

WHITE ESTATES SUBDIVISION

Engineering Comments: Show Minimum FFE on each lot shown on plat. Fill is not allowed without City of Mobile Engineering Department approval, which at a minimum requires providing compensation or completing a flood study. Wetland locations must be shown on plat. Any work in wetlands must be permitted through the Corps of Engineers and copies of permits must be provided the City prior to obtaining Land Disturbance Permits. Show the lot line adjacent to the water. 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: No comments submitted.

MAWS Comments: No comments submitted.

The plat illustrates the proposed 3.3± acre, 2-lot subdivision, which is located on the South side of Point Legere Road, 330'± East of Canal Lane, in Council District 4. The applicant states the site is served by city water and individual septic systems.

The purpose of this application is to subdivide three legal lots of record, a portion of another legal lot of record, and a metes-and-bounds parcel into two legal lots of record.

Documentation has been provided verifying the applicant's ownership of the various portions comprising the Southern metes-and-bounds parcel as of 1952. With regard to the portion of the legal lot mentioned above, the Tax Parcel information indicates that all of Lot 8 of Point Legere Subdivision is owned by the applicant; however, only about one-half of that particular lot is included in this application. The applicant has indicated that the Northeast portion of Lot 8 has been lost by adverse possession; however, there has been no court action concerning such submitted, and the applicant still pays the property taxes on the entire Lot 8. The only reference to the neighbor to the North obtaining the portion of Lot 8 is in the recorded 2004 deed to the neighboring property. Documentation should be submitted to verify separation via recorded adverse possession or separation prior to 1952. If neither can be provided, the neighboring property to the North must be included in this application as a revised three-lot subdivision with the appropriate re-notification mailing labels, label fees, and lot fees.

The proposed subdivision fronts Point Legere Road with a substandard 20' right-of-way; therefore, dedication would be required to provide 25' from the centerline. The preliminary plat indicates frontage dedication as generally measured from the centerline; however, in areas the dedication parallels the curved paved road surface and not the true angular centerline of the

right-of-way. Therefore, the plat should be revised to indicate any required frontage dedication as measured from the true angular right-of-way centerline and not the curved paved road surface. The plat should also be revised to indicate the 25' building setback line as measured from the angular dedicated right-of-way. As a means of access management, a note should be required on the final plat stating that each lot is limited to two curb cuts, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Each lot should be labeled on the final plat with its size in acres and square feet, or a table should be furnished on the final plat providing the same information.

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.

As illustrated on the Environmental GIS database, a portion of the Northern part of the site may contain NWI wetlands. If wetlands are present, the area may be environmentally sensitive; therefore, if approved, the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities.

Due to the lack of accountability for the separation of the Northeast portion of Lot 8, Point Legere Subdivision, it is recommended that this application be heldover to the meeting of August 20th to allow the applicant to submit the following:

- 1) documentation to account for such separation via recorded adverse possession; or
- 2) documentation to account for such separation prior to 1952; or
- 3) revision of the application to a three-lot subdivision to include the neighboring property to the North, with a revised plat, notification labels, mailing fees, and lot fees.

Documentation and/or revisions should be submitted by August 5th.

Revised for the August 20th meeting:

This application was heldover from the July 16th meeting to allow the applicant to address the following items:

- 1) documentation to account for such separation via recorded adverse possession; or*
- 2) documentation to account for such separation prior to 1952; or*
- 3) revision of the application to a three-lot subdivision to include the neighboring property to the North, with a revised plat, notification labels, mailing fees, and lot fees.*

No documentation to account for the separation of the Northeast portion of Lot 8, Point Legere Subdivision was submitted, nor was a revised three lot subdivision plat submitted to include the neighboring property to the North. Therefore, this application is recommended for denial for the following reasons:

- 1) *no documentation was submitted to account for the separation of the Northern portion of Lot 8, Point Legere Subdivision via recorded adverse possession;*
- 2) *no documentation was submitted to account for the separation of the Northern portion of Lot 8, Point Legere Subdivision prior to 1952; and*
- 3) *the plat was not revised to a three-lot subdivision to include the neighboring property to the North.*

