

**SIDEWALK WAIVER REQUEST  
STAFF REPORT****Date: December 19, 2013****NAME**

Daniel Clark

**LOCATION**

East side of Bellingrath Road at the West terminus of Will Casher Lane.

**PRESENT ZONING**

R-1, Single Family Residential (I-2, Heavy Industrial zoning pending)

**ENGINEERING**

It appears that there is sufficient room within the ROW, or within the property, for the construction of a sidewalk that could be approved through the ROW Permit process.

**URBAN FORESTRY****COMMENTS**

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).

**REMARKS**

The applicant is requesting a waiver for the construction of a sidewalk along Bellingrath Road.

This site appeared before the Planning Commission at its October 3, 2013 meeting for a Subdivision, Rezoning, and Planned Unit Development, which were all approved. Staff recommended a sidewalk be provided or the submission of a sidewalk waiver would be required.

The site fronts onto Bellingrath Road, a proposed major street. The existing right-of-way is 60-feet, however, as a proposed major street, the right-of-way width should be 100-feet. An additional 20' of setback was required for the possible future widening of Bellingrath Road. There is an existing drainage ditch located on Bellingrath Road that runs between the existing right-of-way line and the existing edge of pavement. There is also a second ditch located on the North side of the site.

The applicant states, *"the current conditions show that a ditch is now occupying most of the property between the edge of asphalt used for road way and the south margin of the right of way along 70% of the frontage. Mack Manufacturing request sidewalk requirements be waived at least until such time as the 20' reserved for future widening, shown on the site plan, is acquired."*

It should be noted while there is residential development that surrounds the site, there are no sidewalks present in the area along any adjacent properties. However, the City's Engineering Department has stated that there appears to be sufficient room within the ROW, or within the property, for the construction of a sidewalk that could be approved through the ROW Permit process.

**RECOMMENDATION**

Based upon the preceding, this application for waiver of the sidewalk along Bellingrath Road is recommended for denial.

# LOCATOR MAP



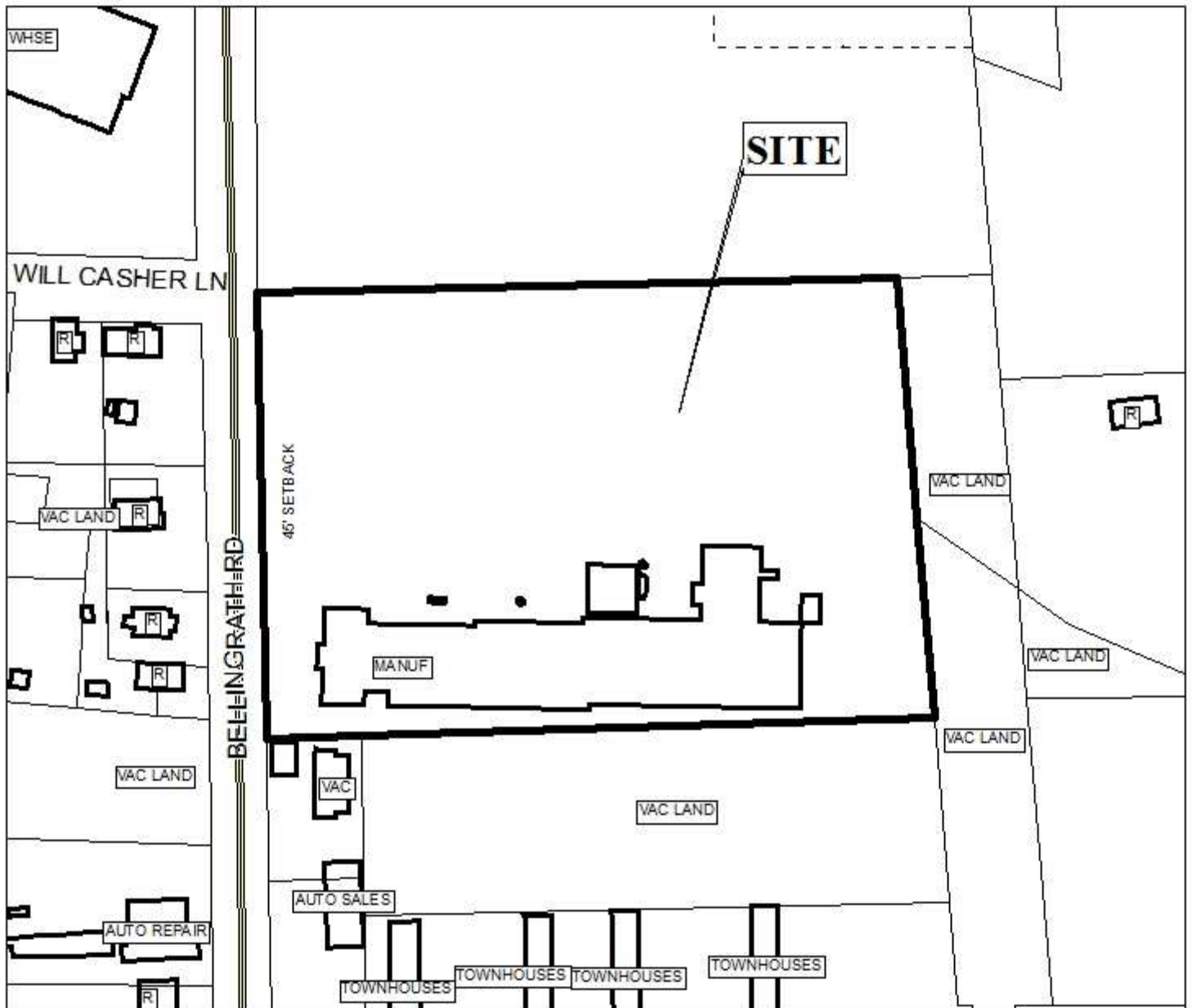
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APPLICANT Daniel Clark

