

## **RUTH POWELL, A 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: Subdivision layout and design must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile. Commercial buildings and sites within the City of Mobile Fire Jurisdiction 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.

MAWSS Comments: MAWSS has no water and sewer service provided.

The plat illustrates the proposed 1 lot,  $19.0 \pm$  acre subdivision located on the West side of McCrary Road,  $410' \pm$  North of Stone Road. The applicant states that the subdivision is served by public water and an individual septic system.

The purpose of this application is to create two legal lots from two metes and bounds parcels.

It should be noted, it appears that the parcel “cut out” from the front of the property that is not included in the subdivision has an incorrect legal description. On the plat submitted the length is said to measure approximately 380' in length, however, the Mobile County Revenue Commission shows the length to be approximately 343.54'. A holdover is recommended to allow the applicant to submit a revised plat or a deed stating this portion of the property has been sold prior to 1984. If evidence is not provided, the parcel may need to be included in the application (with additional lot fees and notification).

The site fronts on McCrary Road, a planned major street. According to the Major Street Plan, this major street should have a minimum right-of-way width of 100 feet, or 50 feet in each direction as measured from the centerline of the roadway. McCrary Road currently has an 80-foot wide right-of-way, thus if approved, the dedication of 10 feet of right-of-way should be required.

According to Section V.D.3 of the Subdivision Regulations, the maximum depth of any lots shall not be more than 3.5 times the width of the lot at the building setback line. Neither proposed Lot 1 nor proposed Lot 2 meet this requirement. After research, staff was unable to find any legal lots in the immediate vicinity that do not meet this requirement therefore, the application should be denied or redesigned so that each lot meets the width to depth ratio.

The site is within the J. B. Converse reservoir, the drinking water supply for the Mobile Area Water Sewer System. The Mobile County Commission, in 2004-05, adopted the following requirements for development within drinking water supply watersheds:

*In any watershed which contains a public drinking water source ... no field lines or septic tanks may be constructed or maintained within a "flood prone area" ... or within a "Buffer Zone" as defined herein. Within any such watershed, storm water detention facilities are required in any Subdivision ... Detention criteria shall include a maximum release rate equivalent to the 10 year storm pre-development rate. The minimum detention capacity shall accommodate the volume of a 50 year post development storm.*

The County Subdivision Regulations define a "Buffer Zone" as follows:

*The area: Within 100 feet of a public drinking water source; within 50 feet of perennial streams and their associated wetlands; and within 25 feet of natural drainage features and their associated wetlands.*

Therefore, regarding storm water detention, as County's detention and release rate requirements for subdivisions within the Converse watershed are more stringent, the County regulations shall apply where they are more stringent than City Engineering storm water and flood control regulations.

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.

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.

A note should be placed 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.7. of the Subdivision Regulations.

This application is recommended for Holdover to the December 4th meeting, with revisions due by November 17<sup>th</sup> to allow the applicant to address the following:

- 1) Submittal of a revised plat to show the correct legal for the "cut out" parcel located in the front portion of the property or submittal of a deed showing the sale of the additional 40' or inclusion in the application (with appropriate authorization, fees and notification labels); and
- 2) Redesign each lot to meet the width to depth ratio or provide justification for the waiver

