

**SIDEWALK WAIVER REQUEST STAFF REPORT****Date: March 19, 2009****NAME**

Midtown Congregation of Jehovah's Witnesses

**LOCATION**804 Farnell Lane  
(West side of Farnell Lane, 148' ± North of Pleasant Valley Road, extending West to the East termini of Angus Drive and Kendale Drive)**PRESENT ZONING**

R-1, Single-Family Residential

**ENGINEERING****COMMENTS**

Recommend denial of sidewalk waiver application. Applicant did not provide sufficient evidence that a City of Mobile standard sidewalk could not be constructed. A sidewalk easement may be required for constructing sidewalk around fire hydrant and power pole.

**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 of the sidewalk construction requirements along Farnell Lane. The applicant is requesting a sidewalk waiver because of the existence of a fire hydrant, light pole and culvert. The applicant also states that the sidewalk would serve no purpose, since there are no other sidewalks in the area.

The fact that a fire hydrant and light pole lie in the path of the sidewalk is not a justifiable reason to waive the requirement; the applicant could simply route the sidewalk around said obstacles. Secondly, the culvert should not pose a problem since it is in the ground, rather than above. Finally, the fact that no other sidewalks exist in the area does not negate the fact that a sidewalk is required. In the event that surrounding properties are redeveloped, they too will be required to provide a sidewalk.

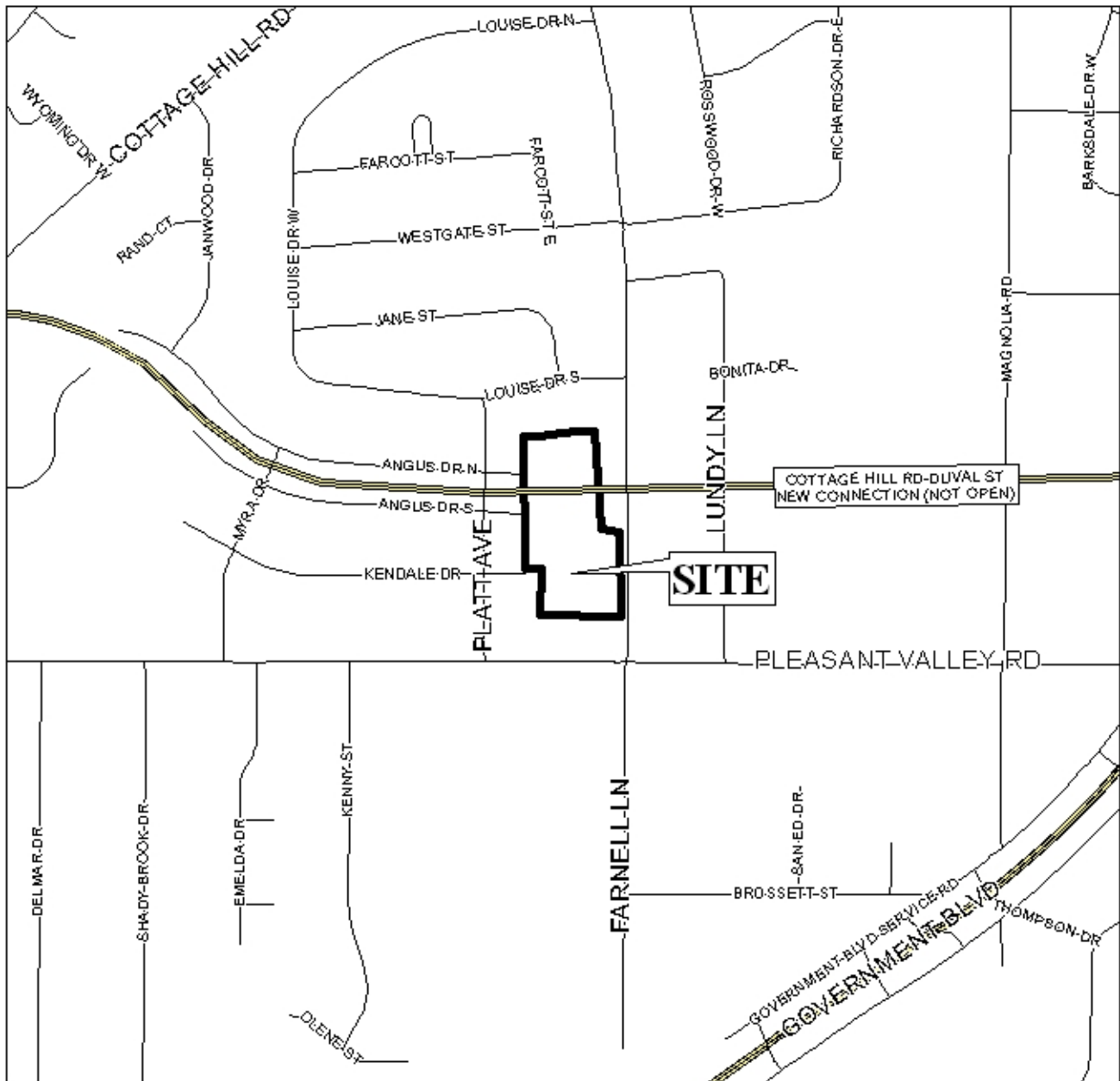
Furthermore, there is a discrepancy between the site plan submitted and what was approved by the Planning Commission during the Planning Approval application. Instead of the two approved curb cuts, the applicant has reduced the site to one curb cut in the middle of the site and rearranged a few parking spaces. It should be noted that Planning Approval applications are site plan specific; any changes to the site as approved may require a re-submittal to the Commission.

