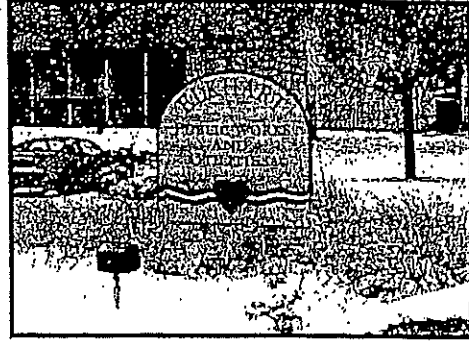


CITY OF ELKHART, INDIANA  
DRIVEWAY CONSTRUCTION STANDARDS  
JANUARY 2004



### Introduction

The City of Elkhart controls and maintains the streets and alleys within the corporate limits of the City of Elkhart, except those streets designated as federal or state roadways. This property is sometimes referred to as public right-of-way because the public has the right to use the street or alley over and above the rights of abutting property owners.

When a private property owner develops his or her property, he or she usually requires access to one or more streets or alleys adjacent to the property. Access to a property generally involves installing or constructing a driveway. Because driveways are built in the public right-of-way, the property owner must obtain permission from the City.

The City of Elkhart, acting by and through its Board of Public Works, has the power to regulate construction activities in the public right-of-way. Property owners and their contractors must comply with certain standards in order to gain access to any City street or alley. These standards are in place to protect the health, welfare and safety of the traveling public.

Once construction activities are completed in the right-of-way, any improvements become the property of the City of Elkhart. Therefore, it is important to the City that any improvements meet the minimum standards and do not pose a threat to the traveling public.

### Process for Regulation and Approval or Denial of Access Driveways

Any person or entity desiring to engage in any construction activities in public right-of-way must obtain approval from the City of Elkhart's Board of Public Works. Construction activities include commercial or residential driveways. Any property owner desiring to install, construct, reconstruct, alter or repair a driveway must obtain a driveway permit. The driveway permit does the following:

1. Defines where and what the private property owner plans to build in the public right-of-way;
2. Defines the location of the driveway on the property; and
3. Defines the driveway design.

The Engineering staff of the Department of Public Works ("Department") reviews all applications for driveway permits for compliance with the City of Elkhart's Driveway Construction Standards ("Standards"). Where there is a difference between the City standards and the proposed construction work, the Department staff will discuss the differences with the property owner or the property owner's representative. After a meeting between the staff and property owner, the property owner will have three possible options:

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1. The owner agrees to meet City driveway standards and submit revised construction drawings showing compliance with those standards;
2. The owner decides to withdraw the driveway permit application; or
3. The owner agrees to meet the criteria for granting a variance from the Standards and provides the justification for granting a variance in writing to the Engineering staff.

The staff will recommend Board approval of the permit only if the applicant complies with the City's Standards. If the applicant is requesting a variance from the Standards, the applicant must establish by a majority of evidence that:

1. Granting the variance will not be injurious to the health, safety and welfare of the public;
2. The need for the variance arises from some condition peculiar to the subject property; and
3. Strict application of the Standards will constitute an unnecessary hardship if applied to the property for which the variance is requested.

The Board of Public Works makes the final determination on whether to approve or deny a driveway permit.

#### Information Needed for a Driveway Permit Application

Driveway Permits are required for residential or commercial driveways adjacent to City streets. The driveway permit application must include the following items:

1. Existing street(s) adjacent to property, with street width and right-of-way width.
2. Property boundaries and lot dimensions with construction proposed on the property.
3. Proposed driveway width at the narrowest point, the "throat width".
4. Proposed driveway radius at adjacent street(s).
5. Proposed pavement thickness for driveway within City right-of-way.
6. Proposed concrete curb or concrete curb and gutter labeled with type of curb. Match points into existing City street curb or pavement to be shown. Depressed curb or low height rolled curb to be placed across the driveway to maintain drainage flow along City street.
7. Distances to driveways or streets on the same side and opposite side of the City street or alley. Dimensions and usage for nearby driveways or streets where appropriate.

