

**SIDEWALK WAIVER REQUEST STAFF REPORT****Date: July 16, 2009****NAME**

Billy Courtney

**LOCATION**723 Zeigler Circle East  
(West side of Zeigler Circle East, 525'± South of Zeigler  
Boulevard)**PRESENT ZONING**

B-3, Community Business District

**ENGINEERING****COMMENTS**From the information provided by the applicant, it appears  
that a city standard sidewalk can be constructed.**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 Zeigler Circle East. The applicant is requesting a sidewalk  
waiver simply because there are no other sidewalks in the area.

It should be noted, from the Vicinity Map, that there are several undeveloped lots within the  
immediate area. Other lots in the area were developed prior to being annexed into the City of  
Mobile, at which time the sidewalk requirement was not enforced. Now that the area is in the  
City, all developments / re-developments will be required to provide a sidewalk. With that said,  
the applicant's argument that no other sidewalks exist in the area may be true, but it does not  
negate the fact that a sidewalk is, indeed, required.

It should also be noted that the Commission approved a sidewalk waiver in 2008 for another  
development near the subject site; however, the justification in that case was due to the location  
of utilities, which prevented the construction of the sidewalk.

Comments from City Engineering indicate that the sidewalk waiver should be denied along  
Zeigler Circle East.

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

## LOCATOR MAP



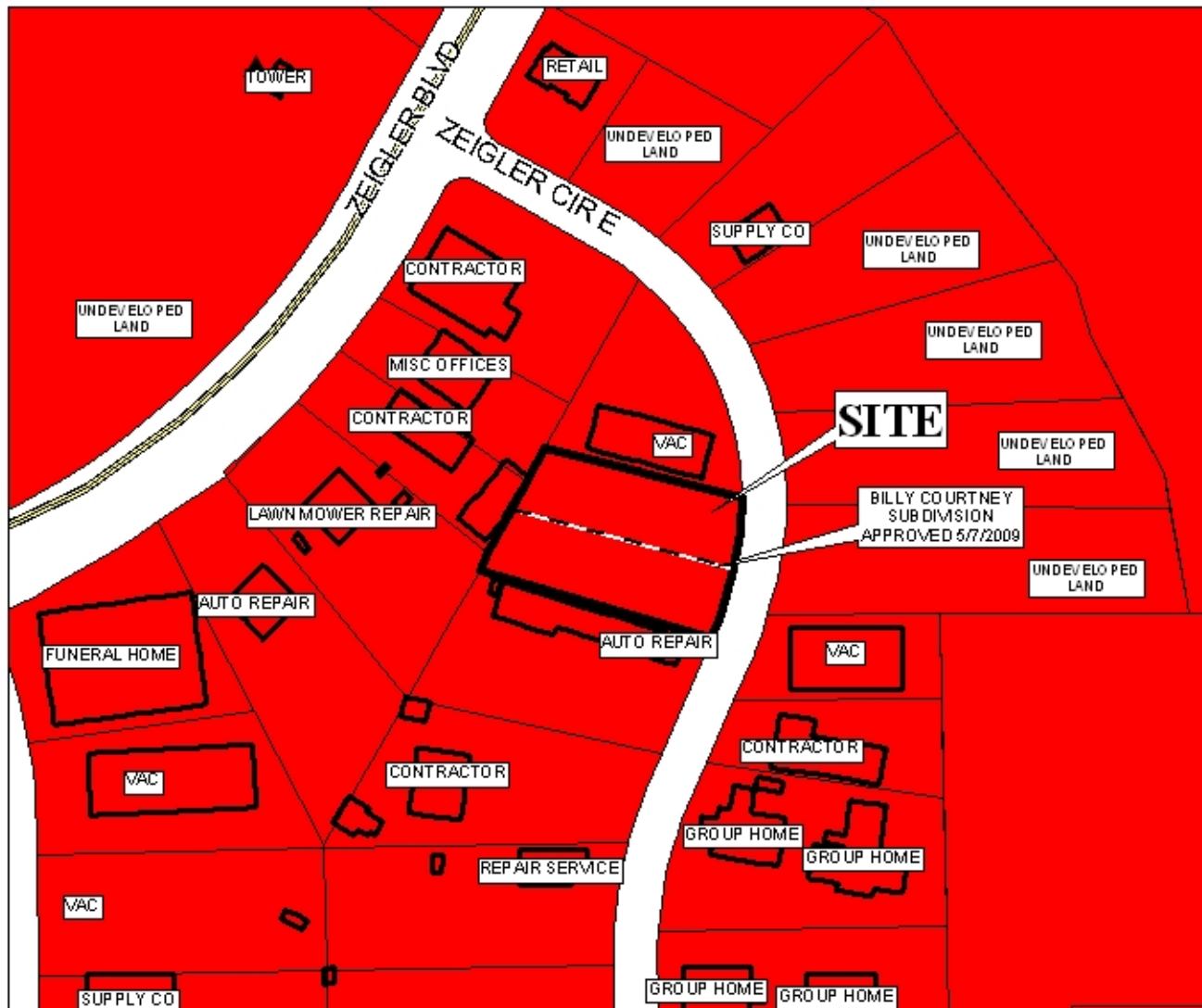
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# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial land use.