**Revised for the December 4<sup>th</sup> meeting:**

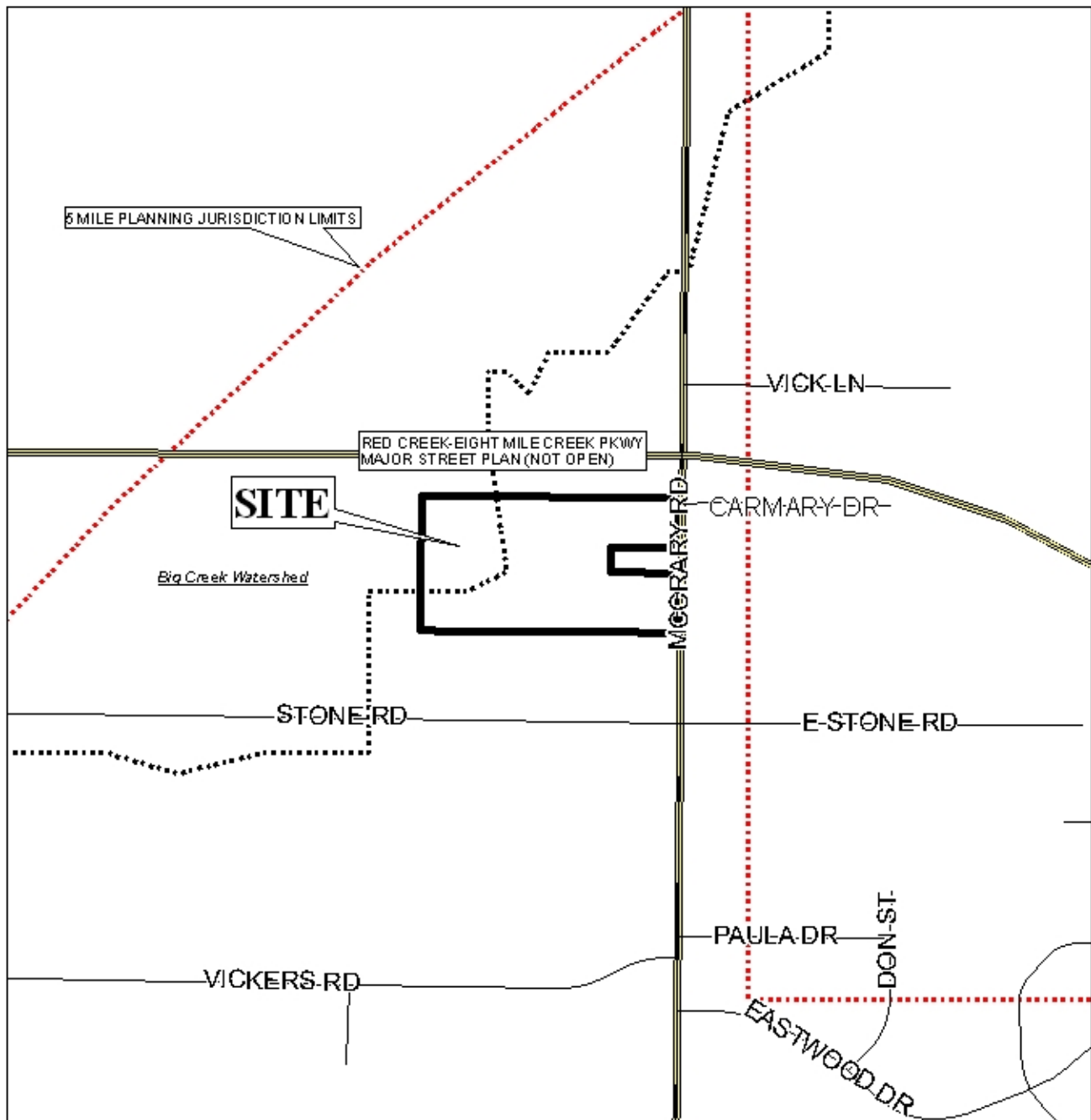
This application was heldover from the November 6<sup>th</sup> meeting to allow the applicant to submit a revised plat showing the correct legal for the “cut out” parcel located in the front portion of the property or to submit a deed showing the sale of the additional 40’ or inclusion of the “cut out” parcel in the application and to redesign the subdivision to meet the width to depth ratio or to provide justification for the waiver. The applicant did submit a revised plat showing the correct legal description. In addition, the applicant stated that the reason for the division was to deed each a lot to each of her two daughters. Though there are no other legal lots in the immediate vicinity that do not meet the width to depth ratio, the Section V.D.3 should be waived due to the subdivision being divided among family members. A note should be placed on the final plat stating that there will be no further division of Lot 1 or Lot 2 until additional frontage is provided on a public road via construction of a new road.

Lot 1 has approximately 258’ of frontage onto McCrary Road while Lot 2 has approximately 304’ of frontage. As a means of access management, a note should be placed on the final plat stating that Lots 1 and 2 are limited to a maximum of two curb cuts each onto McCrary Road with the size, location and design of each curb cut to be approved by County Engineering.

