



# CITY OF PRATTVILLE

**BILL GILLESPIE, JR.**  
MAYOR

---

## CITY COUNCIL

**MIKE RENEGAR**  
PRESIDENT  
DISTRICT 5

**NATHAN D. FANK**  
PRESIDENT PRO TEMPORE  
DISTRICT 7

**ALBERT C. STRIPLIN**  
DISTRICT 1

**WILLIE WOOD, JR.**  
DISTRICT 2

**DENISE B. BROWN**  
DISTRICT 3

**TOM MILLER**  
DISTRICT 4

**RAY C. BOLES**  
DISTRICT 6

## City of Prattville Board of Zoning Adjustment

The minutes of the March 13, 2012 meeting of the  
City of Prattville Board of Zoning Adjustment  
were approved.



Leo Jamieson, Chairman

4/10/12

Date



# CITY OF PRATTVILLE

**BILL GILLESPIE, JR.**  
MAYOR

## CITY COUNCIL

**MIKE RENEGAR**      **NATHAN D. FANK**      **ALBERT C. STRIPLIN**      **WILLIE WOOD, JR.**      **DENISE B. BROWN**      **TOM MILLER**      **RAY C. BOLES**  
PRESIDENT      PRESIDENT PRO TEMPORE      DISTRICT 1      DISTRICT 2      DISTRICT 3      DISTRICT 4      DISTRICT 6  
DISTRICT 5      DISTRICT 7

**CITY OF PRATTVILLE**  
**BOARD OF ZONING ADJUSTMENT**  
**A G E N D A**  
**March 13, 2012**  
**4:00pm**

### Call to Order:

### Roll Call:

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

### Election of Officers:

### Minutes:

### Old Business:

1. 120214-02 VARIANCE:

To encroach 4' into the 5' side yard setback.  
718 Summer Lane  
R-5 (Patio Garden Homes)  
**Sally Reynolds, Petitioner**

*District 5*

### New Business:

2. 120313-01 VARIANCE:

To encroach 5' into the side yard line.  
500 Old Farm Lane  
R-4 ( Multi-Family)  
**Old Farm Properties Phase 2, LLC, Petitioner**

*District 4*

### Miscellaneous:

### Adjourn:

**City of Prattville Board of Zoning Adjustment  
Minutes  
March 13, 2012**

**CALL TO ORDER:**

The regular meeting of the Prattville Board of Zoning Adjustment (BZA) was called to order by Chairman Leo Jamieson at 4:02 p.m. on Tuesday, March 13, 2012.

**ROLL CALL:**

Present: Chairman Leo Jamieson, Vice-Chairman John Gillian, Mr. Mac Macready, Mr. James Miles, and Mrs. Jerry Schannep. Absent: None.

***Quorum Present***

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 4' into the 5' side yard setback.**

**718 Summer Lane**

**R-5 (Patio Garden Homes)**

**Sally Reynolds, Petitioner**

Mr. Duke provided the background on the previous hearing. He stated that the property owner consulted a professional engineer concerning the flow of storm water from the property. The engineer's report suggests changes to the concrete patio and stated the recommendation would improve the water problem. (Report made a part of the minutes).

Sally Reynolds, petitioner stated that she has contacted a contractor who will perform the work as specified in the report from her engineer Greg Gillian of Larry E. Speaks & Associates, Inc. She also stated that it was determined that Mr. Cox's concern about the standing water in his flower bed drains from his house. She stated that expansion joint filler was place between her patio's concrete slab and the neighbor's house slab to prevent standing water.

Chairman Jamieson opened the floor for any public comments. There were none.

After no further comments, questions, or discussion, the vote was called. Mr. Gillian moved to approve the request. Mr. Miles seconded the motion. The motion to approve failed by 2/3 vote as recorded. Favor: Mr. Gillian, Mr. Miles, and Chairman Jamieson. Oppose: Mrs. Schannep and Mr. Macready.

After consideration of the vote, Mrs. Schannep moved for a reconsideration of the vote. Mr. Miles seconded the motion. In their discussion, the Board determined that the petitioner did not violate the zoning ordinance by not obtaining a permit, but the contractor, and she has sought remedy for the

mishap. The Board found that water is being adequately diverted by the proposed corrections as reported by the engineer and the previous concerns had been properly addressed.

