



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

The minutes of the October 12, 2010 meeting of the
City of Prattville Board of Zoning Adjustment
were approved.

Leo Jamieson

Leo Jamieson, Chairman

11/9/10

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

October 12, 2010

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:

Old Business:

None

New Business:

- | | | | | |
|----|-----------|--------------------|---|------------|
| 1. | 101012-01 | VARIANCE: | To encroach (carport) 2.5' into the 10' side yard line.
105 Westbrook Court
R-2 Zoning District (Single Family Residential)
Johnny Batton, Petitioner | District 3 |
| 2. | 101012-02 | USE-ON-
APPEAL: | To operate a home child daycare.
107 Hargis Drive
R-2 Zoning District (Single Family Residential)
Florence Griffin, Petitioner | District 7 |
| 3. | 101012-03 | VARIANCE: | To encroach (2-carports) into the 10' side yard line.
916 Skidmore Ave
R-2 Zoning District (Single Family Residential)
Christopher Golsan, Petitioner | District 7 |
| 4. | 101012-04 | VARIANCE: | To encroach (carport) 7' into the 10' side yard line.
613 Vintage Way
R-3 Zoning District (Single Family Residential)
Richard & Deborah Acker, Petitioners | District 1 |
| 5. | 101012-05 | USE-ON-
APPEAL: | To allow residential use in a business zoned district.
135 First Street
B-2 Zoning District (General Business)
Prattvillage Associates, Petitioner | District 1 |

Miscellaneous:

Adjourn:

**City of Prattville Board of Zoning Adjustment
Minutes
October 12, 2010**

CALL TO ORDER:

The meeting of the Prattville Board of Zoning Adjustment (BZA) was called to order by Chairman Leo Jamieson at 4:02 p.m. on Tuesday, October 12, 2010.

ROLL CALL:

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

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.

MINUTES:

Mr. Gillian moved to approve the minutes of the May 11, 2010 and September 14, 2010 meetings. Mrs. Schannep seconded the motion. The motion to approve passed unanimously.

OLD BUSINESS:

None

NEW BUSINESS:

VARIANCE

To encroach (carport) 2.5' into the 10' side yard line.

105 Westbrook Court

R-2 Zoning District (Single Family Residential)

Johnny Batton, Petitioner

Mr. Duke introduced the petitioner's request for a carport. He stated that the carport would encroach 7.5' into the 10' side yard line leaving 2.5' remaining to the property line.

John Batton, petitioner, stated that the existing double carport would be covered and would be constructed of vinyl covered aluminum. He stated that the water drainage would be contained on his property to flow to the rear drainage.

A letter of support was received from Mr. Michael Gordon; 107 Westbrook Court (101012-01/E) is attached and made a part of the minutes.

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 allow an encroachment 7.5' into the 10' side yard line on property at 105 Westbrook Court.**

USE-ON-APPEAL

To operate a home child daycare.

107 Hargis Drive

R-2 Zoning District (Single Family Residential)

Florence Griffin, Petitioner

Mr. Duke introduced the petitioner's request for a customary home occupation. He stated that in previous cases the Board has examined the hours of operation and the amount of traffic that would be generated. Previous cases presented with six or less children were approved without much trouble.

Florence Griffin, petitioner, stated that she resides across the street from a school (Prattville Elementary). She has a handicap granddaughter who lives with her. Her daughter, who does not live with her, will assist her in the childcare business. She stated that she plans to have six or more children in her care. She cited other businesses that are located in the residential neighborhood. She further stated that her property is fenced.

Chairman Jamieson opened the public hearing.

Cynthia Griffin Martin, 275 Fitzpatrick St. Elmore, AL, stated that she will not reside at the property but will be assisting in the home child daycare business.

A letter received via e-mail in support of the request from **Renee & Robert Lloyd, 1103 Honeysuckle Drive** is attached and made a part of the minutes.

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. Macready seconded the motion. The BZA voted unanimously to approve the use-on-appeal to operate a home child daycare on property at 107 Hargis Drive.**

VARIANCE

To encroach (2-carports) into the 10' side yard line.

916 Skidmore Ave

R-2 Zoning District (Single Family Residential)

Christopher Golsan, Petitioner

Mr. Duke introduced the petitioner's request for encroachment into the 10' side yard line for two carports. He stated that the encroachment is approximately 1' from the property line (9' encroachment).

Christopher Golsan, petitioner, along with his father **Brent Golsan**, presented the request for a free standing awning to cover two vehicles and a camper. Brent Golsan stated that he and his son are co-owners of the camper and it would be parked on his son's property at 916 Skidmore Ave. Mr. C. Golsan stated that the drainage system for the subdivision was designed to flow from one house to the next until it reaches the sewer. He stated that he will do everything necessary to make sure there are no drainage issues on the adjacent property.

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 2/2 on the request for the variance to allow an encroachment (9') into the 10' side yard line on property at 916 Skidmore Avenue. The request was denied for lack of four (4) affirmative votes. The votes**

are as recorded. Favor: Chairman Jamieson and Mr. Gillian. Oppose: Mrs. Schannep and Mr. Macready.

VARIANCE

To encroach (carport) 7' into the 10' side yard line.

613 Vintage Way

R-3 Zoning District (Single Family Residential)

Richard & Deborah Acker, Petitioners

Mr. Duke introduced the petitioner's request to encroach into the side yard line. The property is zoned R-3 and the side yard requirements are 8' on one side and 6' on the other. The petitioner is requesting to encroach into the 8' side where the driveway is located.

Deborah Acker, petitioner, presented the request for a covered carport that would encroach 4.5' into the 8' side yard line. She stated that her disable mother resides with her and her husband. She stated that the home would have to be sold to purchase a handicap accessible home for her and her family. She stated that gutters would be place to divert the drainage flow to the rear of the property.

Chairman Jamieson opened the public hearing. There was 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 (4.5') into the 8' side yard line on property at 613 Vintage Way.**

USE-ON-APPEAL

To allow residential use in a business zoned district.

135 First Street

B-2 Zoning District (General Business)

Prattvillage Associates, Petitioner

Mr. Duke introduced the petitioner's request to allow residential use in a business district. He stated that the city is interested in seeing mixed use in the downtown district. This is an allowed use with BZA approval.

