

ROGER BARNHILL FAMILY DIVISION 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.

Fire-Rescue Department Comments: No comments.

MAWSS Comments: No comments.

The plat illustrates the proposed 3 lot, 2.6± acre subdivision, which is located on the Southeast corner of Louis M. Poiroux Road West (private road) and Louis M. Poiroux Road North (private road), now within the Planning Jurisdiction due to the recent annexation in the Theodore area. The applicant states that the site is served by public water and individual septic systems.

The purpose of this application is to create three legal lots of record from an existing metes-and-bounds parcel. All proposed lots would meet the minimum area requirements.

As mentioned above the site fronts on Louis M. Poiroux Road West, a separate tax parcel owned by the applicant as a private, gravel/concrete road of substandard 30' width extending from Old Pascagoula Road and serving two neighboring properties to the South. The subject site is approximately 540' North of Old Pascagoula Road. At the North end of the road tax parcel, the road turns to the East and runs entirely within proposed Lot 3 as Louis M. Poiroux Road North. The applicant states that the road is well-maintained by the land owners.

The applicant also states that the intention of the subdivision is to split the subject parcel into smaller lots to build on or sell due to the current economic situation. As proposed, the subdivision is not a true family subdivision.

Inasmuch as the road may be well-maintained, it is not constructed to County standards it is not maintained by the County, and no provision is made for dedication for a compliant right-of-way width or inclusion of the entire road into one tax parcel of compliant width. Even if either were provided, the remainder of the road South of the site extending to Old Pascagoula Road would still only be a 30' right-of-way. Section III.F.1. of the Subdivision Regulations makes allowances for small subdivisions of five lots or less containing an aggregate of not more than four acres and in which every lot will face an existing dedicated street. In this instance no dedicated street is proposed, and none in compliance could be proposed from Old Pascagoula Road due to the width of the applicant's road tax parcel South of the subject site. No compliant innovative private street subdivision would be possible in this scenario. Essentially, the approval of this application would create more land-locked lots within the area.

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

- 1) none of the lots would front on a public street;
- 2) there is no possibility of the subdivision to be developed as an innovative private street subdivision; and
- 3) as proposed, the subdivision is not a true family subdivision.

