



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 December 11, 2012 meeting of
the City of Prattville Board of Zoning Adjustment
were approved.**

Leo Jamieson, Chairman

1/8/13

Date

PLANNING & DEVELOPMENT DEPARTMENT

102 WEST MAIN STREET ■ PRATTVILLE, ALABAMA 36067 ■ 334-361-3613 ■ 334-361-3677
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planning.prattvilleal.gov



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**CITY OF PRATTVILLE
BOARD OF ZONING ADJUSTMENT
A G E N D A
December 11, 2012
4:00pm**

Call to Order:

Roll Call:

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

Minutes:

Old Business:

None

New Business:

1. 121211-01 VARIANCE:

District 5

To the landscape and parking space requirements.
2579 Cobbs Ford Road
B-4 Zoning District (Highway Commercial)
Bill Oldacre, Petitioner

2. 121211-02 VARIANCE:

District 7

To allow use for heavy industrial.
Highway 82 East
FAR Zoning District (Forest, Agriculture, Recreation)
George P. Walthall, III, Petitioner

Miscellaneous:

Adjourn:

PLANNING & DEVELOPMENT DEPARTMENT

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**City of Prattville Board of Zoning Adjustment
Minutes
December 11, 2012**

CALL TO ORDER:

The regular meeting of the Prattville Board of Zoning Adjustment (BZA) was called to order by Chairman Leo Jamieson at 4:02 p.m. on Tuesday, December 11, 2012.

ROLL CALL:

Present: Chairman Leo Jamieson, Mr. Gerald Cimis, Mr. Mac Macready, and Mrs. Jerry Schannep.
Absent: Mr. James Miles. Also present was Commander Michael Whaley.

Quorum Present

Staff present: Mr. Joel Duke, City Planner and Ms. Alisa Morgan, Secretary.

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

MINUTES:

None

OLD BUSINESS:

None

NEW BUSINESS:

VARIANCE

To the landscape and parking space requirements.

2579 Cobbs Ford Road

B-4 Zoning District (Highway Commercial)

Bill Oldacre, Petitioner

Mr. Duke introduced the variance request for reduction in landscape and parking on property located at 2579 Cobbs Ford Road. He stated that the property was previously used for a service station and was in operation prior to adoption of the landscape ordinance. He stated that the petitioner was requesting to reduce the parking from the required 65 spaces to 30 spaces. He stated that landscaping plans provided no plans for foundation planting; a reducing the frontage from 25' to 5'; a variation of the perimeter reducing from 10' to 2'-6'; and requesting a 15' rear setback rather than the required 20'.

Greg Gillian of Larry Speaks and Associates, petitioner representative and Bill Oldacre, petitioner presented the variance request for 2579 Cobbs Ford Road. They stated that there would be no foundation planting; reducing the perimeter landscape from 10' to 6' between curb & access drive (Cobb Hill Place side); to 2' between curb and McDonald's lot (west side); to 3' between the dumpster and hotel site and to 5' between curb and North property line. They stated that the parking reduction request is to allow 30 spaces. They stated that an additional 3 to 4 spaces would be added once existing fuel contamination equipment was removed from the site. They also requested to allow a 15' rear yard setback. They stated that there would only be one building on the site divided into two different business uses. They stated that one use would be for a retail business and the other use for medical (dental) business. They stated that the back property would be heavily landscaped.

Chairman Jamieson opened the meeting for any public comments. There were none. The public hearing was closed.

Mr. Duke stated that the frontage green space was public right-of-way which was controlled by the state and was not part of the petitioner's property for possible landscaping.

Mr. Oldacre stated that part of the lease agreement was that both businesses require only 30 parking spaces for their use.

Chairman Jamieson stated that the size of the lot and the contamination of site posed a hardship for the property owner's use.

After no further comments, questions, or discussion, the vote was called. **The BZA voted unanimously to approve the variance request as submitted (no foundation planting; reducing the perimeter landscape from 10' to 6' between curb & access drive (Cobb Hill Place side); to 2' between curb and McDonald's lot (west side); to 3' between the dumpster and hotel site and to 5' between curb and North property line; reduce parking to allow 30 spaces; and a 15' rear setback) at 2579 Cobbs Ford Road.**

VARIANCE

To allow use for heavy industrial.

Highway 82 East

FAR Zoning District (Forest, Agriculture, Recreation)

George P. Walthall, III, Petitioner

Mr. Duke stated that he received an e-mail request from the petitioner to withdraw the variance request. He stated that a formal letter of the withdrawal request had been requested by the staff.

The BZA voted unanimously to table indefinitely the variance request on property at Highway 82 East.

MISCELLANEOUS:

The board discussed holding a work session in January 2013, date to be determined.

ADJOURN:

After no further comments, questions or discussion the meeting was adjourned at 4:53.

Respectfully submitted,



Alisa Morgan, Secretary
Board of Zoning Adjustment

PRATTVILLE BOARD OF ZONING ADJUSTMENT

PETITIONER: **BILL OLDACARE**
 3841 GREEN HILLS VILLAGE DRIVE, SUITE 400
 NASHVILLE, TN 37215

REQUEST: **VARIANCE TO ALLOW CHANGES TO THE LANDSCAPE AND**
 PARKING REQUIREMENTS.
 2579 COBBS FORD ROAD
 B-4 ZONING DISTRICT (HIGHWAY COMMERCIAL)

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 December 11, 2012 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 request as submitted (no foundation planting; reducing the perimeter landscape from 10' to 6' between curb & access drive (Cobb Hill Place side); to 2' between curb and McDonald's lot (west side); to 3' between the dumpster and hotel site and to 5' between curb and North property line; reduce parking to allow 30 spaces; and a 15' rear setback) at property requested.

