

## **PROVISION POINTE 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.

Fire-Rescue 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. Turnaround must be compliant with Appendix D of the International Fire Code.

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

The plat illustrates the proposed 1-lot, 1.4 acre  $\pm$  subdivision which is located at East terminus of Janita Drive. The applicant states that the subdivision is served by public water and sewer.

The purpose of this application is to create a single legal lot of record from a metes and bounds parcel. The subject parcel appears to be left over from the platting of Smithfield Subdivision, Unit 9.

The lot meets the minimum size and frontage requirements as regulated by Section V.D.2. of the Subdivision Regulations.

The proposed lot is located at the end of Janita Drive, which is a minor, closed-end street provided with curb and gutter, but not provided with a cul-de-sac or turnaround. Section V.B.6. of the Subdivision Regulations requires a turnaround to be provided at the end of a closed-end street. The applicant has requested a waiver of the requirement of turnaround construction because of cost and because of the setback line that the turnaround would create. It should be noted that the Planning Section has received letters and inquiries from other property owners along Janita Drive expressing concern that there is not a turnaround at this location and concern over the possibility of a turnaround not being provided.

Section V.B.14. of the Subdivision Regulations requires a 120-foot diameter cul-de-sac turnaround for a closed end street. The applicant states that this requirement would cause the proposed lot to be unbuildable. Even as this assertion was made, the Preliminary Plat depicts the required cul-de-sac with plenty of room for a dwelling to be constructed.

The applicant is also requesting a waiver of Section V.D.9. of the Subdivision Regulations regarding the 25-foot minimum building setback line. Again, the applicant states that the 25-foot minimum building line would render the lot unbuildable, and instead requests a 20-foot minimum building line. The Preliminary Plat and available evidence indicates that this assertion is not correct, and that, even with a minimum building line of 25 feet, there is still plenty of space to construct a dwelling.

There do not appear to be any “unusual difficulties” as outlined in Section VIII.B. of the Subdivision Regulations to warrant modification of the requirement of a turnaround or the requirement of a 25-foot minimum building setback line. The Section states that unusual difficulties are exceptional topographical concerns or other extraordinary and exceptional characteristics, of the tract. None of these factors exist on the subject property. Additionally, the Subdivision Regulations make no reference to financial hardships. As such, no waiver should be granted, and the cul-de-sac should be constructed as required, and the 25-foot minimum building line platted as required by the Subdivision Regulations.

It should be noted that when this parcel came before the Planning Commission previously on December 16, 2010, staff’s recommendation was for a compliant turnaround and 25-foot minimum building line. However, the Commission did not make a decision at that time due to the applicant withdrawing the application.

Without the waivers requested, the lot will meet the minimum requirements of the Subdivision Regulations. It should be noted that, while the lot area size is depicted on the Preliminary Plat, it does not include the dedication required for the cul-de-sac. As such, the lot area size should be modified to subtract the area dedicated for the right-of-way for the required cul-de-sac.

The site is in Mobile County, however, 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, if approved, 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.

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.

This site is located in the County, thus 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.

Based on the preceding, this application is recommended for tentative approval subject to the following conditions:

- 1) construction and dedication of a 96-foot diameter turnaround (120-foot diameter right-of-way) at the terminus of Janita Drive;
- 2) depiction of a 25-foot minimum building setback line around the cul-de-sac;
- 3) depiction of the lot area size, in square feet, exclusive of any area dedicated for the required cul-de-sac;

- 4) placement of a note on the Final Plat limiting the site to two curb cuts to Janita Drive with the size, design and location to be approved by Mobile County Engineering and conform to AASHTO standards;
- 5) placement of a note on the Final Plat stating that: *“Development 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.”*
- 6) placement of a note on the Final Plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 7) placement of a note 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.

***Revised for the December 1, 2011, meeting***

*The application was heldover to allow the applicant to meet with neighbors and to submit a revised plat illustrating a 2009 International Fire Code compliant hammerhead turn-around. The revised plat was submitted on November 7, 2011, and depicts a 120-foot hammerhead turnaround which is compliant with the 2009 International Fire Code. The right-of-way dedication should be labeled as such. The 25-foot building setback is depicted, however, the plat shows a building staked within the building setback area. The building should be removed from the building setback area.*

*With a waiver of Section V.B.14. and V.B.15. of the Subdivision Regulations regarding right-of-way and roadway widths for closed-end street turnarounds, this application is recommended for tentative approval subject to the following conditions:*