After no further comments, questions, or discussion, the vote was called. Mr. Gilliam moved to approve the request. Mr. Miles seconded the motion. **The BZA voted unanimously to approve the variance to allow a 4' encroachment into the 5' side yard setback at 718 Summer Lane.**

**NEW BUSINESS:**

**VARIANCE**

**To encroach 5' into the side yard line.**

**500 Old Farm Lane**

**R-4 (Multi-Family)**

**Old Farm Properties Phase 2, LLC, Petitioner**

Mr. Duke introduced the variance request for a 5' side yard encroachment. He stated that there was an error made during the survey which caused the encroachment.

Richard Bollinger, petitioner representative, stated that a horizontal error in the east west location by the construction surveyor staking out the buildings for construction pushed the buildings 5.5' to the east causing them to encroach into the required side yard setback.

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 4/1 to approve the variance to encroach 5' into the side yard line at 500 Old Farm Lane. The votes are as recorded. Favor: Chairman Jamieson, Mr. Gilliam, Mr. Macready, and Mrs. Schannep. Oppose: Mr. Miles.**

**MISCELLANEOUS:**

City Attorney, David McDowell addressed the Board regarding their concerns with their meetings being recorded. After their discussion, the BZA voted unanimously to not have video recording of its meetings.

**ADJOURN:**

After no further comments, questions or discussion the meeting was adjourned at 4:57.

Respectfully submitted,



Alisa Morgan, Secretary  
Board of Zoning Adjustment

## PRATTVILLE BOARD OF ZONING ADJUSTMENT

**PETITIONER:** SALLY REYNOLDS  
718 SUMMER LANE  
PRATTVILLE, AL 36066

**REQUEST:** VARIANCE TO ENCROACH 4' INTO THE 5' SIDE YARD  
SETBACK  
718 SUMMER LANE  
R-5 ZONING DISTRICT (PATIO GARDEN HOMES)

## ORDER

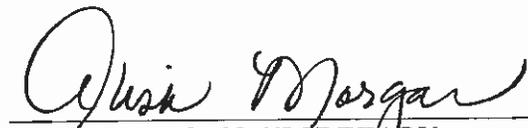
The above petition having been duly considered at a public hearing meeting before the Board of Zoning Adjustment of the City of Prattville, having been advertised in *The Prattville Progress*, a newspaper of general circulation in the city limits of Prattville, Alabama, and setting forth notice of the 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 February 14, 2012 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 a 4' encroachment into the 5' side yard setback** at property requested.

