



Agenda Item # 4

SUB-003450-2025

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration](#)

DETAILS

Location:

4828 Todd Acres Drive

Subdivision Name:

Evergreen Gardens Subdivision, Resubdivision of Lot 190

Applicant / Agent:

Kevin Falkos

Property Owner:

Kevin Falkos

Current Zoning:

R-1, Single-Family Residential Suburban District

Future Land Use:

Low Density Residential

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Subdivision Regulations
- Map for Mobile Comprehensive Plan

Schedule for Development:

- Not Applicable

Proposal:

- Subdivision approval to create five (5) legal lots of record from one (1) legal lot or record.

Commission Considerations:

1. Subdivision proposal with eight (8) conditions.

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EVERGREEN GARDENS SUBDIVISION, RESUBDIVISION OF LOT 190



APPLICATION NUMBER 4 DATE October 16, 2025



SITE HISTORY

The site was originally part of the *Evergreen Gardens, Unit 2, Subdivision*, a large-tract subdivision approved by the Planning Commission in September 1952 as part of the extraterritorial planning jurisdiction and subsequently recorded in Mobile County Probate Court. The site was later annexed into Mobile City limits in 1993.

The property is developed with one (1) single-family dwelling.

There are no other Planning Commission or Board of Zoning Adjustment cases associated with the site.

STAFF COMMENTS

Engineering Comments:

FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review):

- A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- B. Based on the 1984 aerial photo LOTS 1-5 will share the 3,000 SF historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) and share the 4,000 SF credit provided to the original lot. Applicant will need to coordinate with the City Engineering Permitting Department (G. Davis) to establish the exact amount that each Lot will receive prior to the submittal of the Final Plat for review.
- C. Applicant will need to provide information about the future proposed stormwater detention for the subdivision. Without a common detention area each LOT owner will be required to provide their own detention pond.
- D. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
- E. Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit.
- F. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved.
- G. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile.
- H. Add a note that all easements shall remain in effect until vacated through the proper Vacation process.
- I. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing.

Traffic Engineering Comments:

Driveway number, size, location, and design to be approved by ALDOT (where applicable) and 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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.

Fire Department Comments:

All projects located within the City Limits of Mobile shall comply with the provisions of the City of Mobile Fire Code Ordinance, which adopts the 2021 edition of the *International Fire Code (IFC)*.

Fire apparatus access roads shall be provided to within 150 feet of all non-sprinklered commercial buildings and within 300 feet of all sprinklered commercial buildings, as measured along an approved route around the exterior of the facility.

An approved fire water supply capable of meeting the requirements set forth in *Appendices B and C* of the 2021 IFC shall be provided for all commercial buildings.

Fire hydrant placement shall comply with the following minimum standards:

- Within 400 feet of non-sprinklered commercial buildings
- Within 600 feet of sprinklered commercial buildings
- Within 100 feet of fire department connections (FDCs) serving standpipe or sprinkler systems

Although the *International Residential Code (IRC)* functions as a stand-alone document for the construction of one- and two-family dwellings and townhouses, it does not govern the design or layout of emergency access or community-level fire protection infrastructure. Therefore, residential developments must also comply with the applicable requirements of the *International Fire Code*, including, but not limited to, those listed above concerning the design, construction, regulation, and maintenance of fire apparatus access roads and fire protection water supplies.

Planning Comments:

The purpose of this request is to create five (5) legal lots of record from one (1) existing legal lot of record. The site is served by public water and sanitary sewer.

The proposed lots will have frontage along Furman Drive, with Lot 2 also having frontage along Todd Acres Drive. Both streets are classified as minor streets without curb and gutter, each requiring a 60-foot-wide right-of-way. The plat currently depicts 50-foot-wide rights-of-way along both streets. Therefore, if approved, the plat should be revised to depict dedication sufficient to provide 30 feet from the centerline of each street, unless the Planning Commission approves a waiver of Section 6.C.9. of the Subdivision Regulations.

A sufficient radius is depicted at the intersection of Todd Acres Drive and Furman Drive, consistent with Sections 6.B.12. and 6.C.6. of the Subdivision Regulations. This information should be retained on the Final Plat, if approved.

