



**OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF WEDNESDAY, MARCH 27, 2019
2ND FLOOR CITY HALL – COMMUNITY DEVELOPMENT,
110 WEST MAIN STREET, 4:00 PM**

- I. CALL TO ORDER
- II. ROLL CALL
- III. CONSIDERATION OF THE OFFICIAL AGENDA
- IV. APPROVAL OF THE MINUTES:
 - A. CONSIDERATION OF THE UNAPPROVED MINUTES FOR FEBRUARY 27, 2019
- V. NEW BUSINESS
 - A. VA 19-02 REQUEST BY 4/J I LP FROM THE SIDEWALK REQUIREMENTS FOR A LOT SUBDIVISION LOCATED APPROXIMATELY 1700' WEST OF THE INTERSECTION OF LYNN LANE AND SOUTH MONTGOMERY ON THE NORTHSIDE OF LYNN LANE WITH THE PARCEL NUMBER 2011-00-013.00.
- VI. ADJOURN

**UNAPPROVED
MINUTES OF THE MEETING OF THE
BOARD OF ADJUSTMENTS & APPEALS
THE CITY OF STARKVILLE, MISSISSIPPI
FEBRUARY 27, 2019**

The Board of Adjustments & Appeals held their meeting at 4:00 PM on February 27, 2019, in the Community Development Department at City Hall. Members present were Kim Moreland, Ward 1, Bo Richardson, Ward 3, Robert Camp, Ward 4, Chairman Bill Webb, Ward 5, Marco Nicovich, Ward 6, and Shawn Sullivan, Ward 7. Absent from the meeting was Jerry Jefferson, Ward 2. Attending the Board members were City Planner Daniel Havelin and Assistant City Planner Emily Corban.

A CONSIDERATION OF THE WRITTEN AGENDA

**OFFICIAL AGENDA
BOARD OF ADJUSTMENTS & APPEALS
CITY OF STARKVILLE, MISSISSIPPI
SPECIAL CALL MEETING OF WEDNESDAY, FEBRUARY 27, 2019
2ND FLOOR CITY HALL – COMMUNITY DEVELOPMENT,
110 West Main Street, 4:00 PM**

- I. CALL TO ORDER
- II. ROLL CALL
- III. CONSIDERATION OF THE OFFICIAL AGENDA
- IV. APPROVAL OF THE MINUTES:
 - A. Consideration of the unapproved minutes for January 23, 2019
- V. NEW BUSINESS
 - A. VA 19-02 REQUEST BY TEP STARKVILLE, LLC TO ALLOW REDUCTION IN FRONT SETBACKS FOR A MIXED USE DEVELOPMENT LOCATED APPROXIMATELY 360' SOUTHEAST OF THE CENTER OF THE INTERSECTION OF HIGHWAY 12 EAST AND PAT STATION ROAD DIRECTLY EAST OF THE LA QUINTA INN WITH THE PARCEL # 117-25-021.00
 - B. VA 19-03 REQUEST BY CYNTHIA HOOD ON BEHALF OF LINDSEY WARNER TO ALLOW A SIGN WITHIN FIVE FEET OF THE PROPERTY LINE LOCATED 303 HOSPITAL ROAD IN A C-1 ZONE WITH THE PARCEL # 118J-00-042.00

- C. VA 19-04 REQUEST BY NEIL COUVILLION FOR A VARIANCE FROM FRONT SETBACK REQUIREMENTS FOR A PROPOSED SINGLE FAMILY HOME IN AN R-5 ZONE LOCATED AT 105 GILLESPIE ST WITH THE PARCEL # 102A-00-196.00
- D. VA 19-05 REQUEST BY BALTON SIGN CO. ON BEHALF OF JOE DUNLAP FROM WALL SIGN SIZE REQUIREMENTS FOR GATEWAY TIRE LOCATED AT 1301 STARK ROAD WITH THE PARCEL # 103H-00-016.07

VI. PLANNER REPORT

VII. ADJOURN

The Board considered the matter of the approval of the written agenda dated January 23, 2019. Upon the motion of Mr. Nicovich seconded by Mr. Sullivan, the Board voted unanimously to approve the written agenda.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF
THE MEETING OF JANUARY 23, 2019**

After discussion and upon the motion of Mr. Nicovich, seconded by Mr. Camp, the motion to approve the Minutes of the January 23, 2019 Board of Adjustments and Appeals meeting received unanimous approval.

