

BOOKER T. WASHINGTON HIGHLANDS
SUBDIVISION, FIRST ADDITION, BLOCK F,
RESUBDIVISION OF LOTS 8 & 9

Engineering Comments: Must comply with all storm water and flood control ordinances. There is to be no fill placed within the limits of the flood plain without providing compensation. 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).

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.

The plat illustrates the proposed 1-lot, 0.3± acre resubdivision which is located at the Southeast corner of First Avenue and Prince Street, and is in Council District 1. The applicant states that the subdivision is served by both public water and sanitary sewer.

The purpose of this application is to resubdivide an existing legal lot of record to remove a curb-cut restriction. This subdivision was originally approved by the Planning Commission on April 2, 2009. The applicant does not wish to change the configuration of the lot dimensions or recorded setbacks.

The proposed lot, as depicted, meets the minimum size and frontage requirements as regulated by the Subdivision Regulations. The depiction of dedication should be removed from the plat, as this dedication occurred when the previous plat was recorded. The 25-foot minimum building setback line is depicted on all rights-of-way and should be retained on the Final Plat, if approved.

As previously stated, the applicant wishes to remove the limitation of one curb cut. Typically, on corner lots in established subdivisions, lots are restricted to one curb cut. In this case, the applicant wishes to develop this site with two single-family residential structures. As the lot is zoned R-1, Single-Family Residential, the applicant has submitted a use variance application to the Board of Zoning Adjustment to allow the two-family use. It is the intent of the applicant to have each structure function as a single-family residence. If the applicant's development proposal is approved by the Board of Zoning Adjustment, then the removal of the curb cut restriction would be justified. However, if the variance is denied, then the curb cut restriction should be kept in place.

The Board of Zoning Adjustment will hear the applicant's zoning variance case on March 1, 2010. The staff report for the application recommends denial of the use variance application due to the fact that the applicant cannot demonstrate a hardship. As the variance application is recommended for denial, and this subdivision application is linked with the development proposal which is contingent upon the variance, this application is also recommended for denial.

It should be noted that this proposed subdivision carries the same name as the previously recorded subdivision. As this is not allowed as per Section V.A.9 of the Subdivision Regulations, the name should be changed to add the word "Revised" to the title.

Part of the site is within a FEMA recognized floodplain. The presence of floodplains indicate that the area may be environmentally sensitive; therefore, the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits.

Finally, 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.

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

- 1) allowing curb cuts to both streets for a residential lot is not standard practice and
- 2) the development proposal associated with this application has been recommended for denial to the Board of Zoning Adjustment.

LOCATOR MAP



APPLICATION NUMBER 5 DATE March 4, 2010

Booker T. Washington Highlands Subdivision, First Addition,
APPLICANT Block F, Resubdivision of Lots 8 & 9

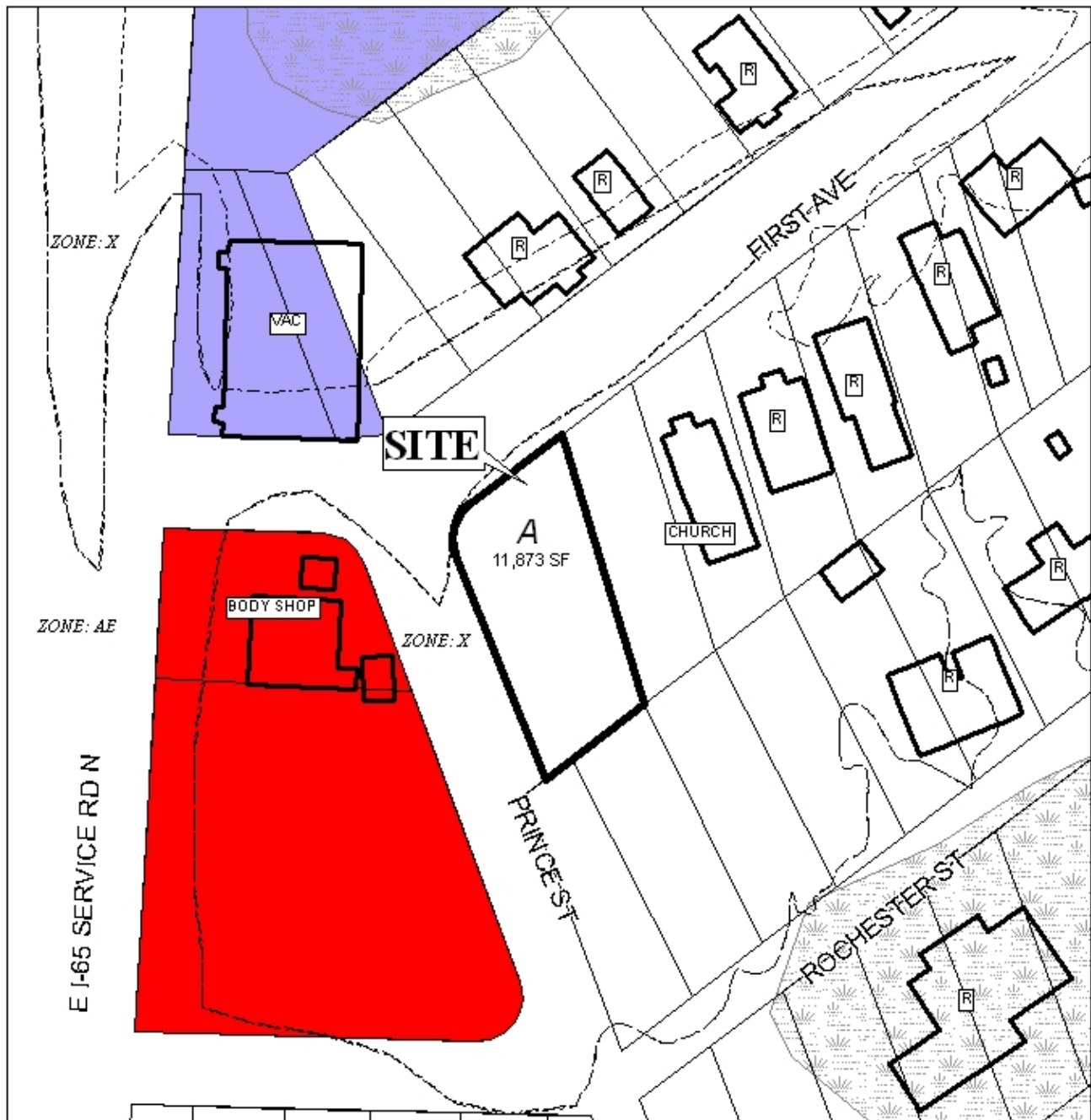
REQUEST Subdivision

N



NTS

BOOKER T. WASHINGTON HIGHLANDS SUBDIVISION, FIRST ADDITION, BLOCK F, RESUBDIVISION OF LOTS 8 & 9



APPLICATION NUMBER 5 DATE March 4, 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

N
NTS

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ADDITION, BLOCK F, RESUBDIVISION OF LOTS 8 & 9



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