

CHAVIS SUBDIVISION

Engineering Comments: Must comply with all storm water and flood control ordinances. Must provide detention for any increase in impervious area to the site in excess of 4,000 square feet. The construction of any new dumpster pads will require connection to sanitary sewer, cannot discharge to storm sewer. Any work performed in the right of way will require a right of way permit.

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).

Preservation status is to be given to the 50" Live Oak Tree located on the North East side of Lot 1. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.

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.

Mobile Area Water & Sewer System Comments: MAWSS has only sewer services available, but a Capacity Assurance application for sewer service has not been applied for. MAWSS cannot guarantee sewer service until the Capacity application is approved by Volkert Engineering Inc.

The plat illustrates the proposed 2-lot, 1.6± acre subdivision which is located on the West side of Willis Road, 800'± West of U.S. Highway 90 West, in Council District 4, in the annexed Theodore area. The applicant states that the subdivision is served by both public water and sanitary sewer services.

The purpose of this application is to resubdivide one existing metes-and bounds parcel into two legal lots of record. The parcel is a remainder of two legal lots of record of Carol Plantation Subdivision, First Unit, which was created by the construction of Interstate 10 cutting through the lots.

As proposed, the subdivision would create a flag lot. The Subdivision Regulations were amended in 2008 to generally prohibit flag lot subdivisions but making exceptions for family subdivisions or where irregularly-shaped lots are common and the informality of design is consistent with other lots in the vicinity. An allowance is also made for instances where natural or pre-existing man-made barriers may cause an undue hardship on the land owner. Although Interstate 10 could be considered a pre-existing man-made barrier, no evidence was submitted to show it causes an undue hardship to the property owner, and no evidence was submitted to

indicate a family subdivision (the property is commercially zoned). Also, the proposed flag lot is not consistent with other lots in the vicinity.

It should be pointed out that there is an existing structure on the site; however, the structure is not depicted on the preliminary plat. Staff is not able to determine if the proposed internal lot line will create a side yard setback issue as it relates to the Zoning Ordinance. The plat should be revised to depict the existing structure and the setback from the proposed internal lot line.

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

- 1) no evidence was submitted to show that a 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;
- 2) no evidence of a family subdivision was submitted; and
- 3) the flag lot would be out of character with other lots in the vicinity.

Revised for the June 3rd meeting:

This application was heldover from the May 6th meeting at the applicant's request.

Staff met with the applicant and surveyor concerning the subdivision and a revised plat was later submitted illustrating the existing building on the site. The proposed internal property line is shown with a compliant 10' rear setback off the building; however, the side setback is indicated to be 2.17'. Since the subject property is zoned I-1, Light Industry, the Zoning Ordinance does not require a side yard setback, but if a side yard is provided, it must be at least 5'. Therefore, the proposed side yard setback is not compliant. The building has three service bay entrances, one of which is approximately 10' from the proposed side property line. As the proposed side property line is indicated to turn just past the front of the building and sharply angle across the front of the property, proper access and maneuvering area for the service bay closest to the proposed side property line may be insufficient.

In staff's meeting with the applicant and surveyor, it was emphasized by staff that, due to the existing configuration of the site, a two-lot subdivision was impracticable due to the previously mentioned reasons for denial. It was emphasized that a better approach would be a one-lot subdivision and a Planned Unit Development to allow an additional building or buildings on the site.

The site is located beside Interstate 10, a component of the Major Street Plan with a current right-of-way of 300' in this area. The Major Street Plan calls for an approximate 350' right-of-way; therefore, dedication along Interstate 10 cannot be required without a specific dimension needed. A 25' minimum building setback line would be required from the current right-of-way line.

As the proposed subdivision would still create a flag lot and the proposed internal property line would not meet the required side yard setback off the existing building as per the Zoning Ordinance, this application is recommended for denial for the following reasons:

- 1) no evidence was submitted to show that a 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 as per Section V.D.1. of the Subdivision Regulations;*
- 2) no evidence of a family subdivision was submitted as per Section V.D.1. of the Subdivision Regulations;*
- 3) the flag lot would be out of character with other lots in the vicinity as per Section V.D.1. of the Subdivision Regulations; and*
- 4) the proposed internal property line would not meet the required side yard setback off the existing building per Section 64-4.D.2. of the Zoning Ordinance.*

Revised for the July 8th meeting:

This application was heldover from the June 3rd meeting at the applicant's request.