NEW BUSINESS

- A. VA 19-02 REQUEST BY TEP STARKVILLE, LLC TO ALLOW REDUCTION IN FRONT SETBACKS FOR A MIXED USE DEVELOPMENT LOCATED APPROXIMATELY 360' SOUTHEAST OF THE CENTER OF THE INTERSECTION OF HIGHWAY 12 EAST AND PAT STATION ROAD DIRECTLY EAST OF THE LA QUINTA INN WITH THE PARCEL # 117-25-021.00

Chairman Bill Webb opened the public hearing.

John Granberry came forward to speak in favor of the request.

Calling for and receiving no comments, the Chairman closed the public hearing. After discussion among the Board Members, Mr. Richardson moved to approve the request, which was seconded by Mr. Sullivan, and the Board voted 5 to 0 VA 19-02.

- B. VA 19-03 REQUEST BY CYNTHIA HOOD ON BEHALF OF LINDSEY WARNER TO ALLOW A SIGN WITHIN FIVE FEET OF THE PROPERTY LINE LOCATED 303 HOSPITAL ROAD IN A C-1 ZONE WITH THE PARCEL # 118J-00-042.00

Chairman Bill Webb opened the public hearing.

Cynthia Hood and Lindsey Warner came forward to speak in favor of the request.

Calling for and receiving no comments, the Chairman closed the public hearing. After discussion among the Board Members, Mr. Sullivan moved to approve the request, which was seconded by Mr. Richardson, and the Board voted 5 to 0 VA 19-03.

- C. VA 19-04 REQUEST BY NEIL COUVILLION FOR A VARIANCE FROM FRONT SETBACK REQUIREMENTS FOR A PROPOSED SINGLE FAMILY HOME IN AN R-5 ZONE LOCATED AT 105 GILLESPIE ST WITH THE PARCEL # 102A-00-196.00

Chairman Bill Webb opened the public hearing.

Neil Couvillion came forward to speak in favor of the request.

Virginia Gandy came forward to raise some concerns regarding the request.

Calling for and receiving no comments, the Chairman closed the public hearing. After discussion among the Board Members, Mr. Nicovich moved to approve the request, which was seconded by Mr. Camp, and the Board voted 5 to 0 VA 19-04.

- D. VA 19-05 REQUEST BY BALTON SIGN CO. ON BEHALF OF JOE DUNLAP FROM WALL SIGN SIZE REQUIREMENTS FOR GATEWAY TIRE LOCATED AT 1301 STARK ROAD WITH THE PARCEL # 103H-00-016.07

Chairman Bill Webb opened the public hearing.

Joe Dunlap came forward to speak in favor of the request.

Calling for and receiving no comments, the Chairman closed the public hearing. After discussion among the Board Members, Mr. Richardson moved to approve the request, which was seconded by Mr. Sullivan, and the Board voted 5 to 0 approve VA 19-05.

ADJOURNMENT

After discussion, Mr. Nicovich moved to adjourn which was seconded by Mr. Camp, and the Board voted unanimously to adjourn until 4:00 p.m. on March 27, 2019 in the second-floor conference room located at 110 West Main Street, Starkville, MS.

Bill Webb, Chairman

Daniel Havelin, City Planner

DRAFT



THE CITY OF STARKVILLE
PLANNING DEPARTMENT
BOARD OF ADJUSTMENTS & APPEALS
CITY HALL, 110 WEST MAIN STREET
STARKVILLE, MISSISSIPPI 39759

STAFF REPORT

To: Members of the Board of Adjustments & Appeals
From: Daniel Havelin, City Planner (662-323-2525 ext. 3136)
Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)
Subject: VA 19-04 Request by 4/J I LP from the sidewalk requirements for a lot subdivision located approximately 1700' west of the intersection of Lynn Lane and South Montgomery on the northside of Lynn Lane with the parcel number 2011-00-013.00.
Date: March 27, 2019

The purpose of this report is to provide information regarding Variance Request by 4/J I LP from the sidewalk requirements for a lot subdivision located approximately 1700' west of the intersection of Lynn Lane and South Montgomery on the northside of Lynn Lane with the parcel number 2011-00-013.00. Please see attachments 1- 3.