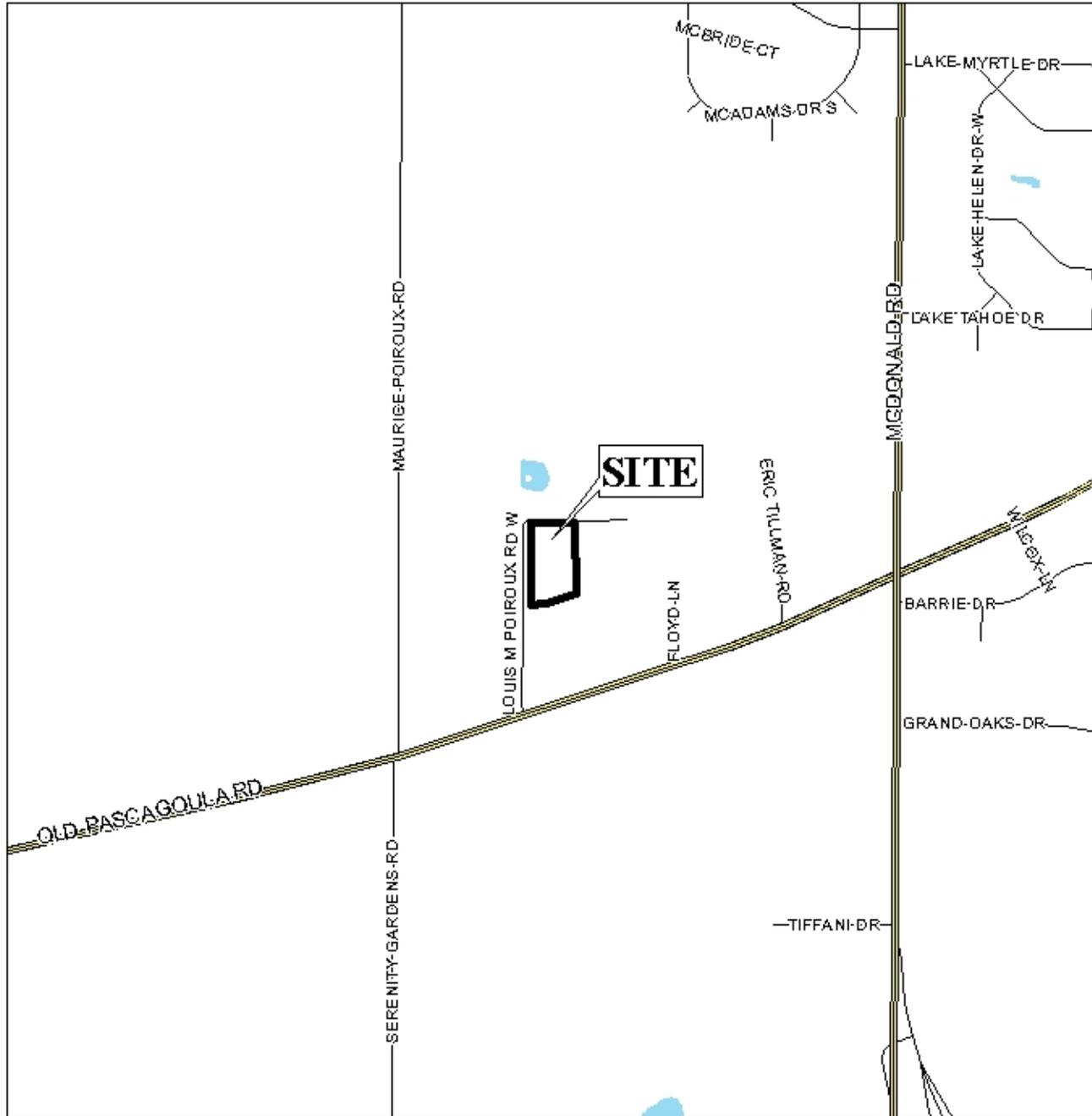
Revised for the April 16, 2009 meeting:

This application was heldover from the March 19th meeting to allow further investigation regarding issues relating to the private street. A revised plat was submitted showing the breakdown of tax payments by neighbors along segments of the private street, and showing the proposed lot lines along the edge of the private street right-of-way instead of to the center of the right-of-way as on the original plat. The proposed lot sizes have also been reduced, although all lots would still meet the minimum area requirements. With these revisions, the subdivision could be approved by Mobile County standards if the street were paved to Mobile County private street standards from the Northeast corner of proposed Lot 3 to Old Pascagoula Road, and if a radius were provided at the Northwest corner of proposed Lot 3. However, since the site is now under the City of Mobile Subdivision Regulations, review of this application must be done with regard to such. Since the proposed subdivision does not meet the criteria for a private street subdivision under the City's Subdivision Regulations, the original recommendations must stand.

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

- 1) *none of the lots would front on a public street;*
- 2) *there is no possibility of the subdivision to be developed as an innovative private street subdivision; and*
- 3) *as proposed, the subdivision is not a true family subdivision.*