Al Bock, petitioner representative, presented the request to the BZA. He stated that the property would be used for a single family resident. He stated that Prattvillage Association owns the adjacent property and that there is no interest in converting the adjacent properties for residential use.

Chairman Jamieson opened the public hearing. There was 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. Macready seconded the motion. The BZA voted 3/1 to approve the use-on-appeal to allow residential use in a business zoned district on property at 135 First Street. The request was denied for lack of four (4) affirmative votes. The votes are as recorded. Favor: Chairman Jamieson, Mr. Macready, and Mr. Gillian. Oppose: Mrs. Schannep.**

MISCELLANEOUS:

ADJOURN:

After no further comments, questions or discussion the meeting was adjourned at 5:34 pm.

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: **JOHNNY BATTON**
 105 WESTBROOK COURT
 PRATTVILLE, AL 36066

REQUEST: **VARIANCE TO ENCROACH 7.5' INTO THE 10' SIDE YARD LINE**
 105 WESTBROOK COURT
 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 October 12, 2010 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 7.5' into the 10' side yard line** at property requested.

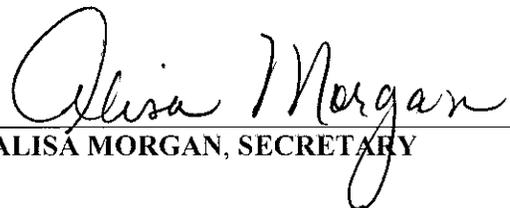
IT IS THEREFORE ORDERED the petition of Johnny Batton, 105 Westbrook Court, Prattville, AL is hereby approved.

DONE THIS THE 12th DAY OF October 2010.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

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

MEETING DATE: October 12, 2010

PETITIONER: Johnny Batton

ADDRESS OF PETITION: 105 Westbrook Court

	NAME	ADDRESS
1.	<u>Johnny Batton</u>	<u></u>
2.	<u></u>	<u></u>
3.	<u></u>	<u></u>
4.	<u></u>	<u></u>
5.	<u></u>	<u></u>
6.	<u></u>	<u></u>
7.	<u></u>	<u></u>
8.	<u></u>	<u></u>
9.	<u></u>	<u></u>
10.	<u></u>	<u></u>
11.	<u></u>	<u></u>
12.	<u></u>	<u></u>
13.	<u></u>	<u></u>
14.	<u></u>	<u></u>
15.	<u></u>	<u></u>
16.	<u></u>	<u></u>
17.	<u></u>	<u></u>
18.	<u></u>	<u></u>
19.	<u></u>	<u></u>
20.	<u></u>	<u></u>
21.	<u></u>	<u></u>

CITY OF PRATTVILLE
 Board of Zoning Adjustment
 Planning Department Staff Report



DATE:	9/16/10
APPLICATION TYPE:	Variance (101012-01)
PROPERTY LOCATION or DESCRIPTION:	105 Westbrook Court
PETITIONER(S) AND AGENT(S):	Johnny Batton
ZONING DISTRICT(S)	R-2 (Single Family Residential)
REQUESTED ACTION:	To allow an (carport) encroachment 2.5' into the 10' side yard 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 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
Planning and Development Department
102 W. Main Street
Prattville, AL 36067
(334) 361-3614 Fax (334) 361-3677
www.prattville.com

101012-01

Variance
To encroach 2.5' into 10' side yard line

Application
Prattville Board of Zoning Adjustment

-On-Appeal Variance Administrative Appeal

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

Name: Johnny BATTON

Street Address: 105 Westbrook CT

City: Prattville State AL Zip: 36066

Phone Number(s): (334) 358-5577

Property Owner Information
If different than above

Name: _____

Address of Property Owner: _____

City: _____ State: _____ Zip: _____

Phone Number: () _____

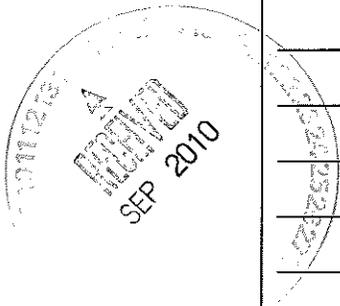
Property Description

County Tax Parcel Number/Legal Description: _____
10-07-36-0-000-006.179#0

Current Zoning of Property: ^{R-2} Residential Physical Address: 105 Westbrook CT

Proposed Use of Property (generally): Single Family Home

Describe Proposed Use or Variance: Please see ATTACHED
'Proposed Use or Variance'



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)*

Please See ATTACHED "Hardship"

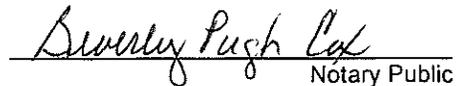
I certify that I am the property owner, or authorized agent, and attest that all facts are true and correct. I do hereby certify that the property owner list attached to this application was obtained from the Autauga County Revenue Office, (Elmore County if applicable), and is a complete list of all 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.*

Johnny Batton
Printed Name


Signature

Date 9 SEP 2010

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Johnny Batton, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 9th day of September, 2010.


Notary Public

My commission expires 1-22-2013

101012-01/A

Variance
To encroach 2.5' into 10' side yard line

PROPOSED USE or VARIANCE:

The purpose of this Variance is to request permission to allow Southern Deck Company to professionally install and attach a carport structure onto my home. This structure will be made of quality Aluminum with a white baked Enamel finish. Supporting Column Pillars will be installed to match those already utilized on the home to make it more aesthetically pleasing. The dimensions of the finished carport will be approximately 19'x35' with the supporting architectural columns on the inside edge of the driveway which runs parallel approximately 2'5" from the property line of 107 Westbrook Ct before tapering to 16' from the same line. Other structures on 105 Westbrook Ct include a rear privacy fence which follows the property line, completely enclosing the backyard and (2) Storage buildings located in the rear 1/4 of the backyard with approximately 4' of clearance from the fence on the sides and rear of the buildings. This carport structure not only will help to increase the future resale value of my home but also protect my family and vehicles from exposure to the elements. There is currently a matching carport structure installed within the Hollybrooke Subdivision at 811 Bluegrass. My immediate neighbor Michael Gordon in 107 Westbrook Ct, whose property my driveway runs adjacent to, has been coordinated with and has no objections to the construction of the carport. He has submitted a signed letter of permission (Attached) supporting the building of the structure. Mickey Tate from 104 Westbrook Ct has also submitted (Attached) the same. I ask that the board please take these letters and each aspect of my request into consideration when making their decision. Thank you.

