

## **MCLEOD 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: Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code (2012 IFC).

MAWSS Comments: No comments.

The preliminary plat illustrates the proposed 2-lot, 4.9±-acre subdivision located at the South side of Seaman Drive, at the South terminus of McLeod Lane, within the Planning Jurisdiction. The applicant states the subdivision is served by public water and individual septic systems. The purpose of this application is to create two (2) legal lots from one (1) metes-and-bounds parcel.

The proposed lots have frontage on Seaman Drive, a private, unpaved minor street requiring a 60' right-of-way. Sufficient right-of-way is illustrated on the preliminary plat and should be retained on the Final Plat, if approved.

It should be noted that Section VIII.D. of the Subdivision Regulations allows for a private street subdivision consisting of five (5) lots or fewer where the purpose of the subdivision is to divide the property amongst family members. A Quitclaim Deed provided by the applicant indicates that the subject site is to be divided between two (2) family members; however, it appears there are several lots not associated with the family of the subject site which may have access to the private street. Additionally, the private street is serviced by another private street, McLeod Lane, which also appears to be accessed by lots not associated with the family of the subject site. No information was submitted justifying access to either private street by non-family lots, thus the application may need to be heldover to allow the applicant time to provide Staff with the necessary information to warrant such access.

If approved, a note should also be placed on the Final Plat stating maintenance of the private street is the responsibility of the property owners and not Mobile County.

As a means of access management, a note should be placed on the Final Plat, if approved, stating Lot A is limited to one (1) curb cut to Seaman Drive, and Lot B is limited to two (2) curb cuts to Seaman Drive, with their sizes, locations, and designs to be approved by Mobile County Engineering and conform to AASHTO standards.

The 25' minimum building setback is not illustrated on the preliminary plat, as required by Section V.D.9. of the Subdivision Regulations. As such, revision of the plat to illustrate the 25' minimum building setback along Seaman Drive where each lot is at least 60' in width should be required, if approved.

Lot A is irregularly shaped and may be regarded as a “flag” lot, a design generally discouraged by Section V.D.1. of the Subdivision Regulations unless there are pre-existing barriers, or in the case of a family subdivision. If approved, the division of the parcel between family members makes a waiver of Section V.D.1. appropriate.

Irrespective of the design of the lots, they each meet the minimum size requirements for lots served by public water and individual septic systems; however, their sizes are labeled only in acres and not in square-feet. As such, revision of the plat to indicate the size of each lot in both square-feet and acres should be required, if approved; or, provision of a table on the Final Plat providing the same information may suffice.

The vicinity map on the preliminary plat is hand drawn and may not properly reflect the location of the proposed subdivision. As such, revision of the vicinity map to properly identify the location of the proposed subdivision should be required, if approved.

This site is located in the County, thus any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations. A note regarding this requirement should appear on the Final Plat, if approved.

Finally, the site will have to comply with the City of Mobile storm water and flood control ordinances. A note stating *“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.”* should be required on the Final Plat, if approved.

The request is recommended for Holdover to the August 16<sup>th</sup> meeting to allow the applicant time to do the following:

- 1) submit information justifying access to Seaman Drive and McLeod Lane from lots not associated with the family of the subject site.

***Revised for the August 16<sup>th</sup> meeting:***

*The application was heldover from the August 2<sup>nd</sup> meeting to allow the applicant time to do the following:*

- 1) submit information justifying access to Seaman Drive and McLeod Lane from lots not associated with the family of the subject site.*

*A Warranty Deed was submitted by the applicant establishing reservation of the right-of-way for the private Seaman Drive, but no information was submitted establishing McLeod Lane.*

*Additionally, no information proving access to either private road is limited to family members of the respective lots to which each private road has access was submitted.*

