



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 July 9, 2013 meeting of the City of Prattville Board of Zoning Adjustment were approved.

Leo Jamieson, Chairman

10/8/13

Date

PLANNING & DEVELOPMENT DEPARTMENT

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

FACSIMILE
planning.prattvilleal.gov



CITY OF PRATTVILLE

BILL GILLESPIE, JR.
MAYOR

CITY COUNCIL

WILLIE WOOD, JR. ALBERT C. STRIPLIN DENISE B. BROWN JERRY STARNES CLYDE CHAMBLISS, JR. RAY C. BOLES LORA LEE BOONE
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
July 9, 2013
4:00pm**

Call to Order:

Roll Call:

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

Minutes:

June 11, 2013

Old Business:

None

New Business:

1. 130709-01 USE-ON-APPEAL: *District 5*
To allow an offsite sign on property.
VARIANCE:
To allow a 2nd freestanding sign on property.
1921 Cobbs Ford Road
B-2 Zoning District (General Business)
Premiere Place Phase II, LLC/Pilgreen Engineering, Petitioner
2. 130709-02 VARIANCE: *District 3*
To encroach 10' into the required 35' front yard.
407 Azalea Drive
R-2 Zoning District (Single Family Residential)
Christopher S. Burkey, Petitioner
3. 130709-03 USE-ON-APPEAL: *District 7*
To allow use as after-school care and summer day camp.
720 Doster Road
B-1 Zoning District (Local Shopping District)
Gateway Youth Empowerment/Felicia Bates, Petitioner

Miscellaneous:

Adjourn:

PLANNING & DEVELOPMENT DEPARTMENT

102 WEST MAIN STREET ■ PRATTVILLE, ALABAMA 36067 ■ 334-361-3613 ■ 334-361-3677
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Approved 10/8/13

**City of Prattville Board of Zoning Adjustment
Minutes
July 9, 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, July 9, 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:

Mr. Cimis moved to approve the minutes of the June 11, 2013 meeting. Mr. Macready seconded the motion. The motion passed unanimously.

OLD BUSINESS:

None

NEW BUSINESS:

USE-ON-APPEAL

To allow an offsite sign on property

VARIANCE

To allow a 2nd freestanding sign on property.

1921 Cobbs Ford Road

B-2 Zoning District (General Business)

Premiere Place Phase II, LLC/Pilgreen Engineering, Petitioner

Mr. Duke introduced the use-on-appeal request to allow an offsite sign and the variance to allow second sign on property. He stated that the existing sign on the property would be considered the offsite sign for it currently advertised the Premiere Place Shopping Center. He stated that the property was re-platted some time ago for the sale of two outparcels and the existing sign was not re-platted as part of the Premiere Place property. He stated that the buyer of the requested lot wanted to place a sign to advertise their business which would be the second size on that lot.

Pep Pilgreen of Pilgreen Engineering, petitioner's representative, stated that the existing sign was installed for the Premiere Place Shopping Center that was built in 1996. He stated that there were no other signs on the property to identify the shopping center. He stated that the re-plat was done approximately three years ago to subdivide out the current lot and the present American Family Care. He stated that the re-platting of the sign on the Premiere Place property was an oversight.

Chairman Jamieson asked if the sign could be moved to proper property. Mr. Pilgreen stated that there was no room to move the sign.

David McClinton of McClinton & Company, petitioner's representative, stated that the proposed sign would not be any higher than city regulations. He stated that the proposed sign would be situated to be

Approved 10/8/13

viewed at east to west direction. He also stated that there would be approximately 15-20' between the two signs.

Chairman Jamieson opened the public hearing.

Mike McManus, representative for Applebee's, spoke in opposition to the request. He stated that they didn't want to lose viewing of their sign. After viewing the presented site map of the sign location he stated that he did not foresee any issue.

The public hearing was closed.

Mr. Miles stated that the sign's proposed location sits below the retaining wall shown on the plans for the proposed restaurant use. He asked the representatives what would be the possibility of the petitioner coming back to request a height variance.

Mr. McClendon stated that there would be zero percent chance for future request for a height variance.

Mr. Cimis stated that the two signs would be located too close. He stated that the offsite sign should be platted with the proper property.

After no further comments, questions, or discussion, the vote was called. Mrs. Schannep moved to approve the use-on-appeal to allow the (existing) offsite sign. Mr. Miles seconded the motion. The motion passed by 4/1 vote as recorded. Favor: Mr. Miles, Mr. Macready, Mrs. Schannep, and Chairman Jamieson. Oppose: Mr. Cimis.

