

City of Prattville
Board of Zoning Adjustment

The minutes of the February 12, 2008
meeting of the City of Prattville Board of
Zoning Adjustment were approved.

Leo Jamieson

15 Apr 08

Date

**CITY OF PRATTVILLE
BOARD OF ZONING ADJUSTMENT**

**A G E N D A
February 12, 2008
4:00pm**

Call to Order:

Roll Call:

Members:

Chairman Leo Jamieson
Vice-Chairman John Gillian
Ms. Connie Dismukes
Ms. Jerry Schannep
Mr. Theodis Yelder

Alternate Members:

Mr. James Crosby
Ms. Becky Stewart

Election of Officers:

Minutes:

January 8, 2008

Old Business:

None

New Business:

- | | | | |
|--------------|--------------------|---|-------------------|
| 1. 080212-01 | VARIANCE: | To allow an accessory structure (garage) in the side yard.
1005 Choctaw Ridge
FAR Zoning District (Forest, Agricultural, Recreation)
J. D. Best, Petitioner | <i>District 7</i> |
| 2. 080212-02 | USE-ON-
APPEAL: | To allow church use on property.
172 West Sixth Street
B-2 (General Business) & R-2 (Single Family Residential)
United Christian Church, Petitioner | <i>District 2</i> |
| 3. 080212-03 | VARIANCE: | To allow an accessory structure (carport) in the side yard.
604 Wetumpka Street
R-2 Zoning District (Single Family Residential)
Danny T. Jackson, Petitioner | <i>District 6</i> |
| 4.080212-04 | VARIANCE: | To encroach 4' into the front yard setback.
429 Bedford Terrace
R-2 Zoning District (Single Family Residential)
Eddie J. Allford, Petitioner | <i>District 3</i> |

Miscellaneous:

Adjourn:

**City of Prattville Board of Zoning Adjustment
Minutes
February 12, 2008**

CALL TO ORDER:

The meeting of the Prattville Board of Zoning Adjustment was called to order at 4:05 p.m. on Tuesday, February 12, 2008. Chairman Leo Jamieson presided over the meeting.

ROLL CALL:

Present: Chairman Leo Jamieson, Vice-Chairman John Gillian, Mrs. Jerry Schannep, and Mr. Theodis Yelder. Absent: Ms. Connie Dismukes.

Staff present: Mr. Joel Duke, City Planner; and Ms. Alisa Morgan, Board of Zoning Adjustment Secretary.

Also present was alternate member Mrs. Becky Stewart.

Chairman Jamieson stated the governing rules for the Prattville Board of Zoning Adjustment according to the *Code of Alabama, 1975* and the procedures of the meeting.

ELECTION OF OFFICERS:

The board voted unanimously to postpone the election of officers until the March meeting.

MINUTES:

Mr. Gillian moved to approve the minutes of the **January 8, 2008** meeting. Mr. Yelder seconded the motion. **The motion passed unanimously.**

OLD BUSINESS:

None

NEW BUSINESS:

VARIANCE

**To allow an accessory structure (garage) in the side yard
1005 Choctaw Ridge
FAR Zoning District (Forest, Agricultural, Recreation
J. D. Best, Petitioner**

Mr. Duke stated that the ordinance requires that the accessory structure be placed behind the rear building line of the main structure. He stated that the property significantly drops off on the rear which prevents the structure from being placed in the rear.

J. D. Best, petitioner, stated that the drop off on the rear would require a tremendous amount of fill in to make it suitable to build on and the opposite side of the property is where the field lines are located. He stated that the proposed structure is for parking two (2) antique cars.

Chairman Jamieson opened the public hearing.

Gary Bird, 1009 Choctaw Ridge opposed the request citing concerns on the type of structure, the fit of the structure in the neighborhood, if the structure would be inconspicuous, and if the lot would have a double driveway.

Mr. Best responded to Mr. Bird's comments stating that the structure would be a steel building, the same color of the house. The existing carport would be removed and there would be no additional driveway.

The public hearing was closed.

After no further comments, questions, or discussion, the vote was called. **The BZA voted 4/1 to approve the variance request to allow an accessory structure (garage) in the side yard on property at 1005 Choctaw Ridge. The votes are as recorded: Chairman Jamieson-yea; Mr. Gillian-yea; Mrs. Schannep-nay; Mrs. Stewart-yea; and Mr. Yelder-yea.**

USE-ON- APPEAL

To allow church use on property.

172 West Sixth Street

B-2 (General Business) & R-2 (Single Family Residential)

United Christian Church, Petitioner

Mr. Duke stated that church use is not allowed by right in any district therefore it requires board approval for the proposed location.

