



Agenda Item # 6

SUB-003550-2025

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration](#)

DETAILS

Location:

3603 Kent Road

Subdivision Name:

Resubdivision of Lot 10, Block C, First Addition to
Pinewood Subdivision

Applicant / Agent:

Kari Givens, Byrd Surveying, Inc.

Property Owner:

Ellis Harper

Current Zoning:

R-1, Single-Family Residential Suburban District

Future Land Use:

Low Density Residential

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Subdivision Regulations
- Map for Mobile Comprehensive Plan

Proposal:

- Subdivision approval to create two (2) legal lots of record from one (1) legal lot of record.

Commission Considerations:

- Subdivision proposal with seven (7) conditions.

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**RESUBDIVISION OF LOT 10, BLOCK C,
FIRST ADDITION TO PINWOOD RIVER SUBDIVISION**



APPLICATION NUMBER 6 DATE December 18, 2025



SITE HISTORY

The site was originally part of the *River Division of Shore Acres Subdivision*, the plat for which was recorded in the Mobile County Probate Court in February 1914. Resubdivision of the area resulted in the site being subdivided as Lot 10 of Block C of the *First Addition to Pinewood Subdivision*, the plat for which was recorded in October 1949.

In March 2023, the Planning Commission denied a request to further subdivide the property into two lots, citing the proposed design's incompatibility with the minimum dimensional requirements of the Subdivision Regulations.

The site is currently undeveloped.

There have been no other Planning Commission or Board of Zoning Adjustment applications associated with the property.

STAFF COMMENTS

Engineering Comments:

FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review):

- A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- B. Show and label all flood zones. New maps went into effect on June 5, 2020.
- C. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an A, AE, or X (shaded) flood zone designation. BFE = 12.
- D. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- E. Provide the Surveyor's Certificate.
- F. As shown on the 1984 aerial photo LOTS A & B will share the 3,900 sf of historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) and share the 4,000 SF credit provided to the original SF residential lot as follows: LOT A – 4,100 sf, LOT B – 3,800 sf. Stormwater detention will be required for any additional impervious area that exceeds the allowable credit for that LOT.
- G. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
- H. Add a note that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit.
- I. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved.
- J. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile.
- K. Add a note that all easements shall remain in effect until vacated through the proper Vacation process.
- L. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing.

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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.

Fire Department Comments:

All projects located within the City Limits of Mobile shall comply with the provisions of the City of Mobile Fire Code Ordinance, which adopts the 2021 edition of the *International Fire Code (IFC)*.

Fire apparatus access roads shall be provided to within 150 feet of all non-sprinklered commercial buildings and within 300 feet of all sprinklered commercial buildings, as measured along an approved route around the exterior of the facility.

An approved fire water supply capable of meeting the requirements set forth in *Appendices B and C* of the 2021 IFC shall be provided for all commercial buildings.

Fire hydrant placement shall comply with the following minimum standards:

- Within 400 feet of non-sprinklered commercial buildings
- Within 600 feet of sprinklered commercial buildings
- Within 100 feet of fire department connections (FDCs) serving standpipe or sprinkler systems

Although the *International Residential Code (IRC)* functions as a stand-alone document for the construction of one- and two-family dwellings and townhouses, it does not govern the design or layout of emergency access or community-level fire protection infrastructure. Therefore, residential developments must also comply with the applicable requirements of the *International Fire Code*, including, but not limited to, those listed above concerning the design, construction, regulation, and maintenance of fire apparatus access roads and fire protection water supplies.

Planning Comments:

The purpose of this application is to create two (2) legal lots of record from one (1) legal lot of record. The site is served by public water and sanitary sewer.

The site has frontage on Kent Road, a minor street without curbing or gutter improvements requiring a 60-foot-wide right-of-way. Sufficient right-of-way is illustrated on the preliminary plat making additional dedication unnecessary. This information should be retained on the Final Plat, if approved.

The lots, as proposed, exceed the minimum size requirements for lots served by public water and sanitary sewer in an R-1 Suburban district and are appropriately labeled with this information in square feet and acres on the preliminary plat. If approved, this information should be retained on the Final Plat; alternatively, a table providing the same information will suffice.