Mr. Cimis moved to approve the variance request to allow a second sign on property contingent that the proposed sign does not substantially block the view of any other sign on Cobbs Ford Road.

The motion to approve passed unanimously.

The BZA voted 4/1 to approve the use-on-appeal to allow an offsite sign and voted unanimously to approve the variance request to allow a second sign on property at 1921 Cobbs Ford Road.

VARIANCE

**To encroach 10' into the required 35' front yard
407 Azalea Drive
R-2 Zoning District (Single Family Residential)
Christopher S. Burkey, Petitioner**

Mr. Duke introduced the variance request for a porch to encroach 10' into the 35' front yard setback at 407 Azalea Drive.

Christopher Burkey, petitioner, stated that he purchased the property six years ago and wanted to add a front porch to provide shade from the (west) evening sun which would help keep his house cool. He stated that the proposed porch would be metal awning, 44' long and would extend out 10'.

Chairman Jamieson stated that the petitioner's house appears to protrude farther out than the adjacent property and the proposed porch would make the house appear more exaggerated.

Mrs. Schannep stated that because the house appears to be protruding out more there would not be much difference with the proposed porch.

Chairman Jamieson opened the public hearing.

Approved 10/8/13

Tonya Alford, 621 Japonica Road, spoke in favor of the request.

The public hearing was closed.

Mr. Cimis stated that there was no uniqueness to the petitioner's property because it faced the west.

After no further comments, questions, or discussion, the vote was called. **The BZA voted 3/2 to deny the variance to encroach 10' into the required 35' front yard on property at 407 Azalea Drive.**

The votes as recorded: Oppose: Mr. Miles, Mr. Cimis, and Chairman Jamieson. Favor: Mrs. Schanep and Mr. Macready.

USE-ON-APPEAL

To allow use as after-school care and summer day camp.

720 Doster Road

B-1 Zoning District (Local Shopping District)

Gateway Youth Empowerment/Felicia Bates, Petitioner

Mr. Duke introduced the use-on-appeal request to allow an after-school care and summer day camp on property at 720 Doster Road. He stated that the request was an allowed use with the board's approval.

Felicia Bates, petitioner's representative, stated that she was the director of Gateway Youth Empowerment which currently operates on Glynwood Drive. She stated that the center would operate Monday through Friday from 2:30 p.m. until 7:00 p.m. and during the summer from 6:30 a.m. until 5:30 p.m. She stated that the center caters to at risk, juveniles K-12 grade. She stated that they currently have 22 enrolled students. She stated that the maximum occupancy load for the proposed building is 70. She stated that they are currently working on fencing around the entire building. She stated that the children would be allowed to recess only in the rear of the property.

Chairman Jamieson opened the public hearing.

Jeff Baranowski, 104 Cypress Creek Way, spoke in opposition to the request. He stated that his property was located on the rear of the proposed property on the other side of the creek. He stated that his concern was for the safety of the kids and how registered sex offenders in the area affected the operation of the school.

He presented a letter of opposition signed by adjacent property owners on Cypress Creek Way and a letter by Dianne Willis, 106 Cypress Creek Way. (Letters made a part of the minutes).

The public hearing was closed.

Mrs. Bates addressed the public comments. She stated that they were placing a privacy fence around the property. She also addressed the concerns regarding registered sex offenders stating that law would not require the established offender to move since the proposed school is moving into the neighborhood. She stated that should a problem arise then at that time the matter would be dealt with accordingly.

After no further comments, questions, or discussion, the vote was called. Mr. Miles moved to approve the use-on-appeal to allow use as after-school care and summer day camp. Mr. Macready seconded the motion. The motion passed by 4/0 vote as recorded. Favor: Mr. Miles, Mr. Macready, Mrs. Schanep, and Chairman Jamieson. Oppose: None. Abstain: Mr. Cimis.

The BZA voted 4/0 to approve the use-on-appeal to allow use as after-school care and summer day camp on property at 720 Doster Road.

Approved 10/8/13

MISCELLANEOUS:

Mr. Duke reminded the Board of classes being offered in Sylacauga by UNA Continuing Studies & Outreach.

The BZA discussed holding a work session for July 23, 2013.

ADJOURN:

After no further comments, questions or discussion the meeting was adjourned at 5:50 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Alisa Morgan".