PROPOSED USE & BACKGROUND:

The applicant is requesting relief from sidewalk requirements found in Sec 98-54. Specifically, the applicant is requesting to remove the responsibility of the current owner from either construction of the sidewalk or bonding the sidewalk on proposed Lot 1 and Lot 2 as part of final plat approval. The applicant is in the process of selling Lot 1 for a future development and will retain Lot 2 for future sale for development. Due to the lender's requirements, the Lot 1 cannot be sold until final plat approval is granted by the Board of Aldermen. The applicant is asking for a variance based on financial hardship of either constructing the sidewalks prior to sale of the property or bonding sidewalks until the properties are fully developed. See attachment 3 for the application and supporting documents with estimated sidewalk cost per Section 98-60. The applicant attended a Development Review Committee meeting on February 14, 2019. The applicant has also requested conditional use approval to allow a mixed use development on proposed Lot 1. The conditional use request will be heard by the Planning and Zoning Commission on April 9, 2019. If the request for Variance is recommended for approval, the applicant's requests will be heard by the Board of Aldermen at the April 2, 2019 meeting.

NOTIFICATION:

11 property owners of record within 300 feet of the subject property were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News on March 8, 2019 and a sign was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received no phone calls about this request.

VARIANCE REQUESTS FROM:

Sec. 98-54. - Sidewalk requirements.

- 1) *Sidewalks shall be required within the right-of-way on both sides of all new public or non-city owned streets located within the City of Starkville Sidewalk Development Area or subdivisions as expressed in subsection 98-53(1). Sidewalks shall be required from lot line to lot line within the right-of-way along the frontage of existing public or non-city owned streets located within the city. If sidewalks are not located within public right-of-way, appropriate easements shall be provided if the sidewalk parallels public roadways.*
- 2) *Provisions for sidewalk construction shall be included as part of site plan review, subdivision approval and/or as part of the plans submitted for obtaining a building permit. For all non-single family residential developments and non-agricultural zoned developments, a separated, continuous sidewalk shall be provided from right-of-way to primary entranceway(s) which will address adequate interior pedestrian connectivity.*
- 3) *Sidewalks shall be at least five feet in width, with at least 36 inches of clearance in the sidewalk path, and shall meet the requirements set forth in the Americans with Disabilities Act (ADA) of 1990 and City of Starkville's sidewalk specifications and details. Wider walks, to a maximum of eight feet, may be required by the City of Starkville along thoroughfares in commercial, industrial, or multi-family areas due to anticipated traffic and the development of the area. In the instances where the longitudinal slope of an existing, adjacent street exceeds the maximum allowed by ADA, the proposed sidewalk shall be constructed at a longitudinal slope less than or equal to the longitudinal slope as the existing, adjacent street.*
- 4) *The construction of all sidewalks and the materials and component parts thereof shall be subject to the acceptance of the City of Starkville Building Department and shall meet all standards and requirements set forth in the Americans with Disabilities Act of 1990 and the City of Starkville's sidewalk specifications and details. Asphalt and slick-surfaced sidewalks are prohibited.*
- 5) *All sidewalks shall include, either within the corner or within the curb area immediately adjacent thereto, ramps allowing access to the sidewalk and street by variously-able person as per ADA requirements. Existing curb and gutter may require removal to provide a smooth transition to the street crosswalk.*
- 6) *Unless otherwise specified by the development review committee, a landscape strip of at least two feet width between the sidewalk and the edge of the road or back edge of the curb shall be required for all sidewalks to help keep all pedestrian ways free and clear of obstructions and to further provide a safe pedestrian-friendly environment.*
- 7) *Exceptions to this article shall be made where required by federal law or federally mandated recommendations or requirements.*
- 8) *Should development occur anywhere in the following area, such development is exempted from the requirement of constructing any sidewalks: The Starkville Industrial Park defined for this purpose as property west of Industrial Park Road including, Miley Drive, Airport Road, and Pollard Road.*

(Ord. No. 2012-05, § 4, 6-5-12)

VARIANCE REQUEST REQUIREMENTS FOR SIDEWALKS:

Sec. 98-60. - Request for variance.

