



## Agenda Item #3

SUB-003012-2024

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration](#)

### DETAILS

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**Location:**

133 Eaton Square

**Subdivision Name:**

Chateau Noblet Subdivision

**Applicant / Agent:**

Daniel Clark / Smith, Clark & Associates, LLC

**Property Owners:**

Richard & Mellie Noblet

**Current Zoning:**

R-3, Multi-Family Residential Suburban District

**Future Land Use:**

Low Density Residential

**Applicable Codes, Policies, and Plans:**

- Unified Development Code
- Subdivision Regulations
- Map for Mobile Comprehensive Plan

**Proposal:**

- Subdivision approval to create one (1) legal lot of record from one (1) legal lot of record.

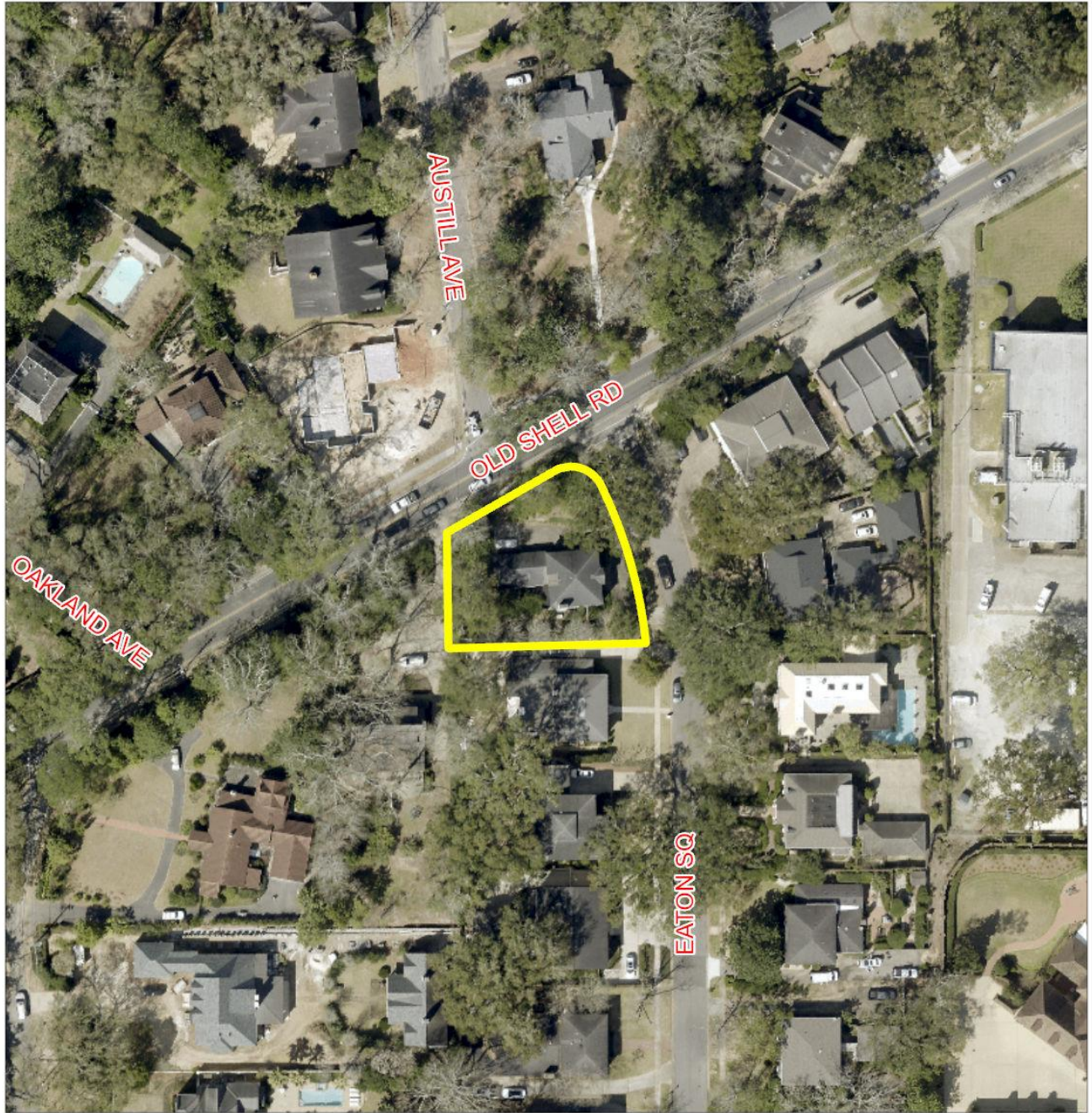
**Considerations:**

1. Subdivision approval with eight (8) conditions.

**Report Contents:**

	<b>Page</b>
Context Map .....	2
Site History .....	3
Staff Comments .....	3
Subdivision Considerations .....	5
Exhibits .....	6

