

**PINEHURST DELANY'S ADDITION TO SPRINGHILL
SUBDIVISION, BLOCK 72, RESUBDIVISION OF LOTS
1, 2, 3, & 4**

Engineering Comments: Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant's responsibility to confirm or deny the existence of regulatory wetlands.

Traffic Engineering Comments: Driveway number, sizes, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

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).

Fire Department Comments: No fire hydrants shown on plans, may require installation of fire hydrants.

The plat illustrates the proposed 0.7 acre \pm , 2 lot subdivision which is located on the Southwest corner of Wildwood Avenue and Chandler Street, and is in Council District 6. The subdivision is served by both public water and sanitary sewer.

The purpose of this application is to adjust an existing lot line in order to accommodate two structures that encroach into a required side yard setback.

The subject site is composed of four legal lots of record: Lots 1-4, Block 72, Pinehurst Delaney's Addition to Springhill, II. Lots 2, 3, and 4 to the South are effectively one lot due to an existing single-family dwelling spanning across the common interior lot lines. Lot 1 remains intact as one separate lot. Building permit records within the Urban Development Department indicate that the structure spanning Lots 2, 3, and 4 was built in 1996. That structure meets all setback requirements of the Zoning Ordinance. At some point in time, a garage was built on Lot 1 in association with the residence on Lots 2, 3, and 4, but no building permit records exist on the Department database. It is assumed that the garage was built after the residence on Lots 2, 3, and 4 was constructed.

There are three problems associated with the construction of the garage. First, the structure was apparently built without a building permit. Second, the garage was built on a separate, vacant, R-1, Single-Family Residential lot as an accessory structure. And third, the garage was built in violation of side yard setbacks and with eave encroachment along the South property line. A building permit would not have been issued for an accessory structure on a vacant lot. Assuming the garage did qualify for a permit, it would have been required to meet property line setbacks.

The applicant purchased the four-lot parcel and has recently constructed a residence on Lot 1 with a building permit. The site plan submitted for the permitting of the residence on Lot 1 did not indicate any other structures on the lot, i.e. the garage. Also, the permit was submitted with a South property line side yard setback of 7.1 feet and approved as such. The combined side yard setback was indicated as 19.0 feet, sufficient for this site. It appears that the new house was not situated properly on the lot with regard to the approved permit site plan and setbacks. As built, the structure is situated 5.27 feet off the South property line (7.1 feet is required), and the side yard setback along the street (North) property line is 10.71 feet, thus reducing the combined side yard total to 15.98 feet instead of the required 16.6 feet for a 50-foot wide lot.

This subdivision application, as proposed, will adjust the South property line of the existing Lot 1 to create a new Lot 1, resulting in all structures on Lot 1 being at least 7.14 feet from the South property line. The new property line is depicted as having a 4.8 foot \pm jog to the North, between the rear and the front property lines. It is recommended that this jog be removed, and that the property line instead go straight from the location to the front property line.

The site fronts onto Wildwood Avenue, a minor street with a right-of-way of 40 feet. Wildwood Avenue lacks curb and gutter, and according to Section V.B.14. of the Subdivision Regulations should have a right-of-way of 60 feet. Furthermore, the minimum building setback line is not depicted on the preliminary plat. Therefore, the plat should be revised to depict a minimum building setback line that reflects an additional setback sufficient to provide a right-of-way width of 30 feet as measured from the centerline of Wildwood Avenue; thus the setback line should be drawn approximately 35 feet from the Wildwood Avenue property line, in conformance with Section V.D.9. of the Subdivision Regulations.

