



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

January 2, 2020

Poeima, LLC
2450 Old Shell Road
Mobile, AL 36607

Re: 1166 & 1168 Elmira Street
(North side of Elmira Street, 200'± East of Rapier Avenue).
Council District 2
SUB-001141-2019
POEIMA Subdivision
Number of Lots / Acres: 2 Lots / 0.1± Acre
Engineer / Surveyor: Smith Clark and Associates

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

At its meeting on December 19, 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) **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;**
- 2) **retention of the lot size labels in both square feet and acres on the Final Plat or the furnishing of a table on the Final Plat providing the same information;**
- 3) **compliance with the Engineering comments: *FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for acceptance and 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. Check and verify the location of the POB – as shown or at the SE corner of LOT 2. C. Provide the Surveyor's Certificate and Signature. D. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. E. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. F. Provide a copy of the FINAL SUBDIVISION PLAT and LETTER OF***

January 2, 2020

DECISION to the Engineering Dept. for review. No signatures are required on the drawing. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet. G. After addressing all of the FINAL SUBDIVISION PLAT review comments 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. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet.;

- 4) placement of a note on the Final Plat stating the Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 5) 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. Both addresses are located within Oakleigh Garden Historic District. A different set of tree ordinances will apply to these properties. See below for City of Mobile tree code for Historic Districts. g. Historic areas. All other provisions of this subsection notwithstanding, no heritage tree can be removed, nor can land be cleared or grubbed, in any historic district, area, or property within the jurisdiction of the architectural review board and/or the Old Dauphin Way review board, except under a permit issued by the urban forester after application as provided above, which shall be granted only upon a showing that the said heritage tree is: 1) Diseased or injured, in danger of falling too close to existing or proposed structures, interferes with existing utility service, creates unsafe vision clearance or conflicts with other federal, state or local laws and regulations; 2) Certified by the architectural review board or the Old Dauphin Way review board to be removed for the purpose of renovating an historic structure or enhancement of the aesthetic quality of the property; or 3) The owner of the property on which the heritage tree is located has demonstrated by clear and convincing evidence that the owner will suffer extreme and extraordinary hardship unless the permit is granted. In all cases where removal is permitted, the said tree shall be relocated if deemed feasible by the urban forester and the cost does not exceed five hundred dollars (\$500.00). Otherwise the said tree shall be replaced on a two (2) for one (1) basis, with replacement heritage trees in compliance with section IV E. For trees located in areas covered by this subsection the definition of a heritage tree shall be amended to reduce the size to eight (8) inches DBH.]; and*
- 6) 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.

POEIMA Subdivision SUB-001141-2019

January 2, 2020

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.

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

A handwritten signature in black ink, appearing to read "Margaret Pappas", written over a horizontal line.

By:

Margaret Pappas

Deputy Director of Planning and Zoning

cc: Smith Clark & Associates, LLC