101012-01/B

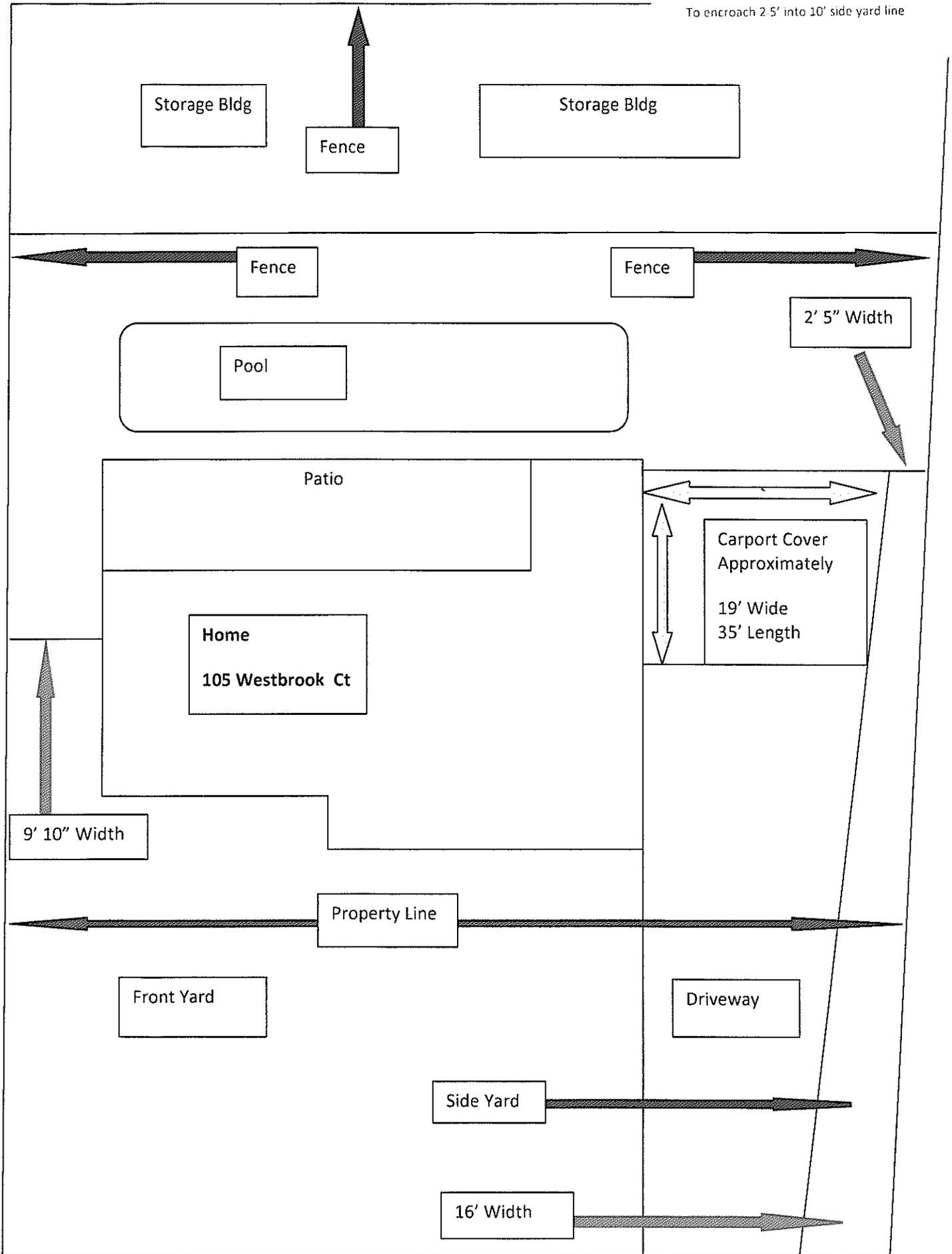
Variance

To encroach 2.5' into 10' side yard line

HARDSHIP:

The disapproval of this request will cause the following hardships and prevent me from being able to:

- Add marketable improvement value to my home and making it more competitive against other listed properties when placed on the real estate market.
- Provide protection and cover for my wife, daughters and elderly parents from exposure to inclement weather while moving from their cars to the house.
- Leave my expensive vehicles continuously exposed to the harsh elements.

