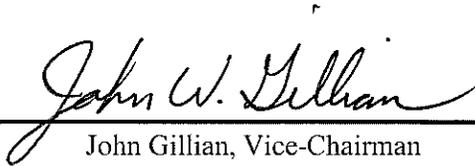


**City of Prattville  
Board of Zoning Adjustment**

**The minutes of the December 8, 2009  
meeting of the City of Prattville Board of  
Zoning Adjustment were approved.**

  
John Gillian, Vice-Chairman

*January 12, 2010*

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  
December 8, 2009  
4:00pm

### Call to Order:

### Roll Call:

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

### Minutes:

November 10, 2009

### Old Business:

None

### New Business:

- 091208-01 VARIANCE: To place a manufactured home in a residential zoned district.  
403 Durden Road *District 1*  
R-3 (Single Family Residential)  
**Lynn C. Gardner, Petitioner**
- 091208-02 VARIANCE: To encroach into the (35') front yard line.  
108 Julia Street *District 6*  
R-2 (Single Family Residential)  
**Lisa M. Moorer, Petitioner**

### Miscellaneous:

### Adjourn:

**City of Prattville Board of Zoning Adjustment  
Minutes  
December 8, 2009**

**CALL TO ORDER:**

The regular meeting of the Prattville Board of Zoning Adjustment (BZA) was called to order by Vice-Chairman John Gillian at 4:01 p.m. on Tuesday, December 8, 2009.

**ROLL CALL:**

Present: Vice-Chairman John Gillian, Mrs. Kitty Houser, Mrs. Jerry Schannep, and Commander Michael Whaley. Absent: Chairman Leo Jamieson and Mr. Mac Macready.

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

**MINUTES:**

Commander Whaley moved to approve the minutes of the November 10, 2009 meeting. Mrs. Houser seconded the motion. The motion to approve passed unanimously.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**VARIANCE**

**To place a manufactured home in a residential zoned district.  
403 Durden Road  
R-3 (Single Family Residential)  
Lynn C. Gardner, Petitioner**

**William Gardner, petitioner representative**, presented the variance request to place a manufactured home on the property. He stated that the existing single wide mobile home on the property would be replaced by the proposed double wide manufactured home in which his family will reside. His plans are to brick the home up to a portion; it would look like a stick built home.

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 submitted variance to place a manufactured home in a residential zoned district on property at 403 Durden Road.**

**VARIANCE**

**To encroach into the (35') front yard line.  
108 Julia Street  
R-2 (Single Family Residential)  
Lisa M. Moorner, Petitioner**

**Melvin Moorner, petitioner representative**, presented the variance request to place a 6'x10' porch on property that would encroach into the 35' front yard line. The covered porch would extend approximately 56" from the house.

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 submitted variance to encroach into the (35') front yard line on property at 108 Julia Street.**

**MISCELLANEOUS:**

**ADJOURN:**

After no further comments, questions or discussion the meeting was adjourned at 4:08 p.m.

Respectfully submitted,

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

Alisa Morgan, Secretary  
Board of Zoning Adjustment

**PRATTVILLE BOARD OF ZONING ADJUSTMENT**

**PETITIONER:** LYNN C. GARDNER  
1411 16<sup>TH</sup> AVE. S. E  
DECATUR, AL 35601

**REQUEST:** VARIANCE TO PLACE A MANUFACTURED HOME IN A  
RESIDENTIAL ZONED DISTRICT  
403 DURDEN ROAD  
R-3 ZONING DISTRICT (SINGLE FAMILY RESIDENTIAL)

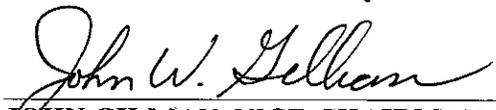
**ORDER**

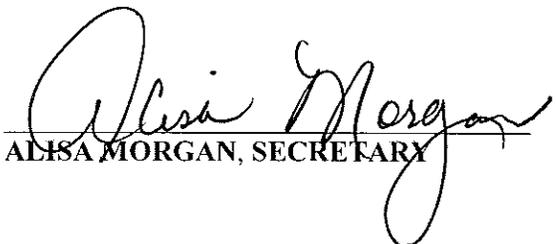
The above petition having been duly considered at a public hearing meeting before the Board of Zoning Adjustment of the City of Prattville, having been advertised in *The Prattville Progress*, a newspaper of general circulation in the city limits of Prattville, Alabama, and setting forth notice of the 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 December 8, 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 place a manufactured home in a residential zoned district** at property requested.

