

## **CANAL SUBDIVISION**

Engineering Comments: Label each Lot showing the required minimum finished floor elevation (MFFE). It appears that Lots 2, 3 & 4 are located in the AE Flood Zone; add a note to the plat stating that since the property is located within the 100 Year Flood Zone then any new development will require review from the City of Mobile Engineering Department and that there is to be no fill brought onto the property without the approval of the City Engineer. Wetlands are shown on the City of Mobile GIS database for Lot 4. Need to show the limits of the wetlands on the plat or supply documentation that the wetlands do not exist. Add a note to the plat that any development within the limits of the wetlands is prohibited without the approvals of the City Engineer and the Corps of Engineers. Must comply with all other storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Need to provide a drainage easement a minimum of 25 ft from the top of the concrete ditch along the length of Lot 4. A flood plain easement will be required. The size and location of the easement shall be coordinated with the City Engineer.

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, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate.

MAWWS Comments: No comments submitted.

The plat illustrates the proposed 4.0± acre, 4-lot subdivision, which is located at the Northwest corner of Navco Road and McLaughlin Drive, in Council District 4. The applicant states the site is served by city water and sanitary sewer services.

The purpose of this application is to subdivide two legal lots of record and a metes-and-bounds parcel into four legal lots of record.

The site currently contains two dwellings. One dwelling spans portions of the two legal lots of record and a portion of the metes-and-bounds parcel, and the other dwelling is entirely within the metes-and-bounds parcel. The applicant proposes to create a legal lot for each of the existing dwellings and two additional lots for further residential development.

The proposed subdivision fronts Navco Road and McLaughlin Drive. McLaughlin Drive currently has a compliant 50' right-of-way. However, Navco Road currently has a 60' right-of-way along the property and is a component of the Major Street Plan with a planned 100' right-of-way. Therefore, dedication would be required along Navco Road to provide 50' from the centerline of Navco Road. Dedication would also be required to provide a 25' radius corner at the Northwest corner of Navco Road and McLaughlin Drive. As a means of access management, a note should be required on the

final plat stating that Lots 1 and 2 are limited to one curb cut each to McLaughlin Drive, and Lots 3 and 4 are limited to one curb cut each to Navco Road, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Each lot should be labeled on the final plat with its size in acres and square feet, or a table should be furnished on the final plat providing the same information.

As illustrated on the Environmental GIS database, a portion of the Northern part of the site may contain NWI wetlands. If wetlands are present, the area may be environmentally sensitive; therefore, if approved, the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities.

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 this site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

With regard to the configuration of the proposed lots, Lot 1 would be a flag lot. Section V.D.1. of the Subdivision Regulations states “Panhandle or flag lots shall generally not be allowed, but may be permitted only in those locations where varied and irregularly-shaped lot designs are common and the informality of design is consistent with other lots in the vicinity; or, where unusual circumstances such as an odd shaped lot exists; or, separate disparate uses exist on a single lot; or, where there are natural or pre-existing man-made barriers which may cause an undue hardship on the land owner; or in the case of a family division. Requests for panhandle or flag lots shall be accompanied by evidence showing that each panhandle or flag lot is necessary to allow the site owner reasonable use of the site or to alleviate a situation that would otherwise cause extreme hardship.” No justification for the flag lot has been presented by the applicant and the surrounding residential neighborhoods do not contain flag lots. Therefore, the proposed lot would be out of character with the existing configurations in the neighborhood.

Proposed Lot 3 would exceed the maximum 3.5 depth-to-width ratio of Section V.D.3. of the Subdivision Regulations and would be of irregular shape. As there are no other similar recorded lots within the surrounding residential neighborhood, proposed Lot 3 would also be out of character with existing lot configurations. Due to its location in relation to Lot 4 and the drainage canal, with modifications Lot 3 could be made a viable lot if 60' of frontage were to be provided along Navco Road.