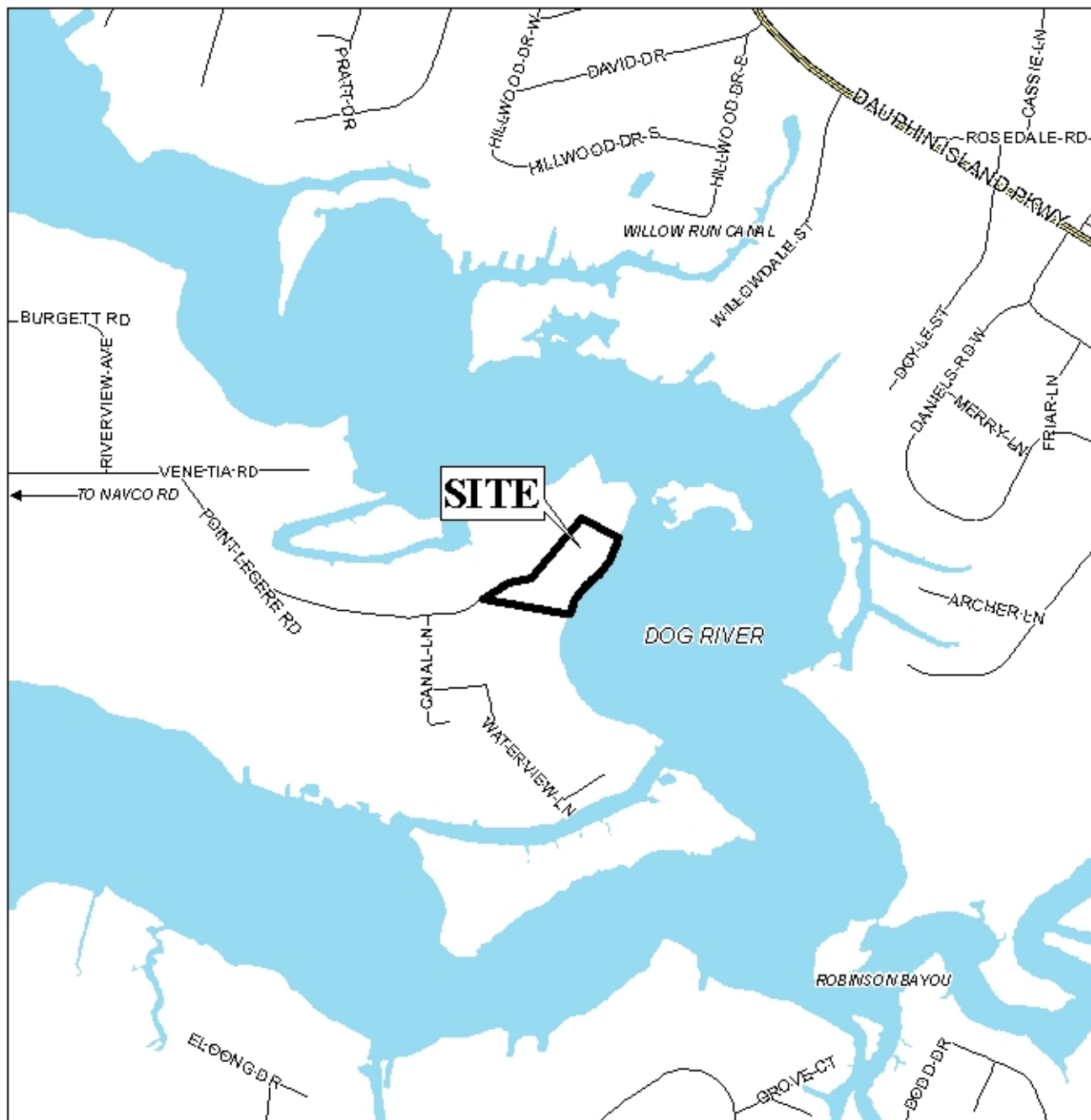
Revised for the September 17th meeting:

This application was heldover from the August 20th meeting at the applicant's request. A revised plat has been submitted correcting the North line of Lot 8, Point Legere Subdivision, and indicating that all of that lot is actually within the boundary of this subdivision. This clears the matter of only a portion of that lot having been included in the original plat submitted for review and negates the requirement of the inclusion of the neighboring property to the North in this subdivision.