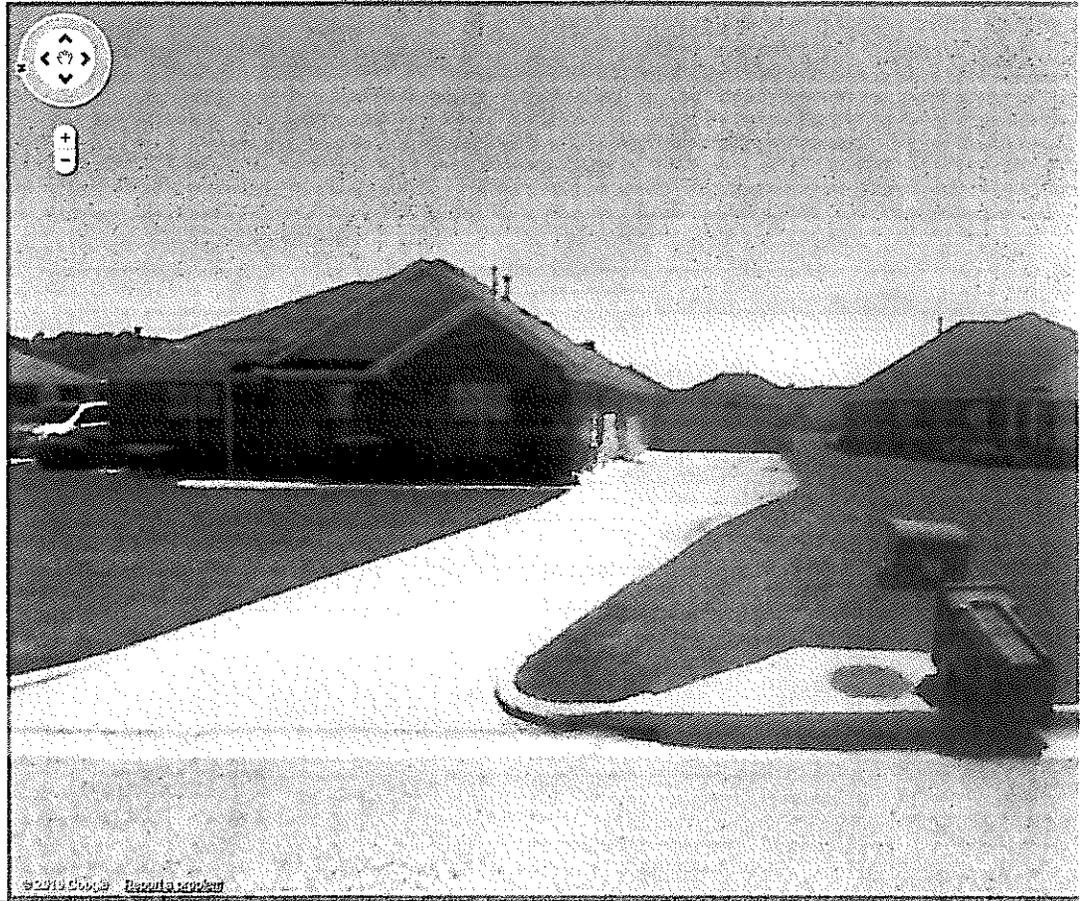


Variance
To encroach 2.5' into 10' side yard line

To see all the details that are visible on the screen, use the "Print" link next to the map.

[Get Directions](#) [My Maps](#)

[Print](#) [Send](#) [Link](#)



101012-01/E

Variance

To encroach 2.5' into 10' side yard line

TO: Prattville Board of Zoning Adjustment

13 September 2010

FROM: Michael Gordon
107 Westbrook Ct
Prattville, AL 36066

SUBJ: Proposed Carport Variance Request for 105 Westbrook Ct

Dear: Sir/Madam,

My immediate neighbor Johnny Batton, currently residing at 105 Westbrook Ct has coordinated with me concerning his plans to have a professionally constructed Carport installed and attached to his current residence. The size of the structure and materials to be utilized have been covered along with the requirements governing his submission of a Variance request to the Prattville Board of Zoning Adjustment.

After being thoroughly briefed on the matter, I have no problem with any possible setback encroachments against my property or any other issues arising from this structure and give my support for its construction.

v/r

A handwritten signature in black ink, appearing to be 'MG' with a large flourish extending to the right.

Michael Gordon

101012-01/F

Variance

To encroach 2.5' into 10' side yard line

TO: Prattville Board of Zoning Adjustment

13 September 2010

FROM: Mickey Tate
104 Westbrook Ct
Prattville, AL 36066

SUBJ: Proposed Carport Variance Request for 105 Westbrook Ct

Dear: Sir/Madam,

My neighbor Johnny Batton, currently residing at 105 Westbrook Ct has coordinated with me concerning his plans to have a professionally constructed Carport installed and attached to his current residence. The size of the structure and materials to be utilized have been covered along with the requirements governing his submission of a Variance request to the Prattville Board of Zoning Adjustment.

After being thoroughly briefed on the matter, I have no problem with any possible setback encroachments against my property or any other issues arising from this structure and give my support for its construction.

v/r



Mickey Tate



CITY OF
PRATTVILLE, ALABAMA

105 WESTBROOK CT

ZONING: R-2

Single Family Residential

1" = 50'



— STREETS

□ TAX PARCELS



Ryan Pecherko, C.I.S. Coordinator

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: FLORENCE GRIFFIN
107 HARGIS DRIVE
PRATTVILLE, AL 36067

REQUEST: USE-ON-APPEAL TO OPERATE A HOME CHILD DAYCARE
107 HARGIS 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 October 12, 2010 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 home child daycare** at property requested.

IT IS THEREFORE ORDERED the petition of Florence Griffin, 107 Hargis Drive, Prattville, AL is hereby approved.

DONE THIS THE 12th **DAY OF** October 2010.

BOARD OF ZONING ADJUSTMENT


LEO JAMIESON, CHAIRMAN


ALISA MORGAN, SECRETARY

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

MEETING DATE: October 12, 2010

PETITIONER: Florence Griffin

ADDRESS OF PETITION: 107 Hargis Drive

	NAME	ADDRESS
1.	<i>Florence N. Griffin</i>	<i>107 Hargis Drive, Prattville</i>
2.	<i>Cynthia Griffin Martin</i>	<i>215 Fitzpatrick St, Elmore</i>
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		

Morgan, Alisa

From: Renee Lloyd <reneelloyd06@yahoo.com>
Sent: Monday, October 11, 2010 9:51 AM
To: Morgan, Alisa
Subject: Public Hearing

I was notified of the public hearing for Florence Griffin who is requesting that she be allowed to operate a home child daycare at 107 Hargis Drive. I have no objections to her zoning adjustment request. I will not be able to attend the hearing on the 12th.

Robert W. Lloyd
1103 Honeysuckle Drive
Prattville, AL 36067
334.365.5750

CITY OF PRATTVILLE
 Board of Zoning Adjustment
 Planning Department Staff Report



DATE:	9/17/10
APPLICATION TYPE:	Use-On-Appeal (101012-02)
PROPERTY LOCATION or DESCRIPTION:	107 Hargis Drive
PETITIONER(S) AND AGENT(S):	Florence Griffin
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

101012-02

Use-On-Appeal
To operate a home child 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: Florence N. Griffin

Street Address: 107 Hargis Drive

City: Prattville State: AL Zip: 36067

Phone Number(s): 334.365.4245

Property Owner Information
If different than above

Name: ^(deceased) Carl E. Griffin - Florence N. Griffin

Address of Property Owner: 107 Hargis Drive

City: Prattville State: AL Zip: 36067

Phone Number: (334) 365.4245

Property Description

County Tax Parcel Number/Legal Description: 19-05-15-3-004-002.000

Current Zoning of Property: R-2 Physical Address: 107 Hargis Drive

Proposed Use of Property (generally): Residential

Describe Proposed Use or Variance: Home occupation for child day care.

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.

Florence N. Griffin
Printed Name

Florence N. Griffin
Signature

Date 9/14/2010

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Florence N. Griffin, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 14 day of September, 2010.