Comments from City Engineering indicate that the sidewalk waiver should be denied along Farnell Lane.

**RECOMMENDATION**

Based on the preceding, it is recommended that this sidewalk waiver request be denied.

# LOCATOR MAP



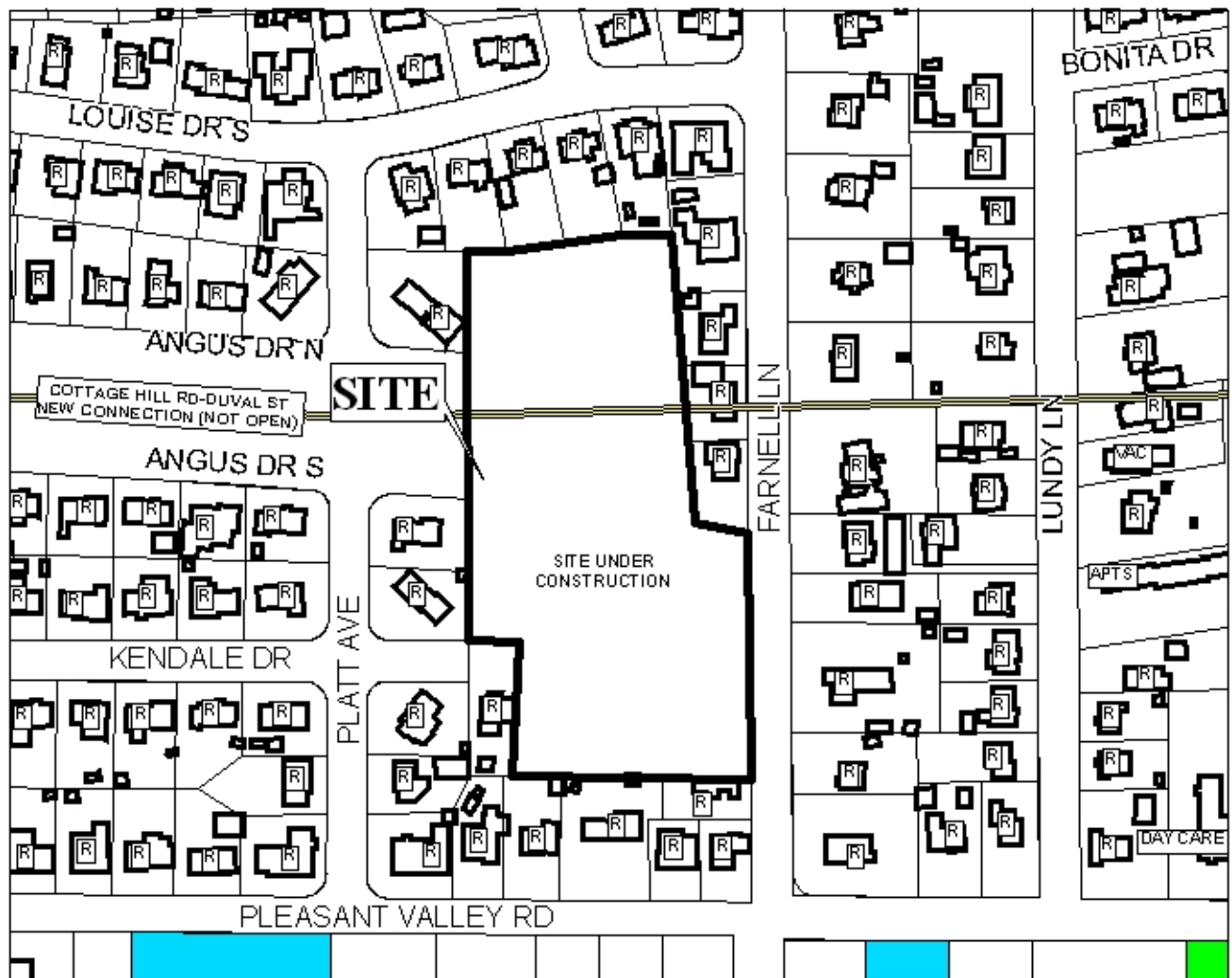
APPLICATION NUMBER 15 DATE March 19, 2009