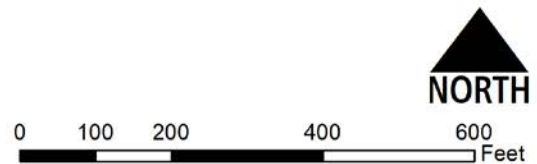
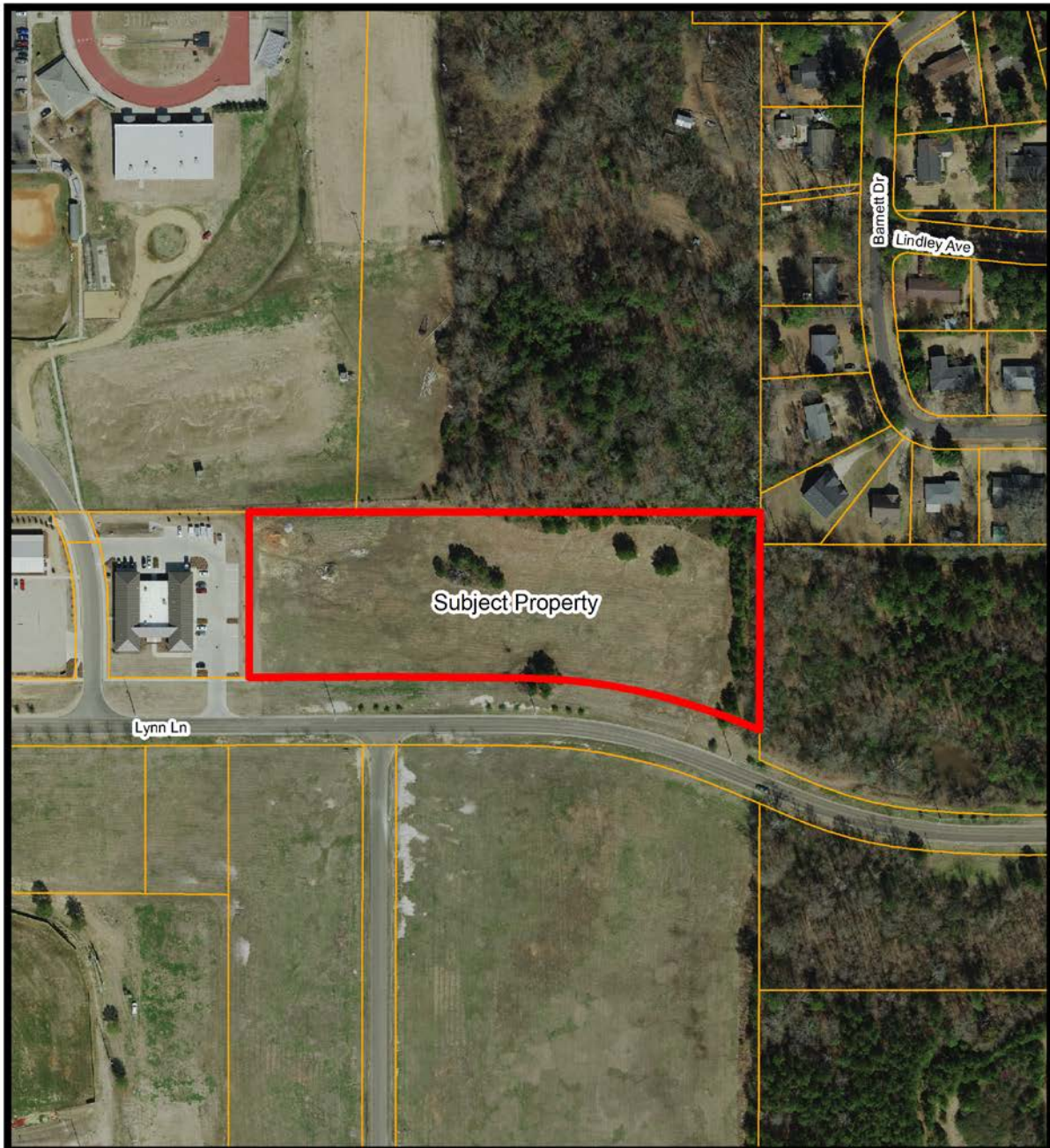
- 1) A request for a variance from the requirements of this article shall be submitted in writing to the building department for consideration by the board of adjustments and appeals. The reason for the request and the proposed justification for the variance shall be specified in the application. The application for the variance should list the details of the project and include engineering design work, survey information and/or other supporting documentation. The sole criteria to be evaluated in granting variance shall be that the cost of constructing the sidewalk constitutes an undue hardship as defined in subsection 90-60(3).
- 2) The board of adjustments and appeals shall sit in a quasi-judicial capacity to hear and decide all variance requests from the requirements of this article. A formal written application for a variance along with all supporting documentation shall be filed with the building department for consideration according to the submittal schedule to the board of adjustments and appeals which will be taken up at its next available meeting.
- 3) The determination of whether undue hardship exists shall be based solely on the cost per linear foot to install sidewalks as prescribed in [section 98-54](#). The sidewalk construction cost estimate used to claim undue hardship should include only items that are related to the sidewalk installation. It shall not include any items that would be required as part of the project in the absence of the requirement to include sidewalks imposed by this article. The transportation committee shall meet quarterly to review and document the average unit price for sidewalk construction for the purposes of establishing a standard metric against which to measure the proposed construction costs. These unit prices shall be determined based upon quarterly posted construction bid averages provided by the Mississippi Department of Transportation (MDOT) and consultation with the city engineer. The board of adjustments and appeals shall determine that sidewalk construction constitutes an undue hardship on the applicant only if the estimated cost of sidewalk construction, per linear foot, is more than two times the average rate as documented by the transportation committee.
 - a) The following procedures shall apply to all applications for a variance:
 - 1) The application for variance shall state the specific variances sought and the reasons for the variance(s). The following information shall be provided to the city engineer in the application:
 - i. A site plan or survey, showing the proposed subdivision or development and the location of the required sidewalk.
 - ii. A site plan showing that all alternative sidewalk configurations that may meet the standards of this article, such as routing the sidewalk along open drainage that parallels the road, have been given due consideration.
 - iii. A site plan showing the proposed subdivision or development and the location of any sidewalk the applicant is proposing to put in if their requested variance is granted.
 - iv. An itemized cost estimate for sidewalk installation that shall provide line item quantities, unit price, and extended price for each type of work required to complete the sidewalk (earthwork, concrete sidewalk,