A revised plat was submitted which corrected the side yard setback shortage off the proposed internal property line. However, the plat now states that Lot 1 is to have a crossover easement across Lot 2. As crossover access between two lots would require a Planned Unit Development for shared access and no such application was submitted to be heard in conjunction with this application, no review of access points, parking reconfiguration of proposed Lot 1, or ingress/egress for the southern-most service bays of the existing building can be conducted. Also, no evidence was submitted to show that a 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 as per Section V.D.1. of the Subdivision Regulations; and, no evidence of a family subdivision was submitted as per Section V.D.1. of the Subdivision Regulations. As proposed, the flag lot would be out of character with other lots in the vicinity as per Section V.D.1. of the Subdivision Regulations.

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

- 1) no Planned Unit Development application was submitted to address the proposed crossover easement between the two lots to include access points, parking reconfiguration of proposed Lot 1, or ingress/egress for the southern-most service bays of the existing building;*
- 2) no evidence was submitted to show that a 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 as per Section V.D.1. of the Subdivision Regulations;*
- 3) no evidence of a family subdivision was submitted as per Section V.D.1. of the Subdivision Regulations; and*
- 4) the flag lot would be out of character with other lots in the vicinity as per Section V.D.1. of the Subdivision Regulations.*

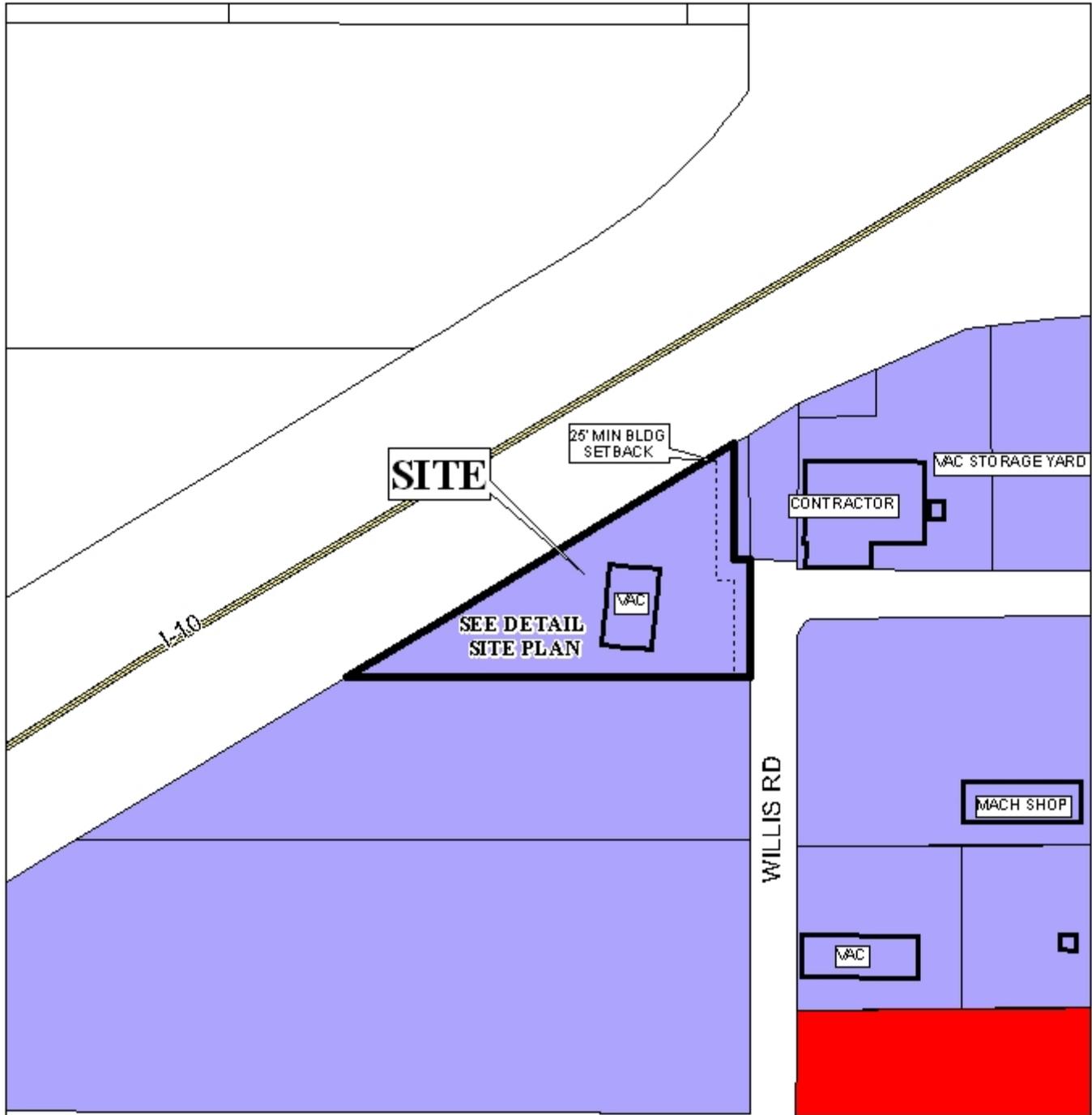
LOCATOR MAP



APPLICATION NUMBER 4 DATE July 8, 2010
APPLICANT Chavis Subdivision
REQUEST Subdivision



CHAVIS SUBDIVISION



APPLICATION NUMBER 4 DATE July 8, 2010

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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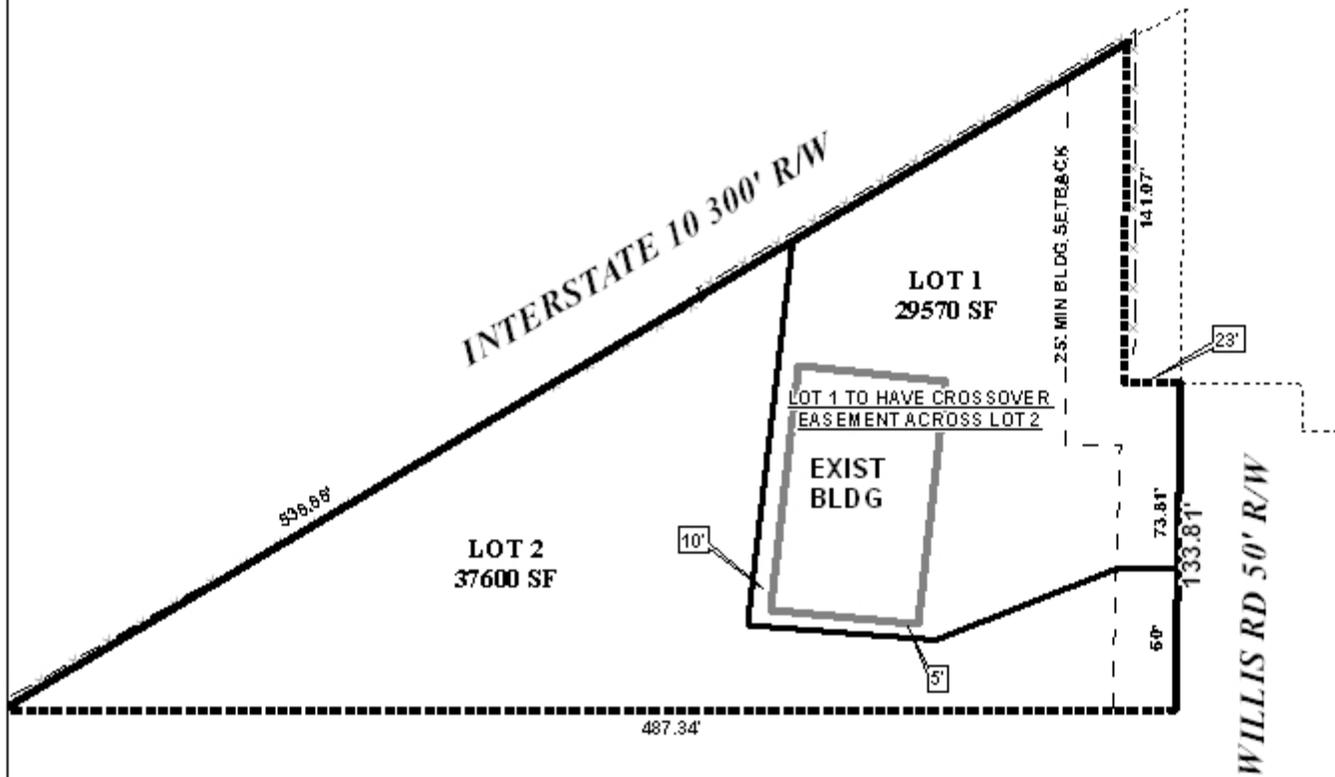
CHA VIS SUBDIVISION



APPLICATION NUMBER 4 DATE July 8, 2010



DETAIL SITE PLAN



APPLICATION NUMBER 4 DATE July 8, 2010
APPLICANT Chavis Subdivision
REQUEST Subdivision

