

**MOBILE CITY PLANNING COMMISSION
LETTER OF DECISION**

August 21, 2009

Live Oaks, LLC/Brent Cumbest
P.O. Box 851256
Mobile, Alabama 36685

Re: Case #SUB2009-00097

Miller Creek Estates Subdivision, Resubdivision of Lot 1

North terminus of Foxgate Road, adjacent to the North side of Alderbrook
Subdivision, extending to the South terminus of Sasser Lane.
2 Lots / 38.4± Acres

Dear Applicant(s) / Property Owner(s):

At its meeting on August 20, 2009, the Planning Commission approved the above referenced subdivision subject to the following conditions:

- 1) **Revision of the plat to show provision and dedication of a 120-diameter cul-de-sac at the terminus of Sasser Lane, and revision of lot sizes to accommodate the cul-de-sac;**
- 2) **Placement of a note on the final plat stating that each lot is limited to one curb-cut onto each street frontage, with the size, design and location to be approved by Mobile County Engineering;**
- 3) **Placement of a note on the plat stating that no additional subdivision of either lot is allowed until additional frontage on a paved public street is provided, and no further subdivision of Lot 1-A is allowed that would increase the number of lots fronting onto Sasser Lane until such time it is paved in its entirety, and a paved cul-de-sac is provided;**
- 4) **Depiction of the 25-foot minimum building setback line as discussed in the report (The required setback should be depicted around any portion of Lot 1-A abutting a street-stub, and around that portion of Lot 1-B where the "pole" meets the "flag" portion of the lot.);**
- 5) **Placement of a note on the plat stating that: *"Development must comply with the Mobile County Flood Damage Prevention Ordinance. Development shall be designed to comply with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances, and requiring submission of certification from a licensed engineer certifying that the design complies with the storm water detention and drainage facility requirements of the City of Mobile storm water and flood control ordinances prior to the issuance of any permits."***

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- 6) Placement of a note on the plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;**
- 7) Placement of a note on the plat stating that development on the site must be undertaken with the approval of all applicable federal, state and local agencies for floodplain and wetland issues prior to the issuance of any permits or land disturbance activities; and**
- 8) Placement of a note on the plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.8. of the Subdivision Regulations.**

After you have obtained all the necessary approval signatures and the plat has been recorded in the Mobile County Probate Office, seven copies of the recorded plat (including map book and page number) must be submitted to the Land Use Administration office. This procedure must be completed within one (1) year, or the Tentative Approval will expire.

It is also requested that a digital copy (DXF or DWG – AutoCAD 2007 compatible) of the final plat be submitted to the Land Use Administration office once the plat has been submitted to Probate for recording. This may be submitted on disk or via e-mail at travisz@cityofmobile.org.

If you have any questions regarding this action, please call this office at 251/208-5895.

Sincerely,

MOBILE CITY PLANNING COMMISSION

Dr. Victoria Rivizzigno, Secretary

By: _____

Richard Olsen

Deputy Director of Planning

cc: Byrd Surveying, Inc.

Charles Beach