



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 June 11, 2013 meeting of the
City of Prattville Board of Zoning Adjustment
were approved.

Leo Jamieson, Chairman

7/9/13

Date

PLANNING & DEVELOPMENT DEPARTMENT

102 WEST MAIN STREET ■ PRATTVILLE, ALABAMA 36067 ■ 334-361-3613 ■ 334-361-3677

FACSIMILE

planning.prattvilleal.gov



CITY OF PRATTVILLE

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DISTRICT 5

RAY C. BOLES
DISTRICT 6

LORA LEE BOONE
DISTRICT 7

CITY OF PRATTVILLE BOARD OF ZONING ADJUSTMENT A G E N D A June 11, 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:

May 14, 2013

Old Business:

1. 130514-01 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

*Held 5/14
District 1*

New Business:

2. 130611-01 VARIANCE:

To replace an existing mobile home in M2 zone.
444 Danny Lyn Court
M-2 Zoning District (General Industry)
Douglas McNeal, Petitioner

District 1

3. 130611-02 USE-ON-APPEAL:

To allow church use in B2 zone.
926 Selma Highway
B-2 Zoning District (General Business)
Season's Church, Petitioner

District 7

4. 130611-03 VARIANCE:

To encroach 5.5' into the required 10' side yard line.
1309 Adell Street
R-2 Zoning District (Single Family Residential)
Douglas L. Burkhardt, Petitioner

District 6

Miscellaneous:

Adjourn:

PLANNING & DEVELOPMENT DEPARTMENT

102 WEST MAIN STREET ■ PRATTVILLE, ALABAMA 36067 ■ 334-361-3613 ■ 334-361-3677
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**City of Prattville Board of Zoning Adjustment
Minutes
June 11, 2013**

CALL TO ORDER:

The regular meeting of the Prattville Board of Zoning Adjustment (BZA) was called to order by Chairman Leo Jamieson at 3:58 p.m. on Tuesday, June 11, 2013.

ROLL CALL:

Present: Chairman Leo Jamieson, Vice-Chairman Mrs. Jerry Schannep, Mr. Gerald Cimis, Mr. Mac Macready, and Mr. James Miles. 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:

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 request was held from the May meeting because there was no representative from the Noah Foundation or the church present. He stated that the petitioner was requesting to expand the church use for homeschool co-op to use the educational space for approximately 45 home schooled students. He stated that the existing building is up to building code standard for the proposed use.

Tina Halbert, petitioner representative, stated that she was the director of the school. She stated that the school was currently housed in Millbrook and would be relocating to this location. She stated that the school would operate four (4) days a week from 8:30 a.m. to 2:30 p.m. She stated that their elementary school was currently located behind Pri-Med in the Learning Place building and this would be their secondary location.

Chairman Jamieson opened the public hearing. There were none to speak. The public hearing was closed.

In their findings the BZA found that there would be no adverse effect on the adjacent properties in the neighborhood and the building code requirements and parking requirements were met. Mr. Cimis moved to approve the request as submitted. Mrs. Schannep seconded the motion.

The motion to approve passed unanimously.

Approved 7/9/13

NEW BUSINESS:

VARIANCE

**To replace an existing mobile home in M-2 zone
444 Danny Lyn Court
M-2 Zoning District (General Industry)
Douglas McNeal, Petitioner**

Mr. Duke introduced the variance request to replace a mobile home in a M-2 Zoning District. He stated that the existing mobile home is a legal non-conforming use. He stated that the mobile homes in the area existed prior to the M-2 zoning of the property. He stated that the variance was necessary because residential of any nature other than that incidental to the industrial use, such as an onsite care taker, was not allowed in a M-2 zone.

Mr. Cimis asked what the reasoning behind the property M-2 zone was and should the district be rezoned to residential. Mr. Duke stated that the property had been zoned as such since the 1987 City Comprehensive Zoning. He stated there were incomplete records of reasoning of zoning of the property. He stated that the easiest thing for the applicant long term would be to seek some type of residential zoning.

Douglas McNeal, petitioner, stated that the mobile home would be occupied by his grandson. He stated that the existing mobile home had been there since 1960 and would be replaced with a new mobile home. He stated that water and septic sewer are already in place.