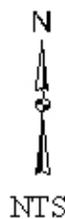
LOCATOR MAP



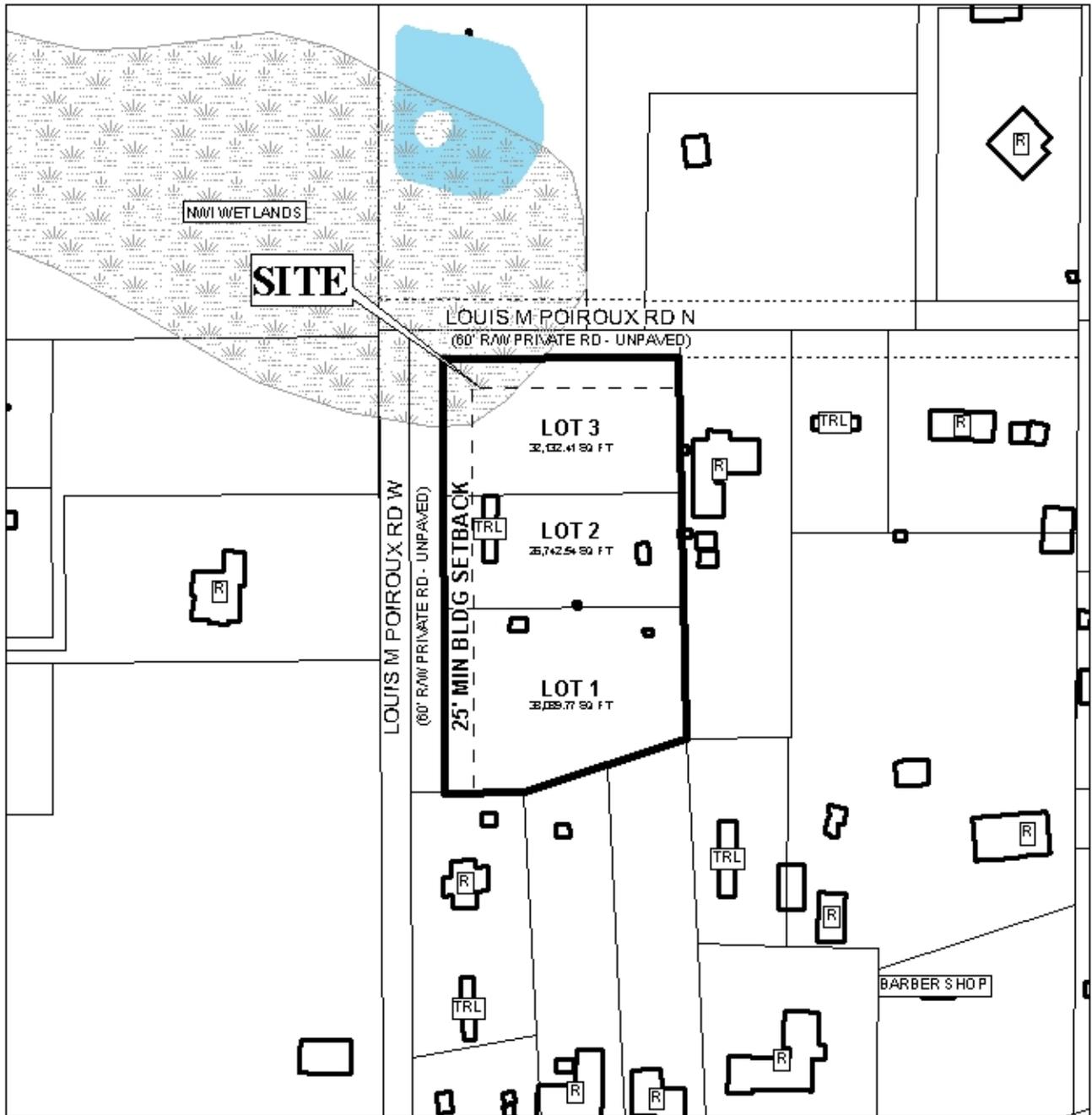
APPLICATION NUMBER 2 DATE April 16, 2009

