

**MOBILE CITY PLANNING COMMISSION  
LETTER OF DECISION**

May 6, 2011

N. Andrew Rotenstreich, Esq.  
Haskell Slaughter Young & Rediker, LLC  
2001 Park Place, Suite 1400  
Birmingham, AL 35203

**Re: Case #ZON2011-00935**  
**New Cingular Wireless, LLC**  
42 South Hamilton Street  
(Southwest corner of South Hamilton Street and Conti Street)  
Planning Approval to allow a temporary mobile cell tower in a B-4, General  
Business District

Dear Applicant(s):

At its meeting on May 5, 2011, the Planning Commission considered for Planning Approval the site plan to allow a temporary mobile cell tower in a B-4, General Business District.

After discussion, it was decided to approve the above referenced Planning Approval, subject to the following conditions:

- 1) the tower only be placed on the site during the two-week period surrounding Bayfest and the five-week period surrounding Mardi Gras, the exact dates to be determined based on the actual date of the event;**
- 2) submittal of plans, stamped by a qualified engineer, indicating the tie down and stabilizing mechanisms for the mobile tower, and indicating that the tower and equipment can withstand 130 mile per hour winds;**
- 3) construction of a temporary, 8-foot high chain link fence (without barbed wire) around the tower and equipment while the tower and equipment are on site;**
- 4) the applicant or operator obtain a building permit and zoning inspection each time the tower and equipment are placed on the site; and,**
- 5) subject to the Engineering comments: *(Must comply with all stormwater and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right-of-way will require a right-of-way permit. Property is located in the X-Shaded Flood Zone.***

**New Cingular Wireless, LLC**

**August 7, 2009**

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*Show Minimum Finished Floor Elevation on Plans. There is to be no fill placed within the limits of the flood plain without providing compensation. Any equipment and buildings shall be at or above Min. FFE and will require Elevation Certificates to be submitted to City's building inspectors).*

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: Ezell House Corporation