

**PLANNING APPROVAL &
SUBDIVISION STAFF REPORT****Date: September 2, 2010****NAME**

Carolyn Armstrong Subdivision

SUBDIVISION NAME

Carolyn Armstrong Subdivision

LOCATION5190 Diamond Road
(North side of Diamond Road, 280'± East of its South terminus)**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONING

R-1, Single-Family Residence District

AREA OF PROPERTY

1 Lot / 0.3 Acre ±

CONTEMPLATED USE

Planning Approval to allow a mobile home in an R-1, Single-Family Residential District, and Subdivision approval to create one legal lot.

**TIME SCHEDULE
FOR DEVELOPMENT**

None Given

**ENGINEERING
COMMENTS**

Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right of way (including easements) will require a right of way permit, in addition to any required land disturbance permits.

**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.

REMARKS

The applicant is requesting Planning Approval to allow a mobile home in an R-1, Single-Family Residential District, and Subdivision approval to create one legal lot. The Subdivision was heldover at the July 22nd meeting to be considered in conjunction with the Planning Approval application.

The review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazards, and to determine if the proposal is in harmony with the orderly and appropriate development of the district. It is very important to note that the Planning Approval review is **site plan specific**; therefore, any future changes to the site plans, as approved, by current or future applicants must be submitted for Planning Approval 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.

The plat illustrates the proposed 0.3± acre, 1-lot subdivision, which is located on the North side of Diamond Road, 280'± East of its West terminus, and is located within Council District 4. The applicant states the site is served by city water and individual septic systems.

The purpose of this application is to create a legal lot of record from an existing metes-and-bounds parcel. It should be noted that this metes and bounds parcel was subdivided from the parent parcel in 1983; therefore, it is considered a lot of record. However, since Planning Approval is required to allow a mobile home as a dwelling unit in an R-1, Single-Family Residential District, the subdivision application is required as well as a Planning Approval application.

The site fronts Diamond Road, an unpaved and publicly-maintained road with a compliant 60-foot right-of-way; therefore, no dedication would be required. As a means of access management, a note should be required on the Final Plat stating that Lot 1 is limited to one curb cut, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. As on the preliminary plat, the Final Plat should illustrate the 25' minimum building setback line. Also, as on the preliminary plat, the lot should be labeled with its size in acres and square feet, or a table should be furnished on the Final Plat providing the same information.

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 this site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

With regard to the Planning Approval request to allow a mobile home in an R-1, Single-Family Residential District, no narrative justifying the request was submitted with the application. Staff contacted the applicant by telephone regarding the situation and explained that a narrative would

be required but none was ever submitted; thus, an accurate analysis of the Planning Approval request cannot be completed.

RECOMMENDATION

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

- 1) no narrative to justify the request was submitted, thus the application is incomplete; and
- 2) the proposed use would not be in harmony with the orderly and appropriate development of the district.

Subdivision: Based upon the preceding, the plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval, subject to the following conditions:

- 1) placement of a note on the Final Plat stating that Lot 1 is limited to one curb cut, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 2) illustration of the 25' minimum building setback line along Diamond Road;
- 3) labeling of the lot with its size in square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 4) placement of a note on the final plat stating that development of this site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species; and
- 5) subject to the Engineering Comments: *(Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right of way will require a right of way permit).*

Revised for the September 2nd meeting:

The Planning Approval application was heard at the August 5th meeting along with a one-lot Subdivision application which was approved at that meeting. The Planning Approval application was heldover to allow the applicant and staff time to determine the length of vacancy of the site. No narrative justifying the request was submitted with the original application; therefore, an accurate analysis of the request could not be made. The applicant subsequently submitted a narrative at the conclusion of the August 5th meeting.