Each proposed lot meets the minimum area requirements of Article 2, Section 64-2-5.E. of the Unified Development Code (UDC) for lots served by public water and sanitary sewer within the R-1, Single-Family Residential Suburban District. Each lot is labeled with its area in both square feet and acres on the preliminary

plat. If approved, the Final Plat should retain this information, adjusted for any required dedication; alternatively, a table on the Final Plat providing the same information will suffice.

Proposed Lots 1 and 2 meet the minimum width requirement of Section 6.C.2.(b)(2) of the Subdivision Regulations for residential lots within the Suburban Sub-District (60 feet). However, proposed Lots 3, 4, and 5 do not meet this requirement. While narrower than typical lots in the surrounding neighborhood, each of these lots nevertheless meets the minimum area requirements for standard lots. If approved, a waiver of Section 6.C.2.(b)(2) of the Subdivision Regulations will be required.

A 25-foot front yard setback is illustrated along each street frontage, in compliance with Article 2, Section 64-2-5.E. of the UDC and Section 6.C.8. of the Subdivision Regulations. This information should be retained on the Final Plat, if approved, adjusted as necessary for any required dedication.

SUBDIVISION CONSIDERATIONS

Standards of Review:

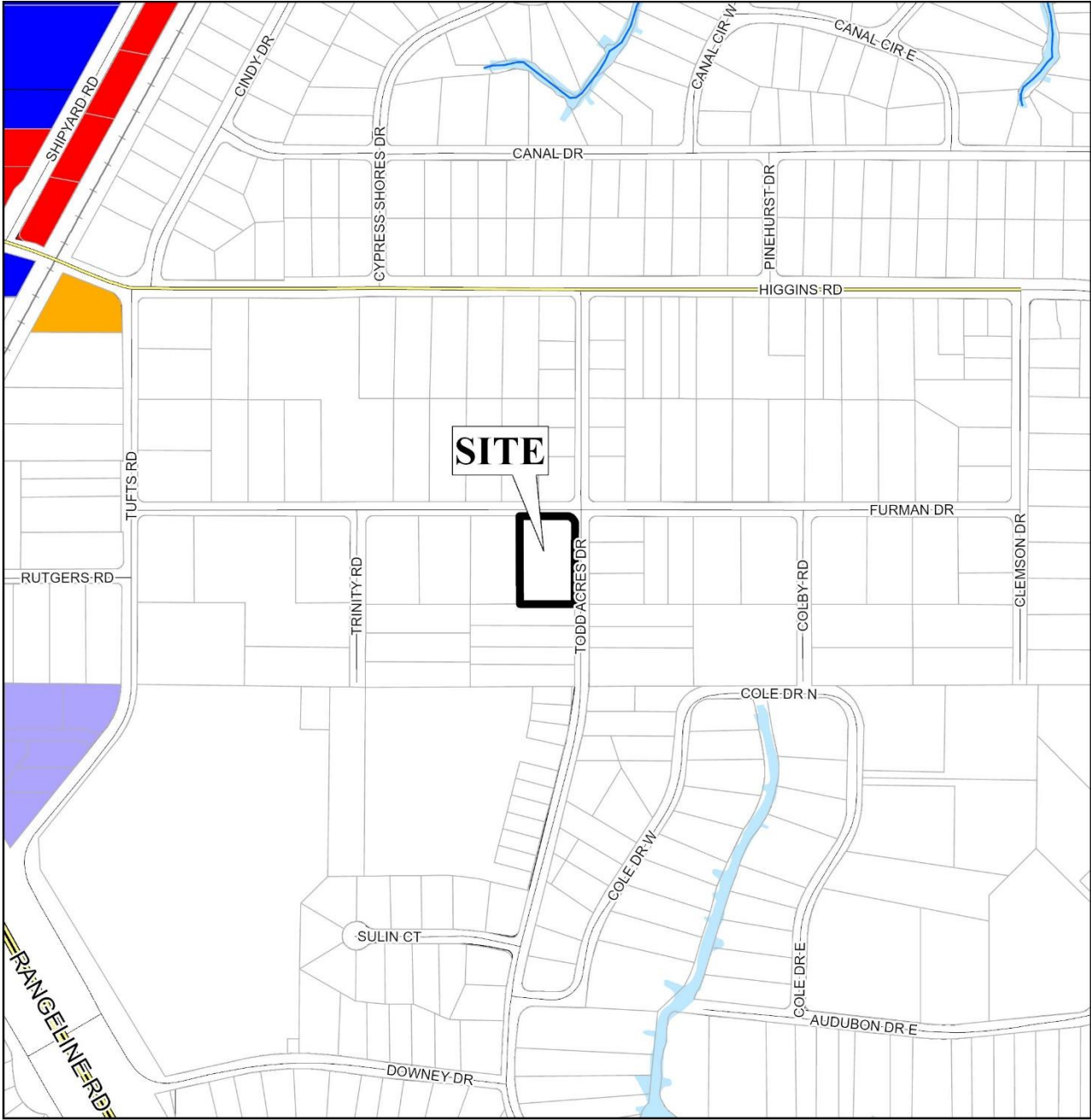
Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

