

**TISDALE SUBDIVISION OF THE FISHER TRACT,  
SQUARE 25, RESUBDIVISION OF LOTS 12 & 13**

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.

Traffic Engineering Comments: Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Final approval for all driveways, proposed and existing will be given upon submittal of final plans.

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-Rescue Department Comments: No comments submitted.

MAWSS Comments: MAWSS has water and sewer services available, but a Capacity Assurance application for additional sewer service has not been applied for. MAWSS cannot guarantee additional sewer service until a Capacity application is approved by Volkert Engineering, Inc.

The plat illustrates the proposed 2-lot, 0.2± acre subdivision which is located on the East side of Good pay Street, 120'± North of pecan Street, in Council District 2. The subdivision is served by public water and sanitary services.

The purpose of this application is to resubdivide two existing lots of record into two lots of record via an adjustment of the common property line between the two. There is currently an encroachment of a covered porch on existing Lot 13 onto existing Lot 14, and the relocated property line between the two is proposed to split the difference between the two structures.

The proposed subdivision has frontage on Good Pay Street with a non-compliant 40' right-of-way. Ordinarily, dedication to provide 25' from the centerline would be required; however, to require such would place the new right-of-way line slightly within the existing front porch on proposed Lot 2 and along the front of the front porch on proposed Lot 1. Therefore, dedication should be waived in this instance. The plat should be revised to indicate a 30' minimum building setback line along Good Pay Street as measured from the current right-of-way line. 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 Good Pay Street, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. An unnamed, unopened public alley with a non-compliant 12' right-of-way width is adjacent to the South side of proposed Lot 1. Normally, an alley requires a 20' right-of-way. However, to require dedication to provide 10' from the centerline would place the new right-of-way line within the existing dwelling on proposed Lot 1; therefore, dedication along the alley should also be waived in this instance. A note should be required on the final plat stating that Lot 1 is denied direct access to the alley until such time it is developed to a 20' right-of-way.

The existing lots predate the Subdivision Regulations and Zoning Ordinance and are slightly more than 40' wide by 90' deep, or approximately 3,600 square feet in size, below the standard width and area required by the Zoning Ordinance, but substandard lot sizes are consistent with the surrounding neighborhood. As previously mentioned, a side porch on existing Lot 13 encroaches onto Lot 12, and the existing property line is actually along the wall of the dwelling on Lot 12. As there is currently a side porch on Lot 12 facing the encroaching side porch on Lot 13, and the two are 4' apart, the logical relocation of the common property line would be 2' from each, as proposed. This would further reduce the substandard size of Lot 12, but there are even smaller lots existing within the area, so this would not be uncommon. A waiver of Section V.D.2. of the Subdivision Regulations would be required and appropriate for each proposed lot. Each lot is labeled on the plat with its size in square feet, and should also be so-labeled on the final plat, or a table should be provided furnishing the same information. Due to the fact that reduced side yards are proposed for each lot, a separate Side Yard Setback Variance to allow the 2' setback off the proposed property line is requested for each scheduled for the November 2<sup>nd</sup> Board of Zoning Adjustment meeting. The final approval for this subdivision should be contingent upon the Board approving the 2' Setback Variance for each lot.

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 this site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

With a waiver of Section V.D.2., the plat meets the minimum requirements of the Subdivision Regulations and is recommended for tentative approval subject to the following conditions:

- 1) illustration of a 30' minimum building setback line as measured for the existing right-of-way line along Good Pay Street;
- 2) placement of a note on the final plat stating that each lot is limited to one curb cut to Good Pay Street, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 3) placement of a note on the final plat stating that Lot 1 is denied direct access to the alley until such time that it is developed to a 20' right-of-way;
- 4) labeling of each lot with its size in square feet, or the provision of a table on the plat furnishing the same information;
- 5) approval of the proposed 2' Side Yard Setback Variance for each lot by the Board of Zoning Adjustment;
- 6) placement of a note on the final plat stating that development of this site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species; and
- 7) subject to the 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).*

# LOCATOR MAP



APPLICATION NUMBER 11 DATE November 5, 2009

APPLICANT Tisdale Subdivision of the Fisher Tract,  
Square 25, Resubdivision of Lots 12 & 13

REQUEST Subdivision



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SQUARE 25, RESUBDIVISION OF LOTS 12 & 13**