- 1) *construction and dedication of the 120-foot hammerhead turnaround and associated right-of-way at the terminus of Janita Drive as depicted;*
- 2) *retention of the 25-foot minimum building setback line around the hammerhead turnaround as depicted;*
- 3) *retention of the lot area size, in square feet, exclusive of any area dedicated for the required turnaround;*
- 4) *removal of the proposed structure from within the minimum building setback;*
- 5) *placement of a note on the Final Plat limiting the site to one curb cut to Janita Drive with the size, design and location to be approved by Mobile County Engineering and conform to AASHTO standards;*
- 6) *placement of a note on the Final Plat stating that: “Development 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.”*

- 7) placement of a note on the Final Plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;*
- 8) placement of a note 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.*

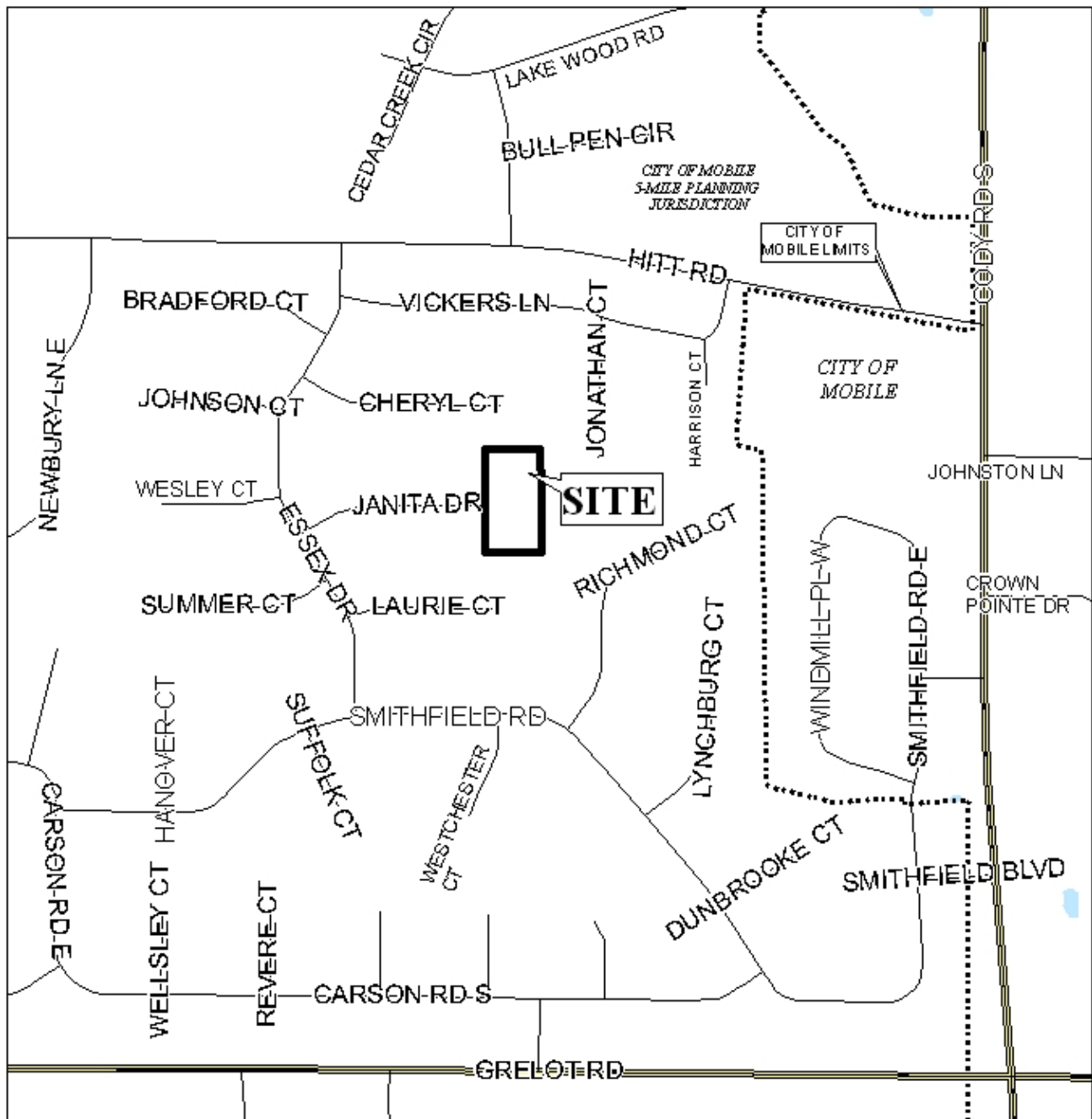
***Revised for the December 15, 2011, meeting***

