

**City of Prattville  
Board of Zoning Adjustment**

**The minutes of the July 14, 2009 meeting  
of the City of Prattville Board of Zoning  
Adjustment were approved.**

  
Leo Jamieson, Chairman

*September 8, 2009*

Date



# CITY OF PRATTVILLE

**JIM BYARD, JR.**  
MAYOR

## CITY COUNCIL

DEAN R. ARGO  
PRESIDENT  
DISTRICT 3

TOM MILLER  
PRESIDENT PRO TEMPORE  
DISTRICT 4

BILL GILLESPIE, JR.  
DISTRICT 1

WILLIE WOOD, JR.  
DISTRICT 2

MIKE RENEGAR  
DISTRICT 5

RAY C. BOLES  
DISTRICT 6

NATHAN D. FANK  
DISTRICT 7

## CITY OF PRATTVILLE BOARD OF ZONING ADJUSTMENT A G E N D A July 14, 2009 4:00pm

### Call to Order:

### Roll Call:

#### Members:

Chairman Leo Jamieson  
Vice-Chairman John Gillian  
Ms. Connie Dismukes  
Ms. Jerry Schannep  
Ms. Kitty Houser

#### Alternate Members:

Mr. James Crosby  
Commander Michael Whaley

### Minutes:

May 12, 2009; June 9, 2009; and June 30, 2009

### Old Business:

1. 090609-04 VARIANCE: To place an accessory structure in the side yard.  
230 Lewis Street  
R-3 Zoning District (Single Family Residential)  
**Mary Gardner, Petitioner**

*Held 6/9  
District 7*

### New Business:

### Miscellaneous:

### Adjourn:

**City of Prattville Board of Zoning Adjustment  
Minutes  
July 14, 2009**

**CALL TO ORDER:**

The meeting of the Prattville Board of Zoning Adjustment (BZA) was called to order by Chairman Leo Jamieson at 4:10 p.m. on Tuesday, July 14, 2009.

**ROLL CALL:**

Present: Chairman Leo Jamieson, Vice-Chairman John Gillian, Ms. Connie Dismukes, Ms. Kitty Houser, and Mrs. Jerry Schannep.

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

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

**OLD BUSINESS:**

**VARIANCE**

**To place an accessory structure in the side yard.  
230 Lewis Street  
R-3 Zoning District (Single Family Residential)  
Mary Gardner, Petitioner**

**Mr. Duke** stated that the proposed variance request to allow the accessory structure in the front yard was tabled at the previous meeting (June 9, 2009) to give the members an opportunity to further study the location. He stated that the building was built without a building permit. A certified letter of the zoning violations of business activity sited by City Code Enforcement Officer, Carl Wilson was addressed to Ameer Craion on April 23, 2009.

**Mary Gardner, and Ameer Craion, petitioners,** stated that the building would be used for storage and did not know if the 10x26 building could be moved.

After no further comments, questions, or discussion, the vote was called. **The BZA voted 3/2 to deny the variance to allow an accessory structure in the front yard on property at 230 Lewis Street. The votes are as recorded. Favor: Mr. Gillian, Ms. Houser, and Ms. Dismukes. Oppose: Mrs. Schannep, and Chairman Jamieson.**

**NEW BUSINESS:**

None

**MINUTES:**

Mr. Gillian moved to approve the minutes of the May 12, 2009, June 9, 2009, and June 30, 2009 meetings. Ms. Dismukes seconded the motion. The motion to approve passed unanimously.

**MISCELLANEOUS:**

Chairman Jamieson announced that Mr. Crosby, alternate member of the board, offered his official notice of resignation. He thanked Mr. Crosby for his long term and dedicated service to this board.

**ADJOURN:**

After no further comments, questions or discussion the meeting was adjourned at 4:32 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Alisa Morgan".

Alisa Morgan, Secretary  
Board of Zoning Adjustment

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

**MEETING DATE:** June 9, 2009

**PETITIONER:** Mary Gardner

**ADDRESS OF PETITION:** 230 Lewis Street

	NAME	ADDRESS
1.	Mary Gardner	230 Lewis St
2.	Aneek CRAIG	230 Lewis St
3.	Mary Gardner	230 Lewis St
4.	Aneek CRAIG	230 Lewis St
5.		
6.		
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20.		
21.		