# CHATEAU NOBLET SUBDIVISION



APPLICATION NUMBER 3 DATE August 15, 2024



## SITE HISTORY

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On February 4, 1965, the Planning Commission approved the rezoning from R-1, Single-Family Residential District, to R-3, Multi-Family Residential District for the area now known as Eaton Square Subdivision. In June, 1965, a Special Exception Variance request was heard by the Board for the area to allow a 100-unit apartment complex, but the Board decided that the request should be heard by the Planning Commission. The property was subsequently rezoned by the Board of City Commissioners, but the apartment complex was never built. The site retained its R-3 classification with the adoption of the Zoning Ordinance in 1967.

In February, 1969, the Planning Commission tentatively approved Bixler Place Subdivision, with final approval being granted in June, 1969. That subdivision was recorded as the current Eaton Square Subdivision.

The subject site was granted a Side Street Side Yard Setback Variance in June, 2021 to allow construction of a garage less than 25 feet from a side street side yard property line, but the project was never started and the variance expired.

In September 2023, the site was granted a Side Street Side Yard Setback Variance to allow the construction of a garage less than ten feet (10') from a side street side yard property line, with a six-month extension granted in March 2024. One of the conditions of that variance approval was the submission and recording of a subdivision application to alter the recorded setback line along Old Shell Road.

## STAFF COMMENTS

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### Engineering Comments:

FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review):

- A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- B. Provide a signature line for the Surveyor's Certificate.
- C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 23 - #72) LOT 1 will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – NONE.
- D. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at [land.disturbance@cityofmobile.org](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing.

### 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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.

### **Fire Department Comments:**

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2021 International Fire Code). Fire apparatus access is required to be within 150' of all non-sprinklered commercial buildings and within 300' of all sprinklered commercial buildings. Fire water supply for all commercial buildings will be required to meet the guidance of Appendices B and C of the 2021 International Fire Code. The minimum requirement for fire hydrants is to be within 400' of non-sprinkled commercial buildings, within 600' of sprinkled commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

### **Planning Comments:**

The purpose of this request is to create one (1) legal lot of record from one (1) existing legal lot of record by amending a recorded minimum building setback line along a side street frontage. The site is served by public water and sanitary sewer services.

The existing lot has frontage along Old Shell Road and Eaton Square, with a recorded 25-foot minimum building setback line along both streets. The applicant proposes to construct a garage less than ten feet (10') from the Old Shell Road property line which would encroach into the recorded setback along Old Shell Road. This subdivision request is to amend the recorded 25-foot setback along Old Shell Road to 8.5 feet as conditioned by the previously-mentioned Side Street Side Yard Setback Variance approved by the Board of Zoning Adjustment in September, 2023.

The preliminary plat indicates that both Old Shell Road and Eaton Square have compliant 50-foot rights-of-way; therefore, no dedication would be required. However, the applicant should verify the right-of-way width of Old Shell Road as other plats within the area depict a right-of-way width of 60 feet. A compliant 25-foot radius curve was recorded at the intersection of Old Shell Road and Eaton Square. The right-of-way widths of both streets should be retained on the Final Plat, if approved.

The proposed lot exceeds the minimum size requirement of the Subdivision Regulations, and the lot size label in both square feet and acres should be retained on the Final Plat, if approved, or a table should be furnished on the Final Plat providing the same information.

The site contains a recorded drainage and utility easement along the West (rear) of the property. Thus, the note on the preliminary plat stating that no structure shall be constructed or placed within any easement without the easement holder's permission should be retained on the Final Plat, if approved.