Mr. Cimis asked the petitioner if he had considered rezoning the property. Mr. McNeal stated that he had not considered having the property rezoned because he had no intentions of making improvements to the property. He stated that he wanted to keep the mobile home as residential for family member's use.

Chairman Jamieson opened the public hearing. There were none to speak. The public hearing was closed.

A letter of support was received from Natalie Thomas Snowden, 719 Lower Kingston Road. (Attached and made a part of the minutes).

After no further comments, questions, or discussion, the vote was called. Mr. Miles moved to approve the variance to replace an existing mobile home in M-2 zone contingent that upon 10 years the variance expires and property become subject to current zoning. Mr. Cimis seconded the motion.

The BZA voted 4/1 to approve the variance to replace an existing mobile home in M-2 zone contingent that upon 10 years the variance expires and property become subject to current zoning on property at 444 Danny Lyn Court. The votes as recorded: Favor: Mr. Miles, Mr. Cimis, Mr. Macready, and Chairman Jamieson. Oppose: Mrs. Schannep.

USE-ON-APPEAL

**To allow church use in B-2 zone
926 Selma Highway
B-2 Zoning District (General Business)
Seasons Church, Petitioner**

Mr. Duke introduced the use-on-appeal request to allow church use in a B-2 zone commercial district. He stated that the entire building would be occupied by the church.

Joey Fine, petitioner representative, stated that they had purchased the property at 926 Selma Highway and would be relocating the Seasons Church from its current location at the Fitness South building on Cobbs Ford Road. He stated that there are currently approximately 60-70 family members. He stated

Approved 7/9/13

that the property had adequate parking to accommodate the congregation's size.

Chairman Jamieson opened the public hearing. There were none to speak. The public hearing was closed.

In their findings the BZA found that there would be no adverse effect on the adjacent properties in the neighborhood and parking requirements and setback requirements for public use were met. Mr. Cimis moved to approve the request as submitted. Mr. Macready seconded the motion.

The BZA voted unanimously to approve the variance to allow church use in B-2 zone on property at 926 Selma Highway.

VARIANCE

To encroach 5.5' into the required 10' side yard line.

1309 Adell Street

R-2 Zoning District (Single Family Residential)

Douglas L. Burkhart, Petitioner

Mr. Duke introduced the variance request to encroach into the 10' side yard line at 1309 Adell Street.

Douglas Burkhart, petitioner, stated that he wanted to build a white aluminum covered carport over the existing driveway. He stated that the driveway currently encroached 5.5' into the 10' side yard line. He stated that there were several carports in the area that were setup that way. He stated that all water runoff would be maintained on the property.

Mr. Cimis stated that he had an ex parte conversation with the petitioner on the site when he viewed the location.

Chairman Jamieson opened the public hearing. There were none to speak. The public hearing was closed.

Mr. Burkhart stated that he spoke with his neighbor Mr. Hudman who was not in opposition to the request. He stated that his inability to place the carport on other areas of the property created a hardship for him.

In their findings the BZA found that there was no uniqueness of lot layout compared to adjacent property and was a self-created hardship.

The BZA voted 3/2 to deny the variance to encroach 5.5' into the required 10' side yard line on property at 1309 Adell Street. The votes as recorded: Oppose: Mr. Miles, Mr. Cimis, and Chairman Jamieson. Favor: Mrs. Schannep and Mr. Macready.

MISCELLANEOUS:

ADJOURN:

After no further comments, questions or discussion the meeting was adjourned at 5:01 p.m.

Respectfully submitted,



Alisa Morgan, Secretary
Board of Zoning Adjustment

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: PRATT COURT BAPTIST CHURCH
301 WATER STREET
PRATTVILLE, AL 36067

REQUEST: USE-ON-APPEAL TO EXPAND THE CHURCH USE FOR
HOMESCHOOL CO-OP
301 WATER STREET
R-3 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 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 expand the church use for homeschool co-op at 301 Water Street.**

IT IS THEREFORE ORDERED the petition of Pratt Court Baptist Church, 301 Water Street, Prattville, AL is hereby approved.