Basis for Driveway Permit Application Information

1. Dimensions of the existing street pavement width and right-of-way width are needed to check that the turning path of vehicles to and from the driveway will remain on the correct side of the roadway and will not encroach onto the opposite travel lane or onto private property.
2. Property boundaries and lot dimensions with construction proposed on the property is needed to ensure that the type of driveway request is appropriate for the proposed property use, and to check that the vehicle turning path fits onto the proposed pavement on the property.
3. Proposed driveway width at the narrowest point is needed to check that the vehicle turning path remains on the correct side of the roadway at all times during the turn and will not encroach onto the opposite travel lane or onto other private property.
4. The proposed driveway radius at the access street is needed to check that the vehicle turning path remains on the correct side of the roadway at all times and will not encroach onto the opposite travel lane or onto other private property.
5. The proposed pavement thickness on City property is needed to verify that the pavement will be thick enough and sturdy enough to withstand daily use as intended, and will not require excess City maintenance to remain useful.
6. The proposed concrete curb or curb and gutter proposed is needed to check that the driveway curb will match adjacent curb on the City street and will look attractive and unified when construction is complete.
7. The distances to adjacent streets and driveways are needed to check that roadways and driveways are aligned across from one another, or separated an adequate distance from one another to avoid conflicts between turning movements in adjacent streets or driveways.

Sample Designs for Commercial and Residential Driveways Meeting City Standards

The attached sketches provide information required for driveways onto City streets. Each location will be reviewed individually, and there may be additional requirements where necessary. On City roadways, passing lanes and right turn lanes may be required as necessary and appropriate. Typical considerations are the roadway average daily traffic and posted speed limit.

One copy of an engineering or architectural drawing showing this information is needed at the time of permit application. This drawing should also show locations, dimensions and any changes to existing driveways.

The drawing should be submitted to:

Department of Public Works & Utilities  
Attention: Traffic Engineer  
1201 S. Nappanee Street  
Elkhart IN 46516  
Telephone No. (574) 293-2572

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The Traffic Engineer will review the permit application, and the applicant will be contacted to discuss any changes or clarifications that are deemed necessary. After submittal of an acceptable design, the Traffic Engineer will make a recommendation for approval or denial. The permit application is then forwarded to the Board of Public Works for review, discussion and final approval or denial. The Board is scheduled to meet at 9:00 a.m. on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of each month in the Council Chambers at the Municipal Building.

A construction bond will be required if the Board of Public Works approves the driveway permit. The bond must be posted before construction begins. After construction is completed, the applicant contacts the Department of Public Works & Utilities to request final inspection of the driveway construction.

The Engineering Inspector will determine if the construction is in accordance with the approved drawing. Any deficiencies must be corrected, and the driveway reinspected. After the driveway construction is complete in accordance with the approved plan, the Engineering Inspector will recommend release of the construction bond. If the applicant does not complete the driveway work in accordance with the approved plan, the City will keep the construction bond and use the funds to complete the driveway in accordance with the approved plan.

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## DRIVEWAY PERMIT BONDING POLICY

### Basis for Construction Bond Requirement

The new driveway standards, adopted July, 2000, detail the requirements for new entrances and exits onto City streets. These standards reference City Ordinance 97.22 which reads as follows:

"The Board shall require any applicant who is granted permission to cut or modify any curb, gutter or street for driveway purposes to post bond in such amount in cash or with such surety approved by the Board in an amount no less than 75% of the estimated cost but not less than \$100 and not more than \$5,000. Conditions of the bond shall be that the work be done in conformity with the permission granted and that the principal properly repair any damage to the curb, gutter, street or other appurtenance caused by or arising from the construction of the driveway within a time to be fixed by the Board."

### Determination of Bond Amount and Process for submitting Bond

The bond amount is set by the Traffic Engineer, based on the value of construction proposed in the public right-of-way. The bond may be certified check, cashier's check or insurance company construction bond in the name of the contractor. The contractor may present a bond to be held on file for the current calendar year for an amount of \$10,000 to \$50,000. Bonds or checks must be renewed in January of each calendar year.

