

COWART ROAD SUBDIVISION, **RESUBDIVISION OF LOT 2**

Engineering Comments: Development of property must comply with the Mobile County Flood Damage Prevention Ordinance.

The plat illustrates the proposed 2-lot, 30.0± acre subdivision which is located on the West side of Cowart Road, 120'± South of its North terminus. The subdivision is served by public water and individual septic facilities.

The purpose of this application is to create a two-lot subdivision from single lot of record.

The site fronts Cowart Road, a minor street with a 60-foot right-of-way. The site contains a large floodplain area and may contain wetlands, so approval from all applicable federal, State, and local agencies would be required.

The plat proposes to divide a large, roughly "L"-shaped property with limited street frontage into a narrow rectangular lot, and an irregular lot with a 100-foot wide, 1330'± long appendage providing frontage onto Cowart Road. Given the access concerns for the rear portion of the lot, and the concerns for future development, this is not a desirable configuration. Under normal circumstances, this lot would not be recommended for approval without street construction.

The site is unusual in that it is a lot of record, but the entire parent parcel is not included. There are ten landlocked parcels belonging to the same parent parcel, which was divided without authorization in 1986; five of these were purchased in the 1990s by the applicant, and have since been transferred to a corporation in which the applicant is a member (Mac-Land Inc.). In light of these circumstances, it may be appropriate to allow subdivision of the property in question, but only if all of the Mac-Land-owned properties were included in the application to mitigate the current landlocked situation. While inclusion of properties under other ownership is desirable, it cannot be required, since they have been transferred multiple times without the applicant's involvement. Planning for street construction would also be strongly recommended, to provide access to any remaining landlocked parcels.

Based on the preceding, this application is recommended for Holdover to the September 7th meeting, to allow the applicant to submit revised plans including all properties owned by Mac-Land, showing access to a public street for all properties.

Revised for the September 7th meeting:

This application was held over from the August 3rd meeting to allow the applicant to include landlocked parcels owned by the applicant's investment company in the application.

