

LAW SUBDIVISION

Engineering Comments: Detention required for greater than 4000 square feet of impervious area. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. Must comply with all storm water and flood control ordinances. 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 within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, with local amendments, and the 2003 International Existing Building Code, as appropriate.

The plat illustrates the proposed $0.4 \pm$ acre, 2-lot subdivision which is located at the Northwest corner of Byrnes Boulevard and Jordan Lane. The applicant states that the subdivision is served by public water and sewer facilities. The site is located in Council District 5.

The purpose of this application is to subdivide a legal lot of record into two lots. The existing lot was created by a two lot subdivision approved by the Planning Commission at its February 19, 2004 meeting. As part of the approval in 2004, the existing lot is limited to one curb-cut.

The site fronts onto Byrnes Boulevard and Jordan Lane, both minor streets with adequate right-of-way. Due to the size of the proposed lots, each lot should be limited to one curb-cut each, with the size, design and location to be approved by Traffic Engineering, and in compliance with AASHTO standards.

Each proposed lot will meet the minimum size and dimensional requirements of the Subdivision Regulations, however, they will be somewhat uncharacteristic of the general area due to their relatively small size. Proposed Lot 1 will be 10,402 square feet, and proposed Lot 2 will be 7,207 square feet. Of the 55 single-family residential lots / parcels within 600 feet of the site, none are less than 13,000 square feet in size. The average size of all lots / parcels is approximately 27,400 square feet.

Based upon the preceding, this application is recommended for Denial for the following reason:

- 1) The size of the lots would be uncharacteristic of the area, per Section V.D.1. of the Subdivision Regulations.

Revised for the September 6th meeting:

The application was heldover from the August 16th meeting so that staff could further review the subdivision request.

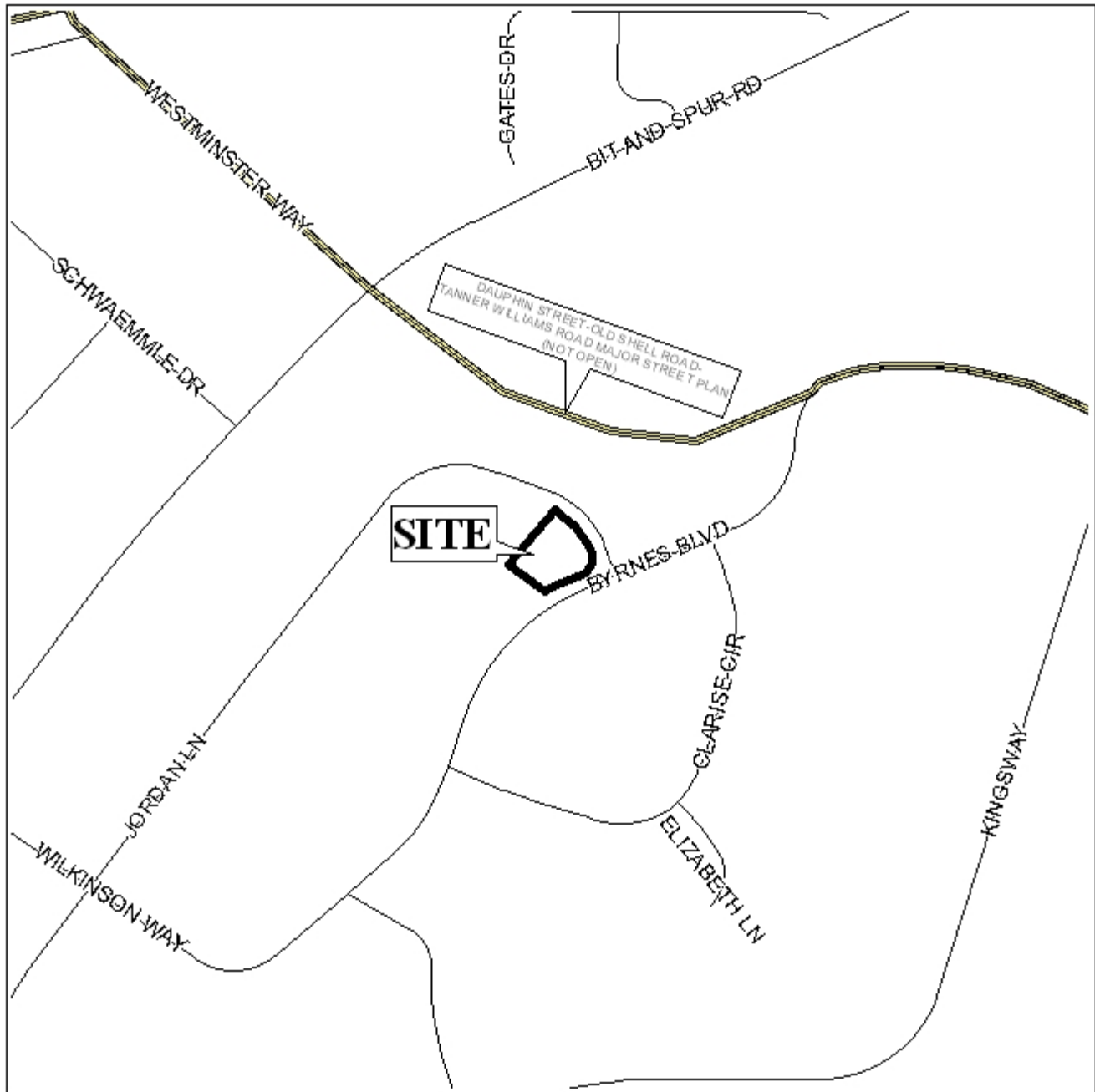
At the August 16th meeting, the applicant's representative stated that denial of the application solely on the basis of Section V.D.1. of the Subdivision would violate decisions on similar previous cases heard before the Mobile County Circuit Court and the Alabama Supreme Court. The attorney for the Planning Commission agreed to the interpretation of the court cases, stating that additional causes would be necessary to deny the case.