REQUEST Sidewalk Waiver



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential and commercial units.

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LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1
													I-2





## PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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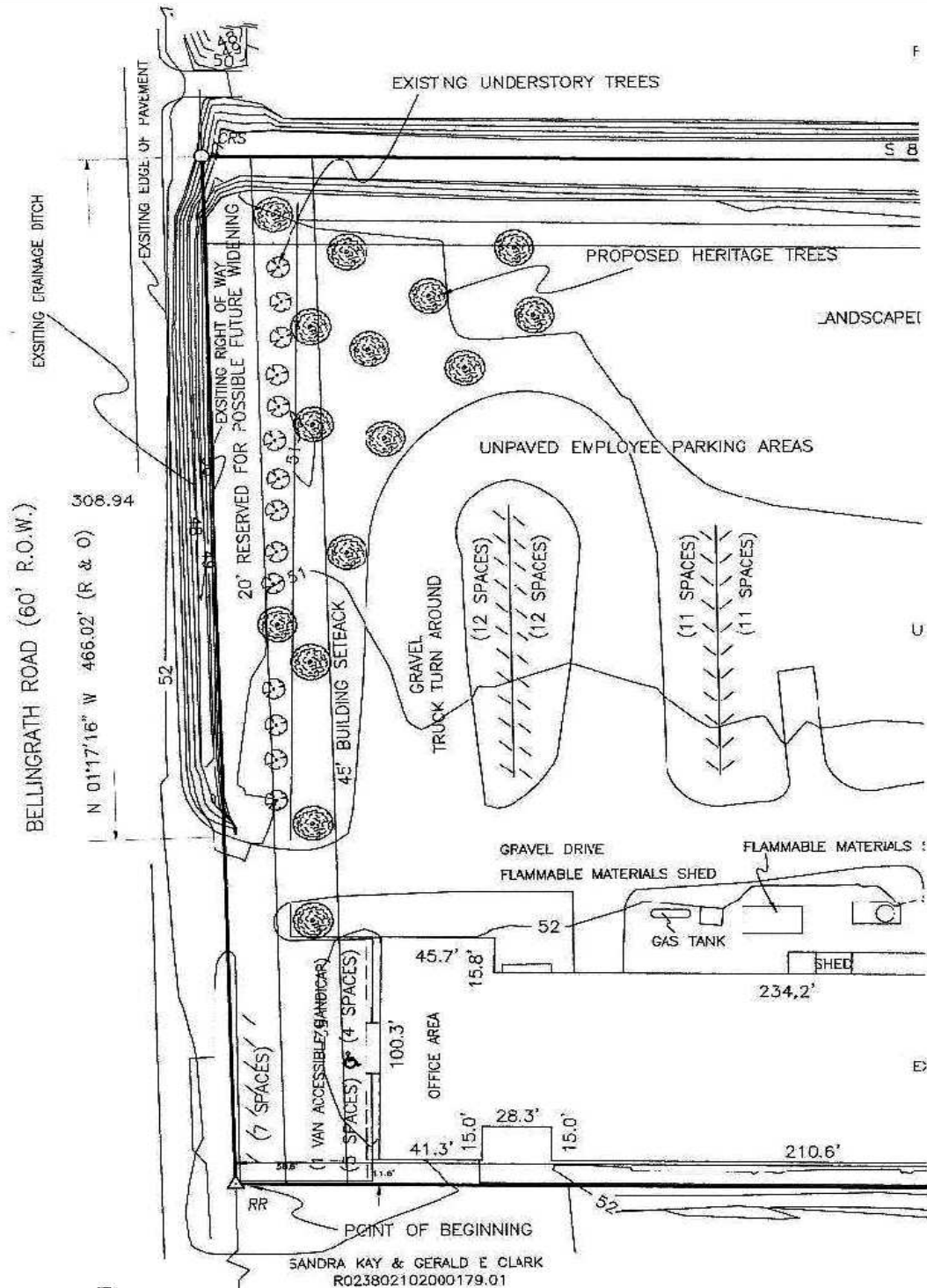
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# SITE PLAN



The site plan illustrates the buildings, existing ditch, setback, parking spaces, and the proposed and existing trees.

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