*As mentioned in the previous Staff Report, Section VIII.D. of the Subdivision Regulations allows for a private street subdivision consisting of five (5) lots or fewer, where the purpose of the subdivision is to divide the property amongst family members. Property records, however, suggest that lots belonging to property owners not related to family members of the subject site have access to both private roads, and it also appears that more than five (5) lots have access to the private roads. As such, approval of the request would be contrary to Section VIII.D. of the Subdivision Regulations, thus the application should not be approved until such time the applicant can provide sufficient documentation justifying additional access to the private road(s), or until public street frontage is provided.*

*Based on the preceding, the application is recommended for Denial due to the following:*

- 1) the subdivision does not comply with Section VIII.D. of the Subdivision Regulations as the proposed plat would exceed the number of lots (5) allowed on a private road for a family division; and,*
- 2) the existing lots on the private roads are not all owned by family members.*

***Revised for the September 6<sup>th</sup> meeting:***

*The application was heldover from the August 16<sup>th</sup> meeting to allow staff time to review information submitted by the applicant at the meeting.*

*In a discussion with the applicants, Staff was able to determine that only three (3) metes-and-bounds parcels currently have access to the Seaman Drive and McLeod Lane, all of which are owned by members of the McLeod family. Approval of the subdivision request would increase this number to four (4) lots. Affidavits signed by neighboring parcel owners/family members permit the applicant such access.*

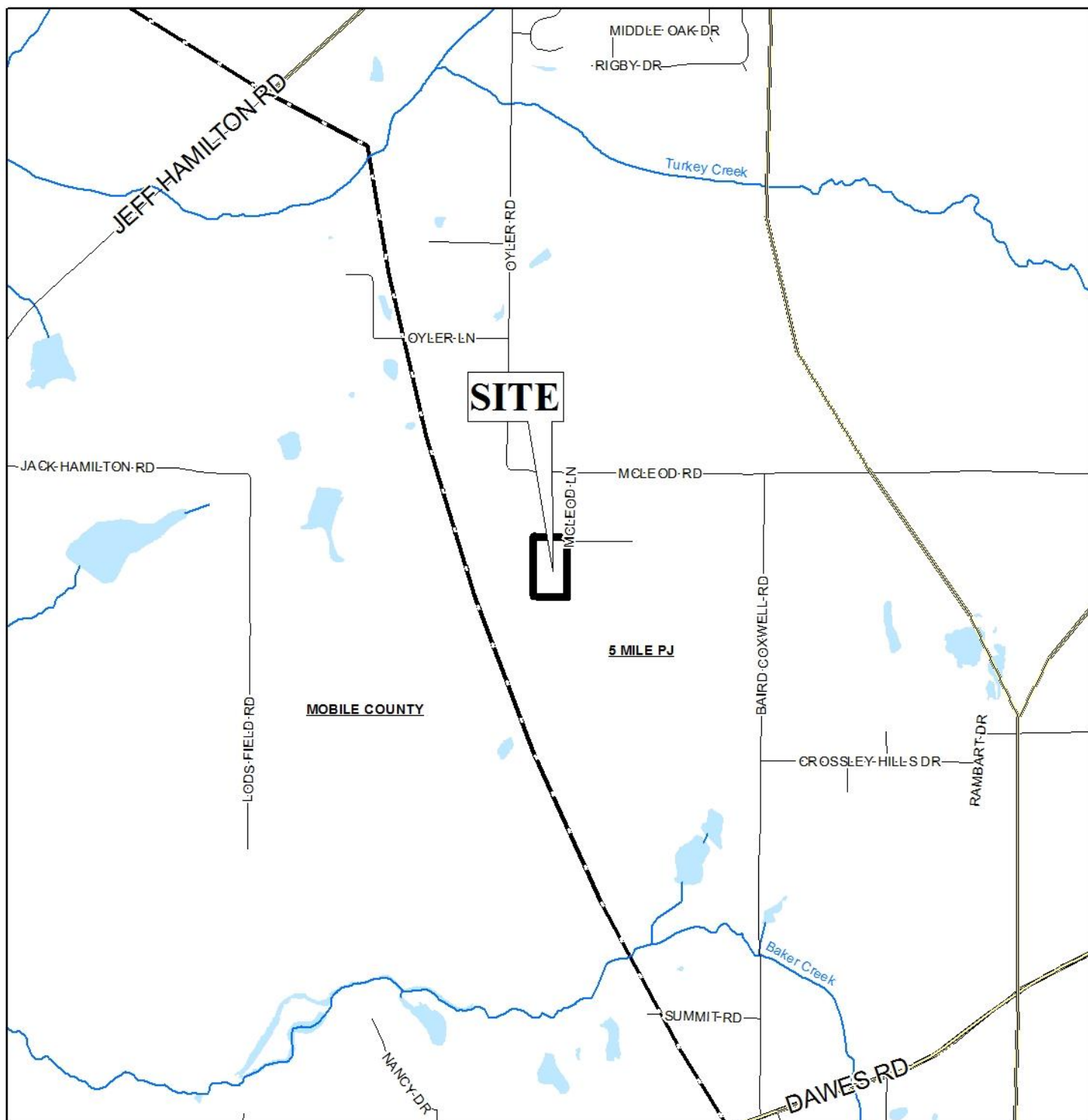
*Parcels not associated with the McLeod family are accessed from McLeod Road, which is a County-maintained street. Staff is still concerned, however, by a metes-and-bounds parcel located at 10865 Seaman Drive. It is currently vacant, per the applicant's account and per aerial photos, but its ownership is not associated with the McLeod family. If developed, given the existing conditions, its only possible access would be from the private family road. Approval may, therefore, limit future development of the parcel, as well as limit further subdivision of properties associated with the McLeod family, until the road(s) is/are improved to Mobile County Engineering standards; or, the Planning Commission will need to approve a waiver of Section VIII.D. of the Subdivision Regulations to allow the non-family parcel to access the unimproved private roads.*

