

## **JOE WALTHER JR. SUBDIVISION**

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

The plat illustrates the proposed 3.0± acre, 2 lot subdivision which is located on the South side of Havens Road, ½ mile± South of Howells Ferry Road. The site is served by public water and individual septic systems.

The purpose of the application is to subdivide an existing metes and bounds parcel into 2 legal lots of record.

The site fronts Havens Road, a prescriptive right-of-way that extends approximately one-half mile from Howells Ferry Road to the site. As a prescriptive right-of-way, the property is privately owned, and the County simply grades the road. Section V.D.4 of the Subdivision Regulations requires that every lot, except those on private streets allowed by Section VIII (Innovative Subdivisions), shall abut a dedicated and maintained public street. The site neither abuts a dedicated and maintained public street, nor complies with provisions of Section VIII of the Subdivision Regulations.

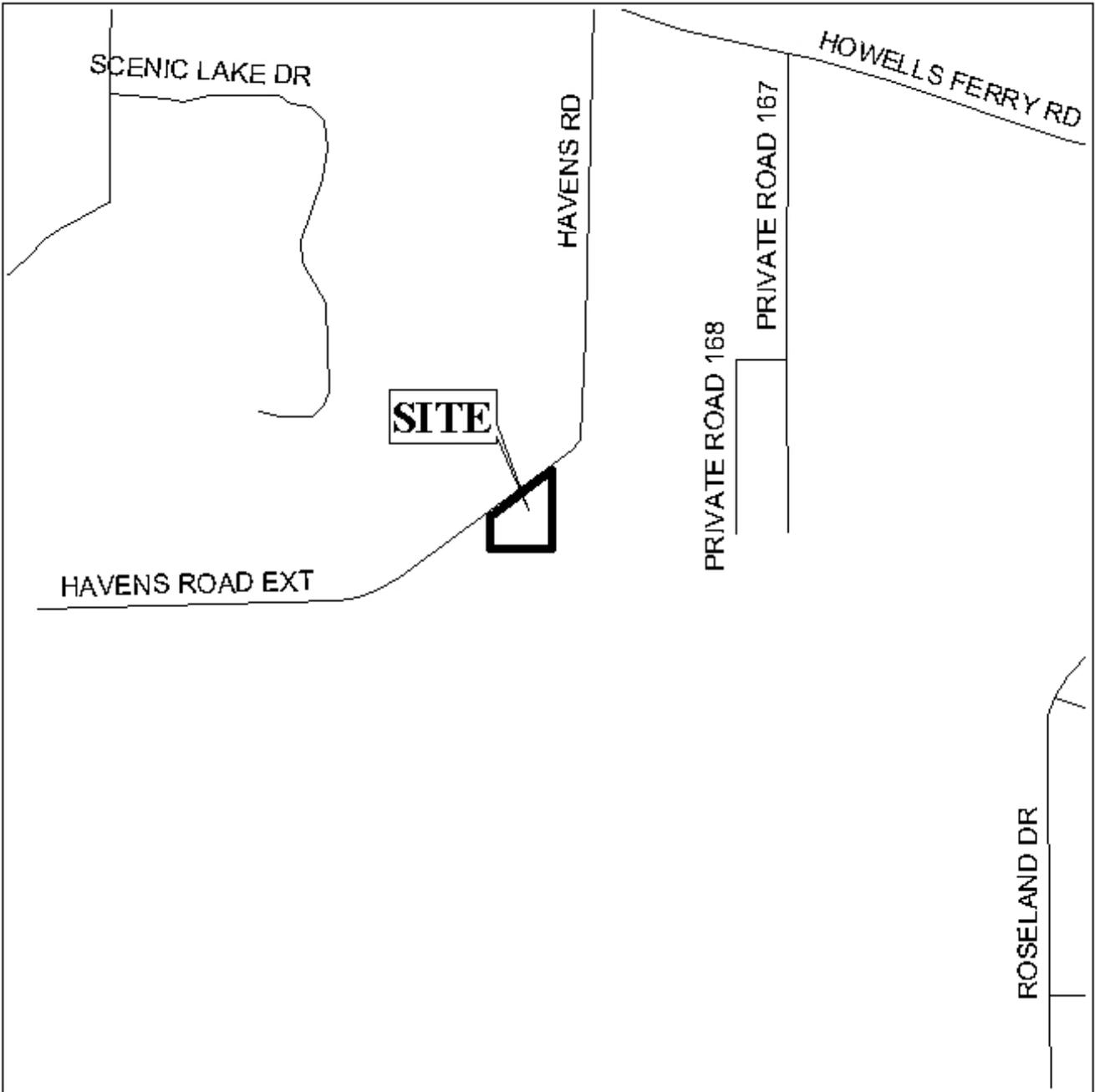
However, in February 2005, the Commission granted Tentative Approval for a 2-lot subdivision for the adjoining property, subject to the following conditions:

- 1) the placement of a note on the final plat stating that no further resubdivision will take place until Havens Road is paved and dedicated to County standards;
- 2) the dedication of adequate right-of-way to provide 30 feet from the centerline of the traveled roadway;
- 3) the placement of a note on the final plat stating that any lots that are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.7 of the Subdivision Regulations; and
- 4) the placement of the 25-foot minimum setback lines on the final plat, measured from the new right-of-way line.

