

**PINEHURST DELANY'S ADDITION TO SPRINGHILL  
SUBDIVISION, BLOCK 72, RESUBDIVISION OF LOTS  
1, 2, 3, & 4**

Engineering Comments: Provide detention for all impervious area post 1984 in excess of 4000 square feet. 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 must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate.

The plat illustrates the proposed 0.6 acre  $\pm$ , 2 lot subdivision which is located on the Southwest corner of Wildwood Avenue and Chandler Street, and is in Council District 6. The applicant states that the subdivision is served by both public water and sanitary sewer.

The purpose of this application is to adjust an existing lot line in order to accommodate two structures that encroach into a required side yard setback. A similar application for the site was approved at the August 4, 2006 meeting of the Planning Commission, however the plat was not recorded within the one year timeframe.

The subject site is composed of four legal lots of record: Lots 1-4, Block 72, Pinehurst Delaney's Addition to Springhill, II. Lots 2, 3, and 4 to the South are effectively one lot due to an existing single-family dwelling spanning across the common interior lot lines. Lot 1 remains intact as one separate lot. The structure spanning Lots 2, 3, and 4 meets all setback requirements of the Zoning Ordinance. At some point in time, a garage was built on Lot 1 in association with the residence on Lots 2, 3, and 4.

There are two problems associated with the construction of the garage. First, the garage was built on a separate, vacant, R-1, Single-Family Residential lot as an accessory structure. And second, the garage was built in violation of side yard setbacks and with eave encroachment along the South property line.

A residence was recently constructed on Lot 1 with a building permit. The site plan submitted for the permitting of the residence on Lot 1 did not indicate any other structures on the lot, i.e. the garage. Also, the permit was submitted with a South property line side yard setback of 7.1 feet and approved as such. The combined side yard setback was indicated as 19.0 feet, sufficient for this site. It appears that the new house was not situated properly on the lot with regard to the approved permit site plan and setbacks. As built, the structure is situated 5.27 feet off the South property line (7.1 feet is required for a lot 50 feet in width), and the side yard setback along the street (North) property line is 10.71 feet, thus reducing the combined side yard total to 15.98 feet instead of the required 16.7 feet for a 50-foot wide lot.

This subdivision application, as proposed, will adjust the South property line of the existing Lot 1 to create a new Lot 1, resulting in all structures on Lot 1 being at least 7.14 feet from the South property line. It appears that there is adequate room on Lot 2 to adjust the property line to allow an 8-foot side yard setback for the garage for Lot 1, thus precluding any future setback issues.

The site fronts onto Wildwood Avenue, a minor street with a right-of-way of 40 feet, and Chandler Street, a minor street with a right-of-way of 40 feet. Right-of-way should be dedicated to provide a minimum of 25-feet, as measured from the centerline of each street. The minimum building setback line should be adjusted to accommodate the right-of-way dedication: a 25-foot minimum building setback should be depicted along Wildwood Avenue, and the Subdivision Regulation minimum building setback requirements should be waived along Chandler Street in favor of the 9.5 feet that would be required by Section 64-4.D.3. of the Zoning Ordinance for a 50-foot wide lot where the Chandler Street side is considered a side yard, and where the residence to the rear of the lot faces the opposite direction.

The property line at the corner should be revised to have a radius, in conformance with Section V.D.6. of the Subdivision Regulations.

Proposed Lot 1 should be limited to the single existing curb-cut onto Chandler Street, and Lot 2 should be limited to one curb-cut onto Wildwood Avenue.

