

ZONING AMENDMENT STAFF REPORT

Date: July 19, 2007

NAME Kiel Home Rental, LLC

LOCATION 2720 McKinney Street
(North side of McKinney Street, 70'± West of Farrell Street).

CITY COUNCIL DISTRICT Council District 1

PRESENT ZONING B-2, Neighborhood Business District

PROPOSED ZONING R-1, Single-Family Residential District

AREA OF PROPERTY 7494 square feet (.17± Acre)

CONTEMPLATED USE Single-Family Dwelling
It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning is changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.

TIME SCHEDULE FOR DEVELOPMENT Immediately

ENGINEERING COMMENTS It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit.

TRAFFIC ENGINEERING COMMENTS Driveway number, size, 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

All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, with local amendments, and the 2003 International Existing Building Code.

REMARKS

The applicant is requesting rezoning from B-2, Neighborhood Business District, to R-1, Single-Family Residential District, to allow the construction of a single-family dwelling. The zoning ordinance allows single-family dwellings only above the first or ground floor in B-2 and B-3 districts. In this case, the applicant wishes to construct a one-story single-family dwelling.

This area is shown on the General Land Use component of the Comprehensive Plan as being on the border between planned industrial and residential sections. The Comprehensive Plan is meant to be a general guide, not a detailed lot and district plan or mandate for development. The Planning Commission and City Council may consider individual cases based on additional information such as the classification requested, the surrounding development, the timing of the request and the appropriateness and compatibility of the proposed use and zoning classification.

The Zoning Ordinance states that an amendment is to be made only when one or more of the following conditions prevail: there is a manifest error in the ordinance; changes in conditions in a particular area make a change in the ordinance necessary and desirable; an increased need for business or industrial sites in addition to sites that are available, make it necessary and desirable to rezone an area or extend the boundaries of an existing district; the subdivision of land into urban building sites makes reclassification necessary and desirable.

In this case, the applicant simply wishes to construct a new dwelling in a well-established neighborhood. To the North and East of the property, there are R-1, Single-Family Residential Districts. To the South and West are B-2, Neighborhood Business Districts. In fact, the lot immediately West of the one in question is also zoned B-2, Neighborhood Business District, and is being used as a single-family dwelling. As the site is a vacant, narrow lot in an established neighborhood, removed from a street intersection, the case can be made that there was an error in the zoning ordinance, and thus, rezoning is desirable.

RECOMMENDATION

Based on the preceding, the application is recommended for approval.

