



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 January 13, 2015 regular meeting of the City of Prattville Board of Zoning Adjustment were approved.

Leo Jamieson, Chairman

March 10, 2015

Date

PLANNING & DEVELOPMENT DEPARTMENT

102 WEST MAIN STREET ■ PRATTVILLE, ALABAMA 36067 ■ 334-595-0500 ■ 334-361-3677
FACSIMILE
planning.prattvilleal.gov



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**CITY OF PRATTVILLE
BOARD OF ZONING ADJUSTMENT
A G E N D A
January 13, 2015
4:00pm**

Call to Order:

Roll Call:

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

Minutes:

November 10, 2014 and December 9, 2014

Old Business:

None

New Business:

1. 150113-01 USE-ON-APPEAL

District 5

To operate a home child daycare.
310 Janice Street
R-2 Zoning District (Single Family Residential)
Madison Davila, Petitioner

Miscellaneous:

Adjourn:

PLANNING & DEVELOPMENT DEPARTMENT

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Approved 3/10/15

**City of Prattville Board of Zoning Adjustment
Minutes
January 13, 2015**

CALL TO ORDER:

The regular meeting of the Prattville Board of Zoning Adjustment (BZA) was called to order by Chairman Leo Jamieson at 4:07 p.m. on Tuesday, January 13, 2015.

ROLL CALL:

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

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 November 10, 2014 and December 9, 2014 meetings. Mr. Crosby seconded the motion. The motion passed unanimously.

OLD BUSINESS:

None

NEW BUSINESS:

USE-ON-APPEAL

To operate a home child daycare.

310 Janice Street

R-2 Zoning District (Single Family Residential)

Madison Davila, Petitioner

Mr. Duke provided the staff report for the use-on-appeal to operate a home child daycare at 310 Janice Street.

Madison Davila, petitioner, presented her request to operate a home child daycare at 310 Janice Street. She stated that the daycare would consist of no more than six children, operating between the hours of 7:00 a.m. until 5:30 p.m. Monday through Friday.

Chairman Jamieson opened the public hearing.

Mary Lyon, 198 Cynthia Street, spoke in opposition to the request. She stated that the proposed business could cause traffic flow problems, the location doesn't lend good visibility and that she wanted the neighborhood to remain quiet.

Mrs. Davila stated that they are in the process of repairing the two-car garage for the family use and that would free up onsite parking on the property.

The public hearing was closed.

After no further comments, questions, or discussion, the vote was called. Commander Whaley moved

Approved 3/10/15

to approve the use-on-appeal as submitted. Mr. Macready seconded the motion. The BZA voted unanimously to approve the request to operate a home child daycare on property at 310 Janice Street. (Absent: Mr. Miles and Mrs. Schannep).

MISCELLANEOUS:

ADJOURN:

After no further comments, questions or discussion the meeting was adjourned at 4:33 p.m.

Respectfully submitted,

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

Alisa Morgan, Secretary
Board of Zoning Adjustment

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

MEETING DATE: January 13, 2015

PETITIONER: Madison Davila

ADDRESS OF PETITION: 310 Janice Street

	NAME	ADDRESS
1.	Madison Davila	310 Janice Street
2.	MARY LYON	198 Cynthia Street
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PRATTVILLE BOARD OF ZONING ADJUSTMENT

**PETITIONER: MADISON DAVILA
310 JANICE STREET
PRATTVILLE, AL 36066**

**REQUEST: USE-ON-APPEAL TO OPERATE A HOME CHILD DAYCARE
310 JANICE 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 January 13, 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 use-on-appeal to operate a home child daycare on property at 310 Janice Street.**

IT IS THEREFORE ORDERED the petition of Madison Davila, 310 Janice Street, Prattville, AL is hereby approved.

DONE THIS THE 13th DAY OF January 2015.

