



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 July 10, 2012 meeting of the
City of Prattville Board of Zoning Adjustment
were approved.

Leo Jamieson, Chairman

8/14/12

Date



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

A G E N D A

July 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:

April 10, 2012; May 8, 2012; and June 12, 2012

Old Business:

None

New Business:

1. 120710-01 VARIANCE:

To encroach 9' into the 10' side yard line.
924 Silver Creek Circle
R-2 (Single Family Residential)
Jim Rogers, Petitioner

District 5

2. 120710-02 USE-ON-APPEAL:

VARIANCE: To allow a single family resident in a B1 zoning district

To encroach 16' into the 30' rear yard line.
809 Dozier Avenue
B-1 (Neighborhood Commercial)
Cortney S. Brooks, Petitioner

District

Miscellaneous:

Adjourn:

Planning & Development Department

102 West Main Street ■ Alabama 36067 ■ 334-361-3613 ■ 334-361-3677 Facsimile
planning.prattvilleal.gov

**City of Prattville Board of Zoning Adjustment
Minutes
July 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, July 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:

Mr. Gillian moved to approve the minutes of the April 10, 2012, May 8, 2012, and June 12, 2012 meetings. Mr. Miles seconded the motion. The motion passed unanimously.

OLD BUSINESS:

None

NEW BUSINESS:

VARIANCE

To encroach 9' into the 10' side yard line.

924 Silver Creek Circle

R-2 (Single Family Residential)

Jim Rogers, Petitioner

Mr. Duke introduced the variance request to encroach an attached garage 9' into the 10' side yard setback at 924 Silver Creek Circle.

Jim Rogers, petitioner, stated that they are requesting to place an open carport in the side yard of the property. He stated that the side yard is the most viable location to place the carport because the property slopes in the back yard.

Chairman Jamieson opened the meeting for any public comments. There were none. 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 9' into the 10' side yard line at 924 Silver Creek Circle.**

USE-ON-APPEAL

To allow a single family resident in a B1 zoning district

VARIANCE

To encroach 16' into the 30' rear yard line.

809 Dozier Avenue

B-1 (Neighborhood Commercial)

Cortney S. Brooks, Petitioner

Mr. Duke introduced the petitioner's request to place a structure on property at 809 Dozier Avenue. He stated that the property was zoned for business in the early 1980s and was used for an office. He stated that the current use of the property is residential and is adjacent to single family resident. He stated that the petitioner is proposing to remove the existing structure and will rebuild with a new structure. He stated that the residential setback would follow under the R4 zoning requirements. He stated that the proposed structure would encroach 16' into the required 30' rear yard setback.

Gerald Hamm, petitioner representative, stated that he is the builder for the proposed structure. He stated that the structure is 1044ft². He stated that he lives in the area and the proposed structure is a vast improvement for the area.

Chairman Jamieson opened the meeting for any public comments. There were none. The public hearing was closed.

After no further comments, questions, or discussion, the vote was called. **Mrs. Schannep moved to approve the use-on-appeal to allow a single family resident in a B1 zoning district. Mr. Miles seconded the motion. The motion to approve passed unanimously.**

The BZA voted unanimously to approve the variance to encroach 16' into the 30' rear yard line at 809 Dozier Avenue.

MISCELLANEOUS:

ADJOURN:

After no further comments, questions or discussion the meeting was adjourned at 4:29.

Respectfully submitted,



Alisa Morgan, Secretary
Board of Zoning Adjustment

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: **JIM ROGERS**
 924 SILVER CREEK CIRCLE
 PRATTVILLE, AL 36066

REQUEST: **VARIANCE TO ENCROACH 9' INTO THE 10' SIDE YARD LINE**
 924 SILVER CREEK CIRCLE
 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 July 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 9' into the 10' side yard line** at property requested.

IT IS THEREFORE ORDERED the petition of Jim Rogers, 924 Silver Creek Circle, Prattville, AL is hereby approved.