Thaylee Dickerson, petitioner representative, stated that the future plans for the property is to build a church. He stated that the proposed facility would accommodate 150-200 people. He stated that the present facility, also on 6th street presently holds approximately 100 people.

Mr. Duke stated that complete development plans have not been provided. He stated that at the development review parking and other issues would be addressed. He stated that the property appears to have adequate parking space for the presented sketch plan presented.

Chairman Jamieson opened the public hearing.

Ms. J. W. Jones, adjacent property owner, stated that she wasn't against progress for the community but wanted to ensure that the proposed structure would not take away from the aesthetics of the historical downtown district.

Mr. Duke explained that the board's decision today would be to vote whether the use is allowable for the property. He stated that the church would have to appear before the Historic Preservation Commission for certificate of appropriateness for the building, which will define the aesthetics of the building for the historic district.

After no further comments, questions, or discussion, the vote was called. **Mrs. Stewart moved to approve the request as submitted with sketch. Mr. Gillian seconded the motion. The BZA voted unanimously to approve the use-on-appeal request to allow church use on property at 173 West Sixth Street.**

VARIANCE

To allow an accessory structure (carport) in the side yard.

604 Wetumpka Street

R-2 Zoning District (Single Family Residential)

Danny T. Jackson, Petitioner

Mr. Duke stated that the ordinance requires that the accessory structure be placed behind the rear building line of the main structure. He stated that a portion of the building is forward the rear building line.

Danny Jackson, petitioner, stated that the proposed structure would be an open carport with steel gable roof. He stated that he lost some of his rear yard when he had to dedicate some property to the city for right-of-way for the construction of Pine Street.

Chairman Jamieson opened the public hearing.

Betty Rawlinson, 616 Wetumpka Street, adjoining property owner, stated that the proposed building couldn't be seen from her property. She had no opposition to the request.

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 (carport) in the side yard on property at 604 Wetumpka Street.**

VARIANCE

To encroach 4' into the front yard setback.

429 Bedford Terrace

R-2 Zoning District (Single Family Residential)

Eddie J. Allford, Petitioner

Mr. Duke stated that the request for the front yard encroachment is for a garage. He stated that the property is a "cone" shape lot and the front building line runs in a semi-circle along the property. He stated that the structure would stretch 4' into the front building line.

Eddie Allford, petitioner, stated that the proposed structure would be used as a double garage. He stated that he spoke with his neighbor at 427 Bedford Terrace (Seamon) about the proposal and he had no opposition to the request.

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 encroach 4' into the front yard setback on property at 429 Bedford Terrace.**

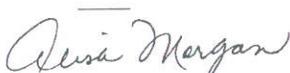
MISCELLANEOUS:

None

ADJOURN:

After no further comments, questions or discussion the meeting was adjourned at 5:05 pm.

Respectfully submitted,



Alisa Morgan, Secretary
Board of Zoning Adjustment

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

MEETING DATE: February 12, 2008

PETITIONER: J. D. Best

ADDRESS OF PETITION: 1005 Choctaw Ridge

	NAME	ADDRESS
1.	<i>J.D. Best</i>	<i>1005 CHOCTAW RIDGE</i>
2.	<i>Garry Bird</i>	<i>1009 Choctaw Ridge</i>
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CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	1/29/08
APPLICATION TYPE:	Variance (080212-01)
PROPERTY LOCATION or DESCRIPTION:	1005 Choctaw Ridge N
PETITIONER(S) AND AGENT(S):	J. D. Best
ZONING DISTRICT(S)	FAR (Forest, Agricultural, Recreation)
REQUESTED ACTION:	To allow an accessory structure (garage) in the side yard.
ZONING ORDINANCE REFERENCE:	<p>Appendix A-Zoning Ordinance Section 68 Definitions.</p> <p>Accessory Structure:</p> <p>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>BZA Interpretation of how to define the rear lot line of a yard. Lot line, rear: the line opposite to and most distant from the front lot line, other than a side lot line; in the case of an irregularly shaped lot where no rear lot line is apparent, the rear lot line shall be a line 10 feet in length within the lot, parallel to and at a maximum distance from the front lot line. <u>December 14th 2004</u></p>



080212-01

Variance
To allow an accessory structure in the side yard

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

Application
Prattville Board of Zoning Adjustment

Application Type: Use-On-Appeal Variance Administrative Appeal

Applicant /Agent Information
Reduced letter from the property owner is required if agent is used for representation.

Name: J.D. BEST

Street Address: 1005 CHOCTAW RIDGE N.

City: PRATTVILLE State: AL Zip: 36067

Phone Number(s): 334-361-8719 Cell 334-301-2254

Property Owner Information
If different than above

Name: J.D. BEST

Address of Property Owner: 1005 CHOCTAW RIDGE N.

