

## HOLDOVER

*Revised*

### **BURTON INDUSTRIAL PARK SUBDIVISION**

Engineering Comments: Must comply with the Mobile County Flood Damage Prevention Ordinance.

The plat illustrates the proposed 2 lot, 1.3  $\pm$  acre subdivision which is located on the North side of I-10 Industrial Parkway North, 2/10 mile  $\pm$  West of U.S. Highway 90 West. The subdivision is served by public water and sanitary sewer.

The purpose of this application is to create a two-lot subdivision from a metes and bounds parcel.

The plat does not illustrate the balance of the property from which the two lots are being taken. The balance of the parcel should be included in the subdivision or the submission of documentation to establish the parcel as a legal lot of record prior to 1984, should be required.

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.7. of the Subdivision Regulations.

Based upon the preceding, this application is recommended for holdover to allow the applicant to include the balance of the property in the subdivision, with the additional notification information or to submit documentation to establish the balance of the property as a legal lot of record prior to 1984. This information should be submitted by May 3rd to be considered at the Commission's May 20<sup>th</sup> meeting.

#### *Revised for the May 20<sup>th</sup> Meeting*

*This application was heldover from the Commission's May 6<sup>th</sup> meeting until the May 20<sup>th</sup> meeting at the request of Urban Development's staff to allow the applicant to submit additional information to establish the property as a legal lot of record, or to include the balance. At the time mailout, the additional information requested by the staff had not been submitted.*

#### *Revised for the June 17<sup>th</sup> Meeting*

*At the May 20<sup>th</sup> meeting, the applicant requested a one-month holdover. The Commission granted the holdover, and at the time of mailout, the only information the staff had received was a copy of a foreclosure deed describing the subject property. The deed was dated January 2002, and the mortgage for the deed was executed in January 1998.*

*The description for this property is only a portion of a legal lot of record. Section I.E. of the Subdivision Regulations prohibits the issuance of building permits for any parcel of land created by subdivision unless a Final Plat has been approved and recorded. The*

