

**COUNTY VACATION  
& SUBDIVISION STAFF REPORT****Date: December 15, 2011****SUBDIVISION**

The Oaks at Westlake Subdivision, Phase One, Revised Lot 19.

**NAME**

Phillip Knudsen

**LOCATION**

10693 Middle Oak Drive  
(North side of Middle Oak Drive, 75'± West of Knobbly Drive)

**REQUEST**

Request to vacate the Eastern 5 feet of a 15-foot drainage easement

**REMARKS**

The applicant is requesting vacation of the Eastern 5 feet of a 15-foot drainage easement recorded on the West side of Lot 19 of The Oaks at Westlake Subdivision, Phase One. The easement was placed on the original plat, which the Planning Commission approved on July 25, 2002. The vacation of 5 feet of the easement would leave a 10-foot easement.

The applicant constructed a home that encroaches within the drainage easement, hence the request for vacation.

County Engineering has indicated that they have no objections to the vacation, and, as such, the vacation of the easement should be approved.

Regarding the subdivision application, the purpose of the application is to modify the drainage easement, as there is no modification of the lot lines. The lot meets the minimum size and frontage requirements as regulated by Section V.D.2. of the Subdivision Regulations.

The 25-foot minimum building setback line is depicted on the preliminary plat, and this should be retained on the Final Plat, if approved. The lot area sizes are depicted in acres and square feet, and this should also be retained on the Final Plat, if approved.

The lot should be limited to the existing one curb cut to Middle Oak Drive, with the size, design, and location of all curb cuts to be approved by County Engineering and conform to AASHTO standards.

The site is in Mobile County, however, it will have to comply with the City of Mobile storm water and flood control ordinances. A note should be placed on the Final Plat, if approved, stating that the development will 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. Certification is to be submitted to the Planning Section of Urban Development and County Engineering.

The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

This site is located in the County, thus 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.

