

**PLANNING APPROVAL STAFF REPORT****Date: February 3, 2011****NAME**

Joyce Nelson

**LOCATION**

East terminus of Simpson Road [private street]

**CITY COUNCIL  
DISTRICT**

District 4

**PRESENT ZONING**

R-1, Single-Family Residential District

**AREA OF PROPERTY**

1 Metes &amp; Bounds Parcel / 0.48 Acres

**CONTEMPLATED USE**

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

**TIME SCHEDULE  
FOR DEVELOPMENT**

No time frame provided.

**ENGINEERING  
COMMENTS**

Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. 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 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**

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.

**REMARKS**

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

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.

The property has been in the applicant's family since 1961. The applicant states that there was once a house on the property that suffered large amounts of damage in 2005 and required demolition. The applicant states that the creditor will not allow a stick built residence to be built on the property for two to three years; however a mobile home is acceptable.

There are several mobile homes that exist in the surrounding neighborhood, so therefore it would not be out of character with the area.

The site appears to be land-locked and future development of this site as well as adjacent sites will be difficult until frontage on a private street or public street that meet Subdivision Regulation requirements is provided. No information was included with the application regarding any ingress/egress easements regarding access to Simpson Road, a private street. Therefore, this application should be heldover until legal documentation of the ingress/egress easement is submitted.

It should also be noted that the Mobile City Planning Commission recently expressed its concerns relating to allowing further mobile homes within the recently annexed areas. Also, the subject site is 48± feet South-West of the terminus of Simpson Road, an unpaved private road, which crosses adjacent property before reaching the subject site. Section 64-2 of the Zoning Ordinance requires that a building site abut upon a dedicated street for at least 25'. Therefore, the site does not meet the criteria for a building site as defined by the Zoning Ordinance. If an easement exists connecting the site to Simpson Road, a 25-foot setback should be depicted from the easement.

It is the intent of the Zoning Ordinance to, among other things, preserve the value of other buildings by encouraging the most appropriate use of the land by districting according to the suitability of the land for particular uses. All properties in the immediate vicinity are zones R-1, Single-Family Residential. It should be noted that the mobile home may not comply with the current rules and regulations regarding anchoring and blocking of mobile homes. As such, should any mobile home planning approval request be approved, certification from a licensed engineer indicating compliance with Chapter 535-X-13-.04, 535-X-13-.05, 535-X-13-.06, 535-X-13-.07, 535-X-13-.08, and 535-X-13-.09 of the Alabama Manufactured Housing Commission Administrative Procedures Code regarding site preparation, soil classification, minimum blocking standards, minimum anchoring standards, and anchor and tie-downs device standards for Wind Zone II (Hurricane Zone) for this site should be required.

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. A note reflecting this requirement should be illustrated on the site plan.

## **RECOMMENDATION**

**Planning Approval:** Based upon the preceding, this request is recommended for Denial.

### ***Revised for the January 6<sup>th</sup>, 2011 meeting:***

*The application was heldover from the December 2<sup>rd</sup>, 2010 meeting at the Commission's request. The Commission required information to be submitted by December 10<sup>th</sup>, 2010, so the following items could be addressed:*

- 1) Submission of legal documentation regarding ingress/egress easement insuring that the site has access to Simpson Road, a private street; and*
- 2) Depiction of a 25-foot minimum building setback from any private street easement that may exist on the site.*

*Staff did not receive any information from the applicant required by the Commission.*

## **RECOMMENDATION**

**Planning Approval:** *The request for Planning Approval is recommended for denial for the following reasons:*

- 1) information required by the Commission was not submitted for staff review.*

### ***Revised for the February 3<sup>rd</sup>, 2011 meeting:***

*The application was heldover from the January 6<sup>th</sup>, 2011 meeting at the applicant's request. The Commission required information be submitted by January 18<sup>th</sup>, 2011, so the following items could be addressed:*

- 1) Submission of legal documentation regarding ingress/egress easement insuring that the site has access to Simpson Road, a private street; and*
- 2) Depiction of a 25-foot minimum building setback from any private street easement that may exist on the site.*

*A prescriptive right-of-way was determined to be present because of County maintenance prior to annexation, and City maintenance since the time of annexation.*

