

HUNTER FAMILY DIVISION AT DEES ROAD **SUBDIVISION**

Engineering Comments: Must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall 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. New public roads shall be constructed and paved to standards for County Maintenance, and accepted by Mobile County, while new private roads shall be constructed and paved to minimum County or Subdivision Regulation standards, whichever are greater.

Fire-Rescue Department Comments: All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

MAWSS Comments: No comments.

The plat illustrates the proposed 2-lot, 1.1± acre subdivision which is located at 8520 Dees Road (West side of Dees Road, 560'± South of DK Road), within the Planning Jurisdiction. The applicant states that the subdivision is served by public water service and individual septic tanks.

The purpose of this application is to subdivide two existing metes-and-bounds parcels into two legal lots of record. Although listed as a family division subdivision, no narrative has been furnished documenting it as a family subdivision. Also, Lot 2 would be a flag lot, and there are no other Commission-approved flag lots within the vicinity which would justify this subdivision.

The applicant is purchasing a portion of the much larger parent parcel, Parcel Number R023706230000033 to create Lot 2 of this proposed subdivision. However, that parcel was included as Future Development in Winston's Dees Road Subdivision, approved by the Commission in June, 2009. A condition of approval of that subdivision was that there be no further subdivision of that parcel until such time that Dees Road is paved to County standards from Roush Road to the South terminus of any proposed frontage along Dees Road (in this case, the South terminus of the pole portion of proposed Lot 2). At this time, Dees Road remains unimproved. Also, this proposed subdivision would create a triangular land-locked parcel adjoining the North side of Lot 2 in violation of Section V.D.4. of the Subdivision Regulations.

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

- 1) the remainder of the parent parcel (Parcel R023706230000033) is not included in this application and cannot be included until such time that Dees Road is paved to County standards from Roush Road to the South terminus of the pole section of proposed Lot 2;
- 2) this subdivision would create a land-locked triangular parcel adjacent to the North side of proposed Lot 2 in violation of Section V.D.4. of the Subdivision Regulations;
- 3) no documentation to justify a family subdivision has been submitted; and

- 4) there are no other Commission-approved flag lots within the vicinity which would justify this flag lot subdivision.

Revised for the April 19th meeting:

This application was heldover from the March 15th meeting to allow the applicant to submit documentation on the sale date and family division of the subject property. An affidavit furnished by the applicant indicates that verbal agreement was entered into for the sale of the subject property and the purchase of such started on January 9, 2007, as evidenced by a copy of the first receipt for payment. The purchasers are a mother and son, but are not related to the owner of the parent parcel from which the subject property was purchased; therefore, this is not a true family subdivision. Also submitted was a copy of the final payment for the purchase of the property made on February 2, 2010.

As the sale via metes-and-bounds parceling from the parent tract began prior to the Theodore annexation and the subsequent inclusion of this area into the Planning Jurisdiction, it would be honored as legitimate, albeit non-compliant with portions of the Subdivision Regulations. Approval of the subdivision should be to the greatest extent of conditions as may be reasonably be applied, under the circumstances.

As proposed, the subdivision is a flag lot subdivision which is generally not allowed by the Subdivision Regulations. However, as the division sale was started prior to the area coming within the Planning Jurisdiction, a waiver of Section V.D.1. of the Subdivision Regulations would be in order. Both lots meet the minimum size requirements of the Subdivision Regulations.

Dees Road is an unimproved public right-of-way with a compliant 60' right-of-way: therefore, no dedication would be required. As a means of access management, a note should be required on the Final Plat stating that each lot is limited to one curb cut to Dees Road, with the size, location and design to be approved by County Engineering and conform to AASHTO standards.

As on the preliminary plat, the Final Plat should illustrate the 25' minimum building setback line on both lots. The plat should be revised to label each lot with its size in square feet and acres, or a table should be furnished on the Final Plat providing the same information.

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 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.

A note should be required on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provided a buffer, in compliance

with Section V.A.8 of the Subdivision Regulations. 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.