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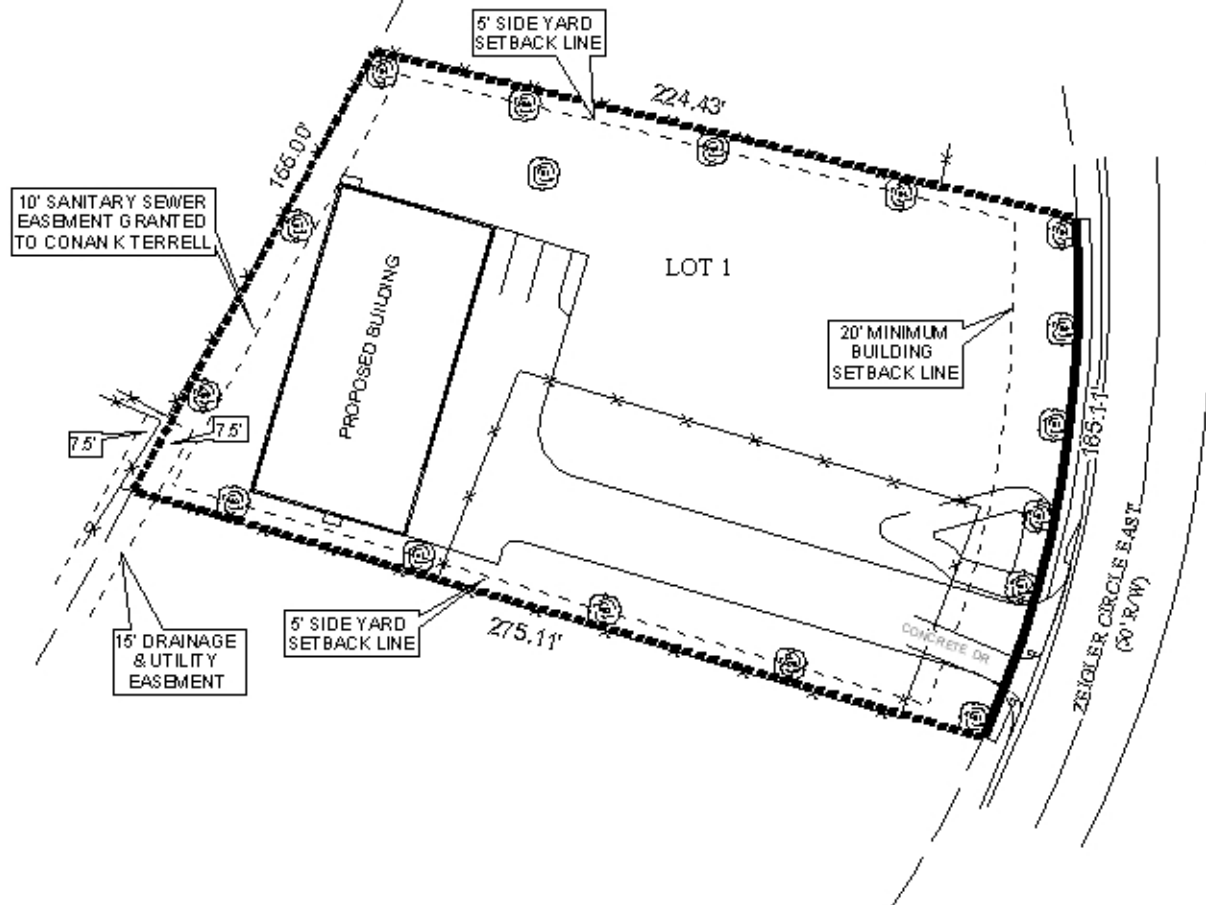
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LEGEND 

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



## SITE PLAN



The site plan illustrates the proposed building, setbacks and drive.

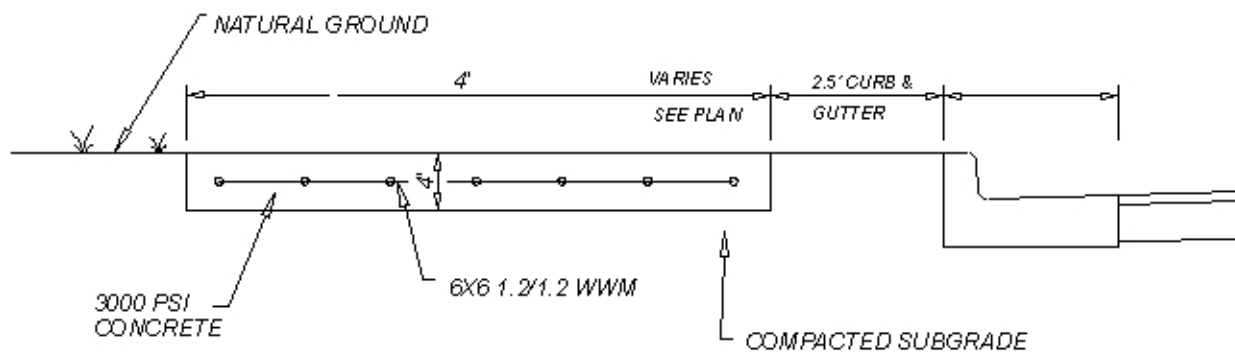
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N  
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## SIDEWALK CROSS-SECTION DETAIL



1. PROVIDE TRANSVERSE CONTRACTION JOINTS AT INTERVALS EQUAL TO THE WIDTH OF THE SIDEWALK.
2. PROVIDE 1/2" EXPANSION JOINTS WHERE SIDEWALKS ARE ADJACENT TO CURBS, PAVEMENT, DRIVEWAYS OR A MAXIMUM OF 100 FEET APART.
3. ALL VALVES WHICH CONFLICT WITH PLACEMENT OF SIDEWALK SHALL BE RAISED FLUSH WITH THE NEW SIDEWALK SURFACE PRIOR TO POURING CONCRETE SIDEWALK.

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