Based on the preceding, this application is recommended for denial for the following reasons:

- 1) Lot 1 does not meet the criteria to justify its flag lot shape and would be out of character with the existing residential lot configurations in the surrounding residential neighborhood; and
- 2) Lot 3 would be out of character with existing residential lot configurations within the surrounding residential neighborhood; and
- 3) Compliance with Engineering comments: *(Label each Lot showing the required minimum finished floor elevation (MFFE). It appears that Lots 2, 3 & 4 are located in the AE Flood Zone; add a note to the plat stating that since the property is located within the 100 Year Flood Zone then any new development will require review from the City of Mobile Engineering Department and that there is to be no fill brought onto the property without the approval of the City Engineer. Wetlands are shown on the City of Mobile GIS database for Lot 4. Need to show the limits of the wetlands on the plat or supply documentation that the*

wetlands do not exist. Add a note to the plat that any development within the limits of the wetlands is prohibited without the approvals of the City Engineer and the Corps of Engineers. Must comply with all other storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. A flood plain easement will be required. The size and location of the easement shall be coordinated with the City Engineer.)

***Revised for the November 19<sup>th</sup> meeting:***

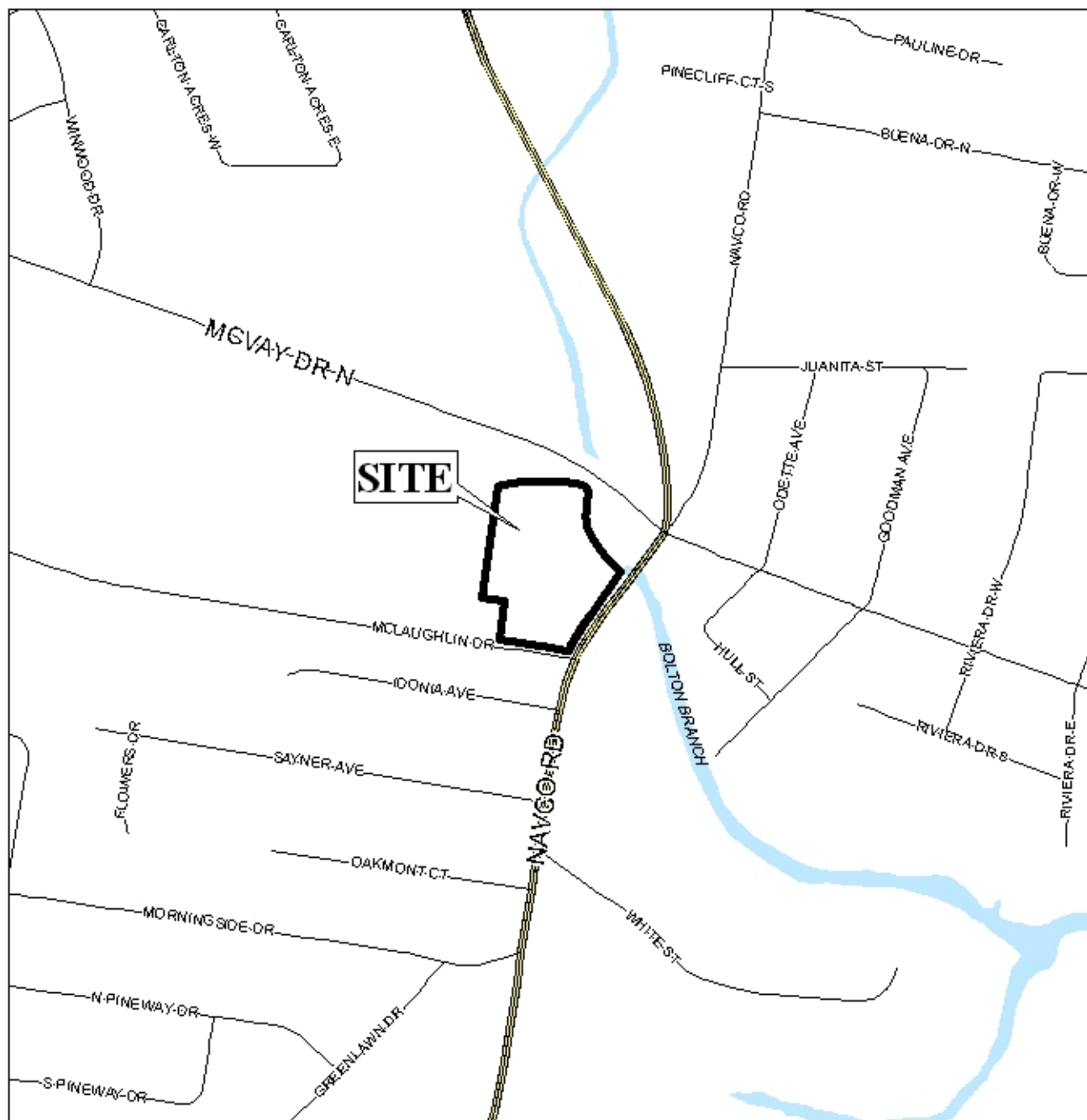
*This application was heldover from the October 15<sup>th</sup> meeting at the applicant's request to allow a revised plat and written justification for flag-shaped lots to be submitted to staff. A revised plat was submitted expanding the street frontage of Lot 3 from 50' to 60', but with no changes to Lot 1. Also, a tax map was submitted indicating three "flag lots" in close proximity to the proposed subdivision as justification for the proposed "flag" lot. Two of those are commercial properties across Navco Road just South of the subject site. The third is adjacent on the West side of the subject property and consists of a recorded lot of McLaughlin's 1<sup>st</sup> Addition to Navco Subdivision and two parceled "finger" portions of the undeveloped property North of the recorded lots of that subdivision and South of the Bolton Branch drainage canal. This area was never officially subdivided or indicated as any future development for any subdivision. As these metes-and-bounds "fingers" were created after the official platting of McLaughlin's 1<sup>st</sup> Addition to Navco Subdivision and were never officially resubdivided into existing recorded lots of that subdivision, they should not be considered as justification to allow a "flag lot" within this subdivision. Only "flag lots" created via the official subdivision process after the 1952 adoption of the Subdivision Regulations should be considered as legitimate examples for justification. Also, the near-by commercial "flag lots" should not be considered as justification to allow residential "flag lots".*