The original approval of the subdivision creating lots 5-A and 5-B, at the February 19, 2004 meeting of the Planning Commission, limited lot 5-B to one curb-cut. Since the original approval, there have been two subsequent applications to modify the curb-cut restriction for lot 5-B. The first application in 2005 requested three curb-cuts, but was approved by the Planning Commission on May 5, 2005 for only two curb-cuts, however, a final plat was never recorded. An application submitted in 2006 and approved by the Planning Commission at its January 4, 2007 meeting, allowed two curb-cuts for lot 5-B, however, the revised plat has not been recorded.

Based on the preceding, the application is recommended for Tentative Approval, subject to the following conditions:

- 1) Placement of a note on the final plat stating that each lot is limited to one curb-cut, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards; and*
- 2) full compliance with all other municipal codes and ordinances.*

LOCATOR MAP



APPLICATION NUMBER 6 DATE September 6, 2007

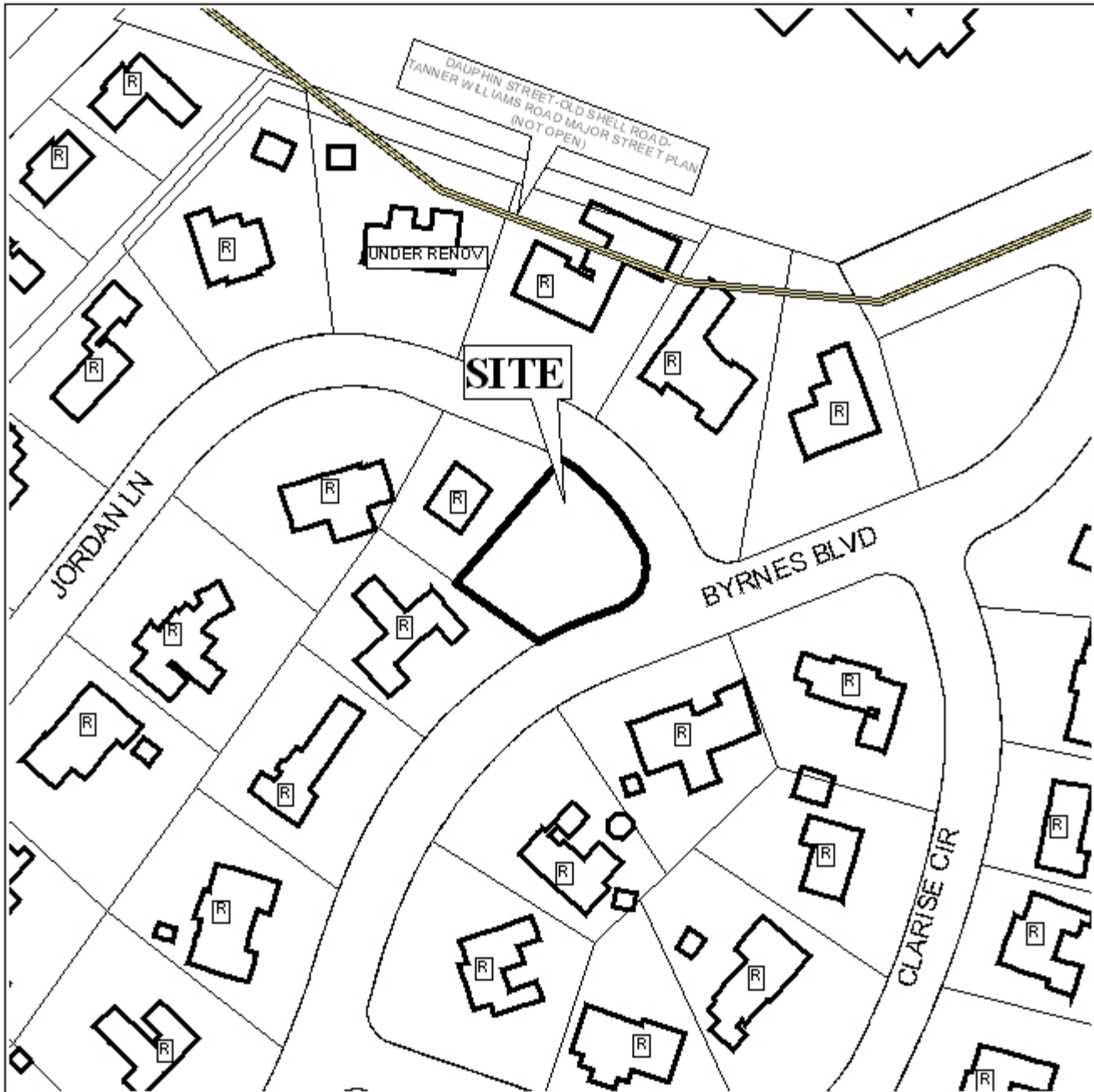
APPLICANT Law Subdivision

REQUEST Subdivision


















NTS

LAW SUBDIVISION



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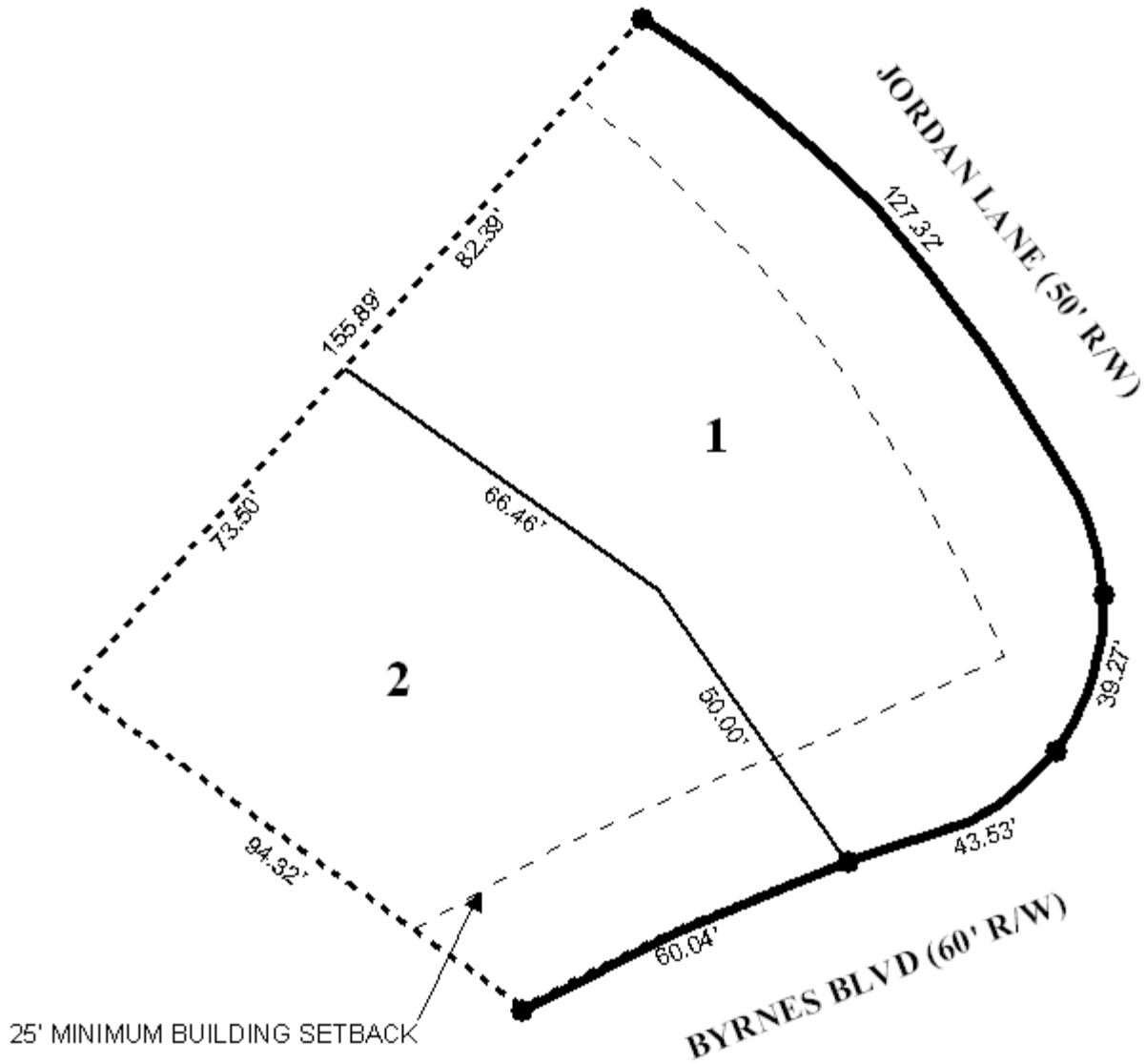
LEGEND