DONE THIS THE 11th DAY OF June 2013.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

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

MEETING DATE: May 14, 2013 6/11/13

PETITIONER: The Noah Foundation/Pratt Court Baptist Church

ADDRESS OF PETITION: 301 Water Street

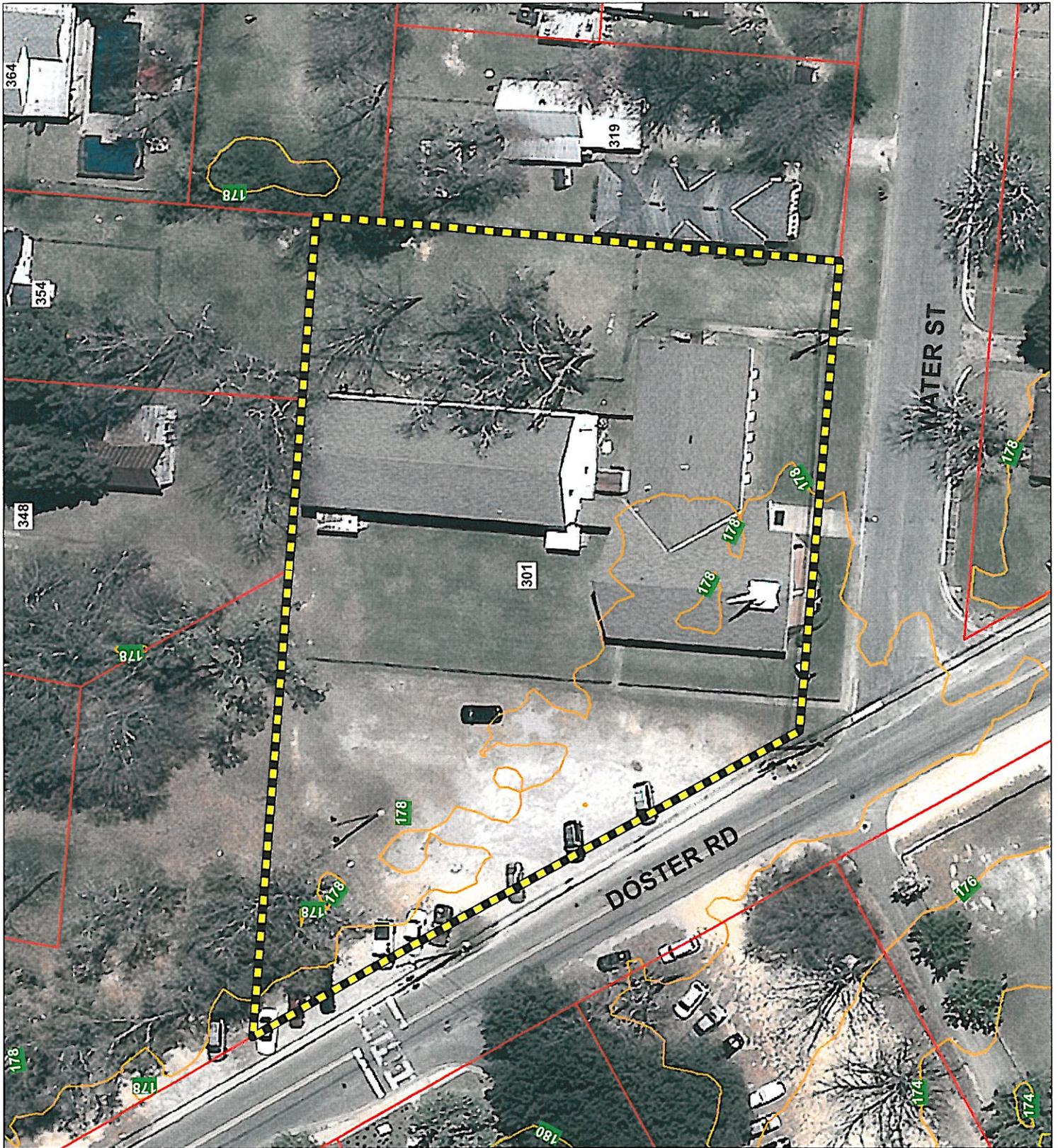
	NAME	ADDRESS
1.	<i>Tina Halbert</i>	<i>202 Meadow Lane, Decaturville, AL 36022</i>
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CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	4/17/13
APPLICATION TYPE:	Variance (130514-01)
PROPERTY LOCATION or DESCRIPTION:	301 Water Street
PETITIONER(S) AND AGENT(S):	The Noah Foundation/Pratt Court Baptist Church
ZONING DISTRICT(S)	R-3 Zoning District (Single Family Residential)
REQUESTED ACTION:	To expand church use for homeschool co-op.
ZONING ORDINANCE REFERENCE:	Appendix A-Zoning Ordinance Section 71 Residential district requirements: R-3 District USES PERMITTED ON APPEAL: Customary home occupations: Public utility structures, such as electric substations, gas metering stations, sewage pumping stations and similar structures: general hospitals for human, except primarily for mental cases; churches, cemeteries; semi-public buildings; golf courses; municipal, county, state or federal use: kindergartens, nurseries, nursery schools, day care centers, private schools, and satellite dishes or discs not defined herein.