The bond shall be submitted at the Board of Public Works office, 3<sup>rd</sup> floor in the Municipal Building. After completion of the bond requirements, the construction permit is issued for work in the public right-of-way. The following bond amount guidelines are suggested:

- One residential driveway, 12' wide, \$400; Two residential driveways, 12" wide, or one residential driveway, 24' wide, \$600; Two residential driveways, 24' wide, \$800
- One commercial drive, 30' wide, \$1,500; One commercial drive, 40' wide, \$2,000; Two commercial drives, 30' to 40' wide, \$3,500

Additional drives, wider drives or other special considerations may require bond amounts greater than these guidelines. However, most drive applications will fall into one of these six categories.

### Process for Construction Inspection after Completion and Bond Release

If the work has been completed in conformance with the plans, the Inspector will complete the release of bond document for approval by the Board of Public Works. If the work is different than the approved plans, the inspector will give the opportunity to correct the construction to match the approved plan. After making the needed changes, if the work matches the plan, the Inspector will complete the release of bond document for approval by the Board of Public Works.

If the work does not meet the approval plan; and the applicant is unwilling or unable to make the corrections needed, the applicant has two options. First, the applicant may present a revised plan to the Traffic Engineer for review. The Traffic Engineer will make a recommendation to the Board of Public Works for acceptance or denial of the changes. The Board of Public Works will make the final determination whether the request will be approved or denied.

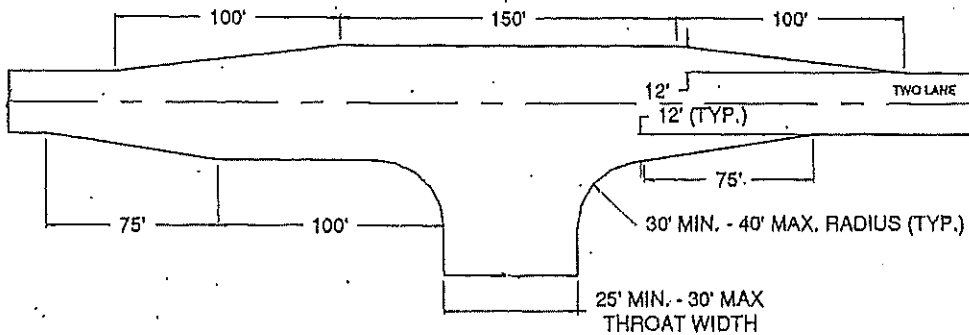
Second, if the request is approved, the Inspector will complete the release of bond document for approval by the Board of Public Works. If the request is denied, the applicant will be given another opportunity to correct the construction. If the applicant does not bring the construction into compliance, the bond amount will be retained by the City of Elkhart. The money will be used to pay the costs to bring the driveway into compliance with the approved plan.

**Adopted March 6, 2001, City of Elkhart Board of Public Works**

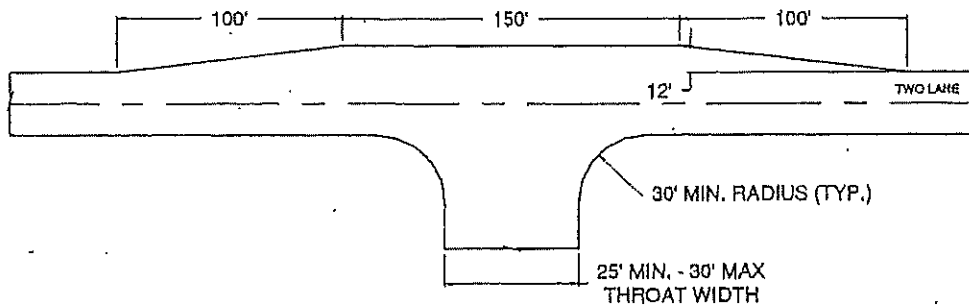
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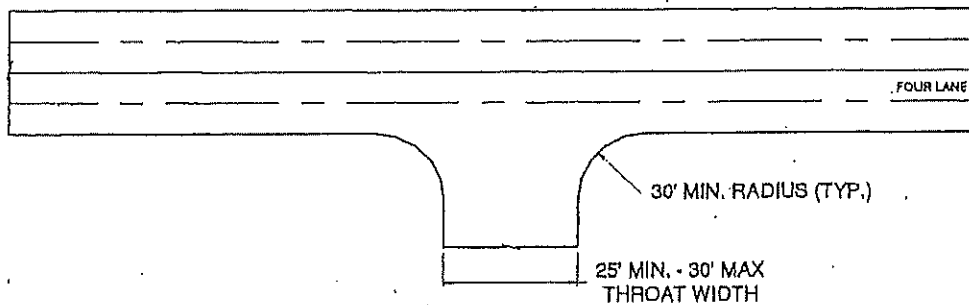
## TYPICAL COMMERCIAL/AUTOMOBILE ENTRANCE