Considerations:

If the Planning Commission considers approving the Subdivision request a waiver of Section 6.C.2.(b)(2) of the Subdivision Regulations will be required (for lot width), and the following conditions could apply:

1. Revision of the Final Plat to depict dedication sufficient to provide 30 feet from the centerline of Todd Acres Drive and Furman Drive, unless a waiver of Section 6.C.9. of the Subdivision Regulations is approved by the Planning Commission;
2. Retention of the 25-foot corner radius at the intersection of Todd Acres Drive and Furman Drive on the Final Plat, in compliance with Sections 6.B.12. and 6.C.6. of the Subdivision Regulations;
3. Retention of the lot sizes in both square feet and acres, or the provision of a table on the Final Plat providing the same information, adjusted for any required dedication;
4. Retention of the 25-foot front yard setback along Todd Acres Drive and Furman Drive on the Final Plat, in compliance with Article 2, Section 64-2-5.E. of the UDC and Section 6.C.8. of the Subdivision Regulations adjusted for any required dedication;
5. Compliance with all Engineering comments noted in this staff report;
6. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in this staff report;
7. Compliance with all Urban Forestry comments noted in this staff report; and,
8. Compliance with all Fire Department comments noted in this staff report.

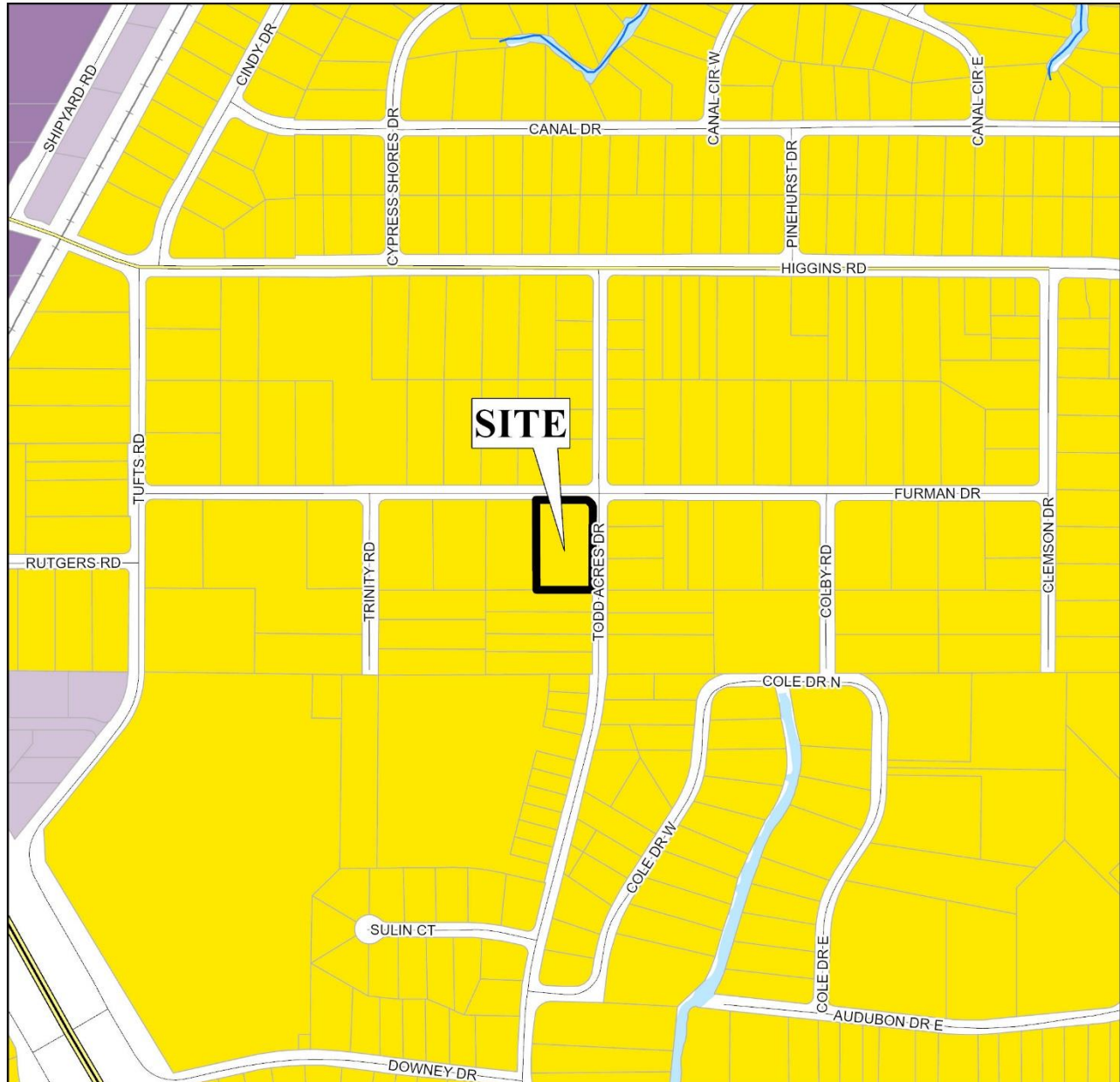
LOCATOR ZONING MAP



APPLICATION NUMBER 4 DATE October 16, 2025
APPLICANT Evergreen Gardens Subdivision, Resubdivision of Lot 190
REQUEST Subdivision



