



CITY OF PRATTVILLE

BILL GILLESPIE, JR.
MAYOR

CITY COUNCIL

WILLIE WOOD, JR.
PRESIDENT
DISTRICT 2

ALBERT C. STRIPLIN
PRESIDENT PRO TEMPORE
DISTRICT 1

DENISE B. BROWN
DISTRICT 3

JERRY STARNES
DISTRICT 4

CLYDE CHAMBLISS, JR.
DISTRICT 5

RAY C. BOLES
DISTRICT 6

LORA LEE BOONE
DISTRICT 7

City of Prattville Board of Zoning Adjustment

The minutes of the May 14, 2013 meeting of the
City of Prattville Board of Zoning Adjustment
were approved.


Jerry Schannep, Vice-Chairman

10/8/13

Date

PLANNING & DEVELOPMENT DEPARTMENT

102 WEST MAIN STREET ■ PRATTVILLE, ALABAMA 36067 ■ 334-361-3613 ■ 334-361-3677
FACSIMILE
planning.prattvilleal.gov



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CITY OF PRATTVILLE BOARD OF ZONING ADJUSTMENT A G E N D A May 14, 2013 4:00pm

Call to Order:

Roll Call:

Chairman Leo Jamieson, Vice-Chairman Jerry Schanep, Mr. Jerry Cimis, Mr. Mac Macready, and Mr. James Miles. Alternate Member: Commander Michael Whaley.

Minutes:

April 9, 2013

Old Business:

None

New Business:

1. 130514-01 USE-ON-APPEAL:

District 1

To expand the church use for homeschool co-op.
301 Water Street
R-3 Zoning District (Single Family Residential)
The Noah Foundation/Pratt Court Baptist Church, Petitioner

2. 130514-02 USE-ON-APPEAL:

District 6

To allow an offsite sign on property.
VARIANCES:
To allow a 35' sign over the maximum required 25' height and
To allow a 2nd freestanding sign on property.
921 East Main Street
B-2 Zoning District (General Business)
Kyle Glover/Wilma & Horace Powell, Petitioner

Miscellaneous:

Adjourn:

PLANNING & DEVELOPMENT DEPARTMENT

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Approved 10/8/13

**City of Prattville Board of Zoning Adjustment
Minutes
May 14, 2013**

CALL TO ORDER:

The regular meeting of the Prattville Board of Zoning Adjustment (BZA) was called to order by Vice-Chairman Jerry Schanep at 4:01 p.m. on Tuesday, May 14, 2013.

ROLL CALL:

Present: Vice-Chairman Mrs. Jerry Schanep, Mr. Gerald Cimis, Mr. Mac Macready, and Commander Michael Whaley. Absent: Chairman Leo Jamieson and Mr. James Miles.

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. Cimis moved to approve the minutes of the April 9, 2013 meeting. Commander Whaley seconded the motion. The motion passed unanimously.

OLD BUSINESS:

None

NEW BUSINESS:

USE-ON-APPEAL

To expand the church use for homeschool co-op.

301 Water Street

R-3 Zoning District (Single Family Residential)

The Noah Foundation/Pratt Court Baptist Church, Petitioner

Mr. Duke introduced the use-on-appeal request to expand the church use for a homeschool co-op on property at 301 Water Street. He stated that the Noah Foundation was a nonprofit foundation that would provide service for approximately 45 home schooled students. He stated that the existing building is up to building code standard for the proposed use.

There was no representative present to present the request to the BZA. Mr. Macready moved to hold until the next regular meeting. Mr. Cimis seconded the motion.

The motion to hold passed unanimously.

USE-ON-APPEAL

To allow an offsite sign on property.

VARIANCES

To allow a 35' sign over the maximum required 25' height and

To allow a 2nd freestanding sign on property.

921 East Main Street

B-2 Zoning District (General Business)

Kyle Glover/Wilma & Horace Powell, Petitioner

Mr. Duke introduced the use-on-appeal and variances request to allow a sign on property at 921 East

Approved 10/8/13

Main Street. He stated that the use-on-appeal request was for an offsite sign and the variances was for a 10' height variance over the 25' maximum required height and to allow the proposed sign as a second sign on the property.

