

PLANNING APPROVAL STAFF REPORT**Date: November 18, 2021****NAME**

Rhoda White

LOCATION7050 Pope Court
(West side of Pope Court, 255'± South of Washington Boulevard).**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONING

R-1, Single-Family Residential District

AREA OF PROPERTY

1 Lot / 0.4± Acre

CONTEMPLATED USE

Planning Approval to allow a mobile home in an R-1, Single-Family Residential District.

**TIME SCHEDULE
FOR DEVELOPMENT**

Mobile home already on site

**ENGINEERING
COMMENTS**

1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work.
3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance 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.
4. Each Lot Owner shall be required to submit a Single Family Residential Affidavit application with the initial construction of a single family dwelling or other impervious surface (driveway, shed, slab, asphalt, gravel, etc.). The application shall include a site plan showing the proposed improvements and a verification that the amount of impervious area is less than or equal to the approved amount of impervious area.

5. 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. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals.
6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

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 within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

REMARKS

The applicant is requesting Planning Approval to allow a mobile home as a primary residence in an R-1, Single-Family Residential District.

The site has been given a Low Density Residential (LDR) land use designation, per the Future Land Use Plan and Map adopted May 18, 2017 by the Planning Commission. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting.

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community

centers, neighborhood playgrounds, and churches or other religious uses if those 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.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation of the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and the City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

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 hazard, 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 plan, as approved, by current or future applicants must be submitted for additional Planning Approvals.

The applicant states:

My name is Rhoda White, and this letter is to state my purpose of the approval to have my mobile home be allowed to remain at my address of 7050 Pope Ct Theodore, Al. Since this land was purchased back in 1988 and there has always been mobile homes on the lot here. The community has been historically open to having mobile homes in the area and there are three currently on my street used as primary dwellings. This land has been in my family, and I have once lived here as a kid, and I want to build up the property later. My intentions are to use my home as my primary residence for my family. My mobile home has been on my land since June 30, 2021. Due to my dealer not being fully acclimated with the City of Mobile it has led me to apply for approval after the fact instead of before placing it there. I am just asking to please give me the opportunity to fix what has already been started.

I am aware that I will be required to apply for a setback variance after the initial planning approval is completed due placement of my home not in being in setback guidelines. I will also need to apply for permits to have my septic completed as well as set up of my ac unit, water and power. I had hoped to have these things done before the end of the year, but I understand that I must complete what is required to follow compliance with the city ordinances. I can assure the board that I will do everything that is needed of me so that I am able to live in my home.

The site plan submitted shows the mobile home that was placed on the site without approvals as well as an old shed and an old RV. The mobile home was placed within the 25' minimum building

setback line, with the closest point being approximately 5' 5" from the front property line. The applicant has submitted a variance application to the Board of Zoning Adjustment to allow the mobile home to remain in the setback. The variance is scheduled to be heard by the Board at its December 6, 2021 meeting.

It is unclear if the old RV depicted on the site plan is to remain on the site to be used as a dwelling, or if it is simply stored on the property. If it is to be used as a dwelling, the pending variance application should be amended to include the request to allow a second dwelling unit on the site.

There are three other existing mobile homes along Pope Court, all of which appear to have been in the area since prior to being annexed into the City of Mobile in 2009. There also appear to be at least three mobile homes along Gipson Road, all of which appear to have existed in the area prior to annexation.

Due to the existence of several mobile homes in the area, it would appear that the placement of a mobile home on the subject site is "in harmony with the orderly and appropriate development of the district". However, the mobile home will need to be relocated outside of the front minimum setback, should the pending variance be denied.

RECOMMENDATION

Staff recommends the following finding of fact for Approval of the request:

- a. the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, because it will allow an existing lot to be utilized residentially;
- b. the proposal will not cause undue traffic congestion or create a traffic hazard, because it will only the approval will not result in additional traffic to the site versus a traditional built home; and
- c. the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located, because there are already several mobile homes on Pope Court and other streets in the area.

