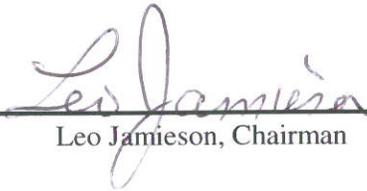


**City of Prattville
Board of Zoning Adjustment**

**The minutes of the February 10, 2009
meeting of the City of Prattville Board of
Zoning Adjustment were approved.**


Leo Jamieson, Chairman

April 14, 2009

Date

**CITY OF PRATTVILLE
BOARD OF ZONING ADJUSTMENT**

**A G E N D A
February 10, 2009
4:00pm**

Call to Order:

Roll Call:

Members:

Chairman Leo Jamieson
Vice-Chairman John Gillian
Ms. Connie Dismukes
Ms. Jerry Schannep
Mr. Theodis Yelder

Alternate Members:

Mr. James Crosby
Ms. Becky Stewart

Election of Officers:

Minutes:

October 14, 2008; November 13, 2008; December 9, 2008; and January 13, 2009

Old Business:

None

New Business:

- | | | | |
|--------------|--------------------|--|---------------------|
| 1. 090210-01 | VARIANCE: | To encroach into the side yard setback.
216 Amanda Lane
R-2 Zoning District (Single Family Dwelling)
Ronald & Virginia Mathis, Petitioners | <i>District 5</i> |
| 2. 090210-02 | USE-ON-
APPEAL: | To operate a veterinary clinic on property.
692 Commerce Court
B-2 Zoning District (General Business)
Dr. Patrick Trotter, Petitioner | <i>District 5</i> |
| 3. 090210-03 | VARIANCE: | To encroach into the 35' front building line.
1805 Tara Drive
R-2 Zoning District (Single Family Residential)
David A. Mullins, Petitioner | <i>District 5</i> |
| 4. 090210-04 | VARIANCE: | To encroach into the 40' rear yard setback.
1805 Tara Drive
R-2 Zoning District (Single Family Residential)
David A. Mullins, Petitioner | <i>District 5</i> |
| 5. 090210-05 | USE-ON-
APPEAL: | To place a 100'+ monolithic pole on property.
1904 Briarwood Street
R-4 (Multi Family Residential)
Prattville Fire Department, Petitioner | <i>District 4</i> |
| 6. 090210-06 | VARIANCE: | To encroach into the 10' side yard line.
268 Teri Lane
R-2 (Single Family Residential)
SunBuilt Rooms & Awnings, Petitioner | <i>District 5/6</i> |
| 7. 090210-07 | USE-ON-
APPEAL: | To use as church parking lot.
100 W. Fourth Street
R-3 Zoning District
ADL Engineering, Inc., Petitioner | <i>District 1</i> |
| 8. 090210-08 | USE-ON-
APPEAL: | To build a church on property.
Off Old Ridge Road
FAR Zoning District (Forest, Agricultural, & Recreation)
Prattmont Church of Christ, Petitioner | <i>District 3</i> |

Miscellaneous:

Adjourn:

**City of Prattville Board of Zoning Adjustment
Minutes
February 10, 2009**

CALL TO ORDER:

The meeting of the Prattville Board of Zoning Adjustment (BZA) was called to order by Vice-Chairman John Gillian at 4:03 p.m. on Tuesday, February 10, 2009.

ROLL CALL:

Present: Vice-Chairman John Gillian, and Mrs. Jerry Schannep. Also present was alternate members Mr. James Crosby and Mrs. Becky Stewart. Absent: Ms. Connie Dismukes and Mr. Theodis Yelder. Chairman Leo Jamieson arrived after the roll was called.

Staff present: Mr. Joel Duke, City Planner; and Ms. Alisa Morgan, Secretary.

Vice-Chairman Gillian stated the governing rules for the Prattville Board of Zoning Adjustment according to the *Code of Alabama, 1975* and the procedure of the meeting.

The election of officers and the approval of minutes were moved to the end of the agenda.

OLD BUSINESS:

None

NEW BUSINESS:

VARIANCE

To encroach into the side yard setback.

216 Amanda Lane

R-2 Zoning District (Single Family Dwelling)

Ronald & Virginia Mathis, Petitioners

Mr. Duke introduced the variance request encroach into the side yard setback. He stated that the encroachment is on the east side of the property.

Ronald Mathis, petitioner, stated that the encroachment is to allow a two (2) car carport as submitted in the drawing (090210-01/A).

Vice-Chairman Gillian opened the public hearing. There were none to speak. The public hearing was closed.

After no further comments, questions, or discussion, the vote was called. **The BZA voted unanimously to approve the variance to encroach into the side yard setback on property at 216 Amanda Lane.**

Mr. Jamieson resumed the meeting as Chairman.

USE-ON-APPEAL

**To operate a veterinary clinic on property.
692 Commerce Court
B-2 Zoning District (General Business)
Dr. Patrick Trotter, Petitioner**

Mrs. Stewart moved to withdraw the item at the petitioner's request. Mr. Gillian seconded the motion. The motion passed unanimously. (Letter attached).

VARIANCE

**To encroach into the 35' front building line.
1805 Tara Drive
R-2 Zoning District (Single Family Residential)
David A. Mullins, Petitioner**

Mr. Duke stated that the variance for the encroachment is to allow a front porch.

David Mullins, petitioner, stated that the front porch would reduce the sun coverage and add an aesthetic appeal to the front. The encroachment is shown in the proposed drawing (090210-03/B).

Chairman Jamieson opened the public hearing. There were none to speak. The public hearing was closed.

After no further comments, questions, or discussion, the vote was called. **The BZA voted unanimously to approve the variance to encroach into the 35' front building line on property at 1805 Tara Drive.**

VARIANCE

**To encroach into the 40' rear yard setback.
1805 Tara Drive
R-2 Zoning District (Single Family Residential)
David A. Mullins, Petitioner**

Mr. Duke stated that the variance for the encroachment is to allow a covered patio and carport.

David Mullins, petitioner, stated that the encroachment is shown in the proposed drawing (090210-04/B). He stated that he had spoken with the neighbors and they had no objections.

Chairman Jamieson opened the public hearing. There were none to speak. The public hearing was closed.

After no further comments, questions, or discussion, the vote was called. **The BZA voted unanimously to approve the variance to encroach into the 40' rear yard setback on property at 1805 Tara Drive.**

USE-ON-APPEAL

**To place a 100'+ monolithic pole on property.
1904 Briarwood Street
R-4 (Multi Family Residential)
Prattville Fire Department, Petitioner**

Mr. Duke stated that this is a request to use the pole for antenna for commercial use. He stated that the zoning ordinance requires that the BZA grants a use variance for structure greater than 45'.

Fire Chief Terry Brown, petitioner representative, stated that the pole would be located on the rear of property. He stated that the pole is the same height of existing transmission poles. The pole is to be leased by T-Mobile, that revenue would be generated to the fire department for funds for drill tower.

Chairman Jamieson opened the public hearing. There were none to speak. The public hearing was closed.

After no further comments, questions, or discussion, the vote was called. **Mr. Gillian moved to approve the request as submitted. Mr. Crosby seconded the motion. The BZA voted unanimously to approve the use-on-appeal to place a 100'+ monolithic pole on property at 1904 Briarwood Street.**

VARIANCE

**To encroach into the 10' side yard line.
268 Teri Lane
R-2 (Single Family Residential)
SunBuilt Rooms & Awnings, Petitioner**

Mr. Duke stated that the variance request is for an existing carport. The carport was constructed without permit approval.

Robert Reeves of SunBuilt Rooms & Awnings, petitioner representative, stated that the property was damaged during the storm last year. The home reconstruction was done by another builder. He built the carport assuming that the permit was issued to the property owner, David McCord. The carport encroaches 9' into the side yard.

Chairman Jamieson opened the public hearing.

Subhash Sengupta, 110 E. Teri Court, spoke in favor of the request.

The public hearing was closed.

After no further comments, questions, or discussion, the vote was called. **The BZA voted unanimously to approve the variance to encroach into the 10' side yard line on property at 268 Teri Lane.**

**USE-ON-APPEAL
To use as church parking lot.
100 W. Fourth Street
R-3 Zoning District
ADL Engineering, Inc., Petitioner**

Mr. Duke stated that the request to is extend the church use to allow a parking lot on residential property. He stated that before a permit is obtained, approval must be granted by the BZA and then by the Historic Preservation Commission.

Will Barrett of ADL Engineering, petitioner representative, stated that the vacant lot of the proposed parking lot is grassy and becomes very muddy when wet. He stated that the parking lot is proposed for 56 parking spaces, two entrances on Fourth Street with curb and gutter, and they desire to pave an outlet onto Fifth Street. He stated that some green space will be maintained.

Chairman Jamieson opened the public hearing.

Bill Ellwell, Sr. Pastor, stated that the parking lot would be a great addition to the downtown area.

The following speakers spoke in opposition to the request but were in favor of restrictions being imposed if the request is allowed:

Martina Kennington, 125 E. Fifth Street spoke in opposition to the request for exit onto Fifth Street. **Beverly Cimis, 141 N. Chestnut Street**, spoke in opposition to the request; she is in favor of improved infrastructure with sidewalks.

Gerald Cimis, 141 N. Chestnut Street, spoke in opposition; he submitted a letter of opposition and suggested restrictions (attached).

Carolyn Gray, 111 Woodley Avenue, spoke in opposition to the request; in favor of request with buffer restrictions along west property line.

Chairman Jamieson closed the public hearing.

Mr. Duke stated that the parking lot would be required to have landscape which would provide buffer to adjacent property. It was also discussed that the 5th Street exit was not clearly defined as part of the request of the application or the submitted parking lot plan. It was resolved that the petitioner would have to submit request for 5th Street exit in a separate application.

After no further comments, questions, or discussion, the vote was called. **Mr. Gillian moved to approve contingent that there is no access from Fifth Street and appropriate buffer be applied.** **Mr. Crosby seconded the motion.** **The BZA voted unanimously to approve the use-on-appeal to use vacant lot as church parking lot on property at 100 W. Fourth Street.**

**USE-ON-APPEAL
To build a church on property.
Off Old Ridge Road
FAR Zoning District (Forest, Agricultural, & Recreation)
Prattmont Church of Christ, Petitioner**

Mr. Duke stated that the property is a vacant lot located on the north side of Old Ridge Road south of 1143 Old Ridge Road.

Sam Smith, petitioner representative, stated that the request is to build a church on the lot. There

are no plans for the church to have either an athletic facility or daycare; it is strictly a worship center.

Chairman Jamieson opened the public hearing.

Jim Owens spoke in favor of the request. He stated that the church has outgrown their current building.

The following speakers voiced their opposition citing loss of property value, and traffic increase:

George McCarthy, 1117 Old Ridge Road, spoke in opposition to the request.

Tommy York, 1143 Old Ridge Road, spoke in opposition to the request. He presented a petition of adjacent property owners who oppose the request. (Made a part of the minutes).

Chairman Jamieson closed the public hearing.

After no further comments, questions, or discussion, the vote was called. **Mrs. Schannep moved to approve the request. Mr. Gillian seconded the motion. The BZA voted unanimously to approve the use-on-appeal to build a church on property at (vacant lot) off Old Ridge Road.**

Election of Officers:

Mrs. Schannep moved to elect Mr. Jamieson as Chairman and Mr. Gillian as Vice-Chairman. Mr. Crosby seconded the motion. The motion to approve passed unanimously.

MINUTES:

Mr. Crosby moved to approve the minutes of the **October 14, 2008; November 13, 2008; December 9, 2008; and January 13, 2009** meetings. Mr. Gillian seconded the motion. **The motion to approve passed unanimously.**

MISCELLANEOUS:

Mr. Duke informed the members about the upcoming events.

1. Audio Conference **“Informed Decisions: A Guide to Gathering Facts and Evidence”** at 3 pm on February 18, 2009 in the City Hall Annex Conference Room.
2. Project Prattville-Community Vision – **Comprehensive Plan-Public Meeting #2** at 7 pm on February 23, 2009 at the Doster Center.

ADJOURN:

After no further comments, questions or discussion the meeting was adjourned at 6:35pm.

Respectfully submitted,



Alisa Morgan, Secretary
Board of Zoning Adjustment

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: **RONALD & VIRGINIA MATHIS**
 216 AMANDA LANE
 PRATTVILLE, AL 36066

REQUEST: **VARIANCE TO ENCROACH INTO THE SIDE YARD LINE.**
 216 AMANDA
 R-2 ZONING DISTRICT (SINGLE FAMILY RESIDENTIAL)

ORDER

The above petition having been duly considered at a public hearing meeting before the Board of Zoning Adjustment of the City of Prattville, having been advertised in *The Prattville Progress*, a newspaper of general circulation in the city limits of Prattville, Alabama, and setting forth notice of the request for a variance to the Zoning Laws of Prattville, Alabama, as set out in the aforesaid petition and giving notice that a public hearing would be held on February 10, 2009 at the City Hall in Prattville, Alabama, and after due consideration of the party in interest, the Board of Zoning Adjustment of the City of Prattville **voted to approve the variance to encroach into the 10' side yard line** at property requested.