*With a waiver of Section V.D.1. the plat meets the minimum qualifications of the Subdivision Regulations and is recommended for Tentative Approval, subject to the following conditions:*

- 1) retention of the 60' right-of-way along Seaman Drive;*

- 2) *placement of a note on the Final Plat stating maintenance of the private road is the responsibility of the property owners and not Mobile County;*
- 3) *placement of a note on the Final Plat stating Lot A is limited to one (1) curb cut to Seaman Drive, and Lot B is limited to two (2) curb cuts to Seaman Drive, with their sizes, locations, and designs to be approved by Mobile County Engineering and conform to AASHTO standards;*
- 4) *revision of the plat to illustrate the sizes of each lot in both square-feet and acres, or provision of a table on the plat providing the same information;*
- 5) *revision of the vicinity map to properly identify the location of the proposed subdivision;*
- 6) *placement of a note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations;*
- 7) *placement of a note on the Final Plat to comply with the Mobile County storm water and flood control ordinances: “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.”; and,*
- 8) *compliance with Fire Department comments: “Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code (2012 IFC).”*

# LOCATOR MAP



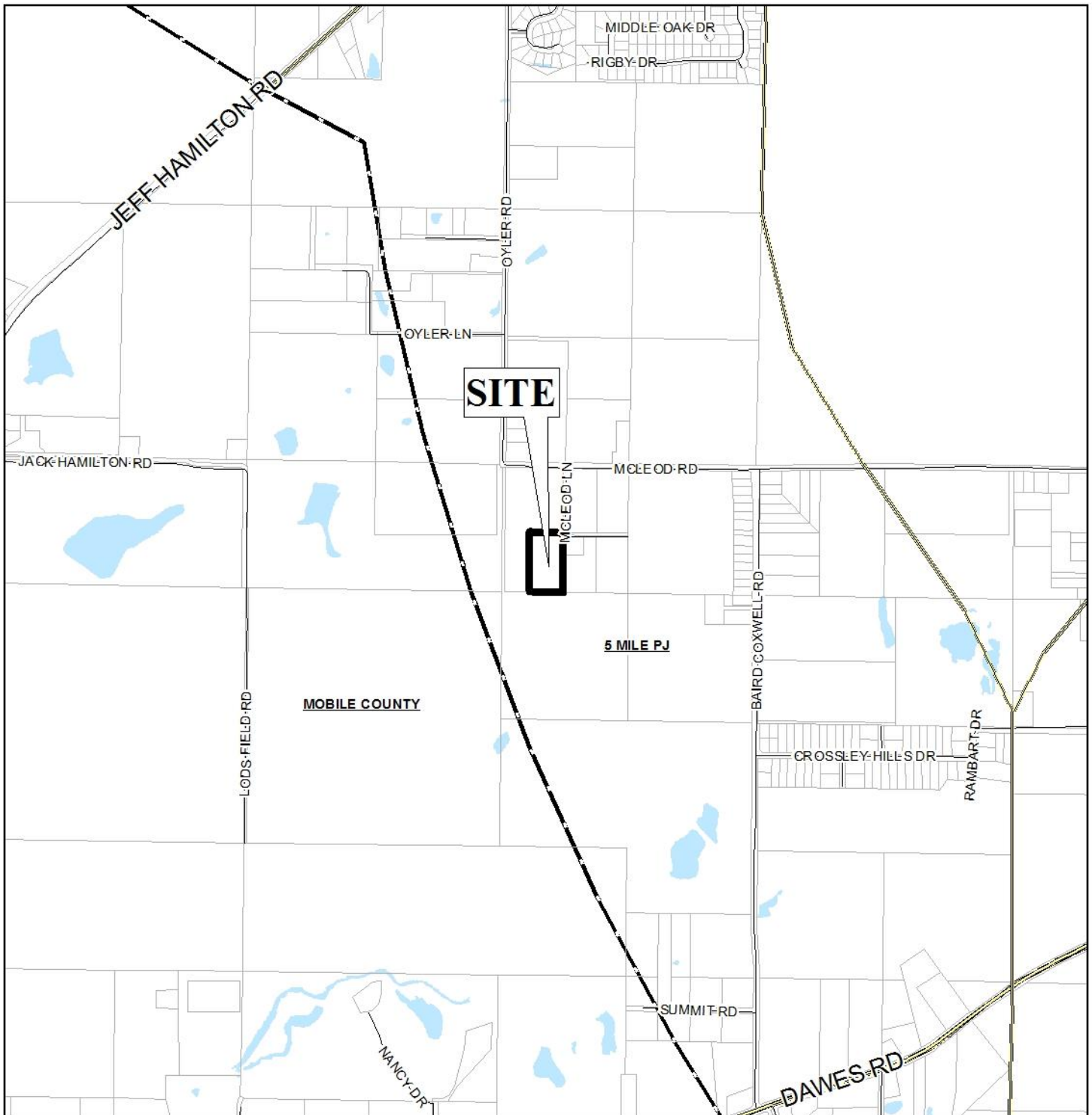
APPLICATION NUMBER 4 DATE September 6, 2018