Alisa Morgan, Secretary
Board of Zoning Adjustment

PRATTVILLE BOARD OF ZONING ADJUSTMENT

**PETITIONER: PREMIERE PLACE PHASE II, LLC
4165 CARMICHAEL ROAD
MONTGOMERY, AL 36106**

**REQUEST: USE-ON-APPEAL TO ALLOW AN OFFSITE SIGN
VARIANCE TO ALLOW A SECOND SIGN ON PROPERTY
1921 COBBS FORD ROAD
B-2 ZONING DISTRICT (GENERAL BUSINESS)**

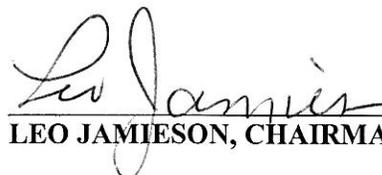
ORDER

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 July 9, 2013 at the City Hall in Prattville, Alabama, and after due consideration of the party in interest, the Board of Zoning Adjustment of the City of Prattville **voted to approve the use-on-appeal to allow an offsite sign and voted unanimously to approve the variance request to allow a second sign on property at 1921 Cobbs Ford Road.**

IT IS THEREFORE ORDERED the petition of Premiere Place Phase II, LLC, 4165 Carmichael Road, Montgomery, AL is hereby approved.

DONE THIS THE 9th DAY OF July 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: July 9, 2013

PETITIONER: Premiere Place Phase II, LLC/Pilgreen Engineering

ADDRESS OF PETITION: 1921 Cobbs Ford Road

	NAME	ADDRESS
1.	<i>Pep Pilgreen</i>	<i>10270 Hwy 80 E Mgmt</i>
2.	<i>DAVID McCLINTON</i>	<i>4165 COMMERCIAL RD. NGM</i>
3.	<i>Mike McManus</i>	<i>6144 Longmeadow Way</i>
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CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



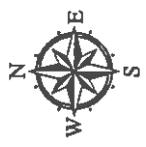
DATE:	6/19/13
APPLICATION TYPE:	Variance (130709-01)
PROPERTY LOCATION or DESCRIPTION:	1921 Cobbs Ford Road Lot adjacent to Applebee's
PETITIONER(S) AND AGENT(S):	Premiere Place Phase II, LLC/Pilgreen Engineering
ZONING DISTRICT(S)	B-2 Zoning District (General Business)
REQUESTED ACTION:	Use-On-Appeal to allow an offsite sign on property. Variance to allow a 2nd freestanding sign on property.
ZONING ORDINANCE REFERENCE:	<p>Appendix A-Zoning Ordinance Article 12-Signs Section 132 General Sign Regulations:</p> <p><i>(f) One (1) freestanding sign shall be allowed for each public street directly bordering any parcel or lot. One (1) additional sign per street is allowed for each five hundred (500) feet of frontage, on that street, in continuous common ownership. Signs allowed by this section may be placed to property comers.</i></p> <p>Appendix A-Zoning Ordinance Article 12-Signs Section 134 District Regulations:</p> <p><i>(c) Business districts, office districts, and manufacturing districts:</i></p> <p>Sign Categories Permitted On Appeal <i>Off-site signs</i></p> <p>Sign Types Permitted <i>High mount freestanding signs</i> Setback: 10' Minimum Height: 8' Maximum Height: 25' Maximum Size: Not specified</p> <p>Special Regulations: Allowed only where existing setback of building is sufficient to accommodate setback. Minimum height not applicable if setback is at least 15 feet.</p>

	<p><i>Low mount freestanding signs</i> Setback: 10' Maximum Height: 72" Minimum Height: 0 Maximum Size: Not specified</p> <p>Special Regulations: Allowed only where building setback is sufficient to accommodate setback. Height restrictions not applicable if sign is set back at least 15 ft. from any public road.</p>
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CITY OF
PRATTVILLE, AL

1921
Cobbs Ford Rd

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

130709-01

Variance
 To allow a 2nd freestanding sign on property

**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: Pilgreen Engineering

Street Address: 10270 Highway 80 East

City: Montgomery State: AL Zip: 36117

Phone Number(s): 334-272-2697

Property Owner Information
(if different than above)

Name: Premiere Place Phase II, LLC

Address of Property Owner: 4165 Carmichael Road

City: Montgomery State: AL Zip: 36106

Phone Number: (³³⁴) 270-9653

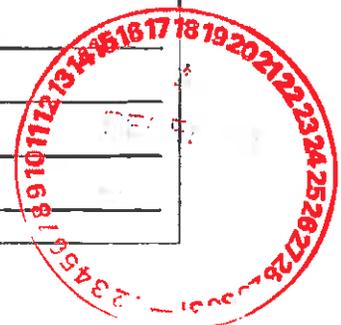
Property Description

County Tax Parcel Number/Legal Description: 19011220010010220-Parcel 4F-according to the map of Premiere Place
Plat No. 2, a said Map appears of record in the Office of the Judge of Probate of Autauga County, Alabama, in Plat Book 2008, Page 25.