IT IS THEREFORE ORDERED the petition of Ronald & Virginia Mathis, 216 Amanda Lane, Prattville, AL is hereby approved.

DONE THIS THE 10th DAY OF February 2009.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

**CITY OF PRATTVILLE BOARD OF ADJUSTMENT
PUBLIC HEARING
SPEAKERS SIGN-IN SHEET**

MEETING DATE: February 10, 2009

PETITIONER: Ronald & Virginia Mathis

ADDRESS OF PETITION: 216 Amanda Lane

	NAME	ADDRESS
1.	<i>Ronald D. Mathis</i>	<i>216 AMANDA Ln</i>
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CITY OF PRATTVILLE
 Board of Zoning Adjustment
 Planning Department Staff Report



DATE:	1/26/09
APPLICATION TYPE:	Variance (090210-01)
PROPERTY LOCATION or DESCRIPTION:	216 Amanda Lane
PETITIONER(S) AND AGENT(S):	Ronald & Virginia Mathis
ZONING DISTRICT(S)	R-2 (Single Family Residential)
REQUESTED ACTION:	To encroach into the side yard setback
ZONING ORDINANCE REFERENCE:	<p>Appendix A-Zoning Ordinance Section 71 Residential district requirements:</p> <p>R-2 District:</p> <p>Minimum Yard Size</p> <p>Front yard - 35'</p> <p>Rear Yard – 40'</p> <p>Side Yard – 10'</p>

Application
Prattville Board of Zoning Adjustment

Application Type: Use-On-Appeal Variance Administrative Appeal

Applicant /Agent Information
Notarized letter from the property owner is required if agent is used for representation

Name: _____
Street Address: _____
City: _____ State _____ Zip: _____
Phone Number(s): _____



Property Owner Information

Name: RONALD P. + VIRGINIA L. MATHIS
Address of Property Owner: 216 AMANDA LANE
City: PRATTVILLE State: AL Zip: 36066
Phone Number: 334-365-5602

Property Description

County Tax Parcel Number/Legal Description: 0000070500
LOT M1 BLK 17 OVERLOOK ESTS, PRATT PLAT 1275' X 145.3' M03
Current Zoning of Property: R-2 Physical Address: 216 AMANDA LN
Proposed Use of Property (generally): HOMESTEAD
Describe Proposed Use or Variance: ALUMINUM CARPORT

The following items must be attached to the application (check those items included):

- Tax record map from the Autauga County or Elmore County Tax Assessors Office
- Site sketch plan (drawn to scale) showing any property lines, required and proposed setbacks, existing and proposed structures and any additional information you believe will be helpful to the Board of Adjustment
- Application fees: Variance and Administrative Appeal - Fifty dollars (\$50) Use-on-Appeal – Two hundred fifty dollars (\$250).
- Names and address of all property owners immediately adjacent to the subject property (not required for administrative appeals). Adjacent properties include those directly across the street from the subject property.
- If person signing application is someone other than property owner, attach authorization to file application (i.e. notarized letter, real estate contract, etc.)

Hardship: The Board requests a statement of hardship to justify any variance application:

"To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit of the (zoning) ordinance shall be observed and substantial justice done." *Code of Alabama, 1975, as amended. § 11-52-80(d) (3)*

I certify that I am the property owner, or authorized agent, and attest that all facts are true and correct. I do hereby certify that the property owner list attached to this application was obtained from the Autauga County Revenue Office, (Elmore County if applicable), and is a complete list of all real property owners adjacent to the parcel submitted for consideration. I also attest that I have read and understand what a hardship is according to the *Code of Alabama, 1975, as amended.*

RONALD D. MATHIS
Printed Name

Ronald D. Mathis
Signature

Date _____

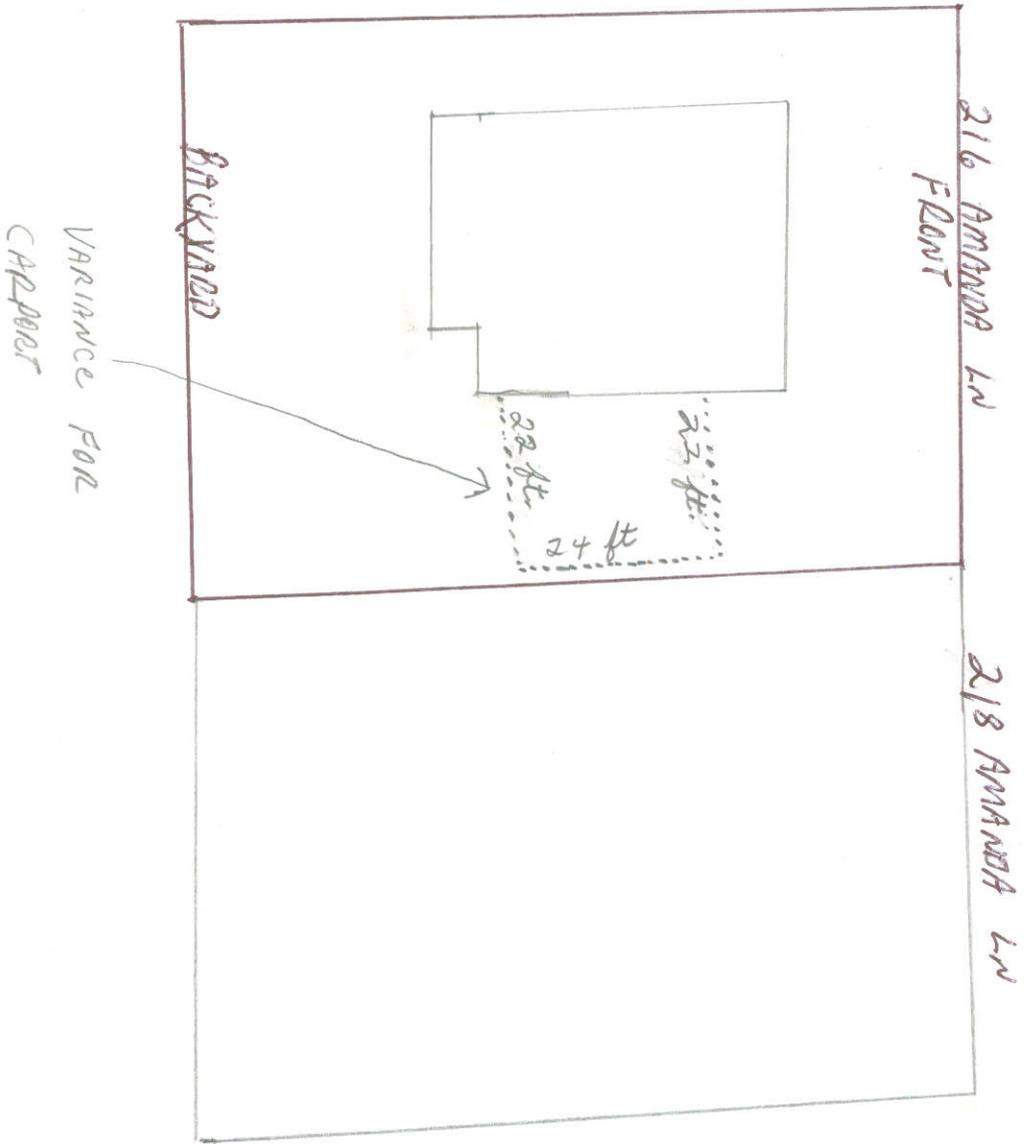
I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Ronald D. Mathis, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 13th day of

January, 2009

Lulu Redmond
Notary Public

My commission expires ~~My Commission Expires~~ 11-08-2011

SITE SKETCH



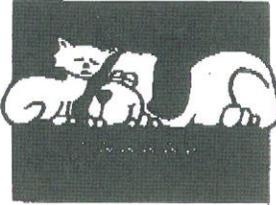
090210-01/A
Variance
Side yard encroachment

We, the concerned people of Seasons Drive, request that our voice be heard in the matter of zoning adjustment to allow a veterinary clinic on property located at 692 Commerce Court. Please know that we are not in favor of this adjustment. Request withdrawn 2/10/09 (am)

<u>Name:</u>	<u>Telephone Number:</u>
1. Mr. & Mrs. Mel Welsh	(334) 361-7581
2. Mr. & Mrs. William Moseley	(334) 358-8458
3. Steve Jones	(334) 365-6281
4. Richard Dennis	(334) 365-7294
5. Patricia Keruegan	(334) 491-2214
6. Craig Smith	(334) 358-2779
7. Pat W	(334) 220-5861
8. Pat Quinton	(334) 491-1164
9. Bill Quinton	(334) 491-1164
10. Pat Shurley	(334) 491-0164
11. Pam Shurley	" " "
12. Hannah Shurley	" " "
13. Patrick Shurley	" " "
14. Steve Stockman	(334) 361-5227
15. Brandiann L. Moseley	(334) 358-8458
16. Mike Westhoff	(334) 365-4876
17. Dusta Westhoff	(334) 365-4876
18. Chad Nichols	(334) 491-1687
19. Malcolm Fulmer	(334) 365-8615
20. Matt Suran	(334) 491-2855
21. Brenda Dow	(334) 399-1204

We, the concerned people of Seasons Drive, request that our voice be heard in the matter of zoning adjustment to allow a veterinary clinic on property located at 692 Commerce Court. Please know that we are not in favor of this adjustment.

<u>Name:</u>	<u>Telephone Number:</u>
1. Tom Force	242-5831
2. David Anderson	358-3532
3. Sandra Wood	365-4876
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**Animal Medical Clinic**

407 East Main Street
Prattville, Alabama 36067
334-365-7543



At the current time I wish
to withdraw my application for
a zoning variance (use-on-appeal)
to operate a veterinary clinic on
property located at 692 Commerce
Street in Prattville, Al.

Sincerely,
Patrick N. Trotter

**CITY OF PRATTVILLE BOARD OF ADJUSTMENT
PUBLIC HEARING
SPEAKERS SIGN-IN SHEET**

Withdrawn

MEETING DATE: February 10, 2009

PETITIONER: Dr. Patrick Trotter

ADDRESS OF PETITION: 692 Commerce Court

	NAME	ADDRESS
1.	_____	_____
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CITY OF PRATTVILLE
 Board of Zoning Adjustment
 Planning Department Staff Report



DATE:	1/27/09
APPLICATION TYPE:	Use-On-Appeal (090210-02)
PROPERTY LOCATION or DESCRIPTION:	692 Commerce Court
PETITIONER(S) AND AGENT(S):	Dr. Patrick Trotter
ZONING DISTRICT(S)	B-2 (General Business)
REQUESTED ACTION:	To operate a veterinary clinic.
ZONING ORDINANCE REFERENCE:	<p>Article 7 Section 72</p> <p>Uses Permitted:</p> <p>Any retail or wholesale business or service not specifically restricted or prohibited. Major auto repair; funeral homes; places of amusement and assembly; any use permitted in a B-1 Local Shopping District.</p> <p>Uses Permitted On Appeal:</p> <p>Animal clinics, hospitals or kennels, dry cleaners and laundries. Manufacturing incidental to a retail business where articles are sold at retail on the premises, not specifically prohibited herein.</p>

**Application
Prattville Board of Zoning Adjustment**

Application Type: Use-On-Appeal Variance Administrative Appeal

Applicant /Agent Information
Notarized letter from the property owner is required if agent is used for representation.

Name: Dr. Patrick N. Trotter
Street Address: 1285 Annie St.
City: Prattville State: Al. Zip: 36066
Phone Number(s): 334-365-0842 334-590-0706

Property Owner Information
If different than above

Name: Jamae + Rainwater + TAR Properties, LLC
Address of Property Owner: 692 Commerce Court
City: Prattville State: AL Zip: 36006
Phone Number: (334) 365-8497

Property Description

County Tax Parcel Number/Legal Description: _____

Current Zoning of Property: B-2 Physical Address: 692 Commerce Ct. (Existing bldg.)

Proposed Use of Property (generally): Veterinary Clinic

Describe Proposed Use or Variance:
Used as a totally indoor
veterinary clinic. There
will be no boarding or
any outside cages or runs.
The indoor kennel will be
double insulated for sound
& odor control.



The following items must be attached to the application (check those items included):

- Tax record map from the Autauga County or Elmore County Tax Assessors Office
- Site sketch plan (drawn to scale) showing any property lines, required and proposed setbacks, existing and proposed structures and any additional information you believe will be helpful to the Board of Adjustment
- Application fees: Variance and Administrative Appeal - Fifty dollars (\$50), Use-on-Appeal - Two hundred fifty dollars (\$250).
- Names and address of all property owners immediately adjacent to the subject property (not required for administrative appeals). Adjacent properties include those directly across the street from the subject property.
- If person signing application is someone other than property owner, attach authorization to file application (i.e. notarized letter, real estate contract, etc.)