retaining wall, etc.) for the proposed site. For sidewalk construction requiring large earthwork volumes (greater than 300 cubic yards), a volume calculation shall be submitted with the cost estimate along with supporting documentation to justify the calculation. If alternate sidewalk routes are possible that meet the standards of this article the provided estimate shall be based on the least costly conforming route.

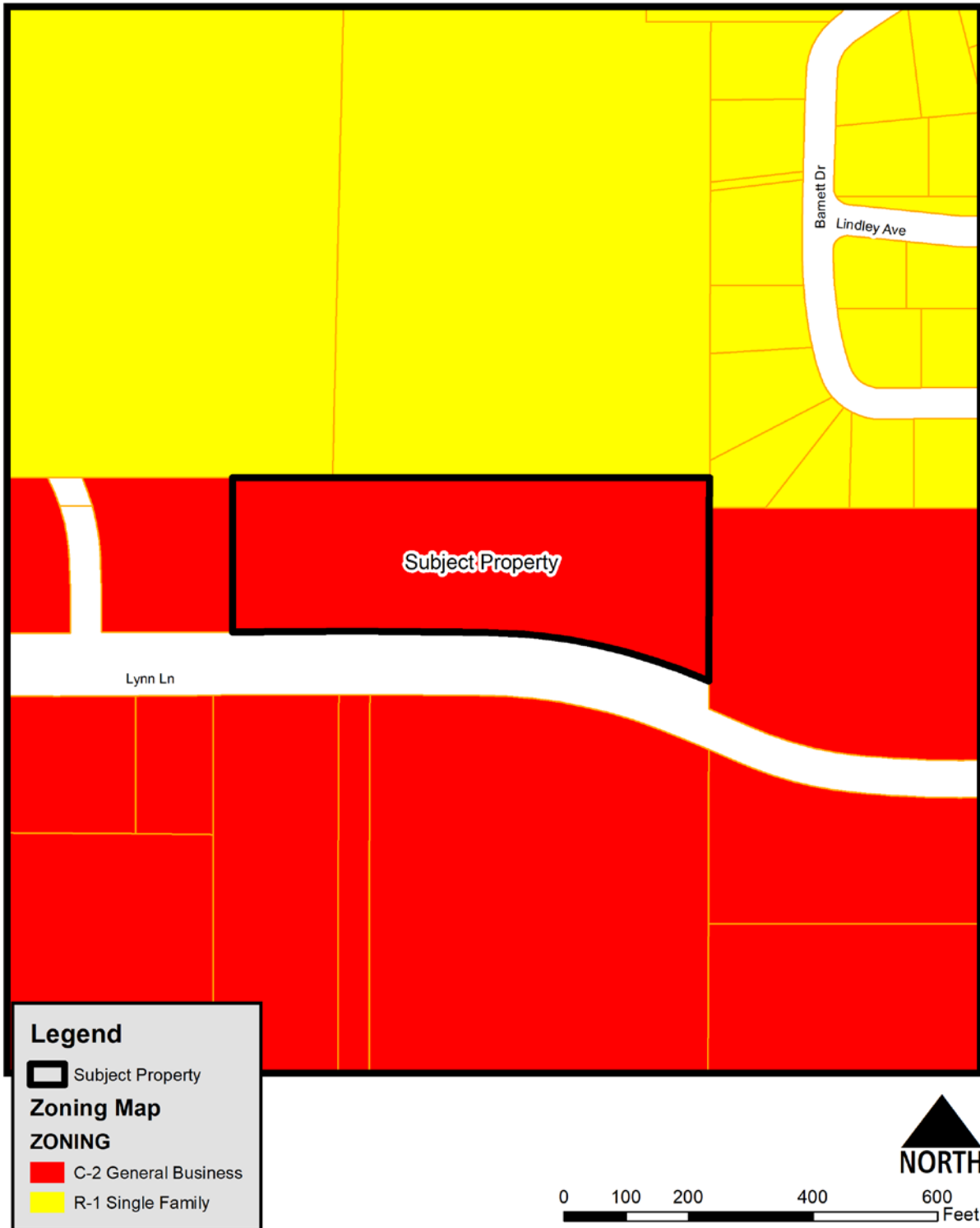
- 2) It shall be the responsibility of the applicant to provide sufficient justification for the granting of the variance.
 - 3) Applications prepared and certified by a registered landscape architect or a professional engineer licensed in the State of Mississippi may be subject to review by the city engineer.
 - 4) Any application containing information and data not prepared and certified by a registered landscape architect or professional engineer licensed in the State of Mississippi shall be reviewed by the city engineer.
 - 5) After hearing and upon consideration of the application, evidence and applicable law, the board of adjustments and appeals shall grant or deny the variance request. If the variance application is granted, the board of adjustment and appeals may attach conditions to the variance as it deems necessary to further the purpose of this article.
- b) If a variance is granted, it shall be granted upon findings by the board of adjustments and appeals that the following criteria have been met:
- 1) That failure to grant the variance would result in an undue hardship to the applicant as defined in subsection [98-60\(3\)](#); and
 - 2) That the necessity for a variance is not the result of conditions on the property which have been self-imposed by the applicant or previous owners; and
 - 3) That the variance is not based on the proposed sidewalk connecting to an existing, adjacent sidewalk.
- c) If a variance is not granted, the board of adjustments and appeals shall prepare a letter to the applicant stating that the request was denied. The applicant will then have ten days to file a written appeal with the building department to bring the variance request before the board of aldermen. The board of aldermen will hear the variance request at its next regularly scheduled meeting following the filing of the written appeal.

(Ord. No. 2012-05, § 10, 6-5-12)

Attachment 1
VA 19-06 Aerial



Attachment 2
VA 19-06 Zoning



Attachment 3-Application and Supporting Documents



VARIANCE APPLICATION
City of Starkville Board of Adjustments & Appeals
City Hall, 110 West Main Street
Starkville, Mississippi 39759-2823
Phone: (662) 323-8012 Fax: (662) 323-4143
e-mail: buildingdept@cityofstarkville.org

APPLICANT / AGENT INFORMATION

Name: Jason Pepper Phone: (888) 963-9063
Address: 834 Hwy 12 W #180
E-mail address: jasonpepper@peppersurveying.com

PROPERTY OWNER INFORMATION

Name: 4/J I LP Phone: (901) 240-3742
Address: _____
E-mail address: davidhjoey@gmail.com

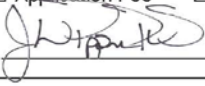
If different from applicant, please attach notarized letter of authorization.