Current Zoning of Property: _____ Physical Address: Parcel 4F

Proposed Use of Property (generally): commercial

Describe Proposed Use or Variance: seeking to install signage on a site
which currently has a free standing sign. The current sign is not related
to the current owner of the property.



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))

See attached page

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.

P.E. Pilgreen [Signature] 6/18/13
 Printed Name Signature Date

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that P.E. Pilgreen, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 18th day of June, 2013

[Signature]
 Notary Public
 My commission expires 7/15/2014

Hardship justification for variance as follows:

When the owner of the Shopping Center, Premiere Place, LLC, sought to re-plat the Shopping Center Parcel (LOT 4A) in order to separate it from the parcel now identified as Premiere Place Phase II, LLC (LOT 4F), the monument sign currently in place for more than 15 years, was inadvertently re-platted on the Premiere Place Phase II, LLC (LOT 4F) property when it should have remained as a part of the original Premiere Place, LLC (LOT 4A) property. The purpose of the re-plat was so that the Premiere Place Phase II, LLC Outlot 4F could be sold to an individual user at a future date. Obviously, in keeping with industry standards, that individual user would seek to establish its own signage identifying its location and use on the property.

Due to the mishap, the Premiere Place Phase II, LLC Outlot (4F) now has the Premiere Place, LLC monument sign identifying the Shopping Center (4A) located on the lot. The process for re-platting the properties again is extremely time consuming and would involve cooperation from the Shopping Center's Lender, Wal-Mart, the Anchor Stores and even some of the national small shop retailers. The time that this process would take would jeopardize the deal with the new user that currently has this Outlot under contract. In an economic environment where selling land to an end-user has been extremely difficult, to say the least, we recognize this to be a serious issue that threatens our ability to effectuate a Closing on this property, which is obviously of negative effect to the Seller, the Buyer and the City of Prattville.

We therefore request this variance in light of these extenuating circumstances, realizing that a re-plat or a variance yields the same end result, but the variance provides the result in a timeframe that is reasonable and manageable by all parties involved. Both the Seller and the Buyer are committed to this request and the Buyer has already agreed to an Easement for the benefit of the Seller, and made part of the contract currently in place.

130709-01/A

Variance
To allow a 2nd freestanding sign on property



SITE INFORMATION

JURISDICTION: CITY OF PRATTVILLE, ALABAMA, PREVIOUS: 19 PARCEL #

ZONE DISTRICT: B-2 GENERAL COMMERCIAL

SETBACKS:

EXISTING SETBACKS:
FRONT: 20'
SIDE: 10'
REAR: 10'

LANDSCAPE STRIP REQUIREMENTS:
FRONT: 20'
SIDE: 10'
REAR: 10'