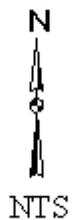
The plat shows dedication of 30' of right-of-way from the centerline of the traveled roadway of Havens Road. All other conditions, such as no future resubdivision, provision of setbacks, and necessary buffers, should apply to this site as well. With the placement of a note on the final plat stating that no further resubdivision will take place until Havens Road is a paved public road, Section V.D.4 could be waived.

With a waiver of V.D.4 (lots to abut dedicated and maintained public street), the plat will meet the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval subject to the following conditions: 1) the placement of a note on the final plat stating that no further resubdivision will take place until Havens Road is paved and dedicated to County standards; 2) the dedication of adequate right-of-way to provide 30 feet from the centerline of the traveled roadway; 3) the placement of a note on the final plat stating that any lots that are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.7 of the Subdivision Regulations; and 4) the placement of the 25-foot minimum setback lines on the final plat, measured from the new right-of-way line.

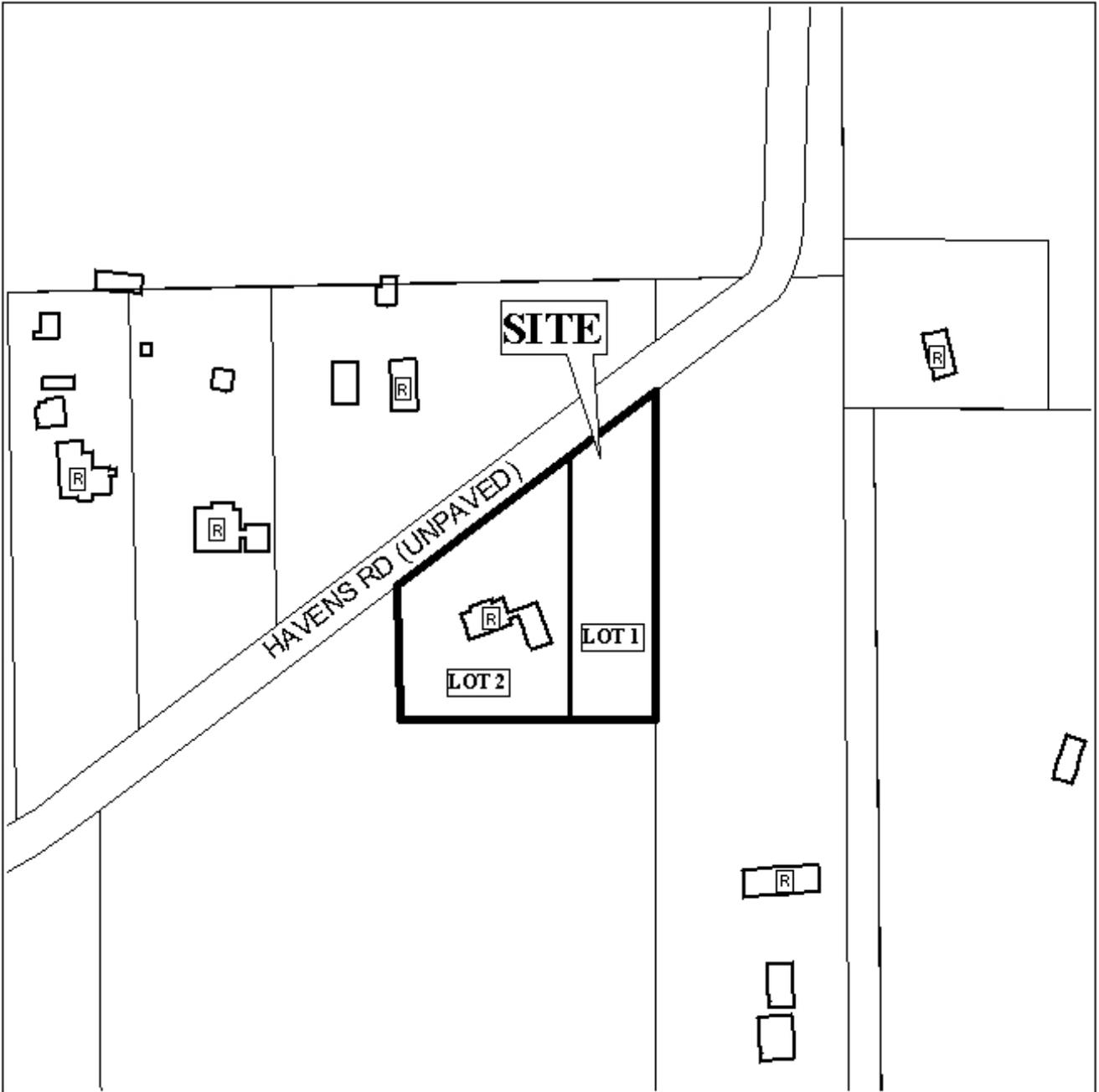
# LOCATOR MAP



APPLICATION NUMBER 28 DATE April 7, 2005  
APPLICANT Joe Walther Jr. Subdivision  
REQUEST Subdivision



# JOE WALTHER JR. SUBDIVISION



APPLICATION NUMBER 28 DATE April 7, 2005

LEGEND

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