Based on the preceding, the plat meets the minimum requirements of the Subdivision Regulations and is recommended for tentative approval, subject to the following conditions;

- 1) *dedication of sufficient right-of-way along Point Legere Road to provide 25' from the centerline;*
- 2) *illustration of the 25' minimum building setback line as measured from any required dedication;*
- 3) *placement of a note on the final plat stating that each lot is limited to two curb cuts, with the size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards;*
- 4) *labeling of each lot with its size in acres and square feet, or the furnishing of a table on the final plat providing the same information;*
- 5) *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;*
- 6) *placement of a note on the final plat stating that if NWI wetlands are present on the site, the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities; and*
- 7) *subject to the Engineering Comments: (Show Minimum FFE on each lot shown on plat. Fill is not allowed without City of Mobile Engineering Department approval, which at a minimum requires providing compensation or completing a flood study. Wetland locations must be shown on plat. Any work in wetlands must be permitted through the Corps of Engineers and copies of permits must be provided the City prior to obtaining Land Disturbance Permits. Show the lot line adjacent to the water. 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 3 DATE September 17, 2009

APPLICANT White Estates Subdivision

REQUEST Subdivision



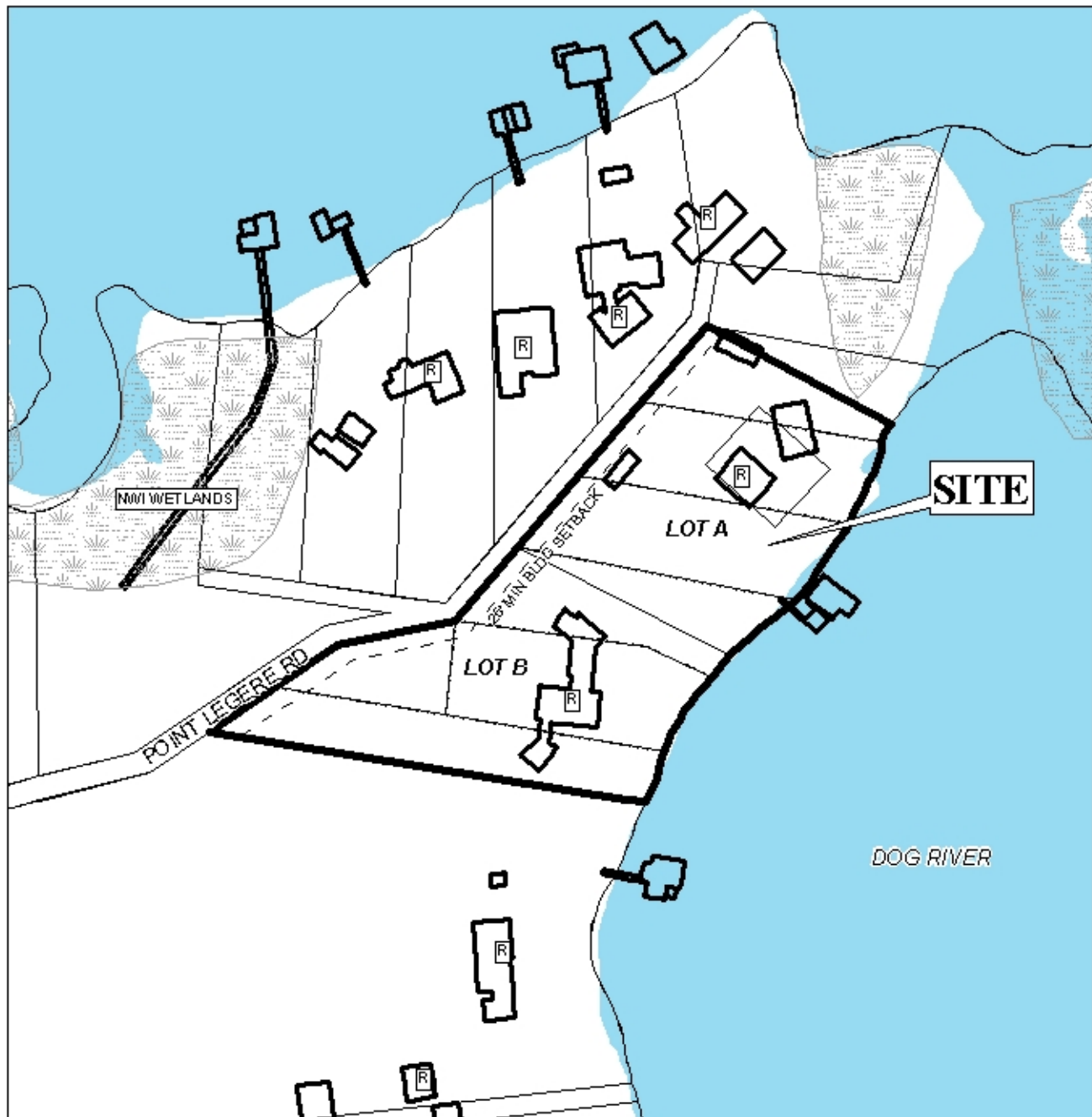
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LEGEND

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	NTS
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