City: PRATTVILLE State: AL Zip: 36067

Phone Number: (334) 361-8719 Cell 334-301-2254

Property Description

County Tax Parcel Number/Legal Description: 18-06-14-0-000-001-070-0

Current Zoning of Property: FAR Physical Address: 1005 Choctaw Ridge

Proposed Use of Property (generally): Single Family Residential

Describe Proposed Use or Variance: To allow garage/accessory structure in 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))

Property drops off near the side, where the 20'
drainage easement is located. Drop off continues
all the way to the rear. ^{to slope.} Existing accessory structures
were on site when purchased.

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.

J. D. BEST
Printed Name

[Signature]
Signature

Date 1-2-08

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that J. D. Best, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 2 day of January, 2008.

[Signature]
Notary Public

My commission expires 4-13-08

BEARINGS HAVE BEEN ROTATED TO MATCH RECORDED PLAT BEARINGS

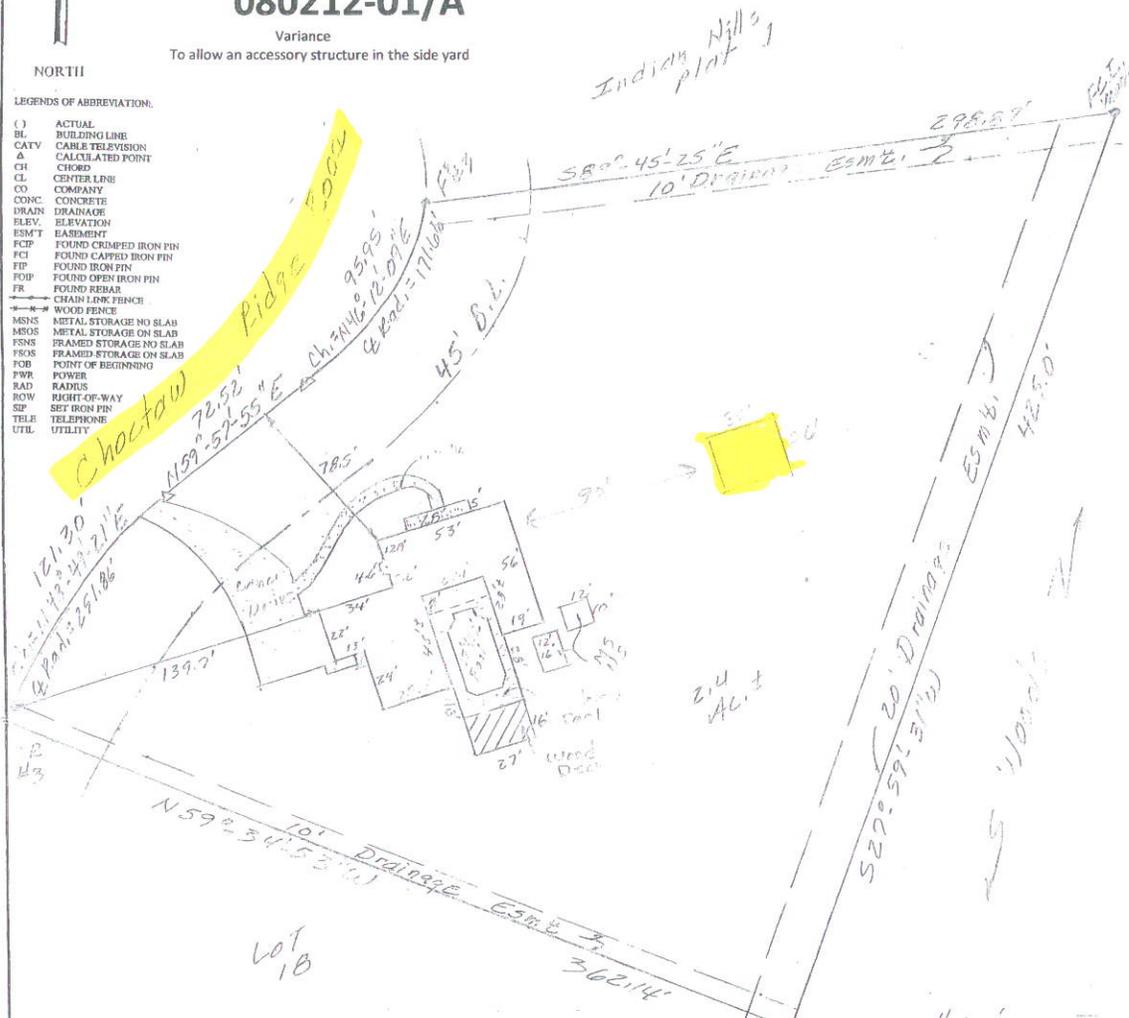
080212-01/A

Variance
To allow an accessory structure in the side yard

NORTH

LEGENDS OF ABBREVIATION:

- () ACTUAL
- BL BUILDING LINE
- CATV CABLE TELEVISION
- A CALCULATED POINT
- CH CHORD
- CL CENTER LINE
- CO COMPANY
- CONC CONCRETE
- DRAIN DRAINAGE
- ELEV. ELEVATION
- ESMT EASEMENT
- FCE FOUND CRIMPED IRON PIN
- FPI FOUND CAPPED IRON PIN
- FOP FOUND OPEN IRON PIN
- FR FOUND REBAR
- CLF CHAIN LINK FENCE
- W FENCE
- MSNS METAL STORAGE NO SLAB
- MSOS METAL STORAGE ON SLAB
- FNSS FRAMED STORAGE ON SLAB
- FSOS FRAMED STORAGE ON SLAB
- FOB POINT OF BEGINNING
- PWR POWER
- RAD RADIUS
- ROW RIGHT-OF-WAY
- SIP SET IRON PIN
- TELE TELEPHONE
- UTIL UTILITY



STATE OF ALABAMA)
COUNTY OF Autauga

SCALE: 1" = 60'

I, M.P. HAYDEN, REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT MAP OR PLAT OF
Lot 16 Indian Hills Estates Plat 2

SAME IS RECORDED IN Map 85 3 AT PAGE 376 IN THE OFFICE OF THE JUDGE OF PROBATE

Autauga COUNTY, ALABAMA THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF. THE BUILDINGS NOW ERECTED ON SAID PROPERTY ARE WITHIN THE BOUNDARIES OF SAME; THERE ARE NO ENCROACHMENTS BY BUILDINGS ON THE ADJOINING PROPERTY; THERE ARE NO RIGHTS-OF-WAYS, EASEMENTS, OR JOINT DRIVEWAYS OVER OR ACROSS SAID LAND VISIBLE ON THE SURFACE OF THE GROUND; THERE ARE NO ELECTRIC OR TELEPHONE WIRES (EXCLUDING WIRES WHICH SERVE THE PREMISES ONLY) OR STRUCTURES THEREFORE INCLUDING POLES, ANCHORS AND GUY WIRES OVER SAID PREMISES, UNLESS INDICATED, AND I HAVE REVIEWED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP AND FOUND THE DESCRIBED PROPERTY IS LOCATED IN ZONE "C" HOWEVER, FINAL DETERMINATION SHALL BE MADE BY THE LENDERS FLOOD CERTIFICATION COMPANY AND THE CORRECT ADDRESS IS

1005 Choctaw Ridge Road, Prattville, ALABAMA

THIS SURVEY IS VALID FOR A PERIOD OF 180 DAYS FROM THE DATE SHOWN HEREON: UNLESS NOTED THE DIFFERENCE BETWEEN ACTUAL BEARINGS AND DISTANCES AND RECORDED BEARINGS AND DISTANCES MEET OR EXCEED THE MINIMUM TECHNICAL STANDARDS.

ACCORDING TO MY SURVEY THIS THE 22nd DAY OF Feb., 2006.

ALABAMA LAND SURVEYING, INC.
2501 E. THIRD STREET
MONTGOMERY, ALABAMA 36107
PHONE: 334-264-0266

FAX: 334-264-0636

M. P. Hayden
M.P. HAYDEN
ALABAMA REGISTRATION NO. 12692
THIS SURVEY IS NOT VALID WITHOUT AN EMBOSSED SEAL.

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: J. D. BEST
1005 CHOCTAW RIDGE
PRATTVILLE, AL 36067

REQUEST: VARIANCE TO ALLOW AN ACCESSORY STRUCTURE (GARAGE)
IN THE SIDE YARD.
1005 CHOCTAW RIDGE
FAR ZONING DISTRICT (FOREST, AGRICULTURAL, RECREATION)

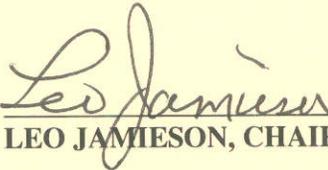
ORDER

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 February 12, 2008 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 (garage) in the side yard** at property requested above.

IT IS THEREFORE ORDERED the petition of J. D. Best, 1005 Choctaw Ridge, Prattville, AL is hereby approved.