CITY OF
PRAITVILLE, ALABAMA

PRATT COURT
BAPTIST CHURCH
301 WATER ST

SCALE: 1" = 50'



- STREETS
- TAX PARCELS
- CONTOUR (2FT)



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). *exempt 501(c)3 non-profit*
- 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 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.*

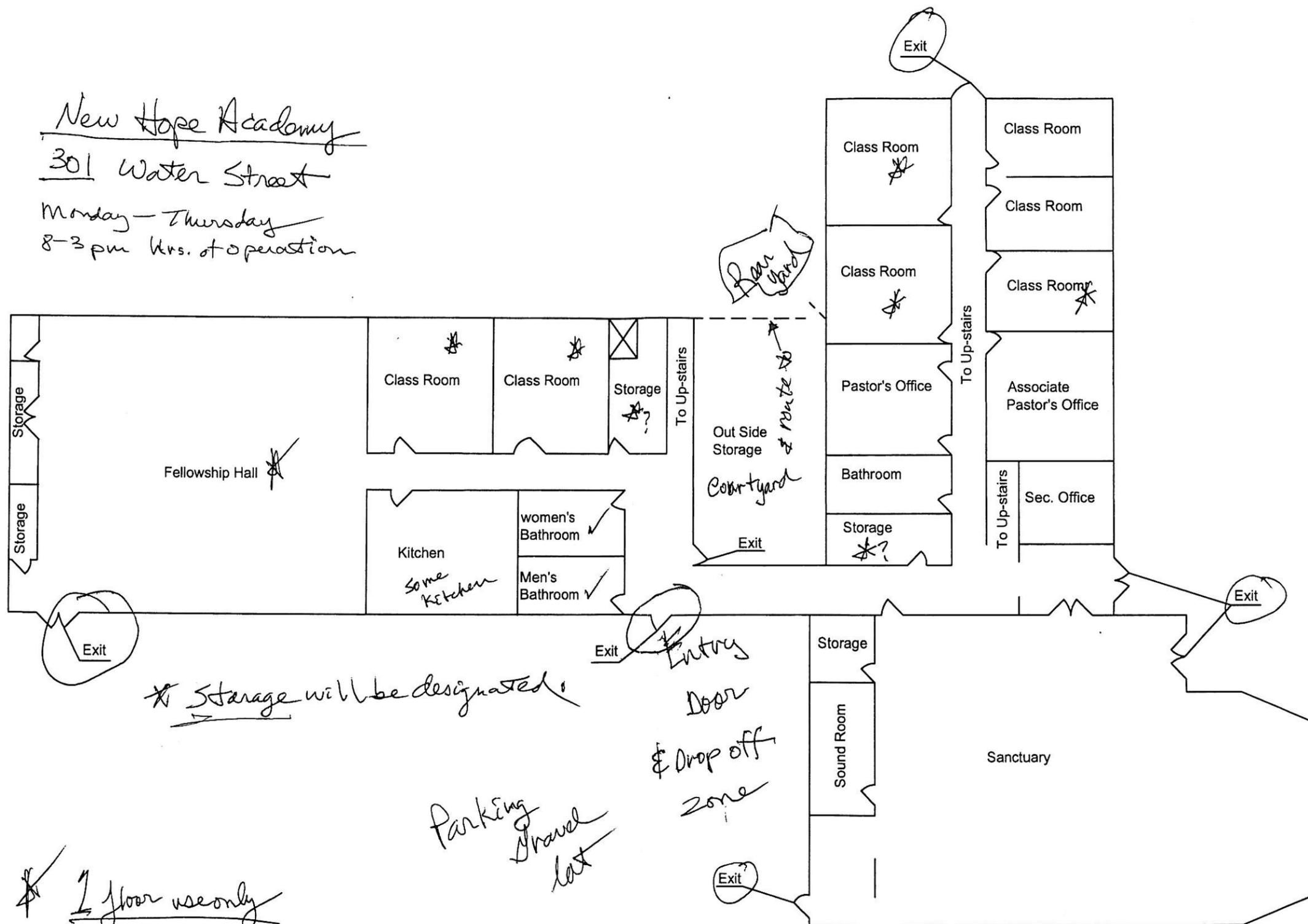
Beth A. Hungerford *Beth A. Hungerford* 4-8-13
 Printed Name Signature Date