With a waiver of Section V.D.3 of the Subdivision Regulations, this application is recommended for Tentative Approval subject to the following conditions:

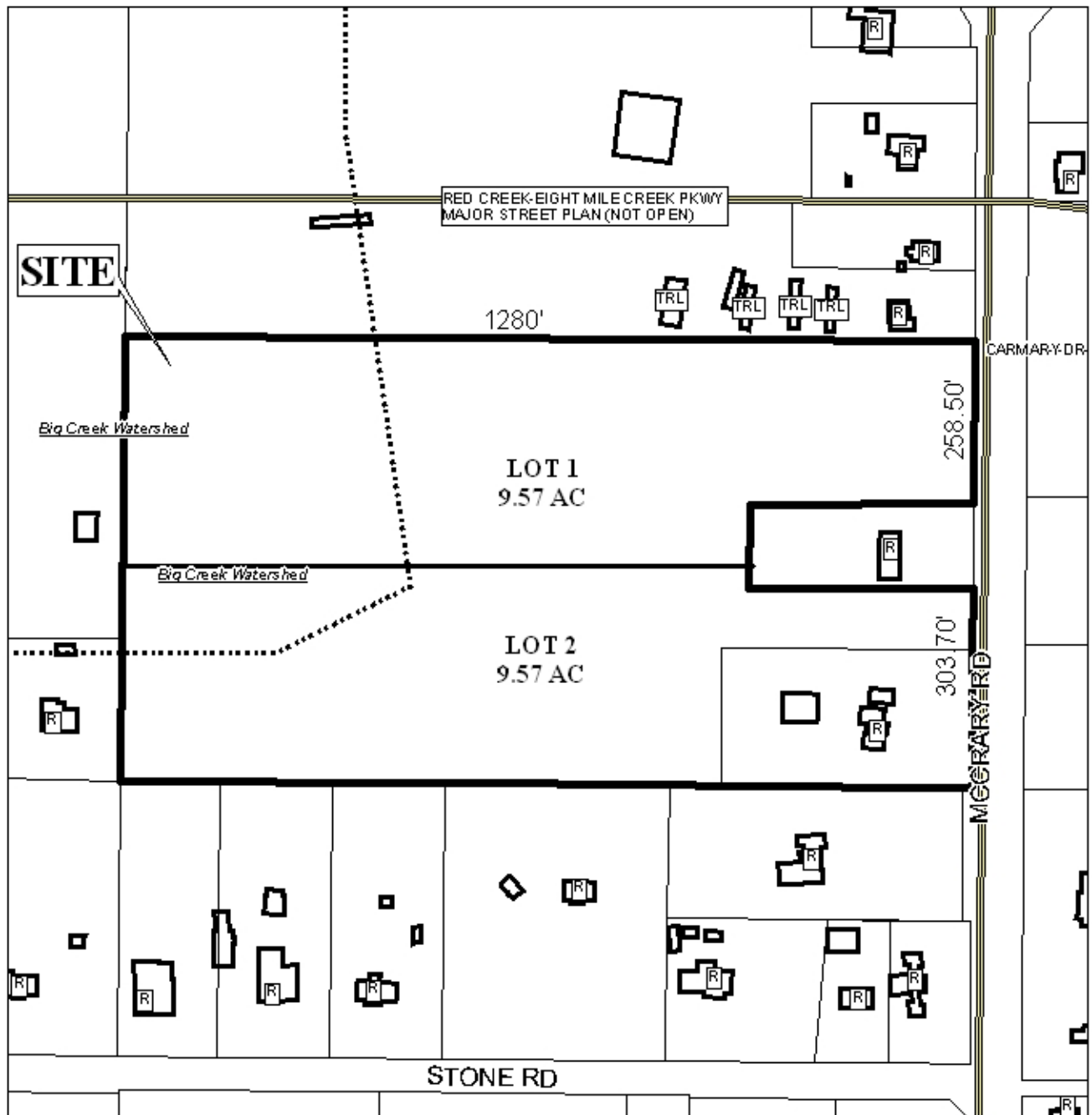
- 1) Placement of a note stating that Lots 1 and 2 are limited to a maximum of two curb cuts each on McCrary Road with the size, location and design of each curb cut to be approved by County Engineering;
- 2) Revision of the plat to depict the 25’ minimum building setback line along all street frontages;
- 3) Labeling of each lot with its size in square feet in addition to acreage;
- 4) Placement of a note on the 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;
- 5) Placement of a note on the plat stating that approval of all applicable Federal, state and local agencies is required for wetland and floodplain issues, if any, prior to the issuance of any permits or land disturbance activities;
- 6) Placement of a note on the plat / site plan stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species; and
- 7) 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.7. of the Subdivision Regulations.