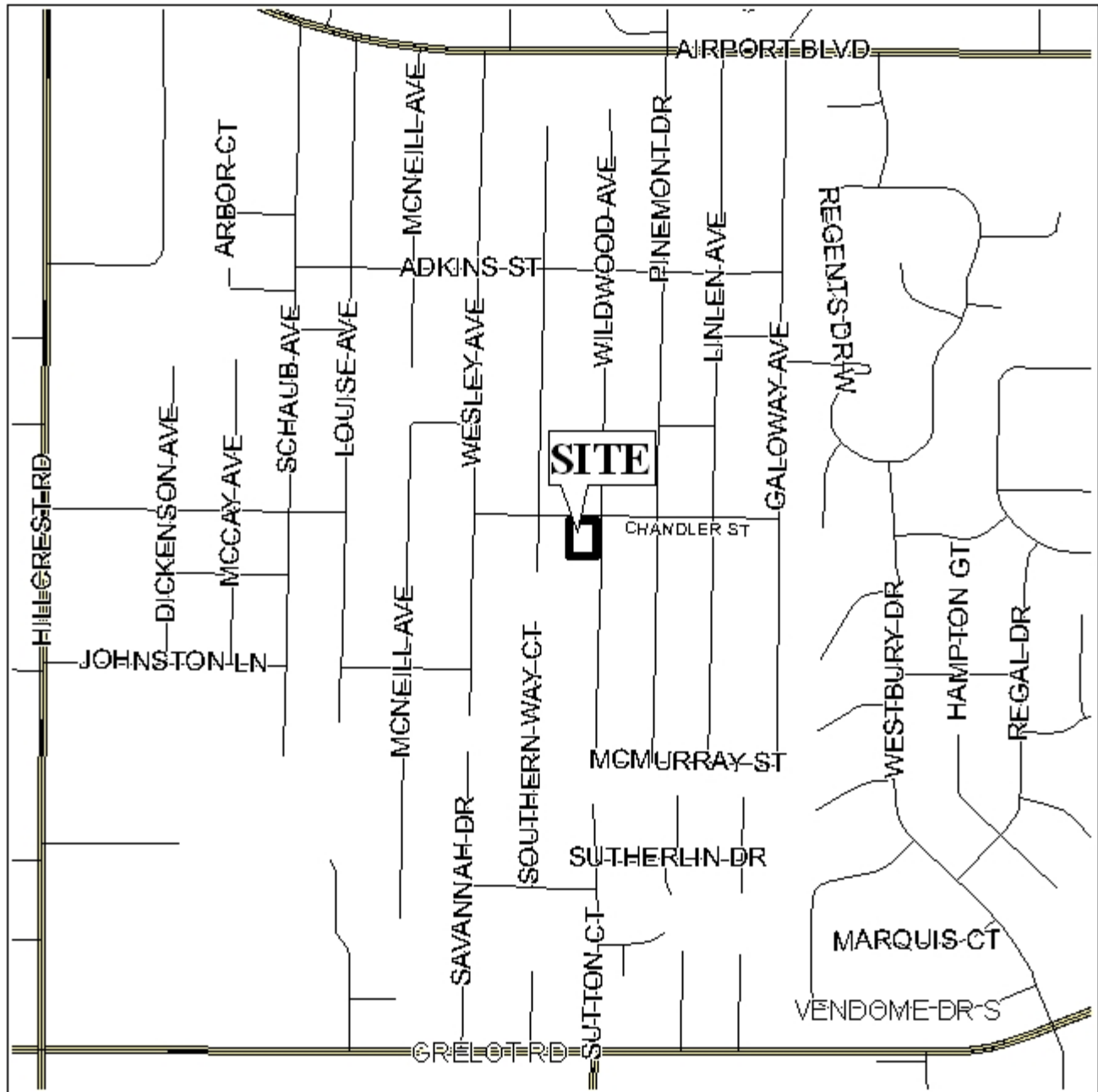
Finally, the plat depicts a fence that apparently has been constructed since the new house was built. It appears that the fence was constructed without a permit and that it encroaches into the public right-of-way. The fence must be removed from the public right-of-way, and a permit must be obtained to allow the fence per the standard requirements: the fence may not exceed 3 feet in height within the required side yard setback.

With a waiver of Section V.D.9. minimum building setback requirement along Chandler Street, to be replaced by the Section 64-4.D.3. side yard setback requirements of the Zoning Ordinance, the plat is recommended for Tentative Approval, subject to the following conditions:

- 1) revision of the plat to dedicate sufficient right-of-way to provide 25-feet, as measured from the centerline, along both streets;
- 2) revision of the property line at the corner to have a radius, in conformance with Section V.D.6. of the Subdivision Regulations
- 3) depiction of the minimum building setback line to accommodate dedication, so that the minimum building setback line is 25 feet from the new right-of-way edge of Wildwood Avenue, and 9.5 feet from the new right-of-way edge of Chandler Street;

- 4) placement of a note on the final plat stating that Lot 1 is limited to its existing curb-cut onto Chandler Street and that Lot 2 is limited to one curb-cut onto Wildwood Avenue, with the size, design and location of all curb-cuts to be approved by Traffic Engineering;
- 5) revision of the property line between Lots 1 and 2 so that a minimum of an 8 foot setback is provided adjacent to the garage;
- 6) revision of the lot sizes in square feet to accommodate the changes to the plat;
- 7) the obtaining of a building permit for the existing fence prior to the signing of the final plat, and the modification of the fence so that it is not within the public right-of-way, and that it does not exceed the height limitations within the setback area along Chandler Street; and
- 8) full compliance with all other municipal codes and ordinances.