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Beth A. Hungerford, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 8th day of April, 2013.

Larkin Proctor
 Notary Public

My commission expires **11-08-2015**

New Hope Academy
301 Water Street
Monday - Thursday
8-3 pm hrs. of operation



Water Street

* Storage will be designated

* 1 floor use only

* Parking lot use identify zones & spaces

* Outdoor Storage will be provided (2 of 2)

* Handi-cap access & Bathrooms

Doster Road

3/22/13

(Signature)

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: DOUGLAS MCNEAL
471 DANNY LYN COURT
PRATTVILLE, AL 36067

REQUEST: VARIANCE TO REPLACE AN EXISTING MOBILE HOME
IN M2 ZONE
444 DANNY LYN COURT
M-2 ZONING DISTRICT (GENERAL INDUSTRY)

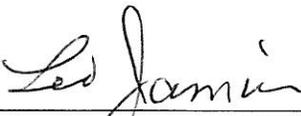
ORDER

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 June 11, 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 variance to replace an existing mobile home in M2 zone contingent that upon 10 years the variance expires and property become subject to current zoning at 444 Danny Lyn Court.**

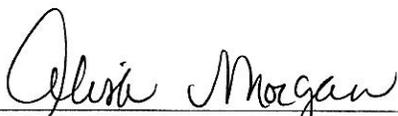
IT IS THEREFORE ORDERED the petition of Douglas McNeal, 471 Danny Lyn Court, Prattville, AL is hereby approved.

DONE THIS THE 11th DAY OF June 2013.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

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

MEETING DATE: June 11, 2013

PETITIONER: Douglas McNeal

ADDRESS OF PETITION: 444 Danny Lyn Court

	NAME	ADDRESS
1.	Doug McNEAL	471 DANNY LYN CT.
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June 11, 2013

Prattville Planning Department
102 West Main Street
Prattville, AL 36067

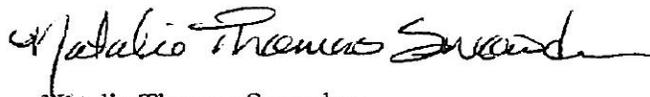
RE: Douglas McNeal
444 Danny Lyn Ct

Prattville Board of Zoning Adjustment,

I cannot be at the hearing today, but I wanted you to know that I do not have a problem with Mr. McNeal removing the existing mobile home and replacing it with a newer one.

If you need anything else please let me know.

Thank you,


Natalie Thomas Snowden





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 CILAMBLISS, JR.
DISTRICT 5

RAY C. BOLES
DISTRICT 6

LORA LEE ROONE
DISTRICT 7

May 28, 2013

ADJ19030710000220000
SNOWDEN, CORBIN G & NATALIE T
719 LOWER KINGSTON RD
PRATTVILLE, AL 36067

NOTICE OF PUBLIC HEARING

PRATTVILLE BOARD OF ZONING ADJUSTMENT

LOCATION: Prattville City Hall

DATE: June 11, 2013

TIME: 4:00 pm

In compliance with Section 11-52-80, of the Code of Alabama, 1975, as amended, you are hereby notified that a public hearing will be held concerning the property listed below.