Hardship: The Board requests a statement of hardship to justify any variance application:

"To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit of the (zoning) ordinance shall be observed and substantial justice done." *Code of Alabama, 1975, as amended. § 11-52-80(d) (3)*

I certify that I am the property owner, or authorized agent, and attest that all facts are true and correct. I do hereby certify that the property owner list attached to this application was obtained from the Autauga County Revenue Office, (Elmore County if applicable), and is a complete list of all real property owners adjacent to the parcel submitted for consideration. I also attest that I have read and understand what a hardship is according to the *Code of Alabama, 1975, as amended.*

James T Rainwater
Printed Name

James T Rainwater
Signature

Date 1-6-09

I the undersigned authority, a Notary Public in and for said County in said State, herby certify that James T. Rainwater, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 6th day of

January, 2008

LeRoy Redmond
Notary Public

My Commission Expires 11-06-2011

My commission expires _____

CITY OF
PRATTVILLE, ALABAMA

692 COMMERCE CT



— STREETS
□ TAX PARCELS



Ryan Pecharka, G.I.S. Coordinator



PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: **DAVID A. MULLINS**
 1805 TARA DRIVE
 PRATTVILLE, AL 36066

REQUEST: **VARIANCE TO ENCROACH INTO THE 35' FRONT BUILDING**
 LINE.
 1805 TARA DRIVE
 R-2 ZONING DISTRICT (SINGLE FAMILY RESIDENTIAL)

ORDER

The above petition having been duly considered at a public hearing meeting before the Board of Zoning Adjustment of the City of Prattville, having been advertised in *The Prattville Progress*, a newspaper of general circulation in the city limits of Prattville, Alabama, and setting forth notice of the request for a variance to the Zoning Laws of Prattville, Alabama, as set out in the aforesaid petition and giving notice that a public hearing would be held on February 10, 2009 at the City Hall in Prattville, Alabama, and after due consideration of the party in interest, the Board of Zoning Adjustment of the City of Prattville **voted to approve the variance to encroach into the 35' front building line** at property requested above.

IT IS THEREFORE ORDERED the petition of David A. Mullins, 1805 Tara Drive, Prattville, AL is hereby approved.

DONE THIS THE 10th DAY OF February 2009.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

**CITY OF PRATTVILLE BOARD OF ADJUSTMENT
PUBLIC HEARING
SPEAKERS SIGN-IN SHEET**

MEETING DATE: February 10, 2009

PETITIONER: David A. Mullins

ADDRESS OF PETITION: 1805 Tara Drive

	NAME	ADDRESS
1.	<i>David A. Mullins</i>	<i>1805 TARA DR</i>
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CITY OF PRATTVILLE
 Board of Zoning Adjustment
 Planning Department Staff Report



DATE:	1/27/09
APPLICATION TYPE:	Variance (090210-03)
PROPERTY LOCATION or DESCRIPTION:	1805 Tara Drive
PETITIONER(S) AND AGENT(S):	David A. Mullins
ZONING DISTRICT(S)	R-2 (Single Family Residential)
REQUESTED ACTION:	To encroach into the 35' front building line
ZONING ORDINANCE REFERENCE:	<p>Appendix A-Zoning Ordinance Section 71 Residential district requirements:</p> <p>R-2 District:</p> <p>Minimum Yard Size</p> <p>Front yard - 35'</p> <p>Rear Yard – 40'</p> <p>Side Yard – 10'</p>

Application
Prattville Board of Zoning Adjustment

Application Type: Use-On-Appeal Variance Administrative Appeal

Applicant /Agent Information
Sentitized letters from the property owner is required if agent is used for representation

Name: DAVID A. MULLINS

Street Address: 1805 TARA DRIVE

City: PRATTVILLE State: AL Zip: 36066

Phone Number(s): HOME: 491-2051 CELL: 612-1318

Property Owner Information

Name: _____

Address of Property Owner: _____

City: _____ State: _____ Zip: _____

Phone Number: () _____

Property Description

County Tax Parcel Number/Legal Description: _____
19-06-14-1-007-019.000 #0

Current Zoning of Property: _____ Physical Address: 1805 TARA DR

Proposed Use of Property (generally): SINGLE FAMILY HOME

Describe Proposed Use or Variance: _____
DESIRE TO ADD FRONT PORCH TO HOME
AS PER DRAWING SUBMITTED. PORCH WILL
EXTEND 4'³/₂" ~~5~~ FEET PAST BUILDING LINE.
ON RIGHT & 4' 8" ON LEFT.



The following items must be attached to the application (check those items included):

- Tax record map from the Autauga County or Elmore County Tax Assessors Office
- Site sketch plan (drawn to scale) showing any property lines, required and proposed setbacks, existing and proposed structures and any additional information you believe will be helpful to the Board of Adjustment
- Application fees: Variance and Administrative Appeal - Fifty dollars (\$50), Use-on-Appeal - Two hundred fifty dollars (\$250).
- Names and address of all property owners immediately adjacent to the subject property (not required for administrative appeals). Adjacent properties include those directly across the street from the subject property.
- If person signing application is someone other than property owner, attach authorization to file application (i.e. notarized letter, real estate contract, etc.)

Hardship: The Board requests a statement of hardship to justify any variance application:

"To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit of the (zoning) ordinance shall be observed and substantial justice done." Code of Alabama, 1975, as amended. § 11-52-80(d) (3))

THERE IS NO HARDSHIP

I certify that I am the property owner, or authorized agent, and attest that all facts are true and correct. I do hereby certify that the property owner list attached to this application was obtained from the Autauga County Revenue Office, (Elmore County if applicable), and is a complete list of all real property owners adjacent to the parcel submitted for consideration. I also attest that I have read and understand what a hardship is according to the Code of Alabama, 1975, as amended.

DAVID A. MULLINS
Printed Name

[Signature]
Signature

Date 1/21/09

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that David A. Mullins, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 21st day of

January, 2009

[Signature]
Notary Public

My commission expires My Commission Expires 11-08-2011

EXISTING

NOTE: FIELD WORK FOR THIS SURVEY WAS COMPLETED ON THE GROUND 2009.01.15.

090210-03/A
Variance
Front building line encroachment

PROJECT NUMBER: _____
DRAWN BY: JAMES MONK
CHECKED BY: _____
DATE: 2009.01.15
FIELD BOOK: _____
PAGE: 01 of 01



Alabama Land Surveying, LLC.
1900 Brooks Street - Montgomery Alabama 36106 - 334-264-0266

MAP OF CLOSING SURVEY
CERTIFIED TO:

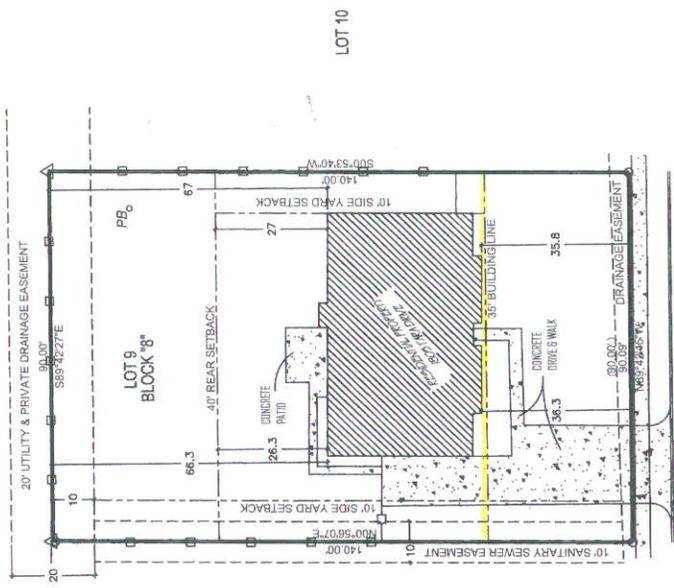
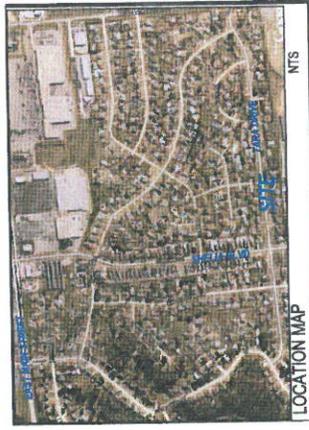


BEARING BASE
PLAT BOOK 03 PAGE 070

- LEGEND**
- OPEN TOP PIPE
 - CRIMPED TOP PIPE
 - FOUND IRON PIN
 - SET IRON MONUMENT (ALS-0173)
 - CALCULATED POINT
 - CONCRETE MONUMENT
 - * "X" MARKED IN CONCRETE
 - RECORDED PLAT DISTANCE
 - FIELD MEASURED DISTANCE
 - XX XX CHAINLINK FENCE
 - WOODEN PRIVACY FENCE
 - LIGHTING
 - OVERHEAD POWER
 - POWER POLE
 - GUY WIRE
 - FIRE HYDRANT
 - STORM DRAIN MANHOLE
 - SANITARY SEWER MANHOLE
 - SANITARY SEWER LINE
 - PHONE BOX
 - PB₀ UTILITY BOX

SURVEY ABBREVIATIONS

- N = North
- S = South
- E = East
- W = West
- or any combination such as NE, SW, etc.
- ' = Minutes when used in a bearing
- " = Seconds when used in a bearing
- ' = Feet when used in distance
- " = Inches when used in distance
- AC or ac = Acres
- ± = More or less (or plus or minus)
- R = Range
- T = Township
- SEC = Section



TARA DRIVE
65' ROW



STATE OF ALABAMA
COUNTY OF AUTAUGA

I, MITCHELL P. HAYDEN, A REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IS A TRUE AND CORRECT MAP OR PLAT OF LOT 9, BLK 8 OF A CORRECTED MAP OF PRATTVILLE EAST PLAT NO. 1, AND IS THE SAME AS RECORDED IN PLAT BOOK 03, AT PAGE 70, IN THE OFFICE OF THE JUDGE OF PROBATE, AUTAUGA COUNTY, ALABAMA. I HEREBY CERTIFY THAT THE BUILDINGS NOW ON SAID PROPERTY ARE WITHIN THE BOUNDARIES OF THE EASEMENTS, ENCROACHMENTS, OR JOINT DRIVEWAYS OVER OR ACROSS SAID BUILDINGS ON THE ADJOINING PROPERTY, AND THERE ARE NO ENCROACHMENTS, EASEMENTS, OR JOINT DRIVEWAYS WHICH SERVE THE SAID PROPERTY VISIBLE ON THE SURFACE, THERE BEING NO UTILITY POLES, ANCHORS AND GUY WIRES (EXCLUDING WIRES WHICH SERVE THE SAID PROPERTY) OR STRUCTURES THEREON, AND THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP AND FOUND THE DESCRIBED AS SHOWN, IS LOCATED IN ZONE "CC" - HOWEVER FINAL DETERMINATION SHALL BE MADE BY THE LENDERS FLOOD CERTIFICATION COMPANY AND THE CORRECT ADDRESS IS 1805 TARA DRIVE.

I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

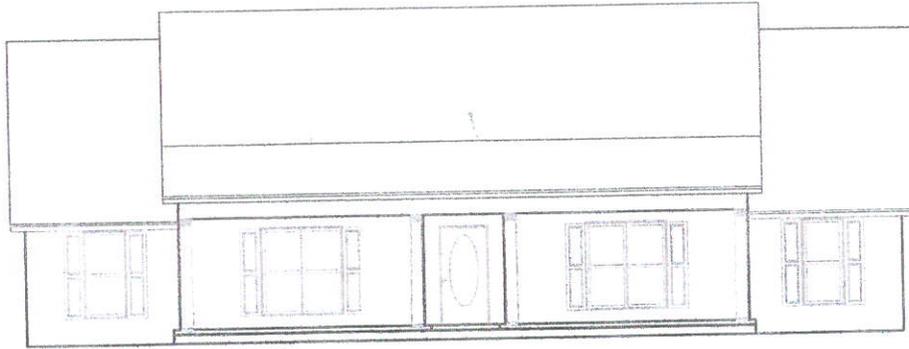
MITCHELL P. HAYDEN, PLS
ALA. LIC. NO. 12692
DATE: 1.15.2009
M. P. Hayden