APPLICANT McLeod Family Division Subdivision

REQUEST Subdivision



# LOCATOR ZONING MAP



APPLICATION NUMBER 4 DATE September 6, 2018

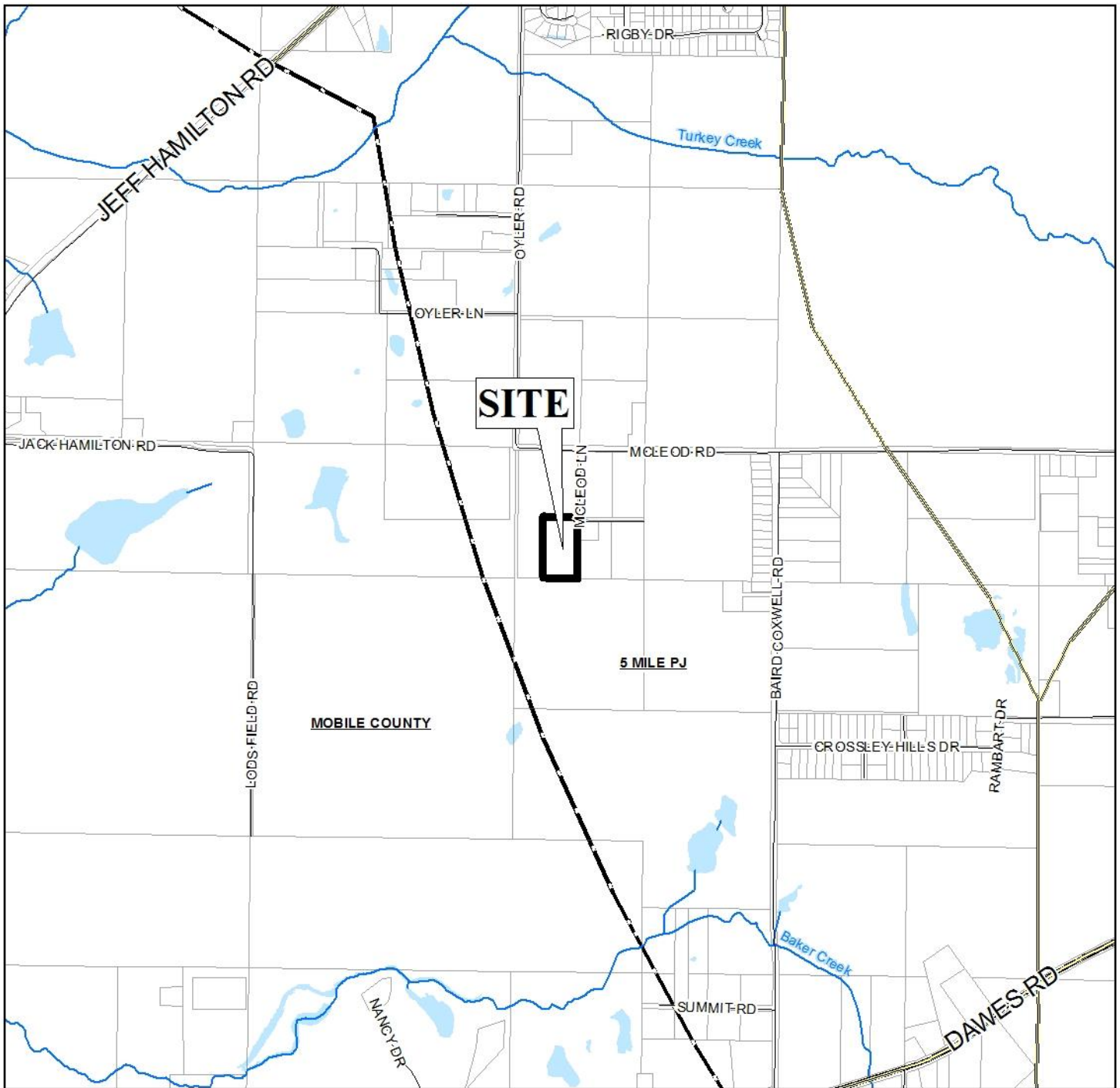
APPLICANT McLeod Family Division Subdivision

