



# 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

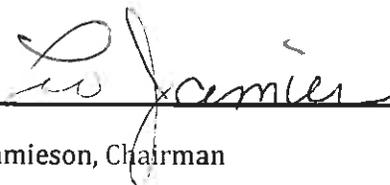
**DENISE B. BROWN**  
DISTRICT 3

**TOM MILLER**  
DISTRICT 4

**RAY C. BOLES**  
DISTRICT 6

## City of Prattville Board of Zoning Adjustment

The minutes of the April 10, 2012 meeting of the  
City of Prattville Board of Zoning Adjustment  
were approved.



Leo Jamieson, Chairman

7/10/12

Date



# CITY OF PRATTVILLE

**BILL GILLESPIE, JR.**  
MAYOR

## CITY COUNCIL

**MIKE RENEGAR**      **NATHAN D. FANE**      **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**  
**April 10, 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.

### Minutes:

February 14, 2012 and March 13, 2012

### Old Business:

None

### New Business:

1. 120410-01 VARIANCE:

To encroach 7'-8' into the side yard setback.  
1544 Trolley Road  
R-2 (Single Family Residential)  
**Glenn Robertson, Petitioner**

*District 5*

2. 120410-02 USE-ON-APPEAL:

To allow church use on property.  
2257 and 2265 Cobbs Ford Road  
B-2 (General Business)  
**Newport LLC, Petitioner**

*District 4*

### Miscellaneous:

### Adjourn:

**City of Prattville Board of Zoning Adjustment  
Minutes  
April 10, 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, April 10, 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:**

Mrs. Schannep moved to approve the minutes of the February 14, 2012 and the March 13, 2012 meetings. Mr. Macready seconded the motion. The motion passed unanimously.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**VARIANCE**

**To encroach 7'-8' into the side yard setback.**

**1544 Trolley Road**

**R-2 (Single Family Residential)**

**Glenn Robertson, Petitioner**

Mr. Duke introduced the variance request to encroach the side yard setback at 1544 Trolley Road. He stated that the property is on a corner lot and has two street frontages. He stated that the front setback is 35'. He stated that the petitioner is requesting to encroach 7'-8' into the (Trolley Road) side yard line. He stated that with all variances that the board wishes to approve they must state a reason for the hardship that requires the variance.

Glenn Robertson, petitioner presented a second (revised) site plan. He stated that the revised plan would only encroach up to 4'4" into the (Trolley Road) side yard line. He stated that he was requesting a variance to avoid encroaching into the slope located on the east side of the property. He stated that he believed that once he start undermining that slope it could possibly cause drainage problems in the future. He stated that proposed house is 2079 ft<sup>2</sup>.

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

Mr. Duke stated that the drawing provided by the staff (120410-01/A) provides an alternative (in red) to encroaching in the side yards by encroaching into the rear yard. He stated that the petitioner had not presented a good case for a variance and is requesting a variance based on speculation. He asked that if the board sees fit to grant a variance, consider granting the variance to encroach into the rear yard where it is not apparent to the surrounding property.

Mr. Robertson stated that it's his experience that once they start undermining the slope and hill that it will be a problem in the future which he is trying to avoid.

Mr. Duke stated that the petitioner has not provided sufficient information to determine that there is an unnecessary hardship on the lot. He stated that all the lots south of Trolley Road are higher than the lots to the rear of the property. He stated that the petitioner is building a house larger than required by the covenants on one of the largest lots in the subdivision.

After no further comments, questions, or discussion, the vote was called. **The BZA voted by 4/1 vote to approve the variance to allow a 4'4" encroachment into the 35' side yard setback at 1544 Trolley Road. The votes are as recorded. Favor: Mr. Gillian, Mr. Macready, Mrs. Schanep, and Chairman Jamieson. Oppose: Mr. Miles.**

**USE-ON-APPEAL**

**To allow church use on property.  
2257 and 2265 Cobbs Ford Road  
B-2 (General Business)  
Newport LLC, Petitioner**

Mr. Duke introduced the use-on-appeal request to allow church use in a business zoning. He stated that it is set up for church office and classrooms in one building and church use in the other. He stated that it is expected that there is sufficient parking for the proposed use. He stated that the proposed use would not cause a substantial traffic impact to Cobbs Ford Road.