DONE THIS THE 10th DAY OF July 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: July 10, 2012

PETITIONER: Jim Rogers

ADDRESS OF PETITION: 924 Silver Creek Circle

| | NAME | ADDRESS |
|-----|-------------------|-----------------------------|
| 1. | <u>Jim Rogers</u> | <u>924 SILVER CREEK CIR</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: | 6/26/12 |
| APPLICATION TYPE: | Variance (120710-01) |
| PROPERTY LOCATION or DESCRIPTION: | 924 Silver Creek Circle |
| PETITIONER(S) AND AGENT(S): | Jim Rogers |
| ZONING DISTRICT(S) | R-2 (Single Family Residential) |
| REQUESTED ACTION: | To encroach 9' into the required 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, ALABAMA

924
SILVER CREEK CIR

1" = 50'



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

Variance
 To encroach 9' into the required 10' side yard

**Application
 Prattville Board of Zoning Adjustment**

Application 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: _____

Street Address: _____

City: _____ State _____ Zip: _____

Phone Number(s): _____

Property Owner Information
if different than above

Name: JIM ROGERS

Address of Property Owner: 924 SILVER CREEK CIR

City: PRATTVILLE State: AL Zip: 36066

Phone Number: (334) 365-1313 CELL 334-799-0281

Property Description

County Tax Parcel Number/Legal Description: #19051540010010170

LOT 44 BLOCK C SILVER CREEK PLAT 3 MPBK 3 PG 289

Current Zoning of Property: _____ Physical Address: 924 SILVER CREEK CIR

Proposed Use of Property (generally): RESIDENTIAL ADDITION OF CARPORT

Describe Proposed Use or Variance: REQUEST OF ADDITION OF
OPEN CARPORT TO BE CONSTRUCTED IN DESIGN SIMILAR
TO CONSTRUCTION OF DWELLING WITH HIP ROOF OF
ARCHECTURAL SHINGLES, SIMILAR PITCH, SIMILAR
FACIA & SOFFIT, 8 INCH COLUMNS. VARIANCE TO
ALLOW STRUCTURE TO REACH TO ONE FOOT OF
PROPERTY LINE. 9" VARIANCE SIDE 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))

I REQUEST THAT A VARIANCE BE PERMITTED TO ALLOW ME TO BUILD AN OPEN CARPORT TO WITHIN '1'-'2 OF PROPERTY LINE. BY THE CURRENT CODE, THIS DOES NOT ALLOW ROOM TO BUILD AN OPEN CARPORT AND WOULD NOT BE FEASIBLE. I HAVE A SMALL BACK YARD AND CANT BUILD THERE EITHER. AS A REAL ESTATE APPRAISER, I KNOW THIS WOULD ADD VALUE TO MY HOME & NEIGHBORHOOD.

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.