*The application was heldover at the December 1, 2011, meeting to allow the applicant and the neighborhood association further time to work out their objections. As no further information has been received, the original staff recommendation stands.*

*With a waiver of Section V.B.14. and V.B.15. of the Subdivision Regulations regarding right-of-way and roadway widths for closed-end street turnarounds, this application is recommended for tentative approval subject to the following conditions:*

- 1) construction and dedication of the 120-foot hammerhead turnaround and associated right-of-way at the terminus of Janita Drive as depicted;*
- 2) retention of the 25-foot minimum building setback line around the hammerhead turnaround as depicted;*
- 3) retention of the lot area size, in square feet, exclusive of any area dedicated for the required turnaround;*
- 4) removal of the proposed structure from within the minimum building setback;*
- 5) placement of a note on the Final Plat limiting the site to one curb cut to Janita Drive with the size, design and location to be approved by Mobile County Engineering and conform to AASHTO standards;*
- 6) placement of a note on the Final Plat stating that: “Development 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.”*
- 7) placement of a note on the Final Plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;*
- 8) placement of a note 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.*

# LOCATOR MAP



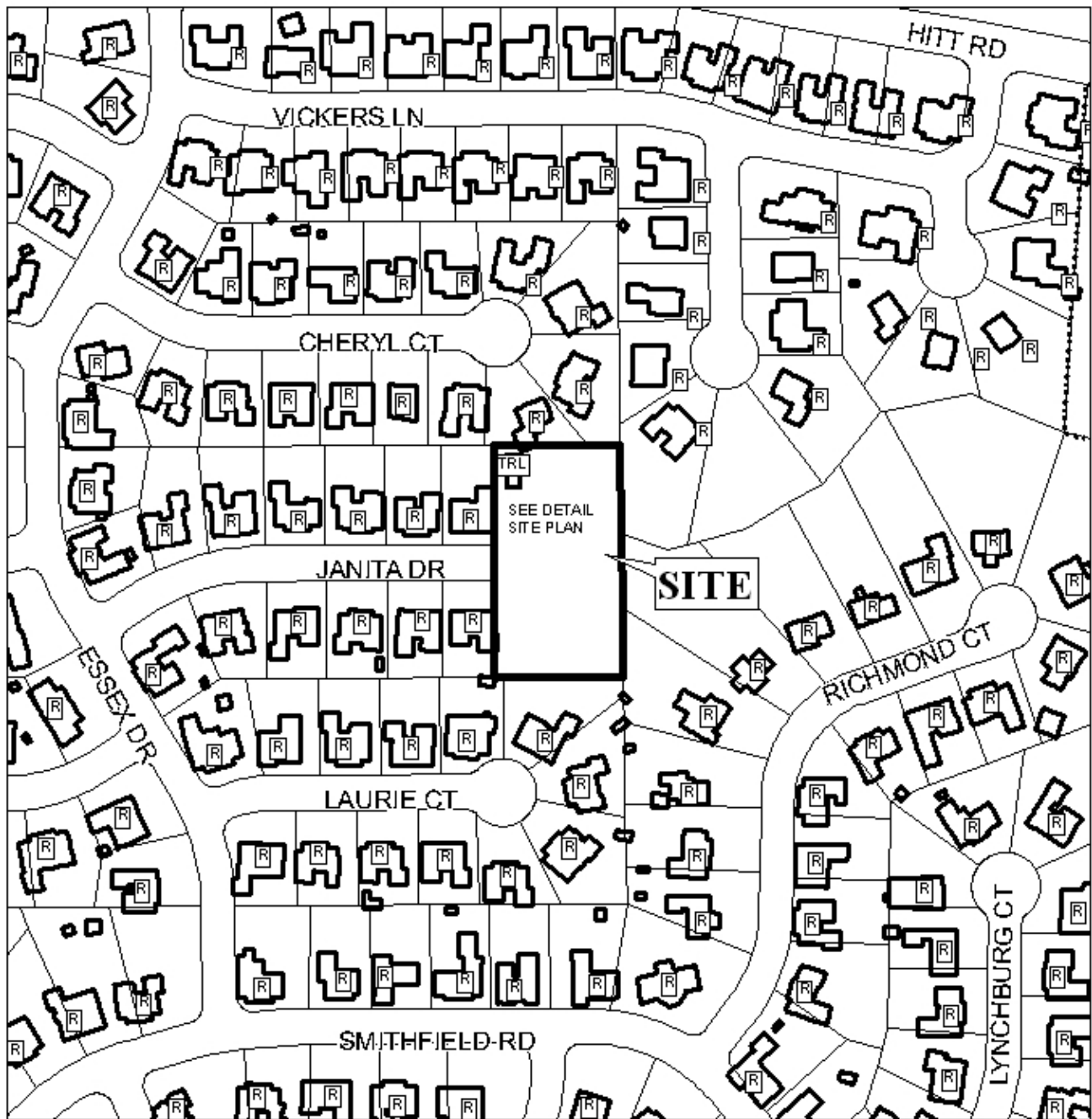
APPLICATION NUMBER 1 DATE December 15, 2011

