

**City of Prattville
Board of Zoning Adjustment**

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


Leo Jamieson, Chairman

December 8, 2009

Date



PLANNING
DEPARTMENT

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

November 10, 2009

4:00pm

Call to Order:

Roll Call:

Chairman Leo Jamieson, Vice-Chairman John Gillian, Ms. Connie Dismukes, Ms. Kitty Houser, and Ms. Jerry Schannep. Alternate Member: Commander Michael Whaley

Minutes:

October 13, 2009

Old Business:

None

New Business:

1. 091110-01 USE-ON-

APPEAL: To operate a child home daycare.
211 Cynthia Street
R-2 (Single Family Residential)
Tracy M. Revland, Petitioner

District 5

2. 091110-02 VARIANCE:

To encroach into the side yard line.
1952 Regent Road
R-3 (Single Family Residential)
Jean Jones, Petitioner

District 4

Miscellaneous:

Adjourn:

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

CALL TO ORDER:

The special meeting of the Prattville Board of Zoning Adjustment (BZA) was called to order by Chairman Leo Jamieson at 4:01 p.m. on Tuesday, November 10, 2009.

ROLL CALL:

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

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

MINUTES:

Mrs. Jerry Schannep moved to approve the minutes of the October 13, 2009 meeting. Mrs. Dismukes seconded the motion. The motion to approve passed unanimously.

OLD BUSINESS:

None

NEW BUSINESS:

USE-ON-APPEAL

To operate a child home daycare.

211 Cynthia Street

R-2 (Single Family Residential)

Tracy M. Revland, Petitioner

Mr. Duke stated that the proposed use-on-appeal request to allow home child daycare is a customary home occupation allowed in the R-2 residential zoning district.

Tracy Revland, petitioner, stated that the hours of operation would be from 7:00 a.m.-5:00 p.m. She stated that she had spoken with her neighbors and they had no objections to the request.

Chairman Jamieson opened the public hearing.

Jeff Revland, 211 Cynthia Street, spoke in favor of the request. He stated that he would be the backup provider for his wife.

The public hearing was closed.

After no further comments, questions, or discussion, the vote was called. **Commander Whaley moved to approve the use-on-appeal to operate a child home daycare. Mr. Gillian seconded the motion. The BZA voted unanimously to approve the use-on-appeal to operate a child home daycare on property at 211 Cynthia Street.**

VARIANCE

**To encroach into the side yard line.
1952 Regent Road
R-3 (Single Family Residential)
Jean Jones, Petitioner**

Mr. Duke stated that the side yard encroachment is on the west side of the property. The lot tapers to the back, therefore, the carport will encroach less than one foot on the side yard line.

Jean Jones, petitioner, stated that there is no existing carport or garage on the property. She spoke with the neighbors and they have no objections to the request. Ricky Glenn of Glenn Builders is the contractor for the construction.

Chairman Jamieson opened the public hearing.

Ricky Glenn of Glenn Builders stated that the 10'x16' one car carport will be constructed with wood frame with two columns, same roof line, soffit, and fascia as the existing house.

Fred Mays, 611 Castlebrook, representative of the Homeowners Association, spoke in opposition, commenting that the carport was inconsistent with the existing neighborhood.

Mr. Glenn stated that the plans for the carport had been submitted to the homeowners association for review. They gave him approval pending the BZA approval.

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 line on property at 1952 Regent Road as submitted.**

MISCELLANEOUS:

ADJOURN:

After no further comments, questions or discussion the meeting was adjourned at 4:31 p.m.

Respectfully submitted,



Alisa Morgan, Secretary
Board of Zoning Adjustment

PRATTVILLE BOARD OF ZONING ADJUSTMENT

**PETITIONER: TRACY M. REVLAND
211 CYNTHIA STREET
PRATTVILLE, AL 36066**

**REQUEST: USE-ON-APPEAL TO OPERATE A CHILD HOME DAYCARE
211 CYNTHIA STREET
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 November 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 operate a child daycare** at property requested.

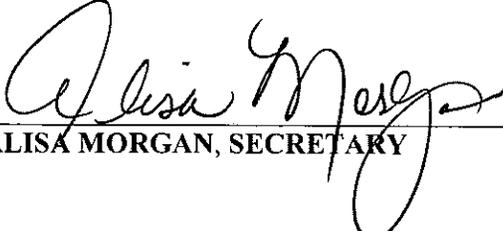
IT IS THEREFORE ORDERED the petition of Tracy M. Revland, 211 Cynthia Street, Prattville, AL is hereby approved.

