



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 November 12, 2013 meeting of the City of Prattville Board of Zoning Adjustment were approved.

Leo Jamieson, Chairman

14 January 2014

Date



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WILLIE WOOD, JR. **ALBERT C. STRIPLIN** **DENISE B. BROWN** **JERRY STARNES** **CLYDE CHAMBLISS, JR.** **RAY C. BOLES** **LORA LEE DOONE**
PRESIDENT PRESIDENT PRO TEMPORE DISTRICT 3 DISTRICT 4 DISTRICT 5 DISTRICT 6 DISTRICT 7
DISTRICT 2 DISTRICT 1

CITY OF PRATTVILLE
BOARD OF ZONING ADJUSTMENT
A G E N D A
November 12, 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:

Old Business:

None

New Business:

1. 131112-01 VARIANCE:

To allow changes to the landscape requirements.
Cobbs Ford Road
B-2 Zoning District (General Business)
Brewbaker Motors, Petitioner

District 5

Miscellaneous:

Adjourn:

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
Minutes
November 12, 2013**

CALL TO ORDER:

The regular meeting of the Prattville Board of Zoning Adjustment (BZA) was called to order by Chairman Leo Jamieson at 4:03 p.m. on Tuesday, October 8, 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:

None

NEW BUSINESS:

VARIANCE

To allow changes to the landscape requirements.

Cobbs Ford Road

B-2 Zoning District (General Business)

Brewbaker Motors, Petitioner

Mr. Duke introduced the variance request to allow changes to the landscape requirements. He stated that the undeveloped property was part of the Bleu Lake Commercial Subdivision. He stated that the property had frontage on Cobbs Ford Road and The Exchange North. He stated that the petitioner was requesting a reduction in the frontage landscape width, no berm, fewer trees, and less foundation planting up to the front of the building.

Don Rickard representative of Brewbaker Motors introduced himself to the Board and stated that they were pleased to have Brewbaker Motor coming to Prattville.

Charles Chambliss of McKee and Associates, petitioner's representative stated that the nature of the business and the shape of the property were reasons for the variance request which they were seeking. He stated that the property was an irregular shape with frontage from Cobbs Ford Road and The Exchange North. He stated that they were requesting to reduce the frontage strip along The Exchange North from 30' to 10' from property line. He stated that they were requesting to eliminate the berm. He stated that they were requesting to plant fewer trees and more shrubs along the frontage areas and he stated that they were requesting to allow less than 5' depth for foundation planting on the property.

Chairman Jamieson opened the public hearing.

Bob Champion, Project Manager for The Exchange, adjacent property, spoke in favor of the request.

Ray Boles, owner of Prattville Carpet spoke in favor of the request. He asked that the proposed sign on the plans remain as submitted so that his business sign would not be obscured.

The public hearing was closed.

Chairman Jamieson stated that in comparing the petitioner's request with existing car lots along Cobbs Ford Road, the request was comparable.

Mr. Duke stated that the structure of the lot created a legitimate hardship for the petitioner. He stated that there was a need for alleviation.

After no further comments, questions, or discussion, the vote was called. Mr. Cimis moved to approve as submitted contingent upon the property boundaries shown and that the Planning Staff to work with developer on the location and types of vegetation to be provided along the frontage of Cobbs Ford Road. Mr. Miles seconded the motion.

The motion to approve passed unanimously.

MISCELLANEOUS:

The Board voted unanimously to change the regular meeting December date to December 17, 2013, due to conflict in the City Planner's schedule.

ADJOURN:

After no further comments, questions or discussion the meeting was adjourned at 4:45 p.m.

Respectfully submitted,



Alisa Morgan, Secretary
Board of Zoning Adjustment

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: BREWBAKER MOTORS
300 EASTERN BOULEVARD
MONTGOMERY, AL 36117

REQUEST: VARIANCE TO ALLOW CHANGES TO THE LANDSCAPE
REQUIREMENTS
(2209) COBBS FORD ROAD
B-2 ZONING DISTRICT (GENERAL BUSINESS)

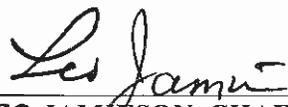
ORDER

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 November 12, 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 allow changes to the landscape requirements as submitted on property at (2209) Cobbs Ford Road contingent upon the property boundaries shown and that the Planning Staff to work with developer on the location and types of vegetation to be provided along the frontage of Cobbs Ford Road.**

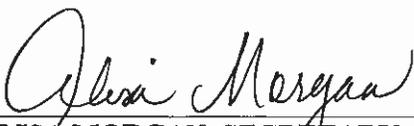
IT IS THEREFORE ORDERED the petition of Brewbaker Motors, 300 Eastern Blvd., Montgomery, AL is hereby approved.