ADT > 4000 VPD REQUIRES A PASSING LANE  
 ADT > 10,000 VPD REQUIRES DECELERATION/ACCELERATION LANES



ADT > 4000 VPD REQUIRES A PASSING LANE



### *Driveway Pavement Sections Within City Right-of-Way for Collector or Arterial Streets*

Concrete  
 8" Class 'A'  
 3" Aggregate Base (Compacted)

OR

Bituminous  
 1 1/2" Bit. Surface  
 3" Bit. Binder  
 7" Bit. Base  
 3" Aggregate Base (Compacted)

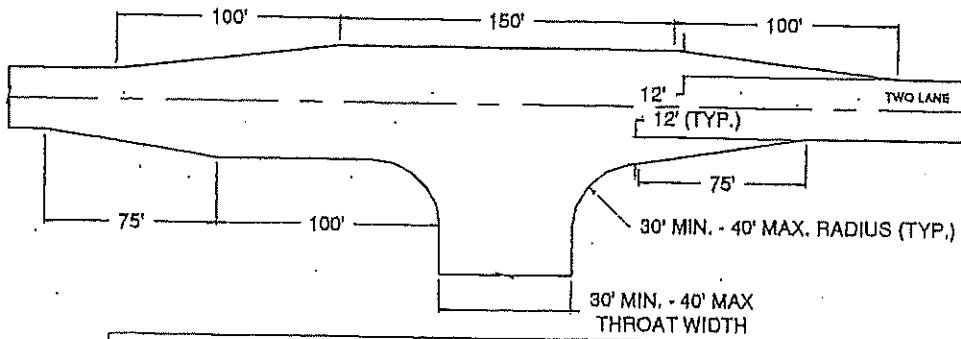
July 2000

NOTE: For entrances with center curbed island, 20' min. throat width each side.

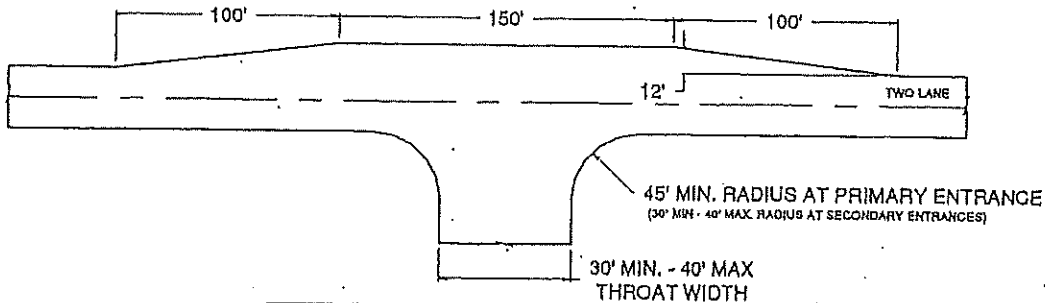
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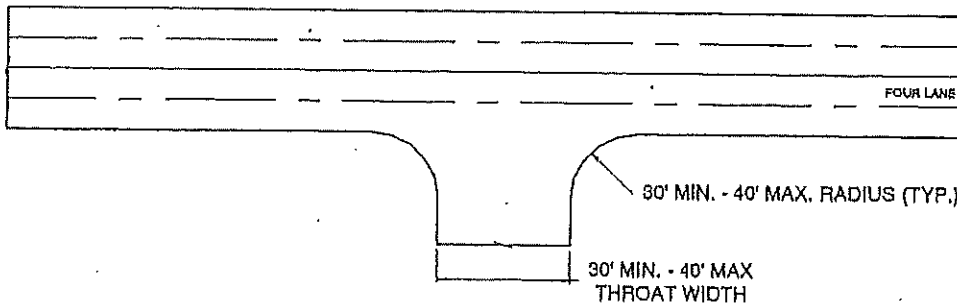
## TYPICAL COMMERCIAL TRUCK ENTRANCE



