

**COUNTY VACATION  
& SUBDIVISION STAFF REPORT****Date: September 2, 2010****NAME**

Pecan Grove Place Subdivision, Phase Two, Resubdivision of Lot 1

**SUBDIVISION**

Pecan Grove Place Subdivision, Phase Two, Resubdivision of Lot 1

**LOCATION**9291 Pecan Grove Drive  
(Southeast corner of Pecan Drive and Praline Court, extending to the East terminus of Praline Court)**REQUEST**

Request to vacate a 45' drainage and utility easement across Lot 1, and create four legal lots of record from the resubdivision of that lot.

**REMARKS**

The applicant is requesting vacation of a 45' drainage and utility easement, and creation of four legal lots of record from the resubdivision of an existing lot of record (Lot 1).

The site is located at 9291 Pecan Grove Drive (Southeast corner of Pecan Grove Drive and Praline Court, extending to the East terminus of Praline Court).

The applicant states that the easement is no longer needed because during the development of Pecan Grove Place Subdivision, Phase Two, the storm water discharge was rerouted West through Phase Two to an existing natural drainage system. The recorded easement is now filled. Utilities companies have consented to the vacation request. The easement crosses through Lot 1, Phase Two, and with its vacation, this would allow for the resubdivision of Lot 1 into four legal lots of record which would otherwise not be possible due to the buildable site constraints of the easement.

Regarding the location of the easement, not only does it cross through Lot 1, Phase Two, but portions of the easement are also located within Lot 5, Phase Two, and the Common Area South of that in Phase Two. Also, the easement crosses over a portion of Lot 13, Pecan Grove Place Subdivision, Phase One. As the legal description of the proposed vacation includes all of the previously mentioned properties, those properties must also be included in the Subdivision application.

**RECOMMENDATION**

**Vacation Request:** The request to vacate the drainage and utility easement is recommended for holdover to the meeting of September 2<sup>nd</sup> in order to be heard in conjunction with a revised Subdivision application.

**Subdivision:** The request for Subdivision is recommended for holdover to the meeting of September 2<sup>nd</sup> to allow the applicant to address the following:

- 1) submission of a revised Subdivision application and plat to also include Lot 5, Pecan Grove Place Subdivision, Phase Two, the Common Area South of that lot, and Lot 13, Pecan Grove Place Subdivision, Phase One.
- 2) submission of additional mailing labels, mailing fees, and lot fees for the additional lots to be included and the property owners associated with the Common Area; and
- 3) all required revisions should be submitted no later than August 18, 2010.

***Revised for the September 2<sup>nd</sup> meeting:***

*These applications were heldover from the August 5<sup>th</sup> meeting to allow the applicant to address the following:*

- 1) submission of a revised Subdivision application and plat to also include Lot 5, Pecan Grove Place Subdivision, Phase Two, the Common Area South of that lot, and Lot 13, Pecan Grove Place Subdivision, Phase One;*
- 2) submission of additional mailing labels, mailing fees, and lot fees for the additional lots to be included and the property owners associated with the Common Area; and*
- 3) all required revisions should be submitted no later than August 18, 2010.*

*The applicant submitted the required revised plat to include all properties on which the subject easement is recorded. With the inclusion of two additional recorded lots containing the easement, the subdivision now becomes a 6-lot subdivision instead of the originally-submitted 4-lot subdivision.*

*Regarding the creation of the four new lots from the Resubdivision of Lot 1, Pecan Grove Place Subdivision, Phase Two, all lots would meet the minimum size requirements as regulated by Section V.D.2. of the Subdivision Regulations. A table is furnished on the plat providing the lot sizes in square feet. The plat should be revised to label each lot with its size in both square feet and acres, or a table should be furnished providing the same information.*

*Proposed Lot 1 fronts Pecan Grove Drive with a compliant 50' right-of-way, and proposed Lot 2 fronts Pecan Grove Drive and Praline Court, also with a compliant 50' right-of-way. Lots 3, 4, and 5 front the central median cul-de-sac portion of Praline Court with a right-of-way diameter of 110'. As this was approved prior to the revision in April, 2008, of Section V.D.14. of the Subdivision Regulations requiring a 140' right-of-way diameter for central median cul-de-sacs, no dedication would be required. A note should be required on the final plat stating that Lot 2 (corner lot), is limited to one curb cut, with the size, design and location to be approved by County Engineering.*