Dennis T. Madala
Notary Public

My commission expires 4-13-2012



CITY OF
 PRATTVILLE, ALABAMA
 107 HARGIS DR
 ZONING: R-2
 Single Family Residential

1" = 50'



— STREETS
 □ TAX PARCELS



Ryan Pecharska, C.I.S., Coordinator

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: CHRISTOPHER GOLSAN
916 SKIDMORE AVE
PRATTVILLE, AL 36066

REQUEST: VARIANCE TO ALLOW AN ENCROACHMENT (2-CARPORTS)
INTO THE 10' SIDE YARD LINE
916 SKIDMORE AVE.
R-2 ZONING DISTRICT (SINGLE FAMILY RESIDENTIAL)

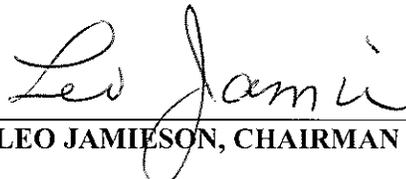
ORDER

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 October 12, 2010 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 allow an encroachment into the 10' side yard line** at property requested.

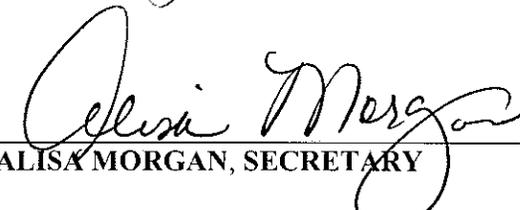
IT IS THEREFORE ORDERED the petition of Christopher Golsan, 916 Skidmore Ave, Prattville, AL is hereby denied.

DONE THIS THE 12th **DAY OF** October 2010.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

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

MEETING DATE: October 12, 2010

PETITIONER: Christopher Golsan

ADDRESS OF PETITION: 916 Skidmore Ave

	NAME	ADDRESS
1.	<u>Christopher Golsan</u>	<u></u>
2.	<u>Brent Golsan</u>	<u></u>
3.	<u></u>	<u></u>
4.	<u></u>	<u></u>
5.	<u></u>	<u></u>
6.	<u></u>	<u></u>
7.	<u></u>	<u></u>
8.	<u></u>	<u></u>
9.	<u></u>	<u></u>
10.	<u></u>	<u></u>
11.	<u></u>	<u></u>
12.	<u></u>	<u></u>
13.	<u></u>	<u></u>
14.	<u></u>	<u></u>
15.	<u></u>	<u></u>
16.	<u></u>	<u></u>
17.	<u></u>	<u></u>
18.	<u></u>	<u></u>
19.	<u></u>	<u></u>
20.	<u></u>	<u></u>
21.	<u></u>	<u></u>

CITY OF PRATTVILLE
Board of Zoning Adjustment
Planning Department Staff Report



DATE:	9/27/10
APPLICATION TYPE:	Variance (101012-03)
PROPERTY LOCATION or DESCRIPTION:	916 Skidmore Ave.
PETITIONER(S) AND AGENT(S):	Christopher Golsan
ZONING DISTRICT(S)	R-2 (Single Family Residential)
REQUESTED ACTION:	To allow an encroachment (2-carports) 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'



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

101012-03

Variance

To encroach into the 10' side yard line

Application
Prattville Board of Zoning Adjustment

Request: Use-On-Appeal Variance Administrative Appeal

Applicant /Agent Information

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

Name: Christopher Golsan
Street Address: 916 Skidmore Ave
City: Prattville State: AL Zip: 36006
Phone Number(s): (334) 491-0285 cell-301-4540

Property Owner Information

If different than above

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

Property Description

County Tax Parcel Number/Legal Description: A-02-03-3-007-010.000

Lot 4 Blk 2 North Crestview Heights Plat 4 Map Blk 2 Pg 86

Current Zoning of Property: R-2 Physical Address: 916 Skidmore Ave

Proposed Use of Property (generally): Residential

Describe Proposed Use or Variance: I want to put up a free

standing carport to cover cars and a camper. This

will be two separate awnings that are connected. The cars

are directly beside the house and the camper is behind

them in the back yard.

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)*)

James Isom	907	Skidmore Ave	36066
Don Jacques	914	Skidmore Ave	36066
Guy Cochran	917	Skidmore Ave	36066
Bob Adams	918	Skidmore Ave	36066
Arnold Pledger	913	Skidmore Ave	36066

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.*

Christopher Golson
Printed Name

Keith Or
Signature

Date 9-21-10

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Christopher Golson, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 21st day of September, 2010.