Proposed Lot B may be considered a “flag lot,” with a 25-foot-wide “pole” providing access to Kent Road. Section 6.C.9.(b) of the Subdivision Regulations discourages flag-lot designs unless similarly shaped lots are common within the vicinity or unusual circumstances exist. Flag lots are not common in the surrounding area; however, the applicant provides the following justification:

When the owner purchased [the] lot in May 2022, there were two houses on the property. There were separate drives and utilities serving each house. The house to the rear of the lot was in poor condition and the owner had it removed. Now he wants to construct a house at that location and that is the reason for the proposed flag lot. This would create a lot that contains the house site and the existing drive that serves the house. Having two houses at this location will be the same as it has been for many years.

There is no documentation on file establishing legal non-conforming status for a second dwelling; however, aerial imagery from 1997 through 2022 shows two (2) structures on the site. The property appears to have been fully undeveloped since 2023.

Although the non-conforming status cannot be verified, the presence of a second dwelling—if it existed—does not appear to have negatively affected the surrounding neighborhood. Subdividing the property would allow two (2) new dwellings to be constructed in compliance with current regulations, thereby eliminating potential non-conforming or non-compliant conditions and maintaining compatibility with the neighborhood. If the Planning Commission elects to approve the request, a waiver of Section 6.C.9.(b) will be required.

Proposed Lot A meets the minimum 60-foot width requirement of Section 6.C.2(b)(2) for residential lots located within the suburban sub-district.

A 25-foot front yard setback is illustrated on the preliminary plat where each lot is at least 60-feet wide, in compliance with Section 6.C.8. of the Subdivision Regulations and Article 2, Section 64-2-5.E. of the Unified Development Code (UDC) for lots in the R-1 Suburban district.

The site is located within the Peninsula Overlay District. Accordingly, if the subdivision is approved, the development of each lot will be subject to the provisions of Article 12 of the UDC.

SUBDIVISION CONSIDERATIONS

Standards of 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.

Considerations:

If the Subdivision request is considered for approval, a waiver of Section 6.C.9.(b) of the Subdivision Regulations will be required (for lot design), and the following conditions could apply:

1. Retention of the 60-foot-wide right-of-way along Kent Road on the Final Plat;
2. Retention of the lot sizes in square feet and acres on the Final Plat, or provision of a table on the Final Plat with the same information;
3. Retention of the 25-foot front yard setback along Kent Road on the Final Plat where each lot is at least 60 feet in width;

4. Compliance with all Engineering comments noted in this staff report;
5. Placement of a note on the Final Plat stating the Traffic Engineering comments noted in this staff report;
6. Compliance with all Urban Forestry comments noted in this staff report; and
7. Compliance with all Fire Department comments noted in this staff report.

