

PLANNING APPROVAL STAFF REPORT**Date: October 1, 2009****NAME**

Pam McDonald

LOCATION1947 Hall Road
(West side of Hall Road, 490'± North of Howells Ferry Road)**CITY COUNCIL
DISTRICT**

District 7

PRESENT ZONING

R-1, Single-Family Residential District

AREA OF PROPERTY

0.5± Acre

CONTEMPLATED USE

Planning Approval to allow a mobile home as a single-family dwelling.

**TIME SCHEDULE
FOR DEVELOPMENT**

Immediately

**ENGINEERING
COMMENTS**

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. Detention must be provided and a land disturbance permit will be required for any cumulative increase in impervious area added to the site since 1984 in excess of 4000 square feet.

**TRAFFIC ENGINEERING
COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and ALDOT 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**

No comments submitted.

REMARKS

The applicant is requesting Planning Approval to allow a mobile home to be used as a single-family dwelling in an R-1, Single-Family Residential district. Planning Approval is required for mobile homes used as dwellings in R-1 zoning districts.

The applicant purchased the subject property, a metes-and-bounds parcel, in August, 2009, along with the adjacent metes-and-bounds parcel to the North, and now proposes to install a mobile

home on the site to be used as a dwelling. A mobile home was located on the site for many years but burned around the time of the applicant's purchase of the property. The mobile home was allowed on the property via a Use Variance granted by the Board of Zoning Adjustment in April, 1986, subject to an 18-month time limit to be on site expiring in October, 1987. Therefore, the mobile home would not qualify to currently be on site in a legal non-conforming status. Additionally, the metes-and-bounds parcel to the North was granted a Use Variance in 1983 to allow a mobile home in addition to an existing dwelling, and that variance was for a one-year period. That mobile home was apparently removed many years ago. Both of those applications were by the over-all parent parcel owner who was disabled and desired to furnish temporary housing for his daughters to be close while caring for him.

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 Planning Approval.

As previously mentioned, the subject site and the neighboring metes-and-bounds parcel were purchased together by the applicant. Deed history furnished indicates that the parent parcel was split into two parcels in 1961, after the adoption of the Subdivision Regulations in 1952. Since this application is to allow a mobile home as the primary dwelling, the site must not currently contain any dwelling units. Since neither parcel can be considered a legal lot of record, this application would basically be to allow the mobile home as an additional dwelling on the over-all parent parcel, and that would be handled via the Board of Zoning Adjustment.

The field land use survey conducted as part of this application review did not indicate any mobile homes within the immediate vicinity of the site, and a GIS database review indicates only one or possibly two mobile homes within a ¼-mile radius of the site. Although the proposed mobile home would replace one which recently burned, that mobile home was supposed to have been removed in 1987 and would not be considered a legal nonconforming use since then. Therefore, allowing a replacement would be inappropriate for the neighborhood and out of character with existing dwellings.

RECOMMENDATION

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

- 1) the request is basically to allow a second dwelling unit on a site containing an existing dwelling which was divided into two metes-and-bounds parcels without going through the proper Subdivision process; and
- 2) the mobile home would not be appropriate for the neighborhood and would be out of character with existing dwellings in the area.

LOCATOR MAP



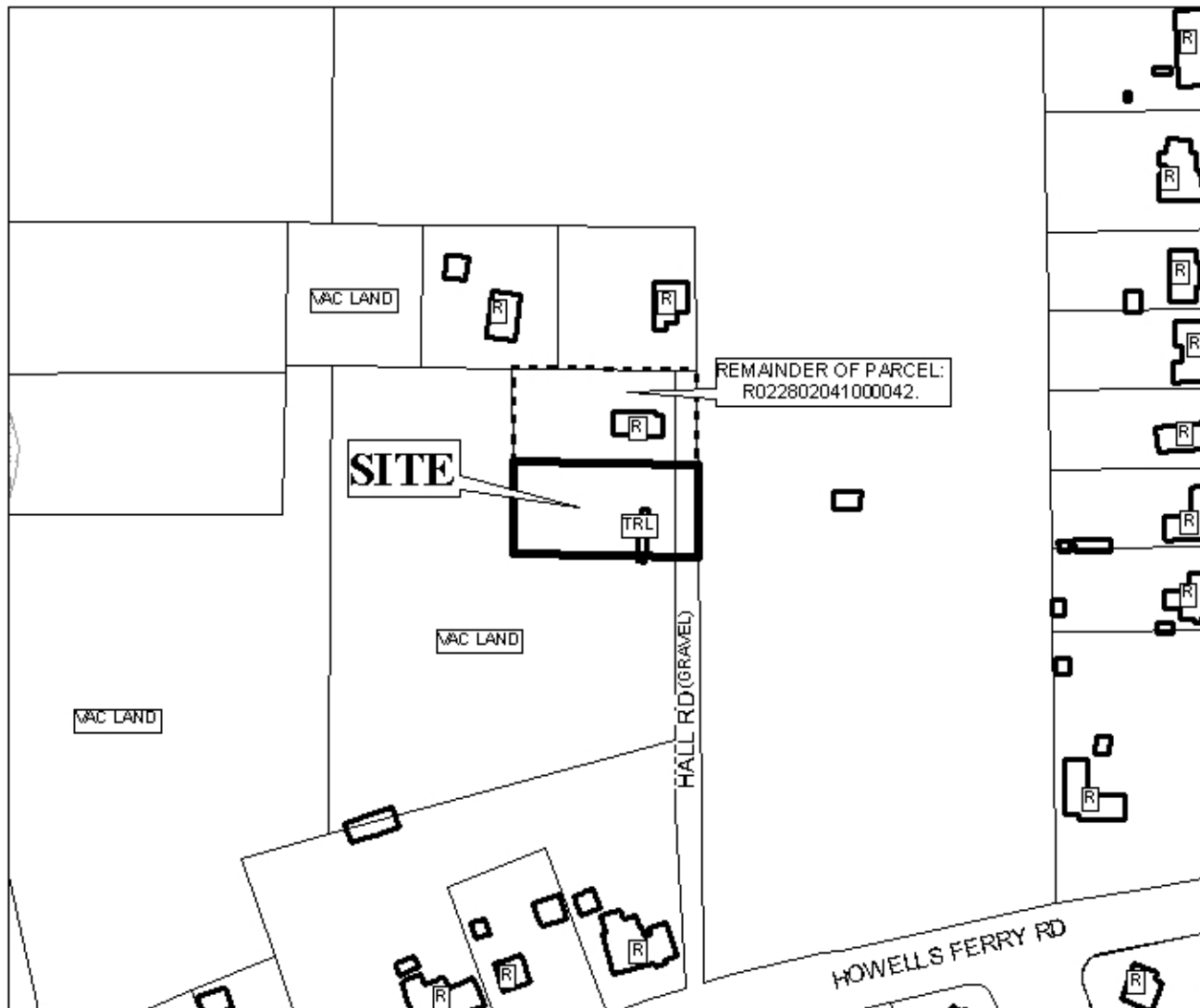
APPLICATION NUMBER 11 DATE October 1, 2009

