

**MOBILE CITY PLANNING COMMISSION
LETTER OF DECISION**

October 2, 2009

Matthew McElver
214 Upham St., Apt. 12-B
Mobile, AL 36607

Re: Case #SUB2009-00135 (Subdivision)
McElver Subdivision
East terminus of Benson Drive.
2 Lots / 12.5± Acres

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

At its meeting on October 1, 2009, the Planning Commission tentatively approved the above referenced subdivision subject to the following conditions:

- 1) **dedication of the 50-foot by 116.05-foot non-exclusive ingress and egress easement depicted on Lot 1 as right-of-way for Benson Drive;**
- 2) **placement of a note on the final plat limiting Lot 1 to one curb cut to Benson Drive with the size, location, and design of all curb cuts to be approved by City of Mobile Traffic Engineering and conform to AASHTO standards;**
- 3) **dedication sufficient to provide a turnaround in compliance with Section V.B.14 of the Subdivision Regulations at the terminus of Carre Drive South;**
- 4) **placement of a note on the final plat stating that no permits shall be issued and no development shall take place on Lot 2 until such time as Carre Drive South is constructed to City of Mobile standards;**
- 5) **depiction of the centerline of the proposed Inner Ring Road right-of-way corresponding with the existing sewer line and easement, and also depiction of the proposed 100-foot right-of-way for the Inner Ring Road;**
- 6) **placement of a note on the final plat stating that no permanent structures shall be developed within the future right-of-way area for Inner Ring Road except for utility construction or repair;**
- 7) **placement of a note on the final plat stating that Lot 2 will be limited to one curb cut to Carre Drive South, with the size, location, and design of all curb cuts to be approved by City of Mobile Traffic Engineering and conform to AASHTO standards, at such time as Carre Drive South is constructed to City of Mobile standards;**
- 8) **revision of the lot size labeling to depict the lot size in square feet;**
- 9) **compliance with Engineering comments: “*Label Lot #2 showing the required minimum finished floor elevation (MFFE). Lot 2 is located in the AE Flood*”**

Zone; add a note to the plat stating that there is to be no fill brought onto the property without the approval of the City Engineer. Wetlands are shown on the City of Mobile GIS database for Lot 2. Need to show the limits of the wetlands on the plat or supply documentation that the wetlands do not exist. Add a note to the plat that any development within the limits of the wetlands is prohibited without the approvals of the City Engineer and the Corps of Engineers. Must comply with all other storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. A flood plain easement will be required. The size and location of the easement shall be coordinated with the City Engineer”;

- 10) placement of a note on the final plat stating that the approval of all applicable federal, state and local agencies is required prior to the issuance of any permits;
- 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) placement of a note on the final plat stating there shall be no future resubdivision of Lot 1 until a cul de sac is built at the East terminus of Benson Drive, in compliance with Section V.B.15 of the Subdivision Regulations to be coordinated with City of Mobile Fire Department and Traffic Engineering;
- 13) Completion of the rezoning process prior to recording of the final plat; and
- 14) full compliance with all 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: Byrd Surveying, Inc.

**MOBILE CITY PLANNING COMMISSION
LETTER OF DECISION**

October 2, 2009

Matthew McElver
214 Upham St., Apt. 12-B
Mobile, AL 36607

Re: Case #ZON2009-02211 (Rezoning)

Matthew McElver

East terminus of Benson Drive

Rezoning from R-1, Single-Family Residential District and R-3, Multiple Family Residential District, to R-1, Single-Family Residential District to eliminate split zoning and to allow construction of a single family residential home.

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

At its meeting on October 1, 2009, the Planning Commission considered your request for a change in zoning from R-1, Single-Family Residential District and R-3, Multiple Family Residential District, to R-1, Single-Family Residential District to eliminate split zoning and to allow construction of a single family residential home.

After discussion, it was decided to tentatively recommend this change in zoning to the City Council subject to the following condition:

- 1) completion of the Subdivision process; and,**
- 2) full compliance with all municipal codes and ordinances.**

The advertising fee for this application is **\$167.80**. Upon receipt of this fee, your application will be forwarded to the City Clerk's office to be scheduled for public hearing by the City Council.

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: Byrd Surveying