Kyle Glover, petitioner, stated that his family had been in the billboard business for many years. He stated that the request for the offsite sign was to advertise businesses in the downtown district and provide public announcements. He stated that the proposed sign would be double sided and if approved the existing sign would be removed and advertised on one side of the proposed sign.

Brett McConnell petitioner representative of Formetco in Duluth, GA. He stated that the sign would be approximately 36' similar to the offsite sign near Russell Do It Center on Cobbs Ford Road.

Vice-Chair Schannep opened the public hearing.

Horace Powell, 921 East Main Street spoke in favor of the request. He stated that the sign would be an asset being able to provide public announcements. He stated that they could live with the sign being less than 35' but it would help being 35' to get the height over the power lines.

Jon Lee Finnegan, 211 Deer Trace, spoke in opposition to the request. She stated that the monstrous size sign was not needed. She stated that the location was too close to traffic intersection and alerts would be too dangerous.

Mr. Glover responded to public comments and stated that there were 27 downtown businesses that have expressed their intent to advertise on the proposed sign.

Marie Glover, partner with Kyle Glover spoke in favor of the request.

Mr. Duke stated that the BZA should consider the character of the area, comparing surrounding signs.

After no further comments, questions, or discussion, the vote was called. Mr. Macready moved to approve the use-on-appeal to allow an offsite sign. The motion failed for lack of a second.

Mr. Cimis moved to withdraw the use-on-appeal to allow an offsite sign. The motion failed for lack of a second.

Commander Whaley moved to approve the use-on-appeal to allow an offsite sign contingent that the existing sign is removed. Mr. Macready seconded the motion.

The motion to approve passed unanimously.

The vote was called to allow the offsite sign at 35'. The vote was denied by 3/1 vote as recorded. Favor: Commander Whaley, Mr. Macready, and Vice-Chair Schannep. Oppose: Mr. Cimis.

The BZA voted unanimously to approve the use-on-appeal to allow an offsite sign and voted 3/1 to deny the variance request to allow the sign at 35' over the maximum 25' height on property at 921 East Main Street.

MISCELLANEOUS:

ADJOURN:

After no further comments, questions or discussion the meeting was adjourned at 5:00 p.m.

Approved 10/8/13

Respectfully submitted,

A handwritten signature in black ink that reads "Alisa Morgan". The signature is written in a cursive, flowing style.

Alisa Morgan, Secretary
Board of Zoning Adjustment

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: KYLE GLOVER
122 LIVINGSTON CIRCLE
PRATTVILLE, AL 36066

REQUEST: USE-ON-APPEAL TO ALLOW AN OFFSITE SIGN
VARIANCE TO ALLOW A 35' SIGN OVER THE MAXIMUM
REQUIRED 25' HEIGHT
921 EAST MAIN 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 May 14, 2013 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 an offsite sign and voted to deny the variance request to allow the sign at 35' over the maximum 25'** at property requested.

IT IS THEREFORE ORDERED the petition of Kyle Glover, 921 East Main Street, Prattville, AL is hereby approved.

DONE THIS THE 14th DAY OF May 2013.