BOARD OF ZONING ADJUSTMENT



LEO JAMESON, CHAIRMAN



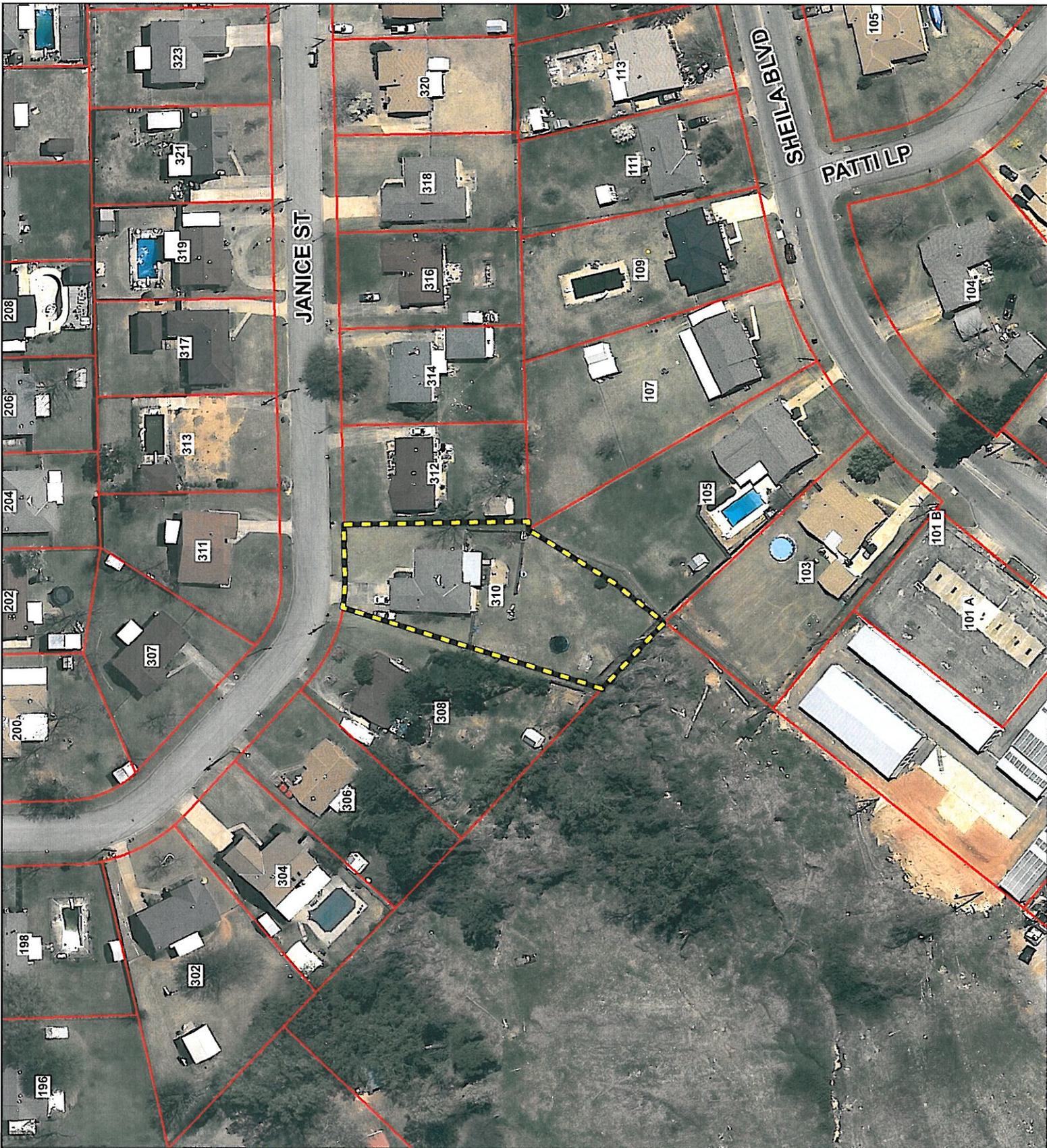
ALISA MORGAN, SECRETARY

CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



DATE:	12/17/14
APPLICATION TYPE:	Use-On-Appeal (150113-01)
PROPERTY LOCATION or DESCRIPTION:	310 Janice Street
PETITIONER(S) AND AGENT(S):	Madison Davila
ZONING DISTRICT(S)	R-2 (Single Family Residential)
REQUESTED ACTION:	Use-On-Appeal to operate a home child daycare on property.
ZONING ORDINANCE REFERENCE:	<p>Appendix A-Zoning Ordinance Section 71</p> <p>R-2 Uses Permitted On Appeal:</p> <p>...regulations common to all "R" Districts</p> <p>All "R" Districts" Uses Permitted On Appeal:</p> <p>Customary home occupations...day care centers...</p> <p>Home Occupation as defined by ordinance (Sec. 68):</p> <p>Any use customarily conducted entirely within a dwelling and carried within a dwelling and carried on solely by the inhabitant thereof, and which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and does not change the character thereof...</p>



CITY OF
PRATTVILLE, AL

310 Janice St

Scale: 1" = 100'

Zoning: R-2



- STREETS
- TAX PARCELS





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

**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: Madison Davila

Street Address: 310 Janice Street

City: Prattville State: AL Zip: 36044

Phone Number(s): 334-782-0049

Property Owner Information
If different than above

Name: Scott Davila

Address of Property Owner: 310 Janice St.

City: Prattville State: AL Zip: 36066

Phone Number: (334) ~~334-782-0049~~ 312-6599

Property Description

County Tax Parcel Number/Legal Description: _____

Current Zoning of Property: _____ Physical Address: 310 Janice St.

Proposed Use of Property (generally): _____

Describe Proposed Use or Variance: home day care home daycare
family home daycare, will be keeping
anywhere from one to six children,
six being the maximum. Ages ranging
from birth to 5 years of age.
Monday-Friday 7:00 am to 5:30 pm

*PA \$260 cash
12/9/14
JHL*



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). *cash paid 12/14*
- 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.*

Scott Myers Davila
Printed Name

Date 12-8-2014

Scott Myers Davila
Signature

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Scott M. Davila, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 8th day of December, 2014.

Lindsay Croom
Notary Public

My commission expires _____

My Commission Expires 9/17/2017