APPLICATION NUMBER 11 DATE November 5, 2009

LEGEND

|     |     |     |     |     |     |     |     |      |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|-----|-----|-----|
|     |     |     |     |     |     |     |     |      |     |     |     |     |     |     |
| R-1 | R-2 | R-3 | R-4 | R-5 | H-B | T-B | B-1 | LB-2 | B-2 | B-3 | B-4 | B-5 | I-1 | I-2 |





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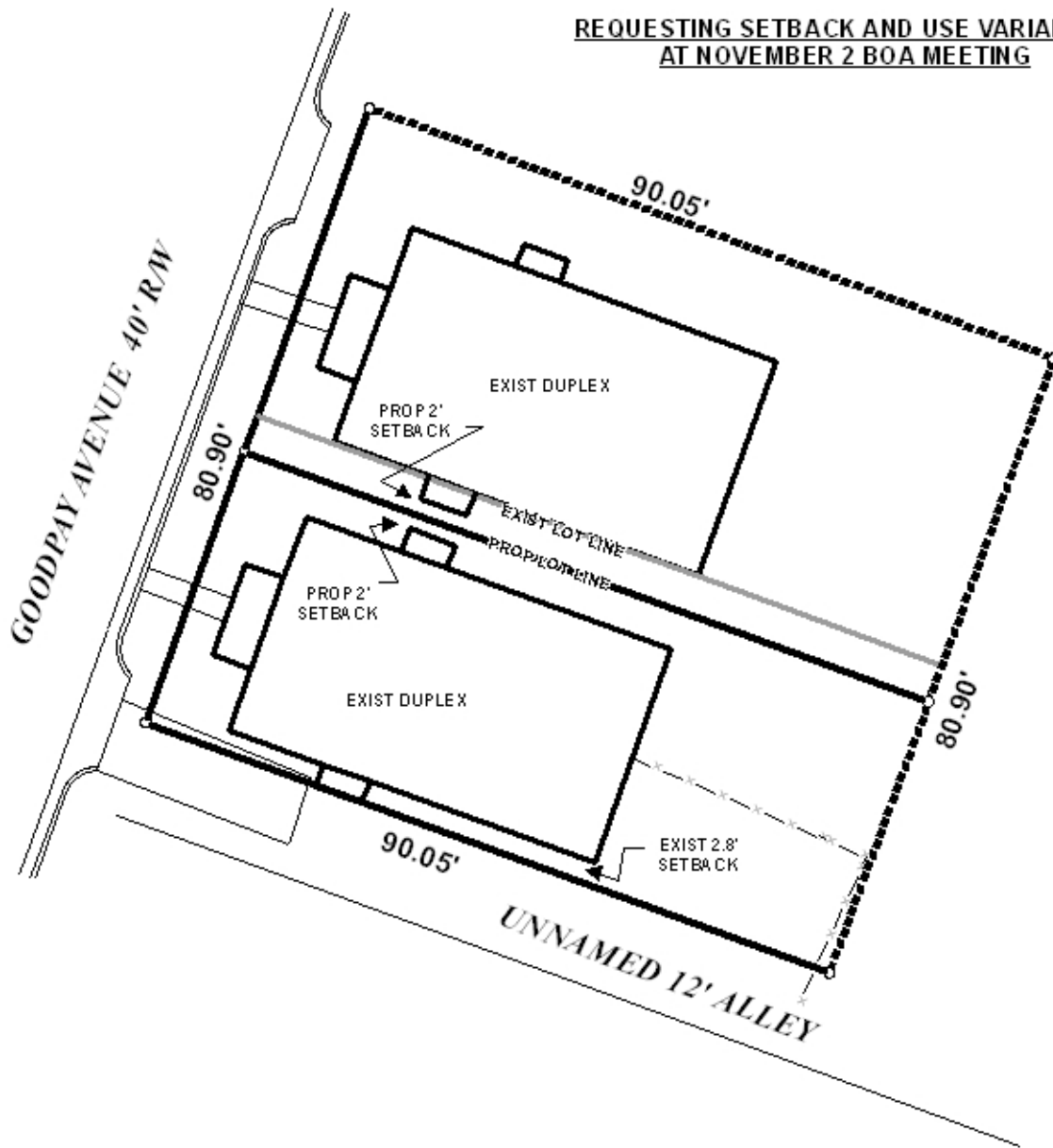


APPLICATION NUMBER 11 DATE November 5, 2009



# DETAIL SITE PLAN

REQUESTING SETBACK AND USE VARIANCES  
AT NOVEMBER 2 BOA MEETING



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