*While the site is in Mobile County, it will have to comply with the City of Mobile storm water and flood control ordinances. A note should be placed on the Final Plat, if approved, stating that the*

*development will be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits. Certification is to be submitted to the Planning Section of Urban Development and County Engineering.*

*The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.*

*A note should be required on the final plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations.*

*A note should also be required on the final plat stating that the maintenance of the Common Area is the responsibility of the property owners and not Mobile County.*

### **RECOMMENDATION**

***Vacation Request:*** *The request to vacate the drainage and utility easement is recommended for approval subject to the following condition;*

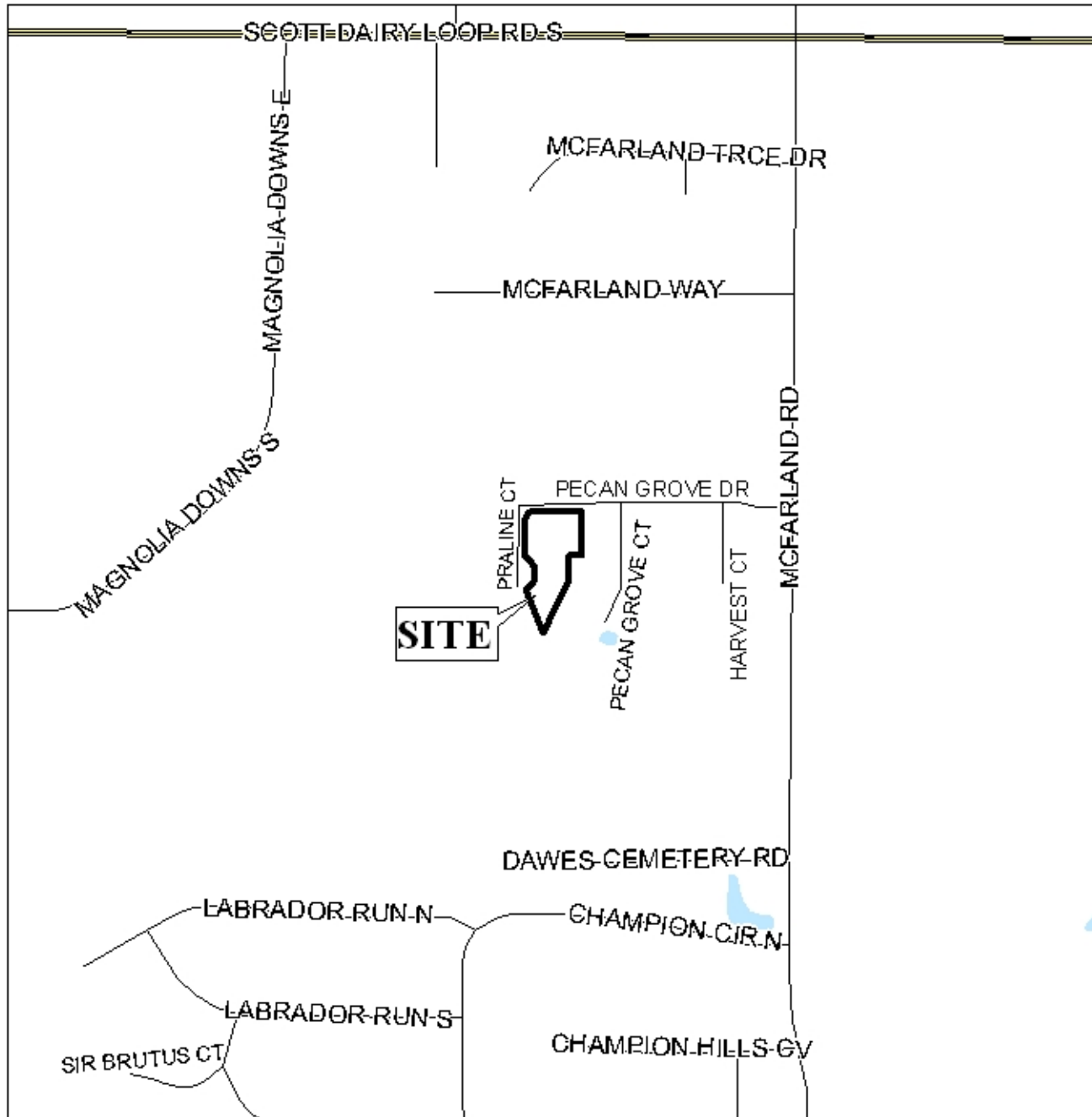
- 1) completion of the Subdivision process for Lots 1, 5, and the Common Area, Pecan Grove Place Subdivision, Phase Two, and Lot 13, Pecan Grove Place Subdivision, Phase One.*