**IT IS THEREFORE ORDERED** the petition of Sally Reynolds, 718 Summer Lane, Prattville, AL is hereby approved.

**DONE THIS THE 13th DAY OF March 2012.**

## BOARD OF ZONING ADJUSTMENT

  
LEO JAMIESON, CHAIRMAN

  
ALISA MORGAN, SECRETARY

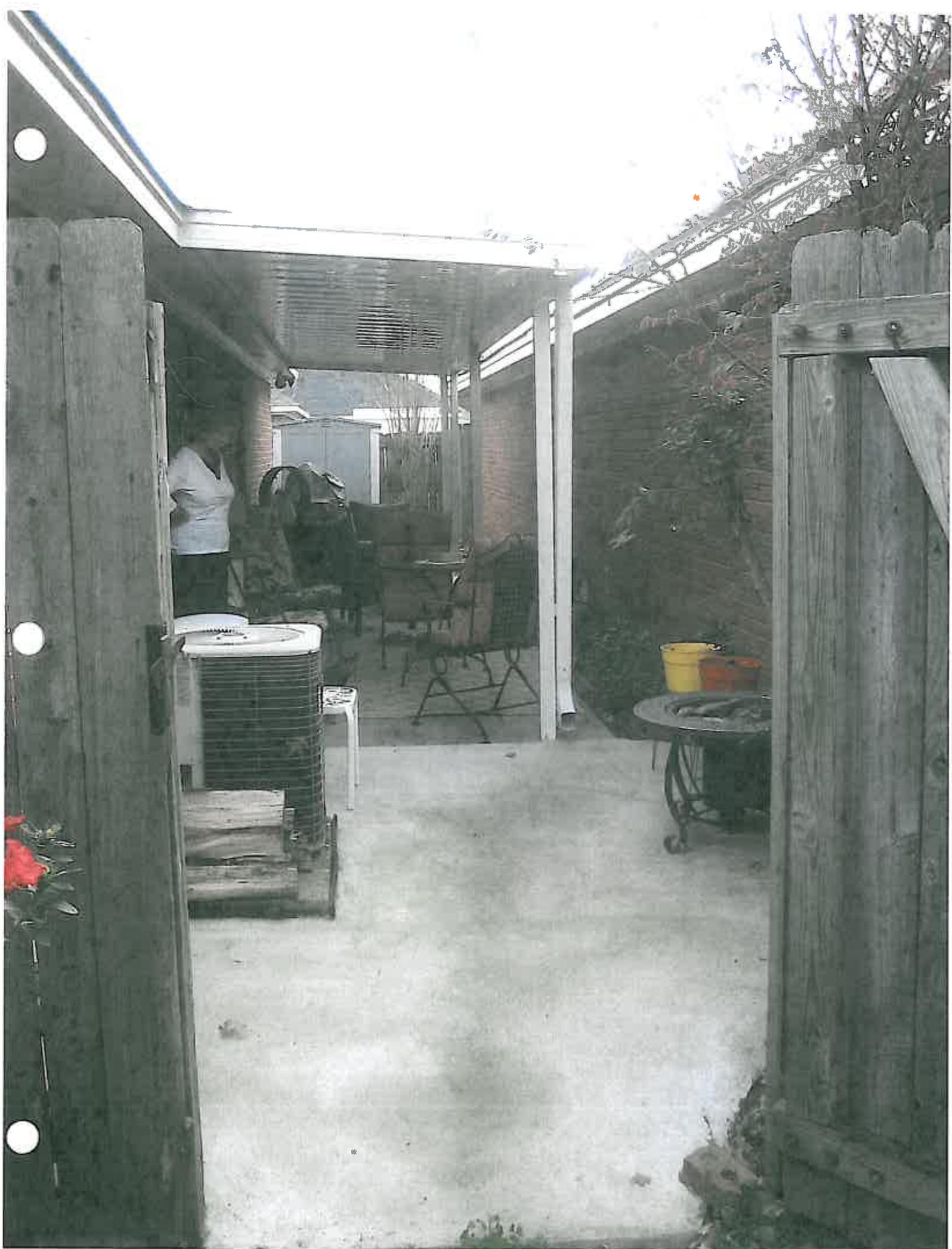
**CITY OF PRATTVILLE BOARD OF ADJUSTMENT  
PUBLIC HEARING  
SPEAKERS SIGN-IN SHEET**

**MEETING DATE:** February 14, 2012

**PETITIONER:** Sally Reynolds

**ADDRESS OF PETITION:** 718 Summer Lane

	NAME	ADDRESS
1.	<u>Lester E Taylor</u>	<u>Air Flow</u>
2.	<u>Sally Reynolds</u>	<u>718 Summer Lane</u>
3.	<u>Anthony Cox</u>	<u>716 Summer Lane</u>
4.	<u>March 13, 2012</u>	
5.	<u>Sally Reynolds</u>	<u>718 Summer Lane</u>
6.	<u>Lester E Taylor</u>	<u>Air Flow</u>
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		