Donna W Rite
Notary Public

My commission expires 5/14/2011

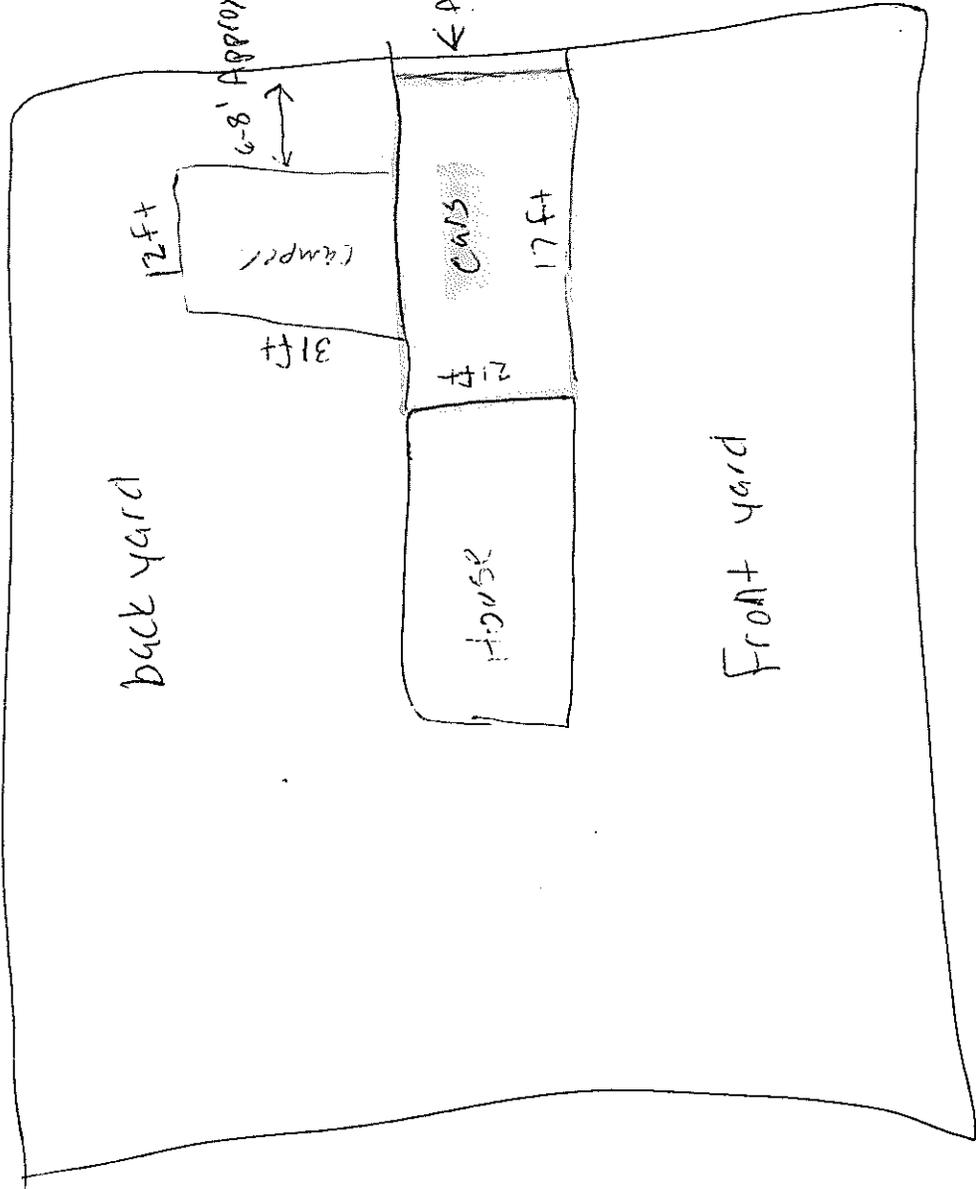
Statement of hardship

My reason for hardship in applying for this variance is that the length of my backyard is very short. Due to the length of the back yard even if the vehicles were at the back I would still need a side yard variance because they would still reach the side of the house. The camper cannot go anywhere else in the back yard because it will not fit. Also the front and backyard are sloped. Drainage with the current landscape is not a problem. If the landscape is altered to accommodate moving the awnings further back it could cause flooding issues in neighboring yards.

101012-03/B

Variance

To encroach into the 10' side yard line



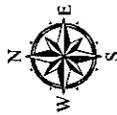


CITY OF
PRATTVILLE, ALABAMA

916 SKIDMORE AVE

ZONING: R-2
Single Family Residential

1" = 50'



STREETS

TAX PARCELS



PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: RICHARD & DEBORAH ACKER
613 VINTAGE WAY
PRATTVILLE, AL 36066

REQUEST: VARIANCE TO ENCROACH (CARPORT) 4.5" INTO THE 8' SIDE
YARD LINE
613 VINTAGE WAY
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 October 12, 2010 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 4.5' into the 8' side yard line** at property requested.

IT IS THEREFORE ORDERED the petition of Richard & Deborah Acker, 613 Vintage Way, Prattville, AL is hereby approved.

DONE THIS THE 12th **DAY OF** October 2010.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

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

MEETING DATE: October 12, 2010

PETITIONER: Richard & Deborah Acker

ADDRESS OF PETITION: 613 Vintage Way

	NAME	ADDRESS
1.	<i>Deborah Acker</i>	<i>613 Vintage Way</i>
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		



Larry Smith

ARCHITECT / BUILDER

Date: October 10, 2010
Ref: Notice of Public Hearing
Subject location: 613 Vintage Way, Prattville, AL
The Oaks of Buena Vista sub division



Prattville Board of Zoning Adjustment

As I understand, part of the governing criteria concerning granting a variance is:

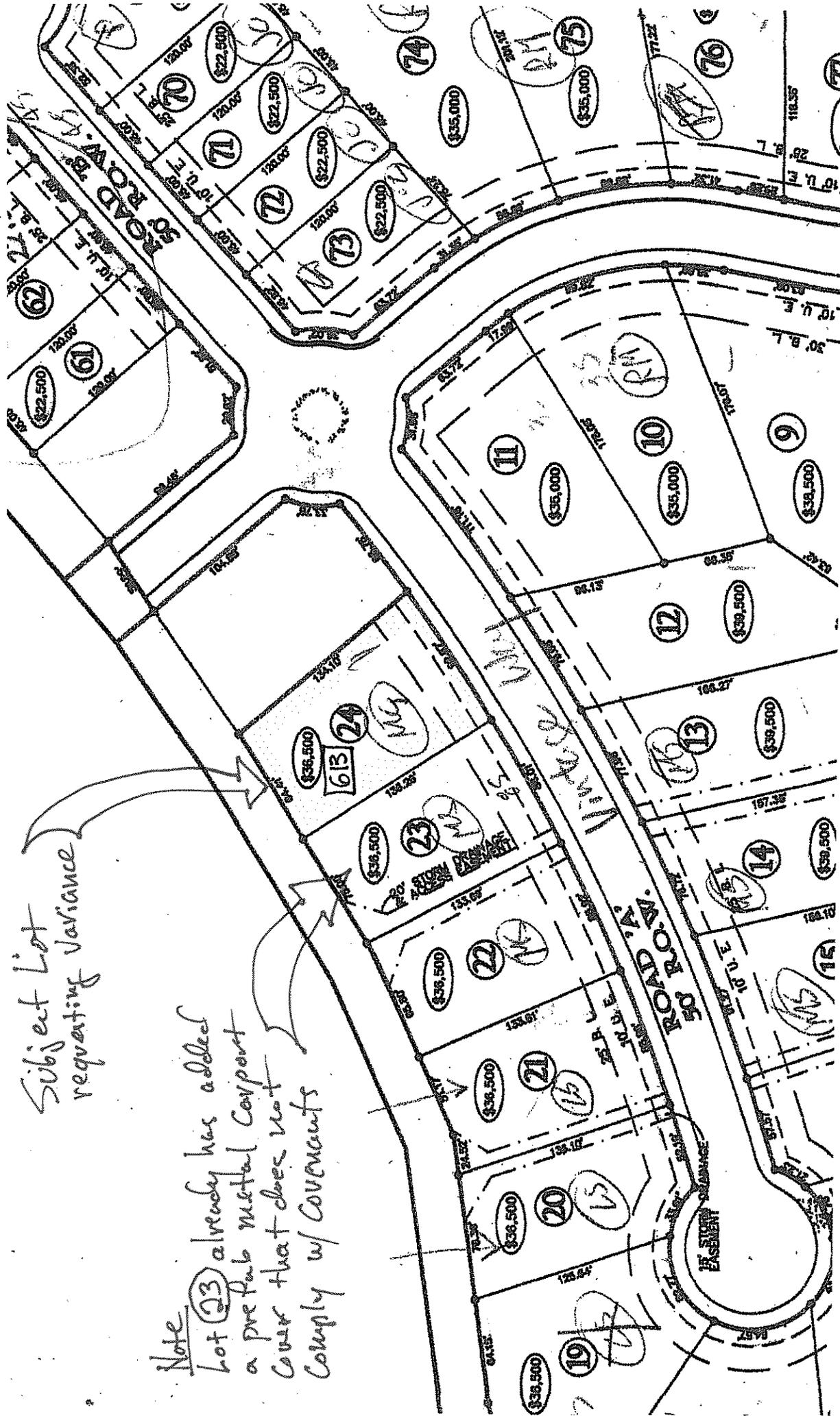
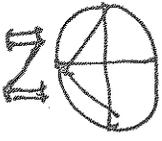
- 1 It is required due to specific site conditions, property configuration, topography, soil conditions, etc. which causes unnecessary hardship to the property owner.
- 2 Granting a variance will not result in a special privilege to the property owner.