## SUBDIVISION CONSIDERATIONS

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### Standards of Review:

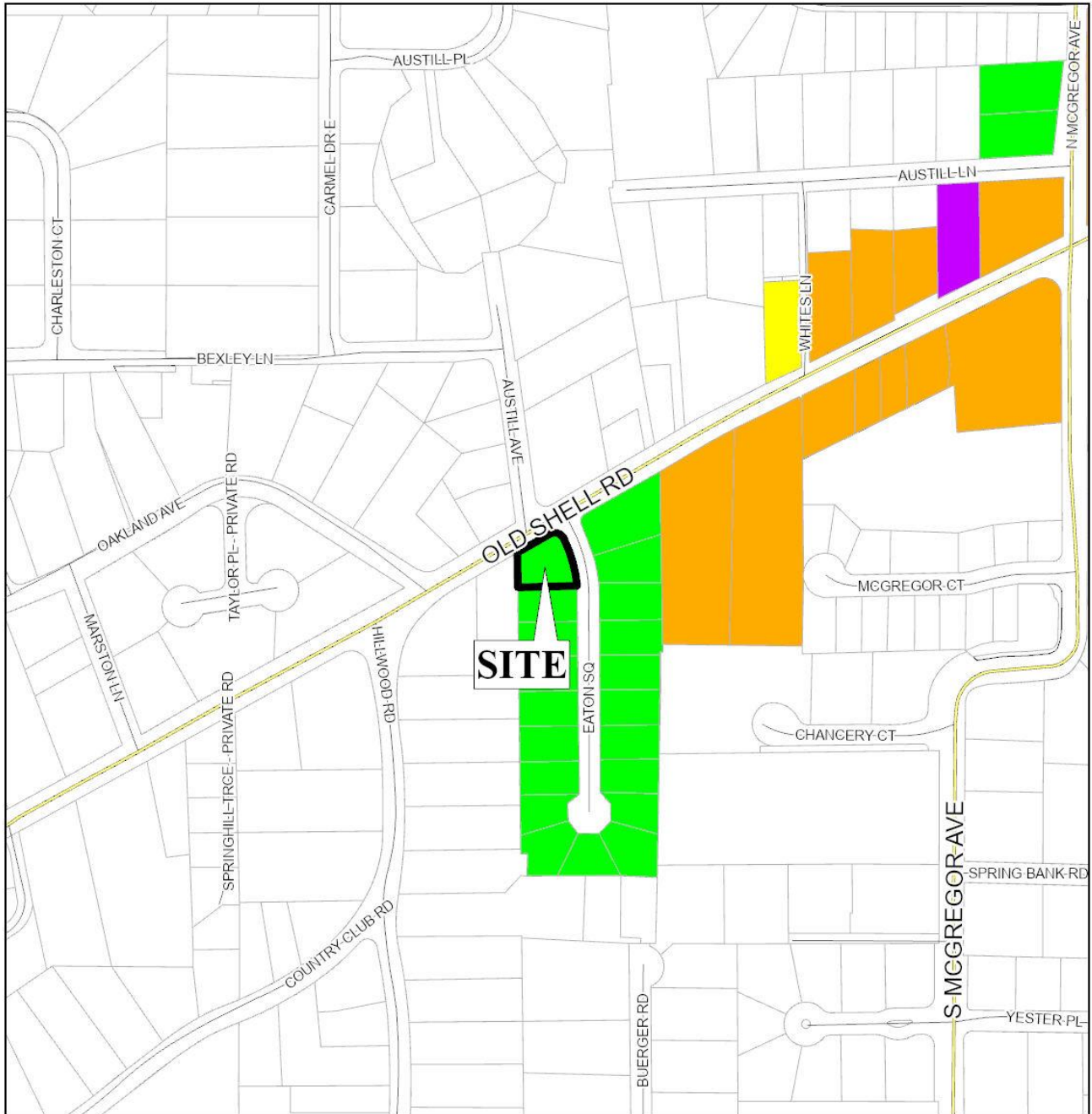
Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

### Considerations:

Based on the preceding, if the Subdivision request is considered for approval, the following conditions could apply:

1. Retention of the right-of-way widths of Old Shell Road (to be verified if 50 feet or 60 feet) and Eaton Square on the Final Plat;
2. Retention of the lot size label in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
3. Retention of the setbacks along Eaton Square and Old Shell Road, as depicted on the preliminary plat;
4. Retention of the note on the Final Plat stating that no structure shall be constructed or placed within any easement without the easement holder's permission;
5. Compliance with all Engineering comments noted in this staff report;
6. Placement of a note on the Final Plat stating all Traffic Engineering comments noted in this staff report;
7. Compliance with all Urban Forestry comments noted in this staff report; and,
8. Compliance with all Fire Department comments noted in this staff report.