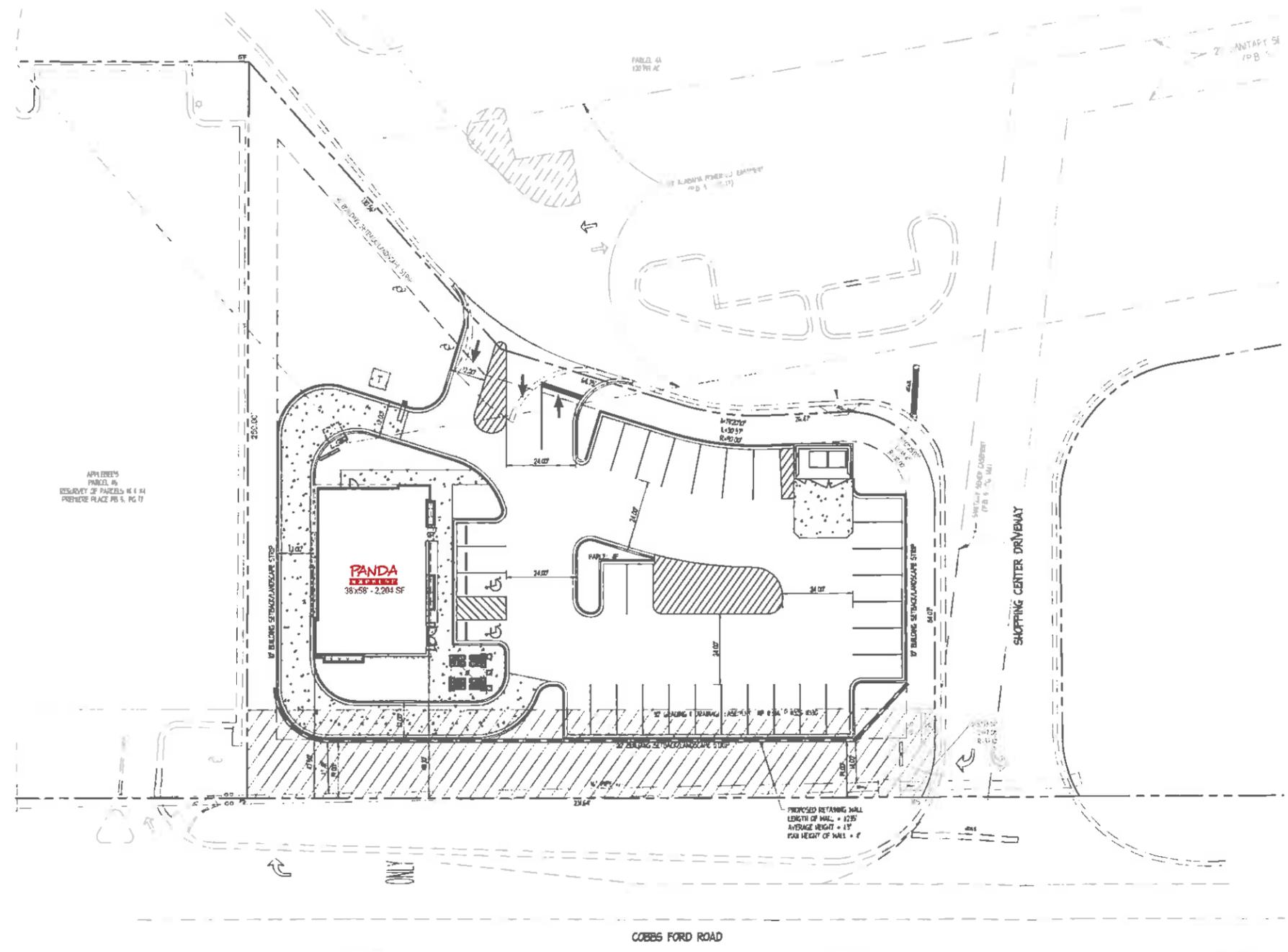
PARKING CALCULATIONS:
REQUIRED PARKING: 1 SPACE PER 40 SF BASED ON NET FLOOR AREA IN SPACES

PROVIDED PARKING:

REGULAR 9' x 18'	10 SPACES
ACCESSIBLE (ADA)	2 SPACES
TOTAL	12 SPACES

DRIVE AISLE: 24'

BUILDING AREA: 17,204 SF



G&I
GRAHAM & IVEY INC.
1540 HURST ROAD
SUITE 406
PRATTVILLE, AL 36077
770.388.4444



PANDA EXPRESS
PREMIERE PLACE
PARCEL 4F
PRATTVILLE, ALABAMA

CLIENT:
PANDA RESTAURANT GROUP, INC.
183 WALNUT GROVE AVE
ROSEMead, CA 91770
PHONE (626) 372-8119



CONTRACTOR SHALL FIELD VERIFY ALL EXISTING UTILITIES (LOCATIONS AND ELEVATIONS) PRIOR TO STARTING CONSTRUCTION AND ALERT ENGINEER TO ANY DISCREPANCIES IMMEDIATELY.

24-HOUR CONTACT:
MR. KUAN CHEN
626.372.8119



REVISION HISTORY

NO.	DESCRIPTION	DATE

THE CLIENT'S RESPONSIBILITY IS TO VERIFY THE ACCURACY OF ALL INFORMATION PROVIDED TO THE ENGINEER. THE ENGINEER'S RESPONSIBILITY IS TO PROVIDE PROFESSIONAL SERVICES IN ACCORDANCE WITH THE PROFESSIONAL ENGINEER ACT AND THE RULES OF THE BOARD OF PROFESSIONAL ENGINEERS. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED AND DOES NOT INCLUDE THE DESIGN OF STRUCTURES OR OTHER WORKS. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED AND DOES NOT INCLUDE THE DESIGN OF STRUCTURES OR OTHER WORKS.

