



THE CITY OF MOBILE, ALABAMA  
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

January 9, 2019

Stimrad Investments, LLC  
7 N. Broad St, Suite D  
Mobile, AL 36602

**Re: 961 & 963 Elmira Street**  
(South side of Elmira Street, 100'± East of Charles Street).  
Council District 2  
**SUB-000788-2018**  
**Bernoudy Tract Subdivision, Northern Division, Resbdivision of Lot 5 Block 148**  
2 Lots / 0.1± Acre

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

At its meeting on January 3, 2019, the Planning Commission considered the above referenced subdivision.

**After discussion, the Planning Commission waived Sections V.D.2., V.D.3. and V.D.9. of the Subdivision Regulations, and Tentatively Approved the request, subject to the following conditions:**

- 1) revision of the plat to label the current right-of-way width of Elmira Street;
- 2) dedication sufficient to provide 25' from the centerline of Elmira Street if currently less than 25';
- 3) placement of a note on the Final Plat stating that all setbacks shall be determined by Section 64-3.G. Historic District Overlay requirements of the Zoning Ordinance;
- 4) retention of the lot size labels in both square feet and acres, adjusted for any required frontage dedication, or the furnishing of a table on the Final Plat providing the same information;
- 5) 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 and label the monument set or found at each subdivision corner. C. Provide the recording information for the existing tract. Also, clarify whether it is SQUARE 148 or BLOCK 148. D. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. E. Provide the Surveyor's Certificate and Signature. F. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures. G. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain*

Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. H. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. I. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. J. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. K. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. L. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.];


- 6) placement of a note on the Final Plat stating the Traffic Engineering comments: (Only one driveway will be permitted between the two lots based on the existing conditions. Neither lot has enough width for a driveway entirely on its lot. If the driveway is to be shared, an easement would be appropriate to be included on the plat. Include a note on the plat that the driveway is shared between Lot A and B.);
- 7) 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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.]; and
- 8) 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).].

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 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:   
Margaret Pappas  
Deputy Director of Planning and Zoning

cc: Byrd Surveying