# LOCATOR MAP



APPLICATION NUMBER 14 DATE October 4, 2007

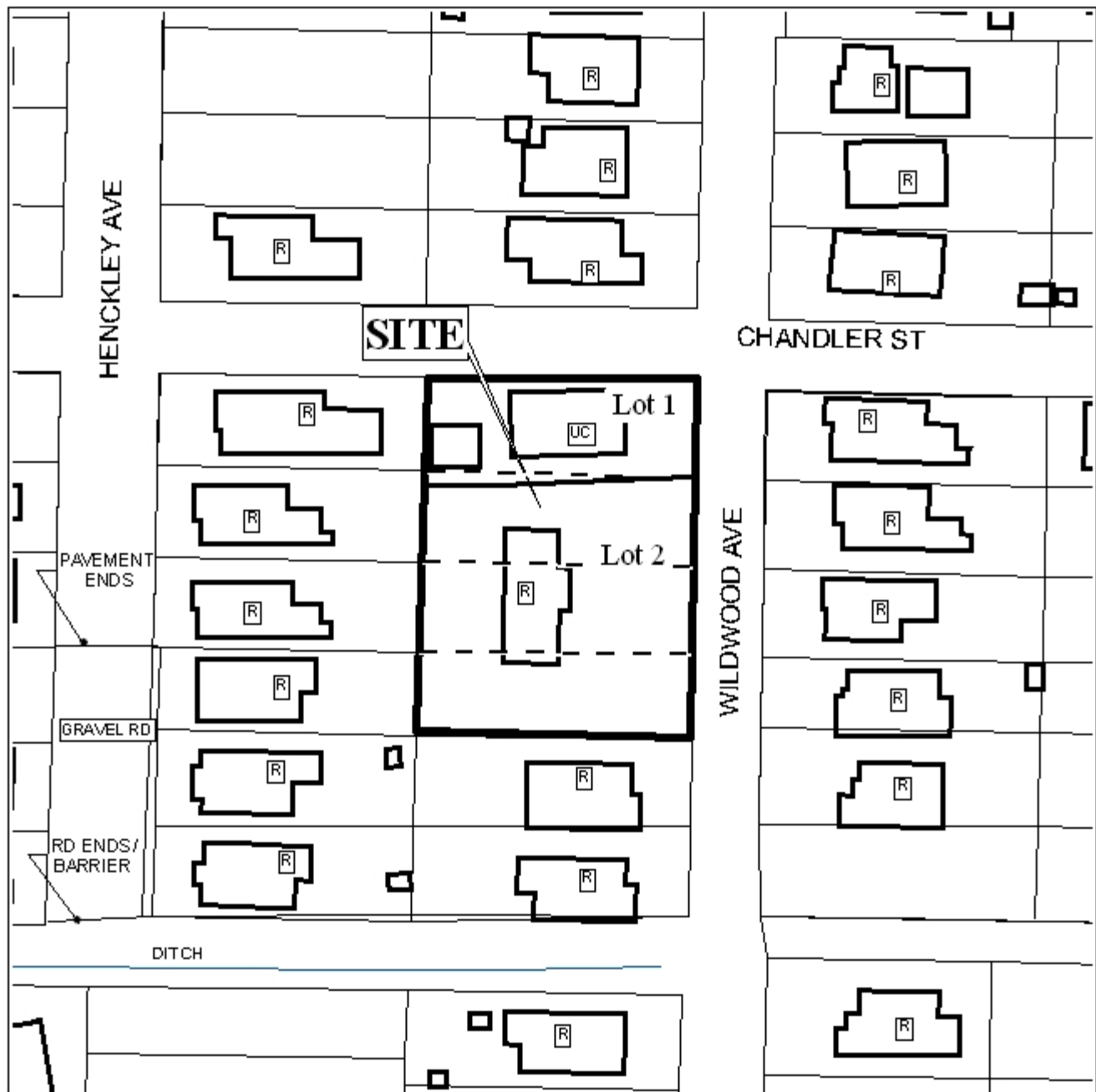
APPLICANT Pinehurst Delany's Addition to Springhill Subdivision, Block 72,  
Resubdivision of Lots 1, 2, 3, & 4

