

**VACATION
COUNTY R.O.W. STAFF REPORT****Date: July 7, 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 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' 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.

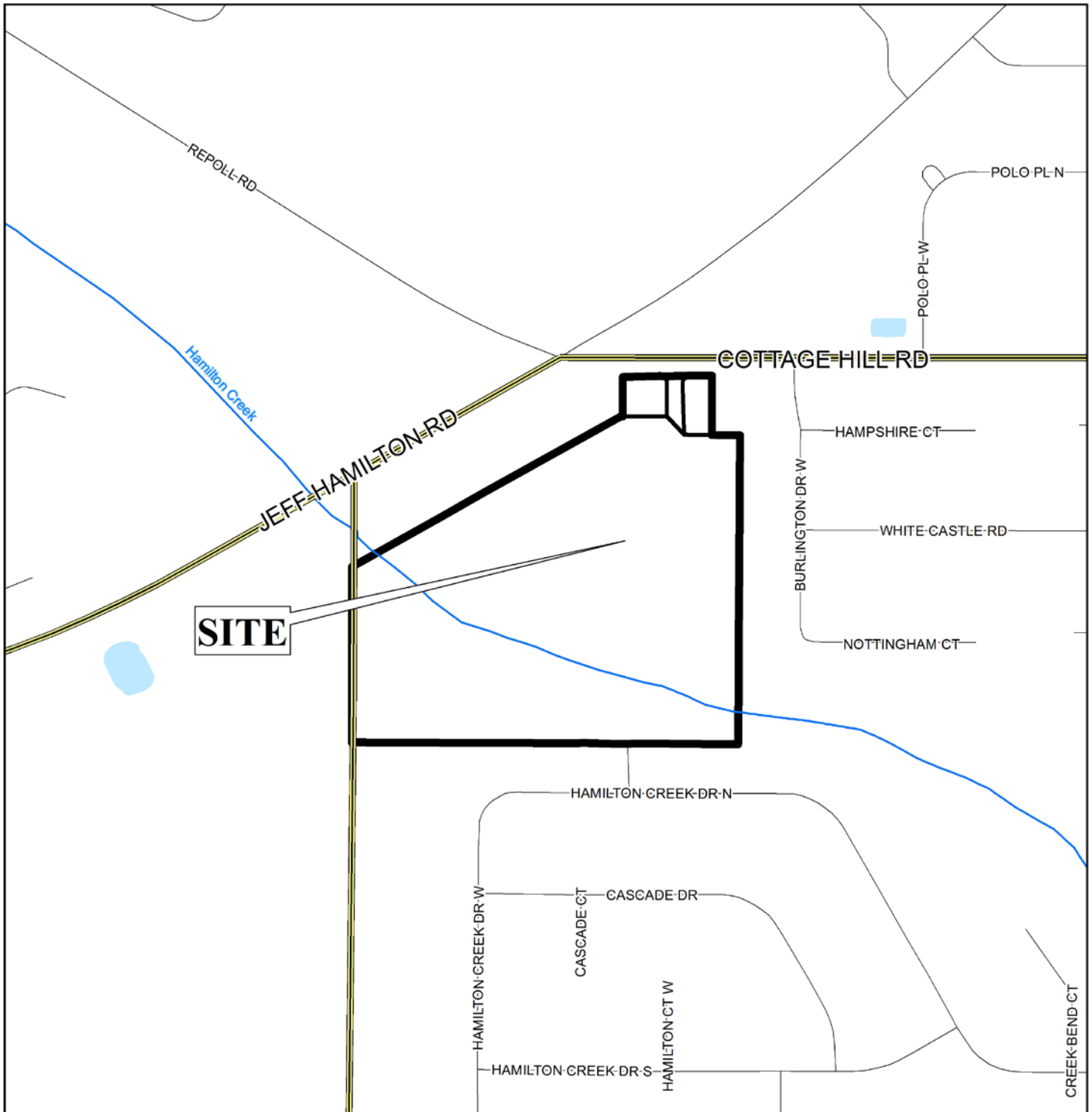
Since the proposed vacated right-of-way will serve as a driveway access point onto the 29± metes-and-bounds parcel, Subdivision Approval will be required prior to the applicant being able to utilize the right-of-way.

Additionally, Subdivision Approval will be required to convert the metes-and-bounds parcel to a legal lot of record prior to the issuance of any building permits by Mobile County to construct the single-family residence; therefore, it is recommended that the applicants submit a Subdivision Application or withdraw the current application until able to so.

RECOMMENDATION

Based upon the proceeding, this application is recommended for Holdover until August 18th to allow the applicant to submit a Subdivision Application by July 18th in order to allow the completion of the Subdivision process to remove the right-of-way from the recorded plat and to make the metes-and-bounds parcel a legal lot of record.

