

**VACATION  
COUNTY R.O.W. STAFF REPORT****Date: November 3, 2016****NAME**

Richard Ball and Ilona Ball

**LOCATION**

(South side of Cottage Hill Road, 340'± East of Jeff Hamilton Road)

**REQUEST**

Request to vacate a right-of-way within the Planning Jurisdiction for the construction of a single family residence.

**REMARKS**

The applicant is requesting vacation of an undeveloped street right-of-way that was recorded as part of Cottage Hill Park Subdivision, Unit 1 in 1972. The subject right-of-way was part of a proposed 39± acre, 43-lot subdivision. The subdivision was never fully developed by the previous owners, and the undeveloped 29± acre property to the South of the subject right-of-way is now currently owned by the applicants.

There are two lots and a metes-and-bound parcel, which currently abut the subject right-of-way to the West, East, and South of the property. Vacation Requests require that all adjacent or affected property owners provide consent prior to the approval or denial of the request by the Planning Commission. Fortunately, the applicants own all of the abutting lots and have provided written consent in support of the vacation.

The 60' wide right-of-way runs between 116.79' to 176.57'± South of Cottage Hill Road to the 29± acre metes-and-bounds parcel. The applicants are seeking vacation of this right-of-way in order to construct a new single family residence, and desire to utilize the existing right-of-way as a driveway access onto the larger tract of land where the proposed home will be built.

The subject site first appeared before the Planning Commission at its July 7, 2016 meeting, in which the applicants sought approval to vacate the undeveloped right-of-way. The initial application was heldover from the July 7<sup>th</sup> meeting to the August 18<sup>th</sup> meeting in order to allow the applicants time to submit an application for subdivision approval to remove the right-of-way from the recorded plat and to make the metes-and-bounds parcel a legal lot of record. The applicant's vacation request was denied by the Planning Commission at the August 18<sup>th</sup> meeting due to the fact that the required Subdivision application was not received by the requested date. However, since that time, a new subdivision application was submitted by the applicants. The Planning Commission approved the one-lot subdivision at its September 15, 2016 meeting, thus making an approval of the vacation request feasible.

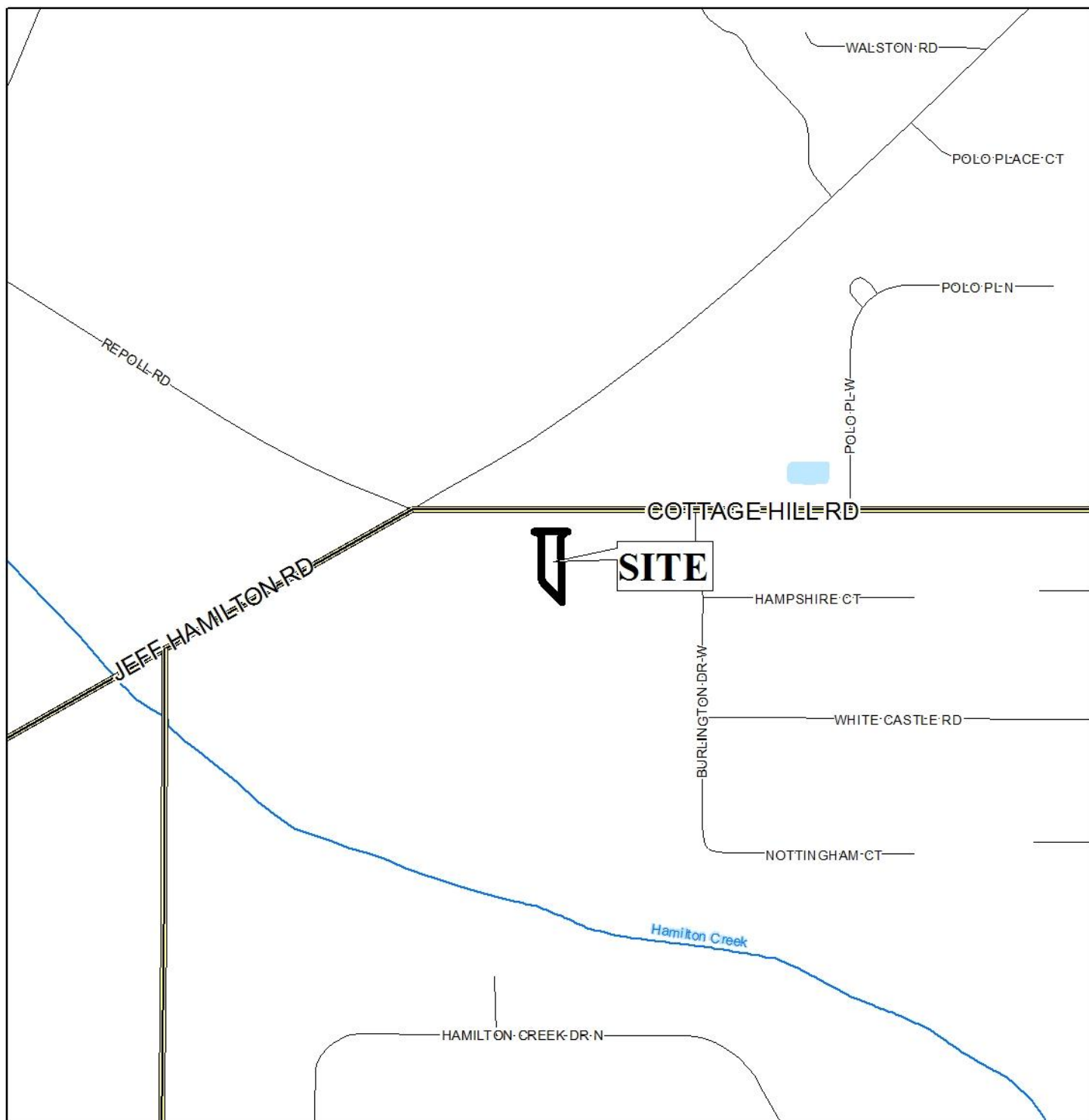
Completion of the vacation process requires the approval of the Mobile County Commission. Thus, if approved by the Planning Commission, the applicant must then make the appropriate application to the Mobile County Commission.

