



THE CITY OF MOBILE, ALABAMA  
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

October 24, 2022

Michael Thomas  
778 Scout Creek Trail  
Hoover, Alabama 35244

**Re: Southeast corner of Cody Road and Overlook Road, extending to the North side of Victor Road.**  
Council District 7  
**SUB-002222-2022**  
**Orchard Park Subdivision**  
**Number of Lots / Acres:** 74 Lots/ 20.2± Acres  
**Engineer / Surveyor:** Bluewater Design

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

At its meeting on October 20, 2022, the Planning Commission considered the above referenced Subdivision application.

**After discussion, the Planning Commission Tentatively Approved the request, subject to the following conditions:**

- 1) finalization of OBC Subdivision prior to signing the Final Plat;**
- 2) completion of the rezoning process for the property prior to the signing of the Final Plat;**
- 3) revision of the plat to label Overlook Road, Cody Road North and Victor Road with their current rights-of-way after any dedication required with OBC Subdivision;**
- 4) revision of the plat to label the sizes of Lot 1 and the Common Area along Victor Road, and Lots 27, 28 and 29, and the Common Area along Cody Road North after any dedication required with OBC Subdivision;**
- 5) retention of the right-of-way width labels for all interior streets on the Final Plat;**
- 6) revision of the plat to label all street corner lots with at least a 25-foot corner radius, or the furnishing of a table on the Final Plat providing the same information;**
- 7) revision of the plat to label each lot and Common Area with its size in both square feet and acres, after any required dedication, or the furnishing of a table on the Final Plat providing the same information;**
- 8) revision of the plat to indicate 25-foot minimum building setback line along Victor Road for Lot 1, after any required dedication;**

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- 9) revision of the plat to indicate a 25-foot minimum building setback line along Overlook Road for Lot 19;
- 10) revision of the plat to indicate a 25-foot minimum building setback line along Cody Road North for Lots 27, 28 and 29;
- 11) revision of the Typical Lot Building Setback Layout to indicate which lots would be subject to this standard layout and which lots would differ, and to include compliant front, side and rear yard setbacks;
- 12) retention of the note on the preliminary plat stating that no structures may be placed or constructed within any easement without the permission of the easement holder on the Final Plat;
- 13) revision of the note concerning the maintenance of the Common Areas to simply state on the Final Plat that the maintenance of all Common Areas is the responsibility of the property owners;
- 14) revision of the plat, if necessary, to conform to United States Postal Service National Delivery Planning Standards, and if a mailbox kiosk is provided, the placement thereof must be on private property and comply with the setback requirements of the Zoning Ordinance;
- 15) removal of the note stating that the intended use is commercial development;
- 16) compliance with the Engineering comments: *(FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): 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 reference, on the map and the description, to a monumented corner. C. Provide and label the monument set or found at each subdivision corner. D. Provide a Vicinity Map. E. Provide a North Arrow on Sheet 1 of 2. F. Provide a legend. G. Provide curve data for the various labeled curves. H. Provide the curve numbers and curve data for the proposed rights-of-way. I. Mark each proposed ROW as PUBLIC or PRIVATE. J. Is the USPS requiring a mail kiosk? Show and label the proposed kiosk on private property. K. Street names are subject to approval through the Engineering Dept. L. Clarify the existing ROW on Victor Rd. Show and label the distance to centerline of roadway. M. Give a unique label to each of the separate Common Areas (i.e. No. 1, No. 2). N Label LOT 1 and LOT 3 of OBC Subdivision and include the recording information. O. Show and label each and every Right-Of-Way and easement. Label the adjoining property Owners. Q. Revise NOTE #9 (unnumbered) to read – “All existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile.” R. Provide a written legal description and matching bearing and distance labels for the proposed subdivision boundary. S. Revise the plat to label each lot with its size in acres also, or the furnishing of a table on the Plat providing the same information. T. Revise the signature block from “MOBILE CITY ENGINEERING” to “CITY ENGINEER”. U. Provide the Surveyor’s Certificate. V. The proposed streets are considered PRIVATE until the roadways and dedicated ROW are accepted by the City. W. 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.);*

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- 17) placement of a note on the Final Plat stating the Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 18) compliance with the 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.); and*
- 19) compliance with the Fire Department comments: *(All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance(2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.).*

After you have obtained all the necessary approval signatures and the plat has been recorded in the Mobile County Probate Office, five copies of the recorded plat (including instrument number) must be submitted to the Planning and Zoning Department office. This procedure must be completed within one (1) year, or the Tentative Approval will expire.

Please also submit a CAD compatible (DXF) digital copy of the final plat to the Planning and Zoning Department office once the plat has been submitted to Probate for recording. This may be submitted on disk, flash drive, memory stick, or via e-mail to [planning@cityofmobile.org](mailto:planning@cityofmobile.org).

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

Sincerely,

**MOBILE CITY PLANNING COMMISSION**

Ms. Jennifer Denson, Secretary

By:   
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Margaret Pappas  
Deputy Director of Planning and Zoning