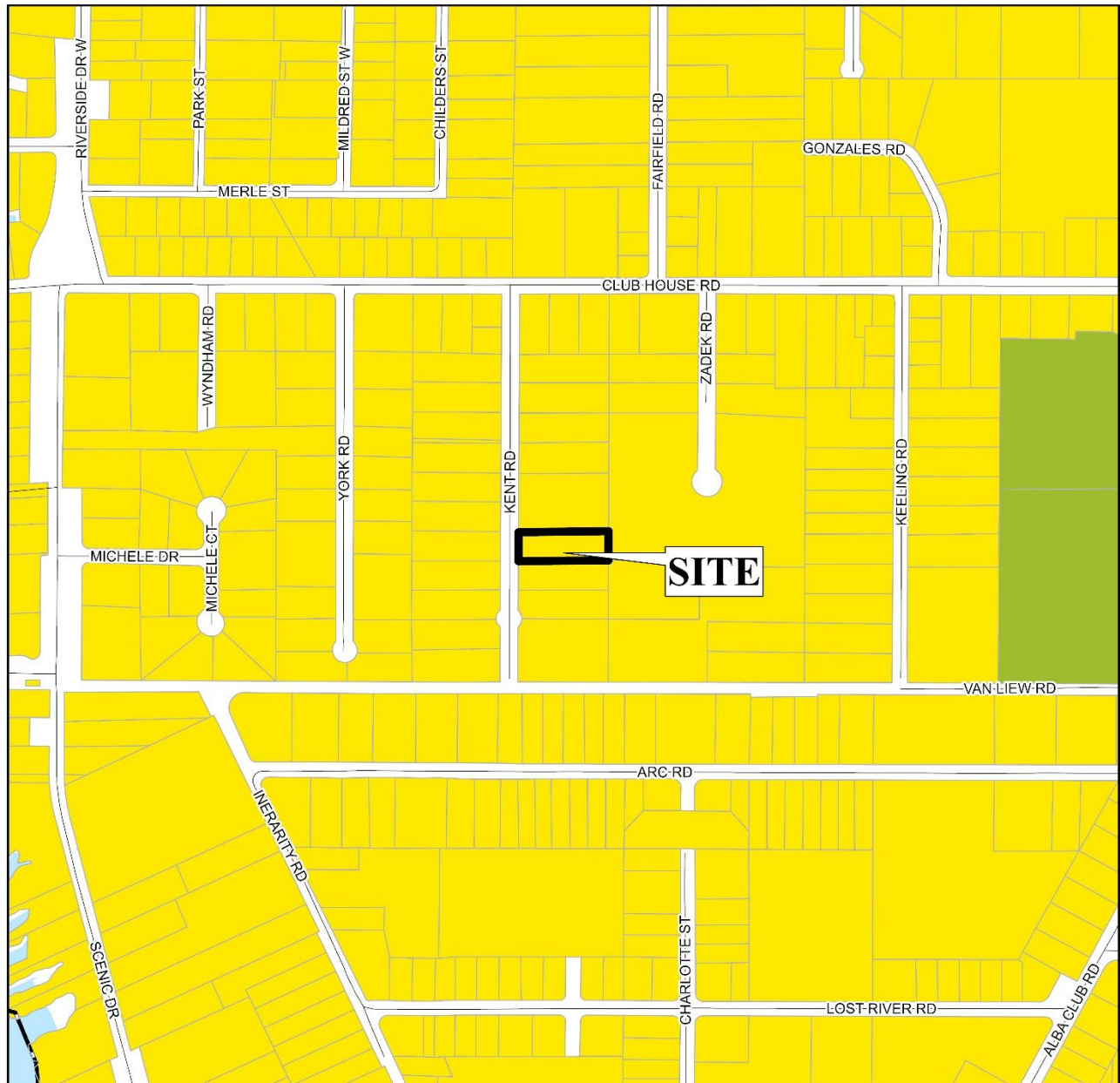
LOCATOR ZONING MAP



APPLICATION NUMBER 6 DATE December 18, 2025
APPLICANT Resubdivision of Lot 10, Block C, First Addition to
REQUEST Subdivision