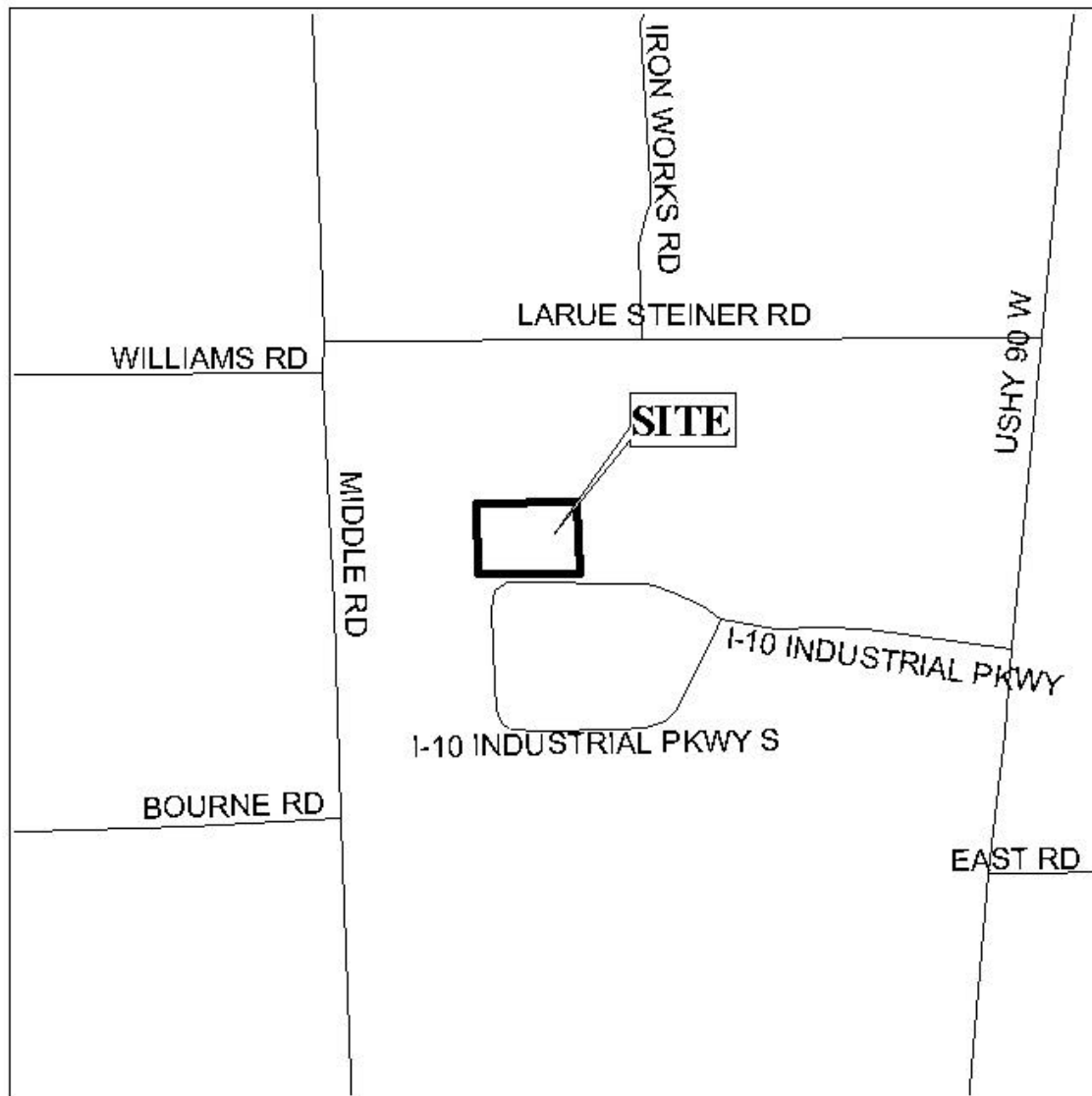
## **HOLDOVER**

*Revised*

*approval of this application would essentially validate an illegal subdivision, and would not include the balance of the lot.*

*Based upon the preceding, this application is recommended for denial for the following reason: 1) the application does not include all of the property and would essentially validate an illegal division of property (the remainder of the property is not a part of this subdivision and would not be a legal lot of record) in violation of Section I.E. of the Subdivision Regulations.*

## LOCATOR MAP



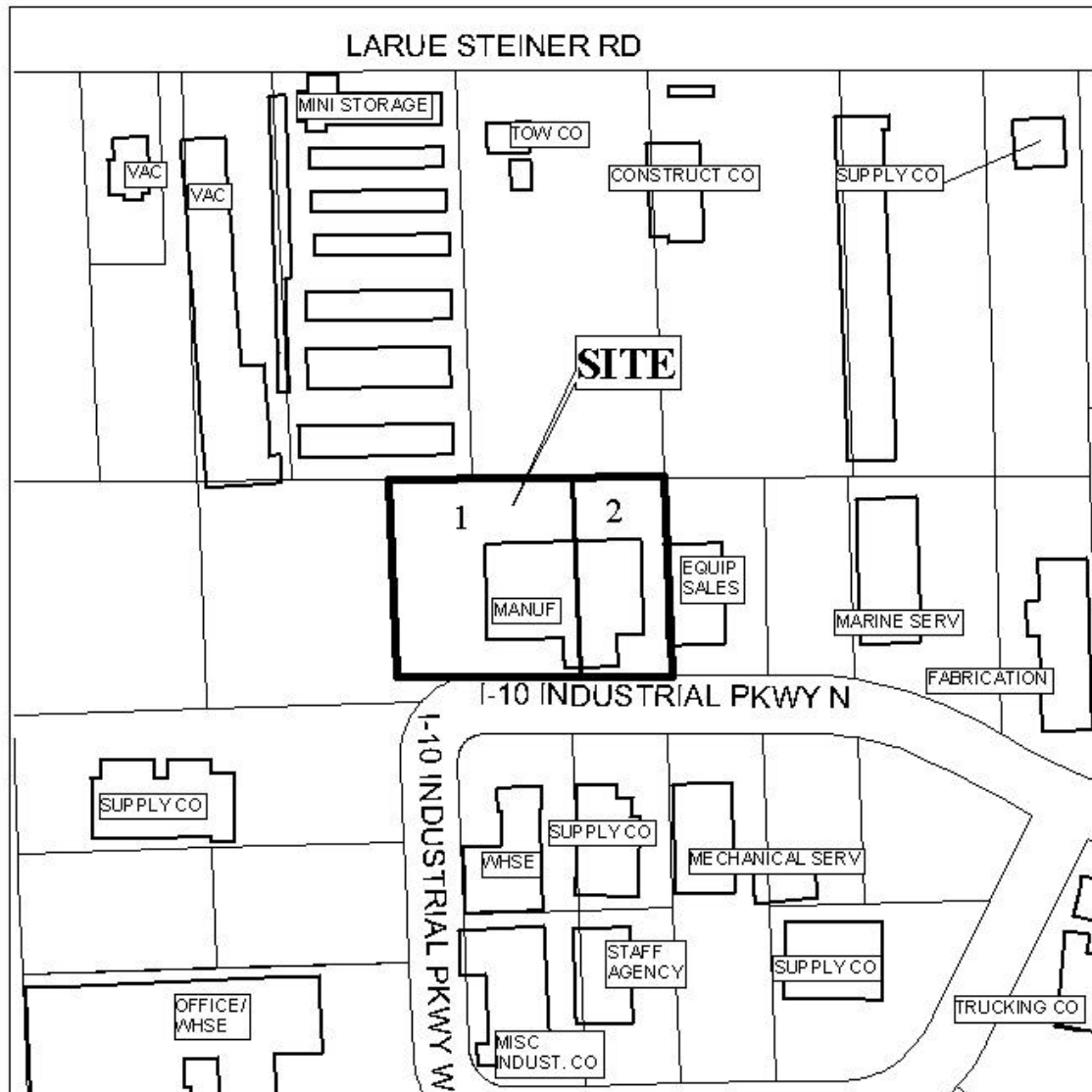
APPLICATION NUMBER Holdover DATE June 17, 2004

APPLICANT Burton Industrial Park Subdivision

REQUEST Subdivision



# BURTON INDUSTRIAL PARK SUBDIVISION



APPLICATION NUMBER Holdover DATE June 17, 2004

LEGEND

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



NTS