NOT VALID WITHOUT THE SIGNATURE OF SURVEYOR OF RECORD & ORIGINAL EMBOSSED SEAL

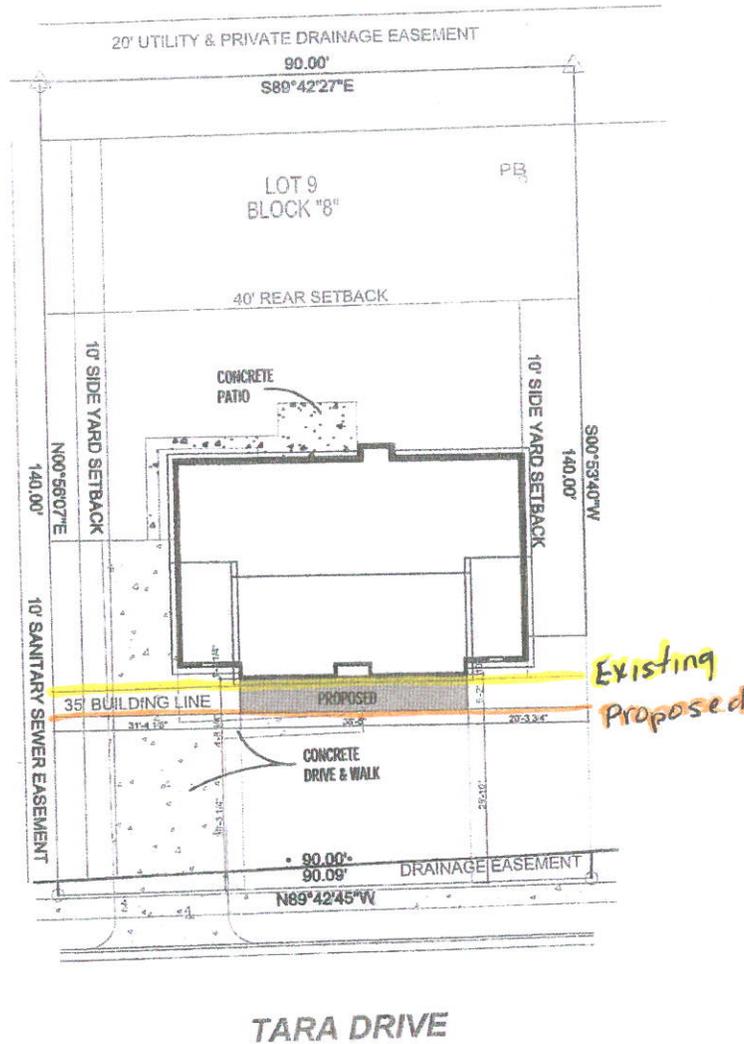
PROPOSED

090210-03/B

Variance
Front building line encroachment



1E FRONT ELEVATION
SCALE: 1/8" = 1'-0"



9 Site Plan Front
SCALE: 1" = 20'

<p>CONTRACT</p> <p>AT-7</p> <p>LAYOUT</p>	<p>HUDSON HOME DESIGNS</p> <p>ORDER PLANS CALL: (334) 365-4567 CUSTOM PLANS STOCK PLANS</p> <p>www.hudsonhomedesigns.com</p>	<p>ROOMS:</p> <p>ADD PLANS: □</p> <p>DELETE PLANS: □</p> <p>QUANTITY: □</p>	<p>FOOTING:</p>	<p>FOUNDATION:</p>	<p>HEIGHT & DEPTH:</p>	<p>PLAN:</p> <p>ADJUST:</p> <p>NOTES:</p>	<p>1. All dimensions are in feet and inches unless otherwise noted.</p> <p>2. All measurements are to the centerline of the structure unless otherwise noted.</p> <p>3. All measurements are to the exterior of the structure unless otherwise noted.</p> <p>4. All measurements are to the finished grade unless otherwise noted.</p> <p>5. All measurements are to the existing ground unless otherwise noted.</p> <p>6. All measurements are to the proposed ground unless otherwise noted.</p> <p>7. All measurements are to the existing building unless otherwise noted.</p> <p>8. All measurements are to the proposed building unless otherwise noted.</p> <p>9. All measurements are to the existing site unless otherwise noted.</p> <p>10. All measurements are to the proposed site unless otherwise noted.</p>
							<p>11. All measurements are to the existing site unless otherwise noted.</p> <p>12. All measurements are to the proposed site unless otherwise noted.</p> <p>13. All measurements are to the existing building unless otherwise noted.</p> <p>14. All measurements are to the proposed building unless otherwise noted.</p> <p>15. All measurements are to the existing site unless otherwise noted.</p> <p>16. All measurements are to the proposed site unless otherwise noted.</p>

PRATTVILLE BOARD OF ZONING ADJUSTMENT

**PETITIONER: DAVID A. MULLINS
1805 TARA DRIVE
PRATTVILLE, AL 36066**

**REQUEST: VARIANCE TO ENCROACH INTO THE 40' REAR YARD
SETBACK.
1805 TARA DRIVE
R-2 ZONING DISTRICT (SINGLE FAMILY RESIDENTIAL)**

ORDER

The above petition having been duly considered at a public hearing meeting before the Board of Zoning Adjustment of the City of Prattville, having been advertised in *The Prattville Progress*, a newspaper of general circulation in the city limits of Prattville, Alabama, and setting forth notice of the request for a variance to the Zoning Laws of Prattville, Alabama, as set out in the aforesaid petition and giving notice that a public hearing would be held on February 10, 2009 at the City Hall in Prattville, Alabama, and after due consideration of the party in interest, the Board of Zoning Adjustment of the City of Prattville **voted to approve the variance to encroach into the 40' rear yard setback** at property requested above.

IT IS THEREFORE ORDERED the petition of David A. Mullins, 1805 Tara Drive, Prattville, AL is hereby approved.

DONE THIS THE 10th DAY OF February 2009.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

CITY OF PRATTVILLE
 Board of Zoning Adjustment
 Planning Department Staff Report



DATE:	1/27/09
APPLICATION TYPE:	Variance (090210-04)
PROPERTY LOCATION or DESCRIPTION:	1805 Tara Drive
PETITIONER(S) AND AGENT(S):	David A. Mullins
ZONING DISTRICT(S)	R-2 (Single Family Residential)
REQUESTED ACTION:	To encroach into the 40' rear yard setback
ZONING ORDINANCE REFERENCE:	<p>Appendix A-Zoning Ordinance Section 71 Residential district requirements:</p> <p>R-2 District:</p> <p>Minimum Yard Size</p> <p style="padding-left: 40px;">Front yard - 35'</p> <p style="padding-left: 40px;">Rear Yard – 40'</p> <p style="padding-left: 40px;">Side Yard – 10'</p>

Application
Prattville Board of Zoning Adjustment

Application Type: Use-On-Appeal Variance Administrative Appeal

Applicant /Agent Information

Name: DAVID A. MULLINS
Street Address: 1805 TARA DRIVE
City: PRATTVILLE State: AL Zip: 36066
Phone Number(s): HOME: 491-2051 CELL: 612-1318

Property Owner Information

Name: _____
Address of Property Owner: _____
City: _____ State: _____ Zip: _____
Phone Number: () _____

Property Description

County Tax Parcel Number/Legal Description: _____

19-06-14-1-007-019.000#0

Current Zoning of Property: _____ Physical Address: 1805 Tara Dr

Proposed Use of Property (generally): SINGLE FAMILY HOME

Describe Proposed Use or Variance: _____

DESIRE TO ADD COVERED PATIO AND
CARPORT TO REAR OF HOME AS PER
DRAWING SUBMITTED. THE STRUCTURE
WILL OVERLAP 40' REAR SETBACK BY
20' 9 5/8" ON LEFT & 20' 5 1/4" ON RIGHT



The following items must be attached to the application (check those items included):

- Tax record map from the Autauga County or Elmore County Tax Assessors Office
- Site sketch plan (drawn to scale) showing any property lines, required and proposed setbacks, existing and proposed structures and any additional information you believe will be helpful to the Board of Adjustment
- Application fees: Variance and Administrative Appeal - Fifty dollars (\$50), Use-on-Appeal - Two hundred fifty dollars (\$250).
- Names and address of all property owners immediately adjacent to the subject property (not required for administrative appeals). Adjacent properties include those directly across the street from the subject property.
- If person signing application is someone other than property owner, attach authorization to file application (i.e. notarized letter, real estate contract, etc.)

Hardship: The Board requests a statement of hardship to justify any variance application:

"To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit of the (zoning) ordinance shall be observed and substantial justice done." Code of Alabama, 1975, as amended. § 11-52-80(d) (3))

THERE IS NO HARDHIP

I certify that I am the property owner, or authorized agent, and attest that all facts are true and correct. I do hereby certify that the property owner list attached to this application was obtained from the Autauga County Revenue Office, (Elmore County if applicable), and is a complete list of all real property owners adjacent to the parcel submitted for consideration. I also attest that I have read and understand what a hardship is according to the Code of Alabama, 1975, as amended.

DAVID A MULLINS
Printed Name

David A Mullins
Signature

Date 1/21/09

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that David A- Mullins, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 21st day of

January, 20 09

Leah P. ...
Notary Public

My Commission Expires 11-08-2011

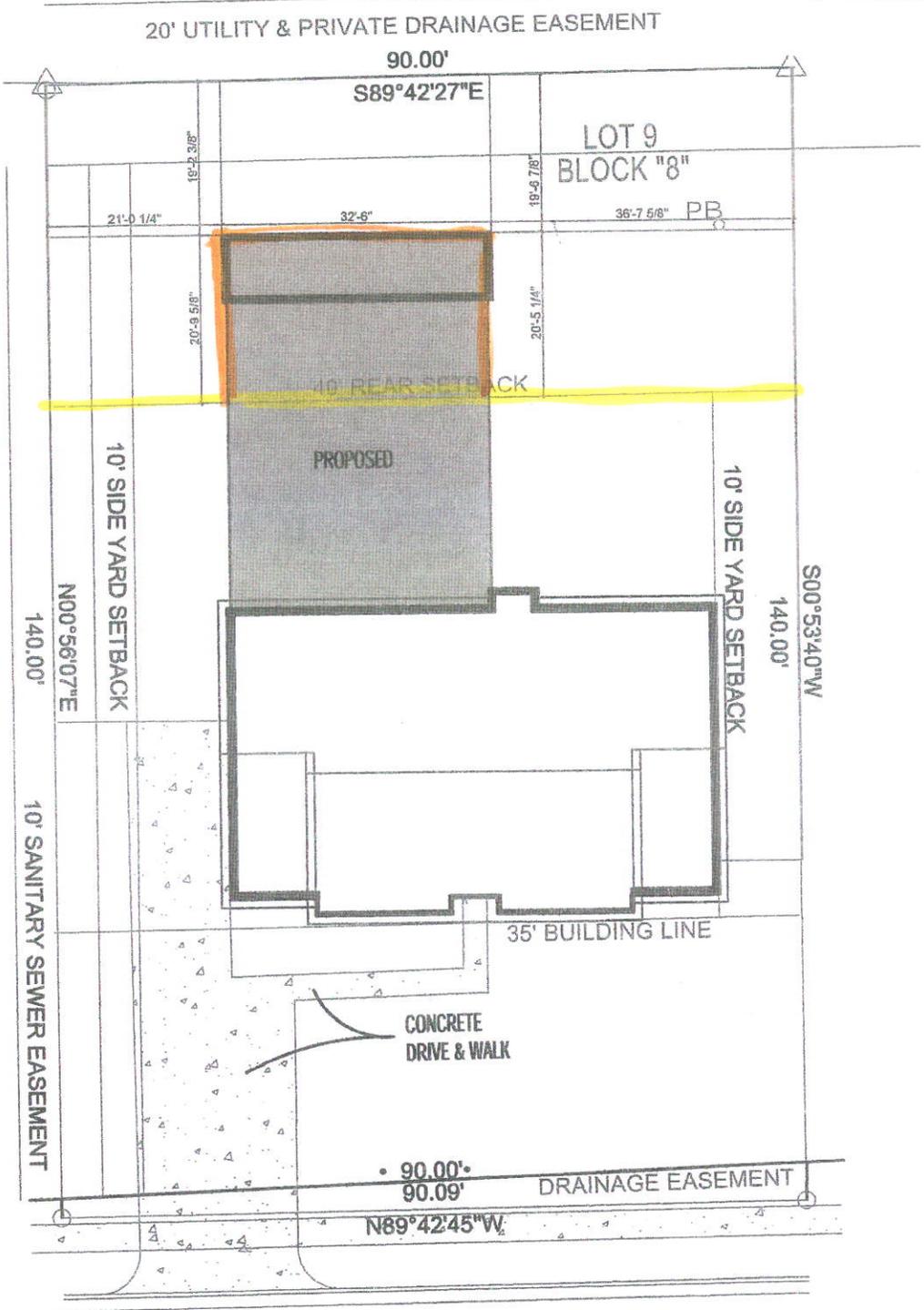
My commission expires

PROPOSED

090210-04/B

Variance
Rear yard line encroachment

W:\HPD-PROJECTS\6000-ADDITIONS\AR075-Draft Mullins\AR075-Mullins.plt



no Design
s, drawings,
was place
at and or
the consent
of L.L.C.
intended to a
in no way
any building
purchasing
from Hudson Home Designs L.L.C. or
authorized reader for Hudson Home
Designs L.L.C. Before starting
construction Purchaser, Builder,
Subcontractor and supplier must verify
these specific field for any error that may
need to be addressed and/or corrected.
The Owner, subcontractor and/or builder
must obtain any structural issues from a
licensed Engineer from that specific field.
Hudson Home Designs L.L.C. must be
notified of any human error prior to
construction and must be given time to
correct the error prior to construction. All
though these plans may have local, State
and National codes labeled does not mean
they are true to your city and/or State in
which you are building. Please let us
know how we are doing. Our success
depends on your satisfaction of these
plans.

