



CITY OF PRATTVILLE

BILL GILLESPIE, JR.
MAYOR

CITY COUNCIL

TOM MILLER
PRESIDENT
DISTRICT 4

MIKE RENEGAR
PRESIDENT PRO TEMPORE
DISTRICT 5

ALBERT C. STRIPLIN
DISTRICT 1

WILLIE WOOD, JR.
DISTRICT 2

DEAN R. ARGO
DISTRICT 3

RAY C. MOLES
DISTRICT 6

NATHAN D. FANK
DISTRICT 7

City of Prattville Board of Zoning Adjustment

The minutes of the May 17, 2011 meeting of the City of Prattville Board of Zoning Adjustment were approved.

6/14/11

Leo Jamieson, Chairman

Date



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CITY OF PRATTVILLE BOARD OF ZONING ADJUSTMENT A G E N D A

Special Meeting

May 17, 2011

4:00pm

Call to Order:

Roll Call:

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

Minutes:

April 12, 2011

Old Business:

1. 110412-02 VARIANCE: To encroach 9' into the rear yard building line.
1606 Trolley Road
R-2 Zoning District (Single Family Residential)
Glenn Robertson, Petitioner

**Tabled
4/12**

District 3

New Business:

Election of Officers:

Miscellaneous:

Adjourn:

**City of Prattville Board of Zoning Adjustment
Minutes
Special Meeting
May 17, 2011**

CALL TO ORDER:

The special meeting of the Prattville Board of Zoning Adjustment (BZA) was called to order by Chairman Leo Jamieson at 4:04 p.m. on Tuesday, May 17, 2011.

ROLL CALL:

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

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:

None

OLD BUSINESS:

VARIANCE

**To encroach 9' into the rear yard building line.
1606 Trolley Road
R-2 Zoning District (Single Family Residential)
Glenn Robertson, Petitioner**

Mr. Duke provided the background information on the previously held variance request. He stated that the request is for a 9'22" encroachment in the rear yard building line to allow for a garage.

Glenn Robertson, petitioner, stated that the irregular shaped lot has caused great difficulty in trying to allow for a rear loading entrance to the garage.

Chairman Jamieson asked the petitioner if the house could be downsized to allow for the garage. Mr. Robertson replied that the house could be downsized but felt that it would be unfair to the buyer and incomparable to the existing homes in the subdivision.

Chairman Jamieson opened the public hearing.

Charles "Charlie" Gammill, 105 Ashton Oak Court, spoke in opposition to the request. He stated that the lot is directly behind his privacy fence and he would be imposed with increased noise, less privacy, and it would be detrimental to the resale value of his home. He asked that the board would require the petitioner to build to the zoning specifications.

Chairman Jamieson asked Mr. Gammill the size of his home, if a 10' encroachment on the lot would reduce the value of his home and would a smaller home have a negative impact on the resale of his home. Mr. Gammill replied that his home is 2440^{sf}, a 10' encroachment to the rear of his lot would reduce the value of his home and a smaller home would not impact the resale of his home because his lot is too far away.

Dewane Brown, 103 Ashton Oak Court, spoke in opposition to the request. He suggested that the petitioner build a 2-story home to accommodate for the garage or build a single car garage.

Chairman asked Mr. Brown the size of his home, if a 10' encroachment on the lot would reduce the value of his home and would a smaller home have a negative impact on the resale of his home. Mr. Brown replied that his home is 2350^{sf}; the encroachment would affect the value of home negatively. He stated that a smaller home is not as bad as being close together.

Janet Prestwood, 107 Ashton Oak Court, spoke in opposition to the request. She stated that the majority of the homes in the neighborhood have front loading garages as hers. She stated that she had to rearrange her plans prior to building to comply with zoning regulations.

Chairman Jamieson asked Ms. Prestwood the size of his home, if a 10' encroachment on the lot would reduce the value of his home and would a smaller home have a negative impact on the resale of his home. She replied that her home is 2471^{sf}; she did not care about the resale value of the homes.

Chairman Jamieson called a recess at 4:35. The meeting was called back to order at 4:37.

The public hearing was closed.

Mr. Robertson addressed comments by the public. He stated he is at a 15' elevation below the rear adjacent property owners. He stated that he has vested interest in the subdivision and is committed to build quality homes. He stated that he has built in the area for seven years and is looking to build in the future phases of the development. He stated that he has built 2-story homes in the subdivision but that type of homes is not in great demand now. He stated that denial of the variance would not allow him to have optimal use of the lot.

