cost due to ROW serves no purpose, just an extra expense.

I have been in discussion with the City Engineer (Mr. Chad Lulfs), and he has told me he doesn't have the authority to Change or Waive these rules, only the City Manager does. I look forward to your response.

Thank you,



Gregory J. Heath

Cc: Chad Lulfs, City Engineer
Kyle Spieth, Burk Excavating & Concrete



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City Manager

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