REQUEST Subdivision



NTS

# FLUM LOCATOR MAP



APPLICATION NUMBER 4 DATE September 6, 2018

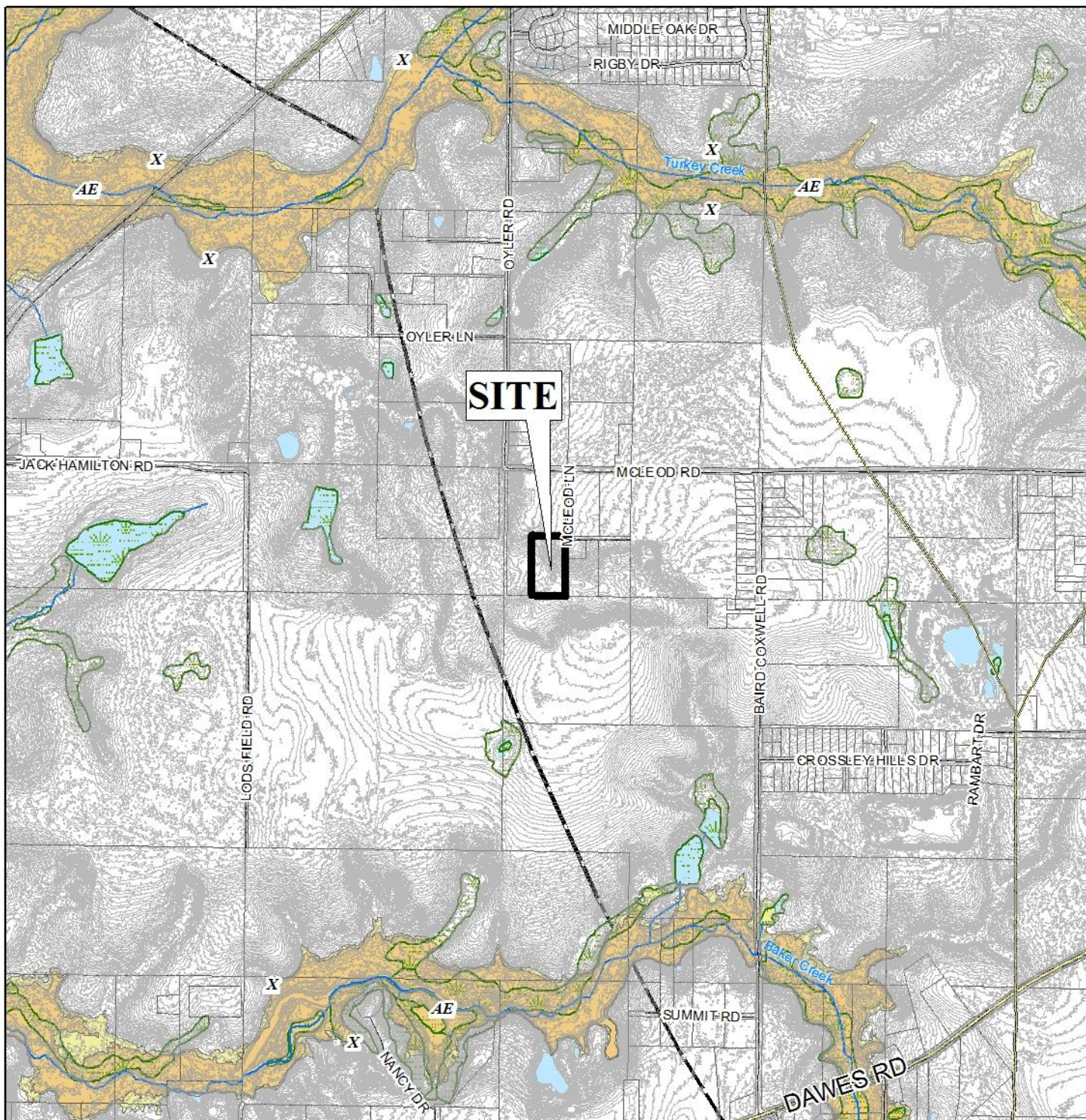
APPLICANT McLeod Family Division Subdivision

REQUEST Subdivision

<span style="display:inline-block; width:15px; height:15px; background-color:yellow; border:1px solid black;"></span> Low Density Residential	<span style="display:inline-block; width:15px; height:15px; background-color:darkred; border:1px solid black;"></span> Neighborhood Center - Traditional	<span style="display:inline-block; width:15px; height:15px; background-color:darkorange; border:1px solid black;"></span> Downtown Waterfront	<span style="display:inline-block; width:15px; height:15px; background-color:lightgreen; border:1px solid black;"></span> Parks & Open Space
<span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> Mixed Density Residential	<span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span> Neighborhood Center - Suburban	<span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> Light Industry	<span style="display:inline-block; width:15px; height:15px; background-color:darkblue; border:1px solid black;"></span> Water Dependent
<span style="display:inline-block; width:15px; height:15px; background-color:magenta; border:1px solid black;"></span> Downtown	<span style="display:inline-block; width:15px; height:15px; background-color:lightpink; border:1px solid black;"></span> Traditional Corridor	<span style="display:inline-block; width:15px; height:15px; background-color:purple; border:1px solid black;"></span> Heavy Industry	
<span style="display:inline-block; width:15px; height:15px; background-color:red; border:1px solid black;"></span> District Center	<span style="display:inline-block; width:15px; height:15px; background-color:darkorange; border:1px solid black;"></span> Mixed Commercial Corridor	<span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> Institutional	