The applicant states that she purchased a mobile home in 2001 and located it in the Grand Bay area, but for convenience in traveling to work and to be closer to family support, she relocated it to her brother's lot further East on the South side of Diamond Road. The subject site had a mobile home on it for several years, though unoccupied, until 2008 when it was removed after the sale of the property to the person the applicant purchased it from. In March, 2010, the applicant relocated the mobile home from her brother's lot to the subject site, and purchased the

property in April, 2010. In June, the applicant attempted to obtain the required building permit for the mobile home, but was denied since Planning Approval is required.

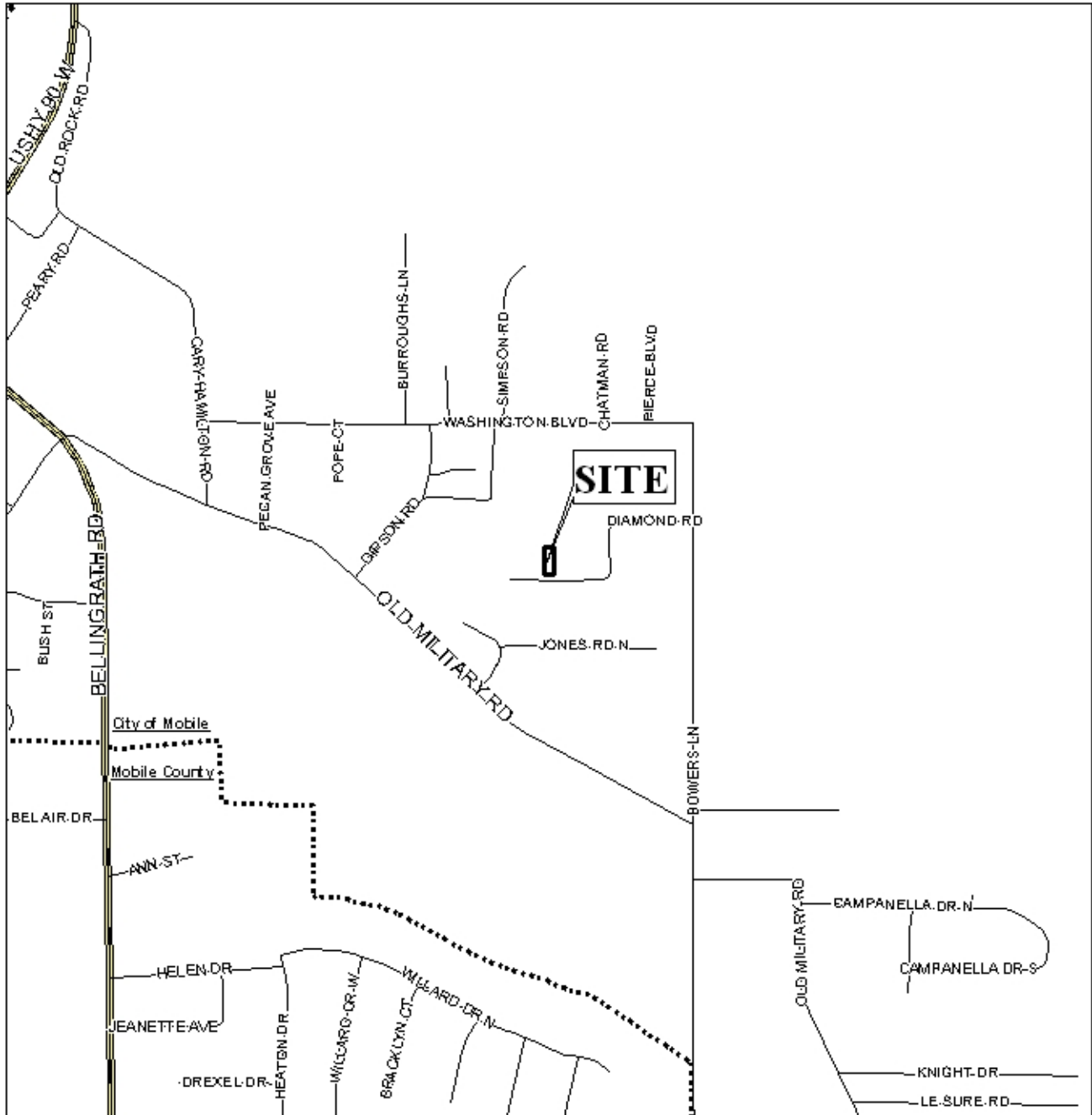
Information available to staff indicates that the subject site may never have been used for a mobile home (based on aerial photographs and land use data collected prior to annexation): a mobile home may have partially occupied the site, but aeriels since 2006 indicate that the site has been vacant. There are mobile homes in the area; therefore, the addition of a mobile home in the neighborhood would seem to have a minimal impact to the immediate surrounding properties. However, approving this application will establish a precedent that may negatively impact the near-by owners of traditional single-family dwellings. Although there are no adjacent traditionally-constructed single-family dwellings, the intent of the Zoning Ordinance is to dissuade the allowance of mobile homes within the City. Also, with regard to hazard, mobile homes present a special challenge in regards to natural hazards, particularly high winds. Thus, mobile homes present a special risk to public health, safety and welfare.