DONE THIS THE 10th DAY OF November 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: November 10, 2009

PETITIONER: Tracy M. Revland

ADDRESS OF PETITION: 211 Cynthia Street

	NAME	ADDRESS
1.	Tracy Revland	211 Cynthia St.
2.	Jeff Revland	211 Cynthia St.
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CITY OF PRATTVILLE
 Board of Zoning Adjustment
 Planning Department Staff Report



DATE:	10/19/09
APPLICATION TYPE:	Use-On-Appeal (091110-01)
PROPERTY LOCATION or DESCRIPTION:	211 Cynthia Street
PETITIONER(S) AND AGENT(S):	Tracy M. Revland
ZONING DISTRICT(S)	R-2 (Single Family Residential)
REQUESTED ACTION:	To operate a home child daycare on property.
ZONING ORDINANCE REFERENCE:	<p>Appendix A-Zoning Ordinance Section 71</p> <p>R-2 Uses Permitted On Appeal:</p> <p>...regulations common to all "R" Districts</p> <p>All "R" Districts" Uses Permitted On Appeal:</p> <p>Customary home occupations...day care centers...</p> <p>Home Occupation as defined by ordinance (Sec. 68):</p> <p>Any use customarily conducted entirely within a dwelling and carried within a dwelling and carried on solely by the inhabitant thereof, and which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and does not change the character thereof...</p>



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

091110-01

Use-On-Appeal
To operate a child home daycare

Application
Prattville Board of Zoning Adjustment

Use-On-Appeal Variance Administrative Appeal

Applicant /Agent Information

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

Name: Tracy M. Revland
Street Address: 211 Cynthia St.
City: Prattville State AL Zip: 36066
Phone Number(s): 334-358-3886

Property Owner Information

If different than above

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

Property Description

County Tax Parcel Number/Legal Description: 19062320020080000

See Attached

Current Zoning of Property: _____ Physical Address: 211 Cynthia St.

Proposed Use of Property (generally): Single family resident

Describe Proposed Use or Variance: Home daycare

Hours of operation: 7:00 - 5:00

of Children: 6

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.

Tracy M. Revland
Printed Name

Tracy M. Revland
Signature

Date 9/22/09

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Tracy M. Revland whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 22 day of

September, 20 09

[Signature]
Notary Public

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

CITY OF
PRATTVILLE, ALABAMA

211 CYNTHIA ST
ZONED: R-2
SINGLE FAMILY
RESIDENTIAL

1" = 100'