Please be advised that **Douglas McNeal** has filed a petition with the Prattville Board of Zoning Adjustment. The request is for a variance to replace an existing mobile home in the M-2 zoning district on property located at **444 Danny Lyn Court** in a M-2 Zoning District (General Industry).

As a property owner within 500' of the proposed request, you are invited to attend a scheduled public hearing to voice your comments regarding this petition.

Further information concerning this hearing may be obtained by contacting the Prattville Planning Department, 102 West Main Street, Prattville, AL 36067, (334) 595-0503, FAX (334) 595-0509 or alisa.morgan@prattvilleal.gov.

Sincerely,

Alisa Morgan, Secretary
Board of Zoning Adjustment

PLANNING & DEVELOPMENT DEPARTMENT

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

CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	5/20/13
APPLICATION TYPE:	Variance (130611-01)
PROPERTY LOCATION or DESCRIPTION:	444 Danny Lyn Court
PETITIONER(S) AND AGENT(S):	Douglas McNeal
ZONING DISTRICT(S)	M-2 Zoning District (General Industry)
REQUESTED ACTION:	To replace an existing mobile home in the M2 zone.
ZONING ORDINANCE REFERENCE:	Appendix A-Zoning Ordinance Section 73 Industrial business requirements: M-2 District USES PROHIBITED: Residences and apartments, excepting quarters for a watchman or custodian and his family.



130611-01

Variance
To replace existing mobile home in M2 zone

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: Douglas McNeal /4
Street Address: 444-Danny Lyn Ct 471-Danny Lyn Ct.
City: Prattville State AL Zip: 36067
Phone Number(s): 334-365-1053

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: M-2 ~~R-23~~ Physical Address: 444-Danny Lyn Ct
Prattville, AL 36067

Proposed Use of Property (generally): Single family unit

Describe Proposed Use or Variance: _____

To house a single family (not a
rental - not for profit) family
home

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 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.

Douglas W McNeal
 Printed Name Signature Date 4/25/13

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Douglas McNeal, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 25th day of April, 2013.

Aeshia Buford
 Notary Public

My commission expires ~~My Commission Expires~~ **11-08-2015**

Statement of Hardship:

April-25-2013

Dear Sir,

I am asking that you please consider my request.

I have 7+ acres of land – off the main road of Lower Kingston. I have a right of way onto my property. (my land is not on road frontage.)

I am 62 years of age with some health concerns. I am in need of help keeping the place up.

My grandson now 17 (senior this year)would love to step out on his own. If allowed he would move a single family unit in .The space was established in the early 1960s..

Hoping to find something that he could buy out right with no mortgage.(I think this is wise in this economy.)

He would love to move on the property.(this is where he lived 12 years- made for a lot of memories.)

He wants his own place and I would love to have him here.

Please consider my request..After all family is what we make it.

Doug McNeal

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: SEASONS CHURCH
2265 COBBS FORD ROAD
PRATTVILLE, AL 36066

REQUEST: USE-ON-APPEAL TO ALLOW CHURCH USE IN B2 ZONE
926 SELMA HIGHWAY
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 June 11, 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 church use in B2 zone at 926 Selma Highway.**

IT IS THEREFORE ORDERED the petition of Seasons Church, 2265 Cobbs Ford Road, Prattville, AL is hereby approved.

DONE THIS THE 11th DAY OF June 2013.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

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

MEETING DATE: June 11, 2013

PETITIONER: Seasons Church

ADDRESS OF PETITION: 926 Selma Hwy.

	NAME	ADDRESS
1.	<u>Jay B. Fine</u>	<u>1005 Cowles Ln Prattville 36067</u>
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CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	5/22/13
APPLICATION TYPE:	Use-On-Appeal (130611-02)
PROPERTY LOCATION or DESCRIPTION:	926 Selma Highway
PETITIONER(S) AND AGENT(S):	Seasons Church Representative: Joey Fine, Pastor
ZONING DISTRICT(S)	B-2 (General Business)
REQUESTED ACTION:	To allow church use.
ZONING ORDINANCE REFERENCE:	<p>Article 7. District Requirements. Appendix A-Zoning Ordinance Section 72 Business District Requirements</p> <p>(B-2) USES PERMITTED ON APPEAL: 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) USES PERMITTED ON APPEAL: Clubs, not conducted for profit; rooming and boarding houses. (See: regulations common to all "R" Districts, listed above.)</p> <p>All "R" Districts USES PERMITTED ON APPEAL: ...churches;</p>