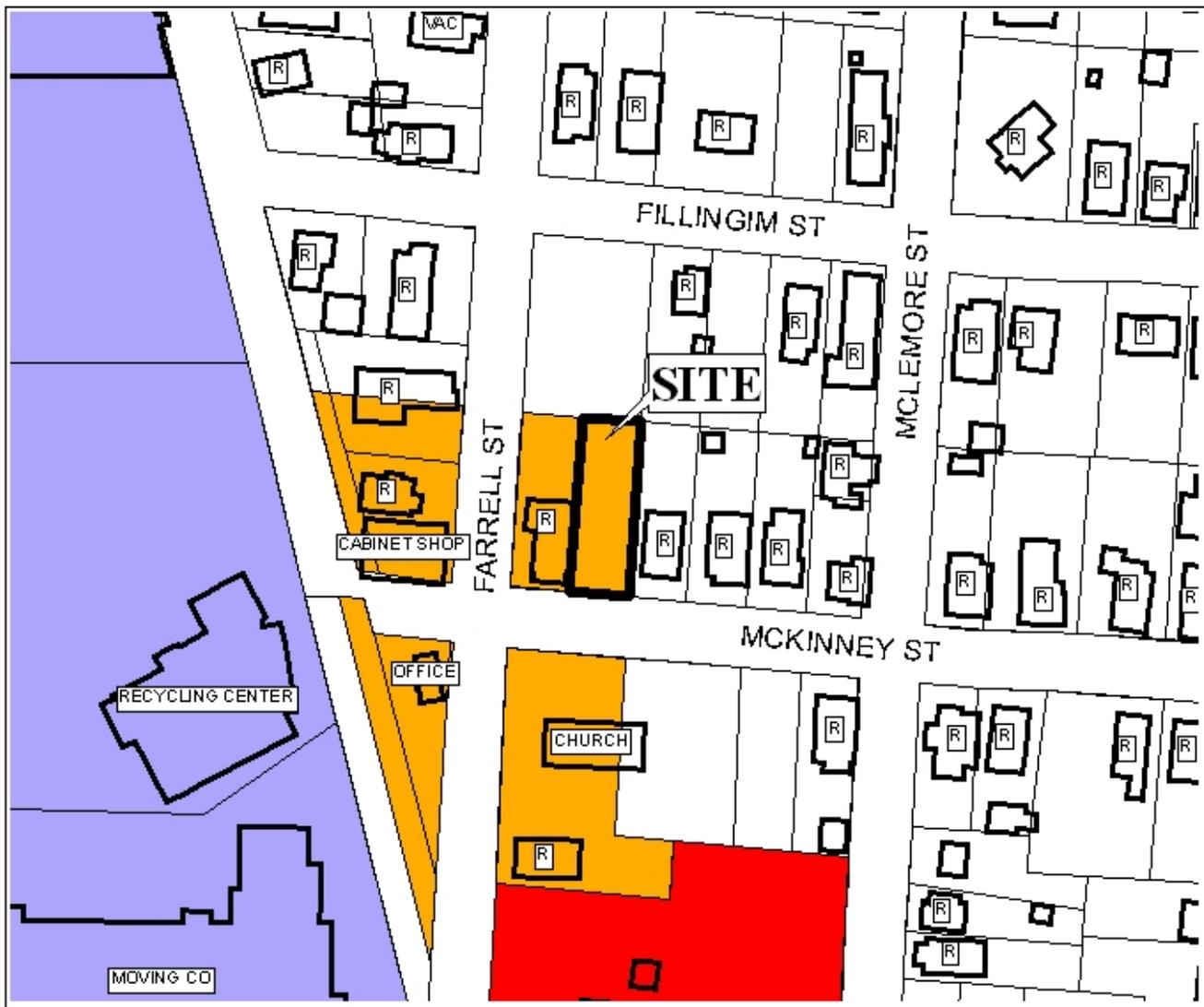
LOCATOR MAP



APPLICATION NUMBER 32 DATE July 19, 2007
 APPLICANT Kiel Home Rental, LLC
 REQUEST Rezoning from B-2 to R-1

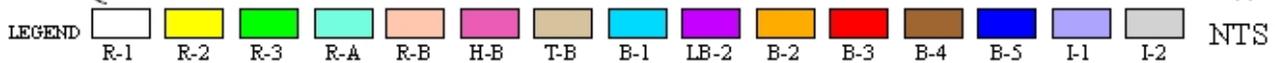


PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

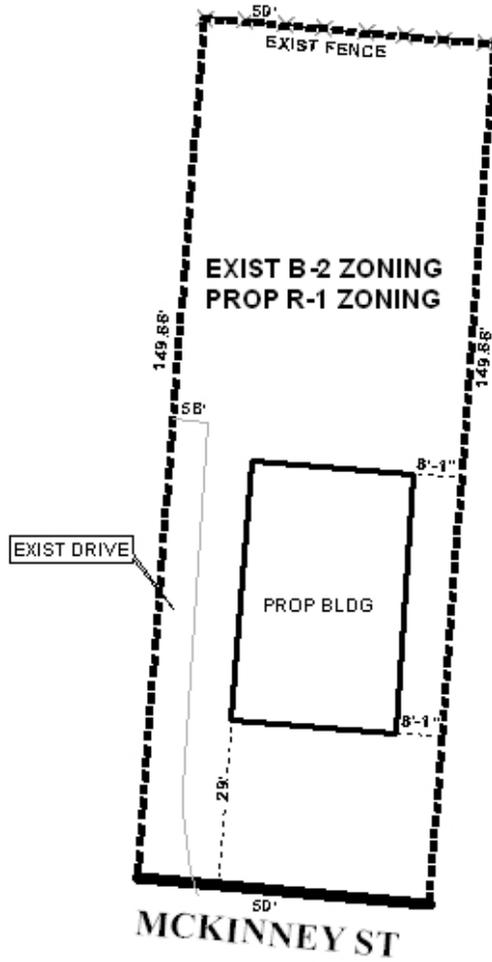


The site is surrounded by mixed land use

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SITE PLAN



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

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