# ENVIRONMENTAL LOCATOR MAP



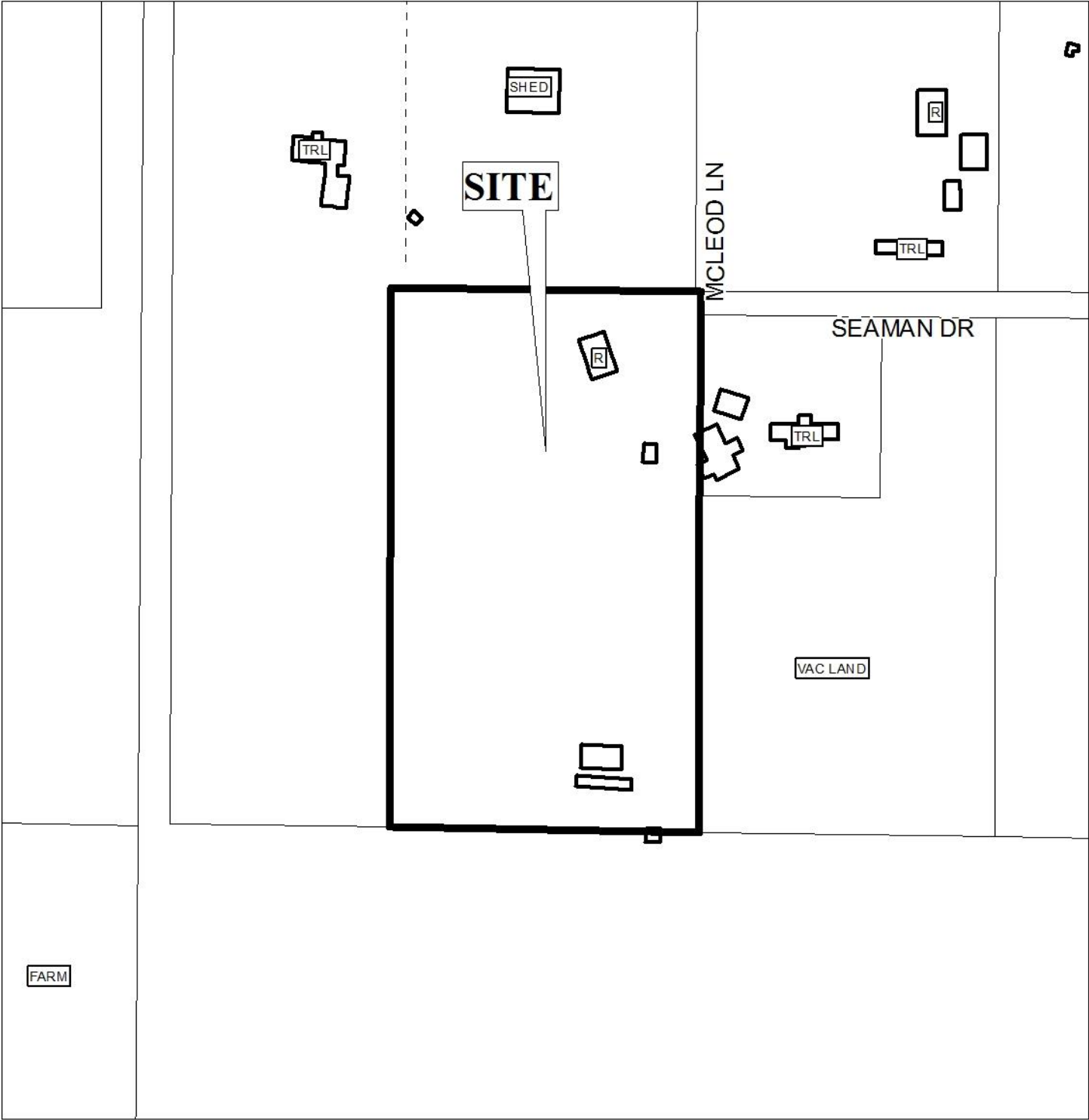
APPLICATION NUMBER 4 DATE September 6, 2018