The approval should be subject to the following conditions:

- 1) either approval of the setback variance, or relocation of the mobile home to be outside of all required setbacks;
- 2) clarification if the "old RV" on site is to be used as a dwelling, and revision of the variance application to allow a second dwelling, as appropriate;
- 3) obtain all necessary after-the-fact permits;
- 4) full compliance with Engineering comments: (1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but

not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance 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. 4. Each Lot Owner shall be required to submit a Single Family Residential Affidavit application with the initial construction of a single family dwelling or other impervious surface (driveway, shed, slab, asphalt, gravel, etc.). The application shall include a site plan showing the proposed improvements and a verification that the amount of impervious area is less than or equal to the approved amount of impervious area. 5. 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. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);

- 5) placement of a note on the Final Plat stating Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 6) compliance with the 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.);*
- 7) compliance with the Fire-Rescue Department comments: (All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.); and*
- 8) full compliance with all municipal codes and ordinances.*

LOCATOR MAP



APPLICATION NUMBER 7 DATE November 18, 2021

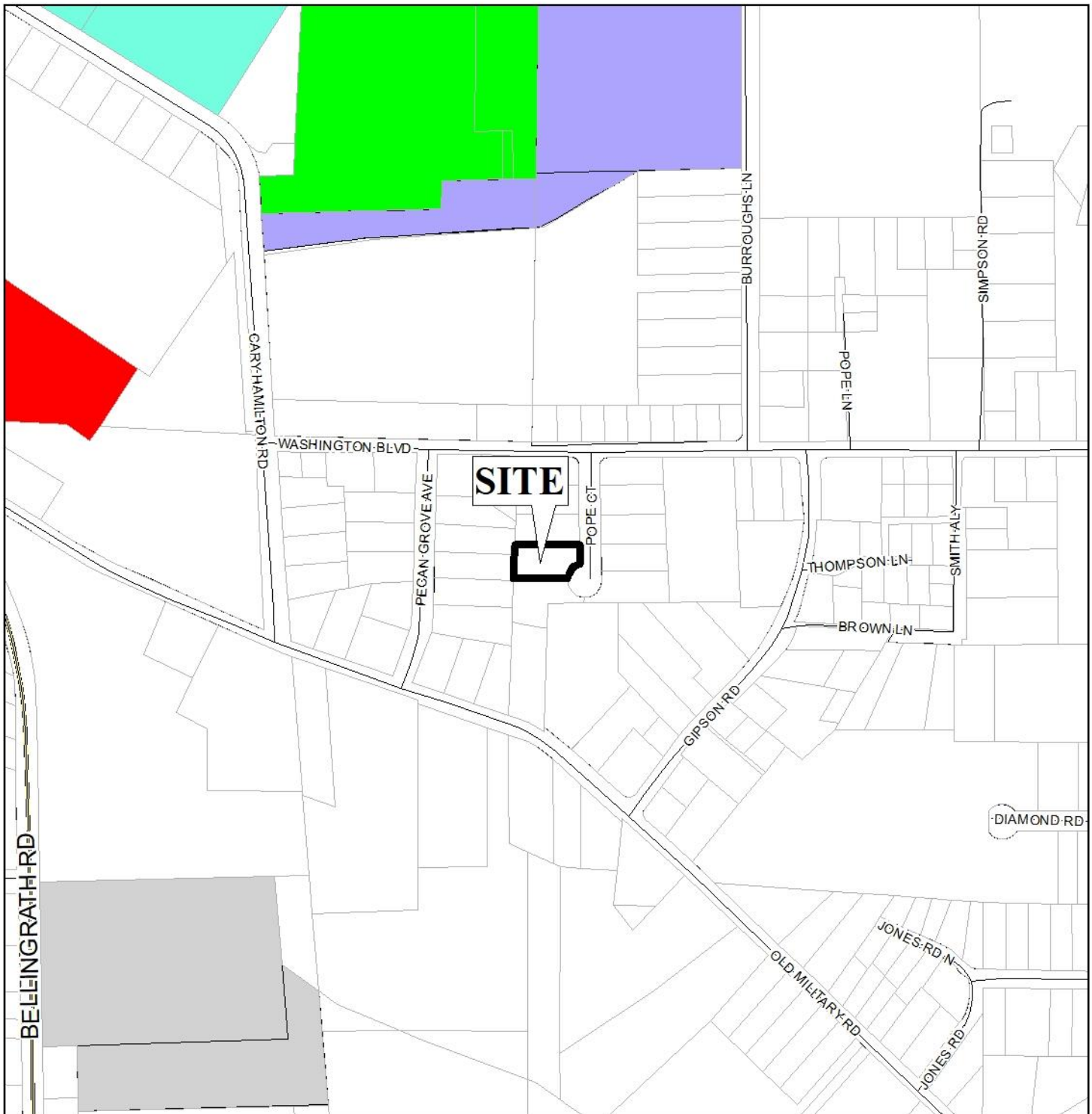
APPLICANT Rhoda White

REQUEST Planning Approval



NTS

LOCATOR ZONING MAP



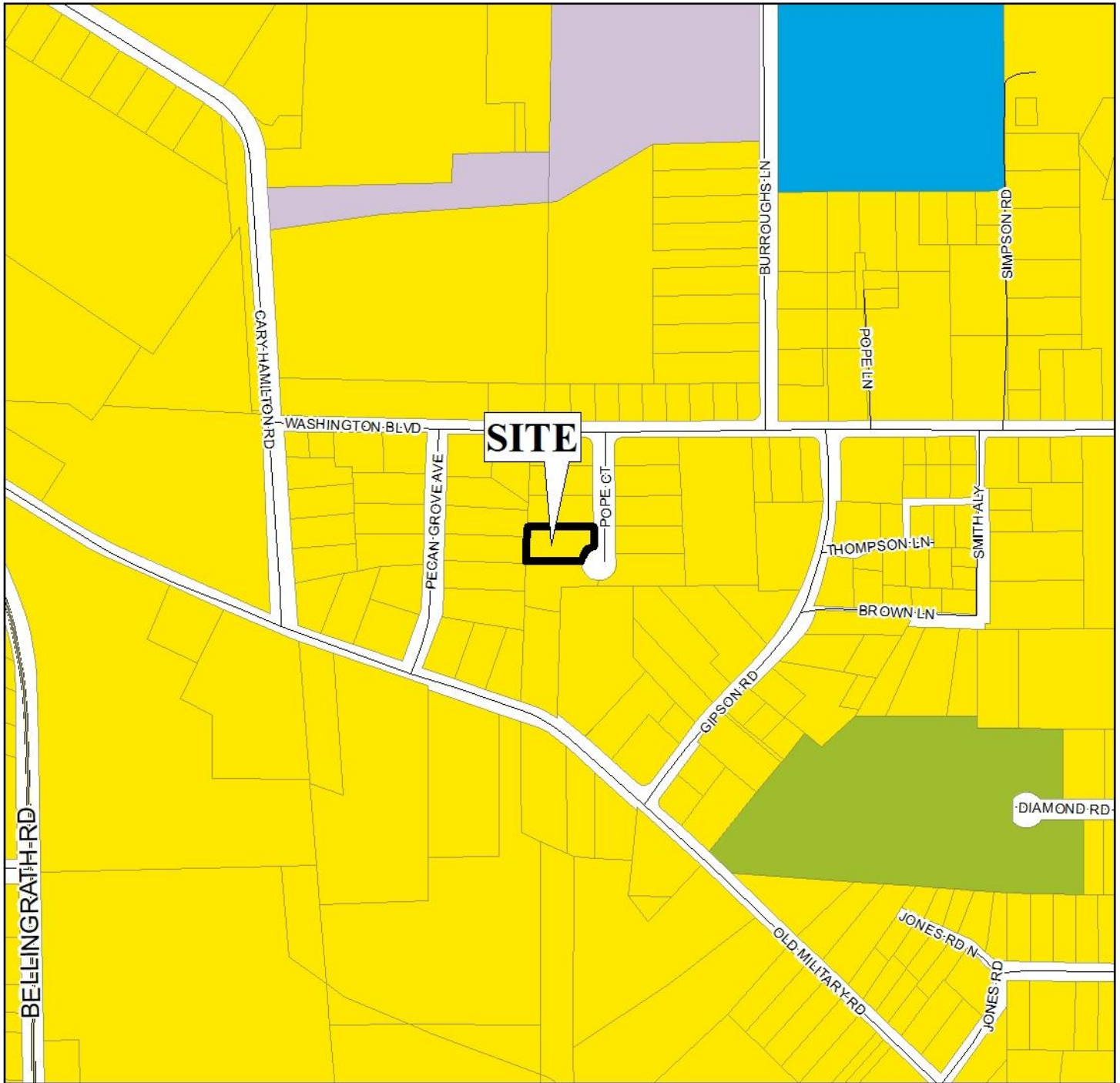
APPLICATION NUMBER 7 DATE November 18, 2021