IT IS THEREFORE ORDERED the petition of Bill Oldacre, 2579 Cobbs Ford Road, Prattville, AL is hereby approved.

DONE THIS THE 11th DAY OF December 2012.

BOARD OF ZONING ADJUSTMENT



LEO JAMIESON, CHAIRMAN



ALISA MORGAN, SECRETARY

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

MEETING DATE: December 11, 2012

PETITIONER: Bill Oldacre

ADDRESS OF PETITION: 2579 Cobbs Ford Rd

| | NAME | ADDRESS |
|-----|--------------|---------------|
| 1. | Greg Gillian | |
| 2. | Bill Oldacre | Nashville, TN |
| 3. | | |
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CITY OF PRATTVILLE
Board of Zoning Adjustment

Planning Department Staff Report



| | |
|--|--|
| DATE: | 12/3/12 |
| APPLICATION TYPE: | Variance (121211-01) |
| PROPERTY LOCATION or DESCRIPTION: | 2579 Cobbs Ford Road |
| PETITIONER(S) AND AGENT(S): | Bill Oldacre |
| ZONING DISTRICT(S) | B-4 (Highway Commercial) |
| REQUESTED ACTION: | To allow changes to the landscape and parking requirements. |
| ZONING ORDINANCE REFERENCE: | <p>PARKING SPACE ORDINANCE</p> <p>PAGE -3- Retail sales or service establishment not elsewhere specified: Three (3) spaces per first fifteen hundred (1500) square feet of gross floor area plus one space per one hundred (100) square feet of gross floor area.</p> <p>PARKING AREA LANDSCAPING ORDINANCE Article 13. Site and Off-Street Parking Area Landscaping Requirements</p> <p>Section 135 (a) Frontage Landscaping and Foundation Planting Requirements. Frontage landscaping shall require a landscaped strip with a minimum 10-foot depth along all adjacent public rights-of-way. Frontage landscaping shall include a minimum of one (1) tree and six (6) shrubs per full forty (40) linear feet of the frontage strip; shrubs are optional in areas where a berm at least four (4) feet in height is used, Trees and shrubs shall be well distributed, though not; necessarily evenly spaced. A lot with less than one hundred fifty (150) feet frontage and adjacent to a right-of-way shall have a frontage strip depth of ten (10) feet; a lot with one hundred fifty (150) feet to two hundred fifty (250) feet frontage shall have a frontage strip depth of twenty (20) feet; a lot with over 250 feet frontage shall have a frontage strip depth of thirty (30) feet.</p> |



CITY OF
PRATTVILLE, ALABAMA



SCALE: 1" = 200'



- STREETS
- ▭ TAX PARCELS





121211-01

Variance

To the landscape and parking space requirements

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

Application
Prattville Board of Zoning Adjustment

Application type: [] Use-On-Appeal [x] Variance [] Administrative Appeal

Applicant/Agent Information
Notarized letter from the property owner is required if agent is used for representation.
Name: Bill Oldacre
Street Address: 3841 Green Hills Village Drive, Suite 400
City: Nashville State TN Zip: 37215
Phone Number(s): 615-269-5444

Property Owner Information
If different than above
Name: 2579 Cobbs Ford LLC.
Address of Property Owner: 3378 Tankview Court
City: Montgomery State: AL Zip: 36108
Phone Number: ()

Property Description
County Tax Parcel Number/Legal Description: 29-28-03-08-0-001-031.004
Parcel "D" Cobb's Hill Plat No. 1 - PB 10 PG 48
Current Zoning of Property: B-4 Physical Address: 2579 Cobbs Ford Road
Proposed Use of Property (generally): Retail Space
Describe Proposed Use or Variance:
1. No Foundation Planting to be provided
2. Frontage Planting to allow:
(a) 5' width on Cobbs Ford Road (Current Condition)
3. Perimeter Planting to Allow:
(a) 6' width between curb & access drive (Cobb Hill Place side)
(b) 2' width between curb & McDonalds Lot (West side)
(c) 3' width between dumpster & Hotel site
(d) 5' width between curb & North property line
4. To allow only 30 Parking Spaces
5. To allow a 15' rear setback

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:

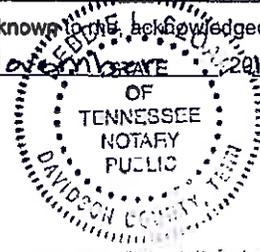
"To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit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

Property originally developed in early 90's for specific use as convenience store service station. Landscape ordinance adopted in 1998. Current recovery system due to contaminated soils will occupy four (4) parking spaces which can be provided at a later date.

I certify that I am the properly 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.

William A. Oldacre Wyle 11/21/12
 Printed Name Signature Date

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that William A. Oldacre, whose name is signed to the foregoing petition, and who is known to me, acknowledged same before me on this the 21st day of

November 2012

 My Commission Expires MAY 29, 2014

Debbie L. Sloan
 Notary Public
 My commission expires 5-20-2014

121211-01/C

Variance
To the landscape and parking space requirements

