



THE CITY OF MOBILE, ALABAMA  
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

May 22, 2019

David Wilkins  
PO Box 1038  
Gulf Shores, AL 36547

**Re: 431 Azalea Road**  
(East side of Azalea Road, 340'± South of Bourgeois Drive).  
Council District 5  
**SUB-000902-2019 (Subdivision)**  
**West Mobile Masonic Temple Subdivision**  
1 Lot / 1.7± Acre

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

At its meeting on May 16 2019, the Planning Commission considered the above referenced subdivision.

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

- 1) dedication sufficient to provide 50' from the centerline of Azalea Road;
- 2) retention of the lot size label on the Final Plat, revised for any required dedication, or the furnishing of a table on the Final Plat providing the same information;
- 3) retention of the 25' minimum building setback line on the Final Plat as measured from any required frontage dedication;
- 4) revision of the plat to indicate the proposed 30' access servitude from Azalea Road to the tower compound;
- 5) revision of the plat to delineate the 5' water and sewer easement described as "Parcel C";
- 6) placement of a note on the Final Plat stating that no structure may be constructed or placed within any servitude or easement on the site;
- 7) revision of the plat to illustrate the 54.5' x 55' tower lease area;
- 8) 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*

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*Surveyors. B. Provide reference, on the map and the description, to a monumented corner. C. Provide a written description for the subdivision boundary. D. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. E. 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. F. 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. G. 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. H. Add a note to the plat stating that all 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. I. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. J. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. K. 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.];*

- 9) placement of a note on the Final Plat stating the Traffic Engineering comments: *[Site is limited to no more than its existing two curb cuts with any changes in size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.];*
- 10) 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];*
- 11) 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)];* and
- 12) submission to and approval of two (2) copies of a revised Planning Approval site plan to the Planning & Zoning staff prior to the signing of the Final Plat.

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.

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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: Rowe Engineering



THE CITY OF MOBILE, ALABAMA  
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

May 22, 2019

David Wilkins  
PO Box 1038  
Gulf Shores, AL 36547

**Re: 431 Azalea Road**  
(East side of Azalea Road, 340'± South of Bourgeois Drive).  
Council District 5  
**PA-000882-2019 (Planning Approval) (Holdover)**  
**West Mobile Masonic Temple Subdivision**

Dear Applicant(s):

At its meeting on May 16, 2019, the Planning Commission considered Planning Approval to allow a 150' monopole cell tower to include a 10' lightning rod on top in a B-1, Buffer Business District.

**After discussion, the Planning Commission determined the following Findings of Fact for Approval:**

- a) the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, because it should have no impact on any of those items due to the fact that no new structure is proposed in which persons will live or work;
- b) the proposal will not cause undue traffic congestion or create a traffic hazard, because there would not be anyone working or residing at the tower site; and
- c) the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located, because the tower would have no negative impact on the current and allowed uses within the area.

**The approval is subject to the following conditions:**

- 1) revision of the site plan to indicate the site as one lot with a legal description the same as that to be recorded for the one-lot subdivision;
- 2) revision of the site plan to provide a label with the lot size in both square feet and acres, revised for any required dedication, or the furnishing of a table on the site plan providing the same information;

- 3) revision of the site plan to indicate the revised front property line following any required frontage dedication;
- 4) revision of the site plan to include the 25' minimum building setback line as measured from any required frontage dedication;;
- 5) revision of the site plan to delineate the 5' water and sewer easement described as "Parcel C" on the subdivision plat;
- 6) placement of a note on the site plan stating that no structure may be constructed or placed within any servitude or easement on the site;
- 7) placement of a note on the revised site plan stating that no barbed wire fencing is allowed on this site;
- 8) placement of a note on the revised site plan stating whether or not tower illumination is required by the Federal Aviation Administration (FAA);
- 9) compliance with the Engineering comments: *[Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance 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. 4. 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. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.];*
- 10) placement of a note on the site plan stating the Traffic Engineering comments: *(Site is limited to no more than its existing two curb cuts with any changes in size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 11) 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];*
- 12) 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)]; and*

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- 13) submission to and approval of two (2) copies of a revised Planning Approval site plan to the Planning & Zoning staff prior to the signing of the Final Plat for the subdivision.**

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

Sincerely,

**MOBILE CITY PLANNING COMMISSION**  
Jennifer Denson, Secretary

By:

  
Margaret Pappas  
Deputy Director of Planning and Zoning

cc: Rowe Engineering  
Turner Surveys, LLC  
Eco-Site