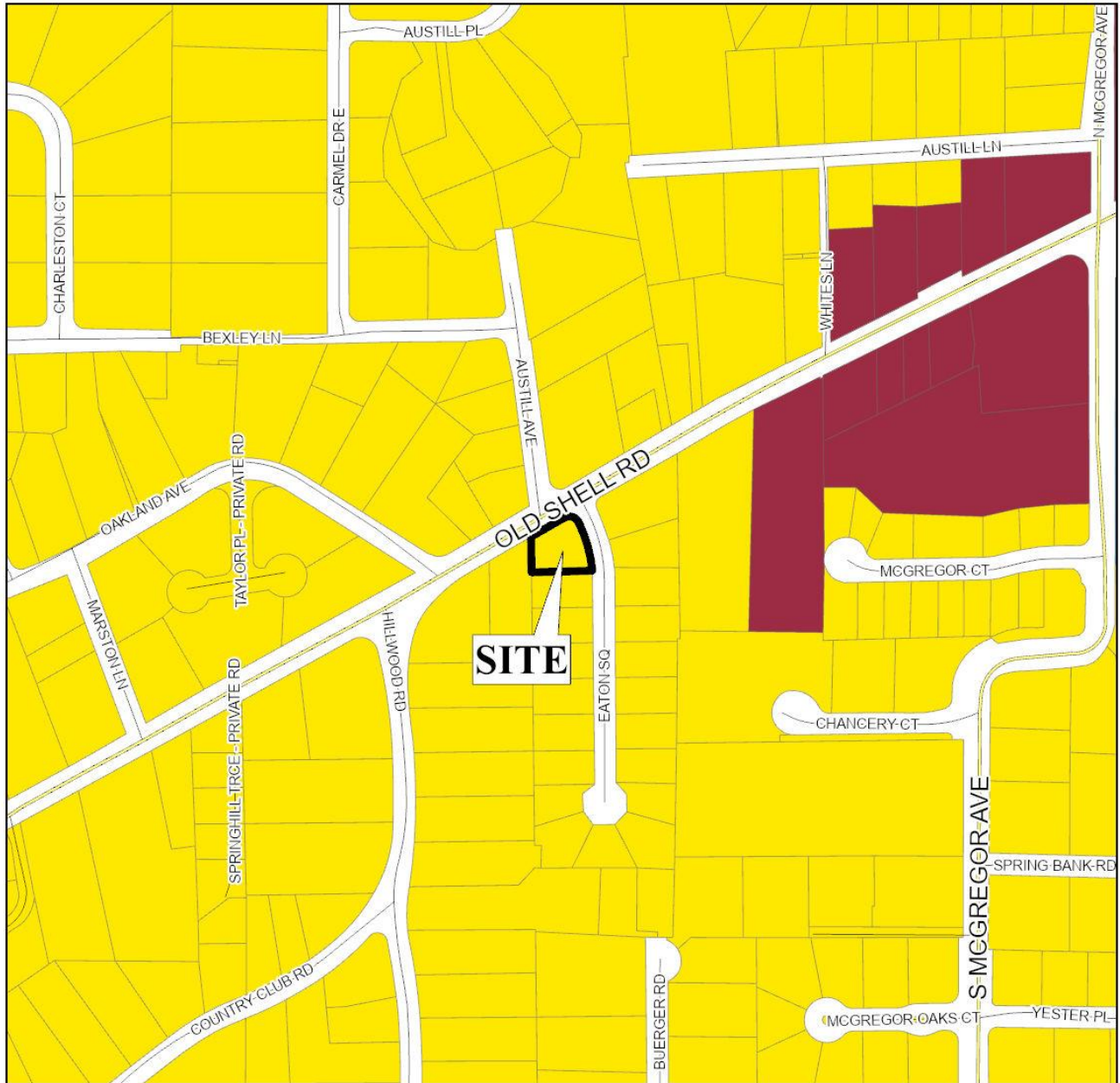
# LOCATOR ZONING MAP



APPLICATION NUMBER 3 DATE August 15, 2024  
 APPLICANT Chateau Noblet Subdivision  
 REQUEST Subdivision