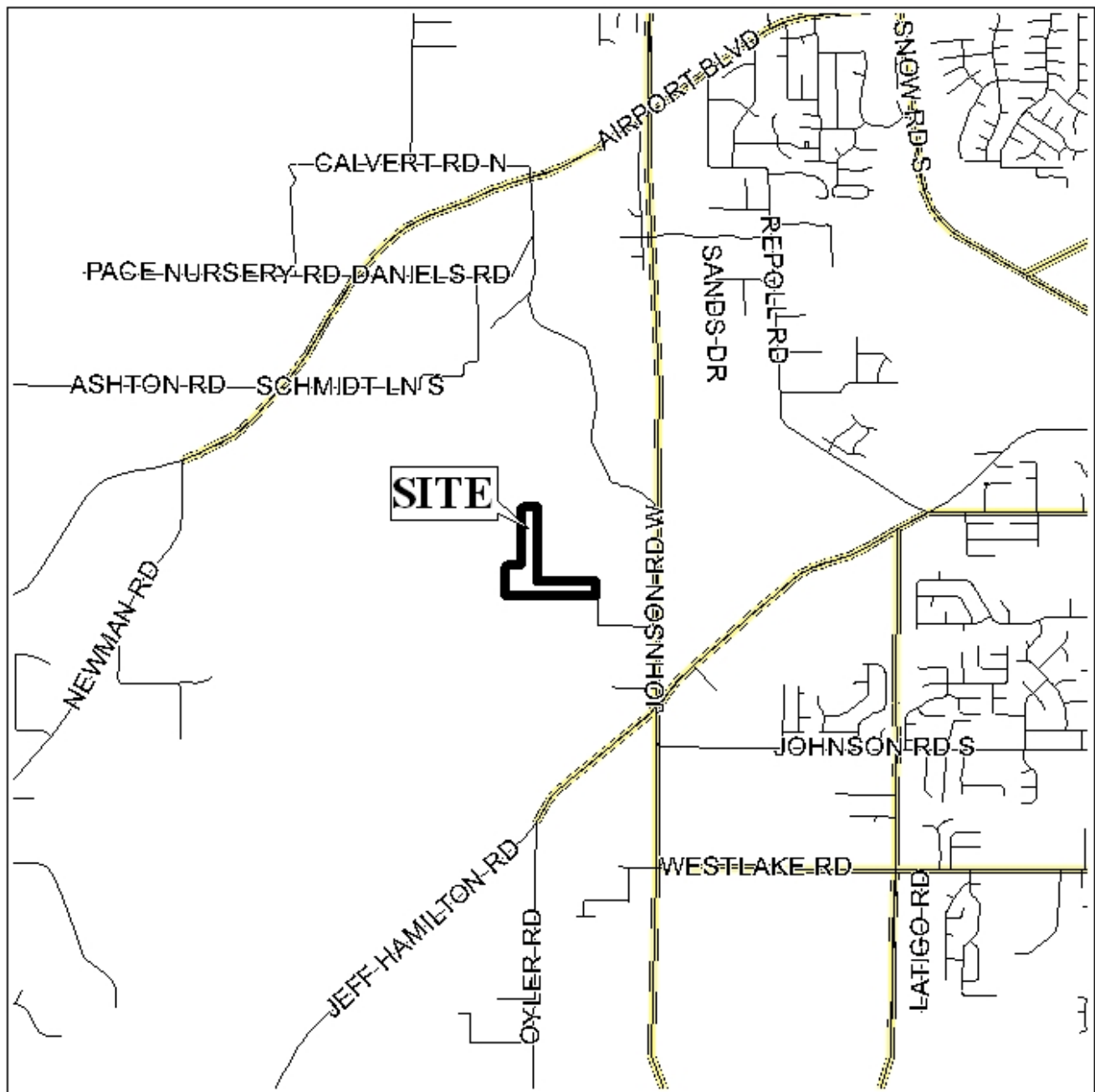
Urban Development has spoken with the applicant, who expresses no desire to alter the application as proposed. The applicant has indicated that this is a "family subdivision" to allow his daughter to build a home and that he does not wish to incorporate the landlocked parcel

because they have access via a recorded 10-foot easement. Such an easement would not satisfy the Subdivision Regulations' requirements that "every lot shall abut a dedicated and maintained public street" (Section V.D.4).

Nevertheless, since the site in question is a lot of record located on a County-maintained street, and the landlocked parcels are held under separate ownership, with certain restrictions, the subdivision may be appropriate. Future Resubdivision of the site should not be allowed without provision of additional access via a dedicated and maintained public street. In addition, the applicant should be aware that the landlocked parcels, which were subdivided without Planning Commission approval after 1984, may not be issued building permits without going through subdivision and without frontage on a dedicated and maintained public street. Because the site is located in Mobile County, a note should be placed 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.

Based on the preceding, and with a waiver of Section V.D.1 of the Subdivision Regulations (size and shape of lots), the plat meets the minimum standards and is recommended for Tentative Approval, subject to the following conditions: 1) the placement of a note on the final plat stating that approval from all applicable federal, State, and local agencies will be required prior to the issuance of permits in the floodplain; 2) the placement of a note on the final plat stating that there will be no future Resubdivision of the site until additional access is provided via a dedicated and maintained public street; and 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.