FLUM LOCATOR MAP

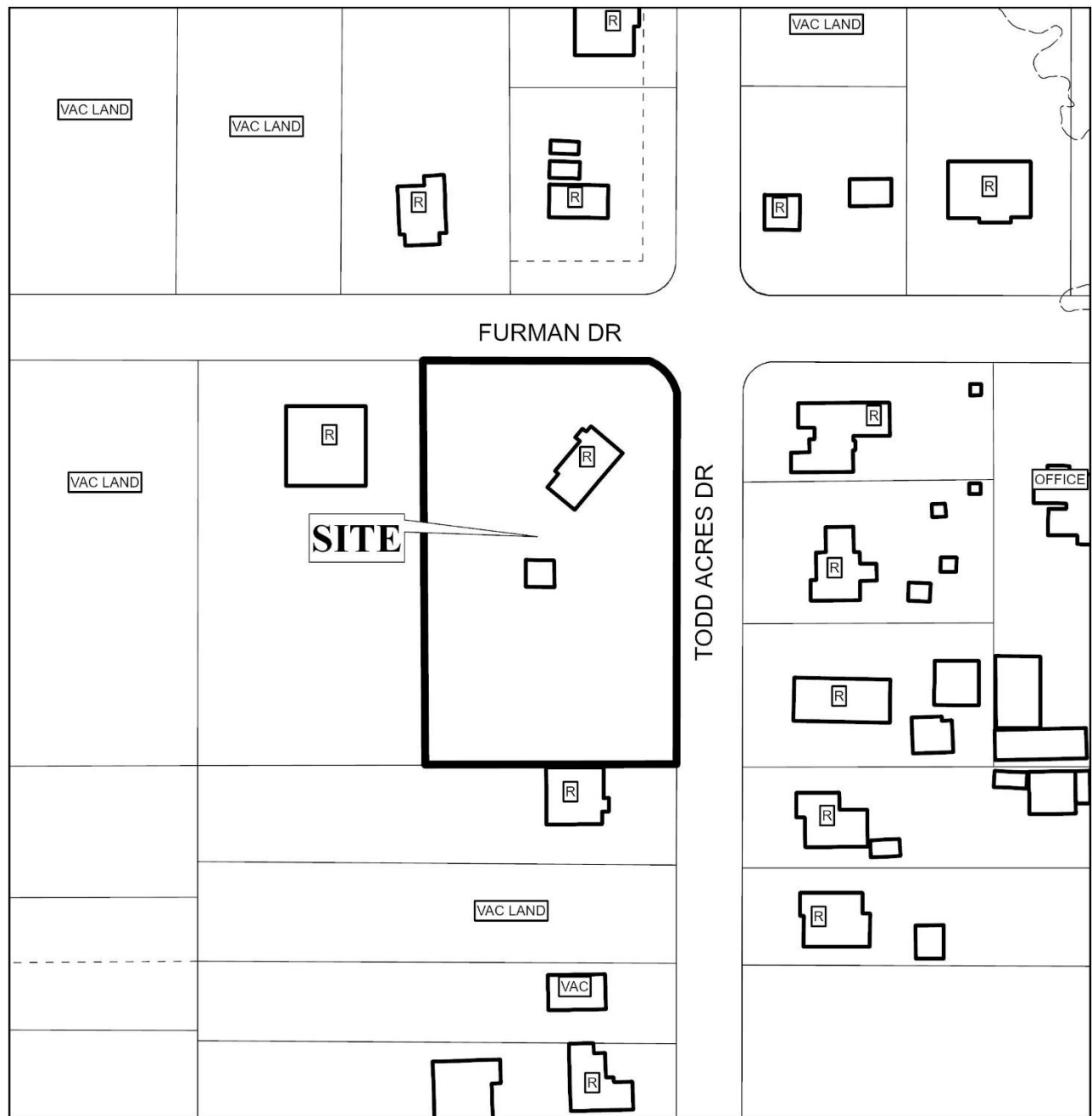


APPLICATION NUMBER 4 DATE October 16, 2025
 APPLICANT Evergreen Gardens Subdivision, Resubdivision of Lot
 REQUEST Subdivision

Low Density Residential	Neighborhood Center - Traditional	Light Industry	Water Dependent
Mixed Density Residential	Neighborhood Center - Suburban	Heavy Industry	
Downtown	Traditional Corridor	Institutional	
District Center	Mixed Commercial Corridor	Parks, Open Space	