APPLICANT Roger Barnhill Family Division Subdivision

REQUEST Subdivision



ROGER BARNHILL FAMILY DIVISION SUBDIVISION

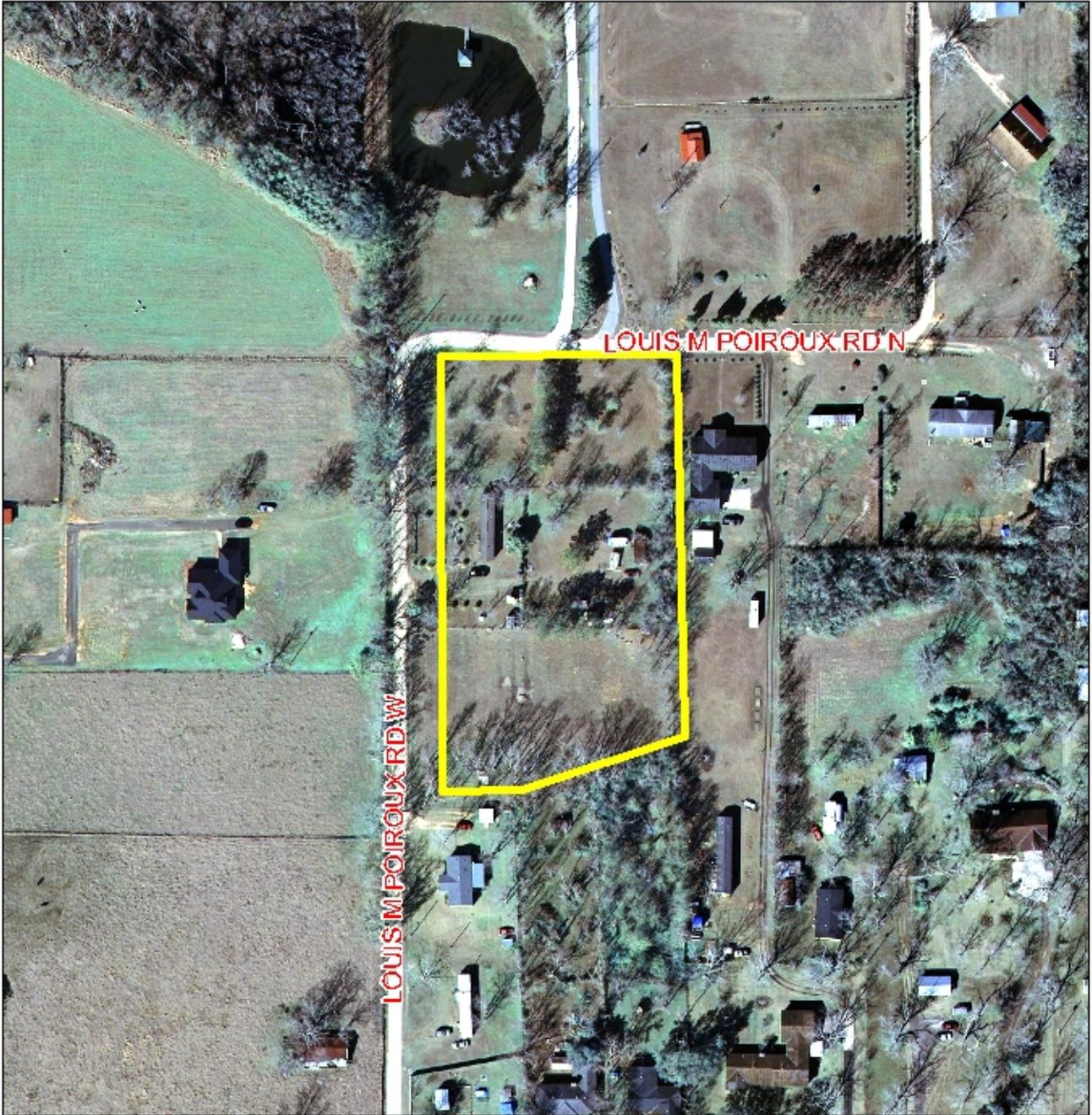


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- LEGEND
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| R-1 | R-2 | R-3 | R-A | R-B | H-B | T-B | B-1 | LB-2 | B-2 | B-3 | B-4 | B-5 | I-1 | I-2 |



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