## **RECOMMENDATION**

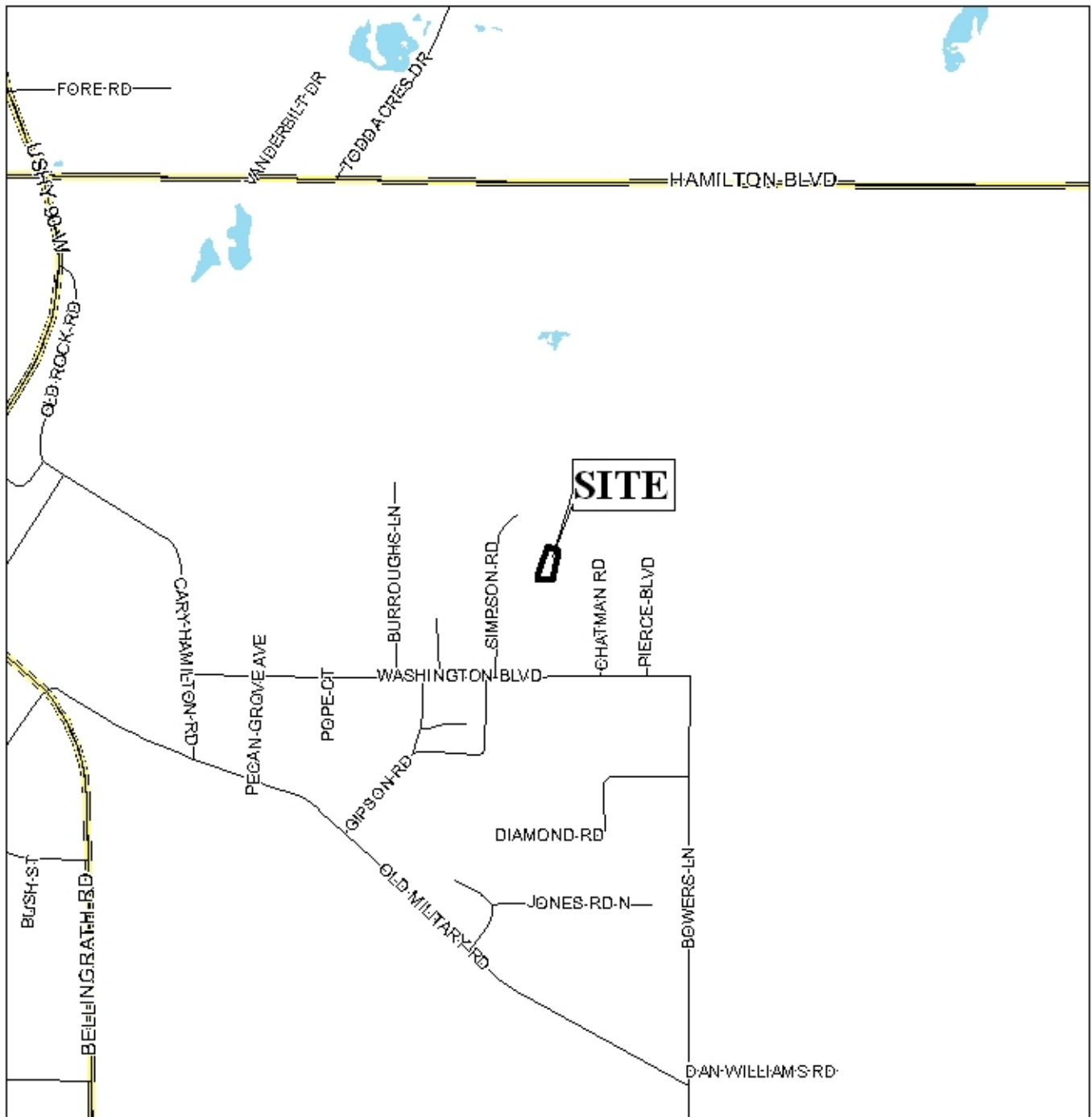
**Planning Approval:** *The request for Planning Approval is recommended for Approval subject to the following condition:*

- 1) full compliance with Engineering Comments (Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will*

*require detention. Any work performed in the right of way will require a right of way permit.);*

- 2) placement of a note on the site plan 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;*
- 3) retention of labeling of the parcel area size, in square feet, or provision of a table on the site plan with the same information, with changes as necessary due to dedications; and*
- 4) depiction of a 25-foot minimum building setback from the prescriptive right-of-way on Simpson Road.*