ADT > 4000 VPD REQUIRES A PASSING LANE  
 ADT > 10,000 VPD REQUIRES DECELERATION/ACCELERATION LANES



ADT > 4000 VPD REQUIRES A PASSING LANE



### *Driveway Pavement Sections Within City Right-of-Way for Collector or Arterial Streets*

Concrete  
 9" Class 'A'  
 3" Aggregate Base (Compacted)

OR

Bituminous  
 1 1/2" Bit. Surface  
 3" Bit. Binder  
 7" Bit. Base  
 3" Aggregate Base (Compacted)

July 2000

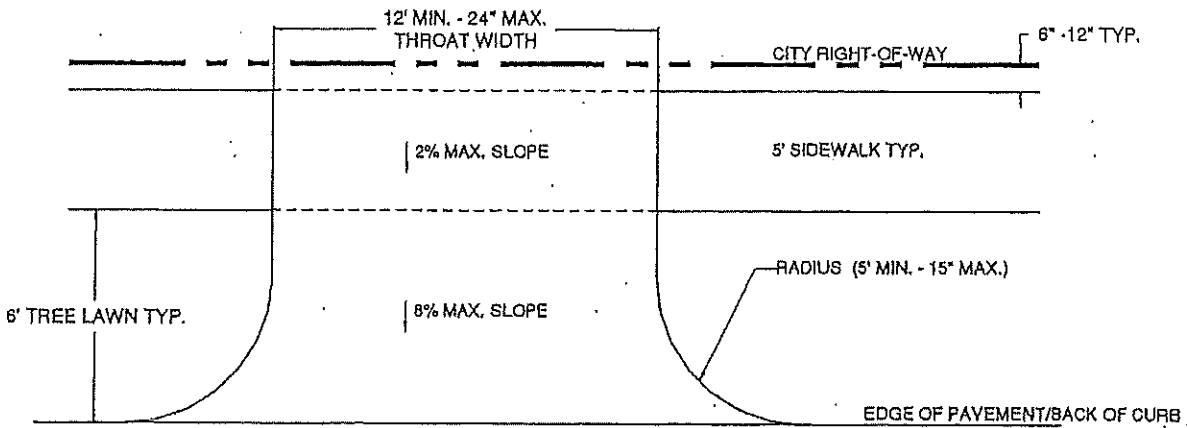
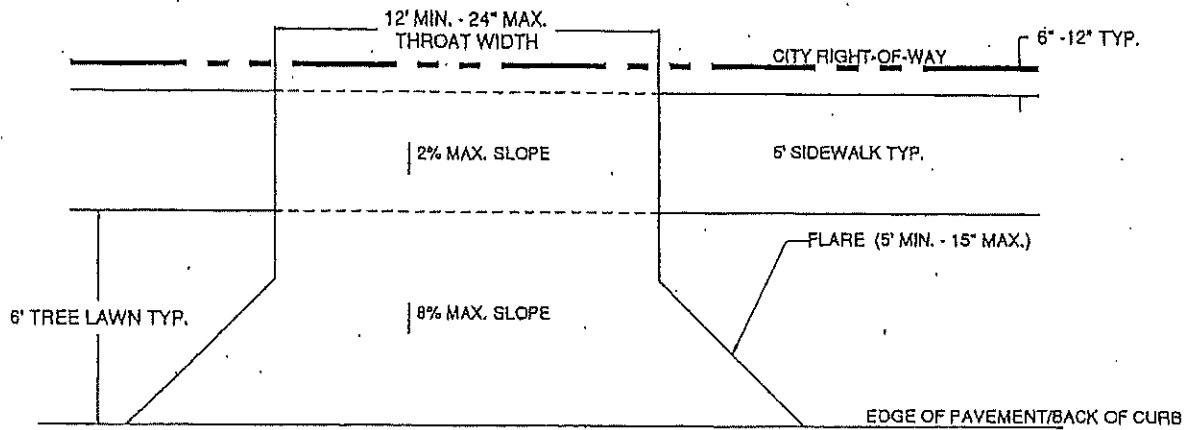
NOTE: For entrances with center curbed island, 20' min. throat width each side.