**IT IS THEREFORE ORDERED** the petition of Lynn C. Gardner, 403 Durden Road, Prattville, AL is hereby approved.

**DONE THIS THE 8th DAY OF December 2009.**

**BOARD OF ZONING ADJUSTMENT**

  
JOHN GILLIAN, VICE-CHAIRMAN

  
ALISA MORGAN, SECRETARY

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

**MEETING DATE:** December 8, 2009

**PETITIONER:** Lynn C. Gardner

**ADDRESS OF PETITION:** 403 Durden Road

	NAME	ADDRESS
1.	<i>William Gardner</i>	<i>1411 16<sup>th</sup> Ave S.E. Decatur, Al 35601</i>
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**CITY OF PRATTVILLE**  
Board of Zoning Adjustment

Planning Department Staff Report



<b>DATE:</b>	11/23/09
<b>APPLICATION TYPE:</b>	Variance (091208-01)
<b>PROPERTY LOCATION or DESCRIPTION:</b>	403 Durden Road
<b>PETITIONER(S) AND AGENT(S):</b>	Lynn C. Gardner William L. Gardner, Agent
<b>ZONING DISTRICT(S)</b>	R-3 (Single Family Residential)
<b>REQUESTED ACTION:</b>	To allow a manufactured home in a residential zoned district. (Existing single wide to be replaced with a double wide home).
<b>ZONING ORDINANCE REFERENCE:</b>	<p><b>Appendix A-Zoning Ordinance Section 71</b></p> <p><b>R-3 Uses Permitted:</b> Single family dwellings</p> <p><b>Uses Permitted On Appeal:</b> Apartments. Clubs not conducted for profit: rooming and boarding houses. (See regulations common to all "R" Districts).</p> <p><b>All "R" Districts"</b> <b>USES PERMITTED:</b> Accessory structures: Gardens, playgrounds and parks: public buildings, including public schools and libraries: satellite dishes or discs herein defined by that ordinance, and no other; and parking of recreational vehicles...</p> <p><b>USES PERMITTED ON APPEAL:</b> Customary home occupations: Public utility structures, such as electric substations, gas metering stations, sewage pumping stations and similar structures: general hospitals for human, except primarily for mental cases; churches, cemeteries; semi-public buildings; golf courses; municipal, county, state or federal use: kindergartens, nurseries, nursery schools, day care centers, private schools, and satellite dishes or discs not defined herein.</p> <p><b>USES PROHIBITED:</b> Mobile homes, house trailers, trailer courts or camps, commercial and industrial uses including parking lots or parking areas in connection with these uses, not specifically permitted.</p>



CITY OF  
PRATTVILLE, ALABAMA



1" = 200'

ZONING: R-3



- STREETS
- ▭ TAX PARCELS



Ryan Pecharka, G.I.S. Coordinator



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

091208-01

Variance

To place a mobile home in a residential district

Application  
Prattville Board of Zoning Adjustment

Use-On-Appeal  Variance  Administrative Appeal

**Applicant /Agent Information**

(Name of the applicant or agent, property owner, or the legal representative of the property)

Name: William L. Gardner

Street Address: 1411 16th Ave S.E.

City: Decatur State: Al Zip: 35601

Phone Number(s): 256-355-8286 - cell 256-306-4684

**Property Owner Information**

(Name of the property owner)

Name: Lynn C. Gardner

Address of Property Owner: 1411 16th Ave SE

City: Decatur State: Al Zip: 35601

Phone Number: ( ) 256-355-8286 cell 256-227-8286

**Property Description**

County Tax Parcel Number/Legal Description: 19-03-05-007-001,002 0

Current Zoning of Property: R1 Physical Address: 403 Darden Rd

Proposed Use of Property (generally): Primary Residence

Describe Proposed Use or Variance: Remove old mobile home. Replace with a double wide mfg. Home, Perform clean up and Landscaping.

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))

My wife and I have retired, we wish  
to move back Home. A m.p.g. Home would be  
more economical for us, as I am the  
only one with an income.

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.