BOARD OF ZONING ADJUSTMENT


JERRY SCHANNAP, VICE-CHAIRMAN


ALISA MORGAN, SECRETARY

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

MEETING DATE: May 14, 2013

PETITIONER: Kyle Glover/Wilma & Horace Powell

ADDRESS OF PETITION: 921 East Main Street

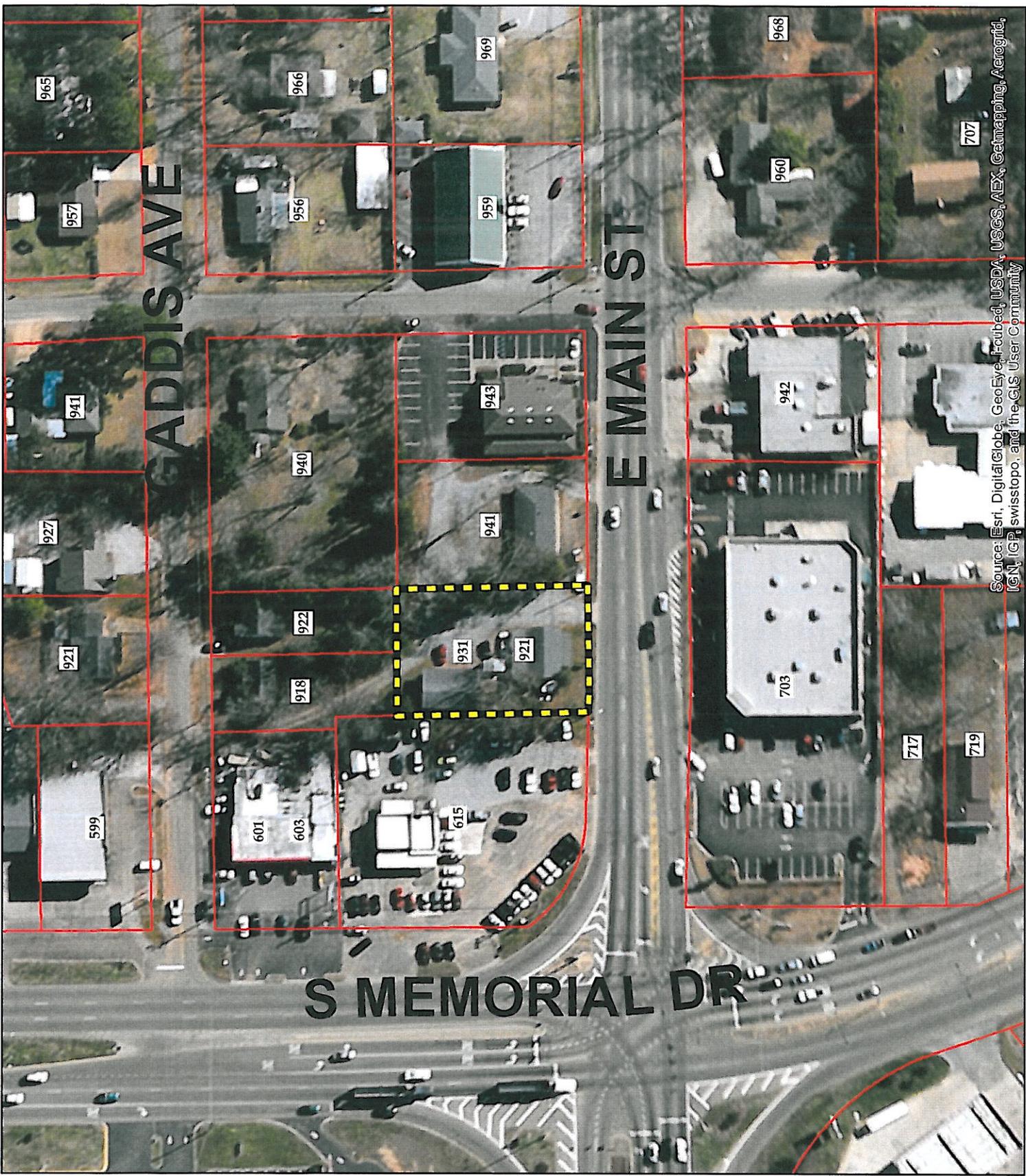
	NAME	ADDRESS
1.	Kyle Glover	122 Livingston Cir.
2.	Betty McDonald	2963 Pleasant Hill Rd. Prtville GA
3.	Wilma Powell	921 E MAIN
4.	Jon Deegan	211 DEER TRACE ST
5.	Mamie Hill	122 Livingston Circle
6.		
7.		
8.		
9.		
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21.		

CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	4/24/13
APPLICATION TYPE:	Variance (130514-02)
PROPERTY LOCATION or DESCRIPTION:	921 East Main Street
PETITIONER(S) AND AGENT(S):	Kyle Glover/Wilma & Horace Powell
ZONING DISTRICT(S)	B-2 Zoning District (General Business)
REQUESTED ACTION:	Use-On-Appeal to allow an offsite sign on property. Variances to allow a 35' sign over the maximum required 25' height and to allow a 2nd freestanding sign on property.
ZONING ORDINANCE REFERENCE:	<p>Appendix A-Zoning Ordinance Article 12-Signs Section 132 General Sign Regulations:</p> <p><i>(f) One (1) freestanding sign shall be allowed for each public street directly bordering any parcel or lot. One (1) additional sign per street is allowed for each five hundred (500) feet of frontage, on that street, in continuous common ownership. Signs allowed by this section may be placed to property comers.</i></p> <p>Appendix A-Zoning Ordinance Article 12-Signs Section 134 District Regulations:</p> <p><i>(c) Business districts, office districts, and manufacturing districts:</i></p> <p>Sign Categories Permitted On Appeal <i>Off-site signs</i></p> <p>Sign Types Permitted <i>High mount freestanding signs</i> Setback: 10' Minimum Height: 8' Maximum Height: 25' Maximum Size: Not specified</p> <p>Special Regulations: Allowed only where existing setback of building is sufficient to accommodate setback. Minimum height not applicable if setback is at least 15 feet.</p>



Source: Esri, DigitalGlobe, GeoEye, Earthstar, USDA, USGS, AEX, Getmapping, Aergrid, IGN, IGP, swisstopo, and the GIS User Community

CITY OF
PRATTVILLE
ALABAMA

921
EAST MAIN ST
TAX PARCEL I.D.
19021030250060000

ZONING: B-2
SCALE: 1" = 100'



LEGEND

- STREETS
- TAX PARCELS





130514-02

Use-On-Appeal/Variations
To allow an offsite sign
To allow a 35' sign over 25'
To allow 2nd freestanding sign

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**

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: Kyle Glover
Street Address: 122 LIVINGSTON CIRCLE
City: Prattville State Al Zip: 36066
Phone Number(s): 334 799 1241

Property Owner Information

If different than above

Name: Wilma N. Powell and Horace W. Powell
Address of Property Owner: 125 Heritage Hills Dr.
City: Prattville State: AL Zip: 36067
Phone Number: (334) 365 3880

Property Description

County Tax Parcel Number/Legal Description: #19021030250060000
LOT 7: 1/2 BLK 7 PRATTMONT HEIGHTS DB 81 p. 122
T-17N R-16E Sekt 10 BK 000482 pg. 00059 PRATTMONT HT MB 2 PL
Current Zoning of Property: B-2 Physical Address: 921 E. MAIN ST., Prattville
Proposed Use of Property (generally): Commercial Sign
Describe Proposed Use or Variance: Operate an off-site sign (digital billboard)
on the SW portion of the lot at 921 E. MAIN ST., ERUPT THE
sign at an overall height of 35'. THIS WILL ALLOW FOR
MAXIMUM EXPOSURE OF SIGN.

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.)

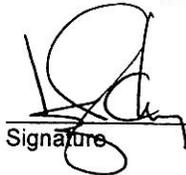
Hardship: The Board requests a statement of hardship to justify any variance application:

"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 HEIGHT VARIANCE OF '35' overall would allow the billboard to be seen in
all directions out of the line of traffic. The sign will display emergency messages
from local, state and Federal Agencies from time to time and the variance would ensure
that these public service messages are seen by the public. The variance will also allow
for the WEST FACED SIGN OR BILLBOARD TO BE VISIBLE AND PRODUCTIVE FOR
CUSTOMERS, TAXPAYERS, AND CITY.

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.

Kyle Glover
Printed Name


Signature

4/23/13
Date

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Kyle Glover, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 23rd day of April, 2013.

