



CITY OF PRATTVILLE

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CITY COUNCIL

WILLIE WOOD, JR.
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DISTRICT 2

ALBERT C. STRIPLIN
PRESIDENT PRO TEMPORE
DISTRICT 1

DENISE B. BROWN
DISTRICT 3

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DISTRICT 4

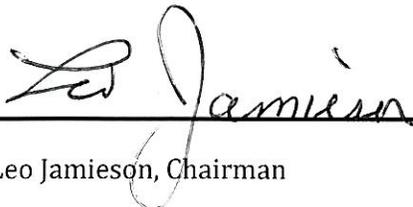
CLYDE CHAMBLISS, JR.
DISTRICT 5

RAY C. BOLES
DISTRICT 6

LORA LEE BOONE
DISTRICT 7

City of Prattville Board of Zoning Adjustment

The minutes of the June 14, 2016 regular meeting of the City of Prattville Board of Zoning Adjustment were approved.



Leo Jamieson, Chairman

July 12, 2016

Date

PLANNING & DEVELOPMENT DEPARTMENT

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

Approved 7/12/16

**City of Prattville Board of Zoning Adjustment
Minutes
June 14, 2016**

CALL TO ORDER:

The regular meeting of the Prattville Board of Zoning Adjustment (BZA) was called to order by Chairman Leo Jamieson at 4:00 p.m. on Tuesday, June 14, 2016.

ROLL CALL:

Present: Chairman Leo Jamieson, Vice-Chairman James Miles, Mr. Mac Macready, and Alternate Members Mr. Jerry Crosby and Assistant Chief Whaley. Absent: Mr. Gerald Cimis and Mrs. Jerry Schannep.

Quorum Present

Staff present: Mr. Joel Duke, City Planner.

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. Crosby moved to approve the minutes of the May 10, 2016 meeting as corrected. Mr. Macready seconded the motion. The motion passed unanimously.

OLD BUSINESS:

There was no old business to discuss.

NEW BUSINESS:

USE-ON-APPEAL (160614-01)

To allow time extension for a temporary structure

508 McQueen Smith Road S

B-2 - Zoning District (General Business)

JJS, LLC, Petitioner

Mr. Duke introduced the request for a use-on-appeal at 508 McQueen Smith Road S. He stated that the petitioner is requesting an extension of a temporary structure approval originally granted to Budget Car Sales on September 16, 2014 for an 18 month period. The petitioner presently has the subject property, as well as an additional 1.4 acres of the Gilmore property, under contract, which they expect to close in September 2016, at which point they will begin construction on a permanent structure. The petitioner is requesting to renew use of the existing temporary structure for a period expiring 24 months from the anticipated closing in September 2016. Mr. Duke stated that the requested 24 months period is greater than the 18 months permitted by ordinance. He noted that a period greater than 18 months would require a variance and higher standard of review by the BZA.

Matt Parsley, Operations Manager for Budget Car Sales and representative for the applicant, stated that JJS, LLC intended to purchase the subject property or another nearby when they requested the temporary structure in 2014. He stated that they have been pleased with customer response and sales in the present location and are ready to move forward with a permanent building. Mr. Parsley stated that the JJS, LLC presently has the property under contract, as well as an adjacent 1.4 acres. The contract is, however, dependent on the current occupant of the 1.4 acres, Long Lewis Ford of the River Region, vacating the site. Long Lewis is currently on a month to month lease until their new site is complete on

Approved 7/12/16

Fairview Avenue. Mr. Parsley state that they anticipate being able to close on the property by September 2016 and then move forward with obtaining a permit for a permanent structure.

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

Assistant Chief Whaley addressed a question to Mr. Duke concerning 18 month extension and whether the applicant could request another extension at the end of the 18 months.

Mr. Duke stated that the petitioner could request a further extension if a permanent building is not under construction by December 2017.

Assistant Chief Whaley moved to approve the request to extend the use of the temporary structure with the time period limited to 18 months. Mr. Crosby seconded the motion.

The BZA voted unanimously to approve the motion.