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## TYPICAL RESIDENTIAL DRIVE ENTRANCE



*Driveway Pavement Sections Within City Right-of-Way  
for Collector or Arterial Streets*

<p><u>Concrete</u> 6" Class 'A' 3" Aggregate Base (Compacted)</p>	<p>OR</p>	<p><u>Bituminous</u> 1 1/2" Bit. Surface 2" Bit. Binder 4" Bit. Base 3" Aggregate Base (Compacted)</p>
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July 2000

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City of Elkhart  
Public Works and Utilities

Date \_\_\_\_\_  
Permit # \_\_\_\_\_  
Receipt # \_\_\_\_\_

## Driveway Permit Bond Payment

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Phone number \_\_\_\_\_

Address of Driveway \_\_\_\_\_

Elkhart Public Works & Utilities has approved your application for driveway permit # \_\_\_\_\_, subject to the bond requirement as required Elkhart City Ordinance No. 4602. Certified check or cashiers check is due upon approval, prior to start of construction, in the amount applicable as noted on the Driveway / Drainage Permit Application. Bond will be refunded within ten (10) working days of inspection and acceptance of construction of driveway.

\_\_\_\_\_  
Name



# DRIVEWAY/DRAINAGE PERMIT APPLICATION

Public Works & Utilities 1201 S. Nappanee St. Elkhart, IN 46516  
Phone (574) 293-2572 Fax (574) 293-7658

Driveway Permit No. \_\_\_\_\_

Drainage Permit No. \_\_\_\_\_

Zoning Clearance No. \_\_\_\_\_

\*Application Date: \_\_\_\_\_

- \*  Single Family       Manufactured Housing Park
- Duplex                       Business
- Multi-Unit                       Manufacturing

Address: \_\_\_\_\_

*\*Completed by Applicant*

\*Property Address: \_\_\_\_\_

\*Owner: \_\_\_\_\_ Phone No.: \_\_\_\_\_ Cell No.: \_\_\_\_\_

\*Address (If different than Property Address): \_\_\_\_\_

\*Contractor: \_\_\_\_\_ Phone No.: \_\_\_\_\_ Cell No.: \_\_\_\_\_

\*Address: \_\_\_\_\_ Fax No.: \_\_\_\_\_

\*Requested By:     Property Owner     Contractor

\*Nearest Side Street: \_\_\_\_\_

\*Does a State or County Road Border the Property?     Yes     No    Road Name: \_\_\_\_\_

### Required Bond Amount (Completed by staff)

Blanket Bond of \$10,000 to \$50,000    (Contractors only-If bond has been filed with city)

#### Residential Drive 12' Wide

#### Residential Drive 24' Wide

One Drive \$400     Two Drives \$600

One Drive \$600     Two Drives \$800

#### Commercial Drive 30' Wide

#### Commercial Drive 40' Wide

#### Two Commercial Drives 30'-40' Wide

\$1,500.00

\$2,000.00

\$3,500.00

Additional drives, wider drives, or other special considerations may require bond amounts greater than these guidelines.

### Approvals

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

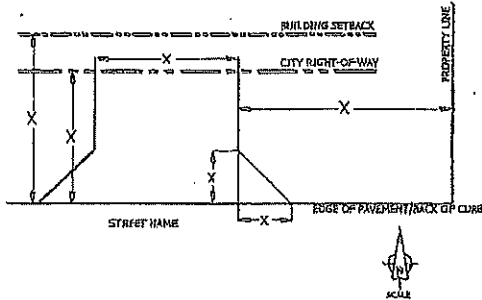
Traffic Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Drainage Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Board of Public Works: \_\_\_\_\_ Date: \_\_\_\_\_

**Required Drawing with Permit Application:**

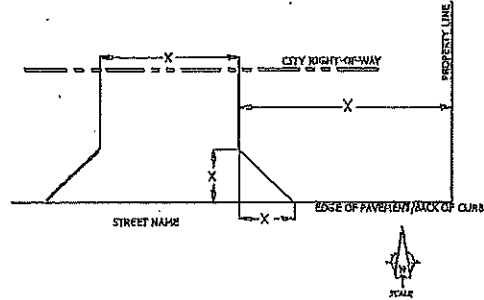
TYPICAL COMMERCIAL DRIVEWAY DRAWING



**REQUIRED**

- |                     |                               |
|---------------------|-------------------------------|
| ADDRESS             | BUILDING SETBACK              |
| STREET NAME         | BUILDING(S)                   |
| STREET MATERIAL     | DRIVEWAY DIMENSIONS           |
| STREET WIDTH        | DRIVEWAY MATERIAL & THICKNESS |
| STREET NAME         | DRIVEWAY LOCATION ON PROPERTY |
| DRAINAGE STRUCTURES | ADT COUNTS                    |
| RIGHT-OF-WAY        | DECEL/ACCEL LANES IF REQUIRED |

TYPICAL RESIDENTIAL DRIVEWAY DRAWING

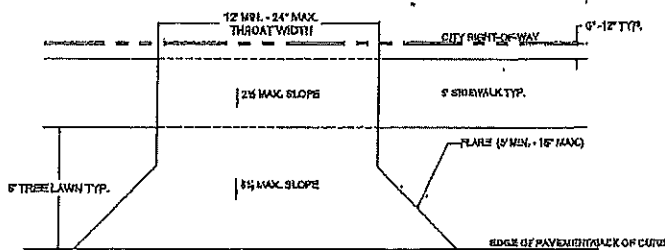


**REQUIRED**

- |                               |
|-------------------------------|
| ADDRESS                       |
| STREET NAME                   |
| STREET MATERIAL               |
| BUILDING(S)                   |
| DRIVEWAY DIMENSIONS           |
| DRIVEWAY MATERIAL & THICKNESS |
| DRIVEWAY LOCATION ON PROPERTY |

**Drainage Requirements:** Refer to the City of Elkhart Requirements

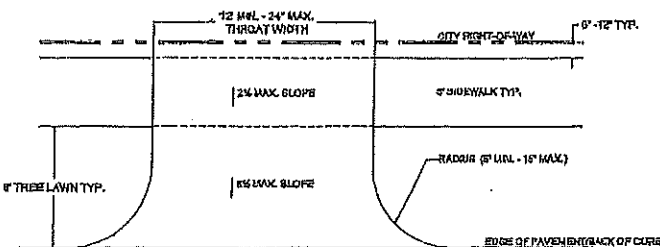
TYPICAL RESIDENTIAL DRIVE ENTRANCE



*Driveway Pavement Sections Within City Right-of-Way for Collector or Arterial Streets*

- |                               |    |                               |
|-------------------------------|----|-------------------------------|
| Concrete                      | OR | Bituminous                    |
| 6" Class 'A'                  |    | 1 1/2" Bit. Surface           |
| 3" Aggregate Base (Compacted) |    | 2" Bit. Binder                |
|                               |    | 4" Bit. Base                  |
|                               |    | 3" Aggregate Base (Compacted) |

1/1/2011



**Please call for a pre-pour inspection and final inspection.**

**Recommendations**