														
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



NTS

DETAIL SITE PLAN



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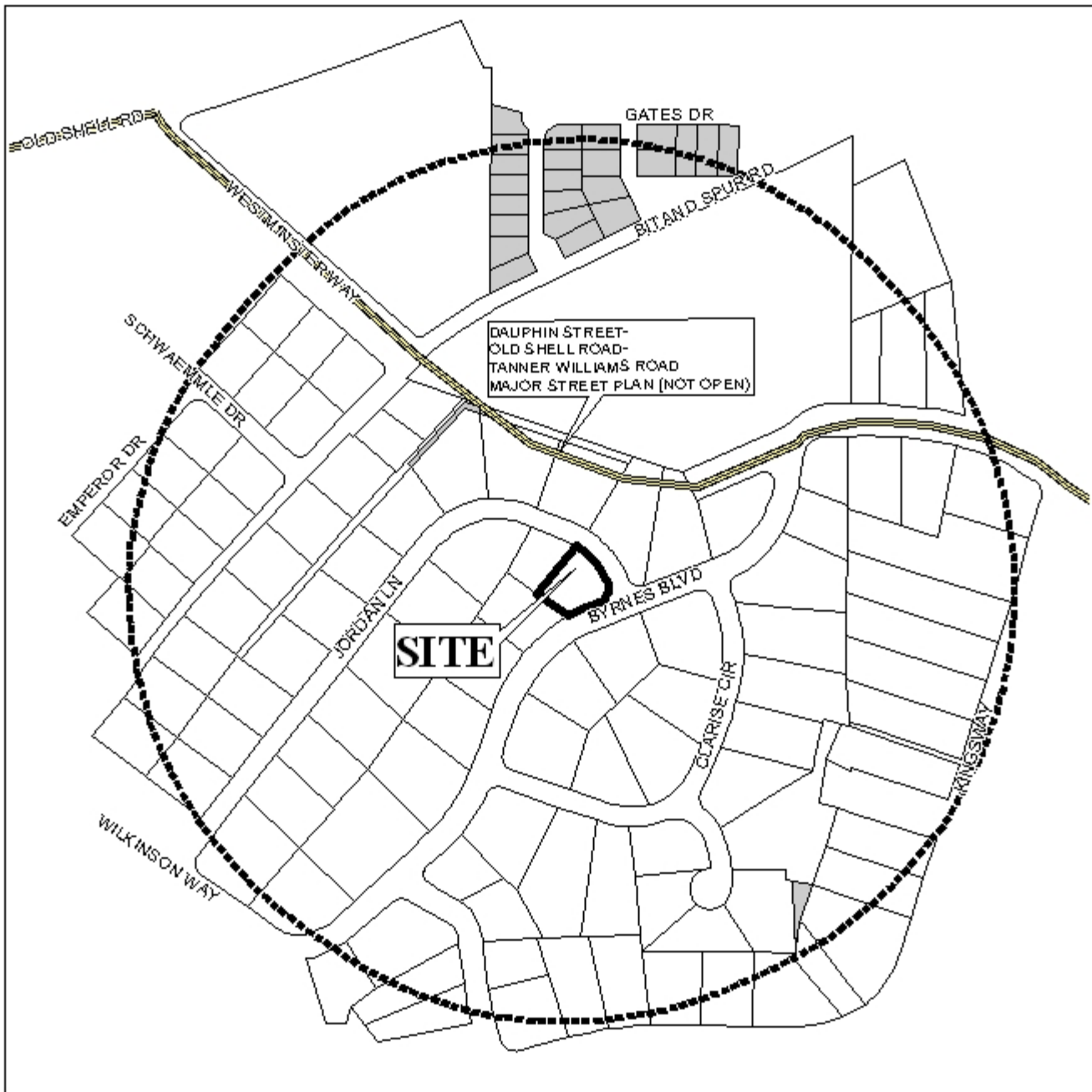
APPLICANT Law Subdivision

REQUEST Subdivision






NTS

LAW SUBDIVISION - LOTS WITHIN 1000 FT. THAT ARE GREATER OR LESS THAN 11000 SQ. FT.



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 1000 ft. Buffer  Lots less than 11000 sq. ft.  Lots greater than 11000 sq. ft.



NTS