Base on the 2 items listed above, I do not feel that a variance should be granted. Once you do, you have sat a precedent for anyone else to follow.

I currently own 4 properties in this sub division and I would like to see mine and other owners protected as per the current zoning.


Larry Smith

The Oaks of Buena Vista
Sub-Division



Subject Lot
requesting variance

Note
lot 23 already has added
a prefab metal carport
cover that does not
comply w/ covenants

EASEMENT



613 Vintage Way

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

October 4, 2010

19082720000020630
LARRY SMITH ARCHITECT BUILDER
704 DOZIER AVE
PRATTVILLE, AL 36067

NOTICE OF PUBLIC HEARING

PRATTVILLE BOARD OF ZONING ADJUSTMENT

LOCATION: Prattville City Hall

DATE: October 12, 2010

TIME: 4:00 pm

In compliance with Section 11-52-80, of the Code of Alabama, 1975, as amended, you are hereby notified that a public hearing will be held concerning the property listed below.

Please be advised that **Richard & Deborah Acker** have filed a petition with the Prattville Board of Zoning Adjustment. The request is for a variance to encroach (carport) 3' into the 6' side yard line on property located at **613 Vintage Way** in an R-3 Zoning District (Single Family Residential).

As a property owner within 500' of the proposed request, you are invited to attend a scheduled public hearing to voice your comments regarding this petition.

Further information concerning this hearing may be obtained by contacting the Prattville Planning Department, 102 West Main Street, Prattville, AL 36067, (334) 361-3642, FAX (334) 361-3677 or alisa.morgan@prattville.com.

Sincerely,

Alisa Morgan, Secretary
Board of Zoning Adjustment

CITY OF PRATTVILLE
 Board of Zoning Adjustment
 Planning Department Staff Report



DATE:	9/27/10
APPLICATION TYPE:	Variance (101012-04)
PROPERTY LOCATION or DESCRIPTION:	613 Vintage Way
PETITIONER(S) AND AGENT(S):	Richard & Deborah Acker
ZONING DISTRICT(S)	R-3 (Single Family Residential)
REQUESTED ACTION:	To allow an encroachment (carport) 7' into the 10' ^{8'} side yard 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 - 25'</p> <p>Rear Yard – 30'</p> <p>Side Yard – 8' and 6'</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

101012-04

Variance
To encroach 7' into the 10' 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: RICHARD W. and DEEDRAH A. ACKER

Street Address: 613 VINTAGE WAY

City: PRATTVILLE State AL Zip: 36067

Phone Number(s): .334-365-5106 601-720-0820 (c)

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: _____

Current Zoning of Property: _____ Physical Address: 613 Vintage Way

Proposed Use of Property (generally): PRIVATE RESIDENCE

Describe Proposed Use or Variance: WANT TO ERECT A 2-CAR CARPORT OVER EXISTING DRIVEWAY, TO BE ATTACHED TO AND EXTENDING 25' FROM EXISTING STRUCTURE. THE CARPORT IS NEEDED TO PROTECT 2 of 3 HOME OCCUPANTS FROM INCLEMENT WEATHER CONDITIONS WHEN ENTERING/EXITING VEHICLES DUE TO HANDICAPS. 3' encroachment?

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 *Not to Scale / AX*
- 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))

ONE RESIDENT IS 81 YRS OLD AND MOVES VERY SLOW. SHE MUST USE A CANE OR WALKER TO WALK TO/FROM VEHICLE IN DRIVE. IT'S VERY DIFFICULT AND UNSAFE FOR HER WHEN IT'S RAINING. RESIDENTS WANT TO CONSTRUCT A PATIO and WALKWAY COVER THAT TRANSENGS INTO THE CARPORT for COMPLETE SECURITY FROM WEATHER.

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.