**RECOMMENDATION**

Based upon the proceeding, this application is recommended for Approval subject to the following conditions:

- 1) Completion of the vacation process with Mobile County.

# LOCATOR MAP



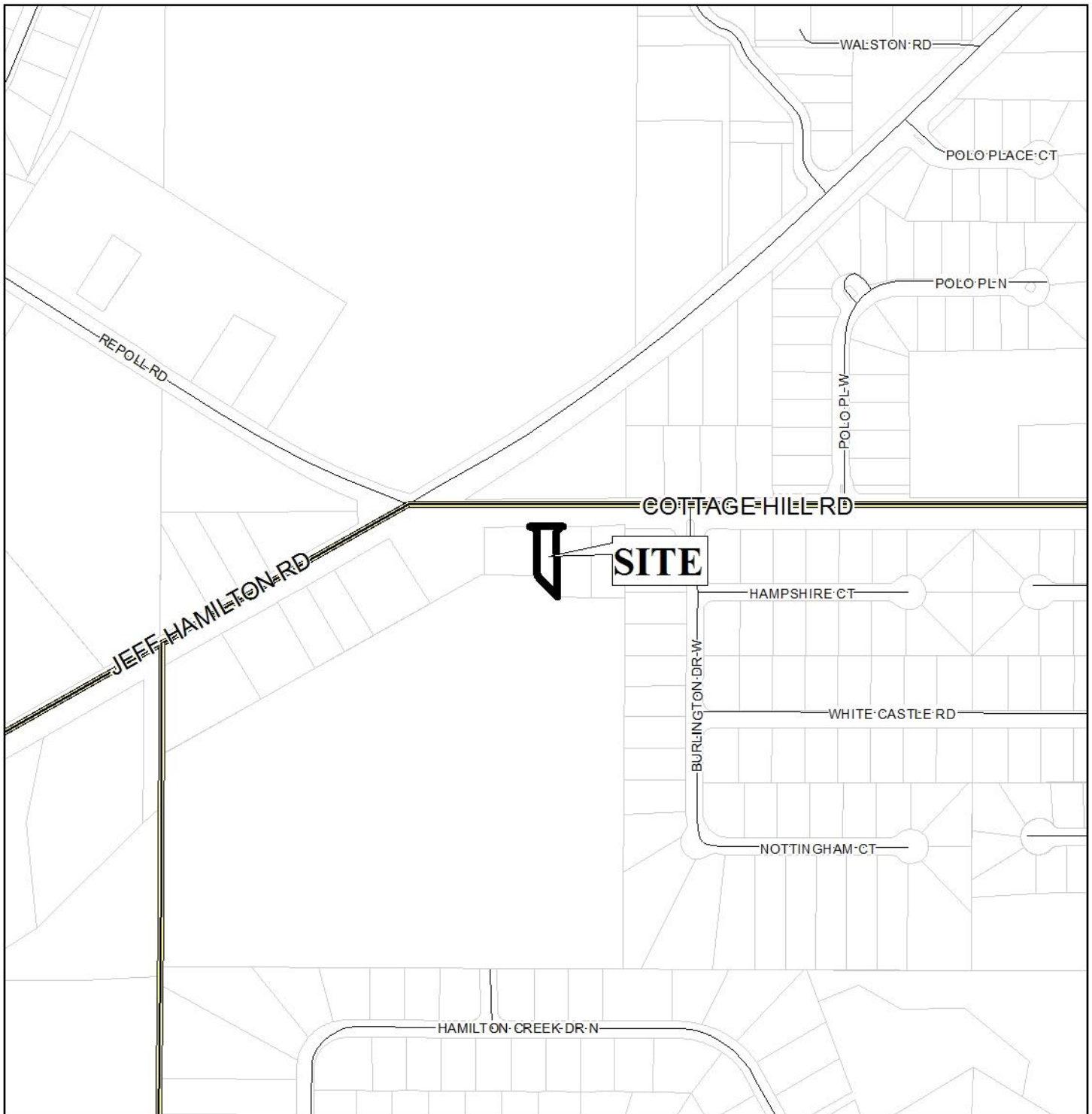
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APPLICANT Richard Ball and Ilona Ball