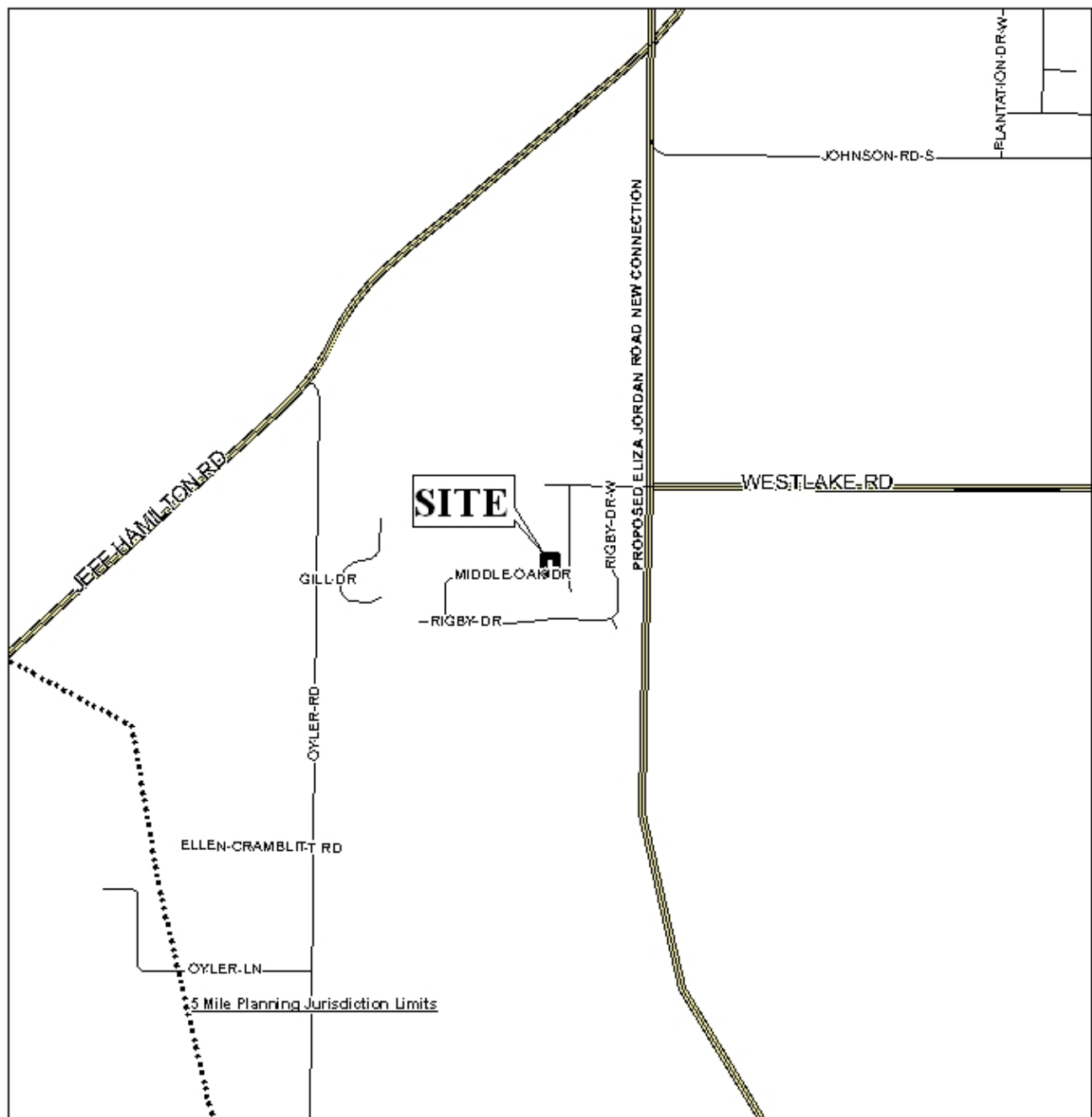
### **RECOMMENDATION**

The request for waiver is recommended for approval.

The Subdivision Request is recommended for tentative approval, subject to the following conditions:

- 1) retention of the 25-foot minimum building line and the lot area size, in square feet, on the Final Plat;
- 2) placement of a note on the Final Plat stating that the lot should be limited to the existing one curb cut to Middle Oak Drive, with the size, design, and location of all curb cuts to be approved by County Engineering and conform to AASHTO standards;
- 3) placement of a note on the Final Plat stating that the development will 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. Certification is to be submitted to the Planning Section of Urban Development and County Engineering;
- 4) 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; and
- 5) 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.8 of the Subdivision Regulations.

# LOCATOR MAP



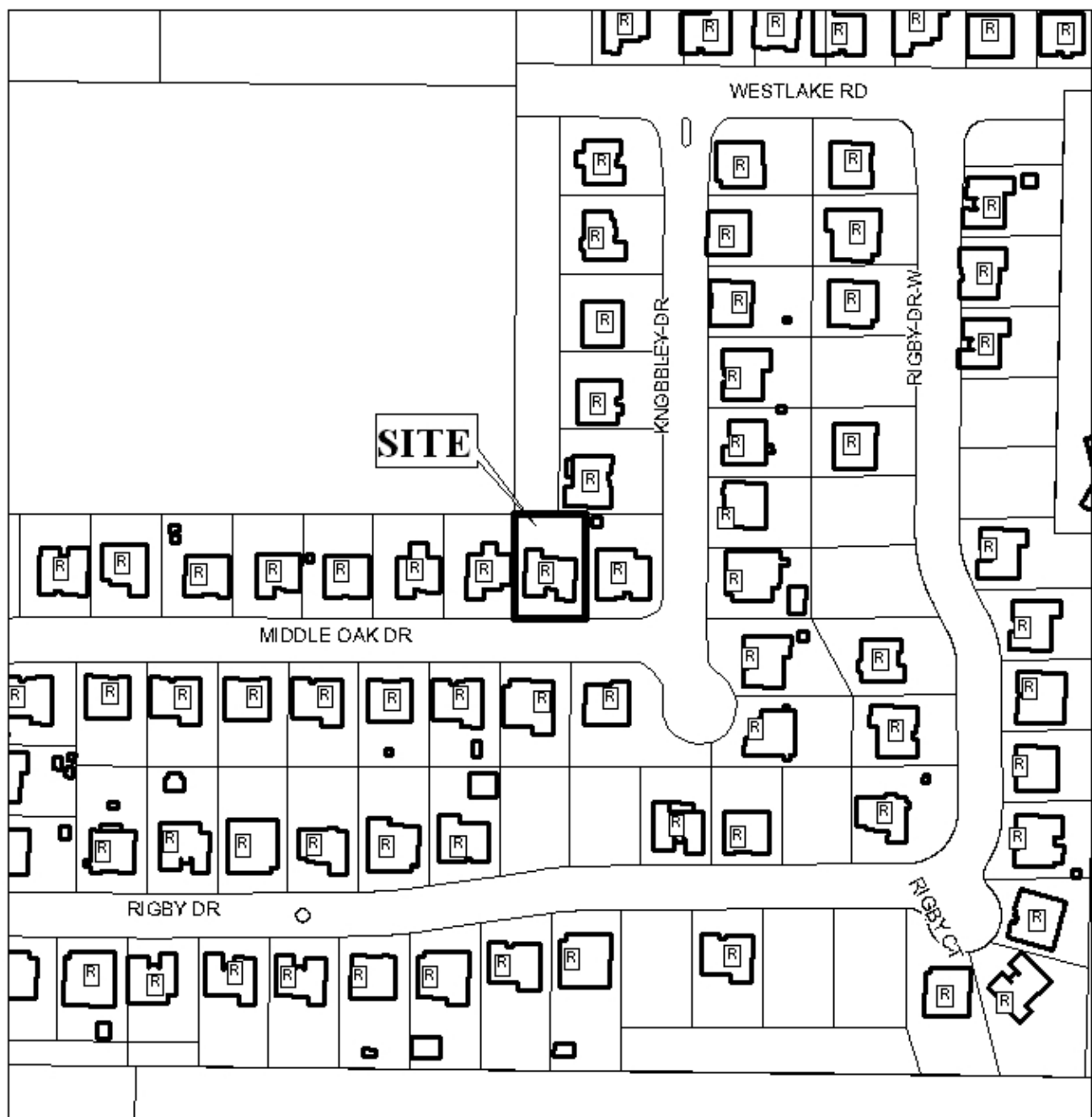
APPLICATION NUMBER 22 & 23 DATE December 15, 2011