7/14/09

PRATTVILLE BOARD OF ZONING ADJUSTMENT

**PETITIONER:** MARY GARDNER  
230 LEWIS STREET  
PRATTVILLE, AL 36067

**REQUEST:** VARIANCE TO ALLOW AN ACCESSORY STRUCTURE IN THE  
SIDE (FRONT) YARD.  
230 LEWIS STREET  
R-3 ZONING DISTRICT (SINGLE FAMILY RESIDENTIAL)

**ORDER**

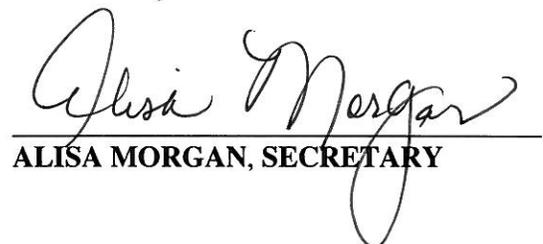
The above petition having been duly considered at a public hearing meeting before the Board of Zoning Adjustment of the City of Prattville, having been advertised in *The Prattville Progress*, a newspaper of general circulation in the city limits of Prattville, Alabama, and setting forth notice of the 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 June 9, 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 deny the variance to encroach into the side (front) yard setback** at property requested above.

**IT IS THEREFORE ORDERED** the petition of Mary Gardner, 203 Lewis Street, Prattville, AL is hereby denied.

**DONE THIS THE 14th DAY OF July 2009.**

**BOARD OF ZONING ADJUSTMENT**

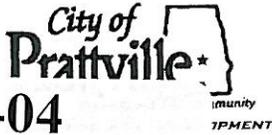
  
LEO JAMIESON, CHAIRMAN

  
ALISA MORGAN, SECRETARY

**CITY OF PRATTVILLE**  
 Board of Zoning Adjustment  
 Planning Department Staff Report



<b>DATE:</b>	5/27/09
<b>APPLICATION TYPE:</b>	Variance (090609-04)
<b>PROPERTY LOCATION or DESCRIPTION:</b>	230 Lewis Street
<b>PETITIONER(S) AND AGENT(S):</b>	Mary Gardner Representative: Ameer Craion
<b>ZONING DISTRICT(S)</b>	R-3 (Single Family Residential)
<b>REQUESTED ACTION:</b>	To place an accessory structure in the side yard.
<b>ZONING ORDINANCE REFERENCE:</b>	<p><b>Appendix A-Zoning Ordinance Section 71 Residential district requirements:</b></p> <p><b>R-3 District:</b></p> <p>Minimum Yard Size</p> <p style="padding-left: 40px;">Front yard - 25'</p> <p style="padding-left: 40px;">Rear Yard – 30'</p> <p style="padding-left: 40px;">Side Yard – 8' One side</p> <p style="padding-left: 80px;">6' Other side</p> <p><b>Accessory Structures</b></p> <p style="padding-left: 40px;">Rear yard – 5'</p> <p style="padding-left: 40px;">Side yard – 5'</p> <p><b>Appendix A-Zoning Ordinance Section 68 Definitions.</b></p> <p>Accessory structure. Any detached minor building in the rear of the main building consisting of masonry or frame walls and roof, one (1) or two (2) stories in height, necessary as an adjunct to the use or occupancy of a principal or main structure.</p>



090609-04

Variance

To place an accessory structure in the side yard

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: Ameer Crahan  
Street Address: 230 Lewis street  
City: Prattville State: Al Zip: 36067  
Phone Number(s): 334-730-2088

**Property Owner Information**

(Different than above)

Name: Mary Gardner  
Address of Property Owner: 230 Lewis street  
City: Prattville State: Al Zip: 36067  
Phone Number: (334) 365-7435

**Property Description**

County Tax Parcel Number/Legal Description: (Storage Building)

CA 778

Current Zoning of Property: Residential Physical Address: 230 Lewis

Proposed Use of Property (generally): \_\_\_\_\_

Describe Proposed Use or Variance: Storage 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).
- 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 Mary Gardner proposed the Adjustment  
of my property to keep my storage  
Building in the side of the yard, Reason  
for that is Being trees are in the  
rear or back yard And not enough  
space for it. Thank You  
Mary Gardner

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.

MARY GARDNER  
Printed Name

Mary Gardner  
Signature

Date 5-22-09

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Mary Gardner, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 22nd day of May, 2008

Lerli Ruhl  
Notary Public

My Commission Expires 11-08-2011

My commission expires \_\_\_\_\_



July 11, 2009

Board of Zoning Adjustment  
Chairman Leo Jamieson  
101 W. Main Street  
Prattville, AL 36067

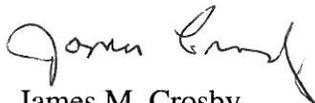
RE: Alternate Board Member

Dear Mr. Jamieson,

Due to personal reasons, I wish to submit my resignation effective July 13, 2009.

I have enjoyed serving with the present board and want to wish you well in the future.

Sincerely,

  
James M. Crosby