PLAN:
AR075
MULLINS

DIMENSIONS:
WIDTH: 0
DEPTH: 0

FOOTAGE:

ROOMS:
FLOORS: 0
BEDROOMS: 0
BATHS: 0
STORAGE: 0
GARAGE/PORT: 0

HUDSON ORDER PLANS CALL,
(334) 365-4567
CUSTOM PLANS
STOCK PLANS
HUDSON HOME DESIGNS
www.hudsondesigns.com
Confidential - keep with a copy in 20

CONTACT:

AT-6
Site Plan

TARA DRIVE

51 **Site Plan Rear**
SCALE: 1" = 20'

Priliminary
1/20/2009

Tuesday, January 20, 2009

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: CITY OF PRATTVILLE FIRE DEPARTMENT
102 W. MAIN STREET
PRATTVILLE, AL 36067

REQUEST: USE-ON-APPEAL TO PLACE A 100'+ MONOLITHIC POLE ON
PROPERTY.
1904 BRIARWOOD STREET
R-4 ZONING DISTRICT (MULTI FAMILY RESIDENTIAL)

ORDER

The above petition having been duly considered at a public hearing meeting before the Board of Zoning Adjustment of the City of Prattville, having been advertised in *The Prattville Progress*, a newspaper of general circulation in the city limits of Prattville, Alabama, and setting forth notice of the request for a variance to the Zoning Laws of Prattville, Alabama, as set out in the aforesaid petition and giving notice that a public hearing would be held on February 10, 2009 at the City Hall in Prattville, Alabama, and after due consideration of the party in interest, the Board of Zoning Adjustment of the City of Prattville **voted to approve the use-on-appeal to place a 100'+ monolithic pole** at property requested above.

IT IS THEREFORE ORDERED the petition of City of Prattville Fire Department, 102 W. Main Street, Prattville, AL is hereby approved.

DONE THIS THE 10th DAY OF February 2009.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

**CITY OF PRATTVILLE BOARD OF ADJUSTMENT
PUBLIC HEARING
SPEAKERS SIGN-IN SHEET**

MEETING DATE: February 10, 2009

PETITIONER: Prattville Fire Department (Station 3)

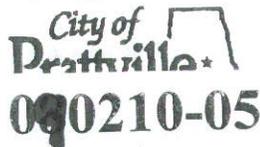
ADDRESS OF PETITION: 1904 Briarwood Street

	NAME	ADDRESS
1.	<i>Terry Snow</i>	<i>PFD</i>
2.		
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5.		
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CITY OF PRATTVILLE
 Board of Zoning Adjustment
 Planning Department Staff Report



DATE:	2/3/09
APPLICATION TYPE:	Use-On-Appeal (090210-05)
PROPERTY LOCATION or DESCRIPTION:	1904 Briarwood Street
PETITIONER(S) AND AGENT(S):	City of Prattville Fire Department
ZONING DISTRICT(S)	R-4 (Multi Family Residential)
REQUESTED ACTION:	To place a 100'+ monolithic pole on property.
ZONING ORDINANCE REFERENCE:	<p>Appendix A-Zoning Ordinance Article 1 Section 9 (b) [Antennas.]</p> <p>(1) Antennas for the reception or transmission of radio and television signals located in FAR, residential, or manufactured (trailer or mobile home) housing zones shall be considered public utilities, if used for any commercial purpose, and shall be allowed only as a use on appeal.</p> <p>(2) Antennas for the reception or transmission of radio or television signals located in FAR, residential, or manufactured (trailer or mobile home) housing zones, used for noncommercial purposes, shall be considered accessory uses which must be located to the rear of the front building line. No antenna or its support structure shall be placed upon any other principal or accessory structure, but may be anchored to such structure(s).</p> <p>(3) All antennas, which in combination with the support structure are greater than forty-five (45) feet in height shall be treated as accessory structures and shall require the issuance of building permits and inspections in accordance with this ordinance and the building code.</p> <p>(4) The Board of Zoning Adjustment shall not issue variances to these provisions unless it is proven to the Board's satisfaction that no useful signal can be received or transmitted by an antenna located in a manner conforming to this ordinance.</p> <p>(5) In making its determination, the Board of Zoning Adjustment may require proof or evidence of failed reception or transmission which may include but is not limited to:</p> <ul style="list-style-type: none"> a. For reception antennas: Video or audio tapes of reception at the site; or b. For transmission antennas: Signal strength readings of a received signal certified by a registered electrical engineer; or c. For all types of antennas: Theoretical calculations by a registered electrical engineer. <p>(6) Building permits shall be required for all antennas and structures over forty-five (45) feet in height.</p>



Variance
To place a 100" monolithic pole

City Of Prattville
Planning and Development Department
102 W. Main Street
Prattville, AL 36067
(334) 361-3614 Fax (334) 361-3677
www.prattville.com

Application
Prattville Board of Zoning Adjustment

Application Type: Use-On-Appeal Variance Administrative Appeal

Applicant /Agent Information
Consent of the property owner is required if agent is used for representation

Name: Prattville Fire Department

Street Address: 102 West Main Street

City: Prattville State: AL Zip: 36067

Phone Number(s): (334) 361-3660

Property Owner Information

Name: City of Prattville

Address of Property Owner: 101 West Main Street

City: Prattville State: AL Zip: 36067

Phone Number: (334) 361-3609

Property Description

County Tax Parcel Number/Legal Description: _____

Current Zoning of Property: R-4 Physical Address: 1904 Briarwood

Proposed Use of Property (generally): Fire Station

Describe Proposed Use or Variance: Requesting Variance at rear of property at 1904 Briarwood to place a 100 foot plus monolithic pole for communications located nearest to Wal-Mart on furthest Southeast corner at described address. Monolithic pole will be fenced in and pole is similar in looks to power poles in area.



The following items must be attached to the application (check those items included):

- Tax record map from the Autauga County or Elmore County Tax Assessors Office
- Site sketch plan (drawn to scale) showing any property lines, required and proposed setbacks, existing and proposed structures and any additional information you believe will be helpful to the Board of Adjustment
- Application fees: Variance and Administrative Appeal - Fifty dollars (\$50), Use-on-Appeal - Two hundred fifty dollars (\$250).
- Names and address of all property owners immediately adjacent to the subject property (not required for administrative appeals). Adjacent properties include those directly across the street from the subject property.
- If person signing application is someone other than property owner, attach authorization to file application (i.e. notarized letter, real estate contract, etc.)

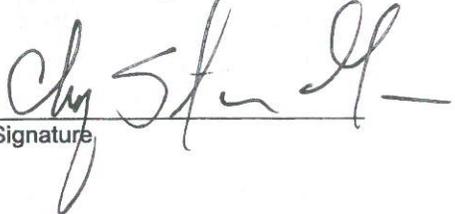
Hardship: The Board requests a statement of hardship to justify any variance application:

"To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit of the (zoning) ordinance shall be observed and substantial justice done." Code of Alabama, 1975, as amended. § 11-52-80(d) (3))

After engineering survey site was
deemed ideal for monolithic communication
pole.

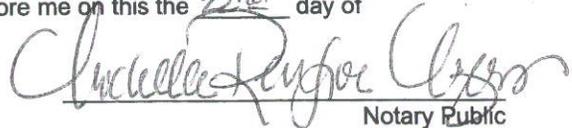
I certify that I am the property owner, or authorized agent, and attest that all facts are true and correct. I do hereby certify that the property owner list attached to this application was obtained from the Autauga County Revenue Office, (Elmore County if applicable), and is a complete list of all real property owners adjacent to the parcel submitted for consideration. I also attest that I have read and understand what a hardship is according to the Code of Alabama, 1975, as amended.

Stanley GAUO FIRE Chief
Printed Name


Signature

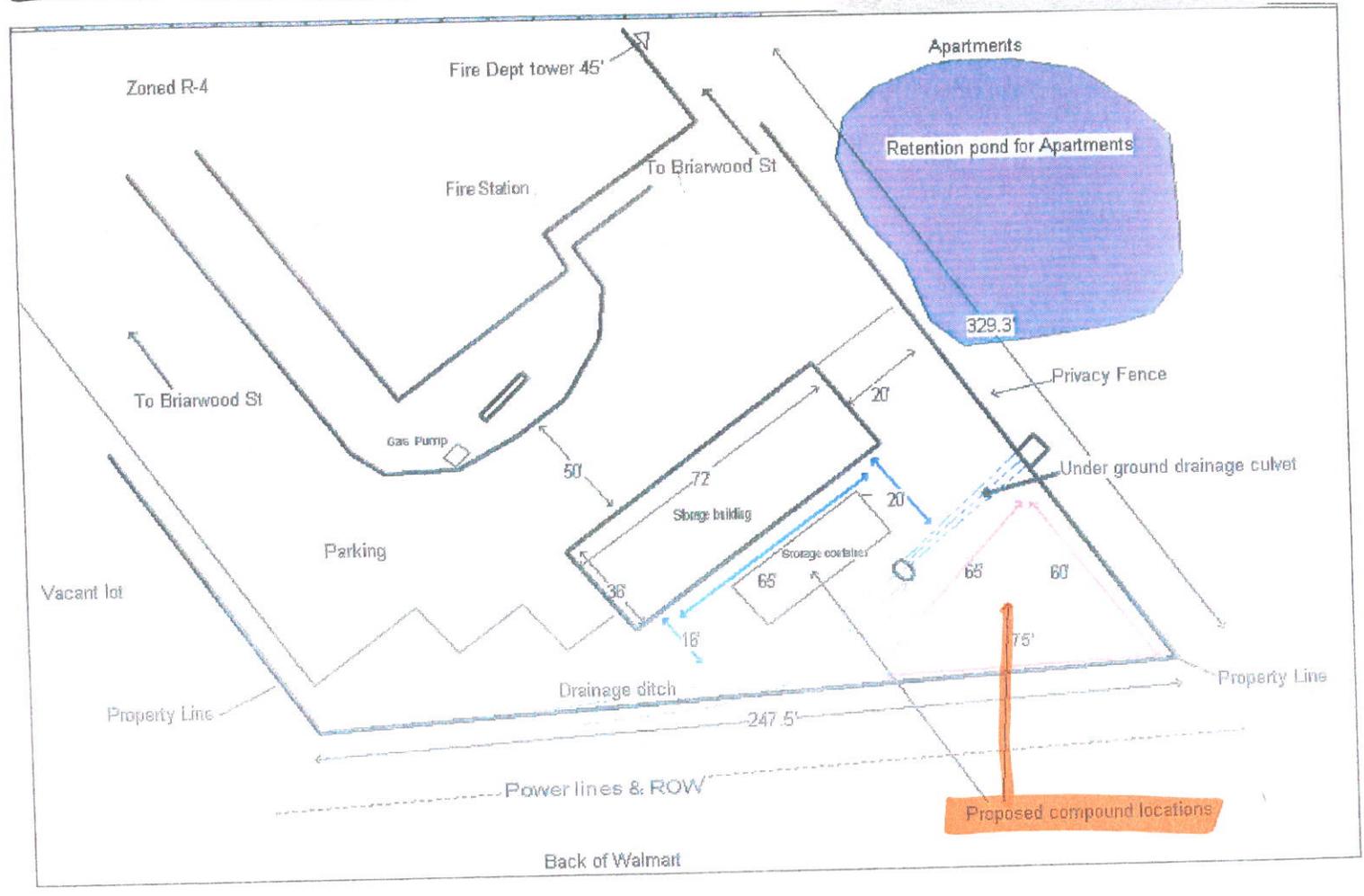
Date 1-22-09

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Stanley Gaun, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 22nd day of January, 2009


Notary Public

My commission expires 8/8/2011

Site Sketch for T-Mobile Tower consideration: 100' to 120' Monopole proposed



090210-05/B

Variance
To place a 100' monolithic pole



72' x 26' Storage building added here





⊗ Approximate location of Pole





⊗ Approximate location of pole



PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: SUNBUILT ROOMS &AWNINGS
1313 CROWS PASS
PRATTVILLE, AL 36067

REQUEST: VARIANCE TO ENCROACH INTO THE 10' SIDE YARD LINE.
268 TERI LANE
R-2 ZONING DISTRICT (SINGLE FAMILY RESIDENTIAL)

ORDER

The above petition having been duly considered at a public hearing meeting before the Board of Zoning Adjustment of the City of Prattville, having been advertised in *The Prattville Progress*, a newspaper of general circulation in the city limits of Prattville, Alabama, and setting forth notice of the request for a variance to the Zoning Laws of Prattville, Alabama, as set out in the aforesaid petition and giving notice that a public hearing would be held on February 10, 2009 at the City Hall in Prattville, Alabama, and after due consideration of the party in interest, the Board of Zoning Adjustment of the City of Prattville **voted to approve the variance to encroach into the 10' side yard line** at property requested above.

IT IS THEREFORE ORDERED the petition of SunBuilt Rooms & Awnings, 1313 Crows Pass, Prattville, AL is hereby approved.

DONE THIS THE 10th DAY OF February 2009.