Joey Fine, petitioner representative, stated that he is the pastor of the 50 family member church Seasons Church. He stated that 2257 would be used for the sanctuary and 2265 and recent acquired 2277-E will be used for office and classrooms. He stated that the schedule of operation is Sunday from 10:00a.m.-12:00p.m. and on Wednesday at 6:30p.m. He stated that the church is the only business operating in the shopping center on Sundays.

Chairman Jamieson asked Mr. Duke if the newly attained 2277-E is required a separate hearing. Mr. Duke explained that the 2277-E is contained on the same property as presented in the initial request which has been advertised.

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

After no further comments, questions, or discussion, the vote was called. **Mr. Macready moved to approve the request to allow church use at 2257, 2265 and 2277-E Cobbs Ford Road. Mr. Gillian seconded the motion. The BZA voted unanimously to approve the use-on-appeal.**

**MISCELLANEOUS:**

**ADJOURN:**

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

Respectfully submitted,



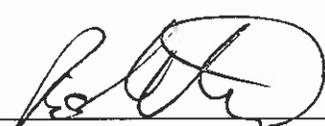
Alisa Morgan, Secretary  
Board of Zoning Adjustment

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

**MEETING DATE:** April 10, 2012

**PETITIONER:** Glenn Robertson

**ADDRESS OF PETITION:** 1544 Trolley Road

	NAME	ADDRESS
1.		
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PRATTVILLE BOARD OF ZONING ADJUSTMENT

**PETITIONER:** GLENN ROBERTSON  
3331 HIGHWAY 14  
MILLBROOK, AL 36054

**REQUEST:** VARIANCE TO ENCROACH 7'8' INTO THE SIDE YARD SETBACK  
1544 TROLLEY ROAD  
R-2 ZONING DISTRICT (SINGLE FAMILY RESIDENTIAL)

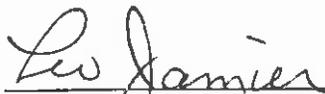
**ORDER**

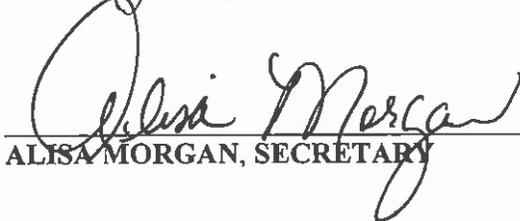
The above petition having been duly considered at a public hearing meeting before the Board of Zoning Adjustment of the City of Prattville, having been advertised in *The Prattville Progress*, a newspaper of general circulation in the city limits of Prattville, Alabama, and setting forth notice of the 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 10, 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 4'4" into the side yard line** at property requested.

**IT IS THEREFORE ORDERED** the petition of Glenn Robertson, 3331 Highway 14, Millbrook, AL is hereby approved.

**DONE THIS THE 10th DAY OF April 2012.**

**BOARD OF ZONING ADJUSTMENT**

  
\_\_\_\_\_  
LEO JAMESON, CHAIRMAN

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

**CITY OF PRATTVILLE**  
 Board of Zoning Adjustment

Planning Department Staff Report



<b>DATE:</b>	3/28/12
<b>APPLICATION TYPE:</b>	Variance (120410-01)
<b>PROPERTY LOCATION or DESCRIPTION:</b>	1544 Trolley Road
<b>PETITIONER(S) AND AGENT(S):</b>	Glenn Robertson
<b>ZONING DISTRICT(S)</b>	R-2 (Single Family Residential)
<b>REQUESTED ACTION:</b>	To encroach 7'-8' into the side 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

1544 TROLLEY RD

1" = 100'



STREETS  
TAX PARCELS





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

**120410-01**

Variance  
 To encroach 7'-8' into the side yard line

**Application  
 Prattville Board of Zoning Adjustment**

e:  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: 1544 TROLLEY

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: \_\_\_\_\_

Proposed Use of Property (generally): SINGLE FAMILY

Describe Proposed Use or Variance:  
I'm REQUESTING AN 8'  
ENCROACHMENT ALONG THE SIDE  
BUILDING LINE ON TROLLEY ROAD.