DONE THIS THE 12th DAY OF February 2008.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

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

MEETING DATE: February 12, 2008

PETITIONER: United Christian Church

ADDRESS OF PETITION: 172 West Sixth Street

	NAME	ADDRESS
1.	<i>Phyllis Dickerson</i>	<i>220 West 6th St.</i>
2.	<i>Ms. Johnson</i>	
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CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	1/25/08
APPLICATION TYPE:	Use-On-Appeal (080212-02)
PROPERTY LOCATION or DESCRIPTION:	172 West Sixth Street (United Christian Church)
PETITIONER(S) AND AGENT(S):	United Christian Church Representative: Evelyn Dickerson
ZONING DISTRICT(S)	B-2 (General Business) and R-3 (Single Family Residential)
REQUESTED ACTION:	To allow church use on property.
ZONING ORDINANCE REFERENCE:	<p>Article 7 Section 71 (R-3) Uses Permitted On Appeal: Regulations common to all "R" Districts. ...churches.</p> <p>Article 7 Section 72 (B-2) Uses Permitted: ...any use permitted in a B-1 Local Shopping District.</p> <p>Article 7 Section 72 (B-1) 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>Article 7 Section 71 (R-3) Uses Permitted On Appeal: Regulations common to all "R" Districts.</p>

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: United Christian Church c/o Evelyn Dickerson
Street Address: P.O. Box 681892
City: Prattville State: AL Zip: 36068
Phone Number(s): 334-872-0009

Property Owner Information

If different than above

Name: United Christian Church
Address of Property Owner: 172 West 5th Street
City: Prattville State: AL Zip: 36068
Phone Number: (334) 205-365-3597

Property Description

County Tax Parcel Number/Legal Description: _____

Provided
Current Zoning of Property: B-2 R-3 Physical Address: 172 West 5th

Proposed Use of Property (generally): Church

Describe Proposed Use or Variance: To construct a new,

Church on this site,

220 West 4th Street is where the Church is

Location now.



The following items must be attached to the application (check those items included):

N/A

- 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.*

Evelyn Dickerson
Printed Name

Evelyn Dickerson
Signature

Date 1-11-08

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Evelyn Dickerson, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 11 day of

JANUARY, 2008

Donnie T. Moore
Notary Public

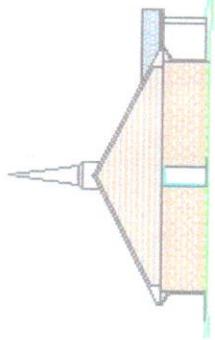
My commission expires 4-13-08

080212-02/A

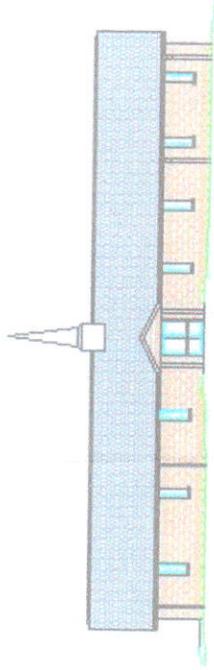
Use-On-Appeal
To allow church use on property



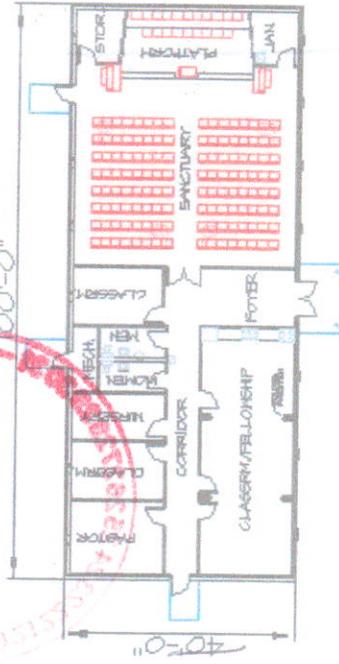
PLAN C/PFL100-II
148 SEATS



SIDE ELEVATION
SCALE: 1" = 80'-0"



FRONT ELEVATION
SCALE: 1" = 80'-0"



FLOOR PLAN
SCALE: 1" = 30'-0"



PRATTVILLE, ALABAMA
 PASTOR
 THAYLEE DICKERSON
 (205) 365-3397
 UNITED CHRISTIAN CHURCH
 CURRENTLY LOCATED AT
 172 W 6TH ST

LEGEND

- PROPOSED PARCEL
- BUILDING FOOTPRINT
- TAX PARCELS
- ZONING 2007
 - R-1
 - R-2
 - R-3
 - R-4
 - R-5
 - R-6
 - RD-1
 - B-1
 - B-2
 - B-3
 - B-4
 - O-1
 - M-1
 - M-2
 - T-1
 - T-2
 - T-3
 - F.A.R.
 - NO ZONING VALUE
 - HOMEPLACE P.U.D.



PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: UNITED CHRISTIAN CHURCH
PO BOX 681892
PRATTVILLE, AL 36068

REQUEST: USE-ON-APPEAL TO ALLOW CHURCH USE ON PROPERTY.
172 WEST SIXTH STREET
B-2 (GENERAL BUSINESS) & R-2 ZONING DISTRICT (SINGLE FAMILY
RESIDENTIAL)

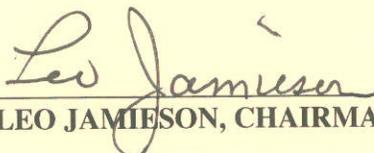
ORDER

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 February 12, 2008 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** at property requested above.

IT IS THEREFORE ORDERED the petition of United Christian Church, PO Box 681892, Prattville, AL is hereby approved.

DONE THIS THE 12th DAY OF February 2008.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

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

MEETING DATE: February 12, 2008

PETITIONER: Danny T. Jackson

ADDRESS OF PETITION: 604 Wetumpka Street

	NAME	ADDRESS
1.	<i>Danny T Jackson</i>	
2.	<i>Betty Ramon</i>	<i>616 Wetumpka St</i>
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CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	1/29/08
APPLICATION TYPE:	Variance (080212-03)
PROPERTY LOCATION or DESCRIPTION:	604 Wetumpka Street
PETITIONER(S) AND AGENT(S):	Danny T. Jackson
ZONING DISTRICT(S)	R-2 (Single Family Residential)
REQUESTED ACTION:	To allow an accessory structure (carport) in the side yard.
ZONING ORDINANCE REFERENCE:	<p>Appendix A-Zoning Ordinance Section 68 Definitions.</p> <p>Accessory Structure:</p> <p>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>BZA Interpretation of how to define the rear lot line of a yard. Lot line, rear: the line opposite to and most distant from the front lot line, other than a side lot line; in the case of an irregularly shaped lot where no rear lot line is apparent, the rear lot line shall be a line 10 feet in length within the lot, parallel to and at a maximum distance from the front lot line. <u>December 14th 2004</u></p>

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))

MR. Peter K. Rantz
616 Wetumpka St Prater, AL 36067
MR. Max M. How 530 Wetumpka St Prater AL
MR. Murray Jones 593 Wetumpka St Prater AL
Allen Dunnington 613 Pinecrest St Prater AL

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.