Andrea Kramer
Notary Public

My commission expires
NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: May 6, 2016
BONDED THRU NOTARY PUBLIC UNDERWRITERS

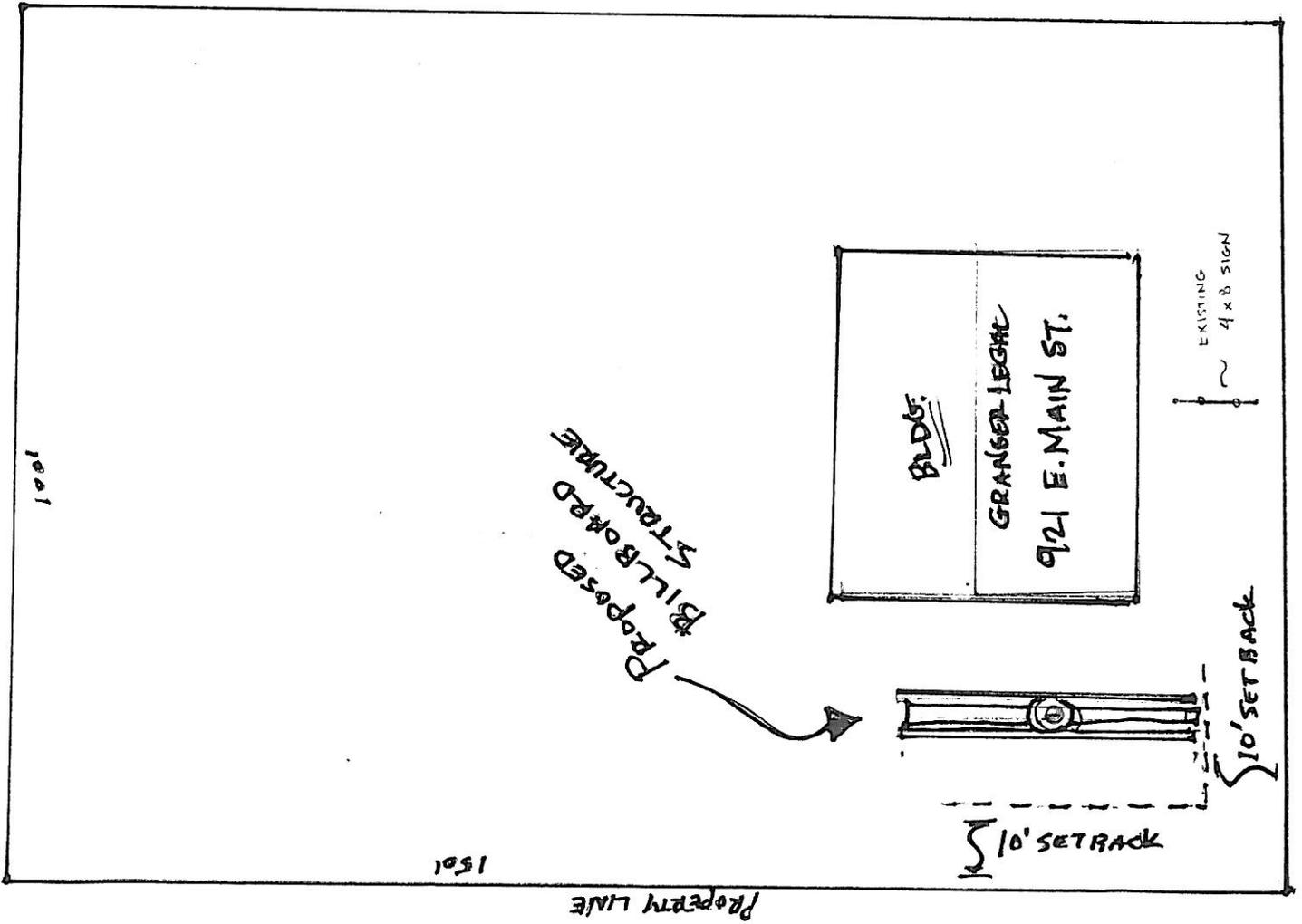
SUBJECT PROPERTY

SITE PLAN

130514-02/A

- Use-On-Appeal/Variances
- To allow an offsite sign
- To allow a 35' sign over 25'
- To allow 2nd freestanding sign

1" = 20'



100'

150'

Proposed
BILLBOARD
STRUCTURE

10' SETBACK

10' SETBACK

BLDG:

GRANGER LEGAL
921 E. MAIN ST.