EVERGREEN GARDENS SUBDIVISION, RESUBDIVISION OF LOT 190

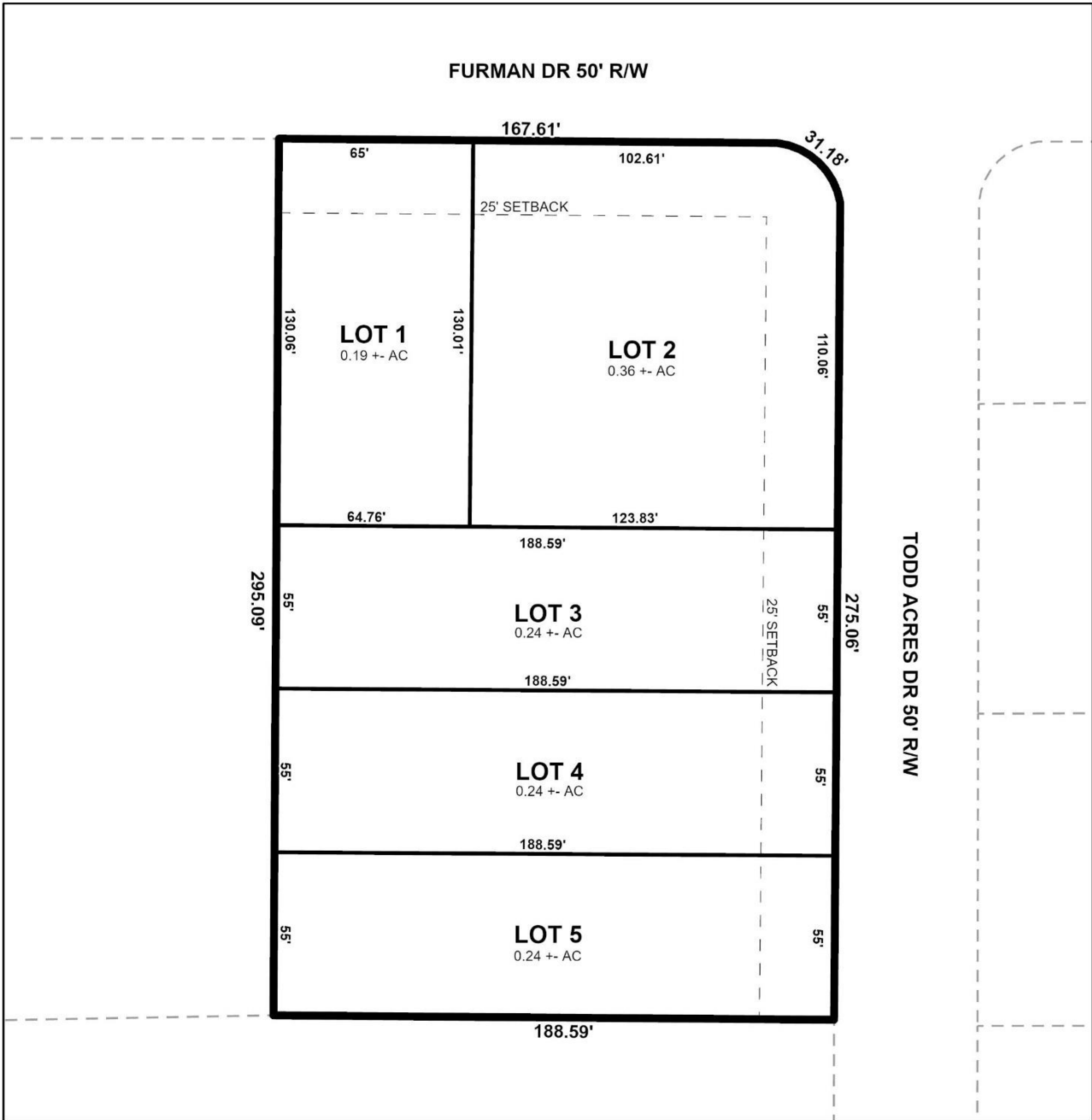


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R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	



DETAIL SITE PLAN



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 APPLICANT Evergreen Gardens Subdivision, Resubdivision of Lot
 REQUEST Subdivision



A primary purpose of the Future Land Use Map is to guide zoning decisions. In many cases the designation on the FLUM may match the existing use of land, but in others the designated land use may differ from what is on the ground today. For example, a parcel that is in commercial use today but designated as any of the “mixed use” types on the map could redevelop with a mix of residential and commercial uses (such as retail, office, entertainment, etc., depending on the location).

The correspondence between the FLUM and the zoning district structure is described in the matrix below. This tool gives the City the flexibility over the long-term to determine appropriate changes to the zoning map based on various factors.

Zoning correspondence matrix

[illegible]

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to residential neighborhoods found mostly west of I-65 or immediately adjacent to the east side of I-65. These areas are primarily single family residential, but may contain small-scale complimentary uses and other residential types at appropriate locations. An LDR area may include a wide range of lot sizes, housing size and styles, including some small-scale multi-unit buildings, but housing styles are highly consistent within a subdivision and tend to have limited connectivity between residential types and non-residential uses. Neighborhoods tend to have longer blocks and may be designed in a network of meandering streets. Residential density ranges between 0 and 6 dwelling units per acre (du/ac).

Development Intent

- › Complementary uses are designed and sited in a manner compatible with and connected to the surrounding context.
- › The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.
- › When establishing new residential areas or expanding existing developments, provide pedestrian and vehicular connectivity between adjacent developments.

Land use mix

Primary Uses

- › Residential, Single family
- › Residential, Attached

Secondary Uses

- › Residential, Multifamily
- › Civic
- › Parks

Housing mix

- › Predominantly single family subdivisions with lots smaller than one acre
- › Attached residential such as duplexes, multiplexes, and townhomes that have the scale of a single family home

Character Example