***Subdivision:*** *Based on the preceding, the plat meets the minimum requirements of the Subdivision Regulations and is recommended for tentative approval, subject to the following conditions:*

- 1) revision of the plat to label each lot with its size in square feet and acres, or the furnishing of a table on the final plat providing the same information;*
- 2) placement of a note on the final plat stating that Lot 2 (corner lot), is limited to one curb cut, with the size, design and location to be approved by County Engineering;*
- 3) placement of a note on the final plat stating that the development will be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits. Certification is to be submitted to the Planning Section of Urban Development and County Engineering;*
- 4) placement of a note on the final plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;*

- 5) *placement of a note on the final plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations; and*
- 6) *placement of a note on the final plat stating that the maintenance of the Common Area is the responsibility of the property owners and not Mobile County.*

## LOCATOR MAP



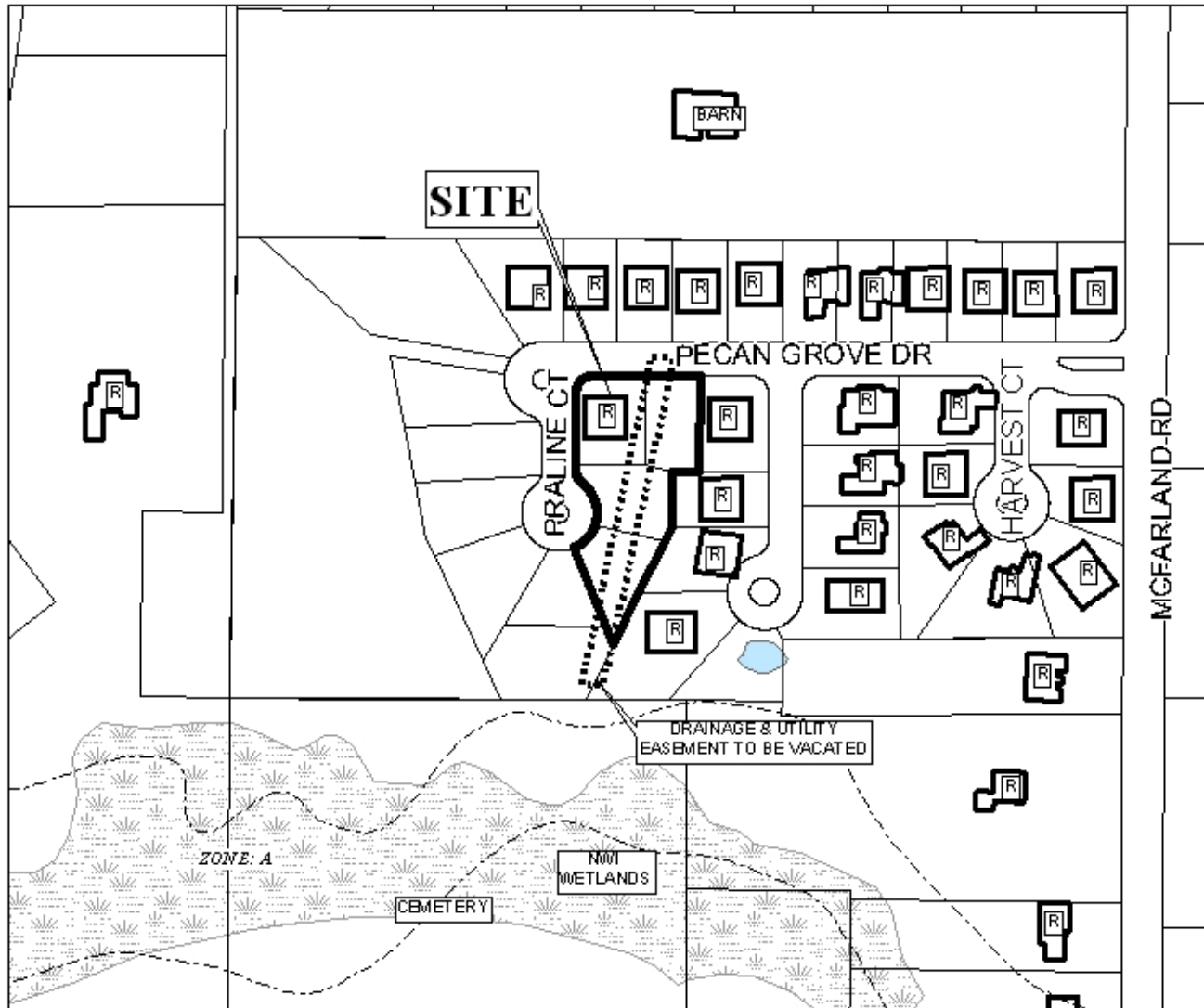
APPLICATION NUMBER 6 & 7 DATE September 2, 2010