William L. Gardner

Printed Name

Date 10/26/09

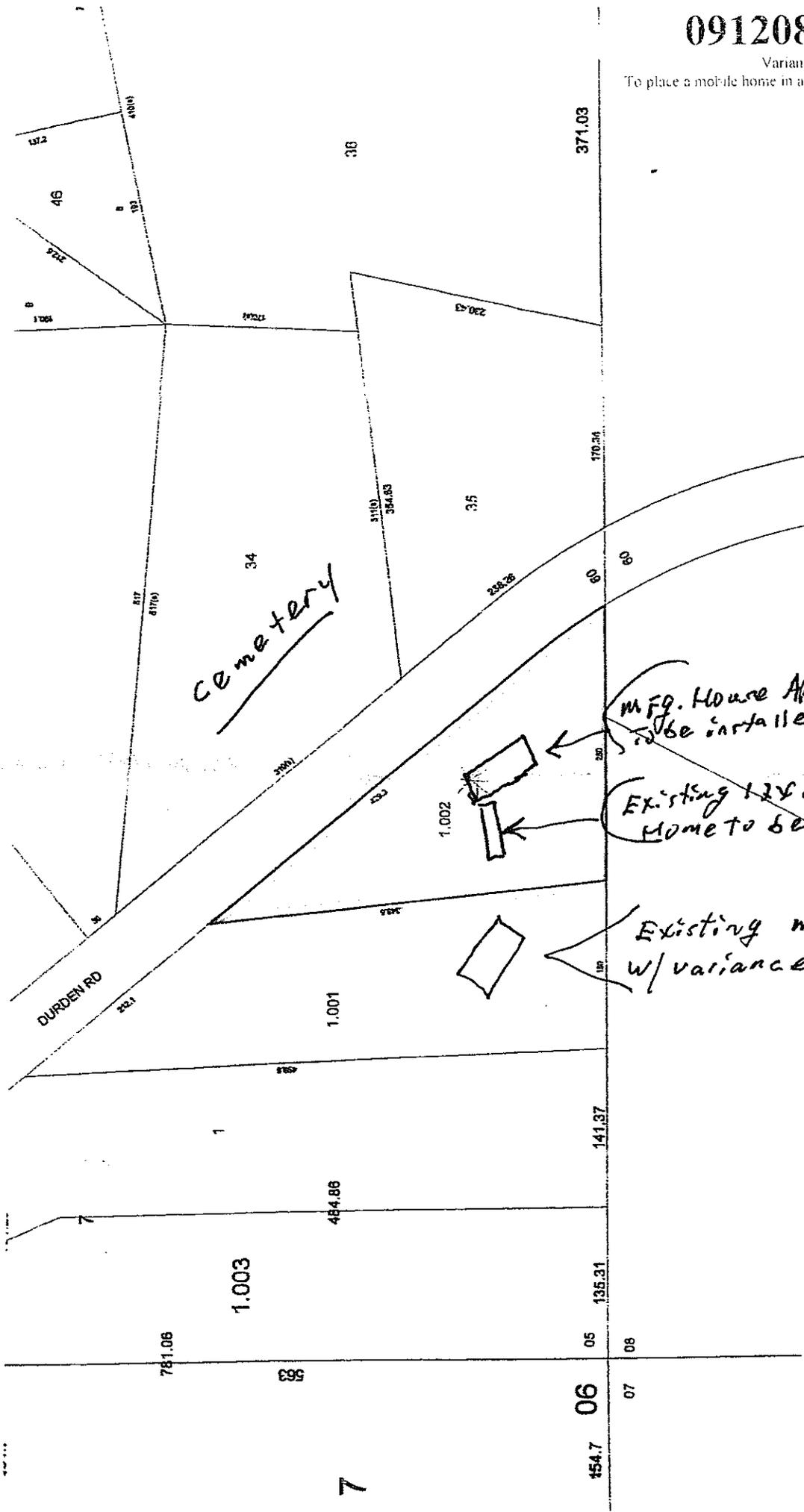
William L. Gardner  
Signature

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that William L. Gardner, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 26<sup>th</sup> day of October, 2009.

Mary D. Sturgis  
Notary Public

My commission expires 5/3/10

Variance  
To place a mobile home in a residential district



MFG. House Approx 24x60  
to be installed

Existing 12x60 mobile  
home to be removed

Existing mfg Home  
w/ variance

**PRATTVILLE BOARD OF ZONING ADJUSTMENT**

**PETITIONER:       LISA M. MOORER  
                          108 JULIA STREET  
                          PRATTVILLE, AL 36066**

**REQUEST:            VARIANCE TO ENCROACH INTO THE (35') FRONT YARD LINE  
                          108 JULIA STREET  
                          R-2 ZONING DISTRICT (SINGLE FAMILY RESIDENTIAL)**

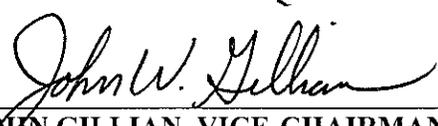
**ORDER**

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 December 8, 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 yard line as submitted** at property requested.