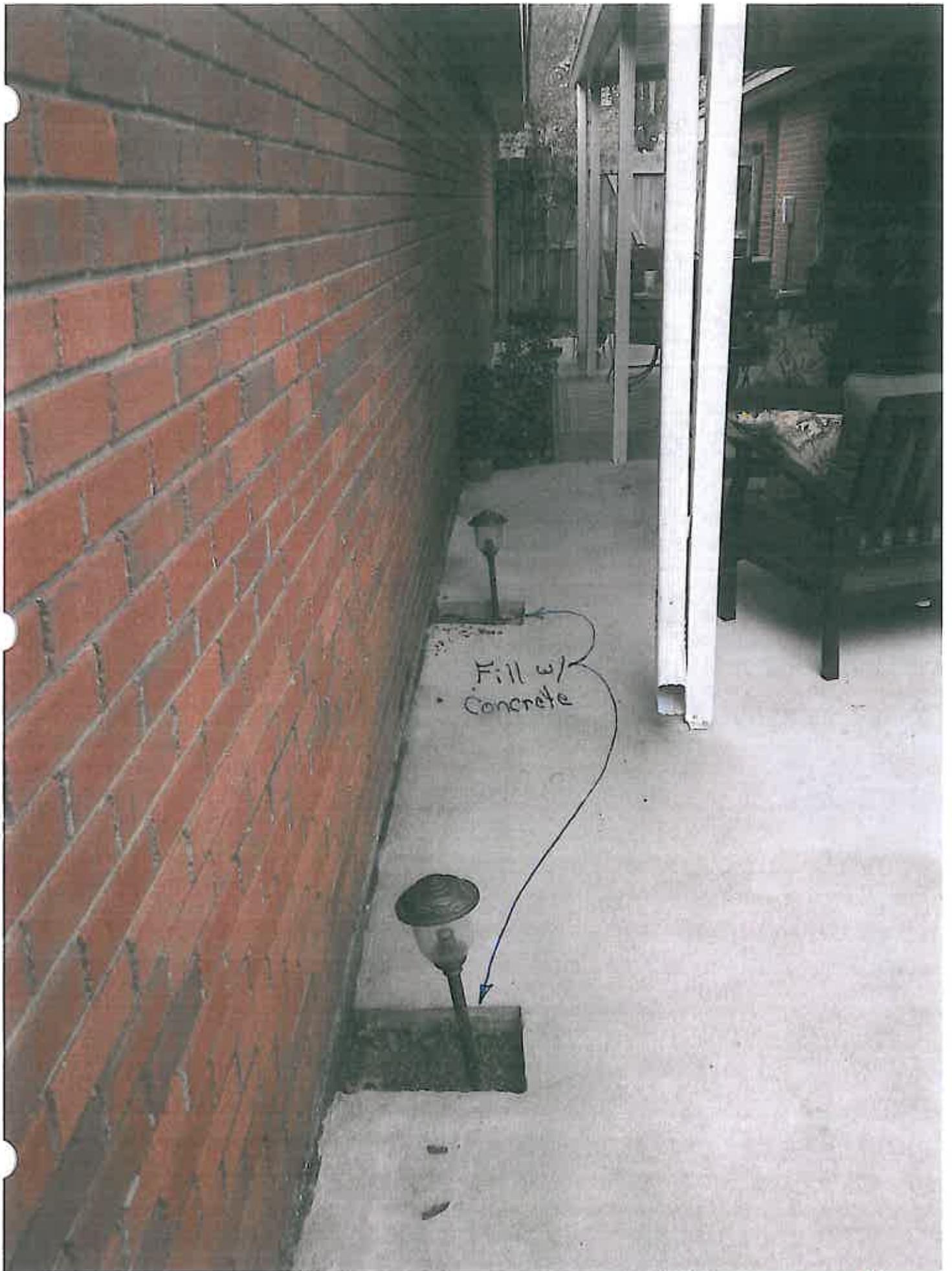


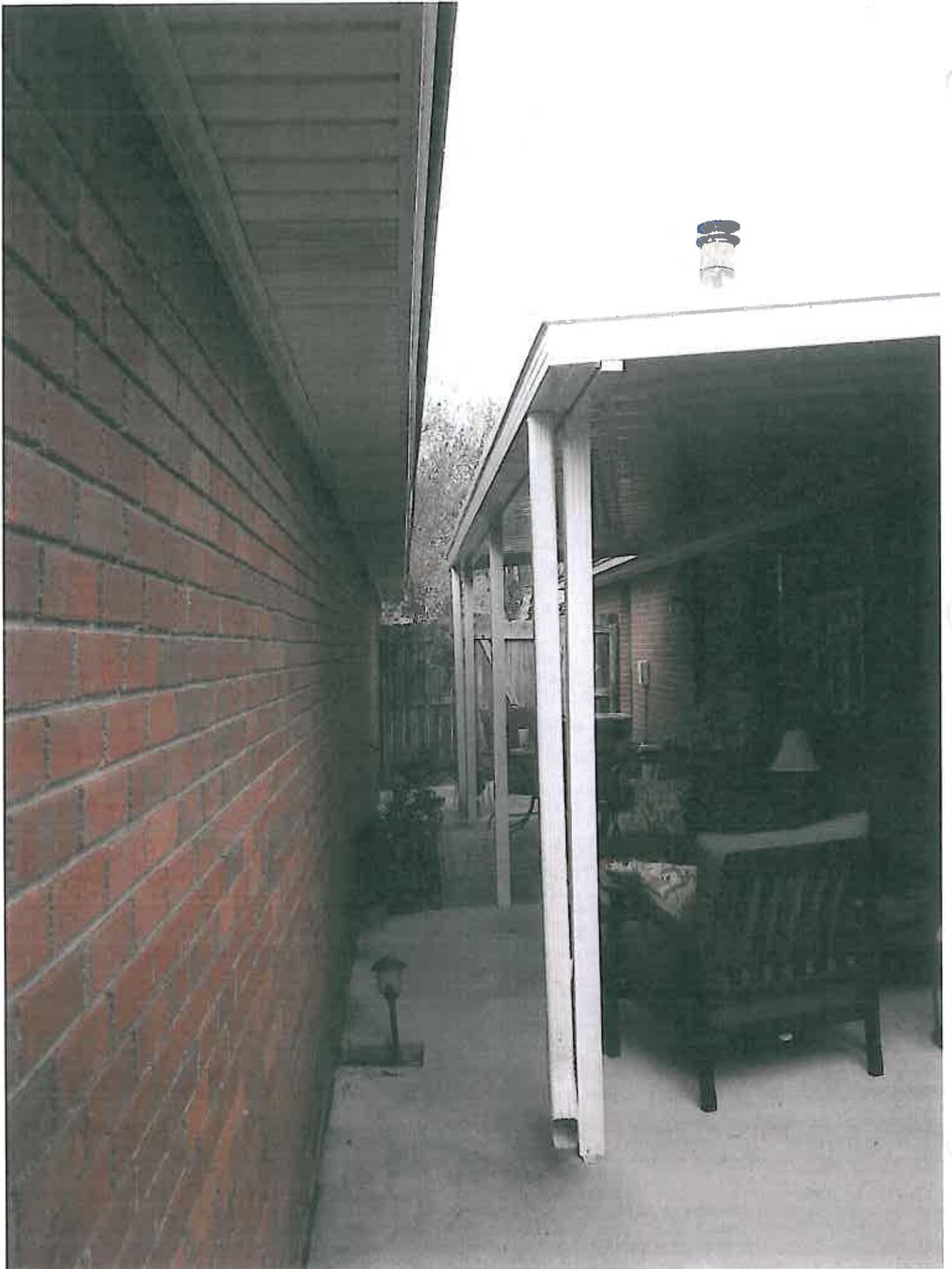
















**CITY OF PRATTVILLE**  
Board of Zoning Adjustment

Planning Department Staff Report



<b>DATE:</b>	1/31/12
<b>APPLICATION TYPE:</b>	Variance (120214-02)
<b>PROPERTY LOCATION or DESCRIPTION:</b>	718 Summer Lane
<b>PETITIONER(S) AND AGENT(S):</b>	Sally Reynolds
<b>ZONING DISTRICT(S)</b>	R-5 (Patio Garden Homes)
<b>REQUESTED ACTION:</b>	To encroach 4' into the 5' side yard line.
<b>ZONING ORDINANCE REFERENCE:</b>	<b>Appendix A-Zoning Ordinance Section 71 Residential district requirements:</b> <b>R-5 District:</b> Minimum Yard Size Front yard - 20' Rear Yard – 15' Side Yard – One side min. 5'



CITY  
PRATTVILLE, ALABAMA

718 SUMMER LN

1" = 50'



-  STREETS
-  TAX PARCELS





Attn: Greg

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

120214-02

Variance

To encroach into the 5' side yard line

Prattville Board of Zoning Adjustment

Application

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: Sally Reynolds

Street Address: 718 Summer Lane

City: Prattville State: AL Zip: 36066

Phone Number(s): 303-3339

**Property Owner Information**  
If different than above

Name: Sally Reynolds

Address of Property Owner: 718 Summer Lane

City: Prattville State: AL Zip: 36066

Phone Number: (334) 303-3339

**Property Description**

County Tax Parcel Number/Legal Description: 19061410040020000  
lot 2

Current Zoning of Property: R-5 Physical Address: same

Proposed Use of Property (generally): Residential

Describe Proposed Use or Variance:  
Patio Awning 2' comes within 1'  
over hazy of House

Yoc. →  
F. 11  
Out →

Prattville BZA Application  
Page 2

The following items must be attached to the application (check those items included):

- Attached —  Tax record map from the Autauga County or Elmore County Tax Assessors Office
- You Provide S  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
- You Pay —  Application fees: Variance and Administrative Appeal - Fifty dollars (\$50), Use-on-Appeal - Two hundred fifty dollars (\$250).
- Attached —  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.
- I will sign when you complete  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)

Cover will help water problem  
between horses. Water puddle up  
between horses

You  
Fill  
Out

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.