Deborah Acker
RICHARD W. ACKER
Printed Name

Deborah Acker
Richard W. Acker
Signature

9-23-10

Date 9/22/10

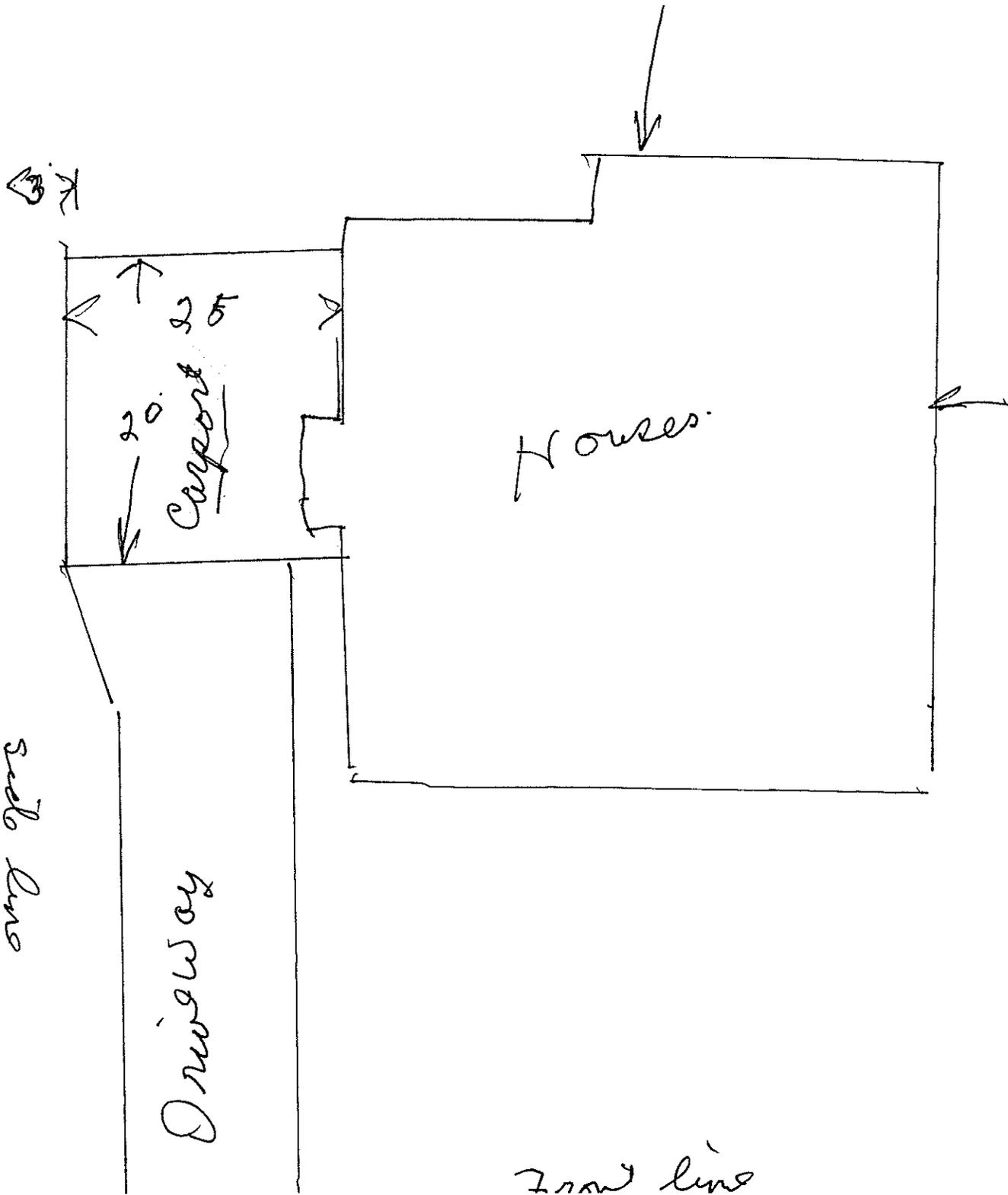
I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that ~~Richard~~ *Deborah Acker*, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 23 day of September, 2010.

Leah Johnson
Notary Public
My commission expires 11-08-2011

101012-04/A

Variance

To encroach 7' into the 10' side yard line



CITY OF
PRATTVILLE, ALABAMA

613 VINTAGE WAY
ZONING: R-3
Single Family Residential

1" = 200'

NOTE
2005 Aerial Photo predates
construction of
The Oaks at Buena Vista
Subdivision



— STREETS
□ TAX PARCELS



Ryan Febarka, G.I.S. Coordinator



PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: PRATTVILLAGE ASSOCIATION
135 FIRST STREET
PRATTVILLE, AL 36067

REQUEST: USE-ON-APPEAL TO ALLOW RESIDENTIAL USE IN A BUSINESS
ZONED DISTRICT
135 FIRST STREET
B-2 ZONING DISTRICT (GENERAL BUSINESS)

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 October 12, 2010 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 use-on-appeal to allow residential use in a business district** at property requested.

IT IS THEREFORE ORDERED the petition of Prattvillage Association, 135 First Street, Prattville, AL is hereby denied.

DONE THIS THE 12th **DAY OF** October 2010.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

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

MEETING DATE: October 12, 2010

PETITIONER: Prattvillage Associates

ADDRESS OF PETITION: 135 First Street

	NAME	ADDRESS
1.	LOWREN A. BOCK	839 HEATHER DR
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		

36066

CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	9/29/10
APPLICATION TYPE:	Variance (101012-05)
PROPERTY LOCATION or DESCRIPTION:	135 First Street
PETITIONER(S) AND AGENT(S):	Prattvillage Associates Representative: Lenore Kirkpatrick
ZONING DISTRICT(S)	B-2 (General Business)
REQUESTED ACTION:	To allow residential use in a business zoned district.
ZONING ORDINANCE REFERENCE:	Appendix A-Zoning Ordinance Section 72 Business district requirements: B-2 District: USES PERMITTED ON APPEAL: ...Any use permitted or permitted on appeal in the R-4 Residential District, and subject to all district requirements of an R-4 District as specified in Section 71, hereof. Appendix A-Zoning Ordinance Section 71 Residential district requirements: R-4 District: Dwellings and apartments for any number of families



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

101012-05

Use-On-Appeal
To allow residential use in a business zoned district

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: Prattville Associates - Lenore Kirkpatrick

Street Address: 167 N. Northington Street

City: Prattville State AL Zip: 36067

Phone Number(s): 365-3512, 365-3416

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: 19-04-17-1-004-011.000

Current Zoning of Property: B-2 Physical Address: 135 1st Street

Proposed Use of Property (generally): Residential Use - Single unit

Describe Proposed Use or Variance: Requesting a use-on-appeal to use a structure in a B-2, General Business District for residential. Requesting permission to alternate residential & commercial as market demands.

Prattville BZA Application
Page 2

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))

No hardship required since applicant is requesting use-on-appeal

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.

Prattville Associates LLC

Lenore Kirkpatrick

Printed Name
also Al Bock

Lenore Kirkpatrick

Signature

Sept. 28, 2010

Date

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Lenore Kirkpatrick, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 29th day of

September, 2010.

[Signature]
Notary Public



CITY OF
PRATTVILLE, ALABAMA

135 FIRST ST
ZONING: B-2
General Business

1" = 50'



— STREETS
□ TAX PARCELS



Ryan Pecharka, G.I.S. Coordinator