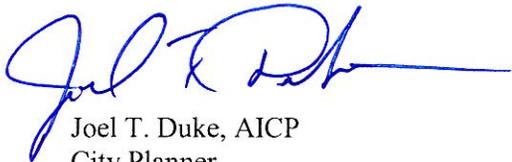
Mr. Duke suggested that the BZA approve the request for the 18 month period allowed by code and advised the petitioner to request a further extension if a permanent building is not under construction by December 2017.

MISCELLANEOUS:

ADJOURN:

After no further comments, questions or discussion the meeting was adjourned at 4:22 p.m.

Respectfully submitted,



Joel T. Duke, AICP
City Planner

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

MEETING DATE: June 14, 2016

PETITIONER: JJS, LLC (Budget Cars)

ADDRESS OF PETITION: 508 McQueen Smith Road

	NAME	ADDRESS
1.	<i>Mark Dwyer</i>	
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PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: JJS, LLC
508 MCQUEEN SMITH ROAD
PRATTVILLE, AL 36066

REQUEST: USE-ON-APPEAL TO ALLOW TIME EXTENSION FOR A
TEMPORARY STRUCTURE.
508 MCQUEEN SMITH ROAD SOUTH MEMORIAL DRIVE
B-2 ZONING DISTRICT (GENERAL BUSINESS)

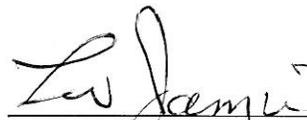
ORDER

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 May 10, 2016 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 extent the use of a temporary structure for 18 months on property at 508 McQueen Smith Road.**

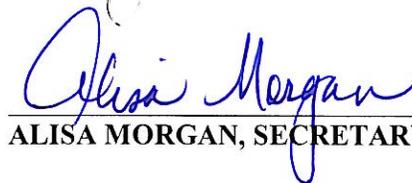
IT IS THEREFORE ORDERED the petition of JJS, LLC, 508 McQueen Smith Road, Prattville, AL is hereby approved.

DONE THIS THE 14th DAY OF June 2016.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

CITY OF PRATTVILLE
 Board of Zoning Adjustment
 Planning Department Staff Report



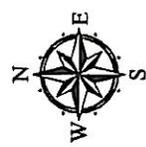
DATE:	5/16/16
CASE FILE NUMBER:	160614-01
APPLICATION TYPE:	Use-On-Appeal
PROPERTY LOCATION or DESCRIPTION:	508 McQueen Smith Road
PETITIONER(S) AND AGENT(S):	J. J. S., LLC Gregory Jones, Representative
ZONING DISTRICT(S)	B-2 (General Business)
REQUESTED ACTION:	To permit extension of 18 month temporary structure.
ZONING ORDINANCE REFERENCE:	<p>Appendix A-Zoning Ordinance Section 72 Business district requirements:</p> <p>TEMPORARY STRUCTURES:</p> <p>Where such structures shall be used for a period of not to exceed 18 months prior to construction of a permanent structure, which will replace the temporary structure. The owner must give evidence, satisfactory to the Board of Zoning Adjustment, of such owner's good faith and intent to construct or have constructed a permanent structure. Under no circumstances shall such structures be authorized as a residence or habitation.</p>