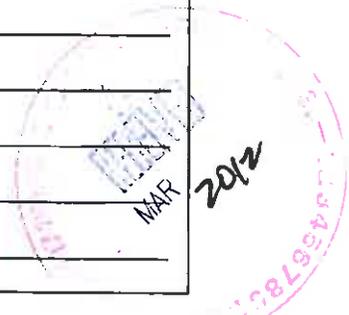
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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 IRREGULAR SHAPE OF THE  
LOT IS CAUSING THE HARDSHIP.  
I CAN'T FIT A HOME ON THE LOT  
BECAUSE OF THE ODD SHAPE.  
I WILL ONLY ENCRACH A MAXIMUM  
OF 8' IN ONE SMALL SECTION

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] 3/22/2012  
 Printed Name Signature Date

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

March, 2012.

[Signature]  
Notary Public

My commission expires **My Commission Expires 11-08-2018**

# 120410-01/A

Variance

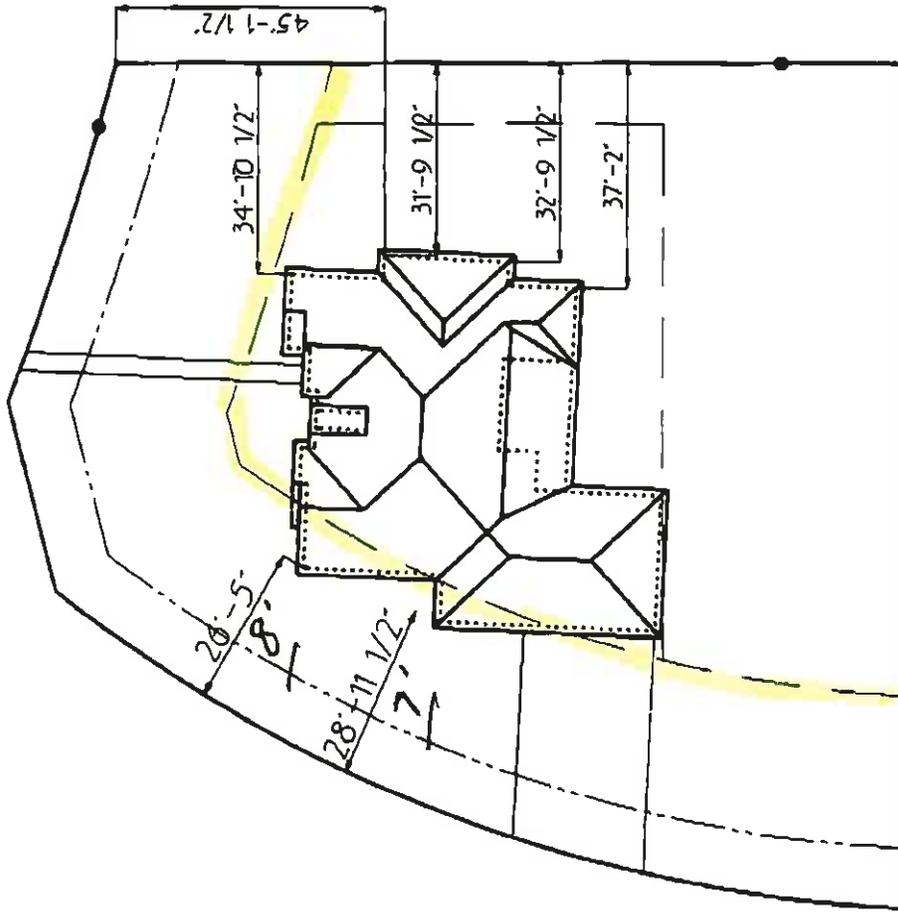
To encroach 7'-8" into the side yard line

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



SITE PLAN  
SCALE 1"=30'-0"

RIVERCHASE NORTH SUB  
LOT #10/ PLAT 6  
PRATTVILLE, AL



We are 8'-7" over building line.