LOCATOR MAP



APPLICATION NUMBER Holdover DATE September 7, 2006

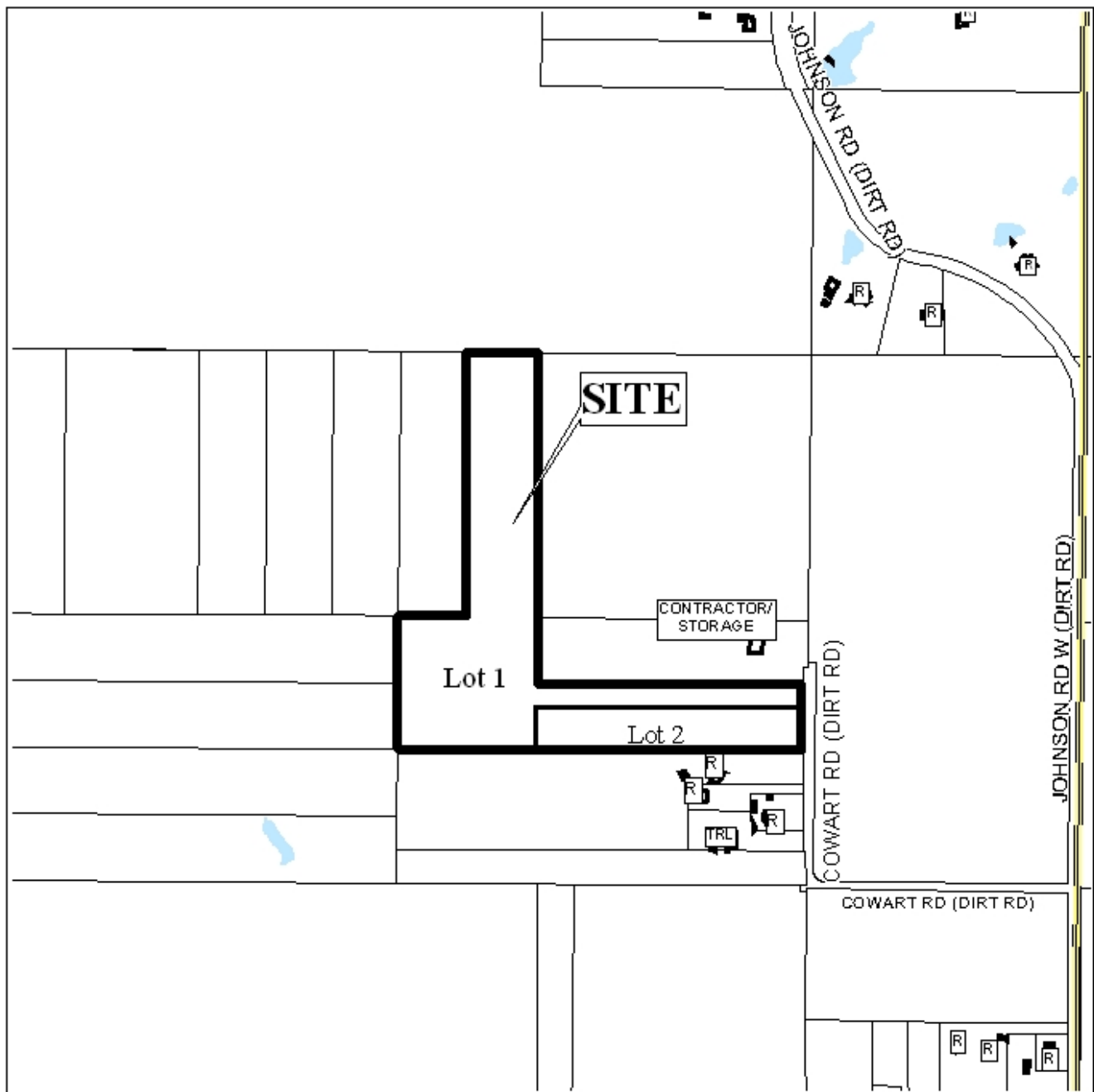
APPLICANT Cowart Road Property Subdivision, Resubdivision of Lot 2

REQUEST Subdivision



NTS

COWART ROAD PROPERTY SUBDIVISION, RESUBDIVISION OF LOT 2



APPLICATION NUMBER Holdover DATE September 7, 2006

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
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