REQUEST Vacation Request



# LOCATOR ZONING MAP



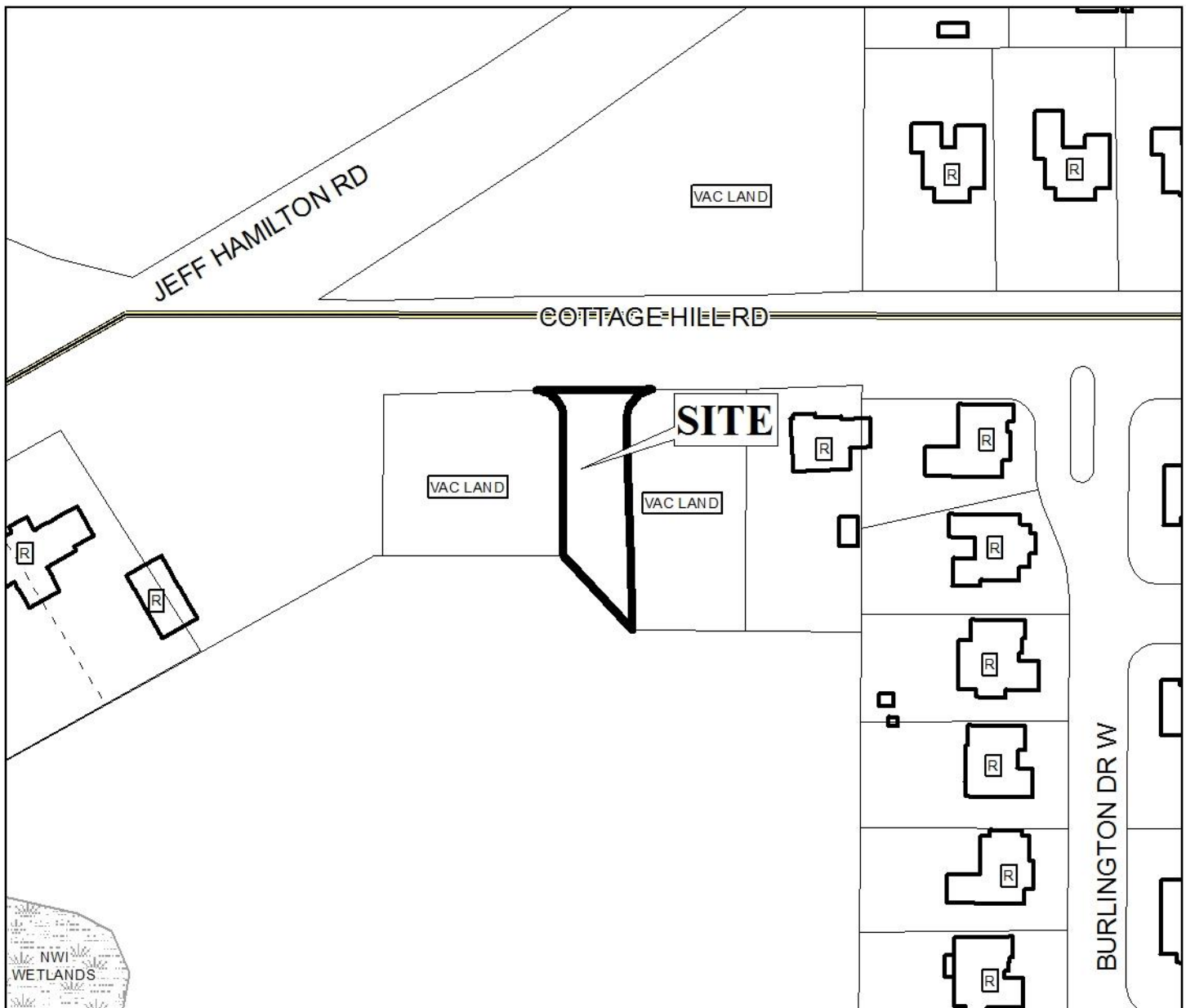
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# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

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R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6





# PLANNING COMMISSION

## VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

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# DETAIL SITE PLAN

COTTAGE HILL RD 80' R/W

14

15

16

17

60' R/W TO BE VACATED

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NTS