*As proposed Lot 3 now has expanded street frontage to 60', it could be considered as a viable lot with a waiver of Section V.D.3. of the Subdivision Regulations due to its depth-to-width ratio. With the elimination of the "flag lot" (Lot 1), the plat could be considered for approval as a three-lot subdivision. However, as the revised plat still contains the "flag lot" and justification for such has not been acceptable to staff, approval as a four-lot subdivision cannot be recommended.*

*Based on the preceding, this application is recommended for denial for the following reasons:*

- 1) Lot 1 does not meet the criteria to justify its flag lot shape and would be out of character with the existing residential lot configurations in the surrounding residential neighborhood; and*
- 2) existing commercial "flag lot" lot configurations within the area should not be considered as justification for residential "flag lot" approvals.*

## LOCATOR MAP



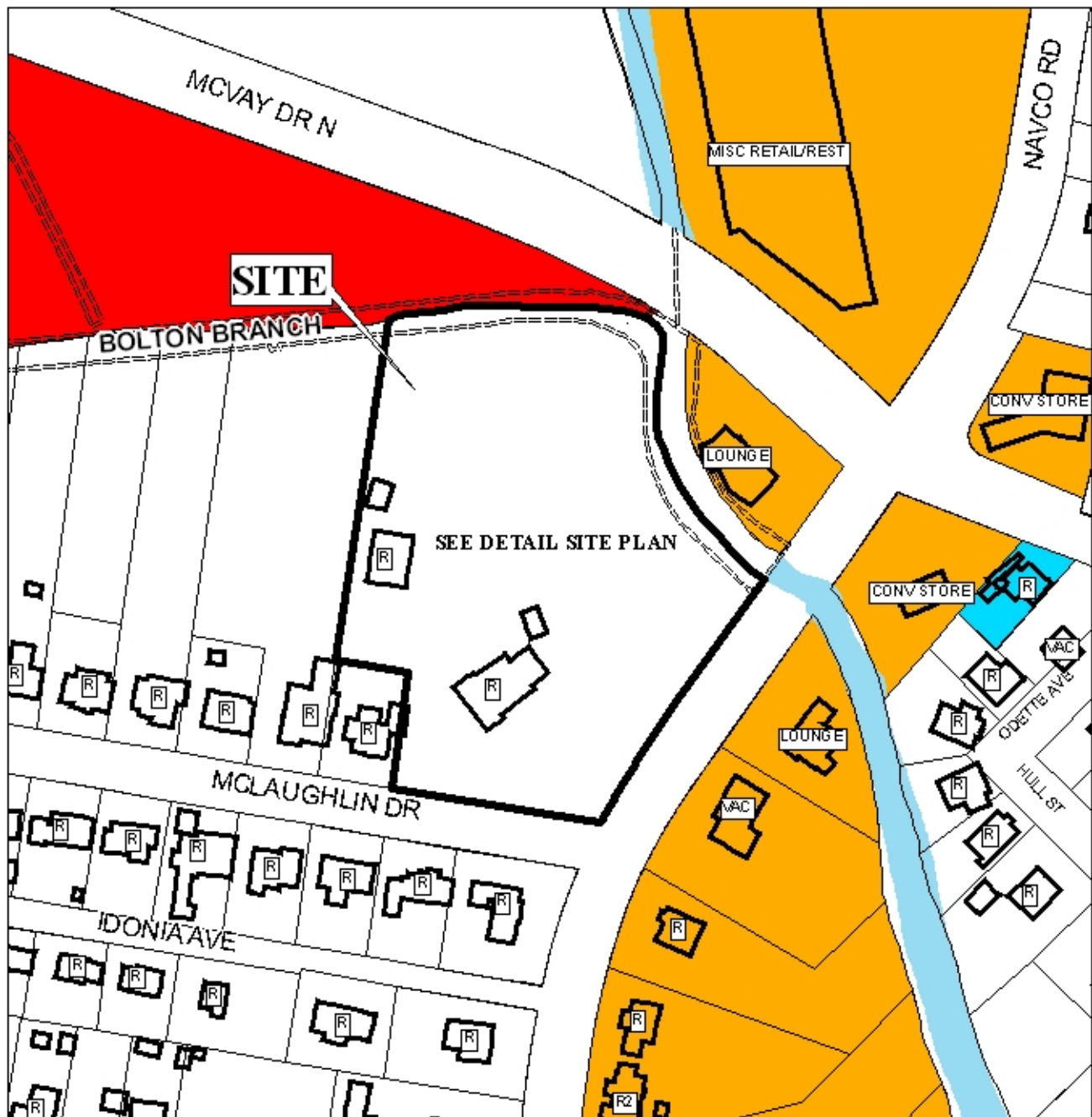
APPLICATION NUMBER 1 DATE November 19, 2009

APPLICANT Canal Subdivision

REQUEST Subdivision



# CANAL SUBDIVISION



APPLICATION NUMBER 1 DATE November 19, 2009

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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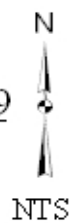
NTS