Based on the preceding, the plat is recommended for Tentative Approval, subject to the following conditions: 1) revision of the plat to remove the jog in the property line dividing proposed Lots 1 and 2; 2) depiction of the minimum building setback line, to be located so as to provide a minimum right-of-way width of 30-feet, as measured from the centerline of Wildwood Avenue, plus the required 25-feet from the adjusted right-of-way edge (thus 35-feet); and 3) full compliance with all other municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 8 DATE August 3, 2006

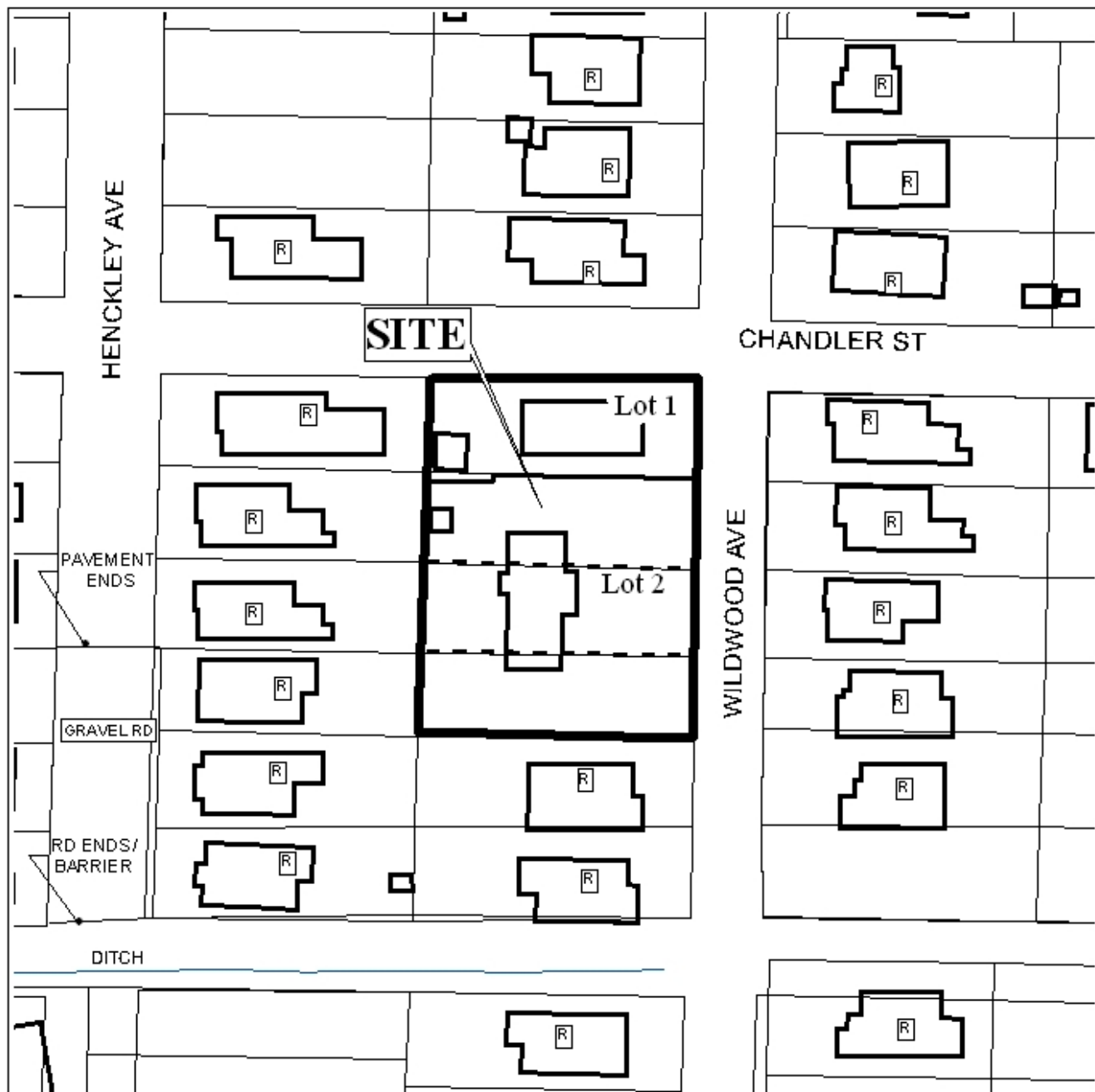
APPLICANT Pinehurst Delany's Addition to Springhill Subdivision, Block 72,
Resubdivision of Lots 1, 2, 3, & 4