APPLICANT Midtown Congregation of Jehovah's Witnesses

REQUEST Sidewalk Waiver



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

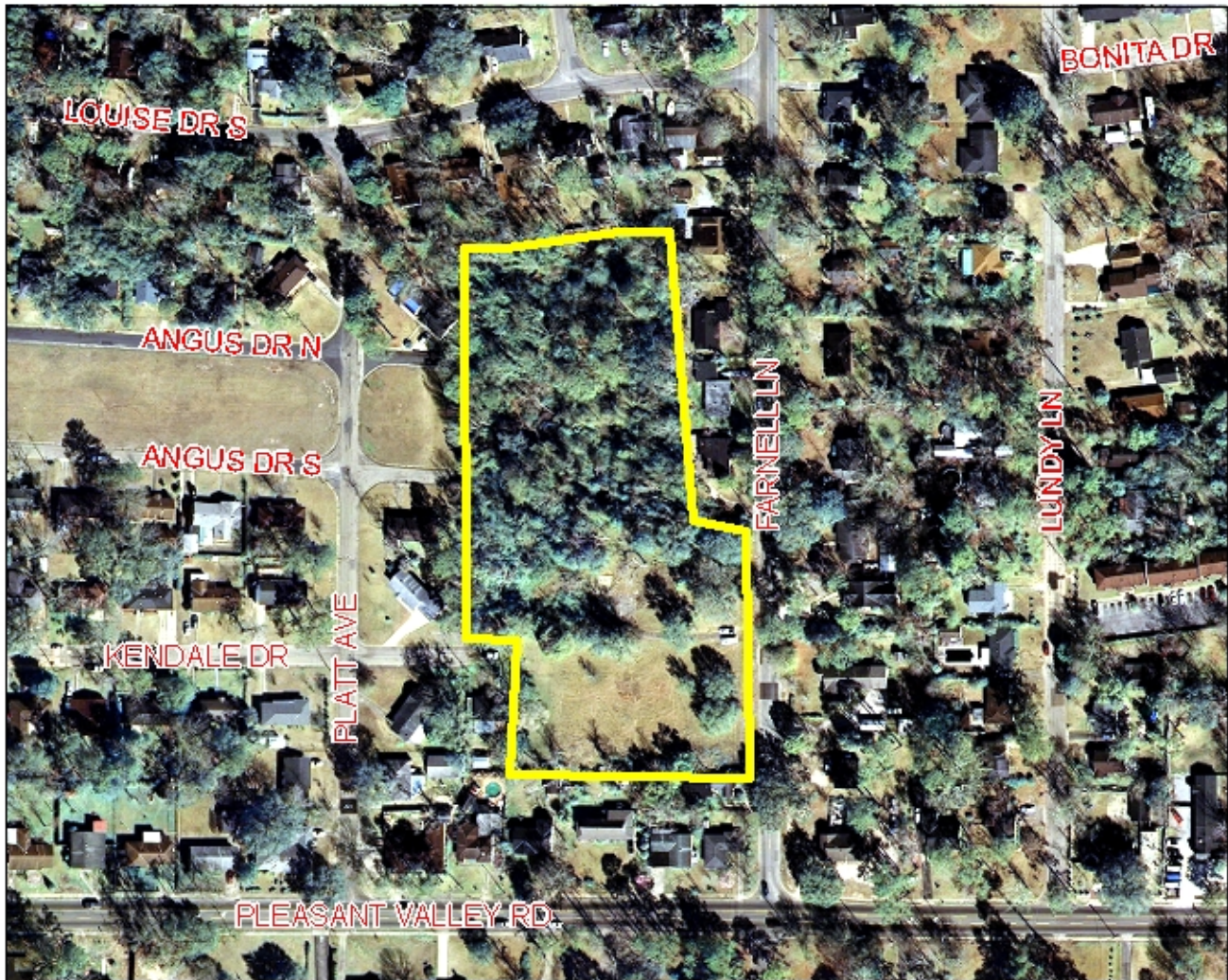


The site is surrounded by residential land use.  
A daycare is located to the southeast of the site.