STREETS
TAX PARCELS



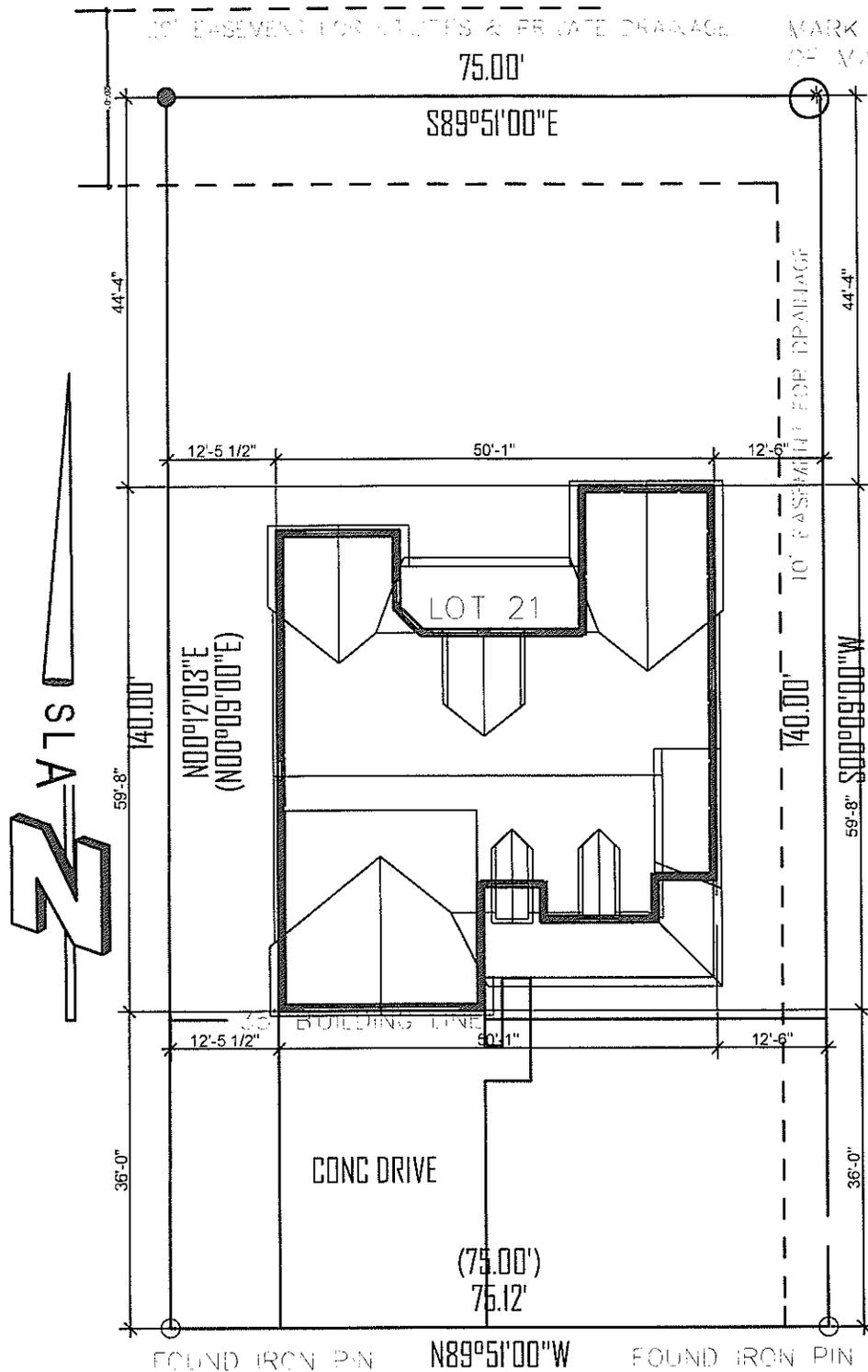
Ryan Pecharka, G.I.S. Coordinator



091110-01/A

Use-On-Appeal
To operate a child home daycare

WI\HDP-PROJECTS\A172-(Rev)dwg\A172-B1\A172-B1.dwg



CYNTHIA STREET
50' ROW

SP Lot 21 Cynthia Street
SCALE: 1" = 20'

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PLAN:
A172-B1
REVLAND

DIMENSIONS:
WIDTH: 50'-1"
DEPTH: 59'-8"

FOOTAGE:
1. First Floor: 1,735.6
2. Second Floor: 601.0
TOTAL LIVING: 2,336.6
Car./Storage: 528.8
Porches: 360.7
TOTAL ROOFED: 3,225.3

ROOMS:
FLOORS: 2
BEDROOMS: 4
BATHS: 3
STORAGE: 6
GARAGE/PORT: 2

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CONTACT:

A-7
Site Plan

Thursday, May 08, 2008

Final Set
5/8/2008

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: **JEAN JONES**
 1952 REGENT ROAD
 PRATTVILLE, AL 36066

REQUEST: **VARIANCE TO ENCROACH INTO THE SIDE YARD LINE**
 1952 REGENT ROAD
 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 November 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 side yard line as submitted** at property requested.

IT IS THEREFORE ORDERED the petition of Jean Jones, 1952 Regent Road, Prattville, AL is hereby approved.

DONE THIS THE 10th DAY OF November 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: November 10, 2009

PETITIONER: Jean Jones

ADDRESS OF PETITION: 1952 Regent Road

	NAME	ADDRESS
1.	<i>Jean Jones</i>	<i>1952 Regent Rd.</i>
2.	<i>Ricky Glenn</i>	<i>2806 Alabama River Pkwy</i>
3.	<i>Fred W. Mace</i>	<i>611 Castlebrook Dr Milledgeville, AL 36051</i>
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CITY OF PRATTVILLE
 Board of Zoning Adjustment
 Planning Department Staff Report



DATE:	10/21/09
APPLICATION TYPE:	Variance (091110-02)
PROPERTY LOCATION or DESCRIPTION:	1952 Regent Road
PETITIONER(S) AND AGENT(S):	Jean Jones
ZONING DISTRICT(S)	R-3 (Single Family Residential)
REQUESTED ACTION:	To encroach (.84') into the (8') side yard line. (10x16) carport
ZONING ORDINANCE REFERENCE:	Appendix A-Zoning Ordinance Section 71 Residential district requirements: R-3 District: Minimum Yard Size Front yard - 25' Rear Yard – 30' Side Yard – 8' One side 6' Other side



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

091110-02

Variance
To encroach into the side yard line

Application
Prattville Board of Zoning Adjustment

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
If different than above

Name: JEAN JONES

Address of Property Owner: 1952 Regent Rd

City: Prattville State: AL Zip: 36066

Phone Number: 334 730-1034

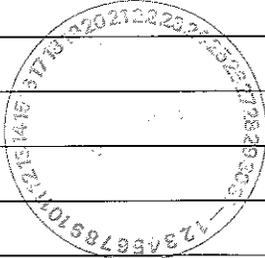
Property Description

County Tax Parcel Number/Legal Description: Lot 19 BLK M
Highland Ridge PLAT II

Current Zoning of Property: R-3 Physical Address: 1952 Regent Rd.

Proposed Use of Property (generally): _____

Describe Proposed Use or Variance: Carport (10'x16')



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))

right Variance to allow for encroachment of ~~front~~ side of building lines ~~of structure~~.

~~Variance to allow~~
Variance to allow for encroachment of .87 feet of right side of building line going on diagonal line for 4 linear feet to 0 feet to allow construction of carport 10' x 16'

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.

Jean Jones
Printed Name

Jean Jones
Signature

Date October 8 2009

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Jean Jones, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 8th day of October, 2009.

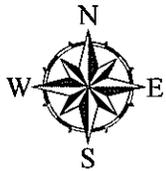
Crystal D. Paulk
Notary Public

My commission expires 4-7-2013

CITY OF
PRATTVILLE, ALABAMA

1952 REGENT RD
ZONED: R-3
SINGLE FAMILY
RESIDENTIAL

1" = 100'



— STREETS
▭ TAX PARCELS



Ryan Pecharka, G.I.S. Coordinator