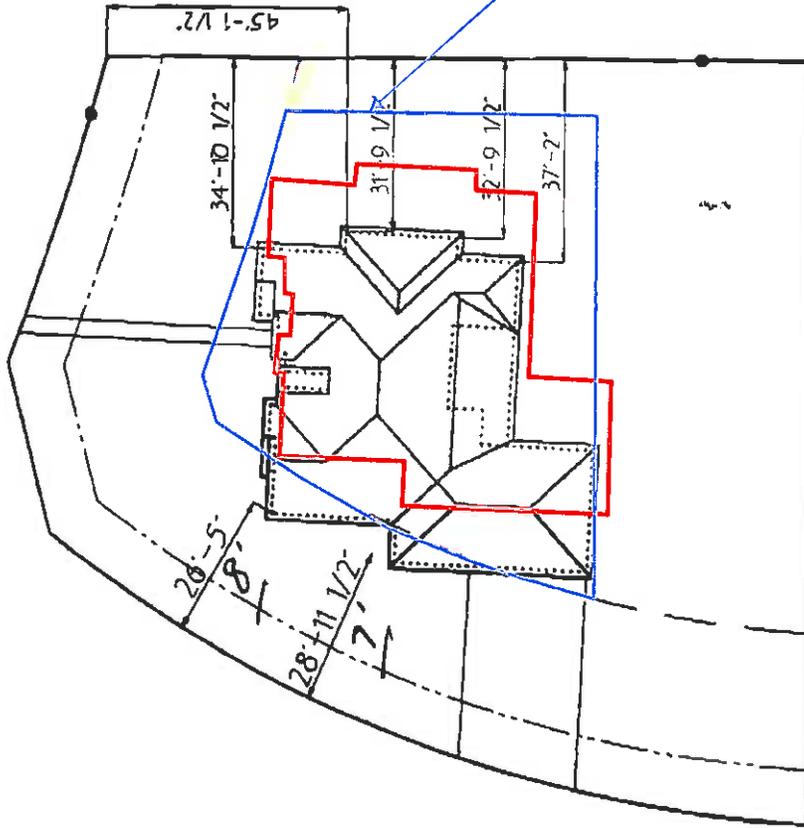
# 120410-01/A

Variance  
To encroach 7'-8" into the side yard line

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



SITE PLAN  
SCALE 1"=30'-0"  
RIVERCHASE NORTH SUB,  
LOT #10/ PLAT 6  
PRATTVILLE, AL



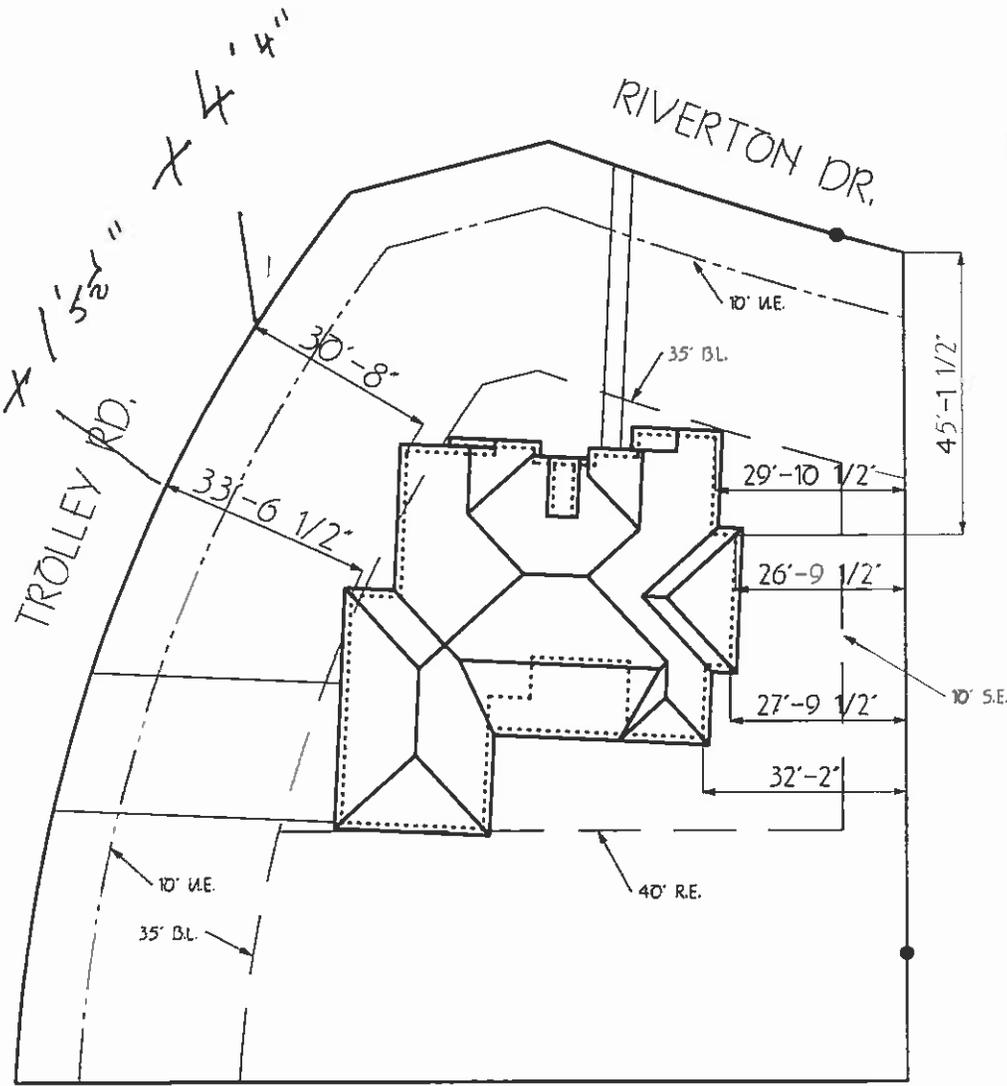
Building Envelope —  
Zoning 35' street front-  
age, 40' rear yard, and  
10' side

We are 8'-7" over building line

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



SITE PLAN  
SCALE 1"=30'-0"  
RIVERCHASE NORTH SUB.  
LOT #10/ PLAT 06  
PRATTVILLE, AL.



PLS

**PRATTVILLE BOARD OF ZONING ADJUSTMENT**

**PETITIONER: NEWPORT LLC/SQUARE ONE COMMERCIAL CENTER  
PO BOX 605  
MILLBROOK, AL 36054**

**REQUEST: USE-IN-APPEAL TO ALLOW CHURCH USE ON PROPERTY  
2257 AND 2265 COBBS FORD ROAD  
B-2 ZONING DISTRICT (GENERAL BUSINESS)**

**ORDER**

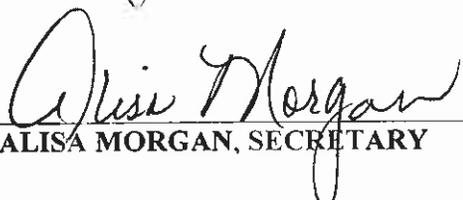
The above petition having been duly considered at a public hearing meeting before the Board of Zoning Adjustment of the City of Prattville, having been advertised in *The Prattville Progress*, a newspaper of general circulation in the city limits of Prattville, Alabama, and setting forth notice of the 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 April 10, 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 use-on-appeal to allow church use at 2257, 2265 and 2277-E Cobbs Ford Road** at property requested.