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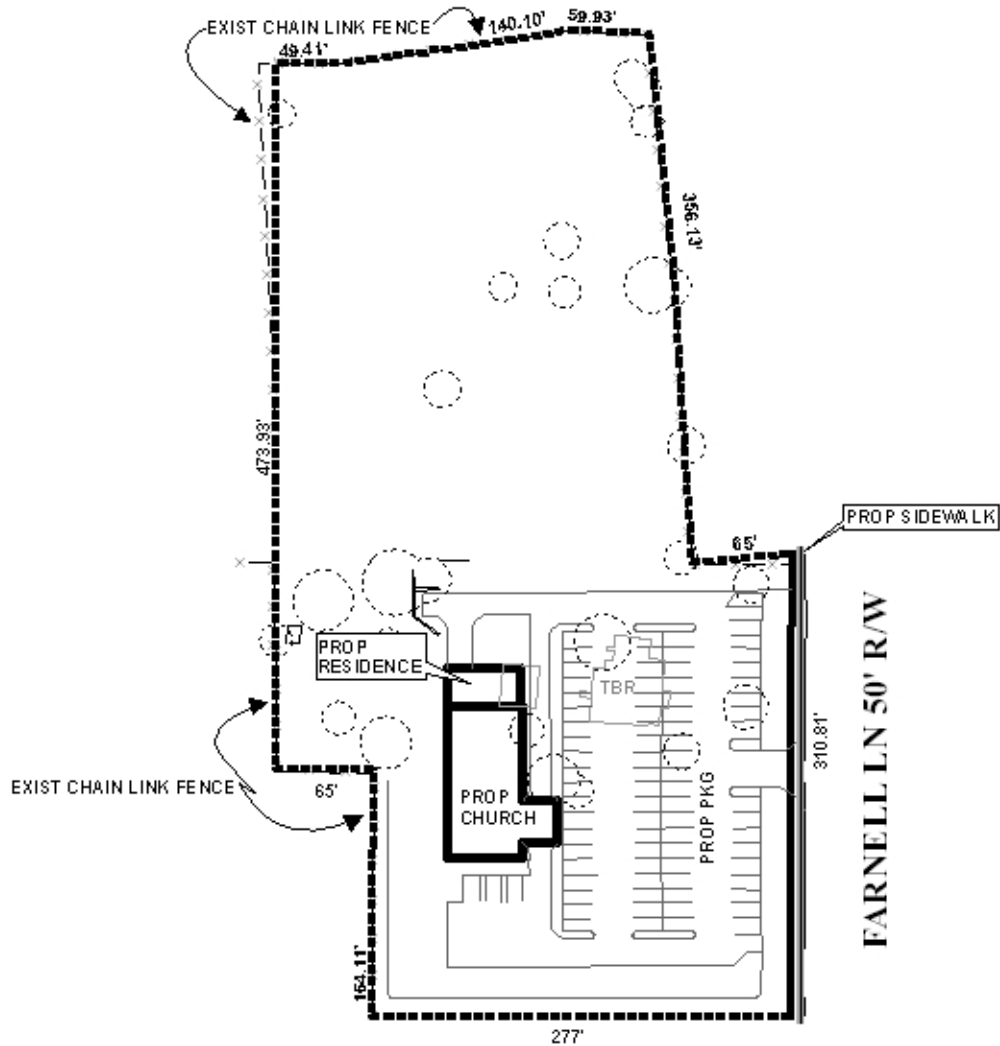


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# SITE PLAN



The site plan illustrates the proposed building, parking, landscaping, and buildings to be removed

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