EXISTING
4 x 8 SIGN

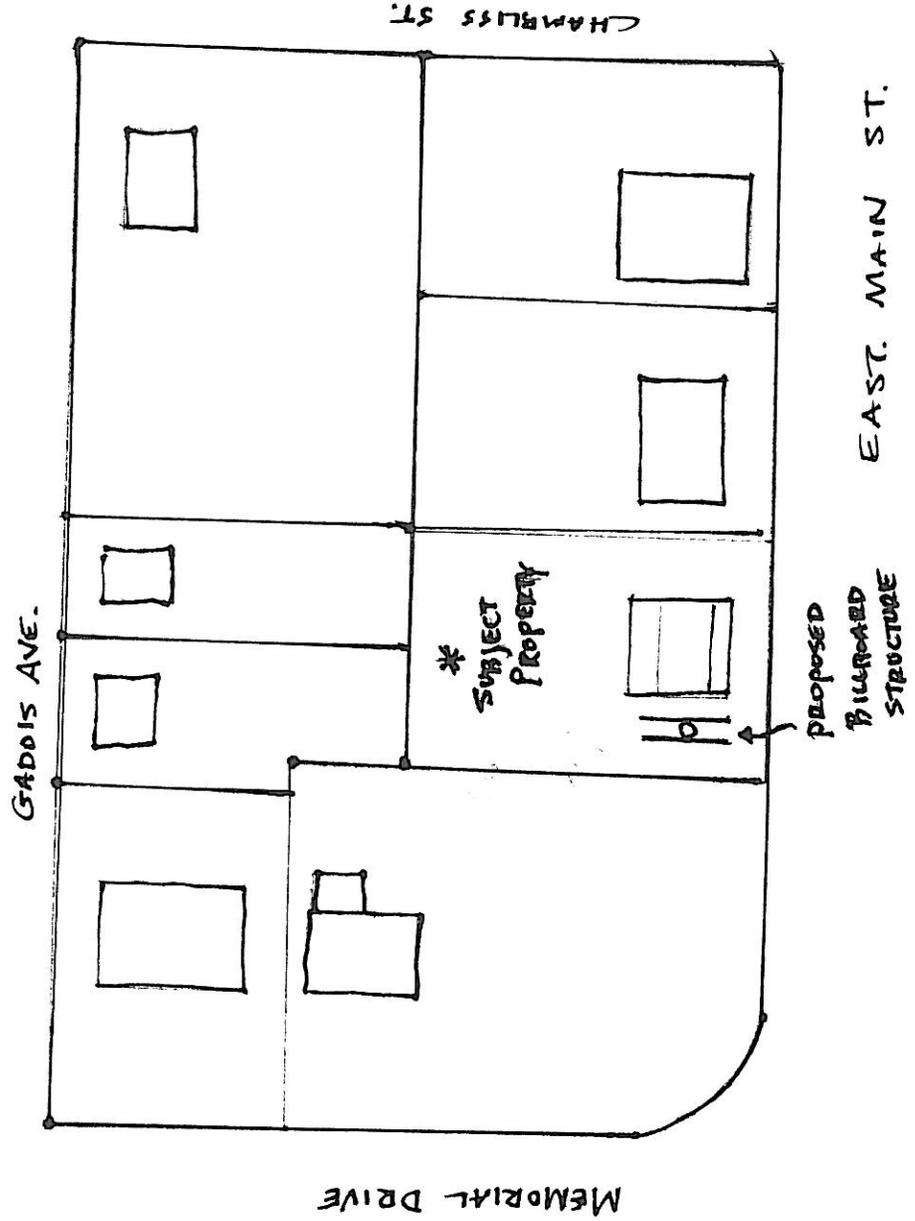
PROPERTY LINE

EXPANDED SITE PLAN

NORTH

130514-02/B

- Use-On-Appeal/Variations
- To allow an offsite sign
- To allow a 35' sign over 25'
- To allow 2nd freestanding sign



1/8" = 10'