**IT IS THEREFORE ORDERED** the petition of Newport LLC, PO Box 605, Millbrook, AL is hereby approved.

**DONE THIS THE 10th DAY OF April 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:** April 10, 2012

**PETITIONER:** Newport LLC

**ADDRESS OF PETITION:** 2257 and 2265 Cobbs Ford Road

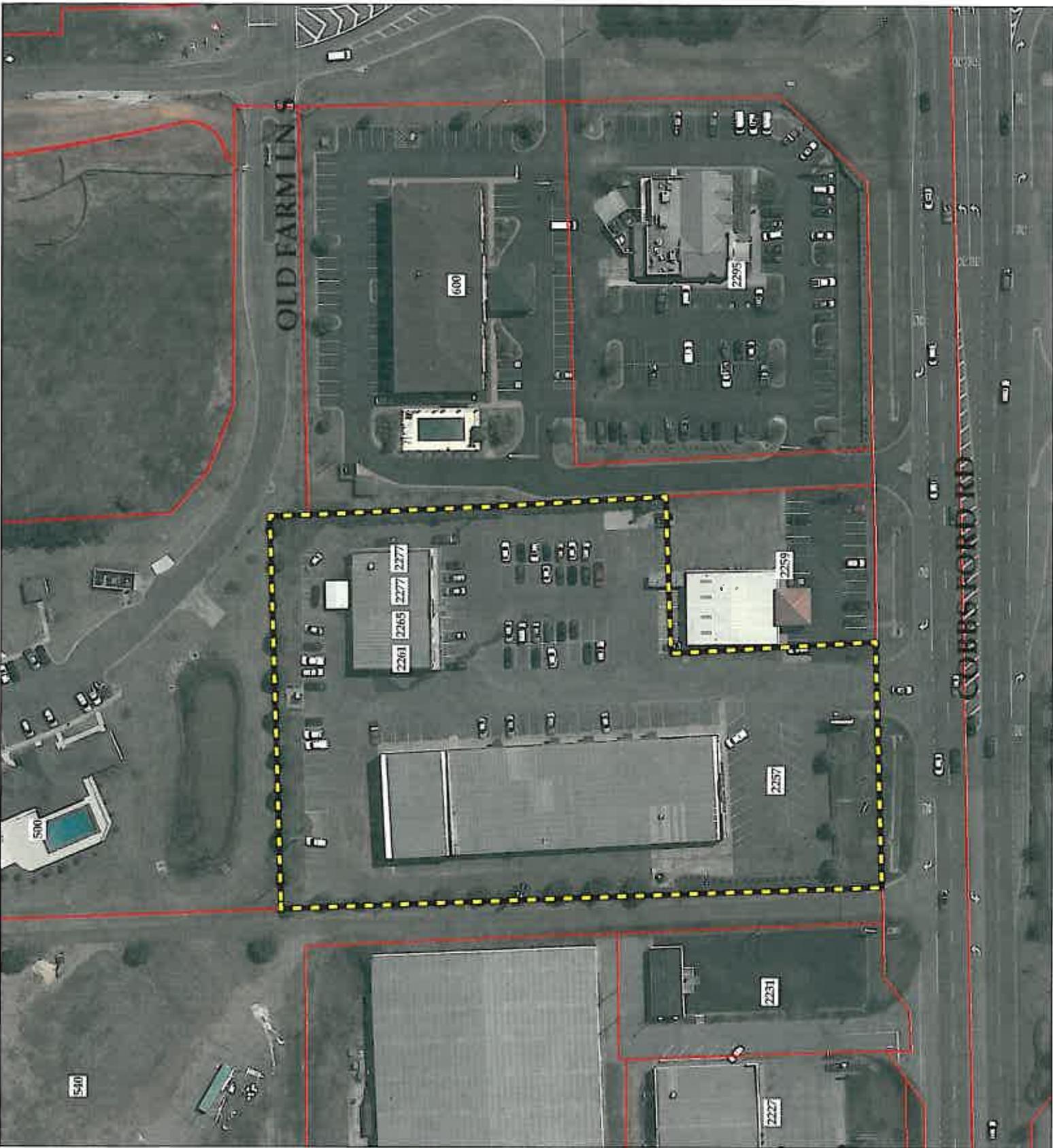
	NAME	ADDRESS
1.	<u>Jeff B. Fire</u>	<u>1225 Conestoga Wagon Trl. Prattville</u>
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
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**CITY OF PRATTVILLE**  
Board of Zoning Adjustment