REQUEST Subdivision



NTS

**PINEHURST DELANY'S ADDITION TO SPRINGHILL SUBDIVISION,  
BLOCK 72, RESUBDIVISION OF LOTS 1, 2, 3, & 4**



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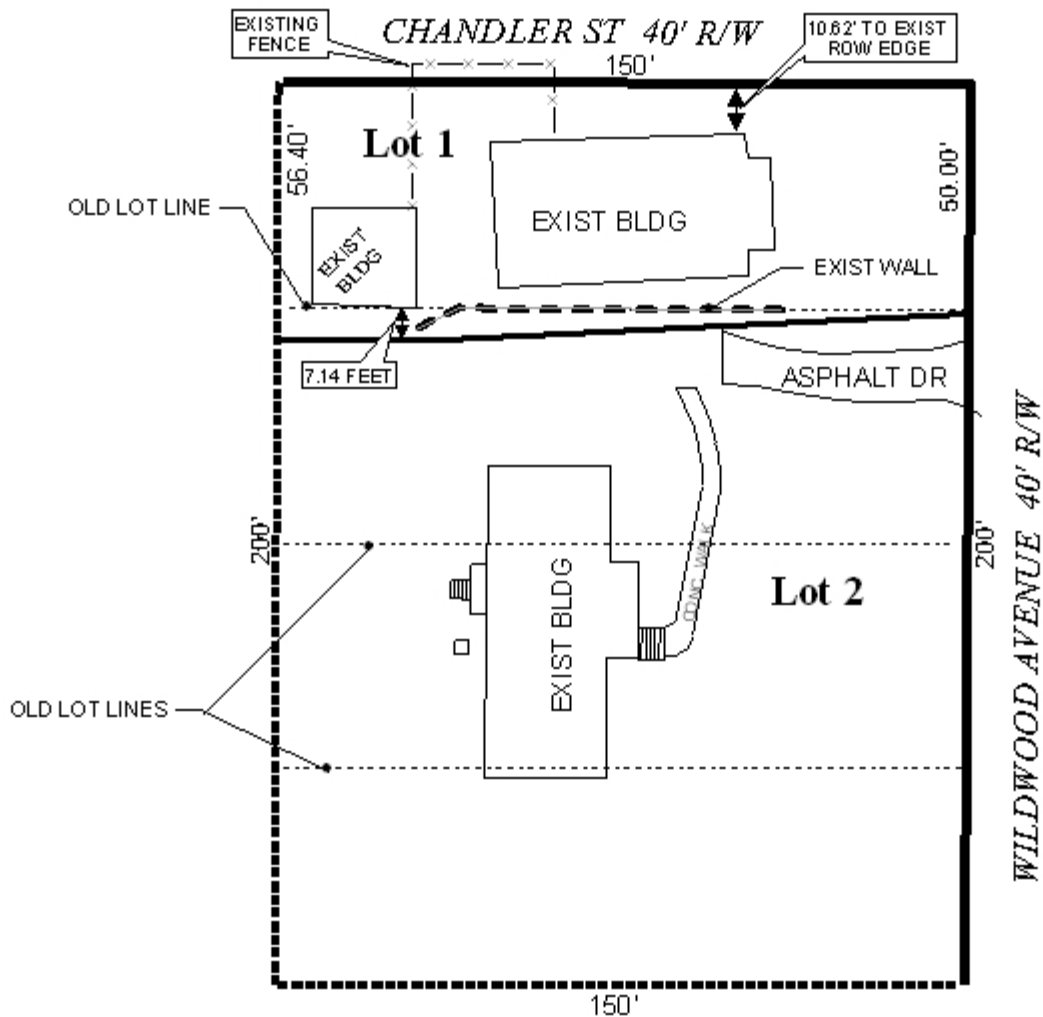
LEGEND

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



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## DETAIL SITE PLAN



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