



# 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

**GARY L. WHITESIDE**  
DISTRICT 5

**RAY C. BOLES**  
DISTRICT 6

**LORA LEE BOONE**  
DISTRICT 7

## City of Prattville Board of Zoning Adjustment

**The minutes of the August 11, 2015 regular meeting of the City of Prattville Board of Zoning Adjustment were approved.**

Leo Jamieson, Chairman

October 13, 2015

Date

Planning & Development Department

102 West Main Street ■ Prattville, Alabama 36067 ■ 334-595-0500 ■ 334-361-3677 Facsimile  
planning.prattvilleal.gov



# CITY OF PRATTVILLE

**BILL GILLESPIE, JR.**  
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**CITY OF PRATTVILLE  
BOARD OF ZONING ADJUSTMENT  
A G E N D A  
August 11, 2015  
4:00pm**

**Call to Order:**

**Roll Call:**

Chairman Leo Jamieson, Vice-Chairman James Miles, Mr. Jerry Cimis, Mr. Mac Macready, and Mrs. Jerry Schanep.

**Minutes:**

**Old Business:**

None

**New Business:**

1. 150811-01      VARIANCE

*District 1*

To allow an accessory structure in the side yard and  
To allow accessory structures more than 50% of the main dwelling.  
271 East Main Street  
R-2 Zoning District (Single Family Residential)  
Wayne Lambert, Petitioner

2. 150811-02      VARIANCE

*District 2*

To allow a mobile home in a residential zoned district.  
323-B Hazel Street  
R-3 Zoning District (Single Family Residential)  
Thomas L. Davis, Petitioner

**Miscellaneous:**

**Adjourn**

**City of Prattville Board of Zoning Adjustment  
Minutes  
August 11, 2015**

**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, August 11, 2015.

**ROLL CALL:**

Present: Chairman Leo Jamieson, Vice-Chairman James Miles, Mr. Gerald Cimis, Mr. Mac Macready, 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:**

None

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**VARIANCE**

**To allow an accessory structure in the side yard and  
To allow accessory structures more than 50% of the main dwelling.  
271 East Main Street  
R-2 Zoning District (Single Family Residential)  
Wayne Lambert, Petitioner**

Mr. Duke introduced the request for the variance to allow an accessory structure in the side yard on property 271 East Main Street. He stated that after further review, there is sufficient square footage in the main dwelling to accommodate two accessory structures therefore, the request to allow structures more than 50% of the main dwelling should be removed.

Wayne Lambert, petitioner, along with his son, Ben Lambert, presented the request to allow an accessory structure in the side yard. They stated that the proposed structure is a pool house that will have French doors on the north side and the rear of the building would be facing Main Street.

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

After no further comments, questions, or discussion, the vote was called. The BZA voted unanimously to approve the variance request to allow an accessory structure in the side yard on property located at 271 East Main Street.

**VARIANCE**

**To allow a mobile home in a residential zoned district.  
323-B Hazel Street  
R-3 Zoning District (Single Family Residential)  
Thomas L. Davis, Petitioner**

Mr. Duke introduced the variance request to allow a mobile home in a residential district on property located at 323-B Hazel Street. He stated that the item was initially heard in July and was denied by a 2/3 vote. He stated that this is a reapplication to replace a legal non-conforming use.

Thomas Davis, petitioner, presented the request to place a mobile home on his property. He stated that he purchased a 2014 model to replace a 1969 model for his brother who will reside there. He stated that there was always a mobile home on the property and thought that it was grandfathered in. He stated that they planned to brick the structure and add a front porch to make the mobile home look more like a single family dwelling.

Robert Thornton, Pastor of Jericho Baptist Church, helped explained that Mr. Davis was willing to make whatever necessary improvements to make the structure look like a single family to keep it on the family lot.

Chairman Jamieson opened the public hearing.

Those who were in attendance for the public hearing spoke in favor of the request. There were none to speak in opposition to the request.

Ulysses Jackson, 359 Hazel Street  
Charlie Wood, 908 Washington Ferry Road  
William Davis, 323 Hazel Street

The public hearing was closed.

Mr. Cimis stated that the property is zoned R-3 for single family residential. He stated that the petitioner should seek to rezone the property to allow the mobile home to be placed there by right.

Mr. Cimis discussed with the Board prior to their vote that this variance, if approved, would: violate our own Board of Zoning Adjustment rules, violate our City Ordinance prohibiting replacement of nonconforming mobile homes in a residential district, be in conflict with an Attorney General's Opinion on this exact subject, and set a precedent based upon an AL Supreme Court case of City of Foley v. McLeod.