**IT IS THEREFORE ORDERED** the petition of Lisa M. Moorner, 108 Julia Street, Prattville, AL is hereby approved.

**DONE THIS THE 8th DAY OF December 2009.**

**BOARD OF ZONING ADJUSTMENT**

  
\_\_\_\_\_  
JOHN GILLIAN, VICE-CHAIRMAN

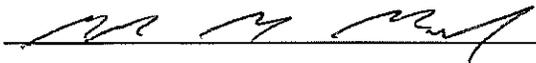
  
\_\_\_\_\_  
ALISA MORGAN, SECRETARY

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

**MEETING DATE:** December 8, 2009

**PETITIONER:** Lisa M. Moorer

**ADDRESS OF PETITION:** 108 Julia Street

	NAME	ADDRESS
1.		108 JULIA
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**CITY OF PRATTVILLE**  
 Board of Zoning Adjustment  
 Planning Department Staff Report



<b>DATE:</b>	11/23/09
<b>APPLICATION TYPE:</b>	Variance (091208-02)
<b>PROPERTY LOCATION or DESCRIPTION:</b>	108 Julia Street
<b>PETITIONER(S) AND AGENT(S):</b>	Lisa M. Moorer
<b>ZONING DISTRICT(S)</b>	R-2 (Single Family Residential)
<b>REQUESTED ACTION:</b>	To allow a porch to encroach into the 35' front yard line.
<b>ZONING ORDINANCE REFERENCE:</b>	<p><b>Appendix A-Zoning Ordinance Section 71 Residential district requirements:</b></p> <p><b>R-2 District:</b></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>



CITY OF PRATTVILLE, ALABAMA

108 JULIA ST

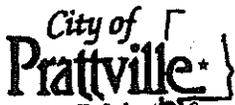
1" = 100'

ZONING: R-2

STREETS

TAX PARCELS

Ryan Pecharka, C.I.S., Coordinator



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

091208-02

Variance  
 To encroach into the (35') front 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

HUSBAND  
AGENT

Name: LISA M MOORE / MELVEN M MOORE, JR.

Street Address: 108 JULIA ST

City: PRATTVILLE State: AL Zip: 36067

Phone Number(s): 334 365 3124

**Property Owner Information**  
If different than above

Name: LISA M MOORE SELIX

Address of Property Owner: 108 JULIA ST

City: PRATTVILLE State: AL Zip: \_\_\_\_\_

Phone Number: 334 365 3124

**Property Description**

County Tax Parcel Number/Legal Description: Attached

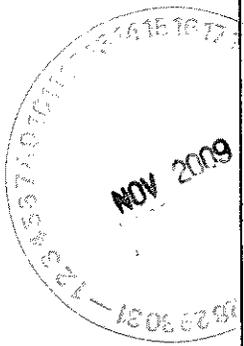
Current Zoning of Property: R-2 Physical Address: 108 Julia

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

Describe Proposed Use or Variance: \_\_\_\_\_

Front yard encroachment (in)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



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))

HAVE PROBLEM WITH RAIN ENTERING  
FRONT DOOR AREA INTO HOUSE  
WOULD LIKE TO ADD SMALL 6'X10'  
GABLE PORCH TO RELIEVE PROBLE  
HOUSE IS TOO CLOSE TO ROAD  
PER NEW ZONING RULES

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.

MELVIN M MOORER, JR.  
Printed Name

[Signature]  
Signature

Date 11/13/09

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Melvin M. Moorer, Jr., whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 13th day of November, 2009.

[Signature]  
Notary Public

My commission expires 10/12/2011

**091208-02/A**

Variance

To encroach into the (35') front yard line



091208-02/B

Variance  
To encroach into the (35') front yard line

INSIDE HOUSE

DOUBLE DOOR

68" x 22"

FRONT  
OF  
HOUSE  
46'

6' FROM DOOR X 10' WIDE

SMALL GABLE PORCH TO  
KEEP RAIN OFF DOOR AREA

TO

CURB