JIM ROGERS
Printed Name

Jim Rogers
Signature

06/21/2012
Date

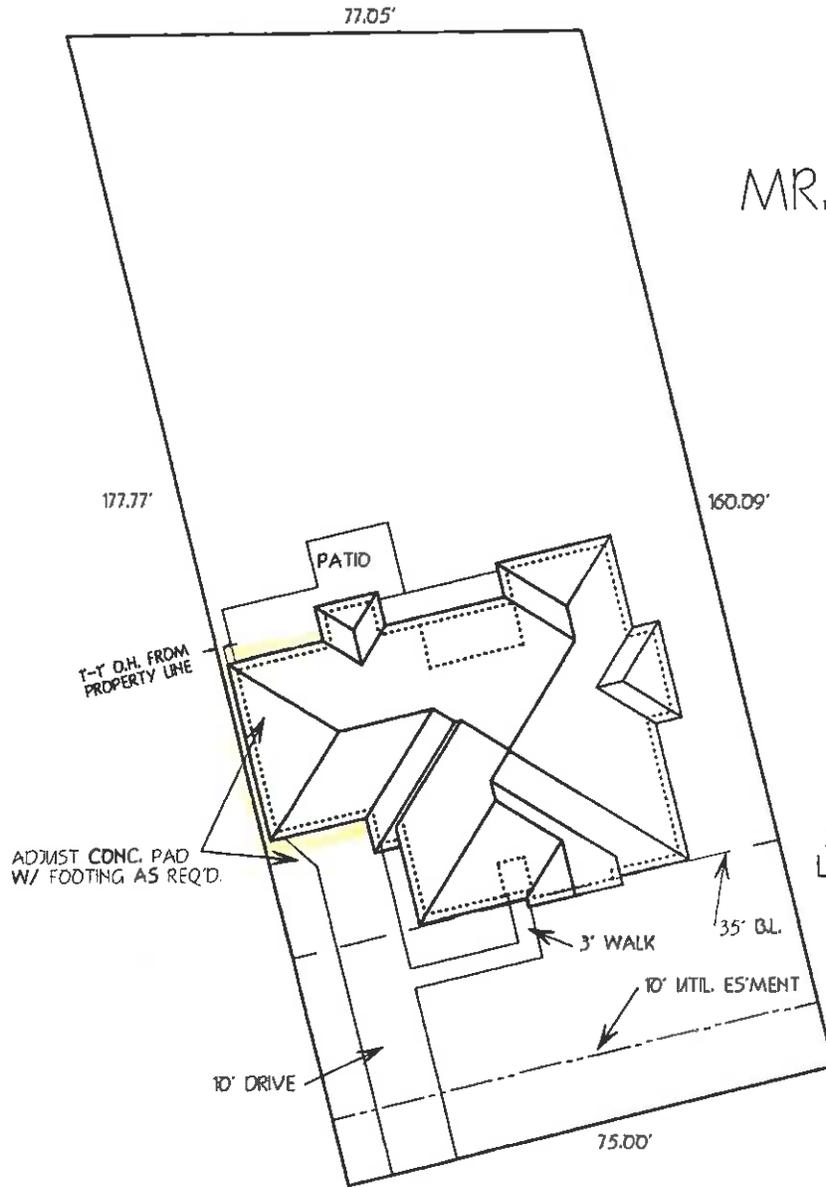
I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Jim Rogers, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 21st day of June, 2012

[Signature]
Notary Public

My commission expires 11-08-2016

120710-01/A

Variance
To encroach 9" into the required 10' side yard



A ADDITION FOR:
MR. JIM ROGERS



SITE PLAN
SCALE 1"=30'-0"

SILVER CREEK SUB.
LOT #44/ PLAT 03
BLOCK "C"
PRATTVILLE, AL.



120710-01/C

Variance
To encroach 9' into the required 10' side yard



120710-01/D

Variance

To encroach 9' into the required 10' side yard



120710-01/E

Variance

To encroach 9' into the required 10' side yard

06/19/2012

To Whom It May Concern;

I have reviewed the plans and discussed with Mr. Jim Rogers at 924 Silver Creek Cir., Prattville, Al. his intentions to build a carport on the left side of his house. I also understand he is requesting a "Variance" from the City of Prattville Zoning Board to have an open carport built where the structure reaches to approximately 1' to 2' of side property line and that this is closer than the normal allotted distance. I do not feel that this will negatively affect the values of the surrounding properties and I have no opposition to this "Variance" request.

Garry T. Lee
922 SILVER CREEK CIR
PRATTVILLE AL 36066
334 361-3981

Garry T. Lee

Judy D. Lee

GLENN K KNAPP
CHARLES N KNAPP
923 SILVER CREEK CIR
PRATTVILLE AL. 36066

Glenn Knapp

LYNN LYNCH
926 SILVER CREEK CIR
PRATTVILLE AL 36066

Lynn Lynch



PRATTVILLE BOARD OF ZONING ADJUSTMENT

**PETITIONER: CORTNEY S. BROOKS
809 DOZIER AVENUE
PRATTVILLE, AL 36067**

**REQUEST: USE-ON-APPEAL TO ALLOW A SINGLE FAMILY RESIDENTIAL
IN A B1 ZONING DISTRICT
VARIANCE TO ENCROACH 16' INTO THE 30' REAR YARD LINE
809 DOZIER AVENUE
B-1 ZONING DISTRICT (NEIGHBORHOOD COMMERCIAL)**

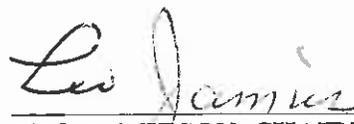
ORDER

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 July 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 a single family resident in a B1 zoning district and approved the variance to encroach 16' into the 30' rear yard line at property requested.**

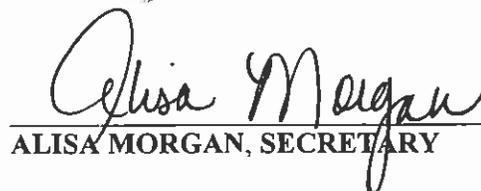
IT IS THEREFORE ORDERED the petition of Cortney S. Brooks, 809 Dozier Avenue, Prattville, AL is hereby approved.