CITY OF
PRATTVILLE, AL

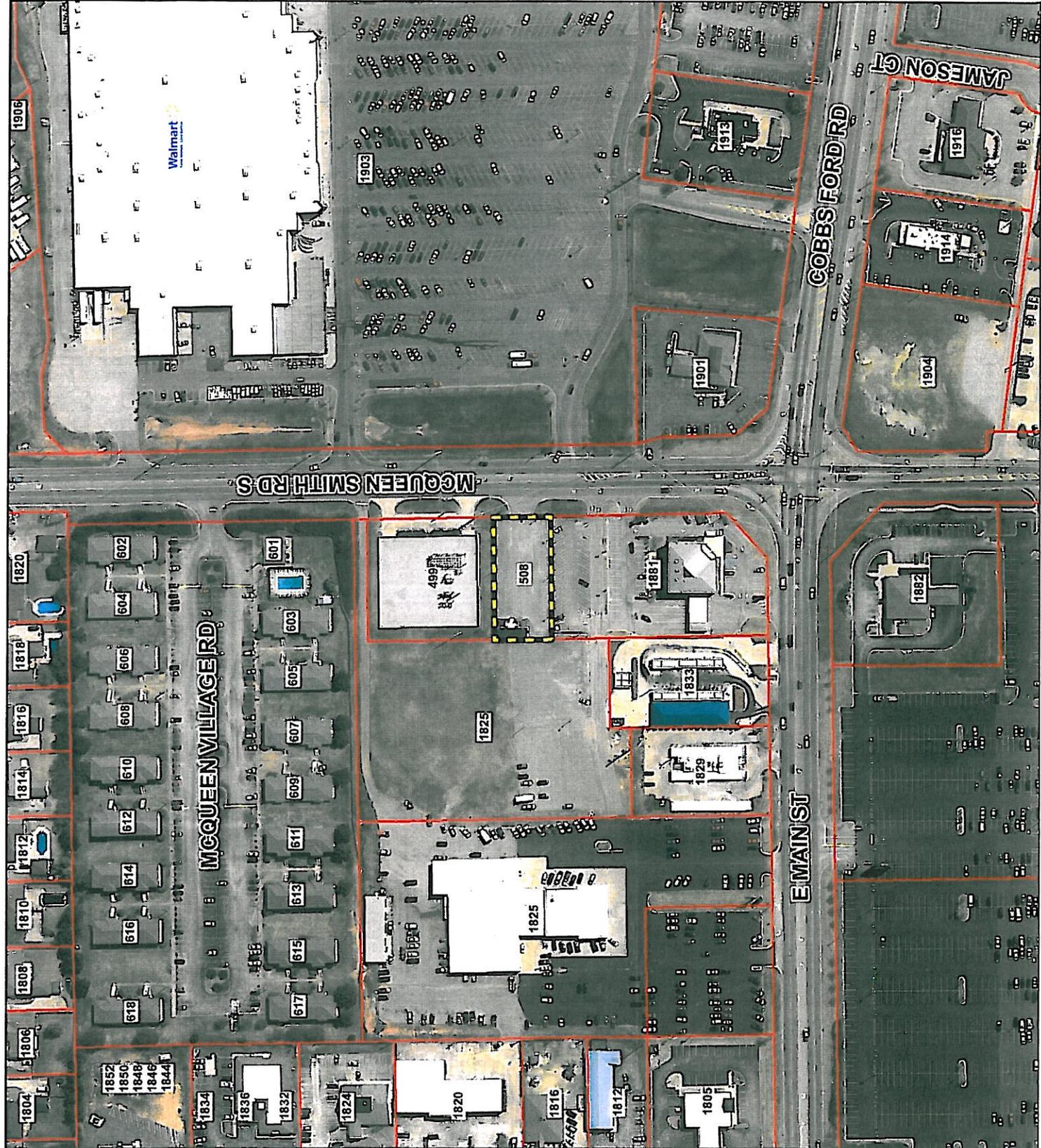
508
McQueen
Smith Rd S

Zoning: B-2

Scale: 1" = 200'



- STREETS
- TAX PARCELS



160614-01

Use-On-Appeal
Temporary Use Time Extension

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: Budget Car and Truck Sales
Street Address: 508 McQueen Smith Rd S
City: Prattville State AL Zip: 36066
Phone Number(s): 334-358-0444 / 803-381-6211 Cell

Property Owner Information

If different than above

Name: Gilmore LLC.
Address of Property Owner: P.O. Box 681968
City: Prattville State: AL Zip: 36068
Phone Number: (334) 799-2224

Property Description

County Tax Parcel Number/Legal Description: 1901114000004137

Current Zoning of Property: B-2 Physical Address: 508 500 McQueen Smith Rd

Proposed Use of Property (generally): Cars Sales

Describe Proposed Use or Variance: Temporary structure- extension

The temporary structure was granted by the Prattville BZA on
on September 16, 2014 by order 140916-01SP.



- 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.*

Greg Jones [Signature] 4-14-16
 Printed Name Signature Date

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Greg Jones, whose name is signed to the forgoing petition, and who is known to me, acknowledged same before me on this the 14 day of April, 2016.