RECOMMENDATION

Planning Approval: *Based upon the preceding, this request is recommended for denial for the following reasons:*

- 1) approval of this application would set a precedent that may negatively impact the near-by owners of traditional single-family dwellings;*
- 2) the allowance of an additional mobile home within the neighborhood would go against the intent of the Zoning Ordinance; and*
- 3) mobile homes present a special risk regarding public health, safety and welfare.*

LOCATOR MAP



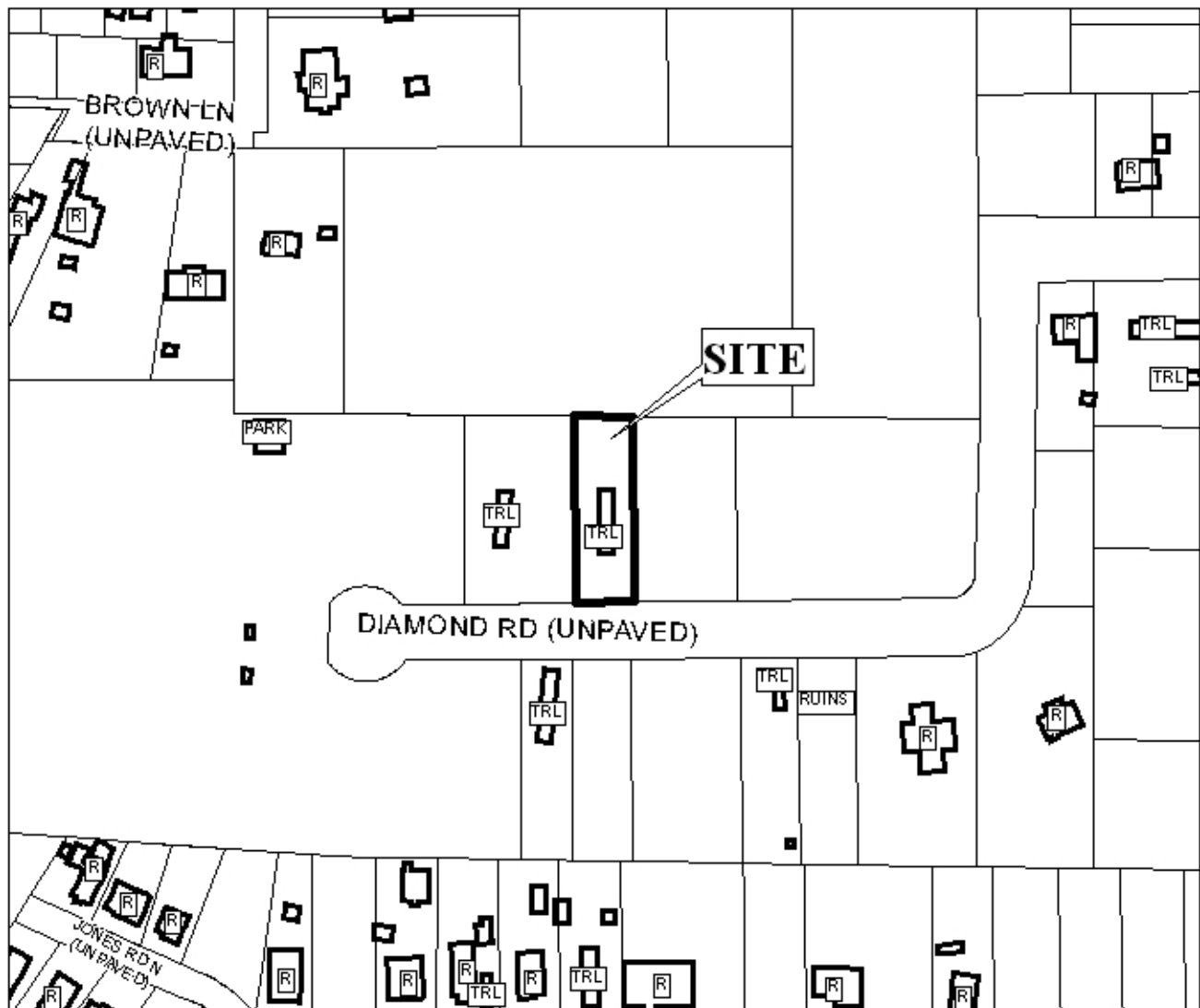
APPLICATION NUMBER 5 DATE September 2, 2010