REQUEST Subdivision



NTS

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BLOCK 72, RESUBDIVISION OF LOTS 1, 2, 3, & 4**



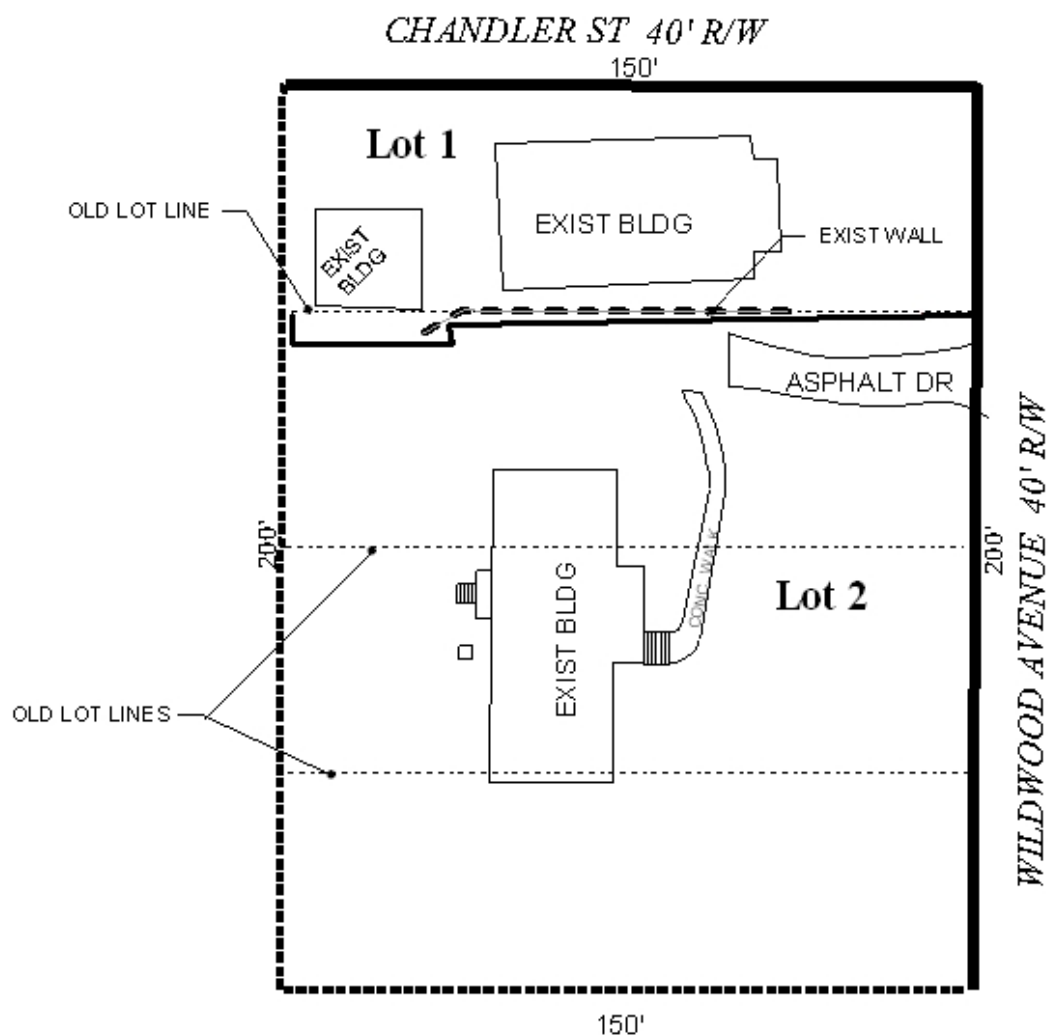
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LEGEND

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

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DETAIL SITE PLAN



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