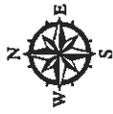
CITY OF
PRATTVILLE, ALABAMA



926
SELMA HWY

SCALE: 1" = 200'

Aerial Photo: March 2010



- 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

130611-02

Use-On-Appeal
 To allow church use in the B2 zone

**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: Joy B. Fine (Pastor)
 Street Address: 1225 Conestoga Wagon Trl
 City: Prattville State AL Zip: 36067
 Phone Number(s): (334) 356-6530 (334) 730-3991

Property Owner Information
if different than above

Name: Seasons Church
 Address of Property Owner: 2265 Cobbs Ford Road
 City: Prattville State: AL Zip: 36066
 Phone Number: (334) 356-6530

Property Description

County Tax Parcel Number/Legal Description: 19042010050210060

Current Zoning of Property: BP Physical Address: 926 Selma Highway *Step B*

Proposed Use of Property (generally): Church

Describe Proposed Use or Variance: Building will be used for church services on Sundays and Wednesday evenings. Also the building can be used for community functions, community meetings, Trainings, etc.



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 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.

Joey B. Fine [Signature] 5-22-13
 Printed Name Signature Date

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Joey B. Fine, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 22nd day of May, 2013.

[Signature]
 Notary Public
 Erin O'Daniel
 My commission expires 2-28-2015

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

MEETING DATE: June 11, 2013

PETITIONER: Douglas L. Burkhart

ADDRESS OF PETITION: 1309 Adell Street

	NAME	ADDRESS
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CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	5/28/13
APPLICATION TYPE:	Variance (130611-03)
PROPERTY LOCATION or DESCRIPTION:	1309 Adell Street
PETITIONER(S) AND AGENT(S):	Douglas L. Burkhart
ZONING DISTRICT(S)	R-2 (Single Family Residential)
REQUESTED ACTION:	To encroach 5.5' 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'