APPLICANT Rhoda White

REQUEST Planning Approval



FLUM LOCATOR MAP



APPLICATION NUMBER 7 DATE November 18, 2021

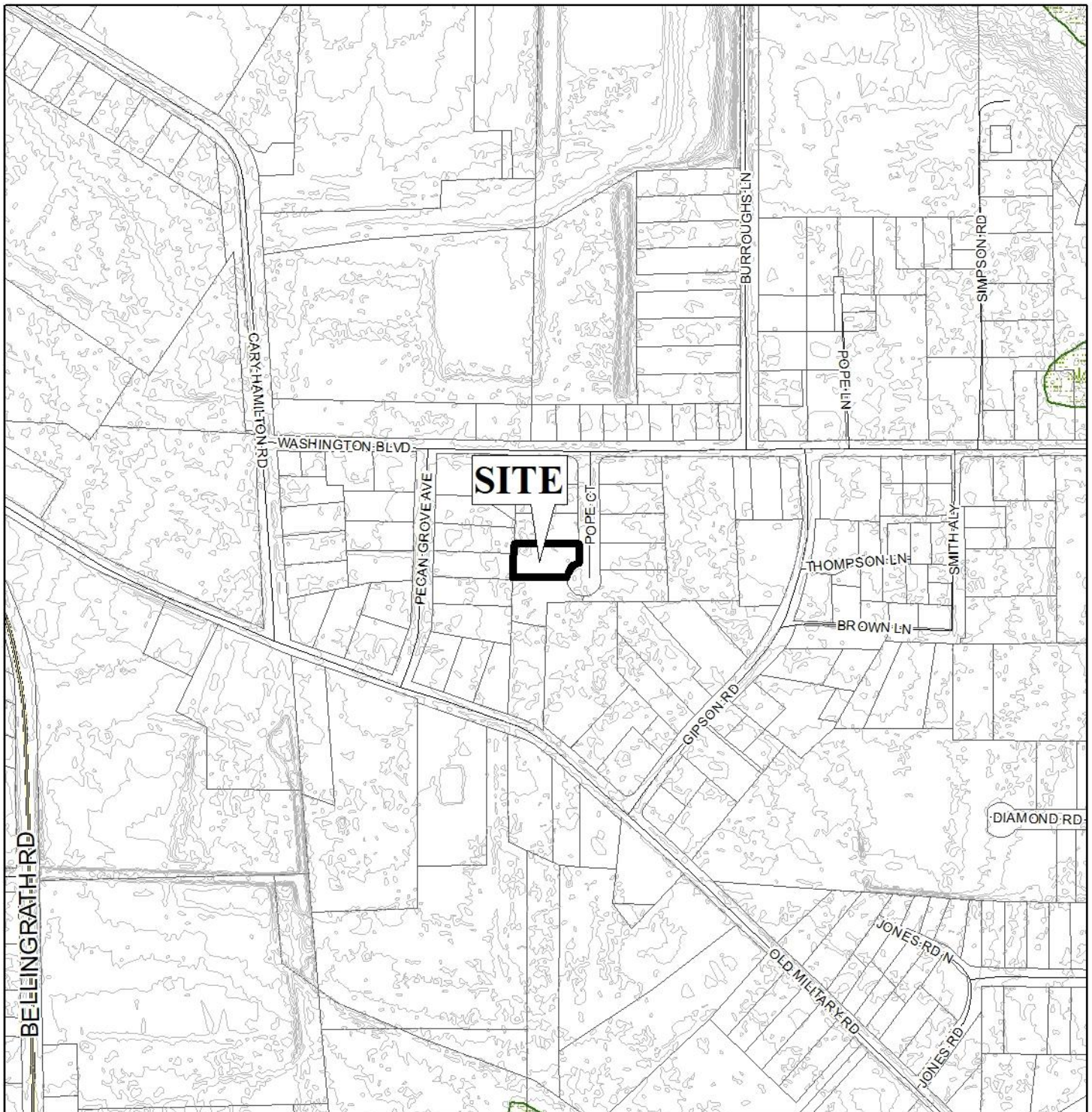
APPLICANT Rhoda White

REQUEST Planning Approval

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



ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 7 DATE November 18, 2021