APPLICANT The Oaks of Westlake Subdivision, Phase One, Revised Lot 19

REQUEST Subdivision, Vacation Request



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



APPLICATION NUMBER 22 & 23 DATE December 15, 2011

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LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



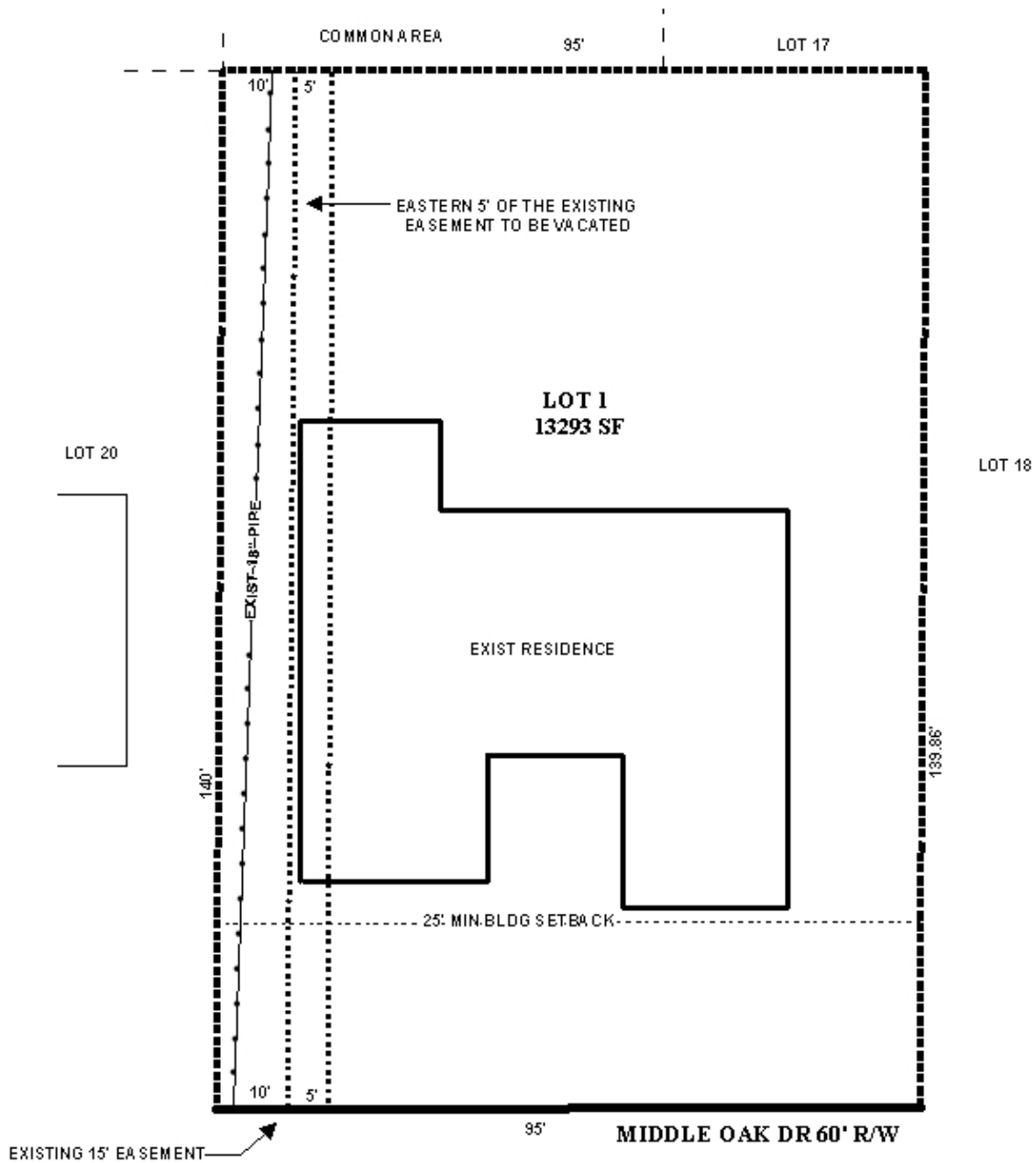
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# DETAIL SITE PLAN



APPLICATION NUMBER 22 & 23 DATE December 15, 2011

APPLICANT The Oaks of Westlake Subdivision, Phase One, Revised Lot 19

REQUEST Subdivision, Vacation Request

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