After no further comments, questions, or discussion, the vote was called. The BZA voted 4/1 to approve the variance request to allow a mobile home in a residential zoned district at 323-B Hazel Street as recorded. Favor: Chairman Jamieson, Vice-Chairman Miles, Mr. Macready and Mrs. Schannep. Oppose: Mr. Cimis.

**MISCELLANEOUS:**

The BZA will hold training session on August 13, 2015 at 3:00 p.m. in the City Hall Annex.

**ADJOURN:**

After no further comments, questions or discussion the meeting was adjourned at 5:29 p.m.

Respectfully submitted,



Alisa Morgan, Secretary  
Board of Zoning Adjustment

**PRATTVILLE BOARD OF ZONING ADJUSTMENT**

**PETITIONER:** WAYNE LAMBERT  
271 EAST MAIN STREET  
PRATTVILLE, AL 36067

**REQUEST:** VARIANCE TO ALLOW AN ACCESSORY STRUCTURE IN THE  
SIDE YARD.  
271 EAST MAIN STREET  
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 August 11, 2015 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 an accessory structure (pool house) in the side yard on property at 271 East Main Street.**

**IT IS THEREFORE ORDERED** the petition of Wayne Lambert, 271 East Main Street, Prattville, AL is hereby approved.

**DONE THIS THE 11th DAY OF August 2015.**

**BOARD OF ZONING ADJUSTMENT**

  
\_\_\_\_\_  
LEO JAMIESON, CHAIRMAN

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

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

**MEETING DATE:** August 11, 2015

**PETITIONER:** Wayne Lambert

**ADDRESS OF PETITION:** 271 East Main Street

	<b>NAME</b>	<b>ADDRESS</b>
1.	Wayne Lambert	271 E Main St
2.	BEN LAMBERT	271 E. MAIN ST.
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**CITY OF PRATTVILLE**  
Board of Zoning Adjustment

Planning Department Staff Report



<b>DATE:</b>	7/24/15
<b>APPLICATION TYPE:</b>	Variance (150811-01)
<b>PROPERTY LOCATION or DESCRIPTION:</b>	271 East Main Street
<b>PETITIONER(S) AND AGENT(S):</b>	Wayne Lambert
<b>ZONING DISTRICT(S)</b>	R-2 Zoning District (Single Family Residential)
<b>REQUESTED ACTION:</b>	To allow an accessory structure in the side yard and To allow accessory structures greater than 50% of the main dwelling.
<b>ZONING ORDINANCE REFERENCE:</b>	<p><b>Article 6. General Provisions. Appendix A-Zoning Ordinance Section 68 Definitions</b></p> <p><b>Accessory structure.</b> Any detached minor building in the rear of the main building consisting of masonry or frame walls and roof, one (1) or two (2) stories in height, necessary as an adjunct to the use or occupancy of a principal or main structure.</p> <p><b>Yard, Rear.</b> The yard extending across the entire width of the lot between the main building, including covered porches, and the rear lot line.</p> <p><b>Yard, Side.</b> The yard extending along a side lot line, from the front yard to the rear yard, between the main building, including covered porches and carports, and such lot line.</p> <p><b>Article 7. District Requirements. Appendix A-Zoning Ordinance Section 74 R District Requirements</b></p> <p><b>Appendix A</b> <b>Section 9. Structures.</b></p> <p>(a) [General.] It is the intent of this ordinance, that there shall be but one (1) main structure on any lot zoned or used for single-family residential purposes; also, accessory structures shall not exceed fifty (50) percent of the total floor area of any main structure. No accessory structure shall be used as living quarters; however, protective shelters may provide temporary living quarters in times of danger or emergency.</p>



150811-01

Variance

To allow accessory structure in the side yard/over 50%

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: Wayne Lambert

Street Address: 271 East Main Street

City: Prattville State: AL Zip: 36067

Phone Number(s): (334)-361-8948 cell - 201-0126

**Property Owner Information**  
If different than above

Name: Same as above

Address of Property Owner: N/A

City: N/A State: N/A Zip: N/A

Phone Number: ( ) N/A

**Property Description** *Tax record attached*

County Tax Parcel Number/Legal Description: \_\_\_\_\_

Current Zoning of Property: \_\_\_\_\_ Physical Address: \_\_\_\_\_

Proposed Use of Property (generally): \_\_\_\_\_

Describe Proposed Use or Variance: Demolish existing wood structure with metal roof - see pictures. Construct new wood-framed four-wall structure (5' from house) with decked and shingled roof. Exterior walls will be finished with cement fiber siding and painted to match existing house. Interior walls will be finished with drywall or paneled siding. The entrance door will be a set of French doors with side-lites. New structure will basically serve as an outdoor pool 'hangout'. The location will be beside the house in the backyard in a secluded area.