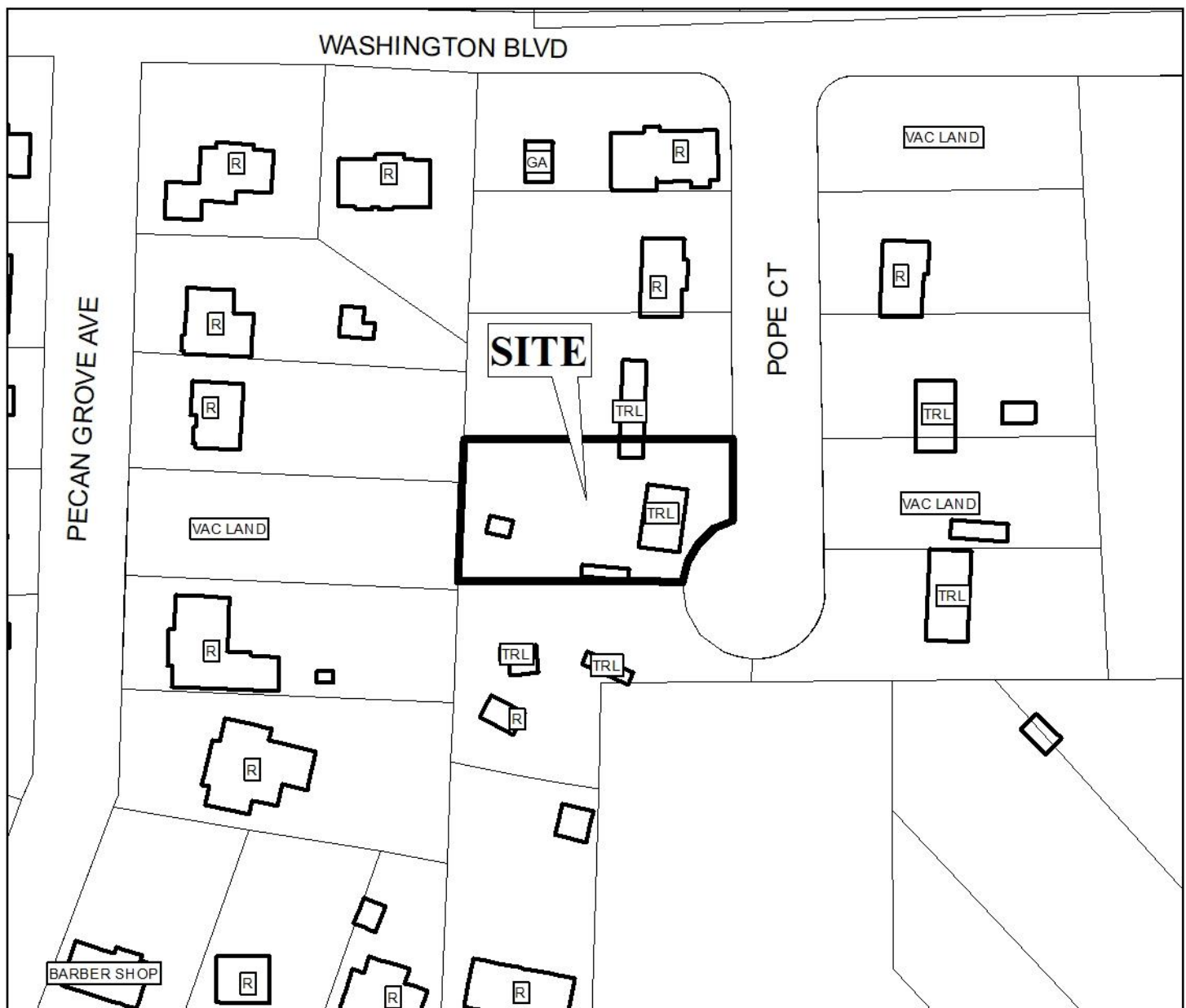
APPLICANT Rhoda White

REQUEST Planning Approval



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

APPLICATION NUMBER 7 DATE November 18, 2021

APPLICANT Rhoda White

REQUEST Planning Approval

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



PLANNING COMMISSION VICINITY MAP - EXISTING ARIEL