APPLICANT Pecan Grove Place Subdivision, Phase Two, Resubdivision of Lot 1

REQUEST Subdivision, Vacation Request



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units.

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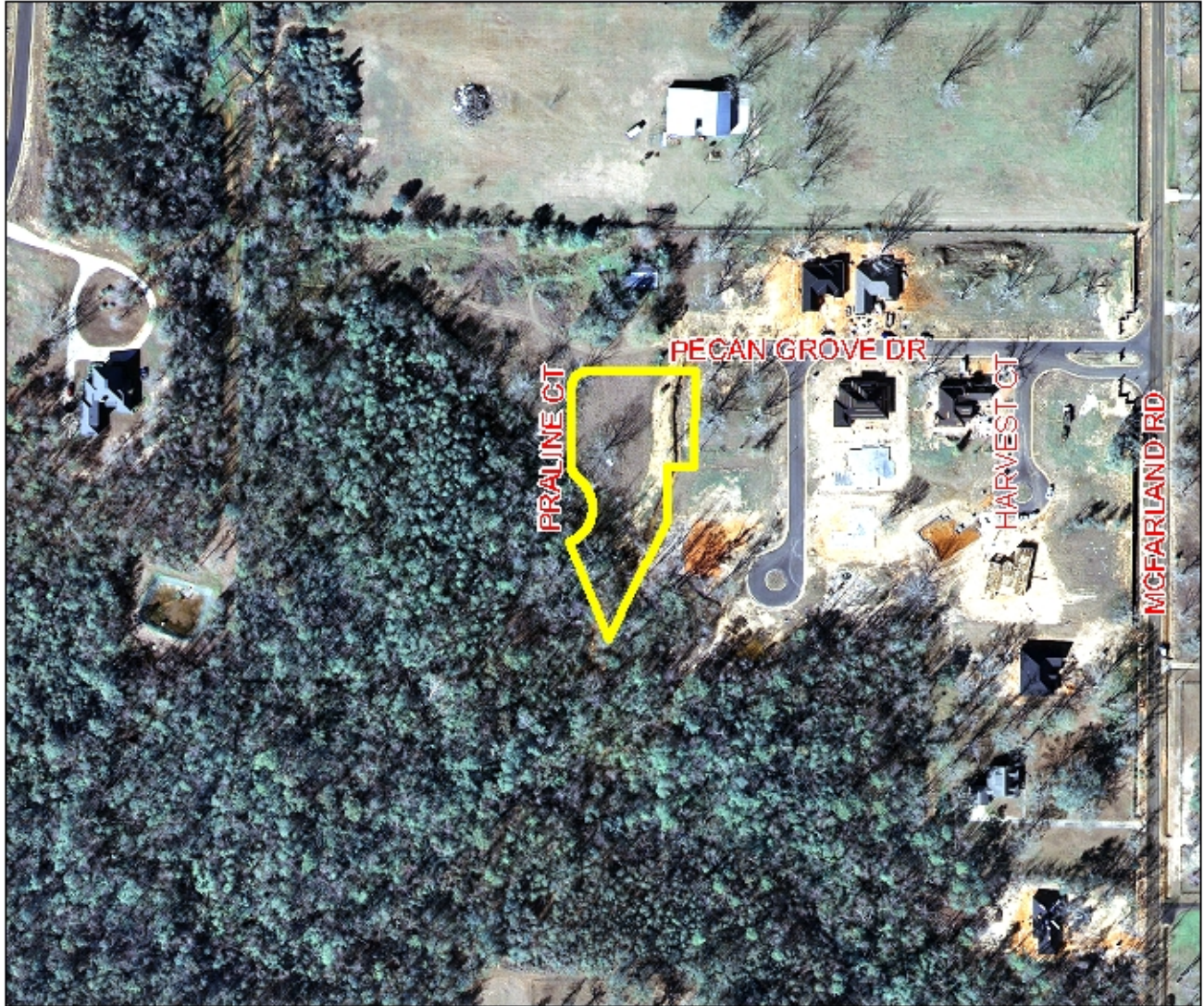
LEGEND

