

MATHIS BAY ESTATES 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. New public roads shall be constructed and paved to standards for County Maintenance, and accepted by Mobile County, while new private roads shall be constructed and paved to minimum County or Subdivision Regulation standards, whichever are greater.

Fire Department Comments: All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

MAWSS Comments: MAWSS has NO water or sewer services available.

The plat illustrates the proposed 3-lot, 2.0± acre subdivision located at the East terminus of New Bellefontaine Boulevard, within the Planning Jurisdiction. The applicant states that the subdivision is served by public water and individual septic tank services.

The purpose of this application is to create three legal lots from two existing legal lots of record.

The site consists of Lots 2 and 3, Resubdivision of Lot 302 and a Portion of Lot 301, Grays' Belle Fontaine Shores Subdivision, approved by the Commission in 2000.

The site fronts on New Bellefontaine Boulevard, a minor street with a compliant 75' right-of-way; therefore, no dedication would be required. If the Subdivision is approved, as a means of access management, a note should be required on the Final Plat stating that each lot is limited to one curb cut to New Bellefontaine Boulevard, with the size, location and design to be approved by County Engineering and conform to AASHTO standards.

The plat indicates a 25' building setback line for all lots and this should also be shown on the Final Plat, if approved. All lots meet the minimum size requirements of the Subdivision Regulations and are labeled with their sizes in both square feet and acres on the preliminary plat. If approved, the Final Plat should retain these size labels, or a table should be furnished on the Final Plat providing the same information.

There are existing and proposed easements within the site; therefore, if approved, a note should be required on the Final Plat stating that no structures are to be constructed within any easement.

Lots 2 and 3 would be flag lots which are generally discouraged by Section V.D.1. of the Subdivision Regulations. However, they are permitted only in instances of family subdivisions or in those locations where varied and irregularly-shaped lot designs are common and the informality of design is consistent with other lots in the vicinity. There have been other flag lot

subdivisions allowed by the Commission within the vicinity and this particular subdivision would be similar. Therefore, a waiver of Section V.D.1. of the Subdivision Regulations would be in order, if approved. A note should be required on the Final Plat stating that no further resubdivision of any lot is allowed until additional public street frontage is provided.

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.

No Flood Zone data was given on the preliminary plat. However, GIS data indicates the site to be within the VE Flood Zone. The presence of a floodplain indicates 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 or land disturbance activities.

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.

If approved, 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.8. of the Subdivision Regulations.

It should be noted that when the two subject lots were created via the Resubdivision of Lot 302 and a Portion of Lot 301, Gray's Belle Fontaine Shores Subdivision, a note was placed on the Final Plat specifically stating that Lots 2 and 3 will not be resubdivided unless additional frontage and access is provided. New Bellefontaine Boulevard was indicated with a 75' right-of-way width for that Subdivision, the same as for the current. No additional frontage or access is now provided, and no justification for the non-adherence to that note is given.

With a waiver of Section V.D.1., the plat would ordinarily meet the minimum requirements of the Subdivision Regulations and be recommended for tentative approval. However, this particular Subdivision must be recommended for denial for the following reasons:

- 1) the subject site is restricted from further resubdivision by the note on the recorded plat of the Resubdivision of Lot 302 and a Portion of Lot 301, Gray's Belle Fontaine Shores Subdivision stating such; and
- 2) no justification for the non-adherence to that restriction was provided.

Revised for the March 5th meeting:

This application was heldover from the January 15th meeting to allow staff to research the existing note stating no resubdivision, and to develop possible conditions for approval.

At the April 20, 2000 Commission meeting, the three-lot Gray's Belle Fontaine Subdivision, Resubdivision of Lot 302 and a Portion of Lot 301, was originally recommended for denial, but the applicant's representative asked that the application be heldover so the site plan could be revised and also wished to meet with the staff to work out some of the questions outlined in the report. The concerns centered on the easement to Lot 304 adjacent to the South side of the subject site which crosses through the proposed subdivision. The application was heldover to the meeting of May 4th, as requested. Upon meeting with staff, the plat was revised and as such, staff recommended for approval with conditions. The subdivision was approved conditioned upon "a note on the Final Plat stating that Lots 2 & 3 will not be re-subdivided unless additional frontage and access is provided". As those are the two lots now proposed to be re-subdivided, staff concurs with the Commission's May 2000 decision to not allow any further resubdivision of those lots unless additional frontage and access is provided, which is not the case in this instance.