DONE THIS THE 10th DAY OF July 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: July 10, 2012

PETITIONER: Cortney S. Brooks

ADDRESS OF PETITION: 809 Dozier Avenue

| | NAME | ADDRESS |
|-----|--------------------|------------------------|
| 1. | <i>Gerald Hamm</i> | <i>814 Dozier Ave.</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



| | |
|--|--|
| DATE: | 6/26/12 |
| APPLICATION TYPE: | Use-On-Appeal and Variance (120710-02) |
| PROPERTY LOCATION or DESCRIPTION: | 809 Dozier Avenue |
| PETITIONER(S) AND AGENT(S): | Cortney S. Brooks |
| ZONING DISTRICT(S) | B-1 (Neighborhood Commercial) |
| REQUESTED ACTION: | To allow a single family resident in a B-1 zoning district and A variance to encroach 16' into the 30' rear yard line. |
| ZONING ORDINANCE REFERENCE: | <p>Article 7. District Requirements. Appendix A-Zoning Ordinance Section 72 Business District Requirements (B-1)</p> <p>Appendix A-Zoning Ordinance Section 71 Residential district requirements:</p> <p>R-4 District ...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> |

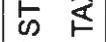


CITY OF
PRATTVILLE, ALABAMA



1" = 50'



-  STREETS
-  TAX PARCELS





120710-02

Use-on-Appeal & Variance
To allow SF residential in B1 District
To encroach 16' into the 30' rear yard

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

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: Gerald S. Hamm

Street Address: 814 Dozier Ave.

City: Prattville State: AL Zip: 36067

Phone Number(s): 334-531-3567

Property Owner Information
if different than above

Name: Courtney S. Brooks

Address of Property Owner: 809 Dozier Ave

City: Prattville State: AL Zip: 36067

Phone Number: (334) 467-8564

Property Description

County Tax Parcel Number/Legal Description: _____

* 19-05-15-2-007-009-000 #0

Current Zoning of Property: B-1 Physical Address: 809 Dozier Ave.

Proposed Use of Property (generally): Residential

Describe Proposed Use or Variance: Request a use variance to construct a new residence on the existing lot located within a B-2 commercial zone. Occupation formerly by Habitat of Antauga County as an office. New owner (approx. 4yrs.) resides there now. Request a rear yard setback of 16ft within a

I hereby acknowledge Gerald S. Hamm as agent to represent me for the BZA application request. [Signature] 6-22-12
Courtney S. Brooks

30ft
req'd.
rear
setback
G.S.H.
6/22/12
CSB
6-22-12

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:

(X)

"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)

Request a use variance to construct a new residence on the existing lot located within a B-1 commercial zone. Owner wants/needs to build a new house to replace existing. Old home will be demolished once completion of the new home is occupiable.

Due to the new home layout the rear setback variance is necessary for satisfying orientation to Dozier Avenue. A 16ft rear yard setback is requested (see lot layout).

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.