Chairman Jamieson allowed Mr. Gammill an opportunity to speak again. Mr. Gammill offered a compromise that if the petitioner would be willing to replace his existing fence to 8' he would not be opposed to the encroachment. With that offer of consideration, Chairman Jamieson called a five minute recess at 4:50 to allow discussion between neighbors and the petitioner.

Chairman Jamieson called the meeting back into session at 4:55 with all members present. Mr. Gammill being the spokesperson for the neighbors offered that only two fences would have to be completely replace to 8'.

Mr. Robertson stated that he would be willing to add 2' and refinish the existing rear fences but is not willing to replace with new fences.

After no further comments, questions, or discussion, the vote was called. **The BZA voted unanimously to approve the variance to allow an encroachment 9' 22" into the 40' rear yard line at 1606 Trolley Road.**

NEW BUSINESS:

None

ELECTION OF OFFICERS:

Mrs. Schanep moved to keep the officers and is with Mr. Jamieson as Chairman and Mr. Gillian as Vice-Chairman. Mrs. Houser seconded the motion. The motion to approve passed unanimously.

MISCELLANEOUS:

Mr. Duke asked that the board would consider a day to hold a work session. The board was opened to hold a work session at the discretion of the staff.

ADJOURN:

After no further comments, questions or discussion the meeting was adjourned at 5:03.

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: GLENN ROBERTSON
 1608 TROLLEY ROAD
 PRATTVILLE, AL 36066**

**REQUEST: VARIANCE TO ENCROACH 9' INTO THE REAR YARD BUILDING
 LINE.
 1606 TROLLEY ROAD
 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 April 12, 2011 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 allow an encroachment 9' 22" into the 40' rear yard line** at property requested.

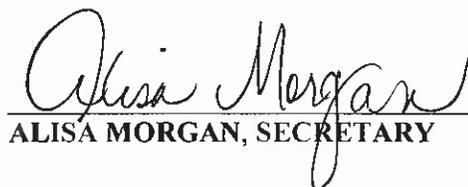
IT IS THEREFORE ORDERED the petition of Glenn Robertson, 1606 Trolley Road, Prattville, AL is hereby approved.

DONE THIS THE 17th DAY OF May 2011.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

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

(tabled)

MEETING DATE: April 12, 2011

PETITIONER: Glenn Robertson

ADDRESS OF PETITION: 1606 Trolley Road

	NAME	ADDRESS
1.	<i>[Signature]</i>	
2.	<i>Charles Gammill</i>	<i>105 Ashton Oak Ct</i>
3.	<i>Amy Greenwood</i>	<i>107 Ashton Oak Ct</i>
4.		
5.		<i>May 17th (Special Meeting)</i>
6.	<i>Glenn Robertson</i>	
7.	<i>CHARLES GAMMILL</i>	<i>105 Ashton Oak Ct</i>
8.	<i>Denise Brewer</i>	<i>103 Ashton Oak Ct</i>
9.	<i>Janet Restucca</i>	<i>107 Ashton Oak Ct</i>
10.		
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20.		
21.		



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

110412-02

Variance

To encroach into the rear 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: GLENN ROBERTSON

Address of Property Owner: 1608 TROLLEY RD.

City: PRATTVILLE State: AL Zip: 36066

Phone Number: () 334-657-8503

Property Description

County Tax Parcel Number/Legal Description: _____

Current Zoning of Property: R-2 Physical Address: 1606 TROLLEY RD.

Proposed Use of Property (generally): SINGLE FAMILY

Describe Proposed Use or Variance: REQUESTING A
9 FOOT ENCROACHMENT OVER REAR BUILDING
LINE & A 9 X 21 FOOT 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
- 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))

THE IRRREGULAR SHAPE OF THE
LOT IS CAUSING THE HARDSHIP.
I CAN NOT FIT HOUSE ON LOT
BECAUSE OF THE SHAPE OF THE LOT.
I WILL ONLY BE ENCRACHING THE REAR BLOC.
LINE BY 9FT.

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.

GLENN ROBERTSON [Signature] 3/24/2011
Printed Name Signature Date

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Glen Robertson, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 24 day of March, 2011.