FLUM LOCATOR MAP



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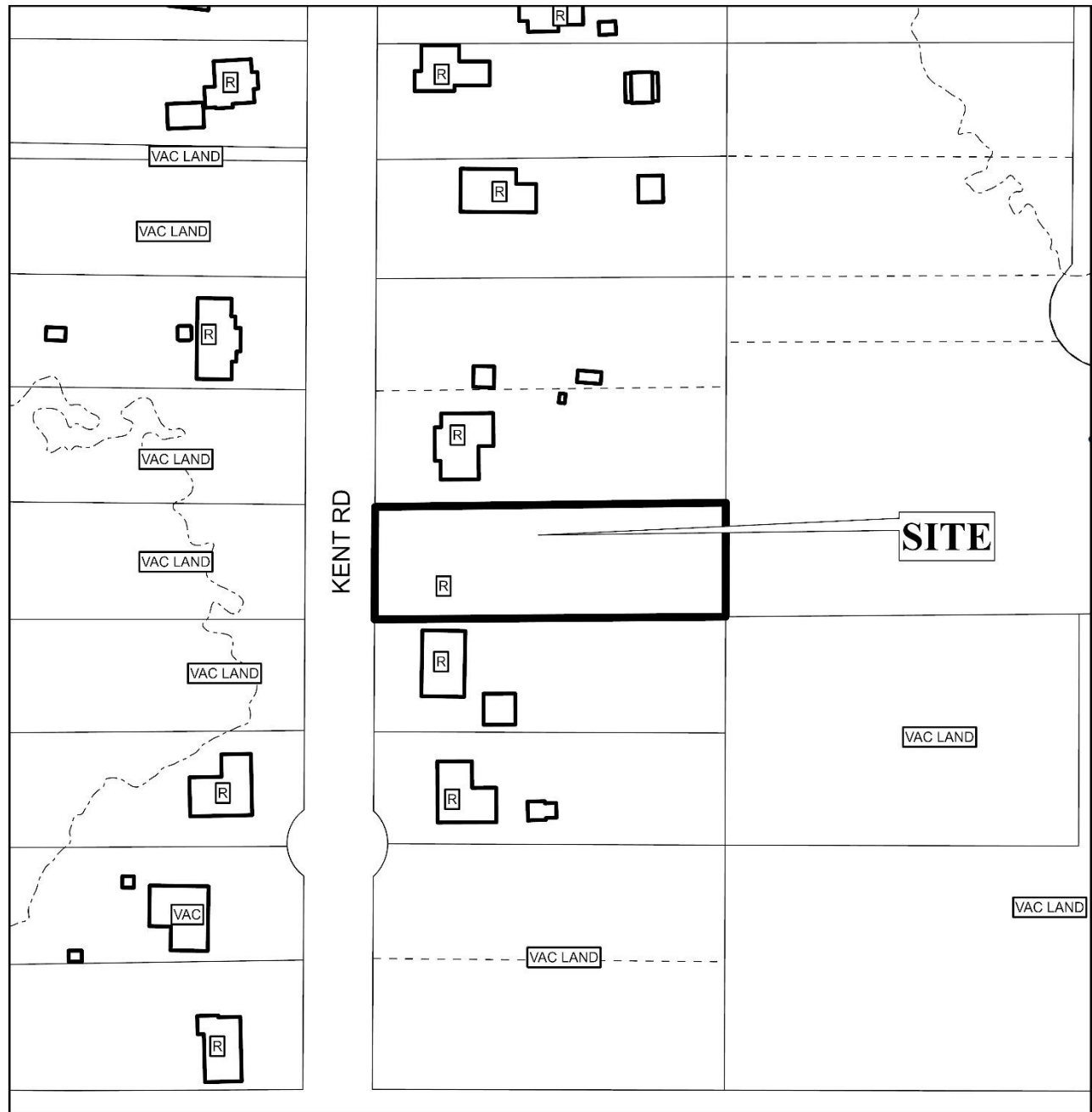
APPLICANT Resubdivision of Lot 10, Block C, First Addition to

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- | | | | |
|--|---|--|--|
| Low Density Residential | Neighborhood Center - Traditional | Light Industry | Water Dependent |
| Mixed Density Residential | Neighborhood Center - Suburban | Heavy Industry | |
| Downtown | Traditional Corridor | Institutional | |
| District Center | Mixed Commercial Corridor | Parks, Open Space | |