APPLICANT Pam McDonald

REQUEST Planning Approval



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by residential land use.

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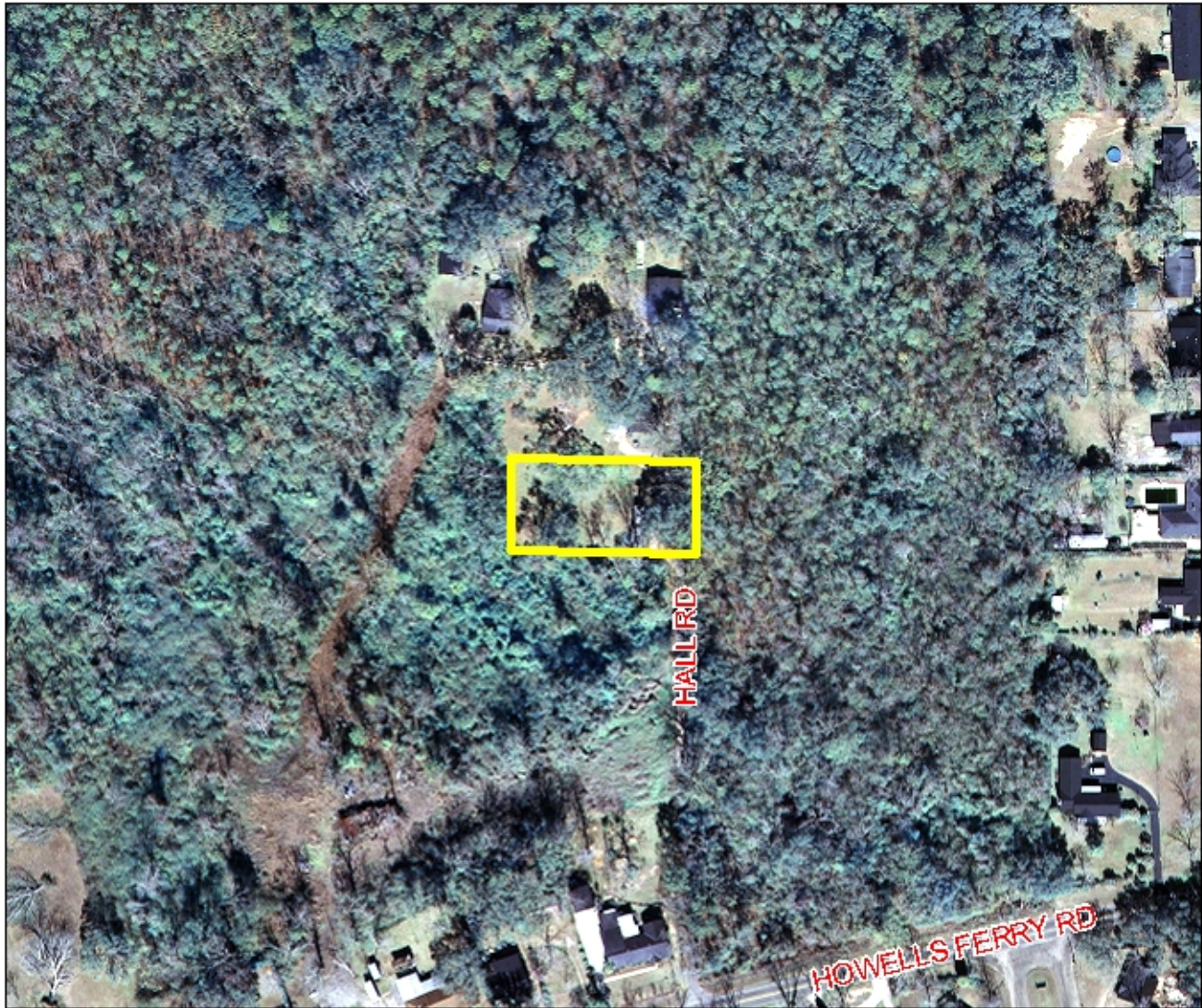
REQUEST Planning Approval

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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N
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NTS

SITE PLAN



This site plan illustrates the proposed mobile home and drive.

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N
NTS