Planning Department Staff Report



<b>DATE:</b>	3/28/12
<b>APPLICATION TYPE:</b>	Variance (120410-02)
<b>PROPERTY LOCATION or DESCRIPTION:</b>	2257 and 2265 Cobbs Ford Road
<b>PETITIONER(S) AND AGENT(S):</b>	Newport LLC Representative: Joey Fine, Seasons Church
<b>ZONING DISTRICT(S)</b>	B-2 (General Business)
<b>REQUESTED ACTION:</b>	To allow church use.
<b>ZONING ORDINANCE REFERENCE:</b>	<p>Article 7. District Requirements. Appendix A-Zoning Ordinance Section 72 Business District Requirements (B-2)</p> <p><b>USES PERMITTED ON APPEAL:</b> Animal clinics, hospitals or kennels, dry cleaners and laundries. Manufacturing incidental to a retail business where articles are sold at retail on the premises, not specifically prohibited herein. 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.</p> <p>Section 71 Residential District Requirements (R-4)</p> <p><b>USES PERMITTED ON APPEAL:</b> Clubs, not conducted for profit; rooming and boarding houses. (See: regulations common to all "R" Districts, listed above.)</p> <p><b>ALL "R" DISTRICTS</b></p> <p><b>USES PERMITTED ON APPEAL:</b> ...churches;</p>



CITY OF  
PRATTVILLE, ALABAMA

2257 - 2277  
COBBS FORD RD

1" = 100'



STREETS  
TAX PARCELS





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

120410-02

Use-On-Appeal  
 To allow church use on property

Application  
 Prattville Board of Zoning Adjustment

pe:  Use-On-Appeal  Variance  Administrative Appeal

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

Name: Seasons Church / Joey Fine

Street Address: 2265 COBBS Ford Road

City: Prattville State AL Zip: 36066

Phone Number(s): (334) 356-6530 (334) 730-3991  
cell

**Property Owner Information**  
If different than above

Name: Newport LLC / Square One Comm Center

Address of Property Owner: P.O. Box 605

City: Mill Brook State: AL Zip: 36054

Phone Number: 334 265-9302

**Property Description**

County Tax Parcel Number/Legal Description: 29-26 0307 0001 022.001

Current Zoning of Property: \_\_\_\_\_ Physical Address: 2265 Cobbs Ford Road / 2257

Proposed Use of Property (generally): church office/classrooms

Describe Proposed Use or Variance: Seasons Church will be using Building for office space and classrooms. Sunday's Seasons Church meets in the gym at Fitness South. At 2257 Cobbs Ford 2265 Cobbs Ford is only used for Pastor's office, church sec. office and Educator classrooms ie: Sunday School

At 2257 Cobbs Ford

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:

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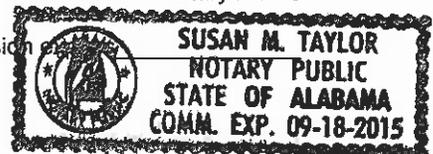
I certify that I am the property owner, or authorized agent, and attest that all facts are true and correct. I do hereby certify that the property owner list attached to this application was obtained from the Autauga County Revenue Office, (Elmore County if applicable), and is a complete list of all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

Jay B. Fine                      Jay B. Fine                      3-23-12  
 Printed Name                      Signature                      Date

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Jay B. Fine, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 23 day of March, 2012

Susan M. Taylor  
Notary Public

My commission expires



WILLOW RIDGE APARTMENTS

PHASE 2 & 3

25.002  
5.71 AC

22.005  
7.86 AC

21  
7.732 AC

140

26

MANNING MOTOR COMPANY NO. 1  
15-2

26.001

22.001

SQUARE ONE COMMERCIAL CENTER PLANT 1

21.002

SULLIVAN RESTAURANT

21.001

26.003

26.004

22.003

6.036

6.009

6.035

2

2

VARIABLE ROW

VARIABLE ROW

VARIABLE ROW