# LOCATOR MAP



APPLICATION NUMBER 4 DATE December 4, 2008  
APPLICANT Ruth Powell, A Family Division Subdivision  
REQUEST Subdivision

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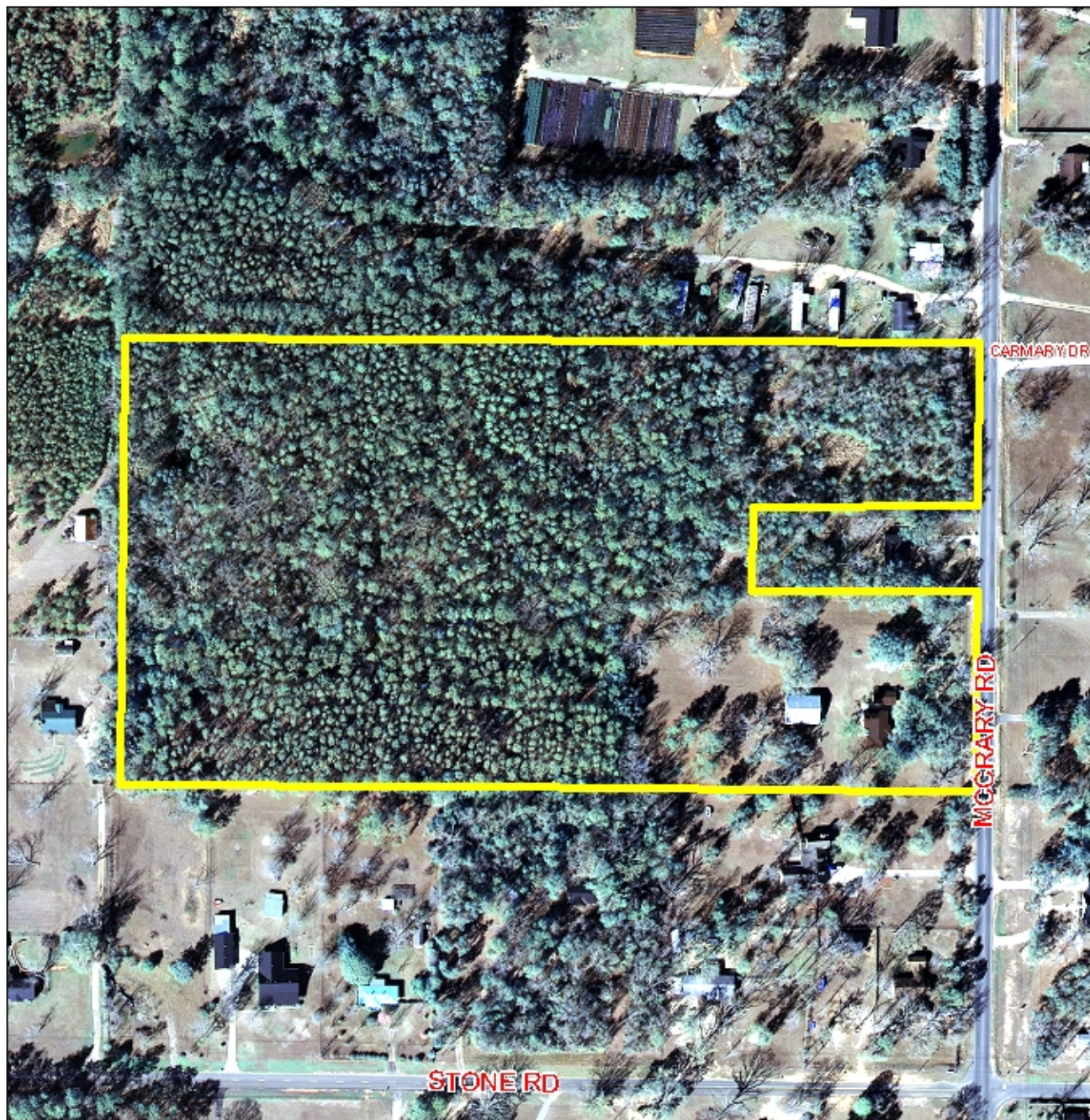
APPLICATION NUMBER 4 DATE December 4, 2008

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

N  
NTS



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APPLICATION NUMBER 4 DATE December 4, 2008