With a waiver of Section V.D.1., the plat meets the minimum requirements of the Subdivision Regulations and is recommended for tentative approval, subject to the following conditions:

- 1) placement of a note on the Final Plat stating that each lot is limited to one curb cut to Dees Road, with the size, location and design to be approved by County Engineering and conform to AASHTO standards;*
- 2) illustration of the 25' minimum building setback line on both lots as on the preliminary plat;*
- 3) 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;*
- 4) placement of a note on the Final Plat stating that 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;*
- 5) placement of a note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provided 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 development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.*

LOCATOR MAP



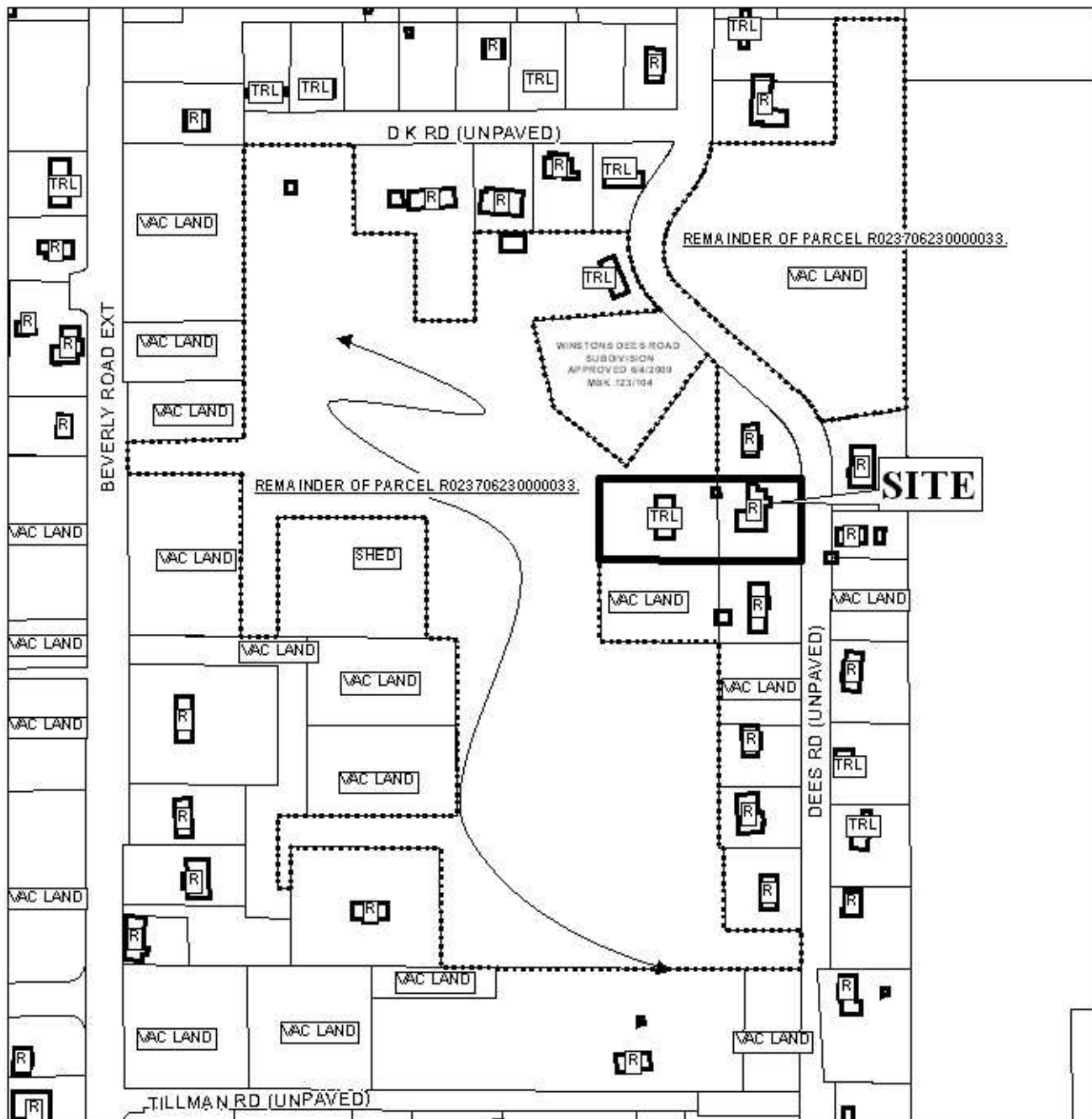
APPLICATION NUMBER 1 DATE April 19, 2012