Sallie M. Reynolds      Sallie M. Reynolds      1/25/2011  
Printed Name                      Signature                      Date

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Sallie M Reynolds, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 25 day of January, 2012.

[Signature]  
Notary Public  
My commission expires 10/6/2014



**PRATTVILLE BOARD OF ZONING ADJUSTMENT**

**PETITIONER: OLD FARM PROPERTIES, LLC  
500 OLD FARM LANE  
PRATTVILLE, AL 36066**

**REQUEST: VARIANCE TO ENCROACH 5' INTO THE SIDE YARD SETBACK  
500 OLD FARM LANE  
R-4 ZONING DISTRICT (MULTI FAMILY)**

**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 March 13, 2012 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 5' into the side yard line** at property requested.

**IT IS THEREFORE ORDERED** the petition of Old Farm Properties, LLC, 500 Old Farm Lane, Prattville, AL is hereby approved.

**DONE THIS THE 13th DAY OF March 2012.**

**BOARD OF ZONING ADJUSTMENT**

  
\_\_\_\_\_  
LEO JAMIESON, CHAIRMAN

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

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

**MEETING DATE:** March 13, 2012

**PETITIONER:** Old Farm Properties Phase 2, LLC

**ADDRESS OF PETITION:** 500 Old Farm Lane

	<b>NAME</b>	<b>ADDRESS</b>
1.	<i>Richard W Ballinger</i>	<i>1109 S Hill ST 36104</i>
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		

**CITY OF PRATTVILLE**  
 Board of Zoning Adjustment

Planning Department Staff Report



<b>DATE:</b>	3/1/12
<b>APPLICATION TYPE:</b>	Variance (120313-01)
<b>PROPERTY LOCATION or DESCRIPTION:</b>	500 Old Farm Lane Willow Ridge Apartments
<b>PETITIONER(S) AND AGENT(S):</b>	Old Farm Properties Phase 2, LLC Petitioner Representative: J. M. Garrett & Son, LLC.
<b>ZONING DISTRICT(S)</b>	R-4 (Multi-Family)
<b>REQUESTED ACTION:</b>	To encroach 5' into the 8' (west) side yard line. Lot 1 and Lot 2
<b>ZONING ORDINANCE REFERENCE:</b>	<b>Appendix A-Zoning Ordinance Section 71 Residential district requirements:</b> <b>R-4 District:</b> Minimum Yard Size Front yard - 25' Rear Yard – 30' Side Yard – 8'6'



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

**120313-01**

Variance  
 To encroach 5' into the side yard line

**Application  
 Prattville Board of Zoning Adjustment**

Type:  Use-On-Appeal  Variance  Administrative Appeal

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

Name: Old Farm Properties Phase 2, LLC

Street Address: 500 Old Farm Lane

City: Prattville State AL Zip: 36067

Phone Number(s): 334-462-5550

**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: \_\_\_\_\_

---

Current Zoning of Property: R-4 Physical Address: 500 OLD FARM LN

Proposed Use of Property (generally): Multi Family

Describe Proposed Use or Variance: 5' variance into side yard set back located on the west side of Lot 1 and Lot 2; this property will be replatted into a single lot within approximately four years with the adjoining Phase One Willow Ridge Apartments; basically same ownership with the exception of lending institutions

---



---



---



---



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)

After construction an as-built map of all improvements was request by the lending institutions. It was found that a horizontal error in the east west direction by the construction surveyor staking out the buildings pushed the buildings 5.5 feet to the east causing them to encroach into the 6 feet side yard set back.

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.

David Turner  
Printed Name

David Turner  
Signature

02/20/2012  
Date

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that David Turner, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 20th day of February, 2012.

Richard Bolinger  
Notary Public

My commission expires 07/07/2014



# Buildings 520 and 526 Old Farm Lane

S89°57'45"E BY PLAT  
353.37' BY PLAT  
N89°58'08"W  
346.06'

S89°12'58"19"E  
301.09' ( BY DEED )

S89°57'57"E  
301.09' ( ACTUAL )