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 older lot in the downtown area has limited space.

Also Swimming pool in backyard of house

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.*

Wayne Lambert  
Printed Name

Wayne Lambert  
Signature

July 1st, 2015  
Date

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Wayne Lambert, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 1 day of July, 2015.

Jan-Maria K. Mapp  
Notary Public

My commission expires 1/13/2018

# 150811-01/A

Variance

To allow accessory structure in the side yard/over 50%



Search nearby: hotels · restaurants

271 E Main St  
Prattville, AL 36067

STREET VIEW



Explore this area

Search nearby

*Add a missing business*

# 150811-01/B

Variance

To allow accessory structure in the side yard/over 50%



288 AL-14

Prattville, Alabama

271 E Main St

Street View - May 2013

Image capture: May 2013 © 2015 Google

**PRATTVILLE BOARD OF ZONING ADJUSTMENT**

**PETITIONER:**           **THOMAS L. DAVIS**  
                                  **105 PICKETT STREET**  
                                  **PRATTVILLE, AL 36067**

**REQUEST:**               **VARIANCE TO ALLOW A MOBILE HOME IN A RESIDENTIAL**  
                                  **ZONED DISTRICT.**  
                                  **323-B HAZEL STREET**  
                                  **R-3 ZONING DISTRICT (SINGLE FAMILY RESIDENTIAL)**

**ORDER**

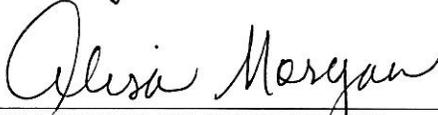
The above petition having been duly considered at a public hearing meeting before the Board of Zoning Adjustment of the City of Prattville, having been advertised in *The Prattville Progress*, a newspaper of general circulation in the city limits of Prattville, Alabama, and setting forth notice of the 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 August 11, 2015 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 a mobile home in a residential zoned district on property at 323-B Hazel Street.**

**IT IS THEREFORE ORDERED** the petition of Thomas L. Davis, 105 Pickett Street, Prattville, AL is hereby approved.

**DONE THIS THE 11th DAY OF August 2015.**

**BOARD OF ZONING ADJUSTMENT**

  
\_\_\_\_\_  
**LEO JAMIESON, CHAIRMAN**

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

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

**MEETING DATE:** August 11, 2015

**PETITIONER:** Thomas L. Davis

**ADDRESS OF PETITION:** 323-B Hazel Street

	NAME	ADDRESS
1.	Charlie Wood	908 Washington Ferry Rd Prattville AL
2.	Thomas Davis	150 Parkettes
3.	Robert Thornton	3124 Home Park Trail Prattville, AL
4.	Ulysses Jackson	359 Hazel St
5.	William Davis	323
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**CITY OF PRATTVILLE**  
Board of Zoning Adjustment

Planning Department Staff Report



<b>DATE:</b>	7/24/15
<b>APPLICATION TYPE:</b>	Variance (150811-02)
<b>PROPERTY LOCATION or DESCRIPTION:</b>	323-B Hazel Street
<b>PETITIONER(S) AND AGENT(S):</b>	Thomas L. Davis
<b>ZONING DISTRICT(S)</b>	R-3 (Single Family Residential)
<b>REQUESTED ACTION:</b>	To allow a mobile home in a residential zoned district.
<b>ZONING ORDINANCE REFERENCE:</b>	<p><b>Appendix A-Zoning Ordinance Section 71 Residential district requirements:</b></p> <p><b>R-3 District:</b> (See: regulations common to all "R" Districts.)</p> <p><b>All "R" Districts</b></p> <p><b>USES PROHIBITED:</b> Mobile homes, house trailers, trailer courts or camps...</p>