DONE THIS THE 12th DAY OF November 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: November 12, 2013

PETITIONER: Brewbaker Motors

ADDRESS OF PETITION: (2209) Cobbs Ford Road

	NAME	ADDRESS
1.	<u>Bob Champion</u>	<u>1001 McQueen Smith Rk, S</u>
2.	<u>CHARLES CHAMBER</u>	<u>631 S. HULL MONTG.</u>
3.	<u>Don Rickard</u>	<u>300 East Blvd 36117</u>
4.	<u>Ray C. Biles</u>	<u>1291 South Memorial Pr 36066</u>
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CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	10/28/13
APPLICATION TYPE:	Variance (131112-01)
PROPERTY LOCATION or DESCRIPTION:	Cobbs Ford Road (East of Murphy Oil and West of Ashley Furniture)
PETITIONER(S) AND AGENT(S):	Brewbaker Motors
ZONING DISTRICT(S)	B-2 (General Business)
REQUESTED ACTION:	To allow changes to the landscape requirements.
ZONING ORDINANCE REFERENCE:	<p>Landscaping Ordinance Article 13 Section 135 General Site and Off-Street Parking Area Landscaping Requirements.</p> <p><u>(a) Frontage Landscaping and Foundation Planting Requirements.</u> Frontage landscaping shall require a landscaped strip with a minimum 10-foot depth along all adjacent public rights-of-way. Frontage landscaping shall include a minimum of one (1) tree and six (6) shrubs per full forty (40) linear feet of the frontage strip; shrubs are optional in areas where a berm at least four (4) feet in height is used, Trees and shrubs shall be well distributed, though not; necessarily evenly spaced.</p> <p>A lot with less than one hundred fifty (150) feet frontage and adjacent to a right-of-way shall have a frontage strip depth of ten (10) feet; a lot with one hundred fifty (150) feet to two hundred fifty (250) feet frontage shall have a frontage strip depth of twenty (20) feet; a lot with over 250 feet frontage shall have a frontage strip depth of thirty (30) feet...</p>

CITY OF
PRATTVILLE, AL

2209
Cobbs Ford Rd

Zoning: B-2

Scale: 1" = 200'



STREETS
TAX PARCELS





131112-01

Variance

To allow changes to landscape requirements

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: Brewbaker Motors

Street Address: 300 Eastern Boulevard

City: Montgomery State: Alabama Zip: 36117

Phone Number(s): (334) 420-8228

Property Owner Information
If different than above

Name: _____

Address of Property Owner: _____

City: _____ State: _____ Zip: _____

Phone Number: () _____

Property Description

County Tax Parcel Number/Legal Description: Lot 1 of Bleu Lake Commercial Center as recorded in Plat Book 16, Page 80

Current Zoning of Property: B-2 Physical Address: _____

Proposed Use of Property (generally): Automobile Dealership

Describe Proposed Use or Variance: Re: Landscape Ordinance

1) Less than 30' Frontage strip along Exchange North (10' from property line, 20' from curb)

2) No berming

3) Fewer trees (<1 per 40 l.f.) supplanted by more shrubs (>6 per 40 l.f.) along vehicle display frontage areas

4) Less than 5' depth for Foundation planting beds (approx 2 1/2') and with plantings less than 23" high (more like groundcover). (storefront glass will be floor-to-ceiling)

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 owner would bear a hardship in adhering to the Parking Area Landscape Ordinance due to the nature of their intended business, an automobile dealership which, by nature, depends upon the best presentation of the most vehicles possible to the passing public.
Also having bearing on the issue is the shape of the parcel as it lies, which results in much greater street frontage than a typical commercial parcel.

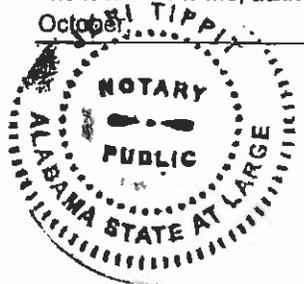
I certify that I am the property owner, or authorized agent, and attest that all facts are true and correct. I do hereby certify that the property owner list attached to this application was obtained from the Autauga County Revenue Office, (Elmore County if applicable), and is a complete list of all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