APPLICANT Provision Pointe Subdivision

REQUEST Subdivision


















# PROVISION POINTE SUBDIVISION



APPLICATION NUMBER 1 DATE December 15, 2011

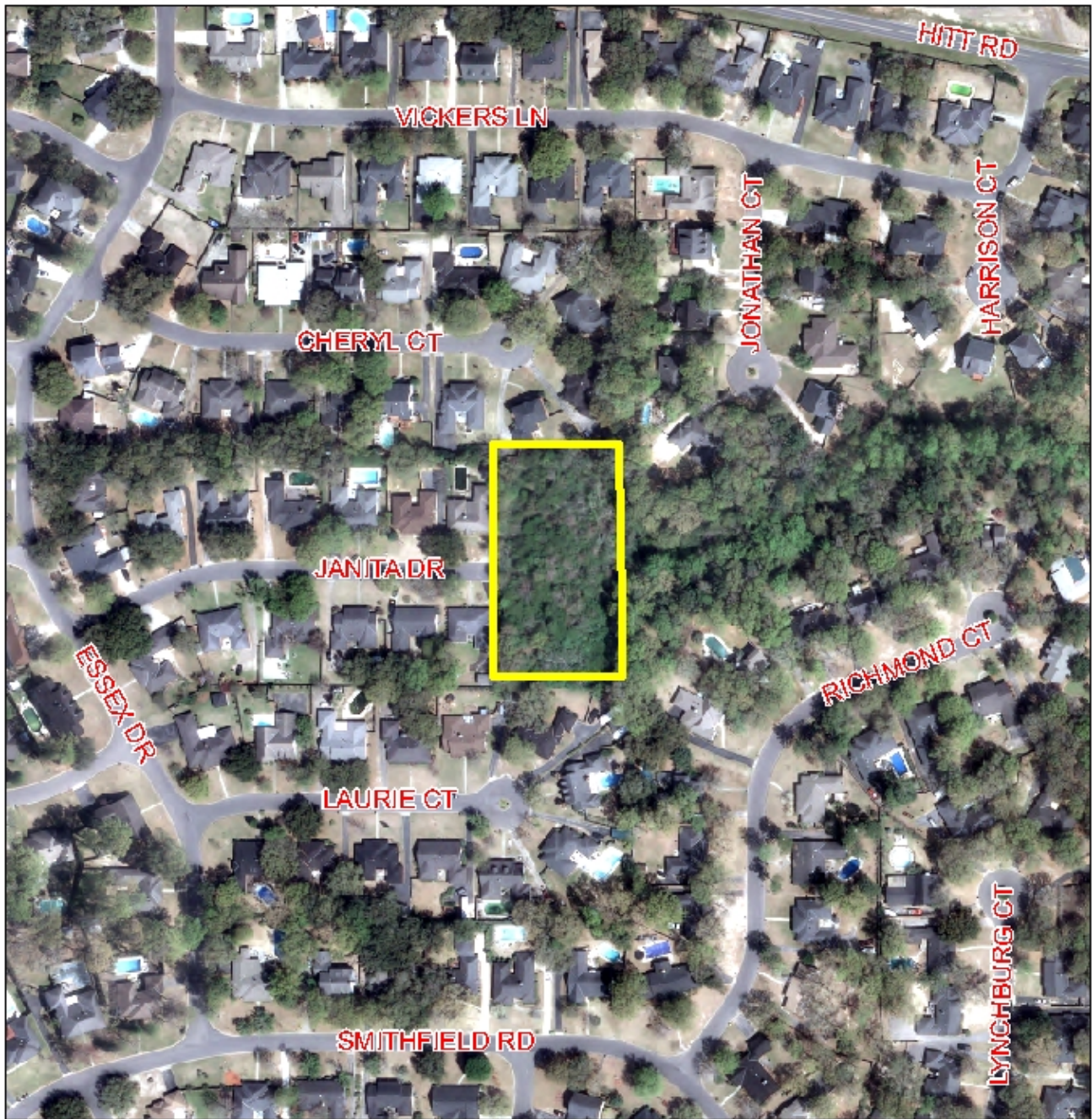
LEGEND

														
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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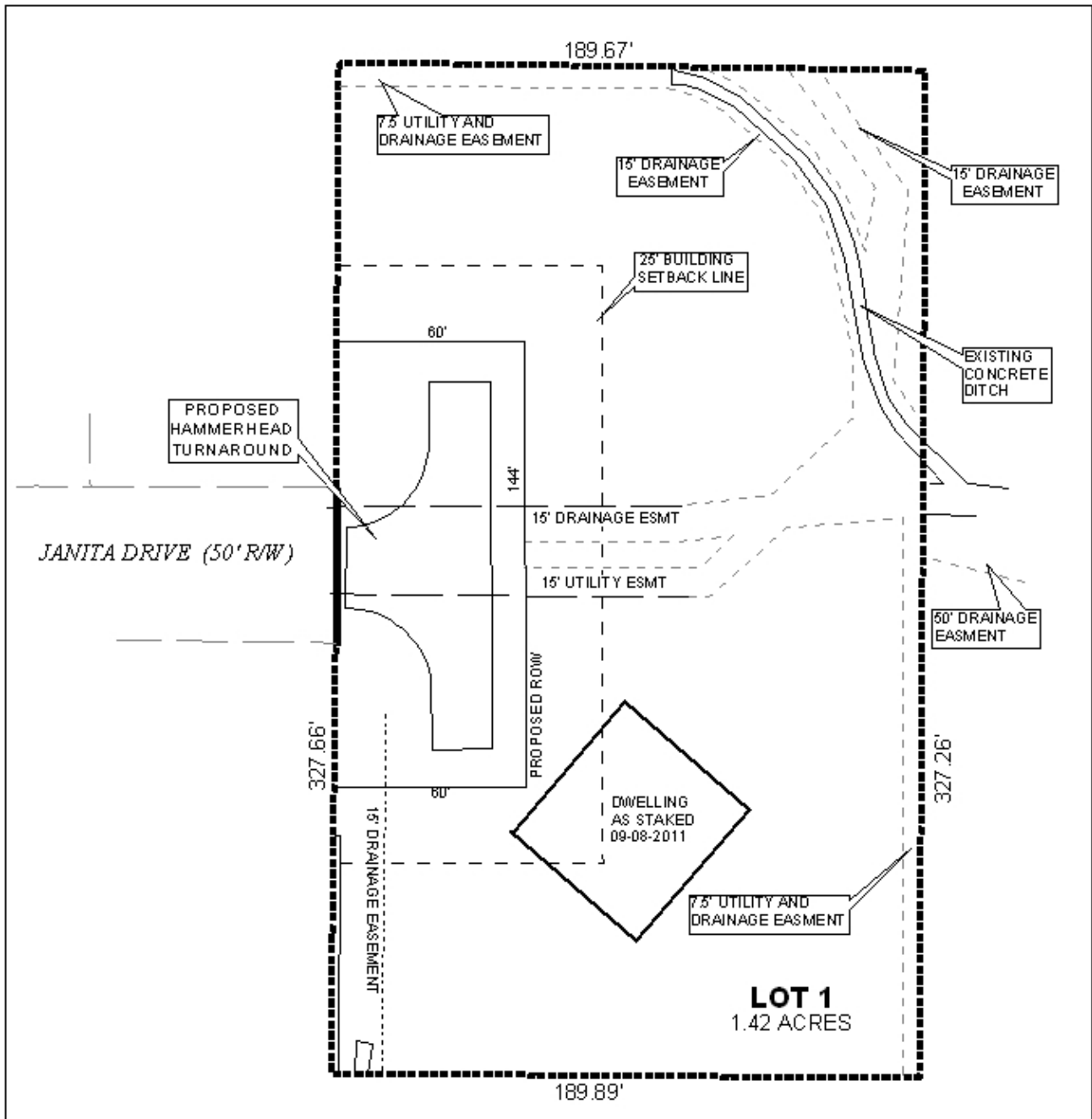
## PROVISION POINTE SUBDIVISION



APPLICATION NUMBER 1 DATE December 1, 2011



## DETAIL SITE PLAN



APPLICATION NUMBER 1 DATE December 15, 2011

APPLICANT Provision Pointe Subdivision

REQUEST Subdivision

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