CITY OF  
PRATTVILLE, AL

Davis Property  
Hazel St

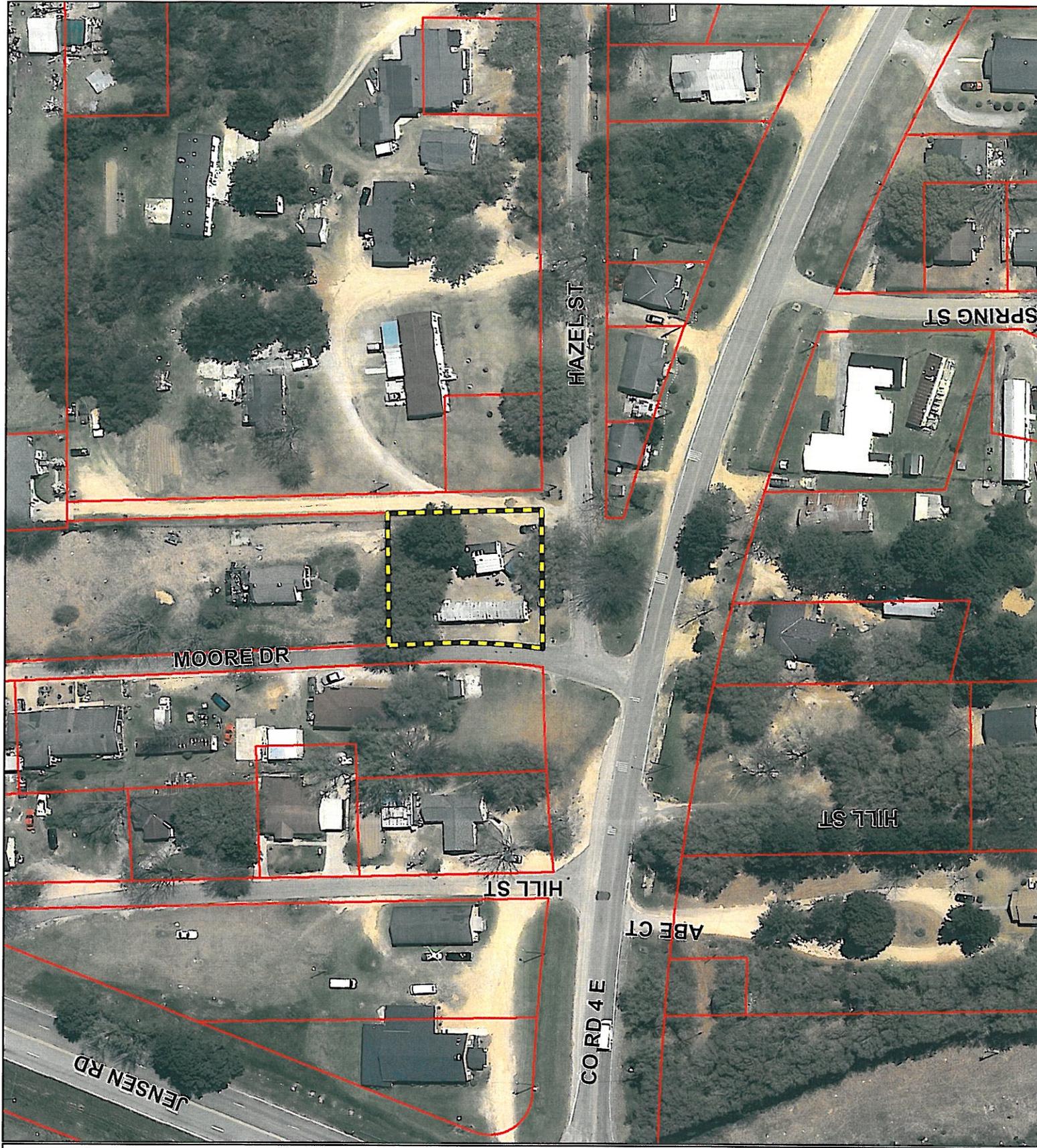
Zoning: R-2

Scale: 1" = 100'



STREETS

TAX PARCEL





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

150811-02

Variance

To allow a mobile home in a residential zoned district.

**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: Thomas L. Dawis

Street Address: 105 Pickett

City: Prattville State: AL Zip: 36067

Phone Number(s): 334 328-5275

**Property Owner Information**  
If different than above

Name: Thomas L. Dawis

Address of Property Owner: 105 Pickett

City: Prattville State: AL Zip: 36067

Phone Number: 334 328-5275

**Property Description**

County Tax Parcel Number/Legal Description: B  
POBC19-05-21-3 000-033,000T0

Current Zoning of Property: R3 Physical Address: 323-B Hazel St.

Proposed Use of Property (generally): Residential

Describe Proposed Use or Variance: To replace a mobile home on  
 with a new one for family use

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
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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:

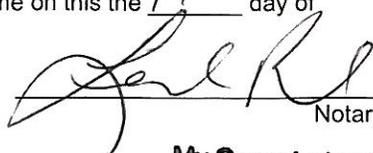
"To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit of the (zoning) ordinance shall be observed and substantial justice done." Code of Alabama, 1975, as amended. § 11-52-80(d) (3)

The mobile home was a 1969 in bad condition. I removed the mobile home and replaced it with a 2014 mobile home of the same size. The neighbors do not mind about mobile home, they are for upgrade.

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.

x Thomas Davis      x Thomas Day      7-17-215  
 Printed Name      Signature      Date

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Thomas Davis, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 17<sup>th</sup> day of July, 2015.

  
 Notary Public

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

# 150811-02/A

Variance

To allow a mobile home in a residential zoned district

Moore St.