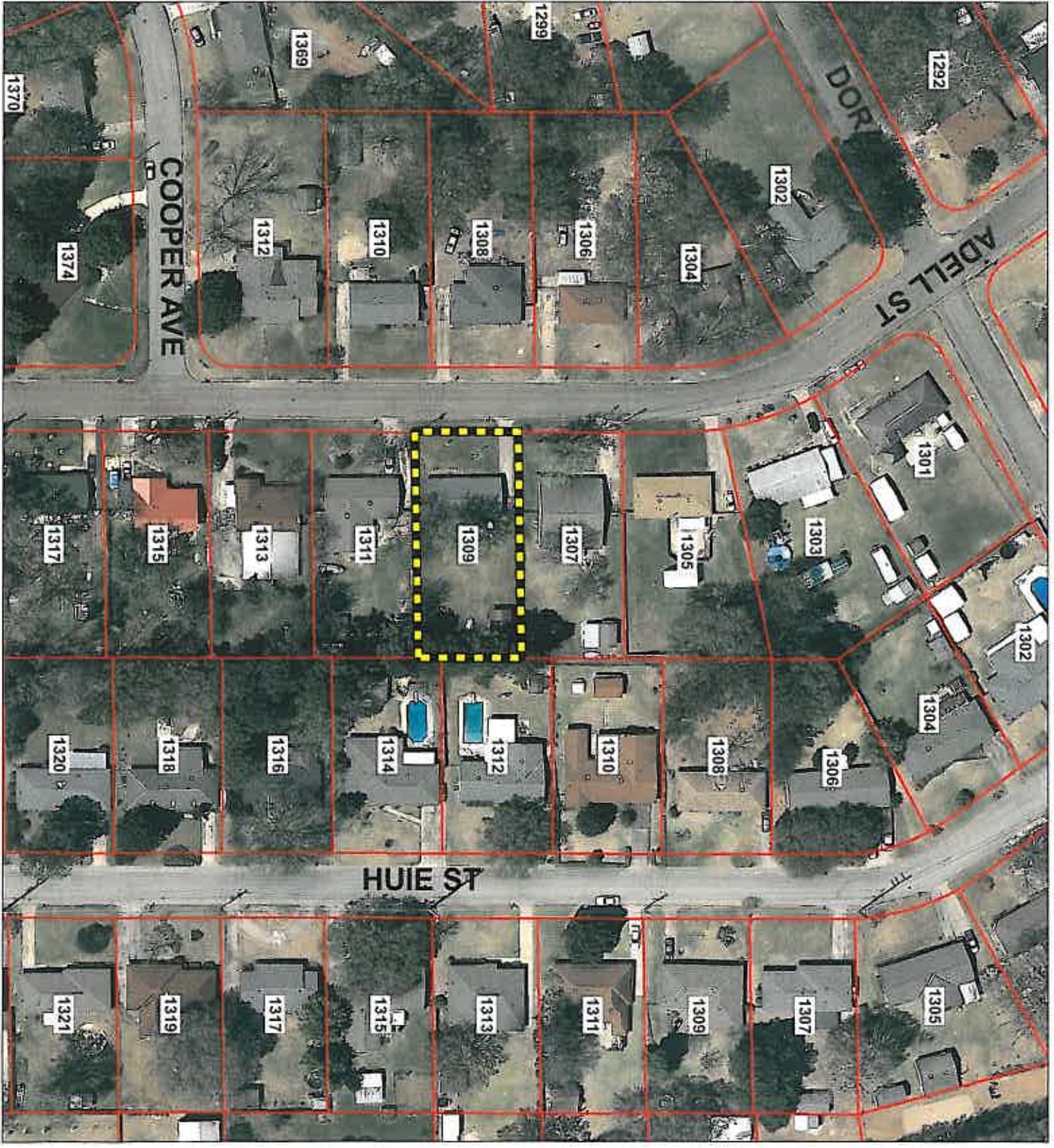
CITY OF
PRATTVILLE, ALABAMA



SCALE: 1" = 100'
Aerial Photo: March 2010



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

130611-03

Variance
 To encroach 5.5' into the 10 side yard line

**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: Douglas L. Burkhart

Street Address: 1309 Adell St.

City: Prattville State AL Zip: 36066

Phone Number(s): 365-1404 (Home) or 590-6482 (Cell)

Property Owner Information
If different than above

Name: Same as Above

Address of Property Owner: _____

City: _____ State: _____ Zip: _____

Phone Number: () _____

Property Description

County Tax Parcel Number/Legal Description: 19-02-10-4-013-006.000#0 SEC: 10 TWN: 17N RNG 16E
Woodland Heights 2nd Additional Lot 6 BLK 7 MB 2PG 60 10-17N-16E 80' x 175'

Current Zoning of Property: R-2 Physical Address: 1309 Adell St.

Proposed Use of Property (generally): Single Family Residence

Describe Proposed Use or Variance: To erect an aluminum 12'x31'
single-car carport over the existing driveway appoximately
4 1/2 feet from the property line with 1307 Adell St. The lot raises
approximately 2 feet in elevation and at about a 20 degree angle
of incline from the north edge of the driveway to the property line,
so that water run-off from this carport will be forced down the driveway
to the street.



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
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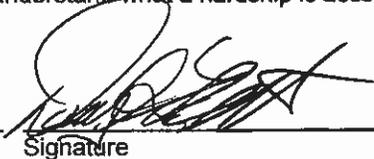
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The layout of the lot, home and driveway do not provide for an alternative location for this carport, so we respectfully request this variance to allow for this basic addition to our home within the confines of the existing lay of the land and existing structures.

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.*

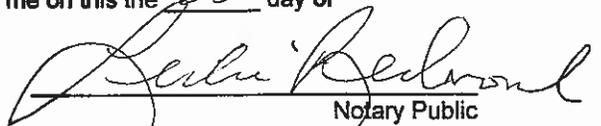
Douglas L. Burkhart
Printed Name


Signature

May 22, 2013
Date

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

May, 2013.


Notary Public

My commission expires 11-06-2015



130611-03/A

Variance
To encroach 5' into the 10 side yard line

1312
Hue St.