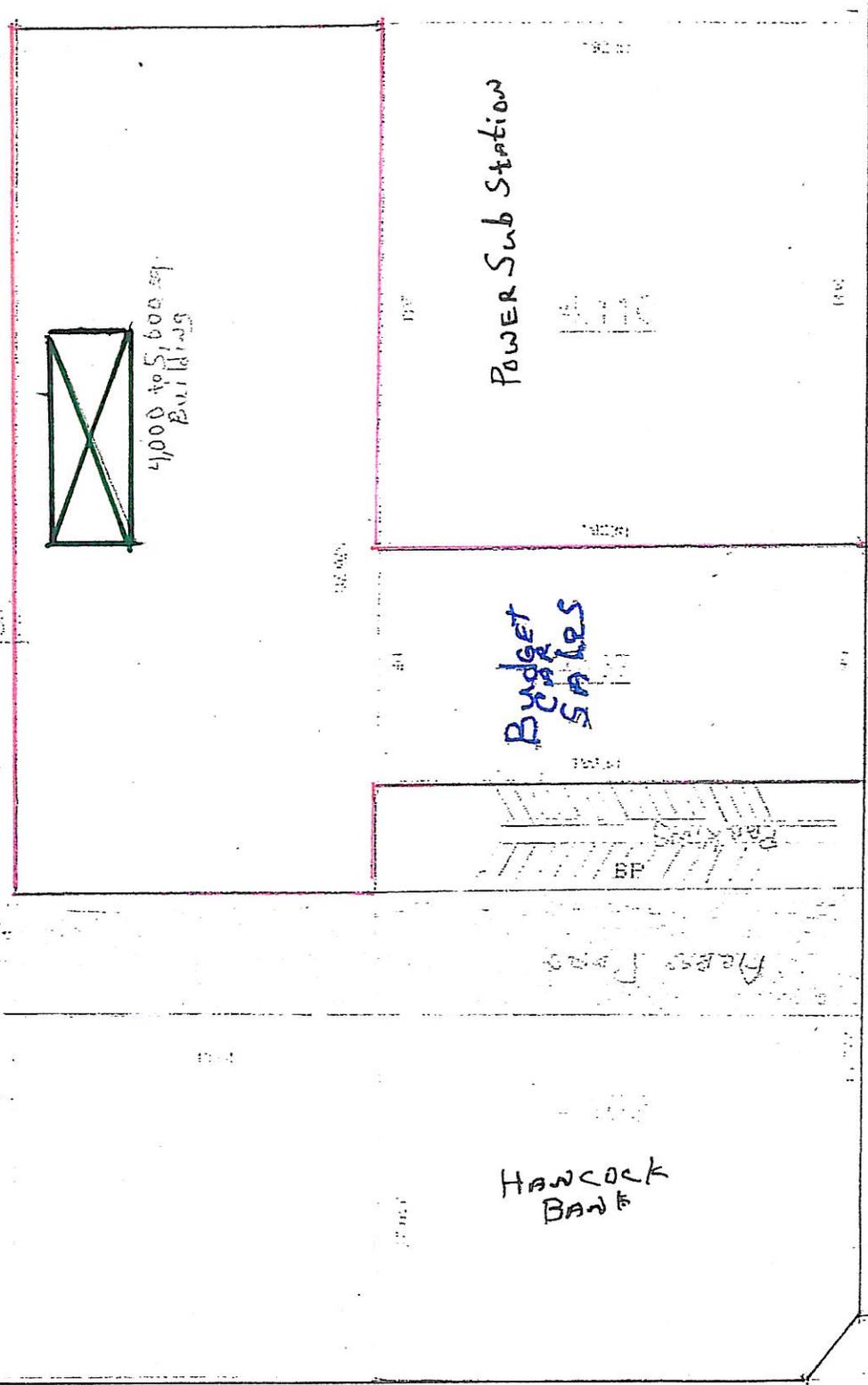
My Commission Expires 2/25/2020

[Signature]
 Notary Public

160614-01/A

Use-On-Appeal
Temporary Use Time Extension

LONG LEWIS - A



McQueen Smith

Walmart

Main St.