221 (PROJ) 01/2024
ONE HUNDRED THIRTY-NINE
01/24/2024 (01/24/24)
130709-01/A
PRELIMINARY SITE PLAN
C03_0
SHEET NUMBER

PRELIMINARY

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

MEETING DATE: July 9, 2013

PETITIONER: Christopher S. Burkey

ADDRESS OF PETITION: 407 Azalea Drive

	NAME	ADDRESS
1.	<i>C. S. Burkey</i>	<i>407 Azalea DR.</i>
2.	<i>Tonya Alford</i>	<i>621 Japonica Rd.</i>
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CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	6/21/13
APPLICATION TYPE:	Variance (130709-02)
PROPERTY LOCATION or DESCRIPTION:	407 Azalea Drive
PETITIONER(S) AND AGENT(S):	Christopher Burkey
ZONING DISTRICT(S)	R-2 (Single Family Residential)
REQUESTED ACTION:	To encroach 10' into the required 35' front 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, AL

407 Azalea Dr

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

130709-02

Variance
 To encroach 10' into the required 35' front yard

Application
 Prattville Board of Zoning Adjustment

pe: Use-On-Appeal Variance Administrative Appeal

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

Name: Christopher S. Burkley
 Street Address: 407 Azalea Drive
 City: Prattville State: AL Zip: 36067
 Phone Number(s): 334-612-1207 or 334-391-1204

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: _____

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

Proposed Use of Property (generally): _____

Describe Proposed Use or Variance: Request to install an awning attached to overall home fronting. To consist of pre-fab metal with metal posts and a concrete slab to cover the front of the home.

~~Encroach~~ Encroach 10' into 35' front yard line (AW)



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)

This variance is requested so the property owner can add an awning across the front of the residence. Said awning will be 44 feet across and 10 feet over the set back line. Residence faces west and receives 100% of direct sunlight and heat every afternoon and evening. If the Board denies this variance, property owner will continue to experience increasing hardship because of having to pay excessive utility costs in an attempt to cool home

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.

Christopher S. Burkley Christopher S. Burkley 6-18-13
Printed Name Signature Date

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Christopher S. Burkley, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 18th day of

June, 2013.

Leslie Bevil
Notary Public

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

CITY OF
PRATTVILLE, AL

407 Azalea Dr

Zoning: R-2

Scale: 1" = 25'



STREETS
TAX PARCEL



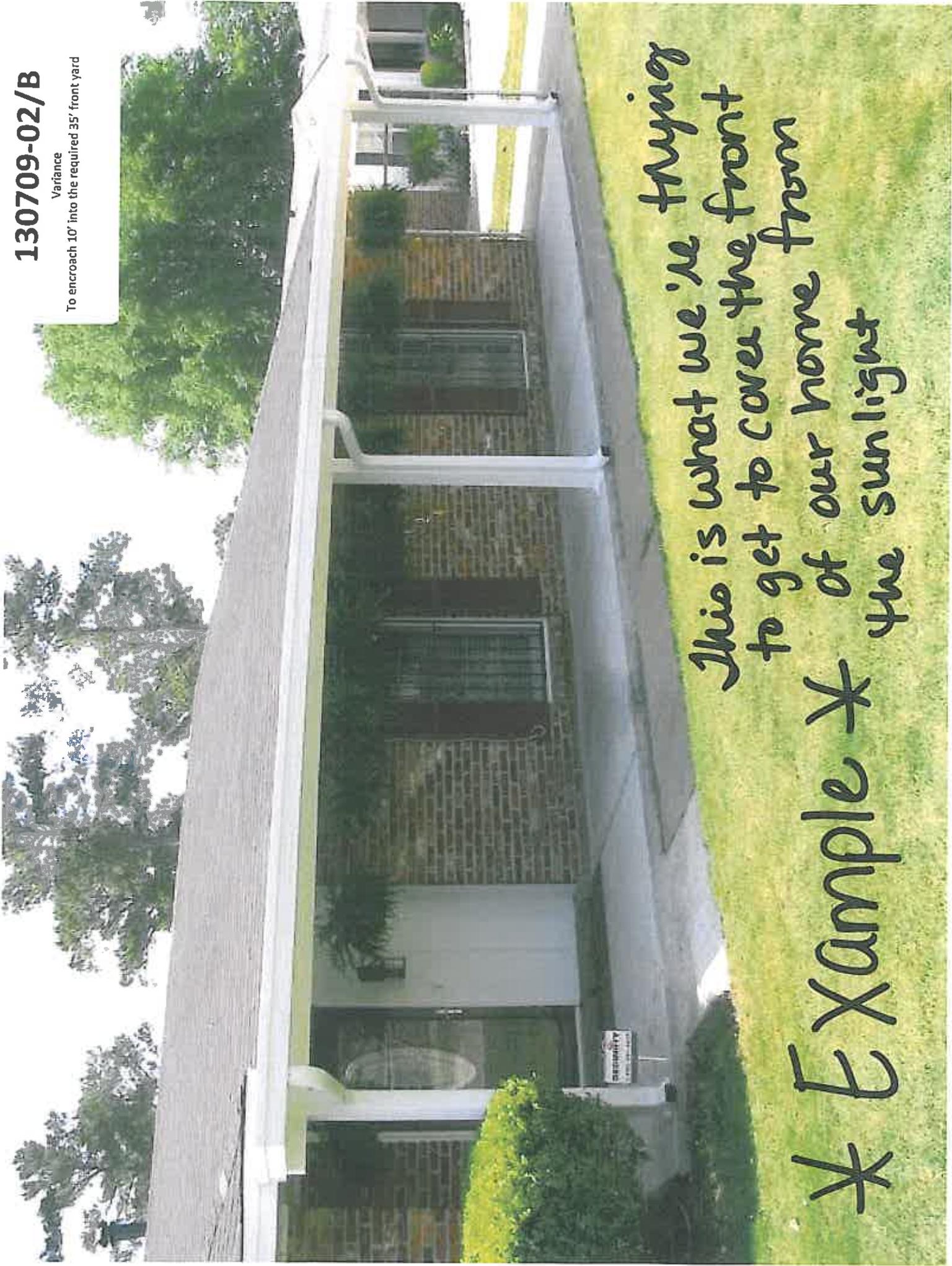
Variance
to encroach 10' into the required 35' front yard