APPLICANT McLeod Family Division Subdivision

REQUEST Subdivision



# MCLEOD FAMILY DIVISION SUBDIVISION



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R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



# MCLEOD FAMILY DIVISION SUBDIVISION

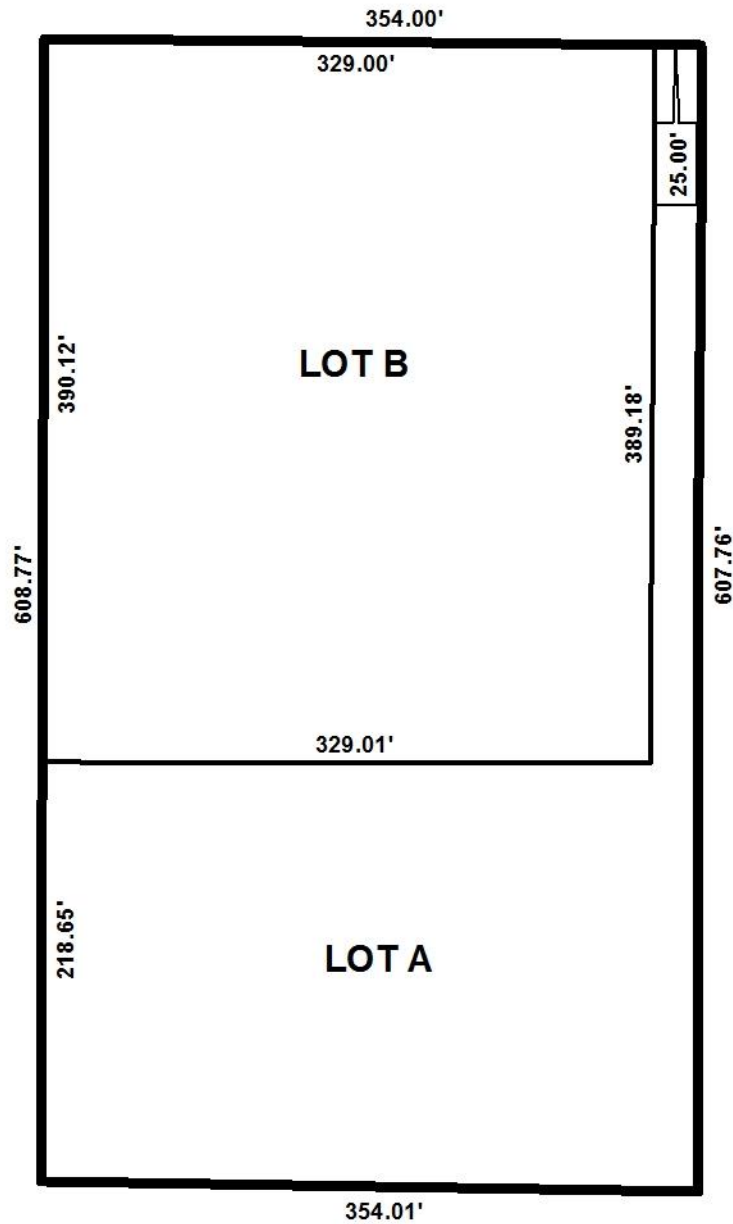


APPLICATION NUMBER 4 DATE September 6, 2018



# DETAIL SITE PLAN

SEAMAN DR 60' R/W (PRIVATE)



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