Therefore, staff recommends that this application must be denied for the following reasons:

- 1) the subject site is restricted from further resubdivision by a note on the recorded plat of the Resubdivision of Lot 302 and a Portion of Lot 301, Gray's Belle Fontaine Shores Subdivision stating such;*
- 2) no justification for the non-adherence to that restriction was provided; and*
- 3) no additional frontage is being provided.*

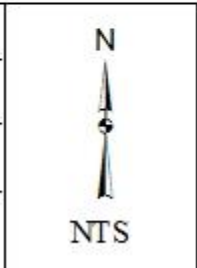
LOCATOR MAP



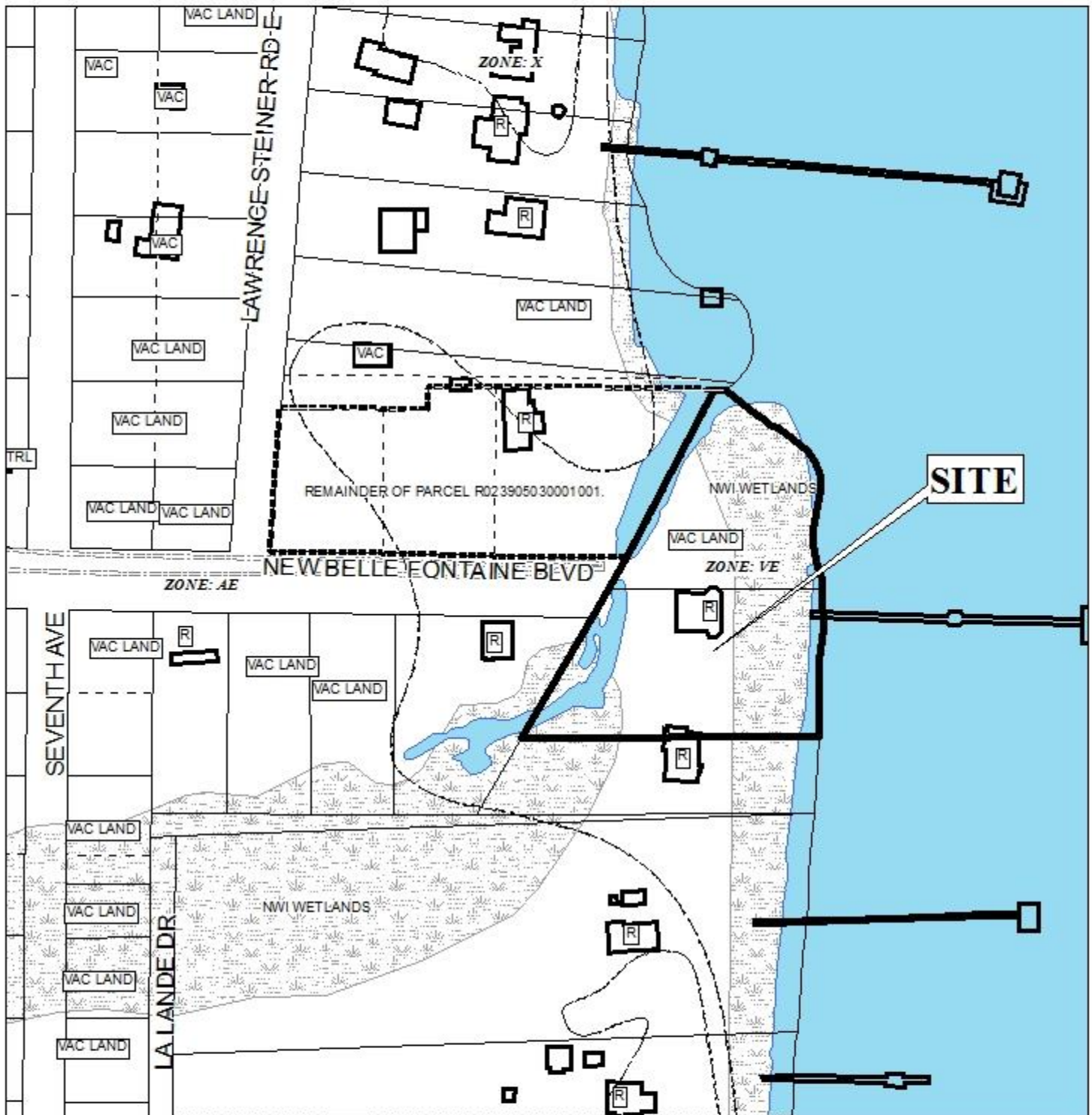
APPLICATION NUMBER 6 DATE March 5, 2015

APPLICANT Mathis Bay Estates Subdivision

REQUEST _____ Subdivision _____



MATHIS BAY ESTATES SUBDIVISION



APPLICATION NUMBER 6 DATE March 5, 2015

R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



MATHIS BAY ESTATES SUBDIVISION



APPLICATION NUMBER 6 DATE March 5, 2015

R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



DETAIL SITE PLAN

REMAINDER OF PARCEL R023905030001001.

NEW BELLEFONTAINE
BLVD 75' R/W

LOT 1

PROP 10'
EASEMENT

20' EASEMENT

LOT 2

20' EASEMENT

LOT 3

328.48

488' +/-

MOBILE BAY

APPLICATION NUMBER 6 DATE March 5, 2015

APPLICANT Mathis Bay Estates Subdivision

REQUEST Subdivision



NTS