# LOCATOR



APPLICATION NUMBER 1 DATE February 3, 2011

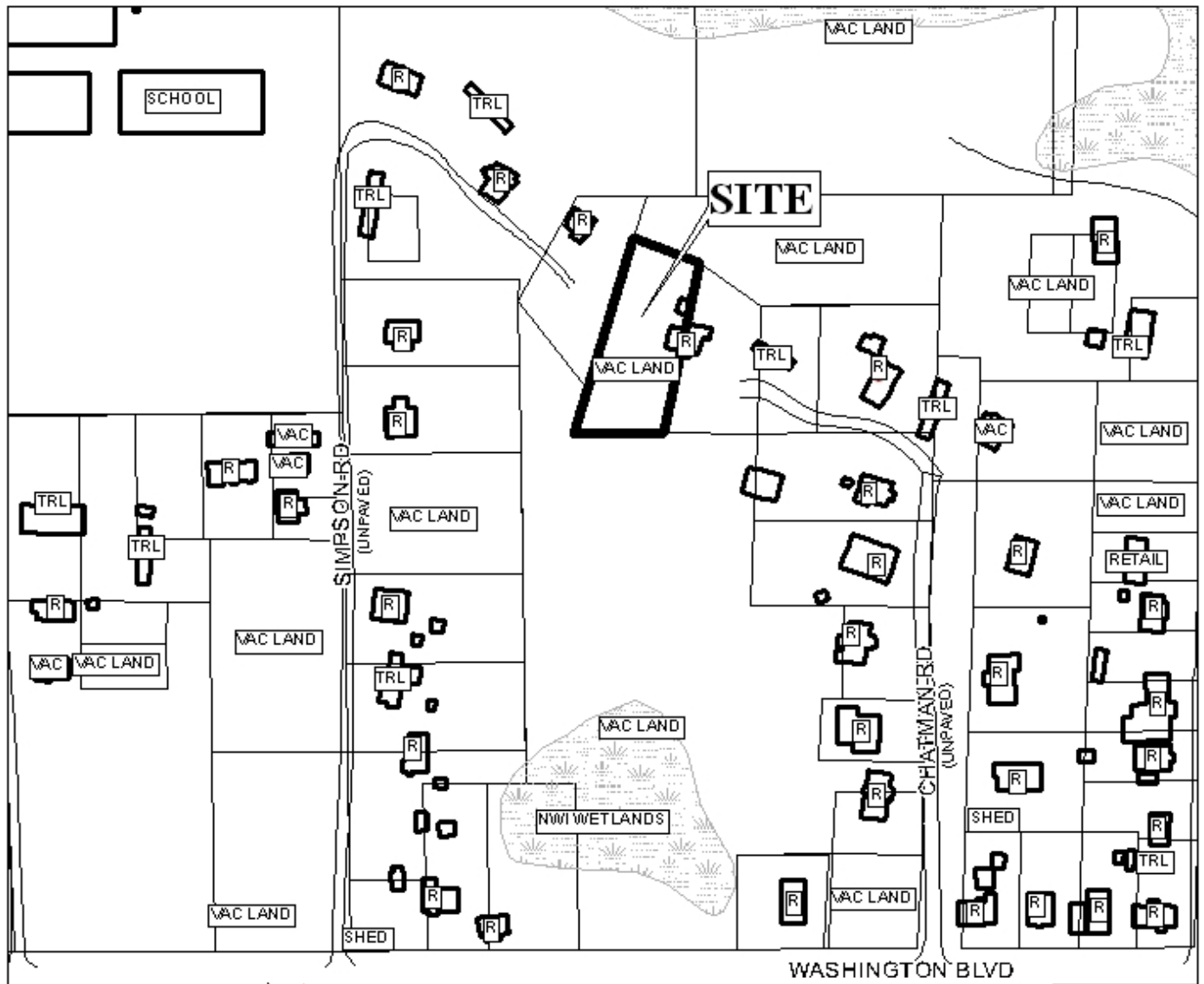
APPLICANT Joyce Nelson

REQUEST Planning Approval



NTS

# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by residential land use.