APPLICANT Hunter Family Division at Dees Road Subdivision

REQUEST Subdivision



HUNTER FAMILY DIVISION AT DEES ROAD SUBDIVISION



APPLICATION NUMBER 1 DATE April 19, 2012

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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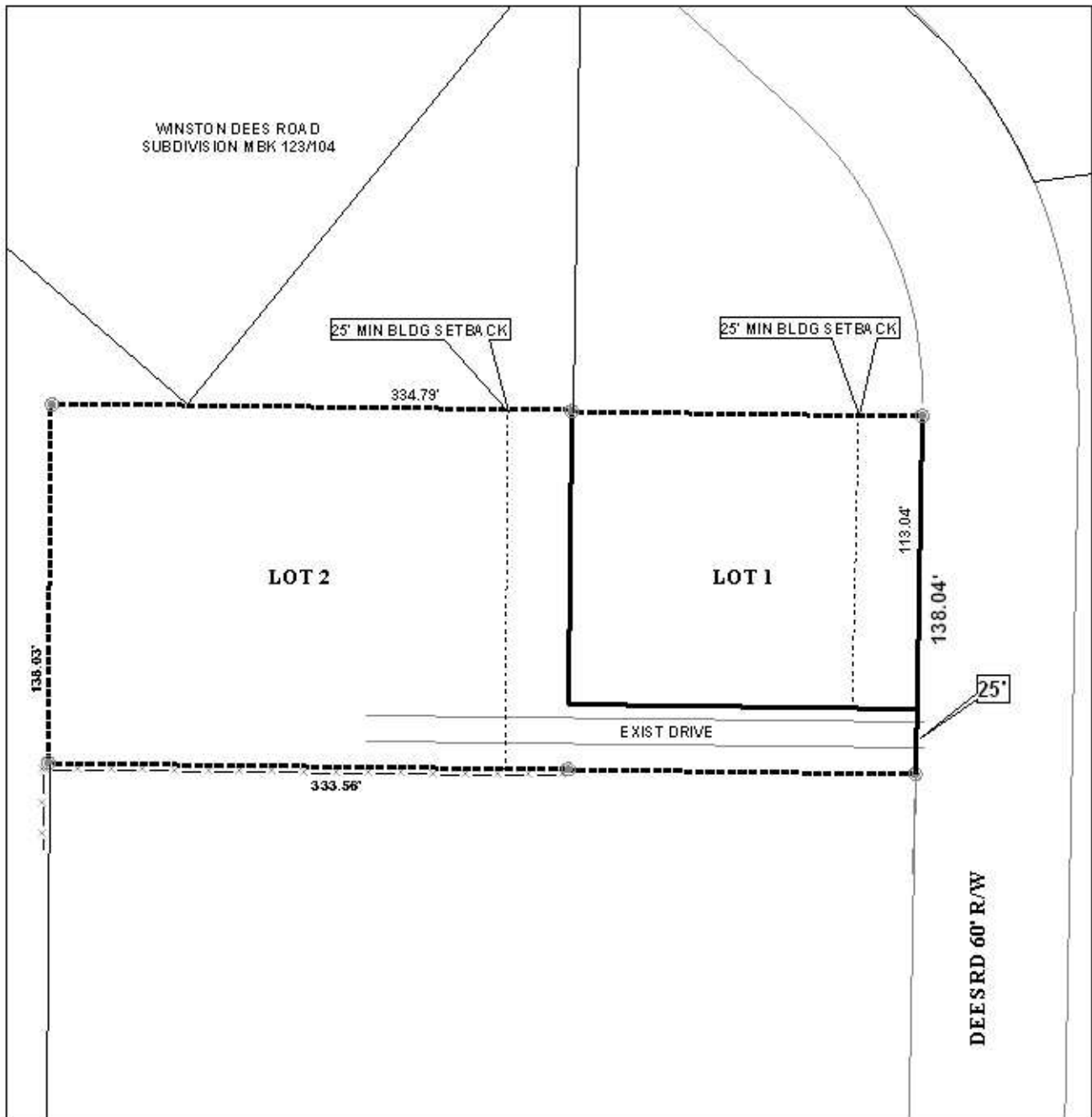
HUNTER FAMILY DIVISION AT DEES ROAD SUBDIVISION



APPLICATION NUMBER 1 DATE April 19, 2012



DETAIL SITE PLAN



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