# FLUM LOCATOR MAP



APPLICATION NUMBER 3 DATE August 15, 2024

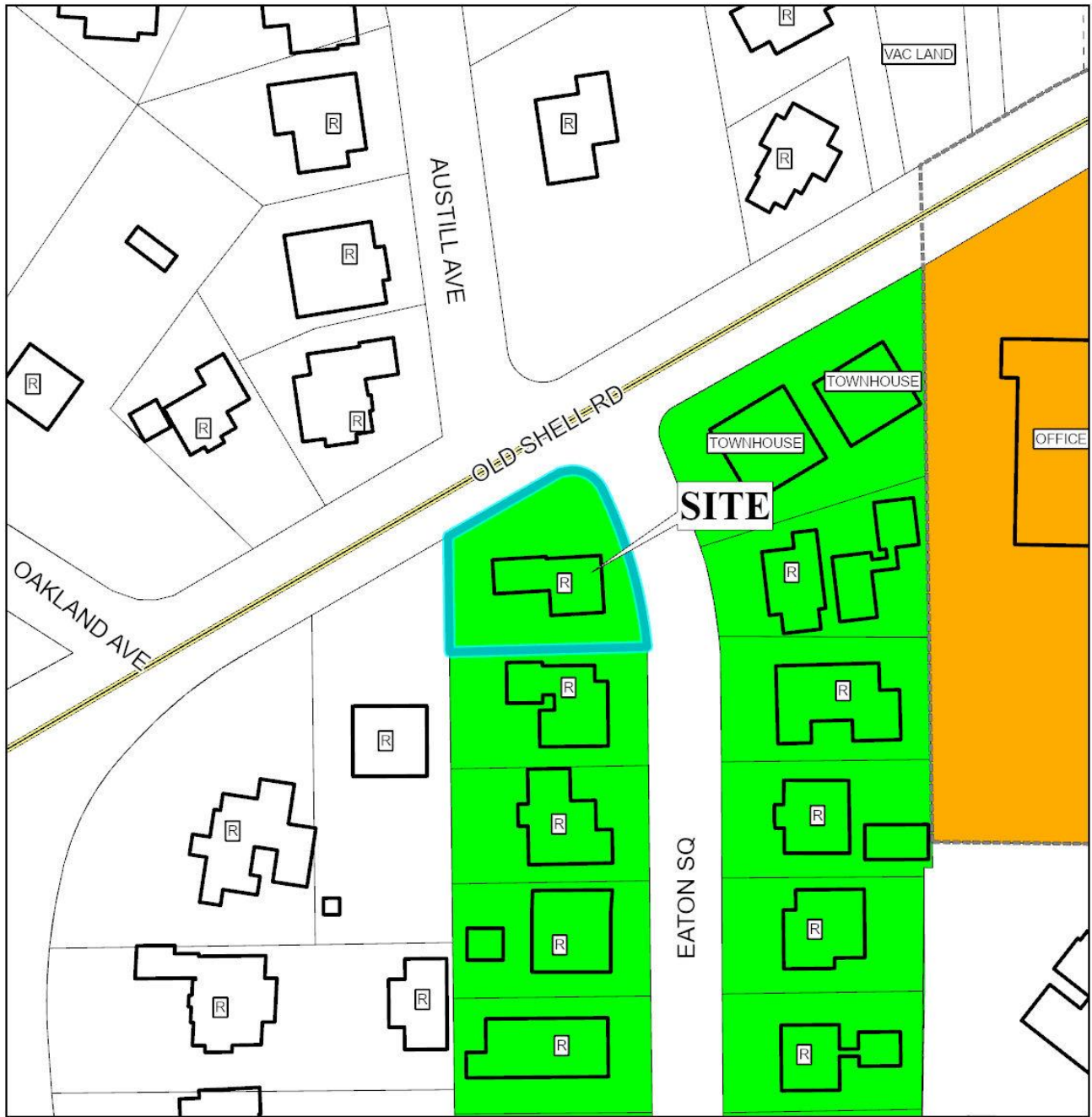
APPLICANT Chateau Noblet Subdivision

REQUEST Subdivision

- |   |  |   |  |
|---|--|---|--|
| <span style="display:inline-block; width:15px; height:15px; background-color:yellow; border:1px solid black;"></span> Low Density Residential   | <span style="display:inline-block; width:15px; height:15px; background-color:darkred; border:1px solid black;"></span> Neighborhood Center - Traditional | <span style="display:inline-block; width:15px; height:15px; background-color:darkorange; border:1px solid black;"></span> Downtown Waterfront | <span style="display:inline-block; width:15px; height:15px; background-color:lightgreen; border:1px solid black;"></span> Parks & Open Space |
| <span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> Mixed Density Residential | <span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span> Neighborhood Center - Suburban       | <span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> Light