Donald Rickard
Printed Name

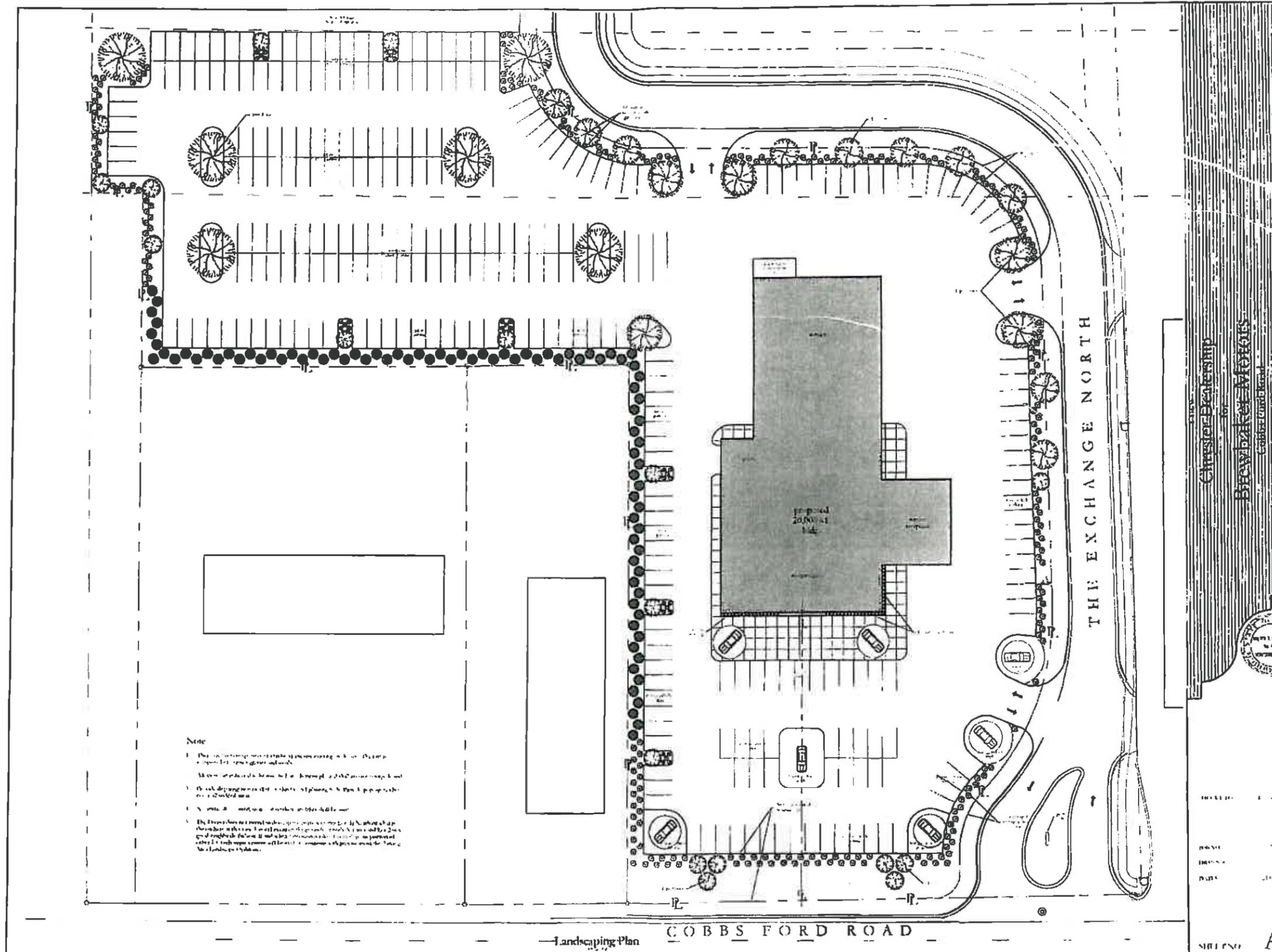
Donald L. Rickard
Signature

24 October 2013
Date

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Donald L. Rickard, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 24th day of October, 2013.



Jeri Tippet
Notary Public
My commission expires 1/10/16



Note

1. This plan shows the proposed landscape plan for the site. It is subject to change and is not a contract.
2. All work shall be done in accordance with the approved plan and specifications.
3. The contractor shall be responsible for obtaining all necessary permits and approvals.
4. The contractor shall be responsible for the maintenance and care of the landscape during the construction period.
5. The contractor shall be responsible for the final landscape plan and specifications.

—Landscaping Plan— COBBS FORD ROAD

OWNER: **Christie Partnerships**
 for
Browns Creek Motors
 10000 Browns Creek Road
 Columbus, Georgia

McKee and Associates
 ARCHITECTURE and INTERIOR DESIGN
 10000 Browns Creek Road, Columbus, Georgia 31906

DATE: 11/11/11
 DRAWN: JMS
 CHECKED: JMS
 DATE: 11/11/11