BOARD OF ZONING ADJUSTMENT


LEO JAMIESON, CHAIRMAN


ALISA MORGAN, SECRETARY

**CITY OF PRATTVILLE BOARD OF ADJUSTMENT
PUBLIC HEARING
SPEAKERS SIGN-IN SHEET**

MEETING DATE: February 10, 2009

PETITIONER: SunBuilt Rooms & Awnings

ADDRESS OF PETITION: 268 Teri Lane

	NAME	ADDRESS
1.	<i>Paul Pewke</i>	
2.	<i>Subhash Sengupta</i>	<i>110 E. Teri Ct.</i>
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CITY OF PRATTVILLE
 Board of Zoning Adjustment
 Planning Department Staff Report



DATE:	1/27/09
APPLICATION TYPE:	Variance (090210-06)
PROPERTY LOCATION or DESCRIPTION:	268 Teri Lane
PETITIONER(S) AND AGENT(S):	David McCord Agent: Robert Reeves-Sunbuilt Rooms & Awnings
ZONING DISTRICT(S)	R-2 (Single Family Residential)
REQUESTED ACTION:	To encroach into the 10' side yard line
ZONING ORDINANCE REFERENCE:	Appendix A-Zoning Ordinance Section 71 Residential district requirements: R-2 District: Minimum Yard Size Front yard - 35' Rear Yard – 40' Side Yard – 10'

**Application
 Prattville Board of Zoning Adjustment**

Application Type: Use-On-Appeal Variance Administrative Appeal

Applicant /Agent Information
Notarized letter from the property owner is required if agent is used for representation.

Name: SunBult Rooms & Awnings
 Street Address: 1313 Grows Pass
 City: Prattville State AL Zip: 36067
 Phone Number(s): 358 5588 cell 799-0087

Property Owner Information
If different than above

Name: David McCord
 Address of Property Owner: 208²⁶⁸ Teri Lane
 City: Prattville State: AL Zip: 36007
 Phone Number: (334) 596 0092 work

Property Description

County Tax Parcel Number/Legal Description: 19061430010450000
Sec. 14 Twin 17A Hwy 16E
Lot 3 Blk 12 Overlook Estd. Plat. Map 4, Blk 2, Pg. 21575 X140
 Current Zoning of Property: R-2 Physical Address: 208 Teri Lane
 Proposed Use of Property (generally): Single Family Dwelling
 Describe Proposed Use or Variance: 1' off side yard for carport
cover off

*Legal Description
 doesn't match
 Property location
 owner.*



The following items must be attached to the application (check those items included):

- Tax record map from the Autauga County or Elmore County Tax Assessors Office
- Site sketch plan (drawn to scale) showing any property lines, required and proposed setbacks, existing and proposed structures and any additional information you believe will be helpful to the Board of Adjustment
- Application fees: Variance and Administrative Appeal - Fifty dollars (\$50), Use-on-Appeal - Two hundred fifty dollars (\$250).
- Names and address of all property owners immediately adjacent to the subject property (not required for administrative appeals). Adjacent properties include those directly across the street from the subject property.
- If person signing application is someone other than property owner, attach authorization to file application (i.e. notarized letter, real estate contract, etc.)

Hardship: The Board requests a statement of hardship to justify any variance application:

"To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit of the (zoning) ordinance shall be observed and substantial justice done." Code of Alabama, 1975, as amended. § 11-52-80(d) (3))

Owner has low spot where water is standing between driveway and adjacent property. Owner wishes to install a 2-car carport with 3 3"x4" drain pipes a 6" gutter system that will direct water to the natural drainage of property. Fixing the standing water problem for owner and adjacent property owner while adding more parking for owner.

I certify that I am the property owner, or authorized agent, and attest that all facts are true and correct. I do hereby certify that the property owner list attached to this application was obtained from the Autauga County Revenue Office, (Elmore County if applicable), and is a complete list of all real property owners adjacent to the parcel submitted for consideration. I also attest that I have read and understand what a hardship is according to the Code of Alabama, 1975, as amended.

Robert R Reeves
Printed Name

[Signature]
Signature

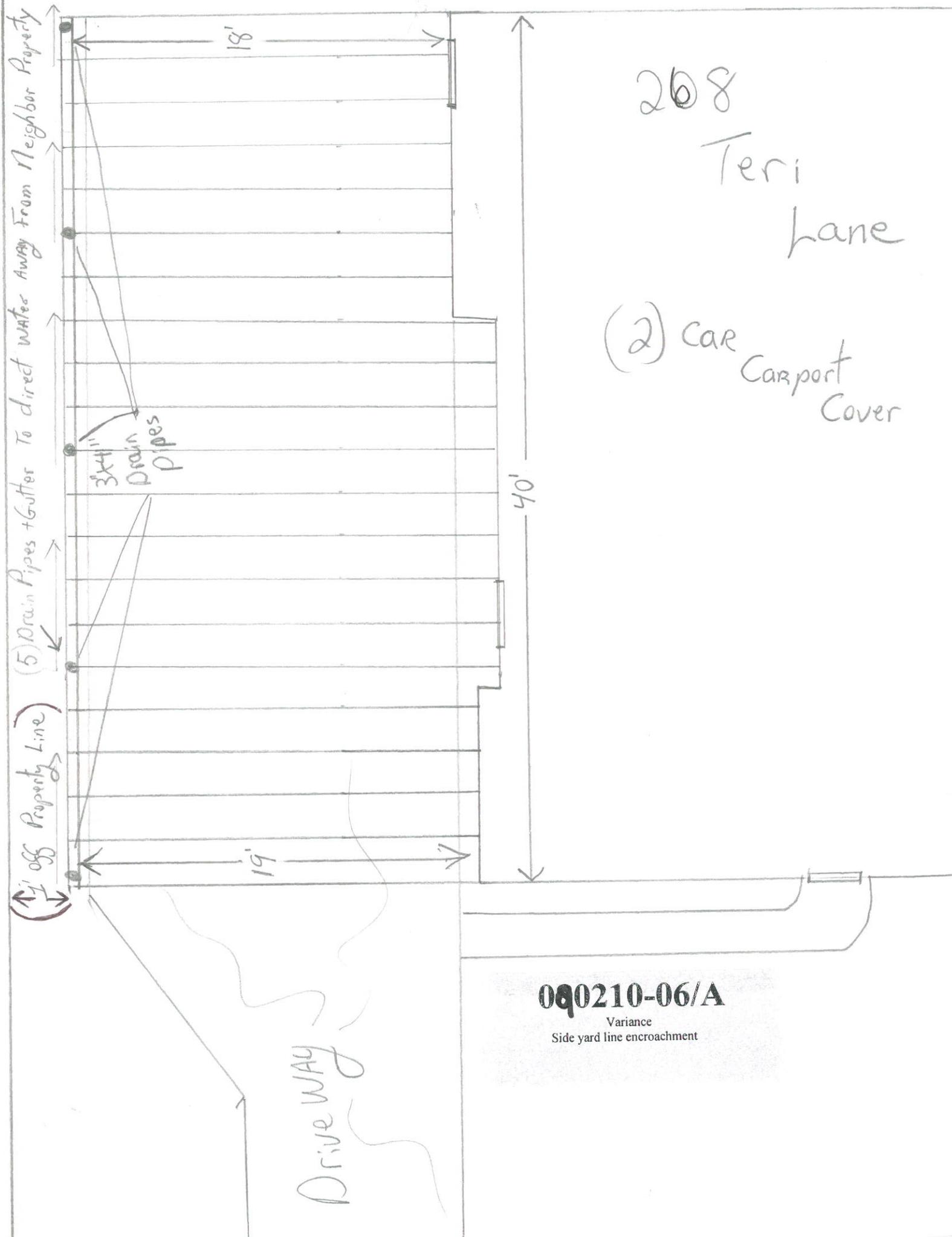
Date 1-21-09

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Robert R. Reeves, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 23rd day of

January, 2009

[Signature]
Notary Public

My commission expires My Commission Expires 11-08-2011



208

Teri
Lane

(2) car
Carport
Cover

18'

40'

19'

Drive Way

090210-06/A

Variance
Side yard line encroachment

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: **FIRST UNITED METHODIST CHURCH**
100 W. FOURTH STREET
PRATTVILLE, AL 36067

REQUEST: **USE-ON-APPEAL TO USE AS CHURCH PARKING LOT.**
100 W. FOURTH STREET
R-3 ZONING DISTRICT (SINGLE FAMILY RESIDENTIAL)

ORDER

The above petition having been duly considered at a public hearing meeting before the Board of Zoning Adjustment of the City of Prattville, having been advertised in *The Prattville Progress*, a newspaper of general circulation in the city limits of Prattville, Alabama, and setting forth notice of the request for a variance to the Zoning Laws of Prattville, Alabama, as set out in the aforesaid petition and giving notice that a public hearing would be held on February 10, 2009 at the City Hall in Prattville, Alabama, and after due consideration of the party in interest, the Board of Zoning Adjustment of the City of Prattville **voted to approve the use-on-appeal to use vacant lot as church parking lot contingent that there is no exit from Fifth Street and appropriate buffer be applied** at property requested above.

IT IS THEREFORE ORDERED the petition of First United Methodist Church, 100 W. Fourth Street, Prattville, AL is hereby approved.

DONE THIS THE 10th DAY OF February 2009.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

**CITY OF PRATTVILLE BOARD OF ADJUSTMENT
PUBLIC HEARING
SPEAKERS SIGN-IN SHEET**

MEETING DATE: February 10, 2009

PETITIONER: ADL Engineering, LLC

ADDRESS OF PETITION: 100 W. 4th Street

	NAME	ADDRESS
1.	Will Barrett	711 McQueen Rd S.
2.	Bill Elwell	100 E 4th Street
3.	Martine Houston	125 East Fifth St.
4.	Beverly Cimis	141 N. Chestnut St
5.	Gerald Cimis	141 N. Chestnut St
6.	Carolyn Gray	111 Woodley Ave.
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141 N. Chestnut St.
Prattville, AL 36067
February 10, 2009

Re: ADL Engineering's Request for Use on Appeal for Church parking lot

Prattville Board of Zoning Adjustment:

I am concerned that the existing ADL Engineering Parking Lot Plan (attached) shows a clear intent, either now or in the future, to use the vacant lot at 114 E. Fifth St. which the Church owns, as an alternate vehicle path for ingress or egress and possibly a parking lot. This is demonstrated by the stub out proceeding northward in the Northwest corner of the plan and abutting the rear property line of 114 E. Fifth St. This is a residential zoned lot that the church purchased and demolished the house. The fact that there is a curb cut onto Fifth St. where the house driveway once existed, does not permit its usage as a driveway to access an adjacent lot or use as a parking lot. City Planner Joel Duke confirmed that this lot is **not** approved by the City for use as a driveway or parking lot, and the City would **not** recommend such approval. The church, through bulletin announcements, has encouraged such use to parishioners and I have reported this concern to Mr. Duke. Enforcing this matter will be very difficult however, without proper barrier placement to deter such improper use.

After conferring with several residents of Fifth Street, we are making the following requests for restrictions to be imposed on the First United Methodist Church and ADL Engineering's proposed plan for a parking lot:

1. That the approval of this plan be approved contingent upon vehicle use exiting only onto Fourth Street now or in the future, with no exiting permitted anywhere onto Fifth Street, including through a vacant lot owned by the Church at 114 E. Fifth St.
2. That the stub out indicated proceeding northward in the Northwest corner of the attached plan be terminated where the red line indicates such termination.
3. That as part of the plan, the requestor be required to construct a wooden fence of approximately six (6) feet in height across the back property line indicated in red which abuts the rear property line of the vacant lot at 114 E. Fifth St. This fence would be subject to review and approval by the Historic Preservation Commission.

We feel that with these restrictions in place the parking lot proposed on Fourth Street can function well and not impact the traffic pattern, historic residential neighborhood appearance, and character along Fifth Street.

Sincerely,



Gerald M. Cimis, D.M.D.

Attachment: ADL Engineering Plan for First United Methodist Parking Lot on Fourth St.