Danny T. Jackson
Printed Name

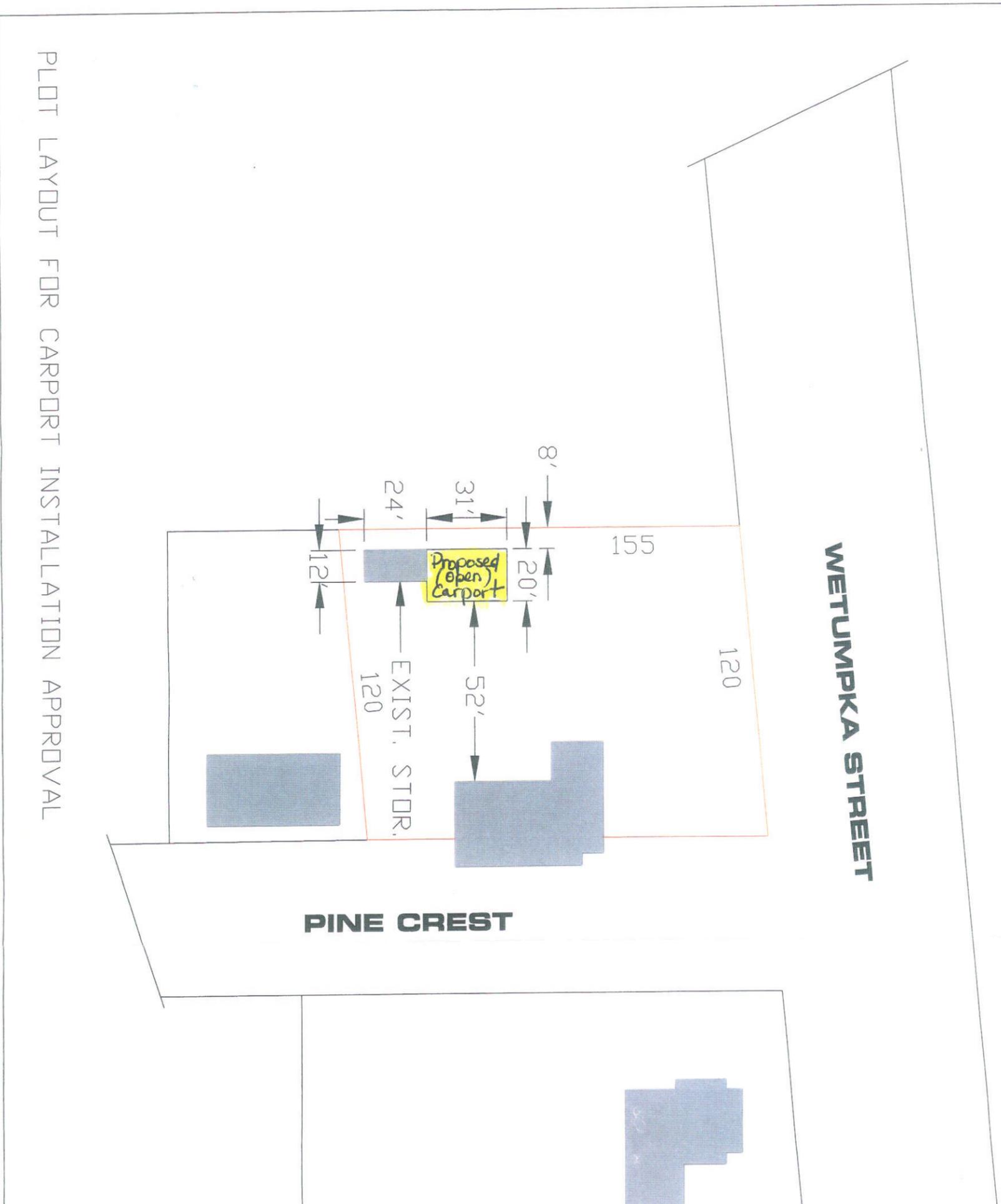
Wayne J. [Signature]
Signature

Date 1-24-08

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that DANNY T. JACKSON, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 24th day of JANUARY, 2008.

[Signature]
Notary Public
My commission expires January 25, 2010

**DANNY JACKSON RESIDENCE
604 WETUMPKA STREET**



PLOT LAYOUT FOR CARPORT INSTALLATION APPROVAL

I had to give Right of way to city
to build Pinecrest STREET. I have no
backyard so I need permission to build
Pitaport on side of my house

Danny T. Jackson

1-24-08

080212-03/B

Variance

To allow an acc. structure in side yard

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: DANNY T. JACKSON
604 WETUMPKA STREET
PRATTVILLE, AL 36067

REQUEST: VARIANCE TO ALLOW AN ACCESSORY STRUCTURE
(CARPORT) IN THE SIDE YARD.
604 WETUMPKA STREET
R-2 ZONING DISTRICT (SINGLE FAMILY RESIDENTIAL)

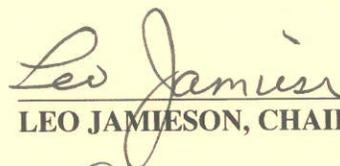
ORDER

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 February 12, 2008 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 (carport) in the side yard** at property requested above.

IT IS THEREFORE ORDERED the petition of Danny T. Jackson, 604 Wetumpka Street, Prattville, AL is hereby approved.

DONE THIS THE 12th DAY OF February 2008.

BOARD OF ZONING ADJUSTMENT


LEO JAMIESON, CHAIRMAN


ALISA MORGAN, SECRETARY

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

MEETING DATE: February 12, 2008

PETITIONER: Eddie J. Allford

ADDRESS OF PETITION: 429 Bedford Terrace

	NAME	ADDRESS
1.	<i>Eddie J. Allford</i>	<i>429 Bedford Terrace</i>
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CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	1/29/08
APPLICATION TYPE:	Variance (080212-04)
PROPERTY LOCATION or DESCRIPTION:	429 Bedford Terrace
PETITIONER(S) AND AGENT(S):	Eddie J. Allford
ZONING DISTRICT(S)	R-2 (Single Family Residential)
REQUESTED ACTION:	To encroach 4' into the 35' front yard setback.
ZONING ORDINANCE REFERENCE:	<p>Appendix A-Zoning Ordinance Section 71 Residential district requirements:</p> <p>R-2 District:</p> <p>Minimum Yard Size</p> <p style="padding-left: 40px;">Front yard - 35'</p> <p style="padding-left: 40px;">Side Yard – 10'</p> <p style="padding-left: 40px;">Rear Yard – 40'</p>

080212-04

Variance
To encroach 4' into the front yard setback

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

Application
Prattville Board of Zoning Adjustment

Application Type: Use-On-Appeal Variance Administrative Appeal

Applicant /Agent Information

Name: Eddie J. Allford
Street Address: 429 Bedford Terrace
City: Prattville State: ALA. Zip: 36066
Phone Number(s): (334) 365-2791

Property Owner Information

Name: Eddie J. Allford
Address of Property Owner: 429 Bedford Terrace
City: Prattville State: ALA. Zip: 36066
Phone Number: (334) 365-2791

