

**MOBILE CITY PLANNING COMMISSION
LETTER OF DECISION**

September 16, 2005

Gerald T. Still
P.O. Box 190564
Mobile, AL 36619

Re: Case #SUB2005-00181

Bayou Island Subdivision

North side of Hamilton Boulevard, 2/10 mile± West of the South terminus of
Viking Way.

15 Lots / 19.3± Acres

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

At its meeting on September 15, 2005, the Planning Commission waived Section V.D.3. and approved the above referenced subdivision subject to the following conditions:

- 1) **dedication of right-of-way sufficient to provide 50 feet from the centerline of Hamilton Boulevard, with adjustment of the 25-foot minimum building setback line as necessary;**
- 2) **placement of a note on the Final Plat stating that Lots 1 and 2 are limited to one curb cut each onto Hamilton Boulevard, and that the private driveway is limited to one access point onto Hamilton Boulevard, with curb-cut sizes, location and design to be approved by County Engineering;**
- 3) **approval of all applicable federal, state and local agencies regarding the wetlands and floodplain issues prior to the issuance of any permits;**
- 4) **placement of a note on the Final Plat stating that maintenance of all common areas is the responsibility of the property owners;**
- 5) **redesign of the proposed private driveway to provide intermediate and terminating turn-arounds, with adjustments in the right-of-way width as necessary, in conformance with Section V.B.6. of the Subdivision Regulations;**
- 6) **provision of a private right-of-way in conformance with Section VIII.E.2.c., and in order to delineate the common area from the private road;**
- 7) **placement of a note on the plat stating that the street is privately maintained and not dedicated to the public;**

- 8) placement of a note on the plat stating that if the private street is not constructed and maintained to the appropriate Mobile County standard, and is ultimately dedicated for public use and maintenance, 100 percent of the cost of the improvements required to bring the street up to the prevailing standard shall be assessed to the property owners at the time the private street is dedicated, with the assessment running with the land to any subsequent property owners;
- 9) designation on the plat of utility easements acceptable to the appropriate provider of utility services within the subdivision, in conformance with Section VIII.E.2.d.;
- 10) placement of a note on the Final Plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.7. of the Subdivision Regulations;
- 11) provision of a legal covenant, in conformance with Section VIII.E.2.f. of the Subdivision Regulations;
- 12) provision of a street sign in conformance with Section VIII.E.2.i. of the Regulations, and;
- 13) correction of the Legal Description's point of beginning reference.

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 year, or the Tentative Approval will expire.

It is also requested that a digital copy 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 olsen@cityofmobile.org.

Bayou Island Subdivision
September 16, 2005
Page 2

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

Sincerely,

MOBILE CITY PLANNING COMMISSION
Victor McSwain, Secretary

By: _____
Richard Olsen
Deputy Director of Planning

cc: Lawler and Company