GOD BLESS THE USA

ADL INC.
ENGINEERING SERVICES
214.338.3251
214.338.3252
214.338.3253
214.338.3254
214.338.3255
214.338.3256
214.338.3257
214.338.3258
214.338.3259
214.338.3260

714. MOOREHEAD ST. N.E.
PRATTVILLE AL 36067
(Phone) 334-383-3251
(Fax) 334-383-3255

2144 Airport Road
Prattville AL 36068
(Phone) 256-897-9199
(Fax) 256-897-9867

**PROPOSED
AUXILIARY
PARKING LOT**

CLIENT
**FUMC
PRATTVILLE**
PROJECT NO
699-4098

SCALE
1"=40'

Designed By:
PJ

Drawn By:
PJ

Checked By:
WFB

Approved By:
WFB

Date: 08/15/00

Sheet No. 1 of 1

Scale:
1/3

STAGING PLAN

ITEM	LEGEND	NEW
CURB & GUTTER	---	---
EDGE OF PAVED SURFACE	---	---
EDGE OF ASPHALT SURFACE	---	---
GRATE	---	---
GRATE PALET	---	---
STANDARD SIGN	---	---
STANDARD SIGN/PALETTE	---	---
WATER LINE	---	---
FIRE HYDRANT	---	---
VALVES	---	---
GRADE CONTROL	---	---
PROPOSED ELEVATION	---	---

Regular Spaces	53
Handicap Spaces	3
Total Spaces	56

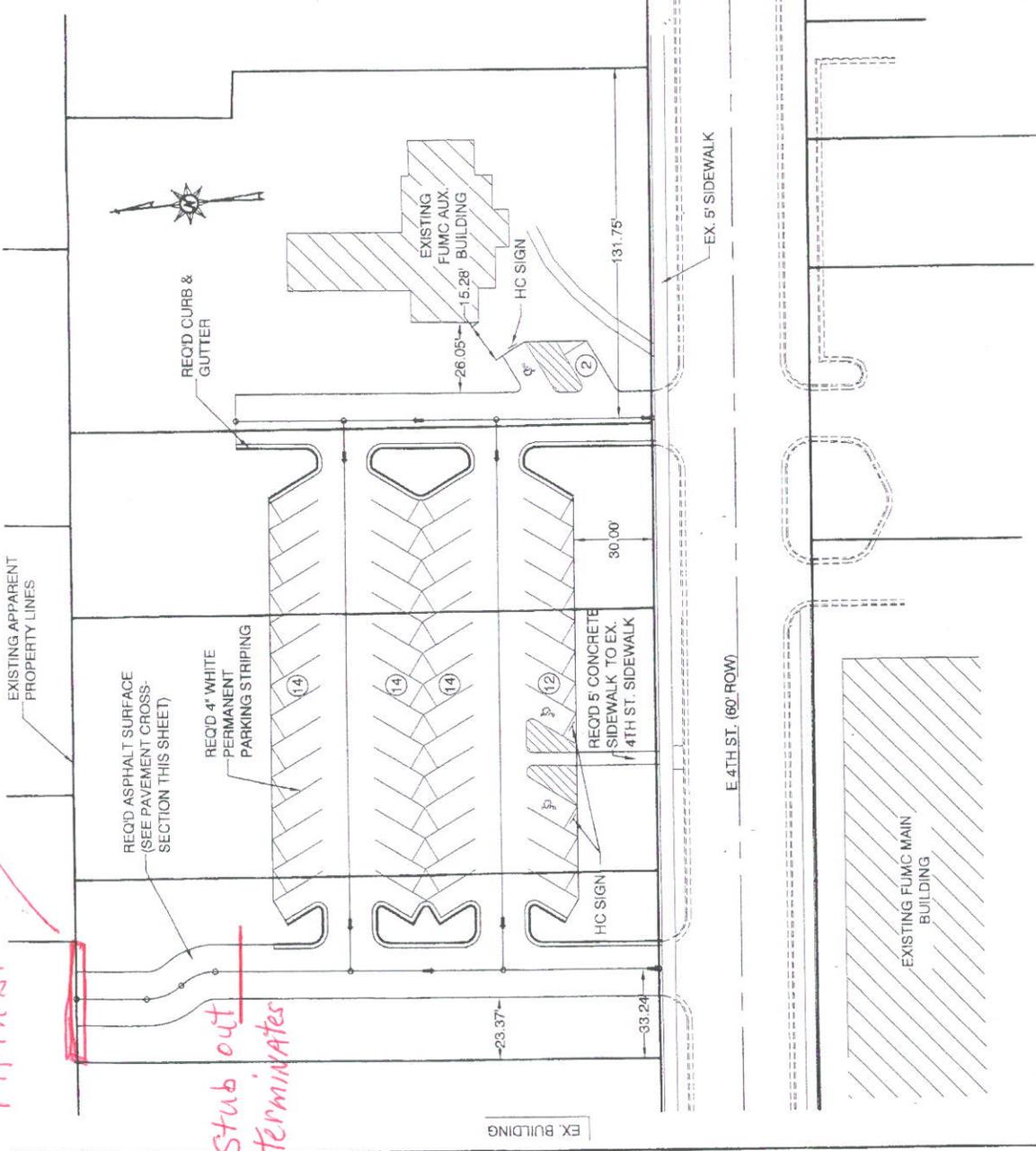


**PAVEMENT
CROSS-SECTION**

NTS

Lot at
114 E.
Fifth St
Fence

Stub out
terminates



EX BUILDING

CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	2/3/09
APPLICATION TYPE:	Use-On-Appeal (090210-07)
PROPERTY LOCATION or DESCRIPTION:	100 East 4 th Street
PETITIONER(S) AND AGENT(S):	First United Methodist Church
ZONING DISTRICT(S)	R-3 (Single Family Residential)
REQUESTED ACTION:	To use for church parking lot.
ZONING ORDINANCE REFERENCE:	Appendix A-Zoning Ordinance Section 71 Residential district requirements: Uses Permitted on Appeal: ...churches

090210-07

Variance
Parking lot use

City Of Prattville
Planning and Development Department
102 W. Main Street
Prattville, AL 36067
(334) 361-3614 Fax (334) 361-3677
www.prattville.com

Application
Prattville Board of Zoning Adjustment

Application Type: Use-On-Appeal Variance Administrative Appeal

Applicant /Agent Information

(Authorized letter from the property owner is required if agent is used for reauthorization.)

Name: ADL ENGINEERING, INC. - WILL BARRETT
Street Address: 711 McQUEEN SMITH ROAD, S
City: PRATTVILLE State AL Zip: 36066
Phone Number(s): (334) 358-3251 (W) ; (334) 430-9647 (C)

Property Owner Information

(If different than above)

Name: FIRST UNITED METHODIST CHURCH
Address of Property Owner: 100 W. 4TH STREET
City: PRATTVILLE State: AL Zip: 36066
Phone Number: (334) 365-5977

Property Description

County Tax Parcel Number/Legal Description: 19-03-08-4-007-006 / 19-03-08-4-007-014 / 19-03-08-4-007-015 / 19-03-4-007-016 / 19-003-08-007-017 / SEE LEGALS ATTACHED

Current Zoning of Property: RESIDENTIAL Physical Address: 133-145 W. 4TH ST.

Proposed Use of Property (generally): PARKING

Describe Proposed Use or Variance: THE AREA IS CURRENTLY A GRASS/DIRT LOT USED FOR AUXILIARY PARKING FOR CHURCH EVENTS. THIS PROPOSAL WILL PROVIDE AN AREA FOR ORGANIZED, ORDERLY PARKING BY DESIGN.

The following items must be attached to the application (check those items included):

- Tax record map from the Autauga County or Elmore County Tax Assessors Office
- Site sketch plan (drawn to scale) showing any property lines, required and proposed setbacks, existing and proposed structures and any additional information you believe will be helpful to the Board of Adjustment
- Application fees: Variance and Administrative Appeal - Fifty dollars (\$50), Use-on-Appeal - Two hundred fifty dollars (\$250).
- Names and address of all property owners immediately adjacent to the subject property (not required for administrative appeals). Adjacent properties include those directly across the street from the subject property.
- If person signing application is someone other than property owner, attach authorization to file application (i.e. notarized letter, real estate contract, etc.)

N/A
CHURCH

Hardship: The Board requests a statement of hardship to justify any variance application:

"To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit of the (zoning) ordinance shall be observed and substantial justice done." Code of Alabama, 1975, as amended. § 11-52-80(d) (3))

THE MEMBERS OF FIRST UNITED METHODIST CHURCH HAVE VERY LIMITED PARKING FOR CHURCH EVENTS AND HAVE THUS SPILLED OVER INTO THE CHURCH-OWNED, VACANT LOTS ACROSS FROM THE MAIN ENTRANCE TO THE CHURCH ON 4TH STREET. THE VACANT LOTS CREATE UNSTEADY FOGGING FOR THE ELDERLY WHEN FORCED TO PARK THERE, NOT TO MENTION LARGE POOLS OF STANDING WATER AND MUD DURING AND AFTER RAIN EVENTS. THIS PARKING DESIGN WOULD CHANGE THIS SITUATION TO A POSITIVE ONE FOR ALL INVOLVED.

I certify that I am the property owner, or authorized agent, and attest that all facts are true and correct. I do hereby certify that the property owner list attached to this application was obtained from the Autauga County Revenue Office, (Elmore County if applicable), and is a complete list of all real property owners adjacent to the parcel submitted for consideration. I also attest that I have read and understand what a hardship is according to the Code of Alabama, 1975, as amended.

WILL BARRETT
Printed Name

[Signature]
Signature

Date 1-21-09

I the undersigned authority, a Notary Public in and for said County in said State, herby certify that William E. Barrett III, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 22nd day of January, 2009.

[Signature]
Notary Public

My commission expires
NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Aug 20, 2011
BONDED THRU NOTARY PUBLIC UNDERWRITERS



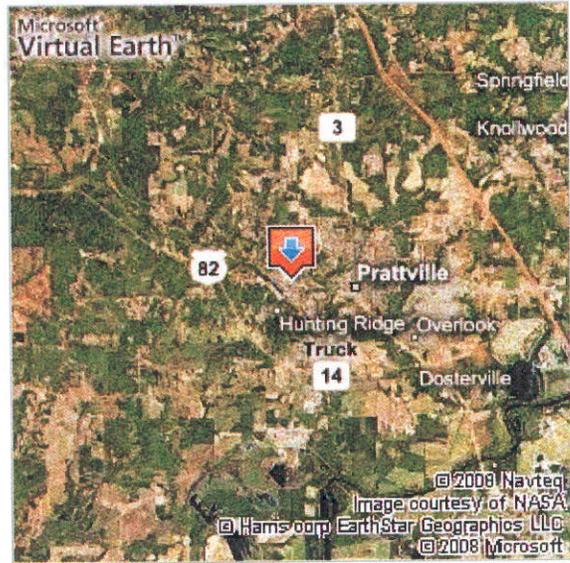
Live Search Maps



W 4th St, Prattville, AL 36067

Area Map Identifying Property to be Rezoned

FREE! Use Live Search 411 to find movies, businesses & more: 800-CALL-411.



030210-07/A
 Variance
 Parking lot use

GOD BLESS THE USA

ADL INC.
 ENGINEERING SERVICES
 BLDG. ENGINEERING - SURVEYING - CAD

711 McQueen Smith Ave.
 Prattville, AL 36067
 (334) 334-9252
 2444 Moore Road
 Fort Payne, AL 35969
 (334) 256-9715
 (334) 256-9716

**PROPOSED
 AUXILIARY
 PARKING LOT**

CLIENT
FUMC
PRATTVILLE
 PROJECT NO
699-4098

Scale:
1"=40'

Designed By:

Drawn By:

Checked By:

Approved By:

No.	DATE	BY	REV

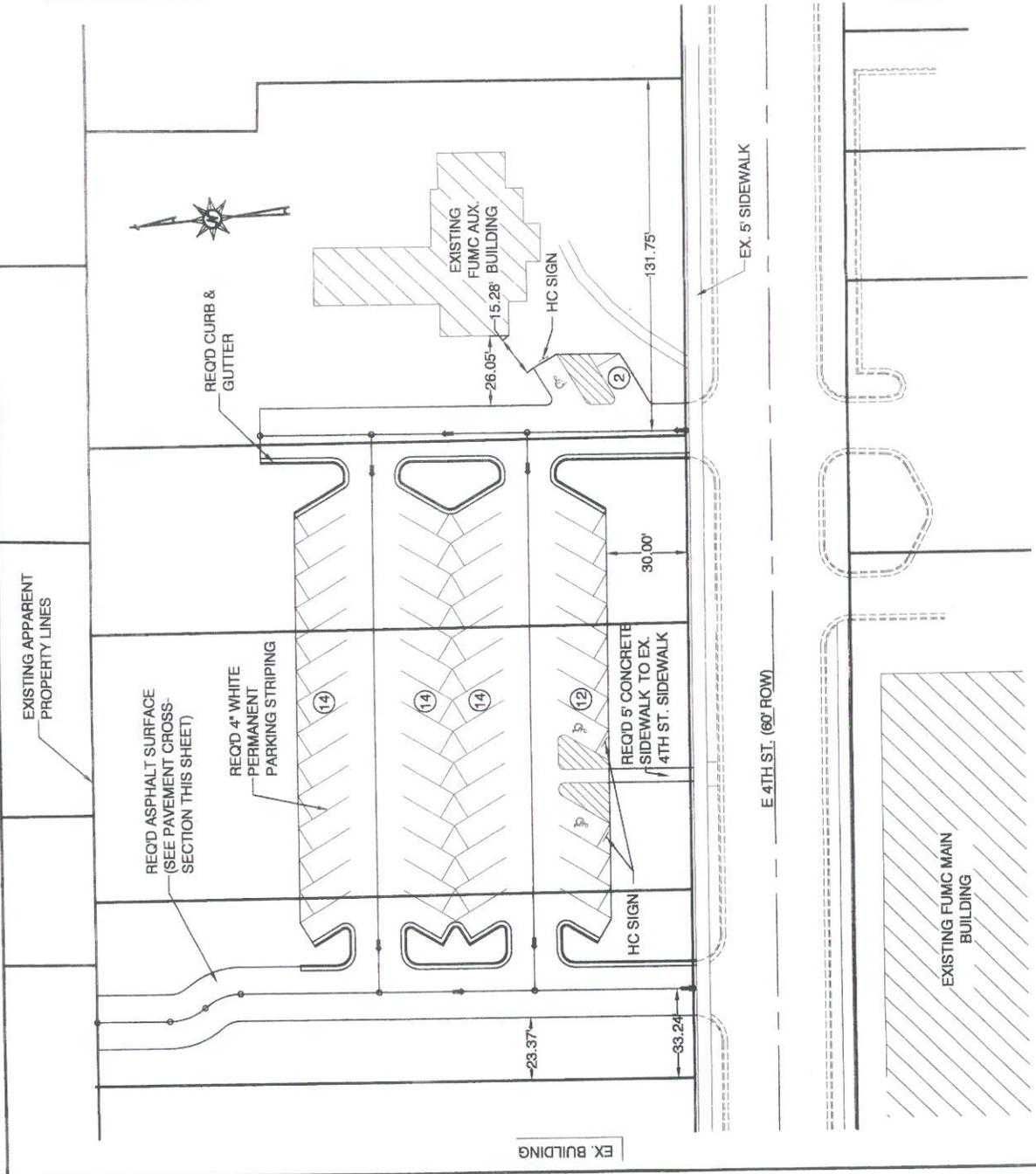
ITEM	LEGEND	
	EXISTING	NEW
CURB & GUTTER	---	---
EDGE OF PAVEMENT	---	---
STONE DRAIN LINE	---	---
CURB INLET	⊙	⊙
GRAVE INLET	⊙	⊙
SANITARY SEWER	⊙	⊙
SANITARY MANHOLE	⊙	⊙
WATER LINE	⊙	⊙
FIRE HYDRANT	⊙	⊙
VALVES	⊙	⊙
GRADE OUTLINE	---	---
FINISH SPOT ELEVATION	---	---