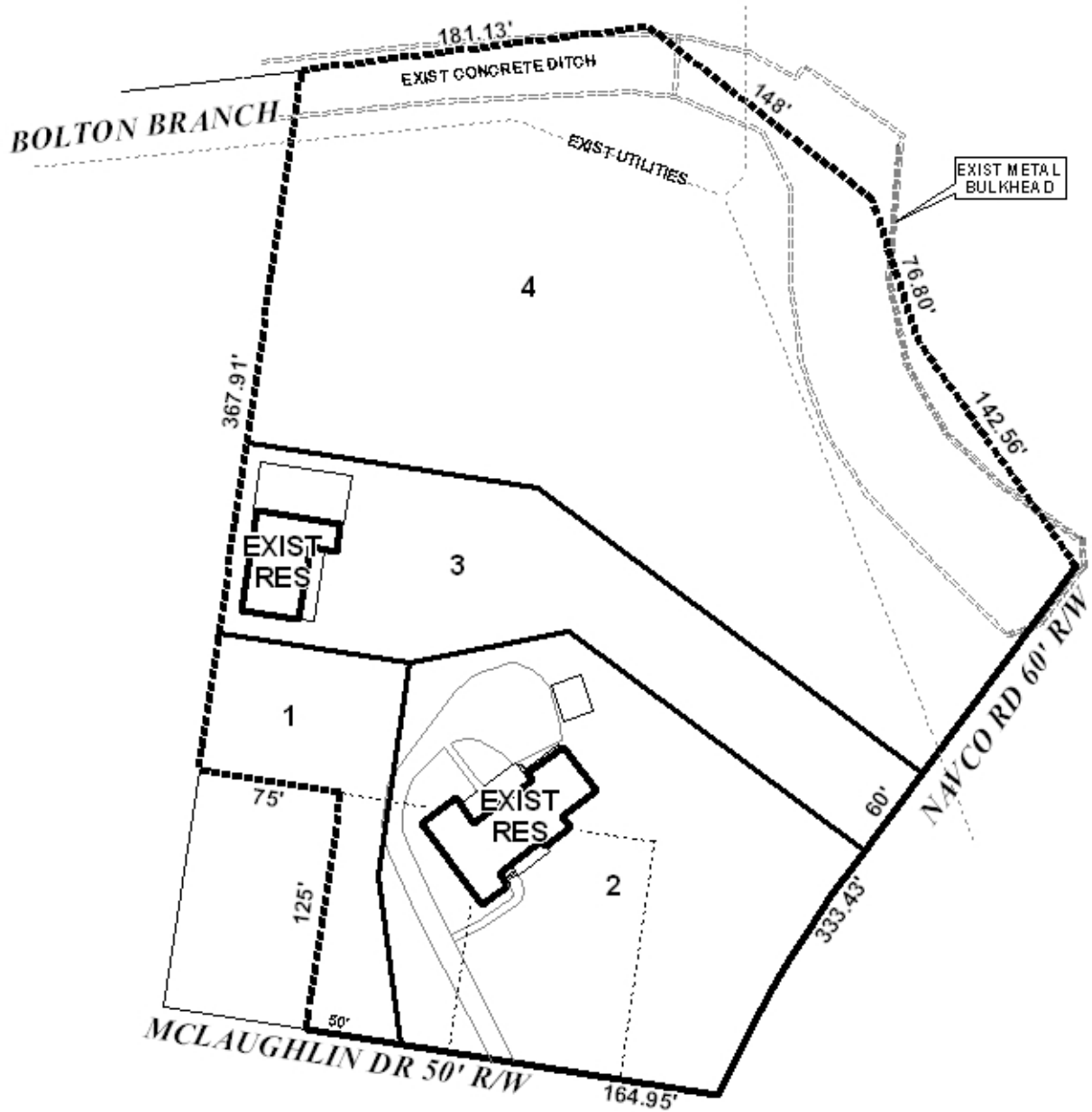
# CANAL SUBDIVISION



APPLICATION NUMBER 1 DATE November 19, 2009



# DETAIL SITE PLAN



APPLICATION NUMBER 1 DATE November 19, 2009  
 APPLICANT Canal Subdivision  
 REQUEST Subdivision