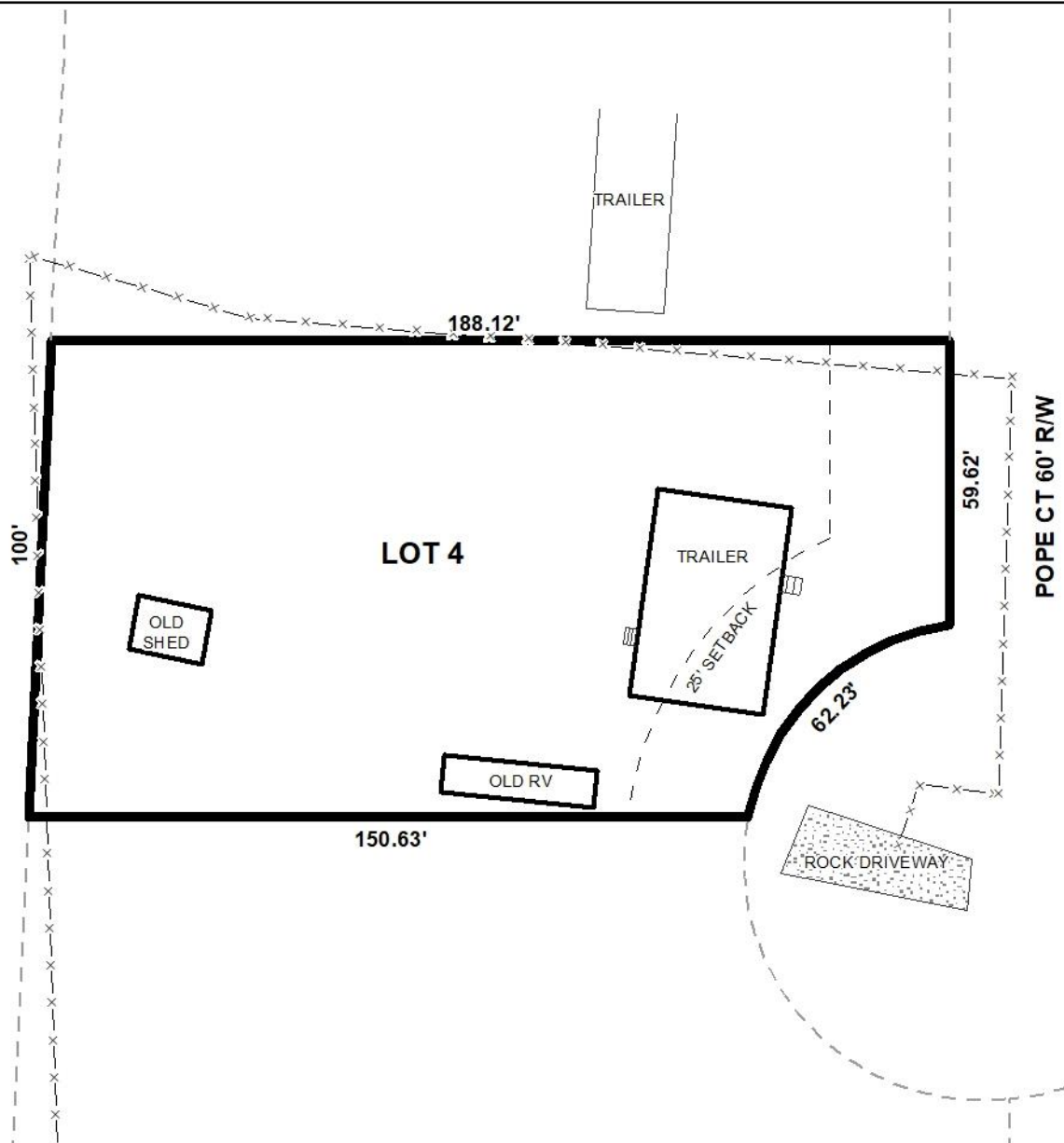


The site is surrounded by residential units.

APPLICATION NUMBER 7 DATE November 18, 2021
 APPLICANT Rhoda White
 REQUEST Planning Approval



SITE PLAN



The site plan illustrates the trailer, rv, and setback.

APPLICATION NUMBER 7 DATE November 18, 2021

APPLICANT Rhoda White

REQUEST Planning Approval



NTS