APPLICANT Carolyn Armstrong Subdivision

REQUEST Planning Approval



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential land use. A park is located to the west of the site.

APPLICATION NUMBER 5 DATE September 2, 2010

APPLICANT Carolyn Armstrong Subdivision

REQUEST Planning Approval

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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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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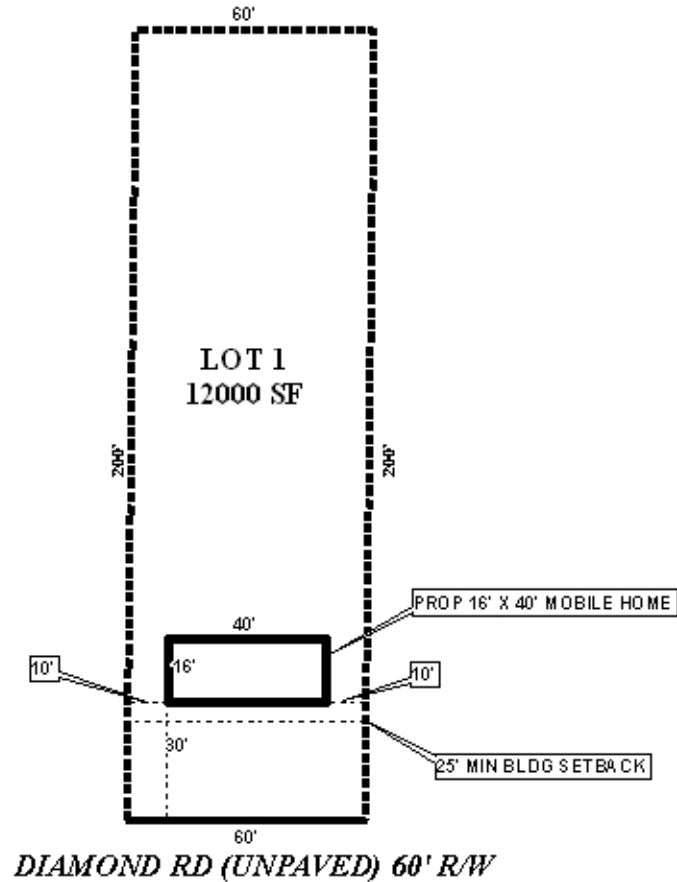
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NTS

SITE PLAN



The site plan illustrates the proposed mobile home.

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