130709-02/A
A/20-60703T

130709-02/B

Variance

To encroach 10' into the required 35' front yard



This is what we're trying
to get to cover the front
of our home from
the sunlight

* Example *

130709-02/C

Variance

To encroach 10' into the required 35' front yard

To Our Neighbors in Camellia Estates:

6/11/2013

We are in the initial planning stages of adding a covered front porch to our home in Camellia Estates; and we are asking for your support as we seek approval from the City of Prattville's Board of Zoning Adjustment. This work will be done by a licensed and bonded certified contractor.

Presently, the afternoon/evening sun shines directly into our living room and our son's bedroom. With today's economy adversely affecting us just as it is you, we must pay excessive utility costs to cool these rooms. This additional expense could be reduced or even perhaps eliminated in its entirety if we shade the front of our house. An added benefit would be enhancing the curb appeal of our home which would also add to the aesthetics of Camellia Estates.

If you agree with our endeavor to add a covered front porch to our home, please indicate your support by signing this petition. The petition will be forwarded to the Board of Zoning Adjustment, along with our application, for the Board's consideration at its next regularly scheduled meeting. Thank you for your support.



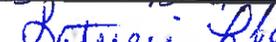
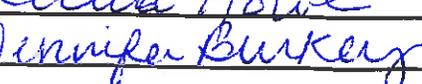
Scott and Jennifer Burkey

407 Azalea Drive

Prattville, AL 36067

Phone – Scott: 334-612-1207

Phone – Jennifer: 334-391-1204

<u>NAME</u>	<u>ADDRESS</u>
	413 Azalea Dr.
	411 Azalea Dr.
	407 Azalea DR.
	408 Azalea Dr.
	605 JAPONICA Rd
	404 Azalea Dr.
	409 AZALEA DR
	412 Azalea Dr.
	405 Azalea Dr.
	407 Azalea Dr.

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: GATEWAY YOUTH EMPOWERMENT
1849 GLYNWOOD DRIVE
PRATTVILLE, AL 36066

REQUEST: USE-ON-APPEAL TO ALLOW USE AS AFTER-SCHOOL CARE
AND SUMMER DAY CAMP
720 DOSTER ROAD
B-1 ZONING DISTRICT (LOCAL SHOPPING DISTRICT)

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 July 9, 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 use as after-school care and summer day camp on property at 720 Doster Road.**

IT IS THEREFORE ORDERED the petition of Gateway Youth Empowerment, 1849 Glynwood Drive, Prattville, AL is hereby approved.

