

**MOBILE CITY PLANNING COMMISSION
LETTER OF DECISION**

January 7, 2011

ABHK, LLC
ATTN:Michael Muscat
3721 Kentan Dr.
Mobile, AL 36608

Re: Case #SUB2010-00146 (Subdivision)
Tuthill Gates Subdivision, Resubdivision of
3671 Hayfield Place
(Northeast corner of Springhill Avenue and Tuthill Lane, extending to the South side of Hayfield Place).
8 Lot / 2.6± Acre

Dear Applicant(s):

At its meeting on January 6, 2011, the Planning Commission considered the above referenced subdivision.

After discussion, the Planning Commission waived Section V.D.9. of the Subdivision Regulations, and tentatively approved the request, subject to the following conditions:

- 1) **compliance with Engineering comments:** *(Setbacks shall not include drainage easements, structures are prohibited within drainage easements. Reduction in size of any drainage easements are not allowed. Any new wall or fence proposed within a drainage easement will require Engineering, ROW and Zoning approvals. Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right-of-way will require a right-of-way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.);*
- 2) **compliance with Urban Forestry comments, and placement of those comments as a note on the final plat:** *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64). Preservation status is to be given to the 48" Live Oak Tree located on private easement in front of Lot B. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.);*
- 3) **placement of a note on the final plat stating that compliance with Section VIII.E. of the Subdivision Regulations will be required due to the private gated street;**
- 4) **depiction of a minimum 20-foot building setback where each lot abuts Hayfield Place;**

- 5) depiction of a minimum 10-foot building setback where each lot abuts Tuthill Lane and Spring Hill Avenue;
- 6) depiction of a 10-foot side yard setback for Lot D, where there is an existing drainage easement on the North side of the lot;
- 7) depiction of all other internal side yard (5 feet) and private street minimum building setbacks (5 to 10 feet) as proposed;
- 8) placement of a note on the final plat stating that all lots are denied direct access to Spring Hill Avenue, Tuthill Lane and Hayfield Place, and that access shall only be to Hayfield Place via the proposed private street easement;
- 9) placement of a note on the plat stating that the site is limited to an approved Planned Unit Development;
- 10) completion of a non-utility right-of-way use agreement for any existing walls or fences that will remain which are located in the public right-of-way or in a drainage easement, prior to the issuance of a certificate of occupancy for any new residence;
- 11) placement of a note on the final 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;
- 12) provision of a revised PUD site plan prior to the signing of the final plat; and,
- 13) full compliance with all other municipal codes and ordinances.

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: M. Don Williams

**MOBILE CITY PLANNING COMMISSION
LETTER OF DECISION**

January 7, 2011

ABHK, LLC
ATTN:Michael Muscat
3721 Kentan Dr.
Mobile, AL 36608

Re: Case #ZON2010-02885 (Planned Unit Development)

Tuthill Gates Subdivision, Resubdivision of

3671 Hayfield Place

(Northeast corner of Springhill Avenue and Tuthill Lane, extending to the South side of Hayfield Place).

Planned Unit Development Approval to allow a private street and gated subdivision with reduced front, side and rear yard setbacks, and increased site coverage in a proposed single family subdivision.

Dear Applicant(s):

At its meeting on January 6, 2011, the Planning Commission considered for Planned Unit Development Approval to allow a private street and gated subdivision with reduced front, side and rear yard setbacks, and increased site coverage in a proposed single family subdivision.

After discussion, the Planning Commission approved the request, subject to the following conditions:

- 1) placement of a note on the site plan stating that the maximum building site coverage is limited to 35%;**
- 2) any new walls or fences up to 8 feet in height may be located along property lines abutting all public streets, with appropriate permits, subject to approval by Engineering and ROW for those walls or fences that will be located in existing drainage easements;**
- 3) compliance with Engineering comments: (*Setbacks shall not include drainage easements, structures are prohibited within drainage easements. Reduction in size of any drainage easements are not allowed. Any new wall or fence proposed within a drainage easement will require Engineering, ROW and Zoning approvals. Must comply with all stormwater and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right-of-way will require a right-of-way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.*);**
- 4) compliance with Urban Forestry comments, and placement of those comments as a note on the final plat: (*Property to be developed in compliance with state and local***

laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64). Preservation status is to be given to the 48" Live Oak Tree located on private easement in front of Lot B. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.);

- 5) placement of a note on the site plan stating that compliance with Section VIII.E. of the Subdivision Regulations will be required due to the private gated street;
- 6) depiction of a minimum 20-foot building setback where each lot abuts Hayfield Place;
- 7) depiction of a minimum 10-foot building setback where each lot abuts Tuthill Lane and Spring Hill Avenue
- 8) depiction of a 10-foot side yard setback for Lot D, where there is an existing drainage easement on the North side of the lot;
- 9) depiction of all other internal side yard (5 feet) and private street minimum building setbacks (5 to 10 feet) as proposed;
- 10) placement of a note on the site plan stating that all lots are denied direct access to Spring Hill Avenue, Tuthill Lane and Hayfield Place, and that access shall only be to Hayfield Place via the proposed private street easement;
- 11) placement of a note on the site plan stating that the site is limited to an approved Planned Unit Development;
- 12) completion of a non-utility right-of-way use agreement for any existing walls or fences that will remain which are located in the public right-of-way or in a drainage easement, prior to the issuance of a certificate of occupancy for any new residence;
- 13) placement of a note on the site plan 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;
- 14) provision of a revised PUD site plan prior to the signing of the final plat; and,
- 15) full compliance with all other municipal codes and ordinances.

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: M. Don Williams