RESUBDIVISION OF LOT 10, BLOCK C, FIRST ADDITION TO PINEWOOD RIVER SUBDIVISION

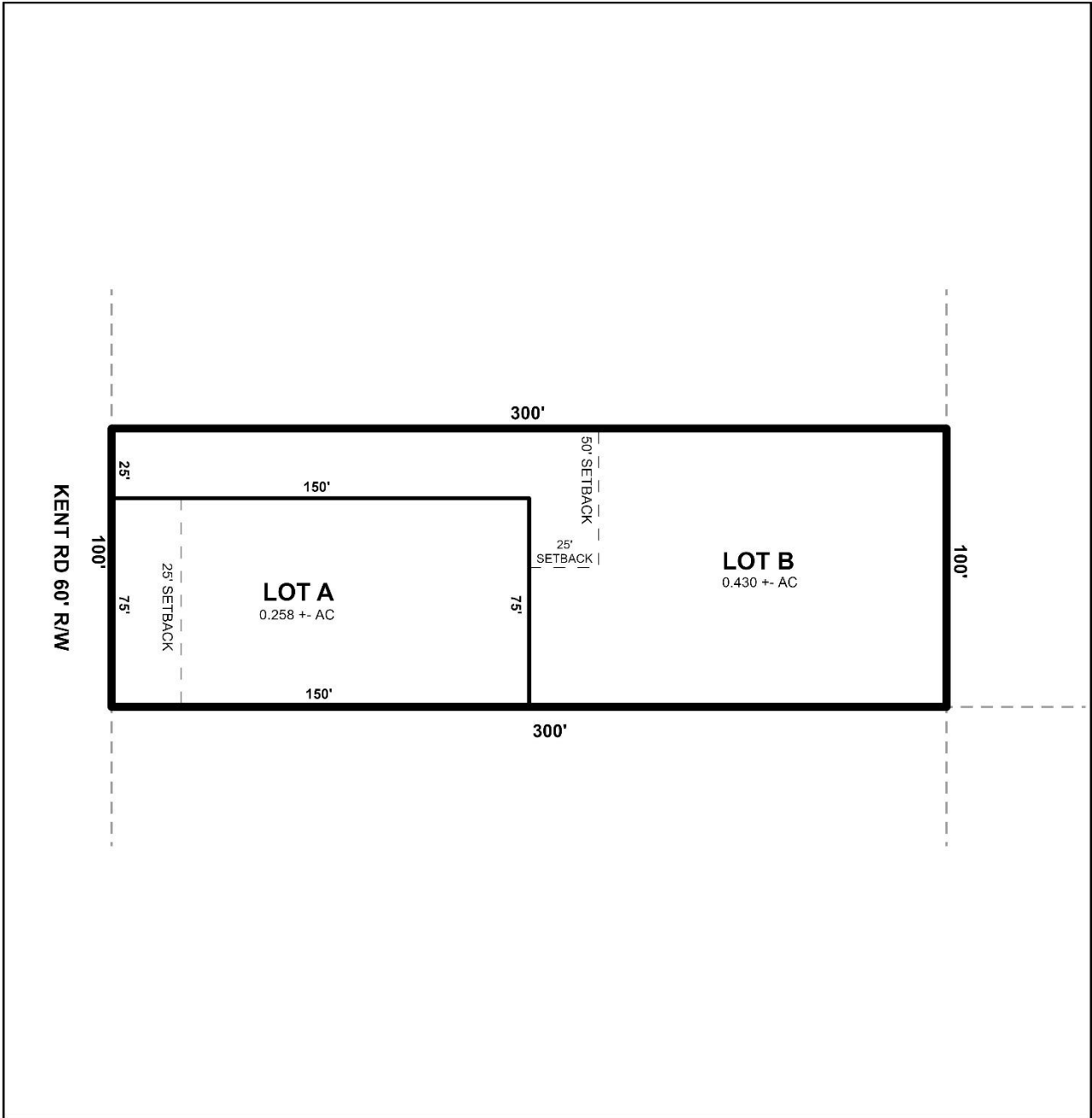


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R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	



DETAIL SITE PLAN



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 REQUEST Subdivision



The designation of an area with a FLUM land use category does not mean that the most intense zoning district consistent with that category is “automatically” assigned to a property. Instead, an area retains its existing zoning category until it is changed through a landowner-initiated rezoning application, or a rezoning that follows an area plan. This is because the FLUM is a long-term designation, while a change in zoning considers current conditions – such as market demands, availability of infrastructure, or impacts on the immediate neighborhood.

Zoning correspondence matrix

[illegible]

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to residential neighborhoods found mostly west of I-65 or immediately adjacent to the east side of I-65. These areas are primarily single family residential, but may contain small-scale complimentary uses and other residential types at appropriate locations. An LDR area may include a wide range of lot sizes, housing size and styles, including some small-scale multi-unit buildings, but housing styles are highly consistent within a subdivision and tend to have limited connectivity between residential types and non-residential uses. Neighborhoods tend to have longer blocks and may be designed in a network of meandering streets. Residential density ranges between 0 and 6 dwelling units per acre (du/ac).

Development Intent

- › Complementary uses are designed and sited in a manner compatible with and connected to the surrounding context.
- › The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.
- › When establishing new residential areas or expanding existing developments, provide pedestrian and vehicular connectivity between adjacent developments.

Land use mix

Primary Uses

- › Residential, Single family
- › Residential, Attached

Secondary Uses

- › Residential, Multifamily
- › Civic
- › Parks

Housing mix

- › Predominantly single family subdivisions with lots smaller than one acre
- › Attached residential such as duplexes, multiplexes, and townhomes that have the scale of a single family home

Character Example