DONE THIS THE 9th DAY OF July 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: July 9, 2013

PETITIONER: Gateway Youth Empowerment/Felicia Bates

ADDRESS OF PETITION: 720 Doster Road

	NAME.	ADDRESS
1.	<i>Felicia Bates</i>	1848 <i>1857 Sanford Dr</i>
2.	<i>Jeff Barnum</i>	<i>Prattville, 36060</i>
3.		<i>104 Cypress Creek Way</i>
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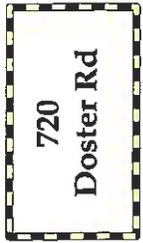
CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	6/21/13
APPLICATION TYPE:	Use-On-Appeal (130709-03)
PROPERTY LOCATION or DESCRIPTION:	720 Doster Road
PETITIONER(S) AND AGENT(S):	Gateway Youth Empowerment Representative: Felicia Bates
ZONING DISTRICT(S)	B-1 (Local Shopping District)
REQUESTED ACTION:	Use-On-Appeal to allow after-school care and summer day camp.
ZONING ORDINANCE REFERENCE:	<p>Article 7. District Requirements. Appendix A-Zoning Ordinance Section 72 Business District Requirements</p> <p>(B-1) USES PERMITTED ON APPEAL: Filling stations where no major repair work is done; restaurants; community recycling. 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: (See: regulations common to all "R" Districts, listed above.)</p> <p>All "R" Districts USES PERMITTED ON APPEAL: ...daycare centers, private schools...</p>

CITY OF
PRATTVILLE, AL



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

130709-03

Use-On-Appeal
 To use for after-school & summer day camp

**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: Gateway Youth Empowerment c/o Mrs. Felicia Bates

Street Address: 1849 Glynwood Dr.

City: Prattville State: Al Zip: 36066

Phone Number(s): 334-651-2288

Property Owner Information
If different than above

Name: BOONPIEN CARTER, M/He Seifried

Address of Property Owner: 702 Doster Rd

City: Prattville State: Al Zip: 36066

Phone Number: (334) 549-1224

Property Description

County Tax Parcel Number/Legal Description: _____

Current Zoning of Property: B-1 Physical Address: 720 Doster Road

Proposed Use of Property (generally): After-school care & summer day camp

Describe Proposed Use or Variance: _____

To the Prattville Board Of Zoning Adjustment

The following homeowners of Cypress Creek Way are opposed to the petition requesting a zoning adjustment by Gateway Youth Empowerment/ Boonpen Carter to allow for a "after-school care/ summer day camp" at 720 Doster Road.

Living within 500' of this property we feel that such an adjustment, if allowed, would have a negative impact on our property values and effect the quality of life we presently enjoy in our neighborhood. Living with Autagua creek in our backyards we are also aware of the dangers the creek can present to children. A day care center so close to the creek is certainly not a sound idea.

Sincerely:

 Jeff Baranowski
104 Cypress Creek Way

Kenne Willer
106 Cypress Creek Way

David Washington
103 Cypress CRK Way

Mark Smith
107 Cypress CREEKWAY

Matana Davis
102 Cypress Creek Way

Reid 7/9/13 

July 7, 2013

I have several concerns regarding the proposed zoning adjustment of the property at 720 Doster Road. I commend Mr. Carter's concern and desire to provide an environment that is appropriate for young children. However, as a parent, grandparent and a health care provider I question the feasibility of such a location. Several years ago I remember getting the notification of a registered sex offender with a Doster Road address. I verified via the internet and public records that there are two registered sex offenders with Doster Road addresses. One happens to be in the same block, possibly across the street. According to Alabama law Title 15: Criminal Procedure – Section 15 20A-11 Adult Sex Offender prohibited residence locations, etc. since these residences are already established this law would not affect them (from my understanding). One of the victims was 9 years old. I can tell you that my 9 year old grandson would not be enrolled in a program that had a registered sex offender living across the street. With the economy the way it is today, I would suspect that some type of remuneration would be involved and that this is not a logical location to establish a business that you are expecting young children to be a part of.

My second concern is also related to children's safety. With more and more residents taking to the creek as part of their leisure activities I am concerned that it is just a matter of time before there is a serious incident in the creek. As a resident whose property backs up to the creek we have had several emergencies just this summer that have required police and rescue interventions. The most recent was this past Saturday. I understand that as adults we sometimes make bad decisions regarding our safety but the lure of the creek and water especially in the summertime with kids is a problem I do not think any responsible business owner would want to have.

Rec'd 7/9/13
GND

I hope that you will take into consideration my concerns; my schedule was such that I could not get the time off to attend the meeting in person. Thank you.

Respectfully,


Dianne Wills

106 Cypress Creek Way