APPLICATION NUMBER 1 DATE February 3, 2011

APPLICANT Joyce Nelson

REQUEST Planning Approval



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

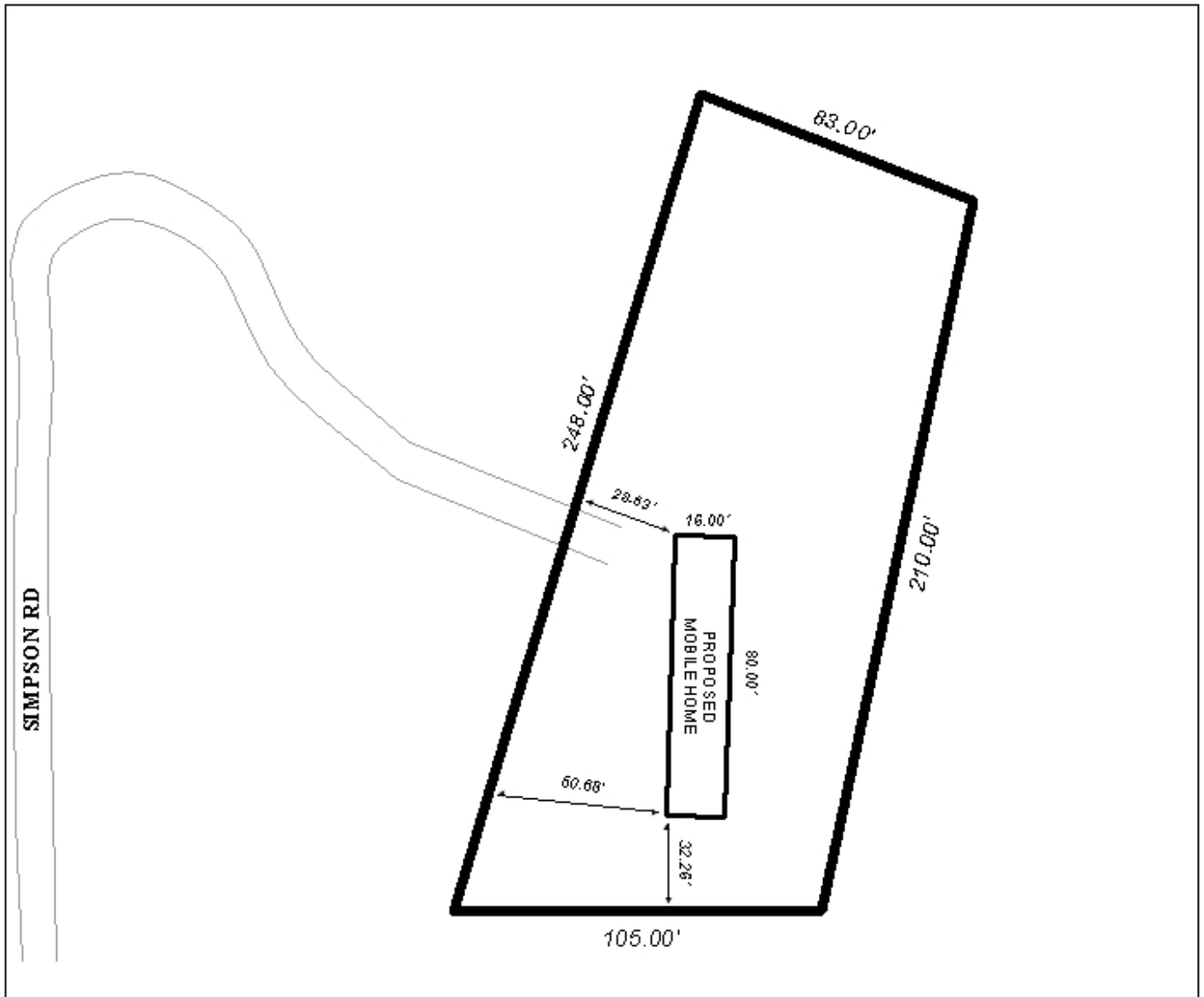


This site is surrounded by residential land use.

APPLICATION NUMBER 1 DATE February 3, 2011  
APPLICANT Joyce Nelson  
REQUEST Planning Approval



# SITE PLAN



This site plan illustrates the proposed mobile home lot and dimensions.

APPLICATION NUMBER 1 DATE February 3, 2011

APPLICANT Joyce Nelson

REQUEST Planning Approval