Industry       | <span style="display:inline-block; width:15px; height:15px; background-color:teal; border:1px solid black;"></span> Water Dependent          |
| <span style="display:inline-block; width:15px; height:15px; background-color:purple; border:1px solid black;"></span> Downtown                  | <span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> Traditional Corridor            | <span style="display:inline-block; width:15px; height:15px; background-color:darkblue; border:1px solid black;"></span> Heavy Industry        |  |
| <span style="display:inline-block; width:15px; height:15px; background-color:red; border:1px solid black;"></span> District Center              | <span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> Mixed Commercial Corridor          | <span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> Institutional        |  |



# CHATEAU NOBLET SUBDIVISION



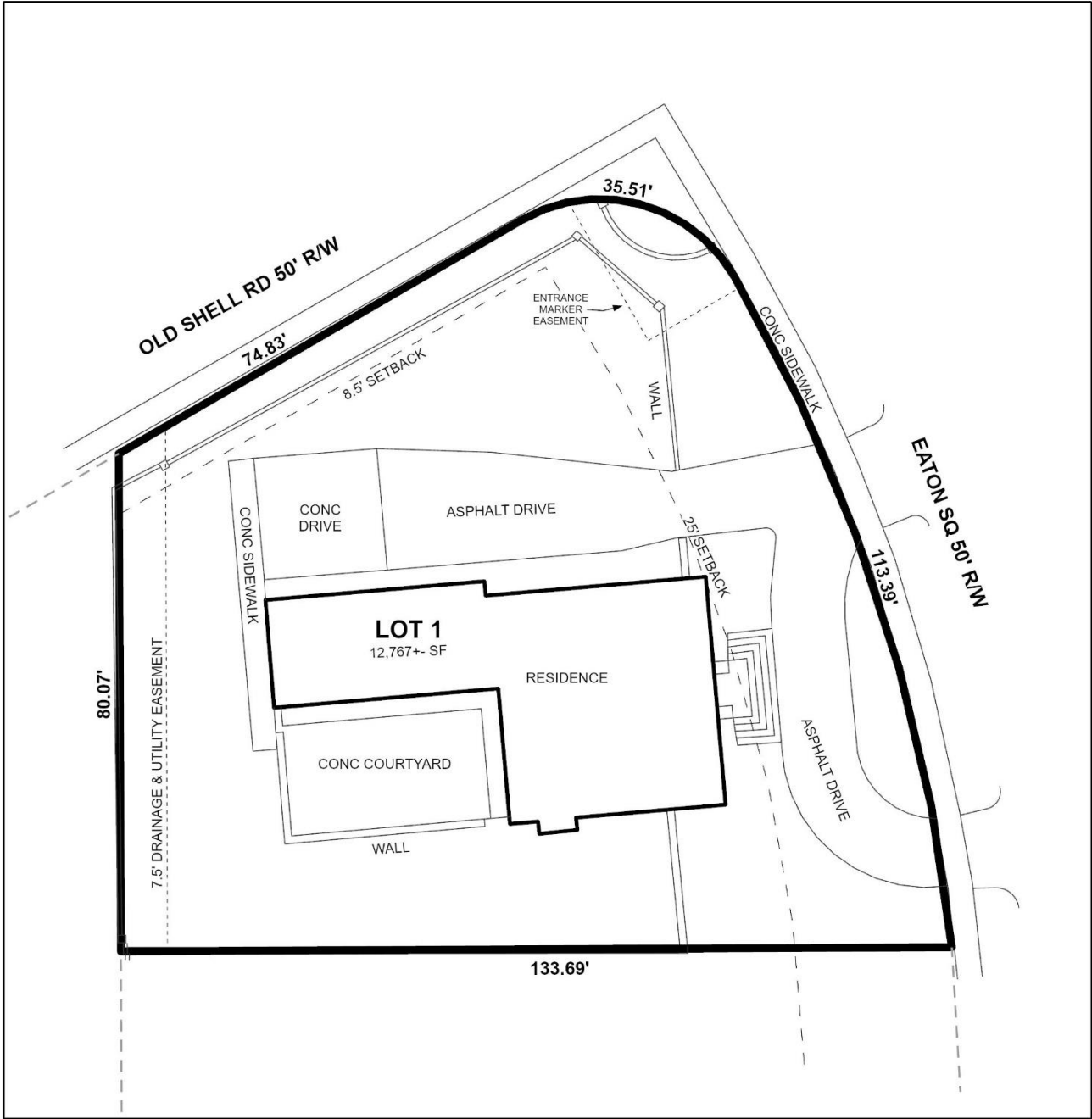
APPLICATION NUMBER 3 DATE August 15, 2024