Property Description

County Tax Parcel Number/Legal Description: Lot 16, Block 5, Meadowbrook
Subd, 5th Addition (see attached)
Current Zoning of Property: R-2 Physical Address: 429 Bedford Terrace
Proposed Use of Property (generally): single family dwelling
Describe Proposed Use or Variance:
Encroach 4' in front setback
construct garage



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)*

Because shape of lot will not allow me to build garage behind rear building line

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.*

Eddie J. Alford
Printed Name

Eddie J. Alford
Signature

Date 1-25-08

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Eddie J. Alford, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 25th day of January, 2008

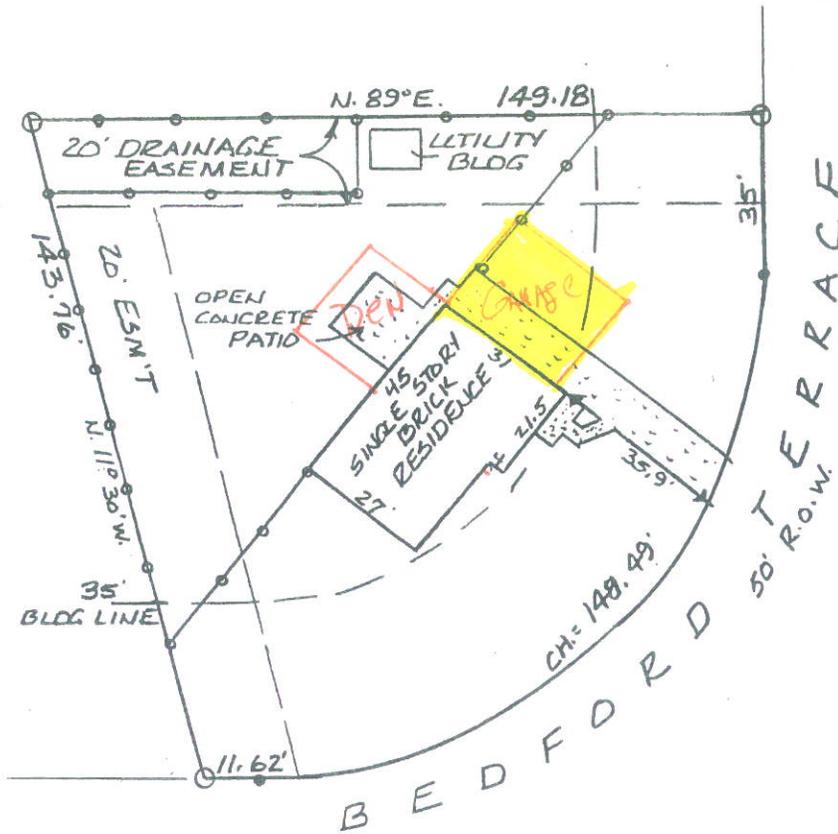
Diane C. Free
Notary Public

My commission expires 9-12-10

080212-04/A

BAILEY / ALLFORD

Variance
To encroach 4' into the front yard setback



STATE OF ALABAMA)
Autauga COUNTY)

I, W. B. Scott, a registered Alabama Land Surveyor, hereby certify that I have surveyed Lot 16, Block 5, Meadowbrook
Subdivision, 5th Addition, as recorded in the Autauga County Probate
Office in map Book 2, page 211.

All improve-
ments are located within the lines of said lot, except as shown; there are no encroachments from adjoining property, except as shown; there are no right-
of-way, easements, or joint driveways over or across said lot visible on the surface, except as shown. Access is provided as shown. I have reviewed the

Federal Insurance Administration Flood Hazard Maps and found this property lies in Zone C and is not subject to flooding. This survey and
drawing comply with requirements of the minimum technical standards for the practice of land surveying in the State of Alabama. The correct address
is 429 Bedford Terrace, Prattville, AL. 36066

Completed this the 8th day of July 1993

W. B. Scott
W. B. Scott, Ala. Surveyor No. 7849

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: **EDDIE J. ALLFORD**
429 BEDFORD TERRACE
PRATTVILLE, AL 36067

REQUEST: **VARIANCE TO ENCROACH 4' INTO THE FRONT YARD**
SETBACK
429 BEDFORD TERRACE
R-2 ZONING DISTRICT (SINGLE FAMILY RESIDENTIAL)

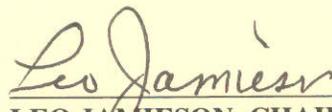
ORDER

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 February 12, 2008 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 4' into the front yard setback** at property requested above.

IT IS THEREFORE ORDERED the petition of Eddie J. Allford, 429 Bedford Terrace, Prattville, AL is hereby approved.

DONE THIS THE 12th DAY OF February 2008.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY