

The Township Design Standards and Right-of-Way Acquisition

Townships should be aware that any “non-maintenance” type project must be designed in accordance with the current ODOT Highway Design Standards.

These standards set forth the required pavement width, shoulder width, shoulder maximum slopes, guardrail type and length, pipe-sizing, signing and pavement markings.

A project that may seem simple, such as a ditch setback, can often turn into a much bigger project because of right-of-way constraints, utility conflicts, and drainage issues.

Roadway and drainage projects often require substantial takes of right-of-way in order to provide the adequate shoulder-area and ditch slopes.

In analyzing how much benefit will come from a particular project, each Township must realize that short-term inconveniences to neighboring properties will most likely result.

Right-of-way acquisition can be a highly controversial part of a project, and the Township must commit to completion of all right-of-way acquisitions in order for a project to succeed.

Delaware County must also abide by the state and federal laws regarding any taking of property, including easements and fee right-of-way.

Owners must be offered compensation at the fair market value of the property or easement as determined by a qualified property appraiser.

Many times, there are substantial differences of opinion over the fair market value as determined by the appraiser and the landowner.