Regular Spaces	53
Handicap Spaces	3
Total Spaces	56

2" ALDOT SECTION 429-A
 MIX 1 WEARING SURFACE
 3" ALDOT SECTION 301
 COMPACTED TO 98%
 STANDARD DENSITY



PAVEMENT



EX. BUILDING

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: **PRATTMONT CHURCH OF CHRIST**
901 N. MEMORIAL DRIVE
PRATTVILLE, AL 36067

REQUEST: **USE-ON-APPEAL TO BUILD A CHURCH ON PROPERTY.**
OFF OLD RIDGE ROAD
FAR ZONING DISTRICT (FOREST, AGRICULTURAL, &
RECREATION)

ORDER

The above petition having been duly considered at a public hearing meeting before the Board of Zoning Adjustment of the City of Prattville, having been advertised in *The Prattville Progress*, a newspaper of general circulation in the city limits of Prattville, Alabama, and setting forth notice of the request for a variance to the Zoning Laws of Prattville, Alabama, as set out in the aforesaid petition and giving notice that a public hearing would be held on February 10, 2009 at the City Hall in Prattville, Alabama, and after due consideration of the party in interest, the Board of Zoning Adjustment of the City of Prattville **voted to approve the use-on-appeal to build a church** at property requested above.

IT IS THEREFORE ORDERED the petition of Prattmont Church of Christ, 901 N. Memorial Drive, Prattville, AL is hereby approved.

DONE THIS THE 10th DAY OF February 2009.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

February 10, 2009

Dear Sir,

I'm writing to ask that you please consider the wishes of the residents of Old Ridge Road in the matter of allowing Prattmount Church of Christ to build a church on a piece of property that was originally sold as a residential lot. All residents have abided by our covenants and restrictions, invested our labor and monies to build our homes on our property that has turned into a very quiet and peaceful neighborhood. I ask you to not allow this to be changed for the reasons stated below.

Legal and/or Personal Reasons:

Bought land that was to be used for residential use just like the land in question was bought to be used for residential, with the same covenants and restrictions on each. Therefore I think it is right to expect the land to be used as residential and not a Church.

Church brings in more traffic, noise, and congestion into a very quiet and peaceful neighborhood, which for my part I do not want to lose.

Although hard to prove what will happen in the future, I believe it would devalue my property or at the very least decrease the pool of interested buyers when and if I choose to sell my property.

Safety Reasons:

Land in question is in a curve of an already busy road. The added traffic turning in and out of the property in this curve would cause a hazardous condition for the residents and anyone traveling on this road.

Sincerely,



T.L. York
1143 Old Ridge Road
Prattville, Alabama 36066-1938

Phone: 365-1898

Email: tlyork@bellsouth.net

PETITION

Category: Real Estate Property Zoning
Region: City of Prattville, Alabama
Target: Prattville Board of Zoning Adjustment

Background:

- Prattmont Church of Christ has filed a petition with the Board of Zoning Adjustment to build a church on property located at "vacant lot off Old Ridge Road".

- The concerned citizens residing on Old Ridge Road and within its contiguous subdivisions cite the loss of property value, an inordinate increase of traffic with resulting loss of peace and tranquility to the area along Old Ridge Road if the Prattmont petition is upheld.

Petition:

We the undersigned petition the City of Prattville Board of Zoning Adjustment to vacate the petition of the Prattmont Church of Christ to build a church at "vacant lot off Old Ridge Road".

Name	Address	Phone
Joseph J. McCarthy	1117 Old Ridge Rd 36066	358-3815
Ernest J. Bealhead	1015 Old Ridge Rd 36066	361- 0847
David Jacques	1021 Old Ridge Rd 36066	303 303-2659
C. H. Hunsel	1033 Old Ridge Rd 36066	365-5895
Leon L. Hardin	1041 Old Ridge Road 36066	365-6882
Paula Klumpp	1053 Old Ridge Road 36066	358-4856
Dawn S. Flemming	1053 Old Ridge Road 36066	358-4856
Betty G. Eldredge	1107 Old Ridge Road 36066	462-7786
John F. Duke	1203 Mill Village Lane 36066	235-0155

PETITION

Category: Real Estate Property Zoning

Region: City of Prattville, Alabama

Target: Prattville Board of Zoning Adjustment

Background:

- Prattmont Church of Christ has filed a petition with the Board of Zoning Adjustment to build a church on property located at "vacant lot off Old Ridge Road".

- The concerned citizens residing on Old Ridge Road and within its contiguous subdivisions cite the loss of property value, an inordinate increase of traffic with resulting loss of peace and tranquility to the area along Old Ridge Road if the Prattmont petition is upheld.

Petition:

We the undersigned petition the City of Prattville Board of Zoning Adjustment to vacate the petition of the Prattmont Church of Christ to build a church at "vacant lot off Old Ridge Road".

Name	Address	Phone
Jamie Jay Bolt	1222 Old Ridge Rd.	730-2927
J. B. [unclear]	1223 OLD RIDGE RD	358-3064
Wanda R. Harris	1212A Old Ridge Rd	358-7454
Clifton [unclear]	1208 Ricky Drive	358-4067
Clifton [unclear]	1212 Ricky Dr.	365-8157
Charles P. Perwin	1216 Old Ridge Rd	365-2723
Bill Gaines	1209 Old Ridge Rd	365-3585
Barbara Holson [unclear]	1224 E. Old Ridge	730-1270
Gary Buchanan	1202 Mill Village Lane	270-1589

PETITION

Category: Real Estate Property Zoning
Region: City of Prattville, Alabama
Target: Prattville Board of Zoning Adjustment

Background:

- Prattmont Church of Christ has filed a petition with the Board of Zoning Adjustment to build a church on property located at "vacant lot off Old Ridge Road".

- The concerned citizens residing on Old Ridge Road and within its contiguous subdivisions cite the loss of property value, an inordinate increase of traffic with resulting loss of peace and tranquility to the area along Old Ridge Road if the Prattmont petition is upheld.

Petition:

We the undersigned petition the City of Prattville Board of Zoning Adjustment to vacate the petition of the Prattmont Church of Christ to build a church at "vacant lot off Old Ridge Road".

Name	Address	Phone
<i>W. H. H.</i>	1210 MILL VILLAGE LN	358-9726
<i>Patti Hodge</i>	1207 Mill Village Ln	294-6577
<i>Jamie M. O'Leary</i>	1014 Old Ridge Rd.	590-8611
<i>James L. Stone</i>	1103 Valridge West	730-1482
<i>Bryan M. KA</i>	1229 OLD RIDGE RD. E.	202-0460
<i>Luth Turner</i>	1212 Old Ridge Rd.	361-0967
<i>Sommy L. Hill</i>	1143 OLD RIDGE ROAD	365-1898
<i>Carl Syre</i>	1143 Old Ridge Road	365-1898

**CITY OF PRATTVILLE BOARD OF ADJUSTMENT
PUBLIC HEARING
SPEAKERS SIGN-IN SHEET**

MEETING DATE: February 10, 2009

PETITIONER: Prattmont Church of Christ

ADDRESS OF PETITION: Off Old Ridge Road

	NAME	ADDRESS
1.	<i>S. L. Smith</i>	<i>107 woodley Ave.</i>
2.	<i>Jim Owen</i>	
3.	<i>W. F. McCarthy</i>	<i>1117 Oldridge Rd</i>
4.	<i>Sammy D. Yarn</i>	<i>1143 OLD RIDGE ROAD</i>
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CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	12/17/07
APPLICATION TYPE:	Use-On-Appeal (090210-08)
PROPERTY LOCATION or DESCRIPTION:	Off Old Ridge Road south of Valridge West Road
PETITIONER(S) AND AGENT(S):	Prattmont Church of Christ Representative: Sam Smith
ZONING DISTRICT(S)	FAR (Forest, Agricultural, & Recreation)
REQUESTED ACTION:	To build a church on property.
ZONING ORDINANCE REFERENCE:	<p>Appendix A-Zoning Ordinance Section 74 FAR district requirements:</p> <p>Uses Permitted on Appeal:</p> <p>Churches and other places of worship,...</p> <p>MINIMUM LOT AREA, LOT WIDTH, YARDS AND BUILDING AREA:</p> <p>Buildings and other structures shall be located so as to comply with the following requirements:</p> <p>Minimum required lot area, 40,000 square feet. Minimum required corner lot width at building line, 200 feet. Minimum required inside lot width at building line, 150 feet Minimum required corner lot yard width from all streets, 35 feet. Minimum required depth of front yard, 50 feet. Minimum required width of each side yard, 20 feet. Minimum required rear yard, 40 feet. Minimum total building area of total lot, 20 percent.</p> <p>HEIGHT OF BUILDINGS: No building shall exceed two and one-half (2 ½) stories or thirty-five (35) feet in height except in the case of towers, spires, domes or other such structures not designed for human occupancy may exceed this height, provided such structures comply with the provisions of all other pertinent codes and ordinances, and provided further, that such structures are h a t e d no closer to the nearest property line than the distance equal to their height plus ten (10) feet. No accessory structure shall exceed two (2) stories or twenty-five (25) feet in height. (Ord. of 4-16-75)</p>

090210-08

Use-On-Appeal
Church use

City Of Prattville
Planning and Development Department
102 W. Main Street
Prattville, AL 36067
(334) 361-3614 Fax (334) 361-3677
www.prattville.com

Application
Prattville Board of Zoning Adjustment

Application Type: Use-On-Appeal Variance Administrative Appeal

Applicant /Agent Information

Notarized letter from the property owner is required if agent is used for representation.

Name: Prattment Church of Christ
Street Address: 901 N. Memorial Drive
City: Prattville State AL Zip: 36067
Phone Number(s): 365-5887 315-8531

Property Owner Information

If different than above

Name: Wendell R. Whittington
Address of Property Owner: 102 Tew Court
City: Prattville State: AL Zip: 36066
Phone Number: 334 361-1485

Property Description

County Tax Parcel Number/Legal Description: _____

Current Zoning of Property: FAR Physical Address: Vacant Lot

Proposed Use of Property (generally): Church Building

Describe Proposed Use or Variance: Construction of new

~~lot~~ building



The following items must be attached to the application (check those items included):

- Tax record map from the Autauga County or Elmore County Tax Assessors Office
- Site sketch plan (drawn to scale) showing any property lines, required and proposed setbacks, existing and proposed structures and any additional information you believe will be helpful to the Board of Adjustment
- Application fees: Variance and Administrative Appeal - Fifty dollars (\$50), Use-on-Appeal - Two hundred fifty dollars (\$250). *NA* *Church - exempt.*
- Names and address of all property owners immediately adjacent to the subject property (not required for administrative appeals). Adjacent properties include those directly across the street from the subject property.
- If person signing application is someone other than property owner, attach authorization to file application (i.e. notarized letter, real estate contract, etc.)

Hardship: The Board requests a statement of hardship to justify any variance application:

"To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit of the (zoning) ordinance shall be observed and substantial justice done." Code of Alabama, 1975, as amended. § 11-52-80(d) (3))

I certify that I am the property owner, or authorized agent, and attest that all facts are true and correct. I do hereby certify that the property owner list attached to this application was obtained from the Autauga County Revenue Office, (Elmore County if applicable), and is a complete list of all real property owners adjacent to the parcel submitted for consideration. I also attest that I have read and understand what a hardship is according to the Code of Alabama, 1975, as amended.

Samuel L. Smith
Printed Name

Samuel L. Smith
Signature

Date 1/26/2009

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Samuel L. Smith, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 26th day of January, 2009.

Lubin Redmond
Notary Public

My commission expires 11-08-2011

CITY OF
PRATTVILLE, ALABAMA

PRATTMONT CHURCH
OF CHRIST

OLD RIDGE RD E
SOUTH OF
VALRIDGE WEST

1" = 400'



— STREETS
▭ TAX PARCELS



Ryan Pecharka, G.I.S. Coordinator



090210-08/A

Use-On-Appeal
Church use