APPLICATION INFORMATION

Street Address/Location: Lynn Lane (Next to Former Health Department)
Tax Map/Parcel ID Number: 2011-00-013.00 Zoning: C-2
Variance Sought: See Attachment
Dimension Requested: N/A Dimension Required: N/A
Section(s) of the Code of Ordinances from which variance is being sought:
Sec. 98-54 (2) - Requirement for sidewalk construction to be included as part of subdivision approval.
Reason for request:
See attachment.

Property to the NORTH: Zoning R-1 Current Use Starkville High School
Property to the EAST: Zoning C-2 Current Use Undeveloped Land
Property to the SOUTH: Zoning C-1 Current Use Commercial Property
Property to the WEST: Zoning C-2 Current Use Former Health Department

☒ Application Fee ☒ Legal Description ☐ [Notarized Owner Authorization](#)

Submitted by:  Date: 3/6/2019

CLIENT
REF PROPERTIES, LLC
STARKVILLE, MISSISSIPPI

- | | | |
|---|---|---|
| <ul style="list-style-type: none"> --- S DITCH/SIDE LINE --- S STORM SEWER LINE --- S WATER LINE --- S OVERHEAD POWER --- S UNDERGROUND POWER --- S GAS LINE --- S UNDERGROUND TELEPHONE --- S OVERHEAD POWER & TELEPHONE | <ul style="list-style-type: none"> --- S DITCH/SIDE LINE --- S STORM SEWER LINE --- S WATER LINE --- S OVERHEAD POWER --- S UNDERGROUND POWER --- S GAS LINE --- S UNDERGROUND TELEPHONE --- S OVERHEAD POWER & TELEPHONE | <ul style="list-style-type: none"> --- S DITCH/SIDE LINE --- S STORM SEWER LINE --- S WATER LINE --- S OVERHEAD POWER --- S UNDERGROUND POWER --- S GAS LINE --- S UNDERGROUND TELEPHONE --- S OVERHEAD POWER & TELEPHONE |
|---|---|---|

- MAP LEGEND**
- SPOT ELEVATION
 - EXISTING CONTOUR
 - GRAVEL
 - CONCRETE PAVING
 - ASPHALT PAVING
 - HARDWOOD TREE
 - SPOTS INLET
 - CLEARWATER
 - UTILITY POLE
 - ELECTRIC SERVICE
 - GUY ANCHOR
 - AREALIGHT
 - PROTECTIVE
 - GAS METER
 - MAN-HOLE
 - FIRE HYDRANT
 - WATER VALVE
 - WATER METER
 - IRON PIN FOUND
 - IRON PIN SET
 - RIGHT-OF-WAY MARKER
 - EVERGREEN TREE



SCHEMATIC LYNN LANE MULTI USE DEVELOPMENT STARKVILLE, MISSISSIPPI	Mississippi 811 811 or 800.222.6477 MISSISSIPPI 811 PHONE: 1-800-227-6477 ORIGINAL COPIES ARE IN COLOR	SEC. 10, T. 10 N., R. 10 E. REVISION NUMBER: 0 PROJECT NUMBER: 19-XXX-X CONVERGENCE: N/A FILE NAME: 19-XXX-X DRAWN BY: JWP ONE: CALL TICKET N/A SHEET: 1 of 1	BEARING BASIS: XXXXXXXXXXXXX SWORN CREW MEMBER(S): CHIP CARLEY SCALE: 1" = 10' CLASS OF SURVEY: "C" FIELD DATA COLLECTED: XXXXX/2019 DRAWING COMPLETED: XXXXX/2019 ALL PINS SET ARE 5/8" DIA. BY 18" LONG REBAR	Repper Surveying Mapping, LLC
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Sidewalk variance application notes:

Our client is proposing to subdivide Tax Parcel 2011-00-013.00 to create a one-acre (plus or minus) parcel of land next to the former Health Department Building on Lynn Lane and the remaining land being a three- and one-half acre parcel. The sidewalk ordinance generally states that a sidewalk shall be built along the entire portion of the tax parcel being subdivided. The variance being sought is to remove the responsibility of the sidewalk construction from the current owner of the land and place the sidewalk construction on the developer(s) of the new parcels being created. Due to lender requirements and requirements of the City of Starkville, the proposed buyer of Lot 1 (see attached schematic) cannot purchase the property prior to preliminary and final plat being approved. For the final plat to be approved, the current owner of the property would have to construct or bond a sidewalk. Therefore, the variance being requested is to remove the responsibility of the current owner from either construction of the sidewalk or bonding the sidewalk on Lot 1 and Lot 2 due to unnecessary hardship. The details of the hardship are outlined below.

The current owner would be required to place a sidewalk along the entire frontage of the subject tax parcel at the estimated costs of:

Itemized Cost Estimate for Initial Sidewalk Construction:

Mobilization	\$2,500.00	(based on recent estimates)
Materials and Forming	\$18,650.00	(\$25 per linear foot)
Earthwork for sidewalk (460 c.y.)	\$2,530.00	(\$5.50 per c.y. based on recent estimates)
Preparing Subgrade	\$621.00	(\$1.5 per sq. yd. based on recent estimates)
Silt Fence (1,500 linear feet)	\$4,476.00	(\$3.00 per c.y. based on recent estimates)
Removal of dirt pile at location of guy anchor	\$1,500.00	(\$5.50 per c.y. based on recent estimates)
Relocation of guy anchor	\$TBD	(Needs to be determined by Starkville Elec.)
Erosion Control Design/Permitting	\$600.00	
Topographic Surveying	<u>\$900.00</u>	
Total	\$31,777.00	+ Relocation of Guy Anchor

After the initial sidewalk is in place and the transfer of title to the property can occur; due to unknowns in design and site conditions/requirements, removal of the newly constructed sidewalk may be necessary. The estimates below show the costs if all sidewalk was required to be removed.

Itemized Cost Estimate for Sidewalk Reconstruction:

Mobilization	\$2,500.00	(based on recent estimates)
Earthwork for sidewalk (460 c.y.)	\$2,530.00	(\$5.50 per c.y. based on recent estimates)
Preparing Subgrade	\$621.00	(\$1.5 per sq. yd. based on recent estimates)
Silt Fence (1500 linear feet)	\$4,467.00	(\$3.00 per c.y. based on recent estimates)
Removal of sidewalk for future construction	\$250.00	(\$5.50 per c.y. based on recent estimates)
Construction of sidewalk after removal	<u>\$18,650.00</u>	(\$25 per linear foot)
Total	\$29,018.00	

The above cost estimates total \$60,759.00 if the sidewalk is required to be constructed and the worst-case scenario plays out during design and construction. The current property owner would only be responsible for the initial \$31,777.00 estimated costs, but those would be unnecessary costs should a worst-case scenario arise.

Furthermore, requiring the current property owner to post a bond for construction adds a hardship of carrying a bond on the property until construction on both lots are complete, and a certificate of occupancy can be issued. This leaves the current property owner with the risk of the proposed purchaser(s) being denied a loan or backing out of a purchase agreement. In either case the current property owner is left "holding the bag" for out of pocket sidewalk construction which would now be required due to subdivision of land and no "income" from the land to construct the sidewalk or maintain the bond.

The unnecessary hardship outlined above is the basis of this request for variance from the sidewalk being constructed or bonded based on subdivision of the land for this tax parcel. The requirement for construction of the sidewalk will still be required by other existing ordinances upon development of the lots created by this subdivision.

The above estimates are based on:

1. The sidewalk being a width of 5 feet.
2. The sidewalk being a thickness of 4 inches.
3. The top of sidewalk being at an elevation of 6 inches above the existing back of curb on the north side of the constructed portion of Lynn Lane.
4. Slopes up from each side of proposed walk for a length of 5 feet with an average cut of 1.5 feet.
5. Undercut of 10 inches below the proposed walk for base material and concrete.

*No topographic data is available to us currently.