G.S.H.
6/22/12
CSB
6-22-12

Gerald S. Hamm [Signature] 6/22/12
Printed Name Signature Date

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

June, 2012

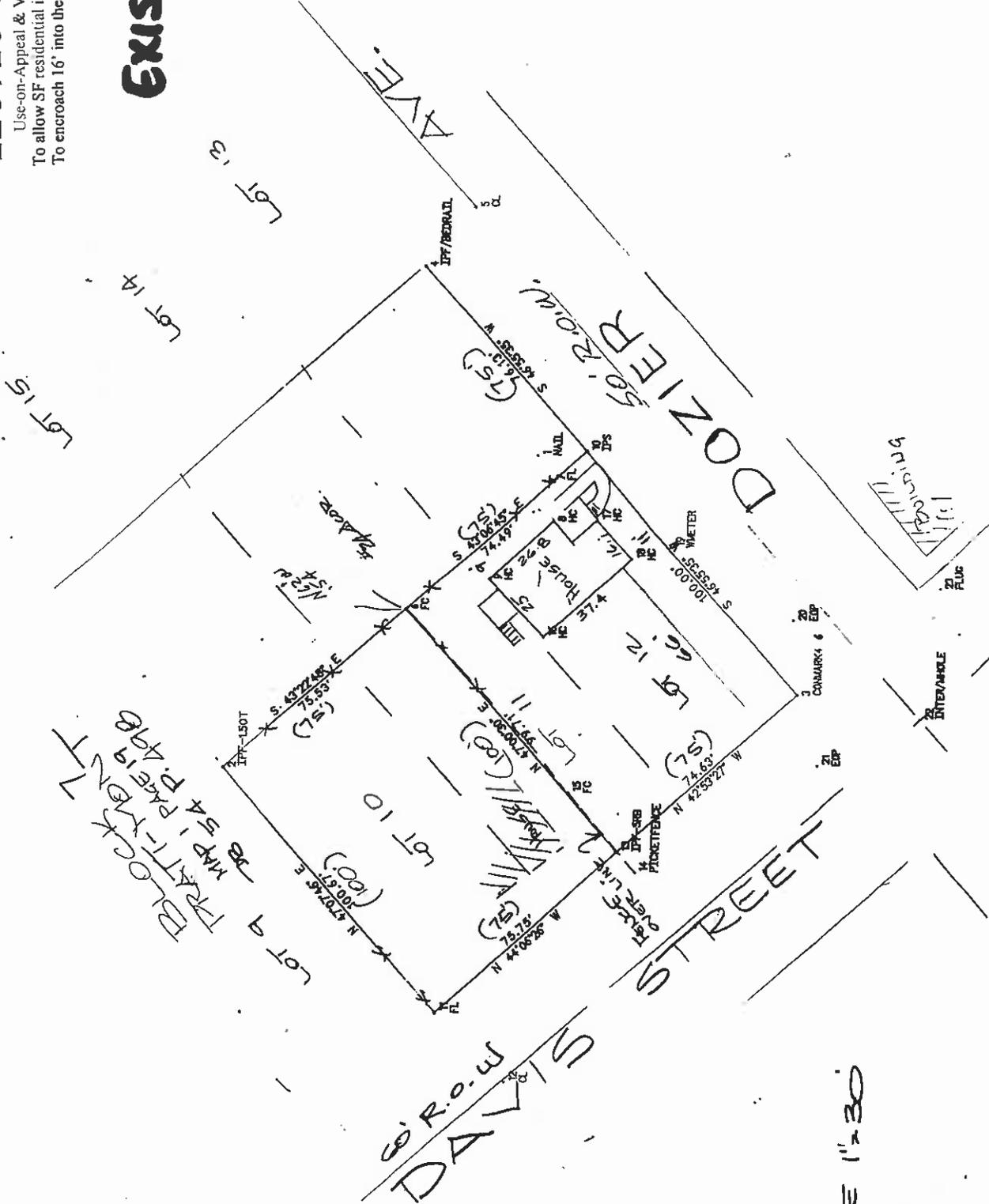
[Signature]
Notary Public

My commission expires My Commission Expires 11-08-2015

120710-02/A

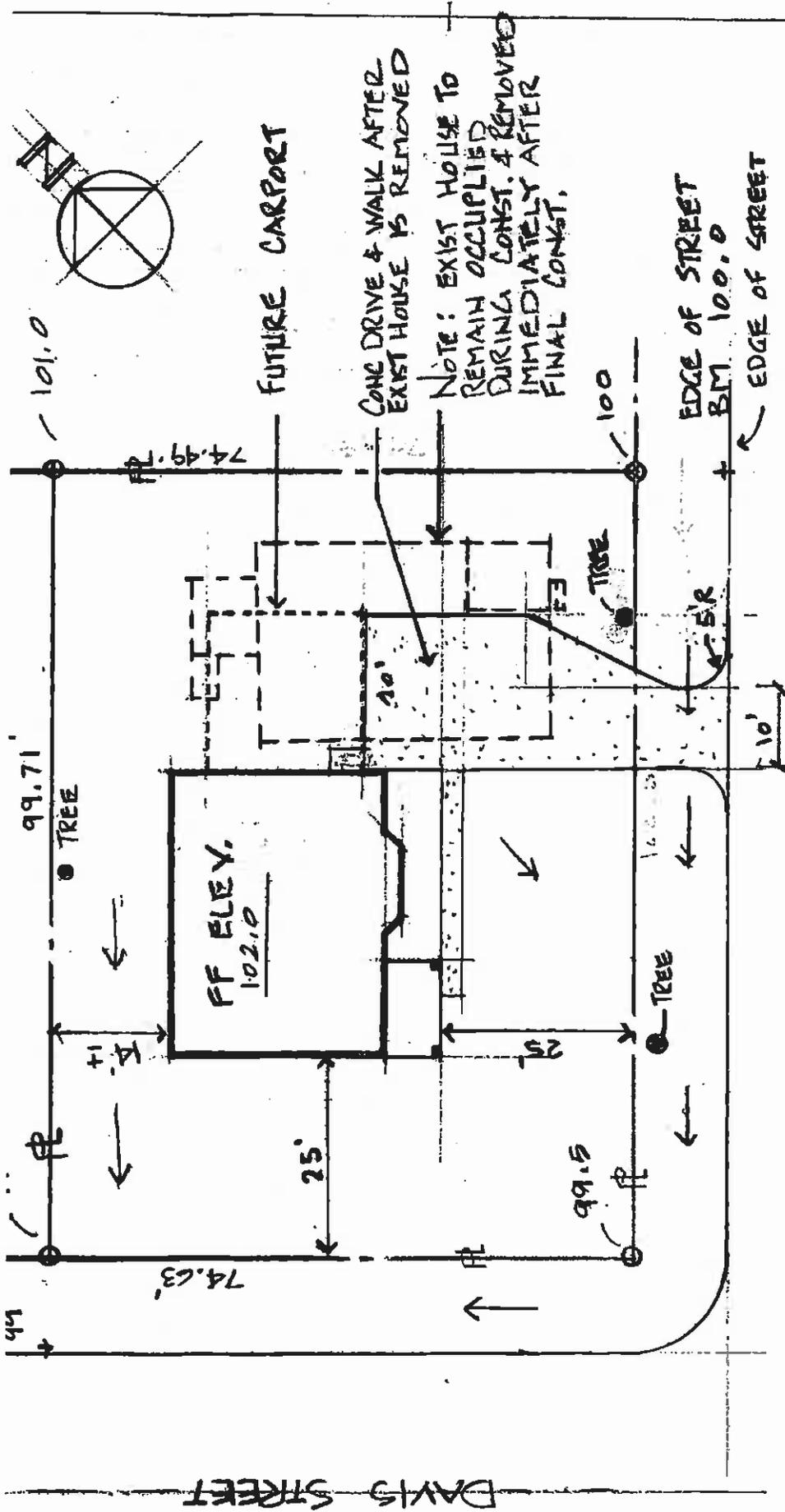
Use-on-Appeal & Variance
To allow SF residential in B1 District
To encroach 16' into the 30' rear yard

EXISTING



SCALE 1"=30'





NOTE: EXIST HOUSE TO REMAIN OCCUPIED DURING CONST. & REMOVED IMMEDIATELY AFTER FINAL CONST.

CONC DRIVE & WALK AFTER EXIST HOUSE IS REMOVED

SITE PLAN
 1" = 20' - 0"
 LOT 11, PRATTMONT S/D
 AUTAUGA COUNTY

120710-02/B
 Use-on-Appeal & Variance
 To allow SF residential in B1 District
 To encroach 16' into the 30' rear yard

DOZIER AVE

PROPOSED

809 DOZIER AVENUE
 PRATTVILLE, AL
 JERRY HAMM BUILDER

LARRY SMITH

| | | |
|--------------|---------------|-------|
| Proj: 12-15D | date: 6-21-12 | Sheet |
| dr: LNS | rev: LNS | 7 |