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



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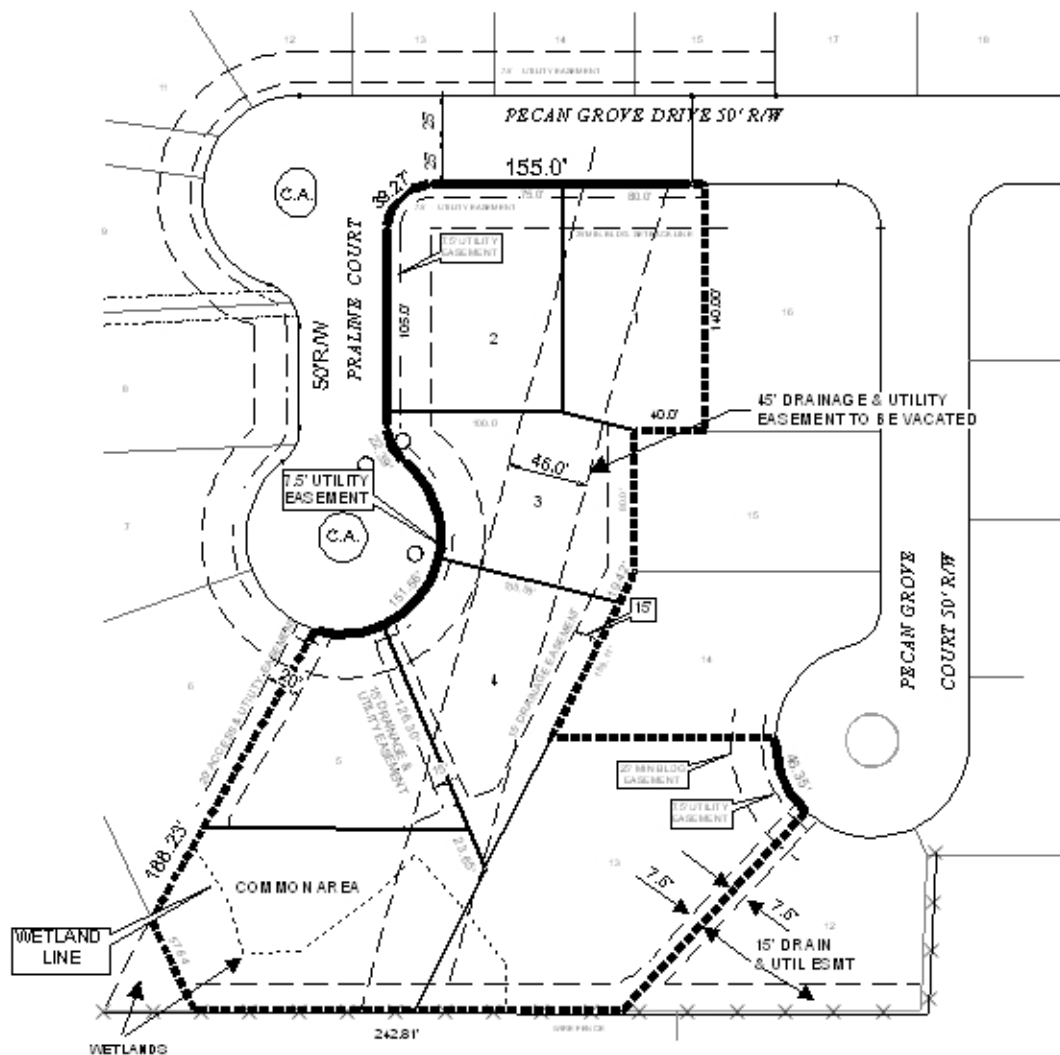
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NTS

# SITE PLAN



The site plan illustrates the easements and lot configuration.

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