[Signature]
Notary Public
My Commission Expires 11-08-2011
My commission expires _____

CITY OF PRATTVILLE
 Board of Zoning Adjustment

Planning Department Staff Report



DATE:	3/28/11
APPLICATION TYPE:	Variance (110412-02)
PROPERTY LOCATION or DESCRIPTION:	1606 Trolley Road
PETITIONER(S) AND AGENT(S):	Glenn Robertson
ZONING DISTRICT(S)	R-2 (Single Family Residential)
REQUESTED ACTION:	To encroach (9'x21") into the rear 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, ALABAMA



1" = 200'

NOTE

2008 Aerial photography
predates Riverchase North
construction on Trolley Rd



— STREETS

□ TAX PARCELS

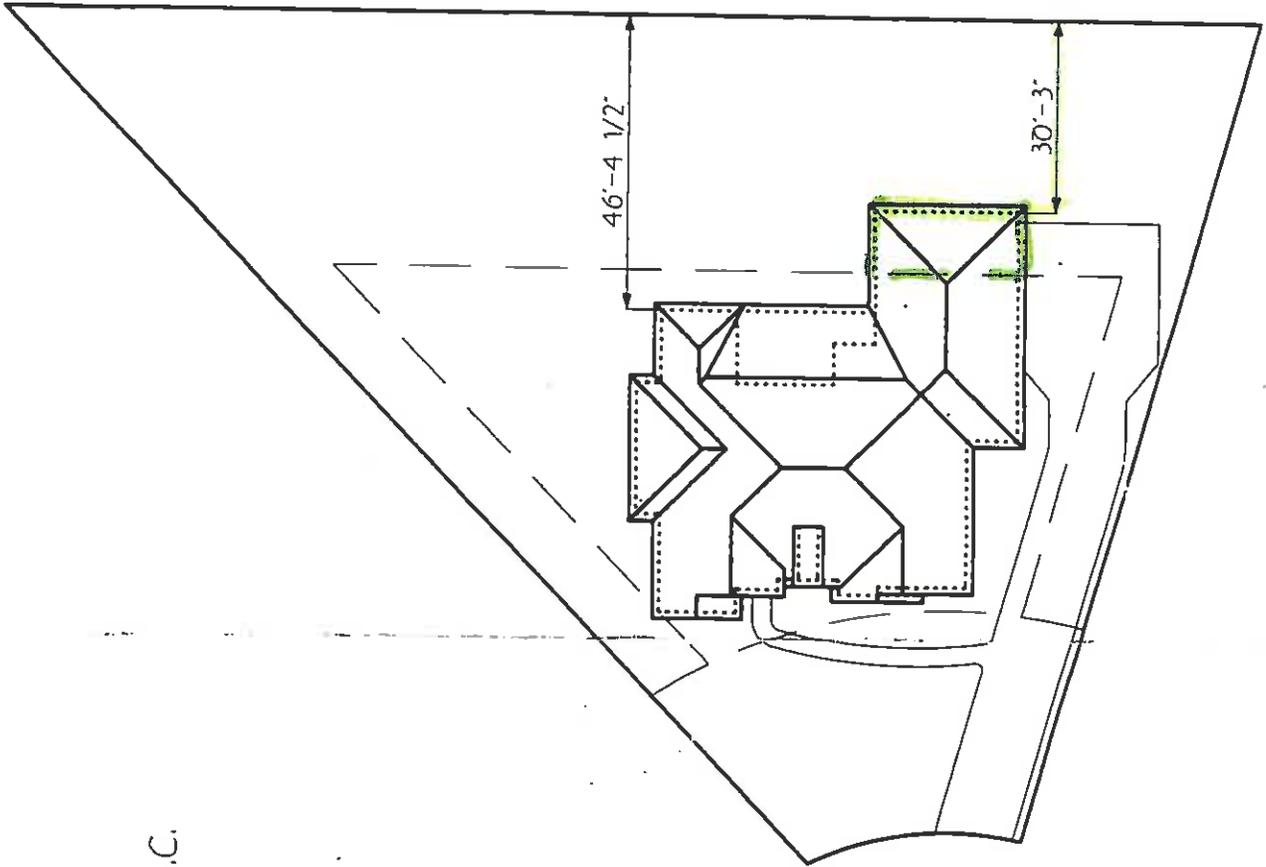


Bygone Properties, LLC, Coordinator

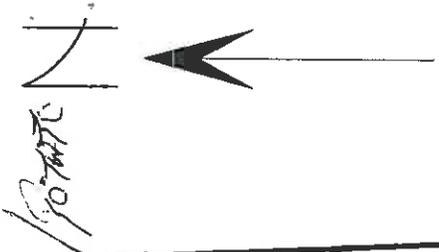
ALISA MORGAN 361-3613

110412-02/A

Variance
To encroach into the rear yard line



A RESIDENCE BY:
ROBERTSON HOMES L.L.C.



SITE PLAN
SCALE 1"=30'-0"

RIVERCHASE NORTH SUB.
LOT #13/ PLAT 6
PRATTVILLE, AL.