<span style="color: cyan;">■</span> R-A	<span style="color: green;">■</span> R-3	<span style="color: cyan;">■</span> B-1	<span style="color: orange;">■</span> B-2	<span style="color: blue;">■</span> B-5	<span style="color: lightblue;">■</span> ML	<span style="color: gray;">■</span> I-2	<span style="color: lightgreen;">■</span> OPEN	<span style="color: pink;">■</span> T-3	<span style="color: purple;">■</span> T-5.2
<span style="color: white;">■</span> R-1	<span style="color: magenta;">■</span> R-B	<span style="color: brown;">■</span> T-B	<span style="color: red;">■</span> B-3	<span style="color: gray;">■</span> CW	<span style="color: teal;">■</span> MH	<span style="color: green;">■</span> PD	<span style="color: orange;">■</span> SD	<span style="color: purple;">■</span> T-4	<span style="color: darkpurple;">■</span> T-6
<span style="color: yellow;">■</span> R-2	<span style="color: peachpuff;">■</span> H-B	<span style="color: purple;">■</span> LB-2	<span style="color: brown;">■</span> B-4	<span style="color: lightblue;">■</span> MM	<span style="color: lightpurple;">■</span> I-1	<span style="color: yellow;">■</span> MUN	<span style="color: orange;">■</span> SD-WH	<span style="color: purple;">■</span> T-5.1	





# DETAIL SITE PLAN



APPLICATION NUMBER <u>3</u>	DATE <u>August 15, 2024</u>
APPLICANT <u>Chateau Noblet Subdivision</u>	
REQUEST <u>Subdivision</u>	



ZONING DISTRICT CORRESPONDENCE MATRIX			LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)
RESIDENTIAL - AG	R-A															
ONE-FAMILY RESIDENCE	R-1	■				■		■						□		
TWO-FAMILY RESIDENCE	R-2	■				■		■						□	○	
MULTIPLE-FAMILY	R-3	○	■			■	■							□	○	
RESIDENTIAL-BUSINESS	R-B		○			■		■						□	○	
TRANSITIONAL-BUSINESS	T-B		○		■	■	■	■						□		
HISTORIC BUSINESS	H-B			■		■		■						□		
VILLAGE CENTER	TCD					■	■							□		
NEIGH. CENTER	TCD					■	■							□		
NEIGH. GENERAL	TCD					■								□		
DOWNTOWN DEV. DDD	T-6			■										□		
DOWNTOWN DEV. DDD	T-5.1			■		■		□						□		
DOWNTOWN DEV. DDD	T-5.2			■		■								□		
DOWNTOWN DEV. DDD	T-4			■		■		□						□		
DOWNTOWN DEV. DDD	T-3			■		■								□		
DOWNTOWN DEV. DDD	SD-WH										○	○		□		
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○			○	○		□		
BUFFER BUSINESS	B-1		□			□	■	■	■					□	○	
NEIGH. BUSINESS	B-2		○			□	■	■	■					□	○	
LIMITED BUSINESS	LB-2		○			□	■	■	■					□	○	
COMMUNITY BUSINESS	B-3				■				■				○	□	○	
GEN. BUSINESS	B-4			■					■				○	□	○	
OFFICE-DISTRIBUTION	B-5								■	■				□	□	
LIGHT INDUSTRY	I-1										■			□	□	□
HEAVY INDUSTRY	I-2											■		□		□

**Zoning District Correspondence Matrix**

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

## Residential Land Use

### LOW DENSITY RESIDENTIAL (LDR)

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.