LOCATOR MAP



APPLICATION NUMBER 11 DATE July 7, 2016

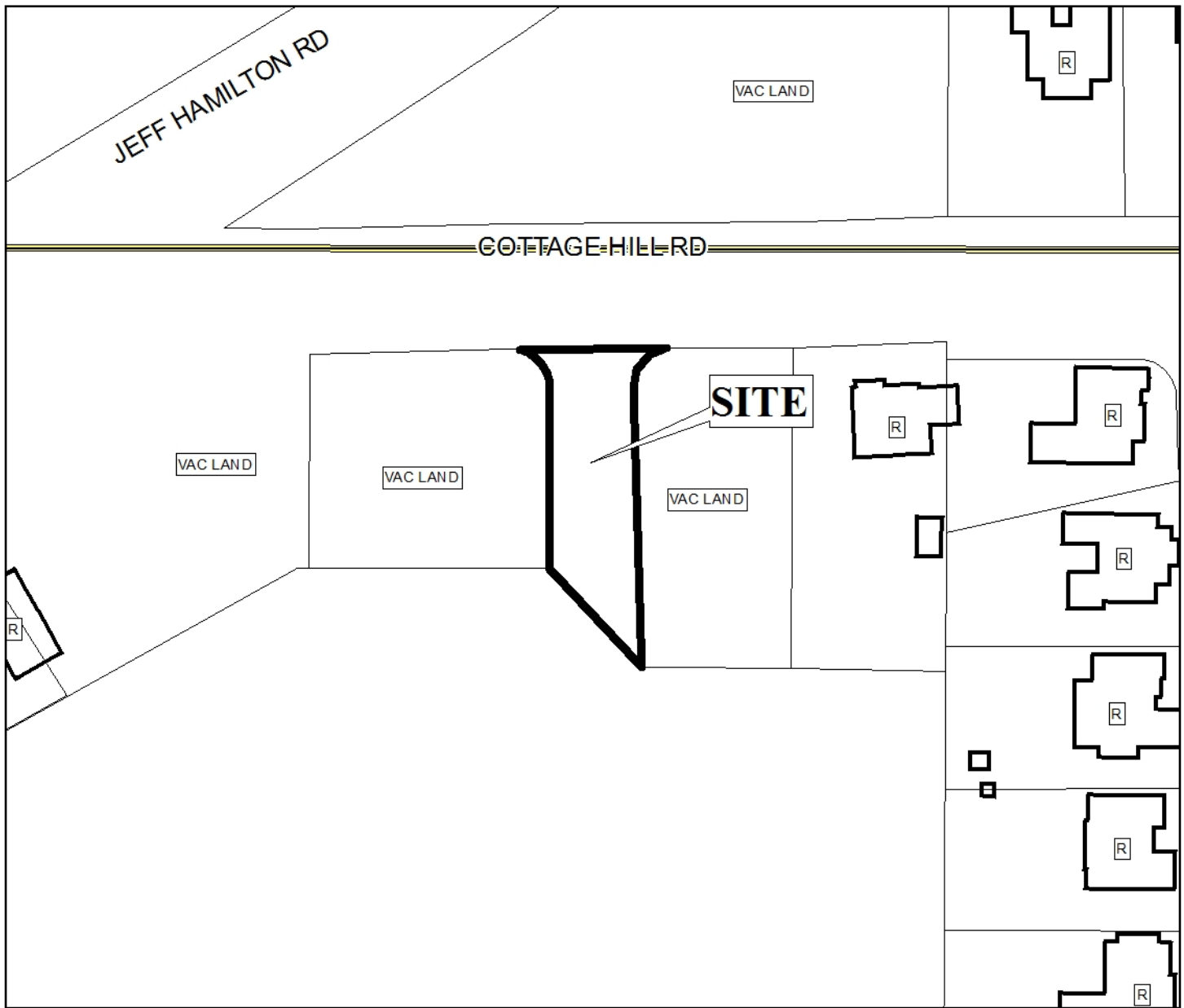
APPLICANT Richard Ball and Ilona Ball

REQUEST Vacation Request



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family 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	L-2	SD	T4	T6



PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by single family residential units.

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DETAIL SITE PLAN

The site plan illustrates the proposed 60-foot Right-of-Way (R/W) to be vacated for Cottage Hill Rd. The plan shows three lots: Lot 15 on the left, Lot 16 in the center, and Lot 17 on the right. The proposed road is shown as a thick black line with a width of 60 feet. The dimensions for the proposed road and existing boundaries are as follows:

- Top boundary: 110' +/-
- Left boundary: 141.79'
- Right boundary: 201.57'
- Bottom boundary: 84.04'

The text "COTTAGE HILL RD 80' R/W" is located at the top of the plan, indicating the existing right-